AN

HISTORICAL AND CRITICAL REVIEW

OF THE

CIVIL WARS

IN

IRELAND,

FROM THE

REIGN of QUEEN ELIZABETH, to the SETTLEMENT under KING WILLIAM.

WITH THE

STATE OF THE IRISH CATHOLICS,

FROM THAT SETTLEMENT TO THE

RELAXATION OF THE POPERY LAWS,

IN THE YEAR 1778.

Extracted from PARLIAMENTARY RECORDS, STATE ACTS, and other Authentic Materials.

BY *JOHN CURRY*, M.D.

IN TWO VOLUMES.

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AN

ACCOUNT

OF THE

AUTHOR

OF THE FOLLOWING WORK.

MEMORIALS of enlightened men, who have devoted their labours to the ſervice of their fellow-citizens ſhould be made public, for the ſake of the examples they exhibited, as well as the leſſons they left behind them. Unhappily, this juſtice, due to ourſelves and to poſterity, is too often omitted. In ſome countries, public benefactors have been treated with public ingratitude: Works which expoſed the abuſes of legiſlation, and preſcribed a remedy, have generally paſſed away unnoticed, or met the reproachful alternative of perſecution and penalties. Hiſtory is full of ſuch examples. It however affords a comfortable reflection, that the obſtinacy of political error has been in a great degree ſubdued, and the reſiſtance to uſeful information appears much abated. Here the philoſopher comes in aid of the legiſlator, and happily the union of both, has of late procured ſolid advantages to this nation, and more, 'tis hoped, are in contemplation. This change in the public mind could not

be effected by the great patriots *Molyneaux* and *Swift*,[a] tho' they pointed out to our countrymen, the principles on which alone Iriſh proſperity can be eſtabliſhed: but they encountered prejudices, from which, in their times, we could not be prevailed on to depart. It is now we recogniſe the maxims of theſe illuſtrious men, which teach us to *think juſtly*, and, in conſequence, to act profitably.

In the liſt of excellent men, who have prepared materials for an impartial hiſtory of the civil commotions which involved this kingdom in miſery for more than one hundred and fifty years, the Author of the following work, and of ſeveral other tracts[b] for the ſervice of his country, is worthy to be numbered.

He very judiciouſly grounds his judgments on domeſtic facts, which exhibit, in the cleareſt light, the ſpirit which pervaded the politics of our predeceſſors during that period; and by examples, the beſt leſſons of inſtruction, he points out the diſmal effects of calumny and miſrepreſentation on the human mind.

It is a tribute I owe to the memory of my learned and virtuous friend (the author) to give the reader an account of his life and ſtudies.

Doctor John Curry was deſcended of an antient Iriſh family, (by the name of O'Corra) inheriting a con-

[a] The patriotic ſpirit of the Dean ſeemed to flow through the veins of our Author, to whom we find he was related by his mother.

[b] Hiſtorical Memoirs of the Iriſh Rebellion.—A Hiſtory of the Gun-powder Plot.—A Candid Inquiry into the Cauſes of the Riots in Munſter.—Three Appeals to the Lord Primate in Vindication of the Civil Principles of Roman Catholics.—A Sequel to the Candid Inquiry.—Occaſional Remarks on certain Paſſages in Dr. Leland's Hiſtory of Ireland.—A Sketch of the Hiſtory of the 2d and 8th of Queen Anne.—An Eſſay on Fevers, &c. &c.

conſiderable landed property in the county of Cavan, which after a poſſeſſion of many centuries, was loſt in the uſurpation of Cromwell, to a ſmall part that eſcaped the uſurper's ſpies, and even that was loſt among the other forfeitures incurred by the Iriſh in adhering to the cauſe of the late king James, in whoſe ſervice the doctor's grandfather commanded a troop of horſe, and fell at the head of it in the battle of Aghrim. The doctor's father being left deſtitute of any real property, took to mercantile buſineſs, by which he was enabled to give his ſon a liberal education; who, giving early proofs of natural talents, became ambitious of trying his fortune in a learned profeſſion; but diſqualified by his religion [c] from proſecuting his ſtudies in the univerſity of Dublin, he went to Paris, where he applied cloſely to the ſtudy of medicine for many years, and afterwards obtained a diploma for the practice of phyſic at Rheims. Having returned to his native city, his attention to the poor, and a ſucceſsful practice, after ſome time, recommended him to perſons of rank and fortune.

Grown eaſy in his circumſtances, he left no void in life; but, in every interval of leiſure from the calls of his profeſſion, employed himſelf in intellectual reſearches, and particularly ſuch as regarded the phyſical, moral and political anomalies of his fellow-creatures: but his application to hiſtory, wherein he could view men on every ſtage of action, and without diſguiſe, under the influence of ſtrong prejudices and local manners in which they were nurtured, received a ſpur from an incident which merits, from its conſequence, to be here related.

In

[c] By the like impolitic penal law, the Doctor's two ſons were compelled to leave their native country, and ſeek employments in a foreign land. They obtained honourable ones, being both officers in the Imperial ſervice.

*

In October, 1746, as he paſſed through the Caſtle-yard on the memorial day of the Iriſh rebellion in 1641, he met two ladies, and a girl of about eight years of age, who, ſtepping on a little before them, turned about ſuddenly, and, with uplifted hands and horror in her countenance, exclaimed, *Are there any of thoſe bloody papiſts in Dublin?* This incident, which to a different hearer would be laughable, filled the doctor with anxious reflections. He immediately inferred that the child's terror proceeded from the impreſſion made on her mind, by the ſermon preached that day in Chriſt-church, whence thoſe ladies proceeded; and having procured a copy of the ſermon, he found that his ſurmiſe was well founded. In a ſpirit very different from that of the preacher, he immediately, on returning to his houſe, ſat down to give ſome check to the hatred and aſperity revived in theſe anniverſary invectives, from ſeats ſet apart for the propagation of truth and benevolence among men. His tract on this ſubject he put in the form of a *Dialogue*, wherein one of the interlocutors ſhews the unfairneſs, and abſurdity alſo, of charging to any religion whatever, the crimes which that religion condemns, but which ſome of its profeſſors may, at times, be guilty of. After ſuch general reflections, he expoſes the unfortunate cauſes which led to the inſurrection in 1641, and the fatal conſequences which followed. Three kingdoms were then in a flame, and the moderation and good ſenſe of a few could not ſtop the conflagration: though it might in the beginning be eaſily quenched by thoſe in power, had not their private views and ſelf-intereſt biaſſed them to ſupply the fuel. The people of our days are no further concerned in ſuch evils, than to remind them of never repeating them. The cauſe removed, the effects ſhould not be active, and be active, ſolely, from ſuggeſtions of the imagination. To this the adverſary to that interlocutor made anſwer, that though the evils complained of, have

long

long ceaſed, yet that among papiſts the principle remains, and muſt juſtify every legal penalty they are expoſed to: He converted ſuppoſition, into a fact which he could not prove. With no better argument, the *Dialogue* was attacked in a voluminous pamphlet, by Mr. Walter Harris, a gentleman unverſed in the philoſophy of hiſtory, and flagrantly abuſive, but fit enough for his office of a compiler. Dr. Curry replied in a book intitled *Hiſtorical Memoirs*; a work well received by the public, and from which Mr. Brooke had his materials for his *Trial of the Roman Catholics*.

Still indefatigable in the cauſe of his country, he enlarged his plan, in a work intitled, *An Hiſtorical and Critical Review of the Civil Wars in Ireland*, printed in 1775. Therein he gives a general view of the times from Henry II. and commences his details with the reign of Queen Elizabeth, ending with the ſettlement under King William. This is the preſent work, now greatly enlarged from the doctor's manuſcripts, with new matter taken from parliamentary journals, ſtate acts, and other authentic documents; to which he has added, *The State of the Catholics of Ireland*, from the above period under King William to the Relaxation of the *Popery Laws* in 1778. The author dying two years after, deprived us of having this valuable work as perfect as if publiſhed under his own inſpection.

I ſhall now obſerve to the reader, that the intention of the author in the following work was ſolely to inſtruct, not to miſrepreſent, to conciliate, not to irritate; and, in the execution of ſuch a deſign, it was incumbent on him, to remove the falſe grounds of a torrent of invectives, which have borne down repeatedly on our good ſenſe, and which, if not ſtopped in its courſe, may ſweep away before it ſome practicable ſchemes for public proſperity. If ſome are ſo prejudiced as to reject ſeveral facts herein related, becauſe they were

were taught to reject them early in life; yet they will take the leſs offence at our author, as his materials are chiefly taken from thoſe very authorities on which the invectives we have mentioned, are ſaid to be founded; and conſequently can admit of no diſpute concerning their credibility. No man of the preſent age (catholic or proteſtant) is concerned in the conduct of thoſe of any former age, otherwiſe than by contraſting the cauſes and effects in the one with thoſe in the other, and inſtructing us thereby to put a proper eſtimate on our preſent happineſs, and to remove any ill impreſſion the public may ſtill retain, in regard to times ſo very different from our own. This is placing a mirror before the reader, wherein beauties and deformities are fairly reflected, and whereby deductions may be made, for improving our minds and manners, by the juſtneſs of the repreſentation.

C. O'CONOR.

BELANAGAR,
May 3, 1786.

CON-

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PREFACE.

CERTAIN ſubjects, religious or political, have, in all ſtates, at certain periods, been deemed of too delicate or too dangerous a nature to be handled without extreme caution, which have afterwards been diſcuſſed with all the latitude of enquiry peculiar to an enlightened people. The danger was then diſcovered to be ideal; and that delicacy, like ſuperſtition, had no longer an exiſtence than while veiled under a myſterious ſilence. Of ſuch a deſcription is the following ſummary Review of the Civil Wars, and of the Conduct and Character of the Catholics of Ireland; treated of by a gentleman of a maſculine and intrepid mind, of diffuſe learning, and an ardent developer of truth. And fortunate might it be for that country, if ſuch enquiries could have their due operation, in reſcuing

her from error, and from all the train of calamities attendant on prejudiced opinions. Opinions which, as truth never countenanced, reaſon never can approve: ſuch as no honeſt man would knowingly, and no knowing man could honeſtly propagate. Opinions which derange civil, and embitter ſocial life: which by their prevalence impoveriſh kingdoms, and debaſe and diſtemper the human mind. To eradicate ſuch is the object of the following Enquiry: and ſurely, he who renounces, and inſtructs others to renounce, errors of ſo fatal a tendency, moſt unequivocally diſcharges the duty of a good citizen, and moſt effectually promotes the general intereſts of humanity.

We live at a period of ſociety when truth and luxury, ſcience and diſſipation, approach with haſty and equal ſtrides; and we ought vigilantly to avail ourſelves of the firſt, before we are overtaken by the latter: for when that fatal period arrives, conviction will be uſeleſs, becauſe exertion will be no more. The emotions produced in every unbiaſſed mind by Dr. Curry's Review, muſt be thoſe of indignation and pity: a deſire of making reparation to our injured countrymen: a diſpoſition of affording to a great community of men, that late juſtice, which is at the ſame time buttreſſed and invigorated by the moſt incontrovertible good policy. A community of men, whoſe hiſtory from the ſecond

of

of Elizabeth, to the abdication of King James, is a tiſſue of perſecution for their creed, of oppreſſion for lucre of their poſſeſſions, and of calumny and detraction, by the ſaucy pen of their triumphant oppreſſors.

It has been juſtly obſerved by an early Engliſh writer, that the whole art of reducing things to a trial by reaſon, conſiſts in fortitude; which is an equitable reſolution of the will to chuſe and refuſe, according to the dictates of the judgment: and the ſentence which is formed on ſuch a rational trial, is a univerſal propoſition adapted to the reaſon of man; a ſelf-evident, or at leaſt, an irreſiſtible truth. For the big voice of thrones and parliaments cannot alter the notions of juſtice and wiſdom in the minds of men; nor hinder their judgments from determining whether what they behold is juſt and wiſe, true and good; though it may terrify them to lying, or to ignominious ſilence. Who at this day does not confeſs the flagrant injuſtice, the cruel oppreſſion exerciſed on the catholics by the legiſlature in 1703? Who does not acknowledge the violation of national and royal faith, in the parliamentary infringement of the articles of Limerick and Galway!? Who does not now reject the infallibility of monarchs, miniſters, councils, and parliaments; and canvaſs and arraign, on the ground of juſtice and good policy, former acts of the national legiſlature?

Had

Had the penal laws been machinated by an aſſembly of Solons and Cecils, they cannot at this day be wholeſome or neceſſary. In a world where nothing is permanent, where modes, manners, and intereſts are ever at a flux, reaſon and policy will conform to circumſtance and ſituation: and where cauſes have ceaſed, conſequences ought to ceaſe alſo.

The moſt important tranſactions of Ireland are involved in a chaos of contradictory aſſertions. Victorious adventurers, whether lords deputies or Scottiſh freebooters, were little qualified, and leſs diſpoſed, for an impartial narrative of the vanquiſhed natives: nor would ſuch have tended to eſtabliſh a government, which, in the words of Temple, "by alienating the affections, loſing the opinions, and croſſing the intereſts of the people, left out of its compaſs the greateſt part of their conſent;" and might juſtly be ſaid in the ſame meaſure it loſt ground to narrow its bottom. And on the other hand, little confidence was afforded to the complaints of truth, when uttered by the weak voice of baniſhed exiles. Such tracts as the following are the ſources from whence theſe tranſactions are to be developed: and by which the prejudices of party, and the bigotry of ſectaries are to be ſubdued: and if Ireland is untainted by prejudice or bigotry, ſuch tracts, by their apparent error, will ground us more firmly in truth; and

afford

afford arguments ſtill more forcible, deduced from the beſt pleadings of the adverſary himſelf: but to be bigotted on a ſubject of whoſe hiſtorical facts we are totally ignorant, is the moſt deplorable ſtate of mental darkneſs.

If any man ſhould be raſh enough to enquire how the liberal diſſenters, a community who are themſelves only tolerated, can adjuſt to their own conſciences the excluſion of the catholics from every privilege of citizens; let us read that we may be enabled to confute him. If any man will ſay it is impolitic to have depopulated the moſt fertile plains of Ireland, and to have confined them to paſture; let us read, and combat the cenſures on black cattle; and ſhew cauſe for the extirpation of the Iriſh race. If any man ſhall advance, that from the ſituation of Ireland, ſurrounded by powerful and ambitious ſtates, no nation in Europe ought to be more united; and not one is more divided; let us inquire into the cauſes why it is politic for Ireland to be divided: why it is moral to prevent population: how there is ſecurity in a houſe divided againſt itſelf: and how it is for the promulgation of ſcience, to ſhut the gates of learning, as formerly of mercy, againſt nine-tenths of our countrymen.

If there is any reverence due to vanquiſhed valour, and unſucceſsful patriotiſm: if there is conſolation

ſolation in the reflection that the iſland has not always been waſte and uninhabited; and that it is the vice of bad policy, and not of the ſoil, and therefore ſtill remediable: if we do not trace population following disfranchiſement: if new towns and manufactures have not ariſen upon the violation of articles of treaty, which were to have been eternal: let us turn our views to other projects; let us revoke thoſe fatal meaſures; and, if fate yet permits, like the wife of Ulyſſes, lengthen out our liberty, by undoing again our inauſpicious work. If a ſecurity of conſtitution, if commercial advantages, if reſpect abroad, if the diſtribution of equal juſtice, are attainable objects, they are to be expected alone from national union: from a mutual covenant on permanent principles; which ſhall obliterate the guilt paſt; which ſhall ſtrike a deep root to new-born friendſhip; and which ſhall direct the reſentment of every virtuous citizen againſt thoſe, and thoſe only, who foment the diviſions, and feel an intereſt in the depreſſion of our native land.

To expand the mind by the contemplation of patriots, who died amid the lamentations of a happy, or the carnage of an expiring country; to reſcue injured merit from the miſrepreſentation of guilt or ignorance, hiſtory ſheds her ſacred light; and by rendering juſtice to departed excellence, aſſures a confidence of virtuous fame, and affords a powerful incitement

incitement to the exertions of living integrity. He who, at the preſent period, would read theſe tracts with profit to himſelf, and, in whatever ſtation he holds in ſociety, with advantage to his country, (in the words of an eminent Engliſh writer) ought to be "of an ingenuous and free ſpirit, eager and conſtant in reproof, without fear controlling the world's abuſes: one whom no ſervile hope of gain, or froſty apprehenſion of danger, can make a paraſite to either time, place, or opinion."

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AN

HISTORICAL AND CRITICAL REVIEW OF THE CIVIL WARS IN IRELAND.

BOOK I.

CHAP. I.

Of the ſtate of the Iriſh from the time of the invaſion of HENRY II.

IN order to form a right judgment of the principles, and conduct of the natives of Ireland, ſince the reformation (from which period only, I purpoſe to conſider their civil diſſentions), it is neceſſary to look back to the times preceding that event, and to take a curſory view of the manner in which the firſt Britiſh adventurers,[a] and their ſucceſſors, for ſeveral ſeveral ages,

[a] All Ireland was by Henry II. cantonized among ten of the Engliſh nation, (viz. the Earl Strongbow, Robert Fitzſtephen, Miles de Cogan, Philip Bruce, Sir Hugh de Lacy, Sir John Courcey, William Burke Fitz-Andelm, Sir Thomas de Clare, Otho de Grandiſon, and Robert le Poer) and though they had not gained the poſſeſſion of one-third part of the whole kingdom, yet, in title they were owners, and lords of all, ſo as nothing was left to be granted to the natives. And, therefore, we do not find in any record, or hiſtory, for the ſpace of three hundred

ages, treated theſe, as they affected to call them, conquered people.[1] Now it is evident from all our records, that after theſe adventurers got footing in that kingdom, the Britiſh colonies only, and ſome few ſepts[b] of the Iriſh, that were enfranchiſed by ſpecial charter, were admitted to the benefit and protection of the laws of England; and that the Iriſh, as ſuch, were generally reputed aliens, or rather enemies; inſomuch, that it was adjudged no felony to kill a mere Iriſhman[c] in time of peace.

It

[1] Sir John Davis's Hiſtorical Relations, Dub. ed. p. 45.

dred years after theſe adventurers firſt arrived in Ireland, that any Iriſh lord obtained a grant of his country, from the crown, but only the king of Thomond; who had a grant but only during king Henry III.'s minority; and Roderick O'Conor, king of Connaught, to whom king Henry II. before this diſtribution was made, did grant that he ſhould be king under him; and keep his kingdom of Connaught in the ſame good and peaceable ſtate in which he kept it before his invaſion of Ireland. Sir John Davis's Hiſtorical Relations, p. 60.

[b] Theſe were the O'Nials of Ulſter, O'Malachlins of Meath, the O'Conors of Connaught, the O'Briens of Thomond, and the Mac Mouroghs of Leinſter. Id. ib.

[c] So ridiculouſly, as well as tyrannouſly, was this diſtinction kept up, "that no man was to be taken for an Engliſhman, who had not his upper lip ſhaven" (which, it ſeems, the Iriſh had not.) "And if any man ſhould be found among the Engliſh, contrary thereunto, it was lawful to ſeize him, and his goods, as an Iriſh enemy." Ib. p. 92.

"Thoſe, that were adventurers," ſays Sir John Temple, "in the firſt conqueſts (of Ireland), and ſuch other of the Engliſh nation as came over afterwards, took poſſeſſion, by virtue of former grants, of the whole kingdom, drove the Iriſh in a manner out of all the habitable parts of it, and ſettled themſelves in all the plains and fertile places of the country, eſpecially in the chief towns, ports, and ſea-coaſts. It was no capital offence to kill any of the reſt of the (non-enfranchiſed) Iriſh; the law did neither protect their life, nor revenge their death." Hiſt. of the Iriſh Rebel. p. 6, 7.

But although an Engliſhman did not incur any capital puniſhment for killing a mere Iriſhman, he was puniſhed, it ſeems, according to the old Brehon law, by an erick, or fine; thus it appears, that one William, the ſon of Roger, among others,

It is alſo evident, that the Iriſh,[2] on their part, "did, at ſeveral times, deſire to be admitted to the benefit of the law; as in their petitions to Richard II. and Lord Thomas of Lancaſter, before the war of the two houſes; and afterwards, to Lord Leonard Gray, and Sir Arthur St. Leger, when Henry VIII. began to reform that kingdom. And it was certainly a great defect in the civil policy of Ireland, that for the ſpace of three hundred and fifty years at leaſt after the conqueſt firſt attempted, the Engliſh laws were not communicated to its people, nor the benefit or protection thereof allowed them; for as long as they were out of the protection of the laws, ſo as every Engliſhman might oppreſs, ſpoil and kill them without control,[3] how was it poſſible they ſhould be other than outlaws, and enemies to the crown of England? If the king would not admit them to the condition of ſubjects, how could they learn to acknowledge, and obey him, as their ſovereign? When they might not converſe, or commerce with civilized men, nor enter into any town or city without peril of their lives, whither ſhould they fly, but into woods and mountains, and there live in a wild, and barbarous manner? In a word, if the Engliſh would neither in peace govern them by the law, nor in war root them out by the ſword, muſt they not needs be pricks in their eyes, and thorns in their ſides, to the world's end?"

On the other hand, that theſe people merited far different treatment from the crown of England, is manifeſt from hence, that when they were at laſt admitted to the condition of ſubjects,[4] under James I.

[2] Id. ib. p. 16. [3] Id. ib. p. 52.

others, was at a gaol delivery at Waterford, by John Wogan, Lord Juſtice of Ireland, fined five marks, for killing one O'Driſcal, an Iriſhman. See Sir John Davis's Hiſt. Relat. p. 49.

"But if, on the other hand, the jury had found that the party ſlain had been of Engliſh race and nation, it had been adjudged felony." Id. ib.

[4] "It was not till the 13th of James I. an. 1614, that the Iriſh

they gave many ſignal proofs of their dutifulneſs, and obedience; and, as the ſame knowing, and impartial witneſs, whom I have hitherto quoted, then vouched for them,[d] "would gladly continue in that condition, as long as they might be protected, and juſtly governed, without oppreſſion on the one hand, or impunity on the other; there being, in his opinion, no nation under the ſun that did love equal, and indifferent juſtice,[e] better than the Iriſh, or that would reſt better ſatisfied with the execution thereof, although it were againſt themſelves; ſo as they might have the protection, and benefit of the law, when upon a juſt cauſe they did deſire it."

CHAP.

[d] Sir John Davis's Hiſt. Rel. Dub. ed. p. 123.

Iriſh were conſidered as ſubjects; for then an act was made in the Iriſh parliament, declaring, that the natives of Iriſh blood were in ſeveral ſtatutes and records called Iriſh enemies, and accordingly abridged of the benefit of the laws, but that being then taken into his Majeſty's gracious protection under one law, as dutiful ſubjects—thoſe laws of diſtinction and difference were wholly abrogated." Borlaſe Reduct. of Irel. p. 188.

"By divers heavy penal laws, the Engliſh were forbidden to marry, to foſter, to make goſſips with the Iriſh, or to have any trade or commerce in their markets or fairs. Nay, there was a law made no longer ſince than the 2d of Henry VIII. that the Engliſh ſhould not marry with any perſon of Iriſh blood, though he had gotten a charter of denization, unleſs he had done both homage and fealty to the king in the chancery, and were alſo bound by recognizances, with ſureties, to continue a loyal ſubject." Sir John Davis, ib. p. 50.

[e] "I dare affirm," ſays Sir John Davis, (Attorney General in Ireland, in the reign of James I.) "that for the ſpace of five years laſt paſt, there have not been found ſo many malefactors, worthy of death, in all the ſix circuits of this realm (Ireland), which is now divided into thirty-ſix ſhires at large, as in one circuit of ſix ſhires, namely, the Weſtern Circuit of England. For the truth is, that in time of peace, the Iriſh are more fearful to offend the law, than the Engliſh, or any other nation whatſoever." Hiſt. Relat. p. 116.

CHAP. II.

The ſtate of the Iriſh, at the beginning of the Reformation.

IN this condition of abſolute ſlavery, the Iriſh remained during the reigns of Henry VIII. Edward VI. and queen Elizabeth, when the new reformed religion was firſt introduced among them; a circumſtance not at all likely to induce them to embrace it, even though they had been willing to part with their old religion, which was far from being the caſe. This obſtacle to the reformation, was accompanied with others ſtill greater; their new paſtors were totally ignorant of the Iriſh language, as their flocks, for the moſt part, were of the Engliſh;[a] beſides, the inferior clergy, in thoſe days, who had the immediate cure of ſouls, were men of no parts or erudition; and what was worſe, they were full as immoral as they were illiterate.[1]

"The

[1] Spencer's State of Ireland, Dub. ed.

[a] "Even within the Engliſh pale," (viz. the counties of Dublin, Meath, Lowth, and Kildare,) "the Iriſh language was become ſo predominant, that laws were repeatedly enacted to reſtrain it, but in vain.—In thoſe tracts of Iriſh territory, which interſected the Engliſh ſettlements, no other language was at all known; ſo that here the wretched flock was totally inacceſſible to thoſe ſtrangers, who were become their paſtors." Leland's Hiſt. of Ireland, Dub. ed. 4to. vol. ii. p. 194.

In a letter from her majeſty's council about this time (1584) to the archbiſhop of Canterbury and biſhop of London, complaint is made, "that in ſome parts of England, great numbers of perſons occupied cures, being notoriouſly unfit, moſt for lack of learning, many charged or chargeable with great and enormous faults, as drunkenneſs, filthineſs of life, gameſters at cards, haunting of ale-houſes, and ſuch like; againſt whom they heard not of any proceedings, but that they were equally ſuffered, to the ſlander of the church, to the offence of good people, yea, to the famiſhing of them for lack of good teaching, and to the ſubverting many weak beings from their duties to God and the queen's majeſty. And that they had, in a general

"The clergy in Ireland," ſays Mr. Spencer,[b] writing of this period, "excepting the grave fathers, who are in high places about the ſtate, and ſome few others, who are lately planted in the new college, are generally bad, licentious, and moſt diſordered."[c]

Such

neral ſort, heard, out of many parts, of this lamentable eſtate of the church." The Harmony between the old and preſent Non-conformiſts Principles, p. 91.

[b] He was ſecretary to Lord Leonard Gray, deputy of Ireland, in the reign of Elizabeth. "Whatever diſorders," adds he, on this occaſion, "are in the church of England, may be ſeen in that of Ireland, and much more; namely, groſs ſimony, greedy covetouſneſs, fleſhly incontinency, careleſs ſloth, and generally all diſordered life in the common clergymen. And beſides theſe, they have particular enormities; they neither read the ſcriptures, nor preach to the people, only they take the tythes and offerings, and gather what fruit they can off their livings, which they convert as badly." State of Irel. p. 131.

"Yea and ſome of them (the biſhops) whoſe dioceſes are in remote parts (of Ireland), ſomewhat out of the world's eye, do not at all beſtow the benefices which are in their own donation, upon any (clergymen), but keep them in their own hands, and ſet their ſervants or horſe-boys to take up the tithes, and fruits of them, with the which ſome of them purchaſe great lands, and build fair caſtles upon the ſame." Spencer ib.

The ſame writer had before ſaid, that other biſhops, "received, as due tribute, ſhares of their livings from their clergy, as the latter received them duly. For (adds he) the biſhops have their clergy in ſuch awe and ſubjection under them, ſo as they may do to them what they pleaſe; for the clergy, knowing their own unworthineſs and incapacity, and that they are therefore ſtill moveable at their biſhop's will, yield what pleaſeth him, and he taketh what he liſteth." Id. ib.

[c] "The prejudices conceived againſt the reformation, by the Iriſh natives more eſpecially," ſays Dr. Leland, "were ſtill further increaſed by the conduct of thoſe who were commiſſioned to remove the objects and inſtruments of popular ſuperſtition. Under pretence of obeying the orders of ſtate, they ſeized all the moſt valuable furniture of the churches, which they expoſed to ſale, without decency or reſerve. The Iriſh annaliſts pathetically deſcribe the garriſon of Athlone iſſuing forth with a barbarous and heathen fury, and pillaging the famous church of Clonmacnoiſe, tearing away the moſt inoffenſive ornaments, books, bells, plate, windows, furniture of

every

Such were the men, whoſe new religious doctrine, and diſcipline, theſe people were required to embrace, againſt the conviction of their conſciences, and at the peril of their liberties, fortunes and lives.

At the ſame time that the ignorance, and immorality of the reforming miſſionaries cauſed the Iriſh to hate and deſpiſe their doctrine, theſe people held the perſons of their own clergy, in the higheſt eſteem and veneration.[d] Of this, I ſhall mention one remarkable inſtance, out of many others, that occur in their hiſtory.

every kind, ſo as to leave the ſhrine of their favourite ſaint, Kiaran, an hideous monument of ſacrilege. Nor do ſuch complaints appear to be intirely groundleſs, for we find that Sir James Croſts, the ſucceſſor of St. Leger, who had been remanded into England, was particularly inſtructed to prevent the ſale of bells, and other church furniture." Hiſt. of Ireland, vol. iii. p. 196.

Theſe prejudices were originally occaſioned by the mad licentiouſneſs, which appeared in the conduct and writings of the firſt reformers, particularly thoſe of Martin Luther: for to ſay nothing of his libidinous practice and doctrine, in marrying a nun, and preaching to his married followers, *Si non vult uxor, veniat ancilla*. The manner in which he drew up his laſt will and teſtament, on which occaſion men are apt to exert their beſt and moſt ſerious thoughts, ſeems totally void of humility and common ſenſe; though his panegyriſt, Dr. Robertſon, ſays, "there is a certain elevation of ſentiment in it." "I am known, ſays he, in heaven, on earth, and in hell: and have authority enough to expect, that credit ſhould be given to my ſingle teſtimony (without the uſual legal forms in ſuch caſes) ſince God has entruſted the goſpel of his Son to me, though a damnable ſinner. And truth has owned me for its teacher, in contempt of the authority of the Pope, and Cæſar, and of the hatred of all the devils in hell. Why then ſhould it be ſufficient to ſay, "Mr. Martin Luther wrote this will, God Almighty's notary, and the witneſs of his goſpel?" Life of Charles V. vol. ii. p. 68. note.

[d] It's a great wonder," ſays the ſame Mr. Spencer, "to ſee the odds, which is between the zeal of popiſh prieſts and the miniſters of the goſpel. For they ſpare not to come out of Spain, from Rome, and from Rheims, by a long toil and dangerous travelling hither; where they know peril of death awaiteth them, and no reward, or riches to be found, only to draw

hiſtory.[2] "Towards the end of queen Elizabeth's reign, her majeſty's forces beſieging the caſtle of Cloghan, and underſtanding that in the ſame there was a Romiſh prieſt," (to which order of men they never gave quarter,) "having alſo in their hands, the brother of the conſtable, who had the charge of the caſtle, the commanding officer ſent him word, that if he did not preſently ſurrender the caſtle to him, he would hang his brother in their ſight. But to ſave the prieſt, whoſe life they tendered, they perſevered obſtinately not to yield: whereupon the officer in their ſight,

[2] Pacata Hibernia, fol. 358.

draw the people to the church of Rome. Whereas, ſome of our idle miniſters, having a way for credit and eſtimation thereby offered, and having livings of the country offered to them, without pains, and without peril, will neither for the ſame, nor for any love of God, or zeal of religion, be drawn forth from their warm neſts, to look out into God's harveſt." State of Ir. p. 114.

[e] In this reign, among many other Roman catholic prieſts and biſhops, were put to death for the exerciſe of their function in Ireland, "Glaby O'Boyle, abbot of Boyle of the dioceſe of Elphin, and Owen O'Mulkeren, abbot of the monaſtery of the Holy Trinity, in that dioceſe, hanged and quartered by lord Gray, in 1580; John Stephens, prieſt, for that he ſaid maſs to Teague M'Hugh, was hanged and quartered by the lord Burroughs, in 1597; Thady O'Boyle, guardian of the monaſtery of Donegal, was ſlain by the Engliſh in his own monaſtery; ſix friars were ſlain in the monaſtery of Mognihigan; John O'Calyhor and Bryan O'Trevor, of the order of St. Bernard, were ſlain in their own monaſtery, de Santa Maria, in Ulſter; as alſo Felimy O'Hara, a lay brother; ſo was Eneas Penny, pariſh-prieſt of Killagh, ſlain at the altar in his pariſh church there; Cahall M'Goran, Rory O'Donnellan, Peter O'Quillan, Patrick O'Kenna, George Power, vicar-general of the dioceſe of Oſſory, Andrew Stretch of Limerick, Bryan O'Murihirtagh, vicar-general of the dioceſe of Clonfert, Doroghow O'Molowny of Thomond, John Kelly of Louth, Ste. Patrick of Annaly, John Pillis, friar, Rory M'Henlea, Tirrilagh M'Iniſky, a lay brother. All thoſe that come after Eneas Penny, together with Walter Fernan, prieſt, died in the caſtle of Dublin, either through hard uſage and reſtraint, or the violence of torture." Theatre of Catholic and Proteſtant Religion, p. 582.

ſight, hanged the conſtable's brother. Nevertheleſs, within four days afterwards, the prieſt being ſhifted away in ſafety, the conſtable ſued for a protection, and rendered the caſtle. I do relate this accident," adds my author, " to the end that the reader may the more clearly ſee, in what reverence, and eſtimation theſe ignorant, ſuperſtitious Iriſh do hold a popiſh prieſt; in regard to whoſe ſafety the conſtable was content to ſuffer his brother to periſh."

CHAP. III.

The conduct of the Engliſh chief governors of Ireland, towards the natives.

MR. Oſburne informs us [1], that in England, during queen Elizabeth's reign, to be a catholic was thought to ſignify nothing elſe, but an enemy to God,[2] and the prince.

[1] Oſburne's works.

[2] One of the crimes, of which the unfortunate earl of Eſſex was accuſed, was that he had promiſed, when he was in favour, a toleration to a papiſt, Sir Chriſtopher Blunt; to which accuſation Eſſex at his trial anſwered, " that he knew Blunt was a papiſt, and never, indeed, liked that any chriſtian ſhould be tormented on account of his religion." Cambd. Eliz. 318. But this apology did not leſſen the enormity of his crime in the opinion of his judges.

Yet the loyalty of the generality of their clergy and people there, was at the ſame time known, and confeſſed, even by their enemies. Holyſhead teſtifies, that there were many ſuch ſubjects then known in the realm, that did not forbear to profeſs their religion, and alſo did profeſs loyalty and obedience to her majeſty; and offered readily to her majeſty's defence, to impugn and reſiſt any foreign force, though it ſhould come from the pope. Among the reſt Dr. Heath, archbiſhop of York, a faithful and quiet ſubject, alſo Dr. Poole, biſhop of Peterſborough, Dr. Tonſtal, biſhop of Durham, a man of great reputation, Dr. White and Dr. Oglethorpe, the one of Wincheſter, the other of Carliſle, biſhops; and he of Carliſle ſo inclined to dutifulneſs to her majeſty, as he did the office at the conſecration and coronation of her majeſty: to theſe are added Dr. Thurlby, and Dr. Watſon, the one of Ely, and the other of Lincoln, biſhops;

prince. The like prejudice prevailed alſo, at the ſame time, in Ireland; and the name of Iriſhman, or papiſt, was deemed a ſufficient juſtification of any act of cruelty, or injuſtice, committed on the perſon who bore it. I ſay not this, merely on the teſtimony of Iriſhmen, and papiſts, but on that alſo of Engliſhmen, and proteſtants; ſome of them eye-witneſſes of the facts they relate, who had the virtue to publiſh their deteſtation of them.

In a memorial [a] preſented to her majeſty and council, by an officer,[b] who had ſerved ſeveral years in her army in Ireland; ſome of thoſe unconſcionable courſes of her miniſters are ſet forth, particularly thoſe frequent breaches of public faith, and the inſecurity of any pardon granted to theſe people, on their ſubmitting to the government; who, ſays the memorialiſt, "without being guilty of any new crime, and without a legal trial, were afterwards condemned, and executed, to the great diſhonour of her majeſty, and diſcredit of her laws."

It would be equally ſhocking and tedious, to recite all thoſe well atteſted acts of cruelty and perfidy, which were perpetrated on theſe people, by the order, or connivance of her majeſty's principal miniſters in that kingdom. Two or three inſtances only, which include hundreds of ſufferers, will ſuffice for the preſent.

When,

[a] Manuſcript in Trinity College, Dublin. See append. No. 1.

biſhops; beſides ſome abbots and deans, and a great number of laymen of good poſſeſſions and credit in the country." Vol. 3. anno Eliz. 26. 1358, &c.

"The catholic lords and biſhops with all ſpeed repaired to London to proclaim her majeſty (Q. Elizabeth); the archbiſhop and chancellor of England made a public oration to perſuade the people to acknowledge her majeſty." Id. ib. p. 1170.

[b] The author, in the body of his memorial, offers the following trial and proof of his veracity. "I deſire not that your majeſty ſhould either ſimply credit me, in this my plain dealing, in detecting them," (her miniſters in Ireland,) "nor them in excuſing themſelves. But, if it pleaſe your highneſs to appoint commiſſioners in that realm for the trial; if I prove not directly all that ever I have declared, let me loſe your gracious favour for ever."

When, in the year 1583,[3] the garriſon of Smerwick, in Kerry, ſurrendered, upon mercy, to lord deputy Gray,[c] he ordered upwards of ſeven hundred of them to be put to the ſword[d] or hanged.[4] "Wingfield was commiſſioned to diſarm them; and when this ſervice was performed, an Engliſh company was ſent into the fort, and the garriſon was butchered in cold blood: nor is it without pain that we find a ſervice ſo horrid, and deteſtable, committed to Sir Walter Raleigh.[e] The uſual, and obvious excuſes for this ſeverity, could not efface the odiouſneſs of it; on the continent it was received with horror."[f]

About

[3] Borlaſe's Reduction of Ireland, p. 136.
[4] Leland's Hiſt. of Ireland, vol. ii. p. 283.

[c] "Repeated complaints were made of the inhuman rigour practiſed by this deputy, and his officers. The queen was aſſured, that he tyranniſed with ſuch barbarity, that little was left in Ireland for her majeſty to reign over, but aſhes, and dead carcaſes." Lel. Hiſt. of Ireland, vol. ii. p. 287.

[d] "The Italian general, and ſome officers, were made priſoners of war, but the garriſon was butchered in cold blood." Lel. Ib. p. 283.

[e] For this and other ſuch exploits, Sir Walter Raleigh had forty thouſand acres of land beſtowed upon him in the county of Cork, which he afterwards ſold to Richard, firſt earl of Cork. See Cart. Orm. vol. 5. fol. 67.

[f] The Iriſh annals thus relate this maſſacre. "A. D. 1580. In the war of the Fitzgeralds, an Italian fleet belonging to the pope, landed its men, in the month of September, on the coaſt of Kerry, in an iſland called *Oilean an Oir*, which the Fitzgeralds had fortified in the former year. The intention of this expedition was to aſſiſt the Fitzgeralds, much diſtreſſed through their attempts to ſupport the catholic religion in Ireland.

On the news of this landing, the lord deputy Gray ordered Thomas earl of Ormond to head an army, and lead it towards the iſland, where the Italians were fortifying themſelves. The earl delayed not. He marched into Kerry, where an army of the Fitzgeralds were preparing to oppoſe him; an engagement enſued, and Ormond had, at laſt, the way left open to him, till he arrived in ſight of the iſland, and took a view of the entrenchments which were thrown up by the Italians. He concluded, that it was too deſperate an undertaking to attack them within their lines; he retired, and waited for the lord deputy,

About the ſame time,[5] "Walter earl of Eſſex, on the concluſion of a peace, invited Bryan O'Nial of Claneboy, with a great number of his relations, to an entertainment, where they lived together in great harmony, making good cheer for three days and nights; when, on a ſudden, O'Nial was ſurpriſed with an arreſt, together with his brother and wife, by the earl's

[5] MS. Iriſh Chronicle in Trinity College, Dublin.

deputy, who was on his march to join him. On their joining, it was concluded, that they ſhould not encamp cloſe to the iſland, but approach it at the head of a few, to reconnoitre the works of the enemy, and to decoy them into an interview. Some chiefs of the Italians came out to confer with the deputy and the earl; and after ſome debates, the Italians were offered good conditions. While theſe terms were entering into, the lord deputy's troops paſſed over into the iſland, and maſſacred, to a man, the whole body of ſeven hundred Italians, who had landed there. The deputy after this ſad exploit, ſeized upon a great quantity of gold and other effects of the invaders. This happened in November, 1580." Tranſlated by my learned and very worthy friend, Charles O'Conor of Balanegare, Eſq.

A Roman catholic writer, who lived near that time, relates it thus. "Nine hundred Spaniards, except about eleven officers, were ſtript of their weapons, and all ſlain, and caſt over the clifts into the ſea, (for that fort ſtood upon a mighty high rock over the ſea) notwithſtanding the lord deputy's word and faith unto them all for their lives, liberties, goods, and ſafe-conduct into Spain." Theatre of Cath. Relig. p. 579.

"The queen (ſays the biſhop of Chicheſter) was not pleaſed at the manner of this execution, and was hardly after drawn to admit any excuſe of the ſlaughter committed." Thank. Rememb. p. 48.

Gray's excuſe for this bloody deed, was that he had not men enough to guard the Spaniſh priſoners. But this excuſe, ſays Borlaſe, did not eaſily pleaſe the queen, the enemy having yielded on mercy. Reduct. of Irel. p. 136.

Sir Richard Baker, mentioning this maſſacre of the Iriſh and foreigners at Limerick, ſays, "'Twas concluded, that only the leaders ſhould be ſaved, the reſt ſlain, and all the Iriſh hanged up, which was preſently put in execution, to the great diſliking of the queen, who deteſted the ſlaughter of ſuch as yielded themſelves, and would not accept of any excuſes or allegations." Chronicle, fol. 356.

The

earl's order.[5] His friends were put to the ſword before his face; nor were the women and children ſpared: he was himſelf, with his brother and wife, ſent to Dublin, where they were cut in quarters. This increaſed the diſaffection, and produced the deteſtation of all the Iriſh; for this chieftain of Claneboy, was the ſenior of his family, and as he had been univerſally eſteemed, he was now as univerſally regretted."

We do not find, however, that any remarkable commotion was excited on this account; or that any immediate provocation on the part of the Iriſh, was ſo much as pretended, for ſo barbarous an act of perfidy. "After the 19th year of queen Elizabeth, viz. anno 1577, the lords of Connaught, and O'Rorke," ſays Morriſſon,[6] "made a compoſition for their lands, with Sir Nicholas Malby, governor of that province; wherein they were content to yield the queen ſo large a rent, and ſuch ſervices, both of labourers to work upon occaſion of fortifying, and of horſe and foot, to ſerve upon occaſion of war, that their minds ſeemed not

[6] Hiſtory of Ireland, fol. ed. p. 3.

The ſame hiſtorian ſays, concerning the above landing at Limerick, "that the Spaniards ſeeing but a few Iriſh come into them, and theſe unarmed, began to diſtruſt the ſtate they were in, and to cry out they were undone." Ib. fol. 355. He adds, "that Fitzmorris heartening them with hopes that ſupplies were ſpeedily to come, and going himſelf to get more company, he paſſed through the lands of his couſin, William á Bourge, (an Iriſh Roman catholic nobleman) who oppoſed, and killed him and moſt of his company; but withal two of á Bourge's ſons were killed in that ſkirmiſh alſo." Id. ib. The queen ſo comforted him for the loſs of his ſons, adorned him with the dignity of baron of Caſtleconnel, and rewarded him with a yearly penſion beſides." Ib.

[5] "Such relations," as Dr. Leland juſtly obſerves on this occaſion, "would be more ſuſpicious, if theſe annals in general expreſſed great virulence againſt the Engliſh, and their government. But they do not appear to differ eſſentially from the printed hiſtories, except in the minuteneſs with which they record the local tranſactions, and adventures of the Iriſh. And ſometimes they expreſly condemn their countrymen, for their rebellions againſt their prince." Hiſt. of Ireland, vol. ii. p. 258.

not yet to be alienated from their wonted awe, and reverence for the crown of England." Yet, in that ſame year, an horrible maſſacre was committed by the Engliſh, at Mulloghmaſton, on ſome hundreds of the moſt peaceable of the Iriſh gentry, invited thither on the public faith, and under the protection of government.

The fact is thus literally tranſlated [h] from [7] the Iriſh annals of queen Elizabeth's reign. "The calends of January, on Tueſday, 1577. In this year the Engliſh of Leinſter and Meath, committed horrid murders on ſuch of the O'Mores and O'Conors, and others of the king's and queen's county as kept the peace, ſued for protection, and held no correſpondence with thoſe of their kindred, who ſtill ſtood out in arms againſt the Engliſh government.

"The Engliſh publiſhed a proclamation, inviting all the well affected Iriſh to an interview on the Rathmore, at Mulloghmaſton; engaging, at the ſame time, for their ſecurity, and that no evil was intended. In conſequence of this engagement, the well affected came to the Rathmore aforeſaid, and ſoon after they were aſſembled, they found themſelves ſurrounded by three or four lines of Engliſh and Iriſh horſe and foot, completely accoutred, by whom they were ungenerouſly attacked, and cut to pieces; and not a ſingle man eſcaped."

To this maſſacre, the memorialiſt before mentioned, probably alluded, when he complained, [8] "that her majeſty's ſervants, who were placed in authority, to protect men for her ſervice, had drawn unto them, by ſuch protection, three or four hundred of the Iriſh, under colour to ſerve her majeſty; and brought them to a place of meeting, where her garriſon-ſoldiers were appointed to be; who there, moſt diſhonourably, put

[7] Lee's memorial, MSS. Trin. Col. Dub. [8] Id.

[h] By Charles O'Conor, of Balanegare, Eſq; as likewiſe the former.

put them all to the ſword. This," adds he, " was done by the conſent, and practice, of the lord deputy for the time being."

CHAP. IV.

Motives for the general diſcontent in Ulſter.

IN the year 1589,[1] " When Sir William Fitzwilliams entered upon the government, Ireland was in the beſt eſtate that it had been in for a long time, not only peaceable and quiet, but ſo as any, the greateſt lord, called by letter or meſſenger, readily came to the ſtate; and none of them were known to be any way diſcontent. But, within three months after his taking the ſword, having been informed, that the Spaniards lately wrecked[a] upon the coaſts of Connaught and[b] Ulſter,

[1] Morriſ. Hiſt. of Ireland, fol. 4.

[a] " Thoſe (Spaniards) who were ſhipwrecked in Ireland, and caſt aſhore, were all put to the ſword, or periſhed by the hands of the executioner; the lord deputy, by whoſe orders it was done, fearing they would ſide with the rebels; at leaſt this was the pretence made uſe of, to excuſe this barbarity."——'Tis ſaid, that on the coaſt of Ireland, ſeventeen ſhips, and five thouſand three hundred and ninety-four men were then deſtroyed. Rapin's Hiſt. of Eng. vol. ix. p. 122. note.

[b] " Sir William Fitzwilliams," ſays Borlaſe, " was accuſed of too much rigour in enquiring after the ſpoils and wrecks at ſea, which happened on ſome of the invincible (Spaniſh) navy being ſplit in Ireland; and the enſuing war is laid to his charge." Reduct. of Irel. p. 141.

" Sir John Perrot, upon delivering the ſword to Sir William Fitzwilliams, declared, that he left the kingdom in peace; and that now, though a private man, he would engage to bring in any ſuſpected leader within twenty days, without violence or conteſt. He embarked with the acclamations, particularly of the lower order of the people, who felt the benefits of his adminiſtration. Old Tirlagh of Tirowen followed him to the water ſide bathed in tears." Lel. Hiſt. p. 311.

" In 1584, this deputy (Sir John Perrot) prevailed on the people of Connaught to conſent to an aſſeſſment, or compoſition, whereby

Ulſter, had left with the inhabitants great ſtore of treaſure, and other riches, he greedily ſought to get it into his hands, pretending the queen's ſervice, as appeared by a commiſſion, by which he firſt eſſayed to ſeize the ſame; but that not taking effect, he made a journey himſelf into theſe parts, where, altogether failing of his purpoſe, he brought thence with him, as priſoners, two of the beſt affected gentlemen to the ſtate, that were in thoſe parts, whom he deemed to poſſeſs the greateſt part of the treaſure, namely, Sir Owen Mac Tooly, father-in-law to the earl of Tirone, who had long enjoyed a penſion of two hundred pounds a year from the queen, and Sir John O'Dogherty. The former refuſing to pay for his enlargement, continued priſoner till the beginning of Sir William Ruſſel's government, who in pity diſcharged him; but the old gentleman's heart was firſt broken, ſo as ſhortly after he died. The latter was releaſed, after two years reſtraint; but not without paying for his liberty. At this hard uſage of theſe two Ulſter gentlemen, all the great men of the Iriſh, eſpecially in thoſe northern parts, did much repine. "The loyal Iriſh," ſays Dr. Leland, "on this occaſion, trembled for their own ſafety, and the diſaffected were confirmed in their inveteracy."

About the year 1590,[2] died M'Mahon, chieftain of Monaghan, who in his life-time had ſurrendered his country into her majeſty's hands, and received a re-grant thereof, under the broad ſeal of England, to him

[2] Morriſ. Hiſt. of Irel. fol. 10.

whereby eleven hundred troops might be maintained in their province, without charge to the queen; a conceſſion utterly aſtoniſhing to thoſe of the council, who attended on the lord deputy; and who had exclaimed againſt the attempt, as dangerous, and impracticable." Lel. ib. p. 294.

"Nevertheleſs, the people in Connaught (ſays the ſame hiſtorian) were ſeverely governed by Sir Richard Bingham; the ſheriffs and other officers of juſtice followed the example of the lord preſident (Bingham), they entered the ſeveral counties, attended with large bodies of armed men, pillaging the inhabitants, whom they affected to deſpiſe." Id. p. 302.

him and his heirs male; and in default of ſuch, to his brother Hugh Roe M'Mahon, with other remainders. And this man dying without iſſue male, his ſaid brother came up to the State, that he might be ſettled in his inheritance, hoping to be countenanced and cheriſhed, as her majeſty's patentee. But he found as the Iriſh [c] ſay, he could not be admitted, until he promiſed ſix hundred cows, for ſuch, and no other, were the Iriſh bribes. He was afterwards impriſoned for failing in part of his payment; and in a few days enlarged, with promiſe that the lord deputy himſelf, would go and ſettle him in his country of Monaghan; whither his lordſhip took his journey ſhortly after, with M'Mahon in his company. At their firſt arrival, the gentleman was clapt into bolts; and in two days after, he was indicted, arraigned, and executed at his own door [d]; all

[c] On occaſion of this manner of expreſſing himſelf, which Morriſſon often makes uſe of, the reader is deſired to take notice of the following paſſage. "This, ſays he, I write of hearſay; but as in the general relation following, I purpoſe to write nothing which is not warranted, either by relations preſented to the queen by the principal counſellors of Ireland, or by letters interchanged between the ſtates of England and Ireland, or like authentical writings; ſo for the particulars of the above-named lord deputy, (Sir William Fitzwilliams) if, perhaps, ſome may think any thing obſerved by me to derogate from him, I proteſt, that whatſoever I write, is, in like ſort, warranted, and may not be omitted without the ſcandal of hiſtorical integrity, being objections frequently made by the rebels, for excuſe of their diſloyalty, as well in all their petitions, as treaties of peace." Morriſ. Hiſt. of Ireland, f. 8. He afterwards indeed, mentions, what he calls an honourable anſwer of the deputy, to part of this charge, in which anſwer it is affirmed, "that the country ſeemed glad of M'Mahon's execution." But this, Morriſſon himſelf, in the ſame page, flatly contradicts. Ib. f. 11. And he further proteſts, "that he would moſt willingly have inſerted his full juſtification, if any ſuch memorial had come to his hands." Ibid. fol. 8.

[d] "The deputy cauſed M'Mahon to be tried by a jury of common ſoldiers, and then to be hanged up." Baker's Chronicle, fol. 378.

"The Iriſh who have once offended (ſays Lee in his memorial to queen Elizabeth) live they never ſo honeſtly afterwards, if

all done, as the Iriſh ſaid, by ſuch officers as the lord deputy carried with him for that purpoſe from Dublin. The treaſon, for which he was condemned, was, becauſe two years before, he pretending a rent due unto him, out of Fearney, levied forces and made a diſtreſs for the ſame; which, by the Engliſh law, adds, my author, may, perhaps, be treaſon; but in that country, never before ſubject to law, it was thought no rare thing, nor great offence. The marſhal, Sir Henry Bagnal, had part of the country; Capt. Hensflower was made feneſchal of it, and had M'Mahon's chief houſe, and part of the land; and to divers others, ſmaller portions of land were aſſigned; and the Iriſh ſpared not to ſay, that theſe men were all the contrivers of his death; and that every one was paid ſomething for his ſhare. "Certain it is," ſays the ſame hiſtorian,[3] "that, upon M'Mahon's execution, heartburnings, and loathings of the Engliſh government, began to grow in the northern lords;

[3] Morriſ. Hiſt. of Ireland, fol. 10.

if they grow into wealth, are ſure to be cut off by one indirect means or other." Of this he gives the following melancholy inſtance. "In one of her majeſty's civil ſhires, there lived an Iriſhman peaceably and quietly as a good ſubject, many years together, whereby he grew into great wealth: which his landlord thirſting after, and deſirous to remove him from his land, entered into practice with the ſheriff of the ſhire to diſpatch this ſimple man, and divide his goods between them. Whereupon they ſent one of his own ſervants for him, and he coming with him, they preſently took his man and hanged him, and keeping the maſter priſoner, they went immediately to his dwelling, and ſhared his ſubſtance, which was of great value, between them, turning his wife and many children to begging. After they had kept him (the maſter) faſt for a ſeaſon with the ſheriff, they carried him to the caſtle of Dublin, where he lay by the ſpace of two or three terms, and he having no matter objected againſt him, whereupon to be tried by law, they by their credit and countenance (being both Engliſh gentlemen, and he, who was the landlord, the chiefeſt man in the ſhire) informed the lord deputy ſo hardly of him, as that, without indictment or trial, they executed him, to the great ſcandal of her majeſty's State and the impeachment of her laws. Yet this, and the like exemplary juſtice (adds he) is miniſtered to your majeſty's poor ſubjects there." See Append. No. 1.

lords; and they ſhunned, as much as they could, to admit any ſheriffs, or any Engliſh among them."[c]

CHAP. V.

The firſt cauſes of Tirone's inſurrection.

UPON the execution[1] of M'Mahon, and the jealouſy thence conceived againſt the Engliſh, Macguire, a northern lord, about the year 1593, began to declare himſelf diſcontented, and to ſtand upon his defence. He alleged, that he had given three hundred cows, to free his country from a ſheriff, during the lord deputy's government; and that, notwithſtanding, one Capt. Willis[a] was made ſheriff of Fermanagh; having for his guard, one hundred men, and leading about ſome hundreds of women and boys, all living upon the ſpoil of the country; upon which, ſays my author, Macguire, who was chieftain of Fermanagh, taking his advantage, ſet upon them and drove them into a church, where he would have put them all to the ſword,

[1] Morriſ. ib. fol. 12.

[c] "The unhappy M'Mahon, for an offence committed before the law, which declared it capital, had been eſtabliſhed in his country, was tried, condemned by a jury, ſaid to be formed of private ſoldiers, and executed in two days, to the utter conſternation of his countrymen. His eſtate was diſtributed to Sir Henry Bagnal and other adventurers, together with four of the old Iriſh ſept. The condemnation of this chieftain, confirmed the Iriſh in their averſion to the Engliſh polity; which they conſidered as a ſyſtem of hateful cruelty and tyranny." Lel. Hiſt. of Ireland, vol. ii. p. 317.

[a] "A great part of that unquietneſs of O'Donnel's country, came by Sir William Fitzwilliams placing one Willis there to be ſheriff, who had with him three hundred of the very raſcals and ſcum of that kingdom, which did rob and ſpoil that people, raviſh their wives and daughters, and made havock of all; which bred ſuch a diſcontent, as that the whole country was up in arms againſt them, ſo as if the Earl of Tirone had not reſcued and delivered him, and them, out of the country, they had been all put to the ſword." Lee's Memorial to queen Elizabeth, MSS. in Trinity College.

if the Earl of Tirone had not interpoſed his authority,[b] and made compoſition for their lives, upon condition that they ſhould all leave the country. Upon this occaſion, the Lord Deputy Fitzwilliams ſent the queen's forces[c] into Fermanagh, took Macguire's caſtle of Enniſkillen, and proclaimed him a traitor. The Iriſh avow, that his lordſhip let fall ſome ſpeeches againſt the Earl of Tirone himſelf, calling him a traitor alſo, (notwithſtanding his late ſervice,) which ſpeeches coming to that earl's hearing, he ever after ſaid, were the firſt cauſes that moved him to miſdoubt his ſafety, and to ſtand upon his defence; now firſt combining himſelf with O'Donnel, and the other lords of the north, to defend, adds Mr. Morriſſon, their honours, eſtates, and liberties.

This combination, however, was for ſome time kept ſecret; for Tirone[a] ſtill ſerved, with the queen's forces, againſt Macguire, and once valiantly fighting, was wounded

[a] Morrif. ib. fol. 13.

[b] "Hugh O'Nial lived ſometimes in Ireland, and much in the court of England, and was ſupported againſt Tirlogh Lynogh O'Nial, with the title of baron of Dungannon, by his father's right. He had a troop of horſe in queen Elizabeth's reign, in the late wars of the Earl of Deſmond, in which, and on all occaſions, he behaved himſelf ſo valiantly, as the queen gave him a yearly penſion of one thouſand marks. In an Iriſh parliament he put up his petition, that by virtue of the letters patent granted to his grand-father, his father and his heirs, he might there have the place and title of Earl of Tirone, and be admitted to his inheritance; the title and place there were granted to him, but the inheritance (in regard the kings of England, by the attainder of Shane O'Nial, were thereof poſſeſſed) was referred to the queen's pleaſure; for the obtaining whereof Sir John Perrot, then lord deputy, upon O'Nial's promiſe of a great rent to be reſerved to the crown, gave him his letters of recommendation into England, where he ſo well knew how to humour the court, as in the year 1587, he got the queen's letters patent under the great ſeal of England for the earldom of Tirone, without any reſervation of the rent he had promiſed to the lord deputy." Morrif. Hiſt. of Ireland, fol. 7.

[c] The Earl of Tirone had, at that time, in conjunction with the Engliſh marſhal of Newry, the command of all the queen's forces ſent againſt Macguire. Iriſh annals.

wounded in the thigh.[d] " But he ceaſed not to complain daily of the lord deputy's and marſhal's envy againſt him; and of wrongs done him by the garriſon ſoldiers:[e] and theſe wrongs not being redreſſed, together with the ill government of the church, the extortions of ſheriffs, and the army's oppreſſing the ſubject, and by that means driving many daily into rebellion, made him at laſt reſolve to temporize no longer."[f] But what firſt provoked him to break out into open acts of hoſtility againſt the government, I ſhall now briefly relate.

In the year 1594, Sir William Fitzwilliams being recalled into England, Sir William Ruſſel ſucceeded him in the government of Ireland. To this new deputy,

[3] Morriſ. ib. fol. 13.

[d] The Earl of Tirone, with all the alacrity of a faithful ſubject, joined the ſtandard of Bagnal (his mortal enemy); and in an action in which the Iriſh aſſociates were defeated, diſtinguiſhed himſelf with ſuch zeal, that he received a wound in the thigh." Leland's Hiſt. vol. ii. p. 329.

[e] The queen had long before this, frequently, but in vain, ordered this grievance to be removed. " For that our ſubjects of that realm," ſays ſhe, in her inſtructions to Sir John Perrot, anno 1583, " have been grievouſly oppreſſed by the outrages and inſolences committed by certain ill affected of our garriſons ſerving there, which hath been partly a cauſe of the alienation of the good will, which they before bare unto us, we cannot (as a principal matter, wherein we look to have redreſs) but give you an eſpecial charge, to ſee that our garriſons ſerving there, be kept in better diſcipline than heretofore they have been.—And that ſuch abuſes as have hitherto been committed by ſuch captains, as have had heretofore more regard to their particular profit, than to the diſcharge of their duties, may be met withal, and the party offending, ſeverely puniſhed." Deſiderata Curioſa Hibern. vol. i. p. 36.

[f] " Where it was your majeſty's pleaſure," ſays Lee, in his memorial to the queen, " he (Tirone) ſhould have great encouragement given him, by thanks for his laſt great ſervice againſt Macguire, it was held from him; and inſtead of that, they deviſed all means and policies to aggravate matters againſt him to your majeſty; which is credibly made known unto him: and more, that upon what ſecurity ſoever, he ſhould come in, your majeſty's pleaſure is to have him detained." Deſid. Cur. Hib. vol. i. p. 10.

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deputy, the queen had been prevailed upon to give private orders,[4] to ſeize upon Tirone, and make him a priſoner, if ever he ſhould get him in his power. Tirone had often refuſed to come to Dublin, on the invitation of the late lord deputy, from a diſtruſt of his lordſhip's honour, and on account of his known enmity to him; but Sir William Ruſſel having ſent him[5] a protection, which was an aſſurance of ſafety on public faith; he ſoon appeared before him at the caſtle, and declared, that the reaſon of his not having obeyed the like orders from the late deputy, was becauſe he knew, "that he had laid ſnares for his life, which it was but natural for him to avoid." He added, "that the accuſations againſt him were falſe and malicious; that he deſired nothing more, than a fair and impartial trial, by which, he was confident, his innocence would fully appear; and, for that purpoſe, he declared, (as if, ſays Cambden, he thought himſelf ſufficiently ſecured by the teſtimony of a good conſcience,) that he would renounce all claim to his letters of protection, in caſe the aforeſaid accuſations of his enemies could be proved againſt him."

This[6] matter being ſeriouſly debated in the council, ſome of that board were of opinion, that O'Nial ſhould be then made a priſoner, notwithſtanding his protection, in order to anſwer a charge of high treaſon, which his known, and inveterate enemy,[z] Sir Henry Bagnal, had

[4] Cambden's Eliz. p. 634. [5] Id. ib. [6] Id. ib.

[z] This ſame Bagnal had formerly urged ſome articles of treaſon againſt him, which, ſays Morriſſon, were believed in England, till Tirone offered, by his letters, to ſtand to his trial either in England or Ireland. Accordingly, adds my author, he anſwered to the ſaid articles, before the lord deputy and council at Dundalk, in ſuch ſort, as they who had written into England againſt him, now on the contrary, wrote that he had ſufficiently anſwered them. Whereupon, the lords of England, wrote to the Earl of Tirone, that they approved his anſwers, and that, in their opinion, he had wrong to be ſo charged.—At the ſame time, their lordſhips wrote to the deputy, taxing him and the marſhal (Bagnal) that they had uſed the Earl of Tirone againſt law and equity." Hiſt. of Ireland, fol. 12.

had newly prepared againſt him. But the majority of the council,[h] either, ſays my author, out of a vain[i] ſcruple of violating the public faith, or through ſome ſecret affection for Tirone, declared, that he ought, in juſtice and honour, to be then diſmiſſed; and that his trial ſhould be deferred to another time. Of the ſubject of this debate Tirone was privately informed by the Earl of Ormond,[k] and thereupon immediately fled from Dublin; and although he was quickly followed by the deputy's order to ſtop him, which was ſent

Cambden, ib.

[h] How little confidence was to be had in the promiſes of the Engliſh on ſuch occaſions, appears from the following among many other inſtances. Some Engliſh officers having aſſured certain Iriſh chiefs, that upon ſurrendering themſelves to the government, they would obtain their pardon. "Theſe chiefs embraced the counſel, ſubmitted, and conſented to attend the Lord Deputy St. Leger into England: but here, the only favour granted was, that they were not brought to immediate execution. They were committed to priſon, their lands declared forfeit, and granted to thoſe, by whoſe counſel they had ſurrendered." Lel. Hiſt. of Ireland, vol. ii. p. 189.

[i] O'Sullivan Beare, in a letter to a Spaniſh miniſter, "requeſts either ſpeedy relief, or the ſpeedy ſending of a ſhip to receive him, his wife, and children; to ſave them from the hands of thoſe (as he calls them) moſt mercileſs enemies; making choice (ſays he) rather to forſake my ancient inheritance, friends, followers, and goods, than any way truſt to their moſt graceleſs pardon or promiſe." Pacata Hibernia.

[k] This earl had ſome time before received the like private orders, with reſpect to ſome Iriſh gentlemen to whom he had granted protection; but he was ſo far from obeying them, that he wrote a letter to Lord Treaſurer Burleigh, in which he told him, that theſe orders appeared very ſtrange to him; that the Iriſh gentlemen in queſtion had, according to her majeſty's inſtructions, delivered pledges to do good ſervice, and put in aſſurances of their loyalty; and then he declares his reſolution in theſe words: "My lord, I will never uſe treachery to any man, for it will both touch her highneſs's honour, and my own credit too much; and whoſoever gave the queen advice thus to write, is fitter for ſuch baſe ſervice than I am. Saving my duty to her majeſty, I would I were to have revenge by my ſword, of any man that thus perſuadeth the queen to write to me." Carte's Orm. vol. i. fol. 56.

ſent to all the towns through which it was thought he was to paſs, yet by the aſſiſtance of his friends, and the ſwiftneſs of his horſes, he eſcaped in ſafety to Ulſter.

O'Donnel's firſt cauſe of diſaffection to the government, happened very early.[8] While he was yet a lad, of the age of twelve or thirteen years, a ſhip freighted with ſeveral curioſities, was, by the then lord deputy's order, ſent to the bay of Tirconnel; where the maſter having found O'Donnel, and ſome of his companions, ſeduced them, with a diſplay of his curioſities, to come on board his veſſel; and after entertaining them there for ſome time, with much ſeeming affection and reſpect, he privately ordered his mariners to ſail back for Dublin, having got the prey they came for. As ſoon as they arrived there, O'Donnel, and his companions, were cloſely confined in the caſtle of that city, where they remained priſoners, under many wants and cruel reſtraints,[1] for more than ſeven years; and at laſt made a deſperate attempt to eſcape, which by the aſſiſtance of their friends, and their own reſolution, ſucceeded; though not without the loſs of the life of one of O'Donnel's companions, and the extreme danger of his own. It was upon his arrival in Ulſter, after this eſcape, that he entered into the before-mentioned combination with Tirone, being then not more than twenty years old.

The queen[9] was much diſpleaſed that her commands, with reſpect to Tirone, were not executed; and the[10] lords of the Engliſh council ſharply rebuked

[8] Lombard. Iriſh Annals. [9] Cambden's Eliz. p. 635. [10] Morriſſon's Hiſt.

[1] "His manner of uſage, ſays Lee, was moſt diſhonourable and diſcommendable, and neither allowable before God or man. For he (O'Donnel) being young, and being taken by this ſtratagem, having never offended, was impriſoned with great ſeverity, many irons laid upon him, as if he had been a notable traitor and malefactor, and kept ſtill among thoſe, who were ever notorious traitors to your majeſty." Memorial to the Queen, Deſid. Hib. vol. i. p. 96.

ed the deputy for having ſo eaſily ſuffered him to eſcape out of his hands. And although Sir William Ruſſel afterwards frequently invited him, in the moſt ſoothing manner, to come to Dublin, he could never be again prevailed upon, by any promiſe of ſafety, to put himſelf in his power; but immediately betook himſelf to open acts of hoſtility: the firſt of which, was, (after having defeated a large body of the queen's forces) his aſſaulting, and demoliſhing, in the year 1595, the fort of Black Water, which was built upon the paſſage into Tirone. "In this victory, ſays Borlaſe,[11] the like of which, the Iriſh never gained,[m] ſince the Engliſh firſt ſet foot in Ireland, Tirone's implacable enemy, Marſhal Bagnal,[n] with others, was ſlain.

In this action, one of the queen's ſoldiers, by accident, ſet fire to a barrel of gun-powder, and that ſet fire to a number of others ranged along the line. The exploſion was terrible, and deſtroyed a great number of the queen's men; and the remains of the defeated army marched back to Ardmagh in diſorder."[12]

The ſeveral ſubmiſſions which he afterwards made, with apparent ſincerity, were but of ſhort duration; becauſe the conditions promiſed him on theſe occaſions, were never fulfilled; of which breach of articles, he frequently complained; but was only anſwered,[13] "that the benefit of his pardon was ſo great, that it ſhould

[11] Reduct. of Irel. p. 178. [12] Iriſh Ann. [13] Mor. Hiſt.

[m] The Earl of Tyrone ordered, that the dead of the enemy ſhould be interred. Two thouſand five hundred were left, with their general, on the field of battle: among whom were 18 captains, and many other gentlemen, whoſe names were unknown. About this time, one hundred and forty-four barrels of gun-powder, ſent from the queen to Dublin, were ſtored in Winetavern-ſtreet, and took fire by accident, on the 13th of March. Numbers were loſt, and that part of the town greatly damaged by the exploſion. Iriſh Annals.

[n] "Tyrone put Marſhal Bagnal's (his ſworn enemy) whole army to the rout; for thirteen valiant commanders, and fifteen hundred common ſoldiers, were ſlain at this ſkirmiſh: and ſoon after the fort of Black Water was yielded up." Baker's Chron. f. 387.

ſhould have counterpoiſed his wrongs, and ſtill kept him in his duty."

The report which Lee, in his memorial to queen Elizabeth, makes of Tirone's loyalty, power, and ſervices, is extremely remarkable. For mentioning the deſigns of his enemies, "Let," ſays he, "thoſe devices take effect, or otherwiſe have him cut off, your majeſty's whole kingdom there would moan it moſt pitifully; for there was never man bred in thoſe parts, who hath done your majeſty greater ſervice than he, with often loſs of his blood, upon notable enemies of your majeſty; yea, more often than all the other nobles of Ireland. And what quietneſs your majeſty has had theſe many years paſt, in the northern parts of that kingdom, its neither your forces there placed (which have been but ſmall,) nor their great ſervice who commanded them, but only the honeſt diſpoſition, and carriage of the earl, hath made them obedient in theſe parts to your majeſty.[o] If he were ſo bad as they would fain enforce, as many as know him, and the ſtrength of his country, will witneſs thus much with me, that he might very eaſily cut off many of your majeſty's forces, which are laid in garriſon in ſmall troops, in divers parts bordering upon his country; yea, and over-run all your Engliſh pale, to the utter ruin thereof; yea, and camp, as long as ſhould pleaſe him, under the walls of Dublin, for any ſtrength your majeſty hath yet in that kingdom to remove him." [p] [14]

"The

[14] Lee's Memorial, MSS. See Append. No. 1.

[o] Her majeſty had created him an earl, on account of his former ſervices; but on this occaſion, "he ſhook off," ſays Lord Mountjoy, "that title as a badge of his bondage, and reaſſumed that of O'Nial, with which name," adds his lordſhip, "and not the title of Tirone, he did much miſchief; for believe me, the titles of our honours do rather weaken, than ſtrengthen them in this country." Morriſ. Hiſt. f. 276.

[p] Secretary Cecil, in a private letter to Lord Deputy Mountjoy, on this occaſion, ſays, "that if Tirone was ſure to be pardoned, and live in any ſecurity, with the quality of any greatneſs, ſuch was his wearineſs of his miſery, (and ſo of the reſt) he would be made one of the beſt inſtruments in that kingdom." Morriſ. f. 236.

"The rebels forces," ſays Borlaſe, "when Tirone was proclaimed a traitor, amounted to 1000 horſe, and 6280 foot, in Ulſter; and 2300 in Connaught; all at Tirone's beck: whereas before, 800 foot, and 300 horſe, were eſteemed, on the government's ſide, an invincible army." [15]

CHAP. VI.

Deſmond's inſurrection.

THE Earl of Deſmond's vaſt eſtate in the province of Munſter, was a ſtrong temptation to the chief governors of Ireland to make, or to proclaim him, a rebel, their prey being inſured to them, in either caſe, by his forfeiture.[a] And, indeed, it doth not appear, that this earl, before he was proclaimed, had committed any overt act of treaſon; unleſs his private family quarrels with the Earl of Ormond, about their reſpective powers, and limits, can be deemed ſuch.[b] About a month

[15] Reduct. of Ireland, p. 175-6.

[a] Sir William Drury, preſident of Munſter, firſt attacked him on his own eſtate in the county of Kerry, "altho' king Edward III. made Kerry a county palatine, and granted to the Earls of Deſmond all the royal liberties, which the king of England had in that county, excepting four pleas, viz. of burning, rape, foreſtall, and treaſure-trove." Baker's Chronicle, f. 352.

"Deſmond," ſays the ſame hiſtorian, "poſſeſſed whole countries, together with the county palatine of Kerry, and had of his own name and race at leaſt five hundred gentlemen at his command; all whom, and his own life alſo, he loſt within the ſpace of three years, very few of the houſe being left alive." Id. ib. fol. 361.

[b] "Ormond's relation to the Earl of Deſmond," ſays Carte, "did not extinguiſh the animoſity between the two families. The quarrel was renewed with ſo much violence, that on Feb. 1, 1564-5, a bloody conflict happened between them at Affane, in the county of Waterford, in which Deſmond was routed, and 280 of his men killed. Great part of Munſter was waſted on occaſion of this quarrel." Life of Orm. vol. i. f. liii.

a month before he was proclaimed, his counteſs had delivered up their only ſon, together with Patrick O'Haly, biſhop of Mayo, and Con. O'Rourke, a Franciſcan friar, both nobly deſcended, (who had fled to her for protection) to Sir William Drury, lord juſtice, at Limerick, as pledges of the earl's loyalty; nor can I find, that any thing but meer ſuſpicion [c] was then alleged againſt him, and that only becauſe he refuſed, or delayed, to draw out his forces againſt his brother John of Deſmond, who appeared in arms againſt the queen.[1]

"Whilſt he held off," ſays the biſhop of Chiceſter, "with delays, and deluſions, he was declared a traitor, in the beginning of December, 1579; after which proclamation, the Chief Juſtice Drury appointed the war to be proſecuted againſt him, by the Earl of Ormond." But certainly, ſuch ſuſpicion ought, in all equitable judgment, to have been removed, by his conſenting

[1] Biſhop of Chiceſter's Thankful Remembrance, p. 43.

[c] "When the Earl of Deſmond attended Drury's ſummons to Kilmallock, with a well appointed company of horſe and foot, he was committed to cuſtody on bare ſuſpicion; but, upon making the moſt ſolemn promiſes of loyalty, and fidelity, he obtained his liberty, retired from the camp, but refuſed to attend the deputy; and, therefore, was ſtill conſidered as a favourer of foreign invaders, and their cauſe. Upon this bare ſuſpicion, Malby attacked his town of Rathkeal. This the earl conſidered as an unprovoked, and unwarrantable attempt, which he was juſtified in repelling. Malby prepares to reduce his caſtles, but Drury's death prevents him. Deſmond was now ſummoned by Sir William Pelham (Drury's ſucceſſor); he refuſed to comply, but ſtill profeſſed his loyalty. He was then ordered to deliver up one of his caſtles, as a pledge of his fidelity (his ſon was delivered up as ſuch before,); his anſwer conſiſted of complaints of injuries. He was therefore, by proclamation, declared a traitor, if within twenty days he ſhould not ſubmit. In the mean time, his territories were, purpoſely, made the ſeat of war, and expoſed to all the ravages of a neceſſitous army. Deſmond, in revenge, appeared before the town of Youghall, took it, cut off a detachment ſent to its relief; and, then firſt declared for the catholic cauſe." See Lel. Hiſt. of Ireland, vol. ii. from p. 259 to 277.

conſenting to have his only ſon delivered up as a pledge of his future loyalty; who, though but an infant, was carried to London, and detained a priſoner in the tower there, for many years after. The biſhop and friar delivered up on the ſame account, were both executed by Drury's order. It is no ſmall confirmation of the earl's being previouſly innocent of any overt act of treaſon, that, when it was reſolved in council to proclaim him a traitor;[a] the Lords Gormanſtown and Delvin refuſed to ſign the proclamation, with the other counſellors, for which they incurred her majeſty's diſpleaſure.[d]

But whatever exceſſes Deſmond committed after he was proclaimed, it is moſt certain, that he ſorely[e] regretted them; as appears by the following letter, written to the Earl of Ormond; who, though his near relation, had long been his rival and enemy, and was now appointed his judge.[f]

"My

[a] Abbe Geoghegan's Hiſt. of Ireland, vol. iii. p. 434.

[d] "The bills (ſays Dr. Leland) propoſed for the attainder of the Earl of Deſmond, and his adherents, were not received without difficulty, and oppoſition." Hiſt. of Irel. v. ii. p. 300.

[e] Deſmond now ſaw his whole extent of territory ravaged, and depopulated without mercy; and, like an abject outlaw, was compelled to take ſhelter in his woods. His miſerable vaſſals were abandoned to daily ſlaughter, or to the ſtill more horrid calamity of famine. When, at the time that their lives were ſpared, they were frequently bereft of all means of ſupport, Hook aſſures us, that they were ſeen following the army, with their wives and children; and begging that all might be reſcued from their miſeries by the ſword, rather than thus condemned to waſte in famine."—In this diſmal ſituation of the once great Earl of Deſmond, "his counteſs fell upon her knees before the lord deputy, and, with tears, petitioned, but in vain, that her huſband ſhould be received to mercy. His force, as a rebel, was now too inconſiderable, and his poſſeſſions to be forfeited were of too princely an extent, for the queen's miniſters to admit of pardon, or ſubmiſſion." Lel. ib. vol. ii. p. 278-9.

[f] Spencer's deſcription of the calamities brought on the people of Munſter by this war, is really ſhocking. "Notwithſtanding," ſays he, "that the ſame was a moſt rich, and plentiful

"My Lord,[3]

"GREAT is my grief, when I think how heavily her majeſty is bent to diſfavour me; and, howbeit I carry the name of an undutiful ſubject, yet God knoweth, that my heart, and mind, are always moſt loyally inclined to ſerve my moſt loving prince, ſo it may pleaſe her highneſs to remove her diſpleaſure from me. As I may not condemn myſelf of diſloyalty to her majeſty, ſo I cannot excuſe my faults, but muſt confeſs I have incurred her majeſty's indignation; yet when the cauſe, and means, which were found, and deviſed to make me commit folly, ſhall be known to her highneſs, I reſt in an aſſured hope, that her moſt gracious majeſty will think of me as my heart deſerveth; as alſo of thoſe, who wrung me into undutifulneſs. From my heart, I am ſorry that folly, bad counſels, ſlights, or any other things, have made me to forget my duty; and therefore, I am moſt deſirous to get conference with your lordſhip, to the end I may open, and declare to you how tyrannouſly I was uſed; humbly craving, that you will vouchſafe to appoint ſome time, and place, where and when I may attend your honour; and then I doubt not to make it appear, how dutiful a mind I carry; how faithfully I have, at my own charge, ſerved her majeſty, before I was

[3] Scrinia Sacra.

tiful country, full of corn and cattle.—Yet, ere one year and a half, they were brought to ſuch wretchedneſs, as that any ſtony heart would rue the ſame. Out of every corner of the woods and glynns, they came creeping forth upon their hands, for their legs could not bear them; they looked like anatomies of death; they ſpake like ghoſts crying out of their graves, they did eat the dead carrions, happy where they could find them, yea, and one another ſoon after; inſomuch, as the very carcaſſes they ſpared not to ſcrape out of their graves, and, if they found a plot of watercreſſes or ſhamrocks, there they flocked as to a feaſt for the time, yet not able to continue there withal; that, in ſhort ſpace, there was none almoſt left, and a moſt populous and plentiful country ſuddenly left void of man, and beaſt." State of Ireland, p. 158.

was proclaimed; how ſorrowful I am for my offences, and how faithfully I am affected ever hereafter to ſerve her majeſty; and ſo I commit your lordſhip to God.

(Subſcribed,) GIRALD DESMOND."

Whether the conference ſo earneſtly deſired in this letter was obtained, or not, does not appear. We only know,[+] "that Kelly of Morierta, (of whom the Earl of Ormond had taken aſſurance of his fighting againſt the rebels) with twenty-five of his kearn, did in the night-time aſſault the Earl of Deſmond in his cabin, then deſerted by all his friends. Kelly entering the hut found that all were fled, but one man of venerable aſpect, ſtretched languidly before a fire. The leader aſſailed, and wounded him. He exclaimed, "Spare me, for I am the Earl of Deſmond."[§] Kelly ſmote off his head, and brought it to the Earl of Ormond; by whom it was conveyed to the queen, and impaled on London-bridge."[h]

Upon

[+] Carte's Ormond, vol. i. Leland's Hiſt. of Ir. vol. ii. p. 288.

[§] The Iriſh annaliſts, and other catholic writers, do not ſcruple to ſay, "That the vengeance of God was ſignal in this event," on account of this earl's having committed great cruelties on his taking of Youghall, "which he gave up to plunder, not ſparing even the churches, and whatſoever was ſacred, which his ſoldiers polluted and defiled, bringing every thing to utter confuſion and deſolation, and making havock, as well of ſacred veſtments and chalices, as of any other chattel. Certain Spaniards, adds my author, who were with them, at that wicked exploit, perceiving by the furniture and ornaments of the churches, that the town's-men were all catholics, and containing their hands from plunder, were reproved by ſome of that wicked company, for that they took not part of the ſpoil, as others did: but they anſwered, that they ought not to rob or ſpoil better chriſtians than themſelves; and one of the ſaid Spaniards cut his cloak, as St. Martin did, in five parts, and diſtributed the ſame upon five children, that were ſtripped of their cloaths, and left naked by ſome of the kearns." Theatre of Catholic and Proteſtant Religion, p. 436.

[h] The Earl of Deſmond," ſays Morriſſon, "flying into the woods, was there in a cottage killed, and his head cut off; being,

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Upon the attainder of this earl, and his confederates,[5] not leſs than 574,628 acres of land, Engliſh meaſure, fell to the crown, and were diſpoſed of by queen Elizabeth, to Engliſh undertakers.[1]

That Queen having long determined to ſend James, the only ſon and heir of this Earl of Deſmond, (who, as we have obſerved,[6] from his infancy had been kept a priſoner in the tower, as a pledge of his father's loyalty) to Ireland, in hopes that his preſence there would

[5] Morriſ. Hiſt. fol. 4. [6] Pacata Hibernia, fol. 90.

ing, as they ſay, betrayed by his own followers; wherein the Ulſter-men challenge an honour of faithfulneſs to their lords above thoſe of Munſter; for, in the following wars, none of them could be induced, by fear or reward, to lay hands on their reverenced O'Nial." Hiſt. of Irel. f. 4.

" Deſmond was then forſaken by every body, ſave four perſons, viz. a prieſt, two horſe-men, and a boy," with whom he wandered from one lurking place to another." Carte's Orm. vol. i. fol. lv.

After Deſmond's death, and the entire ſuppreſſion of his rebellion, unheard-of cruelties were committed on the provincials of Munſter (his ſuppoſed former adherents) by the Engliſh commanders. Great companies of theſe provincials, men, women and children, were often forced into caſtles and other houſes, which were then ſet on fire. And if any of them attempted to eſcape from the flames, they were ſhot or ſtabbed, by the ſoldiers, who guarded them. It was a diverſion to theſe monſters of men, to take up infants on the point of their ſpears, and whirl them about in their agony; apologizing for their cruelty by ſaying, that " if they ſuffered them to grow to live up, they would become popiſh rebels." Many of their women were found hanging on trees, with their children at their breaſts, ſtrangled with the mother's hair." Lombard. Comment. de Hibern. p. 535, &c.

[1] It muſt not be forgot that this Earl of Ormond thought proper to repreſent his own right, on that melancholy occaſion, to the lands lately poſſeſſed by this Earl of Deſmond; his mother being ſole daughter and heir to James, Earl of Deſmond, and heir general to all his eſtate; though he had been kept out of poſſeſſion by the power of the late Earls, who had forfeited. He deſired that his right might be ſaved, ſo far as was warranted by law; and he prevailed ſo far, that 3000 acres in Tipperary, and a great tract of poor land in Kerry, part of the eſtate, were aſſigned

would draw off his father's followers from James Fitzthomas, who had uſurped the title of Deſmond, and gave her majeſty's forces much oppoſition, did, in the year 1600, put that deſign in execution. The young earl landed at Youghall, October 14th, and was conducted from thence, by captain Price, to the preſident of Munſter at Moyallo; the captain preſented him to his lordſhip, together with her majeſty's letter, and letters patent under the great ſeal of England, for his reſtitution in blood and honour.

" The lord preſident of Munſter, in order to make trial of the affections of the earl's kindred and followers, conſented, at his own requeſt, that he ſhould make a journey from Moyallo into the county of Limerick; the earl came to Kilmallock of a Saturday in the evening; and by the way, and at his entrance into the town, there was a mighty concourſe of people, inſomuch, that all the ſtreets, doors, and windows, yea, the very gutters, and tops of houſes were filled with them; and they welcomed him with all expreſſions and ſigns of joy; every one throwing upon him wheat and ſalt, according to an ancient ceremony uſed in that province. That night, the earl was invited to ſup with Sir George Thornton, and although he had a guard of ſoldiers, who made a lane from his lodgings to Sir George's houſe, yet the confluence of people was ſo great, that he could not, in half an hour, make his paſſage through the crowd. After ſupper, he had the ſame encounters in his return to his lodgings. The next day being Sunday, the earl went to church to

aſſigned to him." Cart. Orm. vol. i. fol. lvii. Hence we may probably conjecture the reaſon of his proſecuting the war againſt him with ſuch unrelenting rigour.

" Deſmond, and about an hundred and forty of his accomplices were attainted; and their eſtates and honours declared forfeit to the queen. Theſe eſtates were offered to the younger ſons of Engliſhmen at three-pence, in ſome places two-pence per acre, to commence at the end of three years; and for three years more, half only of the ſtipulated rent was to be paid." Lel. Hiſt. vol. ii. p. 301. " None of the native Iriſh were to be admitted among their tenantry." Id. ib.

hear divine ſervice; and all the way his countrymen uſed loud and rude dehortations to keep him from church; unto which he lent a deaf ear; but after ſervice and the ſermon were ended, the earl coming forth of the church, was railed at and ſpit upon, by thoſe, that before his going to church, were ſo deſirous to ſee and ſalute him; inſomuch, as after that public profeſſion of his religion, the town was cleared of the multitude of ſtrangers; and the earl, from thence forwards, might walk as quietly and freely, and as little in effect followed, or regarded, as any other private gentleman; nor did any of his father's followers, except ſome of the meaneſt ſort of freeholders, after that reſort unto him." [k]

As nothing can excuſe the barbarous incivility of theſe Iriſh to the young Earl of Deſmond on that occaſion, ſo this paſſage furniſhes no ill proof of the miſtaken policy of the then government of Ireland, which conſiſted in proſelyting by force or ſeduction, to the eſtabliſhed religion, the heirs of the principal Iriſh families, with a view of drawing their followers and dependents after them. "For the truth is," as my author [7] well obſerves in the ſame place, "the young earl's religion, being a proteſtant, was the only cauſe that bred this coyneſs in them all: for, if he had been a Roman Catholic, the hearts and knees of all degrees in the province, would have bowed unto him."

CHAP.

[7] Pacata Hibernia.

[k] "This young earl ſeeing how much he was deceived in his hopes, (for he ſuppoſed that all his father's followers would have relied upon him, and obeyed his directions) embarked for England on the 22d of March following, and ſo to court; where, after a few months, he died. The letters patent, which her majeſty had granted for his reſtoration, the preſident never delivered unto him, according to his directions; for he had caution from her majeſty, unleſs his ſervices, or ſervices done for his ſake, ſhould merit the ſame; of both which there was but weak and ſlender performance." Pacat. Hibern. fol. 122.

CHAP. VII.

Lord Deputy Mountjoy's and Lord Verulam's opinions of the government of Ireland in 1602.

AND, indeed, all thinking men ſaw and regretted, that the policy of the government of Ireland, at this juncture, was as weak as it was wicked. Lord [1] Deputy Mountjoy, in a letter [2] to the lords of the council in England, ſeems to impute to its fraud and ſeverity, the continuance of the war even to his time. "All the Iriſh," ſays he, "that are now obſtinate, are ſo only out of their diffidence to be ſafe in any forgiveneſs; [a] and though they are weary of the war, they are unwilling to have it ended, for fear leſt, upon a peace, there would enſue a ſevere reformation of religion. They have the ancient ſwelling, and deſire of liberty, in their countrymen, to work upon; their fear to be rooted out, and to have their old faults puniſhed upon particular diſcontents; and generally all over the kingdom, their fear of a perſecution for religion; [b] the leaſt of which, alone, have been many times ſufficient to drive the beſt and moſt quiet ſtates into ſudden confuſion." Nay he even ſeemed to apprehend,

[1] In 1600. [2] Pacat. Hibern. in fine.

[a] "When ſome one, who hath been a bad member, pardoned by your majeſty, hath heard himſelf exclaimed upon to be a notable thief after his pardon; and hath ſimply come in, without any bonds, or any enforcement, to an open ſeſſion, to take his trial by your majeſty's laws, if any could accuſe him; notwithſtanding his coming in after this manner, there hath been order given, without any trial at all, for the execution of him. And ſo he hath loſt his life to the great diſhonour of your majeſty, and diſcredit of your laws.—And this diſhoneſt practice has been by conſent of your deputies." Lee's Memorial to queen Elizabeth, MSS. College Library.

[b] "All the Iriſh chieftains, in their treaties of ſubmiſſion, concurred in the ſame general demands of a free exerciſe of religion." Leland's Hiſt. of Irel. vol. ii. p. 335.

that theſe fears, and their diffidence to be ſafe in any forgiveneſs,[c] "would keep all ſpirits from ſettling, breed new combinations, and even ſtir the towns themſelves to ſolicit foreign aid, with promiſe to caſt themſelves into their protection." In order to prevent which, he ſubmits to their Lordſhip's conſideration, the following particulars.

"As all pain and anguiſh, impatient of the preſent, doth uſe change for a remedy, ſo (ſays his lordſhip) will it be impoſſible for us to ſettle the minds of thoſe people into a peace, or reduce them unto order, while they feel the ſmart of theſe ſenſible griefs, and apparent fears, which I have remembered to your lordſhips, without ſome hopes of redreſs and ſecurity." After which he tells them, "that they ſhould be adviſed how they puniſhed in their bodies and goods, ſuch merely for religion, as did profeſs to be faithful ſubjects, and againſt whom the contrary could not be proved,[d] that it would as much avail the ſpeedy ſettlement of Ireland, as any thing, if it would pleaſe her majeſty, to deal liberally with the Iriſh lords of the country, or ſuch

[c] "When there have been notable traitors in arms againſt your majeſty," ſays the before-mentioned memorialiſt, "and ſums of money offered for their heads, yet could by no means be compaſſed, they have in the end, of their own accord, made means for their pardon, and have put in ſureties for their good behaviour, offering to do great ſervice, which they have accordingly performed, to the contentment of the ſtate; and thereupon received pardon, and have put in ſureties for their good behaviour, and to be anſwerable at all times at aſſizes and ſeſſions, when they ſhould be called. Yet, notwithſtanding, there have been ſecret commiſſions given for the murthering of thoſe men. They have been often ſet upon by the ſheriffs of ſhires, to whom the commiſſions were directed, in ſundry of which ſhires ſome of them have been killed, and others have hardly eſcaped. And, after all this, they have ſimply come, without pardon or protection, to ſubmit themſelves to your majeſty's laws, where they have been put to their trial upon ſeveral enditements, of all which they have been acquitted, and ſet at liberty." Lee's Memorial to the Queen. Deſid. Curioſ. Hib. vol. i. p. 92.

[d] It is worthy of notice, that all the cities and towns in the kingdom, though chiefly inhabited by the catholic natives, continued loyal to the queen during this war.

ſuch as were of good reputation among them, in the diſtribution of ſuch lands as they formerly poſſeſſed, or ſuch as the ſtate could make little uſe of for her majeſty. If they continue (adds his lordſhip) as they ought to do, and yield the queen as much commodity, as ſhe may otherwiſe expect, ſhe hath made a good purchaſe of ſuch ſubjects for ſuch lands." Lord Verulam,[3] in a letter to ſecretary Cecil, about the ſame time, earneſtly recommended the ſame lenity and forbearance, with reſpect to theſe people. " I think," ſays he, " that much letting of blood in the decline of the diſeaſe, is againſt all method of cure; that it will but exaſperate neceſſity and deſpair; and, perchance, diſcover the hollowneſs of that which is done already; which none blazeth to the beſt ſhew. But of all other points, to my underſtanding, the moſt effectual is the well expreſſing or impreſſing, of the deſign of England on that miſerable and deſolate nation; that the queen ſeeketh not an extirpation of the people, but a reduction; and now that ſhe hath chaſtiſed them by royal power and arms, according to the neceſſity of the occaſion, that her majeſty taketh no pleaſure in the effuſion of blood, and the diſplanting of antient generations."

And then, as to the matter of religion, " All divines," proceeds his lordſhip, " do agree, that if conſcience be to be enforced (wherein they differ), yet two things muſt precede its enforcement; the one, means of information, the other, time of operation; neither of which they (the Iriſh) have yet had. And there is no doubt, but to wreſtle with them is directly oppoſite to their reclaim, and cannot but continue their alienation from the government; and therefore a toleration of religion, for a time not definite, ſeems to me to be a matter warrantable by religion, and in policy of abſolute neceſſity: and the heſitation of this, I think, hath been a great caſting back of affairs in Ireland."[e]

CHAP.

[3] Scrinia Sacra.

[e] A very ſingular anecdote of archbiſhop Tillotſon, relative to this ſubject, is worthy of notice. " John Howe, a diſſenting miniſter,

CHAP. VIII.

Proclamation of pardon in the province of Munſter.

THE Iriſh, during the whole time of this war, ſeem to have acted chiefly on the defenſive, notwithſtanding the vaſt deſtruction by fire, ſword and famine, which the chief governors of Ireland ſtill carried through every part of their country. Of this deſtruction the queen herſelf expreſſed a very ſenſible feeling, when ſhe declared on that occaſion,[1] "That ſhe feared the ſame reproach might be made to her, which was formerly made by Bato to Tiberius, viz. It is you! you! that are to blame for theſe things, who have committed your flocks, not to ſhepherds, but to wolves."

This private declaration of pity, her majeſty ſoon after ſeconded by a public act of truly royal beneficence, in facilitating and inviting ſome of theſe miſguided people's ſpeedy return to their duty. But her gracious intentions and commands, in that reſpect, were in a great meaſure neglected or diſobeyed, by her principal miniſters in that kingdom.

"In December 1600,[2] the queen diſpatched an order to Lord Deputy Mountjoy, to grant a general pardon

[1] Cambd. Eliz. circa initium. [2] Pacat. Hibern. fol. 116.

miniſter, who had been chaplain to Oliver Cromwell, and was one of the moſt polite and learned writers among the diſſenters," having found, "that his friend Dr. Tillotſon aſſerted in a ſermon, preached at court the 2d of April, 1680, 'that no man, without an extraordinary commiſſion from heaven, teſtified by working miracles, as the apoſtles did, ought to affront the eſtabliſhed religion of a nation, though it be falſe; and openly to draw men off from the profeſſion of it, in contempt of the magiſtrates and the law, &c.' Mr. Howe did not only write him a long letter upon this erroneous doctrine, but expoſtulated with him upon it in a friendly manner: upon which Dr. Tillotſon burſt into tears, and frankly acknowledged that it was not to be juſtified." Grainger's Biograph. Hiſt. vol. iii. p. 312.

don to all, and every, the inhabitants of Munſter, of what condition or ſtate ſoever;[a] thereby to remove from them all ſuſpicion of impeachment for their former offences;" "whereunto," adds her majeſty, "the greateſt part of them have been violently carried, rather by the power of the arch-traitors (whom ſhe therefore excepts from pardon), than by any wilful defection in their loyalty." "And to the end the people, waſted with the miſery of theſe wars, might not be burthened with the expences in the obtaining their pardons, or putting in ſecurity for the peace, even when needful, her pleaſure was, that the fees of the ſeal ſhould be either wholly remitted, or ſo moderated by the lord deputy and council, that her ſubjects might have cauſe the more dutifully and gladly, to embrace her princely clemency and bounty, in that her gracious and free pardon."

In leſs than two months after the publication of this order,[3] upwards of four thouſand of the inhabitants of that province ſubmitted, for protection, to the lord preſident. All theſe, however, contrary to her majeſty's expreſs commands, "his lordſhip obliged[4] to put in ſuch pledges, as no governor in former times ever had done the like." How little he obſerved her majeſty's gracious commands of forgiveneſs, in other reſpects, appears from an hiſtory, which he himſelf has left us,[b] of the two laſt years of this war. From whence

[3] Id. ib. fol. 121. [4] Id. ib.

[a] One of the reaſons mentioned by Sir George Carew for her majeſty's granting this free and general pardon, was, "that there were many poor women and children, that had no ability to be at the charge of ſuing for their pardons." Pacat. Hibern. f. 97. By which we may ſee what ſort of people were then deemed rebels in Ireland.

[b] Sir George Carew, ſays Grainger, "knew how to record, as well as how to act, great things; and has given us in his Pacata Hibernia, a hiſtory of the wars in Ireland, in which he was himſelf a principal agent; written with the unaffected openneſs and ſincerity of a ſoldier. He was a lover of antiquities, and left four volumes of his collections relating to Ireland, to the

whence we may probably conclude, that he who was not aſhamed to publiſh ſuch inhuman actions of his own, as are there recorded, did not ſcruple to order, or commit others, if poſſible, more inhuman, which he took care to ſuppreſs.

CHAP. IX.

The Spaniards invade Ireland.

ON the 23d of September, 1601, the Spaniards[1] under Don Juan D'Aguila,[2] landed at Kinſale, full of confidence, that they would be immediately joined, in their

[1] Pacat. Hibern. fol. 136.

the Bodleian Library." He adds in a note, "the inſcription on the print (of Pacata Hibernia) plainly intimates that he was the author of this book; but it appears from the preface, that it was digeſted from his papers by another hand." Biograph. Hiſt. of Eng. vol. ii. p. 133.

[2] "It was not," ſays Sir George Carew, "religion or conſcience that brought the Spaniards to relieve the Iriſh, but only revenge for the queen's aiding the States of the Low Countries againſt Spain." Pac. Hib. fol. 275.

"The king of Spain begun that action (invaſion of Ireland) on a falſe ground, to find a powerful party in that kingdom on his firſt deſcent." Lords of the Engliſh council to Lord Deputy Mountjoy. Morriſ. fol. 186.

"Let us conſider the provocations, that is the wrongs, which we (Engliſh) firſt did unto them (Spain): let us remember the money intercepted, which the king (of Spain) was ſending to D'Alva, the loſs whereof at that time hazarded well nigh the loſs of all the Netherland Provinces, ſo lately reduced: the aſſiſtance given to the prince of Orange by Gilbert Morgan, and others: the firſt voyage of Sir Francis Drake; the ſacking of St. Domingo; the protection of Holland by Leiceſter; the infinite depredations letters of mart executed, to the infinite damage of the Spaniards; beſides the invectives that were in every pulpit, the ballads and libels in every preſs, were provocations ſuch as fleſh and blood would not endure in the meaneſt perſons. Can any wiſe man think, that the king of Spain ſhould not be ſenſible of ſuch indignities? was it not probable, nay,

their hoſtile attempts on the kingdom, by all the diſcontented Iriſh. But herein they were greatly diſappointed;[a] for "no Iriſh of account," ſays Morriſſon, "repaired to them, except ſome dependents of Florence M'Carty, who was then in priſon, and had invited them over." And although Don Juan, immediately after his landing,[1] publiſhed a manifeſto, wherein he ſolemnly declared, that his deſign in this expedition, was to reſcue them[b] from that oppreſſion and ſlavery, which they had ſo long groaned under on account of their religion, (which alſo he promiſed to re-eſtabliſh in a free and flouriſhing ſtate) yet he found the generality of theſe people, and even many of their clergy,[c] ſo unwilling to aſſiſt him, even for theſe deſirable purpoſes,[4] "that he conceived a juſt diſdain and ſpleen againſt the nation." This is confirmed by Lord Deputy Mountjoy himſelf, who informed the Engliſh council,[5] "that Don Juan, and his Spaniards, conceived malice againſt the Iriſh, in whoſe aid they too late diſcovered no confidence could be placed.

[a] Id. ib. [1] Id. ib. fol. 200. [4] Id. ib. fol. 224.
[5] Morriſ. Hiſt. of Ireland, fol. 122.

nay, was it not equal, that he ſhould ſend a fury to Kinſale to revenge theſe wrongs." Hieruſ. & Babel. 2d edit. p. 13, 14.

[b] "But in deſpite of all theſe pathetic exhortations, the provincials of Munſter were as yet ſo reluctant to engage in any new rebellion, that on the arrival of the lord deputy at Cork, ſeveral of their chieftains preſented themſelves before him, with moſt vehement aſſurances of their loyalty." So that "the Spaniards, who came with a vain hope of meeting a whole kingdom at their devotion, now found themſelves confined within an inconſiderable town, unaſſiſted by the natives, and beſieged by the queen's forces." Lel. Hiſt. of Ir. p. 396.

[c] "Candour obliges us to acknowledge, that the Romiſh clergy, at this time, did not uniformly concur in exciting the Iriſh to inſurrections. Sullivan himſelf confeſſes, (although it was his buſineſs to repreſent the religious zeal of his countrymen in the moſt advantageous point of view) that a conſiderable party among the clergy, recommended a dutiful ſubmiſſion to the government, and oppoſed the practices of their more intemperate brethren." Leland's Hiſt. of Ireland, vol. ii. p. 306.

placed.[d] It is ſcarcely credible, and yet we have the ſame lord deputy's teſtimony for it, that this Spaniſh general offered [6] ſix ſhillings a day to every horſeman among the Iriſh, that would join his ſtandard. "So that," adds his lordſhip, "it is a wonder unto us, that from preſent ſtaggering, they fall not to flat dejection." And, what increaſes the wonder ſtill more is, that notwithſtanding all theſe inducements, much [7] the greater part of the queen's army, which then beſieged him in Kinſale, conſiſted of the Iriſh.[e] But ſo inconſiderable a number

[6] Morriſ. ib. fol. 144. [7] Pacata Hibern. fol. 213.

[d] Morriſſon affirms, "that the reaſon moving Don Juan afterwards to make the ſurrender of Kinſale, was the malice, he and the Spaniards had againſt the Iriſh; in whoſe aid, they too late diſcovered *no confidence*, could judicially be placed." Hiſt. of Ireland, fol. 192.

One of the means Lord Mountjoy made uſe of to gain over the Iriſh to him againſt the Spaniards, was the following: there were ſome of them, "who having no living, nor any thing that would afford them maintenance, yet had not ſhewn themſelves diſloyal, though all of them were ſwordſmen, and many of them gentlemen by deſcent, and able to draw after them many followers to whom the Spaniards made offer of great entertainment; thoſe he propoſed to take into her majeſty's army, being confident that he ſhould make good uſe of them againſt the Spaniards, as he meant thoroughly to put them to it. And of this, he aſſured the lords of the council, that when they had ſerved his turn againſt the Spaniard, he could, without danger, eaſe her majeſty of that charge, and would no longer hold them in entertainment. In the mean time (adds he) they ſhall ſpend little of the queen's victual; but being paid in the new coin (in a ſhilling of which, he elſe where tells us, there was not more than two penny worth of ſilver), provide for themſelves." Morriſ. Hiſt. fol. 139.

This propoſal was approved by her majeſty, "and prevented Tirone of a great many men, that otherwiſe, ſays his lordſhip, muſt and would have ſerved him for entertainment, having no other means to live." Id. ib. fol. 153.

Does it not from hence plainly appear, that theſe Iriſh ſwordsmen preferred the ſervice of their proteſtant queen, on this critical and trying exigency, to that of her powerful catholic enemy, even with ſome diſadvantage to themſelves?

[e] Little doubt can be made, that if the generality of the Iriſh had

a number of the reſt of theſe people were ſeduced to that defection, by theſe tempting offers and declarations; and ſo ridiculouſly incenſed were the Spaniards againſt them, on that account, and thought them ſo little worthy to be ſaved in any ſenſe, that one of their officers publicly declared,[8] "that he believed Chriſt did not die for them."

As for thoſe few Iriſh, who joined the Spaniards on their firſt arrival, Sir George Carew himſelf ſeems to have made their apology,[9] by ſaying "that little wonder was to be made thereat, conſidering what power religion and gold have in the hearts of men, both which the Spaniards brought with them into Ireland."

Immediately before the ſurrender of Kinſale, which was occaſioned [f] by the entire defeat of the northern Iriſh under Tirone, who came to relieve it, her majeſty's army, being in purſuit of the routed enemy,[10] "continued the execution a mile and an half, and left it there only becauſe they were tired of killing:" "And had it not been," ſays [11] Morriſſon who was then on the ſpot, "for ſome impediments from the wearineſs of the men, and the ill condition of the horſes for want of feeding, we had cut the throats of all the rebels there aſſembled."

[8] Pacata Hibernia, fol. 176. [9] Id. ib. fol. 224.
[10] Id. ib. fol. 144, 235. [11] Hiſtory of Ireland, fol. p. 178.

had aſſiſted the Spaniards on this occaſion, Kinſale would not have been taken; for the lord preſident himſelf, in a letter to Cecil ſays, "that Kinſale was bought at ſo dear a rate, as while I live, I will proteſt againſt a winter ſiege. I do ſpeak within my compaſs, I do verily believe, that at that ſiege, and after the ſickneſs there gotten, we loſt above ſix thouſand men that died." Pacata Hibernia, f. 349.

Sir George Carew's army when it ſat down before Kinſale, conſiſted of three thouſand men, two thouſand of whom were of Iriſh birth. Pacata Hibernia, fol. 213. And Lord Deputy Mountjoy acquainted the Engliſh council, that the companies under him were full of Iriſh. Id. ib. fol. 204.

[f] "All the rebels in Ireland were drawn into Munſter, on that occaſion." Pacata Hibernia, fol. 231.

aſſembled." "The Earl of Clanrickard [g] killed,[12] with his own hand, above twenty Iriſh; and cried out to ſpare no rebels: for which the deputy knighted him in the field, among the dead bodies. There were ſome of the Iriſh taken priſoners, who offered great ranſoms, but upon their bringing to the camp, they were all hanged." [h]

Morriſſon informs us of one particular, concerning the defeat of the Iriſh at the battle of Kinſale, which, for its oddity, at leaſt, deſerves ſome notice.[13] "On the ſame day," ſays he, "an old written book was ſhewn to the lord deputy, wherein was a prophecy, naming the ford and hill where this battle was given; and foretelling a great overthrow to befall the Iriſh in that place." Sir George Carew has given a more circumſtantial account of this prophecy.[14] "He had often heard the Earl of Thomond ſay, that in an old book of Iriſh prophecies, which himſelf had ſeen, it was reported, that towards the latter days a battle ſhould be fought between the Engliſh and the Iriſh, in a place which the book named, near unto Kinſale; and the earl coming out of England, and landing at Kinſale, in the time of the ſiege, Sir George, and divers others, heard

[12] Pacata Hibernia. [13] Ubi ſupra, fol. 179.
[14] Pacata Hibern. fol. 235.

[g] "No man (ſays Sir George Carew) did bloody his ſword more than his lordſhip that day, and would not ſuffer any man to take any of the Iriſh priſoners." Pacata Hibern. fol. 235.

[h] It appears from a letter of Don Juan D'Aguila, to Lord Mountjoy, that the Spaniſh priſoners taken on that occaſion were abandoned by the Iriſh, and left in the utmoſt diſtreſs; "that there was no ſuſtenance given them, that they ſuffered extreme wants both with hunger and cold, and found not any alms." The reaſon of which Lord Mountjoy ſeems to aſſign, when he ſays, "that the contempt and ſcorn, in which the Spaniards held the Iriſh (for not having joined them) and the diſtaſte which the Iriſh had of them, were not to be believed by any but thoſe who were preſent to ſee their behaviours and hear their ſpeeches; inſomuch (adds his lordſhip) as we may probably conjecture, that by ſuch time as Don Juan with his forces is arrived in Spain, it will be a difficult thing for the Iriſh hereafter to procure aids out of Spain." Morriſ. fol. 187, 189.

heard him report the prophecy, and name the place, where, according to it, the battle ſhould be fought. The day on which the victory was obtained, he and the earl rode out to ſee the dead bodies of the vanquiſhed, and aſked ſome that were there preſent, by what name that ground was called; they not knowing to what end the queſtion was aſked, told the true name thereof; which was the ſame, that the earl had before reported to him. "I beſeech the reader," continues the preſident, "to believe me, for I deliver nothing but truth; but as one ſwallow makes no ſummer, ſo ſhall not this one true prophecy increaſe my credulity in old predictions of that kind."

CHAP. X.

The cruelty of the Engliſh army in Munſter.

IN December 1600, about nine months before the arrival of the Spaniards,[1] "there was not in the whole province of Munſter,[2] one caſtle that held out againſt the queen; nor was it known that there were five rebels in a company there." And afterwards, at the battle of Kinſale,[2] almoſt all the inſurgents of the other provinces, who were there aſſembled under Tirone, were totally diſperſed.[b] Yet the unceaſing cruelty

[1] Pacata Hibernia. [2] Id. ib.

[a] "And now (December, 1600) there was not a caſtle in Munſter held for the rebels, nor any company of ten rebels together, though there wanted not looſe vagabonds diſperſed in all corners." Morriſ. Hiſt. of Ireland, fol. 94.

[b] We are told by a contemporary Roman catholic writer, that Tirone's defeat at the battle of Kinſale, was a judgment from God, on account "of his ſoldiers, in their march thither to relieve the Spaniards, having robbed and ſpoiled the monaſteries of Timnalage, and Kilcrea; and prophaned other churches. For, ſays that writer, the queen's army conſiſted, for the moſt part, of Iriſh catholic ſoldiers; the Engliſh being altogether, ſaving a very few, conſumed by cold and famine, being unable to endure

cruelty of the victors, which always increaſed in proportion to the weakneſs of the vanquiſhed, proved theſe latter to have recourſe, once more, to arms for their natural defence. After that battle, the Engliſh ſeemed determined to deſtroy, indiſcriminately, all the remaining Iriſh, that came in their way; which they had ſometimes done with ſuch circumſtances of barbarity, that the Iriſh, in deſpair, were often tempted to prevent them, by deſtroying themſelves. Thus, at the taking of the caſtle of Dunboy, "the lord preſident[3] ſuppoſing that the beſieged in their extremity would leap into the ſea, which was near, poſted ſome of the officers there with boats, who had the killing of about thirty of them, that attempted it." That garriſon had ſent out a meſſenger offering to ſurrender the caſtle, if they might have aſſurance of their lives; but the lord preſident, inſtead of granting that aſſurance, turned the meſſenger over to the marſhal, by whoſe direction he was executed."[4]

Nothing can better ſhew the implacable fury of theſe Engliſh commanders, and the deſpair to which that fury drove the Iriſh, than ſome particulars of this ſiege, which are thus related by the lord preſident himſelf.

[3] Pacata Hibernia, fol. 320. [4] Id. ib.

endure the toil and labour of ſo unſeaſonable a winter campaign. Yet Tirone's army exceeding the other in multitude of people, and ever before that time, terrible to the Engliſh, by reaſon of ſo many great overthrows given unto them, were broken, and put to flight by a few horſe-men, that iſſued out of the Engliſh camp; being thereunto ſolicited, and procured by the Earl of Clanrickard, an Iriſh (Roman catholic) earl, then in the Engliſh camp. Wherefore," adds my author, "the ſaid Earl of Tirone, returning from that overthrow, ſaid, that it was the vengeance of the mighty hand of God, and his moſt juſt judgment, which ought to be executed upon ſuch wicked and ſacrilegious ſoldiers, that perpetrated ſuch outrages upon ſacred places." Theatre of religion, p. 423.

It was probably on that account, "that on the rout of his army at Kinſale, the country inhabitants, upon advantages, would not ſpare to take ſome of their heads." Pacata Hibernia, fol. 240.

himſelf.[5] "M'Geoghegan, chief commander of the caſtle, being mortally wounded with divers ſhots in his body, the garriſon made choice of one Thomas Taylor to be their chief; who, having nine barrels of powder, threw himſelf and it into the vault, and there ſate down by it, with a lighted match in his hand, vowing and proteſting to ſet it on fire, and blow up the caſtle, himſelf, and all the reſt, except they might have promiſe of life, which was by the lord preſident refuſed. But his lordſhip intending to bury them in the ruins, the reſt of the garriſon conſtrained Taylor to ſurrender ſimply; who, with eight and forty more, being ready to come forth, and the lord preſident's officers having entered to receive them, they found the above-mentioned M'Geoghegan lying there mortally wounded; but perceiving Taylor, and the reſt, ready to ſurrender themſelves, he, (M'Geoghegan) raiſing himſelf up from the ground, and ſnatching a lighted candle, ſtaggered therewith to a barrel of powder, which, for that purpoſe, was unheaded, offering to caſt it into the ſame; but Capt. Power took him, and held him in his arms, until he was by our men inſtantly killed. The whole number of the ward," continues my author, "conſiſted of one hundred and forty-three ſelected men; being the beſt choice of all their forces, of the which no one man eſcaped, but were either ſlain, executed, or buried in the ruins; and ſo obſtinate a defence hath not been ſeen within this kingdom."

If any of the Iriſh that were in arms, intruded into the dwellings of any of their peaceable countrymen, or compelled them to pay them contribution (which they durſt not refuſe), theſe latter were always conſidered as harbourers and abettors of rebels, and forfeited their lives, and properties, for having yielded to a force, which they could not reſiſt. Thus we find, that the lord preſident "having[6] heard, that the Munſter fugitives were harboured in certain parts of that province, diverted his forces thither, burnt all the houſes and corn, taking great preys, and haraſſing the country, killed

[5] Pacata Hibernia, fol. 318. [6] Ib. fol. 106.

killed all mankind that were found therein. From thence, he went to other parts, where he did the like; not leaving behind him man or beaſt, corn or cattle, except ſuch as had been conveyed into caſtles."

"The ward [7] of caſtle Liſtoel, eighteen in number, when beſieged by Sir Charles Wilmot, came forth upon their knees, and begged for mercy. The women and children (ſays my author) Sir Charles ſuffered to depart; but of the weaponed men, he hanged nine; the reſidue he detained till he had acquainted the lord preſident with what he had done, who gave preſent orders for the execution of the reſt."

The ſame Sir Charles Wilmot, having at another time gone to ſeek the enemy in their camp, "entered," [8] ſays the ſame hiſtorian, "without any reſiſtance; for there he found nothing but hurt, and ſick men; whoſe lives, and pains, by the ſoldiers, were both determined."

One would imagine, from the virulence of the expreſſions, and the barbarity of the actions, mentioned in this hiſtory, that it was written rather by an enemy than a chief commander of her majeſty's forces; or that the Iriſh had, at this time, given ſome new, and extraordinary provocation for ſuch inhuman actions, and expreſſions. But it is manifeſt, even from this hiſtory, that, during the laſt two years of this war, theſe Iriſh were in no ſort aggreſſors, or aſſailants; for the preſident himſelf aſſures us, from his own knowledge, [9] "that, ever ſince the ſiege of Kinſale, they were ſo much afraid of the queen's forces, that they lived in their faſtneſſes, ſupporting themſelves with their own victuals, and the wines that had been ſent them out of Spain."

CHAP.

[7] Pac. Hib. fol. 98. [8] Ib. fol. 365. [9] Ib. fol. 377.

CHAP. XI.

A dreadful famine in Ireland.

