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by Prof. T.W. Moody,
Dept. of Modern History,
Trinity College.

May 1979.

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Corrections to Thesis: The Ulster plantation in the counties of Armagh and Cavan, 1608 - 41.

Vol. I only :-

- P. 39 Line 9 "with" should read "into"
P. 40 " 4 "32%"
P. 72 " 18 "40%"
P. 78 " 18 last word on line is "if"
P.110 Footnote 3: line 7: "4 $\frac{1}{4}$ "
P.112 Line 9 "40%"
P.115 Line 16 "37%"
- Line 22 "28%"
P.120 Line 10 "appear"
P.122 Line 6 "to"
P.124 Second last line "patentee"
P.143 Line 17: "though"
- Line 24: "57%"
P.146 Line 8: "40%"
P.176 Line 4: "41.5%"
- Line 10: "44%" "92%"
P.186 Line 14: "60%"
P.197 Line 15: "5%"
Line 16: "21%"
P.215 "Certain Rents" Cavan, should read 773.5.1 $\frac{1}{4}$
P.225 Line 1: "75%"
P.226 Line 7: "16 $\frac{1}{3}$ " 4 $\frac{1}{3}$ "
P.227 Line 18: "50%"
P.267 Line 1: "62%"
P.267 Line 5: "44%"
- Line 10: "60%"
- Line 11: "28%"
- Line 16: "44 $\frac{3}{4}$ " 37 $\frac{1}{4}$ "
- Line 17 "17%"
- Line 18 "27 $\frac{1}{4}$ " "61%"
P.342 Last column of table "A = Under $\frac{1}{4}$
B = about $\frac{1}{4}$
C = over $\frac{1}{4}$ "

The typewriter used did not have percentage signs and smaller fractions. Most of these corrections involve the addition of these signs, not the alteration of any numbers. I am very sorry that all the alterations were not made before submitting.

R. J. Hunter

Are pp. 197, 579 missing?

No; they are duplicates.

Presented Oct. 68

H. Lilt. recommended by Examiners. H. L. G.

PREFACE

**THE ULSTER PLANTATION
IN THE COUNTIES OF
ARMAGH AND CAVAN,**

1608-41

Thesis presented to the University of Dublin
for the degree of Doctor of Philosophy

by

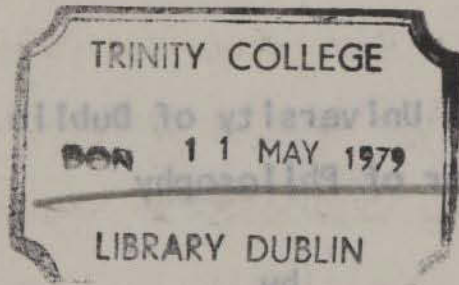
ROBERT J. HUNTER

THE ULSTER PLANTATION

IN THE COUNTIES OF

ARMAGH AND CAVAN

1808-41



THESIS
90A.1

ROBERT J. HUNTER

PREFACE

Since Professor Moody's comprehensive study of the Londonderry plantation was published, almost thirty years ago, there has been no attempt to examine the plantation in any of the other escheated counties of Ulster. This thesis, undertaken at his suggestion, seeks to extend the treatment to two counties, each with distinctive features, where individual settlers rather than corporate bodies were the predominating agents of colonisation.

Apart from my own limitations in evaluating the surviving materials, I have been hampered throughout by the very limited amount of surviving estate materials and sources of local and legal administration from which systematic data could be drawn. As a result the treatment of many social and economic aspects has been necessarily incomplete and inconclusive. However, much that is suggestive has been included in the hope that studies of other counties will reveal complementary information from which a general picture of the plantation can eventually be built up.

The development of settlement in both counties has been examined against a background of the history of the plantation as a whole. The separation of particular and general aspects has presented difficulties, but in so far as possible both have been considered in different sections of each chapter. Considerations of space, in an already lengthy thesis,

precluded detailed treatment of the British background of the settlers.

Two maps of each county are presented to indicate ownership at the outset of the plantation and also to show the effect by 1641 of intervening changes. Similarly, to give the thesis a statistical basis the areas of land held by the different types of owners at the beginning and in 1641 have been calculated. Reproductions of contemporary plans and maps have not been included, with the exception of Netherclift's map of Cavan town, c.1593. A reconstruction of the town of Armagh in 1618 from a rental of that year, made by Mr. H. D. McC. Reid, M.A., Vice-Principal of Armagh Royal School, which forms part of his unpublished M.A. thesis 'The historical geography of Armagh' (Q.U.B., 1954) is presented here by his kind permission. I am specially indebted to Mr. C. J. W. Edwards, M.A., Lecturer in Geography at Magee University College, whose draftsmanship has given my maps their highly professional appearance.

I am indebted to many people for advice on source material and for numerous helpful suggestions. In particular I would like to thank Dr John Andrews, Dr L. J. Arnold, Professor J. C. Beckett, Mr John Brown, Dr Aidan Clarke, Mr William Crawford, Dr M. P. Maxwell, Professor J. L. McCracken, Mr K. W. Nicholls, Dr J. G. Simms, and Mr Joseph Starr. To the staffs and curators of all the libraries and manuscript repositories in which I worked, I wish to express my thanks. I owe special thanks to the staff of the library of Magee University College, Londonderry. My primary debt, for both advice and kindness, to my supervisor Professor T. W. Moody, I gratefully acknowledge.

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I declare that this thesis has not previously been submitted as an exercise for a degree at this or any other university and that it is entirely my own work.

Robert G. Hunter

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1. The historical background.

The historical background of the present situation, which is the subject of this study, is the result of a long and complex process. It is the result of the interaction of various factors, including the political, economic, and social conditions of the country at the time. The process began in the early years of the century, when the government decided to undertake a major re-organization of the public service. This was done in order to improve the efficiency and effectiveness of the administration. The process was carried out in a number of stages, and it was not until the late 1920s that the new system was fully established. Since that time, the system has undergone a number of further changes, and it is now in a state of continuous evolution.

VOLUME I

The first of these changes was the introduction of a new system of recruitment, which was based on the principle of merit. This was a departure from the previous system, which was based on seniority. The new system was introduced in 1928, and it was the result of a long and complex process. It was the result of the interaction of various factors, including the political, economic, and social conditions of the country at the time. The process began in the early years of the century, when the government decided to undertake a major re-organization of the public service. This was done in order to improve the efficiency and effectiveness of the administration. The process was carried out in a number of stages, and it was not until the late 1920s that the new system was fully established. Since that time, the system has undergone a number of further changes, and it is now in a state of continuous evolution.

1. F. W. Stead, *Imperialism and the World*, p. 112. This is a general introduction to the subject of imperialism, and it is not relevant to the present study.
2. *Salt, S. P.*, 1928, p. 112.
3. *Ibid.*, pp. 113-14.
4. *Salt, S. P.*, 1928, pp. 115-16.

CHAPTER I. INTRODUCTION.

I The plantation scheme.

The background in Ulster to the flight of the earls, which precipitated the adoption of the policy of plantation there, is well known.¹ Already since the battle of Kinsale British institutions and laws were being introduced and the very progress of these played some part in the earls' decision to embark for the continent.

The flight of the earls on 3 September 1607 suggested an all-out confiscation of their territories. Immediate steps also had to be taken to fill the power vacuum created by their departure. Thus on September 7 a proclamation was issued assuring the inhabitants of Tyrone and Tyrconnell that they would not be disturbed in the possession of their lands so long as they behaved as dutiful subjects,² and also a commission was issued to the archbishop of Armagh and sixteen others, bishops, local commanders, and Gaelic Irish, for the government of Tyrone, Tyrconnell, and Armagh.³ Suggestions for re-settlement took various forms, a division of the land between natives and servitors being commonly suggested, with forts and towns to guarantee security, though it was also felt that British colonists should be imported.⁴

1. T.W. Moody, Londonderry Plantation, pp.23-40, provides a general introduction which is re-worked here to bring out certain issues not relevant to the Londonderry situation.
2. Cal. S.P. Ire., 1606-8, p.263.
3. Ibid., pp.263-4; Cal. pat. rolls Ire., Jas I, p.118.
4. Cal. S.P. Ire., 1606-8, pp.266, 268, 276, 281, 304, 339-43.

With the drift of these early plans the London government concurred, requesting further information.¹ The precedent of the Munster plantation was also examined.² In December the territory of the fugitives, indicted of treason, was found, by local juries, to be forfeit to the king.³ In April 1608 the rebellion of Sir Cahir O'Doherty, lord of Innishowen,⁴ and the sympathetic outburst at the end of May of Oghy Oge O'Hanlon in Armagh⁵ both soon suppressed, gave incentive to the scheme for plantation.⁶ By March 10 Chichester had drafted his 'notes of remembrance' for the guidance of the privy council in London.⁷ These recommendations were essentially moderate both in the amount of the escheated territory with which they dealt and as to the proportion of each county covered which was recommended for plantation. At this time the province was governed in ten units by local commanders⁸ and the establishment of a presidency was being suggested, to be located at either Dungannon or Armagh.⁹ Sir Josias Bodley, the overseer of fortifications, was sent to examine and report on the serviceability of the Ulster forts.¹⁰

1. Ibid., pp.286, 290, 331.

2. Ibid., pp.325-6.

3. Ibid., pp.343-4, 355, 361, 389-93, 406, 434, 555-6.

4. T.W. Moody, Londonderry Plantation, pp.29-30.

5. Below, p.

6. Cal. S.P. Ire., 1606-8, pp.480-4, 485-7, 499-514, 516-20, 524-27, 541-5, 563.

7. 'Ulster Plantation Papers' no 73, in Analecta Hibernica, viii.

8. Cal. S.P. Ire., 1606-8, pp.401-3.

9. Ibid., pp.397-8, 405, 487.

10. Ibid., pp.502, 514, 526.

O'Doherty's rebellion underlined the need for a new settlement and caused a hardening in attitudes towards the Ulster Irish.¹ On July 20 the privy council ordered Chichester to abstain from making promises of any of the escheated lands.² On the same day in a letter to Sir Geoffrey Fenton Salisbury, recognising that the logic of conquest was plantation, that 'a free passage [was] prepared to the settlinge' of Ulster, expressed the hope that the lord deputy would not be 'over facile' in granting pardons to those who would afterwards 'crosse the coursses of plantacon his majesty intendeth.'³ On August 5 Sir John Davies informed Salisbury that the king had six entire counties in Ulster at his command 'which is a greater extent of land than any prince in Europe has to dispose of'.⁴ The next two years saw the working out of the plantation scheme, the choice of settlers, and the allocation of land.

Between July and September 1608 in an official tour through the six counties of Armagh, Tyrone, Coleraine, Donegal, Fermanagh, and Cavan⁵ surveys of the state of landownership were taken in each county.⁶ These surveys differentiated lay from clerical land, and investigated the amount of land within each barony and within each Gaelic territory of which the baronies were composed. They listed monastic property

1. Cal. S.P. Ire., 1608-10, p.81.
2. Cal. S.P. Ire., 1606-8, p.617. Chichester assented in September (Cal. S.P. Ire., 1608-10, p.34).
3. A.B. Grossart (ed.), The Lismore Papers, 2nd ser., 1, 127-8.
4. Cal. S.P. Ire., 1608-10, p.17.
5. Cal. S.P. Ire., 1608-10, pp.14-17, 25-29.
6. A contemporary abstract of these is published in Analecta Hibernica, iii. The survey in detail for Armagh is in T.C.D. MS E.3.13, ff.177-96.

in each county, examined the parochial organisation, inquired into the amount of land over which the bishops had control, and stated on what grounds the temporal land was available for plantation. On October 14 Chichester dispatched Sir James Ley, the chief justice, and Sir John Davies, the attorney general, to London armed with his revised 'notes of remembrances' on the state of each of the six escheated counties, as well as with general recommendations, to confer with the privy council in drawing up the scheme for colonisation.¹ The claims of landholders within each county were discussed, and places deserving of special care mentioned. It was an essay in political geography. Chichester recommended that the principal natives in each county be taken into consideration, noting that although their claims to freehold status could not be justified in law, it would be almost impossible to displant them. The rest of the land should be granted to well-chosen undertakers from England and Scotland as well as servitors from Ireland, on fixed conditions and with annual rents to the crown which should be remitted for the first years. All grantees should take the oath of supremacy, except, perhaps, some of the natives. Estates should not be very large or of especially unequal size. The servitors should be located in places of most danger, those of inadequate means to be given temporary military appointments in their localities. When these servitors had been placed, and such natives as should receive land chosen, the remainder of the land should be allocated to undertakers

1. 'Ulster Plantation Papers' no 75 in Analecta Hibernica, viii-Cal. S.P. Ire., 1608-10, pp.54-65, 68.

in equal proportions, their location to be determined by lot. The English and Scottish undertakers should be required to build castles and strong houses, erect towns and villages, and enclose and manure the land in a civil fashion and should accordingly be required to pay less rent than the Irish from whom it would be optimistic to expect such improvements. The Irish, however, should be obliged to refrain from their 'creatinge' a transhumance practice, settle in towns and villages and build houses like those of the Pale. Special care should be taken of the church, both in the re-building of places of worship and the allocation of adequate endowments to parochial clergy and bishops. In the granting of land to the bishops, whose temporalities were now obscured and 'out of order' it would be best to begin afresh 'as if his Majesty were to begin a new plantation in America from which it does not greatly differ'. On October 18 Chichester suggested that Scottish grantees should not be allowed to bring over islanders as their tenants.¹

A committee was now formed in London to prepare the details of the plan, which was completed by January 1609 when two fundamental documents were produced, one of which was printed. These were 'A Collection of such Orders and Conditions as are to be observed by the undertakers upon the distribution and Plantation of the Escheated lands in Ulster'², and 'A Project for the Division and Plantation of the

1. Cal. S.P. Ire., 1608-10. p.85

2. P.R.O., S.P. 63 226, ff.30-39 ; It is printed, with notes, in Hill, Plantation, pp.78-89.

Escheated lands in Ulster',¹ the latter an extention to the six counties of the specimen project drawn up by 20 December 1608 for county Tyrone.²

The 'Orders and Conditions' laid down that the estates, or proportions, should be of three sizes: great, middle, and small, containing 2,000, 1,500 and 1,000 English acres respectively, quantities of bog and wood to be granted in addition rent free depending on local availability. Beneficiaries under the scheme were to be of three types: English and Scottish who were to settle their proportions with English and inland (or lowland) Scottish tenants, servitors of Ireland who might take Irish or British tenants, and natives of Ireland. The king should decide in what county each undertaker should have his grant, but indicated that within each county the allocation should be by lot.

The English and Scottish undertakers were to have their estates in fee farm paying an annual quit-rent to the crown at the rate of £5. 6. 8. per thousand acres, with exemption from payment for the first two years. Great and middle proportions were to be held by knight's service in capite though to be exempt from wardship for the first two descents, small proportions in common soccage. Every undertaker of a great proportion was, within two years of his letters patent, to build a castle enclosed with a strong court or bawn; of a middle proportion a stone or brick house and bawn; of a small

1. 'Ulster Plantation Papers' no 74, in Analecta Hibernica, viii; Cal. Carew MSS, 1603-24, pp.13-22; Hill, Plantation, pp.90-116.
2. Cal. S.P. Ire., 1608-10, pp.117, 129.

proportion a bawn at least. They were to plant within the same two-year period 'a competent number' of British tenants, who should be obliged to build their houses near the undertakers' strongholds. All were to be allowed timber from the king's woods in the province for their buildings. Each undertaker should have in his house 'a convenient store of arms' for the defence of his colony, which should be mustered half-yearly. The undertakers should take the oath of supremacy and conform to the official religion. Each undertaker or an accredited agent must reside on his lands for five years after his grant. They should have power to erect manors, and hold courts baron twice in the year and create tenures. One-third of their estates should be held in demesne, one-third alienated in fee-farm and the remainder for forty years or under. They should not grant any land to the mere Irish. No part of their estate should be demised at will, and they should not reserve uncertain rents or Irish exactions. For seven years they should have power to export all produce without payment of custom and similarly to import food, utensils, materials, and stock.

The servitors should have their estates at a rent of £8 per thousand acres and rateably, but if they planted with British tenants they should pay at the same rent as the undertakers. Apart from the freedom to plant with Irish tenants, their conditions were not different from those of the undertakers. Irish grantees should pay at the rate of £10. 13. 4. per thousand acres, with exemption for one year only. They should build on and inhabit their lands as the

undertakers were required to, and practice the agricultural methods of the Pale.

Commissioners were to be appointed to put the plantation into effect, all undertakers to appear before them at or before the coming midsummer. Every undertaker before receiving his patent should enter into a bond or recognizance to perform the conditions of his grant. In each county 'a convenient number' of market towns and corporations should be established, and there should be at least one free school in each county. There should likewise be a 'convenient' number of parishes and parish churches, all tithes to be paid to the incumbents.

The 'Project' began with five basic points. In each county half of the escheated land should be divided into small proportions, the remaining half to be divided equally into middle and great proportions. Each proportion was to be constituted a parish, a parish church erected on it, and glebe land assigned to each incumbent at the rate of sixty acres in every thousand. The Project then examined each of the six counties. For each the acreage and number of local land units derived from the survey of the previous year was stated; the amount to be reserved for the church both episcopally and parochially, the area of monastic lands, the amount undertakeable divided into proportions, and the number of these to be given to each type of grantee, being also set down. The number of towns in each to be incorporated was defined, and land reserved to be granted to them. These should receive rights to hold markets and fairs, and 'other reasonable liberties' including the power to return burgesses to

parliament, and to establish them there should be a 'levie or prest' of tradesmen and artificers out of England. Land was also to be reserved for one free school per county and Trinity College, Dublin, was to be endowed. The native population in each county was to be settled on the lands of the servitors, the native grantees either under or prior to the plantation, or on the bishops' lands and the glebes. 'Swordsmen' however, were to be transplanted to Connacht or Munster or impressed as soldiers.

Difficulties were encountered at this point. In March Chichester submitted his observations on the scheme as formulated. While approving in general of the sizes of proportions, he was not entirely in favour of a rigid 'popular equality' in division. Provision should be made for powerful undertakers to receive larger scopes. He brought forward objections to the method of assigning land by lot: groups of planters united by ties of friendship or blood might wish to live together; it was important that grantees be satisfied with the location of their lands; the servitors, previously anxious for land, were now unwilling to apply unless they could choose where to live, those in command of forts particularly desiring land nearby. The amount of time for building was too short. In particular the tenure by knights' service in capite, which had not been imposed on the Munster settlers, was objected to. Grants of land to the church would need further consideration. Also he felt that inadequate provision had been made for the native Irish, who were consequently very restive. Many more of them, especially in Cavan, Fermanagh, and

Donegal, were claiming and expecting freeholds than appears to have been taken account of. In the solving of many of these problems much should be left to the discretion of the commissioners who would put the plantation into effect.¹ At the same time a rumour of the return of Tyrone provided added explanation for the lack of enthusiasm for the plantation.² Consequently, in May, the government decided to soften some of the conditions.³

Fresh difficulties now came into prominence. It became apparent that the 1608 survey had not been an accurate one. Further it had been merely a survey of the counties, it remained for the land to be divided into proportions, an essential preliminary to plantation. Also, a paralyzing problem had arisen through the claims of the Ulster bishops who brought forward a fundamental criticism of the findings of the surveyors. In 1608 the termon and errenach lands had been uniformly pronounced crown property.⁴ From these quasi-ecclesiastical lands, a peculiarity of Irish Christianity,⁵ the bishops had received traditional rents but it was found that they were see property and so that they had escheated and were open to confiscation.⁶ By a calculation made in March 1609 it was found that there were 7,986 acres

1. Cal. S.P. Ire., 1608-10, pp.149, 155-61, 176-9.
2. Ibid., p.193.
3. T.W. Moody, Londonderry Plantation, p.35. Cal. S.P. Ire., 1608-10, p.212.
4. Cal. S.P. Ire., 1608-10, pp.16, 17.
5. For the medieval background of these lands and the institutions related to them see a series of articles by J. Barry in I.E.R., series 5, lxxviii. 17-25 (1957); lxxix. 24-35, 424-32 (1958); xci. 27-39 (1959); xciii. 361-5 (1960); xciv. 12-16, 90-5, 147-53, 211-18 (1960).
6. Morley, Ire. under Eliz. & Jas I, pp.364-7; Cal. S.P. Ire., 1608-10, pp.280-1.

of demesne and mensal lands in the escheated area, and 60,946 acres of tithes and errenach land.¹ This land, too, lay interspersed throughout the escheated area, and so presented added administrative difficulties.² The bishop of Derry, James Montgomery, one of those who drew up the 'Project' claimed these as outright demesne property. With such problems outstanding, it was decided to defer the granting out of the land until spring 1610.³ By then it was felt a resurvey would have been conducted, the problems of church lands solved, the capacities of claimants for land investigated, the natives 'drawn into' reserved areas and a more peaceful environment assured, and new conditions of plantation, more attractive to servitors whose value to support the undertakers was recognised, promulgated.⁴ At this point, the London government entered into negotiations with the city of London which resulted in its undertaking the entire county of Londonderry.

In June 1609 instructions were issued to the deputy, followed by a commission of July 21, to complete preparations in Ireland.⁵ They were now to hold fresh inquisitions to remedy omissions and defects in the 1608 survey. Temporal land was to be divided into proportions according to the 'Project', each to be delineated by known mears and bounds, and the name of every ballyboe or other land measure in it recorded. Names should be chosen for the proportions, and in estates lying near highways, fit places on which undertakers should

1. Cal. S.P. Ire., 1608-10, pp.180, 293; Cal. Carew MSS, 1603-24, p.40.
2. Cal. S.P. Ire., 1608-10, p.211.
3. Ibid., pp.211-2.
4. Ibid.
5. Cal. Carew MSS, 1603-24, pp.42-3; Cal. S.P. Ire., 1608-10, pp.181-4, 213; Inq. cancell. Hib. repert., ii, App.; T.W. Moody, Londonderry Plantation, p.36, n.2.

X build selected. Because the principle of selection by lot discouraged potential undertakers wishing to live together, every county was to be divided into precincts, containing several proportions, to which consorts of undertakers might be appointed, lots to be drawn by precinct rather than proportion. Bog and wood over and above the acreage of proportions was to be allotted to each, though great woods were to be preserved for the king. The commissioners were to establish the boundaries of parishes and allocate glebe land at the rate of sixty acres in every thousand. They were to allot the lands to be granted to towns, schools, and the college at Dublin, and to reserve 12,000 acres as endowment of a hospital for maimed and diseased soldiers. They were to make maps of every county, indicating the boundaries of precincts and proportions by name. The commissioners should adjudicate disputes and controversies. They were to investigate complaints that clerical land had been granted out as monastic and where this had happened take steps for its restitution. Furthermore, they were particularly instructed to regard all lands from which the bishops 'have had heretofore rent, certentie of reffecc'ons or penc'ons' as ecclesiastical property to be annexed to the appropriate sees. Royal title to all the areas of escheated land was to be drawn up by the lawyers. They were to report on what pensions or otherwise should be granted to the widows of special individuals. They were to arrange for the allocation of fishing rights. Their business should be concluded by 'hallowmass' and two copies of their findings made, one to be transmitted to London, the

other to remain in Dublin.¹ At the same time the deputy was to send to England a list of such servitors as were willing to undertake for lands.² He was also to procure the removal of Ulster swordsmen to other parts of Ireland, or have them enlisted to serve abroad. Those authorised to levy soldiers for foreign service should particularly draw them from Armagh, Tyrone, and Coleraine. Swordsmen who could not be transplanted should be confined to special places within the escheated counties at the discretion of the lord deputy.³

The commissioners devoted the period from July 31 to September 30 to their task, taking inquisitions in each county.⁴ The jurors found universally, as before, that the bishops had no just claim to the errenach lands in demesne despite pressure from the bishop of Derry,⁵ Chichester reporting that 'some of them sought that of right which they must have of grace if they possess at all'.⁶ In Fermanagh a dispute arose on this between the elderly Miler McGrath, archbishop of Cashel, who claimed Termon Magrath as errenach, and Montgomery, who

1. Inq. cancell. Hib. report., ii, App.; Cal. S.P. Ire., 1608-10, pp.236-7, 245-7, 253-4, 255-6; Cal. Carew MSS, 1603-24, p.43.
2. Cal. Carew MSS, 1603-24, pp.42-3; Cal. S.P. Ire., 1608-10, p.213.
3. Cal. Carew MSS, 1603-24, pp.48-9.
4. Cal. S.P. Ire., 1608-10, pp.293-5; Inq. cancell. Hib. report., ii, App.; T.C.D. MS, E. 3. 34.
5. Cal. S.P. Ire., 1608-10, pp.280-1.
6. Ibid., p.285. He stated that he wished they could have this land at the king's pleasure, but he could not 'digress from the duty and service he owed to his sovereign as to feed the insatiable humours of craving men, when they tend to his majesty's loss or dishonour, in order thereby to preserve himself from their envy and complaints' (ibid.). Whatever the justice of the bishops' claims it should be noted that the termon and errenach lands in the diocese of Dromore, outside the plantation area of Ulster, were not granted outright to the bishops (W. Reeves, Ecclesiastical Antiquities of Down, Connor, and Dromore, pp.310-11).

then held the bishopric of Clogher, claiming it as demesne.¹ In each barony they selected men who assisted the surveyor-general, Sir William Parsons, and Sir Josias Bodley and his cartographic associates in the construction of maps.²

Finally, in February 1610 Davies and Sir Thomas Ridgeway, the vice-treasurer, were sent to London with the commissioners' findings and with recommendations from Chichester on a wide range of details of the scheme.³ The delay resulted from the fact that Chichester had been engaged after the commissioners' return to Dublin in rounding up swordsmen, one thousand of whom were dispatched to Sweden.⁴ The two most important items returned by the commissioners were a set of barony maps of the six counties, made under Bodley's supervision,⁵ and a detailed declaration of the king's title to the forfeited land in each county, the work of Davies,⁶ as well as the inquisitions for each county.

The maps were described at the time in glowing terms, Davies stating that 'the most obscure part of the king's dominions is now as

1. Cal. S.P. Ire., 1608-10, pp.288, 292. In the 1590s and in the early years of the seventeenth century some of the Ulster termon and errenach lands, especially in Cavan and Fermanagh had been granted out as monastic property. In 1596 the McGraths had surrendered and received a regrant of Termon Magrath (Cal. fiants Ire., Eliz., nos 5993, 5997; Cal. pat. rolls Ire., Eliz., pp. 361-2).
2. Cal. S.P. Ire., 1608-10, pp.280-1, 293.
3. Ibid., pp.389-91.
4. Ibid., pp.251, 263, 264-5, 281, 286-7, 296-7, 300, 303-6, 334 (some of them escaped).
5. P.R.O., M.P.F. 35-64; Maps of the Escheated Counties in Ireland, 1609 (Ordnance Survey Office, Southampton, 1861). The coverage for Donegal and Londonderry did not come to light. Two maps of Donegal have since been located amongst the muniments of Trinity College, Dublin (F.H.A. Aalen and R.J. Hunter, 'Two Early Seventeenth Century Maps of Donegal' in R.S.A.I. Jn., xciv, 2, 199-202).
6. Cal. S.P. Ire., 1608-10, pp.389, 552-77.

well known and more particularly described than any part of England'.¹ Bodley, however, in a letter to Salisbury, indicated awareness of some defects of the work which later became apparent. He stated that while they had found 'many thousand more acres' for the king than in any previous survey their acreage estimates had been based on local computation as well as on Irish rather than statute measure. He accordingly advised that a clause be inserted in undertakers' patents reserving the right to take a more exact survey later, whereby he felt the king's revenue could be augmented by one-third.² It is sufficient to state here that the total acreage of the escheated counties found in 1609 was 424,643, which exceeded that of 1608 by 38,345 acres.³ However, the maps had the immediate value that the temporal land had been divided into proportions, and ecclesiastical land, and land for other uses was demarked. The lawyers, in brief, found that the king's title to the lands in Armagh, Tyrone, and Coleraine, stemmed from the attainder of Shane O'Neill, to Donegal and Fermanagh from the flight of the chieftains, and to Cavan from the death of Philip O'Reilly in rebellion in 1596.⁴

At the end of January Chichester sent over a list of servitors, divided into eight categories, who were willing to undertake Ulster lands. These people, of varying positions and competencies, were 171 in number. In some cases he recommended where they should be located.⁵ He attempted to restrain suitors for lands, British and

1. *Ibid.*, p.409.

2. *Ibid.*, pp.392-3.

3. *Ibid.*, p.404.

4. *Ibid.*, pp.552-77.

5. *Ibid.*, pp.365-8.

Irish, from going to London by undertaking to present their cases himself.¹ He also, in common with other members of the Irish administration, sent a wide range of general and specific recommendations. Soccage tenure should be adopted rather than grants in capite. Powerful men should be induced to supervise a barony (or precinct), each to select suitable undertakers, who should not make leases for less than twenty-one years or three lives. Previously he had stressed that the success of the plantation scheme would depend on subsidisation from England.² Tenants should not be allowed to 'struggle or disperse' into unsafe places as they had done in Munster, but should dwell together beside the principal undertaker, thereby deriving a strength out of unity against 'the common enemy'.³ He felt the time for building should be extended to four years, during which time also measures of land enclosure should be effected. The period of exemption from rent should also be extended. The Irish, since they would be difficult to transplant to other parts of Ireland, should be removed to segregated areas within the six counties and reformed from their social customs. They should not be settled amongst the British population, which Munster experience had shown to be unsuccessful. To preserve the cultural identity of the settlers, they must be kept separate from the Irish, forbidden to intermarry with them, 'and if possible exceed them in multitude'. His attitude to the Irish was, however, within the limits of his commitment to the plantation policy, more liberal than their subsequent treatment would suggest, pointing out that it was a

1. Ibid., pp.390-1.

2. Ibid., pp.269-70.

3. Ibid., pp.355-9.

matter of 'great consequence and necessity' to make 'meet provision' for them.¹ However precautions must be taken for the defence of the colony and he recommended that if an Ulster presidency were to be established, it should be located at Dungannon.² He urged that the division of land should be made by baronies, rather than by individual proportions, which would cause paralyzing administrative difficulty. Sir Edward Brabazon, writing to Salisbury in March, pointed to the dangers of tension stemming from the conflicting purposes of undertakers and servitors: '... the captains wishing for war to supply them and the undertakers for peace are two contrarities which can hardly be brought into fashion unless the martial men may be placed by themselves'.³

Dealing with the church Chichester emphasised again that the bishops' claims to the errenach lands were unfounded though he pointed out that the errenachs were not worthy to be grantees. If the bishops were to receive these lands the parish clergy should have allocations of glebe from them. The bishops should be enjoined to build a substantial house for their own use in each diocese and plant British on their lands and compel their Irish tenants to live a settled life. The bishops should have the donation of benefices except for a small number to be granted to the college and the lord deputy.⁴

Fortified with such wide-ranging recommendations the commissioners in London worked out the final arrangements in the spring of

1. *Ibid.*
2. *Ibid.*, pp.368-72.
3. *Ibid.*, pp.407-8.
4. *Ibid.*, pp.355-9, 362-5, 368-72, 389-90, 390-1.

1610. It was decided that the termon and errenach lands should be granted to the bishops 'as of his Majesty's free donation' and on a negotiated basis. The outcome was that the bishops consented to plant one-third at least of these lands with British under the plantation conditions, being free to demise the remainder to Irish. In the first instance they might make leases for sixty-year periods but succeeding leasings should not exceed twenty-one years or three lives.¹

The temporal lands in the five counties were divided into twenty-eight precincts, each a barony, sixteen to be allocated to British undertakers, in equal proportions to English and Scots, and twelve to servitors and native grantees. Each of the precincts allotted to undertakers was to be supervised by a substantial figure - members of the English or Scottish privy councils - who should select a group of undertakers, a consort, and allocate to each his proportion. The servitors and native grantees were to be planted together. Three reasons were given for this: that the servitors, being familiar with the Irish, could 'carry a better hand and eye' over them than the undertakers; that it would be advisable to separate the servitors from the undertakers to avoid dissentions; that since the servitors might receive Irish tenants they should not be intermingled with the undertakers who should only plant with British.²

In April a revised set of conditions was produced, under which

1. *Ibid.*, pp.409-11; Cal. Carew MSS, 1603-24, pp.38-40 (incorrectly ascribed to March 1609).
2. Cal. S.P. Ire., 1608-10, pp.404-6, 409-11.

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 the grantees accepted their lands later in the year. These revised conditions for undertakers were printed in London,¹ the corresponding regulations for servitors and Irish natives exist only in manuscript. The form of the previous set was followed but certain changes were made. Each precinct for undertakers was to be assigned to a principal undertaker and his consort, the chief undertaker being allowed two middle proportions if he desired. Lands should be held in free and common soccage as of Dublin castle. The time limit for building castles and planting tenants was extended to three years, rent payment to begin at Michaelmas 1614. Each undertaker of one-thousand acres was by the time limit to have twenty-four male British tenants aged eighteen and over and forming at least ten families upon his proportion, with corresponding increases for larger estates. These ten families should be divided as follows: two fee-farmers with one hundred and twenty acres each; three lease-holders, for twenty-one years or three lives, of one hundred acres each; and four families of husbandmen, artificers, or cottagers whose land was to be assigned at the discretion of the undertaker, who should himself have a demesne of three hundred acres. Undertakers and tenants should take the oath of supremacy. The undertakers or their agents should present themselves before the lord deputy and plantation commissioners before the ensuing midsummer day, and occupy their proportions before michaelmas. The revised conditions for servitors and natives embodied corresponding modifications.²

1. B.M. Lansdowne MS 159, ff.217-23; T.W. Moody, 'The revised articles of the Ulster plantation, 1610' in Bulletin of Institute of Historical Research, xii. 178-83.

2. 'Ulster Plantation Papers' no 18 in Analecta Hibernica, viii; Cal. Carew MSS, 1603-24, pp.50-2.

In the months of April and May the baronies assigned for undertakers were allotted to consort groups by superintending members of the English and Scottish privy councils.¹ The selecting of servitors and native freeholders took longer, posed specific difficulties, and involved both the Dublin and London governments. From the list of servitors sent over by Chichester a short list of suitable candidates, with accompanying instructions, was returned to Dublin in April 1610. It was laid down that no servitor with a current martial position in Ulster, unless a privy councillor, should be a grantee. The deputy was given discretion to omit from the list returned unsuitable candidates.² In general, however, the placing of servitors was to fall within the competence of the Dublin government, the consort principle was not applied. Recommendations of individuals from London, not all of which were accepted and some of which were received after the land had been allotted, were common,³ but within the framework of the list of servitors and the accompanying instructions, the deputy and plantation commissioners had considerable initiative in the selection and placing of servitor grantees.

The selection of native freeholders and the treatment of the Ulster Irish generally had, as we have seen, occupied attention for a considerable time before 1610. Chichester regarded the settlement of the natives as a political problem of the utmost importance. In a letter to the privy council in February he urged that careful

1. 'Ulster Plantation Papers' no 21 in Analecta Hibernica, viii.
2. Cal. S.P. Ire., 1608-10, pp.428-9.
3. See for example, 'Ulster Plantation Papers' no 23 in Analecta Hibernica, viii; Cal. S.P. Ire., 1608-10, pp.450, 455.

consideration be given to their location in each county 'and how the dependence of a multitude may be so taken away from all the great ones, as they may chiefly depend upon the king and his laws'. This could be done, in his opinion,

by creating many petty freeholders among them, with parity of estates, by making few or none of them equal with the rest of the undertakers, therein, by overtopping them in multitudes if it be possible.

As a guide to 'your lordships and us' in the selection he forwarded a list of names of freeholders which had been drawn up for him previously by the earl of Tyrone and other northern chiefs.² In March it was felt that the choice of native grantees should be referred to the deputy and plantation commissioners.³ While, as in the case of other grantee categories, the number of baronies to be assigned was decided in England, the selection of suitable natives clearly demanded a degree of local knowledge which could not be shared by the English government. However, in a number of important instances the lord deputy requested that government to decide on the amount and location of land to be granted,⁴ and was advised accordingly.⁵ Also certain of the substantial native gentry appear to have gone to London to plead their cases and come back with recommendations to the deputy.⁶ However apart from such important instances and within the limits of available land, the choosing and siting of native grantees was left to the deputy

1. Cal. pat rolls Ire., Chas. I, pp.636-9.

2. Ibid. The list has not been found.

3. Cal. S.P. Ire., 1608-10, p.411.

4. Ibid., pp.382-5.

5. Ibid., p.429; Cal. Carew MSS, 1603-24, pp.52-3.

6. Cal. S.P. Ire., 1608-10, pp.431-2, 438-9, 440-1, 443.

and the commissioners for implementing the plantation.

Certain further problems were considered in the spring before responsibility for the inauguration was transferred to Dublin. Particular points concerning the granting of land to the church were cleared up, and it was ordered that the bishoprics and other spiritual livings in Ulster should be rated for first fruits. It was decided that although tradesmen were not apparently to be transplanted from England to live in them, the proposed Ulster towns should be incorporated as planned, their importance in returning members to parliament being recognised. Steps should also be taken for the transplantation of Ulster natives to other parts of Ireland, or indeed to Sweden or Virginia.¹ It was decided that the deputy should nominate the commissioners to put the plantation into effect.² Its implementation now had a special urgency because there were fears that the Irish regiment in Flanders would be disbanded and that its members might return to Ireland and raise a new war.³ Finally in June Davis and Ridgeway were returned to Ireland and a commission was issued for the transference of the land to grantees. In July Chichester and his fellow commissioners set out for Ulster to inaugurate the new dispensation now so lengthily planned.⁴

It may be noted that Ulster had not been entirely unprofitable

1. *Ibid.*, pp.415-16, 425.
2. *Ibid.*, p.424.
3. B. Jennings (ed.), Wild Geese in Spanish Flanders, 1582-1700, pp.48-50, 542, 548, 549, 550.
4. Cal. S.P. Ire., 1608-10, pp.433, 460-1, 497-80; Cal. Carew MSS, 1603-24, pp.54-5.

to the crown in the interval since the flight of the earls. Sir Toby Caulfield was appointed to collect the rents due to the earl of Tyrone from the counties of Armagh, Tyrone and Coleraine from the flight until 1 November 1610. These ranged from £2,100 Ir. to nearly £2,900 Ir. per annum,¹ though much of this was disbursed in maintaining order in this interim period.²

II Historical background:

A Armagh, 1543-1610.

It is well known that Henry VIII's surrender and regrant policy created untold dynastic problems and had little permanent effect. The creation of Conn O'Neill earl of Tyrone in 1543³ may have seemed likely to introduce momentous changes in central Ulster. However the succession arrangement - to his illegitimate son Matthew - which his patent incorporated, did not commend itself to his other son Shane, who in 1559 had himself styled O'Neill, symbolic of his wide popular support.

1. Cal. S.P. Ire., 1608-10, pp.532-46.

2. Ibid. It is clear that the plantation, whatever its other advantages, was not be markedly more profitable to the crown than such an arrangement might have become with usage and in a more settled environment. For the income under the plantation, see below pp. 214-15. In 1625 the English privy council requested information on what the pre-1610 rents had been (Cal. S.P. Ire., 1625-32, pp.62-3).

3. T. Rymer, Foedera, xv (1728), 7-8. The patent does not define the territorial limits of his earldom.

1. V.F. Sullivan (ed.), The Irish Story 1541-1603, 1110-1300. (London, 1957), pp.761-74.

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 The Dublin administration found itself with little power against him, the garrisoning of Armagh in 1551 and again in 1561, when the cathedral was fortified and 200 men placed there by Sussex, had little effect. In 1556 an expedition led by Sussex into Ulster proved unsuccessful; the deputy in fact decided that Ulster could only be subordinated by a chain of forts along the coast from Dundalk to Lough Foyle. A further journey in 1557 proved equally inconclusive. While Armagh was burned twice by Sussex, Shane O'Neill ravaged the Pale. As Shane's power developed he achieved recognition from the queen in 1562 of his title as O'Neill and only the most nominal measures were taken to restrain his claims over the territories of the O'Reillys and the Maguires. In 1566 lord deputy Sidney made a further descent on Ulster from which Armagh suffered a further burning, this time at the hands of Shane. The downfall and death of Shane in the following year was due, perhaps, more to the structure of power in Ulster than to any capacity of the Dublin administration to achieve his destruction.

However, in the parliament of 1569 an act of attainder was passed against Shane, the title of O'Neill declared extinguished, and an elaborate case rehearsed to establish a royal claim to the O'Neill territories including all of the present county of Armagh. The act left no doubt that not only were Shane's lands forfeited but also those of his adherents, the territories of the O'Hanlons, the O'Neills of the Fews, and the McCanns, amongst others, being specifically mentioned.¹ This act had a special value in 1609 when the case for confiscation of O'Neill territory was being worked out.

1. W.F. Cullinan (ed.), The Irish Statutes Revised, 1310-1800, (London, 1884), pp.761-74.

In December 1567 Cecil made proposals for the conserving of peace in Ulster involving the settling there of well-disposed persons of Irish or English birth, the erection of a residence for the deputy at Armagh, to be occupied in his absence by a soldier of rank governing with the aid of a permanent council, and the establishment of forts at strategic points both inland and on the coast.¹ Sydney concurred with much of this thinking, particularly for the erection of forts and bridges.² However, Shane's cousin and tanist Turlogh Luineach succeeded him with government recognition, and the eruption of James Fitzmaurice Fitzgerald in Munster, which had led by 1585 to the downfall of the Desmonds and the Munster plantation, distracted government attention from any elaborate plans for colonisation in Ulster, following on the Leix and Offaly precedent.

There were however some schemes for colonisation on a local scale³ one of which concerned part of Armagh. In October 1571 a certain captain Thomas Chatterton, a Wiltshire man who had probably seen service in Ulster, made an agreement with the queen, confirmed by patent of 10 June 1573, whereby he received a grant of O'Hanlon's country of Orior, the Fewes or Hugh McNeill Mor O'Neill's country, as well as the gallowglass country, an area within the present Fewes barony. Chatterton covenanted to conquer and colonise this territory before 28 March 1579, undertaking to distribute the land at the rate of two ploughlands to every horseman and one to every footman, and to

1. Bagwell, Tudors, ii, 126-7.

2. Ibid., p. 149.

3. R. Dunlop 'Sixteenth century schemes for the plantation of Ulster' in Scottish Historical Review, xxii (1925) 50-60, 115-26, 197-212.

have there before 28 March 1579 horsemen and footmen in appropriate numbers suitably armed. Any ploughlands not so divided should revert to the crown. He should not grant leases to any mere Irish or Scots for a longer term than five years.¹

The scheme foundered on inadequate resources and lack of government backing. Its intention was essentially military, designed against both Gaelic Irish and mercenary Scots. By 1575 Sydney felt that Catterton's ineffective efforts were merely an irritant to the O'Hanlons, who might otherwise be induced to make peace with the government and pay an annual rent.² Agreement with O'Hanlon 'a dutiful subject since the overthrow of Shane O'Neill',³ with whom negotiations were then in progress, would have political advantage in the circumscription of the power of Turlogh Luineach. In July 1576 the grant to Chatterton, who continued 'to wrestle and work and go to the worse', was revoked.⁴ Chatterton appears to have continued in Ulster, however, being killed by a Scottish Islesman in 1585.⁵ Such small scale private schemes were no adequate answer to the Ulster problem, having no place amongst the details of either of two possible policies, conquest or conciliation. The former was clearly a necessary precursor to colonisation, the latter logically excluded it.

1. Ibid.; Cal. flants Ire., Eliz., no 2354; Cal. S.P. Ire., 1608-10, p.553.
2. Dunlop, op. cit., p.118; Cal. Carew MSS, 1575-88, pp.36, 180; see Cal. flants Ire., Eliz., nos 967, 1108, 2485.
3. Sidney to privy council, [27] February 1576 (Cal. Carew MSS, 1575-88, p.43).
4. Cal. S.P. Ire., 1574-85, p.97; Cal. Carew MSS, 1575-88, pp.53, 129.
5. Cal. Carew MSS, 1575-88, p.403; Dunlop, op.cit., p.118.

The value of negotiating with the O'Hanlons, and other Ulster families including the O'Neills of the Fews, as a counterbalance to Turlogh Luineach, was grasped by Pelham in 1579,¹ and pursued further by Perrott in the next decade. The outcome was a surrender by Oghy O'Hanlon, now knighted, of all his lands in Orior, which led to a regrant from the crown in December 1587 at an annual rent of £60 and with obligations of military service, the titles of O'Hanlon and tanist to be abolished.²

Such a policy of planned attrition of the area of O'Neill's suzerainty was all the more important as Turlogh Luineach aged and Hugh O'Neill, an English protege and the son of Matthew the baron, developed his power. In April 1587 Sir Francis Walsingham boldly visualised the restriction of Turlogh Luineach to an area west of mid-Tyrone allowing Hugh's influence to run from there to the Blackwater and with superiority over Fermanagh. The area 'from ^{the} Blackwater to the Pale' manifestly crucial for the extension of crown power, and particularly the lands of the O'Hanlons, McCanns, O'Neills of the Fews Magenniss and MacMahons, in effect the counties of Armagh, Monaghan, and part of Down, should be brought under direct crown dependence. This, in his opinion, would not only limit the overlordship of the O'Neill but secure the Pale from invasion.³ Such a plan was however beyond the bounds of political practicability, and Hugh's grant of the earldom of Tyrone in May contained no territorial restriction from Armagh, though the fort recently built on the Blackwater was reserved

1. Cal. Carew MSS, 1575-88, p.190.

2. Cal. fiants Ire., Eliz., nos 5041 (surrender), 5090 (regrant); see also 2485, 3270; Cal. Carew MSS, 1575-88, p.473; Cal. S.P. Ire., 1586-88, p.548.

3. Cal. S.P. Ire., 1586-88, pp.336-7.

from his patent and his political rights over the smaller chiefs were to be exercised subject to the consent of the lord deputy.¹

In 1593 Hugh persuaded Turlogh Luineach, who died two years later, to resign the title of O'Neill in his favour, and, in alliance with Red Hugh O'Donnell, emerged rapidly as a powerful threat to the queen's influence in Ulster. The war when it came was one of unprecedented Tudor proportion. Most expeditions rarely proceeded far west of the Blackwater and the importance of the garrison at Armagh is continually stressed. In 1596 in negotiations with Hugh O'Neill the government offered to concede, as he had persistently required,² that Armagh and Tyrone should be made one county rather than divided as two following on Perrott's previous arrangement, but O'Neill was unwilling to countenance the continuous presence of a garrison at Armagh³ which had been regarrisoned in the previous year.⁴ With the renewal of hostilities the town remained an objective of importance to both parties, and suffered accordingly. After the battle of the yellow ford in 1598 Armagh was abandoned and although proposals were made to garrison it in 1599, it was not retaken until 1601 under Mountjoy.⁵ At this time also three forts were erected and garrisoned in the county, at Charlemont, Mountnorris and Moyry. After the war had ended in 1603 these military installations remained, with caretaker garrisons, as reminders of changed times.

1. Cal. pat. rolls Ire., Eliz., pp.123, 130; Bagwell, Tudors, iii, 170-1.
2. Cal. S.P. Ire., 1592-96, p.172.
3. Cal. Carew MSS, 1589-1600, pp.172-3; Bagwell, Tudors, iii, 260-3.
4. Cal. S.P. Ire., 1592-96, p.343.
5. Cal. S.P. Ire., 1601, p.

At the restoration of Hugh O'Neill following on the treaty of Mellifont there were exempted from his patent two small areas assigned to the forts of Charlemont and Mountjoy (in Tyrone), and the lands of Henry Oge O'Neill in Armagh and Tyrone as well as those of Sir Turlogh McHenry O'Neill of the Fews. These had been previously promised to them at the time when they submitted, to hold directly from the crown.¹ Sir Turlogh McHenry had campaigned with the lord deputy in 1597² held a captaincy in 1601,³ and received a pardon in 1602,⁴ and Sir Henry Oge who submitted in July 1602⁵ was later to die in the campaign against O'Doherty. Their patents were issued in 1603 and 1605 respectively.⁶ Both patents implied restrictions of Tyrone's overlordship, and while his relations with Sir Turlogh and Sir Henry Oge did not deteriorate as radically as with O'Cahan⁷ there is evidence that he resented their direct dependence on the crown.

In April 1604 Sir John Davies asserted that Tyrone was behaving provocatively towards Sir Turlogh McHenry,⁸ though in December of the same year he noted a quietness in Tyrone's country which was in marked contrast to the situation in Donegal.⁹ Nevertheless in January 1605 Hugh O'Neill was in Dublin seeking redress in grievances against Sir Henry Oge.¹⁰ Part of the purpose of the journey into Ulster of the

1. Cal. S.P. Ire., 1603-6, pp.12-14.

2. A.F.M., p.2023.

3. Cal. S.P. Ire., 1601-3, p.201.

4. Cal. fiants Ire., Eliz., no 6662.

5. Cal. S.P. Ire., 1601-3, p.459.

6. Cal. pat. rolls Ire., Jas. I, pp.67, 75; Cal. S.P. Ire., 1603-6, p.296.

7. T.W. Moody, Londonderry Plantation, pp.56-7.

8. Cal. S.P. Ire., 1603-6, p.160.

9. Ibid., p.215.

10. Ibid., p.245.

deputy and members of the administration accompanying the justices if assize in 1605 was to 'settle' disputes in which O'Neill was involved.¹

This important expedition embraced counties Armagh, Tyrone, Londonderry, and Donegal.² Not only were assizes held, but various efforts were made to 'beget in the people a disposition to live in obedience and civility'.³ In Armagh they found the cathedral decayed, the clergy practicing under papal authority, and tithes misappropriated. The archbishop was instructed to install a minister there forthwith, and to reside and preach there himself every 'summer season'.⁴ In consultation with the earl and others, they divided the county into five baronies, annexing Clanbrassil, an area previously of doubtful ascription to either Armagh or Down. The order for this purpose was made on August 3.⁵ Three coroners for the county were appointed, John Fleming, Daniel McCasy of Tynan and Patrick oge Macgillran of the Fews. As constables for each barony substantial members of local families were chosen. Thus Rory O'Hanlon was constable of Orior, Neill McCoddan for Armagh, Patrick McCuls Carrach McArdill for the Fews, Donell O'Hugh for Tiranny, and Neill O'Quin for the barony of Oneilland. The amalgamation of the Irish territories into baronies and the appointments of officers were 'published in open assizes'.

1. *Ibid.*, pp.300-1.

2. *Cal. S.P. Ire.*, 1603-6, pp.317-23.

3. *Ibid.*, p.317.

4. In a later dispatch of October 4 it was noted that the primate was building in Armagh and intended to live there as required (*ibid.*, pp.328-30).

5. Armagh Archiepiscopal Registry, a. 2a. 28 no 7 (very damaged); a transcription by W. Reeves is in Armagh Public Library, Armagh Papers, pp.427-9.

The lord deputy and council also adjudicated the dispute between Hugh O'Neill and Sir Henry Oge, establishing the latter in all the lands he held at his submission. No dispute, however, came to light between the earl and Sir Turlogh McHenry. Finally they allocated lands to Charlemont and Mountrorris forts,¹ in the latter case with the consent of Patrick O'Hanlon, whose father had been killed on the queen's side in the previous war and who held a pension from the crown,² on promise of a grant of the lands he held nearby. These forts and lands were subsequently leased to the commanders there for twenty-one years with covenants to maintain the buildings in repair. Capt. Henry Adderton, 'a gentleman that hath carried himself well and very honestly, and is now a good help unto them both for execution and administration of justice in those parts'³ received such a lease of Mountrorris in February 1606,⁴ similarly Capt. Anthony Smith received the fort and lands of Moyry in June,⁵ and Sir Toby Caulfield the fort and lands of Charlemont in June 1607,⁶ some months before the flight of the earls.

These were the ways in which the impact of external authority was being felt in Armagh. Back in Dublin in October Chichester felt prompted to write in general terms to Salisbury about the need to extend the planted area in Ireland. Only thus could justices of the peace and other dependable agents of anglicisation in state and church

1. Marsh's Library, Dublin, Z 4.2.6, pp.4, 15-16.
2. Cal. S.P. Ire., 1603-6, p.129; Cal. pat rolls Ire., Jas I, pp.5, 30.
3. Cal. S.P. Ire., 1603-6, p.318.
4. Cal. pat. rolls Ire., Jas I, p.78.
5. Ibid., p.96.
6. Ibid., p.102.

be provided in the localities. The king should 'more confirm and strengthen his estate, and leave a more honourable memory behind him by reforming and civilising of Ireland than in regaining France'. It was either 'absurd folly' or 'wilful ignorance' to plant Virginia or Guiana 'and leave this of our own waste and desolate'.¹ Clearly he saw social and political change as dependent ultimately on change in landownership. Two years, however, were to pass before this tentative suggestion could be pressed with conviction as having a realistic relevance to the Ulster situation.

However, small areas of Armagh were coming under British control in various ways in the years before the plantation. It has been seen that land was reserved for the three forts in the country. The most significant area was, however, monastic property, and it must be remembered that the effective dissolution of Armagh monasteries had awaited the reign of James I. The abbey of St. Peter and St. Paul located in Armagh, with its extensive lands in Armagh, Tyrone and Londonderry, was leased for twenty-one years to Sir Toby Caulfield, commander of Charlemont, in June 1607.² In July 1606 the monastery of Kilsleve was leased for the same period to Marmaduke Whitechurch, a servitor with local connexions.³ In February 1610 he received an outright grant of this property.⁴ In May 1612 Caulfield also received an outright grant of his abbey lands,⁵ but was obliged in December to

1. Cal. S.P. Ire., 1603-6, pp.325-6.
2. Cal. pat rolls Ire., Jas I, p.102; see Inq. cancell. Hib. repert., II, Armagh, (4) Jas I.
3. Cal. pat rolls Ire., Jas I, p.97.
4. Ibid., p.159.
5. Ibid., p.229.

surrender that part which lay within the territory granted to the city of London despite energetic protest and the intervention of the lord deputy.¹ There were also lands in Armagh which had belonged to the monastery of the Blessed Virgil and St. Patrick at Newry which had been granted to Sir Nicholas Bagnal, the marshal of the army, in 1553.² Bagnal's successor, Arthur, received a regrant in February 1612.³ Another piece of monastic apparent property, Kilmore, was granted to Edward Trevor of Narrow-water, county Down, in February 1610.⁴ The complicated history of the property of the Culdees or Vicar Choral in Armagh at this time is discussed elsewhere.⁵ The granting out of the termon and errenach was not taken in hand for this county as in Cavan.⁶ Otherwise only the archbishop's land was in protestant ownership. There were no grants of attainted land in this county, unlike Cavan.

Two members of the O'Hanlon family who had served the crown during the war received grants of land in Orior in 1609. One of these, Patrick O'Hanlon who had been captain of a king's ship,⁷ had a pension from 1603.⁸ In September 1603 a letter from the English privy council directed that he should be granted a patent of his lands with other land in compensation for the amount he had surrendered for the erection of Mountnorris fort.⁹ His grant dated from 26 October 1609.¹⁰ The

1. Below, p. Δ
2. Cal. pat. rolls, Ire., Eliz., pp.154-5; Bagnal seems also to have purchased some land from the O'Hanlonts (Inq. cancell. Hib repert., ii, Armagh, (2) Jas 1).
3. Cal. pat. rolls Ire., Jas 1, pp.246-7. Bagnal received a licence of alienation in March 1606 for the property (Cal. pat. rolls Ire., Jas 1, p.86), and in March 1609 a small part of it was granted to Sir Oliver Lambert (Cal. pat. rolls Ire., Jas 1, p.133). However Bagnal appears to have recovered it all by February 1612.
4. Ibid., p.190.
5. Below, pp. Δ
6. Below, pp. Δ
7. Cal. S.P. Ire., 1608-10, p.338.
8. Cal. pat rolls Ire., Jas 1, p.30.
9. Ibid., p.5.
10. Ibid., p.156.

other grantee, Redmond O'Hanlon, received his patent on December 15, 'in consideration of his faithful services'.¹ These patents were belatedly taken out; it is unlikely that grants would have been made otherwise to native Irish so close to the time of plantation.

Little can be said about the financial relationships of the Irish in this area with people from outside in the decades before 1610. In 1609 Sir John Davies stated that the earl of Tyrconnell had mortgaged 'great scopes of land for small sums of money' to merchants of the Pale.² No such statement was made about O'Neill, though his post-war poverty was pointed to by the same prolific commentator.³ It was noted, however, in 1608 that three townlands in the Fews had been leased by him to Capt. Henry Adderton.⁴ Archbishop James Ussher working over the 'diminicle' of the 'great office',⁵ provides some further information. Thus we find that about 1604 Sir Oghy O'Hanlon had mortgaged five townlands in Orior to an old English Newry merchant called Fleming and a smaller area to Marmaduke Whitechurch who lived at Carlingford.

The conclusion of war saw the granting of pardons on a very considerable scale.⁶ No disturbances were reported from the county in the ensuing years, and in December 1604 Sir John Davies reported that the earl of Tyrone's country was more quiet and 'void of thieves' than any other part of the province.⁷ With the flight of the earls the

1. Ibid.

2. Cal. S.P. Ire., 1608-10, pp.282-3.

3. Cal. S.P. Ire., 1603-6, p.160.

4. T.C.D. Ms E. 3. 13. f.184.

5. A background document now lost. Ussher's amended copy, profusely annotated but much delapidated is in Armagh Archiepiscopal Registry, A. 2a. 28.

6. Cal. fiants Ire., Eliz., nos 6489, 6662, 6734; Cal. pat. rolls Ire., Jas I, pp.1-153 passim.

7. Cal. S.P. Ire., 1603-6, p.215. The sheriffs of Armagh at this time were local servitors, Marmaduke Whitechurch (1606), Anthony Smith (1607 and 1609), Henry Adderton (1608) and Robert Cowell (1610). P.R.O. N.I. Y808/14926.

control of Armagh and parts of Tyrone was entrusted to Sir Toby Caulfield and Sir Francis Roe.¹

However the revolt of Sir Cahir O'Doherty in April 1608 had significant reverberations in Armagh. Both Sir Henry Oge, who was killed in June,² and Sir Turlogh McHenry O'Neill, were sent in arms against him, and at the end of May, Oghy Oge O'Hanlon, son of Sir Oghy and husband of O'Doherty's sister, with about one hundred supporters went into rebellion in Orior, being active from Newry to Armagh. Chichester dispatched soldiers but found them difficult to suppress because of their extreme mobility.³ By June O'Hanlon's supporters had increased to 200, and had moved into Tyrone,⁴ where Sir Henry Oge's town of Kinard (Caledon) was burned.⁵ Although O'Doherty was killed early in July,⁶ O'Hanlon and his followers in eastern and central Ulster continued in arms. In July Chichester himself was in the field against them,⁷ forcing O'Hanlon to retreat beyond the Blackwater.⁸ O'Hanlon's wife, recently pregnant, was captured 'by an Irish soldier who knew her not', stripped of her clothing, and died of exposure.⁹ O'Hanlon continued to elude capture, but in February 1609 Chichester reported to London that the county of Armagh had petitioned him to pardon their woodkerne or else allow them to leave the country. He stated that he had informed them that the ringleaders, particularly Oghy Oge, would be neither pardoned nor suffered to depart, but that

1. Cal. S.P. Ire., 1606-8, p.402.

2. Ibid., pp.559, 567, 605.

3. Ibid., p.545.

4. Ibid., p.563.

5. Ibid., pp.567-70.

6. Ibid., pp.606-8.

7. Ibid., pp.612-13.

8. Cal. S.P. Ire., 1608-10, pp.5-10.

9. Cal. S.P. Ire., 1606-8, p.613; Cal. S.P. Ire., 1608-10, p.15.

the others could secure pardon by effecting the end of hostilities.¹ Later in the month he reported that Sir James Perrott had been employed against O'Hanlon,² and in March Brian oge McMahon was slain in south-east Armagh.³

Indeed by the end of March 1609 the rebellion had been to all intents and purposes suppressed, though Oghy Oge remained still at large.⁴ In April Sir Robert Jacob, the solicitor general, reported that O'Hanlon was still active in Armagh though he had but four or five supporters. He felt that Sir Turlogh McHenry could easily capture him but was deterred by ties of kinship and by the calculation that should he wish to stand for the title of O'Neill, O'Hanlon would be a strong supporter. O'Hanlon, he felt, was continuing his rebellion in order to procure a pardon.⁵ Finally, in September, Chichester accepted his submission, as that of a person 'of a malicious, stubborn, mutinous disposition, and without doubt a traitor in his heart',⁶ and he was one of the contingent of swordsmen which was dispatched to Sweden at this time.⁷

If O'Hanlon, then, extricated himself alive from a situation foredoomed to failure, his rising did, of course, destroy his prospects as a native grantee under the plantation. Furthermore it ensured that his father, Sir Oghy, could also be dealt with severely, Chichester, in fact, in October 1608 negotiated his surrender of the O'Hanlon

1. Cal. S.P. Ire., 1608-10, p.143.
2. Ibid., p.150.
3. Cal. pat. rolls Ire., Jas I, p.198; Inq. cancell, Hib. repert., II, Armagh (I) Jas I.
4. Cal. S.P. Ire., 1608-10, pp.177-8.
5. Ibid., pp.195-6.
6. Ibid., p.305.
7. Cal. S.P. Ire., 1608-10, p.287.

territory in return for an annuity of £80 for life with a promise to pay his debts to the extent of £300. In this he felt he had made a 'good bargain for the king and a fair way for the plantation'.¹

While Chichester was in Armagh in July 1608 he revived a device for maintaining order which had been adopted there two years previously. By an order of July 18 the chiefs of 'every name and sept' were required to present the names of all their tenants and followers twice yearly to the sheriff of the county and undertake to be responsible for their good behaviour. The sheriff should retain one copy of this list for himself and present another to the lord deputy. This was to be done twice yearly to record all changes, the chiefs and landlords having refused to be accountable for those people who had been previously listed as their dependents.²

Another order made on the same day was directed against the practice of transhumance in Ulster generally. It was an order

for the inhabitants of Ulster living dispersedly and removinge wth theyr creates and cattell from place to place to co^hnt^bite and continew theyr dwellinge in certayntie.

The disadvantages of the practice of transhumance and dispersed settlement were rehearsed: rebels were 'receaved and releevd' in these 'creaghts' and were not easily arrested; constables of baronies were hindered in their duties in a way they would not be if all inhabitants lived in towns and villages; people living dispersedly were not able to defend themselves against 'rebells, woodkerne, or outlawes'; this

1. Ibid., p.67.

2. Bodleian Library, Oxford, Rawlinson MS A237, f.115; P.R.O. N.I. T.545, 9, 9-10.

'loose and unsettled manner of living' accounted for the absence of trades and handicrafts which were essential to a civil life and which would flourish in villages and towns.¹ Again, this order can hardly have taken much effect.

O'Hanlon's rising, at any rate, had allowed of a more extensive plantation of the county than might otherwise, perhaps, have been effected. In his 'notes of remembrances' of October 1608, Chichester, dealing with county Armagh, hoped that with the death of Sir Oghy there should be no more O'Hanlon chiefs but rather that the territory should be disposed directly to some of the best affected of the family and to planters. He went on to state that much of the rest of the county, controlled by Art McBaron O'Neill, Hugh's brother, was available for plantation because of the forfeiture of the earl, the lands of the primate, Sir Henry Oge, and Sir Turlogh McHenry only accepted. The sons of these O'Neill leaders, as well as those of Sir Cormac McBaron, some of whom were in foreign service, should be provided for to prevent subsequent disaffection. The principal residents of Clancann and Clanbrassil (in Oneilland barony) claimed to be freeholders and he felt would willingly accept tenancies from the crown and pay a good rent. He advised that Sir Turlogh McHenry's territory should be augmented by a grant of part of Toaghy (in Armagh barony) adjoining the Fewes. He felt that care should be taken in the settlement of Sir Henry Oge's territory. However for the other inhabitants of the escheated lands, the O'Hagans, O'Quins, and Clandonnells no recommendations were made.

1. Bodleian Library, Oxford, Rawlinson MS A237, f.116; P.R.O. N.I. T545, 9, 11-13.

Armagh should be given corporate status and the forts in the county preserved.¹

The years 1608 to 1610, between the planning and the implementation of the plantation were ones of impending revolution when the claims of Armagh Irish landholders, and servitors in Ireland were being considered by Chichester and his government and in some cases by the London administration. Order in the meantime was maintained by the local commanders and the sheriffs in the county. It was in these years, too, that the two inquiries, (in) 1608 and 1609, with the amount of land available in each county for confiscation were carried out. It has been seen above that the inquiry in 1608 had major defects, but it did amass an amount of topographical detail which in the case of Armagh has been preserved.²

The 'project of plantation' stated that the county contained 77,800 acres which would make 61 proportions as follows : 10 great, 13 middle, and 38 small. Church lands were to be deducted as follows : archbishopric, 2,400 acres (i.e. excluding the termon lands), glebe, 4,650 acres, and monastic lands 430 acres. Further deductions were Sir Turlogh McHenry O'Neill 9,900 acres, and Sir Henry Oge 4,900 acres. There thus remained, it was considered, 55,620 acres to be divided to grantee groups as follows : to English and Scottish undertakers 28 proportions or 35,000 acres, to servitors 6 proportions or 7,500 acres, and to natives 8 proportions or 10,000 acres. The remaining 3,120 acres were to be divided amongst 4 corporate towns, 1,200 acres, Trinity

1. Cal. S.P. Ire., 1608-10, pp.62-3.

2. T.C.D.' MS E.3. 13, ff.177-96.

College, Dublin, 1,200 acres, and a 'free school at Armagh, 720 acres'.¹
 The mathematics were by no means entirely accurate, but it can be seen that the share of the native Irish in the county was conceived as to be about 32 .

From 1609 the consideration of native claimants for land in the county and the selection of servitor and undertaker grantees was taken in hand, dovetailing with the general planning of the plantation. At the end of March 1609 Chichester, writing to Davies who was then in London, recommended him to ensure that the planners there should decide on the treatment of the sons of Sir Art O'Neill, to ensure that the grant to Sir Turlogh McHenry should be expanded, and that the sons of Sir Henry oge O'Neill, whose heir Phelim, his grandchild, was an infant, should receive lands, for otherwise they would be 'thorns in their feet and pricks in their sides'.²

By January 1610 Chichester's suggestions for some of the leading O'Neills in Armagh were perhaps more crystallised and less generous.³ He wished that Sir Turlogh McHenry (who was seeking for more land) could be removed from the Fews to the 'plains' or otherwise be 'hemmed up' in his present position.⁴ In August the idea of moving him to Cavan was mooted.⁵ Art McBaron O'Neill, Turlogh McArt O'Neill, Henry and Conn McShane O'Neill, and Brian Crossagh O'Neill expected more than was fitting to be given them. Turlogh and Henry, he felt, should be treated most liberally, but neither should have more

1. Hill, Plantation, pp.114-6.

2. Cal. S.P. Ire., 1608-10, pp.177-8.

3. Ibid., pp.362-5.

4. Ibid.

5. Ibid., p.489; Hill, Plantation, p.115.

than two or three townlands. Art McBaron must be satisfied by reason that he had sons in military service on the continent. Chichester requested that decisions on these people be taken in London, and their demands satisfied so as the Dublin government would be freed from blame should 'they play the knaves upon discontent hereafter'.¹

In the spring of 1610 some of the O'Neills, either by petition or personal visit, tried to influence the London administration in their favour. Thus in March Henry McShane O'Neill one of the sons of Shane, applied to Salisbury to be his tenant should Salisbury receive land in Ulster.² Sir Turlogh McHenry and others returned from England in June³ and the information divulged by them about the imminent plantation was a cause of unrest in Armagh at this time.⁴

From April instructions were being received from England defining the amounts and locations of lands to be granted to 'principal natives' whose fates had, by Chichester's request, been decided there. Hence Art McBaron was to have one great proportion in Orior for his life only. Henry McShane O'Neill was to have one great proportion in Orior and his brother Conn one small proportion in Fermanagh.⁵ The choice of the native grantees otherwise fell to the deputy and plantation commissioners.