THUS did her majeſty's miniſters in Ireland execute her orders of clemency, and forgiveneſs, towards theſe miſguided people. Nor were even theſe inceſſant acts of cruelty ſufficient to appeaſe their enmity. That deſtruction, which their ſwords had left unfiniſhed, they now induſtriouſly completed by a general famine. Mr. Morriſſon mentions this method of ending the war, with a ſeeming complacency, at leaſt, without diſlike. But the effects of it were too horrible to be unfeelingly related, even by an enemy. "Becauſe,"[1] ſays he, "I have often made mention formerly, of our deſtroying the rebels corn, and uſing all means to famiſh them, let me now, by two or three examples, ſhew the miſerable eſtate to which they were thereby reduced." He then, after telling us, that Sir Arthur Chicheſter, Sir Richard Morriſſon, and other commanders, ſaw a moſt horrid ſpectacle of three children, whereof the eldeſt was not above ten years old, feeding on the fleſh of their dead mother, with circumſtances too ſhocking to be repeated; and that the common ſort of rebels were driven to unſpeakable extremities, beyond the records of any hiſtories, that he had ever read in that kind; he mentions an horrid ſtratagem of ſome of theſe wretched people, to allay the rage of hunger, in the following manner. "Some old women,"[2] ſays he, "about the Newry, uſed to make a fire in the fields, and divers little children driving out the cattle in the cold mornings, and coming thither to warm themſelves, were by theſe women ſurpriſed, killed, and eaten; which was at laſt diſcovered by a great girl, breaking from them by the ſtrength of her body: and Capt. Trevor ſending out ſoldiers to know the truth, they found the childrens ſculls and bones,

[1] Hiſtory of Ireland, fol. 272. [2] Id. ib.

and apprehended the old women, who were executed for the fact. No ſpectacle," adds Morriſſon, " was more frequent in the ditches of towns, and eſpecially in waſted countries, than to ſee multitudes of theſe poor people dead, with their mouths all coloured green by eating nettles, docks, and all things they could rend up above ground."

The lord deputy and council,[3] in a letter to the lords in England concerning their receiving the ſubmiſſions of ſome Iriſh chiefs, acquainted them, " that they had received theſe ſubmiſſions partly for the good of the ſervice, and partly out of human commiſeration; having with our own eyes (ſay they) daily ſeen the lamentable ſtate of the country, wherein we found every where men dead of famine." They add, " that they had been credibly informed, that in the ſpace of a few months, there were above three thouſand ſtarved in Tirone."

CHAP. XII.

The greater and better part of the Iriſh, in this war, fought for the queen againſt their countrymen. The hard terms on which they were received to mercy.

IN the Iriſh parliament of 1614, the catholic members, in order to obtain a ſuſpenſion of ſome penal ſtatutes, then ſtrictly executed againſt thoſe of their religion, alleged their anceſtors ſignal ſervices, exhibited in the royal army, during the wars in the former reign.[1] " Chronicles of blood," ſaid a member of that houſe of commons, " ſhew the glory of our progenitors, as the queen's army was full of natives." Nay, it was openly affirmed in the ſame parliament, and might have been then eaſily contradicted if untrue,[2] " that the gentlemen of Ireland had ſpent as much in that war, as the queen herſelf; and that one gentleman, of only three hundred pounds a year, expended ten

[3] Morriſ. Hiſt. Irel. fol. 237. [1] Commons Journal, vol. i. [2] Ib.

ten thouſand pounds on that occaſion." Moſt certain it is, that the principal nobility and gentry of the kingdom, and all the cities and corporate towns, perſiſted in their allegiance to her majeſty, notwithſtanding the many tempting offers made them by the Spaniards, in order to withdraw them from it. It is alſo certain,[3] that more than one half of that gallant army under Lord Mountjoy, which ſo ſucceſsfully attacked, and at laſt entirely defeated Tirone, was Iriſh; nor did their having[4] leſs pay [a] than the Engliſh, or their being expoſed to endure the brunt in every action, "leſſen their zeal or activity in the ſervice." Yet the terms on which the ſubmitting Iriſh were received to mercy, ſeem to have been calculated, not ſo much to reclaim them, as to make them ſtill continue deſperately in action. For beſides the uſual pledges of their wives and children, with other cautions, which, contrary to her majeſty's merciful order of December, 1600, (before recited) were exacted from them; as a further proof of their ſincere ſubmiſſion, and previous to their pardon, it was alſo required, that they ſhould perform what was called, ſome ſignal ſervice on their own people; which, in reality, was nothing leſs, than that they ſhould baſely betray, or perfidiouſly murder, ſome of their neareſt kindred, or former friends. Mr. Morriſſon acquaints us,[5] "that Lord Mountjoy never received any to mercy, but ſuch as had ſo drawn blood on their fellow rebels. Thus," [6] ſays he, "M'Mahon and M'Artmoyle offered to ſubmit; but neither could be received without the other's head." But barbarous as theſe terms of acceptance were, they were ſometimes reluctantly complied with. "I have it ſeems made," [7] ſays Lord Mountjoy, "ſome of the ſubjects, already reclaimed, and in theſe times ſuſpected, put themſelves in blood already; for even now I hear, that Lord

[3] Morriſ. Hiſt. fol. 120. [4] Id. ib. fol. 208. [5] Ib. fol. 43.
[6] Ib. fol. 77. [7] Id. ib. fol. 132.

[a] "The Iriſh companies, ſays Lord Mountjoy, ſhould not have any pay for apparel; there being no reaſon that their pay ſhould be equal to that of the Engliſh." Morriſ. Hiſt. fol. 208.

Mountgarret's ſons have killed ſome of Cloncare's and ſome of Tyrrill's followers, ſince I conteſted with their father about ſomewhat I heard ſuſpicious of them." I ſhall mention one notable inſtance of this kind of ſervice, contrived and related by the lord preſident of Munſter himſelf.

"About this time,"[8] ſays he, "Nugent came to make his ſubmiſſion to the preſident; by whom he was told, that as his crimes and offences were extraordinary, he could not hope for pardon, unleſs he would deſerve it by ſome extraordinary ſervice; which, ſaid the preſident, if you will perform, you may deſerve not only pardon for your faults committed heretofore, but alſo ſome ſtore of crowns to relieve your wants hereafter. Nugent, who was valiant and daring, and in whom the rebels repoſed great confidence, preſently promiſed not to be wanting in any thing that one man could accompliſh; and, in private, made offer to the preſident, that if he might be well recompenſed, he would ruin, within a ſhort time, James Fitzthomas, the then reputed Earl of Deſmond, or his brother John. But the preſident, having before contrived a plot for James, gave him in charge to undertake his brother John. Accordingly ſome few days after this, Nugent riding in company with John Fitzthomas and one Mr. Copinger, permitted this great captain to ride a little before him, minding, his back being turned, to ſhoot him through with his piſtol, which, for the purpoſe, was well charged with two balls. The opportunity offered, the piſtol bent, both heart and hand ready to do the deed, when Copinger, at that inſtant, ſnatched the piſtol from him, crying treaſon! wherewith John Fitzthomas turning himſelf about, perceived his intent. Nugent thinking to eſcape by the goodneſs of his horſe, ſpurred hard, the horſe ſtumbled, and he was taken; and the next day, after examination and confeſſion of his intent, hanged. In his examination, he freely confeſſed the whole intent, which was to have diſpatched John Fitzthomas, and immediately

[8] Pacata Hibernia, fol. 37-8.

immediately after to have poſted to his brother James, to carry the firſt news thereof; intending to call him aſide in a ſecret manner, to relate the particulars of his brother's murder, and then to execute as much upon him alſo; adding, that although they ſhould take away his life, which he would not intreat them to ſpare, yet was their own ſafety never the more aſſured; for that there were many others, whom himſelf perfectly knew to have ſworn unto the preſident, to effect as much as he intended: this confeſſion, being ſealed with his death, did ſtrike fearful terror into the two brethren; and although the plot attained not fully the deſired ſucceſs, yet it proved to be of great conſequence."

Yet theſe ſubmitting Iriſh, who, upon every light ſuſpicion, were obliged to comply with ſuch cruel injunctions, were eminently ſerviceable to Lord Mountjoy in the proſecution of this war. His lordſhip acknowledges, in ſeveral letters to the Engliſh council, the great aſſiſtance they had given him; and in one of them expreſsly ſays, "That[9] if theſe ſubmittees had not furniſhed his army with beeves, it would have been in great diſtreſs." "Yet the commanders of that army often took their cattle without payment in ready money;[10] which," ſays Morriſſon, "grieved them:" or, if they meant to ſhew them particular favour, "they paid them in the new baſe coin, then made current by proclamation, in a ſhilling of which there was not more than two-pence value in ſilver."[11]

CHAP.

[9] Morriſ. Hiſt. fol. 115. [10] Id. ib. [11] Id. ib. fol. 23.

CHAP. XIII.

Tirone ſues for pardon, and obtains it.

LORD Mountjoy was highly ambitious of putting an end to this war; an honour which his predeceſſors in the government, had in vain endeavoured to attain. For this purpoſe, he had received the ſubmiſſions of many of the well-diſpoſed Iriſh chiefs; and, by fire, famine, and the ſword, had weakened or ruined moſt of thoſe who ſtill continued obſtinate. He had reduced Tirone himſelf to great extremity, having taken or deſtroyed moſt of his fortreſſes; and (what perhaps was more mortifying to him) having broken in pieces the chair of ſtone,[1] wherein, for many centuries, the O'Nials of his family had been inveſted with more than kingly authority. His lordſhip had narrowly enquired into the conduct of former chief governors; and finding that the principal cauſes of their ill-ſucceſs in the reduction of this people, were their inceſſant cruelties and frequent breaches of the public faith, he abſtained in ſome meaſure from the former;[a] and, with

[1] Morriſ. Hiſt. fol. 236.

[a] The friendly and honourable manner of his receiving, and entertaining ſome of the ſubmitting chieftains of the Iriſh, may be ſeen in the following paſſage related by his ſecretary Morriſſon: "The 23d of April, his lordſhip," ſays he, "kept St. George's feaſt at Dublin, with ſolemn pomp, the captains bringing up his meat, and ſome of the colonels attending on his perſon at the table; to which feaſt the rebels were invited, whom his lordſhip had lately received to mercy, under her majeſty's protection, till their pardons might be ſigned; namely, Tirlogh M'Henry, captain of the Fews, Ever M'Coll Mac Mahon, chief of Fearney, O'Hanlon, a lord of Ulſter, Phelim M'Feagh, chief of the O'Byrnes, and Donell *Spaniagh*, chief of the Cavanaghs in Leinſter. Theſe," adds my author, "were entertained with plenty of wine, and all kindneſs; his lordſhip aſſuring them, that as he had been a ſcourge to them in rebellion, ſo he would now be a mediator for them to her majeſty, in their ſtate of ſubjects, they ſtanding firm and conſtant to their obedience." Hiſt. of Irel. p. 99.

with reſpect to the latter, although he was not very punctual to his word in his private dealings, yet he found it abſolutely neceſſary, for obtaining this great end, to obſerve it ſtrictly in his promiſes of pardon, and in all public matters wherein the honour of the ſtate was concerned.[2] "He kept his word inviolably in public affairs," ſays his ſecretary Morriſſon, "without which he never could have been intruſted by the Iriſh; but, otherwiſe, in his promiſes he was dilatory and doubtful; ſo as in all events, he was not without his evaſion."

By theſe means the tranquillity of Ulſter was ſo far reſtored in Auguſt 1602, that the deputy told Cecil in a letter of that date,[3] "That, except things fell out much contrary to what he had good reaſon to expect, he preſumed, if the queen kept the Iriſh garriſons ſtrong, and well provided for all the enſuing winter, ſhe might before the next ſpring, ſend into Ireland proper perſons, with her pleaſure how much and in what manner every man ſhould hold his land; and what laws ſhe would have current there; and he was confident they would be obeyed. And after this winter," adds his lordſhip, "I think ſhe may withdraw her garriſons, only leaving wards in their places; and if I be not much deceived, you ſhall find that theſe men will be the laſt of all Ireland that will forſake the queen's party; and I preſume, after this winter, they will do the queen good ſervice againſt the Spaniards, if they come."

On the 30th of March following,[4] Tirone came to Mellifont, where being admitted to the lord deputy's chamber,[b] he kneeled at the door humbly, for a long ſpace, making his penitent ſubmiſſion to her majeſty. And

[2] Id. ib. [3] Id. ib. [4] Id. ib.

[b] "Lord Deputy Mountjoy perſuaded Tirone and his confederates, to accept of a general amneſty, with a free and open exerciſe of the Romiſh religion, and the full poſſeſſion of their eſtates, an. Dom. 1602-3." Dr. Anderſon's Royal Genealogies, p. 786.

"This

And the next day he made a moſt humble ſubmiſſion in writing, ſigned with his own hand; wherein, after abſolutely caſting himſelf on her majeſty's mercy, without preſuming to juſtify his diſloyal proceedings, he among other things, moſt ſorrowfully and earneſtly deſired, that it might pleaſe her majeſty, rather in ſome meaſure to mitigate her juſt indignation againſt him, in that he did religiouſly vow, that the firſt motives of his rebellion were neither practice, malice, nor ambition; but that he was induced firſt by fear of his life, which, he conceived, was ſought by his enemies practice, to ſtand upon his guard." This ſubmiſſion in writing (adds Mr. Morriſſon) was preſented by the Earl of Tirone, kneeling before the lord deputy and council, and in the preſence of a great aſſembly, whereupon the lord deputy, in the queen's name, promiſed to the earl, for himſelf and his followers, her majeſty's gracious pardon. And to himſelf the reſtoring of his dignity of the earldom of Tirone, and of his blood; and likewiſe new letters patent for all his lands, which, in his former letters patent had been granted to him, before his rebellion.[5] "Thus had the queen's army under Lord Mountjoy, broken and abſolutely ſubdued all the lords and chieftains of the Iriſhry. Whereupon the multitude being brayed, as it were, in a mortar, ſays Sir John Davis, with ſword, famine and peſtilence together, ſubmitted themſelves to the Engliſh government, received the laws and magiſtrates, and moſt gladly embraced the king's * pardon and peace in all parts of the realm, with demonſtrations of joy and comfort."

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[5] Hiſt. Relations. * James I.

"This amneſty was confirmed the next ſummer by king James I. when Tirone ſubmitted to him in perſon, and was honourably received at court: And the native Iriſh believing king James loved them, (having in queen Elizabeth's time privately aſſiſted them, more than Spain did publicly) never diſturbed his reign, though they were much provoked." Id. ib.

AN

HISTORICAL AND CRITICAL REVIEW OF THE CIVIL WARS IN IRELAND.

BOOK II.

CHAP. I.

The ſtate of the Iriſh under king James I.

"SOME few years before queen Elizabeth's death, king James was at the utmoſt pains [1] to gain the friendſhip of Roman catholic princes, as a neceſſary precaution to facilitate his acceſſion to the Engliſh throne. Lord Home, who was himſelf a Roman catholic, was entruſted with a ſecret commiſſion to the Pope; the archbiſhop of Glaſcow, another Roman catholic, was very active with thoſe of his own religion. Sir James Lindſay made great progreſs in gaining the Engliſh papiſts." And as it ſeems to have been part of that king's policy, in order to pave the way to his ſucceſſion,[2] "to waſte the vigour of the ſtate of England by ſome inſenſible, yet powerful means," he had his agents

[1] Robertſon's Hiſt. of Scotland, &c.

[2] Secret Correſpondence between King James and Sir Robert Cecil, p. 75.

agents in Ireland fomenting Tirone's war,[a] ("the Scots daily carrying munition to the rebels in Ulſter.") So that the queen was driven to an almoſt incredible expence in carrying it on,[b] and her enemies ſtill encouraged by James's ſecret aſſiſtance and promiſes.

"It is certain,"[3] ſays Mr. Oſburne, "that the promiſe, king James made to Roman catholics, was regiſtered and amounted ſo high at leaſt, as a toleration of their religion."

"Of theſe intrigues,[4] queen Elizabeth received obſcure hints from ſeveral quarters."[5] Her majeſty in a letter to the king himſelf in 1599, gave him to underſtand, "that there were many letters from Rome and elſewhere, which told the names of men, authoriſed by him (tho' ſhe hoped falſely) to aſſure his conformity as time might ſerve, to eſtabliſh the dangerous party, and fail his own."

The

[3] Oſburne's Works. [4] Robertſon ubi ſupra.
[5] Saunderſon's King James.

[a] And this wicked policy had its full effect; for we find that in the year 1602, "the queen had a ſharp encounter with ſecretary Cecil, about the poverty of the ſtate. She was made to fear all kinds of diſtreſs, that want in the ſubject, and exceſs of charges to the ſtate, is likely to bring her to: they (Cecil's enemies) ſought to make thoſe ſuſpected who perſuaded the Iriſh war, and thoſe either negligent or corrupt, who conducted it; putting a firm conceit, and not improbable, as it is ſet out in colours, that the Iriſh war, being the chiefeſt drain of her conſumption, is fortified, and fed for other men's particulars." Secret Correſpondence, &c. p. 75.

"After Tirone's return from rebellion, he told Sir Thomas Philips and many others, that if his ſubmiſſion had not been accepted, he had contracted with the Spaniard to fortify two or three places in the north, where his allies and friends in the Scottiſh iſles ſhould, and might with eaſe, relieve and ſupply him." Harris Hibernic. part i. fol. 130.

[b] "The queen's charge for Ireland," ſays Morriſſon, "from the 1ſt of April 1600, to the 29th of March 1602, was two hundred and eighty-three thouſand, ſix hundred and ſeventy-three pounds nineteen ſhillings and four-pence halfpenny." Hiſt. of Ireland, fol. 197.

The catholics, in the different provinces of Ireland, were, on James's acceſſion, ſo much elated with the hopes of the above-mentioned toleration, and had taken up ſuch an opinion that the king himſelf was a catholic, that they ran into ſome exceſſes, which have been ſince unfairly repreſented by adverſe hiſtorians, as ſo many overt acts of treaſon and rebellion. For, on that miſtaken notion, they exerciſed their religion publicly, and even ſeized on ſome churches for their own uſe.[c] The mayors of Cork and Waterford are ſaid to have refuſed to proclaim the king, becauſe

[c] There never were more glaring inſtances of royal hypocriſy exhibited by any prince, than frequently appeared in James I. thro' the whole courſe of his reign. His ſeeming favour towards, or enmity againſt, his Roman catholic ſubjects, was always regulated by ſome preſent intereſt in view. In the year 1616, in compliance with the requeſt of his puritanical parliament, he thus ridiculouſly expreſſes his ſentiments, with reſpect to the puniſhment he would have inflicted on popiſh prieſts: "I confeſs," ſays he, "I am loath to hang a prieſt only for religion-ſake, and ſaying maſs: but if he refuſes to take the oath of allegiance (which, let the pope and all the devils in hell ſay what they will, yet, as you find by my book, is merely civil) thoſe that ſo refuſe the oath, and are polypragmatic, I leave them to the law: to them I join thoſe that break priſon; for ſuch prieſts as the priſon will not hold, 'tis a plain ſign nothing will hold them but the halter." Speech in the Star-chamber.

Yet in the year 1622, when he had a favourite point to carry (the marriage of prince Charles) at a popiſh court, he told his council in a public ſpeech, "that the Roman catholics of England had ſuſtained great and intolerable ſurcharges, impoſed on their goods, bodies and conſciences, during queen Elizabeth's reign, of which they hoped to be relieved in his: that now he had maturely conſidered their penury and calamities, that they were in the number of his faithful ſubjects, and that he was reſolved to relieve them." Sir Peter Pett. Oblig. of the Oath of Supremacy, fol. 338.

In king James I.'s reign, even chief juſtice Coke maintained publicly at the trial of Mr. Turner, that popery was one of the ſeven deadly ſins. And Bacon on the ſame occaſion, then attorney general, and afterwards chancellor, took care to obſerve, that poiſoning was a popiſh trick. Stowe tells us, that when this

becauſe they did not proclaim him preciſely at the time appointed by the deputy; and the citizens of Cork would not, it ſeems, ſuffer the king's munition and artillery, which was entruſted to their keeping, to be conveyed to a new fort, built within their franchiſes, but againſt their conſent. But we can eaſily make it appear, that theſe paſſages admit of a much more favourable interpretation, than that which has been given them. For it is not ſurely probable, that men who had preſerved their allegiance under a ſevere perſecution of their religion, during all the time of queen Elizabeth's reign, would, without any new cauſe, all at

this king came to Newcaſtle, on his firſt entry into England, he gave liberty to all the priſoners, except thoſe confined for treaſon, murder and papiſtry. Such, ſays my author, were the bigotted prejudices which prevailed in this age." See Hume's Hiſt. of Eng. vol. iv. p. 84.

Lord Mountjoy, in a letter to the ſovereign of Wexford, acquaints him, "that whereas they excuſed their erecting of popiſh rites, by the report they had heard of his majeſty's being a Roman catholic, he could not but marvel at their ſimplicity." Morriſ. Hiſt. fol. 287. And in a letter to the mayor of Cork he ſays, "I am given to underſtand that you have ſuffered the public celebration of the maſs to be ſet up in your city, of your own fancies; and I aſſure you, contrary to the religion which his majeſty zealouſly profeſſeth." Morriſ. ib. fol. 288.

Indeed his majeſty's notions in that reſpect, ſeem to have been, on ſome occaſions, perfectly wild and romantic: for in one of his public ſpeeches we find the following ſtrange declaration addreſſed to the papiſts: "ye are intolerably ſilly," ſaid he, "for thinking that the government of your ſouls was committed by God to the pope. For my part, I ſwear, and call God to witneſs, that if I had found out now, after all my deep ſtudy, daily reading, frequent conferences and diſputations with learned men, and my moſt intenſe meditation on all I have read and heard, that the pope was Chriſt's vicar on earth, and that the ſame authority which Chriſt delegated to Peter, deſcended to him, I would not only turn papiſt, but would alſo kill any king, whoſe ſubject I was, that perſecuted or oppoſed the popiſh religion, if the pope commanded me to do ſo." Porter. p. 270. Had his majeſty been ſincere in this ſpeech, is it credible that he would have ſuffered any perſon to live in his dominions, who really believed the pope to be Chriſt's vicar on earth, (as

at once become rebels to a prince, from whom they hourly expected a toleration of it; and whom they generally believed to be privately of their own way of thinking in that reſpect. They excuſed their delay in proclaiming the king, by aſſuring his excellency, that it was occaſioned,[6] "only by their deſire of doing it with the greater ſolemnity;" which excuſe appears to have been accepted; for when they had, ſoon after, proclaimed his majeſty, in the ſolemn manner they intended, Lord Mountjoy told them,[7] "that in regard of their joyful and ſolemn way of doing it, he was willing to interpret their actions to the beſt, and took their good performance for an excuſe." And as to the hindering the munition and artillery to be carried to the fort, they alleged,[8] "that the fort was commanded by a perſon, who had, on ſeveral occaſions, ſhewn great contempt and enmity to their city; and that the ſoldiers there had offered them many abuſes, ſhooting at their fiſhermen, and at the boats ſent out for proviſion; and uſing them at their pleaſure." And they made it their requeſt to his excellency, that, as the fort was built within their franchiſes, they might have the keeping of it

[6] Morriſ. Hiſt. [7] Id. ib. [8] Id. ib.

(as all Roman catholics do) and who conſequently muſt be ſuppoſed capable and ready to execute that, by the pope's command, which he himſelf thus ſolemnly declares he would do, in conſequence of ſuch belief.

In the eleventh year of this king's reign, "John Boys, D. D. dean of Canterbury, gained great applauſe by turning the Lord's prayer into the following execration, when he preached at Paul's croſs on the fifth of November. "Our pope, which art in Rome, curſed be thy name, periſh may thy kingdom, hindered may thy will be, as it is heaven, ſo in earth. Give us this day our cup in the Lord's ſupper, and remit our monies, which we have given for thy indulgences, as we ſend them back unto thee, and lead us not into hereſy, but free us from miſery; for thine is the infernal pitch and ſulphur, for ever and ever. Amen." Grainger's Biograph. Hiſt. of England, vol. i. p. 356.

Such was then, the almoſt incredible malignity and rancour againſt popery, that ſo prophane and ridiculous a traveſty ſhould be celebrated, as a performance of ſingular merit, in a dignified proteſtant divine.

it for his majeſty, which they would do to their utmoſt peril. They had, beſides, another excuſe, which was not altogether diſapproved of by his lordſhip; they knew that the deputy's power had determined with the queen's life; but they did not know that it was renewed by her ſucceſſor.[9] "It may be," ſays his excellency, in his letter to them on this occaſion, "that you have raſhly, and unadviſedly done this, upon ſome opinion of the ceaſing of authority in the public government, upon the death of our late ſovereign, which is ſomewhat more, though no way in true and ſevere judgment, excuſable; and, I think otherwiſe, you never would have been ſo fooliſh." And it was then only that he firſt undeceived them as to that matter, by telling them,[10] "That his authority, as lord deputy, was renewed, and confirmed by his then majeſty's royal letters patent, under his ſeal; requiring them, upon their allegiance, to pay obedience to it;" and adding, "that if he ſhould find they did ſo, he would be glad to have occaſion to interpret all things paſt in the better part, and take as little notice as he could thereof."

But his lordſhip ſeems not to have waited for the effects of this letter, which is dated April the 27th; for on the firſt of the following month, he marched out with an army towards Munſter, and on the 4th entered at a place called Gracedieu, near the city of Waterford; the citizens of which, refuſed at firſt, to receive his army into the town, being authoriſed thereunto by their charter; but they offered to give free and prompt admittance to his lordſhip, and his retinue, the chief of them having, for that purpoſe, come forth, and attended him in his camp.

What Lord Mountjoy ſeemed principally to reſent in theſe people, to ſuch a degree as thus ſuddenly to draw down the army upon them, was the boldneſs of ſeveral of the towns, and corporations,[11] "in ſetting up, of their own heads, the public exerciſe of the popiſh worſhip." For, in all his letters to the magiſtrates of that province, he takes particular notice of that boldneſs; frequently

[9] Morriſ. ib. fol. 288. [10] Id. ib. [11] Id. ib.

frequently aſſuring them,[12] "that his majeſty was a good proteſtant; and even threatening one of theſe towns,[13] "that if they did not deſiſt from the public breach of his majeſty's laws, in the celebration of the Maſs, he would think them fit to be proſecuted with the revenging ſword of his majeſty's forces."[d]

And in truth his excellency, in this expedition to Waterford, appears, at firſt ſight, to have acted the part rather of a meek and zealous proteſtant miſſioner, than that of an incenſed leader of an hoſtile army. For, upon the citizens coming forth to pay their reſpects to him in his camp,[14] he immediately required them to bring unto him one Dr. White, a famous Jeſuit of that city, "with whom," ſays Morriſſon,[15] "he diſputed againſt ſome erroneous poſitions of popery; all which," adds my author, "his lordſhip did (as no layman, I think, could better do) moſt learnedly confute." It is but juſtice

[12] Morriſ. ib. [13] Id. ib. [14] Id. ib. [15] Id. ib.

[d] About the beginning of this reign, "one Hewſon, an Engliſh miniſter of Swords, fell violently on one Horiſh of that place, and took from him a crucifix, and hung the ſame upon a gallows, with theſe words under it, "help all ſtrangers, for the god of the papiſts is in danger." Upon Horiſh's complaining to the ſtate, and producing the mangled and defaced crucifix, Sir Geoffry Fenton, ſecretary, inſulted the poor man, ſnatched the crucifix from him, and caſt it on the ground under his feet, and Horiſh for offering to complain of that abuſe, was thrown into priſon. Theatre of Cath. and Proteſt. Relig. p. 117.

The ſame Sir Geoffry Fenton did ſet a poor fellow on the pillory in Dublin, with the picture of Chriſt about his neck, for having carried the ſame before a dead friend at his funeral." Id. ib. p. 118.

"I aſk," ſays my author on this occaſion, "if any ſhould hang the king's picture upon the gallows, whether he ſhould incur the king's, or his ſubjects ill will, or no, by referring herein the indignity of abuſing his picture to the king's own perſon? Certain it is, that one of the principal articles againſt O'Rorke, an Iriſh nobleman, who was executed in England for high treaſon in the former reign, was his having cauſed queen Elizabeth's picture to be faſtened to a horſe's tail, and afterwards dragged about and defaced, in ſcorn and deriſion." Camb. Eliz. p. 589.

juſtice to obſerve, that his lordſhip, at the ſame time, did as learnedly confute an erroneous poſition in the citizens charter, granted by king John; by which they ſuppoſed themſelves privileged to deny his ſoldiers entrance into their city. For his lordſhip told them roundly, without entering into the merits of the matter,[16] "that if they did not preſently open their ports to him and his army, he would cut king John's charter in pieces with king James's ſword; and that, if he entered the town by force, he would ruin it, and ſtrew ſalt upon the ruins." [c]

CHAP. II.

A general act of oblivion.

KING James had ſucceeded to the Engliſh throne without oppoſition; and his catholic ſubjects, throughout the three kingdoms, made ſignal rejoicings on that account. Upon this occaſion, he not only confirmed Tirone's pardon, but alſo received him in England, (whither he was conducted by Lord Deputy Mountjoy) with ſingular marks [1] of favour; and ſoon after ſent him back with honour,[a] to take poſſeſſion of his eſtates in

[16] Morriſ. ubi ſupra. [1] Id. ib.

[c] "But this ſtorm," ſays an adverſe writer, "as ſoon as the lord deputy preſented himſelf with an army before their walls, was appeaſed; and not long after, larger liberties and immunities were granted unto them, than formerly they had." Deſid. Curioſ. Hibern. vol. i. p. 416. Such privileges were afterwards granted them, "that the juſtices of aſſize having no authority to hold their aſſizes there, the laws of religion (againſt recuſants) could not be executed." Ib. vol. i. p. 359.

[a] Tirone's reception by the people of Beaumorris, where he landed, was very different. "For no reſpect to the lord deputy," ſays Morriſſon, "in whoſe company he rode up to London, could contain many women in theſe parts, who had loſt huſbands and children in the Iriſh war, from flinging dirt at him, with bitter words. And when he was to return, he durſt not paſs by theſe parts, without directions to the ſheriffs to convey him, with troops of horſe, from place to place, till he was ſafely embarked." Morriſ. Hiſt. of Ireland, fol. 296.

in Ireland; having ſet forth a proclamation, forbidding all perſons to reproach him, at any time after, with the rebellion formerly raiſed by him, and then happily ſuppreſſed.

But [a] although, by the ſuppreſſion of this rebellion, the minds of the people were broken, and prepared to obedience, yet the ſtate, upon good reaſon, did conceive, that the public peace could not be ſettled, till the hearts of the people were alſo quieted, by ſecuring them from the danger of the law, which moſt of them had incurred, one way or other, in that great and general confuſion; therefore, by a general act of ſtate, called the act of oblivion, publiſhed by proclamation under the great ſeal, all offences againſt the crown, and all particular treſpaſſes between ſubject and ſubject, were to all ſuch as would come in to the juſtices of aſſize, by a certain day, and claim the benefit of this act, pardoned, remitted, and utterly extinguiſhed,[b] never to be revived, or called in queſtion. And by the ſame proclamation, all the Iriſhry, who for the moſt part, had no defence, or juſtice from the crown, were received into his majeſty's immediate protection. "This," continues my author, "bred ſuch comfort and ſecurity in the hearts of all men, as thereupon enſued the calmeſt, and moſt univerſal peace, that ever was ſeen in Ireland."

Yet in the midſt of this moſt calm and univerſal peace, his majeſty, quite unmindful of all his former promiſes of favour to his catholic ſubjects, ordered a proclamation to be publiſhed, ſtrictly forbidding the exerciſe of their religion to thoſe of Ireland, baniſhing their clergy, and inflicting ſevere penalties on all ſuch, as ſhould be found to harbour, or entertain them; enjoining alſo the immediate and ſtrict execution of the act of uniformity of the ſecond of Elizabeth; which act, though

[a] Sir John Davis's Hiſtorical Relations.

[b] Happy indeed had it been for the proprietors of ſix entire counties in Ulſter, had this ſolemn promiſe of oblivion been faithfully obſerved; or rather not ſo ſcandalouſly broken, in a few years after, as we ſhall preſently ſee it was.

pretended to have been paſſed in the Iriſh parliament forty years before, was then firſt ſolemnly publiſhed.[c]

By this act, all catholics are obliged to aſſiſt at the proteſtant church-ſervice, every Sunday and holyday, on the penalty of twelve pence, and of what, indeed, was infinitely more grievous, the cenſures of the eccleſiaſtical courts, for each default.[d] A method of proceeding very inconſiſtent with the fundamental principles of that religion, which this act was intended to introduce, viz. freedom of conſcience, and the right of private judgment. Dr. Heylin has juſtly obſerved another abſurdity in this ſtatute. "The[3] Iriſh," ſays he, "were obliged, under ſeveral penalties, to be preſent at the reading of the Engliſh liturgy, which they underſtood no more than they did the maſs; by which means, they were not only kept in continual ignorance, as to the doctrines, and devotions, of the church of *England*, but *alſo were furniſhed with an excellent argument againſt ourſelves*, for having the divine ſervice celebrated

[3] Eliz. fol. 128.

[c] Some conſciouſneſs of this breach of promiſe appears in the proclamation itſelf, which was publiſhed on the 4th of July, 1605, and ſets forth in the beginning, "that whereas his majeſty was informed, that his ſubjects of Ireland had been deceived by a falſe report, that his majeſty was diſpoſed to allow them liberty of conſcience, and the free choice of a religion, contrary to that which he always profeſſed himſelf, by which means it has happened that many of his ſubjects of that kingdom had firmly reſolved to remain conſtantly in that religion—wherefore he declared to all his beloved ſubjects of Ireland, that he would not admit any ſuch liberty of conſcience as they were made to expect by that report. And then orders all, and each, of his ſubjects, for the time to come, to frequent their reſpective churches, and chapels, &c.

[d] There was another ſeverity attending the execution of this ſtatute. Roman catholics of condition, under the title of Inquiſitors, were particularly appointed by the ſtate, to watch and inform againſt thoſe of their own communion, who did not frequent the proteſtant churches on theſe days; which, when thro' a ſcruple of conſcience, they neglected, or refuſed to do, they were grievouſly fined, and condemned to a long and irkſome impriſonment. See Analect. Sacr. Rivnis in Analect. p. 25.

celebrated in ſuch a language as the people did not underſtand." [c]

On account of the great ſcarcity of ſuch miniſters, as could either preach, pray, or adminiſter the ſacraments in the language underſtood by their flocks at this time, this act was forced to diſpenſe with itſelf; for it ſays, that "foraſmuch as in moſt places of this realm, there cannot be found Engliſh miniſters to ſerve in the churches, or places appointed for common prayer, or to adminiſter the ſacraments, in ſuch language as they beſt underſtand—we therefore beſeech your majeſty, that it may be enacted, &c. that in every ſuch church, or place, where the common miniſter, or prieſt hath not the uſe or knowledge of the Engliſh tongue, it ſhall be lawful for the ſame, to ſay, and uſe the matins, even ſong, and celebration of the Lord's ſupper, and adminiſtration of each of the ſacraments, and all their common and open prayer, in the Latin tongue, in ſuch order and form as they be mentioned and ſet forth in the ſaid book (of common prayer) eſtabliſhed by this act, any thing before expreſſed, and contained in this act to the contrary notwithſtanding." [d] There were no more but the repreſentatives of ten counties ſummoned to this parliament, viz. thoſe of Dublin, Meath, Weſtmeath, Louth, Kildare, Catherlough, Kilkenny, Waterford, Tipperary, and Wexford.[e]

[d] Act 2 Eliz. c. 2. ſub finem. [e] Lel. Hiſt. Irel. vol. ii. p. 225.

[c] To remedy this inconvenience, "In the reign of James I. it was ordered, that the bible and common prayer ſhould be tranſlated into the Iriſh language; which was done: and every pariſh church was obliged to pay ten ſhillings for an Iriſh bible, when not one amongſt an hundred could read, or underſtand it. And therefore," adds my author, "an Iriſh proteſtant biſhop did laugh at this ſtrange kind of alteration, and ſaid to ſome of his friends, "in queen Elizabeth's time, we had Engliſh bibles, and Iriſh miniſters; but now we have miniſters come out of England unto us, and Iriſh bibles with them." Moſt of the benefices and church livings in Ireland, were beſtowed upon Engliſh and Scottiſh miniſters, not one of them having three words of the Iriſh tongue." Theatre of Cath. and Proteſt. Religion, p. 245.

CHAP. III.

Some obſervations on the ſtatutes of ſupremacy and uniformity.

THE execution of the penal act laſt mentioned, and of the preceding ſtatute of ſupremacy, was the more grievous, and unjuſtifiable, as they were both well known to have been impoſed upon the nation by force, or fraud, though under the plauſible appearance of parliamentary ſanction.

As for the ſtatute of ſupremacy, there is no queſtion but the Iriſh chieftains were previouſly awed, and broken by a military force, in order to [a] gain their conſent to it.[1] "Lord Leonard Gray, to prepare the minds of the people to obey this ſtatute, began firſt, (ſays Sir John Davis,) with a martial courſe, by making a victorious circuit round the kingdom, whereby the principal ſepts of the Iriſh were all terrified, and moſt of them broken; and then, after this preparation thus made, he firſt propounded, and paſſed thoſe laws, which made the great alteration in the ſtate eccleſiaſtical."

Of

[1] Sir John Davis's Hiſtorical Rel.

[a] Yet even when it came to be propoſed in parliament, "lords and commons joined in expreſſing their abhorrence of the ſpiritual authority aſſumed by the king." Lel. Hiſt. of Ireland, vol. ii. p. 165. "But fear," ſays the ſame writer, "ſerved to allay the violence of thoſe, who could not be perſuaded." However, "in deſpite of legiſlative authority, they ſtill oppoſed that law with indefatigable zeal. Several incumbents of the dioceſe of Dublin, choſe to reſign their benefices, rather than acknowledge the king's ſupremacy." And ſo formidable, at leaſt ſo conſiderable was this party, "that the archbiſhop (Brown) would not venture to fill up their benefices until he had conſulted his patron Lord Cromwell." Id. ib. p. 167. Theſe incumbents objected to the legality of that ſtatute, becauſe, "two proctors from each dioceſe, had been uſually ſummoned and claimed to be a member of the legiſlative body, and to have a full right of ſuffrage in every queſtion; and becauſe, in this caſe, their claim was rejected." Ib. p. 165-6.

Of the ſtatute of uniformity of the 2d of Elizabeth, all the Iriſh writers at, or near, that period, unanimouſly affirm, that it was ſurreptitiouſly or forcibly obtained. Mr. Lynch, in his Cambrenſis Everſus, informs us, "that it was paſſed by the artifice of one Mr. Stanyhurſt of Corduff, then ſpeaker of the Iriſh Commons, who being in the reforming intereſt, privately got together on a day when the houſe was not to ſit,[b] a few ſuch members as he knew to be favourers of that intereſt, and conſequently, in the abſence of all thoſe, who, he believed, would have oppoſed it. But that theſe abſent members, having underſtood what had paſſed in this ſecret convention, did, ſoon after, in a full and regular meeting of parliament, enter their proteſts againſt it; upon which the lord lieutenant aſſured many of them, in particular, with proteſtations and oaths, that the penalties of that ſtatute ſhould never be inflicted; which they too eaſily believing, ſuffered it to remain as it was. This, adds my author, I have often heard for certain truth, from many antient people, who lived at that time; and I am the more inclined to believe it, becauſe the lord lieutenant's promiſe was ſo far kept, that this law was never generally executed, during the remainder of queen Elizabeth's reign;" which was more than forty years; that is, until all, or moſt of thoſe members were probably dead, to whom ſuch promiſe had been given.[c]

"In

[b] "In this houſe of commons, we find the repreſentatives ſummoned for ten counties only; the reſt, which made up the number of ſeventy-ſix, were citizens and burgeſſes of thoſe towns in which the royal authority was predominant. It is therefore, little wonder, that in deſpite of clamour, and oppoſition, in a ſeſſion of a few weeks, the whole eccleſiaſtical ſyſtem of queen Mary was entirely reverſed." Lel. Hiſt. of Ireland, vol. ii. p. 224.

[c] Sir Chriſtopher Nugent aſſerted publicly before the king, the traditional report of the Iriſh, that this ſtatute was paſſed in the fraudulent manner above-mentioned. Analect. Sacr. p. 431.

On the paſſing of this act (2d Elizabeth) "the clergy, who refuſed

"In[2] the very beginning of that parliament, January 12th, 1559, moſt of the nobility and gentry were ſo divided in opinion about eccleſiaſtical government," ſays Sir James Ware, "that the Earl of Suſſex,[d] then lord lieutenant, thought proper to diſſolve it, in the beginning of the following month." We find alſo,[3] that his excellency, upon diſſolving the parliament, went to England, to conſult her majeſty on the affairs of the kingdom; that, in a few months after, having returned to Ireland, he received orders to call an aſſembly of the clergy, for the eſtabliſhment of the proteſtant religion: and that, after this aſſembly had diſperſed themſelves, William Walſh, biſhop of Meath, not content with what offers her majeſty had propoſed, was, for preaching againſt the book of common-prayer, firſt impriſoned, and afterwards depoſed, by order of her majeſty."

Now, as under the words, "eccleſiaſtical government," the whole purport and tendency of this act of uniformity are plainly comprehended, may we not reaſonably conclude, from Lord Suſſex's diſſolving the parliament, on account of the jarring opinions of the members concerning that ſtatute, and from the order which he ſoon after received, to call an aſſembly of the clergy, "for the eſtabliſhment of the proteſtant religion," (which order, had that act been duly and legally paſſed, would have been needleſs, if not abſurd) that the ſtatute in queſtion was not openly and regularly

[2] Annals, [3] Id. ib.

refuſed to conform, abandoned their cures; no reformed miniſters could be found to ſupply their places; the churches fell to ruin; the people were left without any religious worſhip, or inſtitution. Even in places of moſt civility, the ſtatutes lately made were evaded or neglected with impunity." Lel. Hiſt. of Ireland, vol. ii. p. 226.

[d] This earl, had been lord lieutenant of Ireland in the preceding reign of queen Mary, and had procured all the acts paſſed under Henry VIII. to the prejudice of the Roman catholic religion, in that kingdom, to be repealed. Analect. Sacr. p. 430.

larly carried, but that it was forcibly, or clandeſtinely impoſed, in the manner before-mentioned? *

CHAP.

* We are told by a contemporary hiſtorian, that a ſimilar artifice was ſucceſsfully made uſe of, the year before, to get the like of uniformity paſſed in England; which, probably, was conſidered as a good precedent for paſſing the Iriſh act in the ſame manner. "The bill," ſays my author, "met many rubs and lets among the members of the commons; whereupon, by watching an opportunity to ſummon the favourers of it together, at one unexpected hour, when the oppoſers were likely to be abſent, viz. early in the morning, before the ordinary hour of reſort of knights, citizens and burgeſſes to the parliament houſe, and upon a day unlooked for, the ſtatiſts procured the ſaid bill to be ſuddenly, and moſt unjuſtly (though not without ſome difficulty) paſſed by the greater number of voices: the rather becauſe of the abſence, and ſubtle circumvention of the reſt of their fellow-members." Hiſt. of the Reformation, vol. i.

A grave contemporary writer has left us the following curious anecdote concerning the firſt ſteps towards the reformation of religion in England; "of which," ſays he, "I have ſeen a daily relation (of what paſſed in parliament) gotten from Mr. Cambden by a proteſtant biſhop, and lent by him for ſome days to me. So as out of the ſame, I can truly affirm, that ſuch burgeſſes and knights were cunningly packed out of every ſhire and borough town in the lower houſe, as, for their inclination to the proteſtant religion, or other private reſpects, would eaſily conform themſelves to the queen's intentions; and amongſt the lords in the higher houſe, many great ones, loath to be long abſent from their country ſports, or by their firſt acts to diſtaſte the young queen, abſented themſelves from parliament, and gave their proxies to the old Earl of Arundel, a known catholic, and to the Duke of Norfolk his ſon-in-law, not doubting but that they would do all things to maintain their religion againſt all undermining thereof. But it proved not ſo; for the earl put into a vain hope of marrying the queen, when by his age he might have been more than her father, and the Duke of Norfolk being neither ſound in religion, and for other ends of his own, not ſincere in his proceedings, prevailed by their many proxies to exclude the biſhops from ſitting in parliament, all holy and learned men, able to have turned the buſineſs as they liſted. After which vote paſſed, the queen's party in both houſes ſtill prevailed, ſo as not long after, new biſhops, in place of the old, were choſen, ſome from Geneva, others out of Germany, of different religions; yet contented for honour, wealth and wives, to join in any profeſſion. Seven of them were apoſtate monks

monks and friars, and moſt of the reſt mere laymen, having neither ordination nor juriſdiction, beſides that which the queen and parliament could give them; commonly, therefore, called the parliament biſhops, and patent prelates." Legacy left to Poteſtants, p. 83-4-5.

ith this account that of Heylin ſeems in a great meaſure to agree. "Nor could the queen's deſign, ſays he, to bring about the reformation of religion, be ſo cloſely carried, but that ſuch lords and gentlemen as had the management of elections in their ſeveral counties, retained ſuch men for members of the houſe of commons, as they conceived moſt likely to comply with their intentions for a reformation. Amongſt which none appeared more active than Thomas Howard Duke of Norfolk, whom the queen had taken into her council, Henry Fitz-Allen, Earl of Arundel, whom ſhe continued in the office of lord ſteward, and Sir William Cecil, whom ſhe had reſtored to the place of ſecretary, to which he had been raiſed by Edward VI. beſides the queen was young, unmarried, and like enough to entertain ſome thoughts of an huſband. So that it can be no great marvel, not only, if many of the nobility, but ſome even of the gentry alſo, flattered themſelves with poſſibilities of being the man whom ſhe might chuſe to be her partner in the regal diadem, which hopes much ſmoothed the way to the accompliſhment of her deſires, which otherwiſe might have proved more rugged and unpaſſable than it did at the preſent. Yet, notwithſtanding all their care, there wanted not ſome rough and furious ſpirits in the houſe of commons, who eagerly oppoſed all propoſitions which ſeemed to tend unto the prejudice of the church of Rome." Hiſt. of Queen Eliz. fol. 107.

There were but fifteen biſhops then actually in England, all the other ſees being vacant by the death or flight of their poſſeſſors, of whom fourteen were deprived for refuſing to take the oath of ſupremacy to the queen. Kitchin alone, biſhop of Landaff, took it, "who," ſays Heylin, "having formerly ſubmitted to every change, reſolved to ſhew himſelf no changeling in not conforming to the pleaſure of the higher powers." Ib. p. 114.

I will here ſubjoin the account given by the above anonymous author, of the manner of providing ſucceſſors to thoſe deprived biſhops, becauſe it is particular, and ſeems authentic, and the book in which it is contained is not eaſily met with.

"I know," ſays he, "they have tried many ways, and feigned an old record, to prove their ordination from catholic biſhops; but it is falſe, as I have received from two certain witneſſes, the former of them was Dr. Darbyſhire, then dean of St. Paul's, and nephew to Dr. Bonner, biſhop of London, who almoſt ſixty years ſince lived at Meuſe-pont, then an holy religious man, very aged, but perfect in ſenſe and memory, who ſpeaking what he knew, affirmed to myſelf and another with me, that

CHAP. IV.

Sir Arthur Chicheſter's government.

IN the year 1605, "Lord Deputy Chicheſter, (who [1] had been a pupil of the famous arch-puritan [a] Cartwright,

[1] Preſbyterian Loyalty, p. 161.

that like good fellows, they made themſelves biſhops at an inn, becauſe they could get no true biſhops to conſecrate them. My other witneſs was a gentleman of known worth and credit, dead not many years ſince, whoſe father, a chief juſtice of England, viſiting archbiſhop Heath, permitted by queen Elizabeth to live in Surry, at the parſonage houſe of Cobham, ſaw a letter, ſent from biſhop Bonner out of the marſhalſea by one of his chaplains to the archbiſhop, read whilſt they ſate at dinner together, wherein he merrily related the manner how theſe new biſhops (becauſe he had diſſuaded Oglethorp, biſhop of Carliſle, from doing it in his dioceſe) ordained one another at an inn, where they met together; and whilſt others laughed at this new manner of conſecrating biſhops, the archbiſhop himſelf gravely, and not without tears, expreſſed his grief to ſee ſuch ragged companions, come poor out of foreign parts, appointed to ſucceed the old clergy in rich deaneries, prebendaries, and canons places, who had ſuch ill luck in meeting with diſhoneſt wives, as an ordinance was put out by the queen and parliament, that no woman ſhould, for a wife, be commended to any miniſter, without her honeſty withal could be ſufficiently teſtified unto him. And many who had been clergymen before, were urged either to take wives, or loſe their benefices, as many were content to do, and follow theſe biſhops example." A Legacy to Proteſtants, p. 85.

Heylin himſelf owns, "that partly by the deprivation of theſe biſhops, deans, prebends, &c. there was not a ſufficient number of learned men to ſupply the cures which, ſays he, filled the church with ignorant, illiterate clergy, whoſe learning went no farther than the liturgy or the book of homilies. And that many were raiſed to great preferments, who having ſpent their time of exile in ſuch foreign churches as followed the platform of Geneva, returned ſo diſaffected to epiſcopal government, as not long after filled the church with ſad diſorders." Hiſt. of Queen Eliz. fol. 115.

What wonder then, if men ſo principled and needy, would ſubmit to be made biſhops in the manner above-mentioned, meerly for the ſake of the temporal emoluments and dignity, and without any real regard to the ſacredneſs of the order?

[a] This Cartwright was ſo ſtaunch a non-conformiſt, even as to

wright, and was himſelf a great patron and encourager of that ſect,) having [2] ordered the Roman catholic aldermen, and ſome of the principal citizens of Dublin, to be called before the council, exemplified under the great ſeal, and publiſhed the above-mentioned act of uniformity; in regard," ſays my author, "there was found to be a material difference between the original record and printed copies; that none might pretend ignorance of the original record; and added thereto the king's injunction for the obſervance of it."

Mr. Carte [3] has diſcovered no leſs ignorance than partiality in his manner of juſtifying the execution of this penal ſtatute, at that juncture. "The Iriſh catholics," ſays he, "became accidentally ſubject to the ſmall pecuniary penalties of it, forty years after it was made, upon their ſeparation from the public worſhip of the (eſtabliſhed) church of Ireland; and it was reaſonable to imagine, that ſuch a ſudden defection ſhould have irritated the government, and put them upon ſome [b] wholeſome ſeverities, to ſtop it in the beginning." Here is a cauſe aſſigned for inflicting this penalty, which never exiſted but in the hiſtorian's brain. For their ſeparation, and ſudden defection, from the public worſhip of the church of Ireland, neceſſarily ſuppoſes their former

[2] Harris's Hiſt. of Dublin. [3] Life of Ormond, vol. i.

to ceremonials, that in his reply to Archbiſhop Whitgift, he makes uſe of theſe words: "Certain of the things we ſtand upon are ſuch, that if every hair of our heads were a life, we ought to afford them, for the defence of them." Sir George Paul, in his life of Archbiſhop Whitgift, tells us, "that in his prayer before his ſermons," he uſed to ſay, "becauſe they (meaning the biſhops) which ought to be pillars of the church, do band themſelves againſt Chriſt, and his truth, therefore, O Lord, give us grace and power, as one man, to ſet ourſelves againſt them." p. 47.

[b] Yet, in another place, he owns, "that the penalties of this act were raiſed for the private gain of miniſters; and had always occaſioned a clamour abroad, of a terrible perſecution; and if rigorouſly executed (adds he) it would be a force upon the conſciences of the poor ignorant Iriſh, as they ſtood informed." Cart. Orm. vol. i. fol. 523.

former agreement and conformity to it; but this he could not ſuppoſe of the Iriſh in general, without a barefaced contradiction to known facts. For ſo ſtedfaſtly did theſe people adhere to their antient religion in that, and the former reign, notwithſtanding the many alluring offers, and terrifying puniſhments made uſe of to withdraw them from it, that Chicheſter himſelf, who had often employed both means of ſeduction, was heard to exclaim, in the rage of diſappointment,[4] "that he believed the very air and ſoil of Ireland were infected with popery."[c] The barbarous incivility, already mentioned, which the young Earl of Deſmond met with from his countrymen, and followers, after they were convinced of his conformity to the public worſhip of the church of Ireland, is a ſufficient refutation of this miſtake.

The king about this time,[5] ſent inſtructions to the ſtate, for miniſtering the oath of ſupremacy to the catholic lawyers and juſtices of peace; and for putting the laws againſt recuſants in ſtrict execution. Accordingly,[6] "of ſixteen aldermen and citizens of Dublin, ſummoned before the privy council, nine were cenſured in the caſtle chamber; and ſix of the aldermen were fined, each in one hundred pounds; and the other three, in fifty pounds each; and they were all committed priſoners to the caſtle, during the pleaſure of the court. It

[4] Analecta Sacra. [5] Carte ubi ſupra, vol. i. fol. 21.
[6] Harris ubi ſupra.

[c] "It is notorious," ſays Abbe Geoghegan, "that notwithſtanding the ſeverity of the laws made in Ireland againſt the Roman catholic religion, during the reigns of Henry VIII. Edward VI. and Elizabeth, even to that of James I. not ſixty of the Iriſh embraced the proteſtant religion, though Ireland contains more than two millions of ſouls." Hiſt. of Irel. p. 422.

And when the ſame deputy made a preſent of a fine horſe to the king, being aſked by his majeſty, whether it was of Iriſh breed, and being anſwered in the affirmative, his majeſty ſwore aloud, that then certainly it muſt be a papiſt, for that he believed all things produced in Ireland, even the very animals were papiſts. Analect. Sacra.

It was at the ſame time ordered, that none of the citizens ſhould bear offices until they had conformed. For which reaſon the cities and towns were obliged to take up with very unfit perſons for magiſtrates. " In the year 1614, Edward O'Molownie, an alderman of Dublin, was choſen to be mayor of that city, but becauſe," ſays my author, " he would not go to church, nor take the oath of ſupremacy, he was laid aſide, and Richard Foſter, a young man, was permitted to take the office upon him. And when, on the accuſtomed day, he was preſented at the exchequer bar, Sir William Methold, lord chief baron, in his ſpeech, on that occaſion, ſaid among other things, " that this mayor had leapt a ſalmon-leap, for that he ſaw many grave and grey-headed men there ſtanding about him, whoſe turn was to have been mayors before him ; but he ſaid the cauſe of their not being mayors, in plain terms was, *becauſe they would not take the oath of ſupremacy*, which he was ſorry for." [7]

On this occaſion, " all the old Engliſh families of the pale, took the alarm, and boldly remonſtrated againſt the ſeverity of theſe proceedings. They denied the legality of the ſentence by which theſe ſeverities were inflicted, and urged, that by the ſtatute of 2d of Elizabeth, the crime of recuſancy had its puniſhment aſcertained, and that any extenſion of the penalty was illegal and unconſtitutional. Their remonſtrance was preſented to the council by an unuſual concourſe of people, but the chief petitioners were confined in the caſtle of Dublin ; and Sir Patrick Barnwell, their great agent, was, by the king's command, ſent in cuſtody into England." [d] [8]

The

[7] Deſid. Cur. Hib. vol. ii. p. 284-5. [8] Lel. vol. ii. p. 421-2.

[d] The zeal of this deputy (Sir Arthur Chicheſter) was ſo intemperate and forward, that even the king and council of England found it neceſſary to reſtrain it. In a letter of July 3d, 1606, to him, containing ſome complaints againſt his adminiſtration by Sir Patrick Barnwell (then priſoner in the tower for having made ſuch complaints), viz. the deputy's ſending for thoſe precepts under the great ſeal, to compel men to come to church, the denying private men to ſee their indictments, and of raiſing new

The king on this ſubject wrote to Chicheſter, "that he thought both the order he had taken for reformation, and the puniſhment he had inflicted upon ſome of the aldermen of Dublin, and certain others whom his letters mention, for their contempt, to be not only juſt, but neceſſary. And that he conceived hope, that many, by ſuch means, will be brought to conformity (in religion) who perhaps hereafter will find cauſe to give thanks to God, and him, for being drawn by ſo gentle a conſtraint to their own good." [9]

Hard as this treatment of the catholic laity was, amidſt "the calmeſt and moſt univerſal peace that was ever known in Ireland," that of their clergy was ſtill more rigorous. To omit many other inſtances, the

[9] Deſid. Cur. Hib. vol. i. p. 465.

new and exceſſive fees, they tell him "that they thought it good, before they fall to any uſual order with him (Sir Patrick Barnwell), to be ſomewhat cleared in the firſt important matter, to the intent that when they knew his ground, they might the better pronounce and publiſh the offence of any that had, or ſhould preſume to cenſure his proceedings; and this they did the rather, becauſe they pre-ſuppoſed he would not have taken that courſe, but that he found there ſome particular authority by law or precedent, which as yet was unknown to them in England. They add, that to the other exceptions, they ſend him what Sir Patrick Barnwell ſayeth, and what he offereth to prove; to which they would have the deputy ſend them ſome anſwers, rather for form's ſake, &c." Deſid. Curioſ. Hibern. vol. i. p. 489.

And in another letter to the ſame deputy, September 2, 1608, they ſay, "concerning the proceedings of the ſtate in ſending forth the mandates (precepts before-mentioned) by the judges, who deſire to be ſpared till their return from their circuits for giving their reaſons; we allow it very well, that they ſhould take their time, it being ſufficient for us to know, that they have done it upon good grounds; becauſe all ſuch proceedings in matters of religion, want not captious eyes in that kingdom; wherein, becauſe we did ſufficiently let you ſee within what bounds his majeſty wiſhed you to contain yourſelves as near as you could, we mean to touch that point no farther at this time, ſaving only to one part of your letter of the 9th of July, to let you know that if any motion ſhall be made here for reviving of a high commiſſion, it ſhall appear that his majeſty thinketh the ſame unſeaſonable, and therefore, without order from him, we require you to forbear giving any way to it." Id. ib. p. 496.

the caſe of Robert Lawler deſerves particular notice.[e] When this poor man was thrown into priſon, for exerciſing the function of a Roman catholic prieſt, he,[10] in order to remove all ſuſpicion of his maintaining, or teaching any

[10] Sir John Davis's Reports in fine.

[e] "Robert Lawler had obtained from the court of Rome the title and juriſdiction of vicar general of the See apoſtolic within the archbiſhoprick of Dublin, and biſhopricks of Kildare and Ferns. Upon his firſt examination, after he was apprehended in Dublin by the lord deputy himſelf, he acknowledged that he was a prieſt, and had accepted the title and office of the pope's vicar general, and had exerciſed ſpiritual juriſdiction in *foro conſcienciæ*. And in ſundry other points he maintained and juſtified the pope's authority; only he ſaid he was of opinion that the pope had no power to excommunicate, or depoſe his majeſty, becauſe the king is not of the pope's religion. The name and reputation of the man, and the nature of the cauſe, drew all the principal gentlemen, both of the pale and of the provinces that were in town to the hearing of the matter: he was not a little abaſhed at the publiſhing of his examination and confeſſion in the hearing of ſo many gentlemen to whom he had preached a contrary doctrine; and therefore ſaid, that the ſhewing forth that confeſſion was altogether impertinent and beſide the matter; howbeit he could not deny, but that he made it, and ſigned it, and ſwore it, as it was teſtified by the lord deputy and the reſt. Upon his being queſtioned about his diſtinction between ſpiritual and eccleſiaſtical cauſes, he anſwered, that indeed he had ſaid to ſome of his friends who viſited him in the caſtle of Dublin, that he had not confeſſed or acknowledged that the king was his ſupreme governor in ſpiritual cauſes; for that the truth is," adds my author, "in the confeſſion there is no mention of ſpiritual cauſes, but of eccleſiaſtical: and upon being further aſked by the attorney general, what difference he made between ſpiritual and eccleſiaſtical cauſes, he anſwered, that that queſtion was ſudden, and unexpected at that time, and therefore he would do well to take another day to diſpute that point." Sir John Davis's Report, from p. 84. to p. 96.

"Cnohor O'Duana, biſhop of Down and Connor, was apprehended in July, 1612, and committed to the caſtle of Dublin, wherein he lived in continual reſtraint many years; but having at laſt eſcaped out of priſon, and having been afterwards taken, he was hanged, drawn and quartered on the 1ſt of February." Theatre of Cath. and Proteſt. Relig. p. 578.

The chaplain of this biſhop, Bryan Carrulan, John O'Onan, Donoghow M'Reddy, and John Luneas, prieſts, ſuffered alſo, in Ireland in this reign." Id. ib. p. 586.

any ſeditious doctrines, made the following confeſſion, before the lord deputy and council, and afterwards confirmed it on oath, viz. "That he did acknowledge his ſovereign king James to be his lawful chief, and ſupreme governor, in cauſes as well eccleſiaſtical as civil; that he was bound in conſcience to obey him, in all ſaid cauſes; and that neither the pope, nor any other foreign prelate, or potentate, had power to controul the king in any cauſes eccleſiaſtical, or civil, within that kingdom, or in any other of his majeſty's dominions." Yet this extreme condeſcenſion could not, it ſeems, prevent his condemnation. The only pretence for this ſeverity was, his having denied privately to ſome of his friends, who viſited him in priſon, that he had ever made ſuch confeſſion as was derogatory to the ſpiritual authority of the Roman pontiff; for, he told them, "that he had not acknowledged that the king was ſupreme governor in ſpiritual cauſes, but in eccleſiaſtical." Whether this diſtinction, calculated for the private ſatisfaction of his friends, was well or ill founded, I ſhall not take upon me to determine; but certain it is, that it cancelled all the merit of his public confeſſion.

CHAP. V.

The conſpiracy and flight of the earls.

THESE ſeverities not having produced the deſired effect, which, probably, was a new inſurrection, and conſequently new forfeitures; another expedient was made uſe of which had been [a] lately ſucceſsful, viz. private

[a] This was then thought to have been a contrivance of Secretary Cecil, whom Oſburne calls "an adept in ſtate tricks," and who, two years before, found the like expedient to have ſucceeded in the affair of the gun-powder treaſon. (See an eſſay towards a new hiſtory of that treaſon.) "Cecil," ſays Mr. Dodd, "was an adept in framing fictitious plots, and has left inſtructions behind him to ſucceeding miniſters, when and how to make uſe

private information of an intended conſpiracy of the Iriſh, by means of an anonymous letter. But that there was in fact no ſuch conſpiracy, and that this letter was merely a ſtate-trick, to enſnare the innocent, by forged accuſations, we have as good proof, as can poſſibly be had of a negative, in the manifeſt abſurdity and contradiction of the different accounts which have been left us of it.

The firſt of theſe accounts, which is taken from Dr. Henry Jones, biſhop of Meath, and formerly ſcoutmaſter general to Cromwell's army, runs thus: [1] "Anno 1607, there was a providential diſcovery of another rebellion in Ireland, the Lord Chicheſter being deputy; the diſcoverer not being willing to appear, a letter from him, not ſubſcribed, was ſuperſcribed to Sir William Uſher, clerk of the council, and dropt in the council-chamber, then held in the caſtle of Dublin; in which was mentioned a deſign for ſeizing the caſtle, and murdering the deputy, with a general revolt, and dependance on Spaniſh forces; and this alſo for religion: for particulars whereof, adds the biſhop, I refer to that letter, dated March the 19th, 1607." From hence it appears

[1] Preface to Borlaſe's Hiſtory of the Iriſh Rebellion.

uſe of them againſt catholics. The original of theſe inſtructions, in Cecil's own hand-writing, was formerly in the keeping of the infamous Judge Bradſhaw, by whom it was ſhewn to Sir William Percival, who communicated it to a gentleman of great worth, who died anno 1697, and left it among other papers of remarks upon the times." Eccleſiaſt. Hiſt. vol. iii. fol. 196.

The traditional account of this forged conſpiracy is adopted and thus related by that learned Engliſh divine James Anderſon, D. D. in his book, entitled Royal Genealogies, and dedicated to his royal highneſs the late Prince of Wales, p. 786. &c. publiſhed anno 1736: "Artful (Secretary) Cecil employed one St. Lawrence to entrap the Earls of Tirone and Tyrconnel, the Lord of Delvin, and other Iriſh chiefs into a ſham plot, which had no evidence but his. But thoſe chiefs being baſely informed, that witneſſes were to be hired againſt them, fooliſhly fled from Dublin, and ſo taking guilt upon them, they were declared rebels, and ſix entire counties in Ulſter were at once forfeited to the crown, which was what their enemies wanted."

appears, that the firſt diſcovery of this conſpiracy aroſe from the anonymous letter above-mentioned.

Doctor Carlton, biſhop of Chicheſter, a cotemporary writer, has left us a prolix but different account of the diſcovery of this conſpiracy, in which there is no mention made of this anonymous letter. The ſubſtance of his account is what follows.

"Montgomery,[a] biſhop of Derry," ſays he, "ſuſpected, or was told, that Tirone had gotten into his hands the greateſt part of the lands of his biſhoprick; which he intended, in a lawful courſe, to recover; and finding there was no man could give him better light or knowledge of theſe things than O'Cahane (who was great with Tirone), made uſe of ſuch means that he (O'Cahane) came to him of his own accord, and told him, he could help him to the knowledge of what he ſought, but that he was afraid of Tirone; yet he engaged to reveal all that he knew of that matter, provided the biſhop would promiſe to ſave him from Tirone's violence, and not deliver him into England, which the biſhop having promiſed, he brought O'Cahane to the council in Dublin, to take his confeſſion there. Upon this, proceſſes were ſent to Tirone to warn him to come up to Dublin, at an appointed time, to anſwer the ſuit of the lord biſhop of Derry. There was no other intention but in a peaceable way, to bring the ſuit to a trial; for the council then knew nothing of the plot. But Tirone having entered into a new conſpiracy, of which O'Cahane was, began to ſuſpect, when he was ſerved with a proceſs to anſwer the ſuit, that this was but a plot to draw him in, and that ſurely the treaſon was revealed by O'Cahane. Upon this bare ſuſpicion, Tirone with his confederates fled out of Ireland, and loſt all thoſe lands in the North." Dr. Carlton adds, "that he had this account of the diſcovery of the conſpiracy from the biſhop of Derry himſelf. The reader will pleaſe to recollect, that, according to the biſhop of Meath's ſtory, the firſt diſcovery of this plot was made to the council by an anonymous letter dropt in the

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[a] Thankful Remembrance, &c. p. 168.

council-chamber; but, by the biſhop of Derry's account, the actual flight of the earls and their confederates, out of the kingdom, was what alone excited in them the firſt ſuſpicion of the conſpiracy.

But let us reflect a moment on the obvious incredibility of this latter biſhop's tale. O'Cahane, a prime catholic gentleman, poſſeſſed of a very large eſtate, enters into a conſpiracy with Tirone againſt the proteſtant religion and government of Ireland; and yet, at the ſame time, he comes "of his own accord," to a proteſtant biſhop, to put him in a way to deprive the perſon who was to be his chief leader in that conſpiracy, of a great part of his eſtate, the loſs of which muſt have proportionably leſſened that leader's power to carry it on; and this he does for no other recompence, but a promiſe from the biſhop that he will ſave him from Tirone's violence; that is to ſay, from the violence of a man, with whom he was not only great, but alſo joined in a plot againſt the government. Now ſuppoſing that O'Cahane only knew that Tirone was engaged in ſuch a conſpiracy, without being himſelf an accomplice in it, would he not have thought ſuch knowledge of his guilt a much better ſecurity and defence againſt Tirone's violence, (as it put him abſolutely in his power) than any promiſe of protection from the biſhop could be? But as it is ſuppoſed, that he was actually concerned with Tirone in that conſpiracy, what can be more abſurd than to imagine, that he would, of his own accord, and without any ſuitable recompence, have thus provoked his leader to ſeek revenge, and his own pardon by revealing his (O'Cahane's) guilt? For it is not even pretended that O'Cahane had any thoughts, all this while, of diſcovering this plot; and how he could have expected to carry it on in concert with Tirone, after having thus provoked and injured him, is, indeed, a myſtery not eaſily unravelled.[b]

Sir

[b] Incredible as theſe things are, yet in order to carry on the farce thoroughly, and to garble up O'Cahane's great eſtate among the

Sir John Temple's account of this conſpiracy [3] is much ſhorter than that of either of theſe biſhops, but equally incoherent and abſurd. "In this ſtate," ſays he, "the kingdom continued under ſome indifferent terms of peace and tranquillity, until the Earl of Tirone [c] took up new thoughts of riſing into arms. And into this rebellious deſign he drew the whole province of Ulſter, then entirely at his devotion. But his plot failed; and finding himſelf not able to get together any conſiderable forces, he, with the principal of his adherents, quitting the kingdom, fled into Spain." [4]

The contradiction of Tirone's having drawn the whole province of Ulſter into his rebellious deſigns, and at the ſame time, his not being able to get together any conſiderable forces, is too glaring to need any further animadverſion.

[3] See his Hiſtory of the Iriſh Rebellion.

the reſt, O'Cahane himſelf was afterwards ſeized as one of the conſpirators, and forfeited like the other gentlemen of Ulſter. The king and council, however, diſcovered ſome tenderneſs with reſpect to him, before his actual ſeizure. For they deſired the deputy "to bring him to conformity, by ſhaking the rod over him; but if that would not do, his majeſty was pleaſed, that he ſhould uſe his diſcretion in drawing down ſome force upon him." This letter is dated January 24th, 1607. And in another letter of the 20th of November following, they ſay, "but for O'Cahane, whom it ſeemeth you have impriſoned, we like well of the courſe you have taken with him. And we allow alſo very well of your placing his ſon in the college." Deſiderata Curioſa Hibern. p. 508-13.

[c] Tirone was at this time ſo cloſely looked after, "that he was heard to complain, that he had ſo many eyes watching over him, as that he could not drink a full carouſe of ſack, but the ſtate was advertiſed thereof within a few hours." Sir John Davis's Hiſt. Relat. p. 117.

[4] "Tirone (on this occaſion) fled privately into Normandy, in 1607, thence to Flanders, and then to Rome; where he lived on the pope's allowance, became blind, and died in the year 1616. His ſon was, ſome years after, found ſtrangled in his bed at Bruſſels; and ſo ended his race." Borlaſe's Reduct. of Ireland, p. 184.

Theſe are the only written accounts I have yet met with, after a very diligent ſearch, of this conſpiracy and flight of the earls, from which, I preſume, the candid reader will conclude, that there never was any ſuch conſpiracy; and that theſe accounts were then framed, however injudiciouſly, to give ſome colour of right to public acts of ſlander, oppreſſion and rapine.[e]

Dr. Leland has juſtly obſerved on this occaſion,[4] "That it ſeems extraordinary, that the northerns, who were ſtill ſmarting with the chaſtiſement they had received in the late rebellion, whoſe conſequence and influence were conſiderably diminiſhed, and who were very lately reconciled to government, and inveſted with their honours and eſtates, ſhould precipitately involve

[4] Hiſt. of Ireland, vol. ii.

[e] Our hiſtorians aſſert, as ſome alleviation of the general diſtreſs cauſed by the ſeizure of theſe ſix counties in Ulſter, that many of the catholic natives were permitted to ſettle on theſe plantations, and even to purchaſe ſome part of them; but it appears from Sir Thomas Philips's account, which is unqueſtionable, "that the fundamental ground of this plantation was the avoiding of natives, and planting only with Britiſh." Harris's Hibern. fol. 131. "It is true," ſays the ſame Sir Thomas, "that, after a preſcribed number of freeholders and leaſeholders were ſettled upon every town-land, and rents therein ſet down, they might let the remainder to natives for lives, ſo as they were conformable in religion, and for the favour, to double their rents." MSS. fol. 108. For which reaſon it probably was, that of about two hundred undertakers in the whole plantation of theſe ſix eſcheated counties, there were not, in the year 1608, more than about ten or twelve Iriſh. See Pinnar's Liſt, Harris's Hibern. fol. 127.

The O'Farrels of the county of Longford, in their remonſtrance, November 10th, 1641, ſet forth, among other grievances, "that the reſtraint of purchaſe, in the meer Iriſh, of lands in the eſcheated counties, and the taint and blemiſh of them and their poſterities, did more diſcontent them, than that plantation-rule; for that they were brought to that exigence of poverty, in theſe late times, that they muſt be ſellers and not buyers of land." Borl. Ir. Rebel. fol. 53, note.

"The ſix eſcheated counties in Ulſter, amounted to five hundred thouſand acres." Lel. Hiſt. of Irel. vol. iii. p. 429.

volve themſelves in a new rebellion." Such an event indeed, in theſe circumſtances, not only ſeems extraordinary, but actually is, at leaſt in a moral ſenſe, utterly incredible.

But as the ſame hiſtorian endeavours to refute the only traditional account which has been hitherto handed down to us of it, viz. that the flight of the earls was occaſioned by the treachery of one of the family of St. Laurence; by merely ſuppoſing, "that, if any art or treachery had been uſed to render the earls obnoxious to the law, they would themſelves have explained the deep ſcheme, and have left ſome memorials, in vindication of their conduct, either in Spain or Rome, where they were entertained and protected. But as no ſuch memorials (ſays he) have appeared, they ſeem to have acquieſced in the charge of conſpiracy againſt the Engliſh government." But to this it may be anſwered, on a much more probable ſuppoſition, that theſe noblemen were not, perhaps, expert at drawing up memorials; or rather, that they were in too deſponding and neceſſitous a condition, to do more than relate their misfortunes, and the manner in which they were brought on them, verbally, in order to obtain a ſubſiſtence from thoſe courts to which they fled for refuge; and that this traditional account was originally derived, and uniformly handed down to us, from ſuch verbal relation.

That St. Laurence was capable of that and greater wickedneſs, we ſhall be very apt to ſuſpect, if we give credit to the following paſſage related of him by Mr. Cambden: "Towards the end of the former reign, when the unfortunate Earl of Eſſex unexpectedly returned to England, from his viceroyſhip of Ireland; on the road, and in his way to court, Lord Grey of Wilton, one of his greateſt enemies, rode ſwiftly by him, without either ſpeaking to or ſaluting him: the earl fearing that his lordſhip would miſrepreſent him to the queen; and Sir Thomas Gerard riding after him, and requeſting, but in vain, that he would do the earl no ill office at court; Chriſtopher St. Laurence,

rence, who among others attended the earl from Ireland, offered his ſervice to kill both Lord Grey on the road, and the ſecretary at court. But the Earl of Eſſex, (adds my author) heartily averſe to ſuch wickedneſs, would by no means conſent to it."[5]

But let us try the force of this hiſtorian's negative reaſoning, on the oppoſite ſide of the queſtion. The king himſelf was ſo apprehenſive that this affair of the earls "might blemiſh" (as he expreſſes it in a proclamation on that occaſion) "the reputation of that friendſhip which ought to be mutually obſerved between him and other princes, that he thought it not amiſs, to publiſh ſome ſuch matter, by way of proclamation, as might better clear men's judgments concerning the ſame." At the ſame time ſolemnly promiſing, "that it ſhould appear to the world as clear as the ſun, by evident proof, that the only ground and motive of theſe earls departure, was the private knowledge and inward terror of their own guiltineſs."[6] But neither in that proclamation, nor in any other authentic inſtrument, nor in any manner whatever, did his majeſty deign, ever after, to enlighten the world, even with the leaſt glimpſe of evident proof, that ſuch was the only motive of theſe earls departure. And I ſhall leave it to the deciſion of every candid reader, whether this non-performance of his majeſty's ſolemn promiſe, be not a better negative proof of the nullity and fiction of this conſpiracy of the earls, than the bare non-appearance of a memorial in their vindication, can be deemed of its reality?

CHAP.

[5] Elizabeth, p. 741. [6] Lel. Hiſt. of Irel. p. 425.

CHAP. VI.

Puritan biſhops in Ireland.

DURING Sir Arthur Chicheſter's government, ſeveral of the eſtabliſhed clergy were puritanically affected, if not puritans profeſſed. Of this number was the famous doctor, afterwards primate, Uſher; for when in the year 1605, he was Provoſt of the College of Dublin, "the whole doctrine of Calvin[1] was, by his management, received as the public belief of the Iriſh church, and ratified by Chicheſter in the king's name.[2] It was, in ſhort, he that drew up thoſe Calviniſtical articles then agreed to in convocation; which were afterwards condemned and aboliſhed by Lord Deputy Wentworth, containing arrant Browniſm, and confirming not only the Lambeth-articles, ſuppreſſed by queen Elizabeth, and afterwards rejected by king James, but alſo ſeveral particular fancies and notions of his own."

"After the repeal of the Iriſh act againſt the bringing in of the Scots,[3] retaining them, and marrying with them, the Scottiſh preſbyters came over to Ireland in great numbers. Theſe the Iriſh biſhops condeſcended to ordain, not as perfoming the function of biſhops, for they would not receive ordination from them as ſuch, but as mere preſbyters, aſſiſting with ſome of their own miniſters, in order to qualify them to enjoy benefices in the church. And theſe biſhops were ſo exceedingly complaiſant, on ſuch occaſions, that they left out all thoſe expreſſions in the eſtabliſhed form of ordination which theſe miniſters excepted againſt; inſerting

[1] Carte's Ormond. [2] Id. ib. vol. i. fol. 73.
[3] Preſbyterian Loyalty, p. 162.

ſerting and uſing ſuch others as they conſented to and approved of. After this method Mr. Blair was publicly ordained by Dr. Ecclin, biſhop of Down, in the church of Bangor; and all thoſe of the preſbyterian perſuaſion, who were ordained in Ireland between the years 1622 and 1642, were ordained after the ſame method; and all of them ſo ordained enjoyed the churches and tythes, though they remained preſbyterians ſtill, and uſed not the liturgy. And there was, adds my author, a civil comprehenſion between them, and a ſort of an eccleſiaſtical comprehenſion too; for they frequently met, and conſulted with the biſhops about the affairs of common concernment to the intereſt of religion; and ſome of them were members of the convocation in 1634." The ſame author informs us, "that theſe preſbyters employed themſelves in their miniſterial work, to the approbation of all the moderate and ſober epiſcopalians, and particularly of the great primate Uſher, from whom they had great applauſe."

CHAP. VII.

Warm conteſts in the Iriſh houſe of commons.

IN the year 1613, a parliament was called,[a] wherein the

[a] The only parliament that was held in Ireland ſince the year 1586. Ware's Annals.

"About the 18th of May 1613, the lord deputy, with all the peers of the realm, and the clergy, both biſhops and archbiſhops, attired in ſcarlet robes very ſumptuouſly, with ſound of trumpets; the Lord David Barry, Viſcount Buttevant, bearing the ſword of ſtate, and the Earl of Thomond bearing the cap of maintenance; and after all theſe, the lord deputy (now Baron of Belfaſt) followed, riding upon a moſt ſtately horſe, very richly trapped, himſelf attired in a very rich and ſtately robe of purple-velvet, which the king's majeſty had ſent him, having his train borne up by eight gentlemen of worth. They rode from the caſtle of Dublin to the cathedral church of St. Patrick, to hear divine ſervice, and a ſermon preached by the reverend father in God, Chriſtopher Hamptom, archbiſhop of Armagh, and

the attainder and outlawry [b] of the noblemen and gentlemen of Ulſter, for the before-mentioned pretended conſpiracy, together with ſeveral other acts, injurious to the religion and property of the natives, were intended to be paſſed. "The Iriſh," ſays Mr. Carte,[1] "on this occaſion, were apprehenſive that ſome further penal laws, particularly againſt harbouring Jeſuits [c] and ſeminary prieſts, and for obliging not only magiſtrates in corporations, but alſo profeſſors of the law and others, to take the oath of ſupremacy, would be enacted." And that apprehenſion was but too well founded. Knox, a Scotch puritan, and biſhop of Raphoe, had informed the deputy, that the only ſure means

[1] Life of Ormond, vol. i.

and primate of all Ireland. But as many of the nobility of Ireland (adds my author) as were recuſants, went not into the church, neither heard divine ſervice or ſermon, notwithſtanding that they were lords of the parliament-houſe; but they ſtayed without during the time of ſervice and ſermon. Now when ſervice was done, the lord deputy returned back to the caſtle, theſe recuſant lords joining themſelves again with the reſt of the eſtate, and rode to the caſtle in manner as they came from thence (where the parliament was held) this was the firſt day of its meeting." Deſider. Curioſ. Hibern. vol. i. p. 166-7.

[b] While this act of attainder was under debate in this ſeſſion, we are told in the Journals, that "doubts aroſe in ſome ſcrupulous conſciences, that Tirone was oppreſſed, that he complained and was not redreſſed, and therefore requiſite to fly out." To which the anſwer was, "that for religion or juſtice, no man ought to riſe againſt the prince; and that the law of repelling force by force took place only where there was a parity, not otherwiſe." Comm. Journ. vol. i. fol. 16. Does not this anſwer imply a confeſſion of the wrongs which Tirone complained of?

[c] There was actually a bill of that kind ſent over by the deputy, concerning which the king tells him and the council, in returning the other bills, "We think it a fit time to diſpatch from hence, Sir John Davis, our attorney general of that kingdom, with thoſe bills which were firſt tranſmitted thither, under the great ſeal of England, and were lately ſent for hither again, by our ſpecial direction, to the end that the bill againſt the Jeſuits, &c. might be taken away from the reſt, to be further conſidered by us; which we ourſelves have done with our hands." Deſid. Curioſ. Hib. vol. i. p. 325.

means of extirpating popery out of Ireland, was by the death or baniſhment of the perſons, and the confiſcation of the properties of papiſts. And although neither of theſe expedients was fully adopted by his excellency, yet, from that malignant inſinuation, he certainly meditated ſome new and ſevere parliamentary reſtrictions upon them at that juncture. For this purpoſe, ſeveral new boroughs were haſtily created in Munſter and Connaught;[d] ſome, and thoſe not a few, even after the writs had been iſſued; and from the ancient boroughs and towns, many undue returns of aliens, and other unqualified perſons, were openly procured.[e]

Under

[d] "The deputy," ſays Dr. Leland, "continued to increaſe the new boroughs to the number of forty; of which ſeveral were not incorporated, until the writs for ſummoning a parliament had already iſſued. This awakened the fears of the numerous party of recuſants; ſome additional ſeverities againſt thoſe who refuſed to abandon the Romiſh communion, ſome additional penal ſtatutes, or at leaſt the revival of thoſe already made, were naturally dreaded." Hiſt. of Ireland, vol. ii. p. 445. The ſame author had before informed us, "That theſe new boroughs being moſt of them inconſiderable, and many too poor to afford wages to their repreſentatives, muſt have been entirely influenced by government, and returned its creatures and immediate dependents; and that they were repreſented by attornies clerks, and the ſervants of the lord deputy." Ib. p. 443.

The new boroughs were forty. Sir John Davis's Speech, Deſid. Cur. p. 190.

[e] The Roman catholics complained, on this occaſion, that they were put in fear of their lives, by a great number of ſoldiers, drawn from the diſtant garriſons into the caſtle of Dublin, where the parliament was then held. On the other hand, the deputy pretended, that he drew theſe ſoldiers to Dublin on "his foreſeeing that there would be an extraordinary number and concourſe of people to the city in the parliament-time, and that if any great diſturbance or broil happened, he might want men to repreſs the ſame." Def. Cur. Hib. v. i. p. 356-7. The commiſſioners ſent by the king, to enquire into the foundation of theſe and other complaints of the Iriſh, though they diſcover prejudice enough againſt the catholics, reported to his majeſty, "that upon their having examined ſome of the recuſant members, they

Under theſe circumſtances, when, on the firſt day of the ſeſſion,[e] Sir John Davis was propoſed for ſpeaker, Sir James Geogh ſaid, "That he obſerved many perſons in the houſe,[f] who had no right to ſit there as members; and therefore moved, that their votes might be for a time ſuſpended, until a ſpeaker was choſen; after

[e] Reeves in Analect. part ii. p. 14.

they did affirm upon their oaths, that the diſorders in the houſe of parliament on the firſt day of its meeting, cauſed them to apprehend a fear of ſome danger to their perſons, ſeeing ſo many ſwords-men in the houſe, and themſelves, for the moſt part, in gowns, without weapons." Ib. p. 356. "That the deputy cauſed one hundred ſoldiers to be drawn out of four ſeveral garriſons, on the pretence before mentioned." Ib. p. 357. But that having examined the lords and others, concerning that matter, "they did not underſtand that any of the lords, knights, citizens, or burgeſſes came to town with any extraordinary number of men or followers, only the Lord Viſcount Gormanſton came to the city with one hundred horſe (as was confeſſed) whereof there were not twenty of his own retinue; the reſt were his friends and kinſmen, that went out of Dublin to meet him, the rather becauſe his lady came in his company; but it is confeſſed, there were great numbers of people in the town at that time, who, as they ſaid, came from all parts to behold that aſſembly." Ib. p. 38.

And 'tis no wonder their curioſity was ſo great on that occaſion, for there had not been any parliament held in Ireland before that, ſince the year 1586. Ware's Annals.

[f] The lords of the pale, in their humble remonſtrance to his majeſty on this occaſion, obſerve, among other things, "That the managing elections for that parliament, had generally bred ſo grievous an apprehenſion, as is not in their power to expreſs, ariſing from a fearful ſuſpicion, that the project of erecting ſo many corporations in places that ſcarcely paſs the rank of the poor villages of the pooreſt country in Chriſtendom, do tend to nought elſe, but that by the voices of a few, ſelected for that purpoſe under the name of burgeſſes, extreme penal laws ſhould be impoſed on his majeſty's ſubjects. That his majeſty's ſubjects of Ireland, in general, did very much diſtaſte and exclaim againſt the depoſing of ſo many magiſtrates in the cities and boroughs of that kingdom, for not ſwearing the oath of ſupremacy, in ſpiritual and eccleſiaſtical cauſes, they proteſting a firm profeſſion of loyalty, and of all kingly juriſdiction in his highneſs." Deſid. Curioſ. Hiber. vol. i. p. 160.

after which the legality of their elections ſhould be duly enquired into. But this motion being ſoon rejected, and Sir James urged, by the oppoſite party, to proceed directly in the chuſing of a ſpeaker, he named Sir John Everard,[g] and was ſeconded by Sir Chriſtopher Nugent, Mr. William Talbot, and ſeveral other reſpectable members. But Sir Oliver St. John, and Sir Thomas Ridgeway inſiſting tumultuouſly, that Sir John Davis was choſen ſpeaker, by a majority of voices; and the other party calling out as loudly, to place Sir John Everard in the chair; great confuſion aroſe among them; ſo that the number of votes, on either ſide, could not be determined, until Sir John Davis's friends having followed him to another room, thoſe who remained within agreed to put Sir John Everard in the chair, ſuppoſing him to be duly elected, as in truth he was by a real majority of legal voices, notwithſtanding the greater number of nominal votes on the other ſide. But the court members, on their return, finding him there, and conſcious of their greater numbers,[i] dragged him violently thence, and fixed Sir John Davis in his place.[h] They were emboldened to commit this

[i] Anelecta Sacra. Reeves ubi ſupra.

[g] "A recuſant of reſpectable character, who had been a juſtice of the king's bench, and on reſigning his ſtation, rather than take the oaths, was indulged with a penſion." Lel. Hiſt. of Ireland, vol. ii. p. 447.

[h] A cotemporary writer, in a tract addreſſed to Sir Arthur Chicheſter himſelf, relates this parliamentary conteſt in the following manner: "There were," ſays he, "two elections, viz. thoſe of the recuſant ſect had choſen Sir John Everard, knight, for the ſpeaker, and therefore in no wiſe would accept of Sir John Davis, and in this diviſion grew an uncertainty, who had moſt voices; whereupon Sir John Davis, with all thoſe of the proteſtancy, went out to be numbered, and before they came in again, thoſe of the recuſancy had ſhut the door, and had ſet Sir John Everard in the chair of the ſpeaker; but when the proteſtants ſaw that they quietly pulled Sir John Everard out of the chair, and held Sir John Davis therein; and thus, with great contention, the ſecond and third days (of the ſeſſion) were ſpent;

this outrage, by the preſence of a band of ſoldiers completely armed, with lighted matches in their hands, who were placed, for that purpoſe, at the entrance into parliament. Alarmed at theſe proceedings, the catholic members quitted the houſe, having firſt openly proteſted againſt the authors of ſuch unheard of violence, as invaders of the liberties of their country, and of the rights and privileges of parliament.

Not content with this proteſtation, theſe ſeceding members ſent four of the moſt conſiderable of their own body into England,[i] with their complaints to the king. Theſe were accompanied from the houſe of lords, by David Roche, Viſcount Fermoy; Chriſtopher Plunkett, Lord Baron of Killeen, afterwards Earl of Fingall; and by the Lord Baron of Delvin, afterwards Earl of Weſtmeath; together with Sir Patrick Barnwell and four lawyers.[k]

But

ſpent; but the recuſants prevailed not therein, for Sir John Davis was maintained in the place. Then did the recuſants of both houſes of parliament withdraw themſelves, and reſorted not thither any more, notwithſtanding that they were often ſent for by the lord deputy." Deſid. Cur. Hibern. vol. i. p. 168.

[i] After having obtained leave from his majeſty, in conſequence of an humble addreſs ſigned by the lords Buttevant, Gormanſton, Fermoy, Mountgarret, Killeen, Delvin, Slane, Trimbleſton, Donboyne, Lowth, Cahir." See that Addreſs, Appendix.

[k] The lords, knights, and gentlemen ſent for over by the king, to lay their complaints before him, on this and other occaſions, were David Lord Barry, Viſcount Buttevant; David Lord Roche, Viſcount Fermoy; Chriſtopher, Lord Baron of Slane; Chriſtopher, Lord Baron of Killeen; Lord Baron of Delvin; Robert, Lord Baron of Trimbleſton; Sir Walter Butler; Sir Daniel O'Brien; Sir Chriſtopher Nugent; Sir William Bourke; Sir Thomas Bourke; Sir Patrick Barnwall; Sir John Everard; Andrew Barret of Corke, Eſq; John Moor of Connaught; Richard Wading of Waterford; James Galway of Limerick; Thomas Lutterell; Patrick Huſſie; M'Donongh, the chief of his name. Deſid. Curoſ. Hibern. vol. i. p. 231.

Upon their being a long time delayed in England, before their complaints were finally heard, they ſent a petition to the king, concerning their long attendance, and great expences and charges

But theſe noblemen and gentlemen, inſtead of obtaining redreſs of the injury complained of, were, in the end, ſent back and inſulted,[1] with this quaint and evaſive

charges in that kingdom, and how that they had not ſuch monies ſent them out of Ireland as were promiſed them, to defray their charges, by reaſon of a proclamation publiſhed by the lord deputy, inhibiting ſuch collection of money." Id. ib. p. 235. The words of the petition, as to that particular, are, "Your petitioners having ſo long expected your gracious pleaſure and reſolution concerning the affairs of their complaints, as their means are altogether ſpent, and the ſupply of their wants become hopeleſs, by means of a proclamation lately publiſhed in your majeſty's realm of Ireland, ſtraightly inhibiting any collection or voluntary contribution to be levied or ſent, to defray their neceſſary charges, towards the attendance of your princely pleaſure, as by the tenor of the ſaid proclamation, extant to be ſeen, appeareth; which courſes enforce your petitioners, beyond all willingneſs, to importune your royal majeſty, to vouchſafe ſo ſpeedy a diſpatch, as the neceſſity of their wants greatly urgeth." Id. ib. p. 236. And becauſe, in former hearings, they had been queſtioned concerning their opinions of the Pope's depoſing power, and other opinions imputed to Roman catholics as articles of their faith; and as Mr. Talbot and Mr. Lutterell, two of their company, had been impriſoned, on a ſuppoſition of their maintaining ſuch opinions, they pray further, "that his majeſty would be pleaſed, out of his matchleſs clemency, to accept their unfeigned proteſtation of their bounden fidelity and loyalty to his highneſs, which freely proceedeth from undoubted true hearts, without equivocation or mental reſervation, that neither the Pope, nor any other potentate whatſoever, hath authority to put your highneſs from the crown, deprive you of your kingdoms, or commit ſo horrible an act as to bereave your majeſty of your life, which we ever held, and do hold, moſt odious to be thought of or ſpoken: for the defence whereof your petitioners lives, lands and goods ſhall be always ready, as becometh true ſubjects; wherein we are aſſured, your majeſty's poor ſubject, William Talbot, now a priſoner in the tower, will join; the confidence of whoſe unfeigned thoughts therein moveth us to proſtrate ourſelves at your majeſty's feet, humbly deſiring a commiſeration of his reſtraint." Ib. p. 236. "There was not," ſays my author, "any ſpeedy anſwer made to this petition, by reaſon his majeſty was not then at leiſure." Ib.

[1] "Two of their agents, Talbot and Lutterell, were committed

evaſive anſwer,[4] "That as papiſts, they were but half ſubjects, and therefore ſhould have but half privileges;" which, by the way, was an indirect confeſſion of the wrong done them. Nay, it appears by a public ſpeech, which his majeſty made in council on this occaſion, that he would not allow them to be even half ſubjects; which by a new quirk of royal logic,[m] he endeavoured to prove thus: "As men, ye conſiſt of bodies and ſouls; now your ſouls, which are the nobler parts, ye devote to the Pope; to me ye ſubmit nothing but your bodies, not yet your bodies entire; for thoſe ye divide between me and the king of Spain; him ye ſerve with your bodies armed, leaving to me only your naked, uſeleſs, and unarmed bodies."[n]

However in the ſame ſpeech, made in council to theſe Iriſh noblemen and gentlemen, the king adds, "Indeed, I hear that there is one thing grievous to the country, that notwithſtanding the compoſition eſtabliſhed in the provinces, the governors there do ſend

[4] Cox's Hiſt. of Ireland, vol. ii. p. 25.

ted priſoners, one to the tower and the other to the fleet." Lel. Hiſt. of Irel. vol. ii. p. 451.

"The firſt was a long time impriſoned in the tower, and fined ten thouſand pound." Deſid. Cur. Hibern. vol. i. p. 321.

[m] "John Preſton, maſter of Emanuel College in Cambridge, was firſt taken notice of by James I. at a public diſputation in that univerſity; in which he aſſerted, that a hound could make a ſyllogiſm. The king, who loved logic and hunting, is ſuppoſed from that time to have had a particular reſpect for him." Graing. Biogh. Hiſt. vol. ii. p. 174.

Preſton proved his aſſertion thus: "the hound has the major propoſition in his mind, namely, the hare is gone either this or that way; and ſmells out the minor with his noſe, viz. ſhe is not gone that way; and the concluſion follows, ergo, this way with open mouth. Preſton borrowed this argument from Montaigne." Ib. note.

[n] The manner in which he juſtified to theſe agents, his having granted a commiſſion for creating the new boroughs, is ſtill more extraordinary. "It was never before heard," ſays he, "that any good ſubjects did diſpute the king's power in this point. What is it to you, whether I make many or few boroughs?

ſend out their purveyors, who take up their achates and other proviſion up the country. Another thing there is that grieveth the country people, which is, that in the country, where there is half peace and half war, the ſheriffs and the ſoldiers in their paſſage, do commit many extortions. For theſe grievances I myſelf will call the deputy unto me, and ſet down ſuch orders, as theſe abuſes ſhall be redreſſed and clear taken away."[5] He beſides tells them, "There is another cauſe why he ſhould be careful of the welfare of the people of Ireland, viz. becauſe the antient kings of Scotland are deſcended from the kings of Ireland."[6]

With this curious anſwer, he remanded them back to Ireland, ordering them at their peril, to attend the buſineſs of parliament, which was chiefly that of raiſing large ſupplies for his majeſty. And, indeed, in that reſpect, theſe half-ſubjects always ſhewed themſelves abundantly more uſeful, than thoſe he called his whole-ſubjects; as, on account of their far greater number and opulence, they contributed more than ſeven-eighths, in all the loans and ſubſidies that were required by him during his whole reign. And for their chearful concurrence in granting this laſt ſupply, we ſhall preſently find his majeſty thanking them, with the reſt of the Iriſh commons, in a ſeemingly gracious and grateful manner.

The catholics, however, on their return to parliament, ſtill inſiſted on queſtioning the legality of the aforeſaid elections, before any other buſineſs was proceeded

[5] Deſid. Cur. Hibern. vol. i. p. 310. [6] Id. ib.

roughs? My council may conſider the fitneſs, if I require it; but what if I had created forty noblemen, and four hundred boroughs? The more the merrier, the fewer the better cheer." Deſid. Curioſ. Hibern. vol. i. p. 220.

In the ſame ſpeech he tells the Iriſh agents, "that of fourteen returns for members to parliament, whereof they complained, but two have been proved falſe." Ib. p. 304. Whereas, we find by his orders afterwards to the deputy, on this occaſion, that of the fourteen returns he allowed thirteen to be falſe, and annulled them accordingly. See ib. p. 324.

ceeded upon; and they prevailed ſo far, that an order was then paſſed, and repeated in the following ſeſſion,[7] "That the exceptions taken to theſe elections ſhould be duly examined, at a more convenient opportunity."[o] But we don't find that ſuch opportunity was ever after afforded them.[p] In this parliament, ſo compoſed and managed, the act of attainder and outlawry againſt the noblemen and gentlemen of the ſix entire counties in Ulſter, for the before mentioned pretended conſpiracy, was ſuffered to be paſſed.

It is well worthy of notice, that this act of the attainder of the earls does not ſpecify any particulars of the conſpiracy lately imputed to them; not even their flight, which was the only proof, and that merely preſumptive, that was alleged for it. It barely recites,

[7] Commons Journal, vol. i.

[o] "Whereas ſundry exceptions have been propounded at the firſt aſſembly of parliament, againſt ſeveral perſons ſuppoſed to have been miſ-elected, &c. It is agreed and conſented to by the houſe, that the ſaid exceptions ſhall be for the preſent ſuſpended and forborn, for the better expedition and furtherance of the ſervice (raiſing the ſupplies) with caution, that the proceeding to the paſſing of any bill, or other affair of the houſe, ſhall no way be a precedent or concluſion, whereby the benefit or advantage of ſuch like exceptions, may not at any time hereafter be taken and had, ſo far forth as the law or allowable precedent before this parliament, will warrant or approve." Com. Journ. vol. i. fol. 45-7.

[p] His majeſty, however, ſoon after ſent inſtructions to the deputy, "That the burgeſſes returned upon the new charters from Tallagh, Liſmore, Caterlogh, Clonakilty, Fethard, Augher, Belfaſt and Charlemont; as alſo thoſe from Kildare and Cavan, being falſely returned, ſhould forbear to ſit in that houſe, unleſs they ſhould be again duly elected." And alſo, "that the burgeſſes returned from the towns of Clogher, Athlone and Gowran, ſhould forbear to ſit in the houſe of parliament." Deſid. Curioſ. Hib. vol. i. p. 324-5.

Altho' the deputy, in his anſwer to the complaints of the nobility and gentry of Ireland, on this occaſion, had confidently told the king, "that touching the returns of that parliament, he knew not any falſe or undue return made, and that he did verily think all the returns of proteſtants would fall out to be legal, without any juſt exception." Ib. vol. i. p. 269.

in general, as the grounds of that attainder,[8] "Theſe noblemen's having committed and perpetrated acts of treaſon againſt his majeſty (which, as we have already ſeen, they were only ſuſpected or accuſed of having intended to commit), and their own and anceſtors former rebellion againſt queen Elizabeth," for which, as we have alſo already ſeen, they had all received his majeſty's free and abſolute pardon,[q] at his acceſſion. It is therefore, no wonder, that while this act was under debate, a committee of the commons was appointed to wait on the lord deputy,[9] "to acquaint him with a ſcruple that was moved, whether that attainder did look back to treaſons committed before the king's time, or only ſince." But no other anſwer appears, on the part of the deputy, but the paſſing of the bill.

CHAP. VIII.

The king thanks the Iriſh for their ſupply, but orders the penal laws to be put in force againſt them.

AFTER the before mentioned ſupplies had been granted by parliament, his majeſty wrote to the deputy (and ordered his letter to be publicly read in the houſe)

[8] See Iriſh Statutes. [9] Com. Jour. vol. i. fol. 45, 47.

[q] In one of his majeſty's letters of inſtructions to Sir Arthur Chicheſter, when firſt appointed deputy, we find theſe words: "We think it not amiſs, as well for making known that we are careful of that ſtate (Ireland); as alſo to root out jealouſies which have been formerly conceived, that daily advantage ſhould be ſearched for by the miniſters of that realm, to moleſt and oppreſs them for old offences, only to ſerve private ends; a matter ſo odious to our nature, to whom generally that people have carried themſelves as becometh natural and loving ſubjects, that we would have it one of the firſt works you ſhould do, to ſecure them from ever being called in queſtion for any offence done, either before or in the precedent rebellion." Deſid. Curioſ. Hib. vol. i. p. 448.

houſe) that, "underſtanding that the bills of ſubſidies were, upon the firſt propounding, received and paſſed, with ſuch univerſal conſent and chearfulneſs, that there ſeemed to ariſe an affectionate emulation between them, who ſhould expreſs moſt love and forwardneſs therein unto him; he took that evident demonſtration of their dutiful zeal and affection, in ſuch good part, that he commanded him to give them thanks in his name, and to let them know, that he was much better pleaſed with the free manner of that preſent of their affections unto him, than if they had given him ten times the value of the money, with unwilling hearts." Upon this occaſion, Sir John Everard obſerved to the houſe,[2] "that as neither in queen Elizabeth's time, nor in his then majeſty's, any ſubſidies had been ſo regularly granted, there being no denial, he did, on the knees of his heart, humbly pray in behalf of his country, that the ſtatute of the 2d of queen Elizabeth might be ſomething moderated for a time; which being granted," added he, "if the king were willing to demand two, three or four ſubſidies, he doubted not of any denial hereafter." And in the ſame ſeſſion, the whole houſe, among other grievances which they had laid before the deputy, again mentioned that ſtatute, and humbly prayed,[3] "that, in the execution thereof, the clerks of the crown and peace, might not be permitted to take ſuch exceſſive fees as they did; but that theſe fees might be altogether forbidden to be taken, or elſe that the ſame might be drawn down and moderated, and that by an act of ſtate, to be obſerved throughout the kingdom." They further prayed,[4] "That, whereas the recuſant lawyers were debarred from their practice,[a] by ſpecial directions from his

[1] Ib. [2] Ib. [3] Ib. [4] Ib.

[a] "In 1614, all the counſellors of law that were in Ireland, who would not take the oath of ſupremacy, were put from pleading of cauſes in any of the four courts, or elſewhere to ſpeak for clients. Likewiſe ſuch as were penſioners, that would not take the ſaid oath, were diſcharged of their penſions." Deſid. Curioſ. Hibernia, vol. i. p. 320. "The

majeſty: and foraſmuch as the commons did find by experience, that the ſubjects of the realm did ſuffer no ſmall

"The ſtatute made the 2d of Eliz. laying a penalty of 12d. every Sunday and holiday, for not going to church, is put ſtrictly in execution in many places: but the ſaid money, being a great matter of value over the whole kingdom, is not employed upon the poor according to the ſtatute, but brought into the hands of the clerks of theſe courts, but how they diſpoſe of it, the pariſhioners or church-wardens know not." Petition of the Lords and Commons Agents, 1613. Deſid. Curioſ. vol. i. p. 249.

Lord Deputy Chicheſter confeſſes, "that the juſtices of aſſize (1613) for the ſpace of two or three years paſt, had bound over divers juries to the ſtar-chamber, for their refuſing to preſent recuſants upon the teſtimony of the witneſſes, that they come not to church, according to the law. All which jurors have been puniſhed in the ſtar-chamber, by fine and impriſonment." He adds, "It is true that theſe jurors cenſured in the ſtar-chamber, had no counſel allowed them." Ib. p. 263.

His excuſe for this is, "becauſe they were proceeded againſt *ore tenus* and upon their own confeſſion." Ib.

But is it in any degree credible, that men would confeſs crimes in that cruel and arbitrary court, which were ſo ſeverely and ignominiouſly puniſhed as by pillory, loſs of ears, brand in the forehead, &c. beſides fines and impriſonment? The remonſtrance of the nobility and gentry of Ireland at that period ſets forth, "that in the trial of criminal cauſes, and mens lives (which the law doth much favour), the jurors were ordinarily threatened by his majeſty's counſel at law, to be brought into the ſtar-chamber, inſomuch that it was great danger for any innocent man, if he was accuſed upon malice or light ground of ſuſpicion, becauſe the jurors being terrified through fear of impriſonment, loſs of ears, and of their goods, might condemn him." Ib. p. 244.

So that, "moſt of theſe jurors did rather chuſe to endure the penalty or loſs of iſſues, than to appear on juries, the courſe held with them was ſo ſtrict and ſevere." Ib.

"The ſtar-chamber," ſays Chicheſter himſelf, "is the proper court to puniſh jurors, that will not find for the king, upon good evidence." See Chicheſt. Anſ. Def. Cur. ib. p. 262.

The reaſon Chicheſter gives, for not diſtributing the money collected from catholics, for not going to church on Sundays and holydays, to the poor, as the ſtatute 2d of Eliz. directs, is, "becauſe the poor of the pariſhes are not fit to receive the ſame, being recuſants, (catholics,) and therefore (adds he) ought to pay the like penalty." Ib. p. 275.

ſmall prejudice in their cauſes, for want of learned counſel, eſpecially at the aſſizes, that his lordſhip would be a means to his majeſty, that ſuch, and ſo many of the ſaid lawyers might be reſtored to their practice, as his lordſhip in his judgment ſhould think fit, for the diſpatch of ſaid cauſes." To which his lordſhip anſwered, " that the lords of the council in England had ſignified his majeſty's pleaſure for ſilencing them, until they had taken the oath (of ſupremacy); but that he would acquaint their lordſhips with what the commons had ſignified, and with their deſire." But that no redreſs followed appears from hence, that in the enſuing ſeſſion of May 16th, 1615, the ſame commons humbly addreſſed the lord deputy to know, " whether his lordſhip had received any anſwer touching the practice of the Iriſh lawyers; and prayed, that they might be, by his lordſhip's recommendation, again reſtored unto practice." To which we find no anſwer returned.

Impriſonments, on account of recuſancy, were then ſo frequent, and grievous, that the commons in this ſame ſeſſion, annexed to their long liſt of grievances,[5] a prayer, " that his lordſhip would be pleaſed to releaſe all thoſe, that lay in, upon excommunications;"[b] and at the ſame time acquainted him, " that a great number of the houſe deſired, that he would recommend to his majeſty, that ſome ſuſpenſion might be had of the ſtatute of the 2d of Elizabeth.

The catholics of Ireland, on account of their greater number and opulence, had contributed more liberally to

[5] Commons Jour. vol. i.

[b] " It appears, that at the end of this ſeſſion, eight Roman catholics, who had been excommunicated by the archbiſhop of Dublin for recuſancy, and impriſoned, were releaſed by the indulgence of parliament (ſome ſaid by the mediation of bribes) but their joy on that account was ſhort lived, and their releaſe rather an illuſion and an aggravation of their puniſhment; for without any other crime, but perſeverance in their religion, the ſame archbiſhop ſoon after excommunicated them a ſecond time; on which they were again ſent back to their long and loathſome confinement." Analect. Sacra. Rives in Analect. p. 34.

to the above-mentioned, and all other ſupplies, than all the reſt of his majeſty's ſubjects of that kingdom; and the king, inſtead of redreſſing their preſent grievances, did, in a few months after the date of his letter of thanks before-mentioned, not only continue, but increaſe them; by giving particular inſtructions to Sir Oliver St. John, then going over deputy, to put the ſtatute of the 2d of Elizabeth, and all other penal ſtatutes, in ſtrict execution; inſtructions, which [c] Sir Oliver ſeemed very well inclined to purſue: [c] for, at his entering on the government, he did indeed proceed with vigour, in the execution of that ſtatute; and cauſed preſentments to be made of ſuch as neglected coming to church, in different parts of the kingdom. The effects of this vigour were diſmal, and extenſive; the treaſures of the rich were thereby ſoon exhauſted; and the poor, every where, not being able to pay this tax on their conſciences, fled into dens and caverns, from the cruel collectors of it, whither they were ſometimes purſued by furious bloodhounds, ſet on, and followed by a ſheriff, and his poſſe of diſbanded ſoldiers, equally furious and unrelenting.[7] Mr. Rooth, a cotemporary writer, informs us, that in the poor county of Cavan alone, not leſs than eight thouſand pounds [d] were levied, in one year, by the means of this tax; eccleſiaſtical cenſures, on the ſame account, were ſeverely executed, in every part of the kingdom. Thoſe who lay under them, when found abroad, were conſtantly thrown into jails; and

[6] Carte's Orm. vol. i. p. 37. [7] Analecta Sacra.

[c] "Sir Oliver St. John ſeemed to be actuated with peculiar zeal againſt popery." Lel. Hiſt. of Ireland, vol. i. p. 561.

"A commiſſion was iſſued by him to ſeize the liberties and revenues of Waterford, becauſe the magiſtrates refuſed the oath of ſupremacy, which by their charter they had a right to do." Id. ib. p. 462.

[d] This will not ſeem ſtrange, when we conſider what Lord Deputy Mountjoy ſays in a letter to Secretary Cecil, viz. "that in the time of Tirone's war, that earl did raiſe upon Ulſter, ill-inhabited as it was, with no induſtry, and for the moſt part waſted, above four ſcore thouſand pounds by the year." Morriſ. ubi ſupra, fol. 234.

and great numbers of merchants and artificers, being thus confined at home, and hindered to tranſact buſineſs publicly, and in the way of open commerce, were ſuddenly reduced to poverty and diſtreſs. Even their dead bodies did not eſcape the cruelty of theſe cenſurers; for if they happened to die, while they yet lay under them, they were denied chriſtian burial, and their corpſes thrown into holes, dug in the highways, with every mark of ignominy, that could be deviſed, and inflicted by their cruel and bigotted judges.

CHAP. IX.

Some account of the eccleſiaſtical courts at that juncture in Ireland.

BISHOP Burnet, in his life of Dr. Bedel, biſhop of Kilmore, hath left us a very ſhocking deſcription of theſe eccleſiaſtical courts in Ireland. "They were," ſays his lordſhip, "often managed by a chancellor, that bought his place, and ſo thought he had a right to all the profits he could make out of it. And their whole buſineſs ſeemed to be nothing but oppreſſion, and extortion; the ſolemneſt, and ſacredeſt, of all church cenſures, which was excommunication, went about in ſo ſordid, and baſe a manner, that all regard to it, as it was a ſpiritual cenſure, was loſt; and the effects it had in law, made it be cried out upon, as a moſt intolerable piece of tyranny. The officers of the court thought they had a ſort of right to oppreſs the natives; and that all was well got, that was wrung from them. Primate Uſher himſelf ſeemed ſo ſenſible of theſe abuſes, that he told Archbiſhop Laud,[1] "ſuch was then the venality of all things ſacred in Ireland, that he was afraid to mention any thing about them;" and that, upon ſome of the adverſe party's having aſked him, "where he had heard, or read before, that religion and mens ſouls were ſet to ſale, after that manner?" His

[1] Burnet ubi ſupra.

His grace was obliged to have recourſe to a pitiful witticiſm for an anſwer, viz. "that there was another place, where both Heaven and God himſelf, were ſet to ſale." Which whether true or falſe, (and falſe it moſt certainly is) was a tacit confeſſion of the juſtice of the charge of public corruption againſt theſe courts. But we ſhall preſently ſee, that primate Uſher's own court was not a whit leſs corrupt, in the opinion of the good Biſhop Bedel, than thoſe of the other Iriſh biſhops.

Theſe corruptions were ſo flagrant, and long continued, that even in 1640, the diſſenters in Ulſter, on whom the epiſcopal clergy had, as we have ſeen, conferred many ſignal favours, made ſevere animadverſions upon them. In their remonſtrance to the Engliſh parliament of that year, they obſerved,[a] "that the commutation of penance (which Burnet calls the worſt of ſimony) which either ſhould not at all be exacted, or if exacted, ſhould be ſet apart for the poor, and other pious uſes, came either to the prelate's kitchen, or the commiſſary's purſe, or to both; and that, though the officers of theſe courts pretended themſelves to be the advancers of virtue, and puniſhers of vice, yet they uſually, without further ſatisfaction, abſolved the moſt ſcandalous perſons for a ſum of money, and often queſtioned not all at ſuch, from whom they privately beforehand had received ſuch ſum."

CHAP. X.

The patience and ſubmiſſion of the natives.

WHILE the nobility and gentry of Ulſter were, by the late act of attainder, ſtript of their poſſeſſions, for crimes that were either never committed, or were formerly pardoned, another deſign was ſet on foot, to ſeize on the eſtates of the natives in the other provinces, under the

[a] Pryn's Antipathy to Biſhops, part ii. p. 374.

the pretence of a judicial enquiry into defective titles.[2] This enquiry cauſed a general alarm through every part of the kingdom; inaſmuch as [1] "no title of lineal deſcent,

[1] Remonſtrance from Trim.

[2] It was rigorouſly proſecuted by Sir Arthur Chicheſter, tho' the king in his inſtructions to him, upon his firſt appointment to the lieutenancy of Ireland, told him, "that he had directed a commiſſion to compound with his ſubjects of that kingdom for defective and imperfect titles; and that he had reſolved, from thenceforth, to grant no more warrants of lands, coming within any title of concealment; becauſe he hoped that thereby both his people would receive contentment, and his coffers ſome augmentation, by the compoſition with the tenants of ſuch lands." Deſid. Curioſ. Hib. vol. i. p. 455-6.

In theſe enquiries the utmoſt violence was done to the jurors (as was before obſerved) to oblige them to find a title in the king to whatever lands they pitched upon; thus, in the year 1611, on the ſeizure of the county of Wexford, when upon a commiſſion to enquire into his majeſty's title to that county, "the jury offered their verdict of *ignoramus* to the king's title, the commiſſioners refuſed to accept it, and bound the jury over to appear before them in the exchequer court, where, when five of them ſtill refuſed to find the title in the king, the commiſſioners committed them to priſon, and they were afterwards cenſured in the caſtle chamber for refuſing to join with their fellows to find his majeſty's title." Report of the King's Commiſ. Deſid. Curioſ. vol. i. p. 378.

"Theſe commiſſioners were Sir Humphry Winche, knight, who had ſome time been lord juſtice of the king's bench in Ireland, Sir Charles Cornwallis, knight, holden to be a very wiſe and learned gentleman, Sir Roger Wilbraham, knight, who had been the queen's ſolicitor in Ireland, Thomas Calvert, Eſq; one of the clerks of the council in England; with theſe four the lord deputy himſelf (Chicheſter) was joined in the patent, as chief commiſſioner. Theſe four commiſſioners arrived at Dublin upon the 25th of September, 1613." Deſid. Curioſ. Hibern. vol. i. p. 283.

Thoſe of the Iriſh agents at London, who, by his majeſty's nomination and command, were ſent to Ireland, to attend theſe commiſſioners with their proofs, were the Lords of Killeen and Dunboyne, Sir Chriſtopher Plunket, Edward Fitzharris, Andrew Barret, and Paul Sherlock." Id. ib. p. 281.

The commiſſioners ſent about this time from England, by the king, to enquire into the numerous grievances complained of by the Iriſh agents, ſet forth in their report to his majeſty, "that out

deſcent, or long poſſeſſion, though for ſeveral hundred years, nor even letters patent, could ſecure the proprietors againſt the predatory effects of it." But as this buſineſs was proſecuted with the greateſt violence in the enſuing reign, under Lord Wentworth's government, I ſhall defer the conſideration of it till I come to ſpeak of that period.

One would imagine, that ſome cauſe had been given by the Iriſh, or at leaſt pretended by their enemies, for ſuch continued ſeverity; but nothing of that kind appears to have been the caſe; for all hiſtorians agree, that, except O'Dogherty's ſhort-lived tumult, and the forged plot of the earls, there was not the leaſt commotion in Ireland, during that whole reign: although, had the Iriſh been diſpoſed to riſe, it is certain, that no people could have a more tempting opportunity, or a more plauſible pretence, than they then had,[z] "for King James never kept up a greater force in that kingdom, than one thouſand ſeven hundred and thirty-five foot,

[z] Carte's Orm. vol. i. fol. 45.

out of the particular inſtances (being many) of oppreſſion, and extortions of the ſoldiers, provoſt-marſhals, and others, they had ſelected three ſcore. That in counties, where the compoſition, in lieu of the ceſs was paid, the ſoldiers did extort on his majeſty's ſubjects, by neither paying money, nor giving tickets, for what they took up. That, beſides meat and drink, they extorted money from the poor people, where they were ceſſed; three ſhillings for every night's lodging for an horſe-man, and two for a foot-man, ſometimes more. As alſo certain petty ſums for their boys, and attendants, beſides victuals; and theſe ſoldiers took money, not only for themſelves, but likewiſe for other ſoldiers abſent, which the country called black men, becauſe they were not ſeen. That, in all theſe caſes, when the people had not money, they took forcibly ſome of their cattle or houſehold ſtuff, for pawns, in lieu thereof; that the officers of the army did the ſame; that ſheriffs did ſuffer their men and bailiffs and followers, to take both money and victuals from the country. And that the reaſon the people did not complain to the deputy of all theſe oppreſſions and extortions, was for fear of being worſe uſed by the ſoldiers at other times; and becauſe the charges of the complaint would far exceed the damages." See that Report, in Deſid. Curioſ. Hiber. vol. ii. p. 365, 4, 2.

foot, and two hundred and twelve horſe; and theſe in a miſerable condition, ſometimes three years unpaid; and not a penny of money in the hands of either of the treaſurers, or any to be borrowed from private perſons. Yet he was, all this time ſettling the plantations in different parts of the kingdom, changing the [b] properties of lands, tranſplanting the old inhabitants, and ſettling colonies of ſtrangers; while the old Iriſh chieftains and petty lords, were diſcontented at the loſs of their antient power, and while there were, in remote parts of the kingdom, numbers of idle young, and active fellows, who being unprovided for a livelihood, and not caring to earn it by the ſweat of their brow, were full of complaints, and eager for alterations. In Connaught alone there were ſeven thouſand of theſe idle fellows booked down by officers, and given in a liſt to the lord deputy, that were fit for nothing but arms; and who then living on their friends, and relations, muſt have been forced to ſeek, and puſh their fortunes."

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[b] In theſe plantations, "the commiſſioners appointed to diſtribute their lands, ſcandalouſly abuſed their truſts; and by fraud or violence deprived the natives of thoſe poſſeſſions which the king had reſerved for them." Lel. Hiſt. vol. ii. p. 467.

We are told on this occaſion, "that there are not wanting proofs of the moſt iniquitous practices, of hardened cruelty, of vile perjury, and ſcandalous ſubornation, employed to deſpoil the fair and unoffending proprietor of his inheritance. Id. ib. p. 470.

AN

HISTORICAL AND CRITICAL

REVIEW

OF THE

CIVIL WARS

IN

IRELAND.

BOOK III.

CHAP. I.

The State of the Iriſh under Charles I.

DURING the firſt two years of king Charles's reign, the catholics of Ireland enjoyed ſome little tranquillity, for which they were indebted not to the lenity of the Iriſh government, but to his majeſty's goodneſs alone,[1] "which had limited, from time to time, the Lord Deputy Faulkland and the council of that kingdom, by ſeveral inſtructions, directions, and letters, concerning them."[2] Their gratitude for this forbearance was, indeed, extraordinary; and the generoſity of their offer to his majeſty, on that account, could ſcarce be exceeded by any thing, but by that folly and fanaticiſm, which induced the government to reject it.

In

[1] Scrinia Sacra.

[2] Lord Deputy Faulkland's "ſtrict, though legal adminiſtration, in regard to the papiſts, whom the court was inclined to favour, raiſed the loudeſt clamours againſt him from that party, who cauſed him to be diſmiſſed from his viceroyalty with ſome circumſtances of diſgrace." Grainger's Biograph. Hiſt. of England, vol. ii. p. 147.

In the year 1626,[2] "The condition of the king's affairs was much perplexed in England; he was at war with the two moſt powerful kings in Europe, and his ſubjects in the Engliſh parliament would afford him little or no aſſiſtance but upon hard and diſhonourable terms, though they had engaged him in the firſt war; and ſeemed glad of the laſt, it being in defence of religion."

In this perplexity of his majeſty's affairs,[3] "The Roman catholics of Ireland offered conſtantly to pay an army of five thouſand foot, and five hundred horſe, for his majeſty's ſervice, provided they might be tolerated in the exerciſe of their religion.[4] The toleration they deſired was no more, than ſome reſpite from the oppreſſions and extortions of the eccleſiaſtical courts, and to have all proceedings againſt them in theſe courts, for religion, ſuſpended; to be releaſed from thoſe exorbitant ſums which they were obliged to pay for their chriſtenings and marriages; and particularly, to have the extravagant ſurplice-fees of the clergy, and the extraordinary warrants for levying them, aboliſhed."

But the clergy were too much intereſted in theſe matters not to oppoſe, with all their powers, the acceptance of ſuch an offer. Upon the firſt tender of it,[5] a proteſtation was drawn up againſt it, by primate Uſher, and ſubſcribed by twelve biſhops; which Dr. Downham, biſhop of Derry, pronounced in Chriſt-church, Dublin, before the ſtate; upon whom it had ſo powerful an effect, that the catholics offer was ſcornfully rejected, and their religion ſcurrilouſly abuſed.[b]

"I will not take upon me," ſays Sir Edward Walker on this occaſion, "to determine, whether it be againſt

[2] Sir Edward Walker's Hiſtorical Diſcourſes, fol. 337.
[3] Id. ib. [4] Carte's Orm. vol. i. fol. 50.
[5] Harris's Fiction Unmaſked. Uſher's Life.

[b] "All the proteſtant clergy," ſays Dr. Leland on this occaſion, "were ſeriouſly averſe to popery; many to a degree of rancour, imbibed among the Engliſh and Scottiſh puritans." Hiſtory of Ireland, vol. ii. p. 481.

againſt the law of God to give a toleration of religion to the papiſts, nor examine whether biſhop Downham's proteſtation, ſubſcribed by the biſhops in Ireland, be agreeable to the doctrine of the church of England; only it muſt lie as a blot upon thoſe who had the free exerciſe of religion, with all advantages of honour, ſafety and profit, as the people of England then had, and yet that ſo many of them, both in and out of parliament, ſhould be ſo averſe from ſupplying their king, under whoſe gracious government they ſo happily enjoyed their freedom; and, on the contrary, that perſons, whoſe religion is penal to the profeſſors, ſhould, for a toleration, offer conſtantly to pay an army of five thouſand foot, and five hundred horſe, for his majeſty's ſervice."[6]

Theſe biſhops ſet forth in their proteſtation,[7] "That to grant a toleration, in reſpect of money to be given, or a contribution to be made by the catholics, was to ſet religion to ſale, with the ſouls of the people." And Dr. Downham had no ſooner pronounced theſe words, but all the people in the church cried out aloud, "Amen, Amen."[c]

But how ſhamefully theſe biſhops themſelves had expoſed their religion to both ſale and contempt, in their eccleſiaſtical courts (from whoſe tyranny the catholics were willing to purchaſe their redemption at ſo dear a rate), was then notoriouſly manifeſt. "In theſe courts," ſays biſhop Burnet,[8] "bribes went about almoſt barefaced; and the exchange they made of penance for money, was the worſt ſort of ſimony." The good biſhop Bedel told primate Uſher himſelf, the author

[6] Hiſt. Diſcourſes, fol. 338.

[7] Foxes & Firebrands, part ii. p. 80. [8] Life of bp. Bedel.

[c] Mr. Bayle juſtly obſerves on this occaſion, "that Uſher and his ſuffragans proceeded on the principles of the moſt extravagant intolerance; that this proteſtation was not founded on maxims of ſtate, which are the principles that moderate oppoſers of toleration ground their reaſoning upon; but merely and ſolely upon the religious worſhip of the church of Rome." Art. USHER.

author and principal promoter of this proteſtation, that[9] "whereas he was wont to except one of theſe courts (meaning the primate's) from the general corruption, yet he heard it was ſaid, among great perſonages, that his grace's court was as corrupt as others; ſome ſaid, it was worſe; and that of his grace's late viſitation, they ſaw no profit but the taking of the money."

Nay it appears, by the journals of the Iriſh Commons, even in 1640,[d] that the judges of theſe courts were guilty of "barbarous and unjuſt exactions;"[10] and that too, for ſuch rites and cuſtoms, as had been formerly in uſe with the popiſh natives, but were now condemned and renounced by proteſtants, viz. money for holy-water clerk, for anointing, mortuary-muttons, mary-gallons, St. Patrick's ridges, ſoul-money, and the like."[e]

Thus while theſe biſhops were ſimoniacally extorting large ſums of money from the catholics, for their own private uſe (for to that alone they were applied), they expected

[9] Burnet ib. [10] Commons Journal, vol. i.

[d] "The humble remonſtrance of the knights, citizens and burgeſſes of the houſe of commons aſſembled in this preſent parliament (1640):

"To the lord deputy,

"THEY humbly repreſent unto your lordſhip, that divers complaints have been referred to them by ſundry perſons, from ſeveral parts of this kingdom, of many grievous exactions, preſſures and other vexatious proceedings of ſome of the clergy of this kingdom, and their officers and miniſters, againſt the laity, and eſpecially the poorer ſort, to the great impoveriſhing and general detriment of the whole kingdom; which the ſaid houſe of commons, after many debates thereof, having taken into ſerious conſideration, it was conceived by the unanimous votes of the houſe, that all of them were very great and enormous grievances. Some whereof being moſt exorbitant and barbarous, they were of opinion ought to be quite aboliſhed, being repugnant to law and reaſon; and the reſt to be reformed, &c." Commons Journal, vol. i. fol. 258.

[e] "Great ſums of money received by ſeveral biſhops of this kingdom, for commutation of penance; which money, by his majeſty's

expected to be conſidered as taking only their lawful dues: but for the king to accept of the ſame, or leſs, from theſe people, to enable him to carry on the moſt neceſſary public ſervice[f] (on condition only of freeing them from ſuch barbarous and unjuſt extortions) was, in their lordſhips opinion, nothing leſs than "ſetting religion to ſale, with the ſouls of the people."[g]

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majeſty's inſtructions, ſhould be converted to pious uſes; not obſerved, but made a private profit." Commons Remonſtrance. See Commons Journal, vol. i. fol. 261.

"In Connaught and elſewhere, ſixpence per annum of every couple (holy-water clerk); of every man that dies a *muttue*, by the name of *anointing-money*: from a poor man that has but one cow, they take that for *mortuary*: from one that is better able, his beſt garment for *mortuary*. If a woman, her beſt garment for *mortuary*: and a gallon of drink for every brewing, by the name of *mary-gallons*: for every beef that is killed for the funeral of any man, the hide and tallow, and they challenged a quarter beſides: four-pence or ſixpence per annum from every pariſhioner, for *ſoul-money*: a ridge of winter-corn and a ridge of oats for every plow, by the name of *St. Patrick's ridges*: for *portion-canons*, the tenth part of the goods, after debts paid, &c." Ib. p. 260.

[f] "We are told in the life of primate Uſher, that this proteſtation (of the biſhops) had a conſiderable effect in retarding a project, the ſucceſs of which was abſolutely neceſſary to the king's affairs." Lel. ubi ſupra, vol. ii. p. 482, note.

[g] It has been obſerved on this occaſion, "that on the plantations made in the reign of James, the new coloniſts had been ſupplied with teachers principally from Scotland, they formed their churches on the preſbyterian model, and many refuſed to accept epiſcopal ordination. To quiet ſuch ſcruples, the biſhops, by the approbation of Uſher, their learned metropolitan, conſented to ordain them to the miniſtry, without adhering ſtrictly to the eſtabliſhed form, and to admit ſome of their brethren of the Scottiſh preſbytery to a participation of their office. Thus theſe Scottiſh teachers enjoyed churches and tythes without uſing the liturgy. Such men clamoured loudly againſt the horrid deſign of ſelling the truth, and eſtabliſhing idolatry for a price: their brethren of the other provinces readily united in the clamour." Lel. Hiſt. vol. ii. p. 481.

CHAP. II.

A free gift raiſed for the king, chiefly by the natives, for which they were rewarded by a new perſecution of their religion.

IN this preſſing exigency of his majeſty's affairs, a free gift or contribution,[a] of one hundred and twenty thouſand pounds, was ſet on foot in Ireland, "of which, ſays Mr. Carte,[1] the catholics paid near two-thirds."[b] And indeed, on that account, they ſeem to have been well entitled to that reſpite from legal penalties, which they are ſaid to have then obtained. But this reſpite, if any they had, muſt have been very inconſiderable; for

[1] Life of Ormond, vol. i.

[a] "This was a voluntary offer made by the Iriſh agents, then in England; the money was to be paid in three years, by way of three ſubſidies, each amounting to fifty thouſand pounds, and each to be divided into equal quarterly payments. The graces which they ſolicited in conſequence of this extraordinary exertion of loyalty, were in ſome inſtances favourable to recuſants, but ſuch as in general were evidently reaſonable and equitable. The bounty was accepted." Lel. ubi ſupra, p. 483.

[b] The catholic nobility and gentry afterwards ſolemnly declared, in their remonſtrance of grievances, delivered to his majeſty's commiſſioners at Trim, in March 1642: "That they had readily, and without reluctance or repining, contributed to all the ſubſidies, loans and other extraordinary grants made to his majeſty ſince the beginning of his reign; and were in parliament and otherwiſe, moſt forward in granting ſaid ſums; and did bear nine parts in ten, in the payment thereof." App.

The truth of this appears from hence, that theſe ſubſidies, loans, &c. were rated to each perſon, in proportion to the value of his real property; and we are well informed, "that before the year 1641, the Iriſh were the proprietors of ten acres of land, to one that the Engliſh had in Ireland." Col. Laurence Inter. of Ireland, part ii. p. 47.

Father Walſh ſays, that they had nineteen in twenty acres. Reply to a Perſon of Quality.

That

for in the year 1629, a ſevere perſecution was raiſed againſt them, which was as unlooked for, as unmerited. The council of Ireland, in their letter to the king, April 28th of that year, confeſs,[2] "That except what they call the inſolence and excreſcence of the popiſh clergy (which ſhall be juſt now explained), the kingdom, as to the civil part of it, was in far better order at that juncture, than ever it was in the memory of man; as well in the general and current execution of juſtice, according to the laws, in the freedom of men's perſons and eſtates, and in the univerſal outward ſubmiſſion of all ſorts of ſettled inhabitants to the crown and laws of England; as alſo in the advancement of the crown revenues, and in the competent number of biſhops and other able and learned biſhops of the church of England." But theſe biſhops, it ſeems, and other able and learned miniſters of the church of England, were not then thought ſufficient, without the help of a military force, to reclaim the catholics from the heinous ſin of ſerving God in the way moſt agreeable to their own conſciences.

The cauſe and manner of this perſecution are thus related by Hammon l'Eſtrange, who was then, or ſhortly after, in Ireland.[3] "In this year," ſays he, "the Roman clergy began to rant it, and to exerciſe their fancies, called religion, ſo publicly as if they had gained a toleration." The reader, I imagine, will be ſurprized to find, that this ranting of the catholic clergy was nothing more, than their reading prayers quietly to their people in one of their own chapels:[c] "For

[2] Scrinia Sacra. [3] See Harris's Fiction Unmaſked.

That there was great partiality ſhewn to certain perſons in theſe collections, appears from hence, that Richard, Earl of Cork, out of his vaſt eſtate, "paid towards one yearly contribution (ſays Lord Wentworth) not a penny more than ſix ſhillings and eight pence a quarter." State Letters, vol. i. fol. 148. 407.

[c] It has been obſerved on this occaſion, that "the proteſtant party were zealous in their deteſtation of popiſh idolatry (i. e. ceremonies),

" For (proceeds l'Eſtrange) whilſt the lords juſtices were at Chriſt-church in Dublin, on St. Stephen's day, they were celebrating maſs in Cook-ſtreet; which their lordſhips taking notice of, they ſent the archbiſhop of Dublin, the mayor, ſheriffs, and recorder of the city, with a file of muſketeers, to apprehend them; which they did, taking away the crucifixes and paraments of the altar; the ſoldiers hewing down the image of St. Francis; the prieſts and friars were delivered into the hands of the purſuivants, at whom the people threw ſtones, and reſcued them: the lords juſtices being informed of this, ſent a guard and delivered them, and clapped eight popiſh aldermen by the heels for not aſſiſting their mayor. On this account, fifteen houſes, (chapels) by direction of the lords of the council in England, were ſeized to the king's uſe, and the prieſts and friars were ſo perſecuted,[d] that two of them (adds my author) hanged themſelves in their own defence."

Few, I believe, will wonder that the populace endeavoured to reſcue their prieſts, in ſuch an exigency; and fewer yet, that the catholic aldermen of Dublin did not aſſiſt their mayor in this prieſt-catching buſineſs. But it is not eaſy to conceive, what elſe but a truly puritanical exceſs of zeal, could have excited an archbiſhop of Dublin to quit his proper province, the public ſervice of the church, on a ſolemn feſtival, to head a file of muſketeers, and lead them on thus

 furiouſly

ceremonies), that the inferiors of their clergy were poor, and ſometimes ſcandalouſly profligate. And that many of the prelates, as well as officers of ſtate, of Engliſh birth, were puritanically affected." See Leland's Hiſtory of Ireland, vol. iii. p. 4.

[d] This perſecution was afterwards extended all over the kingdom. The Engliſh council acquainted the juſtices of Ireland, on that occaſion, " That his majeſty in perſon, was pleaſed openly, and in moſt gracious manner, to approve and commend their ability and good ſervice; whereby they might be ſufficiently encouraged to go on, with the like reſolution and moderation, till the work was fully done, as well in the city as in other places of the kingdom, leaving to their diſcretion, when and where to carry a ſoft or harder hand." Scrinia Sacra.

furiouſly to demoliſh a chapel, apprehend a few prieſts, and terrify a number of harmleſs people in the midſt of their devotions; and that too "in the midſt of far better order in civil matters, and more univerſal ſubjection to the crown and laws of England, than was ever before known in the memory of man." One can hardly help thinking, that the furious puritan Venner did, ſome years after, copy the example of this archbiſhop of Dublin, when iſſuing from his conventicle in Colman-ſtreet, London, with about fifty of his diſciples armed, he fancied himſelf commiſſioned from heaven to fall upon and kill all thoſe whom he met with in the ſtreets, of a different perſuaſion from his own.

After what has been hitherto related, who can help wondering at the partiality or ignorance of thoſe hiſtorians who confidently tell us,[4] "that, during all this and the former reign, the catholics of Ireland enjoyed an undiſturbed exerciſe of their religion; and that even Dublin, where the ſeat of the king's chief governor was, they went as publicly and uninterruptedly to their devotions, as he went to his."

CHAP. III.

The free gift or contribution continued for the ſervice of the government.

THE free gift before-mentioned, having been continued longer, and grown more burdenſome than was expected, the people[1] "began to entertain frightful apprehenſions, leſt it might, in fine, turn to an hereditary charge on their eſtates." The proteſtants eſpecially, complained loudly of it; thoſe of Cavan in particular, who ſigned a petition to the lords juſtices againſt it, ſetting forth,[2] "That it was plotted and collected without the conſent of the proteſtants of that country,

[4] Clarendon, &c.

[1] Lord Strafford's State Letters, vol. i. f. 184. [2] Id. ib. f. 150.

country, and partly by force, praying their lordſhips favourably to forbear any further impoſition of any ſuch burden upon them, until they repreſented their humble remonſtrance to his majeſty."

Richard Earl of Cork, then one of the lords juſtices,[3] "privately ſet the proteſtants againſt this contribution; and ſeveral of the biſhops joined him in oppoſing it." His grace of Canterbury told biſhop Bedel,[a] on that occaſion,[4] "that his, and the other biſhops behaviour, was not well taken by his majeſty." A ſcheme was, however, formed by them, for levying the whole contribution on the catholics, by putting the ſtatute of the 2d of Elizabeth in ſtrict execution. Accordingly, the lords juſtices and council informed his majeſty,[5] "That it was impoſſible to improve that part of the revenue,[b] ſave only by impoſing the twelvepence a Sunday on the recuſants." This propoſal was readily agreed to by the king:[6] "We approve well," ſays his majeſty in his anſwer, "that this buſineſs, as you deſire, may be preſently put into ſuch a ſtate as that the money, which ſhall by that means grow due unto us, may be ready to be levied by Michaelmas next. And as the beſt and ſureſt way to bring it to effect, we do hereby authoriſe and require you, forthwith to aſſemble our council there, and with their privity to cauſe preſentments to be duly made through the whole kingdom, according to the law you mention doth appoint." Theſe preſentments were accordingly made, and fines were impoſed on ſuch juries as refuſed to find them.

Lord

[3] Lord Strafford's State Letters, vol. i. fol. 76.
[4] Id. ib. fol. 134. [5] Id. ib. vol. ii. fol. 91. [6] Id. ib.

[a] "Bedel had united with the inhabitants of his dioceſs, in a petition to the late lords juſtices, repreſenting the new contribution as irregularly obtained and oppreſſively levied." Leland. Hiſt. of Ireland, vol. iii. p. 26.

[b] "The preſent lords juſtices adviſed, that the recuſants ſhould be ſtrictly preſented; and the weekly fines impoſed for their abſence from the eſtabliſhed worſhip, as a means of providing for the army." Ib. p. 8.

Lord Wentworth, then appointed deputy, did not, it ſeems, like this method of raiſing a ſupply for the maintenance of the army.[7] "Not," ſays he, "but that every good Engliſhman ought, as well in reaſon of ſtate as conſcience, to deſire the kingdom were well reduced to a conformity in religion; but becauſe it is a great buſineſs, that has many roots lying deep and far within the ground, which ſhould be firſt thoroughly opened before we judge what height it may ſhoot up to, when it ſhall feel itſelf once ſtruck at, to be looſened and pulled up." He was, therefore, for continuing the contribution as it then ſtood,[8] "becauſe he thought it more ſafe, conſidering the inequality of numbers and the ill proviſion of the army, to take the contribution againſt the will of the proteſtants, than to raiſe the twelve-pence a Sunday, againſt the liking of the recuſants." But his principal reaſon for not depending on the execution of this ſtatute, for raiſing this ſupply, was the uncertainty of its ſucceſs or ſufficiency; for as he pleaſantly obſerved,[9] "If it took that good effect for which it was intended, which was to bring the Iriſh to a conformity in religion, it would come to nothing; and ſo would prove a covering narrower than a man could wrap himſelf in."

His lordſhip ſoon brought the king over to his opinion in this particular; but was obliged to have recourſe to Laud's aſſiſtance, to convince the Iriſh biſhops of the impropriety of executing the ſtatute of the 2d of Elizabeth at that juncture.[10] "As for the laying aſide," ſays his grace in his letter to biſhop Bedel, "the twelve-pence a Sunday, and not expecting it for the preſent, his majeſty conceives he did it upon all the conſiderable reaſons that could be, and thoſe very well weighed; and therefore, I do heartily pray both you and your brethren, to lay aſide all jealouſies, and to advance his majeſty's ſervice by all the good means you can, for that he would be very ſorry to find the carriage of any biſhop eſpecially ſhould caſt a damp upon his majeſty's ſervice."

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[7] Lord Strafford's State Letters, vol. i. fol. 75.
[8] Ib. fol. 76. [9] Ib. fol. 47. [10] Ib. vol. ii. fol. 91.

CHAP. IV.

Lord Wentworth continues the contribution.

THE eſtabliſhed clergy of Ireland, who made religion a pretence for preſſing the execution of the beforementioned ſtatute,[1] "were themſelves generally ignorant and unlearned, and looſe, and irregular, in their lives and converſations."[2] "As ſcandalous livings," ſays Mr. Carte in the ſame place, "naturally make ſcandalous miniſters, the clergy of the eſtabliſhed church, were negligent of their cures, and very careleſs of obſerving uniformity and decency in divine worſhip."[2] Of this particular obſtacle to the reformation Lord Wentworth was fully ſenſible, and mentioned it in ſeveral of his letters to the miniſtry in England.[3] "An unlearned clergy," ſays he in one of them, "who have not ſo much as the outward form of churchmen to cover themſelves withal, nor their perſons any way reverenced, or protected; the churches unbuilt; the parſonage and vicarage-houſes utterly ruined; the people untaught through the non-reſidence of the clergy, occaſioned by unlimited ſhameful numbers of ſpiritual promotions, with cure of ſouls, which they hold by commendams; the rites and ceremonies of the church run over, without decency of habit, order, or gravity, in the courſe of their ſervice; the biſhops alienating their very principal houſes and demeſnes to their children, to ſtrangers, and farming out their juriſdictions to mean and unworthy perſons;" ſo that with reſpect to their project of propagating religion by enforcing this ſtatute, his lordſhip juſtly obſerved,[4] "that ſuch brainſick zeal would work a goodly reformation ſurely, to force conformity

[1] Carte's Orm. vol. i. fol. 68. [2] Id. ib. [3] State Lett. vol. i. f. 187. [4] Id. fol. 172.

[2] "Ignorance, negligence, and corruption of manners in the eſtabliſhed clergy were the conſequences of their poverty." Lel. Hiſt. Irel. ubi ſupra, p. 26.

formity to a religion, when there was hardly to be found a church to receive, or an able miniſter to teach the people." Laud [b] in anſwer to this account of the Iriſh clergy, tells him, " the anatomy, which you make of the Iriſh eccleſiaſtical diſeaſe, makes it apparent, that it is ſpread ſo univerſally over the body, that a very wiſe phyſician can ſcarce tell where to begin the cure."[5]

The method Lord Wentworth propoſed for improving this part of the revenue, in preference to the tax on the conſciences of the natives, was firſt, to continue the contribution for another year; and ſecondly, to ſummon a parliament, in order to ſettle a conſtant and regular ſupply for the army. But, in order to make trial of the temper of the catholics, (who had firſt propoſed, and actually paid more than two thirds of the former contribution,) with regard to the continuance of it for a longer term,[6] " he ſent a private meſſenger of his own to Ireland, who was himſelf a catholic, with inſtructions to invite them to make an offer to his majeſty of half a ſubſidy, to be paid the next year; upon condition, that all further proſecution upon the ſtatute of the 2d of Elizabeth might be reſpited till his coming over. " The inſtrument I employed," ſays he, " knows no other, but that the reſolution of the ſtate here is ſet upon that courſe, and that I do this privately, in favour and well-wiſhing to divert the preſent

[5] Straff. ib. fol. 212. [6] Carte's Orm. vol. i. fol. 74.

[b] " 1633, Ireland.

" Here are divers of the clergy (proteſtant) whoſe wives and children are recuſants, and there I obſerve the church goes moſt lamentably to wreck, and hath ſuffered extremely under the wicked alienations of this ſort of paſtors, wherein I could already give many inſtances." Straff. St. Lett. vol. i. fol. 188.

In 1633, " the church of Ireland had no canons ſet by public authority at all." Id. ib.

" Keep the biſhops from their ſacrilegious alienations." Id. ib. fol. 213.

Archbiſhop Laud, in this year 1634, takes notice, that the church in Ireland was then ſo poor (by the above alienations) " that ſix benefices were not able to find the miniſter cloaths; and that, in ſix pariſhes, there were ſcarce ſix to come to church." Ib. fol. 254.

preſent ſtorm, which elſe would fall heavy upon them all, being framed, and executed by the Earl of Cork; which makes the man labour in good earneſt, taking it to be a cauſe *pro aris, et focis.*"

The anſwer, which this artful meſſage produced was,[7] "That the catholics were all very willing to continue the contribution to his majeſty, as it then was, until his lordſhip's coming over; and, in order to teſtify their forwardneſs to comply, they ſent his lordſhip a letter to that effect, from the Earl of Antrim and others."

CHAP. V.

Lord Deputy Wentworth arrives in Ireland.

IN July 1633, Lord Wentworth landed in Dublin.[1] "His lordſhip began his adminiſtration in a manner," ſays Mr. Carte, "that was ungracious, and could be hardly expected from a man of his wiſdom, and experience, who knew the conſequence of the firſt ſteps that a governor takes, and the impreſſions which they leave in the minds of the people. For, four days after his arrival, he ſummoned the council by a purſuivant, according to the uſual manner in that point; but ſummoned only a particular number, as if he intended to conſult with a committee, rather than the whole body of it. This diſobliged all that were omitted in the ſummons; and even the few he had called together were offended by a neglect, which they thought unbecoming his lordſhip to offer, or themſelves to bear; they aſſembled at two o'clock according to their ſummons, but the lord deputy, whether out of an affectation of ſtate, or not attending to the hour through a more agreeably cauſe (for he had a day or two before declared his marriage to Mrs. Elizabeth Rhodes, a young lady of extraordinary merit, whom after a long abſence he had met at Dublin), made them wait two hours and more, before he came to them; and then the buſineſs, under

[7] Id. ib.

[1] Id. ib. fol. 57.

under pretence of which they were ſummoned, was not handled as they expected." It was, perhaps, for this, among other reaſons, that at their next meeting in council, his lordſhip's propoſal for continuing the contribution for another year was far from being agreeably received; ſo far indeed, that he ſaid,[2] "he was put to his laſt refuge on that occaſion, which was to tell them plainly, that there was no neceſſity, which induced him to take them to council in that buſineſs; for that rather than fail in ſo neceſſary a duty [a] to his maſter, he would undertake, upon the peril of his head, to make the king's army able to ſubſiſt and provide for themſelves amongſt them, without their help."[b] The army, at this time, took up victuals in its marches, and paid nothing, as if it had been in an enemy's country, and therefore was held in abomination by the inhabitants.[c] Having by this commination, ſomewhat ſoftened their oppoſition, he further adviſed,[4] "that the

[2] Carte's Orm. vol. i. fol. 98. [3] Id. ib. [4] Id. ib.

[a] There was not among all the Engliſh commons a more violent oppoſer of the extenſion of the king's prerogative, or a more ſtrenuous aſſertor of the people's liberties, than he was while he remained plain Sir Thomas Wentworth. But being brought over to the court in 1629, he was ſworn a privy counſellor, and made a baron, and ſoon after a viſcount. "The Duke of Buckingham himſelf," ſays Mr. Howel, "flew not ſo high in ſo ſhort a revolution of time. He was made viſcount with a great deal of high ceremony, upon a Sunday in the afternoon, at Whitehall. Lord Powis, who affected him not much, being told that the heralds had fetched his pedigree from the blood royal, viz. from John of Gaunt, ſwore that if ever he came to be king of England, he would turn rebel." Letters, p. 211.

[b] Much the ſame, he tells Archbiſhop Laud, with reſpect to the lawyers. "I know no reaſon," ſays he, "but you may as well rule the common lawyers in England, as I, poor beagle do here; and yet that I do, and will do, in all that concerns my maſter's ſervice, upon the peril of my head." State Lett. vol. i. fol. 173. Speaking of Prynne.

[c] Wentworth confeſſes, that before 1636, "the duties had from the Iriſh were rather, indeed, violent takings, raviſhments of the poor, than the modeſt, quiet levies of a pious, and chriſtian king." Id. ib. fol. 19.

the propoſition of the next year's contribution might come from the proteſtants, as it had done that year, from the papiſts; and ſo thoſe, no more in ſhew, than ſubſtance, to go before theſe, in their chearfulneſs and readineſs to ſerve his majeſty."

His lordſhip's ſecond propoſal, of calling a parliament, to ſettle a conſtant and regular ſupply for the maintenance of the army, was ſo very differently received, that upon the bare mention of it, they readily came into his firſt propoſal: [5] "they were ſo horribly afraid," ſays he, "that the contribution-money would be ſet, as an annual charge upon their inheritances, as they would redeem it at any rate; ſo as, upon the name of a parliament, it was ſomething ſtrange to ſee, how inſtantly they gave conſent to this propoſition, with all the chearfulneſs poſſible, and agreed to have a letter drawn up, making an offer of the next year's contribution, under their hands." "The next labour (adds his lordſhip) muſt be to get through the whole kingdom, the hands of the popiſh party to the like offer, which I aſſure myſelf to have within a few weeks." [6]

CHAP. VI.

Lord Wentworth's manner of modelling the Iriſh parliament.

LORD Wentworth was not, in the leaſt degree ſcrupulous as to the legal qualifications of ſuch perſons as he intended ſhould conſtitute this new houſe of commons; nor indeed did he willingly ſuffer any to be returned members, whom he did not believe to be ſome way or other ſubſervient to his predatory deſigns. [a] "I ſhall

[5] Id. ib. [6] Ib. fol. 99.

[a] "I have this day," ſays he, in a letter to Secretary Coke, "ſent out the writs of ſummons, and with them above an hundred letters in recommendation of ſuch as, upon advice taken with this

"I ſhall labour,"[1] ſays he, "to make as many captains, and officers burgeſſes, in this parliament, as I poſſibly can; who having immediate dependence on the crown, may almoſt ſway the buſineſs between the two parties,[b] which way they pleaſe." One particular inſtance of his lordſhip's management in theſe elections, I ſhall relate in his own words, becauſe, indeed, it is in itſelf ſo extraordinary, that it would hardly gain belief, were it related in the words of any other perſon.

His lordſhip had reſolved to make Mr. Cateline, who was recorder of Dublin, one of the repreſentatives of that city; but it appears that Cateline's competitor, being either a catholic, or ſtrenuouſly ſupported by that intereſt, was likely to carry the election from him. For the catholics were generally apprehenſive, that ſome ſevere laws againſt the exerciſe of their religion were intended to be paſſed that ſeſſion, and therefore, were probably

[1] Cart. ib.

this council, were held perſons ableſt and beſt ſet for his majeſty's ſervice, having both in that and all the reſt uſed the utmoſt of my power and diligence to get the houſe to be compoſed of quiet and governable men." Straff. St. Lett. vol. i. fol. 259.

[b] The proteſtants and recuſants. Wentworth's object was a conſtant and regular ſupply for the payment of the army. The recuſants were not averſe to the raiſing it by a general tax; but the proteſtants would have levied it entirely and ſolely on the recuſants, by putting the ſtatute of the 2d of Elizabeth in ſtrict execution. His lordſhip's method of managing both parties on that occaſion is ſet forth by himſelf in the following propoſal, viz. That the lower houſe ſhould be ſo compoſed, that neither the recuſants, nor yet the proteſtants ſhould appear conſiderably one more than the other: holding them as much as might be (ſays he) in an equal balance, as being thus eaſier to govern. And then, in private diſcourſe, to ſhew the recuſants, that the late contribution ending in December, if his majeſty's army was not ſupplied ſome other way, the twelve pence per Sunday muſt of neceſſity be exacted upon them; and on the other hand, to ſhew the proteſtants that his majeſty's army muſt not let go the twenty thouſand pounds contribution, nor yet, that he would diſcontent the recuſants in matter of religion, till the army were elſe certainly provided for." State Lett. vol. i.

probably very active in this buſineſs of elections,[c] in the different parts of the kingdom.[d] This activity of theirs

[c] "Albeit," ſays Lord Wentworth, "the popiſh party are infinitely ſolicitous that no proteſtants ſhould be choſen where they can poſſibly hinder it; yet I am very confident, they will be very forward for the king's ſupply, ſo as the matter of religion be not ſtirred againſt them." Ib. vol. i. fol. 267.

[d] This apprehenſion was increaſed by Lord Wentworth's refuſing to call together and conſult with the lords of the pale on the ſtate and exigençies of the nation before the meeting of parliament, as till then had been always the deputy's cuſtom. Wentworth himſelf relates his own indecent manner of treating the Earl of Fingal, deputed by the other lords of the pale to wait upon him with that requeſt. "My lord chancellor moving, that the lords of the pale, according to the cuſtom of former times, might be conferred withal, concerning the parliament and matters therein to be propounded; I preſently ſilenced it by a direct and round anſwer; and within four days after, the Earl of Fingal came purpoſely to me in this chamber, where he told me the report went, there would be a parliament, and that their lordſhips of the pale had been accuſtomed to be conſulted with before thoſe meetings, to aſſemble and take advice together, what to propound for the good of the people, and therefore deſired to be aſcertained therein, that they might prepare themſelves accordingly. This nobleman (as I conceive) being a perſon, not of the beſt affections that would be eſteemed to be the advocate of the public; and which was as obſervable as any of the reſt, coming, as it were, the mouth to open for them all, I thought fit to cloſe it as ſoon and ſurely as I could; therefore my anſwer was quick. I told him, that aſſuredly, his majeſty would reject with ſcorn, all ſuch foreign inſtructors; that the king's own councils were ſufficient to govern his own affairs and people, without borrowing from any private man whatſoever. I perceived his lordſhip a little out of countenance, and haſtening from the tenet, telling me, it was only to put me in mind of what had formerly been the cuſtom, and that the Lord of Faulkland had called their lordſhips of the pale in like caſe. My anſwer was, that Lord Faulkland ſhould be no rule in this for me." Wentworth adds in the ſame letter to Secretary Coke (as if he was diffident how this diſcourſe and treatment would be taken by the king), "if I may from you gather it was too much, I will put ſome water in my wine, and expreſs it more mildly to his majeſty's contentment, as well in the manner as the matter." Straff. St. Lett. vol. i. 246.

This appears from Wentworth's ſpeech to this parliament; wherein,

theirs was foundation enough for Wentworth to pretend in excuſe of his own violent interpoſition in this election for Dublin,[2] "that the ſheriff of that city had carried himſelf mutinouſly;" but in what reſpect he does not mention, otherwiſe than by a bare ſuſpicion of his own, "that he was ſet on by prieſts and friars[e] to ſuffer no proteſtant to be returned to parliament." On this ſuſpicion, however, he brought him[3] into the caſtle chamber,[f] upon an *Ore tenus;* where upon what he had ſet down under his hand, he fined him in two hundred pounds, and five hundred pounds more, for his contempt in refuſing to ſet his hand to another part of his examination, diſabling him from ever bearing that office in the city: "Which," adds his lordſhip, "wrought ſo good an effect, as giving order preſently for chuſing a new ſheriff, and going on the next day with the election again, the voices were all orderly taken; and the conformable proving the greateſt number, Cateline and Alderman Barry, a proteſtant, were choſen." There were at this time more than an hundred Roman catholics to one proteſtant in Ireland,[4] and Roman

[2] Carte's Orm. vol. i. fol. 270. [3] Ib. [4] Ib.

wherein, in order to remove all ſuch apprehenſions, he tells them, "that meeting was meerly civil, religion not at all concerned one way or other. In this," he adds, "I have endeavoured to give you ſatisfaction, both privately and publicly. And now I aſſure you again, there is nothing of religion to be ſtirred in this parliament." Id. ib. fol. 289.

[e] Earl of Strafford to the Earl of Newcaſtle, April 17th 1635: "I underſtand the Jeſuits and friars are much incenſed againſt me in my own particular, as fearing they may come to be remembered for all their practices, in this parliament." State Letters, vol. i. fol. 412.

"Ever M'Mahon (a Romiſh eccleſiaſtic) ſo early as the year 1634, gave information to Lord Strafford of a general inſurrection intended in Ireland, to be aſſiſted from abroad." Lel. Hiſt. vol. iii. p. 91.

And yet, "it does not appear by Lord Macguire's narration, that any of the Romiſh clergy were preſent (in 1641) at the meeting of the conſpirators, except Ever M'Mahon." Ib.

[f] A tyrannical court then held by the deputy of Ireland, ſimilar to that of the ſtar-chamber in England.

Roman catholics were then equally with proteſtants qualified to vote at elections.

The deputy had alſo reſolved, to make this Cateline ſpeaker of the houſe of commons,[5] "And, as I underſtood," ſays he, "there was a muttering among them of rejecting him, and chuſing ſome other for themſelves, I called the lord chancellor to me, and directed him to require them forthwith to aſſemble themſelves in their houſe, and to chuſe their ſpeaker, who was to be preſented to me by nine o'clock the next morning; telling them it was not worth their contention, and that it would be taken as an ill preſage of ſome waywardneſs or forwardneſs of mind, if they ſhould go about to deny ſuch for their ſpeaker, as ſhould be recommended by his majeſty's privy council; or to ſtruggle in a buſineſs, wherein the concluſion muſt be according to his majeſty's good will and pleaſure, whether they will or no. So they departed (adds he), and before dinner, without any noiſe or oppoſition at all, they choſe the recorder for their ſpeaker."

His lordſhip, however, underſtanding what [6] dangerous broils and tumults had happened in the houſe of commons in 1614, under Sir Arthur Chicheſter's government, upon the like occaſion of forcing a ſpeaker upon them, did, after Sir Arthur's example, iſſue a proclamation, "that neither the peers nor commoners ſhould come into parliament with ſwords." Concerning this proclamation, I ſhall relate a paſſage of a young nobleman, of whom I ſhall hereafter have occaſion to make frequent mention. "Purſuant to orders, the uſher of the black rod was planted at the door of the houſe of lords, to take the ſwords of the peers; and as the Earl of Ormond was coming in, he demanded his, but was refuſed. That officer hereupon ſhewed the proclamation, and repeated his demand in a rough manner. The earl told him, that if he muſt have his ſword, he ſhould have it in his guts; and ſo marched on to his ſeat, and was the only peer who ſat that day with a ſword in the houſe. Upon the earl's being ſent for

[5] Ib. fol. 277. [6] Ib. fol. 64.

for by the deputy that very night, to appear before the council, and anſwer for his diſobedience to the proclamation, he owned he had ſeen it, and added, "that he diſobeyed both that and his lordſhip's order, out of deference to an higher authority; and then produced the king's writ, which ſummoned him to come to parliament, *cum gladio cinctus*. This altercation was the beginning and cauſe of that great friendſhip, which ſubſiſted between theſe two noblemen during Lord Wentworth's life."

CHAP. VII.

Some tranſactions of this parliament.

ON the 16th of July 1634, this parliament met [a] in the caſtle of Dublin: [1] "Undoubtedly," ſays Wentworth, "with the greateſt civility and ſplendor Ireland ever ſaw; there having appeared a very gallant nobility and gentry, far above that I expected; and all this accompanied with ſingular chearfulneſs towards his majeſty's affairs."

His lordſhip in his ſpeech, acquainted them,[2] "that his majeſty expected an hundred thouſand pounds debt to

[1] Straff. State Lett. vol. i. fol. 274. [2] Ib.

[a] After the then cuſtomary proceſſion from thence to St. Patrick's church to hear divine ſervice, and a ſermon on that occaſion, Wentworth obſerved, "that Lord Fitzwilliams having ſent to him, to deſire that he might carry the ſword to the church (a courteſy, adds he, I ſhould refuſe no perſon of his quality, never dreaming that a recuſant could be ſo vain as to affect it); before me into the church he went; and if you had ſeen him, how he made a ſingle forward, and ran a double backward again; it would make you ſmile. This is the naked truth; I was ſorry when I underſtood him to be of that religion, and ſhall, craving his majeſty's pardon for my error, not fall into the like again." State Letters, vol. i. fol. 201.

His lordſhip was told in anſwer to this point, "that he had good reaſon to ſuffer that lord, at his own requeſt, to bear the ſword; wherein if he did any thing maliciouſly, in contempt or diſgrace of religion, or the deputy's authority, he was to be convented and puniſhed as he deſerved." Ib. fol. 202.

to be diſcharged, and twenty thouſand pounds a year conſtant and ſtanding revenue, to be ſet apart for payment of the army." He likewiſe told them, "that his majeſty intended to have two ſeſſions of that parliament, the one for himſelf, the other for them; ſo as if they, without conditions, ſupplied the king in this, they might be ſure his majeſty would go along with them in the next meeting, through all the expreſſions of a gracious and good king."

Lord Wentworth knew,[3] that in the year 1628, the king had given the Iriſh his ſolemn promiſe, for a[b] valuable conſideration, that he would, in their next parliament, (which was that now aſſembled) remove ſeveral grievances that had been humbly remonſtrated to him, particularly, the enquiry into defective titles; but he was ſenſible, at the ſame time, that this ſolemn promiſe would not be kept; nay, he had himſelf actually perſuaded the king not to keep it. It was, therefore, with reaſon apprehended, by both his majeſty and his lordſhip, that the commons would inſiſt on the performance of that promiſe, before they granted the ſupplies in queſtion; on which account, it was thought adviſable to make two ſeſſions of that parliament, and to give them the king's promiſe for both. At all events, it ſeems to have been reſolved upon, in caſe the commons inſiſted on the previous performance of the king's promiſe, to diſſolve the parliament, and raiſe the ſupplies in an arbitrary way. Under this apprehenſion, his majeſty told the deputy,[4] "that it would not be worſe for him, though that parliament's obſtinacy ſhould make him break with them; for I

[3] Carte's Orm. vol. i. fol. 61. [4] Id. ib. fol. 233.

[b] "A free gift of one hundred and twenty thouſand pounds; of which they had paid in 1631, one hundred and ſix thouſand two hundred and four ſcore pounds ſixteen ſhillings and two pence farthing. This money had been given to his majeſty, on account of the above mentioned promiſe." See Straff. State Lett. vol. i. fol. 68.

fear," adds he, "they have ſome grounds to demand more than it is fit for me to give." [c]

The deputy, however, took uncommon pains to perſuade them, that in caſe of their free and unconditional grant of the ſupplies, the king would certainly confirm the promiſed graces; [d] and in order to baniſh from their minds all diffidence in that reſpect,[5] "Surely," ſaid he, "ſo great a meanneſs cannot enter your hearts, as once to ſuſpect his majeſty's gracious regards of you, and performance with you, where you affie yourſelves upon his grace." And yet his lordſhip had not only adviſed his majeſty, as I have already obſerved, to break his ſolemn promiſe to theſe people; but alſo, in order more effectually to perſuade him to do ſo, had even engaged to take upon himſelf all

[5] Strafford's State Letters, vol. i. fol. 223.

[c] The principal of the promiſed graces, and which they chiefly inſiſted upon, was "that of limiting the title of the crown to ſixty years, by which alone, ſays Mr. Carte, his majeſty would loſe twenty thouſand pounds a year." Ormond, vol. i. fol. 61.

[d] But with how little ſincerity, appears from his letter to ſecretary Coke on that ſubject: "Let me," ſays he, "tell you in your ear, howbeit we ſet a fair ſtile on theſe laws, as beneficial to the commonwealth, yet there are of them, which I dare confidently affirm, will be worth the king at leaſt four thouſand pounds a year in the court of wards and alienations, a point which my maſters in the houſe dream not of." State Letters, vol. i. fol. 305.

Theſe laws were the ſtatutes of wills and uſes, which he afterwards, with much difficulty and in breach of his public promiſe, "that religion ſhould not be touched upon," got paſſed in his packed parliament. "And by which, (as he afterwards boaſted) his majeſty had gained an unavoidable power in the education of the heirs of all the great families in the kingdom, as they fell; and ſo means to bring them up in our religion; a ſuperintendency (adds he) of vaſt conſequence, if rightly applied, as in part appears in the perſon of the Earl of Ormond." Ib. vol. ii. fol. 8. The abolition of this court was one of the principal graces which the king had ſolemnly promiſed to theſe people in 1628, for the valuable conſideration hereafter mentioned.

all the danger and infamy that was likely to ariſe from it. For which wonderful piece of ſervice, his majeſty, ſoon after, thanked him, in a letter written with his own hand.[e]

But leſt theſe artful inſinuations ſhould not prevail with the commons, he thought proper to enforce his demands by ſome high expreſſions, tending to frighten them into a ſpeedy compliance.[f] "Let me not," ſaid he, "prove a Caſſandra amongſt you, to ſpeak truth, and not to be believed. However, ſpeak truth I will, were I to become your enemy for it; remember therefore, that I tell you, you may either mar or make this parliament. If you proceed with reſpect, without laying clogs or conditions on the king, as wiſe men and good ſubjects ought to do, you ſhall infallibly ſet up this parliament eminent to poſterity, as the very baſis and foundation of the greateſt happineſs and proſperity that ever befell this nation. But, if you meet a great king with narrow circumſcribed hearts, if you will needs be wiſe and cautious above the moon, remember again that I tell you, you ſhall never be able to caſt your miſts before the eyes of ſo diſcerning a king; you ſhall be found out, your ſons ſhall wiſh they had been the children of more believing parents; and in a time when you look not for it, when it will be too late for you to help, the ſad repentance of an unadviſed breach ſhall be yours; laſting honour ſhall be my maſter's."

[f] Ib.

[e] "WENTWORTH,

"Before I anſwer any of your particular letters to me, I muſt tell you, that your laſt public diſpatch has given me a great deal of contentment; and eſpecially for the keeping off the envy of a neceſſary negative from me of thoſe unreaſonable graces that people expected from me." Straff. State Let. vol. i. fol. 331.

CHAP. VIII.

The legality of ſeveral elections queſtioned, but the motion over-ruled.

THE very next day after Lord Wentworth had delivered this ſpeech to parliament (which, it ſeems, he did with ſo much haughty vehemence,[a] " that he was faint at the preſent, and the worſe for it two or three days after,") the recuſants began to call for[z] " the purging of the houſe;" an operation, which we may well preſume, it then ſtood in great need of. But that motion was, with ſome difficulty, over-ruled. This interruption his lordſhip had not foreſeen; and therefore ordered, that on the following day, the ſupplies ſhould be inſtantly moved for,[3] " Not to be diverted," ſays he, " by any other propoſition; not even by moving, that it ſhould reſt till the houſe had taken this purging phyſic, which they ſo hotly called for."

The ſupplies were accordingly moved for on the following day, and ſix entire ſubſidies were unanimouſly voted to his majeſty, payable in four years.[b]

Theſe

[1] Strafford's State Letters, vol. i. fol. 273. [2] Ib.
[3] Ib. fol. 278.

[a] " For this way," ſays he, " I was aſſured, they ſhould have ſounds at leaſt; and the ſucceſs was anſwerable. For had it been low and modeſtly delivered, I might, perchance, have gotten from them: It was pretty well; whereas this way, filling one of their ſenſes with noiſe, and amuſing the reſt with earneſtneſs and vehemence: It was the beſt ſpoken they ever heard in their lives." State Letters, vol. i. fol. 331.

[b] " In this houſe (ſays Wentworth) the parties were in a manner equal; ſome few odds on the proteſtant party; and one watching the other leſt their fellow ſhould rob them, and apply the whole grace of his majeſty's thanks to himſelf from the others; an emulation ſo well fomented underhand, that when the motion for the king's ſupply was made yeſterday in the houſe of commons, being the fifth day of the ſeſſion, they did with one voice aſſent to the giving of ſix ſubſidies, to be paid in four years." Ib. fol. 274.

Theſe ſupplies were very conſiderable;[c] and far exceeded his lordſhip's expectation.[4] "The proportion he was guided by, was to rate every thouſand pounds per annum, with forty pounds payment to the king, each ſubſidy; ſo that," ſays he, "the ſubſidies raiſed this firſt, were more than I propoſed to be had in both ſeſſions, and were given freely and without any contradiction."

His lordſhip's obſervation on the catholics calling ſo hotly for "the purging of the houſe,"[d] is worthy of

[4] Id. ib.

[c] Each of theſe ſubſidies amounted to fifty thouſand pounds; "and he never propounded more to the king than thirty thouſand." Ib. fol. 273.

[d] But not without another attempt by the recuſants for purging the houſe: "for," ſays Wentworth himſelf, "juſt as I foreſaw, the popiſh party moved a ſtay, till the houſe were purged forſooth; they put it roundly to the queſtion, and carried it by twenty-eight voices. Inſtantly the houſe turned into a committee; that ſide, fearing to loſe their part of the honour and thanks (for the ſupplies), came round with all the chearfulneſs poſſible; and the other ſurprized, and no time left to recollect themſelves, they all, with one voice, concluded the gift of ſix ſubſidies as was deſired, before twelve o'clock." Ib. fol. 278.

An altercation which happened on this motion for purging the houſe, between Sir John Dungan, Bart. and one Captain Price, a creature of the deputy's, may give us ſome idea of the tyrannical diſpoſition of that government. The captain having made ſome indecent reflections on that motion, in the hearing of Sir John, who ſat ſo near him that he could not help overhearing him; the knight, it ſeems, reſented them ſo warmly, that the captain imagined he had given him the lie: but inſtead of demanding what is called private ſatisfaction for the affront, as military men are but too apt to do, this gallant officer lodged a public complaint againſt the knight in the caſtle-chamber (the ſtar-chamber of Ireland). The ſentence pronounced againſt Sir John Dungan in that court was, that he ſhould beg Captain Price's pardon publicly on his knees, both in the council-chamber and houſe of commons; and afterwards enter into bonds with the clerk of the council, in the ſum of five hundred pounds Engliſh, to his majeſty's uſe, with condition to render his perſon to the conſtable of the caſtle four days before the next ſeſſion of

of ſome notice. "This warm motion [5] for purging the houſe," ſays he, "doubtleſs with an aim of putting out a great company of proteſtants, upon the point of non-reſidency, came not, as I was well aſſured, from any backwardneſs to ſupply the king; but out of an hope, by this means putting out many of the other party, to become the greater number, and ſo endear themſelves the more with his majeſty, to make that work (granting the ſubſidies) wholly their own, and themſelves more conſiderable; which would turn a greater obligation on the king, than I conceive his majeſty would be willing they ſhould put upon him, or indeed was fit, the preſent condition of affairs conſidered." By this condition of affairs is plainly to be underſtood, his majeſty's and the viceroy's preconcerted deſign, to carry on the enquiry into defective titles, notwithſtanding the royal promiſe to the contrary; for which iniquitous purpoſe, theſe unqualified members were ſtill retained and protected, to the great prejudice of the real repreſentatives of the people, and at the expence of his majeſty's juſtice and honour.

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[5] Strafford's State Letters, vol. i. fol. 278.

of this parliament (of which he was a member), there to remain in the condition of a priſoner, during the pleaſure of the lord deputy: and (what the knight, perhaps, deemed the ſevereſt part of the puniſhment) to declare in the ſame public and ſubmiſſive manner, that Captain Price was a perſon of truth, and a ſpeaker of truth, and that he held him to be a valiant gentleman, every way worthy of the command he held in his majeſty's army." Journals of the Iriſh Com. vol. i. fol. 122.

The reaſons aſſigned by the deputy and council for this ſeverity, are too curious to be omitted. "Upon conſideration (ſay they) of the whole matter, it is conceived at this board, that it was not a mannerly or civil part in the ſaid Sir John Dungan to lend his ear to overhear any other man, himſelf not being ſpoken to; and in that place (houſe of commons) not only unmannerly and uncivil, but deſerving puniſhment; wherein it is conceived he committed a terrible offence; firſt, againſt the king; ſecondly, againſt the houſe of commons; and thirdly, againſt the perſon of Captain Price. It is therefore ordered, &c." Ib.

CHAP. IX.

The remonſtrance of the Iriſh commons to the deputy, concerning the promiſed graces.

THE commons, relying on the merit of theſe unconditional ſupplies, chearfully and unanimouſly granted, appointed a committee to draw up a remonſtrance to the lord deputy, concerning his majeſty's promiſe; particularly, in relation to the enquiry into defective titles. In that remonſtrance they ſet forth,[1] "That ſenſibly apprehending the manifold inconveniences that had befallen the kingdom, through the uncertainty of eſtates, occaſioned by the embezzling, burning and defacing of records, in times looſe and uncertain, troubled with continual war, until the beginning of his late majeſty's happy reign; and increaſed by the negligence

[1] Ib.

[2] "The peers alſo complained loudly of public grievances; preſſed for the confirmation of the royal graces; were particularly urgent for eſtabliſhing the article, which confined the king's claim on their lands to a retroſpect of ſixty years; and frequently mentioned the royal promiſe, in a manner highly offenſive to an adminiſtration reſolved that it ſhould not be fulfilled." Lel. Hiſt. of Ireland, vol. iii. p. 20.

"Both houſes preſſed extremely for the graces (ſays Wentworth) eſpecially for the law in England of threeſcore years poſſeſſion to conclude his majeſty's title, urging his majeſty's promiſe at every turn." State Let. vol. i. fol. 279. The reaſon, he tells us, why the lords did not join with the commons in this remonſtrance was, "a trivial difference then ſubſiſting between the two houſes, which kept them aſunder all that ſeſſion; the commons not conſenting to confer with the lords, unleſs they might ſit and be covered as well as their lordſhips, which the lords would by no means admit." Ib. He adds, "that by keeping both houſes thus at a diſtance, he did avoid their joining in a petition for the graces, which (ſays he) they infallibly would have done." Ib.

negligence or ignorance of ſundry perſons heretofore employed in paſſing of patents and eſtates from the crown; whereby many errors in law crept into theſe grants, whereof divers indigent perſons, with eagle-eyes piercing thereinto, commonly took advantage, to the utter overthrow of many noble and deſerving perſons, who for valuable conſiderations of ſervice to the crown, or for money, or for both, honourably and fairly acquired their eſtates. That, therefore, finding in themſelves a ſenſible feeling of theſe and other grievances, they had received unſpeakable pleaſure from his majeſty's princely care and tender affection towards them, expreſſed in the graces tranſmitted over by their laſt agents, and on his royal word, the beſt of aſſurances, and his princely ſignature, which he had been graciouſly pleaſed to paſs unto them, to cauſe the ſaid graces to be enacted in the next enſuing parliament; that they could not ſufficiently diſcharge their duty to his majeſty, or the truſt repoſed in them by their country, unleſs they were careful in theſe great affairs, to conſerve the honour of his majeſty's word, in that reſpect, paſſed unto them his people, who had heretofore, by their ſaid agents, preſented a free gift of one hundred and twenty thouſand pounds to his majeſty, and one hundred and fifty thouſand pounds loan-money or contribution, by them forgiven; and forty thouſand pounds in theſe two laſt years, contributed by the country, amounting in the total to three hundred and ten thouſand pounds, exceeding in proportion their abilities, and the precedents of paſt ages, &c. Wherefore, they moſt humbly prayed, that his lordſhip would place the ſtatute 21ſt Jacobi, entitled an act for the general quiet of the ſubject againſt concealments, in the firſt tranſmiſſion of laws into England; the ſaid grace being particularly promiſed by his majeſty, approved by both the councils of eſtate in England and Ireland, and publiſhed in all the counties of Ireland at the general aſſizes; and moſt expected of all the other graces. And that he would pleaſe to certify their univerſal conſent, and much longing deſire, to have the ſaid ſtatute of 21ſt Jacobi,

Jacobi,[b] and the reſt of the ſaid graces, perpetuated by acts to be paſſed in that parliament." This remonſtrance was preſented to his lordſhip by Sir George Ratcliffe, knight, maſter of the rolls; Sir James Ware, knight; Mr. Serjeant Barry; and eight other reſpectable members.

"The improvement of the king's revenue,[c] was the colour made uſe of by certain projectors, to obtain commiſſions of enquiry into defective titles; the great benefit of which was generally to accrue to theſe projectors or diſcoverers, whilſt the king was content with an inconſiderable proportion of land,[c] or a ſmall advance of the reſerved rent."[d] One inſtance of rapacity and corruption in theſe commiſſioners, Mr. Carte has ſelected out of many others, which contains in it ſuch a ſcene of iniquity and cruelty, that conſidering it in all its circumſtances, it is ſcarce to be paralleled in the hiſtory of any other age or country. The inſtance I mean, is that of the Byrnes, in the county of Wicklow,

[a] Carte's Ormond, vol. i. fol. 27. [b] Ib.

[b] The 24th inſtruction (among others ſent by his majeſty) relative to this particular grace, runs thus: "for the better ſettling of our ſubjects eſtates in that kingdom, we are pleaſed that the like act of grace ſhall paſs in the next parliament there, (Ireland) touching the limitation of our title not to exceed threeſcore years, as did paſs here (England) 21ſt Jacobi; wherein are to be excepted the lands whereunto we are entitled by office already taken, and thoſe already diſpoſed of by our directions. And we are further graciouſly pleaſed, for a more ample teſtimony of our goodneſs to our ſubjects of that kingdom, to direct hereby that from henceforth no advantage be taken for any title accruing to us threeſcore years paſt and above, &c." Straff. State Let. vol. i. fol. 320.

[c] "The yearly rent reſerved to the king, (in the plantation of Wexford) was five pounds for every thouſand acres granted the Engliſh; and ſix pounds ſix ſhillings and eight-pence, for every thouſand acres granted to the natives." Deſid. Curioſ. Hibern. vol. ii. p. 390-1.

[d] "The commiſſioners appointed to diſtribute theſe lands, ſcandalouſly abuſed their truſts; and by fraud or violence, deprived the natives of thoſe poſſeſſions which the king had reſerved for them." Lel. Hiſt. Irel. vol. ii. p. 467.

Wicklow, who were robbed of large eſtates, by Sir William Parſons and his fellow-commiſſioners, on pretence of this enquiry into defective titles. Theſe ſtate-harpies made uſe of every means of force and fraud to accompliſh their deſigns; having even tortured ſome witneſſes, to make them ſwear for their purpoſes; and by promiſes of pardon and other corrupt methods, procured thieves, traitors, and other convict criminals, to give falſe teſtimony for the ſame end; all which, theſe wretches afterwards publicly confeſſed at their deaths.[4]

CHAP. X.

The commons require an anſwer to their remonſtrance.

ON the 4th of November, 1634, commenced the ſecond ſeſſion of this parliament;[1] and on the 12th an order was paſſed, "that Mr. Speaker and the whole houſe ſhould attend the lord deputy, humbly to deſire his lordſhip's anſwer to the petition of remonſtrance, formerly preſented to his lordſhip, either in writing or otherwiſe, as his lordſhip ſhould think fit."

The return made by the deputy, on that occaſion, was by no means ſuitable to ſo reſpectful an application. He had already reſolved[2] to "give them an anſwer, round and clear, and as ſuch would ſtifle all replications." He, therefore, called ſome of them before him, and told them plainly,[3] "That he would not tranſmit to England the ſtatute 21ſt Jacobi; that ſuch refuſal was his own, their requeſt never having been ſo much as ſent over by him;[a] that paſſing this act

[4] See Carte's Ormond, vol. i.

[1] Straff. State Letters, vol. i. [2] Ib. fol. 338. [3] Ib.

[a] This appears to be a falſehood, for in a letter to ſecretary Coke of the 6th of October 1634, he tells him, "that he ſends the petition of the lower houſe" relative to theſe graces. And adds,

act to prevent enquiry into defective titles, was not good and expedient for the kingdom at that time; and ſo they were to reſt ſatisfied, without ſtirring any more, as to that particular, as a thing which could not, nor would not be departed from." For the clearing of the king's honour, ſo eſſentially concerned in this conteſt, his lordſhip had, with ſome difficulty, brought over the council [b] to repreſent to his majeſty,[4] "That he was not bound, either in conſcience, juſtice, or honour, to perform the ſolemn promiſe he had made to theſe people, for the valuable conſideration beforementioned."

When, on the 27th of November, his lordſhip's anſwer to their remonſtrance was reported to the commons, the catholic members, who were principally, if not ſolely, aggrieved by the enquiry into defective titles, "were ſo ill to pleaſe,"[5] ſays Wentworth himſelf, "that they loſt all temper, and broke forth into ſuch forward ſullenneſs, as was ſtrange; rejecting, hand over head, every other bill that was offered them from his majeſty and the ſtate."

The bills here alluded to, were the two ſtatutes of uſes and wills;[6] "by which," ſays Mr. Carte, "the Roman catholics imagined, and not without reaſon,[c] that their religion would in time be affected, and by the due execution thereof, be at laſt utterly extinguiſhed,

[4] Ib. fol. 338. [5] Ib. [6] Carte's Orm. vol. i.

adds, "that the ground of denying all may be ſet upon him and the council; and ſo his majeſty preſerved from all colour of declining in any part of that which they expected." State Let. vol. i. fol. 304.

[b] "Sure I am (ſays he) I gained this point from them (the council) with ſome art and difficulty; and flatter myſelf therein to have done his majeſty good ſervice." Id. ib.

[c] "Theſe laws could not be agreeable to the recuſants, becauſe they empowered the king to have minors educated from their early years in the communion of the eſtabliſhed church." Lel. Hiſt. of Irel. vol. iii. p. 24.

And becauſe Strafford had promiſed, in his ſpeech to that parliament, "that religion ſhould not be touched upon." State Let. vol. i. p. 305.

ed, by their putting it in his majeſty's power, to have the minors of the chief families of the kingdom, educated in the communion of the church of England. Theſe bills were, however, at length paſſed in that ſeſſion ; [7] and the catholics ever afterwards conſidered them as heavy grievances, and had an eye to them, in all the complaints which they exhibited upon occaſion, againſt the court of wards."

CHAP. XI.

A convocation of the clergy of Ireland.

BUT the catholics of Ireland were not the only objects of the deputy's deſpotiſm and control. The proteſtant archbiſhops, biſhops, and other clergy, then aſſembled in convocation, with the famous primate Uſher at their head, crouched and groaned under his arbitrary dominion. Lord Wentworth had diſcovered, that the generality of that clergy were ſtrongly [a]inclined to [1] puritaniſm ; and therefore he reſolved, in concert with Archbiſhop Laud,[b] to compel them [2] "to receive implicitly,

[7] Carte's Orm. vol. i.

[1] Strafford's State Letters. [2] Id. ib. vol. iii. fol. 381.

[a] "They not only ſung the pſalms after the Geneva-tune, but expounded the text to the Geneva-ſenſe." Strafford's State Letters, vol. i.

[b] This archbiſhop was then and ſince thought to be popiſhly affected ; but the contrary appears from a private letter of the Rev. Mr. Gerard, to Lord Wentworth, in 1635, as well as from many other paſſages of that prelate's life. "Some exception," ſays that clergyman, "has been taken by my Lord's Grace of Canterbury, which he preſented, firſt to the king, and by his majeſty's command to the council-table, to the great, I may ſay over-great, recourſe of his majeſty's ſubjects to the queen's chapel at Somerſet-houſe, and to ambaſſadors houſes in the town, which muſt needs be the cauſe of the growth of popery in this kingdom. They (the council) have taken into conſideration, and I hope will give a ſpeedy remedy to this growing evil. It pleaſed his grace to ſay, that the papiſts were the moſt

implicitly, without examination, or debate," the canons as well as the articles of the church of England; a condeſcenſion, which for the manner, as well as matter, they were exceedingly loath to yield to. It may not, perhaps, be unentertaining to the reader, to find ſome account here of this extraordinary tranſaction, from his lordſhip's own letter to the archbiſhop, on that occaſion.

"I found,"[3] ſays he, "the lower houſe of convocation had appointed a ſelect committee to conſider the canons of the church of England; and that they did proceed in the examination without conferring at all with the biſhops; that they had gone through the book of canons, and noted in the margin ſuch as they allowed with an A; and on the others, they had put a D, which ſtood for *deliberandum;* that into the fifth article they had brought the articles of Ireland (of 1615) to be allowed and received, under pain of excommunication; and that they had drawn up their canons into a body.

"I inſtantly ſent for Dean Andrews,[c] that reverend clerk,

[3] Strafford's State Letters, vol. i. fol. 342.

moſt dangerous ſubjects of the kingdom, and that betwixt them and the puritans, the good proteſtants would be ground to powder." Straff. State Lett. vol. i. fol. 426.

[c] Dean of Limerick. Lord Wentworth was very angry with this clergyman; and the puniſhment he intended for him, was ſomewhat ſingular. "If," ſays he, in a letter to Laud on this occaſion, "your lordſhip thinks Dr. Andrews is to blame, and that you would chaſtiſe him for it, make him biſhop of Ferns and Leighlin, to have it without any other commendam than as the laſt biſhop had it; and then I aſſure you, he ſhall leave better behind him." For that biſhoprick, it ſeems, was then ſo ſaddled and ſpur-gauled, (they are Wentworth's own words) "that, if the devil himſelf were the rider, he could not make well worſe of it than it was already." State Let.

The dean, however, accepted this preferment, with great thankfulneſs. "His lordſhip elect," ſays the deputy of him ſome-time after, "gave us a farewell ſermon this lent, that had faſted ſurely, for a lean one it was; only he commended the times, and ſaid, how long! how long! have we heretofore expected

clerk, who ſate, forſooth, in the chair of this committee; requiring him to bring along with him the aforeſaid book of canons, ſo noted in the margin, together with the draught he was to preſent, that afternoon, to the houſe.

"But[c] when I had opened the book, and ran over the *deliberandums* in the margin, I confeſs, I was not ſo much moved ſince I came into Ireland. I told him certainly, not a Dean of Limerick, but an Ananias, had been there in ſpirit, if not in body, with all the fraternities and conventicles of Amſterdam; and that I was aſhamed and ſcandalized at it beyond meaſure.[d] I therefore ſaid, he ſhould leave the book and

[c] Straff. St. Let. vol. i. fol. 342.

expected preferment, and miſſed of it. But now, God be praiſed, we have it. By my troth," adds Wentworth, "they were his very words; and I had much ado to forbear laughing outright, that underſtood how he miſtook even theſe times in this point, which did not intend this biſhoprick to him for a preferment, but rather as a diſcipline. Yet he is a good child, and kiſſeth the rod; ſo you ſee it was not a correction ill beſtowed upon him." State Lett. vol. i.

[d] Wentworth omitted no opportunity of ridiculing this puritan chairman of the lower houſe of convocation, even after his promotion. "I conceive, (ſays he) the primate (Uſher) is well ſatisfied with Dean Andrews's tranſlation to the biſhoprick of Ferns and Leighlin, and ſo is the man himſelf. Never any ſo well pleaſed or ſo deſirous, I perſuade myſelf, to take a rochet to loſs as he; had he not died a biſhop he had been immemorial to poſterity; whereas now he may be reckoned one of the worthies of his time. But the beſt jeſt is, that now he leaves the deanery of Limerick, I find he hath let a leaſe very charitably to himſelf, contrary to the act of ſtate, which will cauſe him to reſtore, and ſo make that deanery one threeſcore pounds a year better than now it is." Ib.

"The church of Ireland was at this time in a deplorable condition; the cathedrals in many places deſtroyed, the pariſh-churches generally ruined; in ſome dioceſes, as in Ferns and Leighlin, there was ſcarce a living left that was not farmed out to the patron, or to ſome perſon for his uſe, at two, three, or four pounds a year for a long time, three lives or a hundred years; the vicarages were for the moſt part ſtipendiary, and their

and draught with me; and then I did command him, upon his allegiance, to report nothing to the houſe from the committee, till he heard from me again; being thus nettled, I gave preſent directions for a meeting, and warned the primate (Uſher), the biſhops of Meath, Kilmore, Raphoe and Derry, together with Dean Leſly, the prolocutor, and all thoſe who had been of the committee, to be with me the next morning.

"Then I publicly told them, how unlike clergymen, that owed canonical obedience to their ſuperiors, they had proceeded in their committee; how unheard-of a part it was, for a few petty clerks to make articles of faith, without the privity, or conſent of the ſtate, or the biſhops; and what a ſpirit of Browniſm, and contradiction, I obſerved in their *deliberandums*; but theſe heady and arrogant courſes, they muſt know, I was not to endure, nor, if they were diſpoſed to be frantic, in this dead and cold ſeaſon of the year, would ſuffer them either to be mad in their convocations or pulpits."

After this his lordſhip declared to them all, "that no other queſtion ſhould be propoſed at their meeting, but that for allowing, and receiving, the articles of England,[e] without admitting any other diſcourſe at all; for

their ſtipends ſo miſerably ſordid, that in the whole province of Connaught there was ſcarce a vicar's penſion that exceeded forty ſhillings a year, and in many places they were but ſixteen ſhillings; the biſhopricks themſelves, though many in number, were but of ſmall revenue, ſeveral were no more than fifty pounds a year, as Waterford, Kilfanora, and others, and ſome to five marks, as Cloyne and Kilmacduagh; and as "ſcandalous livings (adds my author) naturally make ſcandalous miniſters, the clergy of the eſtabliſhed church were generally ignorant and unlearned, looſe and irregular in their lives and converſations, negligent of their cures, and very careleſs of obſerving decency and uniformity in divine worſhip." Carte's Orm. vol. i. fol. 68.

[e] Yet in the petition of the clergy of Dublin, in 1647, to the parliament commiſſioners for leave to uſe the liturgy and common prayer in their churches, we find theſe words, "hence it was, that till the convocation held at Dublin, anno 1634, the articles of the church of England were not held or reputed the articles

for that he would not endure that the articles of the church of England ſhould be diſputed. And finally," proceeds his lordſhip, " becauſe there ſhould be no queſtion in the canon that ſhould be voted, I deſired the lord primate would be pleaſed to frame it, and ſend it to me for my peruſal; after which, I would ſend the prolocutor a draught of the canon to be propounded in a letter of his own.

" This meeting thus broke, there were ſome hot ſpirits, ſons of thunder, amongſt them, who moved, they ſhould petition for a free ſynod; but in fine, they could not agree among themſelves, who ſhould put the bell about the cat's neck; ſo this likewiſe vaniſhed."

As for Primate Uſher's part in this tranſaction,[s] " It is very true," ſays his lordſhip,[t] " for all his ſilence, it was

[s] Straff. State Lett. vol. i. fol. 342.

articles of the church of Ireland, and when they were received, they were not received in any acknowledged ſubordination to the church of England. Hence it is, beſides, that our canons were not impoſed by the church of England; nay, when ſomewhat highly the clergy were invited to ſubmit to the book of Engliſh canons, the convocation utterly refuſed to ſubmit to the ſame, and framed a new book of canons for the church of Ireland." Borlaſe's Iriſh Rebel. fol. 238.

[t] " The primate is hugely againſt it. The truth is, I conceive, there are ſome puritan correſpondents of his that infuſe theſe notions into his head." Strafford to Laud, ib.

" Uſher was head of the puritanic party of the clergy, and ſupported by the judgments and affections almoſt of all the Iriſh clergy." Lel. Hiſt. of Irel. vol. iii. p, 28.

He was afterwards one of the witneſſes againſt Strafford at his trial; and had a penſion from Cromwell, when he was made protector. Ludlow tells us, " that he was deſired by the fanatics, to deal faithfully with the king in the controverſy that was between his majeſty and the parliament about epiſcopacy, according to his own judgment, which," ſays he, " they knew to be againſt it; but he anſwered, that if he ſhould do as they propoſed, he ſhould ruin himſelf and family, having a child and many debts." Memoirs, vol. i.

" He died the 21ſt of March, 1655-6, and was buried with great pomp in Weſtminſter-abbey, by command of the protector, who bore half the expence of his funeral." Grainger's Biograph. Hiſt. vol. iii. p. 27.

was not poſſible but he knew how near they were to have brought in thoſe articles of Ireland, to the infinite diſturbance and ſcandal of the church, as I conceive. And certainly, he could be content, I had been ſurpriſed; but he is ſo learned a prelate, and ſo good a man, as, I beſeech your grace, it may never be imputed to him."

But to proceed with his lordſhip's narrative. "The primate accordingly framed the canon, which I," ſays he, "not ſo well approving, drew up one myſelf, more after the words of the canon in England, and then ſent it to him. His grace came inſtantly to me, and told me, he feared the canon would not paſs in that form, as I had made it, but he was hopeful, as he had drawn it up, it might. He beſought me therefore, to think a little better of it: but I confeſs, having taken a little jealouſy, that his proceedings were not open and free to thoſe ends I had my eye upon, it was too late, either to perſuade, or affright me. I told his lordſhip I was reſolved to put it to them in theſe very words: only, for order's ſake, I deſired his lordſhip would vote this canon firſt, in the upper houſe of convocation, without any delay: then I wrote a letter to Dean Leſlie, with the canon incloſed; which accordingly, that afternoon, was unanimouſly voted; firſt with the biſhops, and then with the reſt of the clergy, excepting one man, who ſingly did deliberate upon receiving the articles of England."

This was, perhaps, the higheſt exertion of lay-eccleſiaſtical [6] authority, that was ever known in this or any other kingdom. For, as by this canon, excommunication is expreſsly denounced againſt all thoſe who ſhould affirm, that, "the articles of the church of England were ſuch as they might not, with a good conſcience, ſubſcribe unto;" and as the members of this convocation ſeem to have thought them to be really ſuch, (for otherwiſe, they would have more readily acquieſced in them). It appears that theſe biſhops and cler-

[6] Canons agreed upon in the ſynod begun, and holden in St. Patrick's church, Dublin, anno 1634, p. i.

gy were then obliged to ſubſcribe to a canon, denouncing excommunication againſt themſelves, in caſe they ſhould ever after venture to publiſh their real opinion of theſe articles.[5]

AN

5 "Theſe canons were confirmed and publiſhed by his majeſty's authority under the great ſeal of Ireland." Borlaſe's Iriſh Reb. fol. 238.

"And are the canons and conſtitutions (ſays Nicholſon, biſhop of Derry) which are ſtill obſerved in the eſtabliſhed church of Ireland." Iriſh Hiſt. Library, p. 76.

AN

HISTORICAL AND CRITICAL REVIEW OF THE CIVIL WARS IN IRELAND.

BOOK IV.

CHAP. I.

Lord Wentworth's proceedings upon the enquiry into defective titles.

WENTWORTH was well informed what ample rewards two of his predeceſſors in the government of Ireland had obtained, by their activity and ſucceſs in carrying on the enquiry into defective titles;[1] "one of them having had lands beſtowed upon him, which in the year 1633, were of no leſs than ten thouſand pounds yearly value; and the other,[2] ten thouſand pounds in one gift." Hoping therefore, for the like, or greater retribution, his lordſhip exerted himſelf in that buſineſs with uncommon reſolution and vigour; "having procured inquiſitions, upon feigned titles to eſtates, againſt

[1] Sir Arthur Chicheſter. Straff. State Lett. vol. ii. fol. 294.
[2] Lord Faulkland, ib. vol. ii. fol. 294.

many hundred years poſſeſſion, whilſt jurors refuſing to find ſuch offices, as being againſt their conſciences, and the evidence, were cenſured to public infamy,[a] and the ruin of their eſtates."

The deputy had choſen Connaught, and Ormond, to make his firſt eſſay upon, in this enquiry. His lordſhip owns,[3] "that he had often laboured to find a title in the crown to theſe countries, but that he was always foiled in the attempt." And, in ſeveral of his letters into England, he laments, that he could gather no light from thence into theſe matters. An accident, however, removed, ſoon after, his perplexity with regard to Ormond; but the nobility, and gentry, in ſome parts of Connaught, gave him great oppoſition. Wherefore,[4] "old records of ſtate and the memorials of antient monaſteries, were ranſacked to aſcertain the king's original title to that province; and the ingenuity of court lawyers was employed to invalidate all patents granted to the poſſeſſors of lands there, from the reign of queen Elizabeth." The deputy even ſeemed to entertain thoughts of calling to his aſſiſtance the authority of his packed parliament, on that occaſion.[5] "This houſe," ſays he, in a letter to the ſecretary, "is very well compoſed, ſo as the proteſtants are the majority; and this may be of great uſe to confirm and ſettle his majeſty's title to the plantations of Connaught and Ormond; for this you may be ſure of, all the proteſtants are for plantations, all the other againſt them; ſo as, theſe being the greater number, you can want no help they can give you therein.[b] Nay, in caſe

[3] Straff. St. Let. vol. i. fol. 339. [4] Lel. ubi ſupra, p. 31.
[5] Straff. State Lett. vol. i. fol. 353.

[a] "Needy projectors, and rapacious courtiers, ſtill continued the ſcandalous traffic of pleading the king's title againſt the poſſeſſors of eſtates, ſeizing their lands, or forcing them to grievous compoſitions." Lel. Hiſt. of Irel. vol. iii. p. 13.

[b] This ſhews the falſity of what is generally aſſerted, that the proteſtants ſuffered as much as the catholics by theſe plantations. See Harris's Fiction Unmaſked. In the ſame letter Wentworth ſays, "that he conſidered that majority of the proteſtants in the houſe of commons as a good rod to hold over the papiſts"

caſe there be no title to be made good to theſe countries in the crown, yet ſhould not I deſpair, forth of reaſons of ſtate, and for the ſtrength and ſecurity of the kingdom, to have them paſſed to the king by an immediate act of parliament."

CHAP. II.

The Earl of Ormond ſurrenders his country to the king.

WE have already ſeen that by the Earl of Ormond's ſpirited behaviour, in the beginning of this parliament, Wentworth conceived a particular friendſhip for him; which was ſo far mutual on the earl's part, that he made a voluntary ſurrender of his country to the king, in whom otherwiſe no title could be found to it.[a] For this condeſcenſion, his lordſhip was, by the deputy's mediation, made a privy-counſellor, in the room of Sir Pierce Croſby, lately ſequeſtered from that board for no other cauſe, but his having voted in parliament againſt a bill which Lord Wentworth had approved and ſigned in the privy-council.[1] "There were twenty-eight counſellors preſent when he was ſequeſtered, and not one diſſenting voice, but all for the ſequeſtration."

"Soon after Sir Pierce Croſby's ſequeſtration, a libel being publiſhed and ſcattered abroad, reflecting on the deputy, he was immediately ſuſpected to be the author of it; upon this ſuſpicion, the deputy ſent his captain of the guards, and a ſerjeant at arms, to arreſt him, and commit him to priſon; whilſt Sir Philip Mainwaring, ſecretary of ſtate, with others, broke into

[1] Id. ib. vol. i. fol. 350.

[a] "Seeing," ſays Wentworth on this occaſion, "we have ſped ſo well, where our title was borrowed, or at leaſt ſupported by my Lord of Ormond, and indeed could not have ſtood alone upon the king's evidence, I am moſt confident we ſhall have like ſucceſs for Clare." State Lett. vol. ii. fol. 93.

to his ſtudy, and ſecured his papers in hopes of finding a copy of the libel, but none was found." [2]

The ſurrender of Ormond was ſoon followed by that of Limerick and Clare; but the people of Connaught were not at all ſo complaiſant; altho' they too had ſome leading examples of that kind in their own province.

About this time Lord Wentworth acquainted his majeſty,[3] "that he ſhould be able to find for him, a juſt and honourable title to Connaught, againſt all oppoſition; and that the acquiſition to his majeſty, in that province alone, would amount to no leſs than an hundred and twenty thouſand acres." [b] It is but natural to enquire, by what means a juſt and honourable title could be ſo ſuddenly found, which, but a few months before, ſeemed to be altogether deſpaired of. Lord Wentworth himſelf ſhall ſatisfy the reader's curioſity in that reſpect.[c]

Before his lordſhip left Dublin, to hold this court of inquiſition in Connaught, he had given orders to his managers there, that gentlemen of the beſt eſtates and underſtandings, in the different counties, ſhould be returned on the juries which were to be held in the firſt trials of defective titles. This he did not, as one might imagine, on a ſuppoſition of their greater knowledge, integrity or honour; but becauſe, as he ſays himſelf,[4] "this being a leading caſe for the whole

[2] Carte's Orm. vol. i. fol. 86.
[3] Straff. State Let. vol. i. fol. 350. [4] Ib. fol. 442.

[b] "Wentworth's project was nothing leſs," ſays Leland, "than to ſubvert the title to every eſtate, in every part of Connaught, and to eſtabliſh a new plantation through that whole province. A project, which when firſt propoſed in the late reign, was received with horror and amazement." Hiſt. of Irel. vol. iii. p. 30.

[c] "How to make out," ſays Wentworth, "his majeſty's title to Connaught and Ormond, (which, conſidering how they have been already attempted and foiled, is of all the reſt the greateſt difficulty) I have not hitherto received the leaſt inſtruction from your lordſhip, or any other miniſter on that ſide." Letter to Lord Treaſurer Straff. vol. i. fol. 339.

whole province, it would ſet a value, in their eſtimation, upon the goodneſs of the king's title, if found by thoſe perſons of quality." And on the other hand, if the king's title ſhould not be found, or, as he expreſſes it,[5] "if the jury ſhould prevaricate," he would be ſure then to have "perſons of ſuch means, as might anſwer to the king in a round fine in the caſtle-chamber; and becauſe the fear of that fine would be apter to produce the deſired effect in ſuch perſons, than in others, who had little or nothing to loſe."

CHAP. III.

The deputy holds his court of inquiſition.

HIS lordſhip having thus prepared matters, went himſelf to the abbey of Boyle, in the county of Roſcommon;[1] "where," ſays he, "finding that divers affrights had been put into the people's minds, concerning his majeſty's intention in this work, I ſent for half a dozen of the principal gentlemen amongſt them; and in the preſence of the commiſſioners, deſired that they would acquaint the reſt of the country, that the end of my coming was, the next day to execute his majeſty's commiſſion, for finding a clear and undoubted title in the crown to the province of Connaught, propoſing to begin firſt with the county of Roſcommon; wherein, nevertheleſs, to manifeſt his majeſty's juſtice and honour, I thought fit to let them know, that it was his majeſty's gracious pleaſure, that any man's counſel ſhould be fully and willingly heard, in defence of their reſpective rights; being a favour never before afforded to any, upon taking theſe kind of inquiſitions; as alſo, if there was any thing elſe they deſired, that I was ready to hear them, and would return them a fair and equal anſwer thereunto, as by his majeſty I had been ſtrictly enjoined; and to afford his good people all reſpect and freedom, in the ſetting

[5] Ib. [1] Ib.

ting forth, and defence of their ſeveral rights and claims.[1] With this," continues he, "I left them marvellouſly well ſatisfied, for a few good words pleaſe them more than can be imagined."

"The next morning, however," adds his lordſhip, "the gentlemen of the country petitioned, that the inquiſition might be deferred to a longer time, they being unprovided; which I refuſed, as I had cauſed notice of it, by a *Scire facias*, to be iſſued from the Chancery, twenty days before; which was more alſo than had formerly been accuſtomed, in caſes of that nature. So preſently," proceeds he, "we went to the place appointed, read the commiſſion, called and ſwore the jury, and ſo on with our work."

Sir Lucas Dillon was foreman of this jury, and ſeems to have behaved, on that occaſion, entirely to the deputy's liking.[2] Nevertheleſs, after the lawyers on both ſides had done ſpeaking, Lord Wentworth made a ſpeech to the jury, which did not at all encourage them to uſe that freedom which he had promiſed to allow them, in returning an impartial verdict; but on the contrary, rather convinced them, that his lordſhip had already pre-judged the cauſe againſt their countrymen. For, among other things, he told them, "that his majeſty was indifferent whether they found for him or no; that he had directed him to preſs nothing upon them, where the path to his right lay ſo open and plain before him; but yet, that of himſelf, and as one that muſt ever wiſh proſperity to their nation, he deſired them firſt to deſcend into their own conſciences, to take them to counſel, and there they ſhould find the evidence for the crown clear and concluſive. Next to beware, how they appeared reſolved or obſtinate, againſt ſo manifeſt a truth; or how they let ſlip out of their hands, the means to weave themſelves

[1] State Letters, vol. i. fol. 442.

[2] "In truth," ſays he of this gentleman, "he deſerves to be extraordinarily well dealt withal; and ſo he ſhall be, if it pleaſes his majeſty to leave him to me." State Let. vol. i. fol. 444.

ſelves into the royal thoughts and care of his majeſty, through a chearful and ready acknowledgment of his right, and a due and full ſubmiſſion thereunto. That if they would be inclined to truth, and do beſt for themſelves, they were undoubtedly to find the title for the king. But if they were paſſionately reſolved to go over all bounds to their own will, and without reſpect at all to their own good, to do that which were ſimply beſt for his majeſty, then he ſhould adviſe them roughly and pertinaciouſly, to deny to find any title at all; and there," ſays he, "I left them to chant together, as they call it, over their evidence; and the next day, they found the king's title without ſcruple or heſitation."

CHAP. IV.

The deputy's ſeverity towards the jury of the county of Galway.

THE juries of the counties of Sligo and Mayo followed the example ſet them by that of Roſcommon; but the jury of the county of Galway was, by no means, ſo complying; and they ſuffered grievouſly on that account.

For, upon their refuſing to find a title in the crown to the eſtates of their countrymen, Lord Wentworth made uſe of ſome of his juſt and honourable means, to convince them of their miſtake.[1] "We bethought ourſelves," ſays he on this occaſion, "of a courſe to vindicate his majeſty's honour and juſtice, not only againſt the perſon of the jurors,[2] but alſo againſt the ſheriff for returning ſo inſufficient indeed, we conceive, ſo packed a jury; and therefore we fined the ſheriff in

[1] Ib. fol. 451.

[2] "The ſtar-chamber (ſays Lord Deputy Chicheſter in 1613) is the proper place to puniſh jurors, that will not find for the king upon good evidence." Defid. Curioſ. Hib. vol. i. p. 262.

in a thouſand pounds to his majeſty." The mulct on the jurors was much greater.[2] "They were fined four thouſand pounds each; their eſtates were ſeized, and themſelves impriſoned,[b] till the fines were paid." Such was the ſentence pronounced againſt them in the caſtle-chamber, to which his lordſhip had bound them over; and where,[3] "he conceived it was fit, that their pertinacious carriage ſhould be followed with all juſt ſeverity."

What was then underſtood by "juſt ſeverity," may be collected from an extract of the grievances which, towards the end of his adminiſtration, the commons voted "real;" and which, in one article, ſeems to allude to this very caſe, viz. "that jurors,[4] who gave their verdict according to their conſciences, were cenſured in the caſtle-chamber in great fines: ſometimes pillored with loſs of ears, and bored through the tongue, and ſometimes marked in the forehead with an iron, with other infamous puniſhments."

And although he had publicly promiſed, "that their council on this occaſion ſhould be freely and willingly heard, in defence of their reſpective rights:" yet he ſcrupled not to take ſevere vengeance on two eminent lawyers,[c] who ventured to plead in their behalf; and all his lordſhip's proceedings againſt them, and againſt the ſheriff and jurors before-mentioned, were afterwards[5] approved of by his majeſty.[d]

Another

[2] St. Let. vol. i. [3] Ib. [4] Commons Journal, vol. i.
[5] Straff. State Letters, vol. ii. fol. 465.

[b] "The jurors of Galway were to remain in priſon, till each of them paid his fine of four thouſand pounds, and acknowledged his offence in court upon his knees." Lel. Hiſt. of Ireland, vol. iii. p. 32.

[c] "As for the counſellors of the law," ſays he, "who ſo laboured againſt the king's title, we conceive it is fit, that ſuch of them as we ſhall find reaſon to proceed withal, be put to take the oath of ſupremacy, which if they refuſe, that then they be ſilenced, and not admitted to practice." State Letters, vol. i. fol. 454. This was according done.

[d] He tells us himſelf, that upon his making a report to the king

Another of his juſt and honourable means, to attain this end, as he himſelf informs us,[6] "was to enquire out fit men to ſerve upon juries; and to treat with ſuch as would give furtherance to the king's title." He, beſides, propoſed the raiſing of four thouſand horſe,[7] as good lookers-on, while the plantations were ſettling. And laſtly, he prevailed on the king to beſtow four ſhillings in the pound, upon the lord chief juſtice and chief baron, forth of the firſt yearly rent raiſed upon the commiſſion of defective titles;[8] "which," as he afterwards ſays, "he had found, upon obſervation, to be the beſt given that ever was; for that by theſe means, they did intend that buſineſs with as much care and diligence, as if it were their own private; and that every four ſhillings, once paid, would better his majeſty's revenue four pounds."

Againſt the deputy's predatory deſigns, thus planned and executed, the natives were deſtitute of all manner of defence.[9] "No title in the ſubject could ſtand againſt his claim." At firſt none was held good, but that which was founded on letters patent; yet when even letters patent were produced, as in moſt caſes they were, none were allowed valid,[e] nor yet ſought to be legally avoided; ſo

[6] Ib. vol. i. 339. [7] Ib. fol. 442. [8] Ib. vol. ii. fol. 41.
[9] Remonſtrance from Trim.

king and council in England, of theſe proceedings, his majeſty ſaid, "It was no ſeverity, wiſhed him to go on in that way; for that if he ſerved him otherwiſe, he ſhould not ſerve him as he expected. So I kneeled down," adds he, "kiſſed his majeſty's hand; and the council roſe." Carte's Orm. vol. iii. p. 11.

[e] The deputy and commiſſioners of plantation, in their public diſpatch to Secretary Coke, on this ſubject, confeſſed, "That in former plantations in Ireland, all men claiming by letters patent had the full benefit of them, either in enjoying the lands granted them, or other lands equivalent thereunto, whether their letters patent were valid or invalid. And indeed," add they, "in thoſe (former) plantations, that favour might better be yielded, where the lands claimed by letters patent, were not in any great or conſiderable proportion, than here, where almoſt all the lands falling under plantation are granted, or mentioned to be granted, by letters patent." Straff. State Letters, vol. ii. fol. 139.

ſo that one hundred and fifty letters patent were ſet aſide in one morning; which courſe was continued, until all the letters patent in the kingdom, except a few, were declared void.

CHAP. V.

Further diſtreſſes of the people of Connaught.

"THE gentlemen of Connaught," ſays Mr. Carte,[1] "laboured under a particular hardſhip on this occaſion; for their not having enrolled their patents and ſurrenders of the 13th Jacobi, (which was what alone rendered their titles defective) was not their fault, but the neglect of a clerk entruſted by them. For they had paid near three thouſand pounds to the offices at Dublin, for the enrollment of theſe ſurrenders and patents, which was never made. There was an act of ſtate made in Lord Grandiſon's time, and dated May 14th, 1618, full in their favour and confirmed their poſſeſſions; and they had paid great ſums of money for it into the exchequer; they were quietly ſettled in their lands, and paid the king his compoſition better than any other part of the kingdom. It was hard, in thoſe circumſtances, to turn them out of their eſtates, upon a mere nicety of law, which ought to be tenderly made uſe of in derogation of the honour and faith of the king's broad ſeal."

So general and laſting were the terrors ariſing from theſe ſevere proceedings of the deputy, that in 1637, the whole body of the gentry of the county of Galway offered to make a ſurrender of their eſtates to the crown, and for that purpoſe, ſent a letter of attorney to the Earl of Clanrickard,[2] then at London,

[1] Life of Ormond, vol. i.

[2] It was in Lord Clanrickard's houſe, that Wentworth held this court of inquiſition; "and the death of that lord, (which happened

don,[2] ſigned by an hundred and twenty-five perſons of the beſt quality in the county. "At the ſame time, the ſtill impriſoned ſheriff and jurors, inſtead of ſeeking redreſs, petitioned, but in vain, for pardon;[3] offering to acknowledge the deputy's juſtice, and their own errors of judgment, upon condition only, that they and the reſt, might be put upon the ſame footing with the other planted countries;" for in theſe caſes,[4] the general rule was, that a fourth part of their land ſhould be taken from the natives, with an increaſe of rent upon the remainder; "but the county of Galway, on account of its former refractorineſs, was planted at a double rate, ſo that they loſt half."[b]

For Wentworth was ſo far from being ſatisfied with this ſubmiſſive petition and offer, that he inſiſted upon a public acknowledgment from theſe jurors of their having

[2] Straff. State Let. vol. ii. fol. 25. [3] Id. ib. [4] Ib. fol. 35.

happened ſoon after) enflamed the popular odium againſt the deputy. It was imputed to the vexation conceived by this nobleman at the attempts againſt his property by an inſolent governor, who poſſeſſed himſelf of the earl's houſe at Portumna; and, in his hall, held that court which impeached his title to his lands." Lel. Hiſt. of Irel.

[b] Thus Secretary Coke writes to Wentworth on this occaſion, "That a greater proportion of land ſhould be taken from the pretended owners in the county of Galway, than in the reſt, is thought juſt and reaſonable, for the reaſons you allege. And ſuch ſeizures as you intend both againſt the jurors and all others, that will not lay hold of the grace offered them by the proclamation." Straff. State Let. vol. i. fol. 465.

Mr. Carte indeed aſſerts (but upon what authority appears not), "that by the interpoſition of Ulicke Burke, Earl of Clanrickard, in England, the fines of the ſheriff and jury of Galway, were afterwards reduced, the plantations laid aſide, and the inhabitants confirmed in the enjoyment of their eſtates, upon the like terms as the reſt of the kingdom, without ſuffering the hardſhips, change of poſſeſſions, or other diſagreeable circumſtances, which attended a plantation." Orm. vol. i. f. 82.

The ſheriff and jury of Galway were impriſoned about the year 1634; and if we recollect, that upon Wentworth's making a report to the king in council, in the year 1636, of his proceedings

having committed, not only an error in judgment, but even actual perjury, in the verdict they had given; which being refuſed by them,[5] he, beſides planting their country at the rate before-mentioned, procured an order from the king, that their agents in London ſhould be ſent priſoners to Dublin, to be tried before himſelf in the caſtle-chamber, for having dared to patroniſe their cauſe. Theſe ſeverities however, raiſed no ſmall apprehenſions in ſome that were about the king, and even the king himſelf,[6] "leſt they might diſaffect the people of Ireland, and diſpoſe them to call over the Iriſh regiments from Flanders, to their aſſiſtance."

About this time, "the biſhops and their chancellors began again to queſtion the catholics,[7] and lay heavy fines upon them, for their chriſtenings and marriages." But the deputy wiſely conſidered,[8] "that it would be too much at once, to diſtemper them by bringing plantations upon them, and diſturb them in the exerciſe of their religion; and very inconſiderate to move in the latter, till the former was fully ſettled, and by that means, the proteſtant party become much the ſtronger, which he did not then conceive it to be." Finding, therefore, that theſe proceedings of the biſhops had very much diſquieted the catholics, and given them terrible apprehenſions of an inſtant perſecution, he wrote to England for orders to put a ſtop to them;[9] "as," ſays he, "'tis a courſe which alone will never bring them to church; but is rather an engine to draw money out of their pockets, than to raiſe a right belief in their hearts."

CHAP.

[5] Straff. State Let. vol. ii. fol. 36. [6] Ib. fol. 39.
[7] Id. ib. [8] Id. ib. [9] Ib.

proceedings towards theſe gentlemen, his majeſty told him, "that it was no ſeverity; and that if he ſerved him otherwiſe, he ſhould not ſerve him as he expected;" (ib. vol. iii. fol. 11.) we ſhall find but little probability in Mr. Carte's aſſertion, eſpecially ſince it appears that they ſtill continued priſoners in the year 1637. See Straff. State Let. vol. ii. fol. 25.

CHAP. VI.

The court of wards and high commiſſion in Ireland.

ALL this while complaints were every where heard of grievances, ariſing from the court of wards, and that of the high commiſſion. The former was a new court,[a] never known in Ireland till the 14th of James I. "It had no warrant from any law or ſtatute, as that in England had." Sir William Parſons, by whom it was firſt projected, was appointed maſter of it, a man juſtly and univerſally hated by the Iriſh. And ſuch were the illegal and arbitrary proceedings of that court, that[2] "the heirs of catholic noblemen, and other catholics, were deſtroyed in their eſtates, bred in diſſolution and ignorance; their parents debts unſatisfied, their ſiſters and younger brothers left wholly unprovided for; the antient appearing tenures of meſne lords unregarded; eſtates valid in law, and made for valuable conſiderations, avoided againſt law; and the whole

[1] Carte's Orm. vol. i. fol. 517. [2] Remonſt. from Trim.

[a] It is mentioned in the complaints of the Iriſh nobility and gentry in the year 1614, as an oppreſſive court. Lord Deputy Chicheſter applauds it, among other reaſons, becauſe "there was a clauſe in every grant of wardſhip, that the wards ſhould be brought up in the college near Dublin, in Engliſh habits and religion; which," adds he, "is the only cauſe of their grievance in this point." Deſid. Curioſ. Hibern. vol. i. p. 268.

The king and Engliſh council to Sir Arthur Chicheſter and Iriſh council, have theſe words, "Within what bounds his majeſty wiſheth you to contain yourſelves, we mean to touch that point no farther at this time, ſaving only in anſwer to one point of your letter of the 9th of July (1606), to let you know, that if any motion ſhall be made here for reviving of a high commiſſion, it ſhall appear that his majeſty thinketh the ſame unſeaſonable, and therefore, without order from him, we require you to forbear to give any way to it." Ib. p. 496.

whole land filled with frequent ſwarms of eſcheators, feudatories, purſuivants and others, by authority of that court."

The unlimited power and great oppreſſion of the high commiſſion-court,[b] which was ſtill more recent in Ireland, than the court of wards, was not leſs grievouſly complained of by the catholics, on account of[3] "the incapacity thereby contracted, for all offices and employments;[c] their diſability to ſue out livery of their eſtates, without taking the oath of ſupremacy;[d] the ſevere penalties of various kinds, inflicted by that court on all thoſe of their religion,[4] they being an hundred to one more than thoſe of any other religion; in which reſpect, the caſe of Ireland was very different from that of England or Scotland, where there was ſcarce one Roman catholic to a thouſand proteſtants."

Yet, in the midſt of ſo many depredations and preſſures, the catholics of Ireland gave ſuch unqueſtionable proofs of their loyalty and dutiful affection to the

[3] Remonſt. from Trim. [4] Carte's Orm. vol. i. fol. 517.

[b] Lord Wentworth propoſed the erecting of the high commiſſion-court in Ireland in January 1633, "to bring," ſays he, "the people here to a conformity in religion; and, in the way to that, raiſe perhaps a good revenue to the crown." State Let. vol. i. fol. 188.

[c] "Theſe regulations in the eccleſiaſtical ſyſtem, were followed by an eſtabliſhment too odious, and therefore too dangerous to be attempted during the ſeſſions of parliament, that of an high-commiſſion court, which was erected in Dublin, after the Engliſh model, with the ſame formality, and the ſame tremendous powers." Lel. Hiſt. of Irel. p. 28.

[d] Sir Arthur Chicheſter, in a letter to the king and council in England, an. 1613, ſays, "By the ſtatute of 2 Eliz. c. 1. in this kingdom (Ireland), 'tis ordained, that every perſon ſuing livery or *ouſter le maynes*, ſhall, before his livery or *ouſter le maynes* ſued forth and allowed, take the oath of ſupremacy. And therefore they (the Iriſh) being obſtinate recuſants, are not permitted to ſue forth their liveries under the great ſeal till they take the oath; and ſo they continue intruders upon the king's poſſeſſion; for which intruſion, they are juſtly ſued in the exchequer, and the damage they ſuffer is by their own wilful default and contempt of the law." Deſid. Curioſ. Hibern. vol. i. p. 263.

the crown of England (and that alſo at a very critical juncture), as cannot, perhaps, be paralleled in the hiſtory of any other people, under the like circumſtances.

Theſe proofs were exhibited in that parliament, which met at Dublin, in 1640, in order to raiſe large ſupplies towards ſuppreſſing the rebellion in Scotland, which had then riſen to a formidable height. Their zeal on this occaſion, was honourably atteſted by ſeveral privy-counſellors, members of that parliament,[5] "perſons," ſays Wentworth himſelf, "beſt able to ſatisfy, and in themſelves moſt to be truſted." Among theſe, I find Sir William Parſons, Sir John Borlaſe, Sir Charles Coote, and others, whoſe malevolence and enmity to the Iriſh in general, are well known and confeſſed; and whoſe teſtimony, therefore, in their favour cannot reaſonably be ſuſpected.

"After the propoſal of ſuch acts of grace, and advantage to the ſubject," ſay theſe privy-counſellors in their letter to Secretary Windebank, on this occaſion, "as we conceived moſt fit to lead in order to the propounding of the ſix ſubſidies, theſe ſix ſubſidies were demanded for his majeſty; whereupon ſome of the natives declared that ſix or more were fit to be given, it being apparent that the peace and ſafety of the kingdom were become ſo nearly concerned. Some alſo of them ſaid, that his majeſty ſhould have a fee ſimple of ſubſidies in their eſtates on ſuch occaſions, for the honour of his perſon, and ſafety of his kingdoms; that it was fit to be done, though with leaving themſelves nothing but hoſe and doublet. Some of them with much earneſtneſs, after forward expreſſions of readineſs towards advancing the buſineſs, concluded that, as his majeſty was the beſt of kings, ſo this people ſhould ſtrive to be ranked among the beſt of ſubjects.

"Thus," continues the privy-counſellor's letter, "every of them ſeeming in a manner to contend, who ſhould ſhew moſt affection and forwardneſs to comply with his majeſty's occaſions; and all of them

[5] Straff. State Let. vol. ii. fol. 398. [6] Ib.

expreſſing, even with paſſion, how much they abhorred and deteſted the Scotch covenanters; and how readily every man's hand ought to be laid on his ſword, to aſſiſt the king in reducing them by force to obedience, they deſired that themſelves, and others of this nation, might have the honour to be employed in this expedition; and declared, with very great demonſtration of chearful affection, that their hearts contained mines of ſubſidies for his majeſty; that twenty ſubſidies, if their abilities were equal to their deſires, were too little to be given to ſo ſacred a majeſty.

"In the end, conſidering how unable they were, without too much preſſure to them, to advance more at this time, they humbly beſought, that by the lord lieutenant's interpoſition, four ſubſidies might be accepted from them; yet with this declaration, made by them with as much demonſtration of loyalty, as ever nation or people expreſſed towards a king, that if more than four ſubſidies ſhould be requiſite, and the occaſions of the war continued, they would be ready to grant more; or to lay down their lives and eſtates at his majeſty's feet, to further his royal deſign for correction of the diſordered factions in Scotland. And this they did declare with general acclamations and ſigns of joy and contentment, even to the throwing up of their hats and lifting of their hands."

CHAP. VII.

Some invidious reflections on the foregoing paſſage conſidered.

BUT we are to told by ſome reputable hiſtorians, that in the very next ſeſſion, the untoward behaviour of theſe commons diſcovered the inſincerity of their profeſſions; [a] that they [1] "who had but juſt before devoted

[1] Lel. Hiſt. of Ireland, vol. ii.

[a] Lord Wentworth, who was certainly a more competent judge

devoted their lives and poſſeſſions, to the ſervice of the beſt of kings, grew cold, querulous and ſuſpicious; objected to the rates of aſſeſſment, though the ſame which had been uſed in the late parliament; and in ſhort, that a general combination was formed throughout the kingdom, to prevent the levying any money, until a new manner of taxation ſhould be ſettled by the parliament; or in other words, until they ſhould annul and reſcind the late money bill, enacted with ſuch remarkable zeal and unanimity."

The late parliament here alluded to, was that which had met in Dublin in 1634, under Lord Wentworth; who, as we have already ſeen, had formed and managed it entirely for his own and his maſter's private purpoſes.[2] "His lordſhip regarded Ireland as a conquered kingdom, and from that conception deduced a conſequence, at once ridiculous and deteſtable, that the ſubjects of this country, without diſtinction, had forfeited the rights of men and citizens, and for whatever they were permitted to enjoy, depended ſolely on the royal grace." Agreeably to theſe ſentiments, he exerciſed a deſpotic, and indeed tyrannous, power over that parliament.[3] "With one voice the commons voted a grant of ſix ſubſidies, four for paying the debts of the eſtabliſhment, two for buying rents and penſions; not that the uſes were determined by a formal appropriation: they entruſted the management of their ſupply ſolely to the deputy, requeſting only by petition, that it might be appropriated to theſe purpoſes."

Such were the proceedings alluded to, as a proper precedent for the commons, in 1640, to have followed

[2] Id. ib. [3] Id. ib.

judge of that matter, than any hiſtorian that has ſince appeared, ſays on this occaſion, "It is hardly to be believed, what a forwardneſs there is in this people to ſerve in this expedition (againſt the Scots); certainly, they will ſell themſelves to the laſt farthing, before they deny any thing, which can be aſked of them, in order to that." State Letters, vol. ii. In another letter he tells the king, "that their zeal is all on fire to ſerve his majeſty." Ib.

in the manner of rating their ſupplies. But theſe commons thought very differently of that precedent; for Lord Wentworth, now Earl of Strafford, having been recalled into England, and having left directions with his deputy, Wandesford,[4] "his lordſhip's friend and ally," to iſſue the ſame inſtructions, for ſettling the rates of taxation, with regard to the preſent ſubſidies, as had been formerly iſſued concerning thoſe granted by parliament, in 1634 (which was accordingly done), the commons thought fit to make uſe of the liberty, which they now were poſſeſſed of by his abſence; and knowing that the former grants were[5] "exorbitant and oppreſſive," ventured to alter the mode of aſſeſſing three of theſe ſubſidies; declaring, at the ſame time,[6] "that in conſideration of his majeſty's many and preſſing occaſions, the firſt of the four ſubſidies ſhould be levied according to the inſtructions iſſued by the deputy and council; not in deference to theſe inſtructions, but merely by their own authority and direction; and that neither theſe inſtructions, nor what was done in the late parliament (1634), with reſpect to the ſubſidies then raiſed, ſhould be a guide or precedent, in levying the three other ſubſidies, which they ordered to be raiſed in a moderate, equal and parliamentary way. They likewiſe ordered,[7] "as the ſecond ſubſidy was not payable till December, and as it might conduce to his majeſty's ſervice, to haſten the payment of the third alſo, that both ſhould be paid together, on the firſt of December 1640; ſix months earlier than the third ſubſidy had been made payable by the original grant."

This particular care to haſten the payment of the firſt and third ſubſidies indicated, one would imagine, in theſe commons, ſome attention to his majeſty's ſervice. But his majeſty, it ſeems, was perſuaded to think otherwiſe; for we are told, that he looked upon this proceeding to be ſo ridiculous and inſolent, that he ordered,[8] "with a peeviſh impatience," the leaf in which this

[4] Lel. Hiſt. of Ireland, vol. ii. [5] Id. ib.
[6] Com. Jour. vol. i. [7] Ib. [8] Lel. Hiſt. of Irel.

this reſolution was inſerted, to be torn from their journals; "which order was accordingly executed by the deputy, on the 19th of November 1640."

But the king was ſoon after brought to a right way of thinking, concerning this particular. For on the 4th of January following, he wrote to the Iriſh council, (and ordered his letter to be publicly read in the houſe), "that having,[9] by a committee of the commons of Ireland, received ſatisfaction, both in their loyalty and affection unto him, and alſo in thoſe matters which induced him to require his deputy to vacate an order made, concerning the levying of the ſubſidies granted in the ſame parliament; he was then graciouſly pleaſed, and did thereby authorize and require them, to cauſe the incloſed (the vacated order) to be again inſerted and regiſtered in the ſame place, to continue and be of equal force, as if the original had remained there."

From hence it appears, that theſe commons were actuated by two very juſt and patriotic motives, viz. Oppoſition to a meaſure confeſſedly "exorbitant and oppreſſive," and a laudable deſire, to recover their ancient conſtitutional right of rating their own grants, which had been violently taken from them in the preceding parliament. But how it could poſſibly be inferred from ſuch conduct, that they intended to annul and reſcind their late money bill, or that they were united in a regular and determined ſcheme of oppoſition, for any diſloyal or unconſtitutional purpoſe, is, I think, very hard to be conceived.

CHAP.

[9] Commons Journal, vol. i.

CHAP. VIII.

The Iriſh commons encomium on the Earl of Strafford's adminiſtration conſidered.

FOR the expedition againſt the Scottiſh rebels, Lord Strafford had raiſed an army in Ireland, conſiſting of about nine thouſand men; eight thouſand of which number were Iriſh catholics. For his lordſhip knew, and did atteſt, that in the ſupport or defence of his majeſty's crown and dignity,[1] "the Iriſh were as ready to venture their perſons, as they were to open their purſes."

"Sir William St. Leger,[2] ſerjeant major general of the army, having reviewed theſe troops at Carrickfergus, ſaw ſuch willingneſs and aptneſs in them to learn their exerciſes, and that mettle and gallant appearance, which would recommend them to be choſen for a ſervice where a crown lay at ſtake, made no ſcruple to pronounce, that conſidering how newly they had been raiſed, no prince in the chriſtian world had, for their number, a better and more orderly body of men in his ſervice."[a]

Lord Strafford was extremely deſirous to have the chief command of this army; but he was conſcious, at the ſame time, that he was repreſented in England as a perſon odious to the people of whom it was chiefly compoſed; in ſhort, "as a vizier,[3] baſhaw, or any thing elſe that might be worſe; and as one hateful both to God and man." In order to remove that obſtacle, he laboured privately to perſuade the king,[4] "that the Iriſh did not diſtaſte him ſo much as willingly

[1] Straff. State Let. vol. ii. [2] Cart. Orm. vol. i. fol. 99.
[3] Straff. State Let. vol. ii. [4] Id. ib.

[a] "The raiſing, cloathing, paying and providing this army, by the latter end of September 1640, when it was diſperſed, coſt 204057l." Carte's Orm. vol. i. fol. 105.

lingly to change him; or to deſire any new deputy in his ſtead; and, that if it were left to their choice, they would not have any other general but himſelf."

But his lordſhip found means to procure a much more perſuaſive teſtimony, than his own for this purpoſe; even a public and ſolemn atteſtation in his favour, from that houſe of commons, which he had ſo often inſulted and abuſed. For, in the preamble of the act of ſubſidies lately paſſed, we find the commons,[5] returning thanks to his majeſty, for having placed over them, ſo wiſe, juſt, and vigilant a governor; extolling his lordſhip's ſincere and upright adminiſtration of juſtice, without partiality; his having increaſed his majeſty's revenue, without the leaſt hurt or grievance to any of his majeſty's loving ſubjects; and his care to relieve and redreſs the poor and oppreſſed."

"There could not be," ſays Mr. Carte,[6] "an higher, and there has ſeldom been a juſter elogium given of a governor and of his upright and impartial adminiſtration by any body of men, than was given of this lord lieutenant, and his adminiſtration, by this houſe of commons; it was given *nemine contradicente*, and paſſed with loud and general acclamations of applauſe."

Thus we ſee, that although this honourable teſtimony had not then the wiſhed for ſucceſs in ſaving his lordſhip's perſon from the rage of his enemies, yet it has been ſince more effectually made uſe of by hiſtorians, to reſcue his memory from that infamy, which his adminiſtration of Ireland particularly, has brought upon it. But Mr. Carte has very imperfectly related another paſſage recorded in the ſame journals of the commons, from whence he took this elogium, viz. The ſolemn proteſtation of theſe commons againſt it, (in which they were joined by the lords) to this effect; that the "aforeſaid preamble to the act of ſubſidies,[7] was contrived, penned, and inſerted fraudulently, (without the privity of the houſe,) either by the Earl of Strafford himſelf, or by ſome other perſon or perſons, adviſers,

[5] Com. Jour. vol. i. [6] Orm. vol. i. [7] Com. Jour.

adviſers, procurors or actors of, or in the manifold and general grievances and oppreſſions of his majeſty's kingdom of Ireland, by the direction and privity of the ſaid earl, on purpoſe to prevent and anticipate the juſt and univerſal complaints of his majeſty's faithful, dutiful and loving ſubjects againſt him." And they required their committee, then attending his majeſty, "to preſent unto him that their proteſtation and proofs thereof; and likewiſe to preſent unto his majeſty, their humble requeſt, that an act might be paſſed in that parliament for revoking, vacating, and taking from the records of parliament, the before-recited part of the preamble concerning the Earl of Strafford."

The reaſon they aſſigned in that proteſtation, for having ſuffered this part of the preamble to paſs, when it was firſt communicated to them, was,[s] "that before ſuch time as that act (having been formerly tranſmitted to England, and returned from thence) was read, or known in the houſe, the ſaid Earl of Strafford did declare and ſignify to both houſes of parliament, his majeſty's urgent and great occaſions; and the near and approaching danger, that Ireland was ſuddenly to be invaded by the Scots; and thereupon, and not before, the ſaid act was read, and made known in the houſe of commons; and that their natural and fervent zeal and devotion to his majeſty's ſervice, and the fears of the ſaid declared eminent danger, and the inconveniencies which they ſuſpected might enſue, if they then had excepted againſt the ſaid part of the preamble, concerning the Earl of Strafford, and had expected a new tranſmiſſion, as a ſtatute of force in this realm, doth require, did occaſion and enforce, their not then ſpeaking, or proteſting againſt the ſaid part of the preamble."

CHAP.

[s] Commons Jour.

CHAP. IX.

Complaints of grievances.

THE before-mentioned committee of parliament, attending the king in England, had preſented a remonſtrance of grievances which the commons had voted,[1] "of their own knowledge to be ſo clear and manifeſt, that no place was left for denial of proof." Theſe grievances were great and numerous. Part of thoſe recited in their journals, are the ſcandalous extortions of the eccleſiaſtical courts,[2] for old popiſh rites and cuſtoms, condemned and renounced by thoſe very perſons who then ſo greedily exacted the profits formerly annexed to them, which, it ſeems, they ſtill deemed orthodox; great ſums of money received by ſeveral biſhops, for commutation of penance, which they converted to their own uſe; the lord deputy's puniſhing the natives by fine, impriſonment, mutilation of members, pillory, or otherwiſe arbitrarily, and without law; and making them forfeit their liberty, poſſeſſions and inheritance, merely for infringing an act of ſtate or proclamation; the ſentencing the ſubjects to death, by martial law, in times of profound peace; the iſſuing *quo warrantos* out of the king's-bench or exchequer, againſt boroughs that antiently, and recently ſent burgeſſes to parliament; the cenſuring of jurors in the caſtle-chamber, that gave verdict according to their conſciences, with mutilation of members,

[1] Commons Jour.