Armagh was particularly popular amongst applicants for land as undertakers or servitors, doubtless on account of its geographical

1. Cal. S.P. Ire., 1608-10, pp.362-5.

2. Ibid., p.408.

3. Ibid., pp.474-5.

4. Ibid.

5. Ibid., pp.429, 431-2; 'Ulster Plantation Papers' no 23 in Analecta Hibernica, viii.

location. In a list of undertaker candidates a high proportion requested land in Oneilland.¹ In April 1610 Lord Saye and Sele, stating that he had been requested by many undertakers to procure land for them there diplomatically put it to Salisbury that the latter should take charge of the barony, take a title from it, and 'let them live under his protection'. The undertakers, he stated were resolved to build a town or city called Sarum or Cranborne, and a fort called Cecil's Fort.² One applicant for land as an undertaker who was not selected, Marcell Rivers,³ is of interest in that he was married to the heir of captain Thomas Chatterton, the Elizabethan adventurer. He subsequently received belated backing from the English privy council for land as a servitor in Orior or elsewhere.⁴

From January 1610 Chichester was making proposals for those whom he felt should be servitors in the county. In Orior he recommended Sir Oliver St. John master of the ordnance and subsequently lord deputy; Sir James Perrott (possibly an illegitimate son of Sir John), author of the Chronicle of Ireland, 1584-1608, captain of a company at Newry, who conducted Delvin to England in 1608, and was engaged against Oghy Oge O'Hanlon;⁵ Sir Thomas Williams who as a captain had campaigned in south Armagh in 1600⁶ and was in command of

1. Cal. S.P. Ire., 1608-10, pp.548-51; Hill, Plantation, pp.146-49; see also Cal. S.P. Ire., 1608-10, pp.180-81.
2. Ibid., p.425.
3. Ibid., p.550.
4. Ibid., p.455.
5. H. Wood, (ed.), The Chronicle of Ireland 1584-1608, vi; Cal. S.P. Ire., 1608-10, p.150.
6. Cal. S.P. Ire., 1600, pp.191, 527-30.

the Blackwater fort from 1601;¹ and Sir Garrett Moore, who had many Cavan connexions, a background of military service, and whose lands in Louth were not far distant from Armagh. Chichester was anxious to have Sir Toby Caulfield settled in Clanacan.² The deputy's list of possible servitors sent to England at this time included these and others as candidates for land in Armagh.³ The finally chosen grantees will be discussed in the following chapter.

take steps against Shane O'Reilly and to treat him as a traitor subject O'Reilly to such losses and damages as he had sustained by means of the said Shane'.² An encounter between Shane and 'Cala' O'Reilly took place early in 1561 as a result of which O'Reilly received a letter of pardon from Dublin.³ In September 1560 Shane O'Reilly was for the information of Ireland's Justice had been reported to the King should impose levies on such Irish chieftains as were not in the habit of paying such levies to the King's Majesty. The levies were to be paid to the King's Majesty by the said chieftains in such manner as should be appointed by the King's Majesty. In September 1560 Shane O'Reilly was reported to the King as having been pardoned for the information of Ireland's Justice had been reported to the King should impose levies on such Irish chieftains as were not in the habit of paying such levies to the King's Majesty. The levies were to be paid to the King's Majesty by the said chieftains in such manner as should be appointed by the King's Majesty.

B. Cavan, c.1550-1610.

X

The present county of Cavan formed in Irish political geography the eastern part of the large area called Breifne, or the Brenny in anglicisation, and had for ruling chieftains the family of O'Reilly. It is the most south-westerly of the Ulster counties bordering on the Pale with which it had many contacts, and on Connacht, and until the seventeenth century was regarded as part of the province of Connacht. During the reign of Elizabeth the attitudes of the O'Reillys were formed in large part by their reactions to the Dublin government on the south and the power of the O'Neills, who claimed rights over their territory, to the north. By the end of the century, however, they had committed themselves sufficiently to the O'Neills for the county to be included in the plantation scheme.

1. Cal. S.P. Ire., 1601-3, pp.55, 117, 201, 487, 523.
 2. Cal. S.P. Ire., 1608-10, pp.362-5.
 3. Ibid., pp.365-8.

The relations of the O'Reillys to the Dublin government from the reign of Henry VIII had not been markedly different from that of other chieftains. It is perhaps strange that they did not participate in the surrender and regrant scheme, though proposals for a viscountcy of Cavan were discussed at that time.¹ However it was with the rise of Shane O'Neill that the O'Reillys began to turn for support to Dublin. Instructions from the queen to Sussex in 1560 and 1561 commanded him to take steps against Shane O'Neill and to 'restore our faithful subject O'Reilly to such losses and damages as he had sustained by means of the said Shane'.² An encounter between Shane and 'Cale' O'Reilly took place early in 1561 as a result of which O'Reilly received a 'letter of thanks' from Dublin.³ In September 1560 amongst 'opinions for the reformation of Ireland' Sussex had recommended that the queen should impose levies on such Irish chieftains as O'Reilly, O'Ruaire, and Maguire, with the eventual intention of 'reducing the government as to come from the Prince'.⁴ The view was common that O'Reilly and others might sympathise with the government owing to the activities of O'Neill.⁵

With the submission of Shane in 1562 it was agreed that his dispute with the O'Reillys and also the Maguires should be submitted to commissioners.⁶ The queen was anxious that no deterioration should result in relations with the O'Reillys and urged Sussex to arrange with

1. P. Wilson, The Beginnings of Modern Ireland, p.263.
2. Cal. Carew MSS, 1515-74, pp.297, 309-11.
3. Cal. S.P. Ire., 1509-73, pp.166-7.
4. Cal. Carew MSS, 1515-74, pp.300-4.
5. Bagwell, Tudors, ii. 11.
6. Ibid., p.63.

O'Reilly, Maguire, and O'Donnell to 'repair hither and to receive their lands from us as of our gift, in such sort as the earls of Clanrickard and Thomond did in our father's time'.¹ In November 1562 Maelmora O'Reilly and his son Hugh Connelagh along with Maguire, protested to the queen against the renewed pressures of Shane, asserting that they would 'maintain their faith to her majesty to the last'.² However Maelmora O'Reilly died - in 1565 - before any scheme of surrender and regrant had been concluded. But Sussex ended his deputyship convinced that the O'Reillys had been pacified and English power significantly pressed forward on the Ulster borders.³

Yet although important steps had been taken by Sussex towards the reconciliation of the O'Reillys, complications following on the renewal of hostilities with Shane O'Neill followed immediately by war in Munster, delayed the finalisation of Sussex's policy. In 1565 three sons of Maelmora, Cahir, Owen, and John, went into rebellion and despoiled the Pale.⁴ Shane O'Neill undertook to compel restitution of the spoils⁵ but Sir William Fitzwilliams reported to Cecil that Cahir O'Reilly, the most active of the insurgents, was supported by Shane.⁶ Severe pressure, argued in some quarters as excessive,⁷ was brought to bear on Maelmora by the lord justice Arnold,⁸ but after his death and with the appointment of Sir Henry Sydney as deputy, an agreement was reached in November 1566 between Sydney and Maelmora's son

1. Cal. Carew MSS, 1515-74, pp.327-30.

2. Cal. S.P. Ire., 1509-73, pp.209-10; see also p.236.

3. Cal. Carew MSS, 1515-74, pp.330-44, 344-9.

4. Cal. S.P. Ire., 1509-73, pp.251, 253.

5. Ibid., p.265.

7. Ibid., pp.270, 280.

6. Ibid., p.266.

8. Ibid., p.267.

and successor Hugh Connelagh and Hugh's brother and tanist Edmund,¹ commissioners having been appointed in 1565 to conduct negotiations.²

This agreement not only dealt with the military problem but also involved the Dublin administration in settling a range of local disputes in which the O'Reillys were engaged. Hugh Connelagh and his brother undertook to prosecute the three rebels and promised to be bound by the adjudication of commissioners appointed by Sydney in disputes with the inhabitants of Monaghan and with the baron of Delvin. Hugh undertook that the castle of Tullevin, recently taken by the lord deputy from Owen O'Reilly, and committed by him to Edmund the tanist, should be maintained for the queen's use. Hugh undertook to live in that part of Cavan which bordered on the Pale for the length of the rebellion of his brothers and Shane O'Neill 'in order that the English parts may be secured by his protection against the said rebels'.³

In December Sydney, writing to the privy council with propositions for planting settlers on the Ulster coast, reported the good will of Hugh Connelagh O'Reilly whose son John (later Sir John) had been given as a hostage, stated that he had made an inroad on the three O'Reilly rebels.⁴ In January 1567 Cahir O'Reilly received a pardon and a grant of English liberty to him and his heirs.⁵ However, no further steps were taken to implement the surrender and regrant policy and the Irish method of government through chieftain and tanist, continued in operation. One step taken however, was to confer official

1. Cal. Carew MSS, 1515-74, pp.373-7.
2. Cal. plants Ire., Eliz., no 732.
3. Cal. Carew MSS, 1515-74, pp.376-7.
4. Cal. S.P. Ire., 1509-73, p.321.
5. Cal. plants Ire., Eliz., no 982.

recognition on Edmund's position as tanist. In May 1567 and again in January 1568 Edmund was appointed 'secundarius or tanist of the country of the Brenny, to hold during good behaviour'.¹

Sir Turlogh Luineach O'Neill, who succeeded Shane, reasserted his claims over Cavan, claims which the Dublin government was unwilling to see validified. Thus in an agreement made with him in 1571 he undertook not to invade O'Reilly, O'Hanlon (in Armagh), O'Donnell and others, who should 'remain upon the peace of the lord deputy'.² It is not possible to provide a full account of the events of these years in a brief introduction, but Sydney had a high appreciation of Hugh Connelagh O'Reilly whom he saw in 1575 as 'the justest Irishman and his country the best ruled'.³

In 1579, at the time of the Fitzmaurice rising, O'Neill, who was in touch with Fitzmaurice, threatened to invade Cavan. One of his followers did so in May,⁴ and in the autumn plans were made to meet an attack on the Pale and Cavan.⁵ In the same year the shiring of the county, 'where never writ was current and almost sacrilege for any Governor to look in' took place.⁶ In June Hugh Connelagh presented himself to lord justice Drury and was knighted, and it was agreed that justices should hold sessions in the county.⁷ However by the end of the year O'Reilly was complaining about depra-dations in

1. Ibid., nos 1047, 1206.
2. Cal. Carew MSS, 1515-74, pp.404-
3. Cal. S.P. Ire., 1574-85, p.85; see also Bagwell, Tudors, ii, 310.
4. Cal. S.P. Ire., 1574-85, p.169.
5. Ibid., pp.184, 186, 193.
6. Ibid., p.169.
7. Ibid., p.171.

Cavan of a certain Capt. Hollingworth, and doubts were expressed about his reliability - though he submitted in December,¹ - as well as that of his brother Phillip.² At this time Pelham was trying to forge an Ulster alliance of O'Reilly, O'Hanlon, Magennis, as well as members of the O'Neill family, to resist Turlogh Luineach.³ In September 1580 O'Neill required O'Reilly to come to his support, which he refused, turning to Dublin to lord deputy Grey for assistance.⁴ In the following September Shane oge O'Neill, a supporter of Turlogh Luineach, was slain in Cavan, and Sir Nicholas Malbie, reporting the incident to Burghley, described Hugh Connelagh as 'the best Irish subject in the land'.⁵

It was in such unresolved conditions of tension that Hugh Connelagh died in 1583. As early as 1576 Sydney had foreseen that 'at his death there will be much trouble'.⁶ Maelmora had been a prolific father and a contest for the succession was not unlikely. At the same time Edmund (or Eamon), Hugh's brother, who was still alive, had been recognised as tanist in both 1567 and 1568. However in 1583 John or Shane O'Reilly, the son of Hugh Connelagh, was fully supported in Dublin. In June Sir Henry Wallop dismissed Edmond's claims and commended Shane, who was then going to England to sue for backing, as a man who 'lives by industry after the English manner, speaketh the English tongue, [and] maintaineth no thieves'.⁷ John

1. *Ibid.*, pp.199, 202.

2. *Ibid.*, pp.195, 197.

3. *Ibid.*, p.204.

4. *Ibid.*, pp.248, 250.

5. *Ibid.*, p.230.

6. *Ibid.*, p.92.

7. *Ibid.*, p.450.

returned, knighted by the queen,¹ and by September he had been established as his father's successor and Edmond was continued as tanist.² At this time also steps were taken to introduce the English legal system. In July 1583 Richard Bellew of Bellewstown received a *fiant* for a grant of the office of clerk of the crown and peace in county Cavan, the office being created by his patent.³ However Bellew does not appear to have exercised the office and in November Patrick Moore of Dowanstown, county Meath, was appointed.⁴ On the arrival of Perrot as lord deputy in June 1584 Sir John O'Reilly was one of a group of Irish chieftains who came to present their services to him.⁵

Such a solution however did not commend itself to Edmund whose position as tanist had been already recognised by the Dublin government. In 1582 he had sued and received a pardon,⁶ presumably to establish his case for the succession. In the autumn of 1583 an eruption took place between him and his nephew, and by November Captain Anthony Deering⁷ with 150 soldiers had been sent to Cavan to impose order, as a result of which Edmund came to Dublin and agreed to accept the *fait accompli*.⁸

It was left to Perrot however to devise a new policy towards Cavan. The obvious logic from the government viewpoint of a situation where one member of the family was being maintained as

1. *Ibid.*, p. 454.
2. *Ibid.*, pp. 455, 468; Cal. fiants Ire., Eliz., no 4197.
3. *Ibid.*, no 4185.
4. *Ibid.*, no 4259. He received a similar appointment for Down at the same time.
5. Cal. S.P. Ire., 1574-85, p. 517.
6. Cal. fiants Ire., Eliz., no 3914.
7. In 1582 he was in charge of the ward of Ballinasloe (Cal. S.P. Ire., 1574-85, p. 344).
8. Cal. S.P. Ire., 1574-85, p. 477.

chieftain effectively with military support from Dublin, was that the territory should be divided amongst the rival contestants each to hold from the crown. The opportunity for such immediate re-thinking presented itself to Perrot when in August Sir John, Edmund, and Phillip, Edmund's brother, appeared before him in Dublin and 'submitted their controversies to his order'.¹

Perrot's scheme had been worked out by November 28, when a series of agreements were reached. By one of these Sir John O'Reilly undertook to surrender 'O'Reilly's country', and to receive a grant from the crown of the towghe (tuath, in effect the barony) of Loughtee, and of the towghe of Tullygarvey. He was also to hold the 'seignories and rents' of the baronies of Tullyhunco and Tullyhaw.² Hugh Reoghe O'Reilly, Cahir Gare O'Reilly and Mulmora O'Reilly, sons of 'the Prior' were to surrender the towgh of Clanmahon, and have it granted to them.³ Edmund O'Reilly similarly agreed to surrender and receive back the barony of Castlerahen.⁴ The barony of Clankee was arranged to be granted to Phillip O'Reilly⁵ who received a pardon on November 24.⁶ All should allow any persons who had grants of land in the county to occupy such lands. Obligations of military service were imposed. As a result of the settlement 220 beeves were payable to the crown annually as rent, which according to Sir John Davies in 1607, had ever since been received.⁷ Davies regarded the settlement as it affected

1. Ibid., p.522.

2. Cal. Carew MSS, 1575-88, pp.391-2; Cal. S.P. Ire., 1574-85, pp.539, 543.

3. Cal. fiants Ire., Eliz., no 4541.

4. Ibid., no 4542.

5. Morley, Ire. under Eliz & Jas I, p.349. Davies's account is not entirely accurate.

6. Cal. fiants Ire., Eliz., no 4534.

7. Morley, Ire. under Eliz. & Jas I, p.349.

Tullyhunco and Tullyhaw, the territories of the McKeirnans and the McGaurans, as of nominal import: 'being remote and bordering upon O'Rorke's country they were neglected and left subject still to the Irish exactions of the chief lord'.¹

Certain limitations on the powers of the O'Reillys under this rearrangement were implied by appointments made at this time. In December 1584 Walter Brady, subsequently sovereign of Cavan was appointed constable and jailer of the jail at Cavan.² The Bradys, a merchant as well as landholding and clerical family, had many contacts with the government and were subsequently grantees under the plantation.³ On December 18 Henry Duke (of Castlejordan, county Meath⁴) as sheriff of Cavan was appointed to execute martial law in the county.⁵

The new arrangement did not apparently commend itself to either Sir John or Phillip O'Reilly. In November 1585 Phillip was incarcerated in Dublin Castle,⁶ where he remained until the end of 1592. Also Sir John complained about the restriction of his rights and on 1 April 1585 commissioners met him at Cavan to inquire into the duties and customs he had previously received.⁷ The outcome was

1. Ibid.
2. Cal. fiants Ire., Eliz., no 4547
3. In 1586 Patrick McDonagh Brady, for example, was appointed to receive a fine on behalf of the crown from Cowchonaght Maguire (Ibid., no 4810).
4. Cal. fiants Ire., Eliz., no 5157.
5. Ibid., no 4556.
6. Cal. S.P. Ire., 1574-85, p.585; 1586-88, p.110.
7. Cal. Carew MSS, 1575-88, p.402; A.F.M., pp.1804-6, note b; J. O'Donovan (ed), Leabhar na gCeart or the Book of Rights, (Dublin 1847), xx-xxii.

that out of the three baronies - Clanmahon, Castlerahen, and Clankee - which he no longer held, it was decided he should receive a chief rent of 10/- per poll or townland.¹ The scheme, however, never took official effect; none of the grantees taking out patents.

In March 1588 the appointment of John Kearnan, a leading member of the McKeirnan family, to the office of seneschal of the territory of Upper Tullyhunco or McKeirnan's country, was a tentative step in the extension of English influence to the northwest of the country.² Kearnan was a lawyer who had been associated with the Dublin administration and had lived in the Pale for some years. He stated in a petition to Burghley that he had, on the entreaty of his kinsmen, left the Pale to live among them

hoping to bring them, through dutiful exhortation and examples of husbandry and other civil trades, from their disorders and disobedience to the due regard of loyalty and obedience.³

Contact with the McGaurans of Tullyhah were made by 1586 when pardons were issued to members of the family.⁴

Little or no further steps were taken towards the reorganisation of the county before the outbreak of the O'Neill was transformed a partly political situation to an essentially military one. Some indication of growing tension in Cavan towards the end of the 1580s

1. Morley, Ire. under Eliz. & Jas I, p.349
2. Cal. fiants Ire., Eliz., no 5156; Cal. pat. rolls Ire., Eliz., pp.143-4
3. Cal. S.P. Ire., 1586-88, pp.430-1
4. Cal. giants Ire., Eliz., no.4813 Pardons to O'Gowans, O'Lynchs, McCabes (defined as galloglasses) and others from Cavan were also issued in these years (ibid., nos 4812, 4891, 4892, 4934).

can be got from the reports of Henry Duke, the sheriff. In January 1588 Duke, Sir John and Edmund O'Reilly, and Thomas Betagh, were commissioned to take the muster and array of the inhabitants to Cavan¹ following on a threat of invasion of Cavan by Cormac McBaron, the brother of Hugh, earl of Tyrone, Turlogh McHenry and others.² In February 1587 Duke had written to Burghley informing him of his services in Cavan. Before his coming there 'the Brenny' had been 'a nursery of all Rome runners, and all others, robbers, spoilers, and burners of his Majesty's good subjects of the Pale' but now all were reformed and 'every man brought to be answerable to assize and sessions'.³ Such tactics of English influence, however, were not palatable to the O'Reillys and even Sir John was reported by Duke in December 1589 and by Sir Lucan Dillon in January following as being 'discontent against the officers of Cavan'.⁴ The heads of Brian McFerrall oge O'Reilly, son-in-law to Sir John, and 'a man among the lewd sort both of the Pale and the Irish greatly lamented' and three others were sent to Dublin Castle by Edward Herbert, Duke's successor as sherriff, in October 1589.⁵

Meanwhile Phillip O'Reilly, who had been placed in Dublin castle in 1585, was petitioning the queen to be released.⁶ Duke, from local knowledge, assured the lord deputy in 1588 that if he were 'her

1. Cal. fiants Ire., Eliz., no 5130.

2. Cal. S.P. Ire., 1586-88, pp. 466-7. Duke's attitude was clearly uncompromising: 'Whosoever will believe that the Irish ry will be dutiful and obedient, although they swear it never so much, except there be a present force of men to command them, will be greatly deceived' (ibid.).

3. Ibid., pp. 264-5.

4. Cal. S.P. Ire., 1588-92, pp. 283, 302.

5. Ibid., pp. 253, 261-2.

6. Ibid., pp. 11, 45, 48, 108, 360, 362, 446, 462.

Majesty should command no more in the Brenny ... than she did in Shane O'Neill's time'.¹ In September 1590 the lord deputy firmly opposed his release, pointing out that he was

a dangerous neighbour to the Pale and most to be doubted of all the Irish borderers as well for his malice against the state and specially religion wherein he is most perverse, as for his great wit, stirring spirit, and courage to execute, besides great ability if he enter into any bad action.²

However, he was released at the end of 1592.³ In January 1594 he evinced a desire, not pursued further, to take out a patent, and commissioners were appointed to investigate the extent of his property.⁴ In 1591 Sir John O'Reilly had petitioned, also inconclusively, for a patent of the baronies allotted to him under Perrot.⁵

With the outbreak of the O'Neill war a major recession in English influence in Cavan took place. On the death of Sir John in 1596 Phillip assumed the title of O'Reilly and proved intractable to government direction.⁶ Official opinion was that Maelmora, Sir John's son, should be supported against his uncle.⁷ However, Phillip was killed in October,⁸ and Edmond, who captured Cavan castle, the seat of chieftainship, from his kinsmen, was created O'Reilly by Hugh O'Neill immediately afterwards, Maelmora being likewise appointed as tanist.⁹ The possibility that Maelmora, on dynastic grounds, might

1. Cal. S.P. Ire., 1586-88, p.467

2. Cal. S.P. Ire., 1588-92, p.362.

3. Cal. S.P. Ire., 1592-96, p.14.

4. Cal. fiants Ire., Eliz., no 5843.

5. Cal. S.P. Ire., 1588-92, p.450.

6. Cal. S.P. Ire., 1592-96, pp.523, 529-30, 535. In June 1596 the bishop of Meath reported to Dublin that Phillip had 'more mind to settle himself in O'Reilly's seat and renew his old Irish orders than to perform any covenants with the state' (*ibid.*, p.530).

7. *ibid.*, p.537.

8. Cal. S.P. Ire., 1596-97, pp.140, 143, 146.

9. *ibid.*, pp.143, 145, 156, 164,-6.

solicit royal support to displace Edmond, was keenly felt,¹ but Maelmora himself was slain at the battle of the yellow ford in 1598, leaving a young son, Maelmora oge, as the claimant in English eyes. It was on the basis of the death of Phillip in rebellion in 1596 that crown title to the county, prior to its confiscation for plantation, was subsequently found.

P In 1600 when Edmond was very old further contention arose over the succession, in which O'Neill again intervened appointing Owen, a son of Hugh Connelagh, to be tanist.² Owen, accordingly, succeeded Edmond in 1601, was pardoned in 1602,³ and died without issue in 1603.⁴ His brother Maelmora McHugh Connelagh, attainted⁵ and later a grantee under the plantation, succeeded as chieftain and died in 1635.

2/ 2/ It is not the purpose of this introduction to do more than show how the complex dynastic problems of the O'Reillys were affected by the O'Neill war. Two members of the family (Capt. John and Capt. Hugh) held positions in the English army, though both defected, Capt. John early in 1600⁶ and Capt. Hugh in 1601.⁷ Continuous stress was laid on the strategic importance of the area, facilitating the passage of northern armies into the south and allowing of the devastation of the Pale. Sir Francis Shane in February 1601 emphasised the importance of placing a strong garrison at Cavan.⁸ O'Neill himself,

1. Ibid., pp.164-6.

2. Cal. S.P. Ire., 1600, p.365.

3. Cal. plants Ire., Eliz., no 6657.

4. R.I.A., MS E. iv. 1.

5. Inq. cancell. Hib. repert., ii, Cavan, (1) Jas 1.

6. Cal. S.P. Ire., 1599-1600, p.439.

7. Cal. S.P. Ire., 1601-3, pp.13, 18, 133, 350.

8. Cal. S.P. Ire., 1600-1, p.197.

returning through Cavan after Kinsale, complained of the fallure of the O'Reillys 'and the other borderers' to invade the Pale during his absence.¹ In a list of places requiring garrisons drawn up in 1599 Cavan featured prominently as requiring 1000 foot and 100 horse. A small detachment should be placed at Belturbet, who, with the help of two 'good boats', could control the river-basin area between there and Enniskillen.²

By May 1601 Mountjoy had reported to the privy council that a garrison had been placed in Cavan and that some of the O'Reillys had been already reduced.³ In the following April Capt. Lawrence Esmond, later knighted and constable of Duncannon fort,⁴ stated that the O'Reillys were anxious to be received to mercy. In June 1603 Sir Garret Moore, who had seen service in Cavan during the war, was appointed seneschal of the Brenny and of the town of Kells.⁵ In October 1603, John Bingle, of the Donegal servitor family, received a grant of a Tuesday market at Cavan town.⁶

In all, some forty-nine O'Reillys were attainted during the nine years war period, and their lands recorded in many cases by inquisition in January 1604.⁷ In addition, fourteen other landowners were attainted, including McCabes, O'Lynches, O'Sheridans, and Bradys.⁸

1. Cal. S.P. Ire., 1601-3, p.283.

2. Cal. S.P. Ire., 1599-1600, p.328.

3. Cal. S.P. Ire., 1600-1, p.303.

4. J.L.J. Hughes, Patentee officers, p.47.

5. Cal. pat. rolls Ire., Jas I, p.30

6. Cal. pat. rolls Ire., Jas I p.12.

7. Inq. cancell. Hib. repert., ii, Cavan (1) Jas I.

8. Ibid.; The property of people attainted between 1590 and 1593 is recorded in exchequer inquisitions (P.R.O.I., Calendar to exchequer inquisitions of the counties of Ulster, Cavan, (3-6) Eliz., pp. 6-16).

However large numbers of pardons were also secured.¹ Unlike the restoration of Hugh O'Neill (as earl), no appointment or recognition as chieftain was made, nor was the division of 1584 revived. Thus, although plans were made for the settlement of the county in 1606, the years between the end of the war and the decision to confiscate left Cavan in an unsettled state from the government viewpoint.

The earliest land to be held by crown grant in Cavan, prior to 1610, was monastic. In February 1571 Hugh Connelagh O'Reilly, then chieftain, received a twenty-one year lease of the monastery of the Holy Trinity in Loughowter with four appertaining townlands and their tithes, and also of the monastery of Drumlahen with eight townlands, their tithes, and two rectories.² In 1582 O'Reilly forfeited his lease, rent having been unpaid for seven years, and in August both monasteries were leased, again for twenty-one years³ to Hugh Strowbridge, who in 1597 was appointed clerk of first fruits and searcher of the towns of Youghal and Dungannon.⁴ The monastery of Cavan, with half a townland adjacent, was granted in perpetuity to Edward Barrett in c.1592.⁵ Barrett may well have been the sheriff of Cavan, he is referred to in 1592⁶ and in 1596 he wrote to Dublin about conditions there.⁷

1. Cal. fiants Ire., Eliz., nos 6458 (Cal. pat. rolls Ire., Eliz., p.597), 6525 (ibid., p.576), 6554 (ibid., p.592), 6559 (ibid., p.591), 6573 (ibid., p.597), 6657, 6661; Cal. pat. rolls Ire., Jas I, pp.26-152 passim.
2. Cal. fiants Ire., Eliz., no 1681. In 1569 a grant of the custody of the Holy Trinity monastery had been made to Turlogh McCabe of Flinstown, county Meath (Cal. S.P. Ire., 1509-73, pp.399-400).
3. Possibly from the date of O'Reilly's original lease (see Cal. pat. rolls Ire., Jas I, pp.2-3).
4. Cal. pat. rolls Ire., Eliz., p.456.
5. Cal. pat. rolls Ire., Eliz., p.219.
6. Cal. S.P. Ire., 1588-92, p.462.
7. Cal. S.P. Ire., 1592-96, pp.529-30.

The effectiveness of the lease of Loughowter and Drumlahan is conjectural. In September 1586, both were leased for sixty years to Sir Luke Dillon, to take effect at the termination of the lease to Strowbridge.¹ A grant of the ownership of both places was made in January 1604 to William Taaffe, who like Dillon was old English and who was subsequently a plantation grantee in Castlerahan, who had acquired Dillon's interest in these and other properties.² In March 1605, Taaffe, now Sir William, received a grant in soccage of the monastery of Cavan.³ Shortly after the plantation the two former monasteries were owned by James Dillon, earl of Roscommon, and the Cavan monastery by Sir Thomas Ashe.⁴

Improprate rectories in Cavan had also been granted before the end of the sixteenth century. The abbey of Kells, county Meath, had been granted to Sir Gerald Fleming in 1541⁵ but five rectories in Cavan improprate to this abbey do not appear to have accompanied the grant so that in 1587 a twenty-one year lease of these, being 'waste and not leased to any since the suppression', was granted to Gerald Fleming.⁶ In 1603 Fleming received a regrant of them for a further twenty-one year period 'in consideration of his services to queen Elizabeth'.⁷ He received an outright grant and a patent of other lands in Cavan in December 1608.⁸ The abbey of Fore

1. Cal. pat. rolls Ire., Jas I, pp.2-3. It is clear from a fragment of a chancery bill that Strowbridge had not been able to collect at least some of the profits of these monasteries (P.R.O.I., Chancery salvage, D.54).

2. Cal. pat. rolls Ire., Jas I, pp.2-3.

3. Ibid., pp.53-5; See Hill, Plantation, p.113 (inaccurate?).

4. T.C.D. MS E. 3. 7, f.312.

5. Cal. fiants Ire., Hen.VIII, no 223.

6. Cal. fiants Ire., Eliz., no 4956

7. Cal. pat. rolls Ire., Jas I, p.10.

8. Cal. pat. rolls Ire., Jas I, p.134.

in Westmeath to which eleven rectories in Cavan were inappropriate was held by the Nugent family, barons of Delvin, by lease or otherwise, (with possible intermissions) from 1567.¹

Through grants of attainted land patentee ownership or leasehold of lay property was also appearing in the county from c. 1592. Following an inquisition held at Cavan in September 1590 which found that the lands, two townlands in Castlerahan, of one Brian McPhelim O'Reilly who had been attainted, had come to the crown,² these lands were granted to Edward Barrett in c. 1592.³

Further inquisitions were held in 1592 and 1593, finding that the lands, and in some cases chief rents, of ten of the O'Reillys, and three others (one of whom held termon land) had come to the crown by attainder, or in a few cases by death without issue.⁴ In March 1594 a sixty-year lease of the lands of nine of these proprietors with an additional area not found escheated by any surviving inquisition was granted to John Lee of Rathbride, county Kildare.⁵ Lee was an anglicised Irishman who was 'interpreter of the Irish tongue' to the Dublin administration.⁶ Lee's tenure of these lands may not have been very effective, at any rate in November 1603 a twenty-one year lease of two of the properties was made to Sir Thomas Ash⁷ a

1. Cal. fiants Ire., Eliz., nos 1089, 3478.
2. P.R.O.I., Exchequer Inquisitions, Ulster, Cavan, (3) Eliz., pp.6-9.
3. Cal. pat. rolls Ire., Eliz., p.219.
4. P.R.O.I., Exchequer Inquisitions, Ulster, Cavan, (4-6) Eliz., pp.9-16.
5. Cal. fiants Ire., Eliz., no 5849; Cal. pat. rolls Ire., Eliz., pp.274-5. Lee was a crown leaseholder of his Kildare lands (Cal. S.P. Ire., 1603-6, p.184).
6. H.F. Hore 'A chorographic account of ... Wexford ...' in Proceedings and papers of the Wickliffe and south-east of Ireland Archaeological Society, new series, ii, (1858), 17-21. He died in 1612 (ibid.).
7. Cal. pat. rolls Ire., Jas I, p.11.

member of an English family whose father had acquired property in Meath by marriage under Elizabeth, and who in this way began a connexion with Cavan landownership, subsequently considerably strengthened.

It was not however until after the war that land in any quantity became available through attainder and that conditions propitious for its occupation by grantees prevailed. These lands were granted in 1609 to two substantial old English landowners, Gerald, earl of Kildare, 'in consideration of his services'¹ and Mary, lady Delvin and her son Sir Richard Nugent, baron of Delvin and subsequently earl of Westmeath.² Delvin retained the land, with some adjustments, after the plantation. Kildare assigned most or all of his grant to Delvin.³

The grant to Delvin and his mother had a controversial background. In 1597 they had received royal authority for a grant of attainted lands in Cavan and Longford to the annual value of £100.⁴ However, no grant could be made until after the peace in 1603 and the claims of the Delvins to lands in Longford, which engendered considerable ill-feeling, were ultimately not accepted, the O'Farrells of Longford being considered by Salisbury no less good subjects than the Nugents themselves.⁵ In July 1607 the king ordered that the O'Farrells be re-possessed and that Delvin and his mother should receive escheated lands in Cavan or elsewhere to the value of £108

1. Cal. pat. rolls Ire., Jas I, pp.140-1.

2. Ibid., p.145.

3. T.C.D. MS E. 3.7, ff.311-11.

4. Cal. pat. rolls Ire., Eliz., pp.439-40.

5. Cal. S.P. Ire., 1603-6, pp.74, 74, 312-14, 418-20, 529-30, 536; 1606-8, pp.45, 111, 116, 134, 220, 522-3.

per annum.¹

In the autumn of 1607 however, Delvin, whose relations with authority were now embittered, was accused of inciting the earl of Tyrone to flee to the continent, and of plotting to seize Dublin castle. He was arrested in November, and it was planned to send him to England to stand trial, but he escaped and with a small following fled to Cloughowter in Cavan. Sir Garret Moore and the marshal of the army were dispatched against him. At the end of December Cloughowter and Delvin's young son were captured and the baron was 'enforced as a woodkerne in mantle and trousers to shift for himself'.² By February 1608 Salisbury conceded that he should be pardoned, and Chichester, finding him impossible to apprehend, feared that this 'young Robin Hood' could be a dangerous rallying point in the event of invasion or the return of the fugitive earls. Finally, on May 5, shortly after the outbreak of O'Doherty's rising, he submitted. A charge of complicity in O'Doherty's rising was not proved against him, and he was sent to England where on July 18 he was pardoned.³

This incident caused delay in the granting of the lands in Cavan to Delvin, and the patent, to Sir Richard and his mother, was dated 20 July 1609.⁴ Smaller portions of attainted land were granted in 1606 to Sir John Kinge, the mustermaster general.⁵ Kinge subsequently transferred his land to Roger Downeton,⁶ a clerk of the pipe

1. Cal. S.P. Ire., 1606-8, pp.220, 522-3; 1608-10, pp.519, 581.

2. Cal. S.P. Ire., 1606-8, p.362.

3. Cal. S.P. Ire., 1606-8, pp.45, 134, 157-60, 187-8, 256, 264, 320-1, 326, 327, 333, 334, 335, 337, 338, 348, 348-62, 398-9, 407, 415-16, 429-38, 459, 473, 482-3, 486, 502, 515, 529, 547-51, 583, 611-12, 614; Bagwell, Stuarts, i, 40-6.

4. Cal. pat. rolls Ire., Jas I, p.145

5. Ibid., pp.80-2.

6. T.C.D. MS E.3.7, f.311.

in the exchequer.¹ It can be seen then that although new English were acquiring land in Cavan prior to the plantation, the bulk of the land which had become available for distribution - attainted land - was granted to two old English landowners, Kildare and Nugent.

The termon and errenach lands came in for official interest from 1590, when an inquisition was held at Cavan to investigate their extent.² These lands, some forty areas, were held to belong to the queen, as if they were monastic property. Some slight doubt about the validity of the categorisation must have existed, however, because an inquisition held in 1593 found one piece of termon land to have escheated to the crown through death without heir.³ Seisin of these termons with their tithes was granted to Edward Barrett as part of an extensive grant throughout Ireland by two patents in June 1595 'in consideration of his wounds and for his services in the war manifoldly rendered'.⁴ A twenty-one years lease of one piece of termon land, Killdallon, was made to Sir Thomas Ashe in November 1603.⁵ However both Barrett and Ashe appear to have surrendered their leases and in March 1606 Sir Garrett Moore, the seneschal of the county, received a twenty-one year lease of all the termon land in Cavan at a rent of £17. 0. 0.⁶ This lease appears to have passed to Sir Oliver Lambert, a prominent servitor figure and subsequent grantee in Clonmahon barony, because in November 1607 and again in

1. Hughes, Patentee officers, p.43.

2. P.R.O.I., Exchequer Inquisitions, Ulster, Cavan, (3) Elizabeth, pp.6-9.

3. Ibid., (6) Elizabeth, pp.12-16.

4. Cal. fiants Ire., Eliz., no 5935; Cal. pat. rolls Ire., Eliz., pp.312-13, 313-14.

5. Cal. pat. rolls Ire., Jas I, p.11.

6. Ibid., p.83. This crown lease was renewed in August 1607 (ibid., p.107).

March 1608 king's letters were written directing that he should have a regrant for forty-one years of termon lands in Cavan on the expiration of leases he then held.¹

The granting out of confiscated land had thus introduced people of both old English and new English grouping as owners or lessees in the county. Land had also been acquired by purchase, or was of longstanding ownership, by old English from the area to the south of the county. The Plunketts, barons of Killeen, owned the territory of Munterconnacht, south of Lough Ramor.² Captain Garrett Fleming, who held the abbey of Kells, had purchased land in Clankee, and petitioned the lord deputy to be granted a patent. His suit was commended to London in January 1607 particularly because he had begun to build a castle on his new lands.³ In the following year he went to London in person again recommended by Chichester, who referred to his 'maymes' received in the O'Neill war and his recent services against Delvin,⁴ and in April a royal directive was issued in his favour,⁵ and his patent followed in December 1608.⁶ Captain Richard Tirrell who had fought for O'Neill, but surrendered in April 1603, was another of this type, being described as 'the most sufficient soldier and of the greatest reputation through all Ireland'.⁷ He had acquired lands by purchase in Cavan and his position came into prominence in the spring

1. *Ibid.*, pp.114, 133-4; *Cal. S.P. Ire., 1606-8*, pp.330, 443.

2. N.L.I., J. Ainsworth, *Reports on Private Collections*, no 6: Fingal papers. The ownership of this land was in dispute with some of the O'Reillys at the time of plantation (P.R.O.I., *Repertory to the decrees of chancery*, i, 279; *chancery salvage*, R.159, U.103), and adjudged in favour of Christopher, lord Killeen ('Ulster Plantation Papers' no 67, in *Analecta Hibernica*, viii).

3. *Cal. S.P. Ire., 1606-8*, pp.79-80.

4. *Ibid.*, p.410.

5. *Ibid.*, p.480.

6. *Cal. pat. rolls Ire., Jas I*, p.134.

7. *Cal. S.P. Ire., 1603-6*, p.25

and summer of 1610.¹ The new English, Sir John Elliot, a baron of the exchequer, had also purchased some land in Cavan.²

Cavan, then, on the eve of plantation had a less homogeneous character than more northern counties. Thus although there had been no scheme for colonisation in the county in the sixteenth century, as in Armagh, land ownership in Cavan had been more affected by a number of processes than in Armagh prior to the plantation. Not only were old English and new English landholders established there, some perhaps tenuously, but there were also well-forged commercial contacts. The town of Cavan was an established market centre by the turn of the century and its logical contacts were with Dublin and sea-board pale towns like Drogheda and Dundalk. One of its leading merchants, Walter Brady, was appointed constable and jailer of Cavan in 1584.³ He appears to have lived at Dundalk during the war period and when in 1600 he sought for a pension doubts were cast on his loyalty by the bishop of Meath, who stated that although he had built a castle at Cavan he had also aided the rebels.⁴ His loyalty, however, was sufficiently established for him to receive a pension after the war, and when the town received its charter in November 1610, Walter Brady became its first sovereign, presiding over a mixed corporation of Gaelic Irish, old English, and servitor elements. An interesting letter in the T.C.D. archives serves to illustrate Brady's contacts with Dublin institutions. In June 1605

1. Below, p. 73.

2. 'Ulster Plantation Papers' no 11, in Analecta Hibernica, viii.

3. Cal. plants Ire., Eliz., no 4547.

4. Cal. S.P. Ire., 1600, pp. 418-20.

Walter Brady and Barnaby Brady, 'merchants' bound themselves unto 'Mr Doctor Challoner, Chiffe of the Trinity Colledge' to be responsible for the good behaviour of two students from the county then in the college.¹ One of the witnesses was John Brady, vicar of Kilmore. Members of the Brady family thus not only had political and commercial links with Dublin, but also some had accepted the official religious position.² Such facts are understandable from the geographical position of the county and the responses of its ruling family to English influences from the reign of Elizabeth. Sheriffs were appointed probably from the shiring of the county in 1579 and sessions were held there intermittently also from that time. These facts, cumulatively, indicate the peculiar position of Cavan on the eve of plantation and give the subsequent application of the plantation policy to this area a special significance.

We have seen that with the peace in 1603 no restoration of an O'Reilly chieftain or division of the county took place. In October 1605 Chichester, writing to Salisbury on the state of Wicklow held it to be of 'especial consequence' to settle that county, as well as Cavan, Monaghan, Fermanagh, and Antrim.³ Thus for two counties, Cavan and Fermanagh, subsequently planted schemes were being devised following on the 1591 precedent of Monaghan (now in need of revision) whereby the land would be divided in small units amongst the native landholders, each to hold directly from the crown and the political powers of the chieftains to disappear. The plan, in short, was to

1. T.C.D. Muniment Room, Mahaffy Collection, c.12a: The students were John Jordan and Phillip McConin.
2. Cal. pat. rolls Ire., Eliz., p.277.
3. Cal. S.P. Ire., 1603-6, p.342.

establish a direct freehold relationship between all individual landholders and the crown. In July 1606 the deputy, Chichester, assisted by Davies, the attorney-general, and others, set out on a tour of Cavan, Monaghan, and Fermanagh, with this end in mind.¹ The implications of this policy were to be of profound importance after the plantation scheme had been adopted.

In August at Cavan a jury was assembled which included a large servitor element which found that the whole county had escheated to the crown through the successive deaths in rebellion of Sir John, Phillip, and Edmund O'Reilly.² In the autumn the deputy and council and Davies personally communicated their findings and plans for the three counties to Salisbury and the privy council.³

As to Cavan they felt that the division by baronies amongst the O'Reillys in 1584 had been inequitable and bred contention. An opportunity was now available, following on the findings of the jury, to make a more thorough and radical settlement. This was based upon a fundamental re-interpretation of the rights of the chieftains not only in these three counties but in Ulster in general. The journey in 1606, then, had general implications for Ulster as a whole. As Davies put it to Salisbury in November

we made so exact an inquiry of the estates and possessions of the Irishry that it appeared unto us plainly that the chief lords of every country had only a seignory consisting of certain rents and duties, and had withal some special demesnes, and that the tenants or inferior inhabitants were not tenants at will, as the lords pretended, but freeholders, and had as good and large an estate in their

1. *Ibid.*, p.528.

2. *Ibid.*, pp.537, 538-39; Cal. pat. rolls Ire., Jas I, p.118.

3. Cal. S.P. Ire., 1603-6, pp.558-66; 1606-8, pp.19-21; Morley, Ire. under Eliz. & Jas I, pp.343-80.

tenancies as the lords had in their seignories and that the uncertain cuttings and exactions were a mere usurpation and a wrong and were taken de facto and not de jure, when the lords made war one upon another or joined together in rebellion against the crown.

There was thus, it was argued, ample justification from within the Irish system itself for the restriction of the ruling families to particular defined areas of land paying quit rent for these to the crown, and for the circumvention of their political claims by the division of the remainder, with the same direct rentpaying relationship to the crown, amongst the subordinate occupiers. This analysis was applied equally to the O'Neill territories and had a particular relevance at that time in view of the impending crisis between O'Neill and O'Cahan.²

In Cavan, as in the other two counties, the deputy and his train set themselves, on the above assumption, to establish and record the amount of land possessed by each occupier or 'freeholder', to be used as the basis for a subsequent division of the county under patent.³ They also planned that a part of the county - as of the other two - should be granted to servitors on condition of building castles. These servitors should either be dispersed in each barony, or in the barony of Loughtee, 'the best in the county', in which Cavan town was located.⁴ Such a reorganisation of landholding and the presence of servitors, would, it was felt, in short time transform a county,

hitherto little better than a den of thieves infesting

1. Cal. S.P. Ire., 1606-8, pp.19-20.

2. Ibid., pp.20-21; T.W. Moody, Londonderry Plantation, pp.48-50, 56-7.

3. Morley, Ire. under Eliz. & Jas I, p.377.

4. Cal. S.P. Ire., 1603-6, pp.558-66.

the two counties of East and West Meath with continual spoils and robberies . . . , to the condition of an English County, obedient to law.¹

They furthermore decided to respect the expectations of the baron of Delvin to forfeited lands in Clanmahon, and suggested that captains Fleming and Tirrell who had bought land be granted patents and indeed receive 'somewhat more, for they have done more good by building and civil settlement than all the rest of the county'.² On their journey they investigated also the state of the church, the tithes lands, and monastic property.³

The programme for these three counties, as Davies envisaged it, was in effect that they should become extensions of the Pale, though including also a new English servitor element. The chieftainship of the O'Reillys, McMahons, and Maguires, 'three heads of that hydra of the north', should be abolished, and the customs of tanistry and gavelkind forbidden. Instead all land should be owned under the common law. Every man was to have a 'certain' home and know the extent of his estate. This would cause them to build better houses, improve their lands, and 'love neighbourhood'. In such an orderly environment villages and towns would prosper. These counties, he hoped, would in a short time 'not only be quiet neighbours to the Pale, but be made as rich and as civil as the Pale itself'.⁴

In November the privy council acknowledged receipt of the Dublin programme, approved the recommendations for Monaghan, and urged that the land in Cavan (as well as Fermanagh) should be distributed much

1. Ibid., p.562.

2. Ibid., p.565.

3. Morley, Ire. under Eliz. & Jas I, p.377

4. Ibid., p.379.

more broadly than the division of 1584 had effected. They also approved of grants to servitors, however the land was to be granted predominantly to the native inhabitants, and if any English were planted they should be placed on the church lands, which would cause less contention,

lest if many strangers be brought in among them it should be imagined as an invention to displant the natives, which would breed a general distaste in all the Irish.¹

The division, or settlement, should be carried out by 'commissioners of indifferency' so that the scheme should 'wear the appearance of agreement rather than enforcement'.² The adoption of the plantation policy later involved a change in attitude, in the rejection of the view that the Irish landholders were freeholders.

The implementation of this scheme for Cavan (and Fermanagh) never took place. In January 1607 the lord deputy and council stated that the project would take time to implement.³ By June the division of Monaghan had been completed and a record of the landholding pattern thus established was submitted to London,⁴ but the scheme for Cavan and Fermanagh remained still at the preparatory stage.⁵ In December the drafting of the division scheme for Fermanagh and Cavan, the latter disordered by Delvin's escapade, was postponed until the following summer or spring.⁶ By then the flight of the earls had allowed of proposals for a much more radical policy of plantation in which Cavan was included.

1. Cal. S.P. Ire., 1606-8, pp.23-4.

2. Ibid.

3. Ibid., p.87.

4. Ibid., pp.161-87.

5. Ibid., p.164.

6. Ibid., pp.361-3.

The plan to settle Cavan amongst the native Irish thus proved abortive, but it has a certain interest in relation to the plantation which followed. The plantation involved the clear reversal of the policy, and also the theory - that the subordinate Irish landholders in Ulster were of freehold status - on which it was based. Sir John Davies in Cavan in 1610 found himself obliged to argue from an opposite viewpoint to that which he had held in 1606.

The years from 1608 to 1610 were ones of active planning of the plantation for the county. After the flight of the earls Sir Garret Moore retained his position as senescal of the county.¹ Moore was for a while accused of complicity in the flight. Tirrell made complaints against him,² and Sir Edward Herbert, who had been sheriff of the county in 1591, applied for his position,³ but Moore was not removed. O'Doherty's rising barely affected Cavan, though Delvin was accused of having contacts with him, and the need for precautions was expressed.⁴ In the summer of 1608 small numbers refused to account to the sheriff or governor⁵ but there was no serious disruption. In July 1608, however, it was noted that the death of O'Doherty had opened the way for a 'universal settlement' of Ulster.⁶

In his 'notes of remembrances' of September 1608 Chichester indicated that he still visualised a settlement of much of Cavan amongst the native inhabitants, as well as the introduction of settlers. In the original version of these 'notes', drawn up in

1. *Ibid.*, pp.401-3.

2. *Cal. S.P. Ire.*, 1608-10, p.115.

3. *Cal. S.P. Ire.*, 1606-8, pp.461, 585.

4. *Ibid.*, p.486.

5. *Ibid.*, pp.568-70.

6. *Ibid.*, p.609; 1608-10, pp.46-7.

March, he had recommended that the division of Cavan - and Fermanagh - should follow as much as possible the form adopted for Monaghan.¹

Of the O'Reillys he said there were many septs, most of them 'cross and opposite one unto another'. This dynastic unrest would facilitate a careful division of the land amongst freeholders, who, unless a few were made too powerful, would come to depend directly and individually on the crown. The natives of the county were not adequate to utilise the half of it, hence areas in each barony, or one entire barony, could be planted, with 'civil and well-chosen' men whose way of living would be exemplary to their Irish neighbours. Particular care should be taken of the town of Cavan, then anxious for incorporation, and a ballibetagh of land should be granted to it, as well as to the castle there, which should be granted to a settler.

Belturbet, strategically placed on Lough Erne, should be similarly treated, and Cloughowter also reserved and 'regarded for'. He proposed that the rest of the barony of Cavan [Loughtee] should be granted to Maelmora O'Reilly, the grandson of Sir John and the chief in English eyes. However, there were many residents there who claimed freeholds, the Bradys and McCabes and others, and they should also receive land grants. Hence if Maelmora, whose father, it was pointed out, had died on the English side at the Blackwater and whose mother was a member of the Ormond family, were not to be reduced to very minor status, he should also receive grants in other baronies or some chief rents from the inferior freeholders. Ballinecargie, at which a small garrison was located, should be treated as Belturbet or

1. 'Ulster Plantation Papers' no 73 in Analecta Hibernica, viii.

Cloughowter though the ward retained until the county became settled. The purchases of captain Fleming, captain Tirrell, Walter Talbot, and others unnamed should be respected, though it was noted that some doubt existed as to the validity of the baron of Delvin's claim to lands. If it was felt wise to reserve any other places for the king's service it should be done at the time of division and settlement.¹

The 'project of plantation' stated that the county contained 40,500 acres, which would make 32 proportions - 5 great, 7 middle, and 20 small. Of this 40,500 acres, 3,500 were tithable land, 2,500 should be granted as glebe, and 500 acres were monastic. There was thus 34,000 acres to be allocated to grantees under the plantation. Of this English and Scots should receive 6 proportions or 8,000 acres, servitors similarly 6 proportions or 8,000 acres and native Irish 14 proportions of 16,500 acres. Of the remaining 1,500 acres, 250 each should be allotted to three corporate towns, 250 acres to the castle at Cavan, 150 acres to the castle at Cloughowter, and 350 acres for a free school at Cavan. By this calculation the native Irish were to be granted some 40 of the county.² While these acreage figures bear little relationship to reality, they were those with which the planners operated, and proportionate allocations based on them indicate the kind of mixed society which was visualised for the county.

From 1609 claims for land in Cavan from native and servitor elements as well as old English were pressed on both the Dublin and London administrations. In April 1609 Sir Robert Jacob informed

1. Cal. S.P. Ire., 1608-10, pp.54-6.

2. Hill, Plantation, pp.112-14.

Salisbury that the Irish generally claimed to be freeholders,¹ an argument which would have found favour in 1606. The most radical claim rested in a petition presented to the deputy in June 1609 by Richard Plunkett of Rathmore.² Plunkett indicated his descent from Sir Theobald de Verdon, who he asserted had been lord of Cavan. Plunkett required that the county should be granted to him in regard of his inherited title. Chichester, in an endorsement, instructed Davies to investigate the claim. This fantastic demand does not appear to have been pressed further, and Plunkett did not become a grantee under the plantation scheme.

Early in April 1610 captain Tirrell who had acquired land in Cavan and who was a kind of 'petty chieftain' over some of the O'Reilly's, went to England without the deputy's permission to secure his title and also, it was suspected in Dublin, to petition for lands for the O'Reillys as well.³ The Irish chancellor warned Salisbury against him stating that 'it is certain that if the fugitive arch-rebel have confidence with any man in this kingdom he has it in Captain Tirrell', and urging that he should not be permitted to live in Cavan any longer.⁴ However at the end of June he returned to Dublin with an official letter accepting his personal suit.⁵

In March 1609 Chichester had pointed out that the chief members of the O'Reilly family would not be content without substantial grants.⁶ It was felt that portion should be allotted to Catherine

1. Cal. S.P. Ire., 1608-10, pp.193-7.

2. Ibid., p.221.

3. Ibid., pp.426-7.

4. Ibid.

5. Ibid., pp.468-9. His patent dated 25 May 1612 is abstracted in Hill, Plantation, p.347.

6. Cal. S.P. Ire., 1608-10, p.178.

Butler, widow of Maelmore O'Reilly, and to the widow of Sir John O'Reilly.¹ In the spring of 1610 an O'Reilly pedigree was prepared and sent to England.² At this time also John O'Reilly and Connor McCahir O'Reilly returned from England, where they had sued for land, bearing a letter from the privy council.³ This recited that they had owned twenty townlands and were chiefs of one-third of Clanmahan, and recommended the deputy and his advisers to grant them such quantity of land as they thought expedient since both were to be removed elsewhere for the convenience of the plantation.⁴ A recommendation of one Lysaghe O'Connor, who had petitioned for land in Cavan but can hardly have had land there, was dated July 25 and must have arrived when the land had already been allotted.⁵ Otherwise the choosing of native grantees for the county is relatively undocumented and was left to the deputy and plantation commissioners.

The final plan for the allocation of land in Cavan differed from that embodied in the 'project'. One barony, Loughtee, was allocated to English undertakers, and was divided into 11 proportions, 8 small and 3 middle making 12,500 acres as then calculated. Two baronies, Tullyhunco, 6 small proportions: 6,000 acres, and Clankee, 2 great and 2 small proportions: 6,000 acres, were allotted to Scots. The remaining four, Tullyhaw, Castlerahan, Clanmahon, and Tullygarvey, comprising in all 4 great, 7 middle, and 16 small proportions:

1. Ibid., pp.183, 237-8.

2. Ibid., p.419.

3. Ibid., p.440; 'Ulster Plantation Papers' no 23, Analecta Hibernica, viii.

4. Another recommendation from London was on behalf of a certain Owen Carnan, possibly the Wony McThomas McKernan who received land in Tullyhaw (Cal. S.P. Ire., 1608-10, p.441).

5. Ibid., p.483.

32,500 acres, were for servitors and natives.¹

In the earlier stages of planning the colony most energy seems to have been devoted to more northern counties. Hency, in 1609, a list of possible undertakers and the lands they might receive passed over Cavan with the statement that by reason of its contiguity to the pale it would be 'easily' undertaken.² Only one consort group, however, applied for land there, and of these only one, John Tailor from Cambridgeshire, subsequently received an estate in Cavan.³ In his list of candidates suitable for grants as servitors drawn up early in 1610, Chichester made only two recommendations for this county: that Sir Francis Ruish should get land near Belturbet, with which he had connexions, and that captain Culme should also receive the rewards of his profession in Cavan.⁴ However no delay in implementing the scheme ensued, and when in July 1610 the plantation commissioners began their task of allotting the escheated lands, the first county they dealt with was Cavan.

1. Ibid., pp.404-6.

2. Ibid., pp.180-1.

3. Ibid., p.550.

4. Ibid., pp.366-7.

CHAPTER 2 THE BEGINNINGS OF PLANTATION, 1610-13.

i. Allocation of land and grantees.

The spring and summer of 1610 saw the climax of preparations for the plantation. In April and May the choice of consorts was made and the names of those English and Scottish undertakers with the baronies to which they were assigned forwarded to Dublin.¹ The undertakers, or accredited agents, were required to present themselves to the lord deputy and plantation commissioners before 24 June 1610.² In May and June instructions were received from the privy council authorising Chichester to issue a commission and make the necessary arrangements for the allocation of land to the grantees. He was to assemble forces to attend the commissioners on their journey and leave companies in Ulster for the planters' security.³ He was also to impress and despatch further swordmen to Sweden.⁴

The task of the commissioners, to be accomplished with minimum delay and involving incidental and complex problems, was not an easy one. They were to settle estate, barony and county boundaries where doubt or dispute existed, to define for settlers in strategic areas the locations of their strongholds, and to arbitrate in all suits concerning the escheated lands. They might re-organise parochial boundaries to coincide with the new structure of planters' estates. They were, inter alia, to allocate suitable glabe to each parish to

1. 'Ulster Plantation Papers', no 21, in Analecta Hibernica, viii.
2. B.M., Lansdowne MS 159, ff.217-23, ed. T.W. Moody in Bulletin of Institute of Historical Research, xii, 178-83.
3. Cal. S.P. Ire., 1608-10, p.452, Cal. Carew MSS, 1603-24, pp.54-5.
4. Cal. S.P. Ire., 1608-10, pp.458-60, 460-61.

allot the land granted for towns, and to restore church land alienated as monastic property.¹

Chichester was aware of the difficulties involved. In letters to Salisbury in June and July he stated his fears. The undertakers were slow in arriving², and the natives could not be removed from undertakers' land without difficulty and disturbance - 'the word of removing and transplanting being to the natives as welcome as the sentence of death'.³ His fears for the native Irish reaction were not without substance. In June Sir Toby Caulfield, fitly placed to assess the local reaction, reported to Dublin the effect of the news of the impending plantation on the people of central Ulster.⁴ Not only was he having difficulty in controlling the 'woodkerne', but since the news of the plantation had been divulged by Sir Turlogh McHenry O'Neill there was not 'a more discontented people in Christendom'. They foresaw that it would shortly be their predicament 'to be woodkerne out of necessity, no other means being left to them than to live as long as they can by scrambling'. They hoped to maintain their position until the spring of 1611 when aspirations centred on the return of O'Neill and the reversal of the entire situation by military force.

In such circumstances the implementing of the plantation was an immediate necessity. Towards the end of July Chichester and his associates set out for Ulster to allot the lands, deciding to

1. 'Ulster Plantation Papers' no 26, in Analecta Hibernica, viii; Cal. pat. rolls Ire., Jas I, p.195.
2. Cal. S.P. Ire., 1608-10, pp.470-73.
3. Ibid., pp.479-80.
4. Ibid., pp.474-5.

begin with Cavan where there was more land to be allotted to the natives than elsewhere in Chichester's opinion, and where he felt the people were 'more understanding and pliable to reason than in the remoter parts'.¹

The commissioners' reception in Cavan on August 4 proved of significance because here an attempt was made to defeat the plantation scheme by legal means. The success or failure of the natives of Cavan would be a precedent of general importance. Davies discussed this affair in a series of lengthy letters, Sept. - Nov. 1610.² The Cavanmen through proximity to the Pale had acquired a knowledge of English law not known in more distant parts of Ulster. Thus when the commissioners, meeting in Cavan, announced that the natives would be removed from the undertakers' lands to facilitate the plantation a Pale lawyer, employed by them, argued that they had estates of inheritance in their land which could not have been forfeited by the O'Reilly attainders. He therefore demanded for his clients the benefits of freeholders in English law, and pleaded also the proclamation of pardon and oblivion made in 1605. Such a claim if allowed would have overthrown, in large measure, the whole legal pretext for the plantation.

Davies impressed by this very case in 1606,³ now entirely opposed it. The king, he argued, was lord paramount of all the land in the

1. Ibid., p.480.

2. Ibid., pp.497-501; B.M., Cotton MSS, Titus B X, ff.202-5^v; Morley, Ireland under Eliz. & Jas I, pp.383-90. See also G.A. Hayes McCoy, 'Sir John Davies in Cavan in 1606 and 1610' in Breifne, i, 3 (1960), 177-91.

3. Above, pp.66-8.

kingdom, and where a tenant's estate 'doth fail and determine' he may dispose of the land at pleasure. As to Cavan, because two of the O'Reilly's had been recently killed in rebellion, all these lands had reverted to the crown. The plaintiffs, Davies contended, had no estates of inheritance 'because neither their chiefries nor their tenancies did ever descend to a certain heir'. Their custom of gavelkind had already been declared illegal and they had 'only a scrambling and transitory possession at the pleasure of the chief of every sept'. The claimants could, he insisted, substantiate no title by common law to their estates, and if they had no legal rights in their lands, the proclamation which received these lands into the king's protection did not give them any better estate than they had had previously. Even by brehon law their claim was untenable.

Furthermore the king was bound in conscience to implement a project which would convert his people from barbarism to civility. The land, half of which was now waste, would with the coming of the planters, be fully stocked and infinitely more productive. Also the plantation would mean a financial loss to the state: the rents recently collected from the earl of Tyrone's lands were higher than the settlers' quit rents would be.

Davies's altered attitude was a clear indication of the change in government policy since 1606. With the defence

the natives seemed not unsatisfied in reason, though in passion they remained ill-contented, being grieved to leave their possessions to strangers which their septs had so long, after the Irish manner, enjoyed.¹

However the deputy 'so mixed threate with intreaty' that they promised

1. Morley, Ireland under Eliz. & Jas I, p.389.

to give way to the undertakers if the sheriff, by warrant of the commissioners, put them in possession. This crisis in Cavan represents a stage in the development of the native reaction to the plantation.

'The eyes of all the natives in Ulster were turned upon this county'.¹

The undertakers were required to be in Ireland by June 24, and although all may not have been punctual, most came over and presented themselves to the commissioners on their journey of assignment.²

From the schedules of the grants of the commissioners³ we can establish the number of undertakers who received possession in 1610, which can be presented in tabular form.⁴ It is likely that most of the servants received possession at the same time.

County	Barony	Nationality	No. of grantees	No. present	
				(a)	(b)
Armagh	Fewes	Scots	5	2	1
Armagh	Oneilland	English	10	7	6
Cavan	Loughtee	English	7		7
Cavan	Clankee	Scots	4		0
Cavan	Tullyhunco	Scots	5		2

These certificates of 1610 are dated variously from the camps of the commissioners as they moved about Ulster. They range from August 4 to September 24. John Taylor of Loughtee was the first undertaker to be assigned his lands. The majority of undertakers of both counties did not arrive in Ulster until September. Most striking

1. *Ibid.*, p.389.

2. *Cal. S.P. Ire., 1608-10*, pp.497-501.

3. 'Ulster Plantation Papers' no 11, in *Analecta Hibernica*, viii

4. The certificates are in some cases undated or ambiguous. The last column (b) gives numbers for which the evidence is clear though the larger figures in (a) are more likely to be correct.

is the low initial attendance of Scots. Clankee barony remained unclaimed until after Carew arrived back in Dublin, after surveying the plantation, in September 1611.

The impetus towards plantation of those who acquired land is not part of this study but a brief introduction of the grantees with reference to the sizes of their estates and the over-all proportions of the land of each county held by the different proprietor types is essential.¹ The incomes some of the grantees claimed to have are stated below. It would seem that, not unexpectedly, they were not people of special substance. It is not easy to find comparative figures for England or Scotland at this time, but in a recent study of the Kent gentry between 1640 and 1660 it has been shown that the average income of 135 families with well-documented fortunes was £656 per annum, though the author states that hundreds had an income of under £250 a year.²

In Armagh where the confiscated land in two baronies, Oneilland and the Fews, was allotted to English and Scottish consorts respectively, in all fifteen undertakers, ten English and five Scots, received estates. There were also eight servitor grantees in Orior.

In Oneilland two grantees, John and William Brownlow, were father and son. John, who came from Nottingham, put in for 2,000 acres and claimed to have an income of £150 per annum.³ Three, John Dillon, Richard Rolleston, and William Powell whose estate Rolleston subsequently acquired, came from Staffordshire. Rolleston, a clergyman,

1. For a list of all proprietors see Appendix I.

2. A. Everitt, The community of Kent and the great rebellion, pp. 41, 329.

3. Cal. S.P. Ire., 1608-10, pp. 548-51 (Hill, Plantation, pp. 146-9).

claimed an income £100 per annum and property to the value of £500. Powell was a royal servant, one of the equerries of the king's stable.¹ He was, in a sense, a servitor in England and it is not surprising that he quickly disposed of his Armagh lands. Two, James Matchett, the second clerical grantee, and William Stanhowe, came from Norfolk. Matchett, whose income was £84 a year,² clearly received no great preferment, and Stanhowe (with his son Henry) in applying for land represented himself as having £150 per annum and £500 in goods.³ Francis Sacheverell, from Leicester, had, of those who declared it, the highest income with £300 per annum.⁴ Joseph Warde, also from Norfolk, with £2,000 in goods, was selected as a grantee,⁵ but exchanged his lands with John Heron who does not feature on the lists of applicants for lands and whose origin and fortunes are unknown. The remaining person allotted land in this barony, Sir Richard Fines, lord Saye and Seale, had earlier proposed himself as a consort leader,⁶ but now simply became an undertaker and in fact quickly disposed of his lands. He was later to be involved in colonising schemes in north America.⁷

Two of the five Scottish grantees in the Fews, Sir James Douglas and Sir James Craig, accompanied king James to England and had established themselves in good positions for further advancement.

Douglas, from Haddingtonshire, became a gentleman of the bedchamber.

1. Hill, Plantation, p.145. In 1604 he received a reversionary grant 'of the keeping of the race at Malmesbury' (Cal. S.P. Dom., 1603-10, p.114; Hill, Plantation, p.26.
2. Cal. S.P. Ire., 1608-10, p.550. Hill, Plantation, p.261 is incorrect.
3. Cal. S.P. Ire., 1608-10, p.550. 4. Ibid., p.549.
5. 'Ulster Plantation Papers' no 21, in Analecta Hibernica, viii
6. Cal. S.P. Ire., 1608-10, pp.425, 550.
7. C. P. Nettels, The roots of American civilisation (2nd ed., London, 1963), pp.121-2, 174.

In 1608 he received a grant of the recusancy fines of certain individuals and also license to prospect for gold and silver in Hampshire and the Isle of Wight. He received other emoluments of royal service in 1609 and in the following year land in Ulster.¹ Craig had the advantage of similar royal proximity and held positions in the wardrobe from 1603.² He not only became an Ulster undertaker but also subsequently received many grants of land throughout Ireland.³ The other grantees, William Lawder, Claud Hamilton, and Henry Acheson were Scots residents who were not royal servants, though Henry Acheson's brother, Sir Archibald, who was to acquire Douglas's estate was a leading Scottish public official.⁴

Of the eight servitor grantees in Orior, two, perhaps three, were men of considerable distinction. Sir Oliver St. John had been a soldier in Flanders, was sent to Ireland in 1601, was now master of the ordnance, and was subsequently lord deputy.⁵ The career of Sir Gerald Moore has already been noted. Lord Audley, Sir George Touchet the 18th baron, was of a Staffordshire family, had acquired land in Munster, and was the father-in-law of Sir John Davies.⁶ He made an extravagant application for 100,000 acres in Tyrone in July 1609 which was at first welcomed by the English privy council.⁷ However Chichester was sceptical stating that his limited achievements in Munster did not 'promise the building of substantial castles nor

1. Hill, Plantation, p.283; Cal. S.P. Dom., 1603-10, pp.379, 415, 437, 462, 524, 527.
2. Cal. S.P. Dom., 1603-10, pp.55, 127, 170; Hill, Plantation, p.284.
3. Cal. pat. rolls Ire., Jas I, pp.460, 529, 531-2, 558, 561, 563, 569, 574.
4. Lodge, Peerage (ed. Archdall), vi, 81.
5. Hill, Plantation, p.310; Hughes, Patentee Officers, p.115.
6. Hill, Plantation, p.135.
7. Cal. S.P. Ire., 1608-10, pp.258-9.

a convenient plantation in Ulster'.¹ By June 1610 he had declared himself willing to receive a grant as any other servitor,² and he received 500 acres as then computed in Orior, with the reversion of the land granted to Art McBaron O'Neill.³

Of the remaining five Sir Thomas Williams has been already mentioned. Marmaduke Whitechurch who had fought at the Blackwater,⁴ had already acquired monastic property in Armagh. John Bouchier was the second son of Sir George Bouchier the Irish master of the ordnance who had died (as also had his eldest son) 'a very poor gentleman' in 1605.⁵ Charles Poynty was a lieutenant who proved an extremely active landowner and Francis Cooke was a captain who developed close connexions with the Londonderry plantation, and married the widow of Sir Edward Doddington.⁶

In Cavan the forfeited land in one barony Loughtee (apart from small areas) was granted to seven English undertakers and that in two baronies Clankee and Tullyhunco (again with excepted areas) was assigned to nine Scottish undertakers. The forfeited land in the remaining four baronies, Tullygarvey, Clonmahon, Tullyhaw, and Castlerahen were granted to servitors and natives, of whom there were eighteen British servitors.

Three of the seven Loughtee undertakers, Sir John Davies, the attorney-general, Reynold Horne, and William Snow almost immediately

1. *Ibid.*, pp.297-8, 319.

2. *Ibid.*, p.467.

3. *Ibid.*, p.494. He was also consort leader and a grantee as an English undertaker in the barony of Omagh, county Tyrone ('Ulster Plantation Papers' no 21 in *Analecta Hibernica*, viii).

4. *Cal. S.P. Ire.*, 1598-9, pp.241, 244, 491.

5. *Cal. S.P. Ire.*, 1603-6, pp.343, 346: Sir George committed his son's care to Chichester.

6. T.W. Moody, *Londonderry Plantation*, pp.110, 140, 162, 174, 178, 280, 313, 314-15, 317, 349, 447.

disposed of their lands. Davies received land as a servitor in Fermanagh¹ - the distinction between servitor and undertaker was not always a hard and fast one - and transferred his interest in Loughtee to a fellow undertaker, Richard Waldron who in turn disposed of his allotment to Reynold Horne.² Horne received a grant of possession on 4 September 1610 but by September 24 had passed his lands to Sir Nicholas Lusher.³ Snow did not come to Ulster but disposed of his lands to Lusher's son, William.⁴

Of the seven grantees to receive land in Loughtee after these initial re-arrangements, two the Lushers, came from Surrey,⁵ Sir Nicholas had probably had a previous association with another grantee Sir Hugh Wirrall from Enfield in Middlesex - income £200 a year - because they, and others, received an office in the customs administration of England in 1611.⁶ Richard Waldron was the son of an Elizabethan adventurer in Ireland, John Waldron, who received an extensive grant of lands throughout the country in 1607.⁷ Of the remaining three, two, John Fishe and Stephen Butler, came from Bedfordshire. Fishe, claiming an income of £300, applied originally for land in Oneilland.⁸ Butler similarly applied for Armagh land but represented himself as having an estate of £1,500.⁹ The remaining grantee, John Tailor, came from Cambridgeshire, submitted his income

1. Hill, Plantation, p.330.

2. 'Ulster Plantation Papers' no 21 in Analecta Hibernica, viii.

3. Ibid., no 11.

4. Ibid.

5. Hill, Plantation, p.282.

6. Cal. S.P. Dom., 1611-18, p.67; Cal. S.P. Ire., 1608-10, p.551.

7. Hill, Plantation, p.280.

8. Cal. S.P. Ire., 1608-10, p.549.

9. Ibid.

as being 200 marks per annum, and was one of a group who actually applied for land in Cavan.¹

Of the four Scots grantees in Clankee one, Esme Stuart, Lord Aubigny was the second son of the first duke of Lennox, a member of the Scottish privy council.² The others, William Bailie, William Dunbarr, and John Ralston, were of less clear origin, though the latter was the son of the lord (or laird) of Ralston.³ In Tullyhunco Sir Alexander Hamilton and Sir Claud, father and son, were undertakers. There were also two brothers Alexander and John Auchmooty, the latter a groom of the bed chamber from 1603.⁴ The fifth, John Brown, a man without title or royal connexion, quickly disposed of his estate.

The British servitors in Cavan numbered eighteen. Two were men of considerable standing in public service. Sir John Elliot who received land in Castlerahan having purchased land in the county before the plantation,⁵ was a baron of the exchequer and had been involved in drawing up the indictment against the fugitive earls.⁶ Sir Oliver Lambert was a man of outstanding energy and a privy councillor. A nephew of Sir Henry Wallopp, he first appeared in Ireland in 1581, later serving against Spain and in the Netherlands. He assisted Essex in Ireland in 1599, was made governor of Connacht in 1601, and fought in the Ulster wars. He received a number of grants of land throughout the country before and after the plantation,

1. *Ibid.*, p.550.

2. 'Ulster Plantation Papers' no 21 in Analecta Hibernica, viii; Plantation, p.308.

3. 'Ulster Plantation Papers' no 21 in Analecta Hibernica, viii.

4. Hill, Plantation, p.307.

5. Above, p.64.

6. Hughes, Patentee officers, p.46; Hill, Plantation, p.343.

already had Cavan connexions, and had his home at Kilbeggan in Westmeath on monastic property.¹ In 1610 Davies described him as 'a worthy servitor ... like to prove a good planter in ... Cavan.'²

Some of the other servitors, like Lambert, had had previous connexion with the county. Capt. Hugh Culme was constable of Cloughowter castle,³ of which with its lands he received a twenty-one year lease in November 1610.⁴ In the same year he was provost-marshal of county Cavan 'and parts adjoining'.⁵ Sir Thomas Ashe of Trim, who with his brother John of Kilmessan received land in Tullygarvey, had acquired crown leases of Cavan land before the plantation.⁶ Archibald and Brent Moore, the former constable of Ballynecargy in Cavan,⁷ were relatives of Sir Gerald Moore,⁸ who had been seneschal of the county.

Of the other grantees, Nicholas Pynnar, a captain who had been at Lifford and Omagh forts in 1602,⁹ was subsequently appointed an overseer of fortifications and plantations,¹⁰ and was made responsible for the survey of the Ulster colony conducted in 1618-19. John Ridgeway, a grantee in Castlerahan, was a brother of Sir Thomas Ridgeway, the vice-treasurer¹¹ who with Davies had acted as liaison officer between Dublin and London in planning the plantation in the spring of 1610. Sir Edmond Fettiplace as a captain had fought at the Blackwater;¹² by 1605 he was a pensioner and knighted.¹³ Sir Richard

1. Lodge, Peerage (ed. Archdall), i, 348-53; Cal. pat. rolls Ire., Jas I, p.89.
2. Morley, Ire. under Eliz. & Jas I, p.390.
3. Cal. S.P. Ire., 1608-10, p.80.
4. Cal. pat. rolls Ire., Jas I, p.182, see also p.92.
5. Cal. S.P. Ire., 1608-10, p.512; see also Cal. S.P. Ire., 1601-3, p.535.
6. Above, pp. 59, 62.
7. 'Ulster Plantation Papers' no 11 in Analecta Hibernica, viii.
8. Hill, Plantation, p.346.
9. Cal. S.P. Ire., 1601-3, p.525.
10. B.M., Add. MS 4794, ff. 390 -91.
11. Hughes, Patentee officers, p.111.
12. Cal. S.P. Ire., 1598-9, pp.253-4.
13. Cal. S.P. Ire., 1603-6, p.256.

and Sir George Graham belonged to the famous Scots border and Cumberland clan who had been transplanted to Roscommon in 1606.¹ However they had both had a military career in Ireland in Elizabeth's reign,² Sir George (or possibly his father Sir George) had got land at Naas in Kildare³ and in 1617 Sir Richard received a controversial grant of O'Byrne land in Wicklow.⁴

The remaining grantees had had minor military careers. Four, Anthony Atkinson, Edward Rutledge, John Russon (or Russell), and Roger Garth were lieutenants.⁵ Thomas Jones, a serjeant, received lands as in Tullyhaw which are in modern Tullyhunco, and Joseph Jones was a grantee in Clanmahon.⁶ They were now reaping the rewards of previous service.

There were also ten old English proprietors in Cavan some of whom, as has been seen, had acquired land previously to the plantation. The positions of Richard Nugent, baron of Delvin, Christopher Plunkett, baron of Villeen, captain Garret Fleming, captain Richard Tirrell, Walter Talbot⁷ and Luke Dillon have already been discussed.

1. Cal. S.P. Ire., 1608-10, pp.XCV-Ciii; P. Williams, 'The northern borderland under the early stuart's' in H.E. Bell & R.L. Ollard (eds.) Historical Essays, 1600-1750, pp.1-17.
2. Cal. S.P. Ire., 1601-3, pp.347-8, 487.
3. Hill, Plantation, p.327; also in Galway (Cal. pat rolls Ire., Jas I, p.90).
4. H.F. Kearney, Strafford in Ireland, 1633-41, pp.175-6.
5. Cal. S.P. Ire., 1611-14, pp.212-13.
6. A certain captain Lyons was associated with him for a time (ibid.).
7. Talbot held his lands for some time in partnership with Hugh Culme. The original patent was in fact issued to Culme alone (Cal. pat. rolls Ire., Jas I, pp.193-4). By 1630, the year in which Culme died, it was owned entirely by Talbot's son, James (Inq. cancell. Hib. repert., II, Cavan (29) Chas I), and he received a patent for it in 1638 (P.R.O.I., John Lodge, records of the rolls, vi, 123). Hill, Plantation, p.338 is confusing.

Christopher and Edward Nugent as grantees were presumably also retaining earlier acquisitions. Richard Fitzsimonds was a Drogheda merchant who acquired the fishings of the Bann and Foyle in the Londonderry plantation in 1613 and was also a tenant to the archbishopric of Armagh.¹ His grant in Cavan was probably also a confirmation of a previous acquisition.

There was no systematic buying out of private interests as in Londonderry,² though it will be seen below that in 1633 one person also old English, claimed that his father had surrendered land in Cavan to facilitate the plantation on alleged promise from Chichester of compensation in a later plantation.³ The remaining old English grantee, Sir William Taaffe, who received land in Castlerahan as a servitor, had had little previous contact with the county.⁴ He owned property in Lough and Connacht (the latter by grant of 1592) and also between 1603 and 1620 received grants in a number of Irish counties.⁵ He distinguished himself as a captain during the O'Neill wars and in 1606 was constable of Ardee castle.⁶

The fact that the old English retained or received so much land in Cavan would indicate something of the government's attitude towards them at this time, though two years later, in 1612, the baron of Delvin was described by Barnaby Rich as one of the six 'pryncypall pylers that doth entertheyne prystes and gyveth support and countenance to popery in Ireland.'⁷

1. T.W. Moody, Londonderry Plantation, pp.151, 173; below, p. 546.
2. T.W. Moody, Londonderry Plantation, pp. 114-18.
3. Below, pp. 298.
4. Above, p.58.
5. P.R.O.I., Lodge, Records of the rolls, iv, 290-91; Hill, Plantation, p.343.
6. Cal. S.P. Ire., 1603-6, p.432.
7. C.L. Falkiner, 'Barnaby Rich's "Remembrances of the state of Ireland, 1612" in R.I.A. Proc., xxvi, section C, no 8 (1906), pp.140-41.

The subsequent role of the consort leaders in the cases of baronies granted to groups of English undertakers and of the Scottish privy council with regard to groups of Scots grantees after the initial stage of assembling those who would receive land, seems to have been very slight. There is no evidence that the earl of Worcester as supervisor of Oneilland took any active interest in the colony there, though Chichester in writing, in October 1610, to the earl of Northampton, who had selected the grantees in Loughtee, referred to his good choice of those sent 'to undertake his precynct';¹ and as late as February 1614 Sir Robert Jacob informed him that the undertakers he had recommended for that barony had 'built and planted very well'.² The Scots privy council appointed a 'chief undertaker' in each barony allotted to their countrymen.³

In order to give a statistical basis to this thesis an attempt has been made to establish the acreage of each estate in statute measure. The methods employed and problems encountered are described below,⁴ where lists of proprietors are given. Proprietors have been classified, and the percentages of the total acreage of each county held by each category at the beginning and end of our period calculated. A tabular abstract of the state of landownership in Armagh and Cavan following on the plantation is presented here. The figures are necessarily presented with an appearance of accuracy which must however be qualified. The evidence on which identifications of seventeenth-century place names with the modern Ordnance Survey

1. Cal. S.P. Ire., 1608-10, p. 521.

2. H.M.C., Hastings MSS, iv, 14.

3. 'Ulster Plantation Papers' no 21 in Analecta Hibernica, viii.

4. Below, pp. 623-28.

equivalents has been made has varied in quantity and quality. These figures are furthermore presented in terms of real acreages; owing to defects in the seventeenth-century statistical material, the amount of land in profitable occupation in the early seventeenth century is difficult to establish. However these statistics and the maps which accompany them are the outcome of careful investigation and are presented as a fundamental part of this study.

The figures below are given the date period c.1610 - c.1620 to take account of various adjustments, grants of small areas overlooked in 1610, and the like which are discussed in the early chapters. The categories are generally self-explanatory, though a few points must be made. Under the heading British servitors have been grouped not only those British granted land as servitors,¹ but also all those British who in 1610 or subsequently held lay land without obligation to plant British tenants, i.e. those British proprietors of small areas who were not tied to the conditions of undertakers. These include the holders of fort lands, a small number of pre-plantation British proprietors of non-ecclesiastical land, and grantees after the plantation of small areas, one of whom in Cavan was, in fact, a Scot. Although mountain land was granted to a person of ordinary servitor type,² it is here placed in a particular category in order not to weight the proportion held by servitors unrealistically since its value to its grantee is known to have been very slight. Although grantees of monastic land could be fitted into other categories,

1. Above, pp. 83-4, 86-8.

2. Below, p. 157.

ex-monastic land is here particularised to show the extent of monastic property prior to the plantation.¹

Armagh, c.1610 - c.1620.	
<u>proprietor groups</u>	<u>%ages of total acreage</u>
English undertakers	21.33
Scottish undertakers	5.05
British servitors	8.97
Native Irish	25.21
Archbishopric	15.44
Trinity College, Dublin	7.36
Ex-monastic	9.57
Glebe	2.11
Other ecclesiastical proprietors	2.77
School	0.50
Mountain	0.32
Unidentified ownership	1.37

received 21.3% of the land.² Native Irish in both counties received less than half the share of undertakers, but more than twice the 11.2% granted them in Londonderry.³ In Armagh two-thirds of the land Irish owned prior to 1600 was granted before the plantation, all but 8,000 acres of this being sold by Sir Terlogh McHenry and Sir Davy McNeill, under the account distributed to Irish under the plantation in this county was smaller than the table suggests.³ In

1. T. W. Moody, *Londonderry Plantations*, p. 456. 2. *Ibid.*

3. This shows that in Londonderry's colonisation (Moody, p. 26) that

1. It may be slightly exaggerated in Armagh at the expense of servitors.

Cavan, c.1610 - c.1620	
<u>proprietor groups</u>	<u>%ages of total acreage</u>
English undertakers	11.95
Scottish undertakers	16.12
British servitors	20.59
Native Irish	22.49
Old English	13.73
Bishopric	6.86
Ex-monastic	0.90
Glebe	2.95
School	0.20
Town of Cavan	0.15
Mountain	3.63
Unidentified ownership	0.40

It can be seen that in both counties undertakers were granted somewhat more than one-quarter of the total acreage. In Londonderry, their equivalents, the Irish Society and individual companies received 57.3% of the land.¹ Native Irish in both counties received somewhat less than the share of undertakers, but more than twice the 10.2% granted them in Londonderry.² In Armagh two-thirds of the land Irish owned (some 50,000 acres) was granted before the plantation, all but 6,000 acres of this being held by Sir Turlogh McHenry and Sir Henry oge O'Neill, hence the amount distributed to Irish under the plantation in this county was smaller than the table suggests.³ in

1. T.W. Moody, Londonderry Plantation, p.455.

2. Ibid.

3. This throws light on Chichester's opinion (below, p.98), that only in Cavan had the Irish received an adequate share of the land.

Cavan British servitors, who received one-fifth of the land, were a very substantial group, with proportionately twice the share of their Armagh counterparts. However monastic land in Armagh, which accounted for about 10% of the area, was, unlike Cavan, granted to people exclusively of servitor type. In Cavan the old English occupied a special position. They had received almost all the monastic land, which with their share of lay land, gave them an almost 15% stake in the proprietorship of the county. Thus native Irish and old English catholics owned some 37% of the county - the catholic (and native Irish) share of Armagh was 25%. In Armagh, Trinity College, a unique though protestant proprietor received 7 of the land. In Armagh the share of the church some 20.32%, was considerably higher than in Cavan, where it was almost 10%, but was similar to the 22.8% of Londonderry.¹ In all three counties incumbents' glebes occupied a similar proportion of the land. The approximate area of ecclesiastical land before the plantation can also be stated. This is the total of episcopal (including termon and errenach land), monastic, and of other ecclesiastical proprietors. Glebe, being largely non-existent before the plantation, should be excluded. The figures are, thus, 24.78% of Armagh, and 7.76% of Cavan.

The acreages of individual estates are provided in appendix i. It can thus be seen how much larger than the amounts they were granted as the real acreages of estates turned out to be.² In

1. Ibid.

2. This also applied in Londonderry (T.W. Moody, Londonderry Plantation, pp.451-6).

Oneilland estates were generally about three times, though occasionally very much more, the size of the acreage they were granted as. In the Fews estates, apart from Douglas's, ranged from being almost twice to somewhat over twice the figure they were granted as. Scots' undertakers estates in Armagh were thus smaller than those of their English equivalents. The T.C.D. lands in county Armagh were five times the size of their calculated acreage. Servitor grants in Orior were generally about three times their granted size.

In Cavan estates proved to be even larger. In Loughtee the estates of English undertakers were from over three to over four (in one case more) times the sizes recorded in the patents. Scots' estates in Tullyhunco were, with one exception, four to six times their official acreage, and in Clankee they ranged from five to ten times the 1610 acreage. Servitors estates in Cavan were similarly large. Estates in Cavan would have been even larger but for a change made in the official estimate of the acreage of the poll between 1609 and 1610. The 'Project' for the plantation of January 1609 assumed that each poll contained twenty-four acres,¹ however the patents in 1610 granted polls as having an acreage of about double this assumption.²

The fact that estates proved so much larger than the planners designed had a number of consequences. Firstly, from the standpoint of public finance, it meant that the government got a smaller return from quit rent than need have been necessary. It also meant that the density of settlement to which the undertakers were bound - twenty-

1. 'Ulster Plantation Papers' no 74 in Analecta Hibernica, viii
2. Cal. pat. rolls Ire., Jas 1, pp.163-7. An inquisition in 1601 relating to Mulmory oge O'Reilly's land, had stated that each poll contained sixty acres (P.O.O.I., Calendar to exchequer inquisitions, Ulster, Cavan, (7) Eliz., pp.17-24).

four men per small proportion - was in effect greatly reduced. More specifically, as in Londonderry,¹ estates of this size did not lend themselves to settlement in villages as the plantation conditions required.

Government officers were not long in detecting these defects in the Ulster plantation. Sir Oliver St. John, lord deputy when the Longford plantation was being planned in 1618, and himself a grantee in Armagh, proposed that estates to be granted in Longford should be very much smaller than they had been in Ulster, where

experience hath taught us that the undertakers' buildings have not been so readily performed as was expected, nor the British brought over in sufficient numbers to inhabit those great scopes ...²

The plantation in Ulster, it was seen, had begun with an in-built disadvantage.

Chichester's appraisal was perhaps more accurate. The plantation, involving an extensive displacing of the natives, imposed in his opinion an undue strain on private initiative and especially that of the present grantees. He felt it demanded much more state sponsorship. 'To remove and displace the natives ... is not a work for private men, who expect a present profit, or to be performed

1. Cal. L.P. MSS, 1603-24, pp. 497-504.

2. Ibid.

3. Ibid.

1. T.W. Moody, Londonderry Plantation, p.310.

2. Cal. Carew MSS, 1603-24, p.368.

II The First Year

The prospects of the colony received mixed assessment. Davies on September 24, with moderate optimism, hoped for a peaceful resettlement of the native population stating

that if they were once settled under the servitors, the bishops, and others who may receive Irish tenants, they would ... rest as well contented under their wings, as young pheasants do under the wings of a house-hen, though she be not their natural mother.¹

As for the native freeholders he hoped also for transformed attitudes after they had moved to their new lands so that as transplanted trees they would 'like the ground better and yield pleasanter and sweeter fruit than they did before'.² The majority of the undertakers had come over and were preparing to begin their buildings in the spring. Servitor grantees had been chosen from many competitors and were men 'of merit and ability and for the most part such as have set up their rests in Ulster'.³

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1. Cal. S.P. Ire., 1608-10, pp.497-501.

2. Ibid.

3. Ibid.

without blows or opposition'.¹ Only in Cavan, he felt, had the natives, and also the servitors, received fitting proportion of the land:

In the distribution of the precyncts made ther [i.e. in England] I can not but thinke that the servitors and natives were greatly neglected in all counties but the Cavan, for wee conceived here that the one half at least of each countie woulde have been left and assigned for them but nowe they have but one baronie in a county ... which hath grieved the servitor and so discontented the natives that they, the natives I meane, wyl do what spite and malice can invent to hinder the proceeding and good successe in a work so commendable in itselife and profeatable to all posterities...²

The contrast of Cavan with Armagh in this respect was not, as we have seen,³ as sharp as Chichester suggested.

Chichester was thus dissatisfied both with the plantation scheme and its beneficiaries. Northampton's consort in Loughtee appeared an able one, but in another barony, presumably Oneilland, two of the planters were churchmen and one a youth in his late 'teens'.⁴ In general he felt that the English undertakers were plain country gentlemen with little promise of ability to perform the conditions. Some had already exchanged or sold their proportions. His first impressions of the Scots were in part more favourable. They came in a more business-like manner and with larger followings. However

1. Ibid., pp.519-21. For the ideas of an undertaker thinking along similar lines see T. Blenerhasset, 'A Direction for the plantation in Ulster, 1610, in J.T. Gilbert, A Contemporary History of Affairs in Ireland (1879), 1, 1, App. x, 317-26. It is noteworthy that a scheme for the removal of the natives from undertakers' lands by state initiative was put forward in 1628 (below p. 255).
2. Chichester to earl of Northampton, lord privy seal, 31 Oct. 1610 B.M., Cotton MSS Titus, B, x, ff.200-200^v (Cal. S.P. Ire., 1608-10, pp. 521-22).
3. Above, p. 93.
4. Ibid.

they may have had less money to expend than the English and many had begun to bargain with the natives promising, in return for supplies, to obtain permission for them to remain on their lands as tenants.

Under the plantation scheme the native inhabitants were to remove from the undertakers' lands in 1610. This they did not do. At the same time their military position had been revolutionised, and the failure of the Cavan men to arrest the plantation by judicial means was noted throughout Ulster. To the planters, however, the situation was perilous and Thomas Blenerhasset, a Fermanagh grantee, wrote in the autumn of 1610

... although there be no apparent enemy, nor any visible main force, yet the wood-kerne and many other (who have now put on the smiling countenance of contentment) doe threaten every house, if opportunitie of time and place doth serve ... and besides them there be two, the chief supporters of all their insolencie, the inaccessible woods and the not passible bogs: which to subject to our desires is not easie ...

The native freeholders, particularly in Armagh, Tyrone, and Londonderry were dissatisfied with the sizes of their grants and Chichester sympathised with their complaints.² Natives' hopes and planters' fears that the plantation would be swept away, that it had been a self-destructive policy, were great in the autumn of 1610. Foreign intervention was expected, and attempts were being made to amass arms.³

Barnaby Rich, who had local knowledge of Ulster, was the only person to make a re-assuring comparison of the power of the Irish at this juncture with their strength under Elizabeth. Ireland was as quiet as Cheapside and where 'a thousand menne in times past would

1. Thomas Blenerhasset, Direction, p.319.

2. Below, pp. 316.

3. Cal. S.P. Ire., 1608-10, pp. 501-4, 518-21, 525-27.

have been intercepted, I dare now undertake to passe myselfe and my boy'. The Irish were cruel and 'bloudie minded', they were trained in treason and superstition 'and nuzeled from their cradles in the very puddle of Popery', their wood-kerne were 'the very Hags of Hell fit for nothing but the gallows' but their capacity to maintain a full-scale war was negligible. They were without military supplies and the money to buy them 'their greatest wealth, wherewith to maintaine a warre, consisteth in otmeale and butter'. However he opposed the granting of pardons and saw that in the event of insurrection quick and consistent action would be essential.¹

If the lack of foreign aid prevented general revolt the hope of it combined with the natives' grievances encouraged local resistance. The attempt to control Ulster by a non-military and so inexpensive tactic would initially at any rate need military backing. Before the commissioners left Ulster they doubled the garrisons at Charlemont (in Armagh), Mountjoy, and Coleraine.² In Armagh there were 100 foot at Charlemont, a constable and ten warders at Mountnorris, and at the Moyry fort a constable, a porter, and twelve warders.³ Cavan was considered less in need of garrisons.⁴ The number of foot in all Ulster, 1,100, was at this stage over half of the total for the whole country.⁵

To the incoming settlers the triple scourge of 'the cruel wood-

1. B. Rich, A New Description of Ireland, (1610), pp.15, 37, 94-5.

2. Cal. S.P. Ire., 1608-10, p.505.

3. Ibid., 1611-14 pp. 7-9, 10.

4. Ibid., pp. 5-7.

5. Ibid., pp. 7-9. A second attempt was made in Sept. 1610 to round up Ulster swordsmen when Captain Richard Bingley impressed about 600 men. This press-ganging itself, of course, caused discontent (Cal. S.P. Ire., 1608-10, pp. 458-60, 496-97).

kerne, the devouring wolfe, and other suspicious Irish¹ appeared as terrifying dangers. Even lands in the immediate vicinity of Charlemont were subject to spoliation. Blenerhasset described the situation as it affected Caulfield:

Sir Tobby Caulfield he dwelleth in Charlemont a forte of many other the best, and well furnished with men and munition: yet now (even in this faire calme of quiet) his people are driven every night to lay up all his cattle as it were in warde, and doe hee and his what they can, the wolfe and the wood-kerne (within caliver shot of his forte) have oftentimes a share: yet I do verily believe no man keepeth better order, as well for the safeguard of himselfe and his neighbors as for the government of all those parts about him.²

However although there were depra-dations in the early years, the situation never became unmanageable. The local commanders appear to have used stern measures where necessary. Hence on 1 February 1611 Chichester gave instructions for the pardoning of Sir Toby Caulfield and others who within their localities had commanded the execution of 'seu'll p'sons' by martial law, and now sued for pardon fearing the legality of their action might be questioned.³

Palliative measures were also resorted to to pacify unrest.

In May 1611 Sir Oghy O'Hanlon received, on the authorisation of the king, a re-grant of an annual pension of £80.⁴ Pardons without fine were issued. Thus between 20 November 1610 and 25 May 1612 various members of the O'Hanlon family, some of them grantees, received pardons.⁵ On 6 June 1611 the deputy issued a warrant for the pardon

1. T. Blenerhasset, Direction, p.318.
2. Ibid., p.319.
3. Bodleian Library, Oxford, Carte MSS, vol 61, f.523. The heading of the pardon is in Cal. pat. rolls Ire., Jas 1, p.215.
4. Bodleian Library, Oxford, Carte MSS, vol 62, f. 10 (Cal. S.P. Ire., 1611-14, p. 70), Cal. pat. rolls Ire., Jas 1, p.212 (Incorrect)
5. Cal. pat. rolls Ire., Jas 1, pp. 183, 227-8.

of forty-six Irish (including five from Armagh), being pardoned to ease their lot as Irishmen who were not grantees and who were to be removed from their traditional abodes as a result of the plantation.¹

The natives discontent with their share in the scheme was a principal cause of discontent², however their immediate removal from undertakers' lands would cause great inconvenience to settlers - through disruption of food supplies and loss of rents - who made virtually no colonising efforts in 1610. Accordingly the government extended the time in which natives might remain on undertakers' lands to May 1611.³ This proclamation also took a more uncompromising account of the native freeholders' discontent with the sizes of their grants. Those who would rather leave than 'tye themselves to the plantac'on thereof' might hand in their tickets of assignment to the sherriffs and receive passports to their stated destinations. A major modification, the result of economic necessity rather than policy change, was thus introduced, albeit temporarily, in the plantation scheme. It may also have served to reduce tension. Also the Irish who had been allotted land were by about November beginning to reconcile themselves, for a number of reasons, to the fait accompli of the plantation and were considering the acceptance of their grants.

In such an uncertain environment little was achieved by the planters before spring 1611. In most cases possession was taken and

1. Carte MSS, vol 62, ff. 124-25.
2. T.W. Moody, 'The treatment of the native population under the scheme for the plantation in Ulster' in Irish Historical Studies, i, 59-63.
3. 'Ulster Plantation Papers' no 5 in Analecta Hibernica, viii; Cal. Carew MSS, 1603-24, p.63.

then after preliminary reconnaissance the undertaker returned to Britain. Stephen Butler had a deputy and 'some twelve or sixteen men' resident on his proportion throughout the winter.¹ John Tailor remained for most of the winter.² More typical, however, is the fact that almost all the undertakers in our counties who received possession in 1610 also received licences to appoint deputies.³ One Cavan planter, Richard Waldron, applied for permission to be an absentee for five years.⁴ Some estates changed hands rapidly. Hence while some British settlers arrived in 1610, on a large number of estates the land had been simply let to the Irish and little further done. A new landlord class had been introduced at any rate by the end of 1610.⁵

In the spring of 1611 there were hopes that this would quickly become an effective colonising influence. On January 21 Davies wrote that new colonists were arriving on every passage 'so that by the end of the summer the wilderness of Ulster will have a more civil form'.⁶ Chichester was also hopeful for development, the country he felt was quieter, though he and others noted the activities of counter-reformation priests.⁷

Reports of work done in the spring and summer of 1611 are fragmentary and sometimes inconsistent. In April a proclamation was required ordering the undertakers to repair to Ireland before the beginning of May.⁸ A temporary letting of some of their lands in

1. Lambeth Palace Library, Carew MSS, vol 630, f. 61^v.

2. *Ibid.*, f.62^v.

3. 'Ulster Plantation Papers' no 11 in *Analecta Hibernica*, viii.

4. *Cal. S.P. Ire., 1608-10*, p.477; 'Ulster Plantation Papers' no 37 in *Analecta Hibernica*, viii.

5. This was, of course, consistent with the modified regulations regarding the natives.

6. *Cal. S.P. Ire., 1611-14*, p.5. 7. *Ibid.*, pp.5-7, 11-12, 80-2.

8. *Cal. S.P. Ire., 1611-14*, p.28; *Cal. S.P. Dom., 1611-18*, p.23.

Armagh had been made by Trinity College to Caulfield in 1610.¹ At the end of May, on the account of Davies, the servitors and such undertakers as had arrived were diligently planting, but many were still absent and so likely to loose 'the fairest time and weather, and fittest for this work, that hath been seen these many years past in Ireland'.² Those who had come over, according to instructions on matters to be discussed in England given by Chichester to Sir John Bouchier at this time, had as yet achieved little except to provide building materials in some places.³ However land and boundary disputes, indicative of colonial beginnings, start about this time.⁴ Also personal predicaments begin to impinge on the uniformity of the plantation, for example, one Cavan undertaker, Wirrall, detained in England by a law suit, was allowed to substitute another deputy for one who had died.⁵

There were also numerous problems concerned with details of the plantation which had to be dealt with at this time.⁶ The most major one still arose from the provision of tenants. In May the moratorium on the removal of the natives was due to expire, and the undertakers, pleading ambiguity in the plantation conditions, sought to retain Irish tenants and servants in addition to the legal number of British colonists. This was forbidden. However the natives were still indispensable to the undertakers and to Chichester's inquiry whether

1. Below, p. 506.

2. Cal. S.P. Ire., 1611-14, pp.59-60.

3. Ibid., pp.63-67.

4. Below, pp. 121-38.

5. Cal. S.P. Ire., 1611-14, p.34.

6. A list of these was submitted by Chichester through Sir Oliver Lambert, himself a Cavan servitor, to the English privy council for consideration in 1611 (Cal. S.P. Ire., 1611-14, pp.35-44).

he should remove them by force the privy council replied ambiguously in May that he should proceed in the 'constant execution' of the articles of plantation but might use his discretion in cases of 'sudden emergency'.¹ In July the council concurred with his suggestion and permitted the retention of the natives for another year.²

Thus if one problem was solved by procrastination, others, smaller, were settled immediately. The undertakers were demanding the rents due at Michaelmas 1610 as well as at Easter 1611. It was decided that they should not receive the former because they had not been in Ireland to receive them, and because they had already been collected for the crown.³

According to the plantation conditions undertakers and tenants were to take the oath of supremacy. The schedules of grants in 1610 indicate that the undertakers when receiving their lands took the oath,⁴ but no machinery was devised for proffering it to tenants as they arrived. In May 1611 Stephen Butler and James Craig petitioned the deputy to appoint commissioners in each county to take the oath of the tenants, lest their titles be endangered.⁵ The deputy in his reply undertook to issue a commission for this purpose.⁶ Two reports exist, one of Sir Hugh Wirrall and Stephen Butler, 30 March 1612, and the other of Stephen Butler and James Craig, 23 October 1612, as commissioners for Cavan.⁷ They deal with only four estates. There

1. *Ibid.*

2. *Cal. S.P. Ire., 1611-14*, pp.63-67; *Cal. Carew MSS, 1603-24*, pp.79-83, see also pp.87-88. Swordsmen and followers were to be removed and such native labourers as the undertakers were willing to see displaced for the settling of British families.

3. *Cal. Carew MSS, 1603-24*, p.82; 'Ulster Plantation Papers' no 36 in *Analecta Hibernica*, viii.

4. *Ibid.*, no 11.

5. *Ibid.*, no 36.

6. *Ibid.*

7. *Ibid.*, nos 68, 69.

is no evidence of this for Armagh or any other county. Thus while the government appears to have been unable to have the oath administered widely to incoming tenants, at a later stage failure to take the oath was noted as a serious defect in the plantation.¹

III Carew's Survey

An investigation of Irish affairs including the plantation was made by lord Carew in 1611. He was sent over in June as the king's special commissioner with a seat on the Irish council and an allowance of £5 per day. He was especially to concentrate on the plantation in the prosecution of which the king had heard there was great slackness.² Carew's report is the first of a series of surveys conducted between 1611 and 1622. Although an estate by estate investigation, its value is vitiated by a failure to be consistent in the type of information provided for each proportion, and this, combined with inexactness in stating numbers, makes systematic analysis difficult. It was also conducted quickly. He passed through both counties between August 30, when he was at Dungannon, and September 3, when he was at Ardee.³ For Armagh, at any rate, it was in part based on the certificates of the undertakers, attested by the sherriff and Sir Toby Caulfield.⁴

The general picture of Ulster as it appeared to carew and the deputy may be noted. To Carew, writing from Derry in August, the

1. Below, pp. 211, 260-61.
2. Cal. Carew MSS, 1603-24, pp.68-9, 70-3; Cal. S.P. Ire., 1611-14, pp.73-4, 75.
3. Cal. Carew MSS, 1603-24, pp.218-19.
4. Lambeth Palace Library, Carew MSS, vol 630, ff.58^v-59.

country seemed quiet, and 'theft, murder and rebellion were asleep'.¹ However, even a reduction of 100 foot and 29 horse in the army in Ulster quickly resulted in unrest and planter uneasiness.² In September and October Chichester heard of more instances of degradation, cattle driving and the like, than in almost the entire seven years of his government.³ The planters petitioned Chichester not to reduce the army stating that they had been promised protection during the time given to build their castles and settle colonists.⁴

Timidity and slackness as well as absenteeism amongst the planters was noted. Chichester was persuaded that if three or four undertakers should be feloniously burned or spoiled by wood-kerne in any part of the province ... it would so discourage the rest, who are not yet come over, that this design would be interrupted for many years.⁵

The progress of the plantation offered him little satisfaction.

Many undertakers were absentee, unwilling

to adventure their persons or substance ... and those that go about to plant themselves here and there do it with such weakness as if they were ... either not able or not willing to go straight with what they ought and are bound to do.⁶

The weakness of the undertakers was most apparent in their tendency to appoint deputies, adopt native tenants, and even sell their lands to others.⁷

In May 1611 necessity had again demanded the procrastination of the native problem. On October 1 the commissioners instructed

1. Cal. S.P. Ire., 1611-14, pp.94-5.

2. Ibid., pp.151-52, 160.

3. Ibid., pp.96-7, 156-57, 148-51; Cal. Carew MSS, 1603-24, pp.131-34.

4. Cal. S.P. Ire., 1611-14, pp.156-57.

5. Cal. Carew MSS, 1603-24 pp.131-34.

6. Ibid.

7. Cal. S.P. Ire., 1611-14, p.178.

the sherriffs to remove the native freeholders only with their dependants, and two-thirds of the labourers or plowmen on November 1. The others might continue on the undertakers' lands until 1 May 1612.¹

The planters were also wracked by disputes over land. 'The multiplicity of differences between themselves and others for land' struck Carew forcibly.² Such litigiousness and contention must have had a deleterious influence on the plantation enterprise. Carew's report in the autumn of 1611 indicates the state of the plantation at the end of its first year. It (and succeeding surveys) have been examined by taking the barony as the most convenient unit.

In the English barony of Oneilland in Armagh Carew found fairly consistent evidence of bisible achievement.³ Although 2 of the 10 proportions had changed hands since 1610, on only one of these had nothing been done and 8 of the 10 afforded clear if variable evidence of activity. By one change of ownership Richard Rolleston had acquired Powell's estate. The new proprietor Sir Anthony Cope, a member of a family from Northamptonshire and Oxfordshire,⁴ had acquired lord Saye and Sele's estate and took out a patent on 5 July 1611.⁵ On 5 estates the owners were resident. Three settlers, Stanhowe, Matchett, and Heron were represented by members of their

1. Cal. Carew MSS, 1603-24, pp.115-16 (directive to sheriff of Donegal).

2. Cal. S.P. Ire., 1611-14, pp.100-101.

3. Lambeth Palace Library, Carew MSS, vol 630, ff.58-60. The calendared version is generally incomplete. Since the report is brief reference is given only to the section covering the barony under discussion; brief quotations are not given individual references.

4. Burke, Peerage, (103rd ed.), p.579. He died in 1615. His brother, Sir Walter, master of the court of wards, had built Cope Castle (later Holland House) in London (ibid.).

5. Cal. pat. rolls Ire., Jas 1, p.167.

families. Rolleston who had acquired Powell's estate was resident in person on his own and while active there had no settlers on his second acquisition. Though Cope was not resident he had a 'very sufficient overseer' and his estate afforded clear evidence of activity.

On 5 estates the building of bawns and houses was under way. Timber, bricks, stone, and lime were being prepared. Sacheverall had built 3 houses for tenants, and on Rolleston's estate a tenant had built his own house '40 foote longe and 12 foote broade of stone and clayemorter, the eaves of the house beinge 12 foote high'. On the Cope estate a 'fayre castle of freestone' had been begun.

The number of males involved in the plantation of this barony was 136 or 137.¹ These can be sub-divided as follows: 81 or 82 workmen and tradesmen, 44 tenants, and 11 either owners or their agents. The proportion of workmen to tenants indicates the priorities being pursued. The distinction is not a hard and fast one, but it indicates the intention of the undertakers to impress their position visibly upon the area. Thus if in their building operations their achievement was promising, in the bringing over and estating of tenants they had broken the plantation conditions. The number of Englishmen required by 1 Nov. 1611 was 396. Carew's total (some of whom might have been Irish labourers), only just exceeded one-third of this stipulation. They were also unequally distributed, Heron, Matchett, and Stanhove as well as the estate previously Powell's being noticeably defaulting. While some stock had been

1. There were also 4 (unmarried) women.

imported they were not numerous.¹ There were also some arms.

The situation in the colonised area of the Few's barony,² south of Oneilland presented one contrast to its neighbour. Here the main preoccupation of its Scottish owners was with farming. This is clear from the fact that there were about 50 tenants or occupiers, 10 artificers and workmen, and 6 owners or agents. The total present, about 65³ was about half of the 144 required for the estimated 6,000 acres involved. Two owners, Craig and Henry Acheson, and almost certainly a third, Claud Hamilton were resident. The other two estates were supervised by agents. On one of these, Douglas's, the largest proportion, no colonising effort was attempted until after Carew's return to Dublin. On the other four estates there was considerable uniformity of achievement, most markedly agricultural. On three of these there were 170 cows and 47 horses and mares. On the fourth, Craig's, grain crops, oats and barley, had already been harvested. Buildings suitable for such pursuits were also in evidence on some estates. Craig was building a mill, and had provided accommodation for four tenants. Claud Hamilton was building a stone bawn.

In this barony, though building was less under way, the planters were nearer to fulfilling the conditions. About half the required

1. Below, pp. 406-7.

2. Carew MSS, vol 630, ff.103-3^v, 105.

3. The main problem in establishing this figure has been to decide on the number of adult males per family. In some cases Carew refers to families rather than individuals. It has been assumed that a family young enough to emigrate in 1610 probably contained only one adult male in 1611. It has recently been shown that seventeenth century people married later than nowadays and that the average family size was 4 - 4½ people (P. Laslett and J. Harrison, 'Clayworth and Cogenhoe' in Historical Essays 1600-1750 presented to David Ogg, ed. H.E. Bell and R.L. Ollard, also P. Laslett, 'What is so special about us now' in The Listener, vol LXIX, no 1767, 7 Feb. 1963, pp.235-37.

number of people were present higher than Oneilland, though not necessarily with leasehold tenures, whereas building operations had not to be finalised until 1613. However while their pursuits showed a concern for profitable activity, in failing to fortify their estates they were not taking sufficient account of the unsettled state of the country.

In Oneilland and the Fewes can be seen the contrasting priorities of the two national groups in the county at this time. Amongst the servitors in Orior¹ there is little evidence of more than cautious efforts. Activity was still limited to elementary preliminaries, and no building appears to have been completed by autumn 1611. Audley had done no more than 'sett out' his land. St. John was actively preparing timber and stones for building, but on no estate had building operations proceeded at a faster rate. Williams had 'sett' most of his land to captain Anthony Smith of Moyry fort, and Bouchier had taken responsibility for Cooke's estate. It is unlikely that there was much personal residence, especially of people such as St. John and Moore. There were no British colonists, indeed the facade of landlordry appears only flimsily established. Evidence of the fortunes of native Irish grantees from this and subsequent surveys, will be examined in a separate chapter.²

Comparable achievements to those of the English undertakers in Armagh can be seen in Loughtee in Cavan,³ although here there had been much initial interchange and re-organisation of grantees.⁴

1. Carew MSS, vol 630, ff.67^v-68.
2. Below, pp. 316-38.
3. Carew MSS, vol 630, ff.61-3.
4. Above, pp.84-5.

Carew found two proprietors, Butler and Fishe, resident. Another, Wirrall, whose family was on the estate, was temporarily absent. The Lushers made a belated arrival at the end of September when the survey had been completed. Two estates, Taylor's and Waldron's, were in charge of agents. On both Lusher estates nothing had been done.

Activity similar to, though more diverse than, that in Oneilland prevailed in Loughtee. The main preoccupation was again constructional. About 130 adult males were present, some 40 of the required 300. There were about 86 artificers and workers, 35 tenants, and 7 owners or managers. The preparing of bricks and stones and the processing of timber was in hand on the five occupied estates. Fishe had carpenters felling trees in Fermanagh and had made 140,000 bricks. Butler and Wirrall had each built houses at Belturbet. They had also jointly built five boats. In all 17 houses had been built, most for tenants, and preparations were being made for two manor houses. On Waldron's estate an Irish house had been restored and equipped. There were two mills and a forge. Carew found arms for about 80 men. On all five estates freeholders are referred to, some having returned to England for their families. The processing of timber, the providing of stones, and burning of lime, all indicated a degree of dynamism in Loughtee, not found except in isolated instances elsewhere in the entire county.

The state of the Scots-appointed Tullyhunco¹ was far from dynamic. Two estates, those of the brothers Auchmooty, had been sold in August 1. Carew MSS, vol 630, ff.104-4^v, 105.

1610 to Sir James Craig¹ who was also a grantee and resident in Armagh. Sir Claud Hamilton, also a grantee in the Fews was managing his father's estate, and on October 30 sold his own proportion in this barony to John Hamilton brother of Sir James of Clandeboy.² Browne was absentee.

The total male population did not reach 40 (about 20 of them artificers and workmen), about one-quarter of the required 144. Some building preparations - palely in accord with Scots practice in Armagh - are recorded for two estates, Sir Alexander Hamilton's and those of James Craig. Hamilton was building a mill and Craig preparing to do so. He had also built a 'watled' house and a blacksmith's forge. Of stock no more than four horses and mares, on Craig's estate, are recorded.

Claud Hamilton had brought over a minister 'not yet allowed by the bishop'. However the plantation had involved little more than a change in ownership of the land. Some building efforts afforded scattered evidence of this change, but the local pattern of living had been otherwise, it would seem, little altered. Those who had been active had established their position on small areas, but the rest of the land was let to the Irish. Browne had sent over an agent who let the land to the Irish and returned to Scotland. On 1 May 1611 Craig appointed out his entire estate of thirty-five Irish tenants.³ These included one native freeholder in Tullyhaw.⁴

1. Inq. cancell. Hib. repert., ii, Cavan, (27) Chas I.

2. Ibid., (24) Chas I. Carew stated that he met Hamilton in Dublin after the survey and that he had brought people with him to plant the land.

3. Inq. cancell. Hib. repert., ii, Cavan, (27) Chas I.

4. The man concerned, called here Eugen' McThomas Reagh is doubtless the same as Owen McThomas Reaught, or Owny McThomas McKeirnan.

The entire barony of Clankee was unclaimed and unoccupied at this time.¹ Not only had the grantees not attended the commissioners in 1610 but they appear to have taken no action in the intervening years. On 30 July 1611 Lord Aubigny granted his lands to Sir James Hamilton,² later viscount Clandeboy, but he had done nothing on the estate. In Dublin Carew encountered an agent of the consort who stated that he had brought over inhabitants, cattle and provisions. At this time also Dunbarr, Bailie, and Ralston were rumoured to be in Ulster. Bodley's report, however, reveals that nothing had been done even by 1613.³

In Cavan the servitors as a group had done little more than take possession of their estates. Of the seventeen mentioned by Carew⁴ only three had been in any way markedly active.

The achievement of captain Ridgeway was an atypical as it was impressive. He had felled and 'squared' 120 oak trees in Fermanagh, and had drawn 280 'garran' loads, enough to make a mill and a house. He had made a watercourse for his mill costing £25. He had burned bricks and provided stones at the site for his house and bought 500 barrels of lime in Meath and had sand and clay ready. The construction of his castle necessitated the removal of five Irish houses, but he had built 2 others elsewhere. He had also brought over a group of English tradesmen, about six or seven with their families and tools, as the nucleus of his settlement - the origin of Virginia. He had

1. Carew MSS, vol. 630, f.104^v.

2. Inq. cancell. Hib. repert., ii, Cavan (19) Chas 1.

3. Below, p. 146.

4. Carew MSS, vol 630, ff.68^v-70.

contracted at Belturbet for the building of a boat of three tons for use on Lough Ramor.

The brothers Sir Thomas and John Ashe in Tullygarvey were building a bawn of sods and earth and intended to draw water from an adjoining lake as an added fortification. They had already constructed a watercourse two miles long to the site of a mill and were felling and preparing to build 'a good house' in the spring. In Tullyhaw the only activity of note was that of captain Hugh Culme and Walter Talbot who had built a strong timber house and two walled houses. Apart from felling 40 trees this was the limit of their achievement. These servitors showed in varying degree an initial energy noticeably lacking in their fellows.

Carew's inquiry in 1611 revealed in general that the plantation was only slowly becoming established. In Armagh the undertakers had on the whole been more active than in Cavan, and in O'Neilland and the Fews Carew found some 200 men or 37 of the required total of 540. In the three baronies allotted to undertakers in Cavan one was still derelict, and in only one, Loughtee, was there evidence of vigour. The achievement of the Scots in Tullyhunco and Clankee, except in two cases, was very dilatory, and gave little indication that the natives' occupation of the land was in jeopardy. On all three baronies there were some 165 men or 28 of the required 588. The colony was still a tentative one and many owners were absentee, however the tone of the report was not markedly censorious.

There are a number of cases of ownership change, however greater variation is evident in the way in which the planters used their lands. Apart from the general variations already noticed, the Scots pre-

occupation with farming and the English with building, there was considerable variety in individual endeavour. While in some baronies a relatively uniform pattern can be seen, in others personal resourcefulness or its absence gave the plantation a character which inhibits generalization. It would seem clear that the capital and labour resources of the planters were inadequate to their task.

As yet little movement and resettlement has taken place among the native grantees. This in itself is some indication of the inadequacy of the undertakers. However Carew's evidence forces the conclusion that the servitors were the most dilatory planter category. Apart from a few instances of rare enthusiasm, their impact, especially in Cavan, had been slight. They complained to Carew that they were suffering through the undertakers retaining the natives as tenants:

The servitors being charged by us with backwardness and having done so little on their portions answered for the most p^rte that they had not taken out their patents until the end of Candelmas tearme last, and that by reason the British undertakers doe yet retaine the natives (who ought to be their tenants) they are disabled to put things forward as otherwise they would, but they will goe roundlie in hand with their workes this next springe as they have promised us

This complaint was legally justified if in practice a flimsy one.

1. Carew MSS, vol 630, f.70^v.

IV Friction in Armagh between servitors and undertakers.

An uneasiness between the servitor and undertaker elements in the plantation was not, as we have seen,¹ an entirely unexpected problem, and it was decided to place the servitors in the same baronies as the native grantees and not interspersed with the undertakers, though the servitors' positioning vis-a-vis the natives was a logical one. However there were areas where there was some initial tension. The protracted ill-feeling between Sir Thomas Phillips, servitor, and the London companies is well known, and there was also tension between Sir Toby Caulfield and the same undertaker authorities. The servitors, too, felt they had not received an adequate share in the plantation with which Chichester sympathised,² and the king later made provision for a few unrewarded in 1610.³ It was in fact only in Cavan that Chichester felt that an equitable distribution had been reached.⁴

Defects in the plantation became quickly apparent, most notably the incapacity of the undertakers to do without native tenants. This gave the servitors ground for complaint.⁵ The undertakers complained that concealed lands were being granted to servitors and natives.⁶

In the spring of 1612 tension came to a head in Armagh through the protest of the Scots undertakers in the Fews. Sir James Douglas

1. Above, p.17.

2. Cal. S.P. Ire., 1608-10, pp.521-22.

3. Below, p. 157. The problem would have been greater had not some servitors previously received grants of land in Down.

4. Above, p.98.

5. Above, p.116.

6. Cal. S.P. Ire., 1611-14, pp.157-58. The only person in our counties to be thus rewarded was Francis Annesby, subsequently chief secretary and baron Mountnorris. In October 1611 he had acquired a lease of the fort of Mountnorris (Cal. pat. rolls Ire., Jas I, p.203), and in January 1612 he received a grant of two contiguous townlands (ibid., p.207).

on behalf of himself and his fellows complained to the king that they were being subjected to the deprivations of the natives 'through the connivence or slackness of the English servitors who were willing enough to see them so discouraged and supplanted'.¹ The undertakers intimated that many of their tenants were in consequence preparing to leave the country.

The king was impressed by these grievances, and on June 4 Henry Acheson, a neighbour to Douglas, presented Chichester with a letter from James of March 11.² In it the king asserted that the servitors were abusing their right to have native tenants, by not protecting the undertakers from their deprivations. Chichester was instructed to

lay his [the king's] express command upon all the servitors there to aid the undertakers to the uttermost of their power in defence of their lands and goods.

He was to publish a proclamation to this effect.³

Chichester did not find the allegation as convincing. He felt that it was a 'confused complaint', that the king had been 'unworthily troubled', and that it should have been submitted to him.⁴ He accepted that the natives were refractory, but felt that the difficulties of the undertakers stemmed in large measure from their own failure either to take precautions or to muster themselves and pursue their goods. Also Armagh presented peculiar difficulties in that it was

1. 'Chichester Letter-Book' no 14 in Analecta Hibernica, viii, Chichester to Humphrey May, 8 July 1612.

2. Cal. S.P. Ire., 1611-14, pp.253-56.

3. Steele, Tudor & Stuart proclams., ii, 20 (no 205) Steele merely prints what is in effect the relevant extract from this letter as a proclamation, stating it to be 'not found'.

4. 'Chichester Letter-Book' no 14 in Analecta Hibernica, viii.

much wooded and also still contained many followers of O'gby oge O'Hanlon whom Chichester hoped to pacify by granting pardons. But basically he claimed that the real fault lay with the undertakers themselves who neglected to build 'strong houses' and bawns on their estates. Indeed, he asserted, they took advantage of the situation

... if one of them lost a cow, garran, or other goods... that could not justly be esteemed at forty shillings, they would not be contented under five or six pounds, and that not from the felons themselves (whom they would neither attack nor justly accuse in any place) but from the natives of some of the next baronys indifferently whether freeholders or tenants to the servitors, exempting their own Irish tenants which may be culpable rather than any other, as their ill affections towards them is the same with those that dwell further off.¹

The issue was tied up in his eyes with the undertakers' retention of Irish tenants. Nonetheless to gratify the king and the undertakers he had caused £200 to be levied upon the natives of Armagh and £200 also on the natives of Tyrone to repay 'those pretended losses'.²

The natives had considered this unfair and entered complaints.

Chichester thus did not accept the undertakers' contention. He found none who would directly charge any of the servitors with neglect. The servitors as a group, he claimed, had no obligation specified in their conditions of plantation, to protect the undertakers and yet

many servitors without any other obligation than the publique regard [had] not fayled to lend them their money, their houses, their beds, with all their pains and good endeavors at their occasion.³

The undertakers' complaint therefore implied the negligence of Sir

1. *Ibid.*

2. *Ibid.* Elsewhere he speaks of £140, possibly another sum? (*Cal. S.P. Ire., 1611-14, pp. 294-96*).

3. 'Chichester Letter-Book' no 14 in *Analecta Hibernica*, viii.

Toby Caulfield and the 'servitors of command' in the county. Chichester would not entertain the notion of their guilt. He affirmed that they 'would esteem themselves unworthy to live any longer than they would give unto the undertakers all possible assistance in their plantation there'. To the king's command that a proclamation be issued strictly obliging the servitors to protect the undertakers, Chichester replied ingeniously that he would couple with it a proclamation for the removal of the natives from the undertakers' lands.

The outcome is not known or indeed the rights and wrongs of the incident. Chichester would appeal at any rate not to have been entirely impartial. There is no further evidence of servitor-undertaker uneasiness. The baronial segregation began to break down with time and distinctions must have become reduced, though in Wentworth's time a differentiation between English and Scots had significance. There are cases of people of servitor origin acquiring undertaker's land, and the undertaker group failed ever to be able to dispense with native tenants, and some servitors did have a number of British tenants. Further in 1641 it became clear that all groups had failed to take adequate precautions for defence.

V Disputes and Concealments

Land disputes began to spring up immediately after the settlers occupied their estates. For two years or more these deflected much energy into highly unproductive channels. Disputes were of various types. First, altercation over titles, two settlers often laying claim to the same places. Secondly, there were difficulties over 'concealed' lands. It was often found that small areas had been unallotted, and the disposal and discovery of these raised difficulties. There were also occasional assertions by planters that they had received defective measure and there were also the claims of people asserting rights by patents dating from before the plantation. These latter, not unexpectedly, were more prevalent in Cavan than in any other county.¹ By 1612 disputes had reached such a state that the government was obliged to take special measures to deal with them.

Inaccurate and incomplete knowledge of the countryside at the time of plantation was the chief cause of these problems. Bodley's Ulster survey, though hailed at the time as a special achievement,² did not withstand trial when proved in detail. Since the maps were drawn more from verbal evidence than by the techniques of surveying the relative locations of places sometimes proved incorrect, and the maps sometimes gave the estates of planters a more compact appearance than was justified. Since the undertakers' patents appear to have been drawn up from lists of place names derived from the inquisitions of 1608 and 1609 as well as from the maps, estates did not always follow the proportion divisions there represented. Also it is evident that a complete coverage of places had not been achieved.

1. Cal. S.P. Ire., 1611-14, pp.63-7.

2. Ibid., 1608-10. p.419

The discovery of 'concealed' - or unplotted - lands was common. How these unallocated lands should be disposed of caused much inquiry.¹ The factor of geographical imprecision was then a fundamental one, and these problems all became pressing as the settlers began to investigate the extents of their estates. Numerous cases survive of appeals of higher authority.

Previous experience had suggested that concealed lands could present difficulties. On 1 August 1610 the English privy council directed that concealed lands found within proportions should be granted to the appropriate proprietor. Concealments not within any proportion was to be placed with the 'reserved' land - presumably that for towns, glebe, and the like - of the precinct.² Just previously three of the plantation commissioners had made the same recommendation for lands within proportions. Lands outside of proportions, they advised, should be granted to adjoining proprietors with appropriate rent adjustments. Chichester in September urged that if any more land became available in Armagh, Tyrone or Londonderry it should be granted to the natives. A year later the undertakers complained that concealed lands were being granted to servitors and natives.⁴

As to disputes within the colony, the deputy and plantation commissioners were to adjudicate. Suits concerning church lands were to be decided with the consent of the deputy, the archbishop of Dublin and Armagh, and the bishop of Clogher then elect of Meath,

1. For a brief discussion of some of these problems see F.H.A. Aalen & R.J. Hunter 'Two early seventeenth century maps of Donegal' in *R.S.A.I. Jn.*, vol. 94, part 2 (1964), 199-202.
2. *Cal. S.P. Ire., 1608-10*, pp. 488-89.
3. *Ibid.*, pp.501-505
4. *Ibid.*, 1611-14, pp.157-58.

or the deputy and any two of these.¹ However disputes arose both in numbers and complexity to an extent which can hardly have been anticipated. Litigation, then, was not only to absorb much of the settlers' energy, but to tax the administrative machine as well.

In the spring of 1611 a number of cases came before the deputy and commissioners and appeals were also made to London for the adjudication of disputes. None arose in Armagh but three Cavan suits have each an interest. Captain Hugh Culme claimed a townland in Fishe's proportion as being included in his lease of the fort and lands of Cloughowter.² The matter came before the English privy council and Fishe arrived in Dublin in May bearing a letter instructing Chichester to guarantee possession to him, to grant it to the servitor Culme being considered 'expressly contrary to the articles of plantation'.³ Fishe's patent was issued in July 1610,⁴ Culme's lease dated from November,⁵ the difficulty having arisen through a failure to correlate the two documents. A somewhat similar case was that between Sir Thomas Ashe and John Ridgeway where two townlands committed to Ridgeway for the town of Virginia were also in Ashe's patent. Here the deputy and commissioners adjudicated deciding that Ridgeway should pay the rent of these places, £6 per annum, to Ashe until such time as Ashe could receive compensation either out of concealed land or to be purchased for him by the crown.⁶

The largest of these early problems was one which was to recur.

1. 'Ulster Plantation Papers' no 26 in Analecta Hibernica, viii.
2. Cal. pat. rolls Ire., Jas 1, p.182.
3. Cal. S.P. Ire., 1611-14, p.33.
4. Inq. cancell. Hib. repert., ii, Cavan (26) Chas 1.
5. Cal. pat. rolls Ire., Jas 1, p.182.
6. 'Ulster Plantation Papers' no 33 in Analecta Hibernica, viii.

The 1609 barony maps of Cavan did not record the recent grant¹ of areas of attainted property throughout the county made to Richard Nugent, baron Delvin, and the plantation commissioners in allotting lands to the new grantees took inadequate care of his prior claims. Accordingly a number of disputes arose between him and some of these and also because some of his land was reserved as glebe. In May the deputy and commissioners made an order which only went some way towards solving the problem. Delvin was to have all the land contained in his patent except for seven and one-half townlands granted to Waldron, Sir Claud Hamilton and Snow (i.e. William Lusher). The ownership of these was to be sequestered pending further order. A similar order was made for three townlands projected for glebe.²

In lists of plantation problems sent to England in the care of Sir Oliver Lambert and Sir John Bourchier and returned in May and July (in the latter case in the care of Carew)³ problems arising from the claims of pre-plantation patentees, especially in Cavan, to lands allocated to planters were submitted for decision. The privy council advised that if a patentee's lands were situated in such a way within a proportion as to be prejudicial to the planter then an attempt should be made to procure for the patentee the equivalent amount, if available, on the fringes of the proportion. However if the lands were not prejudicially situated and no exchangeable unallocated land could be found the patentee was to keep the land and the planter to receive an abatement of rent.⁴

1. Above, p.60.

2. 'Ulster Plantation Papers' no 35 in Analecta Hibernica, viii.

3. Cal. S.P. Ire., 1611-14, pp. 35-44, 63-7.

4. Ibid., pp.63-7.

At first, at any rate, suits had not been of unmanageable quantity, but as the grantees settled down to identifying their property disputes arose in far greater number. The perambulation of Ulster by Carew, accompanied by Chichester, brought a plethora of disputes into prominence. Carew commented specifically on 'the multiplicity of differences' for land which had come to his notice. These were still in 'rough papers'.¹ In Dublin in September Carew was a member, with the deputy, of a group of the plantation commissioners who attempted to reconcile these disputes. Apart from complaints about undermeasurement,² seven disputes or groups of disputes between owners in Armagh and eight between Cavan grantees were adjudged at this time.³ These disputes had a variety of causes, most of them in the last resort indicating imprecise geographical knowledge, and reflecting on the inaccuracy in detail of the investigation, mapped and otherwise, of the escheated land prior to the plantation.

One case can be taken to reveal a particular type of failing. The ballyboe of Drumnaleg (or Downlege) which was not marked on the 1609 map of the barony of Orior was allotted in 1610 to Irish grantees, Ardell McFelim O'Hanlon who received two-thirds of it as the total extent of his grant, Cahir O'Mellan and others. It would seem that a concealment had been found on the journey of allocation and was being handed over to Irish proprietors. However Drumnaleg was an alternative name for Magherycreevagh which had appeared on the map -

1. *Ibid.*, pp.100-101. 'Ulster Plantation Papers' no 45 in Analecta Hibernica, viii, would appear to contain some or all of the material to which Carew referred.
2. *Below*, p.
3. Cal. Carew MSS, 1603-24, pp.244-51; 'Ulster Plantation Papers' nos 50, 53 in Analecta Hibernica, viii.

where it was indicated as part of a proportion (this proportion was subsequently granted as two: to Bouchier and St. John) - but which had been chosen as glebe for Tawnaghtally parish. Bouchier claimed it under the name of Skeoghurry Crivagh.¹ The commissioners in 1611 stated that O'Hanlon had received it in the previous year as a concealment. However it was now found to be one and the same as Magherycreevagh, already reserved as glebe, and so it was decided that it should not be confirmed to either contestant.² This decision necessitated that a person (O'Hanlon), considered a suitable beneficiary under the plantation in 1610 should be deprived of his grant in the following year.

The subsequent struggle for ownership was a prolonged one between the parish minister and other contestants, and may be outlined here. In 1616 it was described as 'supposed' glebe land.³ In 1622, O'Hanlon having lost his claim completely, the parish minister stated, with disgruntlement, that by a recent order in council he was to occupy the land on condition of paying £20 compensation to three claimants, Sir Henry Bouchier, Lord Moore, and Cahir O'Mellan.⁴ The matter was still unsettled by October 1623 when a local jury returned that the land had alternate names, had been intended for the church, and had been acquired by O'Hanlon 'by some sinister ill-dealing'.⁵ 'Magherycreevagh' was later, in 1628, granted as glebe.⁶ It is not clear how the dispute had been resolved by 1641. It is notable

1. 'Ulster Plantation Papers' no 45, in Analecta Hibernica, viii.
2. Cal. Carew MSS, 1603-24, p.246.
3. Inq. cancell. Hib. repert., ii, Armagh (5) Jas 1.
4. P.R.O., Manchester papers, 30/15/2/182.
5. Inq. cancell. Hib. repert., ii, Armagh (8) Jas 1.
6. Cal. pat. rolls Ire., Chas I, p.323.

however that although the land as granted should have been held by either of claimants, Irish or ecclesiastical, subject to confiscation under the commonwealth, it does not appear at all - a generally reliable indication of confiscability - on the map of the Down Survey. The case indicates the kind of difficulty that could arise from a failure to record sub-denominational and alternate names of places before the land was allocated. It was only with inquisitions at a local level preparatory to regrants throughout the plantation period that this deficiency was redressed.

Another Armagh case in 1611 arose directly from cartographic deficiency. The barony rather than the county had been taken as the unit for map-making purposes in 1609 and in Armagh at any rate no successful attempt was made to ensure that uniformity of barony boundaries was achieved. As a result a townland was indicated in both Oneilland and the Fews and was granted in two patents, those of Henry Acheson and Richard Rolleston. Carew's perambulation established that there was only one such townland but there was no decision in 1611 other than that one of the claimants must lose it with appropriate abatement of rent.¹ A similar case arose in Cavan between a servitor in Castlerahan and an undertaker in Loughtee.²

Disputes about ownership between layman grantees and ecclesiastical owners were also common. The most substantial of these was a historic claim asserted by the dean of Armagh, Maxwell, and accepted by the king in England to five and one half townlands in the Fews which had been granted to Claud Hamilton. Hamilton argued that to

1. Cal Carew MSS, 1603-24, p.247.

2. Ibid., p.248.

concur in the decision would be the 'overthrow of his plantation' because he had built a bawn and sixteen houses on the land to be surrendered. The plantation commissioners could not rescind the general effect of the order¹ but they decided to appoint Sir Toby Caulfield and the archbishop of Armagh as commissioners to procure a settlement whereby Hamilton would surrender another townland of equal value to that on which he had built his settlement.² The dean's patent was taken out in February 1613.³

There were also a number of disputes between settlers in both counties and the bishop.⁴ Sir Toby Caulfield, the grantee of the abbey of St. Peter and St. Paul asserted claims to small pieces of land in Armagh as monastic property. It would be harsh to see all these claims as arising from faulty geography. The disentanglement of the abbey lands presented many difficulties arising from the disorganisation of the late sixteenth century. The decision with regard to one of Caulfield's claims, at any rate, upheld the decisions reached at the time of survey.

The general survey found many parcels for that abbey never before found and yet this could not then be found and therefore I think the tenant of the abbey must be concluded by the survey.⁵

Although Cavan was where the claims of pre-plantation patentees caused most difficulty,⁶ two of these also came to light in Armagh at this stage. Captain Edward Trevor and Sir Arthur Maginnis both

1. *Ibid.*, p.247.

2. 'Ulster Plantation Papers' no 50 in *Analecta Hibernica*, viii.

3. *Cal. pat. rolls Ire.*, Jas I, pp.245-46.

4. *Ibid.*, pp.244-51; 'Ulster Plantation Papers' no 53 in *Analecta Hibernica*, viii.

5. *Cal. Carew MSS*, 1603-24, p.249.