[2] The diſſenters of Ulſter in their petition to the Engliſh houſe of commons in 1640, did not fail to take notice of theſe abuſes. "The prelates," ſay they, "and their faction, as they inherit the ſuperſtition of the papacy, ſo of late they exact, with all ſeverity, the obſolete cuſtoms of St. Mary's-gallons, mortuaries, &c. which, as they were given by ſuperſtition, and uſed to idolatry, ſo now they are taken by oppreſſion, and applied to riotouſneſs." Pryn's Antipathy to Biſhops, part ii. p. 375.

bers, and other infamous puniſhments; the taking of the teſtimony of rebels, traitors, protected thieves, and other infamous perſons, upon trials of men for their lives. And they particularly complained of the inſecurity of their eſtates, by means of the enquiry into defective titles, which was ſtill carried on with great rigour; humbly praying his majeſty, "that he would be graciouſly pleaſed to direct that bills might be drawn in the houſe of commons, and tranſmitted from the chief governor or governors, and privy-council of Ireland, to be paſſed as acts of that parliament, for the redreſs of theſe grievances, and for the ſecurity of their eſtates, as their reſpective caſes, for their better aſſurance, ſhould require."

After what has been now related of the wretched condition of the Iriſh catholics, in this and the former reign,[b] who can help wondering at Clarendon's ſtrange partiality or ignorance, (which yet has been ſervilely copied by all ſucceeding hiſtorians) when he confidently aſſerts,[z] "that, at this very juncture of time, and for forty years before it, the ſtate of theſe catholics affairs was as quiet and happy as they themſelves could reaſonably wiſh it; and that whatever their land, labour,

[z] Hiſt. of the Iriſh Rebel.

[b] The catholic nobility and gentry of Ulſter, in their addreſs to his majeſty, (Charles the 1ſt.) "with much grief expreſs their ſenſe of their general ſufferings and preſſures ſince the beginning of his late majeſty's, his royal father's reign, being almoſt forty years, and the only time of continued peace they enjoyed theſe later ages, in all which time, through the corruption of the governors, and ſtate of the realm, though for redreſs of their grievances frequent ſuit had been made by them, yet that therein they could never obtain any part of their deſires, but rather had endured a continual ſervitude than the freedom of ſubjects, being not permitted in all that ſpace to enjoy their birthright, or the benefit of the fundamental laws of the realm, nor admitted to have property in their goods or lands, for that a tyrannical government had been continually exerciſed over them all that time, in more ſtrict and cruel manner than in Turkey or any other infidel country, though by the antient fundamental laws of the kingdom, no ſubjects in Europe can challenge more freedom, or liberty." Deſid. Curioſ. Hibern. vol. ii, p. 90.

labour, and induſtry produced, was their own; being free from fear of having it taken from them by the king, on any pretence whatſoever, without their own conſent."

In compliance with the aforeſaid remonſtrance and petition of the commons, his majeſty ordered the lords juſtices, Parſons and Borlaſe,[1] "to aſſure his good ſubjects of Ireland, that his princely promiſe, formerly paſſed unto them, (to redreſs theſe, and ſeveral other grievances) ſhould be ſpeedily performed; and to that end he required, that bills might be tranſmitted from their lordſhips and the council, for ſecuring their eſtates, touching the limitation of his title not to extend above three ſcore years."

CHAP. X.

The remonſtrance of grievances vindicated.

IT has been of late objected, that this remonſtrance of grievances, was not fairly and deliberately voted in the Iriſh parliament; but that, on the contrary, it was, "abruptly preſented to the houſe,[1] not ſuffered to be ſpoken to, and paſſed in the midſt of tumult and diſorder." But this objection now appears to be nothing more than a partial and groundleſs ſurmiſe: for "ſome of the grievances mentioned in it,[2] had been preſented by parliament to the deputy, in June preceding, as found real and enormous, after many debates." And as for thoſe lately added, viz. the "tremendous powers" of the high commiſſion-court, the denial of the promiſed graces, &c. it is notorious, that they had been long before complained of, as intolerable both in and out of parliament. It appears by the journals,[3] "that a grand committee was appointed to ſit upon the grievances of the country, on the 12th of October, 1640; and that, on the 7th of the following month, an order was paſſed, that the particular matters expreſſed in

[3] Com. Jour. vol. i.

[1] Lel. Hiſt. of Irel. [2] Com. Jour. vol. i. [3] Ib.

in the remonſtrance in queſtion, being thrice read, required preſent redreſs, and ſhould be forthwith repreſented to the right honourable the lord deputy, by Mr. Speaker and the whole houſe." Another order was paſſed on the 9th, " that Mr. Speaker, for the greater ſolemnity, ſhould read the remonſtrance twice, and that it ſhould be afterwards preſented to the lord deputy." On the 11th, " a committee was appointed, conſiſting, among others, of the vice-treaſurer, the maſter of the rolls, and the chancellor of the exchequer, to wait upon the deputy, to know when he would give his anſwer to the remonſtrance." And on the 12th, " a committee was again appointed, to attend his lordſhip for his anſwer;" which appears then to have been, " that the commons ſhould confer with ſome of the lords of the privy-council, (not, as has been ſuppoſed,[4] with the houſe of lords) concerning the nature of the grievances complained of." But to this conference, as being contrary to their privileges, the commons refuſed to conſent;[5] " in regard that the contents of their remonſtrance had been already voted in their houſe for grievances;" for which refuſal, the deputy prorogued them on the ſame 12th of November. And thus it evidently appears, that this remonſtrance, inſtead of being abruptly preſented to the houſe, not ſuffered to be ſpoken to, and paſſed in the midſt of tumult and diſorder, was agitated, for ſeveral days, with due deliberation and regularity, and at length agreed to, after many readings and debates.

CHAP. XI.

The immediate cauſe of the inſurrection in 1641.

HAD his majeſty's commands before-mentioned to the Lords Juſtices, Parſons and Borlaſe, to paſs the bills for ſecuring the eſtates of the natives, and for confirming

[4] Lel. Hiſt. Irel. [5] Ib.

ing the other promiſed graces, been duly executed, or rather not poſitively diſobeyed by their lordſhips, the dreadful inſurrection of the following year, either would not at all have happened, or would have been quickly ſuppreſſed. Such, at leaſt, was his majeſty's opinion; as we find by his anſwer to a declaration of the Engliſh commons on that occaſion; for there he tells them,[1] "that if he had been obeyed in the Iriſh affairs, before he went to Scotland, there had been no Iriſh rebellion; or after it had begun, it would have been in a few months ſuppreſſed, if his directions had been obſerved: for if the king had been ſuffered to perform his engagements to the Iriſh agents, and had diſpoſed of the diſcontented Iriſh army beyond ſea, there is nothing more clear, than that there could have been no rebellion in Ireland, becauſe they had wanted both pretence and means to have made one."

At this time it was confidently reported in Ireland, that the Scottiſh army had threatened never to lay down their arms, till an uniformity of religion was eſtabliſhed in the three kingdoms, and the catholic religion ſuppreſſed.[2] "A letter," ſays Mr. Carte, "was intercepted coming from Scotland, to one Freeman of Antrim, giving an account, that a covenanting army was ready to come for Ireland, under the command of Gen. Leſlie, to extirpate the Roman catholics of Ulſter, and leave the Scots ſole poſſeſſors of that province; and that, to this end, a reſolution had been taken in their private meetings, and councils, to lay heavy fines upon ſuch as would not appear at their kirk, for the firſt or ſecond Sunday; and on failure the third, to hang, without mercy, all ſuch as were obſtinate, at their own doors."

The whole body of the catholic nobility and gentry of Ireland declared in their remonſtrance at Trim, which was delivered, in due form to his majeſty's commiſſioners, in March 1642, that previous to the inſurrection,[3] "certain dangerous and pernicious petitions, contrived

[1] Reliq. Sac. Carolinæ, p. 273. [2] Cart. Orm. vol. i. fol. 160.
[3] See Append.

contrived by the advice and counſel of Sir William Parſons, Sir Adam Loftus, Sir John Clothworthy, and ſundry others of the malignant party in the city of Dublin, in the province of Ulſter, and ſeveral other parts of the kingdom, directed to the commons houſe in England, were at public aſſizes and other public places made known and read to many perſons of quality; which petitions contained matters deſtructive to the ſaid catholics religion, lives and eſtates." [a]

This dread of an extirpation, as appears from a multitude of depoſitions taken before Dr. Henry Jones, and other commiſſioners appointed by the lords juſtices, prevailed univerſally among the catholics of Ireland, and was inſiſted upon, as one of the principal reaſons for their taking arms.[4] The Earl of Ormond, in his letters of January 27th, and February 26th, 1641, to Sir William St. Leger, imputes the general revolt of the nation, then far advanced, to the publiſhing of ſuch a deſign."

CHAP.

[4] Cart. Orm. vol. i. fol. 263.

[a] "Some time before the rebellion broke out," ſays Mr. Carte, "it was confidently reported, that Sir John Clothworthy, who well knew the deſigns of the faction that governed the houſe of commons in England, had declared there in a ſpeech, that the converſion of the papiſts in Ireland, was only to be effected by the bible in one hand and the ſword in the other; and Mr. Pym gave out, that they would not leave a prieſt in Ireland. To the like effect Sir William Parſons, out of a ſtrange weakneſs, or deteſtable policy, poſitively aſſerted before many witneſſes, at a public entertainment, that within a twelvemonth, no catholic ſhould be ſeen in Ireland; he had ſenſe enough to know the conſequences that would naturally ariſe from ſuch a declaration; which however, it might contribute to his own ſelfiſh views, he would hardly have ventured to make ſo openly, and without diſguiſe, if it had not been agreeable to the politics and meaſures of the Engliſh faction, whoſe party he eſpouſed, and whoſe directions were the general rule of his conduct." Orm. vol. i. fol. 235.

"It is evident," ſays Dr. Warner, "from the lord juſtices letter to the Earl of Leiceſter, then lord lieutenant, that they hoped for an extirpation, not of the meer Iriſh only, but of all the old Engliſh families alſo, that were Roman catholics." Hiſt. of the Iriſh Rebel.

CHAP. XII.

The catholic clergy of Ireland unjuſtly accuſed of ſtirring up the Iriſh to this inſurrection.

THE Catholic clergy of Ireland, at this period, are commonly charged with filling the minds of their votaries with ſuch pernicious maxims, civil and religious, as could not fail to incite them to the moſt traitorous and bloody attempts. "They had," ſays a modern hiſtorian,[1] "that influence even over the gentry of their communion, with which they were inveſted by the tenets of their religion; the ignorant herd of papiſts they governed at their pleaſure. They had received their education and imbibed their principles in the foreign ſeminaries of France and Spain; hence they returned to Ireland, bound ſolemnly to the pope in unlimited ſubmiſſion, without profeſſion or bond of allegiance to the king. Full fraught with thoſe abſurd and peſtilent doctrines, which the moderate of their own communion profeſs to abominate, of the univerſal monarchy of the pope, as well civil as ſpiritual, of his authority to excommunicate and depoſe princes, to abſolve ſubjects from their oaths of allegiance, and to diſpenſe with every law of God and man, to ſanctify rebellion and murder, and even to change the very nature and eſſential difference of vice and virtue. And, with this, and other impious trumpery of ſchools and councils, theſe eccleſiaſtics filled their ſuperſtitious votaries."

Horrible, indeed, is this accuſation; but fortunately for the kingdom, wherein ſuch a clergy is ſtill ſuffered to exiſt, it is as erroneouſly ſtated, as it is groundleſs in itſelf. Nor is the injuſtice done to this clergy, by ſuch ſhocking imputations, greater than that done to Walſh himſelf, the Iriſh Franciſcan, whoſe ſole authority is quoted in ſupport of them. For there is no mention made by that writer in the place referred to, of theſe impious tenets having been taught or maintained by any of

[1] Lel. Hiſt. Irel. vol. iii. p. 89.

of the catholic clergy of Ireland, at or about the year 1641. All that appears there relative to theſe tenets, is an indirect and angry charge and inference, againſt ſuch of Walſh's brethren, as had oppoſed his remonſtrance of loyalty, which was not preſented,[2] nor even thought of till more than twenty years after that period. Nay even there too, Walſh confeſſes that theſe tenets[3] "were quite different from what the Roman catholics of England, Scotland, and Ireland, did believe;" and alſo affirms, "that many thouſands of the moſt learned, moſt zealous and moſt godly Roman catholic prelates, doctors and prieſts, beſides laymen, cried down theſe tenets, as not only falſe, impious, and heretical, but alſo as abſolutely tyrannical and deſtructive of all government."

In order to explain this matter a little more fully, I muſt inform the reader, that in the year 1674, when Walſh's hiſtory of the remonſtrance was firſt publiſhed, he had been provoked, by an excommunication newly denounced againſt him, to draw out this chain of blaſphemous propoſitions, as the ſuppoſed conſequences of the doctrine of the pope's depoſing power; and in the bitterneſs of reſentment, to charge them on ſome of his adverſe catholic brethren, whom he either knew, or ſuſpected to have been active in bringing that diſgrace upon him. But that he was far from intending to charge ſuch wicked principles upon the body of the catholic clergy of Ireland, inconteſtably appears, from his declaring in the very ſame place, (with regard to the doctrine of the pope's depoſing power; and its ſuppoſed pernicious conſequences),[4] "that he did not at all doubt, but rather was certain, that there were more than five hundred prieſts, then in Ireland, who, if they were only permitted to live quietly there, would, by a public inſtrument ſigned under all their hands, declare amply, clearly, and heartily againſt the aforeſaid doctrine, notwithſtanding any declaration, precept or cenſure of the pope to the contrary."

As

[2] See the dedication to the hiſtory of the Iriſh remonſtrance, by Peter Walſh. [3] Ib. [4] Ib.

As for thoſe ſeminaries of France and Spain, where this catholic clergy is ſaid to have imbibed theſe peſtilent doctrines, I could not diſcover any of them in the place cited; but, on the contrary, I there found the author reckoning up eight ſeminaries in France alone, viz. "thoſe of Paris, Rheims, Caen, Thouloufe, Poitiers, Valance, Bourdeaux, and Bourges; together," adds he, "with the ſeven remaining univerſities of that kingdom; which had, on different occaſions, publicly condemned the pope's depoſing power, as falſe, contrary to the word of God, ſeditious and deteſtable."

CHAP. XIII.

The ſame ſubject continued.

MR. Carte, who was no friend to the catholic clergy, and had better means of information than any other writer on this ſubject either before or ſince his time, has candidly owned,[1] "that although this conſpiracy was imputed to Roman catholic prieſts, yet not above two or three of them appeared to know any thing of it." Nay he even ſeemed to think, that had they all, to a man, afterwards concurred in it, they could not have been juſtly blamed on that account. For, not to mention the lords juſtices cruel injunctions to the officers of the army, to ſhew no mercy to that order of men (whom therefore, theſe officers promiſcuouſly murdered, wherever they met them),[2] "the Engliſh houſe of commons gave them reaſon to apprehend every thing that is dreadful to human nature."[a]

[1] Life of Ormond, vol. i. [2] Ib.

[a] To this his majeſty ſeems to have alluded, when he ſaid, "and certainly 'tis thought by many wiſe men, that the prepoſterous rigour and unreaſonable ſeverity, which ſome men carried before them in England, was not the leaſt incentive that kindled and blew into thoſe horrid flames the ſparks of diſcontent, which wanted not

They had cauſed the laws againſt recuſants to be put in execution all over England; eight Roman catholic prieſts had been taken up in London, for ſaying maſs: and the proof failing as to one, the other ſeven were condemned.[b] The king, averſe to the putting any man to death merely for religion, had reprieved them; the commons were offended at it, and made loud complaints on this ſubject againſt his majeſty. Nothing would ſatisfy them, till the king had left them to their mercy, to order the execution whenever they ſaw fit. When men," proceeds Mr. Carte, "have every thing to dread in peace, and much to hope from a war, 'tis natural for them to chuſe the latter, and uſe their utmoſt endeavours to make it ſucceſsful. Nor is it any wonder, that thoſe prieſts, in ſuch a ſituation of affairs, ſhould have recourſe to arms, for the ſafety of their lives: and deſpairing of indulgence in quiet times, ſhould ſeek in troubleſome ones for an eſtabliſhment, never to be obtained but by the prevailing force of an inſurrection."

Mr. Goodman, one of the above-mentioned condemned prieſts, and who ſeems to have been particularly obnoxious to the parliament, made a voluntary offer of his life, as a ſacrifice to the quiet of the king and kingdom, on that occaſion; an inſtance of heroic loyalty, which can

not pre-diſpoſed fuel for rebellion in Ireland; where deſpair being added to their former diſcontents, and the fears of utter extirpation to their wonted oppreſſions, it was eaſy to provoke them to open rebellion." Icon. Baſilic.

[b] "Beſides, Richard Herſt, Edmund Arrowſmith and others, put to death in 1628, merely for exerciſing the functions of Roman catholic prieſts; Thomas Bullaker, Thomas Holland, Paul Heath, Francis Bell, Rodolphus Colman, (condemned, but reprieved) Henry Morſe, —— Morgan, Philip Powel, and Martin Woodcock, together with Reading and Whitaker, were executed in England for the ſame cauſes, between the years 1641 and 1646." "The condition of a miſſionary," ſays my author, "in the beginning of this reign was different from what it was at the latter end of it; when religious zeal againſt popery was heightened and inflamed with all the rage of faction. If a Turkiſh derviſe had then preached Mahomet in England, he would have met much better treatment than a popiſh prieſt." Grainger's Biograph. Hiſt. of Engl. vol. ii. p. 206-7-8.

can hardly, I fear, be paralleled by any of his oppoſites of the ſame order; who, nevertheleſs, are but too apt to repreſent catholic prieſts as diſloyal, through principle, to every proteſtant government. That extraordinary perſon petitioned the king, to order his execution, in the following words:

" Your majeſty's petitioner hath underſtood of a great diſcontent, in many of your majeſty's ſubjects, at the gracious mercy your majeſty was freely pleaſed to ſhew unto your petitioner, by ſuſpending the execution of the ſentence of death pronounced againſt him. Theſe are, therefore, humbly to beſeech your majeſty, rather to remit your petitioner to their mercies that are diſcontented, than to let him live the ſubject of ſo great a diſcontent in your people againſt your majeſty; for it has pleaſed God, to give me grace to deſire with the prophet, " that if this ſtorm be raiſed for me, I may be caſt into the ſea, that others may avoid the tempeſt." This is, moſt ſacred ſovereign, the petition of him who ſhould eſteem his blood well ſhed, to cement the breach between your majeſty and your ſubjects.[c]

[c] " But he eſcaped," ſays Mr. Hume, " with his life, rather becauſe he was over-looked amidſt affairs of greater conſequence, than that ſuch unrelenting ſeverity would be ſoftened by any conſideration of his courage, or generoſity." Hiſt. of Engl.

" By an addreſs from the Engliſh commons, all officers of the Roman catholic religion had been (in 1640) removed from the army, and application was made to the king for ſeizing two thirds of recuſants lands; a proportion to which, by law, he was entitled, but which he had always allowed them to poſſeſs upon very eaſy compoſitions.—The ſevere and bloody laws againſt prieſts were inſiſted on." Id. ib. vol. iv. p. 399.

CHAP. XIV.

Some miſrepreſentations concerning the beginning of the inſurrection conſidered.

ON the 23d of October, 1641, [a] the lords juſtices declared by proclamation, "that a diſcovery had been made of a moſt diſloyal and deteſtable conſpiracy, intended by ſome evil affected Iriſh papiſts, univerſally throughout the kingdom." This unfair repreſentation has been either ignorantly, or maliciouſly adopted by all the adverſe writers on this ſubject. Sir John [b] Temple,

[1] Temple's Hiſtory of the Iriſh Rebellion.

[a] This day was commonly called Macguire's day, becauſe Lord Macguire was a principal leader in the inſurrection which commenced on it; and yet we find by the journals of the Iriſh commons, that one of the firſt private diſcoverers of it to Sir William Cole, was one Bryan Macguire, (probably his lordſhip's relation) for which ſervice, ſaid Bryan's grandſon, Connaght Macguire, in 1662, obtained a grant of his grandfather's eſtate." See Com. Jour. vol. ii. fol. 163.

[b] A ſpecimen of this hiſtorian's veracity may be ſeen in a charge brought againſt him and ſome others of the Iriſh privy council of the ſame faction, in the year 1643, viz. "that the ſaid Sir John Temple did, in the month of May laſt, write two traiterous and ſcandalous letters againſt his majeſty, which letters have been ſince read at the cloſe committee, and uſe made of them to caſt falſe aſperſions on his majeſty, as fomenting and favouring the rebels in Ireland." Carte's Collect. of Orm. Orig. Pap. p. 207.

"It is notorious," ſays Dr. Nalſon, "that Sir John Temple, in writing his hiſtory of this rebellion, was bound by confederacy, to aſſert the proceedings of theſe lords juſtices; and I cannot find him highly in reputation with the uſurpers of the parliamentarian faction, and by them impowered as commiſſioner to impoſe upon the proteſtant ſubjects of Ireland that traiterous, diſloyal, and ſolemn league and covenant, which was a direct oath of confederacy not only againſt, but purpoſely to ruin and deſtroy the king, the church and the loyal party; I cannot obſerve his book to be printed at London in 1646, by public allowance, a time when

ple, out of his abundant malice to theſe people, has ſo notably improved upon it, as to affirm,[2] "that on the 23d of October aforeſaid, an univerſal defection and general revolt broke out; wherein, not only all the mere Iriſh, but almoſt all the old Engliſh, that adhered to the church of Rome, were totally involved." And Mr. Hume, in a warm fit of declamation, confidently aſſerts,[3] "that from Ulſter, the flames of this rebellion diffuſed themſelves, in an inſtant, over the three other provinces."

The above-mentioned proclamation gave a juſt alarm to the catholic nobility and gentry of the kingdom; who knew themſelves to be perfectly innocent, and entirely unconſcious, of any ſuch conſpiracy. The Earl of Clanrickard, who had arrived in Ireland ſome ſhort time before, tells us, that he[4] "was, at firſt, on a ſudden ſurpriſed with the fatal news of a deſperate rebellion in the North, and a rumour of a general combination and conſpiracy all over the kingdom. But we begin," adds his lordſhip, "to recover our wits, ſcared away by the firſt reports; and do diſcern, that none appears in this deteſtable conſpiracy, or enters into action, but the remains of the antient Iriſh rebels in the North, and ſome of the planted county of Leitrim."[c]

In

[2] Temple's Hiſtory of the Iriſh Rebellion. [3] Hiſt. of England, Dub. ed. vol. iv. p. 15. [4] Memoirs, Engl. ed. fol. 63.

when no books were licenſed but ſuch as made court to the prevailing faction of the uſurpers, or which might be helpful to ſupport their calumnies againſt his majeſty, eſpecially as to the Iriſh rebellion, without too juſt a ſuſpicion of his integrity." Introduction to the ſecond vol. of his Hiſtoric. Collec.

[c] "The northern plantations (ſays Dr. Leland) could not but be offenſive to the old Iriſh; and thoſe among them that ſubmitted, and accepted their portion of lands, complained that in many inſtances they had been ſcandalouſly defrauded. The revival of obſolete claims of the crown, haraſſing of proprietors by fictions of law, diſpoſſeſſing them by fraud and circumvention, and all the various artifices of intereſted agents, and miniſters, were naturally irritating. And the public diſcontents muſt have

In two or three days after the iſſuing of this proclamation, the lords and gentlemen of the pale,[5] "doubting," ſays Temple, "that by thoſe general words of Iriſh papiſts, they might ſeem to be involved," preferred a petition to the lords juſtices and council, in behalf of themſelves, and other old Engliſh of the kingdom; whereupon the juſtices, on the 29th of the ſame month, thought fit to ſend forth another proclamation, in which[6] "they declared, and publiſhed, to all his majeſty's good ſubjects, that by the words "Iriſh papiſts," they intended only ſuch of the old mere Iriſh, in the province of Ulſter, as had plotted, contrived, and been actors in that treaſon, and others that adhered to them; and none of the old Engliſh of the pale, or other parts of the kingdom."

And although their lordſhips, in this proclamation of the 29th of October, did "enjoin all his majeſty's ſubjects, whether proteſtants, or papiſts, to forbear upbraiding matter of religion on this occaſion; yet certain it is, that all our adverſe hiſtorians, preachers, and libellers, from that time to the preſent, ſeem to have thought themſelves indiſpenſably obliged, not only to upbraid matter of religion as the chief incentive to this inſurrection, but alſo to repreſent the inſurrection itſelf as univerſal all over the kingdom, on the firſt day or two after its eruption.[d]

Theſe,

[5] Iriſh Rebellion. [6] Id. ib.

have been further inflamed by the inſincerity of Charles, in evading the confirmation of his graces; the inſolence of Strafford in openly refuſing it, together with the nature and manner of his proceedings with the proprietors of Connaught." Hiſt. of Irel. vol. iii. p. 89.

[d] The account left us by Sir John Temple, an intereſted contemporary writer, of the firſt riſe, progreſs, and miſchiefs of this inſurrection, which all ſubſequent writers on the ſubject have ſervilely copied, is horribly fraught with notorious untruth and calumny. "The defection," ſays he, "was univerſal, and the revolt general; wherein not only all the mere Iriſh, but almoſt all the old Engliſh, that adhered to the church of Rome, were totally involved. It was," adds he, "ſo execrable in itſelf, ſo odious

Theſe, and other miſrepreſentations, were no ſooner deviſed, than tranſmitted to the Earl of Leiceſter, lord lieutenant in England; where they acquired ſtill greater and more extenſive credit. Never, indeed, were fiction and calumny introduced to public notice with more pomp and dignity than they ſeem to have been upon that occaſion.

"For [7] [c] the Earl of Leiceſter, having received intelligence of this inſurrection by the lords juſtices letter of the 25th of October, 1641, repaired, on the firſt of the following month, to the houſe of commons then ſitting; whither he was accompanied by the lord keeper of the great ſeal of England, the lord privy ſeal, the lord high chamberlain, the lord admiral, Earl March, lord chamberlain, Earl of Bath, Earl of Dorſet, Earl of Holland, Earl of Berkſhire, Lord Viſcount Say and Seal, Lord Goring, and Lord Wilmot, in grand proceſſion; when his excellency communicated the papers and letters, ſent by the lords juſtices, and told them that he had information of ſhedding much blood of the proteſtants of Ireland, and that ſome of the rebels confeſſed, that all the proteſtants were to be cut off; and that they were not to leave any Britiſh men, women, or children alive: that the time for putting this bloody deſign in execution, was upon Saturday the 23d of October, a day dedicated to St. Ignatius,

[7] Warner's Iriſh Rebel. from Ruſhworth's collection.

odious to God, and the whole world, that no age, no kingdom, no people can parallel, the horrid cruelty and abominable murders that were then committed upon the proteſtant Britiſh inhabitants throughout the land, of what age, of what quality or condition ſoever they were." Hiſt. of Iriſh Rebel.

[c] The truth of this relation is the more to be depended upon, as Ruſhworth wrote under the influence of ſuch as could not bear the truth if againſt them. "Ruſhworth's compilation was carried on under the eye, and ſubmitted to the correction of Cromwell; hence it is, that he has omitted whatever could give offence, and inſerted whatever he thought would be agreeable to his patron." Grainger's Hiſt. Biograph. vol. iv. p. 65.

Ignatius,[f] the founder of the Jeſuits; and in ſhort, that their deſign was to kill the lords juſtices and all the king's privy-council. The like information was given by the lord keeper, and other lords, and in the ſame ſolemn manner, to the houſe of lords.

The falſehood of this repreſentation, with reſpect to the deſign of theſe inſurgents, is ſo very notorious, that even a writer otherwiſe highly prejudiced againſt them, could not paſs it over uncenſured. "Both the lord keeper in the houſe of lords, and the lord lieutenant in the houſe of commons," ſays Dr. Warner,[g] "did exceed the informations that had been given, either in the letters, or in the examinations tranſmitted over. No hiſtorian," adds he, "hath taken notice of this falſification; and yet one cannot believe that it was owing in both theſe lords to accident or miſtake. The lord keeper hath ſaid, that the rebels had committed divers murders; and the lord lieutenant, beſides affirming that they had information of ſhedding much blood of the proteſtants there, added moreover, that the deſign of the rebels was to kill the lords juſtices, and all the king's privy-council; whereas neither in the letters, nor the examinations, is there a ſingle word of any murder being committed; nor was there the leaſt thought among the conſpirators, for any thing that appears, of killing, particularly the lords juſtices and the king's privy council. And the council in their letters, after having given an account of ſeveral robberies, burning of houſes and villages, and ſeizing ſome forts and caſtles, expreſsly ſay, and this though too much, is all that we yet hear is done by them." [g]

It

[g] Hiſt. of the Iriſh Rebel.

[f] This, like many other circumſtances of this pompous tale, is a well-known falſehood: for St. Ignatius's feſtival is kept on the 31ſt of July.

[g] "Whatever cruelties (ſays Doctor Warner) are to be charged upon the Iriſh in the proſecution of their undertaking, yet their firſt intention, we ſee, went no further than to ſtrip the Engliſh and the proteſtants of their power and poſſeſſions, and unleſs forced to it by oppoſition, not to ſhed any blood." Hiſt. of the Iriſh Rebel. p. 47. See p. 28.

It is worthy of notice, that about this time, viz. before the end of October, 1641, Temple himſelf confeſſes, " that the rebels had got poſſeſſion of all the towns, forts, caſtles, and gentlemens houſes within the counties of Tyrone, Donegal, Fermanagh, Armagh, Cavan, Londonderry, Monaghan, and half the county of Down; except the cities of Londonderry and Colerain, the town and caſtle of Enniſkillen, and ſome other places and caſtles. And that beſides the above mentioned, theſe rebels had taken a multitude of other caſtles, houſes of ſtrength, towns and villages, all abundantly peopled with Britiſh inhabitants." [g] Yet in none of thoſe places does it appear, from Temple's account, that any maſſacre or murder was committed by the inſurgents within that ſpace of time.[h]

There is but little wonder, that ſo ſhocking a calumny, thus ſolemnly delivered, by perſons of honour, to an auguſt aſſembly, ſhould make a general and laſting impreſſion on a credulous and prejudiced people; but the reader will pleaſe to reflect, that if ſo many perſons of the firſt quality, living at a diſtance from the danger and miſchiefs of this inſurrection, and therefore, influenced by fear or revenge, could, for their own evil purpoſes,[i] circulate ſuch horrid falſehoods concerning it,

[g] Hiſt. of the Iriſh Rebel. p. 34.

[h] The true reaſon that theſe places were ſo eaſily taken by the inſurgents, is thus ſet forth in the remonſtrance of the lords and gentry of the pale. " Your majeſty's old ſtanding army here, which was appointed to keep the garriſon-towns of this land, and in your forts and caſtles here, which receives yearly large entertainment from your highneſs, hath been hitherto an army in name only, and not in ſubſtance, and was not viſible in them towns and forts, through the neglect and corruption of your governors and ſtate here, whereby the army of Ulſter did ſurprize moſt of the forts and caſtles in that province without reſiſtance, and expulſed thence moſt of the Britiſh inhabitants." Deſid. Curioſ. Hibern. vol. ii. p. 106.

[i] " The Iriſh rebellion," ſays Sir Edward Walker, " did fortify the deſigns in England, which then wanted matter to work upon. The parliament raiſed money for this war, and employed it in their own; and ſcandalized his majeſty, as not zealous in

it, how little ſtreſs ought to be laid on the evidence, or teſtimonies of ſome of the meaneſt of the adverſe party at home, who were either exaſperated by the injuries they themſelves had ſuffered, or ſcared out of their wits by the ſhocking ſtories they had heard of thoſe committed on others, when they were called upon to give ſuch evidence. And yet, the teſtimony of perſons ſo prejudiced, and otherwiſe unduly influenced, is the principal, if not only foundation, on which the belief of the Iriſh maſſacre has hitherto reſted, and has ſo generally, not to ſay uncontrovertably, prevailed.

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in the ſuppreſſion of it: though to ſhew his odium of this rebellion, he propoſed the going thither himſelf to ſuppreſs it; but his propoſal was ill taken by the commons, as fearing the rebels might ſubmit to his majeſty, and ſo become his, in oppoſition to their deſigns." Hiſtor. Diſcourſ. fol. 231.

AN

HISTORICAL AND CRITICAL REVIEW OF THE CIVIL WARS IN IRELAND.

BOOK V.

CHAP. I.

The main deſign of the inſurgents not general or premeditated.

IN order to ſet this tragical part of the hiſtory of Ireland in a true light, it is neceſſary to diſtinguiſh two inſurrections, differing not ſo much in their cauſes as their times. The firſt is that mentioned in the lord juſtices proclamation of the 29th October, 1641, of ſome of the mere old Iriſh only in the province of Ulſter. The other is that general defection, which happened ſome months after, in the other provinces; and was occaſioned by a continuation and increaſe of thoſe grievances and oppreſſions, which had produced the firſt. We will begin with the inſurrection in Ulſter, which Sir John Temple,[1] [2] and his numerous copiers,

[1] Hiſtory of the Iriſh Rebel.

[2] This gentleman publiſhed his Hiſtory of the Iriſh Rebellion

copiers, have repreſented as an horrible enterpriſe, long before concerted and reſolved upon, by the generality of the catholics of Ireland. But in this particular, and in truth in moſt others, that writer has ſufficiently confuted himſelf; for he informs us, that ſeveral of the chiefs of theſe Ulſter inſurgents, inſtead of providing men, arms and other requiſites for the execution of ſuch a deſign, did on the contrary, but a ſhort time before their riſing, take ſuch meaſures as had a manifeſt tendency to prevent its ſucceſs.[b] For he tells us,[a] "that Sir Phelim O'Neil, and many others of the prime

[a] Hiſt. of the Iriſh Rebel. p. 14.

lion in the year 1646, by the direction of the parliament-party, which then prevailed, and to which, tho' long before in actual rebellion, he was always attached. The falſehoods it contains are ſo glaring and numerous, that even the government, in the year 1674, ſeems to have been offended at, and himſelf aſhamed of, the re-publication of it. This we gather from a letter of Capel Earl of Eſſex, then lord lieutenant of Ireland, to Mr. Secretary Coventry, of that date, wherein we find theſe words: "I am to acknowledge yours of the 22d of December, in which you mention a book that was newly publiſhed, concerning the cruelties committed in Ireland, at the beginning of the late war. Upon further enquiry I find Sir J. Temple, maſter of the rolls here (Ireland), author of that book, was, this laſt year, ſent to by ſeveral ſtationers of London, to have his conſent to the printing thereof; but he aſſures me, that he utterly denied it, and whoever printed it, did it without his knowledge. Thus much I thought fit to add to what I formerly ſaid upon this occaſion, that I might do this gentleman right, in caſe it were ſuſpected, he had any ſhare in publiſhing this new edition." State Let. Dub. ed. p. 2. His lordſhip was at this time ſoliciting a grant of three (he would have it five) hundred pounds a year, on the forfeited eſtates, for Sir John Temple, which he at laſt obtained, (ſee theſe letters); and the miniſtry ſeems to have made this re-publication of his hiſtory an objection, which his lordſhip thus endeavours to remove.

[b] "The difficulty which Moore found to prevail on the Ulſter-Iriſh (to riſe), ſhews there was no long-meditated ſcheme of rebellion even among them."

"Roger Moore's anceſtors, in the reign of Mary, had been expelled from their princely poſſeſſions by violence and fraud; and

prime leaders in this rebellion, did, not long before it broke out, turn their Iriſh tenants off their lands, even to ſtarve upon the mountains; while they took in Engliſh, who were able to give them much greater rents, and more certainly pay the ſame." He has alſo informed us,[3] "that theſe rebels, at their firſt riſing out, had not many better weapons than ſtaves, ſcythes and pitchforks;" an indication ſurely, rather of a ſudden unpremeditated eruption and tumult, than of any ſettled ſcheme of conſpiracy or rebellion.[c]

Nay, ſome weeks after their firſt riſing, ſuch of theſe inſurgents as appeared to the Earl of Ormond, ſeemed to him,[4] "rather to be a tumultuous rabble, than any thing like a diſciplined army;" and his lordſhip was of opinion, that[5] "there were as many arms, within a few, in the hands of ſix hundred of the king's forces, as there were among all the rebels then in the kingdom."

But what puts this matter beyond all diſpute is,[6] "that the army of eight thouſand foot, and one thouſand horſe (ſeven-eighths of which were Roman catholics) that had been raiſed, two years before, by the Earl of Strafford, was, in June 1641, entirely diſſolved, without any inconvenience or diſorder in the nation at that time."

"The complaints of grievances made by the Roman catholic members," ſays Mr. Carte,[7] "in the Iriſh houſe

[3] Ib. p. 79. [4] Carte's Ormond, vol. iii.
[5] Ib. [6] Ib. vol. i. [7] Ib. fol. 152.

and their ſept haraſſed and almoſt extirpated by military executions. His own indigence, and the mortifying view of what he called his rightful inheritance, poſſeſſed by ſtrangers, rioting in the ſpoils of his family," ſpirited him up to this rebellion. See Lel. Hiſt. of Ireland, vol. iii. p. 93.

"Lord Macguire, in his confeſſion, avers, that it was in May 1641, that he firſt heard the motion from Sir James Dillon, of taking the caſtle of Dublin." See Borl. Hiſt. of the Iriſh Rebel. fol. 34.

[c] "The firſt inſurgents (in Ulſter), though without arms or ammunition, got poſſeſſion of moſt part of the kingdom." *Borl.* Iriſh Rebel. fol. 251.

houſe of commons, in ſummer 1641, have been inſiſted upon, as a proof of their intention to raiſe a rebellion at that juncture: but, by all the obſervations I have been able to make, I do not find that there was any formed deſign of the body of the Roman catholic party in that parliament, for an affair of that nature. The compiler of the Nuncio's memoirs," adds the ſame author,[8] " (a fair writer, whatever his principles were, and who, on all occaſions, ſeems to be well acquainted with his ſubject, and to write what he believed to be true,) ſays, " that the Engliſh-Iriſh of four hundred years ſtanding, eſpecially thoſe of the Engliſh pale, were extremely averſe to the rebellion, and offered their ſervice very ſincerely to the ſtate againſt the rebels; remembering their own origin, and chuſing to adhere to the Engliſh government, which they were apprehenſive would be thrown off by the natives." To which reaſon he adds another, drawn from the nature of their eſtates, a conſiderable part of which was church-lands, which, he ſays, they were afraid of loſing, if the old Iriſh got the power of the nation into their hands."

CHAP. II.

The firſt cauſes of the inſurrection of 1641 *in Ulſter.*

MEN, whoſe minds are exaſperated by the remembrance of former injuries (which was peculiarly the caſe of the Ulſter gentry,[a] on account of the ſeizure of

[8] Carte's Orm. vol. i. fol. 256. Nunc. Mem. p. 392.

[a] " The native Iriſh being well informed, as they thought (in 1641), that they now muſt either turn proteſtants, or depart the kingdom, or be hanged at their own doors; they betook to arms in their own defence, eſpecially in Ulſter, where the ſix counties had been forfeited." Dr. Anderſon's Royal Genealogies, p. 786.

" No

of the ſix counties before-mentioned) are often ſuddenly provoked to commit acts of violence, by a ſlight or inadequate cauſe; but the immediate incentive to the inſurrection of theſe northerns was far from being ſuch; it was nothing leſs, than a well-grounded fear of an intended extirpation of their religion or perſons. The petitions already mentioned, which were calculated for that end, ſeem principally to have been levelled at them;[b] and probably received moſt furtherance from their malevolent neighbours, the puritan Scots. Nor will this in the leaſt ſeem ſtrange, if it be conſidered, that the diſſenters in that province were audacious enough, about the ſame time, to addreſs a petition to the Engliſh houſe of commons,[a] "ſigned by many thouſands in the county of Down, Tirone and others, againſt epiſcopacy, and the eſtabliſhed religion itſelf."[c]

In

[a] See Pryn's Antipathy to Biſhops, part ii. p. 369.

[b] "No great difficulty was apprehended in gaining the leaders of the Ulſter Iriſh, who had been ſo ſeverely chaſtiſed by the arms of Elizabeth, and ſo grievouſly deſpoiled by the plantations of James." Lel. Hiſt. of Ireland, vol. iii. p. 95.

In the humble remonſtrance of the northern nobility and gentry to the king, there is the following paſſage: "There was a petition framed by the puritans of this kingdom of Ireland, ſubſcribed by the hands of many hundreds of them, and preferred to the houſe of commons of the now parliament of England, for ſuppreſſing our religion, and us the profeſſors thereof reſiding within this kingdom of Ireland; which, as we are credibly informed, was condeſcended unto by both houſes of parliament there, and undertaken to be accompliſhed to their full deſires, and that without the privity or allowance of your majeſty." Deſid. Curioſa Hib. vol. ii. p. 86.

[c] Extract of the examination of Dr. Robert Maxwell, afterwards biſhop of Kilmore:

"——— And further depoſeth, that he, this deponent, aſked many, both their (the rebels) commanders and friars, what chiefly moved them to take up arms? They ſaid, why may not we as well, and better, fight for religion, which is the ſubſtance, than the Scots did for ceremonies, which are but ſhadows? and that Lord Strafford's government was intolerable. The deponent anſwered, that that government, how inſupportable

In that petition they complain, "that the moſt learned, and ſeemingly moderate and pious prelates, did publicly in ſermons at Dublin, exclaim againſt and condemn the Scottiſh covenant, and the religion profeſſed in Scotland; and therefore they moſt humbly pray, that that unlawful hierarchical government, with all its appendixes, may be utterly extirpated."

Theſe incentives to the inſurrection in Ulſter are chiefly inſiſted upon in that impartial remonſtrance of grievances from Cavan, which was drawn up by Biſhop Bedel,[c] a prelate too wiſe to be impoſed upon,[d] and too juſt and reſolute to advance any facts in excuſe of theſe inſurgents, of the truth of which he was not very certain. As Biſhop Burnet, in his life, owns that this remonſtrance gives the beſt colours to their proceedings of any of all their papers, that he ever ſaw, I will here tranſcribe it entire from that biſhop's copy.

"To the right honourable the juſtices and council, the humble remonſtrance of the gentry and commonalty of the county of Cavan, of their grievances, common with other parts of this kingdom of Ireland:

"WHEREAS we, his majeſty's loyal ſubjects of his highneſs's kingdom of Ireland, have, of long time, groaned under many grievances and preſſures, occaſioned

[c] Burnet's Life of Bedel.

able ſoever, was indifferent, and lay no heavier upon them than the Britiſh proteſtants. They replied, that the deponent and the reſt of the Britiſh, were no conſiderable part of the kingdom; and that over and above all this, they were certainly informed, that the parliament of England had a plot to bring all to church, or cut off all papiſts in the king's dominions; in England, by the Engliſh proteſtants or (as they called them) puritans; and in Ireland by the Scots." Borl. Hiſt. of the Iriſh Rebell. fol. 408.

[d] The character given to this prelate by Borlaſe is, "one of the brighteſt lights of the Iriſh church, both for learning and a ſhining converſation; and in his conſtant diligence in the work of the miniſtry a pattern to others." Iriſh Rebellion, f. 48.

ſioned by the rigorous government of ſuch placed over us, as reſpected more the advancement of their own private fortunes, than the honour of his majeſty, or the welfare of his ſubjects; whereof we, in humble manner, declared ourſelves to his highneſs, by our agents, ſent from the parliament, the repreſentative body of the kingdom; notwithſtanding which, we find ourſelves of late threatened with far greater and more grievous vexations, either with captivity of our conſciences, or utter expulſion from our native ſeats, without any juſt grounds given on our parts, to alter his majeſty's goodneſs, ſo long continued to us. Of all which we find great cauſe of fears in the proceedings of our neighbour nations; and do ſee it already attempted by certain petitioners, for the like courſe to be taken in this kingdom, for the effecting thereof, in a compulſory way; ſo as rumours have cauſed fears of invaſion from other parts, to the diſſolving of the bond of mutual agreement, which hitherto hath been held inviolable, between the ſeveral ſubjects of this kingdom, and whereby all his majeſty's other dominions have been linked in one. For the preventing therefore of ſuch evils growing upon us in this kingdom, we have, for the preſervation of his majeſty's honour, and our own liberties, thought fit to take into our hands, for his highneſs's uſe and ſervice, ſuch forts and other places of ſtrength, as coming into the poſſeſſion of others, might prove diſadvantageous, and tend to the utter undoing of the kingdom; and we do hereby declare, that herein we harbour not the leaſt thought of diſloyalty towards his majeſty; or purpoſe any hurt to his highneſs's ſubjects, in their poſſeſſions, goods, or liberty; only we deſire, that your lordſhips will be pleaſed to make remonſtrances to his majeſty for us, of all our grievances and juſt fears, that they may be removed, and ſuch a courſe ſettled by the advice of the parliament of Ireland, whereby the liberty of our conſciences may be ſecured unto us, and we eaſed of other burdens in civil government. As for the miſchiefs and inconveniences that have already happened, through the diſorder of the common ſort of

people, againſt the Engliſh inhabitants, or any others, we, with the nobility and gentlemen, and ſuch others of the ſeveral counties of this kingdom, are moſt willing and ready to uſe our, and their, beſt endeavours in cauſing reſtitution and ſatisfaction to be made, as in part we have already done.

" An anſwer hereunto is moſt humbly deſired, with ſuch preſent expedition as may, by your lordſhips, be thought moſt convenient, for avoiding the inconvenience of the barbarouſneſs and incivility of the commonalty, who have committed many outrages, without any order, conſenting, or privity of ours. All which we leave to your lordſhips wiſdom, and ſhall humbly pray, &c."

On the 10th November 1641, the O'Farrells of the neighbouring county of Longford, ſent up alſo to the lords juſtices, a remonſtrance of their grievances; which was of much the ſame tenor with that from Cavan, intreating redreſs in a parliamentary way. " Theſe gentlemen," ſays Mr. Carte,[3] " had deſerved well of the crown, and were on that account particularly provided for by king James, in his inſtructions for planting of that country. But the commiſſioners appointed for the diſtribution of the lands, more greedy of their own private profit, than tender of the king's honour, or the rights of the ſubject, took little care to obſerve theſe inſtructions; and the O'Farrells were generally great ſufferers by the plantations.[a] Several perſons were turned out of large eſtates of profitable land, and had only a ſmall pittance, leſs than a fourth part, aſſigned them for it in barren ground. Twenty-four proprietors, moſt of them O'Farrells, were diſpoſſeſſed of their all; and nothing allotted them for compenſation.

[3] Life of Orm. vol. i.

[a] " In a manuſcript of Biſhop Stearne, we find that in the ſmall county of Longford, twenty-five of one ſept were all deprived of their eſtates, without the leaſt compenſation, or any means of ſubſiſtence aſſigned to them." Leſ. Hiſt. of Irel. vol. ii. p. 467.

compenſation. They had complained, in vain, of this undeſerved uſage many years; and having now an opportunity afforded them of redreſs, by the inſurrection of their neighbours, had readily embraced it, and followed their example (for it does not appear that any of them were antecedently concerned in the conſpiracy), as they likewiſe did, in laying before the lords juſtices, a remonſtrance of their grievances, and a petition for redreſs; which, like that from Cavan,[4] came to nothing."

CHAP. III.

The maſſacre in Iſland-Magee.

"THE report that his majeſty's proteſtant ſubjects firſt fell upon, and murdered the Roman catholics, got credit and reputation, and was openly and frequently aſſerted," ſays Jones, biſhop of Meath,[1] in a letter to Dr. Borlaſe, in 1679. And Sir Audley Mervin, ſpeaker of the houſe of commons,[2] in a public ſpeech to the Duke of Ormond in 1662, confeſſes, "that ſeveral pamphlets then ſwarmed to faſten the riſe of this rebellion upon the proteſtants; and that they drew the firſt blood." And, indeed, whatever cruelties may be charged upon the Iriſh in the proſecution of this war, "their firſt intention, we ſee," ſays another proteſtant voucher,[3] "went no further than to ſtrip the Engliſh and the proteſtants of their power and poſſeſſions, and, unleſs forced to it by oppoſition, not ſhed any blood." Even Temple confeſſes the ſame;[4] for mentioning what miſchiefs were done in the beginning of this inſurrection, "certainly," ſays he, "that which theſe rebels mainly intended at firſt,

[4] Biſhop Burnet's Life of Biſhop Bedel.
[1] See Preface to Borlaſe's Hiſt. of the Iriſh Rebellion.
[2] Com. Jour. vol. i. f. 258.
[3] Dr. Warner's Hiſt. Iriſh Reb. p. 47. Temp. Ir. Reb.
[4] Hiſt. of the Iriſh Rebellion.

and moſt buſily employed themſeves about, was the driving away Engliſhmen's cattle, and poſſeſſing themſelves of their goods."

In a MS. journal of an officer in the king's ſervice, quoted by Mr. Carte,[5] wherein there is a minute and daily account of every thing that happened in the north of Ireland, during the firſt weeks of this inſurrection, there is not even an inſinuation of any cruelties committed by the inſurgents on the Engliſh or proteſtants; although it is computed by the journaliſt, "that the proteſtants of that province had killed near a thouſand of the rebels in the firſt week or two of the rebellion." And on the 16th of November, 1641,[6] "Mr. Robert Wallbank came from the north, and informed the Iriſh houſe of commons, that two hundred of the people of Colerain fought with one thouſand of the rebels, ſlew ſix of them, and not one of themſelves hurt. That in another battle, ſixty of the rebels were ſlain, and only two of the others hurt, none ſlain." Nor do we find, in this account, the leaſt mention of cruelties then committed by the Iriſh; but much of the ſucceſs and victory of his majeſty's proteſtant ſubjects, as often as they encountered them.[a]

It is worthy of particular notice, that a commiſſion of the lords juſtices, Parſons and Borlaſe,[7] dated ſo late as December 23d, 1641, was ſent down to ſeveral gentlemen in Ulſter (where it is agreed on all hands that theſe cruelties and outrages were chiefly committed), in virtue of which commiſſion, Temple and Borlaſe confeſs, "ſeveral examinations were afwards taken of murders committed by the rebels, and the perpetrators of many of theſe murders were diſcovered."[8] Yet the commiſſion itſelf, though it authoriſes

[5] Carte's Ormond, vol. i.
[6] Appendix to the Journals of the Iriſh Commons.
[7] Temple's Iriſh Rebellion, p. 137. [8] Ib.

[a] In the beginning of the inſurrection, "it was determined (by the inſurgents) that the enterpriſe ſhould be conducted, in every quarter, with as little bloodſhed as poſſible." Lel. Hiſt. of Irel. vol. iii. p. 101.

riſes theſe gentlemen " to call upon all thoſe who had then ſuffered in the rebellion, and all the witneſſes of theſe ſufferings, to give in examinations of the nature of them, and of every minute circumſtance relating to them, expreſsly and particularly ſpecifying every other crime uſual in inſurrections, and then committed in this, viz. plunder, robbery and even traiterous words, actions and ſpeeches; yet, I ſay, there is not a ſyllable mentioned of any murders then committed in this commiſſion, nor any expreſs power given by it to make enquiry into them. From whence it ſeems neceſſarily to follow, either that few or no ſuch cruelties had been committed by the inſurgents before the 23d of December, 1641, or that theſe lords juſtices deemed murders and maſſacres leſs worthy of their notice, of being ſtrictly enquired after, than even traiterous words and ſpeeches. Beſides in their proclamation of pardon, publiſhed in February following, the juſtices declare, unto all ſuch of theſe inſurgents, as were not freeholders, that if they would come in, and ſubmit and make reſtitution of the goods taken by them, they ſhould be received to his majeſty's mercy, and no further proſecution held againſt them."[9] Now certainly, if there was any conſiderable number of murders known to be at this time committed by theſe inſurgents, the perpetrators of them would have been expreſsly excepted from pardon in this proclamation, and not thus promiſcuouſly aſſured with others leſs criminal, that " they would be received to his majeſty's mercy, and that no further proſecution ſhould be held againſt them," merely upon their ſubmiſſion and reſtitution of the goods taken from the Britiſh, and they not being freeholders.[10]

That a great number of unoffending Iriſh were maſſacred in Iſland-Magee, by Scottiſh puritans, about the beginning of this inſurrection, is not denied by any adverſe writer that I have met with. An apology, however, is made for it by them all, which even if it were grounded on fact, as I ſhall preſently ſhew it is not, would be a very bad one, and ſeems at leaſt to imply a confeſſion of the charge. Theſe writers pretend, that

[9] Temple's Iriſh Rebel. p. 40. [10] Ib. p. 137.

that this maſſacre was perpetrated on thoſe harmleſs people, in revenge of ſome cruelties before committed by the rebels on the Scots in other parts of Ulſter. But as I find this controverſy has been already taken up by two able proteſtant hiſtorians, who ſeem to differ about the time in which that diſmal event happened, perhaps, by laying before the reader the accounts of both, with ſuch animadverſions, as naturally ariſe from them, that time may be more clearly and poſitively aſcertained.

A late learned and ingenious author of an hiſtory of Ireland, has ſhifted off this ſhocking incident from November 1641, (in which month, it has been generally placed) to January following, many weeks after horrible cruelties (as he tells us) had been committed by the inſurgents on the Scots in the North." "The Scottiſh ſoldiers," ſays he, "who had reinforced the garriſon of Carrickfergus, were poſſeſſed of an habitual hatred of popery, and enflamed to an implacable deteſtation of the Iriſh, by multiplied accounts of their cruelties. In one fatal night, they iſſued from Carrickfergus into an adjacent diſtrict called Iſland-Magee, where a number of the poorer Iriſh reſided, unoffending and untainted with the rebellion. If we may believe one of the leaders of this party, thirty families were aſſailed by them in their beds, and maſſacred with calm and deliberate cruelty. As if," proceeds the hiſtorian, "the incident were not ſufficiently hideous, popiſh writers have repreſented it with ſhocking aggravation. They make the number of the ſlaughtered, in a ſmall and thinly inhabited neck of land, to amount to three thouſand, a wildneſs and abſurdity, into which other writers of ſuch tranſactions have been betrayed; they aſſert, that this butchery was committed in the beginning of November, 1641, that it was the firſt maſſacre committed in Ulſter, and the great provocation to all the outrages of the Iriſh in this quarter. Mr. Carte ſeems to favour this aſſertion: had he carefully peruſed the collection of original depoſitions, now in the poſſeſſion of the univerſity of Dublin, he would have found his doubts of facts, and dates cleared moſt ſatisfactorily;

" Lel. Hiſt. Irel. vol. iii.

rily; and that the maſſacre of Iſland-Magee, as appears from ſeveral unſuſpicious evidences, was really committed in the beginning of January, when the followers of O'Nial [b] had almoſt exhauſted their barbarous malice."

Before

[b] Sir Phelim O'Nial. This aſſertion has no other foundation but the depoſitions now in the poſſeſſion of the univerſity of Dublin; what credit is due to theſe, we ſhall juſt now ſee; but if any regard at all is to be had to ſuch of them as have been carefully ſelected from the reſt, and publiſhed by Temple and Borlaſe, in their hiſtories of this rebellion, we ſhall find ſome of them vouching the contrary of this relation, viz. that Sir Phelim O'Nial did not order the cruelties he is charged with ordering, till many weeks after January, 1641. For by Captain Parkin's examination, "Sir Phelim began his maſſacres after his flight from Dundalk." Temple Iriſh Rebel. p. 85.

Now his flight from Dundalk did not happen till about the latter end of March following. Carte's Orm. vol. i. fol. 288.

Sir Henry Tichbourne's hiſtory of the ſiege of Drogheda, Mr. Carte, and moſt other adverſe writers agree, "that it was Sir Phelim O'Nial that firſt began and encouraged theſe imputed maſſacres." Cart. ib. fol. 176.

And Temple himſelf owns it, "to be a truth, that thoſe Britiſh whom the rebels ſuffered to live among them, and ſuch as they kept in priſon, were not put to the ſword by the Iriſh, until, in their ſeveral encounters they had with his majeſty's forces, they ſuffered loſs of their men, and ſo were enraged." Ib. p. 126.

Sir Henry Tichbourne, who had the chief command in that driving of O'Nial from Dundalk, performed that ſervice, and afterwards purſued it with ſuch an amazing ſlaughter of the Iriſh, in them parts, that he himſelf boaſts that for ſome weeks after, "there was neither man nor beaſt to be found in ſixteen miles, between the two towns of Drogheda and Dundalk; nor on the other ſide of Dundalk, in the county of Monaghan, nearer than Carrickmacroſs, a ſtrong pile twelve miles diſtant." Ib.

It is, therefore, not ſtrange, though abſolutely inexcuſable, if this incenſed leader, or rather his ſavage followers, ſhould be provoked to retaliate, in ſome meaſure, ſuch cruelty and deſtruction on the unhappy Engliſh, whom they had in their power. Sir Phelim himſelf, in his laſt moments, declared, "that the ſeveral outrages committed by his officers and ſoldiers, in that war, contrary to his intention, then preſſed his conſcience very much." Dean Ker's teſtimony. Nalſon's Hiſt. Collect.

Before I examine the ſeveral particulars of the foregoing account, I muſt obſerve, that the objection taken from the ſmallneſs of the place, as if it were incapable of containing three thouſand inhabitants, is grounded on a miſapprehenſion of ſome circumſtances in this event. For the Iriſh that were deſtroyed, conſiſted not only of the inhabitants of the place, but alſo, and for the greateſt part, of the country people reſiding in its neighbourhood; who, upon the [12] invitation of Colonel Chicheſter and Sir Arthur Tyrringham, had fled to Carrickfergus for protection, on the firſt eruption of theſe tumults. "The town of Carrickfergus," ſays Mr. Carte,[13] "was then the place of the greateſt ſtrength in the North; and as Colonel Chicheſter and Sir Arthur Tyrringham had, on the evening of the 23d of October, received intelligence of the inſurrection, they immediately, by beat of drum and kindling of fires, appriſed all the country people round them of their danger; ſo that the poor country people, who had not yet ſtirred, flocked to that place continually, with all they could carry of their ſubſtance, (another temptation to commit the maſſacre) in ſuch multitudes of men, women, and children, that the town was overthronged." [c] The ſame author alſo informs us,[14] "that Colonel Chicheſter and Sir Arthur Tyrringham, invited ſeveral of the moſt eminent of the Iriſh thereabouts, who yet remained quiet in their houſes, to come to Carrickfergus for ſecurity; who accordingly went thither, but were made priſoners on their arrival."

And becauſe it is allowed, that Mr. Carte ſeems to favour the aſſertion, "that near three thouſand innocent Iriſh were maſſacred in Iſland-Magee, in the beginning of November, 1641," it is but juſt to produce the reaſons which appear to have inclined him

[12] Cart. Orm. vol. i. [13] Ib. [14] Ib.

[c] "Dublin, Cork, Youghall, Kinſale, Londonderry, Colerain, and Carrickfergus, (ſays Temple, upon the firſt breaking out of this inſurrection) were overpeſtered with multitudes that flocked to them for ſafety." Iriſh Rebel. p. 175.

him to that way of thinking, by inſerting the paſſage at large, wherein they are contained.

" On the 15th of November," ſays that well informed writer,[15] " the rebels, after a fortnight's ſiege, reduced the caſtle of Lurgan; Sir William Bromlow, after a ſtout defence, ſurrendering it on the terms of marching out with his family and goods: but ſuch was the unworthy diſpoſition of the rebels, that they kept him, his lady, and children, priſoners; rifled his houſe, plundered, ſtripped, and killed moſt of his ſervants; and treated all the townſmen in the ſame manner. This," adds he, " was the firſt breach of faith, which the rebels were guilty of in theſe parts (there was then no other inſurrection in any of the other parts of Ireland) in regard of articles of capitulation; for when Mr. Conway, on November the 5th, ſurrendered his caſtle of Bally-aghie, in the county of Derry, to them, they kept the terms for which he ſtipulated, and allowed him to march out with his men, and to carry away trunks with plate and money in them. Whether," proceeds Mr. Carte, " the ſlaughter made by a party from Carrickfergus, in the territory of Magee, a long narrow iſland, in which it is affirmed, that near three thouſand harmleſs Iriſh, men, women and children, were cruelly maſſacred, happened before the ſurrender of Lurgan, is hard to be determined; the relations publiſhed of facts, in thoſe times, being very indiſtinct, and uncertain, with regard to the time they were committed; though it is confidently aſſerted, that the ſaid maſſacre happened in this month of November."

Let us now try theſe different accounts by the only ſure teſt of dates and facts. It is confeſſed on all hands, that the chiefs of the inſurgents, through fear of the Scots in Ulſter,[16] (" who," as the Earl of Clanrickard informs us, " were forty thouſand well armed men, when the rebellion commenced;" at the ſame time, that the rebels were at leaſt, by half leſs numerous, and furniſhed with few better weapons than, "[17] ſtaves, ſcythes, and pitchforks,") publiſhed a [18] proclamation,

[15] Cart. Orm. vol. i. [16] Ib. vol. iii. fol. 77.
[17] Templ. Iriſh Rebel. p. 79. [18] Cart. Orm.

clamation, " forbidding their followers, on pain of death, to moleſt any of the Scottiſh nation, in body or goods." Temple acknowledges, that this proclamation,[19] " was for a time obſerved;" and from Mr. Wallbank's report, already mentioned to the houſe of commons, of the conſtant ſucceſs of his majeſty's forces in defeating the inſurgents in different parts of Ulſter, from the 23d of October to the 16th of November following, we may reaſonable ſuppoſe, that it was at leaſt obſerved till that day; for it is ſurely in the higheſt degree improbable, that theſe chiefs would, at any time before, have wantonly provoked the reſentment of ſo formidable a body of men, by any cruel outrage or hoſtile act. But it is unqueſtionably evident, that the Scots in Ulſter did ſome remarkable execution on the Iriſh, ſeveral days before the 15th of November, the day on which Lurgan was ſurrendered. For Sir William Parſons, in a letter from Dublin, of the 13th of that month, to the Earl of Clanrickard, acquaints him, as with a welcome piece of news,[20] " that the Scots did hold the northern Iriſh hard to it, having killed ſome of them." And Sir William St. Leger,[d] grudging, as it were, the Scots the honour of that action, told the Earl of Ormond, on the 14th, " that had it pleaſed God that his lordſhip had been there with his hundred horſe, and himſelf to wait upon him, the Scots ſhould never have had the honour to put ſuch an obligation on Ireland."

From

[19] Hiſt. Iriſh Rebel. [20] Cart. Orm. vol. iii.

[d] This gentleman, who was lord preſident of Munſter, ſeems to have been very well qualified for acquiring ſuch honour. For Lord Upper Oſſory, in a letter to the Earl of Ormond about this time, informs him, " that he was ſo cruel and mercileſs, that he cauſed men and women to be moſt execrably executed; and that he ordered, among others, a woman great with child to be ript up, from whoſe womb three babes were taken out, through every of whoſe bodies, his ſoldiers thruſt their weapons; which act (adds his lordſhip) puts many into a ſort of deſperation." Cart. Orm. vol. iii. fol. 51.

[e] In the courſe of the lord juſtices letters to the Earl of Clanrickard,

From hence, I think, may fairly be deduced the only reaſon, why the behaviour of the inſurgents to Sir William Bromlow, on the 15th of November, was ſo very different from that which they had before ſhewn to Mr. Conway, on the 5th of the ſame month, viz. becauſe the maſſacre in queſtion was perpetrated on their innocent unoffending people, in that interval of time; which, no doubt, provoked them to the above-mentioned breach of articles at the ſurrender of Lurgan, and to ſeveral other acts of injuſtice and cruelty in the proſecution of this war.

The deduction now made is ſo agreeable to dates and facts, that I am ſurpriſed to find this firſt breach of articles by the inſurgents, aſcribed to any other cauſe; eſpecially to one, which appears manifeſtly repugnant to both. This cauſe, we are informed, was the repulſe, defeat, and ſlaughter of a conſiderable body of the rebels at the ſiege of Liſburn, by a Scottiſh garriſon ſtationed there; for thus the before-cited hiſtory relates the immediate effects, which that diſaſter produced in theſe rebels. "But [10] ſuch ſucceſs (of

[10] Lel. Hiſt. Irel. vol. iii.

rickard, from October 26th, 1641, to the 5th of the following month, there is no mention made of any murders having been committed by the inſurgents on the Engliſh. But in the poſtſcript of the letter of the 5th of November, they expreſsly ſay, "we have intelligence that five thouſand Scots have riſen in arms againſt the rebels, and thoſe Scots lie now at Newry, where they have ſlain many of the rebels." Clanrick. Mem. fol. 11. Engl. ed.

Lord Clanrickard in his account of the progreſs of this inſurrection in Connaught, to January 18th 1641, mentions not a ſyllable of murders committed by the inſurgents, but of ſpoils, preys, and the like. In his letter of the 20th of that month to the Earl of Eſſex, he ſays, "an archbiſhop, biſhop, and many of the clergy, are in the town of Galway inclined to go for England by ſea, for fear of the people, not ſo much for religion, as their great extortions upon them; this being a time to be mindful of former injuries; and, to ſpeak the truth, I believe the greedineſs of ſome of them, and reports out of England, hath drawn much prejudice on the other Engliſh inhabitants of this kingdom. It is now told me they make orders among themſelves, to relieve and preſerve Engliſh tradeſmen." Mem. Engl. ed. fol. 59.

(of the Scots) was attended with conſequences truly horrible; the Iriſh incenſed at reſiſtance, carried on their hoſtilities without faith or humanity. Lurgan was ſurrendered by Sir William Bromlow, on terms of ſecurity to the inhabitants, and permiſſion of marching out with his family, goods and retinue; but all was inſtantly ſeized, and the whole town given up to plunder." Thus have we a cauſe plauſibly aſſigned, which did not exiſt until many days after its ſuppoſed effect was produced. For the defeat and ſlaughter of the rebels at Liſburn, or, as it was then called, Liſnegarvy, did not happen, according to Borlaſe, till the 28th of November;[21] but Lurgan, as we have ſeen, was ſurrendered to them, on the 15th of that month, thirteen days before.

Let us now ſee upon what grounds this maſſacre in Iſland-Magee is transferred, from November 1641, to the beginning of January following. One would expect to find an aſſertion ſo ſingular ſupported by ſome ſolid, or at leaſt plauſible proof; but inſtead of meeting with any ſuch, in the place before quoted from this hiſtory, we are only there directed to look out for it (where certainly it never can be found) in the collection of original manuſcript depoſitions, now in the poſſeſſion of the univerſity of Dublin. But we ſhall preſently demonſtrate the inſufficiency, not to ſay futility, of proofs drawn from theſe depoſitions.[f] And, in truth, if they were to be admitted as proofs, or evidence in any degree, there is hardly any thing ſo incredible or abſurd, that might not with equal reaſon, be obtruded upon us for genuine hiſtory.[22] Every ſuggeſtion of phrenzy and melancholy; miraculous eſcapes from death, viſions of ſpirits chaunting hymns; ghoſts riſing from rivers, brandiſhing ſwords, and ſhrieking revenge,"

[21] Hiſt. of the Iriſh Rebel. fol. 57. [22] Lel. Hiſt. of Irel.

[f] "Any one (ſays Mr. Carte) who has ever read the examinations and depoſitions here referred to, which were generally given upon hearſay, and contradicting one another, would think it very hard upon the Iriſh, to have all thoſe without diſtinction, to be admitted as evidence." Orm. vol. ii. fol. 263.

venge," would have a juſt and rational title to our belief, having all of them received the ſanction of theſe vouchers.

CHAP. IV.

The original depoſitions now in the poſſeſſion of the univerſity of Dublin conſidered.

I Shall now briefly conſider the nature of that evidence which has hitherto induced ſo many people, learned and unlearned, to give, or at leaſt ſeem to give, credit to thoſe horrible relations of murders, and maſſacres, which have been imputed to theſe inſurgents. Evidence that, in itſelf, is ſo manifeſtly futile, contradictory, or falſe, that I am perſuaded every perſon of common ſenſe would be aſhamed to produce the like, upon any ordinary occaſion.

The evidence I mean, is that huge collection of manuſcript depoſitions (conſiſting of thirty-two folio volumes) which are ſaid to have been ſworn, on the ſubject of the outrages and depredations committed by the inſurgents, in this war, and are now in the poſſeſſion of the univerſity of Dublin. From this enormous heap of malignity and nonſenſe, Temple and Borlaſe [a] have ſelected

[a] I have already given a ſhort ſketch of Temple's character as an hiſtorian, from Dr. Nalſon; the following is that given to Dr. Borlaſe's hiſtory of the Iriſh rebellion, by the ſame impartial writer. "As for Dr. Borlaſe, (ſays he) beſides the nearneſs of his relation to one of the lords juſtices, and his being openly and avowedly a favourite of the faction, and the men and actors of thoſe times; he is an author of ſuch ſtrange inconſiſtency, that his book is rather a paradox than a hiſtory; and it muſt needs be ſo; for I know not by what accident the copy of the manuſcript written by the Right Hon. the Earl of Clarendon, happening to fall into his hands, he has very unartfully blended it with his own rough and unpoliſhed heap of matter, ſo that his book looks like a curious embroidery ſown with coarſe thread upon a piece of ſack web; and truly had he no other crime but that of a plagiary, it is ſuch a ſort of theft to ſteal the child of another's brain,

ſelected ſuch examinations[b] as appeared to them the leaſt exceptionable, and conſequently, the moſt likely to obtain credit to their horrible narrations. To theſe therefore, I ſhall refer the reader, as a ſelect ſpecimen of the reſt; after I have ſubmitted to his conſideration, what Dr. Warner (who, it ſeems, underwent the drudgery of peruſing and examining the whole collection,) has left us as his opinion of it. "Beſides the examinations," [1] ſays he, "ſigned by the commiſſioners, there are ſeveral copies of others, ſaid to be taken before them, which are therefore of no authority; and there are many depoſitions taken ten years after, which are ſtill leſs authentic. As a great ſtreſs," adds the Doctor, "has been laid upon this collection in print and converſation, among the proteſtants of Ireland; and as the whole evidence of the maſſacre turns upon it, I ſpent a great deal of time in examining theſe books; and I am ſorry to ſay, that they have been made the foundation of much more clamour and reſentment, than can be warranted by truth and reaſon."

"There is one circumſtance in theſe books, not taken notice of by any before me, which is, that though all the examinations, ſigned by the commiſſioners,

[1] Hiſt. of the Iriſh Rebel.

brain, that may very well render him ſuſpected not to be overſtocked with honeſty and juſtice, ſo neceſſary to the reputation of an unblemiſhed hiſtorian. But it is far more unlawful to caſtrate the iſſue of another man's pen, and thereby diſable it from propagating truth, and to teach it to ſpeak a language which the parent never intended. And yet, this is the caſe of Dr. Borlaſe's hiſtory, in which he has taken great pains to expunge ſome and alter many paſſages, which he thought were too poignant againſt his favourites, or ſpoke too much in vindication of his late majeſty and his miniſters." Introduct. to vol. ii. of his Hiſt. Collec.

[b] The twelve moſt ſelect examinations in Temple (whom Borlaſe copies), ſworn by what he calls "perſons of good quality and known integrity, and credit," concerning cruelties committed by the inſurgents in the four provinces, are all taken on meer hearſay and report, and as to the ſubject matter of many of them, it is evidently trifling, and ſuperſtitious. See Temple's Hiſt. from p. 106 to p. 126.

ers, are ſaid to be upon oath, yet in infinitely the greater number of them, the words 'being duly ſworn,' have the pen drawn through them, with the ſame ink with which the examinations are written; and in ſeveral of thoſe where ſuch words remain, many parts of the examinations are croſſed out. This is a circumſtance which ſhews, that the bulk of this immenſe collection is parole-evidence; and what ſort of evidence that is, may be eaſily learned by thoſe who are converſant with the common people of any country, eſpecially when their imaginations are terrified, and their paſſions heated by ſufferings. Of what credit are depoſitions worthy," adds he, "(and ſeveral ſuch there are), that many of the proteſtants, that were drowned, were often ſeen in erect poſtures in the river, and ſhrieking out revenge?" [c]

"Hundreds of the ghoſts of proteſtants," [a] (ſays Temple, from theſe depoſitions) "that were drowned by the rebels at Portnadown-bridge, were ſeen in the river bolt-upright, and were heard to cry out for revenge on theſe rebels. One of theſe ghoſts was ſeen with hands lifted up, and ſtanding in that poſture, from the 29th of December to the latter end of the following lent."

CHAP.

[a] Hiſt. of the Iriſh Rebel.

[c] Dr. Maxwell, afterwards Biſhop of Kilmore, the moſt ſeemingly credible of theſe deponents; and "who," ſays Borlaſe, "was a perſon, whoſe integrity and candour none ever dared to queſtion," has given a kind of ſanction to theſe fictions, having deſcribed, in his own prolix examination, the different poſtures and geſtures of theſe apparitions; "as ſometimes having been ſeen, by day and night, walking upon the river; ſometimes brandiſhing their naked ſwords; ſometimes ſinging pſalms; and, at other times, ſhrieking in a moſt fearful and hideous manner." He adds, "that he never heard any man ſo much as doubt the truth thereof; but that he obliged no man's faith in regard he ſaw them not with his own eyes; otherwiſe he had as much certainty as could morally be required of ſuch matters." Borl. Hiſt. of the Iriſh Rebell. Append. fol. 392.

CHAP. V.

The original examinations further conſidered.

AT the ſame time that Dr. Warner rejects the depoſitions now in the poſſeſſion of the univerſity of Dublin, he informs us,[1] "that he has, in his own poſſeſſion, a choice and duly atteſted copy of ſuch of theſe examinations only, as were taken on oath; which," ſays he, "demonſtrates the falſehood of the relation, in every proteſtant hiſtory of this rebellion." Had the doctor favoured the world with a publication of theſe choice examinations, or even with an abſtract of them, we ſhould then be, in ſome meaſure, able to judge of their authenticity; whereas at preſent, we have only his bare word for it. However, from an anecdote, which he himſelf has related, concerning the firſt real and original examinations, we may fairly conclude, that his favourite copy of them, however well atteſted, deſerves not a jot more credit than thoſe which he has already ſo juſtly condemned. That anecdote imports,[2] "that ſoon after the reſtoration, when the claims in favour of innocents were canvaſſed, and the houſe of commons deſired,[a] that none of thoſe, whoſe names could be found in the depoſitions, might be heard, relating to ſuch claims of innocency; the Duke of Ormond, though no friend to the Iriſh, for good reaſons,

[1] Hiſt. of the Iriſh Rebel. [2] Ib. ſee Cart. Orm. vol. ii.

[a] The whole houſe, with their ſpeaker, waited on his Grace the Duke of Ormond, with an addreſs to that purpoſe; in which they propoſed, among other things, "that all examinations and depoſitions whatſoever, taken for diſcovery of the rebellion, or proceedings of the rebels and their adherents, as well during his late majeſty's reign, as in time of the uſurped authority; and that all books, rolls and writings, remaining in any office, &c. ſhould be taken for good evidence, in behalf of his majeſty, to bar ſuch perſon or perſons of their innocency." Journ. of the Iriſh Com. vol. ii. fol. 260.

ſons, rejected the propoſal.[b] The duke," adds he, "probably knew too much of theſe examinations, and of the methods uſed in procuring them, to give them ſuch a ſtamp of authority; or otherwiſe it would have been the cleareſt and ſhorteſt proof of the guilt of ſuch as were named in them."

Upon this occaſion, I ſubmit it to the conſideration of every candid and intelligent reader, whether depoſitions found inſufficient to convict the perſons, or confiſcate the properties of the Iriſh, then living, ought to be now deemed proper and competent evidence, to impeach the characters or principles of their innocent deſcendants, at that time unborn? or whether any perſon now exiſting, can be thought to be ſo well qualified, either by the want of partiality to the Iriſh, or by the knowledge of their caſe, to judge of the weight or futility of that evidence, as the Duke of Ormond was at that juncture? and conſcious of this material defect in the original examinations, with what probability of ſucceſs could Dr. Warner rely on his

[b] The commons became ſo refractory on this refuſal, that Lord Arlington in a letter to his grace, in 1663, mentioning "the diſtempers into which the houſe had fallen on that occaſion, and the extravagant demands they had made to his grace," tells him, "that he was commanded by his majeſty to let his grace know, that his majeſty expreſſed ſuch an entire diſlike and diſſatisfaction on that account, that he was perſuaded nothing but their diſavowing what they had done, and the reſtoring themſelves to that duty and moderation which became them, (and them eſpecially, adds his lordſhip, after ſo many acts of grace and indulgence on his majeſty's part towards them), would keep them tolerable in his opinion; and hoped the inſecurity of their condition there, and the ſupport his majeſty might probably have from his Engliſh parliament, then ſitting, in any thing that tended to their diſcountenance, would oblige them to retract what they had done." State Letters, p. 281-2.

This houſe of commons conſiſted almoſt entirely of anabaptiſts, independents and levellers, partizans of the late uſurpers. Carte's Orm. Some of them afterwards, formed a dangerous conſpiracy, on account of this refuſal. See Cart. ib.

own copy of them, how well ſoever atteſted, as capable of aſcertaining the facts, which he has too confidently related out of it?[c]

CHAP. VI.

Concerning the number of murders.

DR. Warner, after having eſtabliſhed, as he thought, the authenticity of his ſelect copy of depoſitions,[1] "endeavours to aſcertain from it, as near as may be, the number of Britiſh and proteſtants that were deſtroyed out of war, by the Iriſh in this rebellion." And although he owns it "to be impoſſible, even from that authentic evidence of the murders, to come to any certainty or exactneſs as to their numbers, from the uncertainty itſelf of ſome of the accounts that are given in; yet," he ſays, "it is eaſy enough, from thence, to demonſtrate the falſehood of the relation of every proteſtant hiſtorian." Upon the whole, he aſſures us, "that, ſetting aſide all opinions and calculations in this affair, the evidence from the manuſcript in his poſſeſſion, ſtands thus:[2]

"The

[1] Hiſt. of the Iriſh Rebel.

[c] Warner himſelf confeſſes, "that ſo many of the rebels ſayings to their proteſtant and Engliſh priſoners, which are recorded, even in the choice manuſcript collection of depoſitions in his cuſtody, are ſo ridiculous, incredible, or contradictory to one another, as ſhew plainly, that they ſpoke what their own, or different paſſions of their leaders prompted them to." Ib.

[2] Many of the ſelect original examinations, which Temple and Borlaſe have inſerted in their hiſtories of this rebellion, have only the marks, not the names, of the deponents ſet to them; many of theſe deponents were weak women, and illiterate men, not capable of reading their own depoſitions, and therefore apt to be impoſed upon, and deceived by thoſe who read them to them. A great number of them ſwore on mere hearſay; and ſome of thoſe afterwards, touched by remorſe, ſolemnly declared the contrary of what they had ſworn; and they

"The number of people killed upon poſitive evidence, collected in two years after the inſurrection broke out, amounts only to two thouſand one hundred and nine: on the report of other proteſtants, one thouſand ſix hundred and nineteen more; and on the report of ſome of the rebels themſelves, a further number of three hundred; the whole, both by poſitive evidence and by report, making four thouſand and twenty-eight.

"Beſides theſe murders," adds he, "there is in the ſame collection, evidence on the report of others, of eight thouſand killed by ill uſage; and if we ſhould allow that the cruelties of the Iriſh, out of war, extended to theſe numbers, which, conſidering the nature of the ſeveral depoſitions, I think in my conſcience we cannot; yet to be impartial, we muſt allow that there is no pretence for laying a greater number to their charge."

"This account," continues the doctor,[2] "is corroborated by a letter, which I copied out of the council books at Dublin, written on the 5th of May, 1652, ten years after the beginning of the rebellion, from the parliament-commiſſioners in Ireland to the

[2] Id. ib.

they were all, at the time of ſwearing theſe depoſitions, either intereſted or incenſed enemies to thoſe againſt whom they ſwore. Hence we are told, that "at the trial of qualifications at Athlone (a court held by the regicides), where the book, called the Black Book, being a collection of theſe examinations, being produced, the ſame was ſo falſified in moſt particulars thereof, as well by the witneſſes pretended to be ſworn, as alſo by ſome of the perſons then and now (1662) living, who were in the ſaid book ſworn to be murdered, that the ſame was, for ſhame, laid aſide as no evidence; and ſeveral other perſons who have taken examinations touching murders, have, many times ſince, acknowledged the falſity of the matters publiſhed by them, as being had by the wrong information of others, who in the hurry of theſe times, and their own frights, were ſo tranſported, that they ſwore all their neighbours, whom they left behind them, were murdered, when all, or moſt of them, were afterwards found to be living." Collection of Maſſac. and Murd. of the Iriſh, Pref.

Engliſh parliament. After exciting," ſays he, "the parliament to further ſeverity againſt the Iriſh, as being afraid their behaviour towards that people, might never ſufficiently avenge their murders and maſſacres; and leſt the parliament might ſhortly be, in purſuance of a ſpeedy ſettlement of that kingdom, and thereby ſome tender conceſſions might be concluded," theſe commiſſioners tell them, "that it then appeared, that beſides eight hundred and forty-eight families, there were killed, hanged, and burnt, ſix thouſand and ſixty-two."

After ſeeing this, in compariſon, exceedingly moderate charge, made even by the prejudiced commiſſioners of the rebel Engliſh parliament, what are we to think of the accounts of thoſe maſſacres and murders which have been left us by our moſt ſeemingly impartial and approved adverſe writers on this ſubject? What, I ſay, of Sir William Petty's [b] cool calculation, that upwards of thirty thouſand Britiſh were killed, out of war, in the firſt year of this inſurrection? Or, of Lord Clarendon's pathetic lamentation, that in the firſt two or three days of it, forty or fifty thouſand of them

[b] "Petty was ſecretary to Ireton the regicide, and made an eſtate of five or ſix thouſand pounds a year by the Iriſh forfeitures." Harris's Writers of Irel. fol. 357.

"If Sir William Petty (ſays a modern impartial proteſtant writer) had prejudices, it is evident they could not be in favour of the Iriſh, for he was one of the great gainers by their ſuppoſed guilt and conſequent forfeitures. Yet after demonſtrating that the number of proteſtants deſtroyed in the whole war by the papiſts, was not one-fourth of what it was reported to be, he goes on to ſhew, that before the war there were in the whole realm, but three thouſand landed papiſts, of whom, as appears by eight hundred judgments of the court of claims, which ſat anno 1663, upon the innocence and effects of the Iriſh, there were not above a ſeventh part guilty of the rebellion. And after aſſigning ſome motives for the Iriſh entering into this war, he concludes his chapter with theſe moſt remarkable words; "but upon the playing of this game or match, upon ſo great odds, the Engliſh won; and have among and beſides other pretences, a gameſter's right at leaſt to their eſtates; but as for the blood ſhed in the conteſt, God beſt knows who did occaſion it." Philoſophic Survey of the South of Irel. p. 326.

them were deſtroyed? Or, of Sir John Temple's horrible affirmation, "that one hundred and fifty thouſand proteſtants were maſſacred in cold blood, in the two firſt months of the rebellion?"

There is no queſtion but that the deſire of revenge, and the fear of tender conceſſions upon a ſettlement, cauſed theſe commiſſioners to heighten and aggravate, as much as poſſible, this charge againſt the inſurgents; and yet we ſee, that even their account of theſe cruelties during the whole time of this ten years war, falls infinitely ſhort of that which has been given us, I will not ſay by Temple or Petty, but by Clarendon himſelf, during the firſt two or three days of it only. What ſhame for the noble hiſtorian, thus to have exceeded the very regicides, in calumny and miſrepreſentation!

CHAP. VII.

The humanity of the chiefs of the inſurgents.

MR. Hume, ſtrangely miſled by Temple's ſtupid legend (for I will not ſuſpect him of conſcious miſrepreſentation), aſſerts in a ſtyle better ſuited to romance than hiſtory, that "an univerſal maſſacre of the Engliſh commenced with this inſurrection;[1] that no age, no ſex, no condition was ſpared; that deſtruction was every where let looſe, and met the hunted victims at every turn; that all connections were diſſolved, and that death was dealt by that hand from which protection was implored and expected." In ſhort, "that without provocation, without oppoſition,[2] the aſtoniſhed

[1] Hiſt. of England, Dub. ed. vol. iv.

[2] This demonſtrates a ſtrange unacquaintedneſs in this writer, even with thoſe hiſtorians, ſome of whoſe prejudices he has all along adopted in this part of his hiſtory. For to omit other inſtances, Borlaſe has given us a journal of Sir William Cole's ſervices againſt the inſurgents, wherein it is boaſtingly aſſerted, "that from the 23d of October, 1641, to ſome time in 1642, the

aſtoniſhed Engliſh were maſſacred by their neareſt neighbours, with whom they had long upheld a continued intercourſe of kindneſs and good offices." Not content with imputing theſe, and many other, if poſſible, greater barbarities, to the firſt inſurgents, he confidently affirms, on the ſame exploded authority, "that the Engliſh catholics of the pale, joining theſe old Iriſh,[b] rivalled them in every act of cruelty towards the Engliſh proteſtants." Thus the groſſeſt and moſt palpable fictions, which, when ſtupidly retailed by a noted and malicious libeller, have little or no chance to be believed by any, may yet be afterwards dreſſed out by a more artful writer, in ſuch plauſible colours, and with ſuch ſemblance of truth, as will render them credible and affecting, even to ſome readers of a moderate ſhare of underſtanding. What pity it is, that in all this hiſtorian's fine declamation on this tragical

the ſaid Sir William killed with his regiment of five hundred foot and one troop of horſe, two thouſand four hundred and ſeventeen ſwordſmen of the rebels; and ſtarved and famiſhed of the vulgar ſort (whoſe goods were ſeized on by the regiment), ſeven thouſand. And that he reſcued and relieved five thouſand four hundred and ſixty-ſeven Scotch and Engliſh proteſtants." Borlaſe adds, "after this rate the Engliſh in all parts fought." Hiſt. of the Iriſh Rebel. fol. 112. Colonel Gibſon having taken the ſtrong caſtle of Caric-main, belonging to the Walſhes, near Dublin, in which ſeveral hundreds of the Iriſh had taken refuge, "put them all to the ſword, ſparing neither man, woman, nor child." Id. ib. fol. 97. Numbers of ſuch inſtances of barbarous, and indiſcriminate oppoſition and revenge, are to be met with in all the adverſe writers on this ſubject.

[b] Lord Clanrickard, in a letter to the Earl of Eſſex, 22d of May, 1642, ſays, "I conceive it is the deſire of the whole nation, that the actors of thoſe crying ſins (outrages committed by the rabble), ſhould, in the higheſt degree, be made examples to all poſterity: yet God forbid that fire, ſword and famine, which move apace here, and might be eaſily prevented, ſhould run on to deſtroy all mankind, and put the innocent and the guilty into one miſerable condition; or if ſome young unſettled ſpirits have been miſled, that therefore their friends and antient families ſhould be utterly deſtroyed, or the king's mercy totally bound up." Carte's Orm. vol. iii. f. 77.

tragical event, there is ſo very little of its true hiſtory to be found.[c]

In truth, the Iriſh engaged in this war, did not ſuffer more in their perſons, by the ſwords of their enemies, while it was carrying on, than they have ſince done in their characters, by the pens of ſome of thoſe hiſtorians, who have either careleſly or maliciouſly commented upon it. The beſt, the nobleſt, and moſt loyal men[d] in the kingdom, who, after having patiently

[c] In the year 1764, a copy of the Hiſtorical Memoirs of the Iriſh rebellion, wherein all theſe calumnies are clearly refuted by unqueſtionable authority, was ſent to Mr. Hume, when ſecretary of the embaſſy at Paris, under Lord Hertford, in hopes of inducing him to correct theſe flagrant and injurious miſtakes, in a ſubſequent edition of his hiſtory. But the expected effect has not ſince appeared. He, indeed, returned a polite but evaſive anſwer, on that occaſion, in which he ſays, "I am here at ſuch a diſtance from my authorities, that I cannot produce all the arguments which determined me to give the account you complain of, with regard to the Iriſh maſſacre. I only remember I ſought truth, and thought I found it. The inſurrection might be excuſed, as having liberty for its object. The violence alſo of the puritanical parliament, ſtruck a juſt terror into all the catholics. But the method of conducting the rebellion, if we muſt call it by that name, was certainly ſuch (and you ſeem to own it) as deſerved the higheſt blame, and was one of the moſt violent efforts of barbariſm and bigotry united." The authorities ſent him in the memoirs above-mentioned, demonſtrating his miſtakes, are by both parties confeſſed to be undeniable. And indeed, it appears from the ſofter ſtyle of this letter, that ſince the writing of his hiſtory, he has abated ſomewhat of his declamatory virulence with reſpect to thoſe inſurgents, probably from the peruſal of theſe authorities.

[d] Lord Clanrickard, in a letter from Kilkenny to the Earl of Ormond, June 4th, 1645, after aſſuring him, that if the impediments to the peace were removed, i. e. a promiſe given that the penal laws againſt their religion ſhould be repealed, "ſuch was the real earneſt deſire of the confederates to be employed in his majeſty's ſervice, that the difficulty would be rather to keep back the multitude of forward ſpirits that would preſs into that expedition (againſt the Engliſh rebels):" adds, "and truly, my lord, I ſhould hardly have believed the kingdom could have afforded ſo many proper able gentlemen as I find here; though many others of quality be in the Munſter army." Carte's Ormond, vol. iii. p. 413.

ently endured numberleſs galling injuries and oppreſſions, were, at laſt, driven to the fatal neceſſity of taking arms in their defence, are confounded by theſe libellers with the meaneſt of the Iriſh rabble, who followed them meerly for plunder. But I will now, from a motive of meer juſtice, produce a few ſignal inſtances, out of many, of the humane and chriſtian behaviour of ſome of the chiefs of theſe inſurgents, towards ſuch of the Engliſh and proteſtants as happened to fall under their power.[c] And this I ſhall do, not from writers of their own party or perſuaſion, but from ſuch adverſe hiſtorians, as have otherwiſe too haſtily condemned all their conſtrained efforts of natural ſelf-defence, as ſo many overt acts of treaſon and rebellion.

"The firſt thing that the new general of the Iriſh,[a] Owen O'Nial, did, was to expreſs his abhorrence of cruelties

[a] Carte's Orm. vol. i.

[c] Lord Clarendon, however, though ſhamefully partial in many other reſpects, ſeems to have diſtinguiſhed himſelf on this and ſome other occaſions, from the common herd of adverſe writers, by ſome degree of accuracy and juſtice: "It is not," ſays he, "the purpoſe of this diſcourſe, to lay the imputation of this rebellion and ſavage cruelty, upon all the Iriſh and catholics of that kingdom (Ireland), of whom many perſons of honour were never, in the leaſt degree, tainted with that corruption; but, on the contrary, have always given as ſignal teſtimonies of duty and affection to the king, and of their deteſtation of the odious and bloody defection, as any of his majeſty's ſubjects of either of his majeſty's other kingdoms have done; whoſe memory muſt, with equal juſtice and care, be tranſmitted to poſterity, as precious examples of honour and integrity. Others were, by the paſſion and rigour of thoſe who were then in authority, and had power enough to deſtroy whom they had inclination to ſuſpect or accuſe, driven to put themſelves under the protection of thoſe whoſe ways and courſes they totally diſapproved; and many who, by miſinformation and miſbelief, engaged in the carrying on, and poſſibly in the contriving of the war and inſurrection, were enemies to thoſe actions of blood, rapine and inhumanity, which diſhonour any war, and grew quickly willing to repair the breaches they had made, and return to the duty they had violated." Hiſt. of the Iriſh Rebel. p. 9, 10.

cruelties that had been committed on the Engliſh. He told Sir Phelim O'Nial, that he himſelf deſerved to be treated in the ſame manner. In deteſtation of their actions, he burnt ſome of the murderers houſes; and ſaid, with a warmth unuſual to him, that he would join the Engliſh rather than not burn the reſt."

"By the humanity of Mr. Philip O'Reilly,[3] one of the moſt conſiderable chiefs of the rebels, ſcarce any murders were committed in the county of Cavan; ſuch of the proteſtants as put themſelves under his protection, were ſafely conveyed into the Engliſh quarters; and thoſe that were ſtript and in neceſſity, he fed and cloathed, till they were ſent away. Among theſe, was Dr. Henry Jones, a nephew of Primate Uſher, and dean of Kilmore, who, though he turned afterwards a noted partizan of Cromwell's, was promoted to the ſee of Clogher, and thence, after the reſtoration, to the ſee of Meath."

"Doctor Maxwell,[4] afterwards biſhop of Kilmore, depoſeth, that Mrs. Catherine Hovenden, widow, and mother to Sir Phelim O'Nial, preſerved four and twenty Engliſh and Scotch, in her own houſe; and fed them there for ſeven and thirty weeks, out of her own ſtore; and that, when her children took her away, upon the approach of an army, ſhe left both them, and the deponent, at their liberty.[f] That Capt. Alexander Hovenden, her ſon, conducted five and thirty Engliſh out of Armagh to Drogheda, whereof ſome were of good quality;

[3] Id. ib. [4] Id. Borl. Hiſt. of the Iriſh Reb. App.

[f] The ſame Dr. Maxwell (who, ſays Borlaſe, "was a perſon whoſe integrity and candour none ever dared to queſtion," Iriſh Rebel. fol. App. 392) teſtifies, that Capt. Hovenden, ſon of the ſaid Catherine Hovenden, had done great ſervices to the Engliſh; yet that, "though he was deſirous to ſubmit himſelf to the king's mercy, upon the Lord Montgomery's protection, offering to root out the bloody ſept of the Hughes with his own followers and arms, out of Ireland; though he never had his hand in blood out of battle, and though not two and twenty years of age, which (ſays the deponent) might deſerve ſome favour, and did not pretend to one foot of inheritance, the motion was rejected; (adds my author) perhaps worſe will be admitted." Borl. ib.

quality; when it was thought he had ſecret directions to murder them. Twenty more he ſent ſafe to Newry, and he would truſt no other convoy but himſelf."

"There[5] are many honourable teſtimonies," ſays Dr. Warner, "of the care and preſervation of the Engliſh by Lord Muſkerry and his lady, not only in ſaving their lives from the enemy, but alſo in relieving them, in great numbers, from cold and hunger, after they had been ſtripped and driven from their habitations. Indeed," adds he, "all the gentlemen in that part of the kingdom (Munſter) were exceedingly careful to prevent bloodſhed, and to hinder the Engliſh from being pillaged and ſtript, though it was many times impoſſible.

"In the above mentioned province of Munſter,"[6] ſays Mr. Carte, "Lord Mountgarret, by proclamation, ſtrictly enjoined all his followers not to hurt any of the Engliſh inhabitants, either in body or goods; and he ſucceeded ſo far in his deſign for their preſervation, that there was not the leaſt act of bloodſhed committed. But it was not poſſible for him to prevent the vulgar ſort, who flocked after him "for booty, from plundering both Engliſh and Iriſh, papiſt and proteſtant, without diſtinction. He uſed his authority, but in vain, to put a ſtop to this violence; till ſeeing one of the rank of a gentleman, Mr. Richard Cantwell (deſcended from Mr. Cantwell of Painſtown, a man much eſteemed in his country) tranſgreſſing his orders, and plundering in his preſence, he ſhot him dead with his piſtol."

"At the ſame time[7] the ſaid Lord Mountgarret's eldeſt ſon, Colonel Edmund Butler, taking poſſeſſion of Waterford, none of the inhabitants, of whatever country, or religion, was either killed or pillaged; and ſuch of the Britiſh proteſtants as had a mind to leave the place, were allowed to carry off their goods wherever they pleaſed."

"Callan[8] and Gowran were ſeized at the ſame time, by perſons thereunto deſigned by Lord Mountgarret, without any bloodſhed; ſome plunder however, was

[5] Hiſt. of the Iriſh Rebel. [6] Cart. Orm. [7] Id. ib. [8] Id. ib.

was there committed, though with leſs violence for fear of complaints, it being confined to cattle of Engliſh breed, which were ſtolen as well from the Iriſh, who had any of that breed, as from the Engliſh."

"The [9] towns of Clonmell and Carrickmagriffit, in Tipperary, and Dungarvan, were ſeverally ſurprized by Mr. Richard Butler of Kilcaſh, ſecond brother to the Marquis of Ormond; and he had ſuch an influence over his followers, that he kept them not only from murder, but even from plunder; his great care and noble diſpoſition, being acknowledged even by his enemies."

James Lord Dunboyne,[10] hearing of the ſurpriſe of Fethard, by Theobald Butler, and being chief commander of the barony of Middlethyrde, by ſpecial grants made to ſome of his anceſtors, for ſervice performed to the crown of England, repaired thither the next day, and took on him the command of the town, diſperſing the rabble, and placing in it a garriſon, which he formed of the moſt ſubſtantial inhabitants of the place, and neighbourhood. He immediately ſet the Engliſh at liberty, reſtored them their goods, and ſent them away in ſafety to Youghall, and other places, which they choſe for their retreat. Two of theſe were clergymen, of whom Mr. Hamilton was, at his requeſt, ſent with his family to the Counteſs of Ormond."[11]

"Mr.

[9] Id. ib. [10] Id. ib.

[11] How different was the conduct of the pretended leaders of the royal party, from that of the above-mentioned chiefs of the Iriſh, when they got poſſeſſion of any place belonging to the latter. Among numberleſs inſtances of their unparalleled cruelty, I ſhall only mention two or three in Munſter, from their panegyriſt, Borlaſe. "Sir Frederick Hamilton," ſays he, "entering Sligo, about the firſt of July, 1642, burnt the town, and ſlew in the ſtreets three hundred of the Iriſh." Hiſt. of the Iriſh Rebel. fol. 112.

"Lord Dungarvan and Lord Broghill ſummoning the caſtle of Ardmore, in the county of Waterford, 21ſt of Auguſt, 1642, it was yielded upon mercy. Nevertheleſs, one hundred and forty men were put to the ſword." Id. ib. fol. 111.

It

"Mr. Lowe,"[11] vicar of Cloyne, having been barbarouſly murdered at Fethard, by one James M'Hugh, and ſome accomplices, Lord Ikerin, upon information given againſt him, committed him to priſon, whence M'Hugh making an eſcape, fled the country for ſome time; but returning, was ſeized again, confeſſed the fact, and was hanged for it, with two of his accomplices."

"Sir Richard Everet, Bart.[12] in the beginning of the rebellion, ſent the richeſt of the Engliſh planters in his country, with their ſtock and goods, into the Engliſh quarters. The poorer Engliſh, conſiſting of eighty-eight perſons, he kept and maintained at his own charge till the middle of June, 1642; then conveyed them to Mitchel's-town, and when that place was afterwards taken by the Iriſh, he ſent for ſome of thoſe families that were very poor, and maintained them for a long time. As ſoon as the ceſſation was made, ſome of the poor tenants came back to him, and he ſettled and protected them on his lands, till Cromwell came into the country."

"When[13] Birr ſurrendered to General Preſton, in January 1642, the articles were faithfully performed; and the Earl of Caſtlehaven, his lieutenant general, conveyed the garriſon and inhabitants to the number of eight hundred perſons, in a long march of two or three days together through the woods of Irregan, and waſte countries, ſafe to Athy."

"Sir Audley Mervin, a covenanter, Cromwelliſt, and ſpeaker of the Iriſh houſe of commons after the reſtoration, in a ſpeech," ſays Sir Peter Pett,[14] "glowing with anger enough againſt the papiſts, confeſſed, that in the barony of Iniſhoan, there were above two thouſand papiſts, who could bring hundreds of proteſtants to witneſs their civil demeanour. This," adds he, "I mention to

[11] Cart. Orm. vol. i. [12] Id. ib. [13] Id. ib.
[14] Happy future ſtate of England.

It is therefore no wonder, that this Lord Broghill declared on another occaſion, "that he knew not what Quarter meant." Id. ib. fol. 110.

to give teſtimony of the heroic virtue of many of the church of Rome, at that diſmal period." [h]

But not to dwell longer on particulars, the whole body of the catholic nobility and gentry of Ireland, did, by their agents at Oxford, in 1643, petition his majeſty,[15] "that all murders committed on both ſides, in this war, might be examined in a future parliament, and the actors of them exempted out of all the acts of indemnity and oblivion." [i] But this propoſal the proteſtant agents, then alſo attending the king at Oxford, wiſely declined; upon which it was juſtly obſerved, "that if it ſhould be aſked,[16] wherefore this offer of the accuſed Iriſh has been always rejected or evaded by their accuſers, (for it was more than once repeated afterwards) there is no man of reaſon but underſtands it was, becauſe the Iriſh were not guilty of thoſe barbarous and inhuman crimes, with which they were charged; and becauſe thoſe who charged them ſo exorbitantly, found themſelves, or thoſe of their party, truly chargeable with more numerous and more barbarous crimes and murders, committed on the ſtage of Ireland, whereon they had acted, and yet but partly, their own proper guilt; for many of them acted it on that of Great Britain

[15] Borl. Hiſt. of the Iriſh Rebel.
[16] Walſh's Reply to a perſon of quality.

[h] In the year 1642, "the biſhops of Tuam and Kilalla, (ſays Mr. Carte) with about four hundred Engliſh, were preſerved and had liberty to depart with their effects. The great care taken for the ſecurity thereof, as well as of their perſons, by the chief inhabitants of Galway being acknowledged by them in a certificate, which they drew up and ſigned for that purpoſe." Orm. vol. i. fol. 323.

[i] And on the concluſion of the peace in 1648, "it was provided, that ſuch barbarous crimes as ſhould be particularized and agreed upon by the lord lieutenant, and Thomas Lord Viſcount Dillon of Coſtelloe, lord preſident of Connaught, Donogh Lord Viſcount Muſkerry, &c. as to the actors and procurers thereof, ſhould be left to be tried and adjudged by ſuch indifferent commiſſioners as ſhould be agreed on by the ſaid lord lieutenant and the ſaid Thomas Lord Viſcount Dillon of Coſtelloe, &c." Walſh. Hiſt. of the Iriſh Remon. App. fol. 54.

Britain too, even the moſt horrid guilt imaginable, by the moſt bloody and moſt execrable murder of the beſt and moſt innocent of kings."

CHAP. VIII.

The conduct of the catholic clergy during the inſurrection.

BUT whatever cruelties theſe inſurgents are ſuppoſed to have committed on the Engliſh and proteſtants, either in or out of war, they are all ſaid to have been perpetrated by the advice and inſtigation of their clergy. Mr. Hume, too confident of the truth of this imputation, on the ſole credit of the depoſitions before-mentioned, has launched out into the moſt pathetic ſtrains of invective on that occaſion. "The Engliſh," ſays he,[1] "as heretics abhorred of God, and deteſtable to all holy men, were marked out by the prieſts for ſlaughter; and of all actions, to rid the world of theſe declared enemies, of catholic faith and piety, was repreſented as the moſt meritorious." And thus, in conſequence of theſe documents, "while death," adds he, "finiſhed the ſufferings of each victim, the bigotted aſſaſſins, with joy and exultation, ſtill echoed in his expiring ears, that theſe agonies were but the commencement of torments infinite and eternal." This indeed, might have appeared a pretty rhetorical flouriſh, but that the expreſſion, "expiring ears," is ſomewhat of the boldeſt, and borders too cloſely on nonſenſe; but it never could have paſſed for real and genuine hiſtory, with any one who had taken the leaſt pains to inform himſelf of the principles and conduct of theſe prieſts, at that diſmal juncture.[2] Mr. Hume might have learned, even

[1] Hiſt. of Engl. Dub. ed. vol. iv.

[2] "If the popiſh eccleſiaſtics," ſays Dr. Leland, "preached their horrid doctrines of blood and maſſacre, others were known equally zealous to moderate the exceſſes of war, to

even from Borlaſe,[a] that in a congregation of their archbiſhops, biſhops and inferior clergy at Kilkenny in May 1642, excommunication was denounced againſt all thoſe of their communion, "who either had, from the beginning of the war, or ſhould afterwards, in the courſe of it, murder, diſmember or grievouſly ſtrike; all thieves, unlawful ſpoilers, or robbers of any goods; and ſuch as favoured or received them." And they even included in this cenſure, "all ſuch as had invaded or ſhould invade the poſſeſſions or goods, ſpiritual or temporal, of any Iriſh proteſtant, not being their adverſary, and ſhould detain them." They alſo, "commanded all and every of their clergy, as well regular as ſecular, not to hear the confeſſions of the aforeſaid excommunicated perſons; nor to adminiſter to them the holy ſacrament, under pain of excommunication *ipſo facto*."

"This was," ſays Dr. Warner,[1] "a general ſynod of all the popiſh biſhops and clergy of Ireland. Three of the titular archbiſhops, ſix other biſhops, the proxies of five more, beſides vicars generals, and other dignitaries, were preſent at this ſynod. And as theſe are the acts and ordinances purely of the Roman catholic clergy of Ireland, repreſented in a general ſynod, I ſuppoſe it will be allowed, on all ſides, that whatever proceedings are here condemned, are to be placed to the account of the follies and vices of particular people; and cannot fairly be charged on the Roman faith."[b]

Many

[a] Hiſtory of the Iriſh Rebel. [1] Ib. fol. 201.

to protect the Engliſh, and to conceal them from the fury of the enemy, even in their places of worſhip, and under their altars." Hiſt. of Ireland, vol. iii. p. 155.

[b] "How weak, how uncharitable, how unjuſt," exclaims the ſame writer, "is it in thoſe, who charge ſuch horrid impieties on the principles of the Roman catholic religion, as were meerly owing to the accurſed, helliſh diſpoſition of particular perſons who gave a looſe to them! The proteſtants, I am ſure, would take it ill, and very juſtly, if the barbarities of Sir Charles Coote, and Sir Frederick Hamilton, were faſtened on their religion. And why then ſhould they charge thoſe of which Sir Phelim O'Nial

Many inſtances might be produced, of the great beneficence and humanity of theſe eccleſiaſtics, to the diſtreſſed Engliſh and proteſtants, at that period. "At[4] the taking of Caſhell, Dr. Samuel Pullen, chancellor of that city, and dean of Clonfert, with his wife and children, was preſerved by father James Saul, a Jeſuit. Several other Romiſh prieſts diſtinguiſhed themſelves on that occaſion, by their endeavours to ſave the Engliſh; particularly father Joſeph Everard and Redmond Engliſh, both Franciſcan friars; who hid ſome of them in their chapel, and even under their altar. And ſoon after, thoſe who had been thus preſerved, were according to their deſire, ſafely conveyed into the county of Cork by a guard of the Iriſh inhabitants of Caſhel, who acted with ſo much good faith, that ſeveral of the convoy were wounded in defending them from the violence of the rabble upon the mountains, in their paſſage."

Doctor Bedel, biſhop of Kilmore, when a priſoner with the inſurgents, who doubtleſs had many prieſts among them, "was never interrupted[5] in the exerciſe of his worſhip, although not only his houſe and all the out-buildings, but alſo the church and church-yard, were full of people that flocked to him for ſhelter. So that, from the 23d of October to the 18th of December following, he, and all thoſe within his walls, enjoyed to a miracle," ſays Biſhop Burnet, "perfect quiet. And when he died, at the age of ſeventy-one, the titular biſhop of the dioceſs, although he had proſelyted his brother, a popiſh prieſt, to the communion of the eſtabliſhed church, ſuffered him to be buried in conſecrated ground, the Iriſh doing him unuſual honours at his funeral. For the chiefs of the inſurgents, having aſſembled

[4] Cart. Orm. vol. i.

[5] Burnet's life of Bedel.

O'Nial and others were guilty, on the principles of the Romiſh church, which hath diſclaimed them? Theſe conſiderations may be too candid and impartial, to pleaſe the ignorant and bigotted, of either ſide: but they will teach principles and practices more agreeable to chriſtianity, than thoſe which prevailed at that time, and which we now ſo much lament." Hiſt. of the Iriſh. Rebel. p. 202.

aſſembled their forces, accompanied his body to the church-yard, with great ſolemnity; and deſired Mr. Clogy, one of his chaplains, to bury him according to the church offices. At his interment they diſcharged a volley of ſhot, crying out in Latin, *Hic requieſcat ultimus Anglorum!* May the laſt of the Engliſh reſt in peace! Edmund Farilly, a popiſh prieſt, exclaimed at the ſame time, *O, ſit anima mea cum Bedello!* Would to God that my ſoul were with Bedel."

CHAP. IX.

The firſt cauſe of the inſurrection's increaſing.

FOR almoſt ſix weeks from its beginning,[1] this inſurrection was confined to the province of Ulſter,[2] the three other provinces of Ireland remaining quiet. Even in the conſpirators firſt, and principal deſign, to ſeize the caſtle of Dublin, not one of the catholics of that city was any way concerned, although they were then fifteen to one proteſtant;[3] and what might have been an additional temptation,[4] "there was not a company of the army, at that juncture, in the town." Nay ſo long after as June 1642, the lords juſtices themſelves teſtified,[4] "that no particular crimes could be objected to them, and that they could not be charged with any thing but bare ſuſpicion."[b]

[1] Warner's Hiſtory of the Iriſh Rebel. p. 130.
[2] Cart. Orm. vol. i. [3] Id. ib.
[4] Temp. Hiſt. of the Iriſh Rebel.

[a] Even Carte confeſſes, that "the rebellion had been carried on till the month of December, by the meer Iriſh, and confined to Ulſter, to ſome few counties in Leinſter, and that of Leitrim in Connaught." Life of Orm. vol. i. fol. 243. He had before obſerved, "that no one nobleman of the kingdom, or any eſtated gentleman of Engliſh race, engaged in the rebellion till the month of December." Ib.

[b] The Earl of Clanrickard, in a letter to the Earl of Eſſex, December 6th 1641, tells him, "that there was then no nobleman

Not leſs quiet, during the ſame ſpace of time, were the principal inhabitants of the county of Wicklow;[5] although a great part of their territory had been taken from them, and planted, ſome years before. Nor was there yet any conſiderable commotion in Connaught, Clare, Tipperary, or Limerick,[6] "which had been all lately found for the king, by ſeveral inquiſitions, and were then ready to be diſpoſed of to Britiſh undertakers." In ſhort, it may, on very probable grounds, be aſſerted, that for near two months after the 23d of October, 1641, no formal inſurrection appeared among the natives of any of the four provinces, except thoſe of Ulſter, who had been particularly threatened with extirpation, and were generally, ſays Lord Clanrickard,[7] "haughty and ambitious ſpirits, the remains of the branches of antient rebels, and had loſt large and great poſſeſſions."[c] What occaſioned the fatal change, that ſoon after enſued, in moſt parts of the kingdom, I ſhall now endeavour to demonſtrate.

In Auguſt 1641, the Iriſh parliament was in daily expectation of the return of their agents from England, with the royal aſſent to two bills, that would have put an effectual ſtop to thoſe predatory ſuits of enquiry

[5] Temp. Hiſt. of the Iriſh Rebel. [6] Id ib.
[7] Memoirs, Eng. ed.

bleman in the kingdom in the action; nor any gentleman of quality of Engliſh extraction; and that many of the antient Iriſh were ſtill firm." Carte's Orm. vol. iii. fol. 44.

[c] In their humble remonſtrance to the king on this occaſion, they ſay, "We cannot but with much ſorrow repreſent to your royal majeſty, how that the natives in the province of Ulſter, and other the late plantations made here by the Engliſh, were by force expelled out of their native ſeats and antient poſſeſſions, without juſt grounds; and many of the principal gentlemen, who ſerved the crown in the wars of queen Elizabeth, and were the principal means of the overthrow of the late Earl of Tyrone and his adherents, were, for their ſervice, bereaved likewiſe of their whole eſtates, and confined to perpetual impriſonment in the tower of London." Deſid. Curioſ. Hibern. vol. ii. p. 93.

enquiry into defective titles, which had been ſo long and grievouſly complained of. "Never," ſays Mr. Carte,[8] "were two acts better adapted to give general ſatisfaction to any people, than theſe[d] were to the gentlemen of Ireland." Even Temple owns,[9] "that theſe bills had been long and moſt impetuouſly longed for by the Iriſh." And although his majeſty had, in May preceding, ſent poſitive orders to the juſtices,[10] to paſs theſe bills, and the other promiſed graces;[e] and the commons firſt, and afterwards both houſes, had moſt earneſtly and repeatedly beſought them,[11] "that they might be ſuffered to continue together for a further time, becauſe their agents were at the water-ſide with theſe bills;" yet theſe lords juſtices,[12] acting every thing in Ireland, by the influence of the puritan faction in the Engliſh parliament, often in derogation of his majeſty's commands, cauſed the parliament to be adjourned for three months." Which adjournment the catholic members, who were principally aggrieved by it, "afterwards aggravated againſt the juſtices,[13] as one of the chief moving cauſes of the taking up of arms generally throughout the kingdom."

Soon after this fatal and enforced adjournment, the parliament's agents arriving in Dublin,[14] "preſently applied," ſays Temple, "to the lords juſtices and council, deſiring to have thoſe acts and other graces, granted by his majeſty, made known to the people by

 proclamation."

[8] Life of Orm. vol. i. [9] Iriſh Rebel.
[10] Com. Jour. vol. i. Carte's Orm. vol. i. fol. 143.
[11] Com. Jour. vol. i. [12] Carte's Orm. vol. i.
[13] Tem. Iriſh Rebel. [14] Id. ib.

[d] One was the act of limitations, to bar all titles, claims and challenges of the crown before ſixty years laſt paſt, to cut off all expectations upon the ancient title, and to ſtrengthen, by new grants and patents, all titles from the crown. Borlaſe's Ir. Rebel. fol. 23.

[e] "The king," ſays Mr. Carte, "had ſent poſitive orders, on the 3d of May 1641, to the lords juſtices, to paſs the act of limitations, and all the other graces in parliament." Life of Orm. vol. i. fol. 143.

proclamation." This was promiſed, and an inſtrument drawn up, and preſented to their lordſhips for that purpoſe; but "they,"[15] as it ſeems, deſiring rather to add fuel to the fire of the ſubjects diſcontents, than to quench the ſame, did forbear to give any notice thereof to the people."

CHAP. X.

The ſame ſubject continued.

THIS general diſguſt was not removed or leſſened by the next meeting of parliament, on the 16th of November following, the day to which it had been adjourned. On the contrary, by the manifeſt reluctance with which the juſtices ſuffered it to meet even then, and by their ſudden prorogation of it for two months longer,[1] it was greatly increaſed. This prorogation, ſays Mr. Carte,[2] "gave a particular diſtaſte to the Roman catholics, who were like to be the greateſt ſufferers thereby, and to loſe the benefit of thoſe graces, which were intended for their particular relief." The Earl of Ormond, Lord Dillon of Coſtelloe, and ſome others, urged, among other things, againſt the prorogation, that all the nation was in expectation of the graces, and would be ſtrangely uneaſy, if they were not confirmed in parliament. But the juſtices were deaf to all ſuch remonſtrances; for, as they had been with difficulty prevailed upon, by the importunate

[15] Remonſt. from Trim.

[1] Carte's Orm. vol. i. f. 222. [2] Id. ib.

[a] "November 17th (1641), it was ordered, that the perſons undernamed are appointed forthwith to withdraw themſelves into the inner-room of this houſe, and draw up a declaration of the humble deſires of this houſe, for the continuance of this preſent ſeſſion of parliament, without either adjournment or prorogation." Appendix to Com. Jour. vol. i. f. 17.

Yet Borlaſe impudently affirms, "that both houſes readily aſſented to this adjournment." Iriſh Reb. f. 17.

tunate ſolicitations of the lords and gentry of the pale, to ſuffer the parliament to meet even on the aforeſaid 16th of November, ſo they then took eſpecial care to limit the ſeſſion,[a] in ſuch a manner, that no act of grace, or any thing elſe for the people's quiet or ſatisfaction, might be propounded or paſſed. For well knowing that the members of both houſes, throughout the kingdom (a few in and about Dublin only excepted), would be abſent from parliament, they publiſhed their proclamation for the meeting but two days before the time; whereupon, only a few of the lords and commons appeared in the houſes; who, on their entrance at the caſtle bridge and gate, and within the caſtle yard, to the door of the parliament-houſe, were environed with a great number of armed men,[b] with matches lighted, and muſkets preſented even to the breaſts of the members of both houſes; none

[a] Remonſt. from Trim.

[b] 'Tis pleaſant to obſerve Dr. Warner's ſerious remark on this occaſion, viz. "that this guard of muſketeers was not to infringe the freedom of the debates, but to ſecure the perſons of thoſe who met, as well as the ſafety of the caſtle." Hiſt. of the Iriſh Rebel. p. 129.