6. *Cal. S.P. Ire.*, 1611-14, pp.63-7.

claimed lands in Brownlowe's estate as being their property, and in county Down. Trevor had a patent dating from February 1610,¹ Maginnis had not received a patent. The lands granted to Trevor were at the time of survey found by the local juries to be part of Armagh and to have been O'Neill property and so were considered forfeited and 'accordingly cast into proportions' and granted to Brownlow in the summer of 1610. However in the previous February 'being not thought to be the same' they had been granted to Trevor. In 1611 it was decided that Brownlow should be maintained in possession and Trevor compensated in some other way.² Maginnis's claim, it was decided, was less substantial, he having procured no patent of the lands in question.³ Both disputes recurred later. Both arose from a failure to decide on prior claims and establish beyond question the amount of land available for plantation.

Claims that land had been over-measured were abruptly dealt with. A number of cases arose in Armagh in which it was argued that places granted had been rated as whole ballyboes for purposes of quit rent that were in fact smaller. The case of James Craig in the Fewes was dismissed unceremoniously and with the threat of a re-measurement:

This may be a sufficient tale to pass the time withal in the country but my answer must be that they are found by the country upon oath [to be whole ballyboes] and being passed to the undertaker, sine plus sine minus, he must be satisfied, otherwise at his charge I will undertake to find him so many acres by due measure, as are contained in his patent.⁴

1. Above, p.33.
2. Cal. Carew MSS, 1603-24, p.251.
3. *Ibid.*
4. Cal. Carew MSS, 1603-24, p.248. With regard to John Dillon's complaint on this score it was noted that the crown had no advantage if some townlands proved to be undermeasured, 'for they are apt to complain for a little but will be loth to suffer strict survey for the king' (*Ibid.*, p.249).

Such claims had the effect of casting doubt in official quarters on the views held in 1608 and 1609 about the acreages of Ulster townlands on which the grants of proportions in 1610 purporting to represent measurements by acres, had been based.¹ When now reconsideration of the whole quantitative basis of the plantation scheme forced itself, it was too late to correct the error. That the land had been under-measured became apparent, but it was only during Wentworth's administration that serious consideration was given to the question of having the lands re-surveyed.² The social as well as the financial implications of this were recognised in 1618 when the Longford plantation was being planned,³ but ten years later when it was agreed that undertakers might receive new patents it was conceded that no new measurement of their estates as a preliminary to a re-calculation of rents should take place.⁴

As to concealed lands, in proposals sent to England by Chichester and returned in May 1611,⁵ there was the suggestion that these should be granted to servitors and natives. The reply indicated that concealed lands within baronies allotted to undertakers should be granted to them and to servitors and natives if found within their baronies. The privy council recognised that the survey - the maps of 1609 - had been inaccurate but felt that to grant concealments in undertakers' precincts to servitors and natives would cause dispute between them and the undertakers. Also it would lead to a mingling of servitors

1. Bodley himself had pointed this out in 1609 (above p.15). See also above p. 95 .
2. Below, pp. 281-87.
3. Cal. Carew MSS, 1603-24, pp. 367-70.
4. Below, p.246-60.
5. Cal. S.P. Ire., 1611-14, pp.35-44.

and natives with undertakers which was contrary to the plan for the colony.¹

However concealed lands were only part of the general problem caused by disputes over ownership and by the summer of 1612 these had become so numerous as to tax the council or plantation commissioners in Dublin, and so complex that it was found necessary to appoint special commissioners to go to Ulster and carry out a local investigation of the problems. Recourse to the official records in Dublin was clearly considered to be inadequate, and already in March 1612 the king had instructed Chichester that the justices of assize when next on circuit in Armagh should adjudicate the dispute between Acheson and Rolleston.²

The outcome was that in June 1612 special commissioners were appointed to go to Ulster to resolve disputes and settle certain outstanding problems.³ The three so appointed were Christopher Sibthorp, a justice of the king's bench, William Parsons, the surveyor-general, and William Roullife.⁴ They were to 'heere and determin all differences, suits, and demands' for land, seeing to it that the king's revenue should not if possible be diminished but increased and that the planters, through the settlement of their disputes, might be enabled to proceed with colonisation in accordance with their covenants. If any suit arose which could not be settled without prejudicing these conditions they should examine it but forbear final decision until it had been considered by the deputy and plantation

1. *Ibid.*

2. *Ibid.*, pp.256-58.

3. 'Ulster Plantation Papers' no 55 in Analecta Hibernica, viii.

4. Their report is in T.C.D., MS F.1.20, pp.9-31.

commissioners. They were to allocate land for glebe to the parish ministers and if the land so designated should prove remote from the parish churches they were to 'labour an exchange' by negotiation with other owners. As to concealments they were to announce the royal pleasure that when the proportions assigned to grantees were complete - i.e. when they had had full measure - they should also be given grants of the concealments within or near their estates. These should be certified to the surveyor-general by Easter 1613, so as their rents could be adjusted, otherwise the king would grant them to 'whomsoever can finde and first discover them'. Finally, they were to ascertain if the native inhabitants had removed from the undertakers' baronies and order those remaining to remove by September 30 on pain of forfeiture of one-third of their goods.¹ At the same time a letter was written to the Ulster bishops explaining that they and other local figures had not been placed in the commission to avoid any possible taint of partiality.² In this letter the bishops were informed that the commissioners might settle disputes involving them if the bishops were satisfied with the decisions otherwise the commissioners had been instructed to refer it to the deputy (and commissioners) for decision. In a general letter to the grantees, British and Irish, Chichester requested them to provide for the board and lodgings of the commissioners when in Ulster.³

The commissioners' report indicates that in five counties (excluding Londonderry) they heard 180 'differences' of which 152 were 'fully determined'. For each county they listed those grantees whose

1. 'Ulster Plantation Papers' no 55 in *Analecta Hibernica*, viii.

2. *Ibid.*, no 56.

3. *Ibid.*, no 57.

numbers of townlands fell short of those required to complete their proportions, i.e. they accepted the conventions, varying with locality, about the acreages of townlands, and they also listed the concealments by name and barony discovered in each county. They also noted that all the glebes had been assigned.¹

In Cavan they dealt with 77 cases and in Armagh 20. Thus more than one-third of the land disputes arose in the former county. Fermanagh with 41 was the next highest and Donegal and Tyrone presented approximately similar numbers to Armagh. Extensive concealments were found in Fermanagh and Tyrone. In Armagh, which had more concealments than Cavan, and in Cavan concealments were roughly similar to those found in Donegal.

Defects were found in roughly similar numbers throughout the five counties, though there were slightly more in Armagh than in Cavan. In Armagh 12 owners were found, to have defective measure, amounting in all to 22 and one third ballyboes. This included Trevor's claim to 6 ballyboes and the land taken from Claud Hamilton through the dean's claim. Four Irish grantees, including Henry McShane O'Neill, 3 of whose townlands were 'detained' by Whitechurch and Bagnal, featured in the list as wanting 6 ballyboes. In all $19\frac{1}{2}$ ballyboes of concealments - 'means to supply thes defects' - were found in the county most of which were in Oneilland. In Cavan defects amounting to 34 polls were found in 14 properties, 3 of which were native Irish, and $5\frac{1}{2}$ polls of concealments were discovered.

The disputes are too numerous for individual treatment also in some cases though the report records that decisions were taken in whose

1. Below, pp. 440-51.

favour is not stated. In Armagh many of the cases not unexpectedly concerned lands in Orior where so many grants of small areas were made to native Irish. A number of cases arose between native grantees and Bagnal, who held monastic property, in south Orior. These were suspended because Bagnal was not represented, and their resolution referred to the plantation commissioners. It does not appear that any partiality was exercised in favour of servitor claimants. Thus, for example, a piece of land claimed as school land by Sir John Bouchier, its 'supposed lessee' was ordered as the property of Donell McCarbery McCann 'uppon due examination'. The dispute between Rolleston and Acheson was referred to be heard by the judges 'being a suite in law'.¹ A dispute between Acheson and the primate was 'examined and certified' but because it concerned episcopal title it was not decided by the commissioners in accordance with their instructions. In another case, however, between the archbishop and the agents of Trinity College a decision was made in favour of the latter on the evidence of a jury. The same method was used to resolve a dispute between the primate and Sir Toby Caulfield. The disputes between Brownlow, and Trevor and Maginnis which again came into prominence, were referred to the land deputy.

In Cavan a very wide variety of cases involving all types of grantees, individual and institutional, were heard. Many of these concerned small parcels of land. The method, seen also in Armagh, of using local juries and thereby tapping local knowledge, features in the resolution of a number of cases. In one dispute, a difference between the corporation of Cavan and Sir Oliver Lambert where defective

1. See 'Ulster Plantation Papers' no 71 in Analecta Hibernica, viii.

measurement was in question, it is recorded that the land was measured and the dispute determined. A number of other cases arose between the townsmen of Cavan and other grantees. 'Divers differences' between the townsmen of Cavan 'amongst themselves' were 'decided and quietned', and a 'general order at large' was made in each case for the 'settlement' of the towns of Cavan and Belturbet. A case between the schoolmaster of Cavan and Stephen Butler was resolved. Disputes between parish clergy, and Mulmony McHugh. Connelagh O'Reilly and Mulmony oge O'Reilly for glebe were in two of three cases at any rate ordered in favour of the clergy. Disputes between the parish clergy and British settlers also occurred, and there were a considerable number involving the bishop of Kilmore. Cases involving Irish grantees featured prominently as elsewhere. One was between two brothers, Phillip McPhillip and Shane McPhillip O'Reilly concerning six poles of land 'intended to be divided between them'. A complaint made by Donnogh Magauran (McGovern) that he had received defective measure was 'answered and determined'. A dispute between two servitors, Garth and Fettiplace, was in part determined and 'in parte respited till conference be had with the judges'. One of the largest sources of conflict continued to be claims of the baron of Delvin arising from his grant of attainted land. He was engaged in dispute with nine different grantees.

Many difficult cases were referred by the commissioners to the deputy and plantation commissioners in Dublin and these were tackled between October 1612, after the commissioners return from Ulster, and February 1613.¹ On November 27 they made an order that the

1. 'Ulster Plantation Papers' nos 59-67, 71-72 in Analecta Hibernica, viii.

'great office' - the Inquisitions taken in 1608, with which those of 1609 may be included - should hold good and not be modified or 'impeached'.¹ Numbers of the cases examined above were settled at this time. Thus, for example, Trevor was obliged to surrender the lands he claimed on promise of receiving compensation out of the concealed lands found in Armagh.² Rolleston, rather than Acheson, was ordered the townland in dispute between them.³

Delvin solved his problems by recourse to the king. He returned bearing a king's letter of 11 July 1612 authorising Chichester to grant him so much of the lands of the dissolved abbey of Fore, which he held in lease, as should amount to the value of the 24 polls in Cavan which he had consented to surrender 'for the benefit of the plantation'.⁴ He received a patent accordingly in January 1613.⁵ Waldron, one of the planters benefiting most from Delvin's surrender, received a king's letter for the surrender and regrant of 'the lord of Delvin's and other lands' in August 1614.⁶

As to the concealments found by the special commissioners, the deputy and plantation commissioners ordered in November 1612 that no concealments found 'neere or adjoyninge' to any undertaker's proportion be granted to him before defects of quantity found in other proportions be first made up to their owners out of the concealments

1. *Ibid.*, no 64.

2. *Ibid.*, no 60.

3. *Ibid.*, no 72.

4. *Cal S.P. Ire.*, 1611-14, p.275; *Cal. pat. rolls Ire.*, *Jas I*, p.249.

5. *Cal. pat. rolls Ire.*, *Jas I*, p.238. The acreage figures and maps presented to indicate ownership at the beginning of the plantation have been arrived at by taking as much account as possible of the legal decisions of these years.

6. *Ibid.*, p.300. He received a further king's letter for a regrant on 1 December 1616 (*ibid.*, p.326; B.M., MS 4794, pp.359-60).

found, and that concealments found amongst undertakers should be granted to them, and those found amongst servitors and natives unto them.¹ In February 1613, in a letter to the privy council, Chichester reverted to the problems caused by concealments and defects.² He stated the problem that where there was most want of measure amongst the settlers³ there were least concealments available to satisfy the deficiencies and the settlers were demanding abatements of rents. However there was enough concealed land in the plantation counties to satisfy all demands and Chichester put forward an administratively-difficult way in which this could be done:

If any of them having a full proportion, shall have any concealment within the same, I mean to put that parcell or parcells into this account, and again to deduct as much more upon the outskirts or border of his lands as shall supply the defects of his next neighbours, if any be, and so to proceed in this manner of separation and addition untill every one be fully satisfied ...

Remaining concealments were to be granted to those to whose lands they were closest. If Chichester expected authority to implement this scheme he was to be disappointed and it was some time before concealments were finally granted out.⁴

By 1613 the main burden of the problem concerning disputes, at any rate, had lifted. However it may reflect on the efficiency with which the plantation was inaugurated, litigation over boundaries was obviously a problem to be associated with the early years of the plantation. The very universality of the problem, however, had

1. 'Ulster Plantation Papers' no 63 in Analecta Hibernica, viii.
2. 'Chichester Letter-Book' no 45 in Analecta Hibernica, viii; Cal. S.P. Ire., 1611-14, pp.322-24.
3. There has obviously been a change in official attitudes here since 1611 (above, p.130).
4. Below, pp. 156-9.

necessitated special treatment. Disputes were to recur and we shall see that not all concealments had been found at this stage,¹ however as the colony settled down recourse was had much more to the ordinary processes of law. Indeed by February 1614 Sir Robert Jacob, the general solicitor general, writing from Cavan, could recommend that suits should be dealt with by the courts of law and not by the privy council.²

That the massive volume of disputes reflected badly on the implementation of the plantation and particularly on the surveyor-general was implicit in a letter of July 1613 written by Parsons to Sir Richard Boyle, then in England.

If you hear anie things of the plantation of Ulster I pray you say it was dispatched with a great deale of paines and though [L] say yt, dexterity, consideringe the tyme allowed and vastnes of the work.

Errors which had 'escaped' had been 'but few and smale' and the disputes settled by himself and Sibthorp had been largely due to early-arriving settlers holding others' lands until compelled by these commissioners to relinquish them.³ It was a letter which smacked of apologia.

1. Below, pp. 260, 269-70.

2. H.M.C., Hastings MSS, iv, 14-16.

3. A.B. Grosart (ed.), The Lismore Papers (London, privately printed, 1887), 2nd ser., 1, 161-64.

VI Bodley's survey, 1613.

From the petitions of individuals the king, in a letter to Chichester in December 1612,¹ stated that he was getting a series of impressions of the plantation, however garbled, but lacked a 'general' picture of how the scheme was developing. He had fears that the planters were making slow progress. He therefore commissioned Chichester to provide him with an 'exact survey of the whole state of the plantation' detailing the achievements and defects of each grantee so that 'being truly certified ... where the obstructions lie, he [might] the better know how to remove them'. He had gathered that some of the undertakers had sold their proportions to 'men of meane ability and unfitt for that service', and that others had acquired land from their fellows which they were not capable of undertaking. Chichester was to 'take particular cognition of the severall transactions in this kind'.

The person chosen by the deputy to carry out the investigation was Sir Josias Bodley. He had recently received a permanent grant of the office of director-general and overseer of fortifications previously held in a temporary capacity.² The survey was carried out between February 2 and 25 April 1613.³ The report on Cavan is dated February 6. It was produced just at the time when the deadline for building and planting - Easter 1613⁴ - was being reached. The report will be examined by barony as in the case of the Carew survey.

1. Cal. S.P. Ire., 1611-14, pp.309-10; 'Ulster Plantation Papers' no 70 in Analecta Hibernica, viii.
2. Hughes, Patentee officers, p.13.
3. H.M.C., Hastings MSS, iv, 159-82. The section for Londonderry is missing (see T.W. Moody, Londonderry Plantation, p.159).
4. T.W. Moody, Londonderry Plantation, p.37.

In Oneilland¹ Bodley found that since Carew's survey ownership had remained unchanged. However as to tenants we are informed that on the Brownlow estates there were 'very few' and that 'those which John Brownlo brought over, which were 40 or 50, by reason of the hardness of the country [had] all forsaken him'. This may not be entirely accurate, Carew had found 19. On Sir Anthony Cope's estate no tenants had 'as yet come over', yet Carew recorded the presence of some 37 workmen who were to become tenants. While recognising that the reports are not very consistent, it does seem clear that set-backs had been encountered. However, on a number of estates he found the 'full number of tenants' or 'sufficient persons' present. John Dillon had planted 28 families 'who are for the most part of them enjoined to convenient building and arms'. Heron, Stanhowe and Sacheverall who were absentee were expected to return from England with tenants.

By a conservative estimate there were 128 adult males present, excluding owners or agents. Five of the nine owners were present, three absentees were expected to return with tenants, and two, Cope and Stanhowe (one of the three), were represented by agents. There were thus some 135 present, a figure almost identical with that of 1611. They were not evenly distributed, Cope Sacheverall, and Stanhowe, as well as the Brownlows having few or none. Cope had apparently made over part of his land to 'certain gentlemen in England' who were to bring over tenants. However on Bodley's evidence many of the tenants had been 'estated', i.e. given documentary title to their holdings.

In the building recorded a marked development had taken place

1. H.M.C., Hastings MSS, iv, 174-75. Barony references only are again given.

since 1611. On all estates except Stanhowe's building skills had been mobilised. Bawns (sometimes made of 'timber clefts') and manor houses were being erected, and also in some cases framed houses for tenants and windmills were being provided. Rolleston had erected a windmill and Brownlow was about to do so. Cope's house made of 'hewn stone with clay' had fallen and was not yet being re-built 'with lime'. On Rolleston's acquired estate 200,000 bricks were being manufactured. In some cases the adaptation of previous sites, or the provision of improvised structures is referred to. In three cases, Dillon, Matchett, and Rolleston estates, there are references to their being stock and goods upon the lands.

That there was reasonable activity on all estates except Stanhowe's is apparent, but viewed in the light of the plantation conditions defects are evident. The natives had not been removed and only one-third of the stipulated population was present.

In the Fews¹ Henry Acheson had acquired Douglas's proportion, the latter preferring to remain in royal service in England.² Acheson thought energetic and resident on his own proportion had as yet built nothing on Douglas's. Claud Hamilton, who had land in Cavan also, which were currently engaging his attention, also had larger responsibilities than he could handle. However there were extenuating circumstances: building work had been suspended on account of his dispute with the dean.³ Acheson was resident, Hamilton

1. H.M.C. Hastings MSS, iv, 175-76.

2. The date of sale is not clear. Bodley said Acheson 'answereth' for Douglas's lands. An inquisition of c.1630 dates it as 3 May 1611 (Inq. cancell. Hib. repert., ii, Armagh (42) Chas I), but Douglas appears to have been owner up to the spring of 1612 (above p. 117).

3. Above, p. 127-8.

was in Cavan, Lawder was represented by his son, and as for Craig Bodley 'found none that could inform [him] of his purposes'.

As to tenants there were about 73 present,¹ or some 10 more than in 1611. The increase was largely due to Acheson, who had 47 'British families' on his proportion. The returns for the other undertakers suggest that some of their tenants had either returned to Scotland, gone elsewhere, or moved to Acheson's estate. On Craig's lands there were 'a dozen Scottish men, then newly arrived', and not estated.

The report indicates that the Scots in the Fews had continued the disregard for building shown in 1611. This is of interest in the light of Chichester's comments in 1612.² As yet on no estate had a bawn been completed, two were in construction, and there was no 'strength' built on Lawder's estate. Apart from the fact that Craig had completed a mill, the report indicates little improvement on the 1611 situation.

By 1613 the building record of the servitors in Drrior³ no longer compared unfavourably with that of the Armagh undertakers. Six of the eight grants are mentioned, excluding those of Pointz and Whitechurch. Ownership had remained stable since 1611.⁴ Of the five owners dealt with, representing six estates, one, Audley had still made no visible impact on his grant. The other four estates presented variable impressions. Williams (or Smith) had 'only' built a small

1. The assumption is still made that there was one adult male per family.

2. Above, p. 119.

3. H.M.C. Hastings MSS, iv, 176-77.

4. Curiously Williams who by Carew's evidence had made over most of his lands to captain Anthony Smith now features as owner. Smith is recorded as owner in Pynnar's survey.

unflanked bawn. Moore was assembling materials and had 'divers' masons and labourers at work. The efforts of St. John and Bouchier, both unlikely residents, considerably outstepped those of their neighbours. St. John had already completed a bawn, albeit of earth and sod, but 'substantially flanked and ditched' and had on the site stone and materials for building a 'pile or castle'. Bouchier's bawn, a considerably larger affair, 80' x 100', was at an advanced stage of construction. He had also drawn and quarried stones and prepared lime for building a stone house. Timber had been felled and drawn and arrangements made with carpenters 'for sawing and squaring and fitting the same'. A millwright had been commissioned to construct a watermill. While Bodley gives no evidence either way it is unlikely that more than three of the Orior servitors were resident at this time.

In the rich lakeland barony of Loughtee¹ in Cavan ownership had remained unchanged since 1611. Five of the seven undertakers were resident and active; the other two, the Lushers, though represented by a 'factor' had no tenants and only a minimal achievement in building. Bodley provides evidence for 99 tenants of various kinds, of whom about 90 were resident. There were some 83 servants of various types including Waldron's personal entourage of about 50, some of whom must have been women. There was thus present an adult male colony of approaching 170, an increase of 40 since 1611, and some 57 of the norm. The increase since Carew's day was in the tenant class, hence a comparatively solid basis was being laid in this barony. Bodley understood that Sir Stephen Butler had no Irish

1. H.M.C., Hastings MSS, iv, 161-63.

tenants. However imported tenants were generally supplemented by native Irish. With regard to Taylors' proportion he wrote that 'divers of the Irish are yet remaining both on this proportion and others, without whose assistance for a while they pretend impossibility of proceeding in their undertakings'.

All estates except the Lushers's provided evidence of diversified building. Thus five planters had manor houses either built or in course of construction. One of these, Waldron, was actively replacing a thatched house with a more permanent structure, and another, Wirrall, was living in an 'English thatched house' in Belturbet 'to serve till the accomplishment of his greater work'. Taylor and Butler had erected substantial bawns, and on two estates improviseable natural features had been availed of. Waldron was, notably, causing his tenants to build together in two places 'for their better safety'. Taylor had built '3 or 4 houses of English frames which are set to tenants' - the origin of Ballyhayes. One windmill, one horsemill, and one watermill, this an elaborate defended structure on Butler's estate, had been constructed, and a further windmill was being erected. Five boats of four to ten tons, owned by Butler and Fishe, were a response to the potentialities of inland navigation. Butler, Waldron,¹ Fishe, and Wirrall were adequately supplied with arms.

Four planters are reported as well stocked with cattle and horses, it being stated of Waldron that he had 'stocked his ground with English and Irish cattle'. For five of seven estates in this barony Bodley's statement about Stephen Butler that he had 'laid the ground work of good plantation' is perhaps the fairest generalisation. It still

1. For a dispute involving Waldron at this time see Cal. S.P. Ire., 1611-14, pp.370-72.

remained true that the plantation stipulations were only partly fulfilled.¹

The Scots in Tullyhunco² provided a disappointing contrast to the English in Loughree. Only Sir Claud Hamilton, who was resident on his father's estate, had a substantial achievement and this at the neglect of his lands in Armagh. The estate of John Browne had been acquired by 'one Achenson' (Achenson of the Fews), but had been for the most part leased to 'one Tailor' (hardly the English undertaker in Loughree?), who was non-resident, had done nothing, and of whose prospects Bodley was dubious. Craig retained his acquisitions and was reported as 'being now gone into England to bring over with him more Inhabitants'. He had already 'about a dozen tenants'. John Hamilton had done nothing.

On the two large estates, those of Claud Hamilton and Craig, there was reasonable evidence of activity. Their building styles were stated to be identical and Craig's house and bawn admitted 'no exception for strength and conveniency'. Hamilton's stone house 'of exceeding good strength [and] on all parts well flanked' was already 'raised to the sole of the window of the third storey'. The site was a strategic one, and masons, carpenters, and labourers were actively at work. Both castles, it may be noted, played a very

1. In February 1614 Sir Robert Jacob the solicitor-general wrote to [the earl of Northampton], consort leader of Loughree, stating that the undertakers there had 'built and planted very well'. As to Waldron's efforts he stated: 'I lay last night at Mr. Waldron's house who has built a very fair house of stone for himself and 27 houses for English tenants and has made a very handsome village where there was not only stone laid within these twelve months, and intends to enlarge his own house a great deal more' (H.M.C., Hastings MSS, iv, 14-16).
2. H.M.C., Hastings MSS, iv, 164.

prominent role in the defence of the plantation in 1641.¹ Both proprietors were adequately supplied with arms. Both were engaged in cattle rearing, Craig having 'a good stock of cattle' and Hamilton 'above eighty head'.

Craig had 'about a dozen' tenants and had gone to England to recruit others. Sir Claud Hamilton in addition to 36 artisans had 'divers other' both English and Scottish, not yet estated. The total can hardly have exceeded 55 or under 40 of the requirement. The foundations of a colony were thus only being laid, and it seems that planters were turning to England rather than Scotland as a source of man-power. Dependence on native tenantry was still widespread.² Only two owners had so far been adequate to their task, and had made building a primary objective. The link-up in ownership with the Fews was manifestly an unhappy one, Claud Hamilton and Craig tending to neglect their Fews properties.

The entire Scots planted area of the barony of Clankeek³ was still visibly unaffected by the plantation. Bodley found no inhabitants other than the 'mere Irish' and no preparations in hand although 'the settling of that place, and the strengthening thereof be of special consequence and import'. By letter from lord Killeen, an old English catholic and Cavan proprietor, he was informed that he had undertaken the duties of Sir James Hamilton and intended to build and plant in the coming summer. Otherwise Bodley found this Scots-allocated barony

1. E. Hamilton, The Irish Rebellion of 1641, pp.153-60. Hamilton's castle was called Kellagh, Craig's Croughan.

2. Inq. cancell. Hib. repert., ii, Cavan, (27) Chas I.

3. H.M.C., Hastings MSS, iv, 159-60.

unregulated by its new owners.¹

In Cavan Bodley reported on 17 servitor (and old English) grantees.² In general progress had remained limited and individualistic. It is noteworthy that two estates in Castlerahan, those of Sir Edmund Fettiplace and the old English Sir William Taaffe had both been acquired by Edward Dowdall an old English and catholic lawyer.³ Taaffe had got into debt, the earl of Cork noting in his diary on 1 November 1612 that Taaffe had failed to repay £88 13.⁴ borrowed from him.⁴ On neither estate had buildings been erected. Of two other old English referred to, captains Tirrell and Fleming, Tirrell had done nothing, though Fleming had a 'strong pile' and other buildings in hand on the lands in Clankee which he had acquired before the plantation.

In Tullyhaw Sir Richard Graham's share of the joint Graham grant was reputed to have been made over to his son-in-law. Both were absent, a bawn 'of ill stone and worse lime', 5½ feet high, was incomplete and there was no agent present, though the surrounding countryside was 'exceeding fast'. Pynnar had done nothing but was said to have had his plantation obligations respited in favour of public service. Culme was one of the few energetic grantees reported on. He and his partner Walter Talbot⁵ in this barony had already built '3 or 4 handsome Irish houses' - possibly the origin of Bally-

1. In June Ralston sold his estate to John Hamilton (Inq. cancell. Hib. repert., II, Cavan (18) Chas 1).
2. H.M.C. Hastings MSS, IV, 159-61, 163-64, 165.
3. Below, p. 164-5.
4. A.B. Grosart (ed.), The Lismore Papers, (London, privately printed, 1886), 1st ser., I, 14.
5. Above, p. 88.

connell - and were also making preparations for building a castle, expected to be complete by the summer, at a strategic position previously undefended and 'by which in times past that country was much infested'.

In Tullygarvey Culme had joined with Archibald Moore through purchasing Brent Moore's share of the estate, and had already made preparations at a strategic point, Tullyvin. A 'fair and large Irish house' had already been built. In 1620 Brent Moore received a grant of land in the Longford plantation.¹ The brothers Ashe were building a bawn of claywork, substantially proportioned, but threatened by overlooking hills.

In Castlerahan, where Dowdall had acquired so much land only one settler, like Culme in Tullyhaw, had made any pronounced impact. Ridgeway was accumulating building materials for a bawn 'in a fit place' near Lough Ramor. He had about five English tenents and had built three thatched houses, one-storeyed, with walls of stone and clay. However stone and clay were inadequate building materials and one of these houses had already fallen and the other was 'declining'. He had done no more than choose the name Virginia for his prospective town. The rest of the barony in which there were two servitor owners, Elliot and Garth, was yet 'in statu quo prius' except that Garth had begun a bawn which he seemed likely, in Bodley's view, to finish speedily.

In Clanmahon the four estates evidenced only the most ineffectual of efforts. The most active Sir Oliver Lambert, who did not live there, had started quarrying operations, manufactured lime, and was preparing

1. Cal. pat. rolls Ire., Jas 1, p.468.

timber for an Irish house. Russell had built a bawn of earth and sod to six feet in height, and had timber and wattle ready to build an 'Irish house'. Atkinson, who did not take out his patent until February 1615,¹ and Jones were making tentative attempts by improvisation and otherwise to belatedly fulfill their building obligations. The general impression of servitor initiative in Cavan is unfavourable.

In conclusion it may be stated that the British male population in both counties was somewhat similar. In Armagh there were some 210, and in Cavan about 235.

VII Aspects of the native Irish reaction.

However much some of the Irish might have been able to mitigate their position in local practice, it was clear by 1613 that the plantation, however defective, was a fait accompli. It is not surprising then that plans very tentative and localised, though associated with hopes for foreign intervention, for an appeal to arms can be seen in that year. The local reaction of the elections of 1613 must also be examined.

There is no evidence that any plans embracing the entire province had been formulated, but there are cases of limited and localised insurgency at this time. Counter-reformation clergy urged adherence to catholicism and promised continental support. It was widely known that a parliament was about to meet which would consolidate the titles of the Ulster planters and perhaps introduce penal religious legislation. The deputy was fully aware of the unpopularity of this

1. Cal. pat. rolls Ire., Jas I, p.272.

policy.¹

Sir John Wishart an undertaker in a part of Fermanagh which bordered on Cavan informed the king in February 1613 of 'secret resolutions' to 'disturb the peace'.² Arms, it was alleged, were being accumulated at Belturbet 'and in the woods and other secret places thereabouts'. The king instructed Chichester to give Wishart a 'secret warrant' to search suspicious places.³ In the summer and autumn a Franciscan friar, Turlogh McCroddin carried out a preaching crusade in Ulster urging religious revival and promising foreign intervention, though the nature of his activities is only derived from depositions taken before Sir Toby Caulfield in October.⁴

No rebellion materialised though some small groups did attempt local action. Surviving jail delivery returns⁵ give some evidence of its nature. With regard to Cavan various people had judgment passed on them at Cavan on 30 March 1613⁶. Apart from cases of larceny and rape, a number of cases of people who had 'levied war' in the county between 20 August 1612 and 20 January 1613 were heard. Two Irish, are mentioned as having 'levied war', 'with other traitors' and abetted by two others at Lough Ramor on 20 August 1612. One of the abettors was found guilty and sentenced to execution, the rebels having presumably been executed earlier probably by martial

1. 'Chichester Letter-Book' no 41 in Analecta Hibernica, viii.
2. Cal. S.P. Ire., 1611-14, p.324. 3. Ibid.
4. P.R.O., S.P. 63/232 ff.137-38 (Cal. S.P. Ire., 1611-14, pp.429-31); B.M., Cotton MSS, Titus B, x, f.236; J. Lodge, Desiderata Curiosa Hibernica, i, 394-96; C. Maxwell, Irish history from contemporary sources, pp.150-51.
5. James F. Ferguson (ed.) 'Ulster Roll of Gaol Delivery, 1613-18' in U.J.A. 1st series, i (1853), 260-70, ii (1854), 25-28.
6. Ibid., i 266-67. Ferguson misdates the Cavan roll of 30 March 11 James I as 1614. Other dating errors have also been corrected here.

law. In two cases those presented for rebellion were acquitted. Seven incidents of this nature are recorded involving nineteen named people, with 'other traitors' unnamed. These names include O'Reilly, Bradys, and McMahons.

A delivery held in Armagh on 13 April 1614¹ reveals similar though less numerous incidents for county Armagh. Two McCanns and one descendant of Turlogh Brasselagh O'Neill who were assisted by Turlogh groom O'Hanlon, a grantee under the plantation, were all acquitted for incidents in Oneiland and Orior in December 1613. The existence of the depositions referred to above testifies to the energy of Sir Toby Caulfield.

At the same time attempts were made to conciliate the current unrest by the granting of pardons. From the end of 1612 until about mid 1614 pardons were a widely used expedient. In December 1612 Sir Francis Rushe, who had Monaghan connexions, submitted the names of three O'Reillys from Cavan stating that they had 'stood long upon protection and carried themselves well' and recommending their pardon 'in hope of their honest loyal behaviour hereafter'.² Chichester issued a warrant for their pardon.³ Settler certification had also been given for a group for whose pardon a fianit was ordered by the deputy in July 1613.⁴ Three O'Reillys from Cavan in this list had been certified by Sir Oliver Lambert and Rushe.⁵ They received their pardon on July 23.⁶ Within the period above mentioned in all 26

1. *Ibid.*, i, 269-70.

2. H.M.C., *Hastings MSS*, iv, 42. 3. *Ibid.*

4. Bodleian Library, Oxford, *Carte MSS*, vol 61, f.43.

5. Most of those listed had been 'repreived by the judges'. One had 'byne in Sweden' (*ibid.*).

6. *Cal. pat. rolls Ire.*, *Jas 1*, p.258.

Irish from Cavan and some 61 from Armagh received pardons.¹ A number of grantees under the plantation feature in these lists including Mullmory oge O'Reilly from Cavan,² and Calvagh McDonnell,³ Patrick modder O'Donnelly, Henry McTurlogh O'Neill, and Art McTurlogh O'Neill⁴ from Armagh.

These pardons offer some indication of the scale of native opposition in Armagh and Cavan at this time. It lacked cohesion and was not markedly more serious than petty violence. Local commanders and settlers seem to have intervened where necessary, and there was no foreign assistance. Also, more generally, the native Irish could count on no support from the old English who agitated for a political solution to their grievances about the parliament at this time. By 1614 conditions appear to have been more peaceful, and at the Armagh jail delivery of March 1615 no cases of 'open war' came up.⁵

The acute sense of crisis, however, of early 1613 provoked in Chichester profound misgivings about the security of the plantation. In January 1613 in a letter to the lord privy⁶ seal he stated that

the undertakers ... goe slowly on with the works of the plantation, labouring rather for the most part to make profit of the lands then to erect strong buildings for their subjects or bawns and court lodges for their goods and cattle, so as they lye open to the will of their ill affected neighbours who undoubtedly would cut many of their throats and thrust the rest clean out of the country if they were assured of assistance from fforeign parts, or had arms and munition to make a war.

Some had begun houses of stone and lime but in the meantime lived in

1. *Ibid.*, pp.239-40, 258, 261, 267, 267-68; H.M.C., Hastings MSS, iv. 43, 43-4.
2. Cal. pat. rolls Ire., Jas I, pp.239-40.
3. *Ibid.* 4. *Ibid.*, p.261.
5. J.F. Ferguson (ed.), 'Ulster Roll of Gael Delivery, 1613-18' in U.J.A. 1st series, ii, 27-8.
6. 'Chichester Letter-Book' no 41, in Analecta Hibernica, viii.

'weak' thatched houses. They did not live in townrids as required, but lived 'scattered up and downe ... where every man affects best his ease and profit, from which I cannot withdraw them', neither could he with his 'small fforces' protect them in emergency. Many were absentee and must be required to return and finish their building by the summer, when commissioners should be appointed to examine the plantation - which would be 'comfort and incoragement' to those who had performed the conditions and allow the punishment or reproof of those who had not.

The 1613 parliament had already been the subject of a thorough study in which it is shown that the catholics took sharp objection to the conduct of the elections and made a number of charges of 'violence and unfairness'.¹ It emerges clearly that these elections caused tension between the native Irish electors (and also the old English in the case of Cavan) and the new English elements in both of our counties. For both counties and their boroughs - Armagh and Charlemont, Cavan and Belturbet - English either settlers or government nominees were returned as members by the sheriffs.² With regard to both counties and also the town of Cavan charges of intimidation and other malpractices in the conduct of the elections were made.³

The king appointed a commission of inquiry on 27 August 1613 which conceded only that the burgesses returned for Cavan Hugh Culme and George Sexton, the deputy's secretary, had been miselected, and ordered that their opponents, Walter and Thomas Brady, both landowners

1. T.W. Moody 'The Irish parliament under Elizabeth and James I: a general survey' in R.I.A. Proc., xiv, c. 41-81.
2. Commons' in. Ire., 18 May 1613, p.7.
3. For details see P.R.O., S.P. 63/232 ff.97-9 (Cal. S.P. Ire., 1611-14, pp. 357-64).

in the neighbourhood, should take their place. The king in August 1614 disfranchised Charlemont for the remainder of the parliament because it had not received its charter until after the issue of the election writ.

Such change was in the circumstances the most that could be secured. The charters of the new boroughs were such that they could not but be, in Davies's words 'perpetual seminaries of protestant burgesses',¹ and in the succeeding elections of 1634 and 1640 Armagh constituencies returned all new English members,² though Cavan county in 1634 returned the old English Sir Lucas Dillon³ who in 1640 was replaced by Phillip O'Reilly.⁴ If the elective system could guarantee it the plantation was assured.

1. Cal. S.P. Ire., 1611-14, p.516.

2. H.F. Kearney, Strafford in Ireland, pp.256, 262.

3. Ibid., p.257.

4. Ibid., p.262.

CHAPTER 3 DEVELOPMENT OF THE PLANTATION, 1614-19

1 Introductory

Bodley's survey revealed defects in the plantation at the end of its initial phase. The settlers were doubtless conscious that their efforts were under scrutiny and from about 1614 a number were attempting to regularise their positions by the mechanism of surrender and regrant. Also there were a number of sales in these years.

The English government, too, was displaying further interest in the Ulster project. In June 1614 the deputy was instructed to have a further survey of the plantation taken by Bodley 'about Michaelmas next'.¹ At the same time Chichester was given detailed instructions concerning important aspects of the plantation. Cognizance was taken of the fact that the undertakers still retained Irish tenants and these were to be removed as expediently as possible. It had also come to notice in England that some of the undertakers, especially the Scots, were intermarrying with the Irish. This an aspect of the native problem, could have serious repercussions. The deputy was to 'reprove' all offenders 'until order may be taken for their further punishment'. Chichester was also to tender the oath of supremacy to all undertakers and their tenants and also to servitors 'and if they refuse to take the oath or to go to church to give order that they may be returned from whence they came'. Two delinquents in particular,

1. P.R.O., S.P. 63/232, ff. 157-61^v, copy ff. 163-66^v (Cal. S.P. Ire., 1611-14, pp. 481-84); Cal. pat. rolls Ire., Jas I, p. 277; B.M., Add. MS 4819, ff. 285-89^v. These instructions followed on a report by Chichester (B.M., Add. MS 4819 ff. 281-84^v; 4673 ff. 168-70^v).

here, were singled out, neither in Armagh or Cavan.¹

Bodley's report has only come to hand for Londonderry.² Only one case of the penalisation of intermarriage has been found for our area. On 29 January 1617 William Brownlow and Elinor O'Doherty his wife were given a pardon in return for a small fine.³ As to the proffering of the oath of supremacy there is no evidence that any action was taken by the Dublin government.

11 Granting of concealments, surrenders and regrants.

At the same time the problem of concealments was again taken in hand. In the instructions of June 1614 Chichester and the commissioners were empowered to dispose of concealed lands first to all whose proportions were defective and the remainder to the grantees within whose allocations they were found.⁴ In December Sir Oliver St. John concurred with this policy. To grant concealed pieces of territory to others than contiguous planters - that is, in effect, to accept Chichester's proposal of 1611 that concealments should be granted to additional servitors and natives⁵ - would cause 'much complainte ... besides much disagreement and expense of money in sutes of law' and would not encourage the settlers to performance

1. They were Sir George Hamilton, a catholic and a brother of the earl of Abercorn who was an undertaker in Strabane barony (Hill, Plantation, p.530) and one of two Robert Stewarts who also held land in Tyrone (ibid., pp.287-88).
2. T.W. Moody, Londonderry Plantation, pp.159-60.
3. Cal. pat. rolls Ire., Jas I, p.320.
4. Cal. S.P. Ire., 1611-14, p.482.
5. Above, p.130-31.

of conditions.¹

In Armagh and Cavan grants followed, in effect, both policies. In these counties the granting of concealments was in hand between 1615 and 1620. It is some commentary on government efficiency that though the concealed lands had been recorded in some systematic way in 1612² it was to be some two years before action began to be taken towards their conversion to crown profit. Even the king, too, was prepared to make some exceptions to the London policy. In March 1613, for example, he empowered Chichester to make a grant of un-allocated mountain, bog, or woods in Ulster to Captain John Sandford who had been engaged in the transportation of swordsmen to Sweden at the time of the distribution of land and so had gone unrewarded.³ Another exception was also made by the king in October 1614, that is some

1. P.R.O., S.P. 63/232 ff.268-68^v. The calendared version omits this - St. John's handwriting is difficult (Cal. S.P. Ire., 1611-14, p.540). His appraisal of the Ulster venture as a whole was as follows: 'The plantation in Ulster goes slowly forward, the buildings not half performed, the natives lingered upon undertakers' lands ...'
2. Above, p.133.
3. Bodleian Library, Oxford, Carte MSS, vol 62, ff. 308-308^v (Cal. S.P. Ire., 1611-14, p.329). Inquisitions were taken finding the extent of these mountains (Inq. cancell. Hib. repert, ii, Appendix), and Sandford received a patent on July 7 (Cal. pat. rolls Ire., Jas I, p.257). The grant did not prove a lucrative one. In the exchequer court in November 1617 he claimed that 'divers persons interrupt his assigns being very many in number having no residence but only pasture upon the same with their creaghts ... so that they cannot be brought to answer in a legal manner'. As Injunction forbidding them was ordered to be issued to the sheriffs (P.R.O.I. Ferguson MSS, xi, 246). He had received mountains in all the planted counties except Londonderry. Shortly afterwards Sandford assigned his grant to Sir Toby Caulfield (T.C.D. MS E. 3. 7, f.303).

months after the June directive.¹

In Armagh three English undertakers, Dillon Cope, and Brownlow, received concealments grants in 1617.² John Hamilton, brother of Sir James, who had acquired the Lawder estate in the Fews in 1614,³ got a grant of concealments there in 1616.⁴ Other previous owners in the county to receive grants of concealments were Marmaduke Whitechurch,⁵ and Francis Annesley who in 1615 acquired concealed lands⁶ close to other concealments which he had been granted in 1612.⁷

Of new owners who received concealments in the county, Trevor, who received the largest grant of all, in 1615,⁸ had already been promised these in 1613,⁹ as compensation for lands he had been obliged to surrender. Richard Atherton, brother of Henry Atherton late constable of Mountnorris, but who himself had had no previous connexion with Armagh proprietorship, received two grants of concealments, one in 1617,¹⁰ and the other in 1618.¹¹

Similar numbers received concealments in Cavan, between May 1615 and June 1620. One established owner was John Hamilton, who had also

1. This was in favour of Andrew Dikes, a Scottish merchant, who had petitioned the king for compensation for losses sustained in Derry at the time of O'Doherty's rising. The king ordered Chichester to grant him 'as much concealed or escheated lands in Ulster or elsewhere ... as shall amount to ... £35 by the year' (B.M., Add. MS. 4794 f.310^v). However he did not receive such a grant in Ulster. He later renewed his petition and the king in 1618 (ibid., ff.411^v - 12^v) ordered the granting to him of lands or chantries, or impropriations, or tithes anywhere in Ireland to the yearly value of £40.
2. Cal. pat. rolls Ire., Jas I, pp.324, 339-40.
3. Below, p. 162.
4. Cal. pat. rolls Ire., Jas I, p.309.
5. Ibid., pp.299-300.
6. Ibid., p.272.
7. Above, p.
8. Cal. pat. rolls Ire., Jas I, p.299.
9. Above, p.136.
10. Cal. pat. rolls Ire., Jas I, p.314.
11. Ibid., p.359. This small area in Orior has not been identified.

purchased land in Cavan, and who was granted related concealments in 1615.¹ Three newcomers were Sir Robert Stewart who received concealments in Clankee in 1617,² and was possibly one of two Scottish undertakers of that name in Mountjoy, Tyrone;³ William Binde,⁴ and George St. George.⁵ The latter two were servitor-type grantees. St. George came from Cambridgeshire, had property in Leitrim, and was vice-admiral of Connacht in 1634.⁶

The lands granted in these years in both counties bear a close relation to those found by the commissioners in 1612.⁷ It may be noted that no Irish proprietor received a grant of concealments and that no new proprietor was Irish. In only one case, that of John Hamilton in Cavan, were concealed lands granted to previous proprietors without rent, that is to say, the notion that these could be granted to redress defects of measure was not accepted. It should also be noted that not all concealments had been discovered or declared and were granted in these years. In 1628 the government again attempted to inquire into concealed lands and areas held without quit rent payments were subsequently found, especially in Cavan.⁸

In these years also many planters surrendered their holdings to the crown and received greater security of tenure by regrant. The government was making itself aware of defaults by periodic survey and

1. *Ibid.*, p.300.

2. *Ibid.*, p.317.

3. Hill, *Plantation*, pp.287-88.

4. His grant was in Loughtee (*Cal. pat. rolls Ire.*, *Jas I*, p.317).

5. His grant was in Clankee, and he also received concealments in Tyrone and Fermanagh (*Ibid.*, pp.468-69).

6. Burke, *Peerage* (103rd ed., 1963), p.2140; *Cal. S.P. Ire.*, 1633-47, pp. 129, 434; Lodge, *Peerage* (ed. Archdall, Dublin 1789), i, 144, iii, 111; *Cal. pat. rolls Ire.*, *Jas I*, p.434.

7. T.C.D. MS. F.1.20, ff.21-21^v (Cavan), 23-23^v (Armagh).

8. Below, pp. 260, 269.

there was some reason for uneasiness. In the summer of 1614 instructions were given for them to have their patents enrolled in the Irish chancery,¹ and a copy of the conditions of plantation appear at about this time among Carew's manuscripts.²

In the years between 1614 and the time of Pynnar's survey and after, a considerable number of settlers surrendered their estates and received regrants. This, in some cases at any rate, indicates that the government was unwilling to undertake the task of displacing defaulters and instating substitutes.

The procedure was straightforward. The landowner wishing in this was to 'strengthen his estate' petitioned the king, who in return by letter to the lord deputy and chancellor indicated that a surrender be accepted and regrant made. These king's letters show the conditions of the regrants. They were to be without fine, at the same rents, and rateably for concealments where involved.³ There was to be no mention of the surrender in the new patents to avoid allegations of defective title.⁴ Regrants were not to involve any action contrary to the conditions of plantation.⁵ The proprietor might have a commission out of chancery to inquire into place names and land quantities, the findings of which might be incorporated in the patent.⁶ This latter was a tacit admission - admitted specifically in one instance⁷ - that

1. Cal. S.P. Ire., 1611-14, p.491
2. Cal. Carew MSS, 1603-24, pp.269-70.
3. B.M., Add. MS 4794, ff. 419^v - 20^v (king's letter on behalf of William Bailie, 6 Oct. 1618).
4. *Ibid.*, ff.348-48^v (king's letter on behalf of Charles Poyntz, 18 July 1616).
5. Cal. S.P. Ire., 1615-25, p.35 (king's letter on behalf of earl of Abercorn and the undertakers in Strabane barony, Tyrone, 28 July 1615).
6. B.M., Add. MS 4784, ff. 419^v - 20^v (Bailie).
7. In the case of Sir Toby Caulfield, king's letter, 17 May 1619 (B.M., Add. MS 4794 ff.468-69; 36, 775 ff.80^v-81; Cal. pat. rolls Ire., Jas I, p.434).

the surveys of 1608 and 1609 were inadequate or inaccurate. A side effect therefore was increased topographical knowledge.

Sometimes a surrender and regrant reflected a landowner's desire that his patent should contain the most definitive listing of his lands, and so ensure his advantage in local disputes. Thus by king's letter of 12 May 1619 Sir Toby Caulfield, then engaged in dispute with the archbishop of Armagh, was to have a 'new and enlarged' grant, including all 'particular and known names', of his lands conferred.¹ Four original patentees or their descendants in Cavan and three in Armagh (excluding Caulfield) on these grounds, and also to acquire grants of concealments, secured king's letters. In Cavan these were Sir Stephen Butler,² William Bailie,³ Richard Waldron⁴ and the widow and heirs of lord Lambert.⁵ In Armagh they were Brownlow,⁶ Audley,⁷ Moore,⁸ and Caulfield. Sometimes they decided that a king's letter was ample insurance and did not actually take out new patents.

More importantly perhaps, the permitting of surrenders and regrants can be seen as a giving of official recognition to new owners who had acquired plantation land by commercial transactions. Surrenders and regrants also allow us to date such transfers.

One such new owner was John Hamilton, a brother of Sir James Hamilton of county Down, who acquired extensive lands in Armagh and

1. Ibid.

2. B.M., Add. MS 4794, ff.358^v-59; Cal. pat. rolls ire., Jas I, p.326 (king's letter, 6 April 1617 - no patent was taken out).

3. Ibid., ff.419^v-20^v; ibid., p.389 (king's letter, 6 Oct. 1618 - no patent was taken out).

4. Ibid., ff. 359^v-60; ibid., p.326 (king's letter, 1 Dec. 1616 - no patent was taken out). See above, p.136.

5. Cal. pat. rolls ire., Jas I, p.454 (king's letter, 17 July 1619), p.473 (further king's letter, 22 May 1620). The patent was issued on 16 Feb. 1622 (ibid., pp.516-17).

6. Cal. pat. rolls ire., Jas I, pp.339-40.

7. B.M., Add. MS 4794, ff. 490-90^v (king's letter, 17 July 1619).

8. Ibid., ff. 498^v - 99^v (king's letter, 28 June 1619).

Cavan. On 30 October 1611 he acquired Sir Claud Hamilton's proportion in Cavan.¹ This, however, he passed, on 4 December 1614,² to William Lawder, the Scottish undertaker in Armagh, acquiring in exchange the Lawder estate in Armagh.³ On 11 June 1613⁴ he had got Ralston's lands in Cavan and on 22 November 1615 he also acquired Craig's proportion in Armagh.⁵ Before Pynnar's survey and probably after his regrant of 18 December 1617 which does not include it, he acquired Claud Hamilton's Armagh estate.⁶ In 1615 and 1616 he received concealments grants.⁷ He had thus accumulated a considerable estate in two plantation counties. On 18 October 1616 a king's letter in his favour authorised a surrender and regrant.⁸ His surrender took place on 10 December 1617,⁹ and the regrant followed on December 18.¹⁰ In the regrant he is styled of Ballirobert, county Down, though he later lived in Cavan.¹¹ A Scottish settler from Down had thus moved into a substantial area of plantation land.¹²

1. Inq. cancell. Hib. repert., ii, Cavan, (24) Chas I.
2. Ibid.
3. Ibid., Armagh, (4) Chas I.
4. Ibid., Cavan, (18) Chas I.
5. Ibid., Armagh (4) Chas I.
6. This purchase is dated wrongly as 3 May 1610 in ibid.
7. Cal. pat. rolls Ire., Jas I., pp.300, 309.
8. Ibid., p.326.
9. Ibid., p.343.
10. Ibid., p.340.
11. The 1622 government survey states that he was resident there at that time (B.M., Add. MS 4756, ff. 100-100^v).
12. Another newcomer of this period was Sir George Mainwaring from Shropshire who on 14 March 1616 purchased Sir Nicholas Lusher's proportion in Loughtee (Inq. cancell. Hib. repert., ii, Cavan (23) Chas I). Hill (Plantation, p. 466) mistakenly dates this transaction as 14 March 1613. However he was an absentee in 1622 and in 1627 he sold the estate to Thomas Moynes, bishop of Kilmore and Ardagh, without having taken out a patent in his own name (Inq. cancell. Hib. repert., ii, Cavan (23) Chas I).

The process of surrender and regrant was also availed of at this time by people who had acquired lands granted to native freeholders. One example, also otherwise complicated, may be cited. At the time of plantation Francis Annesley, who had been a patentee officer in Ireland since 1606,¹ received a comparatively small grant as a servitor in Tyrone.² However he quickly acquired a footing in Armagh which proved the basis for expansion. On 12 October 1611 on the death of Henry Atherton, constable of Mountnorris fort, he acquired the fort and lands by the same conditions as Atherton had held them, for twenty-one years.³ On 31 January 1612 he received a grant of two contiguous concealed townlands.⁴ On December 31 he was appointed governor of the fort, with a daily emolument of eight shillings and the command of ten soldiers at eight pence a day each.⁵ On 24 February 1615 he was granted a small adjoining area of concealed land.⁶ He had also acquired the lands granted in 1609 to Patrick O'Hanlon.⁷ On 22 October 1616 a king's signet letter took cognizance of his position and ordered a surrender and regrant 'of all his lands which shall be found by office or inquisition'.⁸ Nothing was done at this stage, and on 21 September 1618 - he was then Irish chief secretary and knighted - he

1. Hughes, Patentee Officer, p.3.
2. Hill, Plantation, p.551.
3. Cal. pat. rolls Ire., Jas I, p.203.
4. Ibid., p.207.
5. B.M., Add. MS 36, 775, ff. 87-8^v; Hughes, Patentee Officers, p.3.
6. Cal. pat. rolls Ire., Jas I, p.272.
7. O'Hanlon appears to have forfeited his lands for treason (below, p.327). They were granted in June 1615 to Sir John Kinge, the muster master general, and Sir Adam Loftus, later lord chancellor (Cal. pat. rolls Ire., Jas I, pp.280-82), from whom Annesley presumably acquired them.
8. B.M., Add. MS 4794, ff. 348^v - 49; Cal. pat. rolls Ire., Jas I, p.314.

got the benefit of a further king's letter.¹ The letter recited that he had previously had command of the fort for life:

But being informed by some of our officers of trust that the said forte was not now, nor is ever like to be, of any such consequent use for our service we have thought fitt amongst other abatements of our army to discharge the said fort of Mounthorris,

and it was thus with its related territory to be granted to Annesley as private property. As compensation for the loss of employment as governor he was to receive a pension of five shillings a day for life. He was to have a regrant in his own name of O'Hanlon's lands and of all his other property in Ireland. This followed on 9 January 1619.² It included also a nunnery in the town of Armagh. He had also by this stage acquired property in Cavan. Charles Poyntz at this time also legalised purchases of native territory in Armagh.³

In Cavan a purchaser who was old English secured his title in this way. The two estates in Castlerahan granted to Sir Edmund Fettiplace and Sir William Taaffe became objects of speculation before becoming the property of Edward Dowdall a catholic lawyer. In Bodley's report they are stated as being under Dowdall's control, Taaffe's estate having come to him, it was understood, by way of Sir John Kinge.⁴ By an inquisition of May 1614 Dowdall was stated to be in possession of both.⁵ By the following year the property had come into

1. B.M., Add. MS 4794, ff. 420^v-22, 432^v-34^v (copy; 36,775, ff. 87-8^v; Cal. pat. rolls Ire., Jas I, p.410, also p.389 (inaccurate).
2. Cal. pat. rolls Ire., Jas I, p.407. Sometime later he acquired the lands of Donnogh reogh O'Hagan.
3. B.M., Add. MS 4794, ff. 348-48^v; Cal. pat. rolls Ire., Jas I, p.314 (king's letter, 18 July 1616, for surrender); ibid., p.412. (surrender, and regrant, 14 Dec. 1618). The undated inquisition (Inq. cancell. Hib. repert., ii, Armagh (10) Jas I) was probably taken for the purpose of this regrant.
4. H.M.C., Hastings MSS, iv, 160.
5. Inq. cancell. Hib. repert., ii, Cavan (4) Jas I.

the hands of Francis Annesley,¹ who received a regrant on November 25.² At the time of Pynnar's survey, 1618-19, both proportions were held by Sir Thomas Ashe,³ the servitor grantee, who had bought them from Annesley⁴ and on 12 May 1620 we find a king's letter for a surrender by Ashe of one of the estates 'and other lands in county Cavan', as assignee of Sir Francis Annesley, and directing that a regrant be made to Edward Dowdall as assignee of Ashe.⁵ In 1622 the plantation surveyors noted that Dowdall held both properties 'by late letters patent'.⁶ Such a transfer of plantation land into old English hands was hardly in accordance with the intention of the plantation.

Accumulation of land by settlers were also condoned. For example, Sir James Craig, who sold his lands in Armagh to John Hamilton in 1615,⁷ had acquired in August 1610 the two proportions in Cavan granted to Alexander and John Auchmooty.⁸ Later, in 1615, he acquired the lands of a neighbouring native freeholder.⁹ On 18 July 1618 the king gave instructions, on his petition, for a regrant on these lands and their concealments.¹⁰ Another case is perhaps more interesting. Sir Oliver St. John, now viscount Grandison and late lord deputy, had received a grant as a servitor in Orior. Before Pynnar's survey he also acquired Matchett's undertaker's lands in Oneilland, and in

1. Cal. pat. rolls Ire., Jas I, p.292 (king's letter, 7 May 1615).

2. Ibid., p.294. 3. Hill, Plantation, p.457.

4. B.M., Add. MS 36, 775, ff. 110^v-12.

5. Ibid. B.M., Add. MS 4794 ff. 600-601; Cal. pat. rolls Ire., Jas I, p.512.

6. B.M., Add. MS 4756, ff. 100-101. A fragment of Fettiplace's estate was apparently retained by Ashe and subsequently sold. It was held by George Garland in 1641 (P.R.O.I., Book of survey and distribution: This would appear to be inaccurate in calling him an 'Irish papist').

7. Inq. cancell. Hib. repert., II, Armagh (4) Chas I.

8. Ibid., Cavan (27) Chas I.

9. Ibid.

10. Cal. pat. rolls Ire., Jas I, p.402; B.M., Add. MS 4794, ff. 428-29.

February 1622¹ he received a regrant of all his lands following on a king's letter of December 22 previously.² Such an acquisition was in breach of the differentiation of servitors and undertakers into separate baronies.

By way of conclusion it may be noted that a condition under which the settlers received their lands was that for the first five years they should not be sold.³ Procedure by king's letter arose from the apparently unregulated breach of this condition. The vast majority of surrenders and regrants were in the period covered by this section. So far as undertakers were concerned there was a plan, first mooted in 1619⁴ and finalised in 1628 for systematic regrants to these under modified conditions of tenure and at double rents.

III Irish unrest, 1615-16.

One reason, it seems, why the government did not adopt a more forceful line with the settlers lay in the uncertain local background of their relations with the Gaelic population. The incapacity of the government to meet concerted opposition if backed by foreign support was a cause of concern in Dublin. In 1615 when optimistic plans for a rising had been formulated the lord deputy wrote:

we are a handful of men in intartaynement here so ill payde

1. Cal. pat. rolls Ire., Jas I, pp.515-16. He had also by this time acquired the lands originally granted to Lord Audley in Orior, and the concealed land granted to Richard Atherton, who was now Grandison's estate agent.
2. B.M., Add. MS 36, 775 ff.97-8; Cal. pat. rolls Ire., Jas I, p.518. The inquisition dated 22 Jan. 1621 (Inq. cancell. Hib. report., ii, Armagh, (7) Jas I) was obviously connected with this regrant, and so must have been pre-dated one year in transcription.
3. T.W. Moody, 'The revised articles of the Ulster plantation, 1610' in Bulletin of Institute of Historical Research, xii, 178-83.
4. Marsh's Library, Dublin, MS Z4. 2. 6, pp. 420-21; T.W. Moody, Londonderry Plantation, p.192.

that everic one is discontented and out of hart ... and what service I can performe w^thout men and monie if occasion require it, is easily conceived.¹

Outrages had proliferated and without reinforcements he would soon be 'wearied in a tempest when commands, law, and proclamations are of no use without the sword to make them obeyed'.² There were rumours that Tyrone was about to return with forces to regain lost lands.³ Earlier, to relieve the Ulster undertakers, to appease the natives, and convinced that 'the church and clergy of Ulster is at this day far otherwise provided for than this kingdom has ever known before',⁴ Chichester had absolved them from paying certain tithe exactions.⁵

When the suspected plot was uncovered it was found to have been unlikely of success and limited to Ulster. The outline of the conspiracy has already been reconstructed by Professor Moody⁶ who stressed the ineffectiveness of the conspirators and also that county Londonderry was not only the chief centre of disaffection but also the area which it was considered most essential to overcome initially. However in aspirations it was conceived as involving all of Ulster, and presumably all of Ireland, and receiving backing from outside.

The preliminary tactics were to capture Derry and Coleraine, take certain hostages, 'and then to proceed to a rebellion'.⁷ As far as Armagh was concerned a major objective was to release Hugh O'Neill's

1. Chichester to Winwood, 18 March 1615 (P.R.O., S.P. 63/233 ff. 29-30^v (Cal. S.P. Ire., 1615-25, pp.19-20)).

2. *Ibid.*

3. Cal. S.P. Ire., 1615-25, p.22.

4. *Ibid.*, pp.22-4.

5. *Ibid.*

6. T.W. Moody, Londonderry Plantation, pp. 165-67.

7. Cal. S.P. Ire., 1615-25, p.51.

son, Conn, who was under the custody of Sir Toby Caulfield in Charlemont fort, and send him to Spain.¹

In its second phase it was hoped that the rebellion would spread generally in Ulster. Schemes were formulated for sacking Carrickfergus, Lifford, Masserene, Dungannon, and Mountjoy.² While many of the Maguires of Fermanagh seem to have been implicated, no evidence has survived to indicate that any agitation of note was carried out in Armagh or Cavan. There were doubtless small isolated incidents, however at a jail delivery at Armagh in March 1615 judge Gerard Lowther found numerous cases of theft but none of 'open rebellion'.³ No jail delivery records have survived for Cavan at this time.

As far as the general conspiracy was concerned secrecy was not maintained and the rising - 'a dangerous practice tending to rebellion' in the phrase of the English privy council⁴ - never came to fruition. Between February and June 1615 a series of arrests were made, and the disaffection was in fact suppressed without extraordinary difficulty. The garrisons in the Ulster forts were not increased⁵ and the threat was met by the use of provost marshals with small numbers of soldiers who were sent into 'sundry counties, especially Ulster'.⁶ The local military commanders also played an active part, particularly two of them, Sir Toby Caulfield in central Ulster and Sir Thomas Phillips in Londonderry, the sheriffs of the counties and the assize judges assisting in the arrests and interrogations.⁷ Sir Oliver Lambert,

1. *Ibid.*, p.82.

2. *Ibid.*, pp.42, 74.

3. J.F. Ferguson (ed.), 'Ulster Roll of Gaol Delivery, 1613-18' in *U.J.A.*, 1st series, ii, 27-8.

4. *Cal. S.P. Ire.*, 1615-25, pp. 53-4.

5. *P.R.O.*, S.P. 63/233 ff.7-14^v (*Cal. S.P. Ire.*, 1615-25, pp.10-13).

6. *Ibid.*, ff.40-1^v (*ibid.*, pp.38-9).

7. *Cal. S.P. Ire.*, 1615-25, pp. 41. 62.

the Cavan proprietor, was sent on an expedition to the island of Islay to ensure the inactivity of the Scots.¹

Executions followed and the optimistic plans were forestalled. It was clear, however, that the government had been profoundly disturbed by the conspiracy though by the end of April when it had been manacled it was being turned to political advantage in Dublin as a means of expediting the deliberations of parliament.² Royal instructions were given in May and June that Conn O'Neill should be sent immediately to England³ and on July 6 the English privy council reported to Chichester that he had been placed in Eton.⁴ On 21 April 1615 the king gave order for the payment of an annuity of £30 to the widow of Sir John O'Reilly, to be paid out of the Ulster rents, provided she relinquished her claim to lands in Loughtee.⁵ On June 30 Dame Mary O'Reilly was granted a pension for life of £80 a year.⁶ The conspiracy also convinced the king of the need to extend the royal influence in Ireland. The 'remedy for the barbarous manners of the mere Irish', he felt, was to press on with the policy of either plantation (with British) or settlement (among the native Irish with definite quit-rents) and extend it immediately to Leitrim and Longford, and 'other Irish counties'.⁷

In Ireland pardoning continued to be a valued expedient for dealing with unrest, and a spate of these followed, usually in return

1. *Ibid.*, p.47.

2. P.R.O., S.P. 63/233, ff. 46-6^v, 48-51^v, 54-5^v (Cal. S.P. Ire., 1615-25, pp. 49-50, 50-1, 52).

3. Cal. S.P. Ire., 1615-25, pp. 53-4, 65-6. 4. *Ibid.*, p.84.

5. *Ibid.*, p.47. Chichester had suggested this in January 1614 ('Chichester Letter-Book' no 95, in Analecta Hibernica, viii).

6. Cal. pat. rolls Ire., Jas 1, p.286.

7. Cal. S.P. Ire., 1615-25, pp.35-6.

for small fines, over the next few years. For want of more specific evidence they offer some rough way of assessing the extent of unrest in our counties. Between 26 June 1615 and 28 July 1617, twenty-seven Irish from Armagh and five Irish from Cavan received pardons.¹ These included Patrick O'Hanlon, the Orior proprietor, who was pardoned in July 1617.² He had presumably forfeited his lands in 1615 because in June of that year they were granted to Sir John Kinge and Sir Adam Loftus.³ They subsequently became the property of Sir Francis Annesley.⁴

A return of the fines collected as a result of the lent circuit of the judges in 1616 presents what may well have been higher than average figures.⁵ Archibald Moore, collector for Cavan, returned £262. 6. 0. Irish, and Marmaduke Whitechurch £185. 10. 8. collected from Armagh.

By the summer of 1615 the immediate threat had been suppressed though unrest continued in 1616.⁶ In August 1616 one of the O'Hanlons was considered a possible threat.⁷ In December the king acknowledged the 'former good services' of Sir Moses Hill as provost marshal of Ulster and instructed that he should have a regrant of this office

1. Bodleian Library, Oxford, Carte MSS, vol 62, ff. 320-20^v, 390, 412-12^v, 430; Cal. pat. rolls Ire., Jas I, pp. 299, 320, 325.
2. Cal. pat. rolls Ire., Jas I, p.325.
3. *Ibid.*, pp. 280-82.
4. Above, pp. 163-4.
5. P.R.O., S.P. 63/234, ff.46-7 (Cal. S.P. Ire., 1615-25, pp.127-28).
6. Between August 1617 and February 1618, nine people from Armagh and two from Cavan were pardoned (Cal. pat. rolls Ire., Jas I, pp.325, 330, 341). In December 1615 there had been royal criticism that 'the multiplicity of pardons had multiplied offenders' and pardons were only to be granted after due deliberation and with reasonable fines (Cal. S.P. Ire., 1615-25, pp. 101-105).
7. P.R.O., S.P. 63/234 ff. 63-3^v (Cal. S.P. Ire., 1615-25, pp. 135 - 36).

for life.¹ Thus some form of military superintendance of Ulster was considered essential on a long-term basis. That Hill had been thorough in his task and not over-sensitive to strict legal rectitude is also clear. In March 1617 a pardon for him was authorised 'because in strictness of law he may be questioned for the execution of offenders by martial law, notwithstanding His Highness's commission authorising him thereunto'.²

However by the end of 1616 Ulster had been restored to some quiescence. In October St. John, who had succeeded Chichester as deputy, wrote to Winwood that 'within the land things stand well without appearance of trouble or danger'.³ There were still a few outlaws in the north but he hoped that there would be 'scattered without any great labour'.⁴ Also the death of Hugh O'Neill in 1616 may be seen as marking the end of a phase of native resistance to the plantation.

IV Government policy, 1615-18.