Adverſe writers affect to have it thought, that "theſe members were all along concerned in the rebellion, or engaged with the firſt contrivers of it:" but that would "be to make them (ſays Lord Caſtlehaven) not only the greateſt knaves, but the veryeſt fools on earth; ſince otherwiſe they could not have been ſo earneſt for the continuation of the parliament, while ſitting in the Caſtle, and under the lords juſtices guards, who upon the leaſt intelligence, which could not long be wanting, had no more to do but to ſhut the gates, and make them all priſoners, without any poſſibility of eſcape, or hopes of redemption." Memoirs.

Theſe members ſo tenderly commiſerated the ſufferings of the proteſtants, who then flocked from all parts of the country to Dublin, in the utmoſt diſtreſs, that notwithſtanding the ſhortneſs of the ſeſſion, and the multiplicity of other buſineſs, they paſſed the following order, November 16th 1641:

"It is ordered by the free conſent of the whole houſe, that every knight of the ſhire, now preſent, ſhall give forty ſhillings forthwith; and every citizen ſerving out of a city which is a county,

none being admitted to bring one ſervant to attend him, or any weapon about him, within the caſtle bridge. Yet how thin ſoever the houſes were, and how much ſoever overawed, they did both jointly[4] ſupplicate the lords juſtices and council, that they might for a time continue together, and expect the coming of the reſt of the members, to the end, they might quiet the troubles in full parliament; and that thoſe acts of ſecurity, granted by his majeſty and tranſmitted under the great ſeal of England, might be paſſed, to ſettle the minds of his majeſty's ſubjects. But to theſe requeſts, conducing ſo much to his majeſty's ſervice, and the ſettlement of the kingdom, a flat denial was given.[5] Nay their lordſhips diſmiſſed the houſes, after only two days ſitting, without ſaying a word of the graces from the king, or giving them any aſſurance, or even a faint glimmering hope, that they ſhould be paſſed in another ſeſſion."

The Earl of Caſtlehaven, who ſate in that parliament, after having recited the loyal and unanimous proteſtation of both houſes,[6] "that they would, if neceſſary, take up arms, and with their lives and fortunes, endeavour to ſuppreſs the rebellion;" informs us, "that in order ſpeedily to bring the rebels to condign puniſhment, they fell immediately to conſider of the moſt effectual means to do the work. But this way of proceeding," adds his lordſhip, "did not, it ſeems,

[4] Caſtlehaven's Memoirs.
[5] Warner's Hiſt. of the Iriſh Reb. p. 128. Carte, &c.
[6] Memoirs.

county, thirty ſhillings; and every burgeſs twenty ſhillings; to be collected and received by Mr. Dr. Cooke, Mr. Recorder of Dublin, Mr. Anthony Doppinge, and Mr. Stephen Stephens, or any or either of them, for the preſent relief of ſuch poor people as have been robbed, and are come diſtreſſed to this city. And that all ſuch of the members of this houſe as are now abſent, ſhall likewiſe give the like benevolence, to be collected and received in the manner and for the uſe aforeſaid, upon notice of this order given; and the ſame money to be diſpoſed of by the perſons aforeſaid, or any three of them." Appendix to the Commons Jour. f. 14.

ſeems, ſuit with the lords juſtices deſigns, who were often heard to ſay, that the more there were in rebellion, the more lands would be forfeited; and therefore, in the very height of the buſineſs, they reſolved upon a prorogation; which the parliament underſtanding, Viſcount Coſtelloe, and myſelf, were ſent from the lords houſe, and others from the commons, to deſire the continuance of parliament, till the rebels, then few in number, were reduced.[c] But our advice was ſlighted, and the parliament next day prorogued, to the great ſurprize of both houſes, and the general diſlike of all knowing and honeſt men."

CHAP. XI.

Further miſconduct of the lords juſtices.

AS it evidently appears, from divers circumſtances, that the juſtices, Parſons and Borlaſe, rather wiſhed for and promoted, than endeavoured to prevent this inſurrection,[a] ſo it is ſtill more manifeſt, that all their ſubſequent

[c] Sir Wm. St. Leger, Preſident of Munſter, confeſſed in a letter to the Earl of Ormond, that even in the following month of December, "the inſurgents in that province were only a company of ragged, naked rogues, that with a few troops of horſe would be preſently routed." Carte's Orm. vol. iii. fol. 44.

[a] Lord Clanrickard, in a letter to the Duke of Richmond, giving an account of the cauſes of this inſurrection, informs him, that "all (the Iriſh) generally were diſcontented with thoſe that managed the affairs of ſtate there; whom they charged with ſecret practicing both there and in England, before the commotions began, to raiſe parties and factions to deſtroy their religion, to divert and hinder the king's graces intended towards them, by that means to put them into deſperation, that they might forfeit their lives and fortunes. And that ſince the diſtempers began, they had ſo diſpoſed of affairs, as if the deſign was laid to put the whole kingdom into rebellion." Memoirs, Eng. ed. f. 63.

There is no doubt but that the notice ſent by Sir Henry Vane, in 1640, to theſe lords juſtices, concerning an intended rebel-

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ſubſequent proceedings tended only to increaſe and extend it, for their own iniquitous private purpoſes.[1] Sir Robert Talbot of Caſtle-Talbot, in the county of Wicklow, repaired to Dublin, in the beginning of the troubles; and offered to Sir William Parſons, in the preſence of Dean Bulkely, who lived to atteſt it after the reſtoration, to ſecure the chief heads of the Byrnes, Tooles,

[1] Carte's Orm. vol. i.

lion in Ireland, as he was informed, was received by them with total diſregard. Dr. Borlaſe informs us, that "this letter of Sir Henry Vane was delivered to Lord Juſtice Parſons, and ſince his death found in his ſtudy; and by Sir James Barry, Lord Baron of Santry, preſented to his majeſty Charles II. who looked upon it as a precious jewel, diſcovering his father's royal thoughts towards the preſervation of his proteſtant ſubjects and people. But how far (adds he) it was at firſt communicated is uncertain." Hiſt. of the Iriſh Rebel. f. 7, 8.

It is alſo certain, "that on *the 11th of October 1641*, an expreſs from Sir William Cole, a gentleman of Enniſkillen, informed theſe juſtices of an unuſual and ſuſpicious reſort of various Iriſh to the houſe of Sir Phelim O'Neil; of many private journeys made by Lord Macguire; of diſpatches ſent to their different friends; of an extraordinary ſolicitude for levying men; and other circumſtances alarming to the friends of government. That even on the 21ſt of that month, Cole diſpatched a full account of the conſpiracy, which had, by this time, been revealed to him by two accomplices: yet that this laſt inſtance of his zeal proved as ineffectual as the former." Lel. Hiſt. of Irel. vol. ii. fol. 107.

"About the beginning of the Engliſh parliament in 1640, the independents inſiſted openly to have the papiſts of Ireland rooted out, and their lands ſold to adventurers." Walker's Hiſt. of Independency, p. 200.

And if we reflect on the intimate connection between theſe lords juſtices, and that parliament, no doubt will remain but that "a combination between them, at firſt lighted up, and afterwards ſpread abroad, the flames of this rebellion." Ib.

The above diſcovery was made to Sir William Cole by Bryan Macguire, probably of the ſame family with Lord Macguire, the principal leader in this inſurrection; for which Bryan's grandſon, in the year 1662, was, by the interpoſition of parliament, reſtored to his grandfather's eſtate; which, notwithſtanding that memorable ſervice, had, it ſeems, been forfeited." See Com. Jour. vol. ii. fol. 163.

Tooles, and other ſepts in that county,[b] who, as their lands had been planted ſome years before, were the likelieſt men to riſe and begin a rebellion in Leinſter, if he would give him commiſſion to do ſo; inſiſting, that they would not ſtir while their chiefs were in cuſtody, as ſo many hoſtages for their fidelity. But Sir William Parſons abſolutely refuſed to give him a commiſſion;[c] and theſe ſepts ſoon after breaking out into rebellion, Sir Robert engaged againſt them, in defence of the Engliſh in that, and the adjoining county of Catherlogh; and conveyed moſt of theſe Engliſh with their goods and flocks ſafe to Dublin. He had, indeed, the lords juſtices thanks for this ſervice, but it coſt him dear; for in revenge thereof, two of his beſt houſes, Cartan and Liſcartan, were burned by the Iriſh."

The Earl of Ormond's early offer to ſuppreſs theſe tumults in their beginning, met with no better reception from their lordſhips; for that nobleman having undertaken to purſue the rebels, then in no reſpect conſiderable, if he might be allowed meat and drink for the ſoldiers in his march, his propoſal was rejected. "The only reaſon aſſigned by the juſtices for this refuſal, viz. the want of arms, was," ſays Mr. Carte,[a] "a pretence ſo notoriouſly falſe, that it could only be made

[a] Ib. fol. 194.

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[c] "Had the lords juſtices," ſays Dr. Warner, "acquitted themſelves like men of probity and underſtanding, there was time enough given them to ſuppreſs an inſurrection, which for ſix weeks almoſt was confined to the province of Ulſter, without any chief that was ſo conſiderable as Sir Phelim O'Neil. But it was the great misfortune of that unhappy country, to be then governed by a man (Sir William Parſons) that had not one qualification for ſuch a poſt, at ſuch a time; and to thoſe defects was added, great obliquity of heart towards both the king and the Iriſh. Hiſt. of the Iriſh Rebel. p. 130.

made uſe of to cover motives, which they were aſhamed to confeſs ;[d] for there was, at this time, in the ſtores of the caſtle, a fine train of artillery, ammunition of all ſorts, in great quantities, arms for above ten thouſand men, tents, and neceſſaries of all kinds for the march and proviſion of an army ; all which had been prepared by the Earl of Strafford for the Scots expedition."

What theſe juſtices real motives were, ſoon after appeared.[3] " In the before-mentioned ſhort ſeſſion of November 16th, both houſes had drawn up a letter to the king, which was ſent by the Lords Dillon and Taaffe ; and in which they offered of themſelves, and without any aid from England, to put an end to this inſurrection." Immediately upon this, the juſtices,[4] and their party in the council, privately wrote to the Earl of Leiceſter, Lord Lieutenant of Ireland ; and after telling him, they expected and hoped for his ſecrecy, and that they could not open themſelves with freedom at the council-board, they beſought his lordſhip that no ſuch overture ſhould be accepted ; and among other reaſons, becauſe the charge of ſupplies from England, would be abundantly compenſated out of the eſtates of thoſe who were actors in the rebellion."[e] From this information, the Lords Dillon and Taaffe, with their papers, were ſeized at Ware, by order of the Engliſh houſe of commons ; and detained in cuſtody ſeveral months, till they made their eſcape to

[3] Carte's Orm. vol. i. fol. 194. [4] Id. ib.

[d] Borlaſe himſelf confeſſes, that upon the lords juſtices having taken into the army a great number of proteſtants, who then fled from all parts of the country to Dublin, " the ſtate, at that time, had ſtore of arms and ammunition, by which the ſoldiers, and the reſt, were ſeaſonably furniſhed." Hiſt. of the Iriſh Rebel. f. 45.

[e] " Whatever," ſays Dr. Leland, " were the profeſſions of the chief governors, the only danger they really apprehended, was that of a too ſpeedy ſuppreſſion of the rebellion. Extenſive forfeitures was their favourite object, and that of their friends." Hiſt. of Ir. vol. iii. p. 160-1.

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Sir Robert Talbot, whoſe houſes had been burned by the Iriſh, on account of the ſervice he had rendered the Engliſh,[2] "found it neceſſary, at this time, to bring his lady and family to Dublin; where he again tendered his ſervice to the lords juſtices, offering to raiſe men, if they would furniſh him with arms, to fight againſt the rebels; but theſe were denied him, nor could either his offers, or his late ſervices, prevail for leave to continue in Dublin. He was forced, by the proclamation on pain of death, to leave the city in twenty-four hours; and having no ſure place of retreat, he was obliged to ſculk and live privately, for a long time, for fear of the Iriſh, till the breach between the king and the parliament of England, when he entered into the Roman catholic confederacy; doing however, during all the time of the troubles, all the good offices in his power, ſometimes with the hazard of his life, to preſerve the Engliſh, and diſpoſe the Iriſh to ſubmit to the ceſſation, and afterwards to the peaces of 1646 and 1648, to which he conſtantly adhered." And yet his family had the mortification to ſee his great eſtate given to the Cromwellian adventurers and ſoldiers, by acts of parliament.

CHAP.

[2] Carte's Orm. vol. i. fol. 238.

after publication, on pain of death," adds, "that the ſtate, on the 28th of October, publiſhed a proclamation to the ſame intent with the former, with the penalty of death to ſuch as wilfully harboured them." Iriſh Reb. fol. 44.

Another proclamation of the like tenour, and on the penalty of death, was iſſued by theſe juſtices, on the 11th of November following. Ib. fol. 49.

CHAP. XIII.

The juſtices invite the lords of the pale to a conference.

NO ſigns of a general inſurrection had yet appeared in the provinces of Leinſter, Connaught or Munſter, when a report being ſpread of ſpoils committed on ſome of the Engliſh in the county of Wicklow,[a] Sir Charles Coote was commanded from Dublin thither with a body of troops; where, in the town of Wicklow,[1] he cruelly put to death ſeveral innocent perſons, without diſtinction of age or ſex.[2] Among other inſtances, he is charged with ſaying, when a ſoldier was carrying about a poor babe on the end of his pike,[3] "that he liked ſuch frolicks." Upon his return to Dublin from this expedition, the juſtices appointed him governor of the city,[4] in recompence for that ſervice. At the ſame time, a rumour was ſpread, that he had made a propoſal at the council-board, for executing a general maſſacre on all the catholics; which, from the character[b] of the man, was eaſily credited.

On

[1] Carte, Warner, &c. [2] Carte's Orm. vol. i. fol. 243.
[3] Id. ib. [4] Ib. fol. 259.

[a] "Sir Charles Coote, at Ballinaſloe, got ſome cattle and a great quantity of cloth, killing many ſoldiers in their beds." Borl. Hiſt. of the Iriſh Rebel. f. 101. Sir Frederick Hamilton, by all accounts, was equal in cruelty to Sir Charles Coote, yet, ſays Borlaſe, "a diary of which (his exploits in this war), even from the 23d of October 1641, to the end of the enſuing year, I have read with much ſatisfaction." Ib. fol. 113.

[b] "He was a ſtranger to mercy, and committed many acts of cruelty, without diſtinction, equal in that reſpect to any of the rebels." Warner's Hiſt. of the Iriſh Rebel. p. 135.

"Sir Charles Coote," ſays Dr. Leland, "in revenge of the depredations of the Iriſh, committed ſuch unprovoked, ſuch ruthleſs and indiſcriminate carnage in the town of Wicklow,

as

On the 3d of December, 1641, the lords juſtices directed letters to the lords of the pale, whom they had lately driven from Dublin, acquainting them,[s] "that they had immediate occaſion to confer with them, concerning the preſent ſtate of the kingdom." Theſe noblemen knew, that the day before theſe letters were ſent, the catholics of Dublin had been diſarmed; that they themſelves, lying moſt expoſed to the rebels, could not hinder their entrance into their houſes in the country,[c] to which they had been baniſhed from Dublin, by the proclamation on pain of death; or the paying of them contribution, which, in the eye of the law was criminal, though unavoidable. They could not imagine why theſe lords juſtices, who had, about a fortnight before, thought their abode in Dublin incompatible with the ſafety of the ſtate, ſhould now, by a ſudden turn of ſentiment, invite them thither, to be conſulted with on that ſubject. Hence it was natural for them to ſuſpect, that the ſummons was only an artifice, to draw them to Dublin; and when they were there, to ſeize on their perſons, and confine them

[s] Carte's Ormond, vol. i.

as rivalled the utmoſt extravagancies of the northerns." Hiſt. of Irel. vol. iii. p. 146.

In April 1642, purſuing the rebels at Trim, "he was (ſays Borlaſe) unfortunately ſhot in the body, as it was thought, by one of his own troopers, whether by deſign or accident was never known. And this end (adds he) had this gallant gentleman, who began to be ſo terrible to the enemy, as his very name was formidable to them. His body was brought to Dublin, and there interred with great ſolemnity, floods of Engliſh tears accompanying him to his grave; by his death the fate of the Engliſh intereſt in Ireland, ſeemed eclipſed if not buried." Hiſt. Iriſh Rebel. fol. 104.

[c] About this time, "the forces of the northern inſurgents about Drogheda, and between that place and Dublin, amounted to twenty thouſand men. The lords and gentry of the pale, unable to reſiſt ſo vaſt a body, that were entire maſters of the field, kept themſelves quiet in their own houſes, not thinking it prudent, by a weak and fruitleſs oppoſition, to provoke an enemy that could deſtroy them in a moment." Carte's Orm. vol. i. fol. 243.

them to an irkſome priſon, and perhaps proſecute them at law, with a ſeverity which might end in the forfeiture of their eſtates, the ruin of their families, and the taking away of their lives by an ignominious execution.

Such were the reaſons that hindered the lords of the pale to pay obedience to the juſtices ſummons of the 3d of December, 1641. By appointment, however, they met together on the 7th; and then drew up a letter to the ſtate, importing,[c] "that they had heretofore preſented themſelves to their lordſhips, and freely offered their advice and furtherance towards the ſafety of the kingdom, which having been neglected, gave them cauſe to conceive, that their loyalty was ſuſpected by their lordſhips." They added, "that they had received certain advertiſement, that Sir Charles Coote, at the council-board, had uttered ſome ſpeeches, tending to a purpoſe to execute upon thoſe of their religion, a general maſſacre; by which they were deterred from waiting on their lordſhips, not having any ſecurity for their ſafety[d] againſt thoſe threatened evils; and rather thought it fit, to ſtand upon their beſt guard, until they heard from their lordſhips, how they ſhould be ſecured from thoſe perils; proteſting, nevertheleſs, that they were, and would continue, both faithful adviſers and reſolute furtherers of his majeſty's ſervice, concerning the preſent ſtate of the kingdom, and the ſafety thereof, to their beſt abilities." This letter

[c] Temple, Carte, &c.

[d] "Some," ſays Mr. Carte on this occaſion, "have not ſcrupled to ſurmiſe, that the lords juſtices never expected theſe noblemen would comply with their ſummons; and that all the meaſures they took at the ſame time, were taken expreſsly with a deſign to terrify them from truſting themſelves in Dublin; and from thence to take ſome advantage for the forfeiture of their eſtates. It anſwered this end very well, that Sir Charles Coote, immediately after his inhuman executions and promiſcuous murders of the people in Wicklow, was made governor of Dublin at the very time of ſending out the ſummons to the lords of the pale." Life of Orm. vol. i. 258.

letter was ſubſcribed by the Earl of Fingall, the Lords Gormanſtown, Slane, Dunſany, Netterville, Louth, and Trimbleſtown.

CHAP. XIV.

The gentlemen of the pale aſſemble at Swords.

ON the ſame 7th of December, on which the above-mentioned letter was drawn up,[1] "a party of horſe and foot being ſent by the juſtices, into the neighbourhood of Dublin, in queſt of ſome robbers, came to the village of Santry, where they murdered ſome innocent huſbandmen (whoſe heads they brought into the city in triumph), on pretence that they had harboured and relieved the rebels, who had made inroads and committed depredations in theſe parts. Hard,[2] indeed," ſays Mr. Carte, "was the caſe of the country people at that time, when not being able to hinder parties of robbers and rebels, from breaking into their houſes, and taking refreſhments there, this ſhould be deemed a treaſonable act, and ſufficient to authorize a maſſacre."

The next morning, complaint being made to the government of this outrage, no redreſs was obtained. Whereupon, ſome gentlemen of quality and others, inhabitants of that part of the country, being juſtly alarmed at theſe proceedings, and mindful of the report of Coote's barbarous propoſal at the council-board, forſook their houſes, and prepared for their defence. For this maſſacre following ſo ſoon after[3] "the executions and murders, which Sir Charles Coote had ordered in the county of Wicklow; his being made governor of Dublin for that ſervice; and the catholics of that city being all diſarmed, the day before the lords of the pale were invited to a conference there, confirmed their belief of the truth of the report, that a general

[1] Carte, Temple, Borlaſe. [2] Cart. Orm. [3] Id. ib.

a general maſſacre of thoſe of their religion was intended."

Wherefore theſe gentlemen aſſembled together, on the 9th of December, at Swords, a village diſtant from Dublin about ſix miles; and on the 10th, the juſtices iſſued their warrant,[4] "commanding them to ſeparate, on ſight of it; and that nine of the principal perſons ſo aſſembled, ſhould appear before them, at the council-board, by ten of the clock the next morning, to ſhew the cauſe of their aſſembling together in that manner."[5] To this warrant they returned an anſwer on the ſame day, to the following effect: "that they were conſtrained to meet there, for the ſafety of their lives, which they conceived to be in no ſmall danger, having being forced to forſake their dwellings on the laſt Tueſday at night, by the riſing out of horſe troops and foot companies, who, on the ſaid night, killed four catholics, for no other reaſon, but becauſe they bore the name of that religion; and that they had been before put into many fears, by certain intelligence given them of unexpected attempts againſt their lives. Wherefore, they deſired ardently to be in ſome certain way aſſured by their lordſhips of the ſafety of their lives, before they ran the hazard thereof; which was the only motive, that hindered them from manifeſting that obedience, which they knew to be due to their lordſhips commands."

[4] Temple's Hiſt. of the Iriſh Rebel. [5] Id. ib.

CHAP. XV.

The Lords juſtices violate the public faith.

THE juſtices ſeeming to comply with theſe gentlemen's ardent deſire above-mentioned, iſſued a manifeſto, dated the 14th of December,[1] but not publiſhed till the 15th;[2] wherein they allowed them the ſpace of two days, viz. until the 17th of that month, for their appearing before them in Dublin; and in order to induce them to appear then,[3] "they gave them the word of the ſtate, that they might ſafely and ſecurely repair thither, without danger of any trouble or ſtay whatſoever." And yet, on the ſame 15th of that month,[3] they detached a party of horſe and foot to Clontarf, under the command of Sir Charles Coote, with orders "to fall upon and cut off" the inhabitants, and burn the houſes of that village, which belonged to Mr. King, one of thoſe gentlemen aſſembled at Swords, to whom, by name, the public faith had been given. "Theſe orders," ſays Borlaſe, "were excellently well executed;"[b] though it is confeſſed,[4] that

[1] Remonſtrance from Trim.
[2] Borl. Hiſt. of the Iriſh Rebel. fol. 61.
[3] Id. ib. [4] Id. ib. Temple.

[a] Borlaſe ſays it was dated the 13th, and gave them till the 18th of December to come in; and yet he owns, "that the order to Sir Charles Coote to burn Clontarf (which he recites with Ormond's name to it among the reſt) is dated the 14th of that month." Hiſt. of the Iriſh Reb. f. 61.

"This proclamation was ſent and delivered to Lord Gormanſton on the 15th, by father Cahill, whom the juſtices had lately employed in a treaty with the Ulſter rebels." Carte's Orm. vol. i. fol. 249.

[b] "Sixteen of the poor towns-people were killed by Sir Charles Coote's ſoldiers, on that occaſion." Collect. of Maſſac. committed on the Iriſh. "In the ſame week fifty-ſix men, women and children, being frighted at what was done at Clontarf,

that "no oppoſition was made." "Sir Charles Coote,[5] who by the lords juſtices ſpecial deſignation, was appointed to go on this expedition, as the fitteſt perſon to execute their orders, and one who beſt knew their minds, at this time pillaged and burned houſes, corn, and other goods belonging to Mr. King, to the value of four thouſand pounds."[c]

The pretended plunder of an Engliſh bark,[d] by ſome of the common people of that village (part of which plunder is ſaid to have been put into Mr. King's houſe in his abſence, and is made the ſole pretence for this breach of public faith), muſt have happened, if at all, ſome time before this manifeſto was publiſhed. For

[5] Carte's Orm. vol. i.

tarf, took boats and went to ſea, to ſhun the fury of a party of ſoldiers come out of Dublin, under the command of Colonel Crafford; but being purſued by the ſoldiers in other boats, were overtaken and thrown overboard." Ib.

[c] "Which was but a ſorry encouragement to him," ſays Mr. Carte, "to accept their invitation to Dublin, and gave juſt grounds of apprehending, at leaſt, ſome danger of trouble; from which danger the manifeſto pretended to ſecure him, as well as the reſt that were aſſembled at Swords." Orm. vol. i. fol. 254.

[d] Mr. Carte's obſervation on this occaſion is pertinent and juſt: "No account of this affair," ſays he, "takes the leaſt notice of any men on board the bark, or of any ill treatment that they met with; which had there been any, would have been unavoidable, and could not have failed of being mentioned by thoſe who relate it; ſo that it ſeems to have been a veſſel deſerted or wrecked; in which caſe, people that live on the ſea-coaſts, influenced by a common but barbarous notion, are apt to deem and treat goods aboard as lawful plunder." Life of Orm. vol. i. fol. 246.

N. B. In the lords juſtices order to burn Clontarf, and deſtroy its inhabitants, there is no mention made of the inhabitants having plundered an Engliſh bark being the cauſe of that order. See Borl. Ir. Rebel. f. 61. Borlaſe adds, that the number of fiſhing-boats at Clontarf, and this plunder, "did much diſquiet the lords juſtices and council, ſuſpecting that, thereby, the port of Dublin might have been blocked up." Id. ib. fol. 62. Sir Charles Coote burnt Clontarf the 15th of December, 1641. Id. ib.

the juſtices made expreſs mention of it, in their letter to the Earl of Leiceſter of the 14th of December;[6] on which day too, their order to pillage and burn Clontarf is dated, although their manifeſto was not publiſhed till the 15th. In that letter, their lordſhips expreſs their intention of ordering that expedition; and after betraying a guilty conſciouſneſs,[7] "that the gentlemen of the pale would take new offence thereat;" they add, "but that we will adventure upon." From whence it evidently appears, that on the very day before that on which they publiſhed their manifeſto, they had taken a reſolution to violate it.[8]

CHAP. XVI.

The order for a general pardon limited by the juſtices.

BUT if even this perfidious meaſure ſhould be found inſufficient to excite theſe gentlemen to any hoſtile or diſloyal attempt, the juſtices had ſtill in reſerve, divers other means equally calculated for that iniquitous purpoſe. Their lordſhips had, about this time, received "an order of both houſes of the Engliſh parliament,[9] dated November 30th, directing them, to grant his majeſty's pardon to all thoſe who, within a convenient time, ſhould return to their obedience." Yet, notwithſtanding this order for a general pardon,[1] they ſtill

[6] See Temp. Iriſh Rebel. [7] Id. ib. [8] Id. ib.

[9] "The lords juſtices, as ſoon as they were ſatisfied that the lords of the pale would not truſt themſelves in the city in the hands of Sir Charles Coote, though they were ready to treat with commiſſioners ſent from thence to any place out of his power, took meaſures in order to convict them of treaſon, and forfeit their eſtates." Carte's Orm. vol. i. fol. 275-6.

[1] "It was not the (Engliſh) parliament's intention to extirpate that whole nation, but they ordered mercy and pardon, both as to life and eſtate, ſhould be extended to all huſbandmen, labourers, artificers, yea to (perſons of) higher rank and quality,

ſtill continued their former proclamation, which was ſo limited,[2] with reſpect to perſons, places and time; and clogged, beſides, with ſuch impracticable conditions, that they muſt have been themſelves ſenſible, that it was apter to prevent than to produce ſubmiſſions. For firſt, it abſolutely precluded freeholders from all hopes of pardon; "becauſe," ſays Lord Caſtlehaven,[3] "they had eſtates to loſe." And on the other hand, the poorer Iriſh, who alone had been guilty of the depredations, and other miſchiefs then committed, were to be pardoned upon ſuch terms only, as it was not in their power to comply with. "For their pardon," ſays Temple,[4] "was to be granted only, on condition of reſtoring the goods and chattels taken from the Britiſh;" which reſtitution, the ſame writer confeſſes,[5] "it was impoſſible for them to make." Beſides this pardon, inſtead of being general (as both houſes of the Engliſh parliament intended it ſhould be), extended only to the lower people of four counties, viz. Meath, Weſtmeath, Louth and Longford, "in two of which counties,[6] no body of inſurgents had yet appeared." And the time allowed for their coming in, being ſtinted to ten days, it was hardly poſſible, as the nation was then circumſtanced, for half the perſons concerned to receive

[2] Id. ib. [3] Memoirs. [4] Ib. p. 48. [5] Ib. p. 49.
[6] Carte's Ormond, vol. i.

lity, according to the reſpective demerits and conſiderations under which they fell, and that all ſhould enjoy the benefit of their articles." Scobel's Acts, fol. 197. from Borl. Hiſt. of the Iriſh Rebel. fol. 70.

"In another inſtance," ſays Dr. Leland, "the conduct of theſe wretched governors was ſtill more ſuſpicious; they received inſtructions for a general pardon to ſuch rebels as ſhould ſubmit within a certain time, to be limited by the lords juſtices. But no proclamation was publiſhed, no pardon offered in conſequence of theſe inſtructions. A pardon offered in the name of the Engliſh parliament, muſt have had greater influence than any act of an Iriſh miniſtry, deſpiſed and ſuſpected by the body of the nation. But the chief governors, and their creatures, were experienced in the art of converting forfeitures to their own advantage." Hiſt. of Ireland, vol. iii. p. 339-40.

receive even notice of the proclamation, much leſs to ſurrender themſelves on ſo ſhort a warning.

In like manner, when his majeſty afterwards ſent theſe juſtices his proclamation of January 1ſt, 1641, granting a general pardon to theſe inſurgents, upon their ſubmiſſion; [7] "they ſecreted the copies of it to ſuch a degree, that the lords and gentlemen of the pale, who lay neareſt Dublin, could not get a ſight of one of them." Nay, inſtead of purſuing ſuch pacific and conciliating meaſures, they, on the 1ſt of February following, commanded out the Earl of Ormond, with a powerful army, on an expedition to the county of Kildare; where, "purſuant to his orders," ſays Mr. Carte, [8] "he burnt Newcaſtle and Lyons, and gave up Naas to his ſoldiers to plunder; having ſent out parties to burn Caſtle-Martin, Kilcullen-bridge, and in ſhort, all the country for ſeventeen miles in length, and twenty-five in breadth." [b]

The

[7] Carte's Orm. vol. i. fol. 296. [8] Ib.

[b] About the beginning of February 1641, "the priſons of Dublin were ſo filled with priſoners, that the lords juſtices, on account of the ſcarcity of victuals, thought it neceſſary to thin them; but as it was difficult, or rather impoſſible, for want of freeholders, to find juries of the proper counties where the crimes were acted, ſo there was no bringing theſe criminals to a legal trial. In this neceſſity it was determined, to cauſe a conſiderable number of them to be executed by martial law. Men of eſtates were exempted from the rigour of that law, in order to preſerve the king's eſcheats upon legal attainders, ſo that theſe execution fell intirely upon the poorer ſort, and ſuch as had no freeholds; particularly upon the Romiſh prieſts, whoſe execution would exaſperate the Iriſh to the higheſt degree: and yet theſe lords juſtices pretended, in the poſtſcript of their letter to the lord lieutenant, January 20th 1741, that they had juries to find indictments for the counties of Meath, Wicklow, and Kildare; for the two firſt of which, as well as for that of Dublin, within two days afterwards, bills of high treaſon were found againſt all the lords and prime gentlemen, as alſo againſt three hundred perſons of quality and eſtate in the county of Kildare, among whom were the old Counteſs of Kildare, Sir Nicholas White, his ſon Captain Nicholas White, and others, who had never joined the rebels, ſo much expedition was uſed in this affair." Cart. Orm. vol. i. fol. 278.

The Earl of Ormond was more implicitly obedient to theſe lords juſtices orders, than became either a true lover of his country, or a faithful ſubject of his king. He was not inſenſible of their lordſhips criminal connection with the prevailing faction in the Engliſh parliament; nor of the flagrant iniquity of many of theſe orders; for although, while they remained in the government, he [9] "proteſted to Sir Henry Vane," who was one of the leaders of that faction, "upon the faith of an honeſt man, that he loved and honoured their perſons," yet, upon the diſgrace of Sir William Parſons,[c] he confeſſed to Lord Clanrickard, who, he knew, deteſted them, [10] "that during their adminiſtration, the parliament's pamphlets were received as oracles, its commands obeyed as laws, and extirpation preached for goſpel."

The [11] lords of the pale made no oppoſition to any of thoſe parties that were detached to make the abovementioned general devaſtation. But it affected Lord Gormanſtown, the principal mover of their union, to ſuch a degree, that he died not long after of grief; and the reſt of the lords of the pale, grown deſperate, laid aſide all thoughts of pardon or treaty; and joined all their forces for the ſupport of the common cauſe; in which many others who had as yet ſtood out ſoon joined, fearing that they ſhould at laſt be involved in the others fate, ſince a total extirpation was intended." [d]

CHAP.

[9] Cart. Orm. vol. iii. fol. 43. [10] Id. ib. fol. 170.
[11] Id. ib. vol. i. fol. 303.

[c] Sir William Parſons was then a priſoner by his majeſty's expreſs command. The charge againſt him was debated in a full council, thirteen members beſides the lords juſtices, and the Marquis of Ormond being preſident. Even Lord Borlaſe, his late colleague, voted for ſecuring his perſon. Carte. Orm. vol. iii. fol. 449.

[d] "The arbitrary power exerciſed by theſe lords juſtices, (ſays Dr. Warner) their illegal exertion of it by bringing people to the rack to draw confeſſions from them; their ſending out ſo many parties from Dublin and other garriſons to kill and deſtroy the rebels, in which care was ſeldom taken to diſtinguiſh, and men, women

CHAP. XVII.

Lords juſtices orders concerning Roman catholic prieſts.

IN this expedition to the county of Kildare, "the ſoldiers found one Mr. Higgins, a prieſt,[1] at Naas, who might if he pleaſed have eaſily fled, if he apprehended any danger in the ſtay. When he was brought before the Earl of Ormond, he voluntarily confeſſed, that he was a papiſt, and that his reſidence was in the town, from whence he refuſed to fly away, with thoſe that were guilty, becauſe he not only knew himſelf very innocent, but believed, that he could not be without ample teſtimony of it; having by his ſole charity and power, preſerved very many of the Engliſh from the rage and fury of the Iriſh; and therefore, he only beſought his lordſhip to preſerve him from the violence and fury of the ſoldiers; and put him ſecurely into Dublin to be tried for any crime; which the earl promiſed to do, and performed it; though with ſo much hazard, that when it was ſpread abroad among the ſoldiers that he was a papiſt, the officer in whoſe cuſtody he was intruſted, was aſſaulted by them; and it was as much

[1] Clarendon. Borl. Hiſt. of the Iriſh Rebel.

women and children were promiſcuouſly ſlain; but above all the martial law executed by Sir Charles Coote, and the burning of the pale for ſeventeen miles in length and twenty-five in breadth, by the Earl of Ormond; theſe meaſures not only exaſperated the rebels and induced them to commit the like or greater cruelties, but they terrified the nobility and gentry from all thoughts of ſubmiſſion, and convinced them that there was no room to hope for pardon, nor any means of ſafety left them but in the ſword." Hiſt. of the Iriſh Rebel. p. 183.

"The favourite object both of the Iriſh government and Engliſh parliament, was the utter extermination of all the catholic inhabitants of Ireland. Their eſtates were already marked out, and allotted to their conquerors; ſo that they and their poſterity were conſigned to inevitable ruin." Lel. Hiſt. of Irel. vol. iii. p. 166.

much as the earl could do to compoſe the mutiny. When his lordſhip came to Dublin, he informed the lords juſtices of the priſoner he had brought with him, and of the good teſtimony he had received of his peaceable carriage; and of the pains he had taken to reſtrain thoſe with whom he had credit, from entering into rebellion; and of many charitable offices he had performed; of all which there wanted not evidence enough, there being many then in Dublin, who owed their lives, and whatever of their fortunes was left, purely to him. Within a few days after, when the earl did not ſuſpect the poor man's being in danger, he heard that Sir Charles Coote, who was provoſt marſhal general, had taken him out of priſon, and cauſed him to be put to death in the morning, before or as ſoon as it was light; of which barbarity the earl complained to the lords juſtices; but was ſo far from bringing the other to be queſtioned, that he found himſelf upon ſome diſadvantage, for thinking the proceeding to be other than it ought to have been."[a]

"It was certainly a miſerable ſpectacle, as Lord Caſtlehaven obſerves in his manuſcript vindication of his memoirs, to ſee every day numbers of people executed by martial law, at the diſcretion, or rather caprice of Sir Charles Coote, an hot-headed and bloody man, and as ſuch accounted even by the Engliſh and proteſtants. Yet this was the man, whom the lords juſtices picked out to entruſt with a commiſſion of martial law, to put to death rebels or traitors, that is (continues his lordſhip) all ſuch, as he ſhould deem to be ſo; which

[a] Mr. Carte obſerves, "that the hanging of this man (deſerving in many reſpects, and exceptionable in none but that of his religion) by martial law, by Sir Charles Coote's authority, without a particular warrant from the ſtate, ſeems perfectly well calculated to juſtify the fears which the lords of the pale pretended to have of truſting themſelves in a place whereof that gentleman was governor." Life of Orm. vol. i. fol. 280.

Doctor Borlaſe, in order to excuſe this barbarous act of Sir Charles Coote, alleges, "that if he had not done it, his provoſt marſhal's commiſſion would have been violated, and that he might have been brought to anſwer his contempt at a council of war." Hiſt. of the Iriſh Rebel. p. 324.

which he performed with delight, and a wanton kind of cruelty; and yet, all this while the juſtices ſat in council; and the judges, in the uſual ſeaſons, ſat in their reſpective courts, ſpectators of, and countenancing ſo extravagant a tribunal as Sir Charles Coote's, and ſo illegal an execution of juſtice." [2]

The Earl of Ormond, though lieutenant general of his majeſty's army, had it not, it ſeems, in his power to ſave the lives of any popiſh prieſts however innocent or meriting, whom he ſhould happen to meet with in his march. For ſoon after,[1] "his lordſhip having promiſed the Counteſs of Weſtmeath to preſerve her chaplain, Mr. White, whom he found at her houſe, from the fury of the ſoldiers while he remained there; the poor man having on ſome occaſion left it the next day, was taken abroad by them, and brought to the earl, whom he reminded of the protection he had promiſed him the night before; but he was only anſwered, that if he had ſtayed in the houſe he was in, this would not have befallen him; and that it was then out of his power to preſerve him, himſelf being bound to purſue thoſe orders which the lords juſtices had given him. Nevertheleſs," continues Clarendon, "he did endeavour to have ſaved him, at leaſt, till he might be brought to Dublin; but the whole army, poſſeſſed with a bitter ſpirit againſt the Romiſh clergy, mutinied upon it; and in the end, compelled his lordſhip to leave him unto that juſtice which they were authoriſed to execute, and ſo put him to death."

CHAP. XVIII.

The cauſe of the inſurrection in Munſter.

IT was in the middle of December 1641,[1] before any gentleman, in the province of Munſter, appeared to favour the inſurrection. Many of them had ſhewn themſelves

[2] Cart. Orm. vol. i. [3] Clarend. Hiſtory of the Iriſh Rebel.
[1] Cart. Orm. vol. i.

themſelves zealous to oppoſe it, and tendered their ſervice to that end. Lord Muſkerry, who had married a ſiſter of the Earl of Ormond's, offered to raiſe a thouſand men, at his own charge; and, if the ſtate could not ſupply them with arms, he was ready to raiſe money by a mortgage of his eſtate, to buy them, if when the ſervice was ended, he might either keep the arms, or be reimburſed what they coſt him; nor did any ſigns of uneaſineſs or diſaffection appear among the gentry, till Sir William St. Leger,[a] lord preſident of that province, came to Clonmell; which was on the firſt of that month. There had been, a few days before, ſome robberies committed in the county of Tipperary, by a rabble of the vulgar ſort, and a parcel of idle young fellows of the baronies of Eliogurty, Killemanna, Clanwilliam, and Middlethyrde; who, as ſoon as they had got their prey, divided it, and retired to their ſeveral pariſhes. Among other Engliſh who ſuffered, a great number of cows and ſheep were taken from Mr. Kingſmill of Ballyowen, brother-in-law to the lord preſident. Sir William St. Leger upon notice thereof came in two or three days with two troops of horſe, in great fury,[b] to Ballyowen; and being informed the cattle were driven to Eliogurty, he marched that way. As he ſet forth, he killed three perſons at Ballyowen, who were ſaid to have

[a] Sir William St. Leger himſelf informs us, that on the 8th of November, 1641, every thing was perfectly quiet in that province; for in a letter of that date to the Earl of Ormond, he ſays, "theſe lines ſerve to no other purpoſe than to give your lordſhip a confident aſſurance that if it ſhould pleaſe God any commotion ſhould riſe in this part, of which, I thank God, as yet there is no manner of appearance, I ſhould ſeriouſly endeavour to do your noble ſweet lady, your mother and my ſweet god-ſon, as much ſervice as poſſibly in me lay." Carte's Orm. vol. iii. fol. 38.

[b] "In Munſter the firſt ſymptoms of commotion appeared in ſome petty ravages and robberies, which were puniſhed by the lord preſident, Sir William St. Leger, with a barbarous ſeverity. The diſaffected remonſtrated to St. Leger on the rigour of his executions, were received with diſdain and inſolence, pleaded the neceſſity of ſelf-defence, and declared for war." Lel. Hiſt of Irel. vol. iii. p. 154.

have taken up ſome mares of Mr. Kingſmill's; and not far off, at Grange, he killed or hanged four innocent labourers; at Ballymurrin ſix, and Ballygalburt eight; and burnt ſeveral houſes. From thence Capt. Paiſly marching to Armail, killed there ſeven or eight poor men and women, whom he found ſtanding abroad in the ſtreets, near their own doors inoffenſively; and paſſing over the river Ewyer, marched to Clonalta, where, meeting Philip Ryan, the chief farmer of the place, a very honeſt and able man, not at all concerned in the robberies, he, without any enquiry, either gave orders for, or connived at his being killed, as appeared by his cheriſhing the murderer. The Captain went from thence to meet the lord preſident; where ſeveral of the chief nobility and gentry of the country, being ſurprized at theſe raſh and cruel proceedings, waited upon his lordſhip with their complaints, which were rejected, and the Captain applauded for what he had done. Among theſe gentlemen, was James Butler, Lord Baron of Dunboyne; Thomas Butler of Kilconnel, James Butler of Kilveylagher, Theobald Butler of Armail, Richard Butler of Ballynekill, Philip O'Dwyer, and ſeveral others of good quality.

"They obſerved to the lord preſident how generally the people were exaſperated by theſe inconſiderate cruelties, running diſtractedly from houſe to houſe; and that they were on the point of gathering together in great numbers, not knowing what they had to truſt to, and what was likely to be their fate. They told him that they waited upon his lordſhip, to be informed how affairs ſtood, and that they coveted nothing more than to ſerve his majeſty and preſerve the peace, and deſired that he would be pleaſed to qualify them for it with authority and arms; in which caſe they would not fail to ſuppreſs the rabble and ſecure the peace of the country. The preſident did not receive their repreſentation and offer in the manner they expected; but in an haſty furious way, anſwered them, that they were all rebels, and that he would not truſt one ſoul of them; but thought it more prudent to hang the beſt of them. And in this extraordinary humour he continued all the while theſe and other

other perſons of quality, their neighbours, were waiting upon him. This made them all withdraw and return to their houſes; much reſenting his rudeneſs and ſeverity, as well as very uncertain about their own ſafety; ſome of them imagining that this diſtruſting of their loyalty and deſtroying of their reputations, was the preface to a deſign of taking away their lives. From Clonmell, Sir William St. Leger marched into the county of Waterford, and his ſoldiers in the way, as they went and returned from the Wexford-rebels, killed ſeveral poor harmleſs people, not at all concerned in the rebellion, or in the plunder of the country; which alſo incenſed the gentlemen of that county, and made them prepare for ſtanding on their defence."[c]

For what wicked purpoſes the noblemen and gentlemen of that province were thus baſely inſulted and threatened, ſo as to be driven to the neceſſity of arming in their own defence, may be gathered from a letter of the old Earl of Cork (ſo notorious for his rapacity in the two former reigns) to the ſpeaker of the Engliſh houſe of commons on the 22d of Auguſt, 1642, wherein he

[c] "In this ſudden and violent commotion, the ſouthern leaders, however provoked by the cruelties of St. Leger, yet expreſſed a laudable ſolicitude to preſerve both the perſons and the fortunes of the Engliſh from any outrage." Lel. ubi ſupra, p. 154.

Temple informs us on this occaſion, "that Sir William St. Leger gallantly purſued theſe rebels, and that after a long and tedious march, he came upon them unawares, and ſlew two hundred of them, beſides ſeveral whom he took priſoners and hanged." Hiſt. of the Iriſh Rebel. p. 159.

Sir William himſelf, in a letter to the Earl of Ormond, November 8th, 1641, ſays, "that they were then only a company of ragged, naked, rogues, that with a few troops of horſe would be preſently routed." Cart. Orm. vol. iii. p. 38.

And in another letter on the ſame ſubject to the ſame, December 11th, 1641, acquainting him with what ſort of rebels he had been engaged, he ſays, "never was the like war heard of; no man makes head; one pariſh robs another, go home and ſhare the goods, and there is an end of it; and this by a company of naked rogues." Cart. Orm. vol. iii. fol. 47.

He was ſo keen in the purſuit of this bloody affair, that he ſays in the ſame letter, "his ſaddles had ſcarce been off his horſes, or himſelf or his friends ſhifted for fourteen days." Id. ib.

he ſays, that he had, in that ſhort ſpace of time, "with the aſſiſtance of the Earl of Barrymore, the Lord Viſcount Kilmalloch, and his two ſons, the Lords Dungarvan and Broghill, by the advice of the lords juſtices and council, indicted the Lords Viſcounts Roche, Mountgarret, Skerrin, and Muſkerry, and the Barons of Dunboyne and Caſtleconnel, with the ſon and heir of the Lord Cahir, Theobald Purcell, Baron of Loughmore, Richard Butler of Kilcaſh, Eſq; brother to the Earl of Ormond, with all other baronets, knights, eſquires, gentlemen, freeholders and popiſh prieſts, that either dwelled or had done any rebellious act in theſe counties, in number above eleven hundred perſons." And he tells him further, "that he made bold to ſend theſe indictments unto him to be preſented to the houſe, to the end that they may be there conſidered of by ſuch members thereof as are learned in the laws; that if they be wanting in any formal point of law, they may be reformed and rectified, and returned unto him, with ſuch amendments, as they ſhould think fit; and ſo if the houſe pleaſe to direct to have them all proceeded againſt to outlawry, whereby his majeſty may be entitled to their lands and poſſeſſions, which (adds he) I dare boldly affirm, was at the beginning of this inſurrection, not of ſo little yearly value as two hundred thouſand pounds. This proceeding he very properly and emphatically calls, the work of works." [2]

CHAP. XIX.

The cauſe of the inſurrection in Connaught.

THAT the like inhuman treatment of the natives in Connaught, by perſons placed in authority there, occaſioned the firſt riſe, and ſubſequent extenſion of the troubles in that province, appears from the authentic teſtimony of the Earl of Clanrickard, who was governor of Galway, during the whole time of this war.

By

[2] Orrery's State Letters, vol. i.

By his lordſhip's great activity and vigilance, that province continued quiet for many weeks after the inſurrection commenced; "and did utterly miſlike the proceedings of the inſurgents." [1] The county of Galway in particular, on the 6th of December 1641,[2] remained undiſturbed. But on the 23d of the following month, the caſe ſeems to have been very different; which Lord Clanrickard ſeems to impute (in a letter of that date to the Duke of Richmond) to the mal-adminiſtration of the lords juſtices, as already related, both before and after the inſurrection began.[3] "All," ſays he, "are generally diſcontented with thoſe, who manage the affairs of ſtate here, whom they charge with ſecret practicing in both kingdoms, before the commotions began, to raiſe parties to deſtroy their religion, and divert and hinder the king's graces, intended towards them, and by that means, to put them into deſperation, that they may forfeit their lives and fortunes. And ſince the diſtempers began, the ſame perſons have diſpoſed of affairs, as if the deſign was to put the whole kingdom into rebellion, as now it is."

His lordſhip in a letter to the Earl of Ormond in June following, grievouſly complained,[4] "that inſults offered to himſelf, within the limits of his government, were, at leaſt, connived at; that one of his beſt manors was ravaged, by ſome of the army under Ormond's own command;[a] and that outrages were committed on others in that diſtrict, who had protections from the ſtate; and who," ſays he, "fill theſe parts with their ſad complaints, diſtracting moſt men's minds to deſperation; which he doubted not would be of dangerous conſequence to the whole province; as he then underſtood

[1] Minute of Lord Clanrickard's letter in the council books.
[2] Ib. [3] Clanrick. Mem. Cart. Orm. vol. iii.
[4] Cart. Orm. vol. iii.

[a] In June 1642, ſome regiments, "were diſpatched for Connaught, and accompanied thither by the lord lieutenant, who in that expedition took in Knocklynch, a ſtrong caſtle of Mr. Lynch's; the beſieged, except women, not accepting quarter, were put to the ſword." Borl. Iriſh Rebel. fol. 104.

ſtood that the people began to prepare for their defence, and gathered all the forces they could make."

In another letter his lordſhip ſays, " that the lords juſtices proceedings towards him were ſo laid, as if the deſign were to force him, and his, into rebellion."[5]

Theſe outrages were now ſo much increaſed, that his lordſhip acquainted the juſtices, that ſince the time he made his former complaint to them, which was on the 27th of the preceding month of June,[6] " ſcarce any day paſſed without great complaints of the captain of the fort of Galway, and the commander (Lord Forbes) of a ſhip of war,[b] then lying in the harbour, ſallying out

[5] Clanrick. Mem. Engl. ed. f. 180. [6] Cart. Orm. vol. iii.

[b] " Lord Forbes, lieutenant general under Lord Brook, came the 9th of Auguſt 1642, to beſiege the town of Galway with a fleet; and having taken poſſeſſion of the abbey near adjoining, landed many of his battering guns; great ſtreights he had been put to, though at length happily relieved by the Earl of Clanrickard, when he was cloſely beleaguered, together with the archbiſhop of Tuam, Richard Boyle and his family, beſides thirty-ſix miniſters, twenty-ſix of which ſerved as ſoldiers, and did their duty." After all the Lord Forbes prepared to make his approach to the town, but not being ſtrengthened by any ſupply from the lord preſident (Lord Ranelagh) or Sir Charles Coote, and diſheartened by Captain Willoghby (governor of the fort for Sir Francis his father) in that every houſe in the town was a fort, he drew off, being perſuaded to a compoſition to be paid in money within two months, which he never got." Borl. Iriſh Rebel. fol. 107.

" Lord Forbes had brought along with him the famous Hugh Peters as his chaplain, and was much governed by his advice." Cart. Orm. vol. i. fol. 347.

This Peters and one Dell, another Preſbyterian miniſter, ſeem to have afterwards ſtarted the firſt hint of the project of the king's murder. An anonymous letter, November 9th, 1647, to the following purpoſe, was privately handed to his majeſty. " In diſcharge of my duty I cannot omit to acquaint you, that my brother was at a meeting laſt night with eight or nine agitators; who in debate of the obſtacle which did moſt hinder the ſpeedy effecting their deſigns, did conclude it was your majeſty; and that as long as your majeſty doth live it would be ſo: and therefore reſolved, for the good of the kingdom, to take your life away; and that to that action, Mr. Dell and Mr. Peters, they

out with their ſoldiers, and trumpet, and a troop of horſe; burning and breaking open houſes, taking away goods, preying of the cattle, with ruin and ſpoil, rather than ſupply to themſelves; and all this committed, not only upon thoſe who were protected, but upon them who were moſt forward to relieve and aſſiſt them, not ſparing mine," adds his lordſhip, "frequently upon fancy, or rumour, without examining the occaſion; the captain of the fort ſhooting his ordnance into the town, or threatening to do it, keeping diſorderly ſentries at every gate, abuſing thoſe that offer to go out, threatening to take them priſoners to the fort, and to exerciſe martial law upon them; killing, and robbing poor people, that came to market, burning their fiſher-boats, and not ſuffering them to go out, and no puniſhment inflicted upon any that committed theſe outrages; and, as I am well informed," adds he, "acting moſt things without any regard to the king's honour engaged, or any reſpect at all to me, in action, though much in profeſſion."

"Theſe particulars, my lords," proceeds Lord Clanrickard, "do ſo diſtemper and diſquiet all men's thoughts, even thoſe that have been moſt forward to do ſervice, that it is like to be of moſt dangerous conſequence at this time, when Mayo,[c] Sligo, Thomond, and other countries, have prepared forces, and are ready to fall upon my lord preſident and myſelf. I muſt there-

they were well aſſured, would willingly bear them company; for they had often ſaid to theſe agitators, your majeſty is but a dead dog. My prayers are for your majeſty's ſafety; but I do too much fear it cannot be, while you are in thoſe hands." Reliquiæ Carol. Sacræ. p. 207.

In conſequence of this information, his majeſty privately withdrew himſelf from Hampton-court, on the 11th of the ſame month, attended only by Sir John Berkley, Aſhburnham, and Legg.

[c] "In the middle of July 1642. None were more forward or came in greater numbers than the county of Mayo men; and the rather becauſe in all the conflicts of Connaught againſt the Engliſh, few of that county came to fight with us: they drew together eighteen hundred or two thouſand foot, and an hundred and ſixty horſe." Borl. Iriſh Rebel. fol. 105.

fore moſt humbly and earneſtly intreat your lordſhips to take a ſpeedy courſe, that the country may be quieted and ſatisfied, that deſtruction is not intended againſt the well affected; that I may be repaired in my honour, and preſerved in my authority, now grown into contempt; or that your lordſhips will be pleaſed to diſcharge me of the burden of this government, for, in this manner, I may not longer hold it, with differvice to his majeſty, and danger and diſhonour to myſelf."

CHAP. XX.

Further ſeverities of the lords juſtices.

ABOUT this time,[1] "Sir John Read, one of the gentlemen of his majeſty's privy-chamber, then in Ireland, being intruſted with letters to his majeſty, by the nobility and gentry of the pale, was invited by the lords juſtices to repair to Dublin, that they might confer with him before his departure; but at his coming to Dublin, he was committed cloſe priſoner to the caſtle, notwithſtanding they wrote for him, and though he told them, he brought letters to his majeſty. Soon after this they put him to the rack."[2]

Lord

[1] Cart. Orm. vol. iii. fol. 295. The King's Letter.

[2] "The principal queſtion put to him while on the rack was, whether the king was privy to, or encouraged the rebellion? The lords juſtices devoted to that party, (in the Engliſh parliament,) to whoſe diſpoſition the government of Ireland was entirely left, endeavoured in this deteſtable way, to ſerve their ends, by calumniating his majeſty; at the ſame time that they promoted their own ſcheme of an extirpation by racking theſe gentlemen, whoſe treatment could not fail of deterring every body from venturing themſelves into their power for the future." Cart. Orm. vol. i. fol. 301.

"Hugh M'Mahon was put to the rack March 22d, 1641, and Sir John Read on the next day." Id. ib. fol. 295.

"The Marquis of Ormond, mentioning in his letter to the juſtices and council, Col. Read's coming in to him, with two other

Lord Dunſany,[2] who lived quietly in his own houſe, doing all acts of humanity to the diſtreſſed Engliſh, even at the hazard of his life, came with his ſon to Dublin, and ſurrendered himſelf to the government, "where he was immediately impriſoned, and indicted by a jury which did not conſiſt of freeholders."[3] At the ſame time, Patrick Barnwell of Kilbrew, Eſq;[4] one of the moſt conſiderable gentlemen of the pale, a venerable old man, of the age of ſixty-ſix, a lover of quiet and highly reſpected in his country, "having ſurrendered himſelf to the Earl of Ormond, and received a ſafe-conduct[b] from Sir William Parſons, was nevertheleſs, upon his arrival in Dublin, impriſoned and put to the rack; and he (Lord Dunſany) and Sir John Neterville ſuffered great hardſhips afterwards, from the rigour of the lords juſtices, in their confinement in the caſtle of Dublin, for twelve or fourteen months; and being refuſed to be bailed, were ready to periſh for want of relief."

Beſides theſe,[5] Sir Andrew Aylmer, Girald and George Aylmer, Eſqrs. Edward Lawrence, Nicholas and Stephen Dowdal, Eſqrs. Sir Nicholas White and his ſon, John Talbot, Gerald Fitzgerald, and William Malone, Eſqrs. all gentlemen of the pale, had either ſubmitted to the lords juſtices, or to the Earl of Ormond

[2] Id. ib. [3] Brief Narrative. See Walſh's Reply to a Perſon of Quality. [4] Cart. Orm. vol. i. [5] Id. ib.

other gentlemen, ſays, "he thought fit to ſend theſe gentlemen to be diſpoſed of according to their lordſhips pleaſures, and their own demerits." Warner's Hiſt. of the Iriſh Rebel. p. 177.

[b] The Earl of Ormond, in a letter to lord juſtice Parſons, ſays, "having received from your lordſhip, a note intimating a ſafeguard to Mr. Barnwell of Kilbrew, I ſuffered him to come along with me." Cart. Orm. vol. iii. fol. 68.

"Patrick Barnwell of Kilbrew, Eſq; endured the torture with ſo ſteady an avowal of his innocence, and ſuch abundant evidence was offered in his favour, that the juſtices were aſhamed of their cruelty; and to make ſome amends to the unhappy gentleman, he was permitted to reſide in Dublin, and his eſtate protected from the general havock of the ſoldiery." Lel. Hiſt. of Irel. vol. iii. p. 165.

Ormond in this expedition to Drogheda. But although it was certainly known, that they never were in any manner connected with the inſurgents, but on the contrary, that they had greatly ſuffered by their depredations, "yet they were all committed priſoners to the caſtle, without being even admitted to the preſence of the lords juſtices; after which, they were examined, ſome by menace, others by torture,[c] and moſt of them neceſſitated to ſubſcribe to what the examiners pleaſed to inſert. In conſequence of thoſe examinations, and perhaps other kinds of management,[d] they were all indicted of high treaſon; and in the ſpace of two days there were above three thouſand ſuch indictments upon record."

CHAP. XXI.

The gentlemen of the pale petition the king and parliament.

WHILE the gentlemen above-mentioned were confined in the caſtle of Dublin, they addreſſed to the Earl, now Marquis of Ormond, the following petition; incloſing two others, one to his majeſty, and the other to the Engliſh houſe of commons.[a]

"May

[c] "Preparations were made for their trials. But as they had never been engaged in any hoſtile action, proper facts were wanting to ſupport a charge againſt them. To ſupply this defect, the lords juſtices had recourſe to the rack, in order to extort ſuch confeſſions as theſe miſcreants had a mind to put into the mouths of theſe unhappy men." Warner's Iriſh Rebel. p. 176.

[d] The juſtices "had exerted themſelves ſo vigorouſly, that indictments of treaſon were found againſt thoſe, and above a thouſand more in the ſpace of two days." Lel. Hiſt. of Irel. ubi ſupra.

"With a ſhameleſs outrage on decency, a memorial was publicly read at the council board, from a friend of Sir William Parſons, repreſenting his merits in expending ſums of money for procuring witneſſes on theſe indictments." Id. ib. p. 101.

[a] The juſtices ſent only a copy, and that probably imperfect,

of

" May it pleaſe your lordſhip to call to mind,[1] how your petitioners, upon your lordſhip's advancing into the country, with his majeſty's army, did come, and ſubmit to your lordſhip; not doubting but that they ſhould thereby partake of his majeſty's grace and mercy.[b] And yet they have received as hard meaſure ſince as if they had been taken priſoners, and committed the higheſt acts of treaſon. Your lordſhip cannot forget, that we were then out of danger of the army; and that, if we had ſuſpected any ſuch hard and extreme uſage, as we have ſince found, we might have means and opportunity to ſhift for ourſelves, and at leaſt to continue our former liberty. But we being conſcious

[1] Cart. Orm. vol. iii.

of theſe gentlemen's firſt petition to his majeſty; for Borlaſe informs us, " that on the 25th of Auguſt, the lords juſtices in a letter to Secretary Nicholas, ſent a copy of the rebels petition, together with the letter of the rebels of the pale to the Earl of Ormond; in anſwer to which (adds he) exceptions were taken, that they had not ſent the original; and withal (the ſecretary) took notice that as his majeſty would be ready to puniſh the rebels, ſo he would not ſhut up his mercy againſt thoſe who did unfeignedly repent; upon which the original was ſent, and his majeſty's pardon begged." Hiſt. of the Iriſh Rebel. fol. 141.

[b] The Earl of Ormond in a letter to theſe lords juſtices, March 12th, 1641, ſets forth his method of proceeding with ſuch gentlemen as voluntarily ſurrendered themſelves to him; from whence, certainly, he could have little or no hope that any grace or mercy would be ſhewn them: " for thoſe that come in, (ſays he) the courſe I hold with them is to put them in ſafe keeping, either to ſend them afore me to Dublin, or to bring them along with me without any manner of promiſe or condition, but that they ſubmit to his majeſty's (i. e. their lordſhips) juſtice. Nor do I diſpute by what power (i. e. if upon the king's proclamation of pardon) they come in, leaving that to your lordſhips to judge when they are in your hands, and I have told you the manner, which I ſhall very truly." Cart. Orm. vol. iii. fol. 68.

" I do not find (ſays Mr. Carte) that any thing was done in parliament towards the liberty of theſe (impriſoned) gentlemen, who, upon the king's orders, that ſuch as ſubmitted upon the proclamation, ſhould be allowed the benefit thereof; were admitted to bail a little before the ceſſation." Id. Ib. vol. i. fol. 102.

conſcious of no voluntary treaſon committed by us, did of our own free will and accord put ourſelves into your lordſhip's hands, not doubting, but that this was an engagement upon your lordſhip in point of honour, (if not upon his majeſty, as we conceive it is) to intercede to his highneſs, and to the parliament for us; which your lordſhip has not hitherto done.

" Their humble requeſt unto your lordſhip, is, that for the clearing of yourſelf, from having any hand in the proceedings, which ſince their ſubmiſſion have been againſt your petitioners; and for the vindicating your honour unto poſterity (which in the opinion of many doth in this much ſuffer) your lordſhip will be pleaſed, by your letters, to tranſmit their petitions ſubſcribed by them unto his majeſty; and alſo to the honourable houſe of commons in England,[c] which is the leaſt right, and it is in the main nothing but truth, which your lordſhip is bound in honour to teſtify."

The Marquis of Ormond, in a letter to the ſpeaker of the Engliſh houſe of commons, after having made a kind of apology for ſending him theſe petitions, acquaints him,[z] " that, indeed, what concerned theſe gentlemen's

[z] Cart. Orm. vol. iii.

[c] Ormond in his letter to Secretary Nicholas, tranſmitting a petition of theſe gentlemen to that houſe in 1642, tells him, " that the letter and petition ſent therewith came to him by an ordinary fellow, an Iriſhman and a papiſt; that Sir Patrick Wemys, the bearer (who ſoon after went over to the Engliſh rebels) would inform him whoſe names thoſe were that were to it, and moſt of their conditions, and that he held it his part to loſe no time in the tranſmiſſion of them, being well aſſured, that his majeſty's judgment was not to be ſurprized by any colours theſe rebels could caſt upon their foul diſloyalty." Cart. Orm. vol. iii. fol. 102.

This Sir Patrick Wemys, Ormond himſelf tells us, was " afterwards, in 1644, concerned in a treaty to yield up Drogheda to the Engliſh parliament; at leaſt ſo far as amounted to a concealing, which in him (adds his lordſhip) conſidering the favours done him by his majeſty, and the good offices by me, in my judgment is leſs pardonable than the contrivance and action of others leſs obliged." Id. ib. fol. 370.

gentlemen's coming to him of their own accord, and the courſe that had been afterwards held with them, was very truly ſet forth; and that he had not heard of any hoſtile act that had been done by any of them." But then he immediately ſubjoins, what certainly was never intended for their ſervice, viz. "and to enter into their hearts, and ſearch what is there, is only peculiar to God. I am not able," adds he, "to judge whether any treaſon was hatched there or no." And with this invidious inſinuation, "he ſubmitted it to the wiſdom of that great council (the Engliſh commons) to adviſe when and where, and to whom, to diſtribute mercy for the moſt advantage of the preſent ſervice." The principal drift of which ſervice, he perfectly well knew, was by all manner of means, to attaint the perſons, and confiſcate the eſtates, of all the catholic nobility and gentry of the kingdom.[d]

CHAP.

[d] "The lords juſtices, who not only favoured the deſigns of their friends in England, but expected to have their own ſervices rewarded by a large portion of forfeitures, were reſolved to diſcourage pacific diſpoſitions. The gentlemen who were ſent in cuſtody to Dublin, (on ſurrendering themſelves to Ormond) though men of reſpectable characters and families, engaged in no action with the rebels, ſome, ſufferers by their rapine, averſe to their proceedings, known protectors of the Engliſh, were all, indiſcriminately, denied acceſs to the juſtices, cloſely impriſoned, and threatened with the utmoſt ſeverity." Lel. Hiſt. of Irel. vol. iii. p. 163.

Mr. Carte informs us, "that he found in the Earl of Ormond's notes written with his own hand, that in April, 1643, there was a letter read at the council board, from an intimate friend of Sir William Parſons, who claimed a great merit to himſelf, in getting ſome hundreds of gentlemen indicted; and the rather that he had laid out ſums of money to procure witneſſes to give evidence to a jury for finding theſe indictments." Orm. vol. i. fol. 423.

CHAP. XXII.

Barbarous orders of the lords juſtices and council to the Earl of Ormond.

WERE there any room to call in queſtion the accounts hitherto given of theſe lords juſtices cruel and rapacious adminiſtration, their own public orders, which were conſtantly and rigorouſly executed, would authenticate and confirm them, beyond all poſſibility of doubt. Out of theſe orders, I ſhall ſelect two or three paſſages, (for more would be ſhocking to the reader's humanity,) with reference to the ends all along purſued by them, which evidently were, firſt to compel ſuch of the Iriſh as were ſtill quiet, to riſe in their own defence, and afterwards to ſeize on their perſons and eſtates for having yielded to ſuch compulſion.

On the 23d of February, 1641, the Earl of Ormond, when on his march towards the Boyne, received the following reſolution of the lords juſtices, and council.[1] "It is reſolved, that it is fit, that his lordſhip do endeavour, with his majeſty's forces, to wound, kill, ſlay, and deſtroy, by all the ways and means he may, all the ſaid rebels[2] and their adherents, and relievers; and burn, ſpoil, waſte, conſume, deſtroy and demoliſh, all the places, towns and houſes, where the ſaid rebels are, or have been, relieved or harboured, and all the corn or hay there; and to kill and deſtroy all men there inhabiting, able to bear arms."[b]

On

[1] Cart. Orm. vol. iii.

[2] Iriſh and rebels were then ſynonimous terms.

[b] "Can any one think after this, (ſays Dr. Warner) that theſe lords juſtices had any reaſon to complain of the cruelties committed by the ignorant and ſavage Iriſh." Hiſt. of the Iriſh Rebel.

On the 9th of the following month, theſe lords juſtices and council, diſpatched another order to the Earl of Ormond, then marching into the pale, with an army of three thouſand foot, and five hundred horſe, to burn, ſpoil, and deſtroy the rebels of the pale, without excepting any. By this order, "thoſe who offered to come in, were in no other manner to be taken in, than as priſoners, taken by the ſtrength of his majeſty's army; and if any of them ſhould come to the army, the ſoldiers were to ſeize on them, before they had acceſs to his lordſhip; and afterwards, they were to be denied acceſs to his perſon."[c]

In this manner, ſuch of thoſe unhappy noblemen and gentlemen as had been driven from Dublin by their lordſhips proclamation, on pain of death, had never offended the government, or were deſirous to return to their duty, if in any reſpect they had offended, were delivered up, without diſtinction, to the mercy of ſoldiers, who thirſted after nothing more ardently than the blood of the Iriſh; and whom their lordſhips had before incenſed, by all manner of ways, againſt the nation in general.

Doctor Nalſon aſſures us,[2] "that the ſeverities of the provoſt marſhals, and the barbariſm of the ſoldiers to the Iriſh, were then ſuch, that he heard a relation of his own, who was a captain in that ſervice, relate, that no manner of compaſſion or diſcrimination was ſhewn either to age or ſex;[d] but that the little children were promiſcuouſly ſufferers with the guilty; and that if any, who

[2] Hiſtor. Collect.

[c] "In the execution of theſe orders, the juſtices declare, that the ſoldiers ſlew all perſons promiſcuouſly, not ſparing the women, and ſometimes not the children." Lel. Hiſt. of Irel. vol. iii. p. 172.

[d] "Among the ſeveral acts of public ſervice performed by a regiment of Sir William Cole, conſiſting of five hundred foot, and a troop of horſe, we find the following hideous article recorded by the hiſtorian Borlaſe, with particular ſatisfaction and triumph: "Starved and famiſhed of the vulgar ſort, whoſe goods were ſeized on by the regiment, ſeven thouſand." Lel. ib.

who had ſome grains of compaſſion, reprehended the ſoldiers for this unchriſtian inhumanity, they would ſcornfully reply, Why, nits will be lice, and ſo would diſpatch them." "Of Sir Charles Coote,[3] provoſt marſhal of Ireland, it is ſaid, that he would bid his Iriſh priſoners blow in his piſtol, and then would diſcharge it."

"May 28th, 1642,[4] the juſtices iſſued a general order to the commanders of all garriſons, not to preſume to hold any correſpondence or intercourſe with any of the Iriſh or papiſts dwelling or reſiding in any place near or about their garriſons; or to give protection, immunity, or diſpenſation from ſpoil, burning, or other proſecution of war, to any of them; but to proſecute all ſuch rebels, from place to place, with fire and ſword, according to former commands and proclamations. Such," ſays Mr. Carte on this occaſion, "was the conſtant tenour of their orders, though they knew that the ſoldiers, in executing them, murdered all perſons promiſcuouſly, not ſparing, as they themſelves tell the commiſſioners for Iriſh affairs, in their letter of the 7th of June following, the women, and ſometimes not children."

CHAP. XXIII.

Orders of the Engliſh parliament, relative to Ireland.

PREPARATORY to theſe deſtructive orders of the juſtices and council of Ireland, their partizans in the Engliſh parliament had procured a reſolution to be paſſed,[1] on the 8th of December 1641, never to tolerate the catholic religion in that kingdom;[2] and in February

[3] Leyburne's Mem. Pref. p. xxviii. [4] Cart. Orm. vol. i.
[1] Hughes's Abridgment. Borl. Hiſt. of the Iriſh Rebel.

[2] "It was reſolved, upon ſolemn debate, on the 8th of December 1641, by the lords and commons in the parliament of

February or March following, the ſame parliament voted the confiſcation of two millions and a half of acres of arable, meadow and paſture land, when very few perſons of landed property were concerned in the inſurrection. On occaſion of this reſolution concerning religion, Lord Clanrickard expoſtulated, with juſt and ſpirited reſentment, in a letter to the Earl of Eſſex; who, it was then thought, would have come over lord lieutenant, with orders to execute it. "It is reported," ſays he,[2] "that the parliament hath reſolved to make this a war of religion, that no toleration thereof is to be granted here; nor any pardons, but by conſent of parliament; to ſend one thouſand Scots into this kingdom, and yourſelf to come over lord lieutenant. If ſuch be the reſolutions of England, I ſhould eſteem it the greateſt misfortune poſſible, to ſee you here upon ſuch terms; but if you come over as becomes the perſon, honour, and gallant diſpoſition of the Earl of Eſſex, and not as the agent of perſecution, it may produce much happineſs to your own particular, and to this kingdom in general. And, if I may preſume to ſpeak my ſenſe, it will not agree either with the honour or ſafety of England, to make uſe of ſuch a power of Scots to deſtroy or over-run us here. My lord, recollect yourſelf, and draw together your beſt and braveſt thoughts; conſider that, by this violent proceeding, contrary to the religion of the whole kingdom, you will put us into deſperation, and ſo hazard the deſtruction of many noble families."

In conſequence of the Engliſh vote, for the confiſcation of two millions and a half of Iriſh acres, "the lords juſtices,[3] in a private letter to the ſpeaker of the houſe of commons in England, May 11th 1642, without the reſt of the council, beſought the commons, to

[2] Cart. Orm. vol. iii. [3] Id. ib. vol. i.

of England, that they would never give conſent to any toleration to the popiſh religion in Ireland, or any other his majeſty's dominions. Which vote (adds my author) hath been ſince adjudged a main motive (by the inſurgents) for making the war a cauſe of religion." Borl. Iriſh Rebel. f. 52.

to aſſiſt them with a grant of ſome competent proportion of the rebels lands. Here," ſays Warner,[4] "the reader will find a key, that unlocks the ſecret of their iniquitous proceedings; and here we find the motives to the orders they gave for receiving no ſubmiſſions; for iſſuing no proclamation of pardon at firſt, as the parliament had ſuggeſted; and, in ſhort, for all their backwardneſs in putting an end to the rebellion, of which ſeveral opportunities offered; and conſequently for their ſacrificing the peace and happineſs of the country, and the lives of thouſands of their fellow-ſubjects." "But ſome kind of zeal," ſays the king himſelf on this occaſion,[5] "counts all merciful moderation luke-warmneſs, and is not ſeldom more greedy to kill the bear for his ſkin, than for any harm he hath done; the confiſcation of men's eſtates being more beneficial, than the charity of ſaving their lives or reforming their errors."

AN

[4] Hiſt. Iriſh Rebel. [5] Reliq. Sacr. Carolin. p. 85.

AN

HISTORICAL AND CRITICAL REVIEW OF THE CIVIL WARS IN IRELAND.

BOOK VI.

CHAP. I.

The nobility and gentry of Ireland unite in a regular body.

THE lords and gentlemen of the pale, who had ſeen their houſes burnt, their lands deſtroyed, and their tenants murdered, without making any oppoſition, ſtill renewed their applications to government,[1] to accept of their beſt aſſiſtance and endeavours towards putting a ſtop to the inſurrection, now daily increaſing in every part of the kingdom. But theſe overtures were ſcornfully rejected, and even the propoſers of them held worthy of puniſhment. The Earl of Caſtlehaven, who had preſented one of their petitions, was impriſoned;[2] and had he not eſcaped by a ſtratagem, might have been racked for his officiouſneſs, as Sir John Read was on a ſimilar account. At the ſame time,

[1] Carte, Caſtlehaven. [2] See his Memoirs.

time, Hugh Oge O'Connor, Sir Luke Dillon, and others of the principal gentry of the county of Roſcommon, intreated the Lords Clanrickard and Ranelagh, to prevail with the juſtices, to receive the like humble offer of their ſervices, or, at leaſt, to conſent to a ſuſpenſion of hoſtilities for ſome ſhort time. Lord Clanrickard tranſmitted their requeſt to the government, with his humble wiſhes for its ſucceſs; but Sir William Parſons was ſo much offended at the motion, that Clanrickard was obliged to apologize for having made it, by telling him,[3] "that his grounds for ſeconding that application were, that fire and ſword having made a ſharp diſcovery of his majeſty's high indignation, ſome part of his mercy might appear, by a diſtinction of puniſhment; which then, and ſince, had fallen equally, not only on capital offenders, but even upon deſerving ſervitors. Theſe," adds his lordſhip, "were the apprehenſions which drew me into that error, which I muſt now conceive to be ſuch, as it ſtands in oppoſition, to ſo able a judgment. But certainly, ſome other way of moderation may be agreeable to his majeſty's goodneſs, and the deſtruction and murders committed by the ſoldiers, thereby prevented; which are now acted upon thoſe, who are protected by your lordſhip, which, at preſent, puts all men into high deſperation."

Thus were the catholic nobility and gentry of Ireland, at laſt, compelled to unite in a regular body; and to put themſelves into that condition of natural ſelf-defence, which has been ever ſince branded by their enemies, with the appellation of a moſt odious and unnatural rebellion.[4]

At

[3] Carte's Ormond, vol. iii.

[4] "To ſtrengthen their party," ſays Mr. Carte, "as much as was poſſible, they ſent manifeſts and declarations of the motives and reaſons of their conduct, to all the Engliſh catholics throughout the kingdom. Nor did they find any great difficulty in engaging them; they being ready enough to conſider it as a common cauſe, and to imagine that the ſame ſnares, which they were

At Kilkenny they formed two different meetings on this occaſion,[4] viz. their general aſſembly and ſupreme council: of the firſt were all the lords, prelates and gentry of their party; the latter conſiſted of a few ſelect members, choſen by the general aſſembly, out of the different provinces, with the moſt rigorous exactneſs: thoſe ſo choſen, having taken the oath of counſellors, were, after the receſs of the aſſembly, accepted and obeyed as the ſupreme magiſtrates of the confederate catholics.

"The ſupreme council conſiſted of about four and twenty members, ſome of every ſtate, nobility, clergy and commons, who, during the intervals of the aſſemblies, had a kind of limited government, and power to call an aſſembly on occaſion."[5] "They framed to themſelves a ſeal, bearing the mark of a long croſs; on the right ſide a crown, on the left a harp with a dove above, and a flaming harp below the croſs, and round about this inſcription, *pro Deo, pro rege, et patria Hibernia, unanimes*, with which they ſealed their credentials."[6]

The firſt reſult of this union, was an humble and dutiful addreſs to his majeſty, ſetting forth, "that,[7] having apprehended, with fulneſs of ſorrow, the condition to which the miſrepreſentation of his majeſty's miniſters in Ireland, united with the malignant party in England, had reduced them; and ſad experience having taught them, that a reſolution was taken to ſupplant their nation and religion; they humbly conceived it neceſſary, after long patience, to put themſelves

[4] Belling's MSS. Hiſt. of the Wars of Ireland.
[5] Leyburne's Mem. Pref. p. xi.
[6] Borl. Iriſh Rebel. fol. 128. [7] Cart. Orm. vol. iii.

were perſuaded had been laid for the lives and eſtates of the lords of the pale, would be made uſe of to deſtroy them, by piecemeal, one after another: and that the only way to prevent the deſtruction of each particular, was to unite all together as one man, to make a general aſſociation for their defence, and to depend upon the fate of war to make the beſt terms they could for themſelves." Orm. vol. iii. fol. 262.

ſelves in a poſture of natural defence; with intention, nevertheleſs, never to diſturb his majeſty's government, to invade any of his high prerogatives, or oppreſs any of his Britiſh ſubjects, of what religion ſoever, that did not labour to oppreſs them. Which intention in the beginning of the troubles, they had ſolemnly ſworn to obſerve; an oath,[b] often ſince reiterated, leſt the miſguided and unauthoriſed motions of ſome among them ſhould be conſtrued to derogate from that faith and allegiance, which, in all humbleneſs, they confeſſed they owed and ſincerely profeſſed unto his majeſty. That before any act of hoſtility committed on their parts, they had, with all ſubmiſſion, addreſſed themſelves, by petition, to the lords juſtices and council, for a timely remedy againſt the then growing evils; but that therein they had found, inſtead of a ſalve for their wounds, oil poured into the fire of their diſcontents, which occaſioned ſuch intemperance in the common

[b] Their oath of confederacy, on this occaſion, is thus recited by Borlaſe: "I, A. B. do, in the preſence of Almighty God, and all the ſaints and angels in heaven, promiſe, vow, ſwear, and proteſt to maintain and defend, as far as I may, with my life, power and eſtate, the public and free exerciſe of the true Roman catholic religion, againſt all perſons that ſhall oppoſe the ſame. I further ſwear, that I will bear faith and allegience to our ſovereign Lord King Charles, his heirs and ſucceſſors; and that I will defend him and them, as far as I may, with my life, power and eſtate, againſt all ſuch perſons as ſhall attempt any thing againſt their royal perſons, honours, eſtates and dignities; and againſt all ſuch as ſhall directly or indirectly endeavour to ſuppreſs their royal prerogatives, or do any act or acts contrary to regal government; as alſo the power and privileges of parliament, the lawful rights and privileges of the ſubjects; and every perſon that makes this vow, oath and proteſtation, in whatſoever he ſhall do in the lawful purſuance of the ſame. And to my power, as far as I may, I will oppoſe, and by all ways and means endeavour to bring to condign puniſhment, even to the loſs of life, liberty and eſtate, all ſuch as ſhall either by force, practice, counſels, plots, conſpiracies or otherwiſe, do or attempt any thing to the contrary of any article, clauſe, or any thing in this preſent vow, oath, or proteſtation contained. So help me God." Hiſtory of the Iriſh Rebel. fol. 74.

mon people, that they acted ſome unwarrantable cruelties upon puritans, or others ſuſpected of puritaniſm, which cruelties they really deteſted,[c] had puniſhed in part, and deſired to puniſh with fulneſs of ſeverity, in all the actors of them, when time ſhould enable them to it; though (added they) the meaſure offered to the catholic natives here, in the inhuman murdering of old decrepit people in their beds, women in the ſtraw, and children of eight days old; burning of houſes, and robbing of all kind of perſons, without diſtinction of friend from foe, and digging up of graves,[d] and there burning the dead bodies of our anceſtors, have not deſerved that juſtice from us."

In the concluſion of this addreſs, we find the following zealous obteſtation. "We therefore, with hearts bent lower than our knees, do humbly beſeech your ſacred majeſty, timely to aſſign a place where, with ſafety, we may expreſs our grievances, and you may, with freedom, apply a ſeaſonable cure unto them; and there you ſhall find our dutiful affections, attended with juſt cauſe of ſecurity in our faithfulneſs, and manifeſt arguments of our earneſt deſire to advance your ſervice."

[c] They kept their word religiouſly in this reſpect. For in the two peaces concluded afterwards with the Marquis of Ormond, viz. thoſe of 1646 and 1648, they expreſsly excepted from pardon, all thoſe of their party that had committed ſuch cruelties. And long before either of theſe peaces, Lord Clanrickard teſtified, "that it was the deſire of the whole nation, that the actors of theſe cruelties ſhould, in the higheſt degree, be made examples to all poſterity." Carte's Orm. vol. iii. And the Marquis of Ormond himſelf, confeſſed, "that thoſe aſſuming power among the Iriſh had long diſclaimed them, and profeſſed an earneſt deſire that they might be brought to puniſhment." Id. ib.

[d] That they did not exaggerate in this particular, is plain from a letter of Lord Clanrickard's, who ſays, "that while he was at Tyrellan, in treaty with Lord Forbes, (the commander of a parliament ſhip of war), though Lord Ranelagh, preſident of Connaught, was then in the fort of Galway, he ſaw the country on fire, his tenants houſes and goods burnt, and four or five poor

CHAP. II.

The king conſents to hear the grievances of the inſurgents.

THE king,[1] conſidering the occaſion and circumſtances, which had cauſed ſuch a body of nobility and gentry, moſt of them of Engliſh race, to have recourſe to arms; the apparent moderation of their demands, their earneſt deſire of laying their grievances before him, and ſubmitting them to his determination, reſolved to iſſue out a commiſſion, under the great ſeal of England, to empower certain perſons to meet with the principal of thoſe, who had ſent the petition; to receive, in writing, what the petitioners had to ſay or propound; and to tranſmit the ſame to his majeſty.

"This commiſſion was dated January 11th, 1642, and directed to the Marquis of Ormond, the Earls of Clanrickard and Roſcommon, the Lord Viſcount Moore, Sir Thomas Lucas, Sir Maurice Euſtace, and Thomas Bourke, Eſq; any three, or more, of them being authoriſed to meet, and act for the purpoſe aforeſaid. It was ſent over to Ireland by the laſt of theſe commiſſioners, who delivered it to the Marquis of Ormond on the 30th. He at the ſame time, brought the lords juſtices a letter from the king, notifying the purport of it."

"But theſe lords juſtices, taking," ſays the Marquis of Ormond,[2] "this commiſſion for a ſtep towards the peace

[1] Cart. Orm. vol. i. [2] Orm. Let. in Cart. Orm. vol. iii.

poor innocent creatures, men, women and children, inhumanly murdered by Forbes's ſoldiers; who having taken poſſeſſion of Lady's-church in Galway, the antient burying place of the town, did, upon their departure, not only deface it, but digged up the graves, and burnt the coffins and bones of thoſe that were buried there." Cart. Orm. vol. iii. fol. 109. Lel. Hiſt. of Irel. vol. iii. p. 174.

peace of the kingdom, and their own ruin;" and, "being diſpleaſed that even a wiſh or conſent ſhould be diſcovered in any man, that the war, from which ſo many promiſed themſelves revenge, and fortunes, ſhould be any other way ended than with the blood and confiſcation of all thoſe, whom they could propoſe to be guilty of the defection," ſought many artful expedients to hinder or delay the execution of it; and at length hit upon one, that, for a while, produced the wiſhed-for effect.[4] There came a trumpet to the ſupreme council of the confederate catholics, then ſitting at Roſs, with a ſafe-conduct from their lordſhips for ſuch of their number as that council would employ to repreſent their grievances to the king's commiſſioners above-mentioned. In the commiſſion there happened to be the words "odious rebellion," applied to the proceedings of theſe catholics; which the lords juſtices not only inſerted in their ſafe-conduct, but alſo added other words of their own of the ſame provoking tendency; hoping thereby to prevent the intended pacification. But the confederates looking upon the whole to be the lords juſtices contrivance, and neither knowing, nor expecting, that any ſuch language was in his majeſty's commiſſion, ſent the trumpet back, with a ſpirited anſwer, giving their lordſhips to underſtand, "that they were not, they thanked God, in that condition, as to ſacrifice their loyalty to the malice of any; and that it would be a meanneſs beyond expreſſion in them, who fought in the condition of loyal ſubjects, to come in the repute of rebels, to ſet down their grievances. We take God to witneſs," added they, "that there are no limits ſet to the ſcorn and infamy that are caſt upon us; and we will be in the eſteem of loyal ſubjects, or die to a man."

The confederate catholics did undoubtedly believe, that, in taking arms againſt this adminiſtration,[a] which

[3] Clarend. Hiſt. of the Iriſh Rebel. [4] Belling's MSS. Hiſt.

[a] The Earl of Caſtlehaven among other reaſons for having joined

which was entirely influenced by the prevailing faction in the Engliſh parliament, they were actually ſerving his majeſty. This appears evidently from Lord Clanrickard's letter to the king, October 26th, 1642, wherein he acquaints him,[5] "that neither intreaties, threats, or proteſtations, could draw moſt men from the belief, that thoſe did really ſerve his majeſty, who were in that commotion. And if vows and proteſtations (proceeds his lordſhip) may gain belief, I ſhould be followed by thouſands to ſerve your majeſty, in any other place. But, as the ſtate of this kingdom ſtands, ſuch is their ſenſe of the oppoſition given to your majeſty by ſome faction of your parliament of England; of the injuſtice done them by thoſe that govern here; and of the general deſtruction, conceived to be deſigned againſt the natives, that almoſt the whole nation are united into one reſolute body, to gain their preſervation, or ſell their lives at the deareſt rate."

CHAP.

[5] Cart. Orm. vol. iii. Clanrick. Mem. Eng. ed. fol. 180.

joined the confederates againſt this adminiſtration, aſſigns the following. "I began to conſider (ſays he) the condition of this kingdom, as that the ſtate did chiefly conſiſt of men of mean birth and quality; that moſt of them ſteered by the influence and power of thoſe who were in arms againſt the king; that they had, by cruel maſſacring, hanging and torturing, been the ſlaughter of thouſands of innocent men, women and children, better ſubjects than themſelves; that they, by all their actions, ſhewed that they looked at nothing but the extirpation of the nation, the deſtruction of monarchy, and by the utter ſuppreſſion of the antient catholic religion, to ſettle and eſtabliſh puritaniſm. To theſe, (adds his lordſhip) I could be no traitor." Deſid. Curioſ. Hibern. vol. ii. p. 132. See Append.

CHAP. III.

Another contrivance of the juſtices to hinder the ceſſation.

BUT the confederate nobility and gentry being ſoon after made ſenſible, that the words "odious rebellion" above-mentioned, were actually taken from the king's commiſſion, and inſerted, by the lords juſtices, in the ſafe-conduct for the aforeſaid evil purpoſe, were reſolved to diſappoint ſo iniquitous a deſign; and therefore immediately wrote to the commiſſioners appointed by the king, "that[1] they were ready to appear before them, with a repreſentation of their grievances." Accordingly, the time and place of meeting, propoſed by the confederate catholics, which was the 18th of March, at Trim, were agreed to by theſe commiſſioners. But the confederates ſtill reſenting the imputation of rebellion, though taken from the king's commiſſion, thought it neceſſary to "proteſt at the ſame time,[2] in the preſence of the God of truth, that they had been neceſſitated to take arms, to prevent the extirpation of their nation and religion, threatened and contrived by their enemies; to maintain the rights and prerogatives of his majeſty's crown and dignity, and the intereſts of his royal iſſue, and for no other reaſon whatever." And, indeed, of the ſincerity of this proteſtation, we ſhall preſently find them giving unqueſtionable proofs.

The juſtices now perceiving that abuſive appellations could not provoke the confederates to abſent themſelves from the intended meeting, reſolved to try what cruel and perfidious actions would do.[1] For on the 13th of March, (five days before the appointed time) they gained the conſent of the council to an act, which," ſays Mr. Carte, "could only ſerve to exaſperate the confederates, and produce a retaliation, that might inflame matters to ſuch a degree, as to put a ſtop to all

[1] Belling's MSS. Hiſt. of the Wars of Ireland. [2] Cart. Orm. vol. iii. Belling. ib. [3] Cart. Orm. vol. i. fol. 407.

all further treaty. Sir Richard Grenville had taken, at Longwood, Mr. Edward Liſagh Connor; and in the battle of Rathconnel, on February the 7th, he had alſo taken one Dowdal, another gentleman named Betagh, and one Aylmer, ſon of Garret Aylmer, a lawyer eminent in his profeſſion, all gentlemen of conſiderable families. Sir Richard, though very ſevere in the proſecution of the war, was a man of great ſpirit and honour, and not likely to violate the quarter he had given. The lords juſtices, therefore, wrote to him, that they had occaſion to examine ſaid priſoners, and ordered him to ſend them for that purpoſe to Dublin, under a ſafe guard. They ſigned, at the ſame time, another order to Sir Henry Tichbourne,[a] to examine only, if theſe priſoners were ſo taken, and to cauſe them immediately to be executed by the martial law."

But even this deteſtable expedient to prevent the appointed meeting, proved as unſucceſsful as the former. For, " on the before-mentioned 18th of March 1642, by virtue of his majeſty's commiſſion,[4] the Earl of St. Albans and Clanrickard, the Earl of Roſcommon, Sir Maurice Euſtace, and others, the king's commiſſioners, met the commiſſioners of the confederate catholics at Trim." Theſe latter were Lord Gormanſtown, Sir Lucas Dillon, Knight, Sir Robert Talbot, Bart. John Walſh, Eſq; and others; at which time they produced a remonſtrance, by the title of a remonſtrance of the grievances preſented to his majeſty,[b] in

[4] Cart. ubi ſupra.

[a] Sir Henry Tichbourne, ſoon after made lord juſtice, on Parſons's removal, informs us, " that the ceſſation intended was ſo diſagreeable to the Iriſh privy-council, that moſt of them deſired to run any fortune, and extremity of famiſhing, rather than yield unto it." Hiſt. of the Siege of Drogheda.

[b] This remonſtrance has been already quoted in this Review, and will hereafter be quoted as authentic evidence, as well on account of the ſolemnity of its delivery and acceptance, as becauſe of the ſevere examinations it underwent in the Iriſh houſe of commons, (from which all the Roman catholic members had been expelled) from the 8th to the 12th of April, 1644, and then diſmiſſed without the leaſt diſproof or even contradiction of any

in the name of the catholics of Ireland.[5] Which remonſtrance was accordingly received in due form, by his majeſty's commiſſioners, and by them tranſmitted to his majeſty.[c]

The Marquis of Ormond, though firſt named in the commiſſion, ſeems to be the only commiſſioner that did aſſiſt at this meeting. His lordſhip inſtead of going to Trim on that pacific buſineſs,[d] marched towards Roſs,[6] with an army of about two thouſand five hundred foot, and five hundred horſe.[e] In his way thither, he took the

[5] See Append. [6] Belling's MSS.

any of the numerous grievances it complains of; and without any reſolution or motion, after a debate of ſo many days, that bears the ſlighteſt appearance either of a cenſure, or denial of the facts it contains. See Append. to the Journals of the Commons. (See this Remonſtrance Appendix No. V.)

There is the following remarkable paſſage in Borlaſe on this occaſion. "Upon the 8th and 9th of April, 1643, this remonſtrance came to be conſidered in the commons houſe of parliament in Ireland, ſeemingly diſliked by all, though with that artifice by ſome, as the remonſtrants themſelves could not have inſinuated more in its defence; inaſmuch as theſe, at laſt, brought into diſcourſe the ſolemn league and convenant, the more colourably to take off the diſpute concerning the remonſtrance, whereby the buſineſs growing hot, the houſe was prorogued till the 6th of May." Iriſh Rebel. fol. 155.

[c] "This remonſtrance (ſays Borlaſe) was ſolemnly received by his majeſty's commiſſioners, and by them tranſmitted to his majeſty." Hiſt. of the Iriſh Rebel. fol. 154.

[d] This expedition was undertaken by Ormond, at the deſire of a committee of the Engliſh parliament, then ſent to direct and ſuperintend the affairs of Ireland, expreſsly againſt the king's command. See Borl. Iriſh Rebel. fol. 142-3. "It being deſired by the officers of the army, on a certain occaſion, that Major Wodowes might repair to his majeſty to expreſs their ſervice, this committee demonſtrated, that the parliament would certainly withdraw their ſupplies, on notice of ſuch an addreſs, upon which the ſhips were ſtayed; yet the buſineſs was ſo argued, as the major had licence to proceed in his journey." Id. ib. fol. 144. "But with this the Engliſh parliament was ſo much diſpleaſed, that they for ſome time withheld thoſe ſcanty ſupplies which they before uſed to ſend them." Id. ib. fol. 145.

[e] "This expedition was ſet on foot by a committee of the Engliſh

the caſtle of Timolin; and although he had promiſed quarter to the garriſon, on account of their gallant defence, yet he ſuffered them to be cut in pieces by the ſoldiers,[7] after they had ſurrendered their arms.[f] And, in his return from Roſs to Dublin, on the 18th of March, (the day on which the other commiſſioners were receiving the remonſtrance at Trim) having met and attacked an army of the confederates, under General Preſton, he entirely routed it;[8] killing above five hundred of their men, among whom were many officers and gentlemen.[g] The juſtices,[9] in a letter to the ſpeaker of the Engliſh houſe of commons, take particular notice of this action, as a ſatisfactory proof, "that the king's commiſſion for hearing the complaints of

[7] Belling's MSS. [8] Id. ib. [9] Carte's Orm. vol. iii.

Engliſh parliament; Mr. Robert Goodwin and Mr. Robert Reynolds, members of that parliament, ſent againſt the king's expreſs command, over in the depth of winter to Ireland, to ſeduce privately the officers and ſoldiers of his majeſty's army there to engage with the Engliſh parliament againſt him; for which purpoſe this committee had prevailed on many of them unwarily to ſubſcribe their names in a book; but ſome officers having at length diſcovered the real deſign, in deteſtation thereof rent the book of ſubſcriptions in pieces." Borl. Hiſt. of the Iriſh Rebel. fol. 143-4. At the ſame time with them, was ſent Captain Tucker, by the city of London.

[f] "The army (ſays Borlaſe) came to Timolin, where finding two caſtles poſſeſſed by the rebels, our cannon compelled them to ſubmit to mercy, very few of them eſcaping with their lives, there being about an hundred of them ſlain." Iriſh Rebel. fol. 148.

[g] The lords juſtices in their account of this battle ſay, "wherein were ſlain about three hundred of the rebels, and many of their commanders, and others of quality, and divers taken priſoners; and among theſe priſoners Colonel Cullen, a native of this city (Dublin), who had been a colonel in France, and was now a lieutenant general in the rebels army; and on our ſide, about twenty ſlain in the fight, and divers wounded." Borl. Iriſh Rebel. fol. 146.

"And in his return to Dublin, (ſays Mr. Carte) he burnt and ſpoiled the enemy's country without the leaſt oppoſition." Orm. vol. i. fol. 407.

of the confederate catholics, gave not the leaſt interruption to the proceedings of the war againſt them." [h]

CHAP. IV.

Sir William Parſons diſplaced from the government.

IN conſequence of the remonſtrance delivered at Trim, his majeſty informed the lords juſtices,[i] "that he had given command and authority to the Marquis of Ormond, to treat with his ſubjects of that kingdom, who had taken arms againſt him; and to agree with them on a ceſſation of arms for one year; which, as it was a ſervice of very great concernment to his majeſty, and his preſent affairs in both kingdoms, ſo he willed and commanded, that they would therein give the moſt effectual aſſiſtance and furtherance to advance the ſame, by their induſtry and endeavours, as there ſhould be occaſion." [a]

Not

[i] Carte's Ormond, vol. iii.

[h] They obſerve, however, in the ſame letter, that their poverty, and want of all things, was ſuch, "that although the rebels were not able to overcome his majeſty's army, and devour his other good ſubjects, yet both his army and good ſubjects were in danger to be devoured by the want of needful ſupplies forth of England. And that the miſeries of the officers and ſoldiers for want of all things, even of food, were unſpeakable; that, by the inſupportable burthen then laid on the city of Dublin, for their maintenance, many houſekeepers were daily breaking up houſe, and ſcattering their families, leaving ſtill fewer to bear the burthen. In the end therefore, (add they) we were enforced to fix on our former way, and to ſee who had any thing left him untaken from him to help us; and although there were but few ſuch, and ſome of them poor merchants, whom we have now by the law of neceſſity utterly undone, and diſabled from being hereafter helpful to us, yet we were forced to wreſt their commodities from them." Borl. Hiſt. of the Iriſh Rebel. fol. 146-7.

[i] "Lord juſtice Parſons doubted whether he ſhould ſtop the execution

Not long after the arrival of this order,[2] "Sir Francis Butler landed from England, with a *ſuperſedeas* for Sir William Parſons's government, on account of his being a principal oppoſer of the intended ceſſation, and with a commiſſion to Sir John Borlace, and Sir Henry Tichbourne, to be lord juſtices; who, accordingly, on the 1ſt of May, 1643, were inſtituted in the government. And on the 12th of the ſame month, Major Warren and Sir Francis Butler, came to the council, the lords ſitting, and preſented a petition to the lords juſtices, accuſing Sir William Parſons of high miſdemeanors, and other treaſonable matters, and requeſting that his perſon and goods might be ſecured."

After many needleſs delays, and a ſecond command from the king, the lords juſtices appointed the Marquis of Ormond to meet the commiſſioners of the confederate catholics at Caſtle-Martin, on the 23d of June, and to enter upon a treaty with them for a ceſſation of arms. The marquis, as we have ſeen, had ſhewn but little inclination to be concerned at all in ſuch a treaty; and he diſcovered much leſs to be inſtrumental in concluding it.[3] For on the day before he ſet out for Caſtle-Martin, having cauſed the principal citizens of Dublin to be ſummoned before the council-board, he delivered a motion in writing, that, "if ten thouſand pounds might be raiſed, the one half in money, the other in victuals, and to be brought in within a fortnight, he would in that caſe proceed in the war, endeavour to take Wexford, and break off the treaty for the ceſſation."

But the principal citizens of Dublin, not being able to advance that ſum, (ſuch was their extreme poverty at that juncture[b]) Sir Henry Tichbourne, who upon the

[2] Cart. Orm. vol. i. [3] Id. ib.

execution of the king's commiſſion, to hear the grievances of the inſurgents." Lel. Hiſt. of Irel. vol. iii. p. 193.

We learn from Mr. Carte, that "this commiſſion was concealed from Auguſt to February following." Orm. vol. iii. p. 132.

[b] Temple informs us, "that when, in the beginning of the inſurrection,

the ſuppoſition of his favouring the ceſſation, was appointed lord juſtice in Parſons's room,[4] "moved the board (there being then one and twenty counſellors preſent,) that every one for himſelf, out of his peculiar means and credit, ſhould procure three hundred pounds; which, among them all, would raiſe ſix thouſand three hundred pounds; for even with that," ſays Sir Henry himſelf, "he (the marquis) offered to undertake the work, and that there ſhould be no further mention of a ceſſation among them. But this motion of mine," proceeds he, "finding no place,[c] the ceſſation began to be treated on, and was in ſincerity of heart, as much hindred, and delayed by me, as was in my power."

Such

[4] Hiſt. of the Siege of Drogheda.

ſurrection, the juſtices ſent for the mayor and aldermen of Dublin, and laid before them the high neceſſities of the ſtate, deſiring to borrow a conſiderable ſum of money for the preſent, which they undertook to repay out of the next treaſure that ſhould arrive from England, they returned this anſwer, after a moſt ſerious conſultation and very ſolemn debate among themſelves, that they were not able to furniſh above forty pounds, and part of that was to be brought in in cattle." Hiſt. of the Iriſh Rebel. p. 47.

[c] There is an odd paſſage in Borlaſe, which ſhews the extremely neceſſitous condition of the proteſtants of Ireland about this period, more than any thing elſe I have any where met with. Upon the Engliſh parliament's neglecting to ſend them any part of that money which had been ſubſcribed and paid in, in England, ſolely for their relief (and which, as we have ſeen, they perfidiouſly employed againſt the king himſelf) "yet, (ſays my author) that ſomething might ſeem to be done, there was an order of the commons houſe of parliament, the 3d of Auguſt, 1642, that the miniſters about the city of London ſhould be deſired to exhort the people to beſtow old garments and apparel upon the diſtreſſed proteſtants of Ireland; in reference to which, the 19th of September following, the lord mayor of London ordered, that thoſe cloaths ſhould be brought to Yorkſhire-hall in Blackwell-hall, to be ready for ſhipping them for Ireland; and a vaſt ſupply was brought in (charity never ſo much manifeſting its compaſſion as in that caſe); which afterwards was entruſted to a reverend perſon, who diſcharged his truſt with ſingular prudence and integrity, though, as to the army, theſe cloaths never reached, or were intended." Hiſt. of the Iriſh Rebel. fol. 120.

Such was the zeal and fidelity of one of his majeſty's choſen and principal miniſters, then in the government of Ireland![d]

CHAP. V.

His majeſty's commiſſioners meet thoſe of the confederate catholics to treat of the ceſſation.

ON the 23d of June, 1643, the [1] commiſſioners of the confederate catholics preſented themſelves before the Marquis of Ormond in his tent, near Calſte-Martin, in the preſence of divers colonels, captains, and others of his majeſty's army, his lordſhip ſitting in his chair covered, and the Iriſh commiſſioners ſtanding bare-headed. After ſeveral paſſages between them, all tendered in writing, the latter gave his lordſhip a copy of the authority they had received from the ſupreme council of the confederate catholics at Kilkenny, in theſe words:

"Whereas [2] his majeſty's moſt faithful ſubjects, the confederate catholics of Ireland, were enforced to take arms, for the preſervation of their religion, for the defence of his majeſty's juſt prerogatives and rights, and for the maintenance of the rights and liberties of their country, laboured to be deſtroyed by the malignant party; and, whereas his majeſty in his high wiſdom, and

[1] Borl. Hiſt. of the Iriſh Rebellion. [2] Ib. ib.

[d] Yet we find this man deſcribed by a late hiſtorian, as "a man of unexceptionable character, and zealouſly devoted to the king's ſervice." Lel. Hiſt. of Irel. vol. iii. p. 102.

And the Iriſh commons in 1666, after having juſt before ſettled moſt of the eſtates of the Iriſh on the partizans of Cromwell, voted an addreſs to the Duke of Ormond, that, "in conſideration of his (Tichbourne's, one of Cromwell's partizans alſo) many and great ſervices during the rebellion of 1641, ſome extraordinary mark of favour ſhould be placed upon him, ſo as to deliver over to poſterity the gracious ſenſe which his majeſty had of his ſufferings and ſervices, and the grateful memory which that houſe retained thereof." Com. Jour. vol. ii. fol. 491.

and in his princely care of his ſaid ſubjects welfare and ſafety, and at their humble ſuit, that his majeſty might be graciouſly pleaſed to hear their grievances, and vouchſafe redreſs therein, did direct there ſhould be a ceſſation of arms, and thereupon did direct the Right Hon. the Marquis of Ormond, to treat of, and conclude the ſaid ceſſation with the ſaid confederate catholics; know ye, that the ſupreme council, by the expreſs order and authority of the ſaid catholics, by them conceived and granted in their general aſſembly at Kilkenny, on the 20th day of the laſt month of May; and in purſuance of the ſaid order and authority, repoſing ſpecial truſt and confidence in the wiſdom, circumſpection, and provident care, honour and ſincerity of our very good Lords, Nicholas Lord Viſcount Gormanſtown, Donogh Lord Viſcount Muſkerry, and our well-beloved Sir Lucas Dillon, Knight, Sir Robert Talbot, Bart. Tirlagh O'Niel, Eſq; Geoffry Brown, Eſq; Ever Macgennis, Eſq; and John Walſh, Eſq; have conſtituted, appointed, and ordained the ſaid Nicholas Lord Viſcount Gormanſtown, Donogh Lord Viſcount Muſkerry, &c. our commiſſioners, and do, by theſe preſents, give and grant to our ſaid commiſſioners, or any five or more of them, full power and authority to treat with the ſaid Lord Marquis of Ormond, of a ceſſation of arms, for one whole year, or ſhorter, and to conclude the ſame for the time aforeſaid, upon ſuch terms, conditions, or articles, as to the commiſſioners aforeſaid, in their judgments, conſciences, and diſcretions, ſhall be thought fit and expedient; by theſe preſents ratifying and confirming whatever act or acts our ſaid commiſſioners ſhall do or execute concerning the ſaid ceſſation. Given at Kilkenny, the 23d of June, 1643.

Mountgarret,
Caſtlehaven, Audley,
Malach. Archiep. Tuam.
Fleming, Archiep. Dub.
Maurit de Rupe et Fermoy,
Netterville,
Nich. Plunkett,
Edmund Fitzmorrice,
Patrick Darcy,
Robert Lynch,
Richard Belling."

CHAP.

CHAP. VI.

The ceſſation at laſt concluded.

BUT a difference ariſing upon two points, viz.[1] the diſſolution of the preſent Iriſh parliament, and liberty to uſe hoſtilities againſt all ſuch perſons as ſhould appear in arms againſt either party, (which the commiſſioners of the confederate catholics were ordered to inſiſt upon, and the Marquis of Ormond peremptorily refuſed), cauſed the treaty to be adjourned to the following month.[a]

One reaſon, among many others, for inſiſting on the diſſolution of that parliament, was, "its having expelled,[2] by an arbitrary order, all thoſe members who had been indicted in the illegal manner, and by the iniquitous means already mentioned; and its afterwards having paſſed another order, that no perſons ſhould

[1] Cart. Orm. vol. i. f. 438. [2] Warn. Iriſh Reb. p. 211.

[a] The king, in his letter of the 2d of July 1643, to the lords juſtices and Marquis of Ormond, authorizing them to conclude this ceſſation with the confederates, commands them "to aſſure the Iriſh, in his name, that he was graciouſly inclined to diſſolve the preſent parliament, and call a new one, between that and the 10th of November following." Borl. Hiſt. of the Iriſh Rebell. fol. 164.

The Marquis of Ormond utterly rejected the propoſal of the confederates commiſſioners for a new parliament. Cart. Orm. vol. i. fol. 438.

Borlaſe adds another cauſe of the adjournment of the treaty, viz. "that the Marquis of Ormond would not admit the title or name, attributed by the Iriſh commiſſioners unto them, in behalf of thoſe for whom they treated; as likewiſe not admitting the cauſe for which they took up arms, as in the proteſtation is expreſſed. Whereas the Iriſh commiſſioners on the other ſide, ſtill propoſed all in behalf of the catholics of Ireland, with proteſtation that the ſaid catholics took arms in defence of their religion, his majeſty's rights and prerogatives, and the liberties of Ireland, and no ways to oppoſe his majeſty's authority." Iriſh Rebel. fol. 166.

ſhould ſit either in that, or any future parliament, till they had taken the oath of ſupremacy." By the firſt of theſe orders, forty-ſix members were expelled, and their places ſupplied " by clerks,[3] ſoldiers, ſervingmen, and others not legally, or not at all choſen or returned; and by the laſt, a much greater number, unexceptionable," ſays Warner,[4] " in all reſpects but that of their religion."[b]

The other point was inſiſted upon, from a well-grounded ſuſpicion, that the Scottiſh forces in Ulſter, that had taken the covenant, and received their pay from the Engliſh parliament, now in open rebellion againſt the king, would reject the ceſſation, as they ſoon after actually did. And of the reaſonableneſs of that ſuſpicion, the Marquis of Ormond himſelf, was then probably convinced, from his knowledge of their diſpoſition and circumſtances; at leaſt, on the 8th of March following, he certainly was ſo, when he told Lord Digby,[5] " that the ſoldiers and common people in that quarter, were ſo deeply infected, that he had little hopes they could be unanimouſly, or in any conſiderable number, drawn to ſerve the king againſt the rebels in England or Scotland: of the new Scots," adds he, " your lordſhip ſees there is no hope:" and yet, even at this juncture (as we ſhall hereafter ſee) when theſe forces were guilty of frequent breaches of the ceſſation then concluded, and did at laſt openly reject it, he refuſed to join with the confederates, or even

[3] Remonſt. from Trim. [4] Ubi ſupra.
[5] Carte's Orm. vol. iii. fol. 256.

[b] " His majeſty on this occaſion, afterwards ordered the lord lieutenant to call before him the ſpeaker and members of the houſe, and require them to vacate that order, there being no law or ſtatute in force in Ireland to ſupport the ſame. This was an act neceſſary to vindicate his own prerogative, which had been invaded by that order, as well as to give ſome ſatisfaction to the Roman catholics, who were thereby aggrieved in a point which they had moſt at heart, and on which depended all their hopes of redreſs, either of preſent or future grievances." Carte's Orm. vol. i. fol. 523.

even to countenance them by his authority, to make juſt repriſals upon them.

During this adjournment of the treaty, a ſmall, but ill intended, incident had like to have fruſtrated all hopes of its ſucceſs.[6] One Captain Farrer, in the government's ſervice, had been taken priſoner by the confederates; while one Synott, a captain among the confederates, was in the ſame condition with the government. The lords juſtices and council deſiring to have Farrer exchanged for Synott, directed the following notice to the ſupreme council of the confederates. "We, the lords juſtices and council, do declare, if Captain Farrer be forthwith releaſed by the rebels, and ſafely ſent hither, that forthwith, upon his coming ſo releaſed, we will give order for the releaſing Synott, lately employed as captain among the rebels, out of priſon, the jailor's juſt dues being firſt paid; and will then permit him to depart freely, without interruption."

The following ſpirited anſwer ſhews, how highly the confederates reſented this (as they deemed it) new inſult on their loyalty.

"WE do not know to whom this certificate is directed;[7] for we avow ourſelves, in all our actions, to be his majeſty's loyal ſubjects. Neither ſhall it be ſafe, hereafter, for any meſſenger to bring any paper to us, containing other language than ſuch as ſuits with our duty, and the affections we bear to his majeſty's ſervice; wherein ſome may pretend, but none ſhall have more real deſires, to further his majeſty's intereſts, than his majeſty's loyal and obedient ſubjects.

MOUNTGARRET, MUSKERRY, &c."

Shortly after the ſending of this anſwer,[8] Sir William Parſons, Sir Adam Loftus, Sir Robert Meredith, and Sir

[6] Belling's MSS. [7] Id. ib. Borl. Iriſh Rebel.
[8] Cart. Orm. vol. i.

Sir John Temple,[c] privy-counſellors, were charged before the council, by the Lords Dillon and Wilmot, Sir Faithful Forteſcue, and others, with having, by divers ways and means, abuſed the truſt repoſed in them by his majeſty, in their ſeveral offices and employments; and with having traiterouſly endeavoured to withdraw his majeſty's army in Ireland, from his obedience, to ſide with the rebels in England. "Upon this charge, they were all impriſoned in the caſtle of Dublin." But we find,[9] "that they were ſo dear to thoſe Engliſh rebels, and ſo highly valued by them, that they avowed them for theirs, by offering in exchange for them, three of the king's chief commanders, whom they had priſoners in London."[d]

The king had often and earneſtly preſſed the lords juſtices, to conclude this ceſſation, as the only viſible means by which his diſtreſſed army in Ireland could be relieved, or himſelf ſupplied in England or Scotland with thoſe additional forces, of which he then ſtood in the greateſt need; but not till after the receipt of his fifth letter[10] of September 7th, 1643, were his commands, in that reſpect, obeyed. And thus, at

[9] Ib. vol. iii. fol. 271. [10] Borlaſe's Iriſh Rebel.

[c] The charge againſt Sir John Temple in particular, the famous author of the Hiſtory of the Iriſh Rebellion, ſhews his early bent, as a writer, to publiſh falſehoods, viz. "The ſaid Sir John Temple did, in the month of May laſt and June inſtant, write two traiterous and ſcandalous letters againſt your majeſty, to Godwin and Reynolds (two agents of the Engliſh parliament), which letters have been ſince read at the cloſe committee, and uſe made of them to caſt falſe aſperſions on your majeſty, as fomenting and favouring the rebels in Ireland." Carte's Orm. vol. iii. fol. 206.

[d] By ſome means, however, they were ſoon after bailed. On which occaſion, Lord Digby wrote to the Marquis of Ormond, March 29th 1644, "that their bailing was repreſented in England, as a very odious thing to the people of Ireland, and threatened to be of great diſſervice to his majeſty. If that be your excellency's opinion," adds his lordſhip, "you cannot want a pretence to make them faſt again; and it is his majeſty's pleaſure you ſhould do ſo." Ib.

length, on the 15th of that month, the Marquis of Ormond, and the Iriſh commiſſioners,[11] ſigned the inſtrument of the ceſſation at Sigginſtown; which, being confirmed by the lords juſtices and council, was notified, by proclamation, to the whole kingdom; the commiſſioners of the confederate catholics inſiſting, all along, on their title of dutiful and loyal ſubjects, which no conſideration whatever could make them forego.

CHAP. VII.

The advantages of the ceſſation to his majeſty's army.

AND, in truth, the confederates, by conſenting to this ceſſation (as both armies were then circumſtanced), gave an undeniable proof of their having highly merited that title. Sir Philip Percival, commiſſary general of the proviſions of the king's forces, declared, in a memorial which he afterwards gave in to the Engliſh parliament, "that both the ſtate[1] and the army were, at that juncture, in the greateſt diſtreſs; that the ſtores in Dublin had no manner of victuals, many times for one day; that the ſoldiers would not move without money, ſhoes and ſtockings; for want of which, many had marched barefooted, and had bled much on the road; and that others, through unwholeſome food, had become diſeaſed and died.[a]

"That

[11] Cart. Orm. vol. i. [1] Ib. fol. 156.

[a] "To expreſs the neceſſity of the ceſſation (ſays Borlaſe) many perſons of quality ſigned, the ſaid 15th of September 1743, a writing, therein concluding it neceſſary for his majeſty's honour and ſervice, that the Lord Marquis of Ormond ſhould aſſent to a ceſſation of arms." Though ſome of theſe afterwards joining with the parliament's forces, reſolved to die a thouſand deaths, rather than deſcend (adds my author) to any peace with the perfidious rebels; but ſtuck not at length to that proteſtation, altering as the ſcene changed." Iriſh Rebel. fol. 170.

" That the Iriſh, all this while,[b] ſubſiſted very well, carrying their cattle, eſpecially their milch-cows, with them into the field.

" That the ſtate at Dublin had no money in the treaſury; ſometimes wanting means even to bury their dead commanders; that before the ceſſation was concluded, the government's army was ſo oppreſſed with wants, and their neceſſities were ſo great, beſides the diſcontent of the officers, that there was no need of any other enemy than hunger and cold, to devour them ſuddenly.