The unrest of 1615-16 underlined the need for renewed pressure on the settlers to fulfill their conditions. At the same time the government was unwilling or unable to exert stern pressure and with the need to conciliate the native Irish little direct action was taken against them at this time.

Bodley's report of 1614 had not impressed the king and he wrote in March 1615 to Chichester expressing his dissatisfaction with the 'slow progress' of the plantation:

1. Bodleian Library Oxford, Carte MSS, vol 62, f.398 (Cal. S.P. Ire., 1615-25, p.153).
2. H.M.C., Hastings MSS, iv, 48.
3. P.R.O., S.P. 63/234 f.72 (Cal. S.P. Ire., 1615-25, pp.139-40).
4. *Ibid.* See T.W. Moody, Londonderry Plantation, p.178.

Some few only of the servitors and natives [had] as yet performed the conditions of the plantation; the rest (for the greater part) [had] either done nothing at all, or so little, or ... to so little purpose that the work [seemed] rather to be forgotten ... than to be advanced, some having begun to build and not planted, others begun to plant and not build, and all of them in general retaining the Irish style, the avoiding of which was ... the fundamental reason of the plantation.¹

He had made a list of defaulters who would 'be sure to feel the effect of his displeasure as there shall be occasion'. He would consider it no injustice to resume the lands of defectors and allot them to their individuals, but for the meantime he would make a further concession. Though the deadline for performing the plantation conditions had passed he would permit an extension, which would be 'final and peremptory', until the end of August 1616. Bodley was then to conduct a further inquiry, when Chichester should dispossess all defaulters 'without respect of persons'. To ensure that no grantee should plead ignorance of his defects, Bodley should immediately inform each of his particular shortcomings.²

The king's letter did cause some anxiety though no concerted government action followed either then or in 1616. John Rowley, the agent of the Drapers' company in Londonderry urged his employers to action in May 1615. The king's letter he stated had not only activated the agents of the other London companies 'but also all the servitors

1. Phillips MSS, pp.47-9; Cal. S.P. Ire., 1615-25, pp.25-6, 120.
2. Ibid. The king's criticisms were not the only ones. Chief justice Denham in 1615 criticised the planters' slowness to create freeholders (Cal. S.P. Ire., 1615-25, p.67). In 1617 on the inauguration of a new Irish chief justice Francis Bacon pointed out that the 'bane of a plantation is when the planters ... make such haste to a little mechanical present profit, and disturb the whole frame and nobleness of work for times to come'. They must be therefore kept to their conditions (ibid., pp.166-67).

and undertakers'.¹ There is evidence too that Bodley carried out his 1616 survey in about November,² though it has not come to light, though the immediate action which the king had ordered seems to have been overlooked. If in July 1617 the Londoners were accused of breach of conditions,³ this was by the English privy council, the Dublin government was less vigorous.

However in August and September 1617 an attempt was made to ensure compliance with the regulation governing natives on undertakers' lands which may have resulted from a further royal direction. The evidence has only survived for Londonderry but it seems apparent that the intention was a general one. Local commissioners were instructed to give 'public warning' that all the natives within that county residing on undertakers' lands should 'immediately without any further stay' remove themselves to the lands of the church, the servitors, or the native freeholders. If they should 'importune' for a delay they might be given until 1 May 1618. For failure to comply at that date they should suffer such 'fines ... penalty or ... punishment' as the deputy or council should see fit to impose.⁴ However no removal took place.

In 1618 an important modification of policy was implicit in a proclamation issued on October 1 by the Dublin government.⁵ The proclamation commanded the removal of the Irish from undertakers' lands before 1 May 1619. However if they had not removed by that date they should be fined at the rate of ten shillings sterling and afterwards at whatever rate the deputy and council should appoint.

1. Moody, Londonderry Plantation, pp.164-65.

2. *Ibid.*, pp.177-78.

3. *Ibid.*, p.178.

4. Phillips MSS, pp.49-50.

5. Steele, Tudor & Stuart proclam., II, 22, no 224.

This was, in effect, a tacit recognition by the government that it could not, or would not, enforce the plantation regulations on this crucial issue. Instead they would convert the necessity to petty financial advantage. Economic and indeed political necessity - the needs of the undertakers for tenants and the desire of the government not to create further tension - combined to assure the retention of the natives.¹

In 1618, also, it was decided that the militia or outrising of Ireland should be mustered and trained regularly. The reason, however, was not primarily due to the Irish situation. The outbreak of the Thirty Years War had caused alarm in England and a mustering of the English forces was ordered in February of that year.² The same reasons obviously dictated the decision with regard to Ireland. The Ulster settlers had been required to have arms available 'to furnish a competent number of men for their defence' who should be mustered every half year 'according to the manner of England'.³ On May 8 the king on the advice of the deputy, decided to appoint two muster masters, one of whom captain George Alleyne became responsible for Ulster and Leinster.⁴ Alleyne's inspection was the first to be carried out in plantation Ulster.⁵

1. Carew noted in 1618: 'The British plantation already effected, although in the managing thereof the natives have been justly dealt with has left discontented humours in them' (Cal. Carew MSS, 1603-24, pp.386-87).
2. Acts Privy Council, 1618-19, pp.362-69; L. Boynton, The Elizabethan Militia, 1558-1638, p.237.
3. For a study of this see L. Boynton, The Elizabethan Militia, 1558-1638, London 1967.
4. Bodleian Library Oxford, Carte MSS, vol 62, f. 481. The other was Nicholas Pynnar.
5. His report, with transcripts of related documents, is B.M., Add. MS 18,735 (Cal. S.P. Ire., 1615-25, pp.220-30).

St. John was to negotiate with the localities for the payment of the muster masters who were to receive remuneration after the manner of England.¹ On July 10 he wrote to the justices of the peace of the counties in Ulster and Leinster informing them of Alleyne's appointment and intention to begin his duties immediately, and requiring them to inform the landowners in their counties of this, and make arrangements both as to time and place, for the mustering and training of the militia.² On July 18 Alleyne was given corresponding instructions, and required to report what defects he might find.³ Alleyne reached agreement with the counties along the following lines: that he should muster and train three times yearly, once in person and twice by deputy; that he should be paid at the rate of 6d. per ballyboe on to be paid on muster days; that he should bring with him one drum and two sergeants to assist in training. The training centres were agreed on and the contract was to be in force from year to year until dissolved by the majority of the justices of the peace for the county.⁴

Alleyne proceeded to his task and provided figures of those who attended for the nine counties of Ulster with a report on the difficulties he encountered.⁵ Calculating on the basis that the six escheated counties contained 197,000 acres, and that 24 men were musterable per 1,000 acres, he computed that 4,728 men should appear, that is he took the numbers of tenants required by the articles of plantation as being the norm also for muster purposes. By these

1. Cal. S.P. Ire., 1615-25, p.227.

2. Ibid.

4. Ibid., pp.229-30.

3. Ibid., p.228.

5. B.M., Add. MS 18,735.

calculations he concluded that Armagh should muster 528 and Cavan 588. However he found that there appeared in all only 1,966 men, with 230 muskets, 408 calivers, 664 pikes, 90 halberts, and 1141 swords¹ only 41.5 of his required total. Such a response would not be unexpected if English attitudes at this time may be taken as a guide. Writing with particular reference to the reign of James I, Dr. Boynton states 'during the seventeenth century the theme becomes one of growing slackness in the militia'.²

In Armagh and Cavan he found 238 and 541 men respectively, this is 44 and 92 of the required number. In Armagh there were mustered 25 muskets, 48 calivers, 92 pikes, 2 halberts, and 124 swords. In Cavan these were 55 muskets, 109 calivers, 235 pikes, 36 halberts, and 389 swords. Four undertakers in Oneilland produced no men at all for musterage, Cope, Brownlow, Stanhowe, and Heron. Sacheverall, with 48 men, mustered about three times as many as his fellows. The Scots in the Fews, John Hamilton, and Archibald and Henry Acheson, mustered between them 128 men which was only 4 less than the requirement.³ In Cavan, as we have seen, the attendance rate was very much higher and was also fairly consistently so. None of the servitor grantees had mustered men or arms. Apart from the small attendance of men in Armagh, most noteworthy of comment in the small number of muskets shown. Both counties produced only 80 between them.

1. *Ibid.*, f. 5. The calendared version has slight inaccuracies. Faulty additions by Alleyne in his return for Cavan have also been corrected and these figures correspondingly modified.
2. L. Boynton, *Elizabethan Militia*, pp. 11-12.
3. This takes account of the land lost by Claud Hamilton to the dean of Armagh.

It may be pointed out that in England in 1618 calivers as musterable weapons were forbidden and the changeover to muskets was proceeding rapidly.¹

It is clear from his observations that Alleyne had not found his task an easy one. He found that there were no fines exacted for non-appearance at muster. He wished in future to be aided by two justices of the peace of each county, particularly to provide against more than one landowner mustering the same men and arms

for let me muster in one county ... today, tomorrow the most of these men and their arms do meet me in the next county to muster again. Thus they defraud your majesty.

He wished also for clarification as to the number and type of arms that each undertaker should muster. He found in both provinces a general reluctance to pay him his dues. Leinster and counties Londonderry and Down refused outright, and the other Ulster counties as a result became recalcitrant. Undersheriffs and bailiffs were availing of the opportunity for extortion so that 'in levying six pence for [Alleyne they] extort twelve pence for themselves'.² He asked for confirmation in the office and emoluments for life and also a proportion of the fines to be imposed on defaulters. He requested that the clergy, should find men and arms 'as customably in England'.³

He further observed that he had found Antrim and Down 'better planted with English and Scottish than some of the escheated counties of Ulster'.⁴

Another, though abortive, decision of 1618 is of considerable

1. Boynton, Elizabethan Militia, p.238.

2. Cal. S.P. Ire., 1615-25, p.229.

3. Ibid., p.228; though, see Boynton, Elizabethan Militia, passim, on this.

4. Ibid., p.228.

interest. This was that the Ulster planters should chose an agent who would channel their petitions and grievances to the king and transmit decisions back to Ulster, thereby dealing with the problems of 'all such new beginnings' as the plantation then presented. The idea arose out of a suggestion of the 'British undertakers' which was accepted by the king, as also was the person they chose to represent them, on 1 August 1618.¹

He saw that not only would it lead to the avoydinge of great chardges w'ch a journey hither might drawe them unto [but also] they may the better attend at home for p'forming of those condic'ons whereunto by covenant they are hounde.

The person chosen was a Scot, Sir William Alexander, later to be earl of Stirling. Alexander had apparently little or no connexion with plantation Ulster at this stage. However he later had claims to land in Donegal and acquired property in Armagh,² and was to be responsible for a major if abortive colonial scheme for north America.³

The relationship between the Dublin government and the agent was broadly defined in the king's letter to the deputy:

our pleasure is whensoever at any tyme wee shalbe pleased to declare our will unto you ... either for all the said undertakers or for any one of them by the said Sir William that the same be obeyed as delivered by an officer whome we speccially trust and this much you shall signifie unto them.⁴

It was not, manifestly, to be a startling limitation of the power of the Dublin government, though given the subsequent history of the plantation such an agency might have acquired some permanence.⁵

1. B.M., Add. MS 4794, ff. 435^v-36.

2. Hill, Plantation, pp. 507-508, 562-63.

3.

4. B.M., Add. MS 4794, ff. 435^v-36.

5. Its mooting reflected somewhat on the efficiency on the Dublin administration, though the relationship of the Irish government to the parent body was by no means clearly defined.

However, on October 12 the king countermanded his decision:

forasmuch as wee have since considered there is noe business of that kingdome of greater consequence and that more requires a great experyence in him in him that should deale in it, as also that, God be thanked, wee have found by experience since [August 1] that wee are not so much importuned with theire complaynts as might require a p^ticular man to bee designed for that purpose,

he was therefore well pleased to cancel the arrangement.¹ Perhaps this was in response to protest from Dublin. Sir Francis Blundell, a member of the Dublin administration, would be retained as general intermediary on Irish affairs between Dublin and the king.²

V Pynnar's survey

In March 1618 the English privy council informed the deputy that the king required a full investigation of the plantation to be carried out, and that thus informed he intended to 'take that advantage of those that had so grossly failed as eyther in lawe or pollicy of state he may justly doe'.³ Nicholas Pynnar, who had been appointed one of two joint successors to Bodley as overseer and director general of fortifications and plantations in February,⁴ was assigned to task. Pynnar had some previous knowledge of Ulster. He was a grantee in Cavan, and he had visited the Ulster forts in 1617.⁵

The survey was postponed for a number of reasons. As St. John wrote on June 29 the Longford plantation was then in hand and 'the

1. Cal. S.P. Ire., 1615-25, p.214; B.M., Add. MS 4794, f.444.
2. *Ibid.* Perhaps also the appointment of a Scot to such a position provoked strong reactions in Dublin. He was also probably a person of dubious standing.
3. Acts Privy Council, 1617-19, p.97; T.W. Moody, Londonderry Plantation, p.184.
4. B.M., Add. MS 4794, ff. 390^v-91.
5. P.R.O., S.P. 63/234 ff.154-55 (Cal. S.P. Ire., 1615-25, pp.187-88).

overseers ... must spend a good part of this summer in measuring the escheated lands' there.¹ St. John also pointed out that most of the bonds and patents of the undertakers had not been sent from England or Scotland and requested that transcripts of these be sent to Dublin.² On August 11 when the bonds of the English undertakers had arrived, he wrote requesting the patents and also the bonds taken in Scotland. Thereby he would be the 'better enabled to give ... an account of the state of the plantation'.³

In September the possibility that some of the settlers would forfeit their estates was seriously held. Lord chief justice Jones wrote on the matter in cryptic terms to Sir Richard Boyle at Youghal.⁴ Manifestly these were people anxious to benefit from any dispossessions that might occur.

The inquiry was eventually carried in the winter-spring of 1618-19. On November 27 the lord deputy gave instructions to Pynnar and others unnamed who were intrusted with the task which included the administration of the oath of supremacy to the undertakers and their tenants and dependants.⁵ The report, which seems to have been principally Pynnar's personal achievement, states that the survey was carried out between 1 December 1618 and 28 March 1619.⁶

1. *Ibid.*, ff.185-86^v (*ibid.*, pp.200-202).
2. *Ibid.*
3. P.R.O., S.P. 63/234 ff.209-10 (Cal. S.P. Ire., 1615-25, pp.207-208).
4. A.B. Grosart (ed.), The Lismore Papers, (2nd series), II, 132-33.
5. Hill, Plantation, pp.449-51. Hill failed to see that the mandate he quotes was issued by, and not to, the lord deputy.
6. *Ibid.*, p.451. There are two MS versions of the report:
 - (a) Lambeth Palace Library, Carew MS 613 (Cal. Carew MSS, 1603-24, pp.392-423), and
 - (b) T.C.D. MS F.1.19, printed in Harris, Hibernica, pp.139-241, and Hill, Plantation, pp.451-590. References below are to Hill's edition.

His general conclusions hardly require restatement.¹ In the six counties he found planted 1974 families, a figure resulting from faulty arithmetic and which should read 1980, making in all 6,215 'bodies of men', and so implying on average 3.1 men per family. These he subdivided both by county and by type of tenure. His total of families was composed of 334 freeholders, 99 lessees for lives, 1013 lessees for years, 464 cottagers, and 70 'families with no estates', a category presented for Donegal only. His totals of adult males per county were as follows: Armagh 642, Cavan 711, Fermanagh 645, Donegal 1,106, Tyrone 2,469 and Londonderry 642. His finding for Armagh and Cavan were sub-divided as follows: Armagh - freeholders 39, lessees for lives 18, lessees for years 190, cottagers 43 totalling 290 families stated to make 642 men and so implying 2.2 men per family; Cavan - freeholders 68, lessees for lives 20, lessees for years 168, cottagers 130 totalling 386 families and containing 711 men and so implying 1.8 men per family. Professor Moody has shown that his figure of 642 for Londonderry was miscalculated and too small², and it will be seen below that Pynnar's totals for Armagh and Cavan are also difficult to reconcile with his figures for individual estates within those counties. However Pynnar was himself sceptical of these figures, positing 8,000 adult males as the likely plantation population. At the same time he concluded that 'the fourth part of the land was not fully inhabited'.³ As to buildings, these were 107 castles with bawns, 19 castles without bawns, 42 bawns without

1. Hill, Plantation, pp.588-90; see T.W. Moody, Londonderry Plantation, pp.185-86.

2. T.W. Moody, Londonderry Plantation, pp.187-90.

3. Hill, Plantation, p.589.

castles or houses, and 1897 dwelling houses of stone and timber after the English manner, in villages, 'besides very many such houses in several parts which I saw not'.¹ Yet there was a great lack of houses both in villages and dispersed.

He appended also various telling observations. The permanence of the colony was not yet guaranteed. Many of the English tenants did not yet till their lands, and lacked the confidence to provide themselves with cattle or labourers. Similarly the Irish [on undertakers' land] felt insecure and so grazed the land rather than tilling it. But for the Scots, who were cultivators, the colony would be liable to starvation. Landlords were too prone to let land at high rents to the Irish. The colony was indeed in a two-fold way dependent on the natives:

If the Irish be put away with their cattle the British must either forsake their dwellings or endure great distress on the suddain. Yet the combination of the Irish is dangerous to them, by robbing them and otherwise.²

Economics and security were thus precariously balanced. The Irish were to be found most densely in county Londonderry. For Armagh and Cavan the following assessment of the survey had been attempted, proceeding, as before, with the barony as the most convenient unit.

In Oneilland two estates had changed hands since Bodley's 1613 survey. St. John had, as has been seen,³ acquired the Rev. James Matchett's estate, Matchett having in 1613 decided on a clerical career in the Armagh archdiocese.⁴ The other sale, by Rollston of Powell's proportion, brought in a new English owner, Michael Obbyns, from

1. Ibid.

2. Ibid., pp.589-90.

3. Above, p. 165.

4. Cal. pat. rolls Ire., Jas I, p.234; P.R.O. N.I., T975/2, p.4.

Rutlandshire.¹ John Brownlow's estate, with his death, had become joined to his son's. Two of the nine owners were definitely absentee, St. John as deputy in Dublin, and Stanhowe, who had been in England 'these seven years'.² Rollston and Sacheverall appear to have been temporarily absentee. On all estates except Stanhowe's there was positive evidence of endeavour, but individual practice continued to offer variation.

Buildings of varying type and permanency and at differing stages of completion were evident on all estates except Stanhowe's, who had 'nothing at all built'.³ Cope and Sacheverall had large bawns of either lime and stone, or stone and clay, each 180 feet square. Each had four flankers. Cope's arrangement (his earlier house had fallen) being to design these for habitation rising to three storeys. Sacheverall, more typically, had constructed a 'good house' of lime and stone within, the bawn being defensive in conception.⁴ However elsewhere the bawns were either made of timber or timber and sods some having pallazados and moated. Brownlow was replacing one such with the stipulated bawn of lime and stone. There were also two houses, one being on Dillon's proportion and incomplete, unenclosed by bawns. There were in all nine bawns. The manor houses were built either of stone, stone and brick, or, in St. John's case of 'cage work'.

Some had produced small settlements, the nuclei of later villages and towns. Brownlow's Lurgan was the most impressive, consisting of

1. P.R.O.I., Lodge, records of the rolls, v, 521.
2. Hill, Plantation, pp.561-62.
3. Ibid.
4. Hill omits part of the report on this estate. See Cal. Carew MSS, 1603-24, p.416.

forty-two houses, paved streets, and two water-mills and a windmill. Obbyns' Portadown was at this stage, more typically, a grouping of four houses around his own house and bawn. All of the undertakers, save Stanhowe, had caused small clusters of houses to be built. Thus, for example, Sacheverall had twelve houses, Rollston nine, and Cope fourteen. John Dillon had 'great store of tenants' who had made two villages and dwelt together. The settlement pattern revealed on St. John's proportion is well described.¹ He had two strong timber bawns in each of which there was an 'English house' of cage work, with two English families in them. Near to one of these there was a grouping of five houses 'inhabited with English families'. In the return for his tenants he is stated as having four cottagers each with a 'tenement', a 'garden plot', and commons for their cattle. The rest of the tenants lived 'dispersedly upon the land [though in this case] three or four families together'.

Since the numbers of houses in these villages correspond fairly closely to the numbers of cottagers recorded for estates it is safe to assume that the villages must have been for the most part occupied by people of this type. The pattern of settlement by tenants was apparently for the most part dispersed despite the requirements of the plantation conditions.

The number of tenants per landlord varied immensely. Brownlow had fifty-seven families who with their undertenants numbered 100 men; Stanhowe had 'not above three or four poor English men upon the land'. In Oneilan as a whole Pynnar found 30 freeholders, 155 lessees for years, 18 lessees for lives, and 11 cottagers whose families made up

1. Hill, Plantation, pp.557-58.

In all 390 adult men. This excludes the 'three or four' on Stanhowe's estate and the landlords. The required total was 396, and the required number of freeholders was 33. Apart from the fact that the settlement structure of each estate did not always follow closely what was required, in numbers, the plantation in the barony had reached its norm, the lapses of individuals being counteracted by the modest excesses of their neighbours.

Pynnar's evidence in some points may be faulty both with regard to this barony and in general. His numbers of freeholders do not always withstand close scrutiny.¹ Beyond stating that Brownlow had 'good store of tillage' and three mills 'all for corn' - Cope also had three mills - he gives no indication of how the land was used. All the men he found in the barony were stated to have arms, and Brownlow had 'store of arms in his house'. It is unlikely, however, that such a uniform situation pertained.²

His statements and omissions of them about the numbers of Irish on the proportions also tend to undermine confidence in his thoroughness. Only in the cases of Brownlow and Stanhowe are the Irish referred to. With regard to the former that there was 'not one Irish family upon the land' is demonstrably false,³ though his statement for the absentee Stanhowe that 'all the land is inhabited with Irish' was broadly inescapable. Further, he was instructed to administer the oath of supremacy yet only some of Cope's and St. John's and all of Brownlow's tenants are stated as having taken it. Thus he either

1. Below, pp. 414-16.

2. However, it would be dangerous to accept the evidence of musters as conclusive either.

3. Below, p. 342.

neglected to proffer the oath widely, or encountered opposition to taking it. On the whole, however, the impression from his report of general energy and progress in this barony seems undoubtedly an accurate one.

The Scottish barony of the Fews where, as we have seen,¹ three estates had become the property of Sir James Hamilton's brother John, also provided evidence of general expansion. Only one original owner, Henry Acheson, who had by now disposed of his acquisition of Douglass' lands to his brother Sir Archibald,² retained possession of his 1610 grant. Hamilton, who lived either in Down or Cavan, was absentee, but the Acheson's may both have been resident.³

Pynnar found some 285 men present, or more than double the required 132. This represented a fourfold increase on the 1613 figure, but 60 of all resided on Archibald Acheson's estate. His 29 families of tenants with their undertenants made up 144 men and in addition he had built a 'town' called Clancarny - Markethill - where he had 29 tenants each with small parcels of land. However Henry Acheson while

1. Above, p. 162.

2. An inquisition of c. 1630 states that Douglas sold his estate to Henry Acheson in 1611 and that it was not until 28 August 1628 that Sir Archibald acquired it, acquiring his brothers at the same time (Inq. cancell. Hib. repert., ii, Armagh (42) Chas 1).

3. Some seant notes on the Acheson family preserved in Belfast (P.R.O. N.I., T906/2) and which make use of Hill's work state that Henry's health did not allow him to live in Ireland. See also Hill, Plantation, p. 284 and Lodge Peerage (ed. Archdall), vi, 81. He appears, at any rate, to have been temporarily present at this time. Sir Archibald was probably too much of a public figure in both Ireland and Scotland to be a permanent resident. In 1621 and again in 1625 he was appointed a master of the Irish chancery to facilitate the acclimatisation of his countrymen to legal procedure in Ireland (B.M., Add. MS 4794, ff. 584^v-85; Hughes, Patentee officers, p. 1). He was also for a time secretary of state for Scotland and had a house in Edinburgh. He died in Letterkenny in 1634.

having a 'great number' of tenants had failed to grant leases 'but by promise and yet they have been many years upon the land'.¹ Two claiming freeholds and seventeen claiming leaseholds appeared before Pynnar, took the oath of supremacy, and petitioned to be granted their leases. This Acheson seemed willing to do 'presently'. Elsewhere in the barony leases seem to have been generally granted. In some instances on Archibald Acheson's estate there were joint tenancies. Pynnar found thirty-two cottagers in the barony (excluding the residents of Markethill), approximating closely to the number of houses found near the settlers' bawns. Each had a house and garden plot and commons for cattle. All the tenants except Archibald Acheson's are stated to have taken the oath of supremacy. All are reported as armed, Archibald Acheson being said to have 'great store' of arms in his bawn adequate for 129 men.

On each estate the building requirements with regard to bawns appear to have been adequately complied with, and substantial bawns had been erected, in all cases but two with clusters of houses to the number of six or seven around them. The accumulation of five estates into the hands of three owners, however, seems to have affected the building of manor houses. These appear to have existed only on the two Acheson estates. Archibald Acheson had a bawn with four flankers constructed for living in, and had begun a castle 80' x 22' which was then two storeys high. With regard to land use there is only the unqualified statement for Henry Acheson's estate that 'here is great store of tillage'.²

In Orior by this time Audley had transferred ownership to his

1. Hill, Plantation, pp.565-66.

2. Ibid.

son-in-law, Davies, and captain Smith is clearly accorded the ownership of Williams's proportion.¹ There had thus been no significant change of ownership.

Comparative equality in building was now being achieved through the belated, though it seemed pressing action of Bouchier and Smith. Davies's property was unique in its conspicuous lack of development whereas Poyntz who already had a house and bawn completed but 'not liking of the seat', had begun a new bawn and brick house and had workmen 'labouring very hard' with the intention of completing it by August. St. John's stronghold, it was noted, had not progressed since Bodley's description, but the 'town' - Tandaragee - had increased in buildings all filled with British tenants.

There were many absentees, Poyntz and Smith being present, but St. John, Davies, Moore, and Bouchier had all outside interests. An 'Irishman' was living in Moore's bawn. Nonetheless there are some indications, apart from building activities, that the plantation had not merely brought change of ownership. St. John's village had English inhabitants as well as nine Irish families 'which come to church' and had taken the oath of supremacy. However Davies had 'not so much as an English tenant on the land'.² There must have been at least ten adult British males present.

In the English barony of Loughtee in Cavan three of the seven estates had changed hands since Bodley's inquiry. Sir Nicholas Lusher had sold his land in March 1616 to Sir George Mainwaring from Shropshire,³ and his son William had disposed of his estate to Peter Ameas,

1. Above, p. 142.

2. Hill, Plantation, p. 570.

3. Inq. cancell. Hib. repert., II, Cavan, (23) Chas I.

a none too successful purchaser, by June 1618 when he appears as collector of the subsidy for the county.¹ Sir Hugh Wirrall's estate had been mortgaged or sold twice by this stage. It was held by Thomas Mountford, who had been an unseccessful candidate for land at the time of allocation,² between December 1613 and November 1614³ and was in the possession of a Mr. Adwick at this time. Otherwise the original owners remained actively in occupation, and the state of the barony gave evidence of their vigour. Only Mainwaring appears to have been absentee.

On all estates except two, Adwick's and Waldron's, bawns and 'castles' are described as 'long since finished' or of 'great strength'. Waldron's stone house was completed and occupied, but his bawn was of sods and 'much of it ... fallen down'.⁴ Adwick's house had remained unfinished for two years, and no bawn had been constructed.

The number of British males recorded by Pynnar was 439, which does not include the unspecified number of residents in Belturbet. It represents a substantial increase on the 1613 figure of about 170 and was about half as much again as the plantation requirements demanded. He breaks them down into the following sub-division: 41 families of freeholders (25 were required), 101 families of leaseholders (most were lessees for years, 15 held for three lives), and 63 cottagers. The latter would appear to have lived in the planters' villages. Waldron's town was composed of 31 houses inhabited with English, Fishe had two villages, one of them possibly Stradone, of

1. P.R.O.I., Ferguson MSS, xi, 271.

2. Hill, Plantation, p.149.

3. Inq. cancell. Hib. repert., ii, Cavan, (16) Chas 1.

4. Hill, Plantation, pp.461-62.

10 houses each. The existence of villages, in this barony did not then imply a strict compliance with the projected arrangement. However Taylor had a group of 7 freeholders, 7 lessees for years, and 10 cottagers on his estate who lived 'most of them'¹ in a village of 14 houses, presumably Ballyhayes. In all there were 6 villages owned by 5 of the undertakers. They were essentially small dwelling settlements, but in two, which stood upon a 'road way' there was each a 'good innholder' and in another a windmill was sited. The incorporated town of Belturbet which was not markedly different in character is examined in a separate section.²

There were five mills in the barony, two for corn and one, on Sir Stephen Butler's estate, which was a fulling mill. There are only two references to the rural economy, indicating that there was 'a little' or 'no great store' of tillage. The oath of supremacy is referred to only in the case of Taylor's tenants. Neither Mainwaring's, Ameas's, nor Adwick's tenants were armed. The others satisfied Pynnar in this respect, some being 'very well armed', and Sir Stephen Butler was 'able to arm 200 men with very good arms which are within his castle, besides others which are dispersed to his tenants for their safeguard'.³

In Tullyhunco the impact of ownership change and death can be seen on two estates. Sir Claud Hamilton, who had taken over his father's, Sir Alexander's, estate had died c.1616⁴ leaving the land in the hands of his widow, who was resident, his son Francis being a

1. Ibid., pp.460-61.

2. Below, pp. 393-7.

3. Hill, Plantation, p.465.

4. Ing. cancell. Hib. repert., ii, Cavan (37) Chas I.

minor. Sir Claud's own estate, Clonmeen, which had been sold in 1611 to John Hamilton who in turn in 1614 had sold it to William Lawder who moved there from the fews and died in 1618 was at this point reacquired by Sir Alexander for the use of his grandson.¹ Craig and Acheson, who was absentee, retained their acquisitions in this barony the former having also purchased the lands of Brian McKeirnan, some 2,225 acres, in 1615.²

Only on Hamilton's Clonmeen estate had no stronghold been erected. However the other Hamilton structure and that of Sir James Craig, both commended in 1613, were now 'thoroughly finished'.³ Craig had built a platform designed for two small pieces of cannon. Acheson had a bawn but no house. On Hamilton's Clonmeen estate there was a 'town' of twenty-two houses - Killashandra - and Craig appears also to have had a village of similar size.

The colony numbered about 200 adult males at this stage.⁴ A large number were cottagers, but the minimum required, 144, had been well surpassed. It is clear, however that there were serious defects in the organisation of estates in this Scottish barony. On the Clonmeen estate there were no estated tenants, lady Jane Hamilton claiming that she could not grant valid leases and her son was underage. Acheson's tenants had not 'taken out' their leases (which Pynnar saw 'drawn and signed') and most of them refused the oath of supremacy until they received their leases. It is of interest as a criticism of Pynnar that

1. *Ibid.*, (24) Chas I ; Above, p.

2. Inq. cancell. Hib. repert., ii, Cavan (27) Chas I.

3. Hill, Plantation, pp.469-70. Craig's castle was five storeys high.

4. In one case the number of men is not given, but only the number of families. In all there were 107 families, 85 of which produced 180 men.

although he makes this comment he nonetheless particularises Acheson's tenants as two freeholders and nineteen leaseholders. Pynnar reinforces Bodley's evidence about English tenantry being brought in as well as Scots¹ by stating that Acheson's following was English as well as Scottish in origin. Only some of the tenantry had taken the oath of supremacy. There is no reference to arms, or to the agricultural pursuits of the barony.

A very dynamic situation was revealed in the other Scottish barony of Clankee, presenting a marked contrast to the 1613 situation. Only one of the original four owners, William Bailie, remained and the other estates were in the hands of John and William Hamilton as well as his brother Sir James. This noteworthy incapacity of original Scottish grantees had been seen also in the Fews. John Hamilton acquired Ralston's lands in June 1613,² the precise date of William's purchase is not known. The Hamilton's had exploited the opportunities provided by their base in Down, and the size and energy of their family to expand into plantation Ulster and take over from their less able, substantial, or persevering countrymen.

The Hamiltons, a well-cooperating family, had now interests in three Ulster counties, Armagh, Cavan, and Down. John is described by the family historian as 'a prudent person and painful man',³ and William as 'a prudent industrious and pious man, very useful in the country, and to my lord Claneboy'.⁴ Sir James, who clearly supervised the family enterprise, came in for praise for his methods of estate

1. Above, pp.145-6.

2. Above, p. 162.

3. T.K. Lowry (ed.), The Hamilton Manuscripts, p.44.

4. Ibid., p.45.

management. He was 'careful and wary' in granting leases for longer than three lives 'and went that length but with very few'.¹ He made 'great use' of his brothers and nephews as well as various business agents.² Both John and William were brought to Ireland by their brother. John was at first employed as Sir James's law agent and he seems to have continued in this capacity even after he acquired his own estates.³ William was also employed in estate management⁴ as well as acquiring land for himself in Down and Cavan.

On the estates vigorous, if belated, energy was being displayed. Each had its stone-built bawn, and all had houses or castles, some incorporating defensive arrangements, at various stages of building. Sir James Hamilton's Castle Aubigny, with the king's arms cut over the gateway and located 'upon a meeting of five beaten ways, which keeps all that part of the country',⁵ was five storeys high, well defended with four round flanker towers, and was in use and completed save for staling. However the other houses were at earlier stages of construction. On the estates of William and John Hamilton village building had begun. John had eight houses 'joining to the bawn' and also a water-mill and five houses 'adjoining' it.⁶ There were five houses near William Hamilton's bawn. Each had a roughly approximate number of cottagers.

Pynnar found in the barony 178 men. This exceeded the required minimum of 144 but a high proportion were cottagers. At the same time

1. *Ibid.*, pp.36-7.

2. *Ibid.*, p.31.

3. *Ibid.*, p.12; John Hamilton to lord Clancarty, 10 May 1621 (P.R.O. N.I., T808/2758).

4. T.K. Lowry (ed.), Hamilton Manuscripts, p.12.

5. Hill, Plantation, p.452.

6. *Ibid.*, p.454.

the required number of freeholders is recorded. Almost all are stated to have taken the oath of supremacy and to be armed. Baillie and Sir James Hamilton, were stated to be in occupation. However the latter's chief residence was at Killilleagh in county Down.¹ It is not known if John Hamilton was resident at this stage, though he was in 1621.² William lived chiefly in Down. With regard to three of the four estates - he makes no comment on Sir James Hamilton's - Pynnar found 'good tillage and husbandry after the manner of the English'.

The fortunes of the Cavan servitors continued to present mixed impressions. In Castlerahan two estates, those of Fettiplace and Taaffe, as has been seen,³ were at the mercy of commercial transaction, being now held by Sir Thomas Ashe. Ashe had also acquired Garth's property, and Ridgeway's estate and with it responsibility for the town of Virginia had been purchased by Sir Hugh Culme. Only one original British servitor, Elliot, remained in possession, and the others' lands had, at least for the moment, been accumulated into the lands of Ashe and Culme.

Such discontinuity of ownership was not without effect. Not even Elliot could possibly have been resident. On all lands except Culme's the Irish were the exclusive tenantry. However buildings of some kind were now in evidence on all estates. On Ashe's estates there were an old castle 'now mended',⁴ a 'very good'⁵ bawn of lime and stone, and a bawn of sods respectively. Elliot had a bawn of lime and stone and a 'small house'⁶ within it. On Culme's purchase

1. On 9 July 1619 in a letter written from Dublin he refers to having been in Clankee (Hamilton MSS., p.12).
 2. P.R.O. N.I., T808/2758. 3. Above, p. 164.
 4. Hill, Plantation, p.457. 5. Ibid.
 6. Ibid., p.458.

the foundations evinced in 1613 were now reaching completion. A bawn of lime and stone, flanked, and strategically placed had been erected and a house within of the same materials was being completed. On the estate there were four English families. The town of Virginia boasted eight timber houses built by Culme and inhabited by English. Reference is made to the minister who was a 'very good preacher' and kept a school.¹

In Tullygarvey ownership had remained unchanged since 1613. On the Culme-Moore estate the bawn was 'thoroughly finished'² and the house almost so. Moore was resident but the brothers Ashe lived outside the plantation area and Culme elsewhere in the county. On the Ashe estate there were two bawns though not of masonry and no house. The old English captain Richard Tirrell had built a 'strong'³ bawn but granted no leases. Apart from four English families on the Culme-Moore estate, the land in the barony was entirely in Irish hands.

In Clanmahon two of the smaller grantees, Atkinson and Jones, had disposed of their estates. The result was the accumulation of more land by Lord Lambert who acquired Jones's⁴ and Archibald Moore who acquired Atkinson's.⁵ Advances in building also altered the 1613 picture. Bawns and houses had been built on all estates except Berhaph Russells. On Lambert's original estate there was a stone

1. This was most likely George Creighton who was admitted in 1619 and was there in 1641 (N.L.I. MS 2685, p.283). Rather than Benjamin Culme, Sir Hugh's brother, who became dean of St. Patrick's, Dublin in 1619, as Hill suggests (Plantation, p. 458).
2. Hill, Plantation, p.458.
3. *Ibid.*, p.460.
4. Lambert had died in June 1618 (Inq. cancell. Hib. repert., ii, Cavan, (6) Jas 1).
5. Pynnar appears to be incorrect in stating that Russell had also sold his land to Moore (see below, p.).

house and bawn 'long since finished'.¹ Fleming, the old English proprietor, had also built a bawn and house. None of the British servitors appears to have been resident. However Lambert had 'an English gentleman' resident on each of his estates and on his recent acquisition, there were three other families living 'about the bawn' each holding land for twenty-one years.²

In Tullyhaw it emerges that Pynnar had disposed of his own estate to the absentee surveyor-general William Parsons.³ Otherwise the only development since 1613 recorded was on the Talbot-Culme estate where a castle and bawn had been completed.

The most general comment that can be made on the servitors in Cavan is that through the sales of the less substantial grantees, one of whom, Pynnar preferred to remain in public service, their land had, at this stage at any rate, with the exception of Pynnar's sale to Parsons, come into the hands of their more substantial fellow grantees in the county thereby decreasing the number of British proprietors. This was further an unhappy development because with the exception of Culme and Moore these owners were not resident in the county. It is unlikely that there were more than thirty British males in all four servitor baronies.

By way of conclusion it may be stated that Pynnar's survey reveals that it was only at this stage that the plantation requirements in building and planting had been reached on most estates. There were also some conspicuous delinquents as well as hesitancies, and the

1. Hill, Plantation, p.468.

2. Ibid. One tenant received a lease in April 1618 (Inq. cancell Hib. repert., ii, Cavan (6) Jas 1).

3. Parsons took out a patent in October 1619 (Cal. pat. rolls Ire., Jas 1, pp.445-47).

ownership changes and land accumulations revealed were also discordant with the plantation scheme.

The numbers of British males present derived from an examination of Pynnar's report on each estate are not consistent with his own tabulated returns. Furthermore Pynnar did not report on ecclesiastical, monastic, and college land and provides no figures for the towns of Armagh, Charlemont, Cavan and Belturbet. For Armagh Pynnar's evidence indicates the presence of 685 adult males in the baronies of Oneilland, Fews, and Orior, yet his own figure was 632. His returns for the planters' lands in Cavan suggest a population of some 847 British males which is considerably higher than his own figure of 711.

Densities of English in both counties, calculated on the basis of the real acreages of estates, were very similar. In Cavan the Scots had planted just somewhat more densely than their English counterparts. In Armagh, however, the Scots, with 5 of the land, had planted 285 men, the English, with 21, having planted 390, i.e. the Scots had planted three times as densely as the English. The 'daily' departure of Scots to Ireland had been noted in 1615,¹ yet at the same time it must be remembered that Scottish proprietors in Cavan had sought tenantry from England as well as Scotland.²

It is clear that at least a small number of estates in both counties had not measured up to the standards of the plantation conditions. Nevertheless there is little or no evidence that punitive measures were taken against offenders. Apart from government laxity or disinclination procedure by king's letter leading to regrants

1. Cal. S.P. Ire., 1615-25, p.85.

2. Above, pp.145-6, 192.

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2. Above, pp.145-6, 192.

had presumably protected some delinquents. However in January 1620 one Armagh undertaker, William Stanhowe, was summoned into the exchequer court for non-performance of his bond to build and plant, on his estate. He was given 'further time' until michaelmas 1621 by the deputy and council.¹

It is clear that 'all men a fair show of quiet' recognized that 'the hearts of the people are now (as ever heretofore) alienated from the crown of England' and that therefore 'treasons like catallie weeds grow'. His immediate fear was for the reaction to the long-term and later plantation schemes, feeling that where colonies were already established there was local danger.

However by the following year disaffection was rife in Ireland and in Ulster in particular. In February 1619 the government admitted that although the king had more power in Ireland than any of his predecessors reports of 'stealth, robberies and outrageous war' were coming in from all parts. The 'poor army' was in arrears and the forts in disrepair, those in Ulster and Connaught being in 'the greatest decay' that they were 'likely to become utterly unserviceable'.²

The outbreak of hostilities on the continent - the Thirty Years War - combined with events in Scotland presented some external stimulus to unrest in Ulster. In the spring of 1619 there was violence in the Scottish highlands and islands which was in part occasioned by the absence of Archibald Campbell, 7th earl of Argyll, who had left Ireland at the end of 1618. Argyll had previously been a powerful agent in royal matters in Scotland but exclusively

1. P.R.O.I., Ferguson MSS, xii, 27.
2. P.R.O.I., Ferguson MSS, xii, 27.

CHAPTER 4 PROGRESS AND PROBLEMS, 1619-25.

I Military Aspects

The progress of the colony must be viewed against a background in which the attitude of the native population is important. In 1618 a commentator while admitting that 'all make a fair show of quiet' recognised that 'the hearts of the people are now (as ever heretofore) alienated from the crown of England' and that therefore 'treasons like snowballs crescunt eundo'.¹ His immediate fear was for the reaction to the Longford and Leitrim plantation schemes, feeling that where colonies were already established there was least danger.

However by the following year disaffection was rife in Ireland and in Ulster in particular. In February 1619 the government admitted that although the king had more power in Ireland than any of his predecessors reports of 'stealths, robberies and outrageous acts' were coming in from all parts.² The 'poor army' was in arrears and the forts in disrepair, those in Ulster and Connacht being in 'so greate decay' that they were 'likely to become utterly unserviceable'.³

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1. Cal. S.P. Ire., 1615-25, pp.233-34.

2. P.R.O., S.P. 63/235 ff.17-17^v (Cal. S.P. Ire., 1615-25, p.240).

3. Ibid., ff.19-20^v (ibid., pp.240-41).

in debt and converted to catholicism he quitted Scotland and entered Spanish service.¹

This went not unnoticed in Ulster. In March 1619 the Irish government reported to London that many people 'eager after alteration' had been 'easilie induced' by the priests to believe that Spanish plans included a descent on Ireland. The influence of Scottish disorder, and expectations from Argyll's defection were also pointed to:

the most suspected people of Ulster betake themselves to their swords ... and so much harken after the Erle of Argyle, and ... the Redshanks of Scotland (by the ports under Sir Hugh Montgomery and Sir James Hamilton) more frequently convey themselves to-and-fro than they were wont.²

The areas in Ulster where disaffection spilled over into local insurgency were particularly the 'fastnesses' between Tyrone and Londonderry. By the autumn St. John was able to report some measure of success in dealing with the situation in the country at large. Order had been largely maintained, as it had been in 1615 and 1616, by the use of provost-marshals and the questioned expedient of pardons. In addition Irish spies had been employed and undesirables encouraged to enlist abroad.³ No serious eruption took place and the situation in Ulster was characteristic of a supine social system under pressure. A considerable proportion of some £1500 paid in concordatums in the year ending April 1619 was expended to provost-marshals for the maintenance of order in Ulster.⁴ In June 1619 the government petitioned

1. R. Chambers, Domestic annals of Scotland from the reformation to the rebellion, I (1858), 499-500; D.N.B.
2. P.R.O., S.P. 63/235 ff. 23-23^v (Cal. S.P. Ire., 1615-25, p.242).
3. P.R.O., S.P. 63/235 ff.55-55^v (Cal. S.P. Ire., 1615-25, p.250), ibid., ff.86-8 (ibid., pp.262-63), ibid., ff.91-91^v (ibid., p.265), ibid., ff.98-98^v (ibid., p.265).
4. ibid., ff.33-42^v (ibid., pp.245-47).

to be allowed spend £500 per annum in addition.¹ Beyond the evidence of pardons nothing specific can be said about unrest in Armagh and Cavan. Between July 1619 and February 1621 thirty-two people from Armagh including O'Hanlons, O'Neills, O'Donnellys, and McCourts, and eight from Cavan, mainly O'Reillys and O'Gowans, received royal pardons on payment of fines.²

It was emerging, it would appear, at this time that unrest of the type affecting Ulster could best be dealt with by provost-marshals with ad hoc commissions. The Ulster forts, so important in the Elizabethan wartime strategy, were now in disrepair and whatever their value as a physical deterrent, the efficiency of their servitor-commanders had been previously thought it would seem unfairly called in question.³ It was at any rate unusual for a fort-commander to hold a commission as provost-marshal though captain Hugh Culme of Cloughowter was provost-marshal of Cavan and Monaghan in the years 1617-19.⁴ Many of the commanders had acquired plantation land and developed lay interests. By 1619 the military value of these forts was limited. In February and June St. John reported that the forts of Ulster and Connacht were 'likely to become utterly unserviceable' unless immediately repaired.⁵ The problem was related to the provision of finance for the army.

Early in 1620 a proposal was made, or received, concerning the

1. *Ibid.*, ff.53-53^v.
2. Cal. pat. rolls Ire., Jas 1, pp.435, 460, 474, 497, 511.
3. Above, pp.117-20.
4. P.R.O., S.P. 63/234 ff.70-3^v, /235 ff.35-42^v (Cal. S.P. Ire., 1615-25, pp. 194-96, 245-47).
5. P.R.O., S.P. 63/235 ff. 19-20^v, 55-55^v (Cal. S.P. Ire., 1615-25, pp. 241, 250).

Inland forts of Ulster and Connacht. This was by Sir Thomas Dutton, the Irish scout master general,¹ to the English privy council that he should be enabled to dispose of these to the commanders then in occupation who in return for payments to Dutton should become the owners and receive patents. The privy council informed Dublin of the proposal and asked for advice.² The Irish government replied ambiguously enough on May 20, but enclosed a statement on the current tenures of the forts.³

Three forts in Armagh and one in Cavan were reported on. As to Mountrorris it was stated that Annesley was now owner⁴ and that the ward was discharged. Moyry castle and lands were held by captain Anthony Smith by twenty-one year lease from 1608. There was in the fort a constable, a porter, and eight warders, 'it being a fitt place to continue a ward'. Smith was bound to keep the castle in repair. Charlemont, held in lease by Caulfield, and where his company lodged, was also considered a 'fitt place' to continue a garrison. In Cavan the island fortress of Cloughowter and its lands were held by Culme under a twenty-one year lease from February 1620.⁵ He was required to keep the fort in repair but the ward was discharged. It was stated that this fort had been chosen as a detention place for priests, that £200 had been consequently expended on it, and that it was now ready for use whenever 'it shalbe thought fitt'.

In July the privy council asked for a more exact account of each fort indicating which were necessary and which dispensable and also the

1. Hughes, Patentee officers, p.45.
2. Acts privy council, 1619-21, p.159.
3. P.R.O., S.P. 63/235 ff.156-9 (Cal. S.P. Ire., 1615-25, pp.283-6: inaccurate).
4. Above, p.164.
5. Cal. pat. rolls Ire., Jas 1, p.461.

amount of land allotted to each.¹ To grant them in perpetuity, they felt, could not save money:

the saving must be either in repairs or in discontinuing the wards. For the first, those that have them in lease are always tied in covenants for reparation, and for the latter it is advised that the wards be continued.

The Irish government had avoided any opinion on whether such action was militarily advisable.²

However on October 29 the king informed St. John that he had approved Dutton's scheme.³ He was therefore to make grants of the forts of Moyry and Charlemont in Armagh and Cloughowter in Cavan with others in Antrim, Fermanagh, Monaghan, and Leitrim with their lands, to the present possessors. Since these grants were being made at the instance of Dutton any forts the occupants of which had not compounded with Dutton and taken out patents within one year should be granted to Dutton himself. By accompanying instructions⁴ the grantees were to hold in free and common soccage, pay the present rents, and undertake to build castles and bawns, where absent, within three years. These were to be kept, under penalty, in continual good repair, the owners to maintain in them such number of men as should be necessary to defend them in time of peace. They should not alienate without license, or to people unconformable, or at all to the Irish and should

1. Marsh's library, Dublin, Z4. 2. 6, pp.451-2; P.R.O. S.P. 63/235 ff. 181-81^v (Cal. S.P. Ire., 1615-25, p.293).
2. They further felt that 'they may not grant away that w^hch hath been won w^hth much bloode ... and that w^hch hath been excepted by name in all the king's grants especially his Ma^tie having so little crown land in that kingdon' (ibid.). On these see Marsh's Library, Dublin Z4. 2. 6. pp.
3. P.R.O., S.P. 63/235 ff.199-200 (Cal. S.P. Ire., 1615-25, pp.292, 300). If the forts of Donegal and Lifford were found to be inland forts they were to be treated in like manner.
4. P.R.O., S.P. 63/235 ff.201-201^v (Cal. S.P. Ire., 1615-25, pp. 300-301). Cal. pat. rolls Ire., Jas I, pp.484-5.

not demise any part of the land to the Irish for longer than twenty-one years. In times of emergency the king should have power to put such garrisons into any of the forts as the deputy should think fit.

The working out of the arrangement took some time and came in for criticism before it was completed. Commissioners who conducted an inquiry into Irish affairs in 1622¹ were critical at least in some cases. Cloughowter - as well as Toome and Enniskillen - were considered 'very necessary' and the disposal Mounthorris, earlier, and Moyry was also regretted.² In January 1623 a stay was put on the granting of all land in Ireland to prevent crown loss through dubious practices.³ This was not specifically directed against the implementation of Dutton's scheme, but Falkland, the new lord deputy, commissioned Pynnar to examine the Irish forts generally and estimate for their reparation.⁴ Falkland presented his report to London in September with the suggestion that if the forts were not repaired it were better, that they should be razed.⁵ In June Dutton petitioned the council in London about the 'stoppage' of the grants of the inland forts⁶ and despite uneasiness in Dublin the arrangement was not contravened.

Sir Toby Caulfield was the first in our area to compound with

1. Below, pp.
2. N.L.I., Rich Papers, 8014/5, Army: 24 July 1622 (See also T.C.D., MS F.2.1, f.46, and Marsh's Library, Dublin, Z3.2.6, no 43).
3. Below, p. 242-3.
4. P.R.O., S.P. 63/237 ff.113-13^v (Cal. S.P. Ire., 1615-25, p. 429). His estimates were lower than the earlier ones of Bodley but totalled for all Ireland, £2841 13. 4. On Moyry, Mounthorris, and Cloughowter he recommended that £50, £40, and £150 respectively should be spent. The latter figure makes it seem unlikely that Cloughowter had been repaired as stated above.
5. *Ibid.*
6. P.R.O., S.P. 63/237, f.54 (Cal. S.P. Ire., 1615-25, p.411).

Dutton. In December 1622 he paid him £200,¹ and on 1 March 1623 took out a patent of the buildings and lands of Charlemont.² He was given rights to hold fairs and markets, an indication that the fort area was developing with a civilian centre. Smith also compounded for Moyry, though it is not formally recorded.³ In December 1624 Culme received a grant of the fort and lands of Cloughowter, which referred to his agreement with Dutton of the previous year, under conditions which accorded with the general instructions.⁴ The scheme thus took complete effect in our area, though not it seems so completely or smoothly elsewhere.⁵

The granting of the forts was not an act based on blind unawareness of danger. Scarcity of public money was a stark reality of the period. However it was not as money-saving as expected. It seems that in many of the forts garrisons were retained as accustomed at least for some years.⁶ Expenditure on maintenance and repairs only was saved. The decision to dispose of the inland forts indicates presumably a confidence that there was less danger from insurrection than invasion.

There is no immediate subsequent evidence for the state of Cloughowter. Charlemont appears to have been kept in good repair after it was granted to Caulfield.⁷ One irregularity was condoned

1. Cal. pat. rolls Ire., Jas I, pp.562-3. 2. *Ibid.*
3. *Marsh's Library, Dublin*, 23. 2. 6, no 60.
4. Cal. pat. rolls Ire., Jas I, pp.586-7.
5. See *ibid.*, p.572; *Marsh's Library, Dublin* 24. 2. 6, pp.618-9; *P.R.O.I., Lodge Records of the Rolls*, v, 52-3.
6. *N.L.I., Rich Papers MS 8013/1* (establishment of 1622); *P.R.O. S.P. 63/237 ff.34-5^v* (Cal. S.P. Ire., 1615-25, pp.405-6) (establishment of 1623); Cal. S.P. Ire., 1625-32, pp.195-9 (establishment of 1626).
7. *B.M., Add. MS 24,200*, p.37: 'The state of the forts in Ireland ... in 1624'. This report by Pynnar refers to 'the late lord Caulfield' and so was probably written after his death in 1627.

in the case of Moyry. In 1623 Smith sought permission from the deputy to settle the lands on his son-in-law. The person concerned, a certain Charles Brennan, was a native Irishman and had paid £200 to the suppliant. Falkland and the council granted the request, Brennan being conformable in religion and known to be 'of very honest and civill carriage having been bred from his youth in and about the citty'.¹

In 1622 permission was given for enlisting Irish in foreign service. In May and June the king gave permission for recruiting in Ireland on behalf of the king of Spain for service in Flanders, by five captains of Irish or old English descent.² The activities of one of these, John Maguire, in Ulster caused apprehension. Falkland reported on October 1 that he 'loitered' in Ulster and did not control his men 'whereby spoils and robberies were frequently committed, and the good subjects grieved and terrified'.³ He was himself 'spying, prying, and riding' in Fermanagh, Monaghan, and Donegal 'and other countries', making contacts with 'all the principal and dangerous persons'.⁴ The deputy placed restrictions on his actions and he left Ireland in the spring of 1623.⁵ The affair had no serious consequences, but it maintained contacts between the native Irish in Ulster and emigré Irish on the continent.

Apart from seasonal violence which in these years caused apprehen-

1. Marsh's Library, Dublin, Z3. 2. 6, no 60.
2. Acts Privy Council, 1621-23, pp.233, 271; Cal. S.P. Ire., 1615-25, p.363; B. Jennings (ed.), Wild Geese in Spanish Flanders, pp.27-8. This was recommended by commissioners in 1621 (Cal. S.P. Ire., 1615-25; pp.328-30).
3. P.R.O. S.P. 63/236 ff. 201-2^v (Cal. S.P. Ire., 1615-25, pp.393-4).
4. *Ibid.*
5. P.R.O., S.P. 63/236 ff.215-16^v; /237 ff. 1-2 (Cal. S.P. Ire., 1615-25, p.398).

sions for the security of the 'inhabitants of the plantations'¹ Anglo-Spanish relations produced a heightening of tension which affected Ulster, though it is difficult to give it a locational reference. Anglo-Spanish marriage negotiations, commenced early in 1623, caused apprehension in England but encouraged catholic Ireland. Early in 1623 disaffection in Londonderry provoked government intervention.² It was not limited to Derry, however, and in July Falkland reported that in the planted areas of Ulster and Leinster the settlers were disheartened 'being continually terrified and oppressed with burglaries, robberies and outrages'.³ The matter was the more serious, he felt, because of the general poverty and absenteeism amongst the planters.

In Armagh only one case of terrorism comes to light. Four O'Neills captured a certain Sir Benjamin Thorneborough near Armagh at easter 1623 'and carried him away to the woods'. They offered to release him in return for a pardon. However the government took energetic action, procured his release, and banished his captors 'to the service of foreign parts' for seven years.⁴

In Cavan and adjacent areas the implications of the proposed match were being drawn. In October Sir Hugh Culme reported that an assembly of twelve friars in their robes had taken place in the town of Cavan attended by at least 2,000 people - doubtless an exaggerated figure - 'to the terror of the poor English that dwelt in those

1. Ibid., ff.201-2^v (ibid., pp.393-4) Deputy and council to privy council, 1 Oct. 1622.
2. T.W. Moody, Londonderry Plantation, pp.212-15; Cal. S.P. Ire., 1615-25, pp.428-9.
3. P.R.O., S.P. 63/237 ff.91-91^v (Cal. S.P. Ire., 1615-25, p.423).
4. Ibid., ff.45-5^v (ibid., pp.407-8).

parts'.¹ The deputy, aware that such meetings were common 'out of confidence of the match', stated that he would make every effort, however difficult, to suppress them.²

The failure of the marriage negotiations in October 1623 heightened rather than alleviated apprehensions. There were now fears of invasion,³ and 'the destruction of the plantations and the restitution of all men to their lands again'.⁴ Fears that a Spanish invasion was imminent and would aim at Ulster were expressed in the following years:

the north is the place most to be feared, where the counties of Tyrone and Tyrconnell bordering upon Londonderry is most affected by their chiefs, which places with the rest of the escheated counties and ... Antrim should be well⁵ provided with armed and trained soldiers to resist them.

Inland counties, as Armagh and Cavan, did not pose the particular problems associated with invasion however there were some unsettling rumours current between the end of 1623 and 1625. In January 1624 a settler farmer in Cavan deposed before a justice of the peace that a friend 'one Humphrey Welch' who had moved to neighbouring Leitrim had during a visit affirmed that it was 'reported by the Irishe in that place ... that the earl of Westmeath [previously baron of Delvin

1. Ibid., f.124. Capt. Arthur Forbes who had land in Longford and who had married the widow of Sir Claud Hamilton reported a similar meeting at Franard and stated that if they recurred 'if God would give him grace he should make the antiphonie of their mass be sung with sound of musket' (Ibid., f.125).
2. P.R.O., S.P. 63/238 Pr 1, ff.11-12^v (Cal. S.P. Ire., 1615-25, pp.455-6); /237 f.122 (Ibid., pp.432-3).
3. In March 1624 Annesley wrote to Sir Edward Conway that 'the breach of the match with Spain and the likelihood of troubles to ensue thereupon is the received belief of the discontented multitude of the kingdom' (Cal. S.P. Ire., 1615-25, pp.473-4).
4. P.R.O., S.P. 63/237 f.122 (Cal. S.P. Ire., 1615-25, pp.432-3).
5. P.R.O., S.P. 63/238 pr. 2, f.55 (Ibid., pp.510-11).

and a Cavan landowner] should be the king of Ireland'.¹ However Westmeath protested his loyalty, and (despite Falkland's suspicions of him and the earl of Antrim with whom he had marriage ties)² Welch, 'one singular baggage fellow'³ was taken prisoner and confessed that he had spoken 'much to the wrong' of Westmeath.⁴

There was a further report of a rising current at Belturbet at this time. A young boy living in or near the town was warned to secure his safety 'for before Mayday [1624] thou shalt see that the English are destroyed for there is help coming'.⁵ In Belturbet there was a particular scare, one of the constables of the town having been warned to 'set a strong watch for there will presently be a rising'. The rector in a letter of April 17⁶ to Charles Waterhouse, probably the chief officer, urged him to bring gunpowder, there being very little available in the town 'and that which is the Irish send to buy it up'. There is no evidence of this kind for apprehensiveness in Armagh.

Throughout the province provost marshals and others remained active and characteristic techniques for the preservation of order were employed.⁷ However the situation remained one merely of emergency even after war between England and Spain broke out when the humiliated suitor became king as Charles I.

As a result of the fear of invasion, however, it was decided

1. P.R.O., S.P. 63/238 pr. 2, f.112.
2. Cal. S.P. Ire., 1615-25, p.476.
3. Ibid., p.485.
4. P.R.O., S.P. 63/238 Pr 2, ff.136-6^v (Cal. S.P. Ire., 1615-25, p.482).
5. Ibid., ff.129-30^v (ibid., pp.479-80). 6. Ibid.
7. A letter from William Caulfield, Sir Toby's brother, to Falkland, 15 April 1624 is of interest with regard to the methods used in Tyrone (B.M., Sloane MS 3827, ff.41-2).

in the summer of 1624 that 2,500 soldiers, referred to as the 'new levies' for Ireland should be sent over from England.¹ The special needs of Ulster 'which lies most open to foreign invasion and where the inhabitants are most rebellious' were recognised when in April 1624 Sir John Burchier recommended the erection there of two new coastal forts.² In 1624 also, the council of war in London regretted the alienation of the inland forts and directed that men should be sent whenever necessary to secure them 'though in private hands'.³ They also recommended the building of a 'smale skonce at the four mile water not far distant from the castle of the Moyrie' at a cost of £200.⁴

It was felt also that the Ulster colonists should be provided with arms at their own expense and that 'all the able and unsuspected persons' be enrolled, mustered, and trained. It was suggested that a captain 'of prime quality' with subordinate officers should be appointed superintendant of the planted counties, his fees to be locally raised, to train the 'enrolled soldiers' and lead them in time of danger in association with the regular army.⁵ It was with such plans - for the expansion of the army and the revival of the muster in Ulster - and the fears that inspired them that the reign of James I ended.

1. P.R.O., S.P. 63/238 Pr.2, ff.57-63, 64-70 (copy), 72-2^v (abstract) (Cal. S.P. Ire., 1615-25, pp.511-14). At this time the army in Ireland consisted of 1,350 foot, 400 horse and a small number of warders in forts (A. Clarke 'The Army and politics in Ireland' in Studia Hibernica, iv, 28-9). See also T.W. Moody, Londonderry Plantation, p.216.
2. P.R.O., S.P. 63/238 Pr 2, ff.124-5^v (Cal. S.P. Ire., 1615-25, p.479).
3. *Ibid.*, ff.62-3 (*Ibid.*, p.512).
4. *Ibid.*
5. *Ibid.*, f.55 (*Ibid.*, pp.510-11).

II The inquiry of 1622

In 1618, as we have seen,¹ it was in effect recognised that the removal of the native Irish from undertakers' lands was unlikely to be effected, and therefore that their presence should be penalised and seen as a source of petty government revenue. In April 1619, by which time Pynnar's survey had indicated beyond doubt their general presence,² the king appointed Edward Wray, a groom of the bed-chamber, to be collector of all the fines of the Irish in Ulster for seven years paying an annual rent of £100.³

If this decision reflected a realistic new departure in government policy, it was but one aspect of that policy the other side of which concerned the undertakers themselves. On September 8 the king indicated⁴ that although many of them had forfeited their estates by breach of conditions, all would be granted new patents if they would double their rents and pay fines to be agreed on between them and the deputy. The new patents were to remedy defective title and would not release them from performance of their conditions. If they refused the offer they could expect the 'extremetie of the law'. These two decisions form an important stage in the development of government policy, but there were to be subsequent refinements, and some years passed before new patents were taken out.

In 1620 attention was turned once again in England to the

1. Above, pp.173-4.
2. Though the report was not despatched to England until May 7 (Cal. S.P. Ire., 1615-25, pp.247-8).
3. Ibid., p.244; Cal. pat. rolls Ire., Jas I, p.443; T.W. Moody, Londonderry Plantation, p.191.
4. Marsh's Library, Dublin, Z4. 2. 6, pp.420-1.

plantation.¹ On November 9 the Irish committee of the privy council reported to the king on a petition referred to them by a deputation of the Ulster planters.² Sir James Craig and Sir John Fishe appear to have made up the delegation and though the petition has not survived it was probably the same as that presented to the commissioners of inquiry by Craig in 1622.³ It stated what in fact were Pynnar's figures for the numbers of castles and bawns built and added that there were 30,000 British planted whereof 8,000 could bear arms. But it also asserted that twenty-three undertakers had sold their estates through the rigour of the conditions, and asked that in new patents they might retain Irish labourers on half of each estate in return for a doubling of rents. The committee recommended that, while disapproving of alteration of the articles of plantation, they would permit such Irish as were conformable and would take the oath of supremacy to be tenants of one-fourth of the undertakers' proportions. Should they demise more than this proportion to Irish they should forfeit the profits of such land for the time it remained in Irish occupation. No undertaker or British tenant should retain in his house any Irish servants except two for each plough used in tilling, though they might also hire masons, hedgers, ditchers, and other labourers if conformable. The undertakers were allowed until 1 May 1622 for the removal of the Irish to the segregation area on each estate. Provision was to be made for the taking of the oath of allegiance by tenants. It was also suggested that 'these favours' should

1. In June St. John was instructed to take particular care of its administration (Cal. S.P. Ire., 1615-25, p.287).
2. P.R.O., S.P. 63/236 ff.19-19^v (Cal. S.P. Ire., 1615-25, pp.322-3).
3. N.L.I., Rich Papers 8014/3: Plantations, 11 May 1622.

only be accorded to those who had built and planted as required and withheld from others until they had done so.

In February 1621 the lord keeper directed the attorney-general on royal instructions to draw up a warrant on these lines as the basis of all regrants.¹ On July 27 the privy council considered the matter, deciding that the king should be advised to take no action until a further survey of the plantation had been carried out.²

It was against this background of a changing government policy that a new and comprehensive survey of the plantation was carried out in 1622. At the same time Grandison was recalled as deputy, and Falkland appointed in his place. In 1621 commissioners, mostly members of the Irish council, had reported on the 'grievances of the realm of Ireland'.³ As to the plantations they recommended that all absentee undertakers should be required to live on their estates and build and plant, otherwise their profits should be seized. Nonetheless Ulster grantees should not be discouraged by any granting away of their lands as concealed or defectively held, and the king was requested to confirm their titles if they so desired. The change in deputy was now availed of to appoint a broadly-based commission to inquire into the entire state of Irish political and religious life.

The commissioners, appointed in March,⁴ were twenty in number, about half high Irish officials and the others prominent men sent from England. Early in April they began work in Dublin, where they remained

1. P.R.O., S.P. 63/236 f.19^v (endorsement).

2. Acts Privy Council, 1621-3, pp.28-9.

3. P.R.O., S.P. 63/236, ff.41-6^v, 47-9^v, 50-1^v (abstracts) (Cal. S.P. Ire., 1615-25, pp.328-30); B.M., Harleian MS 3294, ff.19-25.

4. Cal. pat. rolls Ire., Jas 1, p.549.

actively until the end of July, and they were dissolved on November 19.¹ They devoted one day in the week to plantations,² requiring reports from government officials of whom the surveyor, and attorney-general, the auditors, and the clerk of the council were particularly taxed.³ In this way a body of detailed information was systematised for the first time. They acquainted themselves with proprietors' names, their conditions, bonds, and covenants, and studied previous surveys particularly Pynnar's.⁴ They dealt with agents and individual petitions, received deputations from the planters as a whole, and made orders and decisions. They familiarised themselves with the amounts of glebe and termon and errenach lands, and ex-monastic land in some cases, as well as the details of revenue and lists of rent arrearages.⁵ They were thus well equipped to conduct a perambulation of the plantation. Some of their proceedings may be discussed here, particularly those concerning our area.

Statistics of annual revenue from Ulster were assembled. The 'certain rents', those which were beyond doubt payable, from Ulster stood at £4140. 5. 0. in 1615 and had been raised by 1621, though grants of concealments and the like, to £4450. 1. 7.⁶ 'Doubtful rents' in 1621 stood at £64. 5. 0.⁷ These were largely from grants

1. Exeter College, Oxford MS 95, p.137; P.R.O., S.P. 63/236, f.211; Cal. S.P. Ire., 1615-25, pp.345, 396; B.M., Add. MS 36,775, f.279.
2. Exeter College, Oxford, MS 97, pp. 3, 35.
3. Ibid., passim.
4. N.L.I., Rich Papers, 8014/2: Rich's notes, April 18.
5. N.L.I., Rich Papers, MSS 8013, 8014 passim; Exeter College, Oxford, MS 95, passim.
6. These figures are taken from B.M., Add. MS 18,022, f.38^v. A list in N.L.I. Rich Papers 8013/6 is £100-200 higher for the later years. However three other documents in Rich Papers 8013/3, 6 support the lower figures.
7. N.L.I., Rich Papers MS 8013/3.

pre-dating the plantation, for example of tennon lands, or from small concealments. 'Good arrears' in 1621, that is the sum arising from individual failures to pay 'certain rents' had accumulated to £1342.

9. 5.¹ The income from the fine on natives introduced in 1619 was noted,² as also the income, £100 per annum,³ arising from the fine imposed on the Irish for the native custom of ploughing by the tail. This practice in Ulster was first penalised in 1606, from 1612 a fine of 10/- per plough was levied, and its collection farmed at £100 per annum.⁴ Statistics for Armagh and Cavan may be presented as follows. They were not assembled in a totally systematic manner but the following table presents them, where available, under the same headings, for 1620 and 1621.

	1620	1621
<u>Armagh</u>		
'certain rents'	440. 17. 11 ⁵	
'good arrears'	73. 0. 8 ⁶	67. 2. 5 ⁷
'doubtful rents'	2. 0. 10 ⁸	
<u>Cavan</u>		
'certain rents'	773. 5. 1 ⁹	
'good arrears'	63. 19. 2 ¹⁰	193. 4. 1 ¹¹
'doubtful rents'	41. 10. 1 ¹²	

1. *Ibid.*, 8013/6 A statement in 8013/3 places this at £1272. 16. 11.
2. *Ibid.*, 8013/6; B.M., Add. MS 18,022, f.38^v.
3. *Ibid.*
4. T.W. Moody, Londonderry Plantation, pp.342-3.
5. N.L.I. Rich Papers 8013/6.
6. *Ibid.*, 8013/4.
7. *Ibid.* There is some doubt as to the year to which this figure applies.
8. *Ibid.*
9. *Ibid.*, 8013/6.
10. *Ibid.*, 8013/4.
11. *Ibid.* There is some doubt as to the year to which this figure applies.
12. *Ibid.*

The lists from which the arrears figures have been computed indicate that on the whole it was the native Irish grantees or old English landowners who were most prevalently in arrears, though cases of land which had changed hands rapidly also feature, hence sales had affected the income of the crown as well as the progress of the plantation. Thus in Armagh arrears are listed in the cases of Art McBaron O'Neill, Henry McShane O'Neill and others of that name as well as O'Hanlon and other Irish grantees. In Cavan we find old English proprietors in the same position. Lord Aubigny had rent unpaid as well as Peter Ameas and Sir James Craig. Rent for fairs and markets was due from the burgesses of Cavan and the archbishop of Armagh. It is not surprising in view of pre-plantation charge there that 'doubtful rents' from Cavan accounted for two-thirds of the Ulster total.

The commissioners found that some Ulster sheriffs had not accounted,¹ though also that the legal system for Ulster and Leinster was more efficiently administered than for the other two provinces.² They found that money had been collected in Cavan by Sir Stephen Butler towards building a sessions house.³

The commissioners' presence in Ireland also gave opportunity for the rehearsal of grievances. On July 3 the 'natives' of Cavan presented a petition about termon land which 'came to nothing' by the upholding of the 1610 decision that this should become episcopal property.⁴ At about the same time Conn McShane O'Neill and Sir Connor

1. Ibid., 8013/4.

2. Ibid., 8013/3.

3. Ibid., 8014/5: Rich journal notes, July, October, November. In Fermanagh Sir William Cole had collected £500 or £600 for this purpose (ibid.).

4. Ibid.

Maguire (both grantees in Fermanagh) sued for the removal of the imposition on ploughing by the tail.¹ The commissioners, however, felt that 'so barbarous a custome' was without justification. Against the assertion that English methods were impracticable they posited the practice of Sir James Hamilton in Cavan of ploughing by placing three or four horses with 'English traces' one before another. However they felt that the best way to eradicate the custom was that the sheriffs should break ploughs used in the Irish manner rather than have fines imposed. They felt that preventive or remedial measures were preferable to penalising but permitting the practice.²

A number of individual grievances were also submitted. Thus Sir Turlogh McHenry O'Neill petitioned for five 'parcels' of land in the Fews.³ A petition from Sir Thomas Ashe was commended to London immediately after the commissioners' dissolution.⁴ He claimed that he had received a grant of lands in Cavan from queen Elizabeth⁵ which he had surrendered to accomodate the plantation scheme. He claimed that St. John had made a compensation order for him, but this had not been fulfilled and he petitioned for recompense in the 'new plantations'.

The most serious problem with which the commissioners were confronted was the question of new patents for the undertakers and requiring a related recommendation on the conditions of the Irish inhabitants on undertakers' lands. On April 26⁶ Sir James Craig and

1. Ibid.

2. Ibid., 8014/5 : 'heads of the king's casual revenues'.

3. Ibid., 8014/5 : Rich notes July 5 (difficult document).

4. P.R.O. S.P. 63/236 ff.213-14^v (Cal. S.P. Ire., 1615-25, p.396).

5. See Cal. plants Ire., Eliz., no 5736.

6. Rich had made notes on the problem as early as April 18 (N.L.I., Rich Papers, MS 8014/2).

7. P.R.O., S.P. 63/236 ff.144-5 (Cal. S.P. Ire., 1615-25, pp.356-7).

Sir John Fishe were requested to appear before them with evidence to support the petition they had presented to the king on this matter in 1620.¹ On May 11 Craig represented the proposals.² It was admitted in discussion that it would be impossible to 'rid out' the Irish, but it was felt that they should be confined to one-fourth part of each estate. There was also doubt as to whether the planters' agents were adequately empowered to negotiate.³ Discussion was resumed on May 18 when both Fishe and Craig appeared, and while there was still doubt as to their competence they showed signed authorisations from the owners of all but 20,000 acres who had not yet been consulted.⁴

By the end of May the commissioners had reached a decision,⁵ and on June 22 they submitted their proposals to the undertakers,⁶ a copy being sent to London at the same time for approval.⁷ In essence they accepted the scheme proposed by the Irish committee of the privy council in 1620. They agreed that one-quarter of each undertakers' estate should be 'sett out' for the Irish, who if possible should be made to dwell together in segregated communities. Only those Irish who were conformable in religion, wore English clothing, ploughed after the English manner, and would undertake to bring up their children 'in learning' or to some trade or husbandry were to be accepted as tenants in this area. Such 'receaved' tenants were to have tenures for twenty-one years or three lives, and should enclose the fourth of fifth part

1. Exeter College, Oxford MS 95, p.18; N.L.I., MS 8014/2.
2. N.L.I., MS 8014/3: Rich's notes, May 11. 3. Ibid.
4. N.L.I., MS 8014/3: Plantations, 18 May 1622; P.R.O. S.P. 63/236, ff. 160-1^v (Cal. S.P. Ire., 1615-25, pp.357-8).
5. Exeter College, Oxford MS 95, p.57; N.L.I., MS 8014/3: Rich's notes, May 24.
6. N.L.I., MS 8014/7: Propositions made by the commissioners to the undertakers.
7. P.R.O., S.P. 63/236 ff.160-3^v (Cal. S.P. Ire., 1615-25, pp.356-8).

of their profitable land, or so much above that as was demanded of them by commissioners to be appointed for this purpose. For lands granted to Irish for a term of under twenty-one years the undertaker was to pay a fine of 10/- per family and forfeit the land for that time and any land granted to Irish for over twenty-one years was to forfeit unconditionally. These recommendations were embodied in the report.¹

The commissioners did not make any firm recommendations as to the rents and fines to be paid following on regrants. In the letter to the privy council of June 22, however, they advised that the undertakers should be dealt with 'gentle and fayrelle' and their new patents not laden with severe penalties for breach of conditions which could too easily be 'drawne into some subject's hands' and so be 'vexatious' to the planters. They should be required to treble their rents on the basis of the existing estimates of their acreages, suggesting that the undertakers would accept such terms rather than 'hazard' the outcome of a new measurement. A concomitant of the new arrangement, and one which would be demanded by the undertakers, would be the recall of Wray's patent and the termination of the penalties levied under it.² The absenteeism of Ulster planters was also criticised sharply, the commissioners stating that this must of necessity 'debilitate' the strength of the colony, and pointing out that the consequent drainage

1. B.M., Add. MS 4756, f.118^v. Commissioner Rich appears to have seen the segregation arrangement as in itself only temporary. He felt that as at that moment there were said to be forty Irish to one English on the estates, the undertakers should be bound to bring in a certain number of British tenants each year, and as these increased the Irish to be excluded. He also advised that the servitors should be required to have British tenants on a fourth part of their estates (N.L.I., MS 8014/3: Notes, May 18). However these opinions were not embodied in the report.
2. P.R.O., S.P. 63/236 ff.160-61.^v Wray's position was commended to Falkland in November (B.M., Add. MS 36,775 ff.179^v-80).

of money from Ireland 'must be noe smalle detriment to the realme'.¹

The next and final stage of the commissioners' work on plantations, turned to at the end of July, was to carry out an estate by estate survey. They received permission to do this in small groups provided that the report was made a joint responsibility.² These spent August viewing their allotted areas, being provided with instructions and memoranda,³ and also receiving certificates from the planters which appear only to have survived for Armagh and Tyrone.⁴ In Ulster each group was allocated two counties to examine. Three commissioners were concerned with Armagh, Caulfield, Sir Dudley Digges, and Sir Nathaniel Rich. While Caulfield was a landowner in the area, neither Digges nor Rich, both of whom had come from England, had local vested interests. Rich is of special interest because so many of his papers have survived.⁵ He was a businessman with legal training who sustained an interest in Irish affairs as a member of the standing commission on Irish affairs set up by the privy council in 1623.⁶ The commissioners for Cavan were Sir Francis Annesley and Sir James Perrot. The evidence assembled is examined below along the lines applied to earlier surveys.

In Oneilland as elsewhere the information available reflects the thoroughness of the inquiry. Two estates had in effect changed hands since Pynnar's survey. Heron sold his estate to Sir John Dillon,

1. Exeter College, Oxford, MS 95, p.79.
2. P.R.O., S.P. 63/236 ff.159-9^v (Cal. S.P. Ire., 1615-25, p.356).
3. N.L.I., Rich Papers, 8014/7.
4. N.L.I., Rich Papers, 8013, 4.
5. *Ibid.*
6. V. Treadwell 'The survey of Armagh and Tyrone, 1622', in U.J.A., 3rd ser., 23 (1960), 127-8.

a newcomer to Ulster proprietorship who was probably not old English, on 25 March 1621¹ and Rolleston who had mortgaged his estate to Sir Francis Annesley in 1618 had not recovered it in 1620 when the sum involved was due to be repaid.² Both clerical undertakers in Armagh had now relinquished control of their estates. Two of the nine owners, St. John and Obbyns, the latter then 'a prisoner in England', were non-resident.³ Annesley was also absentee but Rolleston resided on the estate.⁴ Stanhowe, who had been a persistent absentee, was now resident.

It is clear that trends evident in 1619 had not changed. The weaker undertakers then had not substantially improved their position in the interval. Thus on the Rolleston estate the commissioners noted that the buildings were 'as in Pinner's survey but decayed'.⁵ Stanhowe, who had pleaded the extenuation of legal difficulties in England and was also at law with Sir John Dillon⁶ had made 100,000 bricks but had erected no stronghold.⁷ The building requirements of St. John (now Lord Grandison), John Dillon, Sir John Dillon, and Sacheverall had also not been fully fulfilled.

The buildings generally show that the planters had not all adhered very closely to the required pattern. The commissioners found no more than four bawns,⁸ though on all estates except Stanhowe's, dwelling if not defended structures had been erected. Brownlow had

1. Inq. cancell. Hib. repert., II, Armagh (5) Chas I.
2. Below, p. 290.
3. B.M., Add. MS 4756, f.108^v.
4. *Ibid.*
5. N.L.I., MS 8014/8: commissioners noted on Obbyns, Stanhowe, and Annesley estates.
6. *Ibid.*
7. B.M., Add. MS 4756, f.108^v.
8. This must throw some doubt on Pynnar's figure of nine.

replaced his ad hoc bawn of 1618-19 with one of the required type,¹ but this was a unique compliance. Cope had a 'strong house' of substantial dimensions² as well as a bawn with inhabited flankers elsewhere. However many of the planters were living in smaller houses than had been expected.³ Some were of brick, some of timber, some thatched. On John Dillon's estate the manor house was unfinished. The commissioners advised that he be pressed to complete it 'which being done will be a very good plantation'.⁴ Sacheverall had leased his house and bawn and some land to the Scottish Sir Archibald Acheson who had placed a tenant there,⁵ and had almost completed an alternative dwelling for his own use.⁶

The most notable change since Pynnar's time was the expansion in the size of the colony. By the most rigidly conservative calculation there were some 402 families of tenants present. This figure had been arrived at by examining the certificates of the undertakers and earlier drafts of the commissioners' report. In some cases the commissioners'

1. B.M., Add. MS 4756, f.108.
2. See E.M. Jope, 'Moyry, Charlemont, Castleraw, and Richill: fortification to architecture in the north of Ireland, 1570-1700' in *U.J.A.*, 3rd ser., 23 (1960), 103-4.
3. In two cases, those of Grandison and Annesley, these were described as 'small' by the commissioners.
4. P.R.O., Manchester Papers, 30/15/2/202a. His certificate describes the house as it then was: 'Upon this proportion is erected a bricke house 72 ft. in length within the house and 20 in breadth to which is added on the northside 27 foot in length and 20 in breadth, on the southside a porch 12 ft. more from the bottom to the top at each end a great cant window to the top of the house all the windows of freestone 2 stories, the rest of bricke the foundation of stone 3 foot and $\frac{1}{2}$ thicke to the grounde table the rest of strong brick 3 foot broad in the top of the house w^{ch} is 40 foot high and hath 3 cornishes of freestone about the house and battlements ready. The house is not yet covered' (N.L.I., MS 8014/8).
5. N.L.I., MS 8014/8: Sacheverall's certificate.
6. B.M., Add. MS 4756, ff.108^v-9.

scrutinisations of the certificates, revealed in marginal notes by Rich, showed that some people claimed as tenants were absentee or departed who were nonetheless listed in the final report. In arriving at the number 402 the higher figures have been discounted in the light of the other evidence. The commissioners however generally did not give the number of adult males. The report ascribes 160 men to Brownlow,¹ his certificate revealing 91 families.² John Dillon whose 51 families were accepted by the commissioners³ claimed in his certificate that these contained 'no less than 300 persons ... and 100 of these all able men to do service'.⁴ These figures would place the number of adult males per family in the range of 1.8 to 2. Sir John Dillon's certificate has a special value here in that it was presented in tabular form with 39, or almost all of his families sub-divided into men, women, and children.⁵ These 39 families contained 69 men or on average 1.77 men per family. The average family size was 5.46 persons, each family containing on average 2.08 children.⁶ If one assumes the number of males per family to be in the range 1.75 to 2, the number of adult males in the barony can be suggested as lying between 700 and 800. The smaller figure or one of slightly less may perhaps be taken as the more accurate because some tenants sometimes held under more than one landlord.

1. Ibid., f.108.
2. P.R.O., Manchester Papers, 30/15/2/183.
3. B.M., Add. MS 4756, f.109.
4. N.L.I., MS 8014/8: certificate of John Dillon.
5. Ibid., /9: certificate of Sir John Dillon.
6. These figures indicate that colonial family sizes in Ireland were similar to those pertaining in England. See P. Laslett and J. Harrison, 'Clayworth and Cogenhoe' in H.E. Bell and R.L. Ollard (ed.), Historical Essays, 1600-1750, presented to David Ogg, pp.157-184, and P. Laslett, The World We Have Lost, passim.

This is a remarkably high figure, representing about a 75% increase since Pynnar's inquiry. The colony, however, was by no means evenly distributed. Brownlow, Sacheverall, and Cope had the largest numbers. As to Stanhowe the report stated that there were 'not above four Englishmen on the land but it is generally inhabited with Irish as on the last survey',¹ while a preliminary draft referred to six tenants of whom three were noted as absentee, one living at Dungannon and another at Benburb.² Irregularities in the granting of leases were noted for Obbyns, 'a poore man',³ and Sir John Dillon.

The report and attendant documents allows of more comment on the Oneilland colony than had been derivable from previous surveys. Brownlow's submission indicated that his village of Lurgan consisted of 47 houses occupied by a variety of artisans and other many of whom also held small holdings of land.⁴ On the estate where there were 46 British tenants, there were one cooper, one glover, one shoemaker, three carpenters, three weavers, two turners, and two labourers with small acreages. The remainder were for the most part defined as yeomen or husbandmen, though a few were gentlemen. All held land, mostly not more than sixty 'acres', the majority having between ten and thirty acres, though some had less. The largest unit was that of a man who held the 'clerkes' house' and 240 acres for twenty-one years. The tenancies were generally for twenty-one or thirty-one year periods.⁵

1. B.M., Add. MS 4756, f.108^v. His certificate claimed eleven people (N.L.I., MS 8014/8).
2. N.L.I., MS 8014/8: commissioners notes on Obbyns, Stanhowe, and Annesley. Other cases of absenteeism of tenants were also revealed, e.g. one of Sacheverall's freeholders lived at Drogheda.
3. N.L.I., MS 8014/7: statement on planters by Craig and Fische, 18 May 1622.
4. Below, p. 397.
5. Though see below, p. 416.

It was stated that some lived in little groupings of 'four or five houses together'.¹ Evidence of the types of tradesmen present is also available for Cope's estate. The report refers to 'sundry cottagers of occupations',² and amongst those listed in his certificate as undertenants were a shoemaker, a chandler, and two smiths.³

John Dillon's certificate throws light on the structure of his estate.⁴ He had 16 balliboes of which 4 were 'layed out' as demesne and the remainder held by tenants. Of these there were 44, though one had 7 undertenants,⁵ making a total of 51 families. There were 3 freeholders holding a balliboe each of £2 per annum. The others were tenants for three lives and occupied the remaining nine townlands. In one case as many as 11 held a balliboe and paid rent totalling £17. 0. 8. Otherwise the numbers per balliboe ranged from one to 6, with only one balliboe held by an individual tenant apart from the freeholders. The total rent paid was £80. 16. 0. Dillon claimed that his tenants were each enjoined by lease to provide themselves with a musket, a pike, a sword, and a dagger. He asserted that he had no Irish tenants - a claim not inconsistent with the presence of Irish in other capacities, though the commissioners reported that there were 'few or noe' Irish on the proportion.⁶

The commissioners findings on the presence of Irish in the barony may be summarised as follows: Brownlow, 24 families; Grandison, 8

1. P.R.O., Manchester Papers, 30/15/2/183.
2. B.M., Add. MS 4756, f.108.
3. N.L.I., MS 8014/9: certificate of Anthony Cope.
4. N.L.I., MS 8014/8: certificate of John Dillon.
5. Two of Cope's freeholders had each ten undertenants (N.L.I., MS 8014/9).
6. B.M., Add. MS 4756, f.109.

families; Obbyns, 18 families; Cope 40 families; Annesley, 12 families; Stanhowe, 24 families; Sacheverell, 49 families; John Dillon, 'few or noe Irish'; Sir John Dillon, 19 families. Sacheverell claimed to have on his estate 15 Irishmen, servants and ploughmen, 'which are conformable and have taken the oath of supremacie', but Rich in a marginal note denied the conformity of 10 of these.¹ An Irishman living in Lurgan was stated to be conformable.² As to Stanhowe's estate the commissioners noted that it was 'generally inhabited with Irish as at the last survey'.³ However while the overall increase in the size of the British colony must have caused a depression in status for the Irish, it is evident that on no estate had their presence been found dispensable. The armed preparedness of the colonists is only sometimes referred to in the report. In the Fews the picture is less fully drawn. There had been no ownership change. Sir Archibald Acheson, though not his brother, was resident, and John Hamilton did not live in this county. Sir Archibald had 132 families of tenants, his brother 26, and Hamilton 66, totalling 224, and suggesting a male colony of about 400 or almost a 50 increase on the 1619 figure of 285.

The commissioners' examination of the undertakers' certificates revealed irregularities in the structure of the colony. Doubt, in particular was cast on the freehold status of people so claimed, though these claims were accepted in the final report.⁴ The five freeholders Sir Archibald Acheson listed were eroded as follows:

1. N.L.I., MS 8014/8; Sacheverell's certificate.
2. P.R.O., Manchester Papers, 30/15/2/183.
3. B.M., Add. MS 4756, f.108^v.
4. Deductions in numbers claimed were made where necessary.

'a child of twelve years son of Sir Archi', 'gone into Scotland and sold', 'he lyyves not there but at Clogher and setts the land to poore men' 'no such', 'gone into Scotland two years ago and never known to be a freeholder'.¹ His brother's claim was similarly discredited.² It was noted with regard to two leaseholders that 'this Sr. Ar. will not suffer him to enjoy quietly'.³ In general the structure of the Acheson estates was unsound. Of 132 tenants to Sir Archibald 120 were designated as cottagers.⁴

However, given these criticisms, the increase in the colony was considerable. Evidence of tradesmen and artisans is once more available from the certificates. On Henry Acheson's estate there was a 'merchant'. For his village of Clancarny - Markethill - Sir Archibald listed 36 householders, one 'an Irish man and goes not to church'.⁵ There were two mills. The commissioners while criticising Sir Archibald for having no freeholders felt that 'otherwise he hath planted very well'.⁶

Sir Archibald Acheson's edifice received the commissioners' approval as 'a convenient dwelling house ... environed with a bawn'.⁷ On the other proportions the buildings were found inadequate. Henry Acheson had a bawn of substantial proportions but it had neither gate nor house and was 'of no use in regard it [was] so ill built'.⁸ As

1. N.L.I., MS 8014/9: certificate of Archibald and Henry Acheson, 7 August 1622.
2. *Ibid.* One it was noted had been already listed as constable of Sir Archibald's town of Clancarny and was 'not known to be a freeholder', the other was hardly a freeholder since he never appeared 'upon his own charges at assizes and sessions'.
3. *Ibid.*
4. B.M., Add. MS 4756, ff.109-9^v.
5. N.L.I., MS 8014/9.
6. P.R.O., Manchester Papers, 30/15/2/202a.
7. B.M., Add. MS 4756, f.109. His submission to the commissioners provides a detailed description and has been placed in an appendix.
8. *Ibid.*

to Hamilton they commented that 'all his building is soe ill that it is fit for nothing but to be pulled down and re-edified' adding that he had undertaken to do that and then live there.¹

As to the Irish, the report states that on the Acheson estates there were 'noe Irish' [implying no direct tenants], but that occasionally some land was let by landlords or tenants to them for grazing. There were 48 Irish families on Hamilton's lands. The British tenants were armed, and Sir Archibald Acheson listed the following weapons as in his own possession:

Item in the mannor howse there is now fiftye two pykes, twenty five horsemen's staves, twelve musketts, ten callevers, five longe fowleings peaces, two paire of longe rowat worke pistolls, and two paire of shorte snapp worke pistolls, fourteen tergetts, six bowes, two halberts, two two handed swordes, twelve other swords, drum and cullers.²

The servitors in Orior, while resident only in the cases of Pointz and Smith,³ had by 1622 made a decided impact as landlords. Non-residency was mitigated for Grandison and Moore by the presence of English agents. Grandison had at this point purchased Davies's lands⁴ (though the latter was taken as owner by the commissioners and submitted a certificate to them), as well as the concealed land granted to Richard Atherton who was now Grandison's agent.

Grandison's estate, perhaps the most notably developed, indicated considerable advance on the situation deplored by Pynnar. He had built a castle of lime and stone, 'strong and commodious' encompassed with a defended bawn. Within were one faucon, two brass fauconettes, and

1. *Ibid.*

2. N.L.I., MS 8014/9.

3. Smith presumably lived in Moyry fort.

4. Inq. cancell. Hib. repert., II, Armagh (7) Jas I.

arms for forty men. Nearby there was a 'handsome' church and adjoining his house a 'pleasant park', paved around, of three miles 'compass'. There were two watermills, under one roof. His market town - Tandragee - was said to contain 27 houses and the householders as listed contained some four or five Irish names.¹

Pointz, a servitor of decidedly different type, had increased his small initial grant by 'a great quantity of 6 or 700 ac. purchased of the natives'. He had built a 'fair' brick dwelling house surrounded by small domestic enclosures,² besides a bawn and stable. He had eight English families dwelling in a village - Pointzpass - adjoining.³

Buildings, though not in all cases fully finished or satisfactory, existed on all estates save Davies's.⁴ Smith's bawn was unoccupied 'nor [was] it of any use', but the parish minister was a tenant, and had built a 'convenient' dwelling house enclosed with a double quicksett ditch.⁶

The numbers of British in the barony cannot be stated precisely. Davies claimed seven but their bona fides, with one possible exception, was demolished by the commissioners, two having 'gone to Fermanagh', and 'generally all the land [was] planted with Irish'.⁷ On Moore's and Smith's estates there was no more than one British resident

1. B.M., Add. MS 4756, f.109^v; P.R.O., Manchester Papers, 30/15/2/184, 202a.

2. 'An orchard, gardens, yarges, and backsides inclosed with a ditch quicksett'.

3. B.M., Add. MS 4756, f.109^v; N.L.I. MS 8014/9.

4. It was noted that this had been granted without building stipulations in compensation for receiving only the reversion of the land granted to Art McBaron O'Neill and his wife.

5. N.L.I., MS 8014/9; Orier A. 6. B.M., Add. MS 4756, f.109^v.

7. N.L.I., MS 8014/9: Davies's certificate.

each, an agent called Townley¹ and the parish minister respectively.² Elsewhere the immigrant population was more substantial. Pointz was credited with 8 English families.³ A parochial return for the parish of Munterheyney provided lists of people not referred to in the report.⁴ There were at least 22 British families in Tandragee and perhaps others on Grandison's estate because this return lists 29 householders and 5 individuals by name. From Bouchier's estate there were 4 church-going British households. There were 6 British households on Annesley's lands, which were not within the competence of the commissioners. Of 11 families listed for Grandison's proportion as church-going Irish 4 had non-Irish names.⁵ There must therefore have been a colony of some 100 adult males. Some were Scots having probably penetrated from Down.⁶ That movement westward had attractions is indicated by the removal of the tenants from Davies's land.

There is no evidence of any influx of Irish displaced from the neighbouring undertaker baronies. Conformity by some of the original inhabitants appears to have been limited to Grandison's estate, and in the parish of Kilsleeve (including Smith's land) there was 'not one Irish that comes to church', although there were over 1,000 estimated as living in the parish.⁷ The all-over numbers of Irish

1. See Cal. pat. rolls Ire., Jas I, p.582.
2. N.L.I., MS 8014/9. He was 'all the English upon the proportion'.
3. Another source (see footnote below) lists 5 households only including 'an English recusant lately brought to church'.
4. P.R.O., Manchester Papers, 30/15/2/182.
5. *Ibid.*
6. There were five households of Scots on Annesley's lands and one on Bouchier's (*Ibid.*).
7. N.L.I., MS 8014/9: draft of commissioners' report on Orior.

clude definition, though there were 'above' 200 Irish families on Davies's land.¹

In Loughtee Wirrall's estate, mortgaged in 1619, was now owned by Edward Bagshaw who was clerk of the court of wards² and lived at Finglas outside Dublin.³ Otherwise ownership was unchanged. Three of the seven proprietors, Taylor, Butler, and Fishe, were resident, Waldron was in England but 'dayly expected',⁴ Ameas's family was present, and Mainwaring was represented by an agent.

Bawns and houses existed on all estates but presented very diverse images. Fishe's bawn was the most elaborate, being 'a strong round bawne of lyme and stone 8 foot high and 415 foote compasse built upon a rath with a chamber over the gate and a draw bridge'.⁵ However other bawns had marked deficiencies, some being merely made of sods and 'going to decay'.⁶ Houses or castles were equally individualistic. Fishe's was 'strong and handsome', thirty-four feet square and four storeys high.⁷ But they were not all so large, some being only two or two and a half storeys. The Bagshaw house was not yet complete; Taylor's was strategically situated.⁸

The colony had not increased markedly since Pynnar's survey. Butler, who was absent as sheriff on the day of visitation, made no

1. N.L.I. MS 8014/9: Davies's certificate.

2. Cal. pat. rolls Ire., Jas I, p.327.

3. Inq. cancell. Hib. repert., ii, Cavan (1) Chas II.

4. B.M. Add. MS 4756, ff.101^v-2.

5. Ibid., f.102.

6. Ibid., f.101^v (Taylor's bawn).

7. Ibid., f.102.

8. Taylor was the only settler in our area whose place of settlement had been defined for him by the deputy and plantation commissioners as they were empowered to do for the defence of the countryside and for convenience of communications. (Chichester to Taylor, 5 Oct. 1611, Cal. S.P. Ire., 1611-14, pp.140-1; Cal. Carew MSS., 1603-24, pp.23-4).

return for his tenantry. Elsewhere the commissioners found some 370 males resident, including 34 families in Belturbet taken as comprising 60 males. Pynnar found 439, including 139 from Butler's proportion, though excluding the uncounted residents of Belturbet. An approximate 510 may therefore be suggested for the 1622 population. These were not evenly distributed; on the Ameas, Bagshaw, and Mainwaring estates, three which had been subject to ownership change, the colony was very small.

It is evident that the colony had been none too stable and on almost every estate tenants were noted who were absentee or had previously disposed of their lands. Of seventeen freeholders on Taylor's estate, for example, ten were non-resident as also were four of his eleven leaseholders.¹ One of two freeholders on Ameas's estate lived in Dublin and let the land 'wholy' to Irishmen.² As to Fishe's estate it was reported that:

many of the first leases have been passed over from one party to another and ... the tenants have not performed their covenants of buildings and planting with their landlord as by their deeds they are tyed to doe, but some of them have and continue Irish upon the lands, whereof Sir John Fishe complaines; and others doe place poor undertenants upon it at rack'd rents.³

Complaints also came from the tenants. Some of Bagshaw's tenants had 'no deeds to be seen'.⁴ Butler's protested that they could get 'noe reasonable bargains till the Irish be removed'.⁵

On almost all estates the presence of Irish in quantity was

1. B.M., Add. MS 4756, f.101^v.

2. *Ibid.*, ff.102^v-3.

3. *Ibid.*, f.102.

4. *Ibid.*, ff.102-2^v.

5. *Ibid.*, f.102^v.

noted. They either held land directly from the undertakers or subsidiarily from their British tenants. On the estates of Bagshaw, Ameas, and Mainwaring the 'greatest part', or 'much' or 'most' of the land was in Irish occupation.¹

The settlement pattern revealed in 1618-19 of village groups and dispersed dwelling receives confirmation. Only on the estates of Bagshaw and Ameas were clusters of houses absent. Waldron had a village of thirty houses with English tenants close to his own dwelling. This was probably modern Farnham where there is now a county house but no village. In this presumably lived his thirty cottagers, each with a house and 'backside', and 'very good commons for 12 beasts grazeing and 2 acres aplece for tillage'.² On Fishe's estate there were five 'English-like' thatched houses close to his own dwelling,³ probably Stradone, while Mainwaring had a 'smale' village of seven houses not all tenanted. This was subsequently named Moynehall after Mainwaring's successor as owner.⁴ On Taylor's estate there were fourteen English families living near his castle - at Ballyhaise - and the rest of his tenants lived in dispersed fashion.⁵

The amount of arms recorded varied immensely. Ameas's and Bagshaw's tenants had only five swords and five 'peeces' respectively. However Waldron had 'very good arms' and a drum in his house 'besides arms which the chief tenants are bound to keep'. Taylor had the greatest variety with '4 corsletts with head pieces, 12 muskets and

1. *Ibid.*, ff.102-3.

2. *Ibid.*, ff.101^v-2.

3. *Ibid.*, f.102.

4. Below, p. 269. Pynnar had found two villages of ten houses each.

5. B.M., Add. MS 4756, f.101^v.

callivers, 7 pikes and horsemen staves, 2 long bows and 2 sheaves of arrows, and 3 halberts' in his stronghold, while Butler had 'but smale store of arms' but claimed to have distributed them amongst his tenants and others for their safety in the countryside.

On at least three estates agriculture was conspicuously energetic. Waldron and Fishe had English cattle in great numbers, Waldron also having 'very good' tillage and 'inclosures'.¹ There were now seven mills distributed between four estates; five were recorded by Pynnar. Butler had two corn mills and one fulling mill.

In Tullyhunco there had been no sales but the marriage of lady Jane Hamilton, widow of Sir Claud and mother of his minor son, to captain Arthur Forbes from Longford, himself a Scot, must have affected the supervision of the estate, though only his wife and 'her family' were resident at the time of inspection.² Of the other two owners Craig had been 'long' resident and Acheson was represented by an agent. There were now bawns on all estates, of which Acheson's only was criticised as 'already' decaying. The houses were generally substantial, two of four or four and a half storeys, Craig's being again commended as 'strongly builded both for the stone work and tymber work'.³

It appears that there were no more than some 135 males resident, an apparent recession on Pynnar's figure and barely satisfying the required minimum of 144. Many tenants were non-resident and much

1. *Ibid.*, ff.101^v-2. On Fishe's estate there was 'good manurance'.
2. On one of her properties there was resident a substantial freeholder in the bawn called Lowther in the report, but more likely Lawder as he appears elsewhere (Inq. cancell. Hib. report., ii, Cavan (24) Ches I; B.M., Add. MS 4770, f.9^v).
3. B.M., Add. MS 4756, f.103^v.

of the land on all estates was in Irish occupation.¹ Only one village - Killashandra - with twenty British households, on the Hamilton estate, is mentioned.

There were many tenant complaints and there were apparent irregularities. The freeholders of the barony petitioned the commissioners 'as in all other places they did by word of mouth' to be relieved from jury service on the grounds that their freeholds were small and their rents unduly high.² On the Hamilton estate the inhabitants complained that they had expended money in building and planting on promise of freeholds from Claud Hamilton. These promises had been unfulfilled, and now, the heir being a minor, they requested government intervention to secure their titles.³ On Craig's estate most of the tenants had merely 'promises or short notes under Sir James his hand' rather than leases.⁴ Acheson's English tenants protested against ill usage of his agent asserting that some had been deprived of their lands on pretext of forfeiture for letting to the Irish and yet the same lands had been subsequently disposed to native occupiers.⁴

On the Craig estate there was 'good manurance of tillage' and 'great store of cattle'.⁵ Only one mill is mentioned, held by a leaseholder with twelve acres, on the Acheson estate. On all estates the tenants were armed or provision was made for this purpose, but the predominating weapons were pikes and 'half pikes'.

1. As to the Acheson estate, for example, it was noted that 'the most part of this proportion hath always been and is still occupied by the Irish' (ibid.).

2. Ibid.

3. Ibid., f.103.

4. Ibid., f.103^v.

5. Ibid.

Scottish ownership in Clankee was affected by the sale of Sir James Hamilton's estate to Sir Henry Perse (or Piers) in September 1621.¹ Perse himself held the dissolved monastic property of Tristernagh in Westmeath, acquired by his family in 1590,² and was secretary to Chichester in 1607.³ This sale did more than substitute one absentee proprietor for another. Many of the tenants, unwilling to live under the new owner, or discontented with their fortunes in Cavan, or perhaps too closely bound to Hamilton, had by 1622 left the land and returned to Clondeboy 'from whence they came'.⁴ Otherwise the ownership of the barony had not changed. Bailie and John Hamilton were resident at the time of the inquiry, William Hamilton was represented by his wife and Perse had 'some servants' living in his castle.

The buildings were roughly in their 1618-19 condition, some very substantial but not all completed. The castle on the Perse estate was now 'exceedingly' well roofed but the floors had not been installed nor the windows glazed. However four men were at work. John Hamilton lived in one of two thatched 'English houses, built as 'howses of office' and within a bawn of clay and stones, but nearby there was a bawn of stone and lime in which a stone house with two vaulted towers was being constructed.⁵

There were no more than some 90 adult males among the colony in this barony. This major recession, it was roughly half of Pynnar's figure, must have been accounted for by the exodus of tenants back to

1. Inq. cancell. Hib. repert., ii, Cavan (19) Chas I.
2. Ibid., i, Westmeath, (3) Eliz.
3. Cal. S.P. Ire., 1606-8, p.187.
4. B.M., Add. MS 4756, f.100.
5. Ibid., ff.100-100v.

Down following on the sale of Sir James Hamilton's estate, though it was equally apparent on all three Hamilton estates, Baillie's settlers being unchanged in numbers. There is no evidence of disturbed landlord tenant relations, but William Hamilton had no freehold tenants. The colony appears to have been armed in at least an elementary fashion, but only John Hamilton had a supply of arms - 24 pikes, 6 horsemen's staves, and 26 muskets and callivers - in his house.¹

There were two mills in the barony. John Hamilton and William Baillie had 'good manurance', Baillie had 'stock of cattle' on his demesne, and William Hamilton had 'some' cattle on his land 'and store of Irish upon it also'.² In Clankee, as elsewhere it is manifest that the Irish were being retained on the estates. Baillie complained that his tenants let their lands to the Irish³ though both before and after this date he himself demised land to Irish occupants of a yearly basis.⁴

The survey indicates little change in servitor ownership in Cavan since 1618-19. In Castlerahan the old English lawyer, Edward Dowdall, was now the recorded owner of the estates of Fettiplace and Taafe. Other proprietors were unchanged and absentee, though Culme's family were resident on the former Ridgeway estate, Culme being himself in England. Apart from the fact that Culme had completed substantial buildings there had been no improvement here since Pynnar's perambulation. Bawns on the Dowdall and Ashe estates had a limited value though the absence of gates.

1. Ibid.

2. Ibid., f.100^v.

3. Ibid.

4. Ing. cancell. Hib. repert., II, Cavan (17) Chas I.

British-held land in Tullygarvey evinced and disadvantages of absentee ownership. The brothers Ashe had let their house and bawn - itself 'fallen down in many places' - to 'one of the Relys'.¹ The Culme-Moore partnership had been disrupted by the death of Archibald Moore, his widow and children having left it 'desolate'. This was regretted by the commissioners because their buildings at Tullyvin were 'of great strength' and had 'not been made so with out great charge'.²

In Clanmahon ownership was unchanged and was without exception absentee. Buildings were unimpressive except on the Lambert estates, and here operations had halted with the death of Sir Oliver in 1618. In Tullyhaw where only the Graham and Talbot-Culme estates were considered, building work satisfied the commissioners but only Talbot appears to have been resident.

The most general characteristic of these servitor estates was the absence of British tenantry, a condition which can have changed little over the ensuing twenty years. On Culme's estate in Castlerahan near Virginia there were, as in Pynnar's time, four British families dwelling near his bawn, one of whom kept 'a good inne', but most of the land 'being barren [was] sett to the Irish'.³ There were only some five English families in Virginia. On the Culme and Moore estate in Tullygarvey there were but two 'poore' Englishmen on the land.⁴ On one of the Lambert estates in Clanmahon there was one English 'gentleman' an 'ancient follower' of Lambert's living

1. B.M., Add. MS 4756, f.101.

2. *Ibid.*

3. *Ibid.*

4. *Ibid.*

in the bawn.¹ Lieutenant Rutledge, whose own property goes unmentioned in the report, was the only British tenant to Sir Richard Graham.² The British population can not have exceeded the figure of 30 males suggested by our examination of Pynnar's survey.

Otherwise the land was reported universally as let to the local Irish or to people from the Pale. Old English ownership in the county had thus not only been extended with the arrival of Dowdall, but palesmen were moving in as tenantry as well, though this was doubtless also a process for which there was pre-plantation precedent in this county. Dowdall and Walter Talbot had freeholders and leaseholders from the Pale who were all recusants and Lord Lambert had leased some land and the bawn on one of his estates to a paleman, 'one Morrice Dalton'.³ However the local native inhabitants formed the bulk of the tenantry on all servitor estates. It was noted in almost all cases that all the land was 'sett to Irish natives who live dispersed and plough after the Irish custom'.⁴ Most of the land Ashe had acquired from Garth in Castlerahan was held by 'one head of the sept of the O'Rely'.⁵ Apart then from the appearance of small numbers of palesmen tenants holding on a leasehold basis, and likewise of British, servitor landlordry in Cavan had not been revolutionary.

By way of brief conclusion, it can be stated that a figure of approaching 1,200 was the likely British male population of undertakers' and servitors lands in Armagh. The corresponding figure for Cavan was some 765. The English and Scottish undertakers in Cavan,

1. Ibid., f.103.

2. Ibid., f.104. His land was later in Culme hands.

3. Ibid., f.103.

4. Ibid., f.101.

5. Ibid.

owning some 130,000 acres and having planted some 735 British males, had planted much less densely than their counterparts in Armagh who with some 82,000 acres had planted near to 1,100 British males. As to relative densities, the English barony of Loughtee in Cavan was now planted about one and one-half times more densely than the two Scots¹ appointed baronies. In contrast, in Armagh, Scots owners in the Fews had over twice as many dependents in relation to the acreages they owned than had the English in Oneilland.

The commissioners¹ general conclusion was that although some settlers had fulfilled the conditions better than others the king's 'great bounty and godly intention' was 'generally frustrated'.¹ They particularised the defects of the different categories of grantees.² As to the undertakers, many were absentee, employing agents to collect their rents. They retained 'great store' of Irish on their lands to the prejudice of their British tenants. They made few bona fide freeholders, some being their own children, and many freeholders and leaseholders not having legally valid instruments, and so being liable to eviction, and those that were made had small quantities of land, paid high rents, and found difficulties in meeting the demands of jury service, which were consequently imposed on leaseholders and their rack-rented undertenants. Few of the undertakers had performed their building obligations within the limited time and many of the bawns built were unserviceable, some having no gates or houses within, 'and therefore of no use when nobody dwells in them'.³ Few of the undertakers had settled their tenants in villeges near their strongholds,

1. B.M., Add. MS 4756, f.118.

2. Ibid., ff.118-18^v.

3. Ibid., f.118.

but rather allowed them to live in dispersed fashion 'subject to the malice of any kerne to rob, kill, and burne them and their houses'.¹ Many undertakers did not have adequate arms in their houses as required. Some exacted duties and services or only let their lands from year to year contrary to the articles of plantation. Estates had been sold without license whereby some proprietors had accumulated properties 'which is a principall cause that the conditions are not performed and chiefe freeholders are extinguished'.²

The defects of the servitors were somewhat similar. Although many had built more than required, some had not built at all. Like to undertakers some of their bawns had 'no houses, people, or gates'. Many had not granted leases or created freeholders. Some were recusants and would not take the oath of supremacy. Some had never been resident and had only collected rents from Irish. Most of their tenants did not live in villages. The commissioners comments on the native Irish grantees will be discussed below.³ Finally they proposed that the undertakers should be allowed to take out new patents under the modified conditions discussed above.⁴

However in January 1623 following on the report of the commissioners a stay was put on the granting of all land in Ireland in order to prevent crown loss through dubious practices,⁵ which affected grants in Ulster as elsewhere. It constituted an attempt to bring

1. *Ibid.*

2. *Ibid.*, f.118^v.

3. *Below*, p. 322.

4. *Above*, p.211.

5. Acts Privy Council, 1621-23, pp.395, 398, 460; P.R.O., S.P. 63/237, ff.13, 47-7^v, 101-2^v (Cal. S.P. Ire., 1615-25, pp.403, 408-9, 427).

Irish affairs under more rigid supervision from England. It resulted in a temporary stoppage of the granting of the inland forts, in Ulster and elicited strong complaints from Sir Thomas Dutton.¹ The stoppage as it concerned the forts was relaxed in 1624, but the attempt to curb irregularities was seriously intended, and it dovetails in with the fact that no immediate action was taken to give effect to the scheme for granting new patents to the undertakers.

In the years 1623 to 1625 three Caven undertakers brought problems concerning their estates before the government. In May 1623 Sir Thomas Waldron petitioned the king for a regrant of his estate in order to secure substantial concealments, stating that his father, Sir Richard, had procured a king's letter of 1 December 1619 authorising a surrender and regrant but had died before taking out his new patent.² The matter was referred to the commissioners for Irish causes who in November recommended that he should receive a custodiam of the concealed lands at the same rent as applied to his other lands.³ The other two cases had no bearing on security of title against the crown. Sir Edward Fishe and Edward Bagshaw brought forward problems concerning charges on their estates, in 1624 and 1625 respectively.⁴ These would have had to have been thrashed out however, had new patents been granted at this time.

The final approval of the scheme for new patents had, despite pressure from the undertakers, to await the following reign and more

1. Above, p.204.

2. P.R.O., S.P. 63/237 ff.53, 153-3^v (Cal. S.P. Ire., 1615-25, pp. 411, 438).

3. *Ibid.*

4. P.R.O., S.P. 63/238 Pr. 2, f.211 (Cal. S.P. Ire., 1615-25, pp.552, 584): Fishe; Cal. S.P. Ire., 1625-32, p.21: Bagshaw.

expedient political circumstances. In December 1623 Falkland and his government were empowered to negotiate with the settlers in the plantations generally 'for confirmation or renewal of their estates',¹ and probably at the end of the previous year a king's letter to the lord deputy ordering the implementation of the suggested scheme for the Ulster undertakers was drafted but apparently not dispatched to Dublin.² Both, at any rate, were without effect, and in July 1624 three agents of the undertakers, Sir Archibald Acheson, Sir Francis Annesley, and Lord Balfour (a planter in Fermanagh) petitioned the king for an immediate implementation of the scheme.³ Undertakers, they claimed were discouraged from building, the Irish were in hopes of receiving the land back and could not be displaced, and 'many hundreds' of British families had departed, so that 'the plantation in general [had] in a useful manner relapsed'. The king referred the petition to the privy council, requiring them to give it 'all favourable expedition',⁴ but no further action was taken until the following year.

III The natives' Inquiry, 1623-4.

In 1623 the commissioners recommendation of 1622 with regard to new patents was in effect tacitly stayed by a further directive. On December 12 the privy council instructed Falkland to issue a proclamation which would forbid the undertakers to expel any of the natives from their lands or to receive any new native tenants until further

1. Rymer, Foedera (Hague edition), vol vii, pt. iv, pp.89-96; see T.W. Moody, Londonderry Plantation, p.236.
2. P.R.O., S.P. 63/236, ff.217-18^v (Cal. S.P. Ire., 1615-25, p.396).
3. P.R.O., S.P. 63/238 Pr. 2, ff.78^v-81^v (Cal. S.P. Ire., 1615-25, pp.518-20).
4. Ibid.

notice. He was furthermore to have carried out an inquiry by commissioners in each county into the numbers and conditions of the native Irish on each undertakers lands.¹ The results of this inquiry, which should consider what acreage each native held from each undertaker and under what rents, either in money or in kind, and by what services and for how long, should be certified to the privy council by March 10 following at the latest. It might also come within their competence to examine the performance of the plantation conditions by the undertakers.² The proclamation was issued as required,³ and commissioners chosen to carry out the inquiry in each county.⁴

The inquiries appear only to have been carried out in Armagh, Fermanagh, and Londonderry, or at least returns for these counties only, dating from February - March 1624, survive.⁵ On April 21 these were transmitted to London with an accompanying letter excusing the delay.⁶ The matter is referred to here to provide some further explanation of the delay in concluding the arrangement to grant new patents, but treatment of the evidence for Armagh has been deferred for inclusion in the chapter on the native Irish.⁷

1. Acts. Privy Council, 1623-5, pp.144-5; Cal. S.P. Ire., 1615-25, pp. 439-40; T.W. Moody, Londonderry Plantation, p.217.
2. Ibid.
3. Steele, Tudor & Stuart proclam., ii, 26.
4. Cal. S.P. Ire., 1615-25, pp.439-40; P.R.O., S.P. 63/238 Pr.1, f.23. (Cal. S.P. Ire., 1615-25, p.459).
5. P.R.O., S.P. 63/238, ff.139-44 (Cal. S.P. Ire., 1615-25, pp.482-4): the Armagh report.
6. Ibid., ff.138-8^v (Cal. S.P. Ire., 1615-25, p.482: letter wrongly dated).
7. Below, pp. 339-46. See also below, pp. 426-7.

CHAPTER 5 THE COLONY IN A PERIOD OF EMERGENCY, 1625-32.

I Tension and concession.

The outbreak of war between England and Spain following on the accession of Charles I and lasting until 1630 raised a number of important problems in Ireland.¹ The perennial fear of insurrection or internal disturbance received an added dimension with the possibility of invasion. The reorganisation and expansion of the army thus necessitated created a major financial problem with critical political implications. The attempt to retain the loyalty of the old English and by extension acquire their financial support, resulted in negotiations culminating in 1628 with important concessions to them reciprocated by substantial monetary assistance. However the significance of the war for both planter and native elements in Ulster cannot be overlooked.

The marriage negotiations in 1623, it has been seen,² has raised hopes in Ulster of concessions to the native population. The failure of the negotiations, with the clear possibility of war, also suggested prospects of alleviation. The reign ended with incidents or the threat of them being reported from the northern province. Ulster, where the most thorough and most recent plantation of any size was taking effect, was manifestly the greatest centre of grievance. The fact that there were a considerable number of Ulster emigrés on the continent also made it a likely landing place for an invading army in the event of war. In 1624, therefore, plans for its defence were being considered.³ In 1626 it was suggested that a president for

1. A. Clarke, 'The army and politics in Ireland, 1625-30', in Studia Hibernica, iv, 28-53.

2. Above, pp. 207-10.

3. Above, p. 210.

the province should be appointed.¹ In 1624 and 1625 a series of appointments were made whereby local landowners were commissioned as governors of their counties 'as well for the punishment and reformation of enormous and evil disposed persons as also for the defence and safety' of the colonists there.² No appointments for Armagh or Cavan were, however, made.

Commentators in 1625 stressed the need to place a higher proportion of the army in Ulster than elsewhere. It was felt that the Irish in the north would 'provoke' war at any opportunity,³ and follow the leadership of O'Neill or O'Donnell claimants returning from abroad.⁴ It was recognised that the six planted counties were but 'thinly populated' and incapable of selfdefence unless reinforced and armed.⁵ Armagh was mentioned as a place to be made defensible.⁶ By November 1625 the deputy reported that of the army, then 4,000 strong, 1,400 foot and 150 horse had been disposed in Ulster.⁷ The inland counties of Armagh and Cavan were not however singled out for special attention, presumably because sheltered from coastal invasion.

Fear of invasion was acute throughout the entire period. In 1627 the landing of a pirate at Killybegs in Donegal created a scare far beyond the magnitude of the incident. Falkland commented that 'though the present perrill be overblown ... yet the consideration will remayne'. No invasion did come and peace was made in 1630. However,

1. P.R.O., S.P. 63/243 ff.57-8^v (Cal. S.P. Ire., 1625-32, pp.144-5).
2. Cal. pat. rolls Ire., Jas I, p.591, Cal. S.P. Ire., 1615-25, p.548. (Fermanagh, 3 Dec. 1624); Cal. pat. rolls Ire., Jas I, pp.588-9.
3. Cal. S.P. Ire., 1625-32, pp.68-9 4. Ibid. 5. Ibid. 6. Ibid.
7. Cal. S.P. Ire., 1625-32, pp.50-1.
8. P.R.O., S.P. 63/244, f.271 (Cal. S.P. Ire., 1625-32, p.234). Spanish sources indicate that consideration was being given, or at least requested by Irish agents, to a landing on the Donegal coast or at Londonderry at this time (B. Jennings (ed.), Wild Geese in Spanish Flanders, pp.212-13).

while the disposition of the Ulster garrisons indicated that they were conceived of as largely to repel attack, it was also considered necessary to maintain forces in Ulster, and to take other precautions also, to inhibit or suppress insurrection. There was, in fact, heightened unease throughout the province during the war period. Reports of incidents were widespread and active measures were taken to maintain order. All counties were affected, Armagh perhaps least of all.

In August 1625 a conspiracy involving McGovernns from Cavan and Maguires from Fermanagh came to light. Information had been acquired by Sir William Cole of Enniskillen and the archbishop of Cashel which was presented to the judges of assize who pursued the investigation. The plan, it appears, was to amass arms in anticipation of a Spanish landing, surprise the planters' houses (especially in Fermanagh) and repossess the confiscated lands. The judges tried four ringleaders in Enniskillen before a jury of 'good freeholders of the English' who found them all guilty. They informed Dublin of their intention to sentence them to death, unless the deputy wished to mitigate the sentence and have them sent to Dublin, but pointed out that this could only be done under strong guard because of popular support.¹ The outcome is not known, but the affair convinced the deputy how seriously 'the blood [was] distempered in the veins', making it essential to overhaul the defensive arrangements for the province.²

While there is no indication of disorder coming to a head in Armagh at this time, a provost marshal was energetic there in the

1. Cal. S.P. Ire., 1625-32, pp.25-37, 39-40.

2. Ibid., pp. 34-5.

summer of 1626.¹ In the spring of 1627 reports came in to Dublin of a 'newe and dangerous rebellion' in Antrim, Down, and adjacent areas, presumably parts of north-west Armagh.² Edward Chichester, governor of Carrickfergus, stated that in order to counter cattle stealing and other outrages by woodkerne he had sent a company of soldiers to 'lye and cesse on their septs'.³ Falkland, disturbed by the deterioration in Ulster which these reports suggested, pleaded that he would not be answerable for peace unless he could over-spend the concordatum allowance and stressed the need for martial law to curb lawlessness.⁴ By March 1627, as further incidents from our area were reported, the deputy had made marshal appointments. Reports of 'murders and other mischiefs' from Cavan, Monaghan, and Longford, had persuaded Falkland to issue Sir Charles Coote, a man of energetic background and vice-president of Connacht,⁵ with 'a large marshal commission and extraordinary trust' to regulate these areas.⁶ Also, convinced that the procedures of the law were inadequate to the task of maintaining order, even when re-inforced by interrogation and fines in the star chamber, he appointed Sir William Windsor to administer marshal law.⁷ By July the deputy could report in favourable terms on Windsor's activities in Down, Antrim, and Armagh. Before his appointment rebels in those counties, anticipating foreign invasion, had formed into bands with the

1. P.R.O., S.P. 63/242 f.357 (Cal. S.P. Ire., 1625-32, p.135).
2. P.R.O., S.P. 63/244 ff. 153-9^v (Cal. S.P. Ire., 1625-32, pp.217-18).
3. *Ibid.*, f.155.
4. Cal. S.P. Ire., 1625-32, p.217. There is evidence that provost marshals had already been engaged in other counties of Ulster by 1626 (B.M., Sloane MS 3827, ff. 62-3^v, 65-5^v).
5. Hughes, Patentee officers, p.31.
6. P.R.O., S.P. 63/244 ff.170-1^v (Cal. S.P. Ire., 1625-32, p.220).
7. *Ibid.*

Intention to force the British Inhabitants to abandon their settlements. Windsor had, however, done much to restore order and 'slaime with the sword upwards of three score rebels'.¹ In a letter to the archbishop of Armagh in March 1627 Falkland thanked him for encouraging his tenants to make payments for the maintenance of the army. He stated that he had kept Sir Charles Coote's company away from Armagh for as long as possible and would remove it as soon as possible, however

your Lordship may please to understand that by the earnest intercession of some well-wishers to that county, it hath been less burdened with soldiers than any other within that province, saving only Fermanagh which is much smaller in scope than it.²

The use of provost marshals as an expedient for maintaining order, however, was restricted by article 33 of the graces of May 1628.³ This provoked a sharp complaint from Falkland which he coupled with the information that, following the death of Sir William Windsor, disorder had increased in Ulster.⁴ The reply was, however, conciliatory, it being intimated that the king did not think Falkland's power had been 'in any way curtailed by the recently passed articles' and he was given full initiative in the event of a woodkerne rising.⁵ No successor to Windsor appears to have been appointed but there is also no evidence that conditions in Ulster had sufficiently improved to justify an alteration in policy. In January 1629 there were reports of outrages in Cavan (and Meath) and measures were taken against them.⁶ In June Moses Hill, provost marshal of Ulster wrote

1. P.R.O., S.P. 63/244 ff. 54-4^v (Cal. S.P. Ire., 1625-32, p.248).
2. C.R. Elrington (ed.), Whole Works of ... Usher, xv, 372-4.
3. A. Clarke, The old English in Ireland, 1625-42, p.249.
4. P.R.O., S.P. 63/247 ff. 3.4^v (Cal. S.P. Ire., 1625-32, p.356).
5. P.R.O., S.P. 63/247 ff. 42-3^v (Cal. S.P. Ire., 1625-32, p.366).
6. B.M., Sloane MS 3827, f. 155.

to the deputy from Stranmillis that his men were engaged as far east as Tyrone stating that there were so many that 'relieved' the woodkerne 'that they were almost ready to goe into rebellion'. He complained that neither the local justices of the peace nor the assize judges were sufficiently ruthless in executing offenders which he had been 'att greate trouble and charge' in apprehending.¹ There is no further indication of unrest in either Armagh or Cavan and the conclusion of peace with Spain in 1630 removed the external stimulant.²

During the war years conciliation tactics had also been utilised, and some care was taken to preserve the support of well-affected Irishmen. A list of 'persons fitted to be employed against Tyrone and other Irish rebels' drawn up in 1625 included Sir Turlogh McHenry O'Neill, 'an active protestant'.³ In February 1626 a list of people whose pensions, granted for previous support to the crown, were in arrears, was submitted by the Dublin government to the privy council as deserving of relief. These included O'Hanlons and O'Neills from Armagh.⁴ In the case of one of these, captain Patrick O'Hanlon, whose pension originated in 1603,⁵ the Irish commissioners of the privy council recommended that satisfaction be given.⁶ However no payments were made to him and he renewed his petition in July 1628.⁷

In February 1627 a certain Brian O'Hogan, a native of Tyrone,

1. *Ibid.*, ff.163-4^v.
2. In November the earl of Cork, one of the lord justices who had succeeded Falkland, stated that he could hear of 'no one now in all Ireland unamenable to the law' (Cal. S.P. Ire., 1625-32, p.585).
3. *Ibid.*, p.73.
4. P.R.O., S.P. 63/242 ff.126-6^v (Cal. S.P. Ire., 1625-32, p.96).
5. Above, pp. 33, 163.
6. P.R.O., S.P. 63/243, ff.23-3^v (Cal. S.P. Ire., 1625-32, pp.140-411, see also p.155).
7. P.R.O., S.P. 63/247, f.11 (Cal. S.P. Ire., 1625-32, p.358).

came from Londonderry, Donegal, Fermanagh, and Antrim.¹ In April 1627 a representative assembly which met in Dublin to discuss the financing of the army pointed to the distress of a barony in Ulster to indicate the general strain caused by the increased size of the army.² It may not be specially significant that no complaints came from Cavan or Armagh. In July 1627 Falkland concluded that a contribution of £27,000 was required from the country towards maintaining the army. Of this £8,250 was to be collected from the nine Ulster counties of which Armagh with £650 to pay had the smallest assessment, the share of Cavan, £900, being roughly the average for the province and identical with that required from Londonderry.³

It is not without some significance, then, that the undertakers' proposals for securing their titles were treated more sympathetically in these years. In February and August 1625 the English privy council considered the matter and made recommendations.⁴ It was agreed that the undertakers should receive new letters patent, at doubled rents, whereby they might plant one-quarter of their estates with native Irish and the rest with British tenants. The areas reserved for Irish should be selected by special commissioners and listed by name in their patents. A clause demanding the religious conformity of the Irish tenants should not be inserted, though they should be subject to the relevant legislation of the country. The undertakers' request not to have to give security that the Irish would be completely excluded from the remaining three-quarters of their estates was conceded, but

1. P.R.O., S.P. 63/244, ff.51-7, 68-72 (Cal. S.P. Ire., 1625-32, pp.206-8).

2. P.R.O., S.P. 63/244 f.214 (Cal. S.P. Ire., 1625-32, p.225).

3. P.R.O., S.P.63/245 ff.69-87 (Cal. S.P. Ire., 1625-32, pp.250-55).

4. Acts Privy Council, 1623-25, pp.454-6, 1625-26, pp.154-6;

T.W. Moody, Londonderry Plantation, pp.236-7.

a clause should be included authorising the seizure of any land reserved for British which was, found inhabited by Irish, to be held by the king until adequate security was given that the offence would not recur. 'Good care' should be taken that the undertakers should make British freeholders and leaseholders 'truly and really' on the appropriate areas, avoiding all irregular tenures. A model grant was to be drawn up and sent to Ireland for the information of the undertakers.

On the basis of these recommendations the king sent instructions to the lord deputy on September 6 for the issuing of the new patents. In return for confirmation of their titles the undertakers were to double their rents and pay a fine at the rate of £30 per thousand acres according to the original survey. As a result Wray's commission would be withdrawn. The Irish on the reserved areas might have leases for twenty-one years or three lives, but should live in villages, wear English clothing and permit their children to be educated and learn the English language. The Irish should have removed from the remaining three-quarters of each proportion by May-day 1626.¹ In July 1626 the removal date was extended to May-day 1628.²

The arrangement was not given immediate effect, and in August 1627 further royal instructions were received, whereby the increased rents were to take effect from the following michaelmas and the fine was to be increased to £40 per thousand acres.³ In September the king instructed that £5 per thousand acres should be paid by the under-

1. Cal. pat. rolls Ire., Chas I., pp.100-3.

2. Ibid., pp.118-21; Marsh's Library, Dublin Z4. 2. 6, pp.582-7.

3. P.R.O., S.P. 63/245, ff.125-30^v (Cal. S.P. Ire., 1625-32, pp. 263-4).

takers to Sir Piers Crosby and Sir Archibald Acheson who had acted as their agents in this stage of the negotiations.¹ In December a proclamation was issued for putting the new policy into effect.² By this the letters patent were to be issued within five months at half fees. The undertakers, however, petitioned against the increasing of the fines and requested further time before the doubled rents should become payable.³ Their requests were admitted in article 26 of the graces 'in regard this is the only matter wherein they receive any singular grace', though they would share equally in the payment of subsidies.⁴

At about this point, however, a much more radical scheme was put forward. A commentator in 1628⁵ saw that in the last resort the success of the plantation depended on the treatment of the Irish population. The Irish would accept from the undertakers more rigorous conditions as tenants - at higher rents and on a yearly basis, a 'slavish tenancy-at-will' - than would British, hence while they might remain the British colony would not grow. To remove them, however, without provision for their re-settlement would also jeopardise the plantation through 'great clamour ... if not a present invasion'.

The solution, it was felt, lay in their planned re-settlement on the lands granted, largely for this purpose, to the servitors, the bishops, and the native grantees, and this could only be done by

1. Cal. S.P. Ire., 1625-32, p.273.
2. Steele, Tudor & Stuart proclam., II, 30.
3. P.R.O., S.P. 63/246, f.156 (Cal. S.P. Ire., 1625-32, p.334).
4. Ibid.
5. M. Hickson, Ireland in the seventeenth century, II, 327-31.

government intervention, it could not be left to their own haphazard initiative. Commissioners should therefore be appointed to inquire into the amount of land as yet unplanted which was held by bishops, servitors, and natives and to investigate what numbers of natives yet remained on undertakers' lands. When such parallel surveys had been conducted places should be assigned to these Irish in proportion to their means to utilize them. The bishops, etc. should then be 'commanded expressly' to receive the Irish and give them specified tenures. The Irish now labouring under harsh and uncertain conditions from the undertakers would willingly take up their new lands 'whereof they may be assured to have estates'. Such a settlement, it was suggested, would ensure peace in Ulster and the king would be

the author of that great work of uniting the English and Irish together which yet could never be done because they never live together as landlord and tenant, either in perpetuity or long leases.

Such would be 'a work of greater glory to the king than if he had brought a new people into their places'.

To give his argument further conviction he described the plantation as it then stood. Ulster was 'as yet no other than a very wilderness'. On each proportion there might be one small 'township' made by the British, but the proportions being 'wide and large the habitation of all the province is scarce visible'. The presence of the Irish who did not 'dwell together in any orderly form' deterred the expansion of the British colony. Those Irish who had received grants of land as well as being poor, were 'for the most part [such] as in time of war had relation to this state' hence they had no reputation with the mass of the native population. These tended to follow the landless 'heads of septs' and 'chiefs of creaghtes' who

would now, seeing 'the times fall out so contrary to their expectations', willingly settle themselves if the proposed plan were pursued. In this way only would the 'habits, manners, and language of the English' be 'in time' introduced and the plantation reach fruition.

Such a plan might have held some possibility of a solution if put forward and acted on in 1610, but in 1628 there were a number of factors which would make its implementation difficult. The bishops and servitors at any rate had already organised their lands, the bishops for the most part having granted sixty-year leases, in ways which would now have to be completely disrupted. Furthermore the undertakers had by now also succeeded in gaining acceptance for the compromise solution whereby the Irish might be retained on one-quarter of their estates. Also the Irish, having eluded transplantation for eighteen years, might not have accepted the scheme as cheerfully as was suggested. Had government, then, possessed the vigour to attempt to implement it there would still have been a number of associated difficulties which the proposer failed to consider.

In June the protracted negotiations were finalised and it was clear that the above proposals concerning the native Irish would not be acted upon. Falkland was ordered to issue a commission for the granting of the new patents. The rents were to be £10. 13. 4 per thousand acres and proportionably, concealed lands to be included. Fines at the rate of £30 per thousand acres were conceded. The patentee should covenant to ensure that three-quarters of his lands were planted with British tenants or used as demesne, and undertake to have two freeholders and two leaseholders at least per thousand acres. All the 'mere Irish' except artificers settled upon small

'parcels' were to be removed from this area before 1 May 1629 and any of this land granted to Irish should forfeit to the king during the time of the demise. On the other quarter of their estates the undertakers might have Irish tenants and grant leases for twenty years or more or less, though not exceeding forty-one years or three or four lives. These Irish should build and dwell together and conform to English 'habit and usage'. The limits of the Irish quarter if imprecise should be settled within six months of the patent. Any undertaker requiring it might have a commission to establish the sub-denominational names of their lands, and the amounts concealed, for exact recital in their patents. Tenants should join in the surrenders of their landlords, but should have their former estates reassured to them on appropriate increase in rent. Such undertakers as had not fulfilled their conditions of building and planting might have their new patents on condition of entering into bonds to fulfill their obligations within two years. Each patentee should covenant to have in his house five calivers or muskets and arms for five pikemen per thousand acres. The lord deputy and council should settle all disputes between patentees or patentees and others concerning their lands. British who had purchased lands from the native Irish and desired regrants should receive them. Lands might also be conveyed at the deputy's discretion to persons who had acquired them from the original undertakers. If any refused to accept the arrangement the deputy might appoint commissioners to enquire of their breaches of the plantation conditions and have their lands

disposed of to more conformable persons.¹ The commission was issued on 13 August 1628.²

The finalisation of this arrangement coincided roughly with a new administrative arrangement for the payment of the army which evoked strong protests especially from Ulster. On 26 August 1628 it was ordered that all subsidies should be paid directly into the exchequer for central disbursement, i.e. local contributions would no longer go directly to the soldiers stationed there.³ In July 1629 protests against this arrangement came in from many counties.⁴ Phillip O'Reilly, the sheriff of Cavan, stated that that county refused absolutely to pay the sum of £334. 5. 6. demanded, and he returned a petition which begged for the removal of the imposition on account of poverty, 'the dead burying their dead and the look of death set in the face of every man'.⁵ The sheriff of Armagh also returned a refusal to pay money into the exchequer lest compliance with the order should establish a precedent.⁶ There was also protest in the autumn of 1628 against payments towards disbanding a regiment of the army.⁷ However in 1629 the army was reduced very considerably and the conclusion of peace with Spain in 1630 eliminated much of the crisis in Ulster planter-native relations. In August 1629 the earl of Cork and lord chancellor Loftus, newly appointed lords justices after the withdrawal of Falkland, were instructed to insist on the

1. P.R.O., S.P. 63/246, ff.246-8^v, 251-3^v (Cal. S.P. Ire., 1625-32, pp.349-52).
2. Referred to in P.R.O.I., John Lodge, Records of the rolls, v,99.
3. A. Clarke, 'The army and politics in Ireland, 1625-30', in Studia Hibernica, iv, 49-51.
4. P.R.O., S.P. 63/249 ff.59-95^v (Cal. S.P. Ire., 1625-32, 467-70).
5. Ibid., ff.63-5^v.
6. Ibid., ff.84-4^v.
7. P.R.O., S.P. 63/247 ff.192-6 (Cal. S.P. Ire., 1625-32, pp.394-5).