" That the confederate catholics had, all this time, three armies on foot in Leinſter, well furniſhed with neceſſaries and ordnance; and that they had perfect intelligence of this diſtreſs of the ſtate, and the condition of the Engliſh forces, knowing the prevailing ſtrength of their own armies."

The lords juſtices and council, in a letter of the 8th of May, 1643, confeſſed, " that they then found the royal army ſuffering under unſpeakable extremities of want of all things neceſſary to the ſupport of their perſons, or maintenance of a war; and that they had no viſible proſpect, by ſea or land, of being able to preſerve the kingdom for his majeſty, from utter deſtruction of the remnant of his good ſubjects there."

But they were now to be relieved from this extreme diſtreſs, by thoſe very men, whom they had hitherto conſidered and treated, as their worſt and moſt implacable enemies. For the confederate catholics freely obliged themſelves on the concluſion of this treaty,[c]

[b] Sir Philip Percival was ſo far from being inclined to favour the Iriſh in this repreſentation of their circumſtances, or in any other reſpect, that he was one of thoſe agents, that had been ſent to the king by the proteſtants of Ireland to oppoſe the ceſſation. And he did ſo virulently oppoſe it, that Sir George Ratcliffe told the Marquis of Ormond on that occaſion, " that, had he not been recommended by his lordſhip, he would have paſſed at court for a round-head." Carte's Orm. vol. iii. f. 316. This Sir Philip Percival ſoon after joined the Engliſh rebels.

[c] " Ormond's demand for a ſupply for maintenance of the king's

to pay to the Marquis of Ormond thirty thouſand pounds, for the preſent ſubſiſtence of his majeſty's army. And in order to "vindicate themſelves from the calumny [2] that was raiſed againſt them, as if they were rebels, and had reſolved to throw off the king's government, they further engaged, to tranſport ſeveral thouſands of their beſt men to Scotland, to re-inforce his majeſty's army there; which engagement they afterwards performed, with great honour to themſelves, and not leſs advantage to his majeſty's ſervice.

CHAP. VIII.

The ceſſation violated by his majeſty's forces in Ulſter.

THE ceſſation was ſcarce ſooner publiſhed, than rejected by the Scots in Ulſter,[3] ſtill, nominally at leaſt, under the Marquis of Ormond's command. For, upon the firſt notice of it, the Engliſh parliament,[1] "ſent them freſh ſupplies of money, arms and proviſions; with orders, on their arrival, to denounce fire and ſword to all that ſhould embrace it, and to march in a body, with all neceſſary proviſions, towards Dublin."

But theſe Scots did not, it ſeems, wait for the parliament's orders. For we find the ſupreme council complaining to the lords juſtices, on the 15th of October, that "the Scots,[2] who, not long before, had come

[2] Cart. Orm. vol. i.
[1] Lord Digby's Let. to the Marq. of Orm. Cart. vol. iii.
[2] Belling's MSS. Borl. Iriſh Rebel. f. 176.

king's forces, was not warranted by his commiſſion to hear their grievances; the confederates refuſed to bind themſelves by any previous ſtipulation, but declared their intention to grant his majeſty a free gift, on the concluſion of the truce." Lel. Hiſt. of Irel. vol. iii. p. 206.

[3] In 1642, there were twenty thouſand Scottiſh ſoldiers, "recent and veterate (ſays Borlaſe), under the Earl of Leven in the north." Iriſh Rebel. fol. 139.

come over in great numbers to Ireland, had, by the ſlaughter of many innocents, without diſtinction of age or ſex, poſſeſſed themſelves of large territories in the north; and that ſince the notice given them of the ceſſation, they had continued their former cruelties, upon the perſons of weak and unarmed multitudes." Wherefore, they humbly propoſed to their lordſhips, "that theſe violators of the ceſſation, and ſecret enemies of his majeſty, might be proſecuted by the joint power of all his majeſty's good ſubjects, of what nation ſoever; and that, while the ſuccours for his majeſty were in preparation, their own proceedings againſt them, might no way be imputed, as a deſire to violate the ceſſation."

But this propoſal being rejected by their lordſhips, and the hoſtilities of the Scots ſtill continuing and increaſing, a ſtop was, for a while, put to thoſe ſupplies which the confederate catholics had engaged to ſend to the king; a great part of them now becoming abſolutely neceſſary for their own defence. Lord Inchiquin was ſenſible of this impediment, when he told the Marquis of Ormond, in a letter from Oxford, February 1643,[3] "that though the Iriſh were extremely relied on, yet he feared, they were unable to do more than defend themſelves from the Scots, who, he doubted, would prove dangerous rebels to his majeſty." And Lord Digby alſo, writing to the marquis about the ſame time,[4] "made no queſtion, but that the Iriſh, in caſe they were rid of their apprehenſions of the Scots in Ulſter, would engage thoroughly, numerouſly, and entirely in his majeſty's ſervice."

The Marquis of Ormond was himſelf conſcious, that the increaſing hoſtilities of the Scots prevented the confederates from ſending the promiſed ſupplies to his majeſty; though he afterwards charged them with their delay in the performance, as a breach of their engagement.[b] For, excuſing himſelf to Prince Rupert,

[3] Carte's Orm. vol. iii. fol. 244. [4] Id. ib.

[b] Peter Walſh ſeemed to think, that this engagement was meerly

pert, "touching the procuring of arms [5] and ammunition from them, for the ſervice of his majeſty's ſhips under his command, he told him, that he had little hopes of prevailing with them; and that they were not very much to blame, the Scots being yet in Ireland in great numbers, and freſh reports coming daily, that they would not only begin the war with them in England afreſh, but endeavour to impoſe the taking of their covenant on the people of Ireland, by force of arms." [6]

CHAP. IX.

The covenant brought into Ireland; further breaches of the ceſſation by the Scotch and Engliſh forces.

THE Engliſh parliament having, on the 25th of September, 1643, with great ſolemnity, taken the covenant, diſpatched on the 4th of November following, Captain Owen O'Connolly, the famous diſcoverer of the Iriſh rebellion, with letters to all the Britiſh colonels in Ulſter, "recommending to them the taking of the ſame," and the carrying on the war againſt the Iriſh; and aſſuring them of ſufficient ſupplies for their maintenance, upon complying with theſe conditions." [7]

And

[5] Carte's Orm. vol. iii. fol. 280. [7] Ib. vol. i. fol. 487.

meerly voluntary (like that of their free gift of thirty thouſand pounds) on the part of the Iriſh: "It is certain (ſays he), that both Engliſh and Iriſh were engaged by duty to tranſport their arms into England, for his majeſty's aſſiſtance; but to ſay, that the Iriſh were engaged by articles to do the ſame, is a meer fiction." Reply to a Perſon of Quality, p. 51.

[6] In another letter he ſays, "I have with much earneſtneſs preſſed the Iriſh for ſome conſiderable payment of their arrears; but their preparations for their own defence, and poverty of the kingdom, waſted and exhauſted by war, makes me doubt their ſupplies will be ſlow and ſmall." Carte's Orm. vol. iii. f. 315.

[7] "The London adventurers ſent over an agent with letters at the ſame time, preſſing the ſame things, and giving the ſame aſſurances." Cart. ubi ſupra, fol. 486.

And this commiſſion did O'Connolly undertake to execute, although he knew that the king had, on the 9th of the foregoing month, declared by proclamation, "that covenant to be a traiterous and ſeditious combination againſt him, and againſt the eſtabliſhed religion and laws of the kingdom." This man had now entered into all the meaſures of the Engliſh rebels;[b] and was ſoon after made a colonel[a] by them; but about the year 1649, he was killed in an engagement, by Colonel John Hamilton.

After the landing of O'Connolly, "all the Scotch, and moſt of the Engliſh officers in Ulſter, took the covenant; although the Marquis of Ormond had, by the king's command, ſent down a proclamation againſt it, which the colonels of the regiments under his command there did not publiſh, for fear, as they pretended, of Major General Monroe. The inhabitants of the north were now become ſo violent for the covenant, that they even refuſed maintenance[c] to ſuch of the ſoldiers as would not take it."

And now, even thoſe Engliſh officers[d] and ſoldiers in Ulſter (who had ſubmitted to the ceſſation), were prevailed

[a] Id. ib.

[b] He had gotten, for the firſt diſcovery of this conſpiracy, five hundred pounds and two hundred pounds per ann. from the Engliſh parliament. Borl. Hiſt. of the Iriſh Rebel. fol. 55.

Yet, ſays Maul, Biſhop of Dromore, "when the memorable act of ſettlement paſſed in the year 1662, there were lands of ſome of the rebels forfeited eſtates in the county of Dublin, to the value of two hundred pounds a year, aſcertained and expreſsly ſecured, for the uſe of Arthur and Martha O'Connolly, orphans of Colonel Owen O'Connolly." Sermon on the 23d of October, 1641, note.

[c] "They, who had ever appeared moſt attached to the royal cauſe, now caught the popular contagion," (of the covenant.) Lel. ubi ſupra, vol. iii. p. 223.

[d] Theſe Engliſh officers ſoon after publiſhed a declaration, wherein they ſet forth, "that though they were not under the command of the Scots, yet they had joined with them in all their expeditions, and had made a ſtricter aſſociation with them ſince

prevailed on to promiſe Major General Monroe, that whenever he marched out againſt the Iriſh, they would join him in the expedition;[3] and of the juſtice of this union, againſt ſuch an enemy, they declared themſelves ſatisfied in their conſciences. "Accordingly,[4] on the 30th of June, the two combined armies, making about ten thouſand foot, and one thouſand horſe, (though neither Owen O'Neil, nor the Earl of Caſtlehaven, the two Iriſh generals in that province, did ſuſpect in the leaſt, that either the old Scots, or the Engliſh under the Marquis of Ormond, would march againſt them, in breach of the ceſſation), ſent out ſeveral parties into Weſtmeath and Longford, which burnt the country, and put to the ſword all the country people that they met."[c]

Major General Monroe's ingratitude and perfidy were, in every reſpect, equal to his cruelty. This appeared by his behaviour to the Earl of Antrim, ſoon after his arrival in Ireland. "Mr. Archibald Stuart, chief agent to that earl, had raiſed,[5] in the beginning of the troubles, about eight hundred men, a great part

[3] Carte's Orm. vol. i. f. 487. [4] Id. ib. [5] Ib. f. 188.

ſince the ceſſation to carry on the war (againſt the confederates) upon condition the covenant ſhould not be preſſed upon them. However, the committee from the Engliſh parliament ſtill continued to preſs the covenant; reſolving upon their refuſal, to ſtrip them of their reſpective commands and employments." Cart. Orm. vol. i. f. 539.

[c] Upon his army's approach to Newry, in the beginning of May 1642, the rebels quitted the town; but Monroe put ſixty men, eighteen women, and two prieſts to death there. The ſame general, when before Charlemont, the 15th of July following, after taking a view of the place, making a prey of cattle, and killing ſeven hundred country people, men, women, and children, who were driving away their cattle, returned to Newry, without doing any other ſervice." Carte's Orm. vol. i. fol. 309, 311.

"George Monroe afterwards delivered Enniſkillen to Sir Charles for five hundred pounds; though a little before he had from Lord Clanrickard one thouſand two hundred pounds for to ſecure it." Borl. Hiſt. of the Iriſh Rebel. f. 314.

part of them the Earl of Antrim's tenants and dependants, near Ballymenagh; and with them ſecured that part of the county of Antrim; notwithſtanding which, this major general, with two thouſand five hundred Scots, marched about the middle of April, 1642, into that country, where he made a prey of above five thouſand cows, burnt Glenarm, a town belonging to the Earl of Antrim, and waſted that nobleman's lands. The earl came, in the latter end of April, to his ſeat at Dunluce, a ſtrong caſtle by the ſea ſide; and after his arrival there, found means to ſupply Colerain, which had been blocked up by the Iriſh, and was reduced to extremity, with an hundred beeves, ſixty loads of corn, and other proviſions, at his own expence. He had offered Monroe his ſervice and aſſiſtance for ſecuring the country; in the peace of which he was greatly intereſted, by reaſon of his large eſtate, the rents of which he could not otherwiſe receive. Monroe made him a viſit at Dunluce, where the earl received him with many expreſſions of gladneſs, and had provided for him a great entertainment; but it was no ſooner over, than the major general made him a priſoner,[f] ſeized the caſtle, and put the reſt of the earl's houſes into the hands of the Marquis of Argyle's men."

The

[f] "Who, through the favour of a cloſe night, eſcaped, though purſued, and at Finagh-bridge (their forces) met with a ſevere ſlaughter; Nugent's houſe of Caleſtown they burnt, and hanged him." Borl. Hiſt. of the Iriſh Rebel. f. 204.

He afterwards eſcaped "into Flanders, and from thence came to the prince, then in the weſt; he came, with two good frigates into the port of Falmouth, and offered his ſervice to his royal highneſs; and having in his frigates a quantity of arms and ſome ammunition, which he had procured in Flanders for the ſervice of Ireland, moſt of the arms and ammunition were employed, with his conſent, for the ſupply of the troops and garriſons in Cornwall; and the prince made uſe of one of the frigates to tranſport his perſon into Scilly, and from thence to Jerſey; without which convenience, his highneſs had been expoſed to great difficulties, and could hardly have eſcaped the hands of his enemies." Clar. Life, vol. ii. p. 247.

The continuation of the before-mentioned outrages of the Scots in Ulſter, in breach of the ceſſation, cauſed Lord Digby to write to the Marquis of Ormond, in July 1644, "that[6] the growing diſorders of the kingdom imported a greater neceſſity of peace with the Iriſh, and of an union againſt thoſe traitors of the covenant, ſo much more dangerous than any other, as they were firmly linked with the rebels in England."

CHAP. X.

The revolt of Lord Inchiquin.

ABOUT this time died Sir William St. Leger, Lord Preſident of Munſter; and the king having appointed the Earl of Portland to ſucceed him in that charge,[1] Lord Inchiquin, who was married to Sir William's daughter, and had ſolicited and expected that preſidentſhip after his father-in-law's deceaſe, was now ſo much incenſed by the diſappointment, that he was eaſily perſuaded by Lord Broghill,[2][a] to reject the ceſſation, and to receive the Engliſh parliament's commiſſion for the preſidentſhip of Munſter, in oppoſition to the king's appointment. "In this capacity,[3] he performed many conſiderable ſervices for that parliament, taking great ſtore of plunder from the Iriſh, and not ſparing," ſays Ludlow, "his own kindred; but if he found them faulty, hanging them up without diſtinction."

But one of his moſt memorable ſervices on this occaſion, was his barbarous exploit at Caſhel;[4] "where, having brought together an army, and hearing that many

[6] Cart. Orm. vol. iii. fol. 335. [1] Id. ib. vol. i. fol. 512.
[2] Ludlow's Mem. vol. i. [3] Id. ib.
[4] Id. ib. Caſtlehaven's Memoirs.

[a] Inchiquin "by the help of the Lord Broghill, ſon to the Earl of Cork, poſſeſſed himſelf of Youghal, Kinſale and Cork, whereof two are haven-towns, all conſiderable in Munſter." Leyburne's Memoirs, Preface, p. xxviii.

many prieſts and gentry thereabouts had retired with their goods into the church of that city, he ſtormed it, and put three thouſand of them to the ſword, taking the prieſts even from under the altar." [b]

At the ſame time that he himſelf deſerted the king's ſervice,[5] he perſuaded his brother, Lieutenant Colonel Henry O'Brien, to deliver up Wareham to the Engliſh parliament, and to come away, with his whole regiment, to Ireland. This lieutenant colonel was afterwards [6] taken priſoner by the confederates, and in great danger of an unhappy end, in revenge for a Roman catholic dean, whom his brother had lately cauſed to be hanged, and for his own crime in delivering Wareham to the parliament. But Lord Caſtlehaven, alleging "that for this very reaſon he ought, for a teſtimony of their own loyalty, and of their deteſtation of his breach of truſt, to be ſent as a preſent to the king, to be puniſhed as his majeſty ſhould ſee fit; he was ſaved from preſent execution, and afterwards exchanged."

Though Inchiquin's diſappointment was the real cauſe of his defection, yet he pretended another, and more extraordinary reaſon for it to the Marquis of Ormond, viz. "an information [7] he had received from ſome Engliſh women, of a common talk of ſome of the

[5] Carte's Orm. vol. i. fol. 513. [6] Id. ib. fol. 529.
[7] Id. ib. vol. iii.

[b] "Near twenty prieſts were then ſlaughtered in that cathedral." Carte's Orm. vol. ii. fol. 9.

Mr. Carte relates that affair thus, but upon what authority he does not ſay. "Inchiquin, before he attacked the cathedral, offered the inhabitants (of Caſhel who retired into it) and the garriſon, leave to depart, upon condition they advanced him three thouſand pounds, and a month's pay for his army. The propoſal was rejected, and the place being taken by ſtorm, a prodigious booty was found there, and great ſlaughter made of the garriſon and citizens, before Inchiquin entered the cathedral and gave orders that none ſhould be put to death." Id. ib. But Mr. Carte does not pretend to account, why Inchiquin did not enter the cathedral, and give theſe orders until all the citizens and garriſon were put to death.

the Iriſh, that they deſigned to ſeize Cork," and upon this frivolous pretence, he drove all the magiſtrates and catholic inhabitants out of that city; as alſo out of Youghall and Kinſale, "allowing them to take no more of their goods with them, than what they could carry on their backs,[8] ſeizing all the proviſions and effects in their houſes." Lord Digby, by his majeſty's command, recommended theſe diſtreſſed people to the Marquis of Ormond's care. "The king," ſays he,[9] "is very ſenſible of their ſad condition, and will not ſoon forget the inhumanity of that lord."

But Inchiquin,[c] in order to engage his officers and ſoldiers in the ſame meaſures he had embraced himſelf, cauſed an oath to be adminiſtered to them,[10] by which they obliged themſelves to endeavour the extirpation of popery, to carry on the war againſt the Iriſh, notwithſtanding any command, proclamation, or agreement to the contrary; and to ſubmit to no peace or conditions with them, but by conſent and allowance of king and parliament. This was then a favourite mode of expreſſion with thoſe who fought, in the king's name, againſt his perſon.

CHAP.

[8] Cart. Orm. vol. i. [9] Ib. vol. iii. fol. 353.
[10] Belling's MSS.

[c] "The Lord Inchiquin," ſays Borlaſe, "who being eaſily wrought on to agree to the ceſſation, carried over many of his Munſter forces to the king, who, in memory of his ſervice, beſtowed on him a noble wardſhip, and would have made him an earl, but the preſidency of Munſter, prediſpoſed of to the Earl of Portland, being his aim, he returns again into Ireland." Iriſh Rebel. fol. 198. Inchiquin, Broghill, and their officers, wrote different letters to the king and both houſes of parliament againſt the ceſſation; and deſiring that the Iriſh might be again proclaimed rebels. Id. ib.

CHAP. XI.

The confederates ſend ſupplies to the king.

HOW much ſoever the king has been cenſured,[a] for employing his Iriſh catholic ſubjects againſt his Engliſh and Scottiſh rebels (even by thoſe who had actually reduced him to that neceſſity), his majeſty's good opinion of their courage and fidelity, was certainly well-grounded. Lord Byron, in a letter from Cheſter to the Marquis of Ormond, January 30th 1643, requiring ſupplies from Ireland,[1] "wiſhed they were rather Iriſh than Engliſh; for that the Engliſh he had already were very mutinous; and being," ſays he, "for the moſt part this countrymen, are ſo poiſoned by the ill-affected people here, that they grow very cold in this ſervice." And, indeed, that this preference in favour of the Iriſh, was juſt and reaſonable, appears from

[1] Carte, Leland, &c.

[a] "It was Lord Inchiquin above-mentioned, that firſt moved the king to ſend for the forces of Ireland into England." Borl. Hiſt. of the Iriſh Rebel. fol. 203.

'Tis true, that by the act of adventurers, 17 Carol. "the king was reſtrained from making any peace or ceſſation with the Iriſh;" but by the ſame act, the money that was thereby raiſed was to be no otherwiſe employed but towards ſuppreſſing the rebellion in Ireland; and by the parliament's failure as to this condition (for as we have already ſeen, they employed it in their war againſt his majeſty), they left the king free as to the other condition, if neceſſity ſhould oblige them to overlook it, as it certainly did. "Great ſums of money," ſays Clarendon on this occaſion, "were daily brought in, and preparations and proviſions, and new levies of men were made for Ireland. But the rebellion in England being ſhortly after fomented by the parliament, they applied very much of that money brought in by the adventurers, and many of the troops which had been raiſed for that ſervice, immediately againſt the king. And by this means Ireland was unſupplied, and the rebellion ſpread and proſpered with little oppoſition, for ſome time." Clar. Life, vol. ii. p. 113-14.

from hence, that ſuch of the Engliſh proteſtant forces as were commanded over on that duty, "went with ſuch reluctance," ſays Borlaſe,[2] "as the ſharpeſt proclamations, of which there were ſeveral, hardly reſtrained them from flying their colours, both before and after their arrival in England."[b] But with how much ſpirit and alacrity the Iriſh crowded into that ſervice, and what wonders they performed in it, ſhall be preſently related from unqueſtionable authority.

But there now aroſe a new and more ſubſtantial impediment, to the tranſmiſſion of theſe ſupplies by the confederates,[3] "from the Iriſh coaſts being infeſted by ſwarms of rebel ſhips,"[c] whoſe commanders ſhewed no mercy to ſuch of the royal party as had the misfortune to fall into their hands. For "of one hundred and fifty men,[4] whom the Marquis of Ormond had about this time ſent to Briſtol, and who happened to be taken by Captain Swanley, commander of a parliament ſhip, ſeventy, beſides two women, were inhumanly thrown overboard, on pretence that they were Iriſh." This ſtruck a juſt terror into all the neighbouring ports, and ſcarce a ſhip durſt ſtir out of the harbour. Shortly after, however, ſeveral hundred Iriſh ventured off to his majeſty's aſſiſtance; "and on the third day of their ſailing,[5] having taken a Scotch veſſel,

[2] Hiſt. of the Iriſh Rebel. fol. 177. [3] Cart. Orm. vol. i.
[4] Ormond's Let. Cart. Collect. of his Papers, vol. i. p. 48.
[5] Carte's Ormond, vol. i.

[b] "They deſerted to Sir Thomas Fairfax, notwithſtanding their ſolemn oath; and numbers of them were perſuaded to take arms for the parliament." Lel. Hiſt. of Irel. vol. iii. p. 216.

[c] The Marquis of Ormond himſelf, in a letter to the Archbiſhop of York, May 27th, 1644, mentions theſe two great impediments to the tranſmiſſion of the Iriſh ſupplies. "In addition to other difficulties," ſays he, "we are here threatened with an invaſion of the Scots out of the north, who have treacherouſly ſurpriſed Belfaſt, and attempted other Engliſh garriſons; ſo that until theſe ſeas be cleared, and the danger of the Scots over, Angleſey can expect little indeed, or no ſuccour out of Ireland." Carte's Collec. of Orig. Papers, vol. i. p. 48.

ſel, with about fifty kirk-miniſters, deputed to preach up and adminiſter the covenant in Ulſter, inſtead of retaliating Captain Swanley's late inhumanity, they contented themſelves with only making them priſoners." [d]

On the 16th of May, 1644, the Earl of Antrim acquainted the Marquis of Ormond, that "he had then,[6] for three months paſt, maintained by his own credit, and that of his friends, at leaſt two thouſand men, ready to be ſhipped off, waiting for their arms and proviſions; which, he feared, would not come ſo ſoon as expected, while the parliament ſhips were ſo thick on that coaſt." [e]

Yet ſo great was that lord's zeal for his Majeſty's ſervice, and ſo little did the Iriſh fear the danger then attending it, that on the 27th of the following month, he wrote again to the marquis, "that he had ſent off about ſixteen hundred men, [7] being as many as the ſhips could conveniently hold, completely armed by his own ſhifts, beſides fifteen hundred pikes; and that he had diſcharged ſeven or eight hundred men for want of ſhipping."

[6] Ib. vol. iii. [7] Id. ib.

[d] The Marquis of Ormond, in a letter to Lord Digby, March 8th, 1643, ſays, "if I had arms, proviſions to keep, and ſhips to tranſport them, I ſhould not doubt, from the ports in the king's obedience, to ſend at times, conſiderable numbers of Iriſh, with little noiſe, and without the help of the pretended Iriſh council." Carte's Orm. vol. iii. f. 246.

And Lord Inchiquin, in a letter to the Marquis of Ormond, Oct. 10, 1643, tells him, that, "notwithſtanding the increaſing hoſtilities of Scots in Ireland, who he feared would prove dangerous rebels to his majeſty, he thought, that ſome five thouſand Iriſh might be raiſed, and ſent over to his majeſty's aſſiſtance, though his majeſty ſhould deſire none but volunteers, not enliſted there." Ib. f. 244.

[e] "I am ſorry," ſays Secretary Nicholas, in a letter to the Marquis of Ormond, May 20th, 1644, "that the paſſage to and from Ireland, is, by the Engliſh rebels ſhipping on that coaſt, rendered ſo difficult; and that there is no poſſibility for the king ſuddenly to ſet forth and maintain ſuch a guard upon the Iriſh coaſt as to ſuppreſs their forces by ſea." Carte's Collect. of Orm. Orig. Papers.

ſhipping." But his lordſhip ſeems to have ſhifted, ſo well afterwards, that we find, by a letter of the Marquis of Ormond, July 17th following,[f] "that[g] the number of men then embarked by him (Antrim) from Waterford and other places, amounted to two thouſand five hundred, well armed, and victualled for two months." For which good ſervice, "in the year 1644, the Earl of Antrim had the dignity of marquis conferred upon him."[9]

Lord Clarendon's high encomiums on this nobleman's zeal and activity in the king's ſervice; and on the valour, fidelity, and wonderful ſucceſs of theſe Iriſh in promoting it, is the more remarkable, as it is well known, that his lordſhip was not at all biaſſed by any partial affection to either of them.[g 10] "It cannot be denied," ſays he, "that the levies the Marquis of Antrim made, and ſent over to Scotland under the command of Colkitto,[h] were the foundation of all thoſe wonderful acts, which were performed afterwards by the Marquis of Montroſs. They were fifteen hundred men, very good, and with very good officers; all ſo hardy, that neither the ill fare, nor the ill lodging, in the

[9] Carte's Orm. vol. iii. fol. 328.
[9] Enquiry into the Share, &c. p. 305.
[10] Clarendon's Life written by himſelf, vol. ii. p. 246. See Append.

[f] Yet the Marquis of Ormond, in a letter of that ſame 17th of July, 1644, owns, "that the Iriſh coaſts were then inveſted with a ſwarm of rebel ſhips." Cart. Orm. vol. iii. p. 327.

[g] Lord Clarendon in a letter to the Duke of Ormond July 18th 1663, has theſe words: "I know not whether you have yet received the king's letter about my Lord Antrim, of whom you know I was never fond. It is ſtrange that you have not ſent the informations to us, (if there were any againſt him) for we know the king was not more inclined towards him than law and juſtice required." Cart. Orm. vol. ii. fol. 282. Lord Antrim's trial for the recovery of his eſtate, was then depending in the court of claims in Ireland.

[h] "Sir Alexander M'Donnell, alias Colkitto, was afterwards killed, together with his lieutenant colonel, at the battle of Knocnones, Nov. 13th, 1647, fought between Inchiquin's and Lord Taaffe's forces." Borl. Iriſh Rebel. fol. 243.

the Highlands, gave them any diſcouragement. They gave the firſt opportunity to the Marquis of Montroſs of being at the head of an army, that defeated the enemy, as often as they encountered them.[i] After each victory, the Highlanders went always home with their booty; and the Iriſh only ſtaid together with their general. And from this beginning, the Marquis of Montroſs grew to that power, that after many battles won by him, with much ſlaughter of the enemy, he marched victoriouſly with his army till he made himſelf maſter of Edinburgh, and redeemed out of the priſon there, the Earl of Crawford, Lord Ogilvy, and many other noble perſons, who had been taken and ſent thither with a reſolution that they ſhould all loſe their heads; and the Marquis of Montroſs did always acknowledge, that the riſe and beginning of his good ſucceſs was due, and to be imputed, to that body of the Iriſh which had in the beginning been ſent him by the Marquis of Antrim; to whom the king had acknowledged the ſervice, in ſeveral letters of his own handwriting." [k]

It is therefore no wonder, that we find Lord Digby ſo

[i] Nothing can better ſhew the tranſcendent madneſs of religious fury and enthuſiaſm, than the word of the Scottiſh rebels, in the memorable battle which Montroſs gained in September, 1644, viz. "Jeſus and no quarter," monſtrous conjunction of the venerable name of a meek and merciful Saviour, with orders of bloody inhumanity. See Graing. Biograph. vol. ii. p. 245.

[k] His majeſty in a letter of January 4th, 1644, to the Marquis of Ormond, urging him to conclude the peace with the confederates, has the following words. "On this occaſion it having pleaſed God ſo far to bleſs my affairs in Scotland under the Marquis of Montroſs, by thoſe helps which you have given him from Ireland, whereof I find very powerful effects in the temper of the Scottiſh nation at London, I cannot but conſider the ſupporting the Marquis of Montroſs's power there, as one of the moſt eſſential points of all my affairs;" he therefore ſent "to ſolicit the Iriſh for procuring the ſpeedieſt and moſt conſiderable ſupply of arms, ammunition, and men alſo, that could be obtained, to be ſent over with all poſſible expedition." Carte's Collect. of Orig. Pap. p. 367.

frequently importuning the Marquis of Ormond,[11] "to uſe all poſſible means to aſſiſt, and encourage, the Earl of Antrim, and his forces, in the ſervice of Scotland; whereof the king's party," ſays he, "find ſuch admirable effects in England." Nor on the other hand, is it at all ſtrange, that in order to prevent their coming into England, the parliament of that kingdom paſſed that cruel ordinance of the 24th of October, 1644,[12] "that no quarter ſhould be given to any Iriſhman or papiſt born in Ireland, that ſhould be taken in hoſtility againſt the parliament, either upon the ſea, or in England or Wales."[1]

CHAP. XII.

The confederates preſs the Marquis of Ormond to take the command of their forces.

THE hoſtilities daily committed on the confederates by Monroe in Ulſter, Sir Charles Coote in Connaught, and by Inchiquin in Munſter, in breach of the ceſſation, cauſed them often to repeat their earneſt requeſt to the Marquis of Ormond,[a] now lord lieutenant of

[11] Carte's Orm. vol. iii.

[12] Borl. Iriſh Rebel. fol. 178. See Hughes's Abridgment.

[1] Together with ſtrict orders "to the lord general, lord admiral, and all other officers, by ſea and land, to except all Iriſhmen and all papiſts born in Ireland, out of all capitulations, agreements, or compoſitions, hereafter to be made with the enemy; and upon taking of every ſuch Iriſhman or papiſt born in Ireland, forthwith to put ſuch perſon to death." Hughes's Abridgment of Acts, &c. p. 165.

[a] Who was fully ſenſible of the heinouſneſs of that breach. For, in a letter to Colonel Mathews, ſo ſoon after its concluſion as December 14th, 1643, he ſays, his majeſty having agreed thereunto (the ceſſation), and publiſhed to the world by his proclamation, that the ſame ſhould be kept, is bound by honour and all laws, to maintain it with all his power; from whence it doth follow, that all who ſhall oppoſe it, muſt oppoſe himſelf againſt his power and authority." Cart. Orm. vol. iii. fol. 218.

of Ireland,[b] that he would condeſcend either to take the command of their forces upon himſelf, or to permit them to employ them againſt thoſe now his majeſty's open and declared enemies. They were the more importunate in this requeſt, as they were privately aſſured, that orders of that kind had been already ſent to his excellency; for his majeſty had promiſed that the marquis ſhould join with them,[c] particularly againſt the Scots in Ulſter, when a peace or ceſſation was concluded;[1] "it being underſtood," ſays Lord Digby on this occaſion, "that, if the Scots ſubmitted not to it, they ſhould then be declared againſt as common enemies."

The marquis himſelf was fully ſenſible of the rebellious diſpoſitions of theſe Scots. He even owned, in a letter to Lord Digby, July 17th, 1644,[2] "that he doubted not, but that, when they were all able, they would endeavour to be maſters of all the harbours and other places of conſequence in the kingdom, on pretence of ſecuring them againſt papiſts, and malignants." Soon after this, he acquainted the Earl of Clanrickard,[3] "that he had diſcovered a conſpiracy, whereby Drogheda firſt, and by conſequence Dublin, was to have been put into their hands." On the other ſide, he confeſſed, that by accepting the command of the confederates army,[4] "he might have drawn their dependence upon him, and been able to diſpoſe of their forces, according to his majeſty's pleaſure, for the advantage

[1] Carte's Orm. vol. iii. fol. 346. Letter to Ormond.
[2] Id. ib. fol. 327. [3] Id. ib. fol. 370.
[4] Id. ib. fol. 322.

[b] "On the 21ſt of January, 1644, James Marquis of Ormond was ſolemnly, in Chriſt church, Dublin, ſworn lord lieutenant, with general acceptance." Borl. Hiſt. of the Iriſh Rebel. fol. 110.

[c] The king himſelf in the poſtſcript of a letter to Ormond, in December 1644, ſays on this occaſion, "I have thought to give you this further order (which, I hope, will prove needleſs) to ſeek to renew the ceſſation for a year; for which you ſhall promiſe the Iriſh, if you can have it no cheaper, to join with them, againſt the Scots and Inchiquin." Reliq. Sacræ Carol.

vantage of the ſervice, either in Ireland, or elſewhere; that he was aſſured the confederates, in caſe of his compliance, would provide the king's army then in his charge; but that, if he refuſed, they might conceive they were not obliged to it, having, as they alleged, paid all that was promiſed,[4] or been damnified by his party in more than remained due, ſince the ceſſation." He knew,[5] that actually at that very juncture, theſe confederates were preparing ſix hundred barrels of corn, and four hundred beeves, for his army; and, in ſhort, that all his hopes of ſubſiſtence then depended upon them, and that a breach with them, for which they did not want a colour, might have ſtopt that ſupply."

Yet, in oppoſition to all theſe motives of duty, neceſſity, and convenience, his excellency alleged, as his principal reaſon for not complying,[6] "that if he agreed to either of the ways deſired by the Iriſh; that is," ſays he, "if I take the charge of their army upon me, or denounce immediately an offenſive war againſt the Scots, not ten proteſtants will follow me; but rather riſe as one man, and adhere to the Scots."[7] Nay "he was confident, he ſhould, in that caſe, be ſuddenly and totally deſerted by the proteſtants."

After ſuch a repreſentation of the different diſpoſitions of the proteſtants and catholics of Ireland at that diſtracted period, and by ſo great and competent a judge and witneſs, who can entertain the leaſt doubt, but

[5] Cart. Orm. vol. iii. fol. 322.

[6] Id. ib. fol. 323.

[7] Id. ib.

[4] The confederates had aſſured Daniel O'Nial, a colonel in the king's ſervice, whom Ormond ſent to them on this occaſion, "that though by the agreement in writing, his excellency was to receive 30,000l. yet, to their agents or commiſſioners who treated with him, he engaged his honour, that 15,000l. ſhould make ſatisfaction." Cart. Orm. vol. iii. fol. 308.

On occaſion of this gentleman's death, in 1669, King Charles in a letter of that date, to his ſiſter, the Dutcheſs of Orleans, ſays, "poor O'Nial died this afternoon of an ulcer in his guts; he was as honeſt a man as ever lived; I am ſure I have loſt a good ſervant by it." Sir John Dalrymp. Mem. Append. vol. i. p. 32.

but that the latter were really, and the former only nominally, his majeſty's loyal ſubjects.

And indeed, not only the confederate catholics, but even ſeveral other noblemen of the kingdom, entirely unconnected with them, preſſed earneſtly for a declaration of hoſtilities againſt thoſe violators of the ceſſation. The Earls of Thomond and Clanrickard, and the Lords Dillon, Taaffe, Ranelagh, Fitzwilliams and Howth, jointly urged the neceſſity of that meaſure in an affecting memorial, addreſſed to his majeſty; wherein, after having repreſented [s] "their diſtracted condition, expoſed to the mercy of two powerful armies, the one of the confederate catholics (if," ſay they, "they were diſpoſed to make any invaſion upon us) and the other of the Scotch covenanters, and ſuch as adhered unto them, who by burning, ſpoiling, and committing of cruel and hoſtile acts, had broken the ceſſation, and caſt off all obedience to his majeſty's government; they humbly propoſed, that the lord lieutenant and council might be commiſſioned to proceed in the articles and conditions of peace,[c] with the moderate and well affected on both ſides; and that, in regard the Scotch covenanters and their adherents did refuſe to pay obedience to his majeſty's government, they might be ſpeedily declared enemies, and his majeſty's power employed for the ſuppreſſing of them; to which the confederate party," added they, "who kept the ceſſation, would doubtleſs give their beſt aſſiſtance."

CHAP.

[s] Carte's Orm. vol. iii. fol. 322.

[c] The Marquis of Ormond had before this time, received a commiſſion to conclude a peace with the confederate catholics.

CHAP. XIII.

The king ſends Ormond a commiſſion to conclude a peace with the confederates.

ON the 26th of July, 1644, the Marquis of Ormond had received a commiſſion from his majeſty, to conclude the peace mentioned in the above memorial with the confederate catholics, upon ſuch conditions as ſhould appear to him juſt and honourable. In the treaty for that purpoſe, which was not begun till the 6th of September following, the confederates inſiſted, as they had before done in the treaty for a ceſſation, upon the diſſolution of the preſent parliament,[a] and the

[a] "On account of its being determined by the death of Lord Deputy Wandesford, in 1640, and of the illegal order made by it ſince, Auguſt 7th, 1641, excluding Roman catholics from the houſe." (Carte's Ormond, vol. i. fol. 517.) And becauſe, "a conſiderable number of the commons was then made up of clerks, ſoldiers, and ſerving-men and others, not legally, or not at all choſen or returned, nine parts of ten of the natural and genuine members thereof being abſent, it ſtanding not with their ſafety to come under the lords juſtices power." Remonſtrance from Trim.

In this treaty alſo, the Iriſh commiſſioners propoſed, "that the Scots in Ulſter, who had violated the ceſſation, and all thoſe that adhered to them, ſhould be proclaimed traitors; but this propoſal was likewiſe rejected." Cart. ib. vol. i. fol. 519.

In what contempt this houſe of commons was held, even by the chief governors of Ireland, at that juncture, appears by their privileges having been often inſulted by their order of billeting ſoldiers on the houſes of the members in Dublin, during the ſeſſions, and by their proroguing them at pleaſure, from the year 1642 to 1646, not leſs than thirty-eight times, notwithſtanding the frequent and clamorous remonſtrances of the commons againſt both theſe infringements. During the ſeſſion of 1644, Lambert, the provoſt marſhal of the city of Dublin, was not affraid to lay violent hands on one Johnſon, a member, in contempt of his privilege, to drag him barbarouſly from his houſe, without hat or cloak, through the ſtreets to the Tholſel, on

the calling of a new one; and upon the repeal of the penal ſtatutes againſt the exerciſe of their religion.

For their firſt demand, they had now much better grounds, than when they treated for a ceſſation of arms, for they had ſince learned that his majeſty, in a letter of the 2d of July, 1643, directed to the lords juſtices and Marquis of Ormond himſelf, had commanded them,[1] to "aſſure the Iriſh, in his name, that he was graciouſly inclined to diſſolve the preſent parliament, and call a new one, between that and the 10th of November following; and to take a courſe to put all thoſe that ſhould be choſen members of ſaid parliament into ſuch a condition, as that they ſhould not be prejudiced of their liberty of aſſiſting, ſitting, and voting, in ſaid parliament."[b]

And with reſpect to the repeal of the penal ſtatutes, the Marquis of Ormond himſelf owned,[2] "that the confederates had been aſſured, by divers, and by ſome as from the king, that his majeſty would not ſtick at it; Lord Taaffe and Mr. Brent affirming, that they had command from the king to give them that aſſurance; and that generally, all who came from court, declared, that it was not only his majeſty's ſenſe, but held reaſonble by moſt of his ſervants on that ſide, whether of the army or others."

To theſe two points, however, his excellency could, by no means, be perſuaded to agree. Their firſt propoſal of calling a new parliament,[c] he abſolutely rejected, though

[1] Borl. Hiſt. of the Iriſh Rebel. fol. 164.
[2] Carte's Orm. vol. iii. fol. 430.

on a warrant for the trifling ſum of four ſhillings; and being warned of the danger of thus treating a member of parliament, he ſcornfully anſwered, undervaluing and ſlighting his privilege, that he had hanged many an honeſter man than he." Which probably was very true. See Supplement to the Com. Jour.

[b] This his majeſty had promiſed in order to induce the Iriſh to conclude the ceſſation. See that letter in Borl. Hiſt. of the Iriſh Rebel.

[c] It appears, that Ormond would have had his powers to grant a new parliament concealed from the Iriſh, and that he was diſpleaſed

though he knew that the preſent parliament was irregular and illegal.[3] "Their new parliament," ſays he, in a letter to Lord Digby on this occaſion, "is to be, at no hand admitted." And how obſtinately he perſiſted in refuſing the repeal of the penal ſtatutes, notwithſtanding his enlarged powers to grant it, will hereafter appear. In ſhort, he ſeems to have all along concealed his own ſettled averſion to the peace, under the pretence[4] "of taking with him, in that great work, the advice of the privy-council," in which, nevertheleſs, he owned, "that his majeſty had not a ruling number;" it being, as we have ſeen, compoſed of men already predetermined againſt even a ceſſation with the confederate catholics, almoſt upon any terms.

CHAP. XIV.

The treaty of peace adjourned.

THUS was the treaty adjourned from the 6th of September to the 10th of January following; and afterwards, by means of the ſame diſagreement in the two points above-mentioned, to the 10th of April, 1645.

On occaſion of this laſt adjournment, Lord Clanrickard[a] told his excellency, "that if the confederates commiſſioners

[3] Cart. Orm. vol. iii. fol. 430. [4] Id. ib. fol. 340.

diſpleaſed at finding they had got intelligence of them. Of this he complained in a letter to Lord Digby, January 13th 1643, "My advice, (ſays he) for the continuance of the preſent parliament came to be known to ſome about the court, that gave intimation of it to the Iriſh. I ſhall notwithſtanding, deliver my opinion freely, and faithfully; but, if I be not unneceſſarily repreſented to them, as an hinderer of their deſires, I ſhall be better able to ſerve the king in what he expects. I wiſh that none of the Iriſh be made acquainted with my diſpatches." Cart. Orm. vol. iii. fol. 228.

[a] The very extraordinary merit and ſervices of this lord, though a Roman catholic, are univerſally allowed. The Marquis

commiſſioners ſhould then depart in that unſettled condition, he was confident it would not be in the power of any, the beſt affected, to prevent a ſudden and irrecoverable breach.' And freely," adds his lordſhip, " to declare my own opinion, if theſe commiſſioners have ſo moderated their propoſitions as is reported, that they will inſiſt on no material demand, but that, without which neither themſelves, nor any of that religion, can ſecurely enjoy the liberty of conſcience, or live either with honour or ſafety; to break upon ſuch a point, may prove much to the diſſervice of his majeſty."

As a further incitement to the concluſion of this peace, Lord Digby had informed his excellency, in February 1644,[2] " that the Scottiſh commiſſioners at London, having gained a tyranny over the Engliſh, were the only hinderers of peace, and moſt fierce in the

[1] Id. ib. fol. 351. [2] Id. ib. fol. 384.

quis of Ormond, in a letter to Lord Digby, ſays, " the Earl of Clanrickard's merits and abilities are ſuch, that I cannot readily adviſe of any proportionable reward and encouragement for them. But it ſhall be my work, and an hard one it will be, his majeſty and the preſent times conſidered, to find out what will beſt fit and pleaſe him." Cart. Orm. vol. iii. fol. 289.

" To whom (Clanrickard) the Engliſh reſorted with much ſecurity, and were indeed by him relieved with great hoſpitality, to an incredible charge of his own purſe, hanging many, though of his own kindred, whom he found imbrued in blood, greatly reſenting the barbarity and inhumanity of the Iriſh, inaſmuch as Hubert Boy Bourk and Sir Ulick Bourk, his near relations, preying on the Engliſh, he often fruſtrated, by diſcovering their deſigns, and furniſhing Sir Charles Coote, from time to time, with ſupplies of arms and ammunition, to oppoſe them and impoveriſh their country." Borl. Iriſh Rebel. fol. 100.

" He was not (ſays Mr. Grainger) a man of ſhining abilities, but of great humanity, courteſy, and generoſity, ſtrongly attached to his friends, a true lover of his country, above all ſordid views or motives of private intereſt; he adhered to the crown from principle, and had a particular affection to the king's perſon. Judge Lindſay has given a maſterly character of him before his book (Memoirs); this character is contraſted with that of the Marquis of Ormond." Biograph. Hiſt. vol. ii. fol. 149.

the point of Ireland, as," adds he, " they had reaſon; for in this treaty, a clear diſcovery is made, that Ireland is wholly given up to them, by the cloſe committee of ſtate." [b]

His majeſty, in a letter to the Marquis of Ormond of the 18th of the ſame month, thus emphatically expreſſes himſelf, on the ſubject of this treaty.[a] " A peace with the Iriſh is moſt neceſſary to my affairs in England; wherefore, I command you to diſpatch it out of hand. And I do hereby promiſe them, and command you to ſee it done, that the penal laws againſt the Roman catholics ſhall not be put in execution, the peace being made, and they remaining in their due obedience. And further, when the Iriſh give me that aſſiſtance, which they have promiſed, for the ſuppreſſion of this rebellion, and I ſhall be reſtored to my rights, I will conſent to the repeal of them by a law."

In ſhort, ſo impatiently did the king deſire and urge the concluſion of this peace with the confederates upon the

[a] Cart. Orm. vol. iii.

[b] And the king himſelf in a letter to the Marquis of Ormond February 17th, 1644, after mentioning many reaſons to ſhew the neceſſity of this peace, adds, " beſides its being now manifeſt, that the Engliſh rebels have, as far in them lies, given the command of Ireland to the Scots; that their aim is at a total ſubverſion of religion and regal power, and that nothing leſs will content them or purchaſe a peace here. I think myſelf bound in conſcience not to let ſlip the means of ſettling that kingdom (Ireland) if it may be fully under my obedience; nor to loſe that aſſiſtance which I may hope from my Iriſh ſubjects. For their ſatisfaction, I do therefore command you to conclude a peace with the Iriſh, whatever it coſt, &c." Reliq. Sacræ Carolin. p. 245.

The king in a former letter to Ormond, on the 9th of Feb. 1644, thus reaſons with him on the neceſſity of concluding this peace with the confederates; he tells him, " that the rebels in England had agreed to treat with him; and that moſt aſſuredly one of the firſt and chiefeſt articles they would inſiſt on, would be to continue the Iriſh war, which is a point (ſays his majeſty) not popular for me to break on; and that the timely concluſion of the peace with the confederates, would take off that inconvenience, which otherwiſe he might be ſubject to by the refuſal of that article on any other reaſon." Cart. Orm. vol. iii.

the terms above-mentioned, that he diſpatched another letter to the Marquis of Ormond, on the 27th of the ſame month of February, wherein we find theſe remarkable words.[4] "I do therefore, command you to conclude a peace with the Iriſh, whatever it coſt. And though I leave the management of this great and neceſſary work entirely to you, yet I cannot but tell you, that if the ſuſpenſion of Poining's act for ſuch bills as ſhall be agreed on between you there, and the preſent taking away the penal ſtatutes againſt the papiſts by a law, will do it, I ſhall not think it a hard bargain, ſo that freely, and vigorouſly, they engage themſelves in my aſſiſtance againſt my rebels in England and Scotland; for which no conditions can be too hard, not being againſt conſcience."

Yet, notwithſtanding theſe enlarged powers, and repeated commands, to gratify the confederates in a matter ſo reaſonable in itſelf, and, in its conſequences, ſo eſſential to his majeſty's ſervice, the marquis, at his next meeting with their commiſſioners in April 1645, thought fit to diſmiſs them, not only diſcontented, but altogether hopeleſs, in that reſpect.[c] For, beſides his perſiſting in the refuſal of theſe conditions, and his denying that he had received any ſuch inſtructions as are contained in his majeſty's letter of the 27th of February now mentioned (of which inſtructions,[5] however, Lord Taaffe, Mr. Burke, and Mr. Brent, who had lately ſeen the king, had given them intelligence), he was hardy enough even to tell his majeſty, in his anſwer to that letter,[6] "that he treated with theſe commiſſioners in ſuch a manner, and gave them ſuch

[4] Cart. Orm. vol. iii. [5] Id. ib. fol. 430. [6] Id. ib.

[c] "One thing (ſays Ormond in a letter to Lord Digby) I ſhall beſeech you to be careful of, which is to take order, that the commands that ſhall be directed to me touching theſe people (the confederate catholics) if any be, thwart not the grounds I have laid to myſelf in point of religion; for in that, and in that only, I ſhall reſort to the liberty left to a ſubject, to obey by ſuffering." Cart. Orm. vol. iii. fol. 534.

"Ormond concealed the additional powers he had received for conſenting to the abrogation of the penal ſtatutes. He treated on the terms formerly propoſed." Lel. vol. iii. p. 246.

ſuch anſwers, as might let them conjecture, that he had directions to the contrary." [d]

CHAP. XV.

The Earl of Clanrickard expoſtulates with Ormond upon his laſt anſwer to the confederates commiſſioners.

BUT his excellency being now conſcious, that he had raiſed ſome ill humours in the general aſſembly at Kilkenny, by his late anſwers to the commiſſioners in Dublin, prevailed on the Earl of Clanrickard to make a journey thither in order to appeaſe them. That nobleman was a Roman catholic, and therefore, ſuppoſed to have ſome influence on the members who compoſed that aſſembly. In his letter from Kilkenny, May 26th 1645, he told the Marquis of Ormond,[1] "that the anſwers he was pleaſed to give in Dublin to the propoſitions of the confederates commiſſioners, had been reported to the aſſembly, and, as he was informed, very favourably repreſented, and all entertained with appearance of good ſatisfaction; but that the part which concerned religion, being reſerved for the laſt, was very ſadly received. And, indeed, my lord," adds he, "the truth is, I find little probability of perſuading a ſettlement of peace, if the penal laws, for ſo much as lays a penalty or incapacity upon them for the exerciſe of their conſciences, be not repealed; and

[1] Cart. Orm. vol. iii.

[d] The reaſon aſſigned by him for this proceeding, is pretty extraordinary, and ſeems to have added the ſin of ingratitude to that of diſobedience. "If I had done this, (ſays he, in the ſame letter) the treaty would have been immediately broken, and the greateſt part of our ſubſiſtence, (which is from their quarters by traffic, and by connivance at the ſhifts I make) would have been taken from us; which might have produced ſo great and ſudden inconvenience, as would have denied me the ſhort time now left me moſt humbly to beg, and receive his majeſty's commands." Cart. Orm. vol. iii.

and I muſt freely acknowledge, I do not apprehend where lies the difficulty of that work, or why men of judgment of the king's party in either kingdom, that deſire or expect aſſiſtance from them, ſhould be offended at it; and this I am very probably aſſured of, that if the repeal of theſe laws was now granted, a peace might be ſuddenly concluded, with the ready and ſincere affections of the beſt of the whole nation, to hazard the uttermoſt of their lives and fortunes in his majeſty's ſervice." [a]

But to all ſuch repreſentations, counſels or commands, from whatever quarter they came, his excellency's conſtant anſwer was,[z] "that the Iriſh privy-council would never agree to ſuch conceſſions; and that it would be very dangerous, if poſſible, to make a peace without, or againſt the advice of that council; that the Engliſh and proteſtants in Ireland would certainly diſobey it, if the council diſallowed it; that he found by experience, that further than they ſaw his majeſty's directions for it, they would not conſent to any thing of favour to the Iriſh; and in ſhort, that ſome of them were negative in things reaſonable, and conſented to by the king in England." [b] But how frivolous

[z] Cart. Orm. vol. iiii. fol. 430.

[a] "I am made to believe (ſays Ormond himſelf on this occaſion) if they (the confederates) were ſecured againſt the penalties, and freed from the incapacities they are liable to, by reaſon of the penal ſtatutes, no conſiderable party of them would oppoſe a peace for any of the other propoſitions; but without ſuch ſecurity and freedom by act of parliament, it is profeſſed by the moſt moderate of them that they will undergo any hazard, &c." Lett. to Lord Digby, Cart. Orm. vol. iii. fol. 428.

[b] "Upon the whole matter (adds he) my opinion is, and in all duty, humility, and plainneſs, I offer it to your majeſty's high wiſdom, that in this particular (repeal of the penal laws) of all others, your majeſty will not have the concurrence of the council, farther than by open and expreſs command, they are made acquainted with your pleaſure, if even then they may be perſuaded to it." Cart. Orm. vol. iii. fol. 430. And elſewhere Ormond owned, "that his majeſty's commands came again to be diſputed at the council-board, and that there wanted not ſeveral at that board, noted both for affections and expreſſions tending to leſſen his majeſty's authority." Id. ib.

frivolous and inexcuſable muſt this apology appear, when it is conſidered, that ſo long before as "December,[3] 1644, his majeſty had ſent him a power to ſequeſter from the council-board, ſuch members of it, as he did not approve of." And certainly,[c] if his excellency ever made uſe of that power, it was only by what now appears, in an exchange of bad counſellors for worſe.

But in order to remove this, and all other pretended obſtacles to the concluſion of the peace, the king in a letter of October 22d, 1645, told his excellency,[4] "that if he could procure the concurrence of the council, it would be ſo much the better; but that the Iriſh peace was of ſuch abſolute neceſſity, that no compliments or particular reſpects whatever muſt hinder it. Wherefore," adds his majeſty, "I abſolutely command you, and without reply, to execute the directions I ſent you the 27th of February laſt; giving you leave to get the approbation of the council ſo as, and no otherwiſe, that by ſeeking it you do not hazard the peace, or ſo much as an affront, by their fooliſh refuſal to concur with you." But even this laſt peremptory command of his majeſty proved equally ineffectual with all the former.[d]

CHAP.

[3] Cart. Orm. vol. i. fol. 522. [4] Id. ib. vol. iii. fol. 431.

[c] "A power was at that time ſent him, not only to ſequeſter from the council-board diſaffected perſons, but alſo to remove and change the governors of counties, cities, caſtles, and forts, at his pleaſure." Carte, ib.

[d] The general opinion of the Iriſh was, "that his excellency would not conclude, before the year 1646, any peace with the confederates, though he had poſitive and preſſing commands from the king to do it, but for three or four years delayed it, by unprofitable and ſuſpicious ceſſations, in which time the king was ſubdued and impriſoned; that he might afterwards pretend and plead that ſervice (at leaſt a neutrality) to the parliament, when they came to be maſters of all: by theſe means the common ſort of the Iriſh conceived ſuch hatred againſt him (who was very popular before that time) that it could never be rooted out of their hearts, nor put out of their heads, but that he hated the royal family and his country; this made his moſt loyal actions, if not ſucceſsful, be looked upon as ſo many plots to ruin the king, and

CHAP. XVI.

Ormond treats privately with the Scots in Ulſter.

STRANGE as this conduct of his excellency may appear to thoſe who have been always taught to conſider him as a mirror of loyalty to Charles I. even in his moſt depreſt and forlorn ſtate; their wonder will certainly increaſe, when they know, that he was all this while privately ſoliciting that king's greateſt enemies in Ireland, to join all their forces with his, in order to renew the war againſt thoſe confederate catholics, with whom he was, by his majeſty's reiterated commands, publicly negociating a peace. This appears evidently from a ſecret correſpondence between his excellency and one Galbraith, a major in the Ulſter army, which had commenced and was carrying on [a] ever ſince the month of January 1644. The marquis's ſecret propoſal of this new alliance, "was joyfully received by the [1] chiefs of

[1] Cart. Orm. vol. iii. fol. 432.

and the only ſubjects then capable of helping him, the Iriſh: from hence proceeded the towns refuſing to receive his garriſons; from hence the diviſions and differences of the people and clergy; from hence the factions of Ormond and O'Nial, of old and new Iriſh; from hence the cenſures, and declaration of the biſhops at Jameſtown againſt his grace; from hence all other diſorders; of which (adds my author) Peter Walſh and Dr. Enos are more guilty (on account of their having publiſhed libels on Ormond) than the biſhops or the common people." Friar Diſciplined, p. 68.

[a] Ormond had received a letter on this ſubject from Galbraith, dated the 29th of January, 1644. See Cart. Orm. vol. iii. p. 385. Ormond begins this letter to Galbraith, with an apology for his not having anſwered it ſooner. "Your letter of the 29th of January (ſays he) hath been coming to me till this day (25th of February), which I tell you, leſt that not knowing the interruption it hath met with, you might judge me not ſo thankful unto you for your important and prudent advertiſements, as in truth I am, and ſhall be found to be, whenever it comes in my way, to make it appear to you." Id. ib. fol. 385.

of both the Scotch and the Engliſh armies, in that province; and Monroe himſelf was [b] fully affected that way.[3] "This Monroe had juſt before received a commiſſion from the Engliſh parliament, under their new broad ſeal, to command in chief all the Engliſh as well as Scotch forces in Ulſter; and, in virtue of that commiſſion, had taken Belfaſt by ſurpriſe, turned out his majeſty's garriſon, and replaced them with one from the parliament." [c]

But, as theſe officers had, it ſeems, been told,[3] "that his excellency had an innate malice againſt the Scots in general, his friend Galbraith," in order to accelerate this new alliance, "adviſed him,[4] to write a letter with his own hand, directed to Monroe now mentioned, in which he was to take notice, that he underſtood there were ſome evil inſtruments who laboured to poſſeſs all Scots, that he entertained an implacable prejudice againſt them; and that he ſent that his juſt and neceſſary apology, to vindicate himſelf againſt ſuch ſecret wounds; and that all of them might be perſuaded of the ſincerity of his affection for that nation, and of his endeavours to ſerve every of them with his beſt offices of friendſhip." [d]

We

[2] Cart. Orm. vol. i. [3] Id. ib. Galbraith's Lett. [4] Id. ib.

[b] Galbraith, in one of his letters to the Marquis of Ormond, on this occaſion, ſays, "that he had met moſt of the officers of the old Britiſh, and found in all an earneſt deſire, that the war ſhould be carried on, with the Marquis's allowance and concurrence; whereof, (adds he) when I gave them hopes as from the mouth of a confident of yours, they were overjoyed, and approved the cautions I ſhewed them." Cart. ib. vol. iii.

[c] "He took Belfaſt, and ſeized upon his majeſty's ordnance there, on the 14th of May, 1644." Cart. Orm. vol. iii. fol. 312.

At this time Capt. Swanley, before-mentioned, who commanded the parliament ſhips, that blocked up the harbour of Dublin, had formed a deſign to ſurprize that city, but that deſign being made known to the king, he gave the Marquis of Ormond notice of it." Warn. Iriſh Rebel. p. 330.

[d] In a letter to the Engliſh parliament on this occaſion, ſigned by

We have already obſerved, that his excellency had before this diſcovered a conſpiracy, "whereby Drogheda firſt, and by conſequence Dublin,[e] was to be put into the power of thoſe Scots, or at leaſt, into the obedience of the Engliſh parliament." And it ſeems, this conſpiracy was "concerted and carried on by ſome ill-affected perſons, active in intelligence with Monroe."[f] On that occaſion, the marquis told Galbraith,[g] "that by letters from Ulſter, he found it was miſunderſtood, that all the Scots ſerving in Ireland, were in that conſpiracy, or ſo far miſtruſted, that they were under a great cloud of ſuſpicion." But after having obſerved, how difficult it was to ſtop the mouths of the common people, he confidently affirmed, "that their nation had loſt no jot of eſteem or truſt, in the more conſiderate ſort, by it; and that it ſhould be found, that no rigour, beyond neceſſity, in order to his preſer-

[g] Cart. Orm. vol. i. fol. 385.

by their commiſſioners, Arthur Annesley, Robert King, and William Bale, from Belfaſt, November 19th 1645, we find that "Ormond deſired but power and opportunity to break with the confederates, and to fall upon them, upon condition that the covenant ſhould not be forced upon thoſe under his command; offering for their ſecurity, that Drogheda ſhould be given into their hands, they giving aſſurance that uſe ſhould not be made of it againſt his lordſhip." Iriſh Cabinet, p. 36.

[e] In a letter to the archbiſhop of York, May 27th 1644, Ormond acquaints his grace with this treachery. "We are here (ſays he) threatened with an invaſion of the Scots out of the North, who have treacherouſly ſurprized Belfaſt, and attempted other Engliſh garriſons." Cart. Collect. of Orig. Pap. vol. i. p. 48.

[f] The conſpirators agreement with Monroe, was, "that they ſhould ſeize the town, and plunder and turn out all the papiſts, and ſuch as would not adhere to them; and that they would keep the entire command of the place to themſelves. But that, if he would aſſiſt them with his forces, till they received ſuccours from the parliament, he ſhould have half the plate, jewels, money, and goods, of the papiſts, that were to be plundered, except bedding, corn, and other things neceſſary for the garriſon. Monroe readily cloſed with this propoſal." See Cart. Orm. vol. i. fol. 525.

vation, had been, or ſhould be uſed." This ſhewed an apt diſpoſition in his lordſhip, to follow his friend Galbraith's advice, to acquit himſelf to the Scots in the manner preſcribed. Whether, or no, he actually did ſo, does not appear; but certain it is, that in all his letters to the king's friends, he expreſſed very different ſentiments of theſe people from what are here recited; and, particularly, in one written to the king himſelf in January 1645, while this ſecret treaty was carrying on,[g] he told his majeſty,[h] "that through an almoſt general defection in the northern army,[i] Colonel Chicheſter was no longer able to ſerve him there."[k]

On the other hand, he was frequently and poſitively aſſured by his noble friend Lord Clanrickard, that the loyalty of the confederate catholics was ſuch, (at the very time that he was thus negociating their ruin,[l]) "that if the impediments to the peace (the penal laws) were once removed, they would ſoon ſatisfy his excellency of their real, earneſt deſire, to be employed in his majeſty's ſervice; and that the difficulty would be rather to keep back the multitude of forward ſpirits that would preſs into that expedition."

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[g] Cart. Orm. vol. iii. fol. 442. [l] Id. ib. fol. 413.

[h] For Galbraith in a letter to Ormond of the 21ſt of the month of December, 1645, tells him, "that he has good hopes of a good iſſue (of the treaty) if Ormond can with patience brook the expence of a little time." Ib. fol. 436.

[i] Theſe officers and ſoldiers had all taken the covenant: and the marquis and council had before, on another occaſion, told the Britiſh officers under his command in Ulſter, "that the covenant was ſo full of treaſon, ſedition and diſloyalty, that no preſſure whatſoever would prevail with them to blemiſh their former merits by taking of that oath, or permitting of others to take it." Cart. Orm. vol. i. fol. 491. They took it, however, ſoon after out of fear, as they pretended, of Monroe.

[k] And ſo long before, as July 1644, he told Lord Digby, as we have already obſerved, "that he could not doubt, but that, when the Scots in Ulſter were able, they would endeavour to be maſters of all the harbours, and other places of conſequence in the kingdom, on pretence of ſecuring them againſt malignants and papiſts." Cart. Orm. vol. iii. fol. 327.

CHAP. XVII.

The Earl of Glamorgan arrives in Ireland.

THE king finding that the Marquis of Ormond would not conclude a peace with the confederate catholics, upon thoſe equitable terms which he had ſo often ordered him to grant them, diſpatched the Earl of Glamorgan to Ireland, with a private commiſſion for that purpoſe;[a] a nobleman, whoſe zeal for his

 majeſty's

[a] "Among other patents and commiſſions ſigned by the king, and brought by the Earl of Glamorgan from England, there was one appointing him lord lieutenant of Ireland, upon the expiration of the Marquis of Ormond's term of holding that poſt, or in caſe the marquis ſhould, by any fault, deſerve to be removed from it." Enquiry into the Share King Charles I. had, &c. p. 253. from the Nuncio's Mem.

"The Marquis of Ormond had very early notice of the earl's intended voyage to Ireland, from his friend, Mr. Arthur Trevor, who in a letter from Briſtol, April 9th, 1645, wrote to him, that he heard much of Lord Herbert's (Glamorgan's) commiſſion; that, as he heard, the Marquis of Ormond was not taken notice of in it; that he was to paſs into Ireland upon very important affairs, and that Sir Bryan O'Nial went into Ireland with him." Carte's Collect. of Orig. Lett. vol. i. p. 82. And the Marquis of Ormond himſelf in a letter to Lord Digby of the 8th of May following, ſays, "though I have no full knowledge of what Lord Herbert was to bring with him, yet, by his letter to me out of Wales, I gueſs his miſſing this place was a great misfortune to the king's ſervice; even in relation to the credit I found the Iriſh were apt to give to his advices and undertakings." Ib. Orm. vol. iii. fol. 405.

"Glamorgan having embarked on board a ſmall veſſel was near being taken by a parliament ſhip, which purſued him, till he took refuge in a part of Cumberland, but before he left Wales he wrote the above letter to Ormond. He arrived at Dublin about the end of July or beginning of Auguſt, 1645, and was preſent at one of the meetings of the deputies of the confederate catholics with the Marquis of Ormond at Dublin. About the 7th of Auguſt he went to Kilkenny, in order to execute his commiſſion for treating with the confederate catholics." Enquiry into

majeſty's ſervice could be exceeded by nothing, but his attachment to his religion, which was the Roman catholic.[b]

Upon this earl's firſt arrival at Kilkenny, Lord Muſkerry acquainted the Marquis of Ormond, from thence, with the buſineſs he came about, in general terms. To which his excellency anſwered, "that he knew no ſubject in England, upon whoſe favour and authority with his majeſty, and real, and innate, nobility, he could better rely, than upon Lord Glamorgan's; nor any perſon whom he (Ormond) would more endeavour to ſerve, in thoſe things, which that lord ſhould undertake for his majeſty's ſervice."[c]

This

[a] Cart. Orm. vol. iii.

into the Share which King Charles I. had with Glamorgan's Tranſactions with the Iriſh, p. 61.

[b] "The Earl of Glamorgan had ſpent one hundred thouſand pounds in raiſing, providing, and maintaining forces for the king, in the firſt year of the rebellion." Cart. Orm. vol. i. fol. 553.

[c] In Ormond's letter to Lord Muſkerry above quoted, there are theſe words: "I think it neceſſary that I ſhould remind you, and in this way acquaint your lordſhip with that which I could not inſiſt on in his lordſhip's (Glamorgan's) preſence, without offending his modeſty, and incurring the imputation of flattery. What I have to ſay in ſhort is this, that I know no ſubject in England, upon whoſe favour and authority with his majeſty, &c." Enquiry, &c. p. 63. from the Nuncio's Mem. My author adds, "this letter was afterwards delivered to the Nuncio, as a proof, that the Marquis of Ormond would ſupport the agreement which had been or ſhould be made between them and the Earl of Glamorgan; though the marquis afterwards diſappointed their expectations." Id. ib. p. 65.

"If the particular inſtructions, or commiſſions granted to Glamorgan, (ſays Dr. Leland on occaſion of this anſwer to Lord Muſkerry) were not communicated to the lord lieutenant, it appears, at leaſt, from this warmth of recommendation, that he conſidered the earl as a perſon duly authoriſed to treat with the Iriſh. The Iriſh conſidered Ormond as ſecretly diſaffected, and in conjunction with the preſbyterian council (as they called them,) determined to defeat the king's hopes of ſuccour, by obſtructin the Iriſh peace. To this they attributed every delay, and

This anſwer Lord Muſkerry communicated to the general aſſembly, then ſitting at Kilkenny; as an indication, that his excellency was diſpoſed to ſupport, or at leaſt would not diſavow any agreement they ſhould make with Glamorgan. Upon which preſumption, the aſſembly reſolved to conclude a public peace, for civil matters, with the Marquis of Ormond, on his own terms; after they had made a private one with that earl, for matters of religion; which laſt they ſoon after did, about the latter end of Auguſt, 1645.

The government's determined oppoſition to a peace with the Iriſh, on any tolerable terms, made it abſolutely neceſſary to keep this laſt tranſaction ſecret. But a copy of Glamorgan's treaty having been accidentally found,[d] ſoon after its concluſion, it was tranſmitted to the Engliſh parliament, and by them made public. And Lord Digby, who was then in Dublin, fearing that the large conceſſions,[e] in point of religion, which the confederate catholics had obtained by that peace, might alienate the affections of his majeſty's proteſtant ſubjects in both kingdoms,[f] did, in concert with

and when the ſeizure of the king's cabinet at Naſeby, diſcovered his private inſtructions to Ormond to conclude a peace, whatever it might coſt; they were enraged, and printed the letter with ſevere animadverſions on the marquis." Hiſt. of Irel. vol. iii. p. 253.

" The confederates at Kilkenny taking advantage of the letter written by Ormond to Lord Muſkerry, affected to conſider it as a formal ſtipulation, on the part of the chief governor, to concur with the earl (Glamorgan) in all his tranſactions, and to ratify all his engagements." Ib. p. 254.

[d] " In the pocket of Malachias O'Kelly, Titular Archbiſhop of Tuam, when he was killed near Sligo." Carte's Orm. vol. i. fol. 553.

[e] " The confederates, for the preſent, had receded from the demand of an act of parliament for ſecuring the poſſeſſions of the clergy, as difficult and prejudicial to his majeſty." Lel. Hiſt. of Irel. vol. iii. p. 268.

[f] Secretary Nicholas, in a letter to the Marquis of Ormond, from Oxford, on this occaſion, ſays, " we are all here much amazed at the news of Lord Herbert's (Glamorgan's) imprudent action, to ſay no more of it; which hath moſt extremely prejudiced

with the lord lieutenant, ſummon the Earl of Glamorgan before the council; where they confidently accuſed him of having either forged, or ſurreptitiouſly obtained, his majeſty's commiſſion; upon which, on the 26th of December, that earl was committed cloſe priſoner to the caſtle of Dublin.[g] About the ſame time, the king was prevailed upon, publicly to diſavow, in a meſſage to both houſes of the Engliſh parliament, Glamorgan's commiſſion, and thereby made void the peace, lately concluded with the confederate catholics, in virtue of it.[h]

In

prejudiced his majeſty, and his affairs here." Carte's Orm. vol. iii. fol. 447.

[g] "When Glamorgan's impriſonment was known to the confederates at Kilkenny, that event put them into a terrible conſternation. Some cried out to arms, and were immediately for beſieging Dublin, to ſet him free. The council laboured to cool the flame, but were forced to ſubmit to the calling of a new aſſembly in an inconvenient time. They wrote to the lord lieutenant, preſſing Glamorgan's releaſe, as abſolutely neceſſary for the relief of Cheſter, then beſieged, and in great diſtreſs; for which ſervice three thouſand men were ready to embark, and nothing wanting but the ſhips, for which Glamorgan had contracted, to tranſport them. That all was at a ſtand by his impriſonment; and neither that expedition, nor the treaty of peace (with Ormond) could go on, till he was at liberty." Carte's Orm. vol. i. fol. 562.

But, it ſeems, Cheſter was loſt by the delay of ſending theſe three thouſand Iriſh to its relief, occaſioned by Glamorgan's impriſonment; for Sir Edward Walker informs us, "that had not the deſigned relief from Ireland been ſtopt, by the accuſation and impriſonment of the Earl of Glamorgan, that place had not ſo ſoon fallen into the rebels hands; and might poſſibly have been the baſis of a new fortune to his majeſty." Hiſt. Diſcourſ. fol. 151.

"Ormond then in Dublin, under pretence of treating, drew Glamorgan thither, and made him a priſoner." Borl. Hiſt. of the Iriſh Reb. f. 251.

[h] "His majeſty's meſſage to the (Engliſh) parliament, diſowning Glamorgan's treaty with the confederates, was on the 29th of January, 1645-6." Enq. into the Share, &c. p. 187.

"Nor could Ormond ſeriouſly believe," ſays Dr. Leland, "that the king was incapable of granting ſuch a commiſſion as

Glamorgan

In what light we are to conſider his majeſty's public diſavowal of Glamorgan's commiſſion, may, I think, partly be gathered from his diſpatch to the lord lieutenant and council of Ireland on that occaſion; wherein, among other things, he ſays,[2] "the truth is, that the preſſing condition of my affairs, obliging me to procure a peace in Ireland, if it might be had on any terms ſafe to my honour and conſcience, and to my proteſtant ſubjects there; and finding alſo that the ſaid peace could not be gained but by ſome ſuch indulgence to the Roman catholics, in point of freeing them from the penalties impoſed upon the exerciſe of their religion, as although juſtly and duly I might grant, yet haply, in a public tranſaction, could not be without ſome ſcandal to ſuch of my good ſubjects as might be apt to be wrought upon by their arts, who did continually watch all opportunities to blaſt the integrity of my actions; I thought fit, over and above my public power, to aſſure the ſaid Roman catholics, in a leſs public way, of the ſaid exemptions from the penalties of the laws; and of ſome ſuch other graces as might, without blemiſh to my honour and conſcience,

[2] Carte, ubi ſupra.

Glamorgan pleaded, or of ratifying his tranſactions with the Iriſh, when he conſidered the extent of thoſe powers, he himſelf had received from his majeſty." Hiſt. of Ireland, vol. iii. p. 268. "The articles of his (Glamorgan's) treaty ſcarcely amounted to any thing more, than Ormond himſelf had been empowered to grant. Yet to allay the public ferment, Glamorgan was committed to cuſtody, and the next day examined before a committee of the council." Id. ib. p. 270.

Sir Edward Hyde, in a letter to Secretary Nicholas, dated 1646-7, ſays, "I care not how little I ſay in that buſineſs of Ireland, ſince thoſe ſtrange powers and inſtructions given to your favourite Glamorgan, which appear to me inexcuſable to juſtice, piety and prudence." Chanc. Clarendon's State Papers, vol. ii. p. 337. from Graing. Biogr. Hiſt. vol. iii. p. 19.

This diſcovery of Glamorgan's peace, "coming to my lord lieutenant's knowledge, the Earl of Worceſter, ignorant of the matter, was by letters invited to Dublin, where, accuſed by my Lord Digby, the king's principal ſecretary, he was made priſoner in the caſtle of Dublin." Leyburne's Mem. Pref. p. xi.

conſcience, and without prejudice to my proteſtant ſubjects, be afforded them.[i] With the knowledge of theſe ſecret inſtructions to the Marquis of Ormond, I thought fit to acquaint the Earl of Glamorgan, at his going to Ireland; being confident of his hearty affection to my ſervice; and withal, knowing his intereſt with the Roman catholic party to be very conſiderable, I thought it not unlikely, that the Marquis of Ormond might make good uſe of him, by employing that intereſt, in perſuading them to moderation, and to reſt ſatisfied upon his (Glamorgan's) engagement alſo, with thoſe above-mentioned conceſſions; of which, in the preſent condition of affairs, Ormond could give them no other but a private aſſurance; and to that end, it was poſſible, I might have thought to give unto the ſaid Earl of Glamorgan ſuch a credential, as might give him credit with the Roman catholics, in caſe Ormond ſhould find occaſion to make uſe of him, either as a further aſſurance of what he (Ormond) ſhould privately promiſe; or, in caſe he ſhould judge it neceſſary to manage theſe matters, for the greater confidence, a part by him (Glamorgan) of whom, in regard of his religion and intereſt, they might be leſs jealous."[k]

Although this letter to the lord lieutenant and council, is dated January 31ſt, 1645-6, wherein he orders, "that the charge begun againſt the Earl of Glamorgan be thoroughly and diligently proſecuted:" yet in a private letter written to the lord lieutenant the day before,

[i] Here is a plain confeſſion, that he gave theſe ſecret inſtructions to the Marquis of Ormond (to grant a repeal of the penal laws), and that Glamorgan treated with the confederates on that aſſurance from the king.

[k] "At the very time of the king's public letter to the lord lieutenant and council, ordering, among other things, Lord Digby's charge againſt Glamorgan ſhould be thoroughly and diligently proſecuted; he by another letter to the Marquis of Ormond, privately directed, that the execution of any ſentence againſt him ſhould be ſuſpended. And he ſtill contrived to convey ſecretly to Glamorgan, repeated aſſurances of his confidence and friendſhip." Lel. Hiſt. of Irel. vol. iii. p. 274.

before, viz. January 30th, he commands him to ſuſpend the execution of any ſentence againſt the earl, until, ſays he, you inform me fully of all the proceedings; for I believe it was his miſguided zeal, more than any malice, which brought this great misfortune on him and us all." [3]

CHAP. XVIII.

Glamorgan now freed from his confinement, treats with the Nuncio Renuccini; Ormond's opinion of that proceeding.

"ON the 30th of the ſame month of December,[1] the Earl of Glamorgan, having ſent to the lord lieutenant the original counterpart [a] of the articles of his peace with the confederate catholics, was ſet free from his cloſe confinement, but ſtill remained a priſoner in the caſtle, having only the liberty of the houſe, until his majeſty's further pleaſure was known. And ſhortly after, his lordſhip was enlarged, upon his own recognizance of twenty thouſand pounds, and that of the Earl of Kildare,[2] and the Marquis of Clanrickard, of ten thouſand pounds each, to appear on thirty days notice. Soon after his enlargement he went to Kilkenny, where he ſhewed the utmoſt zeal[3] to bring the confederate catholics to agree to the terms of peace offered by the Marquis

[3] Enquiry into the Share K. Charles had, &c. p. 273.
[1] Cart. Orm. vol. iii. f. 562. [2] Id. ib. [3] Id. ib.

[a] "We find that his lordſhip (Glamorgan) produced the original warrant of the 12th of January, 1644-5 (by which he was authoriſed by the king to treat with the confederates in the manner he did), to the Marquis of Ormond, on the 6th of January, 1645-6, and next day ſent the marquis a copy of it, written with his own hand, and atteſted with his name; which copy the marquis ſent to the king." Cart. Orm. vol. i. fol. 554. "But Mr. Carte does not inform us what anſwer his majeſty gave concerning it." Enquiry into the Share, &c. p. 332.

Marquis of Ormond, the defects of which, in the articles of religion, were to be ſupplied by himſelf."

The Nuncio Renuccini, who ſome ſhort time before had arrived from Rome,[b] and had gained conſiderable influence on the Iriſh ſoldiery, the common people, and even on the general aſſembly, was then at Kilkenny. With him the Earl of Glamorgan had chiefly negociated, when he wrote to the Marquis of Ormond from thence,[4] "that ſince the high poſt his excellency held, and the difference of religion, would not permit him to engage openly, he was of opinion, it would not be improper to delegate that office to others, to whom if he would join himſelf, he doubted not, but in a few days, and even hours, he ſhould obtain whatever ſhould be thought reaſonable and honourable."

In anſwer to this letter, his excellency told him,[5] "that his affections and intereſts were ſo tied to his majeſty's cauſe, that it would be madneſs in him to diſguſt any man, that had power and inclination to relieve his majeſty, and the ſad condition he was in; and therefore, that his lordſhip might ſecurely go on, in the way he propoſed to himſelf, to ſerve the king, without fear of interruption from him, or ſo much as enquiring into the means he worked by."[c] Such encouragement

[4] Cart. Ib. Nunc. Mem. f. 1071. See Enquiry, &c. p. 159

[5] Cart. Orm. vol. iii. f. 448.

[b] Lord Caſtlehaven tells us, that "coming near the coaſt, he was chaſed by a parliament frigate, commanded by one Plunket; and that, as he was ready to lay him on board, to the great misfortune of the confederate catholics, Plunket's frigate took fire, to quench which, he was forced to lie by, and in the mean time the Nuncio got to ſhore." Memoirs.

"John Baptiſt Renuccini, Archbiſhop and Prince of Fermo, arrived at the river of Kilmare, in a frigate of twenty-one pieces, and twenty-ſix Italians of his retinue, beſides divers regular and ſecular prieſts, on the 22d of October 1645." Borl. Hiſt. of the Iriſh Rebel. fol. 206.

[c] "This anſwer of the Marquis of Ormond ſeems inconſiſtent with a real perſuaſion, that Glamorgan was not duly authoriſed to treat with the confederates." Lel. Hiſt. of Irel. vol. iii. p. 276.

couragement to proceed in his treaty with a perſon who thought he could not make too high demands in the article of religion, is ſurely a ſufficient proof that his excellency was, by this time at leaſt, convinced that Glamorgan's commiſſion was not either forged or ſurreptitiouſly obtained.

But leſt any doubt ſhould remain on that head, I ſhall produce part of two letters from his majeſty to that earl, which clearly demonſtrate the reality of his commiſſion, and which are ſtill to be ſeen in the Britiſh muſeum, in his majeſty's own hand-writing.[6] In the firſt of theſe letters, which is dated February 3d, 1645-6, a ſolicitude is plainly expreſſed, leſt reſentment of the ill uſage that had been given to his lordſhip, ſhould provoke him to diſcover the whole ſecret. "In a word," ſays his majeſty, "I have commanded as much favour to be ſhewn to you, as may poſſibly ſtand with my ſervice or ſafety; and if you will yet truſt my advice, which I have commanded Digby to give you freely, I will bring you ſo off that you may be ſtill uſeful to me, and I ſhall be able to recompence you for your affection. If not, I cannot tell you what to ſay; but I will not doubt your compliance, ſince it ſo highly concerns the good of all my crowns, my own particular, and to make me have ſtill means to ſhew myſelf your aſſured friend,

CHARLES R."

The other letter is dated the 28th of the ſame month, when his majeſty knew that the earl either was, or would ſoon be, at liberty; and was ſent by Sir John Winter, his lordſhip's couſin-german, and a Roman catholic.

"HERBERT,

"I am confident, that this honeſt, truſty bearer will give you good ſatisfaction, why I have not, in every thing, done as you deſired. The want of confidence in you being ſo far from being the cauſe thereof, that I am

[6] See Warner's Hiſtory of the Iriſh Rebel.

I am every day more and more confirmed in the truſt that I have of you. For believe me, it is not in the power of any, to make you ſuffer in my opinion by ill offices. But of this, and divers other things, I have given Sir John Winter ſo full inſtructions, that I will ſay no more, but that I am your moſt aſſured friend,[d]

CHARLES R."

And on the 5th of April, 1646, his majeſty wrote to him as follows:

" GLAMORGAN,

" I neither have time to ſpare, nor do you deſire that I ſhould repeat to you, unneceſſarily, thoſe things which I have ſo often ſaid to you. I refer you, therefore, to Digby, for what is to be done; and aſſure you of my conſtant friendſhip for you, which I think the more neceſſary in this univerſal defection of every body. But however that be, I am perſuaded that you cannot doubt, but that I will perform all the inſtructions and promiſes made to you and the Nuncio."[7]

In another letter of the 20th of July following, from Newcaſtle, he bids Glamorgan tell the Nuncio, " that if once he could come into his and the Nuncio's hands, which ought to be extremely wiſhed for by them both, as well for the ſake of England as of Ireland, ſince all the reſt, as he ſaw, deſpiſed him, he would do it." After which he immediately adds, " and if I do not ſay this from my heart, or if in any future time I fail you in this, may God never reſtore me to my kingdoms in this world, nor give me eternal happineſs in the next; to which, I hope,

[7] Enquiry into the Share, &c. p. 243-4.

[d] " That Glamorgan did ſtill enjoy the royal favour and confidence in a very high degree, there is direct and poſitive proof in thoſe letters extant among the Harleian manuſcripts, in which Charles aſſures him of the continuance of his friendſhip, and promiſes to make good all his inſtructions to him and the Nuncio." Lel. Hiſt. of Ir. vol. iii. p. 285. note.

I hope, this tribulation will conduct me at laſt, after I have ſatisfied my obligations to my friends, to none of whom I am ſo much obliged as to yourſelf, whoſe merits towards me exceed all expreſſions that can be uſed by your conſtant friend,

CHARLES R."[8]

I ſhall add nothing more on this ſubject, but that we find in the Nuncio's Memoirs, "that[9] the Earl of Glamorgan left with the confederate catholics the original of his commiſſion to treat with them, in his majeſty's own hand."

CHAP. XIX.

Peace concluded with the Marquis of Ormond.

THE impriſonment of the Earl of Glamorgan, and the king's diſavowal of his commiſſion, were two incidents that greatly favoured Renuccini's deſigns. That prelate had brought to the confederate catholics large ſupplies, with promiſes of further aſſiſtance.'[a] "His entrance into Kilkenny on horſeback under a canopy, was as ſolemn and magnificent as both clergy and laity could make it. When he came to the place where the council ſate, he was placed in a chair not far from Lord Viſcount Mountgarret, preſident of the council. After ſome pauſe, he preſented the pope's brief to the preſident; which being publicly read, he made an oration

[8] Enquiry into the Share, &c. p. 245. from the Nunc. Mem. and Vittorio Siri's Mercurio.

[9] Enquiry, &c. p. 107. [a] Belling's MSS.

[a] In his ſpeech to the aſſembly, he told them, "that he had brought four frigates, arms for four thouſand men, and as much money as would enable him to take upon himſelf the maintenance of the war in one province; with hope of further help from the Pope." Vindic. Cath. in Hib. p. 29.

oration to the aſſembly, and concluded it with letting them know three things, which were principally given him in command by his holineſs. The firſt was, to endeavour the propagation of the catholic religion, the ſecond to conſerve the catholics in union among themſelves, and the third, to cheriſh in them the allegiance due to their lawful ſovereign. He could not," adds my author,[a] who was preſent, " have ended his diſcourſe more to the ſatisfaction of all that heard him, than by mentioning the ſubjects duty towards their king, and his having it in charge to cheriſh it. For it was collected from thence, that he was willing they ſhould bury the memory of their paſt ſufferings in the bleſſings of an happy peace. But in the ſequel, we ſhall find how little conformity there was between his proceedings and his profeſſions."

At this time, however, he was held in the higheſt eſteem and veneration, by the confederate catholics; and as their hopes of obtaining liberty of conſcience, which were all centered in Glamorgan's peace,[b] were now at an end, by the king's diſavowal of it, they readily accepted the Nuncio's offers, of what he then called

[a] Belling's MSS.

[b] His majeſty's meſſage of the 29th of January to the parliament, diſowning the Earl of Glamorgan's treaty with the confederates of the 25th of Auguſt, 1645, " being brought to Kilkenny in March following, ſtruck the confederates there with ſurprize and conſternation, finding all their pains and expence of time and treaſure thrown away, and themſelves expoſed to the reſentments of their enemies, both of England and Scotland, if they ſhould make peace (with Ormond) in the preſent circumſtances." Enquiry into the Share, &c. p. 187.

" The ſupreme council having maintained the troops (three thouſand) to be ſent to the relief of Cheſter, at the expence of the kingdom, in the port of Waterford, ſeveral weeks after the ſurrender of Cheſter, and the receipt of the king's meſſage to the parliament, diſowning the Earl of Glamorgan's treaty; and finding no ſhips furniſhed by the king, nor the Marquis of Ormond, nor the Earl, for embarking the troops, nor any proſpect of being ſupplied with ſuch ſhips, they publiſhed a reſolution againſt ſending thoſe troops into England," of which Glamorgan complained. Id. ib. p. 191.

called aid and protection, but what was ſoon after deemed dominion and control. That this acceptance was a matter rather of neceſſity than choice, appears from their conduct towards a former agent from Rome, in which they ſhewed little inclination to ſubmit their temporal concerns to a ſpiritual ſuperintendency. For when, ſoon after the ceſſation was concluded, Petrus Franciſcus Scarampi,[c] ſent upon the ſame buſineſs by Pope Urban VIII.[d] "came to Limerick, attended by ſome twenty horſe, the gates were ſhut againſt him, and a compliment ſent him by the magiſtrates, that they were ſorry he had undertaken ſo tedious and troubleſome a journey at ſo unſeaſonable a time, when all the city were buſily employed in matters of great conſequence, in chuſing of magiſtrates for the enſuing year, and in applotting their firſt payment of the thirty thouſand pounds with which, upon the ceſſation, they had agreed to ſupply his majeſty's army, on which account, they could not give him fit attendance; but they offered to lodge him a mile off the city, and to let him know the next day their reſolution concerning his admittance. But the agent replied, that if they were not at leiſure to receive him then, he would not attend their leiſure the next day, and ſo went away." [a]

But

[3] Clanrick. letter to Orm. Mem. Engl. ed. Cart. Orm. vol. iii.

[c] "He arrived about the middle of July at Kilkenny, with large ſupplies of money and ammunition." Carte's Orm. vol. i. f. 447.

[d] Lord Orrery, in his anſwer to Peter Walſh, cites a bull of Pope Urban VIII. dated the 28th of May, 1643, (the year Scarampi was in Ireland), encouraging and exciting the confederates by pardons, indulgences, &c. to continue the war againſt the king's forces, as a proof of the dangerous influence which Popes have had, in ſuch caſes, on Roman catholic ſubjects living under proteſtant governments. Walſh, with good reaſon, ſuſpects this bull to have been forged, as he could not find, upon enquiry, that the original was ever ſeen by any one. But, even ſuppoſing it real and genuine, it proves the direct contrary of what his lordſhip has produced it for, as it did not

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But the confederates ſoon after growing weary of Renuccini's control, and being aſſured beſides, that the king would, when he had it in his power, make good his engagements to them by Glamorgan, privately reſolved to conclude the peace with the Marquis of Ormond, which related chiefly to civil matters, on his own terms; in order to enable his majeſty, by ſending him powerful ſupplies, to renew and confirm Glamorgan's treaty with them, concerning matters of religion. "But[4] although the Nuncio was extremely averſe to Ormond's peace, as containing no ſatisfactory conceſſions in ſpirituals; yet he was far from deſiring that the promiſed ſupplies ſhould be withheld from his majeſty." The method he propoſed was, "that the ceſſation[5] ſhould be ſtill continued, and aſſiſtance ſent to the king in the ſame manner as if the peace had been concluded."[e]

Purſuant to the above reſolution, the general aſſembly which met on the 6th of March, 1645-6,[6] diſpatched Lord Muſkerry, and other commiſſioners, to Dublin, to conclude the peace with the Marquis of Ormond; and accordingly it was there concluded on the 28th of the ſame month.[f]

At the ſame time, with the articles of peace, was ſigned a conditional obligation or defeaſance,[7] "whereby the confederates engaged to tranſport ten thouſand foot into England or Wales, well armed and provided,

[4] Carte's Ormond, vol. i. [5] Id. ib. [6] Id. ib.
[7] Id. ib.

in the leaſt hinder or retard the treaty of ceſſation, which the confederates cheerfully concluded with the Marquis of Ormond, in September following; although they very well knew the great wants and diſtreſſes of his majeſty's army at that juncture, while their own was in good condition, and enjoyed great plenty.

[e] The Nuncio, though he oppoſed Ormond's peace, yet exhorted the confederates, in the mean time, to prolong the ceſſation, and to ſend their forces for the relief of Cheſter." Lel. ubi ſupra, p. 275.

[f] "The Nuncio knew nothing of this tranſaction till May following." Enquiry into the Share, &c. p. 196.

ed, by April the 1ſt; and four thouſand more by May 1ſt following; to be muſtered, viewed, and allowed by ſuch perſons as the Marquis of Ormond ſhould appoint. And in caſe the ſaid forces were not ſent at the times appointed (unleſs hindered by the blocking up of harbours, contrary winds, or other reaſonable cauſe, to be allowed as ſuch by the Marquis of Ormond), theſe articles were to be of no effect, and each party diſengaged, as if they never had been agreed upon."

CHAP. XX.

The concluſion of the peace too long deferred.

THUS was the peace at length concluded; but too late for the principal end of it, his majeſty's aſſiſtance in England or Wales. For the Engliſh rebels were by this time grown ſo powerful in all thoſe places where the ſupplies from Ireland might propoſe to land, that there was not a ſecure ſpot left for their deſcent,[1] nor any horſe on that ſide to countenance their landing, nor even a ſafe retreat for them after they were landed; ſo that to ſend them away, as matters then ſtood with the king, would be only expoſing ſo many men to inevitable deſtruction.[2] "The ſupreme council of the confederate catholics, however, immediately iſſued warrants,[3] to have four thouſand men drawn out

[1] Id. ib. Belling's MSS. [2] Id.

[3] Lord Digby, in a letter from Kilkenny to the Marquis of Ormond, April 3d, 1646, aſſured him, "that the ſupreme council of the confederate catholics undertook, with great cheafulneſs, to furniſh his lordſhip with all he deſired, and in the way he deſired; but that the men and officers were daunted, as apprehending themſelves ſent to ſacrifice, unleſs there might be ſome more certainty of a ſecure landing-place for them, on the other ſide; wherein," adds his lordſhip, "as we have reaſon to believe things ſtand on the other ſide, I cannot ſay but they have reaſon." Carte's Orm. vol. iii. fol. 456.

out of the ſtanding forces of Leinſter and Munſter, and two thouſand more from the other provinces; prefixing a day for their being at Ballyhaſke and Paſſage, places commodious for their embarkation. And they gave out commiſſions for levying the remaining four thouſand, which were to be tranſported in a ſecond miſſion; having laid embargoes on all veſſels in the river of Waterford, and in the harbours of Wexford and Dungarvan. And as no induſtry," proceeds Mr. Belling, " was omitted on their part, ſo there was not any occaſion, ſince the beginning of the war, wherein the council found more prompt obedience to their commands, or more hearty willingneſs in the people, to bear any charge that might conduce to the advancement of it."

But the king himſelf, on account of the unhappy ſituation of his affairs, in the places now mentioned, thought fit to countermand this embarkation. For, in a letter to the Marquis of Ormond, March 26th, (two days before the concluſion of the peace) he told him,[3] " that his condition was then very ſad and low, by the late diſbanding of his army in the weſt; which," adds his majeſty, " if ſuccours of foot had arrived in time out of Ireland, might have been prevented, to our moſt certain advantage. That he thought fit to advertiſe him thereof, that he might ſtop the ſending over foot, which would be loſt, if they ſhould come, he having no horſe, nor ports in his power to ſecure them." And in another letter to Lord Digby, of the ſame date, which he deſired him to communicate to Ormond, he ſays,[4] " forces from Ireland, unleſs they were much greater than, he believed, could be ſent him from thence, would do him more harm than good; yet that he much deſired that the peace there was made. But that Ormond ſhould ſtop any forces from coming over, and employ them for the reducing of that kingdom into a perfect obedience; by which," ſays he, " it is poſſible, it may pleaſe

[3] Carte's Orm. vol. iii. f. 451. [4] Id. ib. 452.

pleaſe God to reſtore me to the other two; or be a ſafe retreat for myſelf." [b]

[b] It plainly appears that Ormond had received from the king this letter of the 26th of March, before the 26th of April, 1646, when he was actually treating with the parliament commiſſioners, from the following paſſage in his letter to Lord Digby of that date: "My Lord Byron is in great diſtreſs and hazard (in Wales), and though the king ſeems to forbid the ſending of men thither, yet if I can get them ſeaſonably ſent, I will venture at it." Carte's Orm. vol. iii. f. 461. And before that, on the 7th of the ſame month, he wrote to Lord Digby, "that although the time for ſending of the (Iriſh) ſupplies was elapſed, for want of ſhipping, yet he was confident the men had been, and were ſtill ready." Id. ib. f. 459. Yet he afterwards, to evade the proclaiming of the peace, which the confederates preſſed him to, alleged their not having ſent off theſe ſupplies, as a breach of their engagement, as we ſhall juſt now ſee.

AN

HISTORICAL AND CRITICAL

REVIEW

OF THE

CIVIL WARS

IN

IRELAND.

BOOK VII.

CHAP. I.

The confederates ſtill preſs the Marquis of Ormond to take the command of their forces upon him againſt the violaters of the ceſſation.

THE Marquis of Ormond ſtill continued the ceſſation with the confederate catholics, as a meaſure abſolutely neceſſary for the ſubſiſtence of his army; and the confederate catholics, in hopes that the peace would be ſoon proclaimed,[a] patiently bore that army's frequent breaches of it. But theſe breaches now became

[a] "It was privately affirmed to me with ſome confidence," ſays the Earl of Clanrickard, in a letter to Ormond, May 11th, 1646, "that upon your lordſhip's publication of the peace, the generality of the whole kingdom would declare themſelves to be ſolely and entirely under your lordſhip's government." Carte's Orm. vol. iii. fol. 466.

It

came ſo very grievous and extenſive, eſpecially in Ulſter, that the ſupreme council renewed their intreaties to his excellency, "to unite his forces with theirs,[1] in order to reſiſt the attempts of the Scots of Tyrconnel, and other parts of Ulſter, his majeſty's now open and avowed enemies; and ſo to manage the war, that the ſervice might not ſuffer, through the want of due correſpondence, for the little time the entire ſettlement of the kingdom was ſuſpended. They informed him, that they had received intelligence that Monroe, with a numerous army, was going to fall upon Newry, Dundalk, and other maritime towns within his excellency's quarters; and that the Scots of Tyrconnel were gathering in a body of three thouſand foot, and five hundred horſe, to invade Connaught, where they were ſure to be joined by Sir Charles Coote's forces." They added, "that if his excellency would agree, that they might, on all ſides, fight to clear the kingdom of the common enemy,[b] their councils in civil and military matters ſhould be managed by his advice. And the council having underſtood, that the want of money to prepare for the field, was what chiefly retarded this conjunction, they promiſed to ſend his excellency three

[1] Belling's MSS. Carte.

It appears from Lord Digby's public declaration ſoon after in the privy council of Ireland, "that his majeſty had redoubled his poſitive orders to the Marquis of Ormond, both immediately before his coming from Oxford, and ſince his being at Newcaſtle, for the immediate perfecting of the peace in Ireland, according to the articles agreed on. Upon his diſpenſation with the condition alſo of the confederate Roman catholics of Ireland ſending the men undertaken for by them; and this his lordſhip (Digby) was commanded to attend his majeſty's ſervice in Ireland, upon his majeſty's confident ſuppoſition that the peace already agreed upon, would have been proclaimed before his arrival there." Cart. Orm. vol. iii. fol. 491.

[b] "It is true," ſays Lord Digby, in a letter to Ormond on this occaſion, "that his majeſty did promiſe, that you ſhould join with them (the confederates) againſt the Scots, when a peace or ceſſation ſhould be concluded." Ib. fol. 346.

three thouſand pounds;[2] two thouſand of which they ſoon after ſent him."[c]

On the concluſion of the peace, "promiſes of mutual aſſiſtance,[3] (in caſe either of their quarters were attacked before the time appointed for the publication of the articles) had paſſed between the confederates and the lord lieutenant, who promiſed to engage in actual ſervice, where it was neceſſary; and, as he ſhould find himſelf enabled, would further proſecute thoſe that ſhould not ſubmit to the peace, as enemies and rebels to his majeſty, in ſuch a way, as he ſhould judge moſt for his majeſty's ſervice." But he now told them, in anſwer to their above-mentioned ſolicitations, "that,[4] indeed, he underſtood very well the neceſſity of an union; but that he might not join with any party, not deriving authority from his majeſty, that nothing further could be done towards a union, till the articles of peace were publiſhed, about which he had not received his majeſty's pleaſure, nor had they performed the engagagements made at ſigning them."

The chief of theſe engagements was, as we have ſeen, the ſending of ten thouſand of the confederates forces to the king's aſſiſtance in England or Wales; which was, on many accounts, impracticable, preciſely within the time ſtipulated by the articles.[d] If his excellency

[2] Belling's MSS. Cart. Orm. vol. i. fol. 567.
[3] Cart. ib. [4] Ib. fol. 571.

[c] Mr. Carte teſtifies, "that the confederates kept their word in ſupplying the Marquis of Ormond (at this juncture) with three thouſand pounds, for the relief of his forces in Dublin. And they very readily furniſhed the Lord Digby with three hundred men, under Milo Power, and other commanders named by his lordſhip, for the defence of the Prince of Wales, who had retired to Scilly, upon the reduction of the weſt by the parliament. Carte's Ormond, vol. i. f. 567.

[d] Beſides, as the Marquis himſelf afterwards owned, "the failure of the confederates, with reſpect to that condition, was, by an inſtrument ſigned by himſelf, and drawn up by the commiſſioners of the confederate catholics, diſpenſed with; he being

excellency had not yet received his majeſty's order[e] of the 26th of March before-mentioned, for ſtopping theſe forces, he certainly could be no ſtranger to the reaſons which induced him to ſend it. With theſe reaſons Lord Digby had acquainted him,[f] five or ſix days after the concluſion of the peace; and the Marquis of Ormond himſelf, four days after that,[g] informed the king, "that he had ſent to Lord Byron,[5] to know the ſtate of North Wales, and whether three thouſand men, for whom there was ſhipping, might be uſeful, and ſafely diſpoſed of there. And that although the time for ſending of the ſupplies was elapſed, for want of ſhipping, yet he was confident the men had been, and were ſtill ready." And Lord Digby, at the ſame time, aſſured the marquis,[6] "that he found in theſe men, ſuch an univerſal, not only diſpoſition, but paſſion, to be under his excellency's government, that he thought it would be impoſſible for any to hinder them from it, almoſt upon any terms."

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[5] Id. ib. vol. iii. fol. 459. [6] Id. ib.

ing thereunto authoriſed by his majeſty." Carte's Orm. vol. iii. fol. 540.

[e] He received it April 25th, 1646. Id. vol. i. fol. 567. & vol. iii. fol. 540.

[f] April 3d, 1646.

[g] April 7th. Id. vol. iii. f. 449.

CHAP. II.

Lord Clanrickard expoſtulates with the Marquis of Ormond, on his refuſal to join the confederates, and to proclaim Sir Charles Coote a rebel.

HIS excellency's juſtly admired friend, the Earl of Clanrickard, once more acquainted him, about this time, "that[1] he was privately importuned to ſecond the ſpeedy publication of the peace, with his humble addreſſes and perſuaſions to his lordſhip; that he was himſelf of opinion, that if ſome ſuch courſe was not ſoon taken, the kingdom would be ſuddenly and totally ruined; that all acceſs to his majeſty, to know his further pleaſure, or to give him a right information of the ſtate of his affairs, was then made impoſſible; that the confederates, in order to effect what was required of them, had provided ſhipping for tranſportation, and drawn a conſiderable body of men to the ſea-ſide, whether to the juſt number, was, he thought, too nice a ſcrutiny in them diſtracted times; that it then appeared, there was no army of the king's to join with them near thoſe places, to which they were to guide their courſe; nor any harbour left to ſecure their landing; and that their going would only be the deſtruction of ſo many men, and nothing of aſſiſtance or preſervation to his majeſty."

All this while hoſtilities were daily committed on the confederates, by the parliamentarian forces in Ulſter and other parts; and even by thoſe of his majeſty's army, in breach of the ceſſation. Lord Clanrickard himſelf had been frequently aſſaulted by Sir Charles Coote, within the limits of his government, without being able to obtain redreſs from the lord lieutenant and council. In a letter to his excellency, on that occaſion, he told him,[2] "that it did ſomewhat diſturb and perplex

[1] Cart. Orm. vol. iii. fol. 465. [2] Id. ib. fol. 463.

plex his thoughts, to obſerve thoſe, whom he conceived himſelf bound in duty to oppoſe, having all, or moſt of them, taken the covenant, aſſumed power and government, contrary to his majeſty's authority, and quite oppoſite to his royal grants to others, conſtant violators of the ceſſation, and frequent invaders of his and his adherents eſtates; and if he was not much miſtaken, ſuch as rather expected ſubmiſſion from their ſovereign, than ſhewed any inclination to ſubmit to him, did ſtill ſeem to be accounted loyal ſubjects, and within the compaſs of obedience to his excellency's government: and that by implication, the breach of the ceſſation did ſeem to be allowed them; at leaſt, not corrected." After which, his lordſhip proceeds to ſay, with a ſpirit ſuitable to his great integrity, and honour, " being now reduced into the condition I am, give me leave to call upon your excellency and the ſtate,[3] even in the king's behalf, and for juſtice ſake, that Sir Charles Coote, who commands in chief the forces here, under the title of lord preſident of Connaught, may be forthwith declared and proclaimed a rebel and a traitor, according to his deſerts, and all ſuch as hereafter aſſiſt, or adhere unto him; for the matter hath now proceeded ſo far, as certainly theſe attributes muſt be fixed either upon him or me; pardon me, if I ſhould further affirm, upon your excellency."

But with neither of theſe juſt requeſts of his truly noble friend, could the Marquis of Ormond be perſuaded to comply;[a] not with that for proclaiming the peace, becauſe, as he pretended,[4] " having received intelligence, that the king was gone to the Scots army, he conceived that change of things there might occaſion ſome alteration in his reſolutions, as to the manner he ſhould propoſe for his majeſty's ſervice, and the ſettlement of the kingdom." But as his excellency had been appriſed long before by Lord Digby, Secretary Nicholas,

[3] Cart. Orm. vol. iii. fol. 463.

[4] Id. ib. fol. 468.

[a] No wonder, ſince Ormond himſelf confeſſed in a letter to Lord Digby of the 26th of April immediately preceding, " that he was then in treaty with the parliament commiſſioners." Cart. Orm. vol. iii. fol. 461.

Nicholas, and by the king himſelf,[5] "that the Scots were the greateſt oppoſers of the Iriſh peace, having all along entertained hopes that Ireland ſhould be given up to them," what elſe could he have expected from "that change of things," but that they would compel his majeſty, as they ſoon after did, to ſend him poſitive orders to forbear all further proceedings in it? And what further demonſtrates the weakneſs and inſincerity of that excuſe is, that his excellency was, at the ſame time,[b] "well ſatisfied," as Lord Clanrickard told him,[6] "that the king was ſtill deſirous of the peace, though he failed of the ſupplies at the time appointed."

As for his proclaiming Sir Charles Coote and his adherents traitors and rebels, his excellency would not venture to do it, without the conſent of the council,[7] "by whoſe advice he affected to be guided throughout, in carrying on the work of peace;" though Lord Digby had before informed him, "that the king underſtood, and did promiſe that his excellency ſhould join his forces with thoſe of the confederates, when a peace or ceſſation ſhould be concluded, againſt all thoſe who violated or oppoſed either." But his excellency knew that the majority of that council were Sir Charles Coote's real, though ſecret adherents; and therefore could not expect, that they would conſent to an act implicitly condemning themſelves.

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[5] Cart. Orm. vol. iii. Collect. of Orm. Orig. Papers.
[6] Cart. Orm. vol. iii. fol. 474. [7] Id. ib.

[b] That he was then ſatisfied that the king was ſtill deſirous, that the peace with the confederates ſhould be concluded, appears from Ormond's having received his majeſty's letter, wherein he expreſſes that deſire, on the 25th of April, 1646. Cart. Orm. vol. i. fol. 567. And Clanrickard's letter to him, telling him that his excellency was ſatisfied that ſuch was his majeſty's deſire, is dated the 3d of June following. Id. ib. vol. iii.

CHAP. III.

The king is prevailed on by the Scots to forbid Ormond to proceed in the peace with the confederates.

THE Scottiſh army having, by many deceitful promiſes, gotten the king into their hands, kept him under the cloſeſt, and moſt irkſome reſtraint. Lord Digby in a letter from Paris, June 17th, 1646, told the Marquis of Ormond,[1] "that the Scots were likely to make uſe of the king's perſon, only to force him to what they aimed at with the parliament; inſomuch, that he was to conſider his majeſty among them, in ſhew and formality, treated as a king, but really worſe than a priſoner; for that beſides the guards about him, and ſtrict obſervation of his perſon, he had no kind of liberty of mind, as all power of expreſſing any thing but what they would have him, was taken away; not a perſon being permitted about him, by whom he could either receive, or tranſmit any thing to or from thoſe whom he would have to know his mind. This only," adds his lordſhip, "we have had the happineſs to know from him, when he foreſaw the condition he was likely to be in, that he deſired that the prince his ſon, the queen, and all his faithful ſervants, ſhould jointly govern themſelves according to what they ſhould judge to be the true intereſts of his crown and poſterity; and not according to what, from his forced condition might outwardly be made appear as his pleaſure. And I am confident," proceeds his lordſhip, "if there be a poſſibility of conveying any thing of ſecret to you, your lordſhip will receive his expreſs pleaſure to this effect."

After this, as if he dreaded an event which, though unknown to him, had then recently happened, he adds,[2] "my greateſt fear is, leſt before my return to you, the king ſhould have been forced by the Scots to ſet an embargo upon the peace of Ireland; but though he have,

[1] Cart. Orm. vol. iii. [2] Id. ib.

have, I hope you will be able to keep things fair till I come; and that then, having received ſuch further aſſurances, as I ſhall be able to give you, of the king's condition, of the queen and prince's reſolutions, and of the grounds laid to carry them through, no ſuch embargo will be any hindrance to you, to purſue vigorouſly that courſe, which you ſhall judge prudent, juſt, and honourable."

If the Marquis of Ormond did not receive this letter on the 24th of that month, when the king's order, forbidding him to proceed in the peace,[3] arrived; (which might, I own, have been the caſe) yet he certainly knew from his own recent experience, that his majeſty was then in the condition of a priſoner with the Scots, and not ſuffered to ſend to or receive from his friends any diſpatches, but ſuch as they had both ſeen and approved. For his excellency and the council, having ſome time before,[4] twice demanded a ſafe-conduct from Major General Monroe, for one of their meſſengers, who was to paſs by way of Scotland, with letters to the king, they were both times peremptorily refuſed. This refuſal was given about the 7th of June, and on the 11th of the ſame month, the Scots in England compelled his majeſty to ſign an order to the Marquis of Ormond, to forbear all further proceedings in the peace with the confederates:[2] which order was tranſmitted

[3] Cart. Orm. [4] Id. ib. vol. iii. fol. 480.

[2] If there was nothing elſe but a former letter from the king to Ormond of January 9th 1644, to convince him that his majeſty's order of the 11th of June was extorted, the contents of that letter were more than ſufficient for the purpoſe; for there he told him, that "the rebels in England had agreed to treat; and that moſt aſſuredly one of the firſt and chiefeſt articles they would inſiſt on would be to continue the Iriſh war, which was a point not popular for him to break on; he therefore deſires him to haſten with all poſſible diligence the peace there; the timely concluſion of which," adds his majeſty, "will take off that inconvenience, which otherwiſe I may be ſubject to by the refuſal of that article upon any other reaſon. He bids him let the Iriſh know the danger there may be of their total, and perpetual

mitted to his excellency by the Scots committee in Ulſter, with evident marks of an intended affront to his majeſty's authority in his lordſhip's perſon; for they not only ſent him the king's letter with [s] the ſeal broken, declaring in their own, which encloſed it, that no diſpatch from his excellency and the council, ſhould be permitted to paſs, unleſs they were made acquainted with its contents, but they alſo omitted giving the Marquis of Ormond his title of lord lieutenant,[b] either

[s] Carte's Orm. vol. iii. fol. 480.

perpetual excluſion from thoſe favours he intended them, in caſe the Engliſh rebels clapt up a peace with him upon reaſonable terms, and only excluding them, which poſſibly would not be counſellable for him to refuſe, if the Iriſh peace was the only difference between him and them, before it were perfected there. He hoped theſe were ſufficient grounds to Ormond to perſuade the Iriſh to diſpatch the peace upon reaſonable terms; and to aſſure them, that he having once engaged to them his majeſty's word in the concluſion of it, all the earth ſhould not make him break it." Cart. Orm. vol. ii. Append. fol. 6.

On the 27th of the following month the king wrote to Ormond in theſe words. "I do therefore command you to conclude a peace with the Iriſh whatever it coſt. I cannot but tell you, that if the ſuſpenſion of Poining's act for ſuch bills as ſhall be agreed upon between you there, and the preſent taking away the penal ſtatutes againſt the papiſts, by a law, will do it, I ſhall not think it a hard bargain." Cart. Orm. vol. iii. fol. 430.

The confederates deſired the ſuſpending of Poining's act, leſt any bills for the exerciſe of religion, agreed on in the Iriſh parliament, might be thrown out in England. "I believe (ſays Ormond himſelf) the Iriſh would not inſiſt upon it (the ſuſpenſion of Poining's act) but for fear the other acts, which are to be agreed on for their ſecurity and ſettlement, ſhould receive a ſtop by the council here, or be altered in England." Let. to Lord Digby. Carte's Orm. vol. iii. 428.

[b] The lord lieutenant and council, in their anſwer to the Scots committee in Ulſter on this occaſion, obſerve, "that they found ſo little hope of receiving his majeſty's free pleaſure, touching his affairs and ſervants in Ireland, that they had great cauſe to fear even the ſafety of any meſſenger of truſt they ſhould ſend; that, as ſoon as it ſhould pleaſe God to give them clear, and unintercepted ways of addreſs to his majeſty, they hoped to give him fit accounts of all his commands directed to us the lord

either in the body or ſuperſcription of their letter. Yet this ſo groſsly-affronted lord lieutenant and council, who had frequently diſobeyed his majeſty's free and poſitive commands to conclude this peace with the confederates, did now, all at once, moſt readily comply with this conſtrained order, ſo diſreſpectfully ſent them, to forbear all further proceedings in it. [c]

CHAP. IV.

Lord Digby arrives in Dublin, and cauſes the peace with the confederates to be proclaimed.

BUT that viſible alacrity, with which the lord lieutenant and council obeyed this inhibiting order, was ſuddenly damped, by the arrival of Lord Digby in Ireland, on the 4th of the following month; who, upon hearing of it, and of their prompt compliance with

lord lieutenant; which title, by the way, we hold fit to obſerve unto you, his majeſty is pleaſed to give us, though you, in the ſeveral letters directed by you unto us, are not pleaſed ſo to ſtile us." Cart. Orm. vol. iii. fol. 490.

[c] Lord Digby in his declaration to the Iriſh privy council on this occaſion, ſays, "that his majeſty had redoubled his poſitive orders to the Marquis of Ormond, both immediately before his coming from Oxford and ſince his being at Newcaſtle (from whence that prohibiting order of the 11th of June is dated), for the immediate perfecting of the peace in Ireland according to the articles agreed on, upon his diſpenſation with the condition alſo of the confederate Roman catholics of Ireland ſending the men undertaken for by them." Id. ib. fol. 491. Notwithſtanding which, Ormond confeſſes, in his and the council's anſwer to this letter of the 11th of June, 1646, that he might for ſome time at leaſt, have not complied with it; for there he ſays, "he, the lieutenant, had a ſpecial direction from his majeſty, ſent him ſoon after his entrance into the government, that if any direction were brought him from his majeſty, for doing any thing which he ſhould find might beget inconvenience to his ſervice, that he ſhould, in ſuch caſe, humbly repreſent it to his majeſty, and in the interim forbear to execute ſuch his directions." Id. ib. fol. 485.

with it, wrote to his excellency,[1] "that having received, by an expreſs, the knowledge of his majeſty's condition, and of his poſitive pleaſure in the weighteſt of his affairs, and particularly thoſe of the kingdom of Ireland, he was commanded to ſignify the ſame, as ſecretary of ſtate to his excellency. Your excellency therefore," proceeds he, "is to take notice, that his majeſty, having upon moſt poſitive engagements of the Scots, both unto himſelf and the crown of France, by the French agent reſiding with the Scots, received aſſurances from them in three points, namely, that they would not endeavour to force his conſcience; that they would give a ſure retreat among them to all his faithful ſervants, and adherents; and laſtly, that they would endeavour, by treaty, or by force, to reſtore him to, and eſtabliſh him in his juſt rights; put himſelf voluntarily into their hands: but ſince, he hath found them ſo far from performing any part of their engagement, that they have uſed him, according to his majeſty's own expreſſion, barbarouſly; and have made him, from the time of his laſt ſaid diſpatch, which was the 2d of June, a priſoner of the ſtricteſt kind; having not only chaced from him the only perſon that accompanied him thither, but alſo ſet forth a proclamation of death againſt any who had ſerved him during theſe troubles, that ſhould preſume to come amongſt them; inſomuch, that his majeſty declares, that he hath no poſſibility left him, either of receiving any knowledge of his own affairs, but as his enemies ſhall repreſent them, or any advices from his faithful ſervants; much leſs to expreſs his pleaſure to them, in any way but what they ſhall force from him. And that, having with much ſkill and difficulty, obtained that ſecret means of expreſſing, in ſhort, his ſad condition, and his will and pleaſure thereupon, the queen and prince, and all his faithful ſervants were to underſtand that, as the laſt free direction they were to receive from him; and that they ſhould, in all things, purſue, and cauſe to be purſued ſteadily, thoſe orders, that

[1] Cart. Orm. vol. iii. fol. 480.

that he had given before this time of his unfree condition: and that, in all things wherein he had not given directions, while he judged himſelf free, the prince his ſon ſhould give, from time to time, ſuch orders as ſhould be judged beſt for the advantage of his crown and intereſts, without being diverted from it by any thing, that in his preſent reſtraint might be either ſurreptitiouſly or violently got from him. That particularly, for the buſineſs of Ireland, he had while he was free, redoubled unto his excellency ſuch poſitive orders, for the concluſion of the peace, upon the terms expreſſed to him by his excellency, ſince the mutual ſigning of the articles, that he was confident it would be proclaimed, before his lordſhip could be back in Ireland."