Ulster undertakers paying their double rent and fines. So far few had taken out their new patents and the king requested a list of all who before the end of the ensuing michaelmas term had not complied so as he could dispose of their forfeited property.¹

II The regranting of estates, 1628-32.

The regranting process assembled much information about the plantation at this point not available owing to the absence of official surveys and the scarceness of estate material. A regrant of an estate was preceded in most cases by a commission of inquiry. The commissioners appointed were, where the warrants survive, made up usually of local planters and clergy, with the attorney of Ulster.² They were to enquire whether any part of the proportion concerned had been alienated or let to any Irish person or to any person who had not taken the oath of supremacy. Both of these were forfeitable offences. They were to investigate the precise names and quantities of all the lands concerned, and indicate the mears and bounds of the estate, setting out one-fourth part as the area to be let to the mere Irish. They should inform themselves of all concealed lands.³ They should report on the buildings erected, the size of villages, and the number of British inhabitants.⁴

Inquisitions survive for nine properties in Cavan, and estates then in the possession of four owners in Armagh. There is almost a

1. P.R.O., S.P. 63/249, f.9 (Cal. S.P. Ire., 1625-32, pp.460-1).
2. Marsh's Library, Dublin, Z3. 2. 6, nos 81, 84, 96 (estates in Cavan).
3. Ibid., no 81: warrant for commission of inquiry into Bailie estate, Cavan, 4 December 1628.
4. Ibid., no 84: warrant for commission of inquiry into Perse estate, 5 December 1628.

complete coverage of the baronies of Clankee and Tullyhunco, and evidence for four of seven proprietors in Loughtee. In Armagh, the entire Fews barony is covered and also three properties in Oneilland.

The inquisitions in themselves pose problems of interpretation. They purport to list all those tenants, British and Irish, who had not taken the oath of supremacy. There is practically no evidence apart from Pynnar's, which may well be unreliable, that there had been any widespread taking of this oath,¹ yet it might be dangerous to take the lists of tenants provided here as offending in this respect as exhaustive. Also most inquisitions purport to list only tenants who held by deed or lease and there is evidence that there were many occupying land without such security. It is only therefore where a full ascription of tenants to all the townlands of an estate, or to so many that it would not be unreasonable to assume that the remainder were held in demesne by the undertaker, that an attempt has been made to work out the relative proportions held by British and Irish tenants. Because the inquisitions do not take account of the fact that many British tenants sub-let parts of their land to native Irish, figures have been arrived at below by expressing the numbers of town-lands in British and Irish tenancy as a percentage of the total listed for the estate. More precise methods would have an artificial authority.

In Armagh, an inquisition of April 1629 covering the Hamilton estate in the Fews² is full and informative and may for want of other

1. Above, pp. 185-6.

2. Inq. cancell. Hib. repert., ii, Armagh (4) Chas I.

evidence be perhaps taken to illustrate Scots' estate management methods in that barony. Of a total of some twenty-seven townlands only one and one-third were held in direct tenancy by four Irish tenants. Three of these had been granted their lands in 1625 and 1627, the other in 1618.¹ The inquisition concluded that the estate was organised 'in full performance of the plantation'. Three townlands held by more than eleven Irish tenants in 1624² - the total of all then recorded as direct tenants to Hamilton - had been leased in 1625 and 1626 to seven Scottish tenants for periods ranging from nineteen to twenty-five years. One of these townlands, held by Irish in 1624, had been the freehold of a Scot who had departed in the interval. Three other townlands granted, on the evidence of the inquisition, as freehold in 1614, were regranted in two cases as freehold in 1618 and 1626, and in one case for one year also in 1626. Thus of four freeholds of early creation, two had become extinct and two had been renewed. Many tenures dated from 1622 and after. Apart from the two freeholds existing in 1629, three tenures were for three lives, sixteen were for twenty-one years or over (none over thirty-one), one twenty-one year lease of 1614 had been renewed for fifteen years in 1622, the remaining twenty tenures were for under twenty-one years, and in most cases for under ten years. Land held by Irish, who held on a year to year basis, is included in this latter category. Tenures were in many cases joint ones with occasionally four or five tenants per townland. No delimitation of an Irish area was considered necessary.

1. His name does not appear on the 1624 list, below.
2. Below, p.

The evidence for the three estates in Oneilland is most difficult to interpret. On Stanhowe's¹ eighteen of some twenty-four townlands were held by British, and six - one-quarter - by Irish tenants. However since eleven were held by one English tenant, John Wrench, who had let some to Irish sub-tenants,² direct Irish tenants numbered the same as English, there being five of each recorded. But one of the English, John Turner, would seem to have left the estate - the 1622 survey had found 'not above four English men present'³ - his original agreement in 1611 being for one year, and some of the land being occupied by an Irish tenant in 1624.⁴ The Irish all held from year to year, and of the four English (excluding Turner) one was a freeholder created in 1626, two, including Wrench, held for twenty-one years, the other from 1626, and the fourth held from March 1628. The quarter set forth for Irish occupation was in part held by Irish and in part by British tenants under lease.

An inquisition of January 1630 on the Rolleston or Annesley estate⁵ adds nothing to the evidence of the 1624 inquiry which suggests that there were no Irish, direct tenants. However, it and the inquisition for Sir John Dillon's lands,⁶ which has no statistical value, indicate clearly that there was some amount of movement of tenants on estates. Thus, of four tenants listed for the Dillon estate, whose tenures dated from 1612-16, two, one of whom was Welsh, had left the estate by 1622. One townland on the Rolleston estate

1. Inq. cancell. Hib. report., ii, Armagh (3) Chas I.
2. P.R.O., S.P. 63/238, f.142^v.
3. B.M., Add. MS 4756, f.108^v.
4. Below, p.
5. Inq. cancell. Hib. report., ii, Armagh (6) Chas I.
6. Ibid., (5) Chas I.

leased to an Englishman in 1612 had undergone a succession of changes before coming to John Tench of Drogheda in August 1615. In 1621 Tench received a decree against Rolleston,¹ and in May 1628 he sub-let the land to two Irish tenants, O'Quins, on a yearly basis.²

Some of the Inquisitions also throw light on building progress. On the Acheson estate, at Coolemalish, a stone bawn forty feet in circumference with other buildings had been erected where there was only an inadequate bawn in 1622.³ There were now three bawns on Hamilton's property,⁴ and Dillon had erected a house of lime and stone, 20' x 60',⁵ but on the Stanhowe estate there was still 'nulla edificia lapid' erected.⁶

Between 14 January 1629 and 9 July 1633 ten of eleven owners of undertakers land in Armagh took out new patents of their estates.⁷ The amount of money raised in fines from nine of these regrants was £509. 6. 0.⁸ The undertaker failing to comply was Sir Archibald Acheson. Acheson was later to be sharply criticised by Wentworth for his remissness as an Ulster planter.⁹ The reason for Acheson's failure

1. P.R.O.I., Repertories to the decrees of chancery, i, 329.
2. Inq. cancell. Hib. repert., ii, Armagh (6) Chas I.
3. Ibid., (42) Chas I.
4. Ibid., (4) Chas I.
5. Ibid., (5) Chas I.
6. Ibid., (3) Chas I.
7. P.R.O.I., John Lodge, Records of the rolls, v, 107 (Sir William Alexander), 133-5 (Sir William Brownlow), 158-60 (John Hamilton), 178 (John Dillon and Richard Cope: Armagh Public Library, Castle-dillon Papers, 28-52), 179 (Henry Stanhowe), 183-5 (Anthony Cope), 261-2 (Viscount Grandison : P.R.O. N.I., P.R.O. 1145, certified copy), 278-8 (Prudence and John Obbyns : P.R.O. N.I., P.R.O. 1147 (copy), T.267 (translation)), 293-5 (John Waldron : original patent in Watson and Neill, solicitors' office, Lurgan). Sir Francis Annesley's patent, 25 Nov. 1631, for Rolleston's Teemore was not enrolled, but is referred to in N.L.I., Rolleston Papers, Packing Case 112.
8. Ibid.
9. Below, p. 281-2.

to take out a patent may lie in the dispute then current about his rights to the advowsons of the parish of Loghilly in which his lands fell.¹ The patents and other evidence throw light on the ownership of estates at this time.

The Stanhowe estate which had already been sharply criticised after Pynnar's survey² was forfeited at this time. Half of the land was restored to Henry Stanhowe who took out a patent in 1629 the remainder being granted to John Waldron, a relative of the Cavan undertakers,³ on condition that he pay £600 to Stanhowe who had disbursed that amount on the estate.⁴ This was the only estate in either county to be forfeited at this time. Waldron also acquired between June 1629⁵ and January 1633,⁶ when a king's letter took cognizance of the new owner, Sir John Dillon's purchase. On 8 August 1631 a king's letter was written to the lords justices instructing that Waldron be granted a patent of the Stanhowe land.⁷ He did not however, receive such a patent of this or Dillon's lands (as also of lands in Leitrim) until, after a king's letter in his favour of January,⁸ July 1633.⁹

The fortunes of Michael Obbyns who had acquired Powell's estate

1. Below, pp. 453-6, 476-9.
2. Above, p.198.
3. Cal. S.P. Ire., 1625-32, p.621.
4. Ibid., 1660-62, pp.185, 340.
5. Inq. cancell. Hib. repert., ii, Armagh, (5) Chas I.
6. P.O.O., S.P. 63/254 ff.1-3 (Cal. S.P. Ire., 1633-47, p.1)
7. Cal. pat. rolls Ire., Chas I, pp. 612-13.
8. Cal. S.P. Ire., 1633-47, p.1.
9. P.R.O.I., John Lodge, Records of the Rolls, v, 293-5. Wentworth seems to have been unwilling to recognise him as an accredited undertaker, and on 20 May 1637 the king ordered that he and his son William 'be admitted into the number of planters in Ireland, they conforming themselves to the prescribed orders' (Cal. S.P. Ire., 1633-47, p.159).

from Rollston were particularly dramatic. It has been seen that in 1622 he was 'a prisoner in England' and his estate was neglected. He had been unable to repay an English debt of £200 to a certain Robert Horsman decreed against him in 1621 and had been outlawed at the instigation of his creditor.¹ Accordingly possession for the crown was taken of his Armagh lands and these were granted in 1626 to Horsman until the debt should be paid.² Obbyns died in September 1629³ and the outcome of the judgement against him was that part of the estate, about three-quarters, was sold. His widow and son took out a patent of the remainder in July 1631⁴ and this remained in Obbyns' hands up to 1641. It would appear that Richard Cope, who died in 1628 and was brother of Anthony the undertaker⁵ acquired the disposed portion because his sons Walter and Anthony owned much of it in 1641.⁶

The success of the Sacheverall family is somewhat ambiguous. In January 1628 Sir William Alexander,⁷ took out a patent of one of Sacheverall's two small proportions.⁸ Alexander appears to have had a shrewd eye for estates in difficulty having also acquired an interest in the lands of Sir James Cunningham at Carrigans in Donegal.⁹ However his ownership of Sacheverall land was temporary, and the estate was in Sacheverall hands until after 1641.¹⁰

Turning to Cavan, in Clankee barony, we find that approximately

1. P.R.O.I., John Lodge, Records of the rolls, v, 521.
2. Ibid.
3. Hill, Plantation, p.558.
4. P.R.O.I., John Lodge, Records of the rolls, v, 278-9.
5. Burke, Peerage, 103rd ed., p.579.
6. P.R.O.I., Book of Survey and Distribution.
7. Above, p.178.
8. P.R.O.I., John Lodge, Records of the rolls, v, 107.
9. Hill, Plantation, pp.507-8.
10. Below, p. 605.

62 of Baillie's estate was held by people of British name. The Irish tenants, holding in most cases one townland each, had their lands on a yearly basis. There were twelve British tenants, including three Baillies, and there were nine Irish tenants.¹

On John Hamilton's small proportion of Killcloghan 44 of the total of townlands was in British tenancy. Presumably having considerable property in Armagh he had leased the demesne. Some of his British tenants held for periods of under ten years, the Irish in all cases held for terms of one year.² The inquisition for the Perse estate³ is more difficult to interpret. Only about 60 of the property is accounted for and it would seem that no more than 28 of the townlands were held by British tenants. However it is evident that Perse had taken action to fill the vacuum caused by the mass removal of tenants following on the sale of the property in 1621,⁴ the tenures of eight of his British tenants, mostly Englishmen, dating from the years 1627-29.

Of Fishe's estate, in Loughtee, made up of 44 polls, 37 were leased, leaving 7½, or 17 of the total, as held presumably in demesne. 27 polls were demised to British, being 61 of the total estate. The deeds of 16 polls in British hands dated from the year 1626-8. Much of the land leased at this time was held only for very short periods of one or two years. All the Irish tenants except one held on a yearly basis.⁵ On the Waldron estate, there appear to have been few Irish tenants holding directly from the landlord, and where they did they

1. Inq. cancell. Hib. repert., ii, Cavan (17) Chas I: 10 April 1629.

2. Ibid., (18) Chas I: 10 April 1629. 3. Ibid., (19) Chas I.

4. Above, p. 237.

5. Inq. cancell. Hib. repert., ii, Cavan (26) Chas I.

seem to have held smaller areas - in one case there were four Irish tenants to a townland - than the Irish in the two Scottish baronies.¹

Two ownership changes in Loughtee estates are revealed, both of estates of previous unstable ownership. Sir George Mainwaring had sold his estate to the bishop of Kilmore and Ardagh in October 1627 and on his death in January 1628 it had descended to his son Roger Moynes.² Ameas had disposed of his lands, before July 1629,³ to John Greenham. Greenham was a Dublin lawyer,⁴ a brother-in-law of bishop Moynes, and a graduate of Emmanuel College, Cambridge.⁵

The Inquisitions offer information on the state of buildings, and the sizes of villages at this stage. In Clankeel the building descriptions confirm the evidence of 1622 in the cases of Perse and Bailie, and show that John Hamilton had completed building work then in progress.⁶ A stone house being built on Sir Claud Hamilton's estate in Tullyhunco in 1622⁷ had now been completed.⁸

As to village development Bailieborough was now a village of fifteen 'English-like houses planted and inhabited with British families'.⁹ On the Perse estate there was a town of eighteen 'English-like' houses, called Persecourt, on the townland of Lisdrumskeagh, now Shercock.¹⁰ The

1. P.R.O.I., Cal. exchequer inquisitions, Ulster: Cavan (3) Chas I, pp.4-22.

2. Inq. cancell. Hib. repert., II, Cavan (23) Chas I.

3. P.R.O.I., Lodge, Records of the rolls, v, 147-9.

4. Below, p. 516.

5. E.S. Shuckburgh (ed.), Two biographies of ... William Bedell, pp.302, 341.

6. Inq. cancell. Hib. repert., II, Cavan (17 - 19) Chas I.

7. B.M., Add. MS 4756, f.103^v.

8. Inq. cancell. Hib. repert., II, Cavan (24) Chas I.

9. Ibid., (18) Chas I. 10. Ibid., (19) Chas I.

town of Killashandra on the Hamilton estate in Tullyhunco which consisted of twenty houses in 1622¹ was now - in 1629 - was now made up of thirty-four houses with British residents.² The village on the Moynes estate in Loughtee - now called Moynehall - which in 1622 when owned by Mainwaring consisted of seven houses 'but not tenants in them all'³ had now twenty-four houses 'and more, all inhabited with Englishe and Britishe famelies', and was recommended to be granted two annual fairs.⁴ While there is no further information from which to draw a more general picture, it is clear that some villages at any rate had expanded considerably in the 1620s.

Concealments were found in greater quantity in Cavan than in Armagh. Thus small concealed areas were listed for the estates of John Hamilton and Ballie in Clankee, of Sir Francis Hamilton in Tullyhunco, and of Moynes in Loughtee. There were considerable concealments in the Waldron estate amounting to nine polls. An inquisition, not found, for the Butler estate appears to have been unsatisfactory in its treatment of concealments because in July 1631 the lords justices authorised the issuing of a new commission. It was felt that five polls in Cavan (he also had land in Fermanagh) were concealed.⁵ Two polls of Sir Francis Hamilton's estate were reported to be 'wrongfullie withheld and possessed' by Sir James Craig.⁶ Most of the inquisitions selected and defined the area suitable for Irish occupation; they also assembled detailed lists of sub-denominational and alternative names of places. Much of the

1. B.M., Add. MS 4756, f.103.

2. Inq. cancell. Hib. repert., ii, Cavan (24) Chas I.

3. B.M., Add. MS 4756, f.102^v.

4. Inq. cancell. Hib. repert., (23) Chas I.

5. Marsh's Library, Dublin, 2⁴. 2. 6, no 96.

6. Inq. cancell. Hib. repert., ii, Cavan (24) Chas I.

colony on the Moynes estate appears to have been concentrated in a small area.¹

Ten of fourteen Cavan undertakers took out patents between 20 December 1628 and 17 July 1631.² Most of these estates had previously been examined by commissioners and the new patents reflect that examination in the detail of topographical information, the inclusion of concealments, and in the areas allocated to Irish. The amount of money raised in fines from these ten properties was £563. 12. 0.³ Two of three owners in Tullyhunco, Sir Archibald Acheson failing to comply, in this way secured their estates. Three of four in Clankee, excluding William Hamilton, received new patents. Five of seven proprietors in Loughtee did likewise, neither Sir Stephen Butler nor those responsible for the Waldron estate, the owner of which was then a minor, securing new patents. Sir Stephen Butler was forbidden to take out a new patent until he had satisfied a debt to his brother.⁴ That the disagreement was unresolved by December 1633 is evident from a letter of the king to Wentworth instructing him to summon Butler and his nephew (his brother being presumably dead) before him and settle the dispute.⁵

Little is known of what steps, if any, the undertakers in either county took to give effect to the segregation principle. It could

1. *Ibid.*, (23) Ches 1.
2. Detailed abstracts of these patents are found in P.R.O.I., John Lodge, Records of the rolls, v, 99-100 (Bagshaw), 139-44 (Perse : N.L.I. D8784, attested copy), 144-7 (Ballie), 147-9 (Greenhan), 158-60 (John Hamilton), 175-8 (Moyne), 181-3 (Taylor), 206-7 (Fishe), 265-71 (Craig), 273-8 (Sir Francis Hamilton).
3. Claims for payments of arrears in Ireland were being made and ordered at this time from the additional revenue accruing from fines and increased rents (Cal. S.P. Ire., 1625-32, pp.470, 550, 552, 564, 583).
4. Cal. S.P. Ire., 1625-32, p.448.
5. *Ibid.* 1633-47, p.36; Below, p.

theoretically have involved the breaking of leases of land earmarked for Irish which might have been held in leasehold by British.¹ If, however, we view the problem of the undertakers very narrowly to be that they should have no more than one-quarter of their estates held by Irish who were their direct tenants, and overlook the presence on their estates of the much more numerous groups of Irish who were either servants or workmen, or tenants to the undertakers' British tenantry, the implementing of the arrangement would not have posed great difficulties for most of the Armagh undertakers, though for many in Cavan it would have been much more difficult. An attempt has been made to work out elsewhere for Armagh,² using the evidence of the 1624 natives' Inquiry (which may well have been conducted with leniency to the undertakers admittedly, though it does receive some confirmation from the Inquisitions of the 1628-30 period), the proportion of each undertaker's estate held by direct Irish tenants. This reveals that while most had such tenants on approximately one-quarter or under of their estates, only one, Sir William Brownlow, had substantially exceeded this proportion. While for Cavan an inquiry of this sort has not survived or was not conducted, it is clear from the Inquisitions for some estates examined above that much higher proportions were held by direct Irish tenants.

In July 1630 the committee for Irish affairs of the privy council decided on punitive measures whereby the income from lands illegally held by Irish could be diverted to satisfy the arrears of two Ulster captains, themselves undertakers, Sir William Stewart of Aghataine, county

1. See above, p.

2. Below, pp. 339-46.

Tyrone and Sir Henry Tichborne of Lifford, county Donegal.¹ The intention was that inquisitions should be held throughout the five plantation counties, excluding Londonderry, to enquire what lands in the areas for British occupation on undertakers' estates had been held in any way by Irish since the date of the letters patent, and that these lands should be granted to Stewart and Tichborne, with all rents accruing since the first breach of conditions, to hold during the king's pleasure. They should account for what rents they had received when required and 'husband and improve' the lands while they remained under their control.²

Inquisitions were held in both counties in the summer of 1631,³ and in December 1631 the lands thus discovered - in all five counties - were granted to the two beneficiaries. The patent recited that the lands had reverted to the king for such term as they were granted to or occupied by the Irish. All the lands thus granted had been valued at £413. 5. 0. per annum.⁴

The inquisition for Armagh revealed that small pieces of land in three properties all in Oneilland were subject to confiscation. On Sir William Brownlow's estate three portions of land, the largest a townland, were revealed to be in Irish occupation contrary to his patent. On Stanhowe's estate a half townland was found to be so occupied, as was one quarter of a townland belonging to Sir William Alexander.⁵

1. Cal. pat. rolls Ire., Chas I, p.588; referred to in P.R.O.I., Lodge, Records of the rolls, v, 526-7. In 1627 Tichborne had received a right of payment from the fines of those plowing by the tail (Cal. pat. rolls Ire., Chas I, pp.292-3).
2. P.R.O.I., Lodge, Records of the rolls, v, 526-7.
3. Inq. cancell. Hib. repert., ii, Armagh (19) Chas I; Cavan (38) Chas I.
4. P.R.O.I., Lodge, Records of the rolls, v, 526-7; Cal. pat. rolls Ire., Chas I, p.588.
5. Inq. cancell. Hib. repert., ii, Armagh (19) Chas I.

The inquiry in Cavan revealed unsegregated Irish tenants on four estates. The amounts of land involved were considerably larger than in Armagh. In Loughtee it was found that four polls of land (one is omitted in the patent) in Moynes's proportion and three polls in Fishe's were in Irish hands. In Clankee one half poll in John Hamilton's estate and twelve polls of Sir Henry Perse's were discovered in Irish occupation contrary to regulation.¹

The completeness of the inquiry in either county is subject to some doubt. The lands itemised, with the exception of two polls on the Perse estate, appear to have been held directly by Irish occupants from the landlords. The inquiries thus, by and large, did not take account of Irish sub-tenancies at all. A subsequent inquisition on the Perse estate in Cavan in November 1632 revealed that one of his freeholders had demised two polls of land in the British area to native Irish tenants.² This provides a particular example of what had been a fairly general practice, continuing now despite the 1628 regulations. The government continued to be unable to enforce the modified regulations thoroughly, as it had been unable (or unwilling) to enforce the original conditions. Penalising devices like the grant to Stewart and Tichborne were not entirely satisfactory.

The effect of the Stewart-Tichborne grant in enforcing compliance to regulation, viewed only in the very narrow sense that the undertakers should not have Irish tenants on the British-appointed areas of their estates, is not clear owing to the tantalising dearth of estate records.

1. *Ibid.*, Cavan (38) Chas I.
2. *Ibid.*, Cavan (41) Chas I.

By 1635 Brownlow's townland of Ballynamony, confiscated in 1631, was, at any rate, in the hands of a British tenant who paid rent to him.¹ He had therefore recovered at least part of the land confiscated, and had demised it in accordance with regulation. However stronger and more direct measures than those adopted would have been needed to enforce complete conformity to the new conditions.

III Population, c.1630.

Although the inquisitions give some picture of the estates of undertakers prior to receiving regrants, the termination of the series of government surveys in 1622 makes the presentation of a detailed picture of the colony as a whole after that a matter of difficulty. However, the survival of a muster-roll from this period, more detailed than that of 1618,² assists in estimating the size of the British population, at the beginning of the third decade of plantation.³

A renewed concern with mustering and training the 'risings out' in Ulster arose during the war years. Risings out were held in Antrim and Down in 1626.⁴ In September 1628, following on royal instructions to the lord deputy of the previous July⁵, Lieutenant William Graham was appointed muster-master for Ulster and Leinster with power to demand the same fees as Allen had received previously.⁶ Graham, a native of

1. Armagh Museum, 'A briefe survey of the severall leases and other holdings within the mannor of Brownlowes - Derry ... 1667', which includes, pp.126-30, 'a rent-roll of Sir William Brownlowe's half years rent ending All Saints 1635'. This rental is unsatisfactory in that it states only in some cases the identity of the land leased as well as the tenant's name.

2. Above, pp.174-7.

3. B.M., Add. MS 4770.

4. B.M., Sloane MS 3827 ff.79-82 (Falkland Papers).

5. Cal. pat. rolls Ire., Chas I, pp.380-1; Cal. S.P. Ire., 1625-32, p.367.

6. Cal. eat. rolls Ire., Chas I, p.365; P.R.O.I., Lodge, Miscellaneous Enrollments, p.41.

cumberland and so probably a relative of the Cavan servitor family, had been responsible for the arrest and conveyance to England of 'two notorious malefactors' from Monaghan early in 1624.¹ The muster-roll commonly dated as c.1630 may then be ascribed to Graham. It is likely that he began his task on appointment, but this return is not for the first mustering; a first defaulter in Cavan is noted as having attended.² There is reason to suspect, however, that for Armagh at any rate its figures should be treated with some caution.

The total number of men mustered in the nine Ulster counties was 13,136.³ Of these 926 lived in Armagh and 815 in Cavan. Fermanagh with 913 was roughly equivalent to Armagh, but the other counties except Monaghan, with 93, and Cavan, all mustered numbers considerably exceeding 1,000, of which Londonderry with 1,930 and Down with 4,045 had the larger totals. The amount and quality of arms displayed was not re-assuring. There were some 7,000 swords and 3,000 pikes, but only 700 muskets. In addition there were 1,300 other weapons, made up of calivers, snaphances, halberts, and lances.⁴ There were only 20 and 28 muskets respectively shown in Cavan and Armagh.

It seems beyond doubt that the section of the muster book for Armagh must be regarded as conservative if used as a guide to population. Professor Moody's analysis of its contents for Londonderry shows that its return for that county approximates very closely to the total of

1. Cal. pat. rolls Ire., Jas 1, p.582.

2. B.M. Add. MS 4770, f.9^v.

3. Ibid., f.283. The total for Cavan was inaccurately calculated as 795 and for Armagh as 902. The provincial total has been adjusted to take account of these faults in Graham's arithmetic.

4. Ibid.

British males present,¹ but it would be dangerous to accept that this holds good for the other counties.² Recalcitrance in mustering was characteristic of England at this time,³ but it is also clear that Wentworth's attitude here was a rigorous one⁴ and Graham's muster return is manifestly a reflection of the greater vigour of government at this time in comparison with Alleyne's in 1618. Some of the Armagh proprietors in c.1630 may have claimed that they were not required to muster more than twenty-four men per 1,000 acre proportion which had been Alleyne's assumption in 1618, though there is no evidence whatever that Graham accepted this convention ten years later.

The materials available for criticism of the Armagh section, though limited cast doubt on its completeness. They are primarily of two types - inquisitions and estate papers. In using the inquisitions associated with the granting of new patents to undertakers under the 1628 arrangement it has been decided to examine whether tenants whose tenures dated from 1622 or after featured amongst those mustered. Names have not been included where it would seem likely that a person featuring on the roll was the son of a deceased tenant. It is perhaps worth noting that the inquisitions do not record British sub-tenants.

Only two inquisitions can be used in this way, those for the

1. T.W. Moody, Londonderry Plantation, pp.319-22.
2. The survival of a tabulated return on the population of Donegal drawn up in 1626 by a provost* (B.M., Sloane MSS 3827, ff.62-3^v) may also be noted. This return, broken down by baronies and nationalities, gives a total of 1760 British (291 English, 1479 Scots ('besydes the souldiers'), 5201 Irish). The muster book gives a total of 1258 or some 500 less, i.e. some 71.5% of the provost marshal's total. The accompanying letter indicates that the provost marshal was not on good terms with at least one of the resident landlords, so he was not likely to connive at over-estimates of population.
3. L. Boynton, The Elizabethan Militia, 1558-1638, London 1967, pp.269-87.
4. *Below*, p. 282.

* marshal

hamilton estate in the Fews, and the Stanhowe estate in Oneilland. On the former it is found that 13 names, 9 of whose tenures dated from 1625 or after, were not recorded in the muster list.¹ On the Stanhowe estate where only 3 new tenures were created in this period one, the son of the owner, is not recorded.² Estate papers where available add further confirmation. Two rentals of the Brownlow estate in Oneilland substantially confirmed by a surviving fragment of the 1634 subsidy roll,³ dating from 1635 and 1636 reveal in both cases 68 British tenants whereas the total of the muster roll is 42.⁴ The muster master also took no account of British tenants on the lands of Trinity College. These can hardly have been numerous but there is evidence that Caulfield had planted British settlers on the lands he held from the college in Colure.⁵ Of 56 tenants to Caulfield's abbey lands listed in the muster book only 3 feature in a list of 16 tenants of Colure, c.1641, preserved in Trinity College.⁶ An examination of the estate papers of the archbishopric of Armagh from 1625 reveals some 70 names not on the muster roll.⁷ Two other names emerge from a law suit of 1638.⁸ While it is possible that some of these may have been absentee, likely absentee, and also people possibly dead and represented by sons on the muster roll have been excluded. Four names can be added from the Obbyns and Cope lands (originally Powell) in the Portadown area from a

1. Inq. cancell. Hib. repert., II, Armagh (4) Chas I.
2. Ibid., (3) Chas I.
3. Representative Church Body Library, Dublin, Libr/48, p.111
4. Armagh Museum, Brownlow rentals, 1635 and 1636. 5. Below, pp.
6. T.C.D., Muniment Room, Mahaffy collection, drawer 6, from folder no 1.
7. Armagh Archiepiscopal Registry, Rentals, post 1625; Armagh Public Library, Archbishop's manor court rolls: transcripts of the rolls pertaining to county Armagh are in P.R.O. N.I., T.475, pp.4-8, 20-48.
8. P.R.O.I., Repertories to the decrees of chancery, II, 138.

surviving fragment of the 1634 subsidy roll.¹ Thus for six estates for which evidence can be mobilised the names of some settlers not featuring on the muster roll have been recovered.² There were thus at least some 1,050 British males in the county at this period.

It has to be admitted that this figure does not reconcile readily with that derived from the 1622 survey. The muster roll figure for the territory covered by the survey, i.e. excluding church land and Caulfield's monastic property, is 712. This is close to the 685 of Pynnar but considerably lower than the approximately 1200 arrived at from the 1622 survey. For church and monastic property the muster return lists 212 names to which have been added some 85 names, including residents on the lands of Trinity College, from other sources. Of these are added to the 1622 figure there may well have been as many as 1500 British males in the county. It is clear, at any rate, that a figure of well over 1,000 has to be suggested.

The possibility of checking this against other sources is limited. It may be noted, however, that the hearth money roll of 1664 for Armagh³ gives the names of some 1100 British, presumably heads of households which must between them have contained close on 2,000 males. The census of c.1659⁴ provides a total of 2393 English and Scots in the county, though it cannot be concluded that this figure was of males only.

Criticism of the Cavan return is more difficult through the absence of any substantial alternative sources. Of 6 inquisitions covering

1. P.R.O. N.I., T.281/7, p.1.
2. Armagh Public Library, Castledillon Papers, pp.71-6.
3. L.P. Murray (ed.), 'The county Armagh hearth money rolls, A.D. 1664', in *Archivium Hibernicum*, viii, 121-302.
4. S. Pender (ed.), A census of Ireland, circa 1659, pp.23-40.

Cavan estates examined, 3, for the estates of Bailie, Fishe, and Perse, add one name each.¹ These modest additions are counteracted by the fact that three or four of those listed for Cavan town were old English. The muster return does have the limitation, not serious as far as British population is concerned, that the servitors' lands, with the exception of the estate granted to Ridgeway and now the property of the earl of Fingall, are omitted from its reckoning. It is likely that the addition of some 20 names would correct this deficiency.²

Graham's return for Cavan is close to the figures derived from both Pynnar's survey and the report of the 1622 commissioners. Excluding churchland and the town of Cavan, the muster book indicates the presence of 745 people. For the corresponding area from Pynnar's survey the number of 847 males was derived, though from the 1622 survey the figure of 765 was reached. If one adds to this the 70 people listed for churchlands and the town of Cavan - a figure which includes the three or four old English who are listed amongst 27 who appeared for Cavan - one gets a total of 835. This is identical with the c.1630 total if one adds 20, as suggested, to cover servitors' lands whose sparse British population was not mustered.

1. Inq. cancell. Hib. repert., ii, Cavan (17, 19, 26) Chas 1.
2. There is only a partial survival of the 1664 hearth money roll for Cavan. Four parishes covered in whole or part in Castlerahan, reveal about 25 British names some of whom are obviously post 1641 arrivals. (These extracts are presented by P. O'Connell in Breifny Antiquarian Society Journal, vol 1 no 2 (1921) pp.147-8, vol 1 no 2 (1922) pp.311-12, vol 11 no 3 (1925-26) pp.288-89, and vol 111 no 1 (1927) pp.61-2). On a transcript of the roll for the barony of Tullyhunco about 183 British names occur (F. McKiernan 'The Hearth Money rolls for the Baronies of Tullyhunco and Tullyhaw, Co. Cavan' in Breifne, vol 1 no 2 (1960), pp.247-62). The muster book gives 210. The Tullyhaw hearth tax return records 50 British names. The c.1659 census has not survived for Cavan.

CHAPTER 6. THE PLANTATION UNDER WENTWORTH'S ADMINISTRATION, 1633-41.

I Wentworth's policy to 1637.

Wentworth inherited the arrangement whereby the undertakers might receive new patents in return for doubling their rents and paying a fine. When in 1633 he examined its implications he took objection on two main grounds, and felt his own initiative gravely hampered in consequence. He pointed out that the crown had lost considerable revenue in allowing the undertakers to acquire new patents without a re-measurement of their estates and a consequent increase in quit rent. The crown he asserted had thereby sustained 'shameful injury by passing in truth ten times the quantities of land expressed in their patents'.¹ Second, he felt a grave error had been made in granting their estates in 'base' socage tenure rather than in capite which was

the greatest means of drawing the subjects to depend upon his majesty. ... If the business were entire again in [his] managing [he] would make it six times as beneficial for the crown and yet use the planters honourably and well.²

However while admitting that little could be done to overthrow so recent a policy he was determined

the plantations being ... one of the chief cares intrusted [to him, to] cast awhile about and search, if it were possible, to play an aftergame so well as to reduce them in these two principal respects to reason and justice.³

The matter achieved prominence at this time in that one Ulster undertaker - particularly relevant as a proprietor in both Armagh and Cavan - amongst others who had not previously availed themselves of the

1. Wentworth to Coke, 23 October 1633 (Strafford's letters, I, 132).

2. *Ibid.*

3. *Ibid.*

arrangement, had desired Wentworth's warrant to initiate the process leading to a new grant. This was Sir Archibald Acheson, a powerful figure 'being considered so near in access to the king', and the warrant was refused.¹ The refusal, made in general as in particular terms, was in effect a breach of article 26 of the graces which embodied the decision of 1628 to grant new patents. Thus if he could take no immediate steps to invalidate undertakers' titles, the taking out of new patents by certain defaulters would not be allowed.

Apart, however, from imposing restrictions on individuals, notably Acheson, Wentworth's initiative in introducing a new policy for Ulster was inhibited for many years by varying political considerations.² Thus Wentworth, early in 1634, decided that in view of his forthcoming parliament it would be inadvisable to press them too severely to conform 'considering the truth is we must ... bow and governe the native by the planter and the planter by the native'.³ He noted, however, the information available from Graham's muster book, observing that the Ulster colony was but 'a company of naked men', underarmed or in many cases provided with arms of 'altogether unserviceable' types such as snaphances and 'birding peeces'. His policy would be, he stated, to encourage Graham in every way but to take no more radical action until parliamentary business had been transacted, when he would require a 'very strict' letter from the king enjoining compliance with the mustering

1. *Ibid.*, 132-3; Sheffield City Library, Strafford MSS, vol. v, ff. 105, 228. Acheson had also pressed for the payment of a debt of some £750 owed to him by the crown in England.
2. Pressure was brought to bear on the county of Cavan in 1633 for reluctance to make subsidy contributions (*ibid.*, ff. 1-2, 4), but this involved no new departure in policy.

regulations 'and all other covenants of plantation'.¹ Coke in his reply of June 30 signified acceptance of such a policy.² On November 27 as a tactical gesture Wentworth announced that he would no longer withhold the benefit of article 26 of the graces from defaulting Ulster undertakers.³

Further cause, moreover, for procrastination of an active Ulster policy came with the decision, which had crystallised by the autumn of 1634, to carry out a plantation in Connacht. It was felt that punitive measures adopted against the Ulster settlers might deter applications for land in the west. Hence, though the penalisation of the Londoners in 1635⁴ provided a precedent which Wentworth might easily have cited against the planters elsewhere in Ulster, the opportunity was not availed of. Coke in communicating the outcome of the Londoners trial to Wentworth in March 1635, had pointed out that 'we apprehend this precedent will trenche deepe not only upon the other five escheated countys but upon most plantations in that kingdome'.⁵

In the trial of the city of London one of the allegations against them was that they had procured a very considerably greater extent of land than the acreage stated in their original patent. This statement was both true and a little irrelevant since the acreage figures had been calculated not by them but by Sir William Parsons the Irish surveyor general and his colleagues. That the land had been grossly undermeasured

1. Ibid. It may be noted that a lease made at this time by Sir Patrick Acheson (Sir Archibald died in 1634) of land in Cavan enjoined attendance at all musters and outrisings (P.R.O.I., Deeds, wills and instruments ... post mortem, vol. 25, pp.254-65).

2. Ibid., vol. v, f.242.

3. Lords' In., Ire., 27 November 1634, pp.36-7; A. Clarke, The old English in Ireland, p.88.

4. T.W. Moody, Londonderry Plantation, pp.355-69.

5. Sheffield City Library, Strafford MSS, vol. ix, ff.261-2.

was shown on the evidence of Thomas Raven, formerly the city's surveyor, who had been sent to London by Wentworth at the request of the crown in January 1635.¹ Raven had been employed by the Londoners until c.1618, and from 1621 was involved with Sir Thomas Phillips of Limavady in map-making and surveying subsequently used as evidence against the Londoners in their trial.² In 1623, pointing out how much revenue the king had lost by conveying away lands grossly undersurveyed, he proposed that the office of king's sworn measurer should be set up in Ireland and himself appointed.³

The city's trial in 1635, as well as casting doubts on the probity of Parsons,⁴ brought Raven and his proposals into renewed prominence. In March his scheme was recommended as having royal approval by Coke to the lord deputy⁵ and in May he was despatched from England widely commended.⁶ Wentworth was thus being proffered the means to put one of his two objectives for the plantation, an accurate resurvey and consequent increase of rent, into effect. However his reply of April 7 indicated that although he had considered Raven's proposals, the plans for Ulster must be for the moment subordinated to his grand scheme for Connacht:⁷

1. *Ibid.*, vol. vi, ff.166, 167-8.
2. T.W. Moody, Londonderry Plantation, pp.112, 139, 169, 194-5, 196, 262, 275, 280, 362, 452. Raven lived in Armagh for a time and did some mapping for the archbishop (below, pp.
3. P.R.O., S.P. 63/237 ff.150-151.
4. Sheffield City Library, Strafford MSS, vol. ix, pp.261-2. The native Irish were also critical of Parsons' procedure at the time of the plantation. A statement (in Latin) issued by the confederate catholics in 1642 claimed that he had bribed apparently those jurors who found crown title to the escheated counties (Commentarius Rinuccinianus, i, 359).
5. Strafford MSS, vol. ix, pp.261-2.
6. *Ibid.*, vol. iv, pp.204-6, 207; vol. ix, pp.262-4; Cal. S.P. Ire., 1633-47, p.184.
7. Strafford's letters, i, 405-6; Strafford MSS, vol. ix, pp.13-14 of new pagination beginning after p.83; see also vol. iii, p.192.

Tis most true it stands with all the reason and justice in the world the crown should be righted in this fraud of the overmeasurement which it hath suffered by ... thorough the negligence (at the best) of those ministerial officers unto whose trust the care thereof was committed. And certainly I was fully resolved to have been heard upon this subject in a season fit for it, which hitherto it hath not been, nor, in my opinion yet is. For under favour, I conceive this question would not be stirred until such times as the plantations of Connaght and Ormond were settled... The calling for reason from others at this time [would] make the plantation lands ... less esteemed and sought after ... But these plantations now in hand once settled there ought not to be an hower at after lost from vindicating the Crown in these matters, not only in the point of over-measure but in that of their tenures also.¹

In his reply Coke accepted the deputy's 'seasonable caution' as being 'very well approved'. However so also was Raven's proposal, 'that the saddle (as you say) may be sett on the right horse'.² Since the plantation scheme for Connacht proved abortive and was only abandoned in 1640,³ the re-measurement of Ulster and consequent adjustment of rents was permanently deferred.

In 1637 and 1638 Wentworth continued to press that the prospects of future plantations should not be hazarded in any plans for Londonderry. Thus writing to the king in April 1637 he suggested that

truly Sir, the English which transplant themselves hither are soe much the better subjects to the crown and soe much the better husbands to the ground then are the natives as they deserve to be much made of⁴

By 1638 the argument had acquired a further sophistication. Any redisposal of the Londoners' lands must take account of the colonists, predominantly English, who had settled there. Their harsh treatment

1. *Ibid.*

2. *Strafford's letters*, i, 424.

3. *Kearney, Strafford in Ireland*, pp.190-91.

4. *Strafford's letters*, ii, 65-6; see also *Strafford MSS*, vol. x, p.22 (second pagination).

would discourage candidates for land elsewhere but also the province of Ulster would 'become totally possest by the Scottish' rendering them 'much harder to governe in Ulster where I assure your Majesty they are but overruly already'.¹

The progressive abandonment of the re-measuring of Ulster can thus be seen to have been largely due to political circumstances, though the administrative task would also have been considerable.² However the plan to convert the planters tenures to knight service was put into partial effect by means of the commission for defective titles.³ This commission, one of Wentworth's most effective instruments, was set up by royal patent in June 1634.⁴ By 1636 when the business of the commission was increasing very much in momentum Wentworth estimated that 'before the worke be finished' the revenue would be increased by £6,000 at least.⁵ Also it was the purpose of the commission to convert tenures to an in capite basis, thereby bringing them within the competence of the court of wards with further implications of profit and power for the crown.

Early in 1637 the commission turned its attention to Ulster. On February 21 Wentworth wrote to Coke as follows:

We have now begunn to call before us at that commission the planters, natives, and servitors within the province of Ulster, where the king hath not so much as one tenure in knights service.⁶

1. Strafford MSS, vol. iii, pp.309-12.
2. For Falkland's appreciation of this in 1627, see below, p.
3. For its purposes and effects see H.F. Kearney, Strafford in Ireland pp.81-4.
4. P.R.O., S.P. 63/254, ff.302-11 (Cal. S.P. Ire., 1633-47, pp.56-7); Strafford MSS, vol. ix, pp.101-7. Rules regarding the fees and other regulations were laid down by the commissioners (Bodleian Library, Oxford, Carte MSS, vol. 60, ff.642-2^v).
5. Strafford MSS, vol. ix, pp.146-52.
6. *Ibid.*, vol. ix, p.209. Some Irish-owned land was held by knight's service, see below, p. 323, 334.

The immediate reaction of the settlers in our area, or indeed elsewhere in the plantation counties, is not available. However the letters of George Rawdon, the agent of Lord Conway and Killultagh for his lands at Lisburn, give a general indication. In May 1637 he reported that only two landowners in Antrim and Down had as yet submitted to the commission.² By June it would seem that the undertakers who had recently, under the 1628 scheme, taken out new patents had petitioned for exemption from again renewing their titles. Rawdon reported from Dublin as follows:

The judges have argued publikally the validity of divers patents for plantation land in the north, but have not yet agreed, other judges are to argue againe in the Counsell Chamber the next week. Here [] great expectation of the issue but it is like [] must all come in and take new patents as in [] most of the kingdome.³

The details of this legal debate are not available, but by July Rawdon informed Conway that Lord Chichester was preparing to take out his patent, commenting that 'itt is soe tedious a worke that it makes me afraid to thinke of it'.⁴ In August Wentworth communicated his expectations to Coke:

The compositions of Ulster will, I am very confident, answer expectation bringing in not only a considerable increase of revenue but gaining amongst them tenures in capite which (if I be not mightily mistaken) will alone shew itself hereafter for a very great service to the Crown, and much increase the Court of Wards.⁵

II The Commission for Defective Titles in Armagh and Cavan.

Between 9 June 1638 and 24 September 1639 twenty-four landowners in

1. P.R.O., S.P. 63/258, ff.256-7^v, 258-9^v: copy (Cal. S.P. Ire., 1633-47, p.272).
2. P.R.O., S.P. 63/256, f.101 (Cal. S.P. Ire., 1633-47, p.159).
3. P.R.O., S.P. 63/256 ff.110-110^v (Cal. S.P. Ire., 1633-47, p.162).
4. P.R.O., S.P. 63/256, ff.120-21^v (Cal. S.P. Ire., 1633-47, pp.164-5).
5. Strafford's letters, ii, 89.

armagh took out patents under the commission for defective titles.¹ Of these thirteen were native Irish owners. Three others, including one old English, James Fleming, were recent purchasers of small areas in the county. Of the remaining eight two, Marmaduke Symonds and Lord Caulfield, held monastic and other land in the county, and one, Viscount Moore, was the only Orior servitor. In addition five owners of undertakers' land in Oneilland and the Fewes, Henry Stanhowe, Henry Dillon, Anthony Cope, John Waldron,² and Sir George Acheson in this way secured their titles. Apart from the effect of increased rents and other requirements a sum of about £300 was raised in fines from these new patents.³ It is clear that patents to a number of estates were not taken out. Explanations can be given in most cases because claims on estates which would affect title came into prominence at times when new patents might be received. We can thus assemble material which throws light on many estates at the end of the plantation period. It is clear that many owners were hampered at this stage by mortgages, debts, or charges on their estates.

The Brownlow estate in Oneilland, of which one townland had been mortgaged in 1628,⁴ had run into difficulties in the 1630s. In September and October 1634 George Rawdon, Lord Conway's agent, in writing to his master, reported that Sir William Brownlow and his family had gone away in haste 'to outrun a ne exit regnum'. They had gone, he stated, to the bishopric of Durham, presumably in quest of sanctuary

1. P.R.O.I., John Lodge, Records of the rolls, vi, passim.
2. A king's letter in favour of Waldron and his son William was written on 20 May 1637 (Cal. S.P. Ire., 1633-47, p.159).
3. This sum is not exact because two owners, Caulfield and Moore, held lands outside the county and their fines are not entered on a county basis.
4. P.R.O. N.I., T808/14964.

from creditors, and had let their house and park.¹ In December 1635 Brownlow mortgaged his estate to Alderman Sir Robert Parkhurst of the city of London, undertaking that £466 out of an annual rental of £773. 4. 6. should be paid each year to Randal Aldersey of Dublin, Parkhurst's Irish agent.² Parkhurst was a man with large financial interest in Ireland. As mayor of London in 1634 - he was then also governor of the Irish Society - he had clashed with the privy council over the payment of ship-money.³ In 1642, as a member of the long parliament he 'adventured' £2,500 towards the suppression of the Irish rising.⁴ He had much at stake in Ireland. He owned land in Roscommon,⁵ but he seems to have been chiefly a speculative moneylender.⁶ It is not surprising that in such circumstances no new patent of the estate was taken out.

The Sacheverall estate was another in a precarious financial position of which a new patent was not taken out. We have seen that Sir William Alexander received a patent of part of it in 1628.⁷ This patent probably reflected his rights through a mortgage and it may well have been to buy out Alexander that Sacheverall mortgaged (or it seems, sold) areas of the estate to Rev. John Symonds, an Armagh rector,⁸ between 1630

1. P.R.O., S.P. 63/254, ff.240, 437-7^v (Cal. S.P. Ire., 1633-47, pp.77, 81).
2. Armagh Museum, Brownlow leasebook, 1667, p.130.
3. T.W. Moody, Londonderry Plantation, p.356.
4. I.R. MacCormack 'The Irish adventurers and the English civil war' I.H.S., x. 23-4, 53.
5. Kearney, Strafford in Ireland, p.101.
6. He had lent also to Phelim O'Neill (below, p.), and also had an interest in a small area in Cavan (T.C.D., MS f. 3. 3, f. 205).
7. Above, p.266.
8. Below, pp. 489, 496.

and 1636 for sums of about £1,600.¹ While the estate is recorded as in Sacheverall hands in 1641,² it is clear that had Sacheverall taken out a patent under the commission for defective titles it would have had to provide for the rights of Symonds and possibly also Alexander.

Mountnorris whose political downfall occurred in 1635-6,³ just before the commission turned its attention to Ulster, did not receive a new patent because one of the estates in Armagh, Rolleston's, in which he had an interest had become a focus of dispute at this time. It appears that in 1618 Rolleston mortgaged his property to Mountnorris (then Sir Francis Annesley), for £420, to Rolleston's use until 2 May 1620 and afterwards to Annesley's if the money involved were not repaid. The money not being paid at this date, Annesley took possession of the property, and received a patent, not then enrolled, in November 1631. In 1635, Rolleston commenced 'a tedious suite' in the court of chancery for the recovery of the lands. The Rolleston argument appears to have been that the redemption money had been tendered but refused and that Mountnorris's behaviour in the whole affair had been high-handed. Mountnorris countered that his title was unquestionable, otherwise he would have not have received his patent in 1631. In 1636 Rolleston petitioned Wentworth and the Irish council to adjudicate the dispute with the result that 'about' May 1637 Mountnorris was obliged to surrender the property. The case was a complex one and the extent to which Wentworth's decision was coloured by political antagonism is conjectural. At any rate it was revoked by the English parliament in

1. Inq. cancell. Hib. repert., ii, Armagh (25) Chas I.
2. P.R.O.I., Book of survey and distribution.
3. Kearney, Strafford in Ireland, pp.70-2.

1640 and it formed part of Wentworth's impeachment. The question of the ownership of the estate was again revived before the court of claims after the restoration and also in the early nineteenth century.¹ Neither party had secured a new patent under the commission for defective titles.

The Dillon estate raised problems for the commissioners.² John Dillon, the original grantee, died in 1637, his grandson and heir, Henry, having been born in 1626. The estate was encumbered in various ways. In July 1631 Dillon made a settlement whereby two-thirds of the estate should go to his son John and his successors, with provision for himself and his wife. In May 1636 Dillon and his second wife mortgaged the remainder of the estate to Lord Caulfield for £2,000, to be repaid in seven years. On the death of John Dillon, the younger, his right in the two-thirds descended to his son, Henry. By his will of March 1637 John Dillon the elder disposed of the mortgaged part of the estate to his wife for her life and various relatives. However by 1638 complex disputes arose as to the terms under which a patent to the mortgaged area should be issued. The commissioners, Wentworth presiding, made an order on this in June 1638, laying down the conditions under which Caulfield should receive a patent. However, although the amount of fine and quit rent was agreed on and a *fiant* issued, Caulfield did not in fact take out a patent, presumably considering that his interest was adequately guaranteed by the deed of mortgage of 1636. As a result the exchequer

1. N.L.I., Rolleston Papers, Packing Case 112, relevant documents in folders 1 - 3.
2. Armagh Public Library, 'The title, interest and purchase of the manor of Castle Dillon ... 1696', *passim*. This, a volume of some 300 pages of transcripts, is unusually illuminating of the complexities of landownership and the role of the commissioners. See also Ing. cancell. Hib. repert., ii, Armagh (40) Chas I.

did not receive the new rent or the fine. It is of interest that no successful pressure was put on Caulfield to take out this patent.

Henry Dillon secured a patent of the remainder of the estate in July 1639, receiving it in free and common soccage.¹

The affairs of the Acheson's were complicated by a debt of £800 as well as family claims in 1639. Sir Archibald had died in 1634 to be succeeded by his eldest son Sir Patrick. Sir Patrick married the daughter of William Moore, clerk of the signet in England, but died without male heir in October 1638. He was succeeded by his half brother, Sir George, then ten years old.² The estate came immediately into public prominence. Sir William Balfour, the lieutenant of the Tower of London and a creditor of Sir Patrick to the extent of £800, pressed - with other creditors - for the payment of his debt, Lady Acheson arguing the priority of her claim to a jointure of £600. In March the king had ordered Wentworth to make a stay of other proceedings in Dublin in which Balfour was defendant because his services were needed in England.³ However, on April 27 Balfour wrote to Wentworth from the Tower setting out his position. He stated that Sir Patrick's widow expected a jointure of £600, 'which is all the estate', although her father had never paid her portion at the time of the marriage. He would be willing to see the jointure money paid if she and her father's executors would pay their dues to the executors of Sir Patrick towards his debts. Until that had been done he entreated Wentworth not to grant

1. Ibid. Caulfield's patent of his own property was taken out in September 1639.
2. Burke, Peerage, (103rd. ed.), p.1039; Inq. cancell. Hib. repert., ii, Armagh (29) Chas I.
3. Below, p. 297.

her royal title to any part of the lands.¹ On April 10 Laud wrote to Wentworth on behalf of Balfour excusing his absence from Ireland and stating that the king had a good opinion of his 'and I hope deservedly in the midst of the fashion of soe many of that nation'.² On May 10 the king wrote stating that although he had formerly recommended Lady Acheson's suit he had since heard the petition of Balfour and the other creditors and submitted the problem to referees. He enclosed the report of the referees along with further petitions from both parties, instructing the deputy to hear and determine the case 'as you shall find agreeable to justice and equitie'.³ Although the judgement is not available, these were the circumstances which formed the background to the new patent issued on August 5.

The presentation of case histories is excusable through the absence of more systematic materials from which to draw for a survey of the plantation on the eve of the 1641 rebellion. It is clear that a number of substantial owners of undertakers' lands had got into serious difficulties. Some had turned to British sources to raise capital, others borrowing from English settled locally. These estates presented problems to the commissioners which in two cases were not fully resolved in that patents were not taken out, and the object of raising government income not fulfilled. How the other proprietors in Armagh who did not compound with the commissioners eluded so doing had not been discovered.

1. Sheffield City Library, Strafford letters, 19/30. These are manuscript letters additional to the transcripts usually referred to as Strafford MSS.
2. Strafford MSS, vol. vii, p.189.
3. Ibid., vol. vi (end vol.), p.22. See also Cal. S.P. Ire., 1633-47, p.250.

The commission for defective titles became operative earlier in Cavan than in Armagh. Between 12 May 1637 and 30 July 1640 forty-nine landowners in the county sued out new patents.¹ Of these twenty-six were native Irish or old English, there being four, including the Earl of Westmeath, of the latter. Nine were British who had acquired small areas by purchase or otherwise, and the remainder were proprietors of undertakers' and servitors' lands. The failure of many English and Scottish undertakers and servitors in this county as in Armagh to comply is worthy of notice. However from those who did compound a sum of about £630 was raised in fines. As in Armagh, disputes of various kinds came to light, with complainants attempting to enlist official support by having patents refused until settlements were reached.

The affairs of the Lambert family were extremely complicated at this stage. The documentation is, however, tantalisingly incomplete. Sir Oliver Lambert had died in June 1618,² leaving as heir a son, Charles, then a minor as well as one other son and three daughters. He was survived by his wife, Hester, daughter of Sir William Fleetwood of Middlesex, who lived until March 1639.³ Lambert made a settlement of his estate just before his death.⁴ Charles (created earl of Cavan in 1647), seems to have spent most of his mature life in England and the estate in Cavan and neighbouring counties was left to agents. Before

1. P.R.O.I., Lodge Records of the rolls, v. 404-5, 417, 436, 437, 442-3, 443, 450-4, 463, 464, 474, 486, 487, 520, 572-3; vi. 6-9, 17, 34, 45-6, 55, 84, 100, 123, 134-5, 167-73, 192-3, 272-4, 322, 348-53 (see also 303 and 389), 379.
2. Inq. cancell. Hib. repert., ii, Cavan (6) Jas I.
3. Burke, Peerage (103rd. ed.), p.456.
4. P.R.O.I., Deeds, wills and instruments ... post mortem, vol. 25, pp.201-9.

1632 the estate which Lambert had acquired from Jones was demised for 1,000 years - presumably a kind of mortgage - to Sir Miles Fleetwood, the widow's brother, and Sir Oliver Luke.¹ Luke was a relative of Sir Henry Wallop and had Irish interests.²

By the 1630s substantial claims against the estate were being pressed, at a time when returns from the land were minimised by deficient administration. The widow and Lord Lambert brought a suit against the rent collector, Phillip O'Reilly, who was required to present a 'perfect' rent-roll, and pay three and a half years rents due, it being alleged that he had caused 'the rest of the tenants' to refuse to pay their rents.³ The claims of creditors and legatees were at the same time being pressed. The chief of these were Sir Miles Fleetwood and Sir Oliver Luke. As early as August 1634 Wentworth undertook to Coke that 'as near as [he] could judge [he would] do right' to Lambert.⁴ In the summer of 1637 a chancery suit in England between Lambert, and Fleetwood and Luke was settled with a decree that Lambert should pay £2,400. At the same time instructions were issued that Lambert's estate in Ireland should be sold to meet this debt and Fleetwood despatched an agent with an official letter authorising the sale. However by September Lambert had paid half the money decreed and given security for the payment of the rest and the English lord keeper instructed Wentworth, who ordered accordingly, to suspend the sale so as to allow Lambert to 'perform his promises'.⁵

1. P.R.O.I., Lodge, Records of the rolls, v.292-3.

2. J.R. MacCormack, 'The Irish adventurers and the English civil war' in *I.H.S.*, x.23.

3. P.R.O.I., Chancery salvage, N.181.

4. Strafford's letters, i, 282.

5. Strafford MSS, vol. ix, pp.60, 61.

This was not, however, the only claim on the estate. Jane Lambert, one of Sir Oliver's daughters, brought a suit in the Irish chancery at about this time against her mother and brother for the payment of £1,500 bequeathed to her as a marriage portion.¹ Also between July and November 1637 official letters were being written to Wentworth on behalf of Mrs. Mary Wakefield, possibly another daughter, who was also engaged in litigation with Lord Lambert.² In November 1638 Murtagh King, a convert to protestantism, ordained by Bedell and employed by him in translating the Bible into Irish,³ was summoned to Dublin to give evidence, he having been 'agent and receiver of the rents' to Sir Oliver.⁴ In August 1639 Lord Lambert received leave to go to Ireland in person to deal with these problems, the king recommending him, in view of his father's services, as a person 'capable of employment'.⁵ It is not surprising that under such circumstances no new patent of this estate was taken out under the commission. A small part of the estate was in the hands of the old English Lord Dunsany in 1641.⁶

The Acheson estate in Tullyhunco was mortgaged in 1637 to Martin Basil of London for £2,000,⁷ Basil receiving a patent in the following year which recited the terms of the mortgage.⁸ Sir Stephen Butler's dispute with his brother about a debt, allegedly of £400,⁹ had apparently

1. P.R.O.I., Chancery salvage, l. 137.
2. Sheffield City Library, Strafford letters, 17/187, 204, 218, 271; Strafford MSS, vol. ix, p.373.
3. E.S. Shuckburgh (ed.), Two biographies of William Bedell, pp.339-43.
4. *Ibid.*, p.345.
5. Strafford MSS, vol. vi (end vol.), p.35.
6. P.R.O.I., Book of survey and distribution.
7. P.R.O.I., Lodge, Records of the rolls, vi. 36-7.
8. *Ibid.*, p.84.
9. Above, p.270.

been settled because a new patent was issued in September 1639 to his heir, James Butler.¹ However it is clear that the Butlers as well as the Achesons,² had had financial dealings with Sir William Balfour, lieutenant of the tower of London, because in March Balfour was defendant in a claim brought against him by Dame Mary Butler.³ It is evident that in Cavan, as in Armagh, some proprietors had been in need of capital and had turned to sources in England to supply it.

We have seen that at the time of the 1622 inquiry an attempt was made by native Irish in Cavan to have the decision about the termon and errenach lands, made when the colony was being planned, reversed.⁴ A somewhat similar though now obscure claim was apparently embodied in a petition, not found, submitted to London in 1635 by two members of the O'Reilly family, Hugh and James, who made claims to considerable tracts of land as having been the property of Edmund O'Reilly, the grandfather of Hugh, and apparently making some offer concerning this land which commended them to the London authorities. The matter was treated by Wentworth, however, with scant credulity. He dismissed the O'Reillys' claim as being unfounded by reference to the great office, and warned, in March 1636, that

should we once shake that foundation all the natives would fall heavily upon us with hudge importunity and utter ruin to the British and planters there.

He urged that no encouragement should be given in England to such petitions until they had been first thoroughly investigated by the Dublin government.⁵ The commissioners for defective titles were,

1. P.R.O.I., Lodge, Records of the rolls, vi. 167-73.

2. Above, p. 292.

3. Strafford MSS, vol. vi (end vol.), pp.17-18. Balfour was also engaged in a suit with Lord Maguire (Strafford letters, 18/5, 56).

4. Above, p. 216.

5. Strafford MSS, vol. ix, pp.128-30, 158.

therefore, not called upon to endorse any radical changes of ownership, thus occasioned, in the county. The case of the Earl of Westmeath, with regard to his impropriations, and the attitude of the commissioners to church affairs generally, have been examined in a separate chapter.¹

The commissioners work provided the occasion for one longstanding claim to compensation to be discussed. Early in 1638 Thomas Nugent of Skrine, county Meath, petitioned Wentworth for compensation for land which his father, William Nugent, uncle of the earl of Westmeath, had purchased in Cavan but had surrendered at the time of plantation when it formed part of the grant to Lord Lambert, on alleged promise from Chichester of compensation in a later plantation. Wentworth, in April, referred it to the commissioners for the plantation of Connacht, and later, Nugent, receiving no satisfaction addressed himself directly to the king.² The aim, of course, was to receive compensation in Connacht, not through the commission for defective titles.

It is evident from the above that although all estates did not come within the grips of the commissioners, that body had a profound effect in both counties. It did not only affect the landlords. In the case of the Butler estate in Cavan, at any rate, the tenants were required to make a 'reasonable and proportionable' contribution to the cost of securing the patent and towards the increase of crown rent.

However the downfall of Wentworth's administration, and the 1641 rising came too quickly for the implications of tenures in capite,

1. Below, pp. 493-6.
2. P.R.O., S.P. 63/256 ff.215-7 (Cal. S.P. Ire., 1633-47, p.186: inaccurate).
3. P.R.O.I., Deeds, wills and instruments ... post mortem, vol. 25, pp. 284-98.

particularly wardship, to take wide effect.¹ The death of William, lord Caulfield in December 1640,² saw, at any rate, preliminaries concluded.³ In January 1641 a royal letter was written to the master of the court of wards, ordering that while the heir remained a ward his lands should be protected, and his friends permitted to compound for the wardship if the master thought fit.⁴ In March the mother of the ward presented a petition to the Irish house of commons⁵ the terms of which are not recorded, but which presumably concerned the wardship. John Hamilton, who had estates in both counties, died in December 1639 leaving an heir, Hans aged nineteen, but he had not taken out a patent under the commission. Beyond the taking of inquisitions in March 1640,⁶ nothing appears to have been done to convert this situation to crown advantage. It will be seen below how aggrieved the Ulster planters were - although not all had been affected - by their treatment under the defective titles commission.

III Ownership of British land, c.1633-41.

Although we have seen that many estates in both counties were in an unhealthy state in this period, sales of estates were few. Sales up to about 1630 had been more numerous.

1. For confirmation see Kearney, Strafford in Ireland, pp.77-81.
2. There is a partial abstract of his will in P.R.O.I., Deeds, wills and instruments ... post mortem, vol. 25, pp.122-5.
3. An inquisition finding his property was taken at Charlemont in February 1641 (Inq. cancell. Hib. repert., ii, Armagh (4) Chas I.
4. Cal. S.P. Ire., 1633-47, p.250.
5. Commons in., Ire., 3 March 1641, p.189.
6. Inq. cancell. Hib. repert., ii, Armagh (37) Chas I, Cavan (65) Chas I.

Only one undertaker's estate, that of Fishe in Cavan, was disposed of, after February 1629.¹ It was subsequently fragmented, having been in part acquired by the servitor Sir Hugh Culme or his family (Culme died in 1630²), the remainder being held in 1641 by five British owners, most of whom had been Fishe's tenants.³ The most substantial of these was Thomas Burrows of Stradone.

Sales of servitors' land were more numerous. The only Armagh instance is that of the lands originally Sir Thomas Williams's which had been acquired by captain Smith at an early stage, and which in 1641 held by a Mr. Roger West.⁴

In Cavan there were a number of transferences of servitors' lands. Part of the Lambert estate in Clanmahon is accredited to the old English lord Dunsany in 1641.² In Tullyhaw, Sir Charles Coote,⁶ who was killed in action in 1642,⁷ acquired the land granted to Rutledge and Brian McPhillip O'Reilly, which was in Culme hands in 1638⁸ and also the lands originally Pynnar's and acquired by Parsons.⁹ In Castlerahan, where changes of ownership are uneasy to date, the lands of Roger Garth had passed from Sir Thomas Ashe to the new English ownership of

1. Fishe then took out a patent (P.R.O.I., Lodge, Records of the rolls, v. 206-7).
2. A. Vicars, Index to the prerogative wills of Ireland, 1536-1810, (Dublin, 1897), p.116.
3. They appear on the muster roll of c.1630 (B.M., Add. MS 4770, f.20).
4. P.R.O.I., Book of survey and distribution. West, a newcomer, was possibly a relative of John West, groom of the chamber, who held a linen monopoly in Ireland (A. Clarke, The old English in Ireland, pp.50, 58).
5. P.R.O.I., Book of survey and distribution. 6. Above, p.249.
7. A. Clarke, The old English in Ireland, p.211.
8. Benjamin Culme then took out a patent (P.R.O.I., Lodge, vi. 134-5).
9. The evidence here is contradictory. The book of survey and distribution gives Culme and Parsons as owners. However the Down Survey map ascribes it to Coote. This ascription is preferred because a deposition in 1643 by Coote's agent, responsible for ironworks there, indicates Coote ownership (T.C.D., MS F. 3. 4, ff.223-4).

David Kellett by 1641.¹ The Elliot estate was sold some time after 1622, only a small portion remaining in Elliot hands in 1641.² The remainder was acquired before 1637³ by members of the Betagh family, a rare instance of a purchase by the Gaelic Irish, except for a small portion which was held by the old English Lawrence Dowdall,⁴ son of Edward who had acquired considerable property in this barony. A discussion of the ownership of both counties in 1641 is provided in the conclusion.