CHAP. V.

Lord Digby inſiſts on the proclaiming of the peace.

ON the 28th of July, 1646, to ſatisfy the council on this occaſion,[a] Lord Digby drew up and ſigned a declaration, wherein after repeating what has been mentioned in the above letter, concerning his majeſty's having redoubled his poſitive orders to the Marquis of Ormond to perfect the peace with the confederates, and his own expectation, that it would, therefore, have actually been proclaimed before his arrival in Ireland; he added, that,[1] "finding, inſtead thereof, a ſtop ſet upon the ſame, by occaſion of a letter dated from Newcaſtle the 11th of June, ſuperſigned Charles Rex, and

[1] Cart. Orm. vol. iii. fol. 491.

[a] Lord Digby, afterwards Earl of Briſtol, was ſecretary of ſtate to Charles II. and privy-counſellor at the time of the interregnum. He was a zealous proteſtant, and wrote ſeveral pieces of controverſy againſt the church of Rome; to which, however, he after the reſtoration became a ſincere convert; having forfeited all his employments on that account. He was a man of ſuch fine parts, that Dr. Swift in one of his letters, ſtiles him the "prototype of Lord Bolingbroke." See Graing. Biograph. Hiſt. vol. iii. p. 23.

and atteſted Lanerick; and knowing, by his majeſty's free expreſſion of his will and pleaſure, and of his reſolutions and deſigns in the whole ſtate of his affairs, how contrary to his free judgment and will the ſame letter of the 11th of June is, and how deſtructive to all the foundations laid by his majeſty, for the recovery of his own, his crown's and poſterity's rights, whether by way of a good accommodation or of war, any obedience to the ſaid letter in putting a ſtop to the peace of this kingdom, expected by his majeſty, would be; I do, according to my duty, and as ſecretary of ſtate, upon certain knowledge of his majeſty's reſolution, and as I will anſwer it with my life,

"Declare unto his excellency, the lord lieutenant and council of his majeſty's kingdom of Ireland, that the ſaid letter of the 11th of June, is either a ſurreptitious letter or a forced one from his majeſty; procured by ſome falſe information of the ſtate of his affairs, and moſt contrary to what I know to be his free reſolution, and unconſtrained will and pleaſure. And I do further declare, with the ſame ſolemnity, and engagement of my life, that if the peace of Ireland ſhall not be preſently concluded, the hinderers of it are the occaſion of ſubverting, and deſtroying the main foundation reſolved and laid by his majeſty, for the recovery of his own, his crown's and poſterity's rights, as aforeſaid, whether by way of accommodation or war; for the preventing of which irreparable miſchief, if there ſhould be the leaſt danger thereof by the ſcruples of any, I will freely take the whole matter upon myſelf, to anſwer to his majeſty, as his ſecretary of ſtate, with my life for this declaration of his will. And I do offer myſelf to be detained as a priſoner, where the lord lieutenant ſhall appoint, until ſuch time as his majeſty ſhall be at liberty to expreſs freely and publicly unto the Marquis of Ormond (after private letters received from the Marquis of Ormond and myſelf) his unconſtrained will: and then, if his majeſty ſhall not juſtify me to have declared it faithfully, I ſubmit myſelf to ſuffer death. And I deſire, that this declaration of mine be entered in the council book, for my juſtification,

cation, that I have diſcharged my duty, in caſe the miſchiefs here ſet down, ſhall be occaſioned by deferring the peace of this kingdom, upon the aforeſaid letter of the 11th of June. In witneſs whereof, I have hereto ſet my hand, July 28th, 1646.

DIGBY."[b]

This declaration was accordingly regiſtered in the council-book;[r] and upon the ſame day a proclamation was publiſhed ratifying and confirming the articles of the peace; and enjoining all perſons to obſerve, and pay due obedience to it.

CHAP. VI.

Owen O'Nial and the Nuncio reject the peace.

THE Marquis of Ormond ſeemed not more unwilling to have the peace proclaimed, after it was agreed to, than deſirous of an occaſion to diſſolve it, after it was proclaimed. Unhappily for both ſides, ſuch an occaſion ſoon preſented itſelf. The peace had been generally received by the confederate nobility and gentry, and by the greateſt and beſt part of their clergy, conformable, in that reſpect, to the eſtabliſhed clergy

[r] Cart. Orm. vol. i.

[b] "George Lord Digby was appointed by the Engliſh commons one of the managers of the charge againſt the Earl of Strafford, who, when that earl excepted to the evidence of the Earl of Cork at his trial, becauſe he was his enemy, replied, that if that objection ſhould be of any weight with the court, Strafford had found out a certain way to ſecure himſelf from any farther proſecution. Yet (adds my author) this man, who then ſpoke with ſo much vigour againſt him, ſoon after altered his language, and made a ſpeech in the houſe in his favour, which he cauſed to be printed, and alſo ſurreptitiouſly withdrew a paper from the committee, containing the principal evidence againſt the ſaid earl. The parliament reſenting this prevarication, ordered his ſpeech to be burnt by the hands of the common hangman." Ludlow's Mem. vol. i. p. 14.

clergy of Ireland; who, in a remonſtrance to the lord lieutenant on that occaſion, ſigned by two archbiſhops, nine biſhops, and ſeventy-ſeven clergymen, "did moſt heartily acknowledge, that by his excellency's very great pains and labour, he had, at laſt, concluded a moſt neceſſary peace; which they humbly conceived to be the only means to continue the bleſſings of religion and loyalty among them; and to be the only hopeful way to reduce the kingdom wholely to his majeſty's obedience." [a]

But the Nuncio Renuccini, and General Owen O'Nial, abſolutely refuſed to ſubmit to it; the former, becauſe there was no proviſion made for the free exerciſe of the catholic religion; [b] without which the confederates were engaged by their oath of aſſociation, never to conclude a peace; and the latter, on the ſame account, as well as that no ſtipulation was made for reſtoring him, and his numerous followers to their forfeited eſtates in Ulſter. [c] The Nuncio alleged beſides, that the commiſſioners who had concluded the peace, did not, according to their inſtructions, inſiſt upon the repeal of the penal ſtatutes againſt the Roman Catholic religion. [d] The

[1] Borl. Hiſt. of the Iriſh Rebel.

[a] Yet Carte does not ſcruple to ſay, "that the proteſtants ſhewed the greateſt averſion to that peace." Life of Ormond, vol. ii. fol. 10.

[b] Yet, "the pope himſelf (ſays Dr. Leland) had declared, that a connivance was all that could at preſent be reaſonably demanded." Hiſt. of Irel. vol. iii. p. 277.

[c] "Over and above thoſe demands which concerned religion, to which they ſeemed to adhere with more than ordinary zeal, and thereby drew a dependency of the clergy to them, they inſiſted upon the reſtitution of the great eſtates in Ulſter, which was not in the power of the crown to make." Borl. Hiſt. of the Iriſh Rebel. fol. 313. Clarendon.

[d] In the ſixth article of (the ſupreme council's) inſtructions of the 17th of April, to Mr. Nicholas Plunket, the confederates order him to let his excellency know, "that if he cauſe the articles of peace to be proclaimed, then they muſt publiſh thoſe articles concerning religion made with the Earl of Glamorgan, and

Marquis of Ormond could not deny the fact; but he maintained,[2] "that the peace which the confederates commiſſioners had concluded, by virtue of an authority derived from their general aſſembly, whether advantageous or prejudicial to thoſe that truſted them, ought to have been inviolably ſtuck to, how blame-worthy ſoever they might be pretended, for tranſgreſſing inſtructions." This manner of reaſoning, however, ſeems to have been taken up by his excellency, only for preſent convenience; for he argued very differently on the ſame topic of inſtructions, when, in a former treaty with the confederates, the caſe was to be his own; and when, in order to juſtify his rejecting ſome of their propoſitions, he told them,[3] "that if he had exceeded his inſtructions, he would have deluded thoſe he treated with, with the ſhadow of conceſſions; for that the ſubſtance would be loſt, by his tranſgreſſing the rules given him, in any one particular."

But however that might have been, the Nuncio's caſuiſtry differed materially from that of his excellency on this occaſion; and therefore that prelate reſolved to enforce his opinion by ſuch means as, it appears, he had neither commiſſion nor inſtructions to purſue.[c] For,

[2] Cart. Orm. vol. iii. [3] Id. ib. fol. 424.

and that it was not in their power to do otherwiſe, for fear of loſing their foreign friends, and the danger of a rupture at home." Enquiry into the Share, &c. p. 201. But ſoon after upon a refuſal by his excellency, "they promiſe to omit the publication of the Earl of Glamorgan's conceſſions, and expreſſed their willingneſs and reſolution to concur and agree to the publiſhing of the articles of pacification as already ſettled. But the Marquis of Ormond had not yet received his majeſty's pleaſure with regard to the articles of peace." Id. ib. p. 203-4. "On the 6th of February 1645-6, the Nuncio ſent to the ſupreme council a proteſtation againſt the peace, ſigned by himſelf, and the archbiſhops, biſhops, and clergy." Id. ib. p. 204. "The Nuncio did not diſcover that the confederates had made peace with the Marquis of Ormond till the 25th of June following." Id. ib. p. 206.

[c] "The Nuncio's violent meaſures were, it ſeems, contrary to the inſtructions he had received from Rome, and made it neceſſary for him to ſend an apology to the pope." Lel. Hiſt. of Irel. vol. iii. p. 292. Note.

For, having called together, at Waterford, ſuch of the Iriſh biſhops and other clergy, as were moſtly under his influence, on pretence of forming a ſynod to ſettle eccleſiaſtical matters, they entered all at once on a debate concerning the lawfulneſs of the late peace;[f] and having ſoon determined, that all thoſe who were inſtrumental in making it, were, for the reaſons before-mentioned, guilty of a formal breach of their aſſociation-oath, they iſſued an excommunication againſt them; as alſo againſt thoſe of their communion who ſhould afterwards adhere to it; forbidding, under the ſame penalty, any public dues to be collected by or paid to ſuch perſons as were formerly appointed to receive them; and giving encouragement, at the ſame time, to the people to reſiſt any force that might be uſed for that purpoſe.[g] "This," ſays Mr. Belling,[a] "of all their commands,

[a] Belling's MSS.

[f] "At the ſame time (15th of Auguſt, 1646) "the archbiſhops of Dublin and Caſhel, and the biſhop of Elphin, wrote in the name of the congregation of the clergy, a letter to the queen, in which they ſay, they diſlike the peace, becauſe all things are referred to the pleaſure of the king, which (add they) we would readily ſubmit to, if he were not environed on all ſides with the enemies of our religion, and at ſuch a diſtance from your majeſty." He was then in the hands of the Scots. Enquiry, &c. p. 217, 218.

[g] The ſupreme council, in order to prevent the clergy's taking this raſh ſtep, had remonſtrated to them among other things, "that though in the articles (of the peace) now publiſhed, there were few things ſatisfactory with relation to religion, yet there is a reference in them to the king's further conceſſions; that articles had been concluded between the Earl of Glamorgan and the confederates, in which many conceſſions had been made of great advantage to the catholic religion, which might juſtly be underſtood to be implied in the clauſe of the lord lieutenant's articles, referring to his majeſty's further conceſſions; that earl having a commiſſion from his majeſty, the original of which, ſigned by the king's own hand, was depoſited by the earl with the confederate catholics; that, the king being in the hands of the Scots, there was no poſſibility of engaging him to make any other conceſſions in point of religion for the preſent; but that as his majeſty could have no other method of recovering his crown, but by the catholics and foreign princes, who were zealous

commands, met with the prompteſt obedience; and men were ſo pleaſed with the obſervance of it, that, when the clergy themſelves, had ſoon after, formed a new government, by the name of the council and congregation, they found much difficulty to bring the people to open their purſes."

CHAP. VII.

The bad effects of the clergy's proceedings.

BY this ſpiritual weapon alone, the Nuncio and his party contributed more, in one week, towards the defeat of the confederate army, than the Marquis of Ormond, with all his forces, had been able to effect during the whole preceding time of the war. The cauſe of religion, which is ſaid to have firſt moved them to take arms, and afterwards, to have united them in a regular and formidable body, was now made an inſtrument to ſplit them into parties more exaſperated againſt each other, than they were before againſt the common enemy. The titular Biſhop of Oſſory ſhut up, by an interdict, all their churches, and houſes of prayer in Kilkenny, the place where their general aſſembly, and ſupreme council, uſually met; upon which the Marquis of Ormond ſarcaſtically obſerved,[1] "that they were a ſtrange ſort of people, who, after fighting ſo long for liberty to open their churches, and having got it, ſhut them up again, of their own accord, and hindered their people to reſort to them."

The Nuncio's violent meaſures, as I have already obſerved, were contrary to the inſtructions he had received from the court of Rome. By theſe he was directed,

[1] Cart. Orm. vol. iii. [2] Id. ib. vol. i. fol. 578.

lous for that religion, all juſt conceſſions in favour of it might be expected from him, when he ſhould have it in his power to grant them." Enquiry into the Share, &c. p. 215. from the Nuncio's Mem.

directed, in caſe peace was made, to do nothing, either by word or deed, to ſhew that he either approved, or diſliked the ſame. Nay, there was great reaſon to believe, that the peace concluded with the Marquis of Ormond, was agreeable to his holineſs's ſentiments. For, ſome time before, when Mr. Belling had audience of him on that ſubject, the pope told him,[3] "it was no wonder, if the king thought it unſafe publicly to grant the Iriſh the conditions they demanded, leſt it might diſoblige his proteſtant ſubjects, and that, therefore, a connivance ought to content them for the preſent."

The terror, however, of this excommunication drew off great numbers of the common ſoldiers; and it ſo far ſcared General Preſton and his officers, who had ſubmitted to and proclaimed the peace at the head of his troops, that he and his whole army, went over to theſe militant eccleſiaſtics. Their plea of the breach of their aſſociation oath,[a] and of the failure of their commiſſioners to inſiſt on the public exerciſe of their religion, according to their inſtructions, was indeed plauſible; but they had a much better excuſe, in the inſecurity of that peace from the king's before-mentioned order of the

[3] Belling's MSS. Carte, vol. iii. fol. 564.

[a] In that oath, the following among other propoſitions, was agreed to, viz. "that they would not conſent to lay down their arms until all the laws and ſtatutes made ſince the time of king Henry VIII. whereby any reſtraint, penalty, mulct, or incapacity, or other reſtriction whatſoever, is, or may be laid on any of the Roman catholics, either of the clergy or laity, for the exerciſe of the Roman catholic religion, within this kingdom, and of their ſeveral functions; ſhould be repealed, revoked and declared void in the next parliament, by one, or more acts of parliament to be paſſed therein." Unkind Deſerter, &c. p. 53.

The ſame author adds, "now if the ſaid committee of treaty for concluding the peace, ſwerved from any of the rules and inſtructions given them (as indeed they have done), what they acted, can no way oblige either the clergy or the people to their own overthrow and deſtruction. It were a hard caſe for a commonwealth, if perſons by her impowered with truſt could bind it to acts prejudicial and deſtructive to their preſervation, intereſts, and liberty." Ib. p. 60.

the 11th of June to the Marquis of Ormond, to proceed no further in it; and in that order's not having come to their knowledge, till after it was proclaimed.[b] But notwithſtanding this defection of ſome of the commanders, ſoldiers, and common people,[4] "all the confederate nobility and gentry (except a very few of the latter) and all the old biſhops and regulars, whoſe miſſionary powers were not ſubordinate to the Nuncio's authority, ſtill adhered to the peace, in defiance of the cenſures denounced againſt them;[5] and the Nuncio himſelf, ſoon after, received a ſevere reprimand from Rome, for having acted in the matter contrary to his inſtructions."

CHAP. VIII.

The Marquis of Ormond goes to Kilkenny, but returns ſuddenly to Dublin.

THE Marquis of Ormond, having had notice of theſe practices of the Nuncio and clergy at Waterford, went to Kilkenny,[1] "being invited thither, and informed, that his preſence would ſoon remove the cauſes or ſuppreſs the effect of the clergy's diſcontent." His lordſhip confeſſes,[2] "that he was received there with many expreſſions of joy in the people, and with the

[4] Clarend. Ir. Rebel. [5] Cart. Orm. vol. i. fol. 57c.
[1] Id. ib. vol. iii. [2] Id. ib.

[b] But it appears by the clergy's declaration to the ſupreme council, that it firſt came to their knowledge by his majeſty's letters taken at Naſeby, that Ormond had power "to repeal the penal laws, and ſuſpend Poining's act, and they propoſed (on 15th of Auguſt, 1646) that theſe letters, together with Glamorgan's conceſſions, ſhould be made public." Enquiry, &c. p. 222-3. The ſupreme council in their anſwer to this declaration, ſay, "that the repeal of the penal laws was purpoſely omitted in the peace (with Ormond) as being leſs than Glamorgan's conceſſions, and therefore might derogate from them; but that they would print and publiſh Glamorgan's articles, and inſiſt upon their being obligatory on the king." Id. ib. p. 227. From the Nuncio's Mem.

the reſpect due to his majeſty's lieutenant ;" but adds, " that upon his further march into the country, being refuſed admittance into Clonmell, and beſides, informed that General O'Nial, leading an army of Ulſtermen, was invited and drawn towards Kilkenny, to hinder his retreat, and cut off the guards he had brought with him, he haſtily returned to Dublin, full of indignation, and reſentment at this inſtance of treaſon, perfidy and ingratitude."

Such was the Marquis of Ormond's declared ſenſe of this matter, which has been generally adopted by all our hiſtorians. I ſhall, however, take the liberty to examine, whether the information his excellency ſpeaks of was grounded on fact; or whether it was not rather contrived, or at leaſt, countenanced by himſelf, in order to juſtify a deſign, which he then entertained of renewing his treaty with the Scots in Ulſter; and with their now only acknowledged maſters, the rebels in the Engliſh parliament.

Whatever faults General O'Nial might have had, ingratitude and perfidy were not, certainly of the number.[c] Mr. Carte himſelf, one of his accuſers on this occaſion, informs us, in relation to a tranſaction ſubſequent to this,[3] " that the Marquis of Ormond had a very advantageous opinion, as well of his honour, conſtancy and good ſenſe, as of his military ſkill; from which, he propoſed as much advantage to the king's affairs, as he did from the force of his

[3] Ib.

[c] " O'Nial (ſays one of his moſt inveterate enemies) was a man of an haughty and poſitive humour; and rather hard to be inclined to reaſonable conditions, than eaſy to decline them, or break his word, when he had conſented." Borl. Hiſt. of the Iriſh Rebel. fol. 232.

" Owen O'Nial (ſays Mr. Carte,) obſerved the ceſſation ſo religiouſly, that when ſome of the garriſon of Enniſkillen made him an offer of betraying the place, he would not embrace it, although great preys had been taken from the Iriſh in the excurſions made by that garriſon." Orm. vol. i.

his troops; and that he always uſed great frankneſs in his treaties with them."

His excellency knew that O'Nial had publicly rejected the peace, and was ſtill in hoſtility againſt him; ſo that, ſuppoſing the information true, and that he really deſigned to cut off his retreat to Dublin, ſuch a deſign could not be properly deemed perfidious; or, indeed, ſo diſhonourable, in any reſpect, as thoſe frequent acts of rapine and cruelty, committed on the confederate party by forces under his lordſhip's obedience, during the ceſſation;[d] which acts inſtead of being puniſhed or reſtrained, were conſtantly connived at, if not encouraged, by his lordſhip and the council: a proceeding very different from that of the general aſſembly of the confederate catholics, with regard to O'Nial; whom, on account of his oppoſition to the peace while it was in agitation, they neglected in their appointment of generals after its concluſion. And reſentment of that neglect was thought to have been the chief cauſe of his hoſtile and too ſucceſsful endeavours, to fruſtrate all their ſubſequent undertakings for the ſettlement of the kingdom.

Under colour of juſt indignation at O'Nial's ſuppoſed deſign, the Marquis of Ormond, in concert with the council, (ſoon after his return[e] to Dublin from Kilkenny,) addreſſed the Britiſh parliament, and renewed his treaty with the Scots in Ulſter, with compliments to theſe latter, which, whether ſincere, or not, reflected no ſmall diſhonour on his excellency.[4] "There now

[e] Cart. Orm. vol. iii. fol. 566.

[d] The Engliſh officers in the North, in a declaration publiſhed by them in the year 1645, confeſſed, "that though they were not under the command of the Scots, yet they had joined with them in all their expeditions (againſt the Iriſh), and had made a ſtricter aſſociation with them, ſince the ceſſation, to carry on the war, upon condition the covenant ſhould not be preſſed upon them: (my author, however adds) that the committee from the parliament ſtill continued to preſs the covenant, reſolving, upon their refuſal, to ſtrip them of their reſpective commands and employments." Cart. Orm. vol. i. fol. 539.

[e] He arrived in Dublin from Kilkenny, on the 13th of September. Cart. Orm. vol. iii. fol. 566.

now goes," says he, in a letter to Sir James Montgomery, September the 18th, "from me and the council, a dispatch to the old and new Scots, and British officers (in Ulster), acquainting them, that for the preservation of the kingdom to the crown of England, we have made an address to the parliament,[f] and desiring in the mean time, there might be betwixt us here, such a correspondence as befits men that are certainly of one mind, however through the distemper of the times we may have differed in our ways."

CHAP. IX.

The Marquis of Ormond pursues his treaty with the covenanters in Ulster.

IN vain did his excellency's noble friends, the Lords Clanrickard and Digby, assure him, on this occasion,[t] "that they still found the generality of the Irish nobility and gentry, and others of inferior rank, very well disposed to peace; that General Preston, and his officers, were still well inclined; that Preston's compliance with the Nuncio was only to preserve himself, and to get such a body together as might make him as considerable as O'Nial; that this body, consisting of all those forces which the Marquis had most reason to hope well of, if he might have but private satisfaction for the

[t] Id. ib. vol. iii. fol. 498, 507.

[f] What the Marquis of Ormond's thoughts were of this parliament two years before, when it was not altogether so rebellious and lost to all hopes of reconciliation with the king, appears from his answer to this same Sir James Montgomery's private invitation to him, to enter into a treaty with it. On that occasion he told him, "that he could not observe any advantage that might arise to persons loyally affected from holding a treaty with the remaining part of the parliament at Westminster. Nor yet, that it was safe for such to entertain a treaty with them For certainly (adds he) they will part with nothing but upon such conditions as cannot consist with duty and loyalty to perform with them." Cart. Orm. vol. i. fol. 491.

the ſecurity of religion, ſo far as he did underſtand it to be ſecured by the articles of the peace but found it indeed not to be, he would join heartily with his excellency." Theſe remonſtrances, I ſay, made no change in the marquis and council's ſettled purpoſe to proſecute their treaty of alliance with his majeſty's declared enemies in both kingdoms.[1]

As the biſhops and clergy aſſembled at Waterford, found themſelves ſuſpected of having put O'Nial on the ſuppoſed deſign of cutting off his excellency's retreat to Dublin, one of their body thought it incumbent upon him to wipe away that aſperſion,[2] "by proteſting ſolemnly, before God and his angels, that they were utter ſtrangers to any ſuch deſign; and that they neither knew nor expected that his excellency would have ſo ſuddenly returned to Dublin." And General Preſton

[1] Unkind Deſerter, &c.

[2] Lord Digby in his letter to Ormond on this occaſion, adds, "I moſt humbly but moſt earneſtly conjure you, by all the good that you can hope for, by any thing we have deſigned, not to ſuffer yourſelf to be engaged by the importunity of others, to that which muſt make you wholly depend upon thoſe you deteſt (the Engliſh parliament). Cart. Orm. vol. iii. fol. 507. Yet Ormond in a letter of the following day, October 12th, 1646, tells Digby, "that from the parliament commiſſioners he had a letter to all parliament ſhips to furniſh him with powder." Id. ib. fol. 505. Lord Digby to Ormond, October 13th, 1646, "Preſton will not join O'Nial, but hath ſent me word, that if he may but have any reaſonable aſſurance of what was offered concerning the ſecurity of religion, he will obey the Marquis of Ormond intirely, and join all his forces againſt O'Nial's; beſides the hatred of the generals, their men have a greater anomiſity, one againſt another, than thoſe at Dublin have againſt either." Id. ib. In anſwer to this, Ormond tells Digby, "that till the ſucceſs of his addreſs to the parliament was known, it would be neither wiſe nor honourable to begin a treaty with Preſton, unleſs he were adviſed thereto by the council." Id. ib. fol. 506. In another letter Ormond tells Digby on this occaſion, "you know I cannot cloſe with the Iriſh, or any party of them, till there be an end of the treaty with the parliament, though to keep off the preſent danger, I may diſcourſe with them." Id. ib. fol. 513. The Nuncio's party were then going to beſiege Dublin.

Preſton aſſured the Earl of Clanrickard,[1] "that (inſtead of the Nuncio and clergy's having given encouragement to O'Nial's advance) he himſelf had been the bearer of two different orders from them, upon notice of his advancing with his army, to oblige him to retire. But that O'Nial's anſwer was, "that the Nuncio was but a young ſoldier, and that, for his part, he muſt and would go, where his army might be kept together and provided for."

General Preſton himſelf, was not altogether unſuſpected by the marquis, of having conſpired with the Nuncio and clergy, in the deſign of intercepting him. His excellency, however, even in his haſty retreat to Dublin, met with ſufficient reaſon to acquit him of any ſuch deſign;[4] "for, having diſpatched Major General Sir Francis Willoughby, with a conſiderable party, to prepare his way, the major general underſtood, when he came to Leighlin-bridge, that Colonel Bagnal, under General Preſton's command, was poſted in the fort there, with an hundred men; and as he was to paſs by that fort, he ſent two officers to Bagnal, to know whether he might expect him as a friend or an enemy. Colonel Bagnal returned a very civil anſwer, that the paſſage over the bridge ſhould be open, and that he might command any accommodation the caſtle could afford. The major general found it ſo at his coming, and marching over the bridge, rendezvouſed his men in the plain field, where he reſted till Lieutenant-Colonel Flower joined him in the evening, with the lord lieutenant's own regiment."

CHAP.

[1] Carte's Orm. vol. iii. fol. 497. [4] Id. vol. ii.

CHAP. X.

A new general aſſembly and council.

IN the mean time, the Nuncio's party increaſed daily, and his oppoſition to the peace in proportion; inſomuch, that, after having formed a new general aſſembly of ſuch perſons, eccleſiaſtics and others, as he knew to be moſt attached to him, he cauſed ſeveral eminent members of the former aſſembly, who had been active in concluding the peace, to be impriſoned in the caſtle of Kilkenny. Among theſe,[1] were Lord Mountgarret, with his two ſons, and all the members of the ſupreme council, except Plunket and Darcy. Sir Robert Talbot, Sir Pierce Croſby, Dr. Fennel, Colonels Bagnal and Wale, with ſeveral others, underwent the ſame fate.[2] This aſſembly aſſumed the entire government to themſelves; and by a ſolemn decree, on the 26th of September, appointed a new ſupreme council, conſiſting of four biſhops and eight laymen, commanding all the generals to be ſubject to their orders. The Nuncio took upon him to be preſident of this council.

It is, nevertheleſs, certain, that the Iriſh clergy did not by theſe raſh proceedings, deviate in the main, from their real and fixed ſentiments of duty and allegiance to the king. This appears from a letter of the Nuncio's to Cardinal Pamphilio, wherein he tells him,[3] "that the oath of allegiance was ſworn by all the biſhops without any ſcruple, and that it was ſo thoroughly rooted in the minds of all the Iriſh, even the clergy, that if he had in the leaſt oppoſed it, he would preſently have been ſuſpected of having other views beſides thoſe of a mere Nunciature; which, without any ſuch

[1] Cart. Orm. vol. ii. Belling's MSS. [2] Id. ib.
[3] Cart. Orm. vol. ii. fol. 579. From the Nuncio's Memoirs.

ſuch handle, (adds he) have been already charged upon me by the diſaffected." [a]

Yet, even in this new-modelled confederacy, there wanted not ſome ſtrenuous advocates for the obſervance of the late peace. Part of thoſe juſt and honeſt reaſons produced by Colonel Walter Bagnal, in ſupport of it, at one of their meetings, I ſhall here tranſcribe from Mr. Belling, who was preſent.

" I appeal," ſaid he, " to the conſciences of all that hear me, if when we were firſt compelled (for compelled we were) to take arms for the ſafety of our lives and fortunes, and for the defence of our religion, and our king's rights; and when his majeſty had power to diſpute his cauſe, with probability of ſucceſs, againſt his rebel ſubjects of England; if, I ſay, we had been then offered leſs advantageous conditions, than thoſe granted by the late peace, whether we ſhould

[a] Nay, but a few months before Ormond ſurrendered the regalia to the parliament commiſſioners, " the Earl of Glamorgan drew up, by the advice and with the aſſiſtance of the Nuncio, a paper in Latin, containing reaſons for inviting his majeſty into Ireland, according to his majeſty's deſire, ſignified to them in a letter of the 20th of July, 1646; in which paper they tell him, among other things, that he will then diſcern, how little his intereſt is regarded by the Marquis of Ormond, and Lord Digby; and, by his preſence, gain the affection of that nation to himſelf, to whom it is really and ſolely due, and engage the whole force of it to be abſolutely at his diſpoſal; that his majeſty, by committing himſelf to the faith of the catholics, would procure the aſſiſtance of all the catholic princes, and eſpecially of the Pope, whoſe Nuncio, in that kingdom, was moſt devoted to his majeſty: that he would then be really a king, and not have his hands tied, nor be forced to any thing againſt his will, but would enjoy all the power of a king, and be defended by the fidelity and power of thoſe who would pay him all obedience, and lay down their lives for his majeſty." Enquiry into the Share, &c. p. 246-7-8. From the Nuncio's Memoirs.

" What was the progreſs," ſays my author, " of this correſpondence between the king and the earl, does not appear; but it is certain, he was ſo ſtrictly guarded, that he never found an opportunity of eſcaping to Ireland to his lordſhip and the Nuncio." Id. ib. p. 251.

ſhould not have accepted them, with a thankful ſubmiſſion to his majeſty's gracious pleaſure? And truly, I cannot ſee that improvement in our condition, if we prudently weigh all circumſtances, which ſhould make us now leſs willing to acquieſce. We have plenty of arms, you will ſay, which we then wanted; our armies are formed, and our affairs directed by a conſtant way of government. Certainly, it cannot be denied, if we make the compariſon only between us and ourſelves, without having a proſpect on our enemy, and upon the change of his condition, between the then tumults, and now confederate catholics, that we have manifold advantages which we then wanted. But when we conſider likewiſe, that the party in the parliament of England, which had vowed the extirpation of our religion, and was then ſeconded but by the confuſed clamours of the multitude in London, hath armies at preſent, and the royal fleet at their command; and that of the two contending parties, whoſe conflict and hoſtility againſt each other gave us reſpite to advance thus far in our work, that party is likely to prevail, which threatens our deſtruction; when, I ſay, we ſhall maturely weigh this change to the better in our enemies, we cannot be ſo partial to ourſelves, as to think our preſent eſtate ſo much improved beyond theirs, that we ſhould now reject thoſe conditions, which we would have chearfully embraced at firſt. And it is very manifeſt, that if we would have inclined to ſuch reſolutions, at a time when our king was in a ſituation to keep the parliament forces employed, and ſo to divert this ſtorm from falling on us, both regard to our own intereſt, and dutiful compaſſion of our ſovereign's preſent condition, ought now, in all reaſon, to move us, by endeavouring to relieve his majeſty from his heavy preſſures, to lay everlaſting obligations of gratitude upon him; and, by aſſiſting his party in England, to lift up a ſhield for our own defence; which can no otherwiſe be done than by accepting this peace, concluded and publiſhed by authority of the kingdom; and by avoiding thoſe ſevere puniſh-

ments

ments, which never fail to attend the breach of public faith."

Afterwards, addreſſing his ſpeech to the biſhops there preſent, "My lords," proceeds he, "there was a time, when our anceſtors, at the peril of their fortunes, and with the danger of their perſons, ſheltered ſome of you, and your predeceſſors, from the ſeverity of the laws; they were no niggardly ſharers with you in your wants; and it cannot be ſaid, that the ſplendor of your preſent condition hath now added any thing to the ſincere and filial reverence, which was then paid you. We, their poſterity, have with our blood, and at the expence of our fortunes, aſſerted this advantage, which you have now over them, have redeemed the exerciſe of your functions from the penalties of the law, and your perſons from the perſecution to which they were ſubject. We are upon the brink of a formidable precipice, reach forth your hands to pull us back; your zeal for the houſe of God will be thought no way leſs fervent, that you have preſerved the Iriſh nation; reſcue us, we beſeech you, from theſe imminent miſeries that viſibly environ us. Grant ſomewhat to the memory of our fore-fathers, and to the affection we bear you ourſelves. Let a requeſt find favour with you, made to prevent the violation of public faith, and to keep the devouring ſword from the throats of our wives and children." [b]

Mr. Belling informs us,[a] "that this ſpeech moved compaſſion in ſome of the biſhops; but that a reſolution taken in their ſynodical congregation was held too ſacred to be revoked or changed, upon any conſideration."

[a] Ubi ſupra.

[b] This loyal gentleman having been afterwards ſent by the confederates to the Cromwellians, as a public hoſtage for the performance of articles agreed on between them, was executed at Kilkenny by order of the latter, for having formerly ſigned a warrant, as was pretended, to hang one John Stone, a known and convicted ſpy. See Collect. of Maſſacres committed on the Iriſh. Append. See Ludlow's Mem. vol. i. p. 426.

CHAP. XI.

The Nuncio, O'Nial, and Preſton, advance towards Dublin with a conſiderable army.

THE Nuncio's confederacy, though much elated with their newly acquired power, were ſuddenly alarmed, by certain and undoubted intelligence of the Marquis of Ormond's having advanced ſo far in his treaty with the Engliſh parliament, that commiſſioners were appointed to paſs over to Ireland on that occaſion, and orders iſſued for two thouſand foot, and three hundred horſe, to be tranſported from Cheſter to Dublin. This intelligence made the new confederates imagine, that his excellency was no longer entitled to their obedience; they now conſidering him in the ſame hoſtile light with thoſe declared enemies of his majeſty, whoſe alliance and aſſiſtance againſt them he was then ſoliciting. Purſuant to this idea, they unanimouſly reſolved, to march their whole army to Dublin, in order to prevent its being delivered up to the Engliſh parliament.[a] Accordingly, about the latter end

[a] We have obſerved that among other patents and commiſſions ſigned by the king, in favour of the Earl of Glamorgan, there was one appointing him lord lieutenant of Ireland, upon the Marquis of Ormond's term of holding that poſt, or in caſe the marquis ſhould, by any fault, deſerve to be removed. And at this juncture, "the earl being deſirous," ſays the Nuncio, in a letter to Cardinal Pamphilio, "to advance himſelf to the marquis's poſt, had begun to ſolicit the conſent of the kingdom, and believes, that he has the intereſt of the two generals, and almoſt all the congregation of the clergy, and the new council. I have thought it the more proper to promote this affair, ſince when Dublin ſhall be taken, it will be immediately neceſſary for the kingdom to provide a lord lieutenant; the king's inclination and pleaſure concurring with this deſign." In the ſame letter he ſays, "and, in fact, the way ſeems open for us, ſince the Marquis of Ormond is now publicly negociating with the parliamentarians, and conſequently making a treaty with the king's enemies." Enquiry into the Share, &c. p. 253-4.

end of October, 1646, the two generals, O'Nial and Preſton, ſet out, at the head of ſixteen thouſand foot, and ſixteen hundred horſe, together with the Nuncio and new ſupreme council, towards that capital; and, on the 2d of the following month, they ſent the Marquis of Ormond certain propoſitions, which, in effect,[1] contained the ſame demands that they had all along made, and the king was willing to grant them, but which his excellency had ſtill obſtinately refuſed.

The Marquis of Ormond was, at this time, ill provided with the means of defence, againſt ſo numerous and powerful an army. There was great ſcarcity of victuals in the city, and not more than fourteen barrels of powder in the ſtores;[b] yet relying on the hopes of aſſiſtance from the Engliſh parliament, he rejected the confederates propoſitions, with deriſion and diſdain. At the ſame time, he privately ſolicited the aid of the covenanters in Ulſter,[2] with previous offers to them of thoſe very terms which he now refuſed to the confederates, namely, the free exerciſe of their religion, and the reception of their forces into his garriſons; and not having then prevailed, he afterwards, of his own accord, as we ſhall preſently ſee, ſurrendered the royal authority to their maſters, the independents in the Britiſh parliament, to the ruin of the king, and of the eſtabliſhed religion and government in both kingdoms.

[1] See Carte, Borlaſe. [2] Carte's Orm. vol. iii.

[b] "In the ſenſe of his weakneſs," ſays Mr. Carte, on this occaſion, "his lordſhip had deſired the commander of a veſſel belonging to the parliament, to carry his wife and children to the Iſle of Man, but was refuſed. And though the captain offered to tranſport them to Cheſter, or any place in the parliament's obedience, he choſe rather to expoſe them to the ſame hazards with himſelf in Dublin, than to accept of that offer. For," adds my author, "he had reaſon to ſuſpect the good faith of the parliament." Carte's Orm. vol. i. f. 588. Yet to that very parliament he, within a few months after, delivered up all the king's delegated authority in Ireland.

CHAP. XII.

The ſentiments of the catholic clergy of Dublin on this occaſion.

BUT his excellency and the council, being doubtful,[1] how the catholics of Dublin, who were by far the greateſt part of its inhabitants, would behave, in caſe that city was aſſaulted by ſo great an army, fighting under the title of ſo ſpecious a cauſe, and under the authority of ſo extraordinary a miniſter of the apoſtolic ſee, ordered the following queſtions to be propoſed to ſuch of the catholic clergy as then reſided there.

1ſt, "If the Pope's Nuncio, and the reſt of the Roman catholic clergy in a ſynod, ſhould excommunicate thoſe who adhered to the peace lately made, whether ſuch an excommunication would be in itſelf void, or ſufficiently grounded on the doctrine of the church of Rome?

2dly, "In caſe this city ſhall be beſieged or aſſaulted, by the advice, conſent, direction, or command of the ſaid Nuncio or clergy, or both of them, whether, in ſuch caſe, are the Roman catholics of this kingdom obliged, in conſcience, to reſiſt ſuch ſiege or aſſault, with the peril of their lives and fortunes?"

To the above queſtions the undernamed Roman catholic clergy of Dublin, in obedience to his excellency's and the council's commands, with all humility, returned the following anſwers.

To the firſt queſtion, "We conceive, and hold for void, and in no wiſe grounded on the doctrine of the Roman catholic church, any excommunication that hath no other ground, but the adhering to the peace lately concluded, or to any other point of true and cordial loyalty to our gracious ſovereign King Charles."

To

[1] Belling's MSS. Carte's Orm. Vindic. Catholic.

To the ſecond, "As we really, in our hearts and conſciences, hold our ſovereign lord king Charles, to be true and lawful king of this city, and kingdom of Ireland, and of all others his majeſty's dominions; ſo we do conceive, that the Roman catholics of this kingdom, in caſe of a ſiege or aſſault made, or intended, for the taking of this city from our ſaid ſovereign the king, or from any deriving lawful authority from him, and holding it for him, are obliged in conſcience to reſiſt, with the peril of their lives and fortunes. This being our anſwer, we thereunto put our hands,[b]

F. Marcus Rochfort, Thomas Quin,
F. Peter Darcy, F. James Fleming,
Adrian Cardan, F. Gregory Lawleſs,
William Brown, Richard Oſburne."

CHAP. XIII.

The Marquis of Ormond proceeds in his treaty with the parliament.

"ON the 14th of November 1646,[1] commiſſioners from the Engliſh parliament arrived in Dublin, with men, ammunition, and proviſions of all kinds; who ſeeing the weakneſs of the place, and knowing his excellency ſtood in need of every thing neceſſary for its defence, made no doubt of his receiving the ſupplies they had brought upon any terms. The lord lieutenant expected the commiſſioners had brought ſpecific anſwers to the propoſitions,[a] which he had ſent to

[1] Carte's Orm.

[b] "The papiſts of Dublin," ſays Lord Digby in a letter to Ormond on this occaſion, "will be faithful againſt O'Nial's army, if aſſaulted." Cart. Orm. vol. iii. f. 511.

[a] Theſe were, 1ſt, "That the ſaid lord lieutenant will proſecute the war againſt the Iriſh rebels, as vigorouſly as he ſhall be enabled thereunto by the parliament of England, and that he will

to England; but they had brought no ſuch anſwers, nor any inſtructions about them. And when he offered them a copy of the propoſitions, they would not receive it, nor enter into any debate upon the ſubject; their

will faithfully ſerve the crown of England therein;" againſt which the parliament was then in open rebellion.

2d, "That whilſt he hath the government of this kingdom, and the command of the armies therein, none of the ſupplies of men, money, arms, ammunition, victuals, or any other proviſions of what kind or nature ſoever, which ſhall, by the parliament of England, be ſent over, or joined with the forces already under his command, nor any other forces that ſhall be under his command, ſhall in any wiſe be employed either within this kingdom or without it, but by the expreſs direction of the ſaid parliament of England.

3d, "That he will not, upon any command, or by virtue of any power or authority whatſoever, enter into any treaty with the ſaid Iriſh rebels, or conclude any peace or ceſſation with them, without the conſent and expreſs command of the *king* and parliament of England." A favourite expreſſion, at that time, with thoſe who in the king's name fought againſt his perſon.

4th, "He will engage himſelf to the true performance of all theſe things, by oath, or any other means that can be propoſed to a man of honour and conſcience.

"Sept. 26th, 1646. ORMOND."

Borl. Iriſh Rebel. f. 220.

NOTE, 1ſt, Theſe propoſitions were rejected by the Engliſh parliament, although Ormond, in order to induce their acceptance, offered to wave the firſt propoſition, in which, for form's ſake, he thought it neceſſary to mention his faithfully ſerving the crown of England. Id. ib.

2dly, That Engliſh parliament, to which Ormond made theſe offers, had voted Lord Viſcount Liſle, lord lieutenant of Ireland, in April preceding, in oppoſition to the king's appointment. Id. ib.

And in March following, the Marquis of Ormond accepted of a preſent of twenty barrels of powder from him. Borlaſe's Reduct. of Irel. p. 248.

In his final agreement with the parliament, Borlaſe ſeems to ſay, that he waved the firſt propoſition. Ib.

"On the 10th of March, 1646, the Marquis of Ormond was ſupplied from the parliament ſhips, in the bay of Dublin, with 20 barrels of gunpowder, by the permiſſion of Lord Liſle, the parliament's lord lieutenant." Ib. p. 220.

their inſtructions confined them to treat only for the ſword and garriſons; for which they offered to take the proteſtants of Ireland under their protection, on condition of their ſubmitting to the ordinances of parliament.[2] But no proteſtant," continues Mr. Carte, "that would not renounce his allegiance to the king, could depend upon that protection for his ſecurity." His lordſhip, on his part, propoſed, until their inſtructions from the parliament could be enlarged, to diſtribute their forces into his garriſons, if they would ſubmit to his orders, and to martial law, and if they would lend him three thouſand pounds to ſupport the army; but theſe propoſals were refuſed. So reſolving to break off the treaty, his excellency told them, that he could not, conſiſtent with his duty, part with ſo great a truſt, without his majeſty's command, and aſked them, whether they could produce it? But the commiſſioners wondering, with good reaſon, that he ſhould expect any ſuch authority from them, embarked on board their ſhips, with all their men, whom they carried into Ulſter."

CHAP. XIV.

Clanrickard's engagement with Preſton.

THE Marquis of Ormond, with a view of gaining time to better his conditions with the Engliſh parliament, to prevail with the Scots in Ulſter to march to his aſſiſtance, and to avert the impending ſtorm from Dublin, ſent the Lords Clanrickard and Digby to Leixſlip, where, agreeably, as they thought, to his excellency's ſentiments, they entered into a private engagement[4] with General Preſton and his

[2] Cart. Orm. vol. i. f. 591.

[4] "This engagement," ſays Mr. Carte, "was of eminent ſervice in a time of the greateſt danger, and the means of ſaving Dublin." Orm. vol. i. fol. 592.

his officers, "that,[1] upon their ſubmitting to the peace, ſufficient ſecurity ſhould be given to the Roman catholics, for the free exerciſe of their religion; that part of Preſton's army ſhould be admitted into the king's garriſons; that the Marquis of Ormond ſhould obey his majeſty's free commands, the queen's, and thoſe of the Prince of Wales, and Lord Digby's ſignification of them; and that his excellency ſhould not, for the future, obey ſuch commands, to the prejudice of what was undertaken, as ſhould be procured by the advantage of his majeſty's want of freedom."

But this not being conſented to, or rather being peremptorily[2] refuſed by his excellency, Lord Digby wrote to him on the 18th of November, "that the utmoſt that was expected by Preſton and his officers was, a declaration from his excellency to the following effect, which being granted, they would immediately ſubmit to the peace, viz.[3] "that whereas it is well known, even by his majeſty's printed letters,[b] that his majeſty's gracious intentions were to ſecure his catholic ſubjects of this kingdom in the free exerciſe of their religion, by the repeal of the penalties of the laws againſt them; which in the laſt articles of the peace was left out, by the ſubtilty of ſome of their own party, who intended to found this late miſchief upon it: that it was far from his majeſty's or excellency's intention, to take advantage of that omiſſion; but that they may reſt as ſecure of his majeſty's favour, in the repeal of the ſaid penalties, as if it had been poſitively expreſſed in the articles."

The

[1] Cart. Orm. vol. iii. fol. 591. [2] Id. ib. vol. iii. [3] Ib.

[b] The zealots (among the confederates, ſays Dr. Leland) conſidered Ormond as ſecretly diſaffected, and in conjunction with a preſbyterian council (as they called them) determined to defeat the king's hopes of ſuccour, by obſtructing the Iriſh peace. To this they attributed every delay; and when the ſeizure of the king's cabinet at Naſeby diſcovered his private inſtructions to Ormond to conclude a peace whatever it might coſt, they were enraged, and printed the letter, with ſevere animadverſions on the Marquis (Ormond)." Hiſt. of Irel. vol. iii. p. 253.

The marquis of Ormond having in his anſwer to this letter, given a poſitive denial [4] to every part both of the above-mentioned engagement and this declaration, not without ſome indecent reflections on General Preſton and his officers, who had already ſigned the engagement,[c] and expected nothing but his excellency's commands, to proſecute, in action, what they had thereby promiſed. Lord Digby replied,[5] "that he could not conſider theſe anſwers of his excellency, without ſuch an heart-breaking amazement as rendered him almoſt unable to make any reply." He, however, reminded him, as did Clanrickard alſo,[5] "that they had entered into that engagement with General Preſton,[d] not without ſufficient grounds given them by himſelf; that by ſuch variance of his excellency, or miſtake of their own, not only the buſineſs, wherein they had laboured all that time, ſo eſſential to his majeſty's preſent ſervice, and all his future hopes, but the honour and perſonal ſafety of his faithful ſervants, was upon the point of being made abſolutely deſperate."

As for the admiſſion of Preſton's forces into his excellency's garriſons, which was the article chiefly objected to, Lord Digby declared, in his own and Clanrickard's name,[7] that, "upon a full examination of the whole proceedings of Preſton and his army, they were moſt confident, that upon this engagement of theirs, they deſerved to be truſted, as having originally never

[4] Id. vol. iii. [5] Ib. [6] Ib. [7] Id. ib.

[c] Preſton, in a letter to the mayor and citizens of Kilkenny after having ſigned this engagement, tells them, "that by God's help, in four days, Dublin, Drogheda, Dundalk and Trim, would be garriſoned by his army." MSS. communicated by Mr. James Laffan of Kilkenny.

[d] "The Marquis of Clanrickard had an entire truſt, anſwerable to what he had begun to treat of with General Preſton, from the lord lieutenant himſelf, as a perſon ſuperior to all temptations which might endeavour to leſſen or divert his affection and integrity to the king, or his zeal to the Roman catholic religion, in which he had been bred and to which he conſtantly adhered." Borl. Iriſh Rebel. fol. 222.

never had any intention of hoſtility againſt his excellency; but, on the contrary, that they had purpoſely delayed and kept off from him the miſchief, that would otherwiſe long before have overwhelmed him. That if his excellency had expreſſed a confidence even in words, without engagement, he might have employed Preſton's forces inſtantly, upon what other deſign he thought beſt; and have deferred the admitting any of them into his garriſons, until their ſervice againſt the Nuncio's party, had confirmed his confidence in them. In ſhort, that he could not, but with aſtoniſhment, receive the ſtrange invective againſt them in his excellency's letter; wherein," adds his lordſhip, "all the reaſon of your diſlike to the whole buſineſs ſeems to be founded."

CHAP. XV.

Ormond conſents to the engagement.

THE Marquis of Ormond, thus warmly and frequently importuned, and, perhaps, aſhamed totally to reject an expedient, firſt moved by himſelf, condeſcended at laſt to write [1] two letters; one to General Preſton ratifying and confirming the engagement made by him with Clanrickard; and the other to Clanrickard himſelf, which was to be ſhewn to Preſton's officers, and contained likewiſe his excellency's agreement to the engagement now mentioned, with ſome flattering expreſſions of his confidence in the valour and fidelity of theſe officers.[a]

Soon

[1] See Cart. Orm. vol. iii. fol. 332.

[a] Clanrickard during this treaty with Preſton, "found that Preſton and his officers had been wrought on by two concluſions, which had been ſpeciouſly infuſed into them; the firſt was, that the lord lieutenant was ſo great an enemy to their religion, that though they ſhould obtain any conditions from the king to their advantage in that particular, he would oppoſe and not conſent

Soon after this, Ormond and Digby found means to inform the king of the concluſion of this engagement with General Preſton, and of the breaking off of the late treaty with the Engliſh parliament. On which occaſion his majeſty ſent his excellency the following letter, of the 27th of December.

" ORMOND,[a]

" This is chiefly to confirm that which I wrote to you the 5th of this month,[b] whereby I approved of what you have done, both concerning your London-treaty, and that with General Preſton; ſhewing you, alſo, the great neceſſity of my affairs, that you ſhould repiece the peace with the Iriſh."

But the Marquis of Ormond, inſtead of endeavouring to repiece his peace with the Iriſh (by which the Nuncio's and O'Nial's party only can be underſtood, becauſe they alone were then unengaged) ſoon found a plauſible pretence for breaking his engagement with Preſton himſelf. We have already ſeen, that his obſtinate refuſal of the free exerciſe of religion to the confederates, was what principally delayed the concluſion

[a] Id. ib. vol. ii. Append. fol. 13.

ſent unto the ſame: the other, that the king was in the hands of the Scots, who were not like to approve that peace had been made, all of that nation in Ulſter refuſing to ſubmit to it; and if they ſhould be able to procure any order from his majeſty to diſavow it, the lord lieutenant would undoubtedly obey it." Borl. Iriſh Reb. fol. 222. From Clarendon. " This treaty was concluded about the end of November, 1646, at Sir Nicholas White's caſtle at Leixlip." Id. ib. fol. 223.

[b] In his letter of the 5th of that month, here referred to, his majeſty ſays, " I really and heartily approve of all you have done hitherto, and in particular concerning Preſton. But, for further directions, I can only ſay, that, upon no terms, you muſt ſubmit to the C. W. C. K. and that you endeavour what you can, to repiece your peace with the Iriſh." Warn. Iriſh Rebel. Nothing elſe can poſſibly be meant by the above cypher, conſiſtently with the context, but the Engliſh parliament. Warn. ib.

cluſion of the peace, until it became both uſeleſs to his majeſty, and inſecure to them. The caſe was much the ſame, with reſpect to his engagement with General Preſton; his delay and unwillingneſs to ratify that engagement; Preſton's knowledge, perhaps, that he was ſtill carrying on his treaty with "thoſe traitors of the covenant," the Scots in Ulſter; [c] but above all, his not having received any of Preſton's forces into his garriſons as he promiſed he would,[d] cauſed that general to ſuſpect the ſincerity of his profeſſions of truſt and confidence in him and his officers. Theſe motives coinciding with the Nuncio's threatened cenſure, of which he was too ſcrupulouſly fearful, made him relapſe, in ſhew at leaſt, to his former connection with that dogmatical eccleſiaſtic. He, however, immediately appriſed the Marquis of Ormond of this change in his reſolution,

[c] Ormond himſelf confeſſed, that he was negociating with the Scots in Ulſter at the very time he was drawing out his forces to join General Preſton, purſuant to this engagement. See Cart. Orm. vol. iii. fol. 569. And in fact, this whole treaty with Preſton on the part of Ormond, ſeems to have been a mere deluſion; for on the 10th of November, 1646, on Digby's preſſing him to conclude it, he excuſes himſelf by ſaying, "You know I cannot cloſe with the Iriſh or any party of them, till there be an end of the treaty with the parliament, though to keep off the preſent danger I may diſcourſe with them." Id. ib. fol. 512. And two days after the date of this letter, he writes to the ſame Digby, "I have not heard from my meſſenger employed to the Scots (in Ulſter), but I hope well of his buſineſs." Id. ib. fol. 513. Lord Digby writing to Ormond on this ſubject, ſays, "you will have occaſion to draw ſome of Preſton's forces to Dublin, which, on my ſoul, you may rely on." Id. ib. fol. 519.

Yet in his private treaty with theſe traitors of the covenant, he offered to receive part of their forces into Drogheda, with an aſſurance, that there, or "whereſoever they ſhould chuſe to be, they ſhould be admitted to uſe their own form of ſervice, and have their own miniſters and a church aſſigned to them, ſaving the incumbent his right." Belling's MSS.

[d] In the before mentioned letter to General Preſton, he, among other things, "deſires him and his officers to believe that he would employ him and them in all truſts, both in the field and in his garriſons, with as much freedom and aſſurance as he would any whatſoever." Cart. Orm. vol. iii. fol. 332.

reſolution,[e] by ſeveral letters and meſſages,[3] "leſt his excellency (as he told him), who was then on his march to join him, might, by advancing too far, expoſe himſelf to ſome inſult from the Nuncio's party." On this occaſion, he aſſured his excellency,[4] "that he would not have failed to meet him, according to their appointment, but that his commanders, and the reſt in general, were wholly withdrawn from their firſt reſolution; that, however, he had cauſed notice to be given to his excellency in a ſecond letter, two hours after the former, by an expreſs meſſenger, that his excellency might not advance further, on doubtful uncertainties; whereby (adds he) your excellency may perceive, how right my intentions have ever been, and how ſtudious I was to give you the means of avoiding inconvenience, by that intelligence." And indeed, of the rectitude of his intentions, and of his ſincere and zealous attachment to his majeſty's ſervice, he ſoon after gave unqueſtionable, but melancholy proof. For the Marquis of Ormond, having (as we ſhall preſently ſee) ſhamefully ſurrendered his out-garriſons to the parliament commiſſioners, began to repent of what he had done; and, in concert with Lord Digby, entered into a new, but ſecret treaty with the confederates, in order, by their aſſiſtance, to recover the poſſeſſion of them; to which the confederates having readily agreed,[5] "diſpatched immediate orders to General Preſton, to march his whole army, conſiſting of between ſeven and eight thouſand men, into the Engliſh quarters; which he accordingly did, took

[3] Cart. Orm. vol. iii. [4] Ib.
[5] Leyburne's Memoirs, p. 60.

[e] Rather his officers reſolution: for the words of his letter to Clanrickard on this occaſion are to this effect, "that his officers, not being excommunication-proof, were fallen from him to the Nuncio's party; and therefore he wiſhed that the lord lieutenant would proceed no further, but expect the iſſue of a general aſſembly that would be ſhortly convened at Kilkenny, where he doubted not but that things would be ſet right by the conſent of the whole kingdom, which he ſaid would be much better for his majeſty's ſervice, than to attempt forcing the peace on thoſe who were averſe to it." Borl. Hiſt. fol. 224. Claren.

took Naas and Maynooth by aſſault; and afterwards ſat down before Trim; where, being attacked by Michael Jones, with ſuperior forces from Dublin, he was totally defeated; [f] having had four thouſand men killed on the place, and almoſt all his commanders taken priſoners, himſelf hardly eſcaping." [g]

CHAP. XVI.

Ormond reſumes his treaty with the Engliſh parliament.

HIS excellency either was, or affected to be, ſo much provoked by Preſton's ſeeming tergiverſation (for Lord Digby [1] was confident it was not real), "that [2] he publicly reſumed his treaty with the Engliſh parliament, (notwithſtanding the king's late order forbidding him to ſubmit to them "on any terms,") offering to put

[1] Cart. Orm. [2] Id. ib.

[f] In this battle, "there were ſlain upon the place, (ſays Borlaſe) five thouſand four hundred and ſeventy (Iriſh); of ours (adds he) ſome were wounded, but not above twenty ſlain." Iriſh Rebel. fol. 242.

This was called the battle of Dungan's-Hill, and it is ſomewhat remarkable, that although Preſton then fought for the king againſt Jones, governor of Dublin, for the parliament, and that by the ſecret advice and inſtigation of Ormond and Digby, yet we find the following reſolution of a committee, Auguſt 14th, 1697, in Jones's favour: "Reſolved, that it is the opinion of this committee, that this houſe, by an addreſs to their excellencies the lords juſtices, do recommend to them the ſignal ſervices of lieutenant general Jones, in reducing the rebels, commanded by General Preſton at Dungan's-Hill, in the year 1647, to the obedience of England," (i. e. the rebel parliament of England.) Com. Jour. vol. ii. fol. 861. This was done to obtain ſome proviſion for his nephew, Dr. Michael Jones, then living and in a poor condition; which was granted. Ib.

[g] "General Preſton had, after the reſtoration, conferred upon him by the king, the title of Lord Viſcount Taragh, with 800l. a year in lands, to ſupport the honour." Cart. Orm. vol. ii. fol. 64.

put his majeſty's garriſons into their hands, upon the ſame conditions they had formerly propoſed; which," as we have already obſerved from Mr. Carte, "no proteſtant could accept without forfeiting his allegiance." And in order to induce them, for the preſent, to give him the command of ſome of their men, proviſions, and ammunition in Ulſter, till they could ſend him more, he promiſed to deliver hoſtages for the performance of what he had undertaken; and [3] accordingly, on the 16th of March, 1646, he ſent over as ſuch, the Earl of Roſcommon, Colonel Chicheſter, Sir James Ware, and Sir Richard Butler, afterwards Earl of Arran, one of his own ſons.

Soon after this, Mr. Leyburne, under the aſſumed name of [a] Winter Grant, arrived in Ireland, with letters from the queen and prince, to the lord lieutenant. "After I had delivered (ſays that [4] gentleman) ſuch letters as I had for the Marquis of Ormond, I ſaid, I was ſure they expreſſed civilities from the queen and prince, much better than I could; that, by my inſtructions, when decyphered, his lordſhip would find the confidence her majeſty and the prince had in him; which was ſo great as no reports could ſhake, though we had, weekly, news of treaties with the parliament, for delivering up thoſe places which were under his command. To which his lordſhip replied, "that confidence ſhall never deceive them;" and added, "that he, who had ventured himſelf, his wife, and all his children in the king's ſervice, would make no ſcruple of venturing or caſting away one ſon,[b] when there ſhould

[3] Id. ib. vol. i. fol. 603. [4] Memoirs.

[a] Concerning this gentleman's arrival, Lord Digby wrote to Ormond from Leixſlip, May 12th, 1647, at two o'clock in the morning, what follows: "Mr. Grant is come hither this night with ſuch diſpatches to your excellency, as makes me think it neceſſary that I ſhould wait upon you preſently; but I think it not fit that he ſhould come to you." Cart. Orm. vol. iii. fol. 553.

[b] He meant Sir Richard Butler, one of the hoſtages ſent to the Engliſh parliament.

ſhould be cauſe. Yet, that if there ſhould be a neceſſity, he would rather give up thoſe places under his command to the Engliſh, than to the Iriſh rebels; of which opinion, he thought every good Engliſhman was." (To this, adds Mr. Leyburne,) I anſwered nothing."

His excellency had [5] then with him in the city, two thouſand of the parliament forces, and expected many more in a few weeks. But his ceſſation with the confederates being now to expire in three days, he endeavoured to renew it for three weeks longer; within which time, he had good reaſon to expect, that the remainder of his ſupplies from the parliament would arrive. Mr. Leyburne, whom he employed to go on that occaſion to Kilkenny, "deſired to know from his excellency, what he ſhould ſay, in caſe the confederates ſhould object, that his lordſhip propoſed ſo ſhort a ceſſation only that he might gain time to receive more forces from the parliament? To which he was anſwered, that he ſhould receive orders for that on the way, if, on conſideration, there was cauſe." Accordingly, the next day a poſt overtook him with a letter from the lord lieutenant, in which he gave him power, "to undertake to the confederates, that if a ceſſation ſhould be agreed upon, he would not receive into the garriſons under his command, forces from the parliament, during three weeks; but Mr. Leyburne was to uſe his utmoſt endeavours to procure a ceſſation without that condition; or at leaſt, that it ſhould be kept private; which laſt he was to engage them in, before he conſented to the ſaid condition."

But the general aſſembly, having pregnant cauſes of fear, that his excellency ſought that ſhort ceſſation [6] only with

[5] Cart. Orm. [6] Mem. p. 34-5.

[c] The lord lieutenant and council in their anſwer to the king's conſtrained order of the 11th of June above-mentioned, or rather to the Engliſh rebels with whom he was then a priſoner, ſay on this occaſion, "that they were deſirous, on the one hand, not to make a ceſſation with the Iriſh for too long a time, leſt in caſe

with a view of obtaining ſuccours from the parliament, refuſed to agree to it. At the ſame time, ſuch was their inclination to peace, and zeal for his majeſty's ſervice, that they propoſed to lengthen out the ceſſation [7] for ſix months, provided his lordſhip would, in the mean time, admit no more of the parliament's forces into his garriſons. But he abſolutely refuſed to accept of a ceſſation for any longer term than three weeks." His reaſons for rejecting the offer of a ſix months ceſſation evidently was, that all hopes of agreeing with the parliament would have been thereby defeated.

CHAP. XVII.

Ormond delivers up the king's authority to the Engliſh parliament.

UPON the hoſtages [1] before-mentioned having been received in England, one thouſand Engliſh foot, and four hundred horſe, were ordered to march out of Ulſter to Dublin; and on the 7th of June following, the parliament commiſſioners arriving with ſix hundred horſe, and fourteen hundred foot more, the treaty between them, and the Marquis of Ormond,[2] "was concluded, and [2] ſigned on the 19th of that month; by which his excellency was to quit the ſword, on the

[7] Memoirs, p. 34. [1] Cart. Orm. vol. i. fol. 603. [2] Id. ib.

caſe their ſupplies ſhould arrive ſooner than they expected, it might prevent the going on with the war that ſummer; and on the other ſide, not to make it for too ſhort a time, leſt the many preparations requiſite for a full ſupply, and other intervening accidents, might retard it ſo as not to arrive ſo ſpeedily as they deſired." Cart. Orm. vol. iii. fol. 485.

[2] At this time the Marquis of Ormond knew, that the Scots had delivered up the king to the parliament's commiſſioners. Borl. Hiſt. of the Iriſh Rebel. fol. 231. "The time that the Marquis of Ormond (ſays the ſame hiſtorian) agreed with the parliament commiſſioners, was near the time that the army had gotten the king into their hands, having taken him from Holmbey out of the cuſtody of the commiſſioners, to whom the Scots had delivered him." Id. ib. fol. 240.

28th of the following month, or ſooner, upon four days notice." Thus did his lordſhip deliver up the king's authority to men, who ſoon after became, as he himſelf has deſcribed them,[3] "murderers of his royal perſon, uſurpers of his rights, and deſtroyers of the Iriſh nation; by whom the nobility and gentry of it were maſſacred at home, and led into ſlavery, or driven into beggary abroad."[b]

"I am told," ſays the Earl of Eſſex, lord lieutenant of Ireland in 1674, "that when the Lord Ormond delivered up the ſword to the parliament commiſſioners here, Alderman Smith, then mayor of Dublin, aged near four-ſcore years, and always reputed a man of great integrity and loyalty, came to the council-table, and acquainted my Lord of Ormond, that it was generally reported in town, and ſpread ſo far, as no man doubted it, that his excellency intended to deliver up the government to the parliament; that he came to acquaint his lordſhip, that himſelf was entruſted with the king's ſword of the city, and that he would not reſign it to rebels. Whereupon, my Lord of Ormond gave him ſome check, and ordered him to withdraw; but upon further conſideration, his lordſhip and the council thought fit to call him in again, and to commend him for the reſolution he had ſhewn in maintaining his majeſty's authority; and withal read the letter from his majeſty, requiring the lord lieutenant to deliver up the ſword to the commiſſioners impowered by the parliament of England; whereupon, he ſaid he would ſubmit."[4] This was a ſhameful impoſition on the honeſt lord mayor, and could be no other than the letter of the 11th of June, the preceding year, extorted from the king by the Scots, when he was their priſoner, and forbidding the marquis of Ormond to proceed in the peace with the confederates, as we ſhall hereafter ſee.

The

[3] Cart. Orm. vol. ii. Append. fol. 19. [4] State Lett. p. 344.

[b] "Had the kingdom (ſays Sir Edward Walker on this occaſion) been given up to them (the confederate catholics,) and not as it was to the parliamentarians, the balance of government would have been kept more even, and theſe Iriſh would have become the better ſubjects." Hiſtor. Diſcourſes.

The marquis, through this whole tranſaction with the Engliſh parliament, was ſufficiently careful of his own private concerns; having ſtipulated, that a large ſum of money ſhould be paid him on the concluſion of it; and [5] that his eſtate (which was heavily incumbered at the beginning of the inſurrection) "ſhould not be ſubject to any debts contracted before that time." But there appears no reaſon to believe, that he was equally, or at all, anxious in this agreement, for the intereſts or preſervation of that church and government, for whoſe ſupport and dignity, in all his negociations with the confederates, he had affected to be thought ſo ſcrupulouſly zealous. For [6] on the 24th of June, 1647, five days after the treaty with the parliament was ſigned, and a month before he delivered up the ſword, he ſuffered the parliament commiſſioners to publiſh an order, requiring all miniſters of congregations, and others officiating in the ſeveral churches and chapels in Dublin, to obſerve the directory, and for the diſcontinuance of the liturgy and common prayer; although the act of uniformity was ſtill in force in Ireland, and not ſo much as ſuſpended by any order of either, or both houſes of parliament. Accordingly, the eſtabliſhed clergy ceaſed to officiate, and the liturgy was left off in all the churches of the city, except that of Trinity-college, where Anthony Martin, biſhop of Meath, and provoſt of that college, continued to uſe it."

Theſe conſequences, the Marquis of Ormond muſt have certainly foreſeen; becauſe one of his firſt propoſitions to the Engliſh parliament, (which were rejected) was,[7] "that the covenant ſhould not be impoſed, nor the liturgy ſuppreſſed at preſent; leſt it ſhould divide the proteſtants, and hinder their joint proſecution of the war (againſt the Iriſh) and that nothing ſhould be done in relation to either, but by act of parliament." Now, even ſuppoſing this propoſition had been granted, what elſe could his lordſhip have expected, from an act of either the Iriſh or Engliſh parliament, at that juncture, but a more certain and rigorous impoſition of

[5] Borl. Hiſt. Iriſh Rebel. fol. 235. [6] Cart. Orm. vol. i. fol. 605.
[7] Id. ib. vol. iii. fol. 586.

the covenant, and ſuppreſſion of the liturgy and common prayer in both kingdoms?[c]

Both houſes of the Iriſh parliament, then ſitting, had, with great ſolemnity, preſented an addreſs of thanks to his excellency, on occaſion of this treaty with the Engliſh rebels. In that addreſs, they ſet forth, "that[s] his proceedings therein, being ſuch a free earneſt of his excellency's love to their religion, nation, and both houſes, did incite them to come unto him with hearts filled with his love, and tongues declaring how much they were obliged to his excellency. And that in order to perpetuate unto poſterity, the memory of his excellency's merits, and their thankfulneſs, they had appointed that inſtrument to be entered into both houſes, and under the hands of both ſpeakers, to be preſented to his lordſhip." To which addreſs, his lordſhip politely anſwered,[o] "that this acknowledgment of theirs was unto him a[d] jewel of very great value, which he ſhould lay up among his choiceſt treaſures; it being an antidote againſt the virulency of thoſe tongues and pens, that, he was well aſſured, would be buſily ſet on work to traduce and blaſt the integrity of his preſent proceeding for their preſervation." The reader will eaſily perceive, that thoſe, for whoſe preſervation he entered into meaſures ſo deſtructive of monarchy, and of the eſtabliſhed religion in Ireland, were generally a rabble

[s] Com. Jour. App. Borl. Hiſt. Iriſh Rebel. fol. 234. [o] Ib.

[c] The proteſtant clergy of the city of Dublin, in their petition to the parliament commiſſioners on this occaſion, "pray, that, in pity and compaſſion to the proteſtants of Dublin and to themſelves, who were elſe, by their injunctions, in danger of being expoſed to baniſhment, loſs of eſtate, and preſent ſubſiſtence, with their wives and families, they would reſtore them to their churches, till ſuch time as further order be taken by a convocation of the clergy, and an act of parliament, in Ireland." But in vain. Borl. Iriſh Rebel. fol. 239.

[d] Alluding to a jewel of 500l. value, which he had ſome years before received from both houſes of the Engliſh parliament, as a reward for his ſervice in proſecuting the war againſt the Iriſh, in the manner we have ſeen, with a letter of thanks, "though I do not hear (adds Borlaſe) that he did ever place the jewel or letter in his archive." Hiſt. of the Iriſh Rebel. fol. 100.

rabble of covenanters, who, conſpiring with their brethren in the Britiſh parliament, prepared the way for, and at laſt, effectually brought about, the murder of their king in England!

CHAP. XVIII.

The Marquis of Ormond ordered to leave the caſtle.

ON the 9th of June, 1647, "it is ordered that the perſons herein under-named are appointed a committee forthwith to meet with a committee of four of the lords in the uſual place, who are, in the name of both houſes, to congratulate the commiſſioners (of the Engliſh parliament) that are now coming out of England." [1]

"It is this day ordered, by the lords and commons in parliament aſſembled, that a committee of both houſes do repair unto the honourable the commiſſioners from the moſt honourable the parliament of England, to congratulate their ſafe and happy arrival here; having expreſſed their good affections to the public ſervice, in hazarding themſelves, notwithſtanding the croſſneſs of the winds and other difficulties; and that the ſaid committee do, in the name of both houſes, acknowledge their hearty thankfulneſs to the moſt honourable the parliament of England, for their zeal and care in ſending ſupplies into this kingdom, for the relief and preſervation thereof, and to deſire them to repreſent ſuch their thankfulneſs to that moſt honourable parliament." [2]

And on the 16th of July,[3] theſe parliament commiſſioners gave notice to the Marquis of Ormond, to remove, with his family, from the caſtle; and to deliver the regalia within four days, according to his agreement. But it being inconvenient to his lordſhip to embark ſo ſoon, he compromiſed the matter with them, by quitting the caſtle immediately, and deferring the ceremonial

[1] Com. Jour. vol. i. fol. 576. [2] Ib. fol. 577.
[3] Cart. Orm. vol. i. fol. 605.

ceremonial of the ſword, till the day firſt agreed upon.[4] "Yeſterday," ſays his lordſhip, "I was ſummoned to leave the ſword and caſtle, according to the direction of the committee of Derby-houſe; which, by the way, I note as no good ſign, that committee conſiſting of all independents."

Mr. Leyburne juſtly remarks, that this circumſtance might have furniſhed his lordſhip with a good excuſe for breaking off the agreement, as matters were then greatly altered;[5] "for," ſays he, "the parliament with whom he had held this treaty, were preſbyterian; but now it became independent, quite another thing; ſo that I was confident my lord of Ormond would be very wary of parting eaſily from his government, without freſh commands from the king."

But his lordſhip, inſtead of making uſe of ſuch an argument, would have parted from his government ſome weeks ſooner, had not Lord Digby, as principal ſecretary of ſtate, reſolutely interpoſed.[6] "For his excellency being preſſed by the parliament commiſſioners to perform his engagement, he was reſolved to do it,[a] and writ ſo to Lord Digby, who had in ſeveral letters, perſuaded his delay. But finding that nothing but a perſonal interview, and moſt ſerious conference, was able to hinder him any longer from accompliſhing the work, Lord Digby, notwithſtanding the moſt imminent hazard of the attempt, ventured by night to ſteal into Dublin

[4] Cart. Orm. [5] Memoirs, p. 37. [6] Id. ib.

[a] How indifferent both Digby and Ormond were about the future fate of Ireland at this juncture, appears from the following paſſage in a letter of the former to the latter. Digby, after ſtrongly adviſing Ormond, that, on quitting the kingdom, he ſhould have liberty from the parliament commiſſioners to carry off with him five thouſand five hundred men, to any other kingdom in amity with England, adds, "that he ought to value that condition above all the others, not only as moſt honourable, but far more profitable to him, than if they ſhould give him five times the ſum they offered. But that, if the parliament would not give him ſuch conditions, then he conceived Ormond's courſe muſt be, by temporizing with the Iriſh, renewing

Dublin caſtle, to prevent the ſurrender the next day intended; where, upon his arrival, which procured a very great diſturbance, he wrought ſo effectually with the Marquis of Ormond, that he brought him the next day to declare to the commiſſioners (under pretence of doubting the authority of their powers, and in expectation of the parliament's ſolemn engagement of the faith of both houſes for the ſecurity of himſelf, and all his party, whether perhaps excepted, or not excepted) that unleſs they would yet give him five weeks time to hold the ſword and caſtle, in order to his ſatisfaction in theſe particulars, he would rather die in the gate, with an halbert in his hand, than give it up. In which reſolution, the commiſſioners finding him poſitive, at laſt aſſented, that, if he would ſurrender into their hands the militia forthwith, they would permit him the ſword and caſtle, together with any three companies he ſhould chuſe for his guard, for the fore-mentioned time."

On the 26th of July, his excellency moved theſe commiſſioners, that,[7] "in regard his ſervant was not come with his money [b] to diſcharge his debts, and other neceſſary payments, they would permit his lady to remain in the caſtle, till he came." But even that requeſt was refuſed him. In ſhort, as his lordſhip had, over and above

[7] Cart. Orm.

ing other treaties with the parliament upon lower conditions; in fine, by any art to prolong his poſſeſſion of the garriſons and forces, till he (Digby) could procure him ſhipping and money for the ſaid tranſportation. And then (ſays he) let who will take the carcaſs of what you ſhall leave." Cart. Orm. vol. iii. fol. 544. "Nay theſe two lords were not only indifferent about the future fate of Ireland at this juncture, but ſeemed ready (Digby in particular) to enter into any ſcheme with the parliamentarians for leaving the Iriſh intirely at their mercy. In a letter to Ormond, July 17th, 1647, Digby, in order to ingratiate himſelf with the parliament commiſſioners, undertakes, "if he can have liberty to negotiate in the Iriſh quarters, that he is not more confident of any thing in this world, than that he can demonſtate to theſe commiſſioners, that, in a month's time, the Iriſh ſhall be more broken, and weakened by art, than they can hope to do with twelve months war." Id. ib. fol. 560.

[b] The money to be given him by the parliament for the ſurrender, which was 5000l. in hand, &c.

above the hoſtages, put all the power into their hands before any performance on their part, it is no wonder, that they [b] did not afterwards keep within the bounds of common decency in their dealings with him. And when he complained of ſeveral breaches of honour which they were guilty of, they did not pretend to aſſign a reaſon for their proceedings, but told him plainly, "that they were competent judges of them, and would not allow others to direct their actions." [c]

Sir Maurice Euſtace, afterwards lord chancellor of Ireland, in a letter to the Marquis of Ormond, October 8th, 1647, acquainted him, "that Sir William Parſons (formerly lord juſtice of that kingdom) had by late

[b] Cart. Orm. vol. i. fol. 605.

[c] Though one of the conditions of Ormond's treaty with the parliament commiſſioners was, "that he and all ſuch noblemen and officers as deſired to paſs into any part of that kingdom (England) ſhould have travelling arms and free paſſes, with ſervants for their reſpective qualities. That Ormond ſhould have 5000l. in hand, and 2000l. per annum, for five years, till he could receive ſo much a year out of his own eſtate; and that he ſhould have liberty to live in England without taking any oaths for a year, he engaging his honour to do nothing in the interim to the prejudice of the parliament; however he delivered not up the regalia till the 25th of July, at which time, he was tranſported, with his family into England.

The Marquis of Ormond had obtained from theſe commiſſioners a paſs, for Lord Digby to tranſport himſelf to France. But "all their ſeamen ſent his lordſhip word, that let him have what paſs he would, they would either throw him overboard or bring him priſoner to London, and the parliament ſoldiers at Dublin declared reſolutions of no leſs violence againſt him, if he came that way in ſpight of any protection." Cart. Orm. vol. iii. fol. 572.

"Theſe ſoldiers ſoon after threatened the parliament commiſſioners themſelves, and plundered the houſes of the inhabitants, proteſtants as well as papiſts. Money was ſent over for their pay, but that could not reſtore diſcipline among them; they continued their diſorders, and beat their officers, if they offered to reprimand them." Id. ib. vol. ii. fol. 9.

Borlaſe informs us, that theſe ſoldiers had received ſuch a tincture of mutiny, that Mr. Anneſley, and Sir Robert King, two of the parliament commiſſioners, for fear of violence, privately quitted the kingdom." Hiſt. of the Iriſh Rebel. fol. 235.

late letters, adviſed Jones (then governor for the parliament) to the burning of corn, and to put man, woman and children to the ſword: and that Sir Adam Loftus had written in the ſame ſtrain."[9]

CHAP. XIX.

Reaſons aſſigned for the Marquis of Ormond's ſurrender, conſidered.

TWO reaſons are commonly aſſigned by hiſtorians, in order to juſtify or excuſe Ormond's delivering up the king's authority at this juncture, to the Engliſh rebels.

Firſt, his majeſty's verbal order, or at leaſt, permiſſion, privately ſent him for that purpoſe by Sir George Hamilton. And ſecondly, a deſign of the confederate catholics, then newly diſcovered, to transfer their allegiance from their natural ſovereign to ſome foreign prince. The former of theſe reaſons, I ſhall prove to be groundleſs, from his lordſhip's own words; the latter has been always denied by the accuſed, nor ever yet, in any manner proved by their accuſers, though frequently called upon for that purpoſe.

Mr. Belling, one of the Marquis of Ormond's earlieſt, warmeſt, and moſt intelligent apologiſts, owns,[1] "that this ſurrender of Dublin, and the other garriſons, did indeed pave the way, not only to the deſtruction of the people of Ireland, but alſo to the king's murder in England." But he, at the ſame time, inſiſts, "that his majeſty had ſent the lord lieutenant, by Sir George Hamilton, private orders to make it." The ſame is affirmed by Clarendon, Hume, Carte, and generally by all ſucceeding writers on this ſubject.[a] But the

[9] Cart. Collect. Orig. Pap. vol. ii. p. 350.

[1] Vindiciæ Cathol. et MSS.

[a] Doctor Leland has made a proper diſtinction on this occaſion. "Ormond," ſays he, "was aſſured his majeſty had ſignified his pleaſure, that in caſe of extreme neceſſity, he ſhould ſubmit rather to the Engliſh than the Iriſh. The king's private letters

the Marquis of Ormond himſelf, in all his letters to the queen and prince, at that juncture, not only apologizes, with great ſubmiſſion, for this ſurrender, (which certainly, he would not have done, had he received the king's order or permiſſion for it) but alſo, in that long and laboured ſtate of the affairs of Ireland, which he afterwards laid before the king himſelf, he repreſents,[a] "that act of his, as done on preſumption, that it was more for his majeſty's honour and ſervice, and conſequently more agreeable to his pleaſure, which he had neither means nor time to conſult."[b]

But the following letter from his lordſhip to the king, which was ſent ſoon after he reſigned the government, leaves not the leaſt room to doubt the falſity of this aſſertion.

"May it pleaſe your majeſty,[3]

"I know not how my laſt actions, or preſent condition, have been repreſented to your majeſty; the latter your majeſty finds in the public articles with the parliament commiſſioners; but upon what grounds, or advices, theſe articles were agreed to, I muſt reſerve for a time, when, by the grace of God, and your majeſty's good pleaſure, I ſhall be admitted to caſt myſelf at your feet. I ſhould, in the mean time, beg the ſuſpenſion of any thought, that may be ſuggeſted into, or ariſe in your majeſty, in prejudice to thoſe ſincere affections, wherewith I have endeavoured to ſerve you. But that were to miſdoubt your juſtice, and ſo to make myſelf unworthy

[a] Cart. Orm. vol. iii. fol. 596. [3] Id. ib. fol. 558.

letters afforded Ormond abundant reaſon to doubt the truth of theſe aſſurances; yet they (theſe aſſurances) ſerved to juſtify the reſolution he had now taken to the public." Hiſt. of Irel. vol. iii. p. 307.

[b] The parliament commiſſioners in treating with the Marquis of Ormond about the ſurrender of the garriſons under his commond, "ſtiffly inſiſted on their propoſitions, refuſing to conſent that the marquis ſhould ſend any meſſenger to the king, that, upon information how the caſe ſtood, he might receive his majeſty's direction what to do." Borl. Iriſh Rebel fol. 221. From Clarendon.

thy of your pardon, if, deprived of your directions to guide me, I have erred in the way to your ſervice."

Sir George Hamilton was ſo far from bringing ſuch private orders from the king, that he did not even ſee his majeſty on that occaſion; for although his lordſhip had ſent him to wait on the king for ſome ſuch purpoſe, yet he tells us himſelf,[4] "that Sir George fell ſick at Dundalk, and that, hearing there of the reſolution taken by the parliament of Scotland, and by their army, to deliver him up to the two houſes of parliament, he proceeded no further in his journey, but returned, with that ſad aſſurance to Trim, where the marquis then was."

To the ſecond reaſon aſſigned for this ſurrender, viz. The diſcovery of a deſign of the confederate catholics at that juncture, to transfer their allegiance to a foreign prince. Their anſwer always was, that they never entertained ſuch a deſign; and that the only application made by them, for obtaining the aid and aſſiſtance of any foreign power, was ſubſequent to,[c] and occaſioned by, this ſurrender of Dublin and the other garriſons, to the Engliſh rebels. For thus they related that tranſaction, when it was firſt objected againſt them, appealing for the truth of their relation, to their aſſembly's inſtructions concerning it, which were then in the hands of their enemies.

"The power of thoſe who were in arms in England againſt the King,[5] was," ſaid they, "in the year 1647, conſiderable in Ireland; they being then free from any oppoſition in the former kingdom, and at entire

[4] Id. ib. f. 569. [5] Walſh's Reply to a Perſon of Quality.

[c] This appears plainly from the date of the inſtructions which the confederate catholics at Kilkenny gave to their agents on that occaſion, viz. January 18th, 1647; ſeveral months after Ormond's agreement with the parliament commiſſioners; and even after his departure. See Borl. Hiſt. of the Iriſh Rebel. fol. 227.

Ormond's treaty with the parliament commiſſioners was concluded the 17th or 18th of June preceding. Ib. f. 235.

entire liberty to diſpoſe of their forces for carrying on their deſigns in the latter. Wherefore, the confederate catholics, perceiving the danger they were in, met in the winter of that year in a general aſſembly at Kilkenny, where they took into conſideration, that his majeſty was in reſtraint; that all addreſſes to him were forbidden; and that ſome members of parliament, who ſpoke in his favour, were expelled.

"In that ſad extremity, there being no acceſs to his majeſty for imploring either his juſtice or mercy, all laws, human and divine, did allow the ſaid catholics to take ſome other courſe, in order to their defence and preſervation; not againſt his ſacred majeſty, but againſt thoſe who had laid violent hands on his perſon, who deſigned to aboliſh the royal authority, and reſolved to deſtroy or extirpate the ſaid catholics.

"Theſe catholics, therefore, in January 1647, did, in the ſaid aſſembly, conclude, that the Marquis of Antrim, Lord Viſcount Muſkerry, and Geoffry Browne, Eſq; ſhould be employed into France; the Biſhop of Ferns and Nicholas Plunkett, Eſq; to Rome; and ſome others to Spain. Thoſe ſent to France, were by their applications to the Prince of Wales and the Queen, to declare the danger the ſaid catholics apprehended, and humbly to beſeech them to find out ſome expedient, by which theſe dangers might be averted. They were likewiſe commiſſioned, in caſe of abſolute neceſſity, to implore the aid and protection of ſome foreign prince; but they were limited not to act any thing, in order to ſuch foreign protection, but by the direction of thoſe perſons who were employed to receive his majeſty's commands. Upon the ſaid application made to his majeſty, through the queen and prince, the Marquis of Ormond's commiſſion was afterwards renewed, and his excellency qualified with power to conclude a peace with the ſaid catholics. Whereupon all further proceedings, concerning the protection of any foreigner, were ſtopt, and the agents recalled; neither they, nor any of them, having ever moved or acted any thing further, relating to the protection of any foreign power. Thoſe agents who were employed

to

to Rome, did, on their return in 1648, before the general aſſembly then ſitting, give ſuch an account of their negociation,[d] that it encouraged the aſſembly to haſten the concluſion of the peace with the Marquis of Ormond, then in agitation.

" And the ſaid catholics are ſo conſcious to themſelves of the reſolution they took, from the beginning, to perſevere irremoveably faithful, through all extremities, to his majeſty's intereſts, that they are well aſſured, though thoſe who poſſeſs their eſtates, have now the books of ſaid general aſſembly in their hands; yet can they not make it appear, that there was any actual treaty or offer for transferring the ſubjection, naturally due from them to his majeſty's dominion over them, to any foreigner whatſoever, or any thing tending thereunto, but what is here acknowledged."

It happens unluckily for this part of Ormond's apology, that about the time of this tranſaction, the confederate catholics gave new and ſignal proofs of their unalterable duty and attachment to his majeſty's ſervice. For upon the Nuncio's publiſhing a declaration againſt the ceſſation of arms, which the aſſembly, in order to haſten the intended peace, then found it neceſſary to conclude with Inchiquin, " they appealed, in form," ſays Dr. Warner,[c] " againſt that declaration, and were joined by two of their archbiſhops, twelve biſhops, and all the ſecular clergy in their dioceſſes;

[c] Warn. Iriſh Rebel. p. 424. Lel. Hiſt. of Ir. vol. iii. p. 325.

[d] " The account theſe agents gave to the general aſſembly from his Holineſs was, that if the Nuncio did engage, that the confederate catholics ſhould be ſupplied by his Holineſs in the maintenance of their war, he did it without any commiſſion from him; his Holineſs being reſolved to give no money upon the event of a war; and that as it was not proper for him to appear, in expreſſing his ſenſe of the conditions fit to be demanded in matters of religion, ſo he left them at liberty to proceed, as beſt ſuited with the good of the kingdom. This account," adds Mr. Carte, " putting an end to all expectations of foreign ſuccours, ſet every body upon reflecting on their own condition, and diſpoſed the confederates to moderate their propoſitions for a peace, which was become abſolutely neceſſary for their preſervation." Orm. vol. ii. fol. 48.

ceſſes; by all the Jeſuits, Carmelites, and five hundred of the Franciſcans. And the number, learning, zeal, and diligence of theſe religious, in preaching and other applications, in a great degree defeated the Nuncio's meaſures, and brought his party into diſcredit. Lord Taaffe had ſo modelled his army, that all his officers were excommunication proof. The Marquis of Clanrickard had a body of three thouſand men of the ſame temper; and if Preſton and his officers were not ſo hardened, they were better united than they had been, and were reſolved to carry their point. In anſwer to the Nuncio's ſolicitations to ſtand by him, they deſired he would not trouble them with any more letters, becauſe they had determined to obſerve no orders but what came from the ſupreme council, whom they were ſworn to obey."[e]

CHAP. XX.

Ormond prepares to leave the kingdom. Is preſſed by the confederates to remain a while in it, but refuſes.

WHEN General Preſton and his forces heard that the Marquis of Ormond intended to leave Ireland in the following week, there appeared an incredible conſternation among them;[1] inſomuch, that Preſton ſent to conjure Lord Digby, as he valued the preſervation of thoſe whom he believed yet well affected to his majeſty, that he would afford him, and ſome he would appoint,

[1] Carte's Orm. vol. iii. fol. 561.

[e] It was believed by the confederate catholics, both clergy and laity, that Renuccini had no power from the Pope to announce ſuch cenſures, becauſe it was never pretended that he was Legate *a latere* from the Roman See, but merely a Nuncio. For which reaſon, in the ſynod held at Galway by him, on this occaſion, the Archbiſhop of Tuam, having deſired to ſee his power for aſſuming ſuch authority, and the Nuncio refuſing to ſhew it, told him to his face, that he would not obey it. *Ego*, anſwered the Nuncio, *non oſtendam. Et Ego*, replied the archbiſhop, *non obediam.* See Vindic. Catholic. in Hiber.

appoint, an opportunity of conferring with him. Accordingly, by his lordſhip's appointment, Sir Robert Talbot, Mr. Oliver Darcy, Mr. Belling, and Sir Thomas Dungan, met Lord Digby privately at Leixſlip, and earneſtly preſſed him to beg it of the Marquis of Ormond, as the only teſtimony and proof that he was not willing to ſacrifice the good men of his country with the bad, to remain in the kingdom, ſomewhere out of Dublin, but for one month, his conditions with the parliament allowing him to ſtay ſix. In which time, they made no doubt, but Preſton's army, joined with that under Lord Muſkerry in Munſter, would ſo awe the new ſupreme council, as to prevent that deſtruction which they foreſaw the nation would undoubtedly ſuffer, if the marquis, by leaving, ſhould break them; for that they could no longer hold united, than while they had their eyes upon his lordſhip."

Lord Digby, from whoſe letter to the Marquis of Ormond this account is taken, ſeemed to approve of the propoſal as the beſt thing the marquis could reſolve upon, as he was then circumſtanced,[2] for his own credit. "My reaſons," ſays he, "principally are, that your lordſhip having been forced to an act, which, how juſt ſoever, muſt needs make you infinitely odious, you will have ſo eaſy a means of redeeming the hatred and obloquy, with all thoſe of the country whoſe affections are to be valued; and becauſe, if there were nothing elſe in the caſe, it would be worth your running a very great hazard, to purchaſe ſuch an acknowledgment of the neceſſity and juſtice of your proceedings with the parliament, ſo ſubject to calumny, as would, by that means, be procured even from thoſe who are likely to undergo the greateſt ruin by it; and whoſe ſacrifice, if you have not a juſtification of your actions from them, will be the heavieſt part of the work."

But the Marquis of Ormond abſolutely declined the overture, "becauſe," as he ſaid,[3] "he held it, by no means ſafe." At the ſame time he told Lord Digby, "that he could not conceive what uſe they could make of

[2] Carte's Orm. vol. iii. f. 562. [3] Id. ib.

of his ſtaying in the kingdom, which would, while it ſeemed for their preſervation, ſerve likewiſe for his deſtruction. That, however, he cared not if it were known to the world, that he would uſe all his powers and induſtry to diſpoſe his majeſty, and all others, to have good thoughts of thoſe he had found faithful, or that he believed to be rightly inclined to the Engliſh government; and that he would improve all opportunities of procuring advantageous conditions for them, according to the peace." How diametrically oppoſite to theſe ſoothing promiſes, his ſubſequent conduct was, at a time when he had it abſolutely in his power to perform them, will hereafter appear. Thus the Marquis of Ormond, after having ſhamefully ſurrendered his high truſt and dignity, left the kingdom, and went to England, about the end of July or beginning of Auguſt, 1647; where, on his arrival at London, he waited on his majeſty;[2] but was ſoon after obliged to make a kind of eſcape to France, having had notice ſent him,[4] "that a warrant was actually iſſued out to ſeize his perſon," by thoſe very men, into whoſe hands he had juſt before delivered up Ireland. But, in a ſhort time after, we ſhall find him returned to that kingdom, in quality of lord lieutenant.

[4] Cart. Orm. vol. ii. f. 16.

[2] In one of theſe interviews, "his majeſty gave the Marquis of Ormond direction, in caſe the independent army (in whoſe cuſtody he then was) ſhould proceed otherwiſe than they pretended, how he ſhould behave himſelf, and comply with the Iriſh, if he could diſpoſe of them to be inſtrumental towards his and their own delivery." Borl. Hiſt. of the Iriſh Rebel. fol. 240. from Clarendon.

"And the king further commanded the marquis, to confer thereupon with ſome of the principal of the Scottiſh commiſſioners, ſtill reſiding at London, who deſired that the Marquis of Ormond would tranſport himſelf into Ireland, to try once more if he could compoſe the humours of that people to his majeſty's obedience." Id. ib.

END OF THE FIRST VOLUME.

AN

HISTORICAL AND CRITICAL REVIEW

OF THE

CIVIL WARS

IN

IRELAND,

FROM THE

REIGN of QUEEN ELIZABETH, to the SETTLEMENT under KING WILLIAM.

WITH THE

STATE OF THE IRISH CATHOLICS,

FROM THAT SETTLEMENT TO THE

RELAXATION OF THE POPERY LAWS,

IN THE YEAR 1778.

Extracted from PARLIAMENTARY RECORDS, STATE ACTS, and other Authentic Materials.

BY *JOHN CURRY*, M.D.

IN TWO VOLUMES.

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AN

HISTORICAL AND CRITICAL REVIEW OF THE CIVIL WARS IN IRELAND.

BOOK VIII.

CHAP. I.

The Marquis of Ormond returns to Ireland.

HIS excellency having arrived at Cork, on the 29th of September, 1648, was there received with general acclamations of joy; and on the next day, the general assembly sitting at Kilkenny, gave a very signal proof of their real desire to be again received under his government,[1] by fixing a public brand on the two principal opposers of the late peace, the Nuncio Renuccini, and General Owen O'Nial.[2] For they proclaimed the latter

[1] Cart. Orm. vol. ii. fol. 42.

[2] Dr. Leland, from Mr. Carte, gives us the following character of this general: "Owen O'Nial had served in the Imperial and Spanish armies with reputation. He was governor of Arras, when the French besieged this town in 1640; and, though

latter a rebel and a traitor; and upon entering into a treaty of peace with the marquis, they drew up a charge againſt the former,[2] "repreſenting the manifold oppreſſions, tranſcendent crimes, and capital offences, which he had been continually, for three years paſt, acting within the kingdom, to the unſpeakable detriment of their religion, the ruin of the nation, and the diſhonour of the See of Rome." This heavy accuſation met with no oppoſition, even from ſuch eccleſiaſtics as were preſent in that aſſembly. "It ſeems exceedingly ſtrange to me," ſays the Nuncio himſelf,[3] in a letter to Cardinal Panzirolo on this occaſion, "that although there were eight biſhops preſent in this aſſembly,[b] which offered ſuch violence to my authority, and paſſed an order, that none ſhould hereafter obey my commands, not one of them did proteſt or declare againſt it, or depart from the place in which it was held; or even make an apology, by a letter to his Holineſs, or myſelf, for their conduct; affirming only, that therein they followed the example of thoſe of Portugal,

[2] Cart. Orm. vol. iii. [3] Nuncio's Memoirs.

though obliged to ſurrender upon honourable terms, yet his defence gained him the reſpect, even of his enemy. Experience had formed him to an able and ſkilful ſoldier; quick in diſcerning, diligent in improving any advantage offered by the enemy; more circumſpect than enterprizing; of a genius peculiarly ſuited to defence, and excellent at protracting a war; qualities of eſpecial uſe in that ſervice which he was now to undertake. His knowledge of the world, his prudence, his ſobriety and caution, appeared to greater advantage, as they were contraſted by the ignorance and rudeneſs, the intemperance and levity of Sir Phelim. To the ſecret mortification of this his kinſman, Owen was unanimouſly declared by the northern Iriſh, head and leader of their confederacy." Carte's Orm. Lel. vol. iii. p. 178.

[b] There were in this aſſembly, "two archbiſhops, ten biſhops, three earls, twelve viſcounts, ſeven barons, twenty baronets, the principal gentlemen out of the three provinces of Leinſter, Munſter, and Connaught, beſides ſome of the chief nobility of Ulſter." Biſhop of Ferns's Lett. to the Nuncio. Vindic. Catholic. p. 180.

Portugal, who drove Cardinal Palotto out of the kingdom, and impriſoned his auditor."

With the above mentioned charge, Sir Richard Blake, chairman of the aſſembly,[4] ſent him notice, by their order, that there was a declaration and proteſtation preparing againſt him, which were to be ſent to his Holineſs, to the end that his lordſhip might prepare for his journey, and for his defence; and that, in the mean time, he ſhould not intermeddle, by himſelf or any of his inſtruments, directly or indirectly, with the affairs of the nation, on the penalty which might enſue, by the law of God and nations."[c]

The Nuncio, accordingly,[d] left Ireland on the 23d of February following, to the great joy of the principal nobility and gentry, and the moſt reſpectable eccleſiaſtics of the kingdom. Yet while he was preparing for his departure, the lord lieutenant ſent him a private meſſage, by two of his particular friends, the Biſhop of Ferns and Nicholas Plunkett, Eſq; "that if he would then,[5] at parting, take off his excommunication, and diſpoſe the people to an abſolute obedience to the peace, and the king's authority, he ſhould not only receive all poſſible civility from him, at his departure from Ireland, but that he would make a very advantageous mention of him to the queen, whoſe diſtreſſed condition," he ſaid, "would certainly gain ſome credit to her at Paris, if it was not worſe than London." But the Nuncio did not wait their coming; for on the night before, he went to ſea in his own

 frigate,

[4] Cart. Orm. [5] Id. ib. vol. ii. fol. 55.

[c] "Notwithſtanding this meſſage, he remained four whole months afterwards in the kingdom; and then left it of his own accord, and without any further meſſage from the general aſſembly, when things ſeemed to be inclining to ſome kind of peaceableneſs between thoſe of his party, and the other confederate catholics." Vindic. Catholic. in Hib. p. 174.

[d] "The court of Rome," ſays Mr. Carte, "though it was contrary to their maxims to fix a public mark of cenſure on the conduct of their miniſters, diſapproving his conduct, ſent him orders to make haſte thither." Orm. vol. ii. fol. 56.

frigate, and, on the 2d of March, landed at St. Vaaſt, in the Lower Normandy.

At his return to Rome, he was but coldly received by the Pope; and after having been told,[6] "that he had carried himſelf raſhly in Ireland," inſtead of being honoured with a cardinal's hat, as he expected, he was baniſhed to his biſhoprick, and principality of Fermo; which he found in a diſtracted condition, by juſt ſuch another inſurrection of the people againſt their viceroy, as he had himſelf raiſed and fomented againſt the king's lieutenant in Ireland. Theſe diſappointments of his own, and the diſtractions of his people, affected him ſo ſenſibly, that he ſoon after died of grief. To what deſperate courſes[*] General O'Nial was driven, by the aſſembly's proclaiming him a rebel and a traitor, ſhall be hereafter related.

CHAP. II.

His excellency treats of a peace with the confederate catholics.

"THE lord lieutenant[1] being invited to Kilkenny, by the general aſſembly, October the 28th, in order to a more expeditious ſettling of the points in diſpute, made his entry into that city in a ſplendid manner; having been met at ſome diſtance from it by the whole body of the aſſembly, and by all the nobility, clergy, and gentry in the neighbourhood. He was received into the town by the mayor and aldermen, with all thoſe ceremonies and honours, which ſuch corporations uſed to pay to the ſupreme authority of the kingdom, and was lodged in his own caſtle, with all his own guards about him."

The

[6] Walſh's Hiſt. of the Iriſh Remonſtrance.
[1] Cart. Orm. vol. ii. f. 45.

[*] "The malice and headineſs of Owen O'Nial and his party afterwards, was as much, and in truth more, againſt the confederate Iriſh, than the king." Borl. Iriſh Rebel. f. 269.

The next day after his arrival at Kilkenny, his excellency entered into a treaty of peace with the general aſſembly; and after he had advanced ſo far in it, as that, "he thought,[2] he had good grounds to hope it would be ſpeedily concluded, upon the conditions he was empowered to give them, he found it ſuddenly interrupted by a very dangerous mutiny, raiſed by ſome leading officers in Lord Inchiquin's army, who endeavoured, not only to hinder the concluſion of the peace, but alſo to incline thoſe under them to a treaty and ſubmiſſion to the Engliſh parliament."

On this occaſion, it was thought neceſſary by his excellency and Lord Inchiquin, to ſuſpend the concluſion of the peace, "in ſuch a manner,[1] as might induce the mutineers to believe it would be wholly laid aſide for their ſatisfaction." On the other hand, the article concerning the free exerciſe of religion, was not yet adjuſted to the ſatisfaction of the aſſembly; ſome of the clergy having much higher expectations, in that reſpect, than others thought fit to be inſiſted on. "This was the only point,[4] in which there was danger of the treaty's breaking up unfiniſhed, it being very difficult to give content therein to the Roman catholics, without at the ſame time diſguſting the proteſtants." But an incident happening at this juncture, united the differing parties in that aſſembly, and greatly accelerated the peace. Some copies of the remonſtrance of the independent army in England, which had publicly avowed their deſign of ſubverting every thing, that had been hitherto known for government in theſe nations, were then brought to Kilkenny, and read with univerſal abhorrence. This[5] immediately removed all the difficulties which ſome of the Roman catholics, in zeal for their religion, had thrown in the way of the peace. The general aſſembly receded from their demands in that point. And on the 28th of December, upon conſideration of his majeſty's preſent condition, and their own hearty deſires,

[2] Carte's Orm. vol. iii. [3] Ib. [4] Id. ib. vol. ii. f. 43.
[5] Id. ib. f. 49.

ſires, ſays Mr. Carte, of ſpending their lives and fortunes, in maintaining his rights and intereſts, they reſolved unanimouſly, to accept of the Marquis of Ormond's anſwer to their propoſitions for religion. "That deſperately wicked remonſtrance," ſays the marquis himſelf,[6] "whatever miſchief it may do, hath yet done this good, that it put us quite from all diſputes upon the neceſſity of conditions, and was no ſmall cauſe of the ſpeedy, and I hope, happy concluſion of the peace."[b]

CHAP. III.

The peace of 1648 *concluded and proclaimed.*

ON the 17th of January, 1648,[1] the general aſſembly repaired to the preſence of the lord lieutenant in his caſtle at Kilkenny,[a] and there, with all ſolemnity imaginable, preſented to him, ſitting on a throne of ſtate, the articles of the peace, by the hands of Sir Richard Blake, their chairman, which he received; and having confirmed them, on his majeſty's behalf, cauſed them to be publicly proclaimed. Nine Roman catholic biſhops, preſent in the aſſembly, joined, the next day, in

[6] Cart. Orm. vol. iii. f. 602. [1] Id. ib. vol. ii. f. 50.

[b] "This agreement," ſays Borlaſe, "paſſed with that miraculous conſent and unity, that in the whole aſſembly, in which there were (nine) catholic biſhops, there was not one diſſenting voice." Iriſh Rebel. f. 260.

[a] While the Marquis of Ormond was treating, at Kilkenny, with the confederates on the peace of 1648, the Engliſh parliament having had notice of it from Colonel Jones, ordered their commiſſioners treating with Charles in the Iſle of Wight, to prevail upon him to diſavow it. "Whereupon his majeſty ſignified, that in caſe other things were compoſed by the treaty (with the parliament) the concerns of Ireland ſhould be left wholly to the houſes." And in the interim wrote to Ormond, "to require him to deſiſt from any further proceedings in that peace." Borl. ib. fol. 259.

in a circular letter, which they ſent to all the cities and corporations of their party, exhorting them to receive and obey the peace now concluded; which was in ſubſtance that which had been made in 1646, but rejected by a former aſſembly." [b]

The lord lieutenant, in a letter to Lord Digby, January the 22d, after telling him, that the peace was concluded, adds, "I muſt ſay for this people,[2] that I have obſerved in them, great readineſs to comply with what I was able give them; and a very great ſenſe of the king's ſad condition." And in another letter, of the ſame date, to the Prince of Wales, he takes notice "of the very eminent loyalty of the aſſembly, which was not," ſays he,[3] "ſhaken by the ſucceſs, which God hath permitted to the monſtrous rebellion in England; nor by the miſchievous practices of the no leſs malicious rebels in Ireland."

After the ſigning of the articles, his excellency made a ſpeech to the aſſembly, wherein he congratulated them, not only on the ſcore of what they had already obtained by that peace, in point of freedom of worſhip, abatement of penalties, and other advantages; but alſo on the hopes of further indulgence and favour in all theſe reſpects, according to their future merits." For he told them,[4] "that, beſides the proviſion made againſt their remoteſt fears of the ſeverities of certain (penal)

[2] Ib. vol. iii. f. 600. [3] Id. ib. f. 601. [4] Ib. vol. iii.

[b] In that letter they obſerved to the people, "that although in their thoughts and occaſions, during theſe ſeven years wars, they had ſtill the ſame loyalty, which now made them comply with his majeſty in his greateſt neceſſity, and had often publicly ſworn it, yet they lay under the ſuſpicion of many men; but that by the preſent agreement, all blemiſh of that kind was taken away. That, as for their religion, they had received good ſatisfaction for the being and ſafety of it; that by the temporal articles, their lives, liberties, and eſtates were provided for; ſo as now," added they, "you have a clear quarrel, without the leaſt colour of ſuſpicion; for you fight purely againſt ſectaries and rebels, for God and Cæſar; and under thoſe banners, you may well hope for victory." Enquiry into the Share, &c. p. 267.

(penal) laws; and beſides many other freedoms and bounties conveyed to them, and their poſterity, by theſe articles; there was a door, and that a large one, not left, but purpoſely ſet open, to give them entrance to whatever of honour or other advantage they could reaſonably wiſh." And yet, about the ſame time that his lordſhip made this public and ſolemn declaration to the aſſembly, he, in a private letter to Sir Charles Coote, a parliamentarian rebel, "averred with much confidence,[s] (they are his own words) that the advantages, which the Romiſh profeſſors were ſuppoſed to have, in religion or authority, by that peace, were no other but pledges for his majeſty's confirmation of the other conceſſions, and that they were to determine therewith;"[b] as in truth they did.

CHAP. IV.

The happy effects of this peace. Ormond's defeat at Rathmines. Cromwell's arrival in Ireland.

THERE was, for ſome time, great union and harmony between the Engliſh and Iriſh forces, now joined under the Marquis of Ormond's command. His excellency in a letter to the king, June 28th, 1649, acquainted him,[t] "that the ground of his greateſt confidence of future ſucceſs was their preſent cordial conjunction againſt the rebels, their former diſaffection to each other appearing, then, only in an emulation rather of advantage than hinderance, to his majeſty's

[s] Cart. Orm. vol. ii. fol. 52.
[t] Id. Carte's Orig. Papers, vol. ii. p. 387.

[b] Yet the king himſelf, in a letter to the Marquis of Ormond, March 9th, 1648, told him on this occaſion, "that he had lately received from Lord Byron the articles of the peace, which he had made in Ireland, together with a copy of his letter to him; that he was extremely ſatisfied with both, and would confirm, wholly and entirely, all that was contained in the articles." Cart. Collect. of Orig. Papers, vol. ii. p. 363.

majeſty's ſervice."[a] To this union it was certainly owing, that their firſt operations were extremely ſucceſsful; for in the ſpace of a few months, they became maſters of Sligo, Drogheda, Dundalk, Waterford, Trim, Newry, and in ſhort of all the ſtrong holds and towns in the kingdom, except Londonderry and Dublin. Towards this latter city, therefore, his excellency marched the combined armies; hoping to repair the miſchiefs he had done by his late ſurrender of it to the Engliſh rebels, and to reduce it once more under his majeſty's obedience. His excellency's exceſſive confidence in theſe united forces, though now in want of almoſt every neceſſary for his enterpriſe on Dublin, is one of the ſuppoſed cauſes of his fatal diſappointment in that attempt. That this confidence was indeed exceſſive, appears by his letter of July 18th, to the king, from his camp at Finglas; for there he tells him,[a] "that which only threatens any rub to our ſucceſs, is our wants, which have been, and are ſuch, that ſoldiers have actually ſtarved by their arms, and many of leſs conſtancy, have run home: many of the foot are weak; yet I deſpair not to be able to keep them together, and ſtrong enough to reduce Dublin, if good ſupplies of all ſorts come not ſpeedily to relieve it. I am confident, I can perſuade one half of this army to ſtarve outright; and I ſhall venture far upon it, rather than give off a game, ſo fair on our ſide, and ſo hard to be recovered if given over."

But while his excellency was thus ſecurely making preparations for that enterpriſe at Rathmines, a place three

[a] Carte's Orig. Pap. vol. ii. p. 389.

[a] And yet Borlaſe confidently aſſerts, from Clarendon, "that from the firſt hour of the peace (of 1648) theſe Engliſh and Iriſh had not been without that prejudice towards each other, as gave the marquis much trouble; and that they were rather incorporated by their obedience and ſubmiſſion to the authority and pleaſure of their chief commanders, than united by the ſame inclinations and affections to any public end." Hiſt. of the Iriſh Rebel. f. 287.

three miles from Dublin, his whole army was ſurpriſed and routed, by Michael Jones, governor of that city for the parliament, on the 2d of Auguſt, 1649. "Jones,[3] according to the Marquis of Ormond's account, ſlew ſix hundred in that engagement; ſome upon the ſpot, and in the purſuit; but the greateſt part after they had lain down their arms, upon promiſe of quarter,[b] and had been, for almoſt an hour, priſoners;[c] and divers of them were murdered, after they were brought within the works of Dublin." This ſudden and unaccountable defeat at Rathmines,[d] renewed, in the Iriſh, all their former ſuſpicions, that his excellency had ſtill ſome private underſtanding with the Engliſh rebels; and theſe ſuſpicious were increaſed, by the conſtant ill ſucceſs of all his ſubſequent undertakings againſt their partizans in Ireland. To theſe misfortunes was ſoon after added a general panic, occaſioned by the unparalleled cruelties of Oliver Cromwell, who landed at Dublin,[4] on the 15th of that month, with eight thouſand foot, and four thouſand horſe, two hundred thouſand pounds in money, and a vaſt quantity of ammunition, and all kind of neceſſaries for war. "With theſe forces, he on the

[3] Cart. Orig. Pap. vol. ii. p. 397. [4] Carte's Orm. vol. ii. f. 83.

[b] "Fifteen hundred private ſoldiers, and three hundred officers, were made priſoners; about ſix hundred ſlain; many of theſe, to the diſgrace of the conquerors, when they had accepted quarter, and laid down their arms." Lel. Hiſt. of Irel. vol. iii. p. 346.

[c] "Soon after this defeat," ſays Borlaſe, "Jones was writ to by his excellency, to have a liſt of the priſoners he had taken from him: to whom it was replied, "My lord, ſince I routed your army, I cannot have the happineſs to know where you are, that I may wait upon you. Michael Jones." Iriſh Rebel. fol. 280.

[d] Borlaſe informs us, "that this defeat at Rathmines altered the reſult of councils at court, till then very ſtrong for his majeſty's repair into Ireland, the Scots having given ill proof of their integrity and faith. And certainly," adds he, "the Iriſh were, at that time, ſo diſpoſed, as properly they would have ſubmitted to his majeſty, whatever afterwards might have been the reſult of their compliance." Hiſt. Ir. Reb. f. 280.

the 3d of September, beſieged and took Drogheda by ſtorm.[e] And although all his officers and ſoldiers,[5] had promiſed quarter to ſuch of the garriſon, as would lay down their arms; and performed it, as long as any place held out, which encouraged others to yield; yet when they once had got all in their power, Cromwell, being told by Jones that he had now the flower of the Iriſh army in his hands, gave orders that no quarter ſhould be given; ſo that many of his ſoldiers were forced to kill their priſoners."[f]

The Marquis of Ormond, in a letter to Lord Byron on this occaſion, ſays,[6] "that Cromwell exceeded even himſelf, for any thing he had ever heard of, in breach of faith and bloody inhumanity; and that the cruelties exerciſed there, for five days after the town was taken, would make as many ſeveral pictures of inhumanity, as are to be found in the book of martyrs, or the relation of Amboyna." In this carnage, out of three thouſand, he left only about thirty perſons alive; and theſe he ſent to Barbadoes.

CHAP.

[5] Carte's Orm. vol. ii. fol. 44. Lel. Hiſt. vol. iii. p. 350.
[6] Cart. Collect. of Orig. Pap. vol. ii.

[e] "Cromwell marched from Dublin to Drogheda, on the 30th of Auguſt, 1649, with an army of nine or ten thouſand men." Borl. Iriſh Rebel. f. 282.

"Cromwell, they ſay, made his ſoldiers believe, that the Iriſh ought to be dealt with as the Canaanites in Joſhua's time." Dr. Anderſon's Royal Genealogies, p. 786.

[f] "The brave governor Sir Arthur Aſton, Sir Edmund Verney, the Colonels Warren, Fleming and Byrne, were killed in cold blood; and indeed all the officers, except ſome few of the leaſt conſideration, that eſcaped by miracle." Carte's Orm. vol. ii. fol. 84.

And yet, in the Journals of the Iriſh Commons, an. 1697, we find recorded, "the very great and ſignal ſervices done by this Lieutenant General Jones, in reducing Ireland to the obedience of England:" i. e. to the rebel parliament of England. Com. Journ. vol. ii. f. 864.

CHAP. V.

Cromwell's policy to reduce Ireland.

CROMWELL having ſoon after repeated the ſame cruelties in the town of Wexford, which was betrayed to him by one Stafford,[a] increaſed the general terror to ſuch a degree, "that towns fifty miles diſtant from him,[1] declared againſt the Marquis of Ormond;" which

[1] Cart. Collect. of Orig. Papers, vol. ii.

[a] Stafford was governor of the caſtle of Wexford; "which Cromwell having thus gained, advanced his flag upon it, and turned the guns againſt the town. Fear ſeized the townſmen, and the ſoldiers in confuſion quitted their poſts. Cromwell's ſoldiers perceiving this, preſently clapped ſcaling ladders to the walls, and entered without reſiſtance, into the town; wherein all found in arms were put to the ſword, to the number of two thouſand." Borl. Iriſh Rebel. f. 284.

"Though Colonel David Synod, governor of the town, had confidence by the propoſitions he ſent:

1ſt, That the inhabitants of the town ſhould exerciſe, without diſturbance, the Roman catholic religion.

2d, That their religious orders and prieſts ſhould enjoy their monaſteries and churches.

3d, That Nicholas (French), Biſhop of Ferns, and his ſucceſſors, ſhould have the undiſturbed juriſdiction of their dioceſſes.

4th, That their officers and ſoldiers ſhould march out with flying colours, and the other punctilios of honour.

5th, That whoever of the inhabitants ſhould hereafter deſire to depart the town, ſhould have whatever was theirs with them.

6th, That all freemen ſhould have their liberties and immunities hitherto enjoyed, they adhering to the ſtate of England.

7th, None to be diſturbed in their poſſeſſions, &c.