IV Law and order

The Wentworth period provided little or no opportunity for Gaelic resurgence in Ulster. Although invasion was unlikely, Wentworth saw that an efficient army was an essential buttress of government, and was concerned to find it, on arrival, 'an army rather in name than in deed whether you consider their numbers, their weapons, or their discipline'.⁵ He supported Graham, the muster master in carrying out his duties in Ulster.⁶

Local plots were thus not likely to be spectacular. In the spring and summer of 1634 these appears to have been a threat of rebelliousness affecting much of central Ulster, with incidents and offenders coming

1. P.R.O.I., Book of survey and distribution. Kellett lived, or had lived, at Virginia (below, p. 390).
2. The book of survey and distribution defines the owner, Henry Elliot as 'Ir. Pa'., but this can hardly be correct.
3. P.R.O.I., Lodge, Records of the rolls, vi. 463-4.
4. P.R.O.I., Book of survey and distribution.
5. Strafford's letters, i.96.
6. Above, p. 282. Graham was active in the province in September 1634 (P.R.O., S.P. 63/254, ff. 436-7^v (Cal. S.P. Ire., 1633-47, p.77)).

into prominence in the contiguous counties of Cavan and Monaghan.¹ On March 26, R. Blany, one of the Monaghan family, was instructed to 'prosecute rebels' in counties Cavan, Armagh, Monaghan, Tyrone, Fermanagh, and Louth, his authority being renewed on May 10.² On May 10 one Cormocke Rower O'Duffye was given protection for three months for 'discovering malefactors' in Cavan, Armagh, Monaghan, Tyrone and Fermanagh, and had it renewed for a further six months in September.³ A number of arrests were made in Cavan at this time. On May 12 the sheriff of Cavan was given a warrant to arrest Mulmory McPhillip O'Reilly, Hugh McMulnory O'Reilly, Phillip McDonnell O'Reilly, and David McConyn,⁴ some of them prominent landowners. The latter three appear to have been arrested by July 3 when a warrant was issued to the constable of Dublin Castle to receive them into custody.⁵ On May 8 a similar warrant was issued for the detention there of Phillip McShane O'Reilly 'till our further pleasure be known'.⁶ The most likely precipitant of these disturbances was the preparations for the parliament which met in July.

Incidents of this nature fade from sight for the remainder of the Wentworth period, though in March 1640 the provost marshal of Ulster, Sir Arthur Loftus, was commended by the king for his good services 'in discovering and bringing to justice divers rebels who much infested some parts in that our province'. Wentworth was ordered to bestow on

1. Bodleian Library, Oxford, Carte MSS, vol. 67, ff. 8^v - 10: docquet book of Wentworth.
2. Ibid., f. 8^v.
3. Ibid., f. 9.
4. Ibid., f. 10.
5. Ibid.
6. Ibid., f. 9.

him £100.¹ The area of his operations was not stated.² It is only from such indications that any picture of the attitudes of the Irish in our area in the years preceding 1641 can be drawn.

V Ulster settlers and the downfall of Wentworth

Apart from the operation of the commission for defective titles, the grievances of Ulster settlers are most commonly discussed with reference to the black oath imposed on the Scots. Little can be said about its impact in our area, except that of those who petitioned or were persuaded to petition for it a number, including James Craig, William Bailie, John Hamilton, William Hamilton, Robert Maxwell and William Fullerton, landowners and clerics, were connected with our counties.³

With the absence of Wentworth, who was in England from October 1639, and encouraged by the growing tension in Britain, discontent in Ireland by the middle of 1640 became openly vocalised.⁴ As far as Ulster landowners were concerned this had two manifestations. First and broadly, there was, the politics of pressing for the reversing of Wentworth's policies, and secondly, in a less rigorously controlled atmosphere, there were complaints from individuals, stated in petitions to the house of commons and otherwise, claiming specific grievances.

1. Strafford MSS, vol. vi (appended vol.), p.41.

2. In May 1639 Wentworth had reported that there were some forty 'freebooters' at large in Donegal who had committed 'burglaryes and murders' upon the English and Scots there, but he doubted not to curb them shortly (Strafford MSS, vol. x (2nd vol), p.97).

3. Strafford's letters, ii. 345; Strafford MSS, vol. xi, pp.237-9.

4. Kearney, Strafford in Ireland, pp.188-92.

Complaints against the administration by people from our area were not numerous but achieved telling reactions. Thus the house of commons ordered on 4 March 1641 that proceedings and a decree in the council about the ownership of lands in Cavan between Rev. Joseph Sing and Thomas and John Ashe had been 'altogether extrajudicial and are so void', and that Thomas Ashe should be re-instated in the land.¹ The most spectacular personal grievance, perhaps, was that of Lord Mountrorris, about the Rolleston estate,² and this formed the sixth article of Wentworth's impeachment in England.³ He was charged with dispossessing Mountrorris 'without any legal proceedings'.⁴ The court concluded that Wentworth had behaved illegally, and that in general terms he had 'exercised a tyrannical power over the estates of his majesties subjects'.⁵

The Ulster settlers also made general criticisms of the administration. The petition of remonstrance adopted by the Irish commons in

1. Commons in., Ire., 4 March 1641, p.193. It may be noted that this case had in no way concerned church land. For another petition, probably concerning the court of wards see above, p.299. A petition of Dame Mary Butler to the commons, heard in June (Commons in., Ire., 17 June 1641, p.234), may well have concerned legal decisions taken in the previous years (above, p.297). Another commons' order concerned Graham, the muster master, who was summoned before them to answer grievances. In the meantime the sheriffs of Monaghan, Down, and Antrim were not to levy his fees notwithstanding any order previously made by Wentworth (Commons in., Ire., 1 March 1641, pp.187-8). There were also many appeals to parliament in its judicial capacity by individuals against others, the purport of which is not easily assessed because details of the petitions are not given in the commons journals. For these see Commons in., Ire., 15 February 1641, p.173; 13 May 1641, p.204; 29 May 1641, p.219; 9 June 1641, p.227; 10 July 1641, p.254.
2. Above, pp.290-91.
3. J. Rushworth, Trial of Strafford (London, 1680), pp.205-20.
4. Ibid., p.205.
5. Ibid., p.218; Salmon, State trials, i.174.

November 1640 contained no statement of Ulster grievances, though of the committee appointed to represent Irish grievances to the king three were from Ulster.¹ The Queries of February 1641 contained one item, no 21,² concerning fairs and markets, which was a specific Ulster grievance,³ but it had been added to a previous draft of the document.⁴

On 16 April 1641, however, the case of the undertakers, servitors, and natives of Ulster was presented by the committee of the Irish parliament to the king.⁵ This contained, in effect, a thorough indictment of the proceedings of the commission for defective titles. The document recited what was, in short, the official history of the plantation, that the land had been granted by king James under certain conditions and in free and common socage, that as article 26 of the Graces the undertakers had been empowered, as they did, to take out new patents at increased rents, and that they, as also the servitors and natives, had been obliged by Wentworth to seek for new patents, under altered conditions, through the commission for defective titles.

Their grievances as a result were stated specifically. Because their estates were 'so clogged with these last tenures in capite' they were now unable to pay the king's rent or discharge their other obligations. Furthermore it was stated that those who had previously been granted advowsons or fairs and markets had not been allowed to include these in their patents, 'but were left open to such further advantages

1. Commons in., Ire., 7 November 1640, pp.162-3; A. Clarke, The old English in Ireland, pp.134-5. The eighth article referred to the recent treatment of the Londonderry plantation.
2. Commons in., Ire., 26 February 1641, p.175. 3. Below, 439.
4. Commons in., Ire., 16 February 1641, p.174.
5. P.R.O., S.P. 63/258, ff.256-7^v, 258-9^v: copy (Cal. S.P. Ire., 1633-47, p.272).

as might thereby be taken against them'.

The redress petitioned for was that the king should order that all patentees under the commission should be entitled to take out further new patents in which the new rents but the old soccage tenures would feature, and that all who had not taken out patents under the commission should now do so, to hold also in soccage but under the increased rents. All liberties and privileges, such as advowsons and fairs, originally granted, should now be regranted 'as amply as the same were ... granted' in the original patents. This was presented as a compromise solution

By which means the king's certain revenues, with the consent and good liking of his subjects, will be much increased, his intention in the former letters patent pursued, and his royal promise in the ... Graces touching the tenure as is agreeable to honour and justice, performed.¹

On May 11 the Irish committee requested again that the subjects of the 'five escheated counties' of Ulster might have the benefit of article 26 of the Graces, and that the case of fairs and markets should be referred to the Irish parliament.² On May 13 the committee requested the English council to consider the creation of freeholders on the bishops' lands in Ulster whereby there would be people suitable to sit on juries and strong buildings erected for defence.³

The king's concession to the planters' demands came in two stages, on May 31 and July 16. On May 31 the king and council capitulated to the demands submitted on April 16.⁴ On July 16 they decided that the question of fairs and markets should be decided in a test case in the court of king's bench in Ireland and then brought to the equivalent

1. Ibid.

2. Cal. S.P. Ire., 1633-47, pp.283-5.

3. P.R.O., S.P. 63/259, f.76^v (Cal. S.P. Ire., 1633-47, p.286).

4. P.R.O., S.P. 63/260, ff.24-6 (Cal. S.P. Ire., 1633-47, p.298).

court in England and settled.¹ As to the request that freeholders be created on the estates of the Ulster bishops, the reply was that the English privy council had not seen fit to recommend it to the king because if granted the church might be prejudiced.² No reference was made to the regranting of advowsons.³ On July 26 the Irish commons voted that if fairs and markets were granted along with land held in soccage tenure then those fairs and markets were not held in capite.⁴

In mid May a bill, sometimes called a petition, 'concerning the securing of estates' in Ulster, was 'brought into' the Irish house of commons.⁵ Its contents is not revealed, but it was probably along the same lines as the April petition. It was not, however, until the end of July that it was discussed or debated.⁶ By August 4, Patrick Darcey, the old English spokesman, had presented it to the lords justices and reported that they 'took it in good part, and would give all the furtherance they might, and would recommend it to his Majesty'.⁷ The timing is of interest in that it fits in with a recent analysis of the events of this time as they concerned the old English.⁸ The winning of concessions from the king was followed by the drafting of legislation in the Irish parliament coupled with assertions of the authority of that parliament.

1. *Ibid.*, ff.12-12^v (Cal. S.P. Ire., 1633-47, p.319). A draft decision to this effect had already been drawn up on May 17 (Cal. S.P. Ire., 1633-47, p.286).
2. *Ibid.*, p.322.
3. See below, pp. 494-6.
4. Commons' in. Ire., 26 July 1641, p.271.
5. *Ibid.*, 14 May 1641, p.206. It is not clear whether the Poyning's law procedure was obeyed or if it was a formal bill.
6. *Ibid.*, 23 July 1641, p.267; July 24, p.268; July 29, p.276; August 2, p.279; August 3, p.280.
7. *Ibid.*, August 4, p.281.
8. A. Clarke, The old English in Ireland, 1625-42, pp.138-40.

The Irish parliament was dissolved on August 7, to meet again in November. The Ulster settlers cannot have been unduly perturbed by delay at this stage. They had won substantial concessions from the king; it remained merely to give these statutory form. However the outbreak of rebellion in October placed them in an unexpectedly serious predicament of an entirely different nature.

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In Aungmy the barony, Oriel, had been reserved for native
 freemen (as well as serfs), though it must be remembered that
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1. *Annals of the Kingdom of Ireland*, 1690, pp. 357-8.
 2. In general the native freemen participated in the grant of
 estates (see, for example, *Annals of the Kingdom of Ireland*, 1690, pp. 357-8).

CHAPTER 7. THE NATIVE IRISH AND THE PLANTATION.

i. The Irish grantees.

The selecting of the native freeholders was, as we have seen, largely the function of the deputy and plantation commissioners though the English government played its part in adjudication difficult cases.¹ Chichester saw that they must be placed in easily controlled baronies and their lands granted

with such equality in the partition that the contentment of the greater number may outweigh the displeasure and dissatisfaction of the smaller number of better blood.²

The deputy's choice was neither random nor ill-considered, the aim being to depress the social power of ruling families while giving the principal families in each county some stake in the new dispensation.³

In Armagh one barony, Orier, had been reserved for native freeholders (as well as servitors), though it must be remembered that the extensive lands in the Fews of Sir Turlogh McHenry O'Neill (33,704 statute acres), and in Tiranny of Sir Henry O'Neill were not confiscated, and two O'Hanlons in Orier were pre-plantation grantees. Lists of

1. Above, p. 20-22.

2. Cal. S.P. Ire., 1608-10, pp.355-9.

3. In Donegal the natives themselves participated in the choice of grantees (Cal. Carew MSS, 1603-24, pp.61-3).

grantees vary in number¹, however fifty-three owners have been found.² Despite Chichester's desire to preserve as much equality in sizes of estates, here, as elsewhere, a small number of prominent figures received large grants. Hence Art McBaron O'Neill and his wife received a great proportion (some 7,000 acres), though with reversion to lord Audley, and Henry McShane O'Neill a middle proportion, some 5,000 acres. The remainder received grants roughly similar in size ranging from 360 acres current estimation granted to Carbery McCann (815 acres), and Conn McTurlogh O'Neill (1008 acres), to about sixty acres. About a dozen received more than about 300 statute acres each, but many received little more than half that amount.

The people thus rewarded, apart from Art McBaron and Henry McShane, were all of varying local prominence. There were some ten members of the O'Hanlon family, themselves from Orier, two being sons of Oghy oge. The others were on the whole required to move to this area. Six McCanns from Oneilland, including Carbery, the chieftain, were grantees. Seven recipients of land were members of the McDonnell gallowglass family, two, Calvagh and Colla McArt, being the sons of Art McDonnell, chief of the gallowglass, from Clancarny in the Fewes barony. There were three O'Hagans and two O'Quins, families originally from

1. Cal. Carew MSS, 1603-24, pp.235-44, also in Cal. S.P. Ire., 1611-14, pp.205-14, 'Ulster Plantation Papers' no 11 in Analecta Hibernica, viii.
2. See Appendix
3. Cal. pat. rolls Ire., Jas 1, p.87.

Tyrone, one O'Mulchrewe, one McMurphy, one McGilleduffe, one O'Mellan, one O'Donnelly and one O'Donnell (probably also an O'Donnelly) among the beneficiaries.

The remaining grantees were all O'Neills. Owen McHugh [Mc Neill Mor] O'Neill was an enemy of Sir Turlogh McHenry and a claimant to the lands in the Fewes.¹ He was of Toaghy in 1609,² the land for the most part granted to Trinity College. Felim McTurlogh Brassilogh, Turlogh oge McTurlogh Brassilogh, Cormac McTurlogh Brassilogh, and Neill McTurlogh were all sons of Turlogh Brassilogh O'Neill, a grandson of Conn, the first earl of Tyrone. Art McTurlogh, Henry McTurlogh, and Hugh McTurlogh were sons of Sir Turlogh McHenry of the Fewes, and Brian McDonnell McPhelim Roe was his cousin, while Hugh McCarbery O'Neill was a distant member of the Fewes sept. Donnell McHenry and his cousin Eugene Vally represented the sept of Murtagh O'Neill (d.1471) of Clanconaghy. Conn McTurlogh O'Neill was a nephew of Sir Henry Oge, and Shane McTurlogh may have been Conn's brother.³

Four of seven Cavan baronies, Castlerahen, Clanmahon, Tullygarvey, and Tullyhaw were divided (for the most part) amongst servitors and natives. Also land was granted to Irish in Loughtee, and in an area of Tullyhunco then regarded as in Tullyhaw. Difficulty has been experienced in locating the areas of all grants, particularly in Tullyhaw,

1. Cal. S.P. Ire., 1600, pp.312-14.

2. Cal. pat. rolls Ire., Jas 1, p.158.

3. I am especially grateful for the assistance of Mr. K.M. Nicholls of the Irish Manuscripts Commission in writing this paragraph.

though the amount of land they acquired collectively has been established fairly accurately.¹ The precise number of grantees also presents difficulty, but fifty-eight seems the most correct, though the lists of those allotted lands in 1610 give only fifty-five or fifty-six.² We have seen that the proportion of the land owned by Irish in both counties after the plantation - Cavan 22.5%, Armagh 25% - was almost identical, yet Chichester in 1610 considered that it was only in Cavan (of all the planted counties) that native grantees had received a fitting share of the land.³ Chichester's point can be sustained when it is considered that in Armagh some 33,000 out of some 78,000 acres were held by one man, Sir Turlogh McHenry O'Neill by a pre-plantation grant, whereas in Cavan, where no such grants had been made, a more equal distribution of the land with consequently larger acreages being given to individuals (of whom also there were somewhat more than in Armagh) had taken place.

Most numerous amongst the beneficiaries were the O'Reillys, however there were some five each of the McGoverns or McGaurans, McKiernans, and Bradys, and also one or two Sheridans, one McCabe of gallowglass origin, one McTully, one O'Gowan, and one O'Moeltully. Of the O'Reillys many were descendants of Maelmora (or Mulmory) O'Reilly

1. See Appendix 1.

2. Cal. S.P. Ire., 1611-14, pp.211-14; 'Ulster Plantation Papers' no 11, in Analecta Hibernica, viii. Hill, Plantation, p.345 treats an additional grant in 1615 to Shane McPhillip O'Reilly Cal. pat. rolls Ire., Jas 1, p.272) as if it were a grant to a second person of this name.

3. Cal. S.P. Ire., 1608-10, pp.521-2.

who died in 1565. His grandson, Mulmory McHugh Connelagh, the chieftain in Irish eyes, received a great proportion, approximately 7,000 statute acres. Mulmory oge O'Reilly, whose father Mulmory, a grandson of Hugh Connelagh, had died on the English side at the Blackwater, received an assessed 3,000 acres (over 17,000 acres statute). His uncle captain Hugh O'Reilly, a son of Sir John, was also a grantee, receiving almost 3,500 statute acres, and inherited Mulmory oge's lands on his death in 1617. Mulmory McPhillip, Brian McPhillip, and Shane McPhillip were all sons of Phillip, a brother of Sir John, and a son of Hugh Connelagh. Donell Backagh McShane and probably Hugh Roe McShane were sons of Shane, a son of Maelmora. Mulmory McTurlogh was a grandson of this Shane. The sons of Owen, another son of Maelmora, also feature as grantees. Hence Mulmory McOwen, Brian a Coggie [McOwen], Cahir McOwen, Donell McOwen, and Cahell McOwen his eldest son, are found as proprietors. They were not placed together, some being in Tullyhaw and some in Castlerahan. Owen McMulmory O'Reilly was a grandson of Edmund, another son of Maelmora. Mulmory McHugh McFarrall was a grandson of Farrall O'Reilly who had been a chieftain in the early sixteenth century. The other O'Reilly grantees were probably the principal men of various more distant septs.¹

1. J. Carney (ed.), A genealogical history of the O'Reillys, passim. I am again indebted to Mr. K. M. Nicholls for assistance.

In Cavan estates were considerably larger than in Armagh. None was smaller than about 150 acres, and the majority ranged from about 400 to 1,000 or even 2,000 acres.

Irish grantees who were close relatives were often separated. In Cavan, the sons of Owen O'Reilly, for example, received lands in different baronies. Henry McShane O'Neill was granted land in Armagh, whereas his half-brother, Conn McShane, was placed in Fermanagh.¹ It sometimes happened also that Irish grantees did not receive their grants in compact blocks. Mulmory McHugh Connelagh O'Reilly received lands in three different baronies. The problem may have been greater for a number of the smaller grantees who received detached townlands. Hugh roe McShane O'Reilly, for example, was granted three townlands in Castlerahan, none of which were contiguous, and two were to the east of the barony and one to the west. The same happened also in Armagh where in Orior Owen McHugh McNeill Mor O'Neill, for example, received two separated townlands. In this case, at any rate, faults in the 'maps of the escheated counties' cannot be pleaded: they are also not adjacent on the 1609 map.²

One problem confronting the native Irish generally as a result of the dislocation of customary habits which the plantation entailed may be

1. Hill, Plantation, p.336.
2. Maps Ulster, 1609, 5, 26.

mentioned at this point. The importance of cattle as a basic unit of property and status in Gaelic Ireland is always stressed.¹ Although the chiefs or family leaders had the superintendance of the land belonging to the family, their personal property consisted in cattle which they hired out, in a customarily circumscribed way, to their followers. The position of the cow-lord or BOAIRE is described in detail in the early eighth century law tract, the crith gablach.² The practice was known in the early seventeenth century as 'commins.'

The suddenness of the plantation disrupted this customary arrangement as it was functioning. The 'landlords' were now to be limited to 'their own proper goods',³ and their 'tenants' who were often not granted lands and who had cattle in this way in their possession, were either unable or unwilling to make restitution. The injustice of this became quickly apparent.

Commissioners were appointed to deal with the problem in August 1610.⁴ This was an attempt to remedy a grievance arising from a custom which must now cease. How efficiently the commissioners fulfilled their task is not known.⁵

1. Daniel Coghlan, The ancient land tenures of Ireland (Dublin, 1933), p.65; M. & L. de Paor, Early Christian Ireland (3rd ed., London, 1961), pp.77-9.
2. D.A. Binchy (ed.), Crith Gablach (Dublin, 1941), pp.6-8.
3. Cal. S.P. Ire., 1608-10, p.491; Cal. Carew MSS, 1603-24, p.58.
4. Ibid.
5. For indication that the problem was not immediately solved in all cases see Cal. S.P. Ire., 1611-14, pp.390-2.

ii. The fortunes of the Irish grantees.

At first the Irish grantees were reluctant to commit themselves to their allotted share in the plantation. There was high expectation of foreign aid to arrive in 1611 and terminate the plantation before it got off the ground. In the autumn of 1610 the O'Quins and O'Hagans, grantees in Armagh, had declared that they would prefer to be mere tenants-at-will to the servitors and others who had adequate lands to let them than accept small grants with the onerous concomitant duties of jury service.¹ The native grantees in Tyrone and Londonderry were also dissatisfied with the size of their allotments.² Chichester sympathised with these complaints, and stated that he was now discredited amongst them and feared a military uprising. If any land became available in these counties it should be distributed amongst the natives.³ In this context the stay on the removal of the natives from undertakers' land until May 1611 can be seen as a palliative to unrest.

A paradoxical situation had, however, arisen by November 1610: Art McBaron O'Neill had accepted his lands and promised to move there

1. Cal. S.P. Ire., 1608-10, pp.499-500.

2. Ibid., pp.501-4.

3. Ibid.

from Oneilland by May. His example, as Chichester wrote on December 12, was appearing to have a general effect and, coupled with the widely publicised news that Hugh O'Neill had become blind, was causing the freeholders actively to sue out their patents, and 'accept of that little land which heretofore they so much scorned'.¹ He also suspected an ulterior motive - a keenness on the part of the grantees to remove at the appointed time, May 1611, 'hoping thereby to overthrow the work even in the foundation'.² Their indispensibility to the undertakers had suggested to the natives a means of frustrating the infant colony which placed Chichester in a bewildering predicament.³

Concrete evidence of the natives actions can be supplied. No letters patent of their allotments were taken out before November 1610. The following table shows the date ranges of natives patents in Armagh and Cavan:⁴

Orior	13 Dec. 1610 - 13 June 1611
Castlerahan	25 Nov. 1610 - 13 Mar. 1611
Clonmahon	20 Nov. 1610 - 4 June 1611
Tullygarvey	25 Nov. 1610 - 4 June 1611
Tullyhaw	13 Mar. 1611 - 24 Feb. 1615

1. Ibid., pp.530-1; Cal. Carew MSS, 1603-24, p.142.

2. Ibid.

3. Ibid.

4. It is derived from Cal. pat. rolls Ire., Jas 1. Hill either fails to give the dates or states them partially and so is misleading. He also omits some grantees.

This may be no more than an indication of intention to occupy their lands. However the majority of the native freeholders, if they had not given up hopes of ultimately overthrowing the plantation, were at least seeing the advisedness of stabilising their position under it. Also by February 1611 a similar realisation of the accomplished plantation had been borne home to Hugh O'Neill in Rome. He complained to the Spanish ambassador that the king of Spain had not intervened on his behalf with James I, and that 'consequently the English king has given his estates to Englishmen and Scots.'¹ At the end of May it was noted that the natives were more willing to leave the undertakers' lands than the undertakers were to see them go.² For this same reason it became essential to victual the Ulster forts for three months, because of the difficulty of obtaining supplies locally, 'by the natives removing the soldier can hardly get meat for his money.'³

Carew's report in September 1611, however, shows that the process of moving by the grantees still dragged. Art McBaron had by then removed with his 'tenants' from Oneilland. Carbery McCann 'cheefe of his name' had taken decisive action of a different kind in

1. M. Walsh, 'The last years of Hugh O'Neill, Rome 1608-1616' in Irish Sword, vii, 29, 327-8. A year later he declared his willingness to go to Virginia 'or any other part of the world' to serve Spain and avenge himself on his enemies (ibid., pp.335-6).
2. Cal. S.P. Ire., 1611-14., pp.59-60.
3. Ibid., p.64.

selling his grant in Orier, presumably to Pointz whose family held it in 1641¹ and had moved to Clondeboy where he had taken lands from Conn O'Neill. None of the other Armagh grantees had moved to their lands.² The hiatus in ownership of this land had thus still only been filled on paper. The re-settling of those native Irish who had received land was, in fact, proceeding at a slower pace than was the process of occupation by grantees from outside the country.

In Cavan, as in Armagh, the bulk of the native freeholders, especially the smaller grantees, had not, on Carew's evidence occupied their assignments. Eight grantees, including Mulmory oge O'Reilly, were reported to be in occupation, and one, Phillip McTirlogh Brady was about to remove. Hugh McShane O'Reilly was building a mill, and the McKiernan chief was one of two building houses. Ease of settlement was facilitated in Cavan because some did not have to move at all. Thus, it was noted, Mulmory McHugh Connelagh O'Reilly and the McGovern chief had their 'owne lands' given them under the plantation.³ One Cavan grantee, Wony McThomas McKiernan, became a tenant to Sir James Craig in May 1611.⁴

1. P.R.O.I.? Book of survey and distribution.
2. Lambeth Palace Library, London, Carew MSS, Vol 630, f.68.
3. Ibid., ff.70-70^v.
4. Inq. cancell. Hib. repert., ii, Cavan (27) Chas 1. The man concerned, called here Eugen' McThomas Reagh is doubtless the same as Owen McTho: Reagh listed as a grantee in Tullyhaw ('Ulster Plantation Papers' no 11, in Analecta Hibernica, viii) and Owny McThomas McKernan (Cal. Carew MSS, 1603-24, pp.241-2). He took out his patent on 4 June 1611 as Wony McThomas McKernan (Cal. pat. rolls Ire., Jas i, p.211).

However that the Irish were in fact occupying their lands in 1611 and 1612 can be seen from the spate of cases between them and their neighbours, Irish and British, in these years.¹ Most of the sales which took place, beginning often very soon after this, must have resulted from other factors than initial fatalism for the future.

Bodley's survey in 1613 of the Irish patentees is too scant to offer much assistance. Only one grantee in Orior, Henry McShane O'Neill, is mentioned with the categorical statement that he had 'not strengthened his proportion with any building'.² In Cavan we are informed about only a minority, the larger grantees. Only in Castlerahan does he refer to the Irish collectively with the straightforward statement that the land allocated was as yet entirely 'in statu quo prius'.³ In Clonmahon Mulmory McHugh /Connelagh/ O'Reilly had 'only digged a lime kiln and provided some small quantity of limestone to burn'.⁴ However in Tullygarvey and Tullyhaw those referred to had been at least as active as their servitor neighbours. Mulmory McPhilip O'Reilly, captain Hugh, and Mulmory oge had either bawns or castles under construction or completed.⁵ Phelim McGovern

1. Above, pp. 121-38.

2. H.M.C. Hastings MSS, iv, 177.

3. Ibid., p.160.

4. Ibid., p.163.

5. Ibid., p.161.

was 'strongly seated', having begun an 'English building of lime and stone' surrounded by an improvised bawn close to his present house with promising intentions to complete his building programme.¹

All the official surveys pass lightly over the Irish lands. In Orier Pynnar referred only to the lands of Henry McShane O'Neill, 'lately dead', which were now owned by Sir Toby Caulfield.² The estate was without strong house or bawn because O'Neill had been given exemption through poverty³ but Caulfield now undertook to build on it.⁴ It is evident that the piecemeal destruction of native freeholds was going on throughout the plantation period without government disapproval.

In Cavan Pynnar reported on eight of the more substantial grantees. These had all built strong houses with bawns and were resident. However it was noted that they were not conforming to English estate customs. Neither Mulmory McPhillip, captain Hugh, Mulmory oge, nor Mulmory McHugh Connelagh O'Reilly had given leasehold status to their tenants, and on some of these estates plowing by the tail is referred to.⁵ This goes some way towards confirming Chichester's apprehensions

1. Ibid., p.165.
2. Hill, Plantation, pp.571-2. O'Neill had sold the reversion of his estate (a jointure excepted) to Sir John Bouchier and he to Sir Francis Blundell, an important government official, from whom Caulfield had purchased it (B.M., Add. MS 4756, f.109^v).
3. B.M. Add. MS 4756, f.109^v.
4. Hill, Plantation, pp.571-2. This had not been done by 1622 when Caulfield undertook to build after the model of Grandison at Tandragee (B.M., Add. MS 4756, f.109^v).
5. Hill, Plantation, pp.458-60, 468, 474. Hill provides a good note (p.459) on plowing by the tail.

in 1610¹ that the Irish would not readily abandon their traditional customs with regard to land.

Apart from its general conclusions, the 1622 report adds nothing further in comment or coverage. They found defects in the native grantees performance as follows: few had built other than bawns of sod 'to no purpose'; they did not make 'certaine estates' to their tenants; these lived dispersed and not in 'towne reeds'; these also generally plowed by the tail and not after the manner of the 'English Pale', as required.² Further comment must come from other sources and from the examination of individual cases.

We have seen that the extensive lands in Armagh of Sir Tirlogh McHenry and Sir Henry oge O'Neill were not confiscated.³ Sir Henry oge's lands - the territory of Touranny, extending also into Tyrone - represented a considerable bloc of strategically placed and generally profitable land, of which he had received a patent in 1605. However to honour this would vitiate in part the overall symmetry of the plantation, but Sir Henry oge was killed in the war against O'Doherty his oldest son, Tirlogh oge, having also died, his grandson and heir by English law, Phelim O'Neill being a minor. Chichester recommended the subdivision of this land as an expedient which the king accepted in March 1612 as being for 'the quiett and good of those parts'.⁴ He

1. Cal. S.P. Ire., 1608-10, pp.519-21.

2. B.M., Add. MS 4756, f.118^v.

3. Above, p. 29.

4. B.M., Add. MS 4794, ff.253-3^v; Marsh's Library, Dublin, MS Z4.2.6, pp.158-9; Cal. S.P. Ire., 1611-14, p.260; Cal. pat. rolls Ire., Jas 1, p.251.

authorised the acceptance of a surrender from Phelim and the division of the land among the issue male, legitimate and illegitimate of Sir Henry Oge, with provision for his own and his eldest son's widows.¹

As a result the land in Armagh was broken up into seven grants to individuals, that given to Phelim's mother to descent to him.² These grants were made furthermore by knight's service in capite, and all date from 14 December 1613. The interest of this treatment of Henry Oge's lands lies in the very fact that it was divided. It was clearly an intransigent decision in view of recent decisions, in 1606 and 1608, whereby the Irish landholding system had been abolished in favour of strict succession by primogeniture.³

So far we have been concerned with the effects of government decision on the Irish grantees. There are a number of instances in Armagh where through administrative error grants were made to Irish where they subsequently lost through the assertion by others of primary rights. A fascinatingly complex case has been examined above.⁴

Another case of where the administration fell short in points of detail concerned the lands in Orior held by Bagnal prior to the plantation.⁵ His ownership was not recorded, for example, on the 1609 map and accordingly much of the land was allotted to grantees, particularly Irish. Bagnal disputed these grants in 1612⁶, an

1. Ibid.

2. Cal. pat. rolls Ire., Jas 1, pp.262-3.

3. T.W. Moody, Londonderry Plantation, p.26.

4. Above, pp. 125-7.

5. Above, p. 134.

6. T.C.D., MS F.1.20, ff.22-3.

inquiry was held locally, and he recovered the land.¹ He recovered a townland from Henry McShane O'Neill and a townland from Calvagh McDonnell who thereby lost his entire grant without compensation. In Cavan a similar situation arose, though involving much more land, whereby the baron of Delvin recovered lands which had been his from before the plantation.²

By about 1613, then, the share of the Irish under the plantation was decided on. Although in 1610 Chichester was of opinion that the Irish had not received an adequate share in the plantation in any county except Cavan³, concealments found in Orior were not granted to Irish owners.⁴

The most easily answered question concerns the amount of land lost by the Irish before 1641. It was not unusual for grantees to have sold their lands or lost them by other means, but losses by individual Irish, unlike their British counterparts were not usually to the gain of fellow Irish and so they effected the relative proportions of landholding as well as the fortunes of individuals. In Armagh after the plantation the native Irish owned some 78,318 statute acres, or some 25.2% of the total acreage of the county. In Cavan the corresponding figures at this date were 104,134 acres, or about 22.5% of the total acreage. By 1641 these shares in both counties had been substantially reduced. In Armagh the Irish then held some

1. Inq. cancell. Hib. repert., ii Armagh (2) Jas 1. Bagnal took out a new patent in 1613 (Cal. pat. rolls Ire., Jas I, pp.246-7).

2. Above, p. 124, 136.

3. Above, p. 98.

4. Above, p. 156-9.

59,026 acres, or about 19% of the land, and in Cavan the figures were 76,640 acres, or about 16.5% .

In an area of the subject where documentation is minimal the reasons for these losses cannot be given in any detail. It seems likely that some of the larger grantees were in straightened circumstances in 1610.¹ Henry McShane O'Neill, who had sold his land by an early stage, died poverty-stricken.² When the commissioners in 1622 investigated arrears of rents, Irish owners figured prominently.³ Mulmory oge O'Reilly received a substantial grant principally in Tullygarvey. From a fragment of pleadings in a chancery suit it appears that as early as 1611 he sold some five denominations of land to Sir Thomas Ashe, the servitor grantee in the same barony.⁴ A further suit, heard after his death, shows that he had mortgaged one townland in 1616 (in O'Reilly hands in 1641) for £34.⁵ By 1641 1454 acres granted to him were in the possession of James Aspole (or Archbald) of an old English family from Wicklow, and 2,809 acres were owned by Sir William Hill, also old English. In addition, smaller portions, some 1,937 acres, were owned by native Irish, Hugh Brady, Neill O'Tully, and Calle O'Gowan.⁶

1. In 1610 Davies noted, as if it were unusual, that the commissioners had allotted to the O'Quins and the O'Hagens in Armagh portions of land 'such as the scope assigned to the natives of that county afforded' because they had 'good stock of cattle' (Cal. S.P. Ire., 1608-10, pp.497-501). We have seen that these families considered their grants uneconomical.
2. B.M. Add. MS 4756, f.109^v.
3. Above, p. 216.
4. P.R.O.I., Chancery salvage, U.89.
5. Ibid., W.44, X.30, Z.19.
6. P.R.O.I., Book of survey and distribution.

Incapacity to redeem mortgages would seem to have been another reason for loss of lands. The property of Brian a'Coggy O'Reilly - 1,371 acres - in Castlerahen had been encumbered by debts and a mortgage by the time his son Farrall acquired it. It had been leased for £20 per annum, the ownership was disputed in chancery¹, and by 1641 it was owned by Henry Hickfield or Heckett, a protestant immigrant.² Abraham Dee, a Dundalk merchant³, who had by 1641 acquired the lands of three Armagh grantees - Shane McOghy O'Hanlon, Laughlin O'Hagan, and Phelim oge McDonnell (658 acres in all) was in 1622 summoned into chancery by an O'Neill grantee who in about 1616 had mortgaged to him one townland for £30.⁴ In this case, however, the land seems to have been recovered by the owner.

The sale of a piece of land originally leased can be seen in one instance. One townland - Keadeu in Loughtee (233 acres) - which formed part of the grant to Walter Thomas, and Patrick Brady was in 1611 leased for twenty-one years to Richard Dowdall, and old Englishman from Louth. In April 1613 Dowdall sold his lease to Sir Thomas Ashe who lived at Trim and held the contiguous land of Cavan abbey and he in turn in May of that year sold the lease (for £22) to his brother John of Kilmessan county Meath.⁵ By 1641 this land is recorded as Ashe property.⁶

1. P.R.O.I., Chancery salvage, A.347.
2. P.R.O.I., Book of survey and distribution.
3. P.R.O.I., Deeds, wills and instruments... post mortem, vol 25, counties Armagh, Cavan, Donegal: County Armagh, pp.45-8 (will, 18 July 1638).
4. P.R.O.I., Chancery salvage, 2B. 80. 121, no241.
5. N.L.I., Farnham Papers, MS D 20409 - 20475.
6. P.R.O.I., Book of survey and distribution.

In one case, in Armagh, loss of property seems to have resulted from attainder. Patrick O'Hanlon, whose patent was pre-plantation, had received a grant of 2,150 acres on condition of surrendering other property for Mountnorris fort. Now, in 15 June 1615 Sir John Kinge, the muster master general, and Sir Adam Loftus, subsequently lord chancellor, received a patent of this land.¹ It seems likely that O'Hanlon had lost his lands for treason because he was pardoned in July 1617.² The lands were subsequently acquired by Sir Francis Annesley and held by him in 1641.³

For whatever reason a substantial amount of Irish-granted land had been lost by 1641. The dating of this is not easy and indeed for most of it the earliest evidence of ownership change is got from the patents under the commission for defective titles in the late 1630s. Beneficiaries were of various types, British landowners extending their influence locally, British coming from outside, old English (sometimes merchants), and to a lesser extent native Irish.

The acquisitions of Hugh Culme in Cavan paralleled though on a larger scale those of his fellow servitor Toby Caulfield in Armagh. Culme, or his family, acquired Irish land in Tullyhaw barony totalling some 10,837 acres (8,221 acres of which were sold to Sir Charles Coote) and in 1641 it was held by various members of his family.⁴ Caulfield acquired in Armagh the 5,000 acre estate of Henry McShane O'Neill.

1. Cal. pat. rolls Ire., Jas 1, pp.280-2.

2. Ibid., p.325.

3. P.R.O.I., Book of survey and distribution.

4. P.R.O.I., Book of survey and distribution.

Sir Francis Annesley in Armagh acquired the lands of Patrick O'Hanlon and Donogh Reogh O'Hagan. Sir Gerald Moore acquired 3,143 acres of natives' land in Armagh, Bouchier or his successor Henry, earl of Bath acquired some 168 acres. Other servitor acquisitions were those of the brothers Ashe and Sir Oliver Lambert in Cavan. The acquisitions of the Pointz family in Orior were particularly spectacular in that a servitor who in 1610 had received no more than 674 acres could by 1641 show a substantial multiplication of property all at the expense of Irish grantees. Toby Pointz in 1641 owned some 3,744 acres acquired from fifteen Irish grantees.¹

Local undertakers had also acquired Irish land by commercial transaction, though not on the same scale. Undertakers with estates in different baronies to the Irish had not the same incentive to contiguous expansion. In Armagh the only instance is that of Brownlow who acquired the lands (584 acres) of Phelim and Brian O'Hanlon, sons of Oghy oge.² In Cavan, for example, Sir James Craig purchased in 1615 the lands (2,225 acres) granted to Brian McKiernan,³ and Greenham acquired some land from Mulmory McHugh Connelagh O'Reilly.⁴

British purchasers with no previous proprietorship in these counties can also be seen. In Armagh there were three of these, John Parry, James Galbraith, and Abraham Dee. Galbraith was a Scot who owned Mongavlin in Donegal and who in 1637 acquired the lands of Ferdoragh O'Hanlon some forty-three acres for £20.⁵ Dee was a merchant in

1. P.R.O.I., Books of survey and distribution, Armagh and Cavan.

2. P.R.O.I., Book of survey and distribution.

3. Inq. cancell Hib. repert., ii, Cavan (27) Chas 1.

4. Ibid., (50) Chas 1.

5. P.R.O.I., John Lodge, Records of the rolls, V, 400.

Dundalk.¹ In Cavan such people were more numerous. Here by 1641 some 3,800 acres of land were in the hands of five new British owners. One of these estates, that of Brian McShane O'Reilly, was owned by John Chapman in 1638.² Chapman lived in Longford and sold the land (for £100) in 1639 to a relative William Chapman of Ballyhayes³, the owner in 1641 Elinor Chapman otherwise Reynolds was probably the widow.⁴ Another purchaser, Henry Crofton was of the family of William Crofton⁵ and held monastic land in Leitrim and a small area in Longford.⁶ The purchases of Chapman and Crofton can be seen as a permeation of unplanted Cavan from the south and west.

Purchases of Irish land by British was part of a process of transformation in the ownership of the country which was to continue throughout the century. By contrast old English acquisitions in both counties were inconsistent with the general trend. In Armagh there was only one of these, James Fleming, who was doubtless of the family which had connexions with though not land in the county before the plantation.⁷ By July 1639 he had acquired some 786 acres previously Conn McTurloagh O'Neill's.⁸

1. He is stated in the book of survey and distribution for Armagh to have been an 'Irish papist', but his will (P.R.O.I., Deeds, wills and instruments... post mortem, vol. 25, pp.45-8) gives the impression that he was protestant.
2. Ibid., vi. 55.
3. P.R.O.I., Deeds, wills and instruments... post mortem, vol 25, counties Armagh, Cavan and Donegal: county Cavan, pp.317-27.
4. P.R.O.I., Book of survey and distribution.
5. William Crofton had been appointed the first auditor of accounts for Ulster and Connacht in 1617 (Cal. pat. rolls Ire., Jas I, p.325).
6. P.R.O.I., John Lodge, Records of the rolls, V. 572-3.
7. Above, p.
8. P.R.O.I., John Lodge, Records of the rolls, vi, 240.

In Cavan old English acquisitions were on a larger scale. Sir William Hill of Allenstown, a prominent old English figure¹, acquired in Tullygarvey some 3015 acres previously owned by Mulmory oge O'Reilly and Terence Brady, and in Loughtee 583⁴ acres granted to Turlogh McDonnell O'Reilly.² In Tullygarvey James Archbald from Wicklow had acquired 1820 acres previously owned by Mulmory oge O'Reilly and Terence Brady.³ Walter Talbot acquired some native land in 1612.⁴ Smaller acquisitions were those of John Dowdall, and Richard Fitzsimmons, himself a plantation grantee.⁵

Irish also in some cases had purchased the lands of their fellows or lands granted to members of other groups. Thus part (944 acres) of the estate of Donell Backagh McShane O'Reilly (1193 acres) acquired by Walter Talbot in 1612⁶ was sold by him to Stephen Butler in 1614⁷ but was owned by Phillip McMulumory O'Reilly in 1641.⁸ In Clanmahon by 1641 Hugh McFarry O'Reilly had acquired 664 acres, part of the estate granted to Edward Nugent in 1610.⁹ In Armagh the estate of some 7,000 acres granted to Art McBaron O'Neill and his wife for their lives with reversion to Lord Audley had by 1641 come to Roger Moore, the 1641 leader.¹⁰ The process cannot be elucidated beyond that in 1622 it was recorded that since O'Neill and Audley were dead, the land would come to Sir Pierce Crosby in right of his wife,

1. A. Clarke, The Old English in Ireland, pp.203, 213.
2. P.R.O.I., Book of survey and distribution.
3. Ibid.
4. P.R.O.I., Deeds, wills and instruments... post mortem, vol 25, counties Armagh, Cavan, Donegal: county Cavan, pp.239-54.
5. P.R.O.I., Book of survey and distribution.
6. P.R.O.I., Deeds, wills and instruments... post mortem, vol 25, counties Armagh, Cavan, Donegal, pp.239-54.
7. Ibid.
8. P.R.O.I., Book of survey and distribution.
9. Ibid.
10. Ibid.

Audley's widow, on the death of O'Neill's widow.¹ Crosby was, it seems, of Irish descent but his family had received land in Leix and in 1627 he had recruited an Irish regiment to assist Buckingham in the isle of Rhe. However by the later 1630s he had clashed with Wentworth² and had probably sold his Armagh land at this stage to Moore who was also from the midlands. There were a number of other purchases, each however small, but the families of Betagh and O'Gowan in Cavan may be mentioned as having bettered themselves.³

The survival of joint ownership is a fascinating problem to which only a tentative treatment can be given. The evidence of a chancery suit is however revealing.⁴ This concerns the lands granted to Brian McKiernan and conveyed by him to Sir James Craig. Five members of the McKiernan family petitioned the chancellor, then Adam Loftus, against Craig. They stated that the lands in question were the joint property of themselves and Brian McKiernan - deceased - having been 'divided and parted between them after the course and custom of gavelkind'. At the plantation they had agreed on the convenience of taking out a patent in Brian's name 'being the chief and eldest of their sept', the lands to be afterwards distributed between them. Accordingly, they stated, the land was recorded as Brian's property in the great office, granted to him by patent, and he conveyed to them those areas previously agreed on. Despite this, they stated, Craig induced Brian to sell it all to him without 'any valuable consideration'.

1. B.M. Add. MS 4756, f 110.

2. H. Kearney, Strafford in Ireland, pp.62, 185, 194, 233; A. Clarke, The old English in Ireland, pp.89, 99, 120, 169, 171, 172, 175.

3. See list of owners in Appendix

4. P.R.O.I., Chancery salvage, N.153.

Craig, they stated had attempted to dispossess them, one, Cahill McKiernan, having been imprisoned for a time in Cavan jail. Craig, in fact, retained the land¹, but the suit, apart from indicating that the chancery was prepared to recognise suits about gavelkind, throws light on the predicament of a family group overshadowed by a substantial non-Irish neighbour in a period of adjustment to an alien legal system.

This suit is, however, too ambiguous as a basis for generalisation. The plea of gavelkind may have been completely without justification, conversely, if well founded, evidence of individual ownership drawn from official sources may be of no significance with regard to the survival of the older custom.

Division of estates between sons or others can be shown to have happened in a few cases. For example, in Armagh the grant to Owen McHugh O'Neill was held by Hugh oge and Hugh boy O'Neill in 1641.² Also in Orier the land of Brian oge O'Hagan, granted in 1610 the ownership of which was renewed in his name in 1639,³ was ascribed in 1641 to Patrick and Hugh O'Hagan.⁴ The book of survey and distribution probably got it right that there was joint or divided ownership of sons.⁵ Strict descent by primogeniture would seem not to have been fully accepted by 1641.

The case of the Bradys, Walter, Thomas, and Patrick, who received a joint patent of lands in Cavan, however, seems to indicate a strict regard

1. P.R.O.I., Book of survey and distribution.
2. P.R.O.I., Book of survey and distribution.
3. P.R.O.I., John Lodge, Records of the rolls, vi, 240.
4. P.R.O.I., Book of survey and distribution.
5. Similarly in Cavan the same source ascribed land to Cormac McBrian and Brian oge McGowran, and the lands granted to Mulmory McPhilip O'Reilly had been divided between his sons Hugh and Edmond by 1641.

for individual ownership. Members of this family, particularly Walter who was a merchant, had had long-standing contacts with the Dublin administration and probably acquired a respect for English law.¹ By 1641 the land is ascribed to individual Brady owners and the evidence of litigation in the 1630s seems to indicate concern that this should be the case.² The willingness of the Irish owners to utilize the British legal system was in itself part of an accommodation to a new legal system.

It is at this point appropriate to discuss the affairs of some prominent Irish landowners in both counties.

The large estate (some 33,000 acres) of Sir Turlogh McHenry O'Neill of the Fews was undiminished throughout the period.³ In 1627, we have seen,⁴ he was exonerated from allegations of conspiracy. Later in that year, the king intervened in O'Neill's favour, following on a petition, in a dispute for land between him and Sir Christopher Bellew of Louth.⁵ The dispute was a long-standing one about the ownership of land in the Fews, hinging on whether that barony was entirely in Armagh or partly in Louth. Bellew's claim, based on the latter contention, had been brought into chancery.⁶

1. In 1614 he made shrewd use of the privilege of membership of parliament in having the sheriff of Cavan summoned before parliament for contempt of his privileged position (Commons jn., Ire., 8 and 19 November 1614, pp.21, 24).
2. In 1634 Thomas Brady by a chancery decree recovered a sum of money received by Robert Brady as rent on land in Cavan (P.R.O.I., Repertories to the decrees of chancery, ii. 127). In 1635 Patrick Brady received a decree against Richard Ashe to whom William Brady had sold two townlands. Patrick was to recover the land and pay Ashe what he had 'bona fide' paid William (ibid., pp.).
3. In 1619 he was in arrears with quit rent to the extent of £11 Ir. (P.R.O.I., Ferguson MSS, xii. 6).
4. Above, pp.251-2.
5. Cal. S.P. Ire., 1625-32, pp.294-5.
6. P.R.O.I., Chancery salvage, M.27.

The king instructed, O'Neill being 'much inconvenienced', that the matter should be decided by the deputy and plantation commissioners in accordance with the great office for Armagh and that no other court should have any jurisdiction in the matter.¹ The outcome appears to have been in O'Neill's favour and in December 1628 the king authorised a regrant, which followed, of the 'entire' area, in September 1629.² Such sympathetic treatment no doubt arose in part from the wartime situation, but at the same time the insistence that the dispute should be determined in accordance with the great office is another instance of the determination that the foundations, geographical and otherwise, of the plantation should not be disturbed.³

O'Neill was one of the very few Ulster proprietors to hold his lands in capite, and so he was also one of the very few required to take out a licence of alienation.⁴ He made a settlement of his estate in June 1639 to the use of his elder son Henry,⁵ following on a licence of alienation for a fine of £133. 6. 8 in 1634,⁶ and died in 1640⁷, without taking out a patent under the commission for defective titles. In May 1639 he leased portions for ninety-nine years at low rents to his second son Arthur and to Art O'Neill of Tullydonnell.⁸ The names of four tenants as well as thirty-one other witnesses emerging from the settlement throw light on the type of community on the estate prior to 1641. Of the four lessees, apart from

1. Cal. S.P. Ire., 1625-32, pp.294-5.

2. Ibid., p.412; P.R.O.I., Lodge, Records of the rolls, v.192.

3. See above, pp.135-6, 297.

4. Kearney, Strafford in Ireland, p.79, shows in tabular form how generally exempt Ulster owners were from this costly requirement in the period 1625-41.

5. P.R.O.I., Deeds, wills and instruments... post mortem, vol. 25, pp.67-72.

6. Ibid., pp.48-52.

7. Inq. cancell. Hib. repert., ii, Armagh (36) Chas 1.

8. P.R.O.I., Deeds, wills and instruments... post mortem, vol. 25, pp.52-66.

the two O'Neills above-named, one was a certain Donnogh Brady and the presence of the other, Roger Gernon, indicates contacts, no doubt long-standing, between this area and the northern part of the Pale. Of old English or settler names amongst the witnesses seven appear: Blyke, Gamwell, Vicars, Genson, Goborne, and Bellew. However most names were Irish and of local origin, though the appearance of one O'Reilly would indicate a contact made with Cavan probably as a result of the marriage of Henry O'Neill to a daughter of Sir John O'Reilly.¹ The estate was not encumbered by mortgage or otherwise.

The affairs of the O'Neills in Tiranny were less stable in the years before 1641. Problems are posed from the fact that Henry Oge's lands extended into Tyrone, and the surviving sources are mainly legal and difficult to interpret. After the division of 1612-13 there were seven owners in Tiranny, by 1641 there were only four,² one of whom Robert Hovendon, also a tenant to the archbishopric, who had married Phelim's mother, had not been a proprietor originally in Armagh though he did receive a grant in Tyrone. Hovendon was a member of an English family which had received land under the plantation of Leix and Offaly. His father, Henry a remarkable figure, had been secretary and foster-brother to Hugh O'Neill.³ In 1620 Robert Hovendon acquired the lands granted to Conn boy O'Neill,⁴ and in 1631 he acquired further property from Phelim O'Neill.⁵ While obviously an ambiguous figure, he retained his lands, (2,364 acres) as an English protestant in 1641.

1. A.F.M., p.2403.

2. P.R.O.I., Book of survey and distribution.

3. J.J. Marshall, 'The Hovendons', in U.J.A., xiii (1907), 4-12, 73-83.

4. P.R.O. N.I., T808/14912, 14941.

5. P.R.O.I., Deeds, wills and instruments post mortem, vol. 25, pp.72-9.

Phelims career was conversely one of financial decline before 1641.¹ While he retained a considerable acreage in Tyrone², he had only some 1,500 acres in Tiranny in 1641, and his property was encumbered by a number of mortgages. In 1629 he seems to have persuaded his relatives to surrender their lands to him, because Carte states that on 6 May 1629 the English privy council ordered that he receive a new patent 'vesting in him all his grandfather's estate'.³ No such new patent appears to have been taken out.⁴ Although the Armagh land was not apparently mortgaged,⁵ the evidence of an inquisition taken in June 1661 concerning his Tyrone lands, which is likely to be reliable, may be outlined here to indicate the extent of his debts.⁶ This shows that he had raised £6,300 in mortgages between 1632 and 1640. His larger creditors were alderman Parkhurst of London⁷, Rev. John Symonds, an Armagh rector and property-owner, and Sir Edward Bolton, son of the chancellor.⁸ He had also made two long-term leases of lands to British tenants, one being to Carroll Bolton, a brother of Sir Edward's, in return for an entry fine of £1000.⁹ This throws some light on the statement by Temple that O'Neill had replaced Irish by English tenants who would pay more.¹⁰ From fragments of pleadings

1. He was for a time a student at Lincoln's Inn in London (Carte, Ormond (London, 1736), i. 158).
2. Inq. cancell. Hib. repert., ii, Tyrone, (3 and 23) Chas II.
3. T. Carte, Ormond (London, 1736), i. 158.
4. The Phelim Roe O'Neill referred to in Cal. pat. rolls Ire., Chas I., p.547 can hardly have been Sir Phelim.
5. Ibid., Armagh (5) Chas II; Armagh Public Library, William Reeves, Memoirs of Tynan (MS volume, unfoliated).
6. Inq. cancell. Hib. repert., ii, Tyrone, (3) Chas II.
7. Above, p.289.
8. A '1641' deponent stated that he had also mortgaged some land to Walter Cope for £800 (T.C.D. MS F.3.7, f.23).
9. Inq. cancell. Hib. repert., ii, Tyrone, (3) Chas ii. George Rawdon was the other tenant (ibid.).
10. Temple, Irish rebellion (Cork, 1766), p.26.

in chancery suits it appears that he made similar long term leases of pieces of land to various old English tenants, Dowdalls, Plunketts, and Hamlins.¹ That Phelim was financially embarrassed by 1641 is manifest: Carte and Temple asserted that this contributed to his decision to embark on war in 1641.²

The two principal O'Reilly grantees were Mulmory oge, and Mulmory McHugh Connelagh. As to Mulmory oge, we have already seen that substantial portions of his estate were dispersed. He died without heir in 1617, the remaining lands descending to his uncle captain Hugh whose son, Phillip Mc Hugh O'Reilly owned much of them in 1641.³ Mulmory McHugh Connelagh died in 1635 or 1636.⁴ He had four sons Edmund (or Eamon) and Phillip, and Hugh (o.s.p. 1637) and Hugh, the latter two being illegitimate.⁵ Of this estate an area of less than 800 acres was owned by Greenham, the undertaker, in 1641 and small portions were in old English and other hands. The remainder of the estate had been divided amongst Mulmory's heirs. Thus the 1641 owners were Phillip and Edmund, sons of Mulmory, Hugh, probably the illegitimate son, and Myles and Phillip McEdmund, sons of Edmund. Phillip McMulmory had over 6,000 acres whereas his brother Edmund appears to have had only about 100. However his sons had some 1,750 acres between them.⁶ The brothers Edmund and Phillip and Edmund's son Myles were prominent figures in the rising in Cavan.⁷

No simple answer can be given to the question of the prosperity of

1. P.R.O.I., Chancery salvage, Y.53, 2B. 80. 120, no 207.
2. Carte, Ormond (London, 1736), i. 158; Temple, Irish rebellion (Cork, 1766), p.67.
3. P.R.O.I., Book of survey and distribution.
4. P. Walsh, Irish chiefs and leaders, pp.141-56.
5. Ibid., pp.157-79.
6. P.R.O.I., Book of survey and distribution.
7. E. Hamilton, The Irish rebellion of 1641, pp.149-60.

the Irish grantees on the outbreak of rebellion in 1641. In the case of one Cavan proprietor, however, a will survives which is revealing. Two brothers Shane and Phillip McPhillip O'Reilly received a joint patent of lands in Castlerahan. Phillip's share of this was about 800 acres¹. In May 1638 he made his will (he had made a previous one in 1623) from which encumbrances on the estate emerge.² Half was left to his wife as a jointure as well as a lease of an additional townland which he held, and the remainder to his nephew Turlogh McShane who is recorded as owner of all in 1641.³ His debts recorded in the will amounted to some £100. £60 charged on a townland was to be paid to a Patrick O'Gowan, and £10 charged on another was to be paid to Oliver Nugent, who owned land in the county. Appended to the will was a schedule of 'small debts', fifty-six in all, totalling some £30. One of the larger sums was £3. 10. 0 owed to Sir James Craig. The majority of his creditors were Irish, though settler and old English names were also prominent. Many were ladies and many lived either in Dublin or between there and Cavan. The only property on the estate referred to he left to his wife - 'all my crop of corne and two geile coves [bullocks?] and a heifer'. Thus at the end of our period one grantee's position at least was unhealthy.

1. P.R.O.I., Book of survey and distribution.
2. P.R.O.I., Deeds, wills and instruments... post mortem, vol. 25, pp. 276-83. There are gaps in the transcription. For the earlier will, see *ibid.*, pp.274-6.
3. P.R.O.I., Book of survey and distribution.

III The position of the landless Irish

The condition of the mass of the indigenous population under the plantation remains obscure. What follows is in large part derived from the report in 1624 of those appointed to examine the position of the Irish on undertakers' lands in Armagh.¹ No such report survives for Cavan. The Armagh inquiry was carried out at Armagh, by virtue of a commission of 27 January 1624, by Sir Francis Annesley, Charles Pointz, and Sir Edward Trevor on February 23 before a jury consisting of seventeen people, including seven native Irish. It does not easily lend itself to numerical analysis and indeed the numerical data seems unreliable, but it is unusually informative of the conditions of the Irish and their relations with landlords and tenants of British origin.

The number of Irish found 207+ (for two estates exact numbers are not available) is lower than the total of the commissioners in 1622, 242+. Also the amounts of rent paid or the areas of their holdings - in many cases they held less than a townland - are not always available.

The rents paid by Irish tenants were within the range of about £4 to perhaps as much as £30 per townland. Most Irish tenants held from year to year, and in a few cases for shorter periods. There are only three cases of Irish holding for longer periods. Two Irish tenants to Sir William Brownlow held parts of four townlands at £5. 13. 0. per annum under a lease poll for twenty-one years. On the Obbyns estate four Irish held one townland at £8 per annum payable to the tenant Sir Henry Bouchier (a servitor owner in Orior) 'for a tearme'. The other case was the more complicated one of an Irishman who had

1. P.R.O., S.P. 63/238, ff. 139-44 (Cal. S.P. Ire., 1615-25, pp.482-4).

acquired a seventeen year lease of one townland on the Stanhowe estate at £2 per annum from an English tenant, which he had subsequently assigned to another English occupier to pay to him £4 per annum.

Rent payments part in money and part in produce were common on the Sacheverall estate. Five Irish on one townland, for example, paid as rent half of the corn and £4 for the grass. Thus while it emerges that the Irish were by no means exclusively pastoral, the survey shows that very many held land, of ten small quantities, for grazing purposes. Pasturing rights in return for work services were prevalent on almost all estates, and almost all those defined as servants in the accompanying table owned small numbers of cattle.¹ A characteristic entry of this type can be taken from the estate of Sir John Dillon where it was found that on one townland 'Donell McCann doth reside ... as a servant to George Pinson who hath these lands in lease, and doth depasture fower or five coves there'. Wage payments to those who feature as servants or workmen in the report were not usually made, remuneration being made in grazing rights, though in one case a household servant to a tenant on the John Dillon estate received 6d. a week in wages and the pasture of two cows. However the evidence of an inquiry primarily concerned with landholding by Irish can not be taken as exhaustive on this point. On some estates Irish were found who paid for grazing in accordance with the number of cattle they placed on the land. Thus five Irish on one townland of the Stanhowe estate which they held from a particularly substantial tenant, John Wrench,² 'depastured' their stock

1. Goats feature in one case on the Obbyns estate.

2. Below, p. 413.

there at 1d. per week per cow and 2d. per week per horse.¹

In a few cases those who can be defined as tenants rather than workmen paid in rent and in labour services. Thus some Irish on the Obbyns estate held land for grazing from a tenant a relative of the Rev. James Matchett who had sold his estate to Sir Oliver St. John, and paid £1 in rent and 'work in hedging a piece of wheat sowed by Matchett'.² The occupations of the Irish servants in those few cases where they are stated throws some light on the rural scene though may not form any basis for generalisation about the skilled attainments of the native population. However only one appears as a craftsman, a smith under Scottish tenants on the Brownlow estate. Most commonly they appear in the care of cattle to landlords and British tenants alike and are defined as 'cowkeep', 'herd', and similarly. The one Irishman listed on the Grandison estate was employed as a 'tracker', his function evident in a predominantly unenclosed countryside.³ However Irish on three estates, Sir John Dillon's, John Dillon's, and Obbyns's, were engaged in land enclosing. Not only did the Irish reside on undertakers' estates in a variety of capacities, but it is also clear that some undertakers, Sir Archibald Acheson and Sir William Brownlow specifically, had Irish living in their houses as servants.

The appended table has been constructed to throw light on the

1. On the Cope estate some Irish paid 1½d. per week per cow, and on John Dillon's the grazing of fifteen or sixteen cattle was held for one month at 6/- in money 'or the value in work'.
2. Three Irish held part of a townland on John Dillon's estate for grazing from a widowed tenant and 'payed certaine hedging work for the same'.
3. One Irishman on a townland of the Sacheverall estate which was held by Sir Archibald Acheson was employed as a 'servant' to Acheson who kept a 'stud of horses' there.

Estate	Total no. of Irish	No. in 1622	No. of tenants (a) To undertaker tenants (b) To	No. of servants (a) To undertaker tenants (b) To	Approx. proportion of estate held by Irish direct tenants A = under B = about C = over
Acheson	2	some	- -	2 -	A
Hamilton	18+	48	11+ 1	2 4	A
Rolleston	7	12	- 5	2 -	A
Sacheverall	34	49	25 -	3 6	B
St. John	1	8	- -	1	A
Brownlow	41+	24	35+ 2	3 1	C
Stanhowe	21	24	11 9	- 1	B
Dillon	8	'few or no Irish'	1 3	2 2	A
Sir John Dillon	10	19	1? 8	- 1	A
Cope	22	40	- 17	2 3	A
Obbyns	43	18	19 16	2 6	A
Totals	207+	242+	103+ 61	18 1 24	

status of the Irish dealt with in the report. Of a total of somewhat more than 207 people over 103 or roughly one-half, were direct tenants to undertakers, 61 were tenants to British tenants on the estates and of the remaining 43, 18 or 19 were servants or workmen to undertakers and 24 or 25 were servants or workmen to their tenants.¹ Although half of the Irish recorded were direct tenants sub-tenancy was apparently becoming the normal condition for Irish iandholding on many estates, only Hamilton Brownlow, Sacheverell, Stanhowe and Obbyns, the three latter having been criticised as planters in 1622, having substantially more Irish tenants than sub-tenants. Sub-tenancy would presuppose a willingness on the part of the Irish to pay higher rents than the British tenants did to the undertakers. They also generally paid higher rents when they were direct tenants.

The column indicating the approximate proportion of each estate held in direct tenancy by Irish has been provided because the compromise agreed to in 1628 whereby the undertakers might retain Irish on one-quarter of their estates seems to have been interpreted when in 1631 attempts were made to penalise those who had Irish on areas in excess of this as referring to Irish as direct tenants.²

The years around 1628 produced much discussion of the position of the Irish on undertakers lands which has been examined above.³ The enforcement of the compromise then reached was only very partial, however an inquisition taken in 1631⁴ purporting to list lands held by

1. Where undertakers workmen or servants had rights of pasturage they are placed in the servants rather than tenants column.
2. Above, pp.270-74.
3. Above, pp. 252-9.
4. Inq. cancell. Hib. repert., II, Armagh (19) Chas I.

Irish from Armagh undertakers in infringement of the new regulations can perhaps be used to indicate the predicament of Irish seeking to hold land from undertakers. The lands in question were only small fragments of three estates in Oneilland, those of Brownlow, Stanhowe and Sir William Alexander, who at this point held part of the Sacheverall estate.

It is of interest that though the lands occupied by Irish on Brownlow's estate in 1631 were also in Irish hands in 1624, only one of the Irish tenants in 1631 had also held his lands in 1624. Thus while the land had remained in Irish hands there is no evidence for continuity of possession in the seven year interval. The same applies to the Stanhowe estate. Here the 'half town' of Neevore was held by Hugh duff McDonnell in 1624 and by Patrick modery O'Connellan in 1631. O'Connellan, however, had also held it in March 1629.¹ On the Alexander estate, however, Henry duffe O'Connellan who held one-quarter of Mullalellish townland in 1631 was doubtless that same Henry O'Connellan who, with four others, had held half of the townland in 1624. It seems fair to suggest that continuity of occupation, when land was held on a yearly basis, was only to be guaranteed when a tenant could outbid a fellow Irish competitor.

Further evidence that there were numbers of Irish who owned small numbers of cattle and rented grazeing and other land comes from a list of the goods of felons in 1628 which were granted to the archbishop of Armagh.² Three such had two cows and one heifer; one cow and one

1. *Ibid.*, (3) Chas 1.

2. Armagh Archiepiscopal Registry, A. 2a. 28/20, pp. 13-14; The archbishop had the right to felons goods by patent of 18 December 1616 (Cal. pat. rolls Ire., Jas 1, p.314).

garran; and one cow, two heifers, one mare, and one sucking colt respectively. Two others as well as having two cows and four cows respectively had also two acres and three acres of oats and other corn.

Generally up to about 1625 or so the Irish were being confined increasingly to smaller areas on each undertakers' proportion. However their share was still a substantial one, and that there was little or no immigration of British after that date is confirmed by the anxiety of the undertakers to secure permission to retain Irish tenants on one quarter of each estate. The evidence of the inquiry of 1624 and related material may thus not unreasonably be suggested as valid for the period up to 1641. On the lands of the archbishopric of Armagh a somewhat similar development can be seen,¹ which was not nearly so pronounced on the bishop's lands in Cavan or the T.C.D. estate in Armagh² where by and large a policy of leasing to large middlemen was favoured. These it would seem sub-let almost exclusively to native occupants. Some servitors brought in British tenants and in parts of Cavan and south Armagh old English are found, but the servitors and natives lands were largely occupied by native Irish. Clearly the plan to make the undertakers' baronies all-British enclaves did not result in any general movement of the Irish elsewhere, and although a scheme to facilitate this was belatedly formulated in 1628 it was not given effect. The Irish were certainly the natural sub-tenants to absentee leaseholders.

The relations of the Irish and the incoming proprietors cannot be easily generalised. As the immigrant tenant element increased opportunities for the native population became manifestly more constricted.

1. Below chapter 12.

2. Below, pp. 535-6.

While the archbishop of Armagh was alleged to have wished to exclude the Irish from living near the town of Armagh, it is evident that they formed an element in the population of most towns.¹ Also it would be wrong to polarise native and settler as individually composing universally opposing elements. The plantation did not exclude all opportunities for them, and some Irish have been found in rent collecting capacities² as well as holding office in manorial and county administration.³ Ambiguities in relationships grew up which can be illustrated by the following instance, an undated complaint of a British tenant, George Thornton, against an O'Neilland undertaker, Sacheverall.⁴ Thornton complained that his house had been broken into and goods and arms stolen by 'certaine woodkerne', O'Hagans, O'Neills, and McCanns. Going into 'the creetes adjoininge' he arrested one of the delinquents, McCann, who confessed the theft. However McCann procured his release by the intervention of Sacheverall. Thornton pressed Sacheverall to have McCann and his associates arrested and prosecuted at the assizes. This was not done and he claimed that he had seen Sacheverall and some of them drinking and talking together on a number of occasions. This is not however to attempt to minimise the hardship of many who suffered the penalties of the law, and in periods of emergency at the hands of provost marshals. The 1641 rising indicated not unnatural basic loyalties. The policy of plantation was not in their interests, even if many of the settlers were for practical reasons reluctant agents of that policy in its complete application.

1. Below, p. 357-99.

2. See, for example, above, pp.295-6. 3. Below, 529-34, 601.

4. Marsh's Library, Dublin, Z3. 1. 1, no lxvi.