"All which (ſays Borlaſe) Cromwell accounting impudent, had no effect." Hiſt. Iriſh Rebel. fol. 284-5. Though he had juſt before (fol. 284.) ſaid, that "Synod's commiſſioners, treating with Cromwell, had procured the ſafety of the inhabitants of the town, and preſervation of it from plunder, as well as leave for the ſoldiers to depart every one to their own homes,

which provoked his excellency to ſay, doubtleſs with more anger than truth,[2] "that the Roman catholics, who ſtood ſo rigidly with the king upon religion, and that, as they called it, in the ſplendor of it, were then with difficulty withheld from ſending commiſſioners to intreat him to make ſtables and hoſpitals of their churches." But if, indeed, theſe people were at firſt ſo much terrified by this monſter's unparalleled cruelties, they ſoon reſumed ſufficient courage to reject ſeveral more advantageous conditions, from his favourite and confident, Ireton, even in point of religion, than the Marquis of Ormond could ever be prevailed upon, by the moſt urgent neceſſity of his majeſty's affairs, to allow them. For when that regicide, in his march to Munſter, ſent propoſals to the citizens of Limerick,[3] offering them the free exerciſe of their religion, enjoyment of their eſtates, churches and church-livings, a free trade and commerce, and no garriſons to be preſſed upon them, provided they would only give a free paſſage to his forces into the county of Clare; theſe citizens abſolutely rejected the overture."

But Oliver Cromwell, beſides his execrable policy of facilitating the conqueſt of Ireland, by the fame of his cruelties, had taken care, before he left Dublin, to publiſh a [4] proclamation forbidding his ſoldiers, on

[2] Id. ib.
[3] Cart. Orm. vol. ii. fol. 123. Lel. Hiſt. vol. iii. p. 370.
[4] Cart. Orm. vol. ii. f. 90.

homes, they engaging not to bear arms againſt the ſtates of England; and laſtly, of life to the officers. Yet (adds my author) in great conſternation, fear having ſurprized the townſmen and citizens before the commiſſioners return, they endeavoured to paſs over the water for the ſafety of their lives; which Cromwell's ſoldiers perceiving, clapt ſcaling ladders to the walls, and entered the town without any reſiſtance; wherein all found in arms were put to the ſword, to the number of two thouſand; among whom Sir Edmund Butler was killed, before he had been two hours in the city. Cromwell, in the interim, not loſing twenty men in the whole ſiege." Id. ib.

on pain of death, to hurt any of the inhabitants, or take any thing from them, without paying for it in ready money. This was ſo ſtrictly executed, that even in his March from Dublin to Drogheda, where he was guilty of that horrid butchery, and breach of faith before-mentioned,[5] he ordered two of his private ſoldiers to be put to death, in the face of the whole army, for ſtealing two hens from an Iriſhman, which were not worth ſixpence.

Upon this ſtrict obſervance of the proclamation, together with poſitive aſſurances given by his officers, "that they were for[6] the liberties of the commons, that every one ſhould enjoy the freedom of his religion, and that thoſe who ſerved the market at the camp, ſhould pay no contribution, all the country people flocked to them, with all kind of proviſions; and due payment being made for the ſame, his army was much better ſupplied, than even that of the Iriſh ever had been."

On this occaſion, a congregation of twenty catholic archbiſhops and biſhops having on the 4th of December 1649, aſſembled, of their own accord, at Clonmacnoiſe, publiſhed a declaration,[b] wherein "they admoniſhed all

[5] Doctor Gorges's Letter to Colonel Hamilton. Append. to Leſley's Anſ. to King's ſtate of the Proteſtants under K. James.

[6] Carte, ubi ſupra.

[b] "The whole Iriſh party, (ſays Leland) was anxious for the event of this ſelf-appointed council, and looked for nothing leſs important than a violent proteſtation againſt the government of Ormond. Happily the temper of one of their biſhops, Ever Mac Mahon, the Romiſh prelate of Clogher, diſappointed theſe expectations. From the time of the accommodation between Ormond and O'Nial, in which Mac Mahon had been inſtrumental, the marquis frequently converſed with him on public affairs, and inſpired him with an high opinion of his talents for government, and his zeal for the intereſts of Ireland; with theſe ſentiments he entered the aſſembly of his brethren, where he had the conſequence naturally derived from ſuperior abilities. He ſilenced the factious, he encouraged the moderate, he defeated all the ſecret practices of Antrim; and at length, with difficulty, prevailed on the prelates to declare, by a formal inſtrument, that no ſecurity for life, fortune or religion, could be expected from Cromwell,

all their people, not to delude themſelves with vain expectations of conditions to be obtained from that mercileſs enemy. And they beſought the gentry, and the reſt of their countrymen, for God's glory, and their own ſafety, to contribute, with patience, to the utmoſt of their power, towards the ſupport of the war againſt him. They, particularly, exhorted thoſe who were enliſted in the army, to perſevere conſtantly in their oppoſition to the common enemy, as they expected the bleſſing of God upon their endeavours." [7] The Marquis of Ormond, in a letter to the king, obſerved,[8] "that, in this aſſembly there were divers ſpeeches made, tending to the ſatisfaction of the people; and to incline them to obedience to his majeſty, and amity among themſelves, in oppoſition to the rebels." It muſt be, therefore, obſerved, in juſtice to theſe biſhops, that it was in this letter to the king that the marquis firſt aſked his majeſty's permiſſion to leave the kingdom, as being abſolutely indefenſible againſt the rebels, by what powers he could then command. So very diſtant from truth is that general aſſertion of our hiſtorians, that it was the refractorineſs, diſobedience, and even rebellious diſpoſition of the Iriſh clergy, that firſt made him reſolve upon quitting the government of Ireland at that juncture.

CHAP.

[7] Borl. Iriſh Rebel. fol. 290.

[8] Cart. Coll. of Orig. Pap.

Cromwell, to expreſs their deteſtation of all odious diſtinctions and animoſities between old Iriſh, Engliſh and Scottiſh royaliſts, and their reſolution of puniſhing all the clergy who ſhould be found to encourage them." Leland's Hiſt. vol. iii. p. 359.

"It cannot be denied (ſays Borlaſe from Clarendon) that the concluſions which were made there, ſeemed full of reſpect for the king's ſervice, and wholeſome advice and counſel to the people." Iriſh Rebel. fol. 293.

CHAP. VI.

Owen O'Nial ſubmits to the peace; Inchiquin's forces revolt to the rebels.

OWEN O'Nial, who commanded an army of five thouſand foot and five hundred horſe, having been incenſed beyond meaſure at the aſſembly's proclaiming him a traitor; and at the ſame time flattered by Sir Charles Coote and Colonel Monck, with hopes of a toleration of his religion, and the reſtitution of his eſtate, [a] had entered into a treaty with the latter,[1] and [1] relieved the former, when cloſely beſieged in Derry, the only place of ſtrength that was then in the rebels poſſeſſion in the province of Ulſter. But the Engliſh parliament ſoon after condemned his treaty with Monck, and rejected his further ſervice.[b] This

[1] Cart. Orm. vol. ii. fol. 77.

[a] "Invited by Sir Charles Coote with an offer of 5000l. for that ſervice." Cart. Orm. vol. ii. fol. 76.

Owen O'Nial was in great want of ammunition; to procure a ſupply, he ſent Hugh M'Patrick Dubh M'Mahon to make a treaty with Monck, who readily entered into an agreement with him, engaging to ſupply him with the neceſſaries he wanted." Id. ib. fol. 73.

Monck's propoſals to O'Nial were: 1ſt. Liberty of conſcience to all his party and their iſſue. 2d. A competent command to O'Nial himſelf in the rebel army. 3d. An act of oblivion for all they had done ſince 1641. 4th. His party to be reſtored to all the lands they poſſeſſed before that time. 5th. That O'Nial be put into poſſeſſion of his anceſtors eſtate. 6th. That O'Nial ſhall be provided with a convenient ſea-port in Ulſter, and his army provided for in all points, as the reſt of the army ſhall be." Hiſt. of Independency, p. 237.

[b] Sir Charles Coote in a letter to the council of ſtate in England, Auguſt 15th, 1649, informs them, "that O'Nial freely offered him his aſſiſtance, profeſſing much affection to the parliament of England, and earneſt deſire to maintain their intereſt; that he had found O'Nial and his army very punctual and faithful in all their promiſes and engagements; and he made no doubt

This is commonly thought to have been the [c] cauſe of his quitting that party, and ſeeking an alliance with the Marquis of Ormond,[2] "to whom two blanks had been ſent, about that time, under his majeſty's hand and ſeal, to be made uſe of in any treaty or tranſaction with him."

Wherefore, through the agency of colonel Daniel O'Nial, that general's nephew, whom the Marquis of Ormond ſent to ſolicit him for that purpoſe, "Owen O'Nial,[3] on the 12th of October 1649, concluded and ſigned an agreement, on certain conditions, with his excellency; which, though himſelf lived not to accompliſh, dying at Cloughouter-caſtle, in the county of Cavan, in the beginning of December, was ſhortly after performed."

[2] Cart. Collect. of Orig. Pap. vol. ii. p. 317.
[3] Cart. Orm. vol. ii.

doubt but they would continue ſo to the end. But after all, in the cant of the times, deſires them to call to mind, that it is no new thing with the moſt wiſe God to make uſe of wicked inſtruments to bring about a good deſign for the advancement of his glory." Hiſt. of Independency, p. 245-6.

"Many were of opinion (ſays Borlaſe) that all that was done both by Sir Charles Coote and by Monck (with O'Nial) was tranſacted by the privity, if not conſent, of the grandees in England; but the grounds to faſten this upon them could never be found, though the buſineſs hath been narrowly ſearched into: known it was, that there was a perſon ſent over, and many overtures made by a prieſt, O'Reilly, to the committee of Derby-houſe, but with what reception, the certainty yet remains in the clouds." Iriſh Reb. fol. 276.

[c] There is a very different cauſe aſſigned for this accommodation of O'Nial with Ormond, in a letter from Secretary Nicholas to Ormond himſelf, which he ſays came from a very good author, Lord Brudenell. It is there expreſsly ſaid, "that O'Nial had written to Cromwell to thank him for the care he had taken of himſelf and his army; but deſired him withal to conſider, that his promiſe (to aſſiſt him) was but conditional, as preſuppoſing the Pope's approbation, which he could never obtain; but, on the contrary, had received a peremptory command from him, to do nothing prejudicial to the crown of England." Cart. Collect. of Orm. Orig. Papers, vol. i. p. 298.

Mr. Belling informs us,[4] "that when the news came of Ormond's being routed by Jones at Rathmines, O'Nial aſſembled the chief officers of his army and addreſſed them thus. "Gentlemen, to demonſtrate to the world, that I value the ſervice of my king, and the welfare of my nation, as I always did, I now forget and forgive the ſupreme council, and my enemies their ill practices, and all the wrongs they did me from time to time, and will now embrace that peace which I formerly rejected out of a good intent." He ſent his forces to Ormond, under Ever M'Mahon, biſhop of Clogher, to whom the Marquis had given a commiſſion to command them. "It muſt be acknowledged," ſays Borlaſe, from Clarendon, "that this biſhop performed and obſerved the conditions very juſtly, as he was punctual in what he promiſed, and applied himſelf with all dexterity and induſtry to the advancement of his majeſty's intereſt; ſo that, during his time, he reſtrained the clergy from making any acts, which might diſcourage the people from their obedience to the king's authority."[5] This biſhop was afterwards taken priſoner in an engagement near Enniſkillen, after having received many wounds; and ignominiouſly put to death, by the poſitive order of Sir Charles Coote, whom, within leſs than a year, he had relieved when in great extremity."[6]

The Marquis of Ormond had received frequent warnings of the infidelity of Inchiquin's officers; and ſome probable reaſons for withdrawing his confidence from Inchiquin himſelf. His excellency, in a letter to that lord, November 16th, 1648, on occaſion of the before-mentioned mutiny of theſe officers, told him plainly, "that[7] he was very unwilling to have any thing to do with them; and ſeemed to think that they had but delayed their deſign, waiting for a more hopeful opportunity to accompliſh their end, which he underſtood to be, to betray his lordſhip and himſelf to the independents."

The

[4] MSS. Hiſtory. [5] Hiſt. of the Iriſh Rebel. fol. 313.
[6] Id. ib. fol. 312. Clarendon. Iriſh Rebel. [7] Cart. Orm. vol. iii.

The defection of theſe officers ſoon after to the parliament, to which Lord Broghill's [d] treachery and artifice not a little contributed, ſufficiently juſtified theſe ſuſpicions. For in this favourable conjuncture of the acceſſion of O'Nial's forces, the diſtreſs of Cromwell's army, and the probability there was, by the advantage of a paſs, of cutting off his proviſions, and of making his retreat to Dublin very difficult, without loſing a good part of his men; in theſe circumſtances, I ſay,[s] "on a ſudden, and altogether, all the conſiderable places in the province of Munſter, as Cork, Youghall, Kinſale, Bandon-bridge, Moyallo, and other garriſons,[e]

[s] Clarend. Cart. Lel. Hiſt. vol. iii. p. 357.

[d] In an engagement near Clonmell, "this Lord Broghill had taken the titular biſhop of Roſs priſoner, and promiſed to ſpare his life on condition that he ſhould uſe his ſpiritual authority with the garriſon of a fort adjacent to the field of battle, and prevail on them to ſurrender. For this purpoſe he was conducted to the fort; but the gallant captive, unſhaken by the fear of death, exhorted the garriſon to maintain their poſt reſolutely againſt the enemies of their religion and country, and inſtantly reſigned himſelf to execution. His enemies," adds my author, "could diſcover nothing in his conduct but inſolence and obſtinacy; for he was a papiſt and prelate." Lel. Hiſt. of Irel. vol. iii. p. 362-3.

Broghill's chaplain and panegyriſt, Mr. Morrice, informs us, that while his lordſhip was engaged in a battle againſt the king's forces in Ireland, "orders were once given by himſelf to the chief commanders, to give no quarters that day to any in arms." Broghill's life prefixed to Orrery's State Lett.

[e] "Theſe garriſons (ſays Cox) by the means of Lord Broghill, &c. revolted all at once." Hiſt. of Irel. p. 12.

"Dungarvan was delivered up to Cromwell the 3d of December, 1649, where he found my Lord Broghill, who partly by his own intereſt, and the diſaffection in the ſoldiers to Lord Inchiquin, had gotten in all the towns in Munſter, that had formerly been under the parliament; a ſervice moſt conſiderable, and ſuch as was of very great advantage to Cromwell, who was now in great ſtraits where to take up his winter quarters for his ſick and diſtreſſed regiments. His army, partly by leaving garriſons in ſeveral places he had taken in, being ſo much weakened and impaired, ſo as he brought not, of all the men he carried

under Lord Inchiquin, revolted to the Engliſh parliament; and thereby gave them a ſafe retreat, free paſſage, and neceſſary proviſions of all they wanted; as likewiſe harbours for their ſhips, to bring every thing to them they could deſire. This defection, in ſo fatal a juncture of time, when the ſtraits Cromwell was in by the winter, and want of proviſions, had raiſed the ſpirits of men; and when they looked upon themſelves as like to have at leaſt, ſome hopeful encounter with him, was not (adds my author) a loſs, or a blow; but a diſſolution of the whole frame of their hopes and deſigns; and confirmed that ſpirit of jealouſy and animoſity in the army, which no dexterity nor intereſt, of the lord lieutenant could extinguiſh or allay."

This general defection of Inchiquin's forces ſeems to have given the firſt riſe and occaſion to the obnoxious proceedings of the congregation of biſhops at Jamestown, they looking upon it, as a new and corroborating proof of Ormond's being privately connected with the Engliſh rebels. For, although his excellency had been fully appriſed by the confederates, [9] of the ill affections, and actual revolt of ſeveral of the officers of theſe garriſons,[f] before the general treachery now mentioned; yet he readily agreed to Inchiquin's ſuſpicious ſtipulation,[g] "that [10] theſe garriſons ſhould be entirely left

[9] Cart. Orm. vol. ii. fol. 101-2. [10] Id. ib. vol. ii. fol. 102.

carried over with him, above five thouſand horſe and foot to Dungarvan." Borl. Iriſh Rebel. fol. 289. From Clarend.

Yet, "the above-mentioned revolting garriſons had been ſupplied by the Iriſh during the whole preceding ſummer, to their exceſſive charge." Orm. Lett. to the king. Carte's Collect. of Orig. Papers, vol. i. p. 419.

[f] "To ſcreen Inchiquin, theſe revolting officers ſeized and made priſoners of his wife and children, whom, (adds my author) not without much difficulty, he got re-delivered to him." Borl. Iriſh Rebel. fol. 287.

[g] And Ormond's afterwards ſhewing particular favour and friendſhip to Inchiquin, was one of the cauſes of the people's diſlike and ſuſpicion of him. "Some of the principal perſons (among the confederates) and with them ſome of the biſhops, under

left to his own diſpoſal; nor could Inchiquin ever after be prevailed upon to admit any of the Iriſh forces, though actually in the king's ſervice, into them."

Before the peace of 1648 was concluded, the Marquis of Ormond, in order to induce the Prince of Wales to come over to Ireland, to take upon him the command of that army, told his highneſs, "that in all their judgments, his ſpeedy acceſs was become ſo abſolutely neceſſary, that there appeared little hopes that without it that army could be long contained from ſeeking its own ſecurity in a ſubmiſſion to the prevalent party in England; but that if his highneſs arrived ſpeedily, the awe of his perſon might confirm ſuch as were wavering." [11] And not long before the marquis's return to Ireland, as lord lieutenant, about the end of September, 1648, Lord Inchiquin, by means of two of his colonels, Townſhend and Derby, was ſaid to have ſent over to the committee at Derby-houſe, ſome propoſitions for the ſurrender of the towns in Munſter; upon which the committee at Derby-houſe, ſays Borlaſe, ſent back Colonel Temple with power to treat with the Lord Inchiquin; but before his arrival there, Sir Richard Fanſhaw, the prince's ſecretary, was come from

[11] Cart. Orm. vol. iii. fol. 590.

under ſhew of great confidence and truſt, repaired to the lord lieutenant at Limerick, 1649, and declared unto him, that all that indiſpoſition and waywardneſs of the people proceeded from the prejudice they had againſt Lord Inchiquin, who had always, they ſaid, proſecuted the war againſt them with the utmoſt rigour and animoſity, and the places and perſons which had been moſt at his devotion, having treacherouſly revolted to the parliament, the people were not confident of him, and jealous that the marquis had too great a confidence in him; ſo that if he would diſmiſs that lord, and diſcharge the troops that yet remained under his command, of which ſome frequently ran away to the parliament, not only that city (Limerick) but the whole nation, would, as one man, be at his diſpoſal." Borl. Iriſh Rebel. fol. 303. From Clarendon. See what follows, ib. fol. 304. Some leading perſons applied to Inchiquin to take the command on him, as being of their ancient families; but 'tis certain that theſe hated both Inchiquin and Ormond, but on account of the former's family, would make choice of him as the leſſer evil.

from the prince to Inchiquin, with a declaration of the prince's deſign to ſend the Duke of York into Ireland with ſuch of the revolted ſhips as remained in Holland, and to let him know the hopes he had, that by his aſſiſtance and the army under his command, both he and his father might be reſtored. This (adds my author) ſo puffed up Inchiquin, that he would hear of no overtures from Derby-houſe, and made him abſolutely diſavow that he had any knowledge of the propoſitions ſent over, though he was ſaid with his own hand to have interlined and approved them in ſeveral places. [12]

CHAP. VII.

The Marquis of Ormond deſires leave to quit the kingdom.

HIS excellency, ſo early as December 24th, 1649, had requeſted, and ſhortly after obtained the king's permiſſion,[1] "to withdraw both himſelf and his majeſty's authority out of the kingdom, if he ſhould ſee occaſion." And the better to ſecure his retreat on all ſides, from a people whoſe loſſes under him, and jealouſies of him, were daily increaſing, his friend [2] Dean Boyle, privately procured him a paſs from Oliver Cromwell; which being afterwards diſcovered, by the ungenerous uſe that regicide made of it, his lordſhip returned it by a trumpet, with a letter informing him, that it was officiouſly ſought for and obtained by the Dean, without either his conſent or privity."

His excellency's deſire to withdraw himſelf out of the kingdom proceeded not, as has been already hinted, from the ſuppoſed refractory and diſloyal behaviour of the Iriſh clergy, but from his own conſciouſneſs of the people's great miſtruſt of him, and their conſequent averſion to his government. For, as he himſelf juſtly obſerved

[12] Borl. Hiſt. of the Iriſh Rebel. fol. 254-5.

[1] Cart. [2] Cart. Orm. vol. ii. fol. 121.

obſerved on that occaſion,[3] " theſe people believing themſelves betrayed, would think it vain to be perſuaded into action, which might render them incapable of conditions from the enemy. Or if they ſhould be got forth, perhaps with church cenſures, it would be with deſpair, not hope of ſucceſs; whilſt they ſuſpected their leader of having made conditions for himſelf, upon their ruin."

Another of his reaſons for deſiring that permiſſion was,[4] " that it appeared every day more evidently than other, and would ſoon be viſible to thoſe of the ſhorteſt foreſight, that upon any thing Ireland could afford, it would not be poſſible to make any reſiſtance againſt the rebels; who then had the whole coaſt towards England, Waterford excepted, ready to receive their forces; commodious harbours for their ſhipping, and garriſons from whence they would immediately be in the heart of his beſt countries, and at the walls of his remaining towns." After which he thus proceeds, " what thoughts of ſubmiſſion (to the rebels) this may produce in theſe people, or the greater number of them, I know not; I therefore humbly deſire that your majeſty would be pleaſed to ſend me your commands to withdraw myſelf hence."

Nay, his excellency ſeemed in ſome meaſure, to apologize for theſe people's averſion to his government, and their deſire to get rid of it; [5] " for many of the Iriſh," ſays he, " having promiſed themſelves many advantages by their coming under his majeſty's obedience, as the aſſiſtance of the army formerly under Lord Inchiquin's command, and the advantage of trade with the towns poſſeſſed by him; that his majeſty would be able, in part, to eaſe them of the burden of the war, by ſupplies of money, arms, and ammunition; and that whilſt the rebels forces were bent againſt them, occaſion would be taken to raiſe ſome diverſion in England or out of Scotland; and finding Lord Inchiquin's forces, which, to their exceſſive charge, they had ſupplied

[3] Cart. Collect. of Orig. Pap. vol. ii. 450.
[4] Id. ib. [5] Id. ib. p. 419, 420.

ſupplied all the ſummer, now turned againſt them, and the towns become garriſons to their enemies, from whence to annoy them by ſea and land; no ſupplies at all from abroad, and no diverſion in England, though Cromwell and Ireton, the ſuppoſed heads of the rebels, were removed from thence; all theſe diſappointments of their hopes, aggravated by the enforced ſpoil of a ſucceſsleſs army, began to breed in them ſuch averſion," ſays he, " to his majeſty's authority, and to myſelf, to whom all their misfortunes, the negligence, cowardice, and treachery of others, are attributed, that I am told, it was in agitation with the violent party of the clergy, and others ſet on by Lord Antrim, to procure a proteſtation againſt my government." This letter is dated December 15, 1649, and the clergy's cenſure and declaration were not publiſhed till September following; ſo that it could be no ſuch ſurpriſe upon his excellency, as is pretended.

CHAP. VIII.

The king is invited to go to Scotland.

ABOUT this time, the king was proclaimed in Scotland; and commiſſioners were ſent from thence to invite him over to that kingdom; but upon ſuch conditions, as were utterly inconſiſtent, not only with the dignity and good faith of a king, but even with the honour and integrity of a gentleman. " Theſe [1] commiſſioners were the Earl of Caſſels, two burgeſſes, and four preſbyterian divines. To give the better aſſurances of their good intentions to his ſervice, immediately before their coming out of Scotland, the Marquis of Huntly was put to death, for no other crime but his loyalty to the king."

The Marquis of Ormond, ſtill in Ireland, was conſulted upon this, as indeed, he was upon every other important concern of his majeſty. But that he did not always deliver his opinion, with ſuch candour and ſincerity as were ſuitable to the confidence repoſed in him, is but too apparent, from his own letters on that occaſion.

[1] Cart. Collect. Orig. Pap. vol. i. p. 268.

occaſion. In one of them to Secretary Nicholas, who, he knew, was averſe to that meaſure, he ſeems to have clearly foreſeen all the evils that were likely to attend it; for he tells him, that, "unleſs[2] his majeſty was reſolved to deliver up both himſelf and his people to the covenant and preſbytery, he would not go to Scotland; and that the covenant was inconſiſtent with the peace he had concluded with the Iriſh, and which his majeſty had confirmed." But from what we find in a private letter of Lord Byron's, who was then with the king at Breda, to his excellency, it appears that he ſecretly abetted, and promoted, that deſign. For Lord Byron told him,[3] "that, in order to what he found was his lordſhip's opinion, concerning his majeſty's conjunction with the Scots, he had contributed his beſt endeavours to the effecting of it; and that his majeſty would begin his journey in a few days, and had commanded him (Byron) to attend him thither." And the king himſelf, in a letter to the marquis, January 16th, 1649, ſays,[4] "you will perceive by my public letter, that I have reſolved of a treaty with my ſubjects of Scotland, whereunto I was principally induced by that relation which Harry Seymour made to me, from you, of the ſtate of things in Ireland." [a]

Accordingly, his majeſty, having agreed with the Scotch commiſſioners, left Breda, and arrived in Scotland, on the 23d of June 1650, O. S. but before they ſuffered him to land,[5] they obliged him to ſign both the covenants, national and ſolemn. And, in about two months

[2] Carte's Orm. vol. iii. fol. 607.
[3] Cart. Orig. Papers, vol. i. p. 333. [4] Ib. vol. ii. p. 423.
[5] Sir Edward Walker's Hiſtoric. Diſcourſ.

[a] And Seymour himſelf, in a letter to the Marquis of Ormond of the 15th of March following, tells him, "that his arrival from Ireland was ſo ſeaſonable as to interrupt the breach with the Scots, which was in a very forward way, proceeding from the miſinformations of the marquis's ſucceſſes; but that his excellency's truer informations by him, not only changed that deſign, but gave a diſpatch in two days to Mr. Windram, the Scots commiſſioner, which he had in vain ſolicited ſix weeks before, without the leaſt advance." Cart. Collect. of Orig. Pap. vol. i. p. 365.

months after, he was prevailed upon to publiſh a declaration, "that he would have no enemies but the enemies of the covenant; and that he did deteſt, and abhor all popery, ſuperſtition and idolatry, together with prelacy; reſolving not to tolerate, much leſs to allow thoſe, in any part of his dominions, and to endeavour the extirpation thereof to the utmoſt of his power." And with regard to the peace lately concluded with the confederates, and confirmed by himſelf, he expreſsly pronounced it [b] null and void; adding, "that he was convinced in his conſcience of the ſinfulneſs and unlawfulneſs of it, and of his allowing them (the confederates) the liberty of the popiſh religion; for which he did, from his heart, deſire to be deeply humbled before the Lord; and for having ſought unto ſuch unlawful help, for the reſtoring of him to his throne."

What opinion one of his majeſty's own ſecretaries had of this declaration, appears from his letter to the Marquis of Ormond, January 25th, 1650, "when [6] I conſider," ſays he, "this infamous declaration, which the Scots compelled the king to publiſh, and are ſtill reſolved to have his majeſty make good (though not only all the king's party, but even ſtrangers that have any ſenſe of honour, or conſcience, declaim againſt it), I cannot ſo much as hope, that they intend any good or ſafety to his majeſty, whom they have ſo wickedly and notoriouſly abuſed." Moſt certain it is, that after this declaration was known in England,[7] "many people there, who were before averſe to the parliament's meaſures, freely and voluntarily enliſted in their armies to fight againſt the Scots."

CHAP.

[6] Cart. Orig. Pap. vol. i. p. 400.

[7] Id. ib. p. 417.

[b] "Nothing could be more convenient for the congregation of prelates, (ſoon after aſſembled at James-town) and their purpoſe of enflaming the people, than this virulent declaration. They imputed it entirely to the repreſentations of the Marquis of Ormond." Lel. Hiſt. of Irel. vol. iii. p. 376.

CHAP. IX.

The king ſecretly regrets this meaſure.

HIS majeſty did not become guilty, all at once, of this open violation of the public faith.[1] "Before he left Breda he yielded thus far to the Scotch commiſſioners, that if a free parliament in the kingdom of Scotland ſhould ſo think fitting, he would then find ſome way, how with honour and juſtice, he might make void the Iriſh peace. In the mean time his majeſty would by no means permit that any ſuch thing ſhould be inſerted in the body of the articles of agreement; and it was concluded, that that buſineſs ſhould remain in a diſtinct paper in the Earl of Caſſell's hands, in regard of the diſhonour it might bring on the Marquis of Ormond, and his majeſty's friends in Ireland. No ſooner was this done, but his majeſty laboured immediately to inform Ormond of what had paſſed; and Mr. Richard Weſton was diſpatched, on the 16th of May, from Breda, and one hundred and fifty pounds given him to defray his charges. But when his majeſty came into Scotland, he found him there, alleging,[2] "that he was not permitted by the Scots to proceed in his journey; at which his majeſty was exceedingly troubled, but ſaw plainly, it was a contrivance between him (Weſton), Lord Wilmot and the Scots.

"After his majeſty had put to ſea, the Scotch commiſſioners ſhewed him new and higher propoſitions from the kingdom of Scotland; which were, that unleſs his majeſty would immediately take the covenant, and, *in terminis*, break the peace with the Iriſh, he was not to be received into Scotland; at which he was ſo much diſguſted, that he reſolved to lay aſide all thoughts of going thither, upon ſuch terms. But, overcome with the entreaties of his ſervants, he yielded *in terminis*, to the breach of the peace with the Iriſh, conditionally,

[1] Cart. Collect. Orig. Pap. vol. i. p. 391. [2] Ib.

conditionally, that it ſhould not be publiſhed, until his majeſty had acquainted the Marquis of Ormond and his friends in Ireland with it."

At the ſame time that the Scots detained Weſton in Scotland, and by that means prevented Ormond's earlier and particular knowledge of this tranſaction,[3] "they diſpatched ſeveral of their miniſters to the Laggan and Clanboys in the north of Ireland;" who, doubtleſs, proclaimed aloud the news of the king's having conſented to take the covenant,[4] and to declare the late peace void; being aſſured, that nothing could more alienate the affections of the Iriſh from his majeſty, or ſet them at greater variance among themſelves, than ſuch intelligence. In May, 1650, the Marquis of Ormond had[4] "heard by reports, which he thought probable, that the king had agreed with the Scots." And he afterwards expreſſed his apprehenſion,[5] "that great advantage was left to ſuch as were induſtrious to draw the Iriſh from their allegiance, by infuſing into them a belief, that his majeſty, having taken, or approved, the covenant, they were deprived of the benefit of the peace, and left to the extirpation, which the covenant propoſes, of their religion and perſons."

CHAP. X.

Proceedings of the biſhops at James-town.

THE confederates being now alarmed by repeated accounts of the king's having taken the covenant, not without a well grounded ſuſpicion, that Ormond had approved of, and adviſed, that meaſure; ſeveral of their biſhops aſſembled at James-town, in order to conſult

[3] Cart. Orm. vol. ii. fol. 111. [4] Cart. Orig. Pap.
[5] Ib. vol. ii. fol. 442

[4] The Marquis of Ormond in a letter from Ennis, 25th of June, 1650, ſays, "that the report of his majeſty's being then agreed with his ſubjects of Scotland, was given out among the rebels." Cart. Orig. Pap. vol. ii. p. 433.

ſult what was fit to be done on ſo important an emergency; where taking into conſideration, the ſad condition to which their nation and religion muſt neceſſarily be reduced by ſuch an event; and mindful of a reſolution they had formerly,[a] with good reaſon, entered into, that in caſe of a breach or diſavowal of the peace, on the part of his majeſty or lord lieutenant, they would return to their original confederacy, as the likelieſt means to hinder their people from cloſing with the parliament, "they now fell to deliberate on the moſt effectual way of putting that reſolution in practice; and, at length, determined to recall and withdraw, on the peril of eccleſiaſtical cenſure, all thoſe of their communion, from the Marquis of Ormond's command."[1] Wherefore, on the 12th of Auguſt, 1650, they drew up and ſigned an excommunication againſt all ſuch catholics "as ſhould enliſt under, feed, help, or adhere to his excellency; or aſſiſt him with men, money, or any other ſupplies whatſoever."

To this excommunication (which, though thus haſtily drawn up, was not publiſhed till the 15th of the following month) a limitation was annexed,[2] "that the next general aſſembly, which was ſoon to meet at Loughrea, ſhould diſpoſe of it as they thought proper." But that aſſembly not having met at the appointed time; and freſh and undoubted intelligence arriving daily, that his majeſty had taken the covenant, and made void the peace, (the only ſecurity that was left them for their religion, liberty, lives and fortunes) theſe biſhops, on the 15th of September, 1650, publiſhed their excommunication in the uſual form. At the ſame time, they unanimouſly reſolved, purſuant to their aſſociation-oath, ſtill faithfully to ſerve the king againſt the regicides, and to uſe all the means in their power

[1] Clarend. Carte. [2] Id. ib.

[a] "On account of the king's diſavowal of Glamorgan's peace, and his being prevailed on by the Scots to make void that which had been concluded with the Marquis of Ormond in 1646, by his own reiterated commands.

power to hinder their people from aſſiſting them in any reſpect whatſoever. The ſincerity of this reſolution appears, by their including in the ſame cenſure,[3] "all thoſe unnatural patriots, and others of their own flock, that ſhould adhere to theſe common enemies of God, king, and country; or ſhould any ways help, aſſiſt, abet, or favour them, by bearing arms for, or with them; or by otherwiſe contributing to them, without urgent neceſſity." So little foundation was there for the injurious reflection made by a late hiſtorian,[4] "that it having been propoſed to theſe biſhops, to iſſue their excommunication againſt thoſe who were guilty of ſuch compliances, they had reſerved this engine of theirs for more factious purpoſes, and could not be prevailed upon to employ it in the king's ſervice."

On the very next day, however, after this excommunication was publiſhed, theſe biſhops iſſued an order for ſuſpending the effects of it in the Earl of Clanrickard's army, which conſiſted chiefly of catholics, the only perſons that could be affected by it. Upon which irreſolution of theirs, the Marquis of Ormond failed not to obſerve,[5] "that, ſuppoſing them to have proceeded on juſt grounds, yet their raſhneſs was not excuſable, as appears in that as they haſtily denounced their excommunication on the 15th of September, ſo it was more wiſely ſuſpended by the ſame men on the 16th following."

CHAP.

[3] Append. to Walſh's Hiſt. of the Remonſt. f. 70.
[4] Lel. Hiſt. of Irel. [5] Carte's Orm.

CHAP. XI.

Ormond approved and adviſed the king's agreement with the Scots.

LORD Clarendon, Dr. Borlaſe,[1] Mr. Carte, and generally all our hiſtorians affirm, "that when the Marquis of Ormond firſt heard of the king's declaration at Dumferling, he did really believe it a forgery,[a] contrived either by the Engliſh rebels, or the Iriſh congregation, to ſeduce the people from their loyalty and affection to his majeſty." However that might be, his lordſhip certainly knew long before that declaration was publiſhed (what was equally deſtructive to the Iriſh peace), that the king had agreed to take the covenant, and thereby engaged his ſolemn promiſe to endeavour the utter extirpation of theſe people's religion or perſons. For ſo[2] early as March 5th, 1648, we find, by a letter from himſelf, that "he underſtood the kingdom of Scotland had invited his majeſty thither to be crowned; but that he was to ſecure religion, according to the covenant, before he was to be admited to govern." After which he ſays, "if his majeſty reſolves to conſent to that condition, in the moſt rigid conſtruction of it to himſelf and his ſubjects, I doubt not but his immediate going thither is moſt counſellable."[b] But he, at the ſame time,[3] "queſtioned

[1] See Borl. Iriſh Rebel. f. 328.
[2] Orm. Let. to Sec. Nicholas. Cart. Orig. Pap. v. ii. p. 361.
[3] Ib.

[a] Dr. Leland more cautiouſly, and indeed, more truly ſays, "that Ormond affected to believe it a forgery; but that he ſoon received a private letter from the king, acknowledging that he had really ſubſcribed the declaration, apologizing for this ſhameful tranſaction, as the effect of fear or force." Hiſt. of Irel. vol. iii. p. 376.

[b] Nay, in one of his letters on this occaſion, he actually vindicates the king's conduct in this particular: "I am much deceived,"

tioned not, but it would be conſidered, how inconſiſtent the covenant was with the peace concluded with the Iriſh, by virtue of the power given him; and that there would be care taken, to give that people no apprehenſion, that they would be broken with, which might drive them to take deſperate ways for their ſafety." In November 1649, he declared,[4] "that he was at no time againſt the treaty with Scotland; and that much leſs was he then." In July 1650,[5] "he believed it then appeared, that the treaty was ended, he hoped, in an agreement with the Scots, ſo that," adds his lordſhip, "in place of arguments to diſpoſe his majeſty to an accord ſo neceſſary, as without, or beſide it, I ſee no near hope of his reſtitution, I ſhall apply myſelf to the uſe to be made of ſuch an accord in this kingdom" (Ireland). And then he propoſes,[6] "that himſelf may be fortified with ſome gracious declaration from his majeſty, ſubſequent to the agreement of Scotland, in favour of all thoſe (Iriſh) that had been, and ſtill continued, loyal and affectionate to his ſervice; and he conceived, that, without ſuch a declaration and purpoſe as to thoſe, his majeſty could not acquit

[4] Orm. Let. to Sec. Nicholas. Cart. Orig. Pap. vol. ii. p. 415.
[5] Id. ib. p. 436.
[6] Append. to Walſh's Remonſtrance.

deceived," ſays he, "if it hath not paſſed for the moſt orthodox doctrine, with thoſe I take to be the moſt orthodox men, that in lawful commands (and ſuch certainly is the defence or recovery of their juſt rights), we are to yield active obedience to papiſt, nay pagan princes, if we be their ſubjects; and why not as well to a preſbyterian king, I know not." Carte's Orig. Pap. vol. i. f. 430.

That active obedience ought to be paid to the lawful commands of popiſh, preſbyterian, or even pagan princes, is not denied or controverted. The only queſtion here is, whether either popiſh or proteſtant ſubjects are bound to pay ſuch obedience to the unlawful commands of any prince, who had broken the public faith, ſolemnly plighted to them; and who had publicly vowed, in the manner before mentioned, the utter extirpation of their religion and perſons?

acquit himſelf with honour towards that people; whereof," adds he, "many have periſhed, and more are likely to do ſo for their loyalty to the crown."

CHAP. XII.

The real cauſe of the clergy's proceedings at James-town.

AT the ſame time that the king's declaration[a] at Dumferling was notified in form to the Iriſh congregation, the Marquis of Ormond propoſed to make good the peace, upon certain conditions; one of which was the revoking their excommunication. But that they refuſed to conſent to, becauſe, as they alleged among other reaſons,[b] "they underſtood from his lordſhip's letter to them on that occaſion, that he had ſuggeſted matter unto his majeſty for making that declaration, by which, for ought appearing unto them, the king had withdrawn his commiſſion from him,[c] and had caſt away the nation, as rebels, from his protec-

[a] The king's printed declaration was received by the Marquis of Ormond, on the 13th of October, 1650, and ſent to the commiſſioners of truſt on the 24th of the ſame month. Walſh's Hiſt. of the Remonſt. App. f. 123.

[b] In their declaration, annexed to their excommunication, they allege, which is true, "that he had repreſented to his majeſty, that ſome parts of the kingdom were diſobedient, which abſolutely deny any diſobedience to have been then committed; and that thereby he had procured from his majeſty, a letter to withdraw his own perſon and the royal authority, if ſuch diſobedience was multiplied; and ſo leave the people without the benefit of the peace." Borl. Iriſh Rebel. f. 322. from Clarend.

The biſhops at James-town alleged, as a reaſon for not revoking their excommunication, "that they had peruſed the declaration which had been publiſhed in Scotland, diſavowing the peace." Id. ib. f. 331. "Theſe biſhops urged the declaration in Scotland, as a ground and excuſe for all their proceedings." Id. ib. f. 332.

[c] In the declaration at Dumferling, the king "acknowledged his ſorrow for making peace with the papiſts, and recalled all

tion. Nor could they underſtand (they ſaid) the myſtery of preſerving his majeſty's authority with them, or over them, in ſuch a caſe; or how it could be done." They added, "that they believed, the king's authority being thus taken from them, the beſt remedy for hindering the people to cloſe with the parliament, was to return to their former confederacy, as it was intended by the nation, in caſe of the breach of the peace, on the part of his majeſty."

That the king's agreement with the Scots, and the ſhameful conditions of it, were early known to the Iriſh in general, is manifeſt, not only from what has been already mentioned, but alſo from the following inſtance of the inſincerity of his majeſty's more recent promiſes to them. When his majeſty firſt took the reſolution of entering into a perſonal treaty with the Scotch commiſſioners at Breda, he wrote to the marquis of Ormond, January 23d, 1649,[1] "to aſſure him, that though he would endeavour to oblige that nation (the Scots), by all juſt and honourable condeſcenſions, to engage themſelves to enter England in the ſpring, with a conſiderable army, for his ſervice; yet he would not, either in the ſaid treaty, or upon any other occaſion whatſoever, conſent to any thing that ſhould be contrary to the agreement made with the Roman catholics of Ireland; but would fulfil and perform all grants and conceſſions, which he had either made or promiſed them, according to the full extent of that grace, he had always intended that nation; which, as he had new inſtances of their loyalty and affection to him, he ſhould ſtudy rather to enlarge, than to diminiſh, or infringe, in the leaſt degree." He, at the ſame time, deſired the Marquis "to give theſe

[1] Cart. Orm. vol. ii. fol. 129.

all the commiſſions granted by him in Ireland." Cart. Orm. vol. ii. f. 131.

Hence the Earl of Clanrickard, in a letter to Lord Muſkerry, confeſſes, "that the king, by that act (declaration) diſavowed the peace with the Iriſh, and took away his protection from them." Clanrick. Mem. Dub. ed. p. 108.

theſe aſſurances to all the Iriſh Roman catholics." But this letter, it ſeems, did not reach his lordſhip till midſummer following; and "that delay," ſays Carte,[2] "brought an irreparable miſchief upon the king's ſervice; the marquis's continued ignorance of the king's condition and pleaſure, diſabling him to refute the malicious reports raiſed, and the aſperſions thrown on the king, for breach of faith, and for having abandoned and given up the Iriſh; ſo that as his excellency complains in his diſpatches[d] by Lord Taaffe, "the venom of the forgery had wrought very near a deadly effect, before the remedy came." Thus we ſee, that before midſummer, 1650, the king's agreement with the Scots, and its ruinous conſequences, were not only generally known in Ireland, but alſo had wrought an almoſt deadly effect upon the affections of that people towards him. And that their belief of it was founded, not on forgery or malicious reports, but on real matter of fact.

And ſo groundleſs is the pretence, that the Marquis of Ormond was ſurprized and puzzled at theſe proceedings of the biſhops at James-town, as at an event, of which he was at a loſs to divine the cauſe, that it is manifeſt, from a letter of his to Secretary Long, that he was fully appriſed of them, and the motives that produced them, at leaſt fourteen days before they were made public. For having mentioned, in that letter, an anſwer he had ſent to a requeſt of theirs, which he judged would be ill taken, he adds,[3] "which

[2] Id. ib. [3] Cart. Collect. Orig. Pap. vol. ii. p. 443.

[d] What Ormond himſelf ſays on this occaſion, is, "Inaſmuch as for the want of encouragement of frequent diſpatches, accompanied but with chearful promiſes, this people took themſelves to be abſolutely abandoned; nor was I able to refute malicious reports raiſed to that effect." This letter of Ormond's is dated June 27th, 1650; and the king had conſented to make void the peace with the Iriſh, and had ſigned both the covenants, national and ſolemn, before they ſuffered him to land in Scotland, which was on the 23d of that month. See Sir Edward Walker's Hiſt. Diſcourſ. Carte's Collect. of Orm. Papers.

anſwer, whether it will produce a direct declaration againſt me, and an excommunication of all thoſe that ſhall adhere to me, or not, is more than I am certain of, though I be told it will." This letter is dated the 2d of September; and the clergy's declaration and excommunication, were not publiſhed till the 15th of that month.

CHAP. XIII.

The clergy's proceedings at James-town, diſapproved of by the generality of the Iriſh catholics.

THESE violent proceedings of the Iriſh clergy, though, it muſt be confeſſed, not unprovoked,[a] were far from being approved of by the generality of the catholics of Ireland. "All the ſober profeſſors of the catholic religion," ſays Clarendon,[1] "abhorred them; and moſt of the commiſſioners of truſt, and the principal nobility, and moſt conſiderable gentry remained firm in their particular affection and duty to the king; and in their ſubmiſſion to the authority of his lieutenant, notwithſtanding the excommunication. And not only the whole nobility and gentry of fortune and intereſt, ſome very few of the latter excepted, but alſo many pious and learned men of the ſecular and regular clergy, and even ſome of the biſhops, did abhor and abominate the proceedings of that congregation, and the doctrine they infuſed into the people; the ſame being diſowned by ſome of thoſe biſhops, as being obtruded upon them by the major vote; or done by their procurators, without their aſſent or knowledge. And even others of them, who were preſent at the congregation, and ſubſcribed the excommunication,

[1] Hiſt. of the Iriſh Rebel.

[a] See lords juſtices orders concerning Roman catholic prieſts, vol. i. p. 248.

tion, diſclaimed their having conſented to it, though they were obliged to ſign it for conformity."

It hath been mentioned above, that this congregation had annexed to their cenſure a reſtriction, by which the next general aſſembly was empowered to diſpoſe of it in what manner they thought proper. That aſſembly met, by the Marquis of Ormond's appointment at Loughrea, on the 15th of November, 1650; "it was very full, and (beſides the clergy),[2] conſiſted of the principal nobility and gentry of fortune and intereſt in the kingdom." "The biſhops there preſent, for the removing of thoſe jealouſies, which were occaſioned by their proceedings at James-town,[3] declared and proteſted, of their own accord, that by their excommunication and declaration, they had no other aim but the preſervation of their religion and people; and that they did not purpoſe to make any encroachment upon his majeſty's authority, or the liberty of their fellow ſubjects; confeſſing that it did not belong to their juriſdiction ſo to do."

When this aſſembly underſtood the Marquis of Ormond's reſolution to leave the kingdom, they ſent four of their members,[4] viz. the Lords Dillon and Clanrickard, and two others, to his lordſhip at Kilcolgan, with an inſtrument bearing date the 7th of December; in which, after reciting what the biſhops had proteſted in the aſſembly, concerning their excommunication and declaration, they added,[5] "that they, the lords ſpiritual and temporal, and the gentry met in that aſſembly, conceived, that there was no better foundation or ground for their union, than the holding to and obeying his majeſty's authority, to which they owed and ought to pay all dutiful obedience. And they did thereby declare and proteſt, that there was not any power in the lords ſpiritual or temporal, gentry or people, clergy or laity of the kingdom, to alter or take away his majeſty's authority; they holding that to be

[2] Cart. Orm. vol. ii. Clarend.
[3] Id. ib. fol. 139. Clarend. Carte.
[4] Borl. Hiſt. Iriſh Rebel. fol. 339.
[5] Id. ib.

be the chief flower of the crown, and the ſupport of the people's liberty; and they unanimouſly beſeeched his excellency, in his hearty deſire of the nation's preſervation, to leave that authority with them in ſome perſon, faithful to his majeſty, and acceptable to the nation; to which perſon, when he ſhould be made known to them, they would not only afford all due obedience, but would alſo offer, and propoſe the beſt ways and means they could deviſe for the conſervation of his majeſty's rights, and the people's liberties and intereſts; and for the begetting a ready obedience in all places and perſons, to his majeſty's authority."

In anſwer to this requeſt, his excellency told them,[6] "that he was reſolved to make uſe ſpeedily of the liberty the king had given him as to his own perſon; which he found was unacceptable to the people. Yet that, if they could propoſe to him any way how he could depoſit the king's authority, in ſuch a manner as that it might not be expoſed to the ſame affronts it had received in him, and might be applied to the preſerving of the people, and the recovery of the kingdom, he ſhould readily agree to it; and he heartily wiſhed they might receive that happineſs by his abſence, which they could not receive by his preſence."

His excellency was[7] reſolved to truſt the royal authority in no body but the Earl of Clanrickard, the only perſon in the kingdom fit for ſo high a truſt; and on the 7th of December aforeſaid, after he had embarked, he wrote to the aſſembly, "that he had left authority with his lordſhip, to govern the kingdom, provided their declaration were ſo far explained, as to give the marquis of Clanrickard full ſatisfaction, with regard to the expreſſions they made uſe of to declare their duty of obedience."

An inſtrument was hereupon drawn up, wherein[8] the aſſembly declared, that neither the lords ſpiritual or temporal, gentry or people, clergy or laity, had power to diſcharge the people from that due and perfect obedience

[6] Clarend. Carte. [7] Cart. Orm. vol. ii. fol. 137.
[8] Id. ib.

obedience to his majeſty's authority veſted in the Marquis of Clanrickard; and that, in caſe of any ſuch act or endeavour, no perſons ſhould, or ought to be led thereby; but that, for their diſobedience, on any ſuch grounds, they were ſubject to the heavy cenſures and penalties of the laws of the land. But to this a proviſo was added, that this obedience was not intended to be paid to any perſon, that ſhould be appointed chief govenor, who had joined in the covenant, or ſhould violate the articles of the peace.[b] Upon this declaration, Lord Clanrickard was prevailed upon to accept the government; [c] and Ormond departed for France.

CHAP. XIV.

The preſbytery of Bangor's proceedings on the peace.

NONE cenſured the congregation at James-town more ſeverely than the preſbyterians in Ulſter; yet none had ſo little right to cenſure it. For that congregation only followed the example that was ſet them the year

[a] Id. ib.

[b] That proviſo was expreſſed in theſe words. "And inaſmuch as his majeſty is at preſent in the hands of a preſbyterian party of the Scots, who have declared themſelves enemies to this nation, and vowed the extirpation of our religion, we declare, it is not hereby intended, to oblige ourſelves to receive, obey, or obſerve any governor, that ſhall come unduly nominated by, or procured from his majeſty, by reaſon of, or during his being in an unfree condition, that may raiſe a diſturbance in the preſent government, eſtabliſhed by his majeſty's authority, or cauſe the violation of the articles of peace." Borl. Hiſt. of the Iriſh Rebel. fol. 339.

[c] "The biſhop of Ferns, (ſays Borlaſe) hitherto averſe to the king's authority, more particularly importuned him (Clanrickard) in the name of the clergy, not to decline a charge, which could only preſerve the king's power in that kingdom, and the nation from deſtruction, promiſing ſo entire a ſubmiſſion and co-operation from the whole clergy, that his authority ſhould not be diſputed." Iriſh Rebel. fol. 338.

year before, by the preſbytery of Bangor; [a] with this difference, that the former, as we have ſeen, had ſome provocation given them, which the latter could not pretend.

For on the concluſion of the peace in 1648, the king having ſent a commiſſion to Hugh Viſcount Montgomery of Ards, to command all the forces within that province, his lordſhip thought it neceſſary to ſignify to his majeſty's ſubjects of Ulſter his inveſtiture with that commiſſion, and accordingly publiſhed a declaration, July 4th, 1649, for that purpoſe.

A preſbytery was thereupon convened at Bangor, July 7th, in which a declaration was drawn up, containing *ſeveral virulent reflections on his lordſhip.* He is therein charged, among other things,[1] "with lifting up his hand againſt them; with betraying the covenant; with owning King Charles the ſecond; with cloathing himſelf with a commiſſion from him; with receiving commands from the Marquis of Ormond, and joining with malignants, who blaſphemed the covenant. For this cauſe," ſaid they, "as embaſſadors of Chriſt, we beſeech the people, "in his ſtead," not to join hands to ſuch a courſe; not to join in executing ſuch a commiſſion,

[1] See Preſbyterian Loyalty, p. 256.

[a] The 10,000 Scots, that were ſent about the year 1642 into Ulſter by the Engliſh parliament, "were poſſeſſed of Carrickfergus as their head quarters, brought over their miniſters along with them, who being of the preſbyterian perſuaſion (ſays my author) did aſſociate for the exerciſe of diſcipline; and ſuch miniſters of the ſame perſuaſion as then reſided in the kingdom joined with them, and founded a preſbytery, which was that very preſbytery who framed the declaration at Bangor in 1649. The Lord Viſcount of Ards and the Lord Viſcount of Claneboy, ſhewed an early zeal for the intereſt of the preſbytery; for on the 19th of July, 1642, (which was but nine days after their firſt meeting) my Lord of Ards ſent Capt. Magill to the preſbytery then met at Carrickfergus, with a meſſage to them, promiſing that he would join with them in diſcipline, and my Lord Claneboy writ them a letter, delivered the very ſame day, and giving the ſame aſſurance for himſelf, as my Lord of Ards had done by his meſſage." Preſbyter. Loyalty, p. 253.

miſſion, by ſerving either as officers or ſoldiers, or they ſhall wring the dregs of the cup, which the malignants have been drinking theſe many years paſt. We do alſo, in the name of Jeſus Chriſt, warn the people of our charge from all compliance with their ungodly courſe, either by ſpeaking favourably of them, acknowledging the authority of the preſent command under the Marquis of Ormond and the Lord of Ards; by impoſing ceſs for the maintenance of their unlawful power; or by obeying their orders, or paying ceſs to their army, or ſupplying them with that which is the ſinews of war, money and victuals." [b]

I have ſaid that the preſbytery at Bangor could not pretend ſuch provocation for this outrage on the royal authority, as the congregation at James-town really had; for, by the king's having taken the covenant, the latter were threatened openly with the utter extirpation of their religion; but the preſbytery were promiſed, and aſſured of the preſervation, and extenſion of theirs. Lord Montgomery,[c] who was himſelf a zealous preſbyterian, ſolemnly engaged in his declaration,[a] "in the preſence of God, that he would uſe his uttermoſt endeavours, while he was entruſted with power, to countenance and aſſiſt the exerciſe of their religion, as it was then practiſed; and likewiſe, that he

[a] Ib. p. 409.

[b] In February 1649, "the general aſſembly of the church of Scotland had ſet them an example, by publiſhing a remonſtrance wherein, "they declared, and ſolemnly proteſted, among other things, againſt the Lord of Ards and others having entered into a peace and aſſociation with the Marquis of Ormond, that they might the more eaſily carry on the old deſigns of the popiſh, prelatical and malignant party." See Borl. Hiſt. of the Rebel. fol. 289.

[c] "In April following, 1650, this ſame Lord of Ards, Lord Moor, and Colonel Trevor, came from the Iriſh quarters to Oliver Cromwell at Clonmell, ſoon after he had taken that town, to render themſelves to him, being perſons of great note and eminence in the kingdom, and the firſt of quality of the proteſtant party, that came from the Iriſh army unto them." Borl. Hiſt. of the Iriſh Rebel. Append. fol. 22.

he would ſolicit his majeſty, and, (as he had good grounds to hope) with ſucceſs, for a confirmation under his hand." And, two days before that declaration iſſued,[1] Lord Inchiquin [4] wrote to the ſame preſbytery, "that he being a well-wiſher to the preſbyterian government, and honoured with a public truſt by his majeſty, knew that his majeſty was reſolved, for their ſatisfaction, to eſtabliſh the preſbyterian government in them parts; and, he believed, in other parts alſo of the kingdom. And no man knows," adds his lordſhip, "whether the whole number of proteſtants may not agree to embrace it."

CHAP. XV.

The total defection of the proteſtant forces.

SHORTLY after the preſbytery's declaration was publiſhed, there was ſuch a general defection in the northern army, that the Marquis of Ormond told the king, in December 1649,[1] "that his majeſty might account that province, if not wholly loſt, yet in a low and deſperate condition; and that he expected to be ſtrongly invaded from thence next ſummer." In that letter it was, that he deſired his majeſty's permiſſion to withdraw himſelf out of the kingdom,[2] "becauſe it was unable of itſelf, and without powerful aids from abroad, to reſiſt the growing power of the rebels." Yet, when his lordſhip did withdraw himſelf, ſome months after, he greatly encreaſed theſe rebels power, by permitting, or rather tranſmitting, the forces then under his immediate command to join and aſſiſt them. For, when he was

[3] Preſbyterian Loyalty, p. 409.
[1] Carte's Orm. vol. ii. p. 422. [2] Id. ib.

[4] Borlaſe ſays, "that amongſt the preſbyterians he went for a patron." Iriſh Rebel. fol. 243. He ſays alſo, "that the Lord of Ards (a little before this) had been choſen by the preſbyterian miniſters, their commander in chief, thereby poſſeſſing himſelf of Carrickfergus and Belfaſt." Ib. fol. 273.

was preparing to leave the kingdom, and had deſigned Lord Clanrickard for his deputy, " he permitted," ſays the Earl of Orrery,[3] " all thoſe worthy proteſtants, who, till then, had ſerved under him, to come off to the reſt of the proteſtants, though then headed by Ireton himſelf, eſteeming them ſafer with that real regicide, ſo accompanied, than with thoſe pretended antiregicides, ſo principled." How theſe (as he is pleaſed to call the confederates) pretended antiregicides were principled, with reſpect to his majeſty's ſervice, ſufficiently appears from what has been already related.[a] Nor, indeed, was Ormond himſelf unconſcious, that both their attachment to his majeſty, and oppoſition to theſe rebels, were real and permanent. For when upon a[4] former occaſion, he ſolicited leave from the Engliſh parliament, to tranſport five thouſand foot, and five hundred horſemen, together with himſelf, out of the kingdom into France, in order to obtain their conſent, he obſerved,[5] " that it would be a ſure means of ridding their partizans in Ireland of many unſure friends among the king's party, as well as many certain enemies among the Iriſh;" and thereby facilitate the reduction of the kingdom to their obedience. Thus were many of thoſe proteſtant forces, under his excellency, whom he calls the king's party, acknowledged by himſelf to be friends to the Engliſh rebels, though unſure, and the confederate Iriſh catholics to be their certain enemies.

By this great acceſſion of forces, permitted to theſe real regicides, the ruin of Ireland was quickly completed. Such permiſſion, however, was perfectly conſonant to his excellency's former agreement in 1647, when he delivered up all his power and authority to the ſame

[3] Anſwer to Walſh.
[4] In the year 1647.
[5] Cart. Orm. vol. i. fol. 603.

[a] " It may be (ſays P. Walſh) that the Earl of Orrery himſelf is a witneſs beyond all exception, that the Iriſh catholics were the laſt in the three kingdoms that laid down their arms, and gave over fighting for the royal cauſe." Reply to a Perſon of Quality, p. 50.

ſame party. And in fact, had any comment been wanting to explain the motives of that agreement, this permiſſion would be a very full, and clear one; for, as the ſame Lord Orrery obſerves, and ſeems to appeal to Ormond himſelf, then lord lieutenant of Ireland, for the truth of the whole paſſage,[6] "certainly, he eſteemed thoſe leſs ill, to whom he ſent his friends, than thoſe from whom he ſent them;" and conſequently, was more ſolicitous for the intereſts and ſucceſs of the former, than for thoſe of the latter; which, ſurely, was beſides, an unpardonable impoſition on his truly noble friend, the Marquis of Clanrickard; with whom in appearance, he left the government of the kingdom, but in reality, by that permiſſion, deprived him of the means of defending and preſerving it.

CHAP. XVI.

Treaty with the Duke of Lorrain.

DISTRESSED as the confederate catholics now were, and deſerted by all the proteſtant forces of the kingdom, their fidelity and zeal for his majeſty's ſervice remained unaltered. While the general aſſembly was ſtill ſitting at Loughrea, very favourable offers of accommodation were ſent them by the regicides, which they not only rejected, but they alſo prevailed on the deputy[1] to iſſue a proclamation, declaring all thoſe of their communion, guilty of high treaſon, and puniſhable with death, who ſhould aid or aſſiſt them; and ſuch as were already with them, and did not quit their ſervice in fourteen days, were, by the ſame proclamation, made liable to the ſame puniſhment.[2] The biſhops likewiſe, preſent in that aſſembly, denounced excommunication againſt all catholics, who either ſerved under the regicides, or entered into any treaty of pacification with them.

Yet

[6] Orrery, ubi ſupra. [1] Cart. Orm. vol. ii. fol. 144. Borl. Iriſh Rebel. fol. 340. [2] Carte, ib.

Yet loyal as this perſeverance of the Iriſh clergy was, (not leſſened by the daily deſertions of the proteſtant royaliſts, or by the increaſing power and ſucceſs of the regicides,) it has not hindered party-malice to ſuggeſt, that they were, even at this juncture, inſtilling ſuch ſentiments into the minds of their people, as were utterly incompatible with their allegiance to the king, or due ſubmiſſion to his lieutenant.[3] "The Iriſh," we are told, "had ſtill as much of Ireland in their power, as could maintain a war againſt all the Engliſh rebels there; that his excellency the Marquis of Clanrickard, had argument enough to hope, if he could be confident of the union of the nation; that he might have reaſonably promiſed himſelf an union of the nation, if he could have been confident of the affection and integrity of the clergy; but that the greateſt part of the Iriſh eccleſiaſtics had no mind to have any relation to the Engliſh nation, and as little to return to their obedience to the crown; that it was by the advice and influence of theſe eccleſiaſtics, that the confederate catholics were firſt inclined to treat with the Engliſh rebels for conditions; and that afterwards, ſuch offers were made to the Duke of Lorrain by commiſſioners of their chuſing, as in effect transferred the whole right and ſovereignty of that kingdom to his highneſs."

But, beſides what has been already related of the temper, and diſpoſition of theſe eccleſiaſtics, and of the ſtate of the nation at that diſmal juncture, the whole of this charge is inconteſtably proved to be falſe, from that "ſtate of his majeſty's affairs, and the condition of his faithful ſubjects in Ireland, which the Marquis of Clanrickard himſelf tranſmitted to the Marquis of Ormond, on occaſion of the above-mentioned treaty with the Duke of Lorrain."

For therein his lordſhip ſets forth,[4] "that the power and ſucceſs of the rebels were ſuch, as that the whole nation

[3] Clarend. Borl. Iriſh Rebel. fol. 339.

[4] Clanrick. Mem. Dub. ed. p. 56.

nation was in their poſſeſſion,[4] or ſubject to their contribution, except the province of Connaught, and county of Clare, his majeſty's city of Limerick, and town of Galway; and that the ſaid province of Connaught, and county of Clare were, for the moſt part, waſte; that the inhabitants thereof were utterly impoveriſhed; that no conſiderable forces could be brought together to maintain a defenſive war againſt the rebels, much leſs an offenſive; that the city of Limerick, and town of Galway had of a long time, out of a feeling ſenſe they had of their own deſtruction, been inclined to treat for conditions with the rebels; that the ſame was the reſolution of moſt of the other people of Ireland, who could not humaneſy ſee how they could be otherwiſe preſerved; and that many of the officers of his majeſty's army did, from ſeveral parts of the kingdom, repreſent their ſenſe that it was abſolutely neceſſary for the people's preſervation to treat with the rebels for conditions, ſeeing there was no power to reſiſt them."

From hence it is manifeſt, that whatever inclination theſe deſerted Iriſh had to treat with the rebels, was not at all owing to the advice, or influence of their clergy; but naturally aroſe from that irremediable diſtreſs, to which they then found themſelves reduced, and from the diſmal proſpect of its daily increaſe, until it ſhould end in their total deſtruction.

"But no ſooner," proceeds Lord Clanrickard,[5] "had theſe Iriſh underſtood, that the Duke of Lorrain's ambaſſador had arrived in Ireland, with offers of powerful aſſiſtance for the preſervation of the catholic religion,

[5] Clanrick. Mem. Dub. ed. p. 56.

[4] Yet Clarendon himſelf, in the account of his own life, contradicts all this. For he there ſays, "that when the ſucceſs of the parliament had totally ſubdued the king's arms, and himſelf was ſo inhumanly murdered, neither the forces in Ireland under the king's authority, nor the Iriſh, who had too late ſubmitted to it, could make any long reſiſtance; ſo that Cromwell quickly diſperſed them by his own expedition thither." Vol. ii. p. 14. Cromwell invaded Ireland in Auguſt 1649, and remained there but about eight months.

religion, and of his majeſty's ſubjects intereſts, than they took much comfort and encouragement thereby, hoping that the rebels power might be oppoſed. And ſoon after, the towns of Limerick and Galway, and all other places, yet in his majeſty's obedience, ſeemed more chearfully than before, to aſſiſt his majeſty's authority in oppoſing the rebels; and to diſavow and diſclaim any treaty with them, though formerly inclined, if not reſolved."

Upon this change in the temper of the people, the deputy[5] "authoriſed ſome of the Roman catholic prelates, and commiſſioners of truſt, to treat with the ſaid embaſſador; who being accordingly cal'd together, with ſeveral officers of the army, after a long and ſerious debate, weighing the unavoidable danger the nation was in of falling into the hands of the rebels, did therefore adviſe, that it was abſolutely neceſſary to accept of his ſaid highneſs's protection. But the ſaid embaſſador's propoſitions being ſuch, as Lord Clanrickard could not conſent to, the treaty and concluſion for farther ſupplies, were put over to be determined by his highneſs, or ſuch as he ſhould depute, and by ſuch as ſhould be authoriſed by the deputy in his majeſty's behalf."

His lordſhip concludes with his own opinion upon the then ſituation of affairs, thus:[6] "It is very evident, how great the evils are that will happen, if immediately great aids are not haſtened to this nation; for the kingdom will, by the foreſlowing thereof, be entirely in the enemy's power and poſſeſſion, and the people univerſally enforced to ſubmit unto them."

CHAP.

[5] Ib. [6] Ib.

CHAP. XVII.

The treaty with the Duke of Lorrain conſidered.

IT muſt be confeſſed, that this imminent danger of the whole kingdom's falling under the power of the Engliſh rebels, did induce Sir Nicholas Plunkett and Geoffry Brown, Eſq; (commiſſioners on that occaſion appointed by Lord Clanrickard) to yield to the ſolicitations of ſome private agents of the Iriſh clergy, then at Bruſſels,[a] to agree to the terms propoſed by the Duke of Lorrain, rather than break off the treaty; for which the deputy ſeverely reprimanded, and threatened to proclaim them. But even that ſtep they did not take without previous encouragement from the Queen, the Duke of York, and the Marquis of Ormond himſelf.[b]

" For,

[a] The Duke of Lorrain had, in the year 1645, ſhewn ſo great a propenſity to aſſiſt his majeſty, as appears by the queen's letter to the king from Paris, of the 27th January, 1646, that he prepared to raiſe ten thouſand men for that purpoſe. But that deſign having been fatally diſappointed at that time (ſee Clanric. Mem. Dub. ed. p. 41.), the Iriſh clergy, mindful of his highneſs's former generous inclinations, privately employed Dr. Nicholas French, Biſhop of Ferns, and Father William Bourke, Provincial of the Dominicans, to ſolicit the duke for theſe aids, now much more wanted than at any time before. They at the ſame time ſent Colonel Oliver Synot to the Marquis of Ormond, to know his opinion of this negociation. What encouragement he gave them, in his letter to Lord Taaffe on that ſubject, to proceed in it, ſhall preſently be ſeen. To the above mentioned procurators for the clergy, were afterwards added, Hugh O'Reilly, Archbiſhop of Armagh; Thomas Fleming, Archbiſhop of Dublin; Edmund Dempſy, Biſhop of Leighlin; Norbert Barry, Biſhop of Cork; and Francis Kirwan, Epiſcop. Alladenſis. Cox's Hiſt. part 2d. App. p. 177.

[b] The fourth article of that treaty, ſo much cenſured, is, " The Duke of Lorrain is to do nothing in derogation of the king's authority or juriſdiction in Ireland, but rather to amplify it:

" For,[1] their commiſſion being accompanied with inſtructions for application to be made to the Queen, the Duke of York, and the Lord Lieutenant, upon their landing; in accompliſhment thereof, Lord Taaffe repaired to Paris, and preſented to her Majeſty, the Duke of York, and Lord Lieutenant, all the papers and inſtructions, which they had received concerning that treaty; among which were the propoſitions agreed to and adviſed by the general aſſembly, for obtaining the protection and future ſuccour of the kingdom; which were in effect the ſame with the articles afterwards concluded with the Duke of Lorrain. And the ſaid papers having been conſidered by her Majeſty, the Duke of York, and Lord Lieutenant, her majeſty directed her letters to Sir Nicholas Plunkett and Geoffry Brown, Eſq; willing them to give credit to Lord Taaffe, in what he ſhould relate unto them concerning that affair. By Lord Taaffe they underſtood, that her Majeſty, the Duke of York, and Lord Lieutenant wiſhed his highneſs would undergo the charge; and that he ſhould meet with no oppoſition from any of them: yet that, by any inſtrument under their hands, they could not conſent to it, leſt it might draw danger on the king's perſon, being then in the power of the Scots; and in purſuance of this letter of credence, Lord Taaffe adviſed, that they ſhould proceed to a concluſion of the treaty.

The Marquis of Ormond, after having been informed by Lord Taaffe of the particulars of this tranſaction, wrote back to his lordſhip,[2] " that, touching the buſineſs of Ireland, and the Duke of Lorrain, for ought appearing to him, there was nothing done, that were to be wiſhed undone; and for what remained to produce new and further ſupplies, it was left to the agreement that ſhould be made with his agent, by the

[1] Clanrick. Memoirs, p. 131. [2] Id. ib. p. 77.

it: and having reſtored the kingdom and religion, to their true priſtine eſtate, he is to reſign chearfully the kingdom to the king." Borl. Iriſh Rebel. fol. 351.

Marquis of Clanrickard, aſſiſted by ſuch as the late general aſſembly had appointed; who, as they were beſt judges of their own condition, ſo they had free liberty from his majeſty, in caſe of high neceſſity, to endeavour their own preſervation, even by receiving conditions from the rebels, which muſt be much more contrary to his intereſts, than to receive them from any other, almoſt upon any terms." He afterwards reminds his lordſhip,[3] "that he had already made his application, where the king commanded he ſhould,[c] and that ſo he was fairly quit of the matter."[d]

This

[3] Clanrick. Memoirs.

[c] The king himſelf, in a letter to Lord Clanrickard, condeſcended to apologize for theſe commiſſioners. For, after having told that lord, "that they excuſed their having conſented to this treaty with the Duke of Lorrain, only by the remedileſs neceſſities they then conceived Ireland to be in, and the abſolute deſpair they had to procure a preſent ſupply by any other means," he informs him, "that they kept both parts of the articles in their hands, till his pleaſure ſhould be known; and that they had not, in that tranſaction, any purpoſe of undutifulneſs or diſreſpect towards him, which," adds his majeſty, "we are willing to believe, and graciouſly accept their future ſervice; and we recommend them to your good opinion and favour, to the end, that upon their application to you, you may receive them into the ſame place of confidence and eſteem, you have formerly had of them, and uſe their advice and ſervice as heretofore." Clanrick. Mem. Dub. ed. p. 120.

And in a letter to the Duke of Lorrain himſelf, after the treaty was broken off, his majeſty ſays, "he believed thoſe offers which the commiſſioners made him in that treaty, proceeded rather from the ſmart, anguiſh and deſpair thoſe gentlemen felt; and from the languiſhing and gaſping condition of their miſerable country, than from their want of affection and duty to him, and his intereſts." Ib. p. 123.

[d] The king in a letter to Lord Taaffe, from Johnſtone, January 2d, 1650, uſes theſe words, relative to this treaty with the Duke of Lorrain. "The ways here for my affairs in Ireland being obſtructed, I have heretofore entreated the queen to take that care upon her; and if therefore ſhe ſhall direct you in any thing, you may ſafely follow her advice and direction, and have my conſent to it." Id. ib. p. 76.

Theſe

This is the true ſtate of that negociation for the Duke of Lorrain's aſſiſtance and protection. But we will ſuppoſe, for a moment, the common invidious repreſentation of it to be juſt, namely, "that the catholics of Ireland, when theirs and the king's forces were almoſt entirely reduced, invited the Duke of Lorrain over, engaging, upon his appearing among them with his forces, to deliver up the whole iſland into his hands, and declare him their ſovereign."[e] I ſay, even ſuppoſing this to have been the caſe, let the candid and impartial judge, from the diſmal ſituation of theſe catholics at that juncture of time, whether a better or more juſtifiable project could have been thought

Theſe commiſſioners, in their apology obſerve, "that to encourage them farther, and to take off all ſcruples (in concluding the treaty), as well concerning the power, as the willingneſs of thoſe who were next in truſt to his majeſty in the affairs of Ireland, Lord Taaffe ſhewed us two ſeveral letters; one from his majeſty, intimating, that he referred the affairs of Ireland to his mother, the queen; and the other from the lord lieutenant to Lord Taaffe, approving his treaty with his highneſs." Id. ib. p. 134.

[e] The Duke of Lorrain's propoſals were: That he ſhould be declared and acknowledged, protector of Ireland; and that ſome towns ſhould be put into his hands, and garriſoned by his own troops, as ſecurity for the re-payment of the money he ſhould expend in recovering the kingdom from the Engliſh rebels. To the latter of theſe propoſals Lord Clanrickard and the Marquis of Ormond, principally objected; although Ormond himſelf, in a letter to his majeſty, in the year 1649, told him, "that if money to ſupport the Iriſh war againſt the Engliſh rebels could not be got otherwiſe than by giving ſome of his majeſty's ſea-towns or ports in Ireland, as caution for the re-payment of what ſum his majeſty could borrow, he humbly conceived that condition was not to be ſtuck at." Carte's Collect. of Orm. Orig. Papers, vol. ii. p. 400.

And on the 11th of February, in the ſame year, Secretary Nicholas wrote to the Marquis of Ormond in theſe words: "Your excellency, I conceive, will do well to advertiſe his majeſty, whether there be any ſtrong towns or places in Ireland that may be fit and conveniently engaged as caution, to ſuch as will lend his majeſty money for the recovery of Ireland." Id. ib. vol. i. p. 344.

of. "They were then reduced to ſlavery [4] and beggary, by the Engliſh rebels; many thouſands of them murdered, and the reſt deprived of their eſtates. So that the queſtion will turn upon this, whether the catholics of Ireland, in this wretched ſituation, and in utter deſpair of ever ſeeing the monarchy reſtored, for the preſervation of which they had ſuffered ſo much, were to be blamed for calling in a foreign prince of their own religion, who had a conſiderable army to ſupport them, rather than ſubmit to ſo infamous an uſurper as Cromwell, or ſuch a bloody and ignominious conventicle, as the rump-parliament! Many proteſtants, both diſſenters and conformiſts, who have been converſant in the hiſtory of thoſe times, have freely confeſſed, that, conſidering the miſerable condition the Iriſh were then in, they could not have thought of a braver or more virtuous attempt; by which they might have been inſtruments of reſtoring the lawful monarch, at leaſt, to the recovery of England and Scotland, from thoſe betrayers, and ſellers, and murderers of his royal father."

And, indeed, his majeſty's affairs were then ſo abſolutely deſperate, in every part of his dominions, that, after this treaty with the Duke of Lorrain was entirely broken off, the Marquis of Ormond himſelf, abhorrent as he always ſeemed to be, from any connection with the Iriſh catholics, and eſpecially with their clergy, adviſed, that ſpeedy recourſe might be had to their ſupreme ſpiritual head, the Pope himſelf, as the only viſible means of retrieving them; which he ſeemed to think might be happily effected by his Holineſs's mediation and influence with the other catholic princes and ſtates. "To come ſhortly," ſays he in a letter to the Marquis of Clanrickard on that occaſion,[5] "to what I would be at, wherein you may be concerned, I conceive ſome one muſt be found, that hath power, if not with all, yet with moſt chriſtian princes and ſtates. Among the proteſtants there is none ſuch; and

[4] Swift's Works.
[5] Carte's Col. of Orm. Orig. Papers, vol. i. p. 461.

and among the Roman catholics, it is viſible, that the Pope has moſt of authority and perſuaſion; and it ſhall be, without ſcruple, my advice, and that ſpeedily, that fitting miniſters may be ſent, and apt inducements propoſed, to him for his interpoſition with all princes and ſtates."-----Here the ſentence is left abruptly broken off, with what view, if done deſignedly, may be eaſily conjectured from the foregoing fragment.

AN

AN

HISTORICAL AND CRITICAL REVIEW OF THE CIVIL WARS IN IRELAND.

BOOK IX.

CHAP. I.

The Marquis of Clanrickard leaves Ireland, now entirely ſubject to the Engliſh rebels.

THE affairs of the confederate catholics being now abſolutely irretrievable,[a] the Marquis of Clanrickard, in

[a] Borlaſe obſerving how eaſily and quickly (in a few months) the uſurpers got poſſeſſion of Ireland, adds, "ſuch a winter's campaign, by ſo inconſiderable a party, againſt ſo conſiderable a kingdom, was never read or heard of; conſidering eſpecially, that to the ſupport of the Iriſh intereſts from January, 1649, to January, 1650, there was raiſed 533,564l. 10s. 11d. beſides meal, beeves, wheat, winter-quarters, king's cuſtoms, exciſe, and enemies eſtates, if we may credit the relation of Mercurius Politicus." Reduct. of Irel. p. 256. Of ſo little avail are the greateſt ſupplies to the moſt numerous army, when diviſions among its members, and diſtruſt of its principal leader, prevail in it.

in 1652, left Ireland,[b] carrying with him the royal authority.[1] "And within a twelvemonth after, Mortogh O'Brien, the laſt of the Iriſh commanders, ſubmitted to the parliament, on the uſual terms of tranſportation;[c] by the favour of which," adds my author,[2] "twenty-ſeven thouſand men had been that year ſent away." "Cromwell," ſays a late hiſtorian,[3] "in order to get free of his enemies, did not ſcruple to tranſport forty thouſand Iriſh from their own country, to fill all the armies in Europe with complaints of his cruelty, and admiration of their own valour."

This, together with the multitudes deſtroyed by the ſword, during the war, and by famine and peſtilence[d] after it, cauſed a prodigious ſcarcity of people in the kingdom. But to ſupply that defect,[4] Fleetwood, deputy for the parliament, invited over ſeveral colonies from

[1] Borl. Iriſh Rebel. [2] Ib.
[3] Dalrymp. Mem. of Great Brit. vol. i. part 2. p. 267.
[4] Borl. ubi ſupra.

[b] "The Earl of Clanrickard, finding the Iriſh affairs in a deſperate condition, with what forces he had left, retired into the town of Carrick, where, being encompaſſed by our men on all ſides, he ſubmitted, and obtained liberty to tranſport himſelf with three thouſand men, to any foreign country in friendſhip with the commonwealth, within the ſpace of three months." Ludlow's Mem. vol. i. p. 418.

[c] Colonel Fitzpatrick was the firſt (in 1652) who ſubmitted (to the parliament's commiſſioners in Ireland), on condition to be tranſported with his regiment, into the ſervice of the king of Spain; which was a great blow to the Iriſh confederacy, who were very deſirous to treat in conjunction, hoping to obtain more favourable terms, in conſideration of their numbers, inſomuch that they publiſhed declarations againſt him, and the Iriſh clergy excommunicated him, and all thoſe who joined him. Notwithſtanding which Colonel O'Dwyer, commander in chief of the Iriſh in the counties of Waterford and Tipperary, followed his example." Id. ib. p. 403.

"The Iriſh that ſubmitted were about three thouſand." Id. ib. p. 411.

[d] "In the ſummer of 1650, the plague ſo exceedingly raged in Dublin, as 'tis reported there died thereof 17000 perſons." Borl. Hiſt. of the Iriſh Rebel. f. 345.

from England; offering good conditions to ſuch families as would ſettle in Ireland; whereupon great numbers of all ſorts and ſexes, flocked to that kingdom."

"It cannot be imagined,[5] in how eaſy a method, and with what peaceable formality, that whole great kingdom was taken from the juſt owners and proprietors, and divided among thoſe who had no other right to it, but that they had power to keep it. In leſs than two years after Lord Clanrickard left Ireland, this new government ſeemed to be perfectly eſtabliſhed; inſomuch that there were many buildings erected for ornament, as well as uſe; orderly and regular plantations of trees and fences, and encloſures raiſed throughout the kingdom; purchaſes made by one from the other, at very valuable rates; and jointures ſettled upon marriages; and all the conveyances and ſettlements executed, as in a kingdom at peace within itſelf, and where no doubt could be made of the validity of titles."

On the 26th of September, 1653, the Engliſh parliament declared, that the rebels in Ireland were ſubdued, and the rebellion ended; and thereupon proceeded to the diſtribution of their lands, in purſuance of the act of ſubſcriptions 17° Caroli. "This being notified to the government of Ireland,[6] Lord Broghill, afterwards Earl of Orrery, propoſed at a council of war of all the chief commanders for the parliament, that the whole kingdom ſhould be ſurveyed, and the number of acres taken, with the quality of them; and then, that all the ſoldiers ſhould bring in their demands of arrears; and ſo give every man, by lot, as many acres as ſhould anſwer the value of his demand." "But a good and great part (ſays Lord Clarendon),[7] as I remember, of the province of Munſter (county of Tipperary), Cromwell had reſerved to himſelf, as a demeſne, as he called it, for the ſtate; and in which no adventurer or ſoldier ſhould demand his lot to be aſſigned;

[5] Life of Clarend. vol. ii. p. 117-8.

[6] Morrice's Life of Orrery. Life, vol. ii. p. 117.

aſſigned; and no doubt, intended both it and the ſtate for the making great his own family."

This propoſal was agreed to, and all Ireland being ſurveyed, the beſt land [8] was rated only at four ſhillings an acre, and ſome only at a penny. The ſoldiers drew lots in what part of the kingdom their portions ſhould be aſſigned them.[9] Great abuſe was committed in ſetting out the adventurers ſatisfaction for the money they had advanced, at the beginning of the war; for they had whole baronies ſet out to them in groſs; and then they employed ſurveyors of their own, to make their admeaſurements.[10] "No men had ſo great ſhares as they who had been inſtruments to murder the king. What lands they were pleaſed to call unprofitable (which were thrown in gratis), they returned as ſuch, let them be never ſo good and profitable." [11] The lands held by the ſoldiers as unprofitable, and as ſuch returned into the ſurveyor's office, amounted to 605,670 acres. In this manner was the whole kingdom divided between the ſoldiers, and the adventurers of money.[c]

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[8] Morrice's Life of Orrery. [9] Cart. Orm. vol. ii. fol. 301.
[10] Id. ib. [11] Id. ib.

[c] Lord Antrim's eſtate, conſiſting of 107,611 acres, was allotted to Sir John Clotworthy, afterwards Lord Maſſareene, and a few others, in conſideration of their adventures and pay, which did not in all exceed the ſum of 7000l. Cart. Orm. vol. ii. fol. 278.

CHAP. II.

The tranſplantation of the Iriſh into Connaught.

"CROMWELL[1] and his council, finding the utter extirpation of the nation, which they had intended, to be in itſelf very difficult, and to carry in it ſomewhat of horror, that made ſome impreſſion upon the ſtone-hardneſs of their own hearts, after ſo many thouſands deſtroyed by the ſword, fire, famine, and the plague; and after ſo many thouſands tranſported into foreign parts, found out the following expedient of tranſplantation, which they called an act of grace. There was a large tract of land, even to the half of the province of Connaught, that was ſeparated from the reſt, by a long and large river, and which, by the plague and many maſſacres, remained almoſt deſolate. Into this ſpace and circuit of land, they required all the Iriſh ("whom Cromwell had declared innocent of the rebellion," ſays Leland,[2]) to retire by a certain day,[3] under the penalty of death; and all who after that

[1] Clarend. Life, vol. ii. p. 116. [2] Hiſt. Ir. vol. iii. p. 409.

[3] By a proclamation of Cromwell and his council, printed at Dublin by William Bladon, in the year 1654, "they were commanded to tranſplant themſelves before the 1ſt day of March next enſuing, into the province of Connaught, and county of Clare, according to former declarations, and to addreſs themſelves to thoſe that are there empowered for that purpoſe, to take out their reſpective aſſignments for lands, and proceed to build and ſettle themſelves there, and make proviſion for their families; and this upon the higheſt penalties." See Walſh's Reply to a Perſon of Quality, p. 33.

The ſame contemporary writer mentions, "the rigorous execution of this proclamation, in the long impriſonment of ſome, the exile of others, and the death of Hethrington in the market-place of Dublin, for not obeying it, as the paper on his breaſt when he was executed, expreſſing the cauſe of his death, did manifeſt: and in the general rule ſo well known, which

that time, ſhould be found in any other part of the kingdom, man, woman, or child might be killed, by any body who ſaw or met them. The land within this circuit, the moſt barren in the kingdom, was, out of the grace and mercy of the conquerors, aſſigned to thoſe of the nation who were encloſed, in ſuch proportions as might with great induſtry preſerve their lives; and to thoſe perſons from whom they had taken great quantities of land in other provinces, they aſſigned greater proportions within this precinct. And that they might not be exalted with this merciful donative, it was a condition that accompanied this their accommodation, that they ſhould all give releaſes of their former rights and titles to the land that was taken from them, in conſideration of what was now aſſigned them; and ſo they ſhould for ever bar themſelves, and their heirs, from laying claim to their old inheritance.[a] What ſhould they do," continues my author, "they would not be permitted to go out of this precinct, to ſhift

which they had to force the obedience of all the Iriſh to that proclamation, turning them to Barbadoes, or putting them to death, expreſſed in plain Engliſh at Kilkenny by Colonel Axtel, in the caſe of Mrs. Martha Harpol." Id. ib. p. 148.

[b] "That all the tranſplanted Iriſh (ſays Walſh) to a man, at leaſt the generality of them, and hereof I am very certain, deny any kind of exchange or bargain made by them for ſuch lands, in lieu of their own proper eſtates, or any releaſe given, or diſclaim made, or promiſe engaged to quit from thenceforth, or at any time after, their own former titles to thoſe eſtates, whence they had been ſo forcibly removed: and likewiſe deny that they could, if they would, prejudice, or bind, thoſe of their children who had, by antient or late agreement, before the wars, thoſe very eſtates entailed upon them." Id. ib.

Yet even thoſe unhappy gentlemen, who were thus violently driven from their own fair eſtates, into thoſe barren waſtes of Connaught and Clare (though after a moſt rigorous inquiſition by the late uſurpers, they were all found innocent of the rebellion), were, after the king's return, debarred by his declaration for the ſettlement of Ireland, from being ever reſtored to their eſtates, on pretence "that they had ſued out decrees from the uſurpers (which, on the higheſt penalty, they were compelled to do), and were bound thereby, and were not to be relieved againſt their own act." See his majeſty's Declaration, November 1660. Cart. Orm. vol. ii. fol. 216.

ſhift for themſelves elſewhere; and without this aſſignation, they muſt ſtarve here, as many did daily die of famine."

"In this deplorable condition,[3] and under this conſternation, they found themſelves obliged to accept, or ſubmit to, the hardeſt conditions of their conquerors; and ſo ſigned ſuch conveyances and releaſes as were prepared for them, that they might enjoy thoſe lands which belonged to other men. And by this means, the plantation of Connaught, as they called it, was finiſhed, and all the Iriſh nation was encloſed within that circuit;[c] the reſt of Ireland being left to the Engliſh. Some few eſtates were left to the old lords and juſt proprietors, who being all proteſtants (for no Roman catholics were admitted) had either never offended them, or had ſerved them, or had made compoſition for their delinquencies, by the benefit of ſome articles."[d]

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[3] Clarend. Life, vol. ii. p. 117.

[c] Father Walſh, who was thoroughly acquainted with the affairs of theſe tranſplanted gentlemen, aſſerts, "that he knew ſome of thoſe who had not ten pounds lands per annum aſſigned them in Connaught, whoſe proper eſtates at home, in their own countries, whence they had been removed, were worth a thouſand a year." Reply to a Perſon of Quality, p. 147. "Others were tranſplanted that got nothing at all." Id. ib. p. 148.

[d] This tranſplantation, grievous and ſhocking as it appears in this authentic deſcription of it, has been repreſented by a late hiſtorian, rather as a piece of neceſſary and uſeful policy, at that time, than as an act of ſeverity and injuſtice to the Iriſh. "Connaught, (ſays that writer) was reſerved entirely for the Iriſh, under the qualifications determined by parliament. Here they were to confine themſelves, and to enjoy their ſeveral proportions of land; that ſo the new Engliſh planters might proceed without interruption, and without that danger of degenerating, which former ages had experienced from an intercourſe with the Iriſh; and the natives, divided by the Shannon from the other provinces, and ſurrounded by Engliſh garriſons, might be reſtrained from their old barbarous incurſions." Lel. Hiſt. of Ir. vol. iii. p. 396.

Theſe

CHAP. III.

High courts of juſtice in Ireland.

ABOUT this time, a new tribunal, under the title of an high court of juſtice,[a] was erected, by the uſurpers, in different parts of both kingdoms, for the trial of rebels and malignants, that is to ſay, of thoſe who were ſtill found faithful to the king. That which ſat at Dublin, in 1652, was beſides authoriſed,[1] "to hear and

[1] Borl. Iriſh Rebel.

"Theſe gentlemen (ſays an intelligent, contemporary, and impartial writer) were thus tranſplanted, without cattle to ſtock that land, without ſeed to ſow, or plough to manure it; without ſervants, without ſhelter, without houſe or cabbin to dwell in, or defend them from the wolves, or from robbers, or from heat or cold, or other injuries of the air. And the miſerable Iriſh ſo tranſplanted, muſt not even in thoſe ſmall tracts allotted for them, within the narrow precincts of ſome parks in three or four counties of Connaught, and Thomond, pitch in any place, or fix their dwelling houſes, or take any lands within two miles of the Shannon, four of the ſea, and four of Galway, the only city within their precinct: they muſt not enter this town, or any other corporate or garriſoned place, without particular orders, at their peril, even of being taken by the throat." Walſh's Reply to a Perſon of Quality, p. 145.

[a] In Ireland, the firſt high court of juſtice ſat at Kilkenny, where the confederates had uſually held their general aſſembly and ſupreme council; they were attended, and ſat in very great ſtate, with twenty-four halberdiers in good apparel for their guard, and all other officers ſuitable. The preſident of this court was one juſtice Donellan, an Iriſh native, picked out (ſays my author) for the greater terror of the delinquents; to whom, as aſſiſtants, were joined juſtice Cook, the infamous ſolicitor againſt the late king, and commiſſary-general Reynolds. Theſe judges would have moſt wickedly, and by all abominable artifices, of ſoothing and threatening, tempted their priſoners to accuſe the late king as a principal in the Iriſh inſurrection, "but found not, by all their ſcelerate practices, what they ſought for." Brief Chronicle of the Civil Wars, &c. p. 616.

and determine, all maſſacres and murders, done or committed ſince the firſt day of October 1641; that is to ſay, the actors, contrivers, promoters, abettors, aiders, and aſſiſters of any of the ſaid maſſacres or murders, or killing after quarter given." From the iniquitous and bloody ſentences frequently pronounced in theſe courts, they were commonly called Cromwell's ſlaughter-houſes;[2] "for no articles were pleadable in them: and againſt a charge of things ſaid to be done twelve years before, little or no defence could be made; and the cry that was made of blood, aggravated with expreſſions of ſo much horror, and the no leſs daunting aſpect of the court, quite confounded the amazed priſoners, ſo that they came like ſheep to the ſlaughter."

And indeed, what elſe could be expected at a time when all diſtinctions of right and wrong were confounded, and loſt in thoſe of power and impotence;[3] "when the nobleſt acts of loyalty (ſays the Marquis of Ormond himſelf) received the judgment due to the fouleſt treaſon, due to the unrighteous judges that pronounced it, without authority in the perſons, or juſtice in the ſentence; when the benches were crowded and oppreſſed, with the throng and wicked weight of thoſe that ought rather to have ſtood manacled at the bar; when ſuch was the bold contempt, not only of the eſſentials, but alſo of the very formalities of juſtice, that they gave no reaſon for taking away men's eſtates, but that they were Iriſh papiſts; when all men were liable to the entanglements of two-edged oaths, from the conflicts raiſed by them in men's breaſts, between conſcience and conveniency; between the proſtitution of their conſciences, and the ruin of their fortunes; than which an harder and more tyrannical choice could not be obtruded on chriſtians. For here the election was not, ſwear thus againſt your conſcience, or you ſhall have no part in the civil government, no office in the army,

[2] Hiſt. of Independency.
[3] Ormond's Speech to Parliament. Borl. Iriſh Rebel.

army,[b] or benefice in the church; but ſwear thus, or you ſhall have no houſe to put your head in, no bread to ſuſtain yourſelves, your wives, and your children."

In the ſame year (1652) the parliament commiſſioners at Dublin, publiſhed a proclamation, ſigned Charles Fleetwood, Edmund Ludlow, and John Jones; printed by William Bladen; wherein the act of the 27th of Elizabeth was made of force in Ireland, and ordered to be moſt ſtrictly put in execution. By this act, "every Romiſh prieſt, ſo found, was deemed guilty of rebellion, and ſentenced to be hanged until he was half dead; then to have his head taken off, and his body cut in quarters; his bowels to be drawn out and burnt; and his head fixed upon a pole in ſome public place." The puniſhment of thoſe who entertained a prieſt, was, by the ſame act, confiſcation of their goods and chattels, and the ignominious death of the gallows. This edict was renewed the ſame year, with the additional cruelty of making even the private exerciſe of the Roman catholic religion, a capital crime. And again repeated in 1657, with the ſame penalty, of confiſcation and death to all thoſe who knowing where a prieſt was hid, did not make diſcovery to the government. Of the ſtrict execution of theſe barbarous edicts, many ſhocking examples were daily ſeen among theſe unhappy people, inſomuch, that to uſe the words of a contemporary writer and eye witneſs, "neither the Iſraelites were more cruelly perſecuted by Pharaoh, nor the innocent infants by Herod, nor the Chriſtians by Nero, or any of the other pagan tyrants, than were the Roman catholics of Ireland, at that fatal juncture, by theſe ſavage commiſſioners." [a]

The ſame price (five pounds ſterling) was ſet by theſe commiſſioners on the head of a Romiſh prieſt, and on that of a wolf; the number of which latter was

[a] Morriſſon. Thren. p. 14.

[b] Is not this the caſe, at this day, of the Iriſh catholics, with reſpect to the operations of the preſent popery-laws?

was then very conſiderable in Ireland; and although the profeſſion or character of a Romiſh prieſt could not, one would think, be ſo clearly aſcertained, as the ſpecies of a wolf, by the meer inſpection of their heads thus ſevered from their bodies, yet he bare aſſeveration of the beheaders was, in both caſes, equally credited and rewarded by theſe commiſſioners. So inveterate was their malice and hatred to that order of men!

Many inſtances might be produced of the barbarous iniquity of the courts of juſtice;[c] but I ſhall mention only one, which was exhibited at the trial of Sir Phelim O'Nial, in February 1652, when an infamous attempt was made by his judges to blacken the memory of their deceaſed king, with the ſame mock-appearance of juſtice, though not with the ſame ſucceſs with which their maſters in England had lately murdered his royal perſon.

Sir Phelim O'Nial, one of the principal leaders in the inſurrection of 1641, conſcious that nothing would more effectually induce the Iriſh to join in his deſigns, than their belief that they were approved of and authoriſed by the king, counterfeited his majeſty's commiſſion for that purpoſe; and having ſurpriſed the caſtle of Charlemount, he there found an old patent, the ſeal of which he ordered to be torn off, and affixed to that commiſſion. The Iriſh inſurgents believed the authority real, and, therefore, entered heartily into his meaſures. The Engliſh rebels, for a while, either believed, or pretended to believe, the ſame; and from thence had taken occaſion to heap infinite reproaches on the king, who thereby loſt the affections of many of his otherwiſe well-diſpoſed ſubjects.

[c] Such was the indiſcriminate and glaring injuſtice of theſe courts, that, although in different parts of Ireland, they contrived to condemn about two hundred perſons, as guilty of murder, on forged, corrupt, or no evidence; "yet in the northern province, which had been the great ſcene of barbarity, not one was brought to juſtice but Sir Phelim O'Nial." Lel. Hiſt. vol. iii. p. 394.

jects.[d] Thus the ſame credulity, real or affected, of theſe two contending parties, by increaſing their numbers, equally anſwered their different purpoſes. But the motives, by which it operated in each, were very different; that of the inſurgents being an honeſt, though miſguided, intention of ſerving his majeſty againſt a factious and diſloyal adminiſtration; and that of the others, an avowed deſign to carry on and foment the rebellion againſt him.

But the regicides, having now gotten into their hands the known author of the forgery, and imagining that he would not heſitate to accept of any conditions that might extricate him from his preſent dangerous ſituation, expected to be able to convince the world, by his own teſtimony, that he had levied and carried on that war, by a real commiſſion from his majeſty; hoping, by that means, to wipe away, or at leaſt extenuate, their own guilt, in the late king's murder; as if they had only by that act, rid the world of the author and abettor of a rebellion, which they every where repreſented as moſt odious and deteſtable. Full of theſe hopes, they privately offered him his pardon, and the reſtitution of his eſtate,[e] if he would make public confeſſion and proof, of the genuineneſs and authenticity of this commiſſion; but they being anſwered, "that it was impoſſible for him to do ſo," reſolved to try what the terror of their high court of juſtice would do; and therefore brought him to his trial,[f] where his judges publicly repeated the ſame

[f] Nalſon's Hiſtoric. Collect.

[d] "By this artifice (ſays a contemporary writer) they murdered the king in the hearts of his ſubjects, by ſtifling therein all ſentiments of reſpect and duty, long before they brought him to the block." Sale and Settlement, &c.

[e] "He had been frequently ſolicited thereunto by fair promiſes and great rewards, while he was in priſon." Carte's Orm. vol. ii. fol. 181. "Sir Richard Kennedy, made baron of the exchequer of Ireland by king Charles II. who attended Sir Phelim in priſon, as his counſel, uſed frequently to mention this as told him there by Sir Phelim, with great deteſtation of the offer." Id. ib. Note.

tempting offer, and enforced it with ſhameleſs importunity; but he perſiſting reſolutely in his denial of the fact, his ſentence was deferred till the next day; and then again, for the ſame reaſon, poſtponed to the third, in order, as his judges told him,[f] to give him time to reflect on their friendly propoſal. But Sir Phelim ſtill acquitting his majeſty of having any hand in that commiſſion, and even calling witneſſes to prove, that he had himſelf fixed the ſeal to it in the manner beforementioned, ſentence of death was pronounced againſt him. But even then they did not ceaſe to tempt him; for at the very place of execution, and after he had mounted the ladder, Ludlow ſent him an offer of his life, and eſtate, if he would then accuſe his majeſty of having given him that commiſſion. But he calmly anſwered, "I thank the lieutenant general for his intended mercy; but I declare, good people, before God and his angels, and all you that hear me, that I never had any commiſſion from the king,[g] for what I have done, in levying and proſecuting this war." More of his ſpeech, ſays Dean Ker,[6] who was preſent at both his trial and execution, "I could not hear, the guards beating off thoſe that ſtood near the place of execution."

Dr. Sheridan, the deprived biſhop of Kilmore, told Mr. Carte, May 20th, 1711, that he was preſent at the execution of Sir Phelim O'Nial in Ireland, for being the chief actor in the Iriſh maſſacre; and that Colonel Hewſon coming towards the ladder, Sir Phelim made his public acknowledgments to him in a grateful manner, for the civil treatment he had met with during the whole

[6] Nalſon's Hiſtoric. Collect.

[f] "His trial (ſays Mr. Carte) was drawn out into a length of ſeveral days, in hopes that the criminal might in that time be wrought upon to ſave his life, by blackening the memory of the late king." Orm. vol. ii. fol. 181.

[g] "Lord Macguire, alſo, who was privy to all the tranſactions of the inſurgents, denied it to the laſt (in 1644), with more ſenſe of conſcience, (ſaith his majeſty in his anſwer to the parliament's two laſt papers concerning Ireland,) than they who examined him expected." Borl. Iriſh Rebel. fol. 45.

whole courſe of his impriſonment; and only wiſhed that his life had been taken from him in a more honourable manner. To this Colonel Hewſon anſwered, that he might ſave his life if he pleaſed, only by declaring at that preſent to the people, that his firſt taking arms was by virtue of a commiſſion under the broad ſeal of King Charles the firſt: but Sir Phelim replied, that he would not ſave his life by ſo baſe a lye, by doing ſo great an injury to that prince. 'Tis true, he ſaid, that he might the better perſuade the people to come unto him, he took off an old ſeal from an old deed, and clapt it to a commiſſion that he had forged, and ſo perſuaded the people that what he did was by the king's authority, but he never really had any commiſſion from the king. This, adds Mr. Carte, the biſhop told me, he heard him ſay."[7]

Sir Phelim O'Nial is never mentioned in any hiſtory of this inſurrection, but as a monſter of cruelty, perfidy, and rebellion. I mean not to repreſent him as quite innocent in any of theſe reſpects; but I am inclined to think, that theſe charges have been greatly aggravated in his particular; (for, ſays Mr. Carte, "he had not the character of being an ill-natured man;"[8]) as we find, they have certainly been, with regard to his aſſociates in this war.[9] At his trial he fervently declared, "that divers outrages committed by his officers and ſoldiers, though contrary to his intention, preſſed his conſcience very much."[h] And indeed, his whole

[7] Macpherſon's Hiſt. Great Britain, vol. iii. p. 280.
[8] Cart. Orm. vol. i. p. 176. [9] Ib. Carte.

[h] "He declared, that his conſcience was already oppreſſed by the outrages of his followers, and that he could not add to the ſeverity of his preſent feelings by an unjuſt calumny of the king. Even at his execution, he was again tempted, and returned the anſwer above-mentioned aloud." Lel. Hiſt. of Irel. vol. iii. p. 395.

"He is generally accuſed of having given orders for the killing Lord Caulfield, on ſeizing his caſtle of Charlemount; but he was on the contrary, ſo highly provoked at that villainy, committed by ſome of his brutal followers, that in February, 1642, having

whole conduct on this melancholy occaſion, ſeems to aſcertain the ſincerity of that declaration. In this charitable light, I am apt to conſider that unfortunate gentleman, with reſpect to his paſt life; but when I compare his behaviour in this laſt ſcene of it, with that of his judges, I am at a loſs to determine, which ſhould be deemed greateſt, the heroiſm of the former, or the villainy of the latter."[1]

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having diſcovered ſix of the murderers, he ordered them to be firſt hanged, and afterwards beheaded." MSS. Iriſh Jour. written by his chaplain.

He appears to have been apprehended by Lord Charlemont's ſucceſſor, who applied to the houſe of commons, in 1662, for a reward for taking him, "conſideration being had of the great ſufferings of the Lord Caulfield and his family, and of the great ſervice by him performed in apprehending Sir Phelim O'Nial, and bringing him to juſtice, as alſo regard being had to a reward promiſed by the lords juſtices in the time of his late majeſty, to ſuch perſons as ſhould bring the head of the ſaid Sir Phelim." (1000l.) Bork. f. 84.

"Reſolved, it ſhould be reported to the houſe as their opinion, that the ſaid Lord Caulfield, who brought the ſaid Sir Phelim to juſtice, ſhall be conſidered for that his ſervice, out of the uſes intended to be ſatisfied out of the money intended to be raiſed by bill." Com. Jour. vol. ii. f. 22.

[1] Notwithſtanding the confeſſed truth of the above relation of the trial and execution of Sir Phelim O'Nial, a late learned hiſtorian cenſures Mr. Carte, as rather uncharitable for ſaying, "that they would have pardoned and rewarded him, if he had been profligate enough to have falſely accuſed the late king." And he even aſſerts on this occaſion, that Sir Phelim "was not tempted to accuſe the king: and that his pardon was not promiſed on any ſuch condition, but that he was to purchaſe it by producing a material and authentic proof of his guilt." Lel. Hiſt. of Irel. vol. ii. p. 395.

Now I cannot comprehend, what, or whoſe guilt is here to be underſtood. Sir Phelim O'Nial had already confeſſed himſelf guilty of the inſurrection, but ſtill denied that the king had given him a commiſſion for commencing it. It is not to be ſuppoſed that they would have pardoned and rewarded him, for producing material and authentic proof of that guilt, which he had already confeſſed; it therefore remains, that they wanted him to confeſs, and produce proof of the king's guilt in granting him the commiſſion in queſtion, which he could not do, becauſe

CHAP. IV.

Henry Cromwell's adminiſtration in Ireland.

HAD Henry Cromwell, ſecond ſon to Oliver Cromwell, been placed earlier in the government of Ireland; or when he was ſo placed, had he been ſuffered to follow the bent of his own humane diſpoſition, the Iriſh of that period would have had much fewer and leſs grievous cauſes of complaint than were then given them; for to his favourable[a] repreſentation and influence it was entirely owing, that the protector's council did not add new grievances, and oppreſſions, to thoſe they already ſuffered. His letters in Thurloe's collection ſhew his abilities and ſkill in governing.[1] As chancellor,

[1] Bate's Elenchus Motuum Nuperor. in Anglia, part ii. p. 57.

becauſe no ſuch commiſſion had been granted. And it is ſufficiently evident, from all the circumſtances of his trial and execution, that had he been profligate enough to yield to their importunity, by producing any proof, however immaterial and unauthentic, or even by ſimply avowing that calumny in any public manner, it would have gone very far towards contenting them. Dean Ker, who was preſent, teſtifies expreſsly, "that on the ſecond day of his trial, ſome of the judges told him, that if he could produce any material proof, that he had ſuch a commiſſion from Charles Stewart (for ſo they called his late majeſty,) to declare and prove it, before ſentence of death was paſſed againſt him, and that the ſaid Sir Phelim ſhould be reſtored to his eſtate and liberty." See Nalſ. Collect. Cart. Orm.

"Doctor William Sheridan, formerly biſhop of Kildare," ſays Mr. Carte, "and the late Mr. Locke, a very worthy man, and member of parliament, were preſent at the ſame time; and have, to many gentlemen now living, confirmed the truth of Dean Ker's relation." Life of Orm. vol. ii.

[a] "The aſſeſſments which the Iriſh paid were above a fourth as much as thoſe of all England and Wales; which, he told his father, in one of his letters, was ten times more than in due proportion they ought to be; and that they paid incomparably more other charges, owing to the devaſtations in the civil war, than any other of the three nations." Warn. Iriſh Rebel. p. 567.

lor of Trinity College, he took that ſeminary into his particular care and patronage, inſtituting a new all the literary exerciſes, together with the long neglected degrees in arts, and the ſeveral profeſſorſhips; and preſented the college with Primate Uſher's noble library, which he had purchaſed with his own money. He was eaſy of acceſs, and affable to all; often entertaining at his table, even ſequeſtered perſons, and remitting to them one half of thoſe large ſums with which they were taxed for their loyalty. Far from being maddened with the enthuſiaſm of the times, he reſtored religion to ſome ſort of decency; gave back ſome churches, which were occupied by the Anabaptiſts, to the former incumbents, and even had a newborn child of his own publicly baptized in the cathedral of Dublin, a ceremony not ſeen there of a long time before."

Had he been endowed with fortitude equal to his juſtice and benevolence, his government would have been ſignalized by an act, that would have made ſome atonement for his father's uſurpation, and parricide. He once [2] promiſed to declare for the king; the city of Dublin had undertaken to ſtand by him, and the Lord of Ards engaged to draw twenty thouſand men together in the North, in ſupport of that deſign; but, upon the receipt of letters from England, the very next day after he had made the promiſe, his ſpirits failed him. The king's friends in Dublin juſtly complained on that occaſion, [3] "that no commiſſions had been ſent them, nor any perſons appointed to command them in ſuch an attempt. If theſe precautions had been uſed, they could have eaſily, at that juncture, ſeized upon the caſtle."

Of his integrity and diſintereſtedneſs, he gave many ſignal proofs, during his adminiſtration; but none ſo ſignal, or indeed ſo unprecedented, as that which appeared at the concluſion of it. "For upon his [4] recall from Ireland, although he had held the government of

[2] Sir Ed. Hyde's Lett. to the Marquis of Orm. Cart. Coll. vol. ii. p. 242. [3] Id. ib. [4] Warn. Iriſh Rebel.

of that kingdom four years, he was not maſter of money enough, after all, to carry him back to England; and was, therefore, under the neceſſity to crave ſome from thence for that purpoſe."

What pity it was, that ſuch a man as this, ſhould be placed at the head of a nation, without any other power but merely that of executing deſigns planned for its deſtruction in another kingdom! To enforce ordinances, by which thoſe who dared to profeſs the religion of their conſciences,[5] or had not manifeſted their conſtant good affections to the uſurpation; and alſo the conſtant good affections of thoſe anceſtors from whom any eſtates deſcended to them, and had not already proved the ſame, and obtained judgment thereof, were adjudged rebels convict, attainted of high treaſon, and to have forfeited all their honours, eſtates and preferments. With what regret muſt ſuch a chief governor have beheld thoſe numerous rapines, and murders,[b] that were

[5] Hughes's Abridgment, p. 33.

[b] In thoſe days, the name of Iriſhman and rebel was thought to ſignify the ſame thing. For whenever the Cromwellians met any of the poor country people abroad, or diſcovered them lurking from their fury in dens and caverns, they killed them on the ſpot, if ſome unuſual or whimſical circumſtance did not happen to ſave them. Thus Ludlow tells us, "that being on his march, an advanced party found two of the rebels; one of whom, ſays he, was killed by the guard before I came up; the other was ſaved, and being brought before me, I aſked him, if he had a mind to be hanged? And he only anſwered, if you pleaſe. So inſenſibly ſtupid, adds he, were many of theſe poor creatures." Mem. vol. i. At another time he tells us, he found ſome poor people retired within a hollow rock; "which," he ſays, "was ſo thick that he thought it impoſſible to dig it down upon them, and therefore reſolved to reduce them by ſmoak. After ſome of his men had ſpent moſt part of the day in endeavouring to ſmother thoſe within by fire placed at the mouth of the cave, they withdrew the fire; and the next morning ſuppoſing the Iriſh to be made incapable of reſiſtance by the ſmoak, ſome of them crawled into the rock; but one of the Iriſh, with a piſtol, ſhot the firſt of his men, by which he found the ſmoak had not taken the deſigned effect; becauſe though a great ſmoak went into

were daily committed by his ſoldiers on that miſerable people, not only with impunity, but even by his own conſtrained order, or connivance. But injuſtice and cruelty had then the ſanction of law; and, in ſo diſmal a conjuncture, it is not, perhaps, leſs meritorious to employ power to prevent the increaſe of evil (as he often did his) than it is, in better and more equitable times, to exert its authority and influence for the promotion of actual good.[c]

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into the cavity of the rock, yet it came out again at other crevices; upon which he ordered thoſe places to be cloſely ſtopped, and another ſmoak to be made; and the fire was continued till about midnight; and then taken away, that the place might be cool enough for his men to enter the next morning; at which time they went in armed with back, breaſt, and head-piece, found the man, who had fired the piſtol dead; and put about fifteen to the ſword; but brought four or five out alive, with prieſts robes, a crucifix, chalice, and other furniture of that kind (but no arms.) Thoſe, within," ſays he, "preſerved themſelves by laying their heads cloſe to a water, that ran through the rock. We found two rooms in the place, one of which was large enough to turn a pike." Such were the enemies whoſe lives theſe gallant regicides were inceſſantly hunting after. A ſcore of deſpoiled people, lurking in caverns from the fury of their purſuers, and furniſhed but with one piſtol to guard the entrance of their hiding place! From the character of theſe barbarians, we may well believe (though Ludlow does not mention it) that thoſe four or five wretches, whom they brought alive out of the rock, ſoon after met with the fate of their companions.

[c] It is affirmed, that the Dutcheſs of Ormond, after the reſtoration, begged the king on her knees, that Henry Cromwell might enjoy the eſtate given to him in Ireland by his father during his protectorſhip; which was granted, becauſe Oliver had given her poſſeſſion of three thouſand pounds a year for her jointure, out of her own eſtate. Unkind Deſerter, p. 139.

CHAP. V.

Contrivances of Sir Charles Coote and Lord Broghill.

"THE king's intereſt had been ſo totally extinguiſhed in Ireland, for many years paſt, that there was no perſon of any conſideration there, who pretended to revive it. At the death of Cromwell, and at the depoſition of his ſon Richard, Henry Cromwell was inveſted with the full authority in Ireland; the two preſidents of Munſter and Connaught, were Lord Broghill and Sir Charles Coote, both equally depending on the lord lieutenant; and they the more depended upon him, and courted his protection, by their not loving one another, though ſtill agreeing in a long averſion to the king, by multiplications of guilt. Amidſt the many ſucceeding changes in the government, the two preſidents remained in their ſeveral provinces, with full power; either becauſe they had not deſerved to be ſuſpected, or becauſe they could not be eaſily removed." Some ſuſpicion, however, there was of Lord Broghill, which he took uncommon pains to remove; for, but a few months before the king was reſtored, he wrote to Secretary Thurloe,[2] "that he had heard, he and his friends were miſrepreſented in England, as perſons, that intended to ſet up for themſelves, and to make Ireland a back door to let Charles Stewart into England; and thereby, at one blow, to cut up by the roots the precious rights they had been ſo long contending for. But he profeſſed, that he knew nothing further from the thoughts of all his acquaintance and friends; for that intereſt, as well as duty, would keep them from ſo ruinous a wickedneſs."[3]

In

[1] Clarend. Life, vol. ii. p. 107. [2] War. Hiſt. Ir. Reb.

[3] Broghill's biographer, panegyriſt and chaplain, tells us, that at a council of the uſurpers in the time of Richard Cromwell,

In the confuſion that now aroſe, from different revolutions in the ſtate, Sir Charles Coote took an opportunity to ſend an expreſs to the king, with a tender of his obedience, and with great cautions, as to the time of appearing; only deſiring,[a] "to have ſuch commiſſions in his hands, as might be applied to his majeſty's ſervice in a proper conjuncture; which were ſent to him, and never made uſe of by him. He expreſſed great jealouſy of Broghill, and unwillingneſs that he ſhould know of his engagement. Coote found aſſiſtance to ſeize upon the caſtle of Dublin, and the perſons of thoſe that were in authority, who were impriſoned by him; and the government was ſettled in ſuch a manner, as was thought moſt agreeable to the preſbyterian humour; until, upon the king's reſtoration, General Monck was declared lord lieutenant of Ireland; ſoon after which, the king was proclaimed at Dublin, and in every other part of the kingdom."[b]

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[a] Clarend. ubi ſupra.

well, "he offered a teſt to purge the army, which was, that all ſhould be turned out of it who would not ſwear to defend the government as it was then eſtabliſhed under the protector and parliament." Morrice's Mem. prefixed to Orrery's State Letters, p. 56.

[b] But even after the king was proclaimed, "the pulpits, filled with Scots covenanters, rang with nothing but warm exhortations to ſtand by the covenant, even unto blood, virulent invectives againſt the biſhops and vehement harangues againſt epiſcopacy and liturgies. Theſe were the only ſubjects of their preachings for four months together." Cart. Orm. vol. ii. f. 208. "It was by the underhand encouragement of ſome great men (who did not care to declare themſelves openly) that the ſectaries grew ſo bold at this time, as to petition againſt biſhops, and ſo refractory as to inſult the laws, which obliged them to conformity." Id. ib. f. 210.

CHAP. VI.

Commiſſioners ſent from Ireland; their characters and deſigns.

AS ſoon as the king was proclaimed, Sir Charles Coote and his aſſociates ſent [1] commiſſioners to his majeſty, whom they called commiſſioners from the ſtate; and a preſent of money from the ſame, accompanied with all thoſe profeſſions of duty, which could be expected from the beſt of ſubjects.

Theſe commiſſioners were the Lord Broghill, Sir Audley Mervin, Sir John Clotworthy, and ſeveral other perſons of quality, much the greater number whereof [2] "had been always notorious for the diſſervice they had done the king. All theſe commiſſioners from the ſtate had inſtructions, to which they were to conform, in deſiring nothing from the king, but the ſettling of his own authority amongſt them, the ordering the army, the reviving the execution of the laws, and ſettling the courts of juſtice, and ſuch other particulars, as purely related to the public; and their public addreſſes were to this, and no other purpoſe. But then, [3] to their private friends, and ſuch as they deſired to make their friends, moſt of them had many pretences of merit, and many expedients by which the king might reward them, and out of which they might be able liberally to gratify their patrons. And by theſe means, all who ſerved the king were furniſhed with ſuits enough to make their fortunes, in which they preſently engaged themſelves, with very troubleſome importunity to the king himſelf, and all others, who, they thought, had credit, or power to advance their deſires."

Lord [4] Broghill appeared ſo very generous, and to be without the leaſt pretence to any advantage to himſelf, that he quickly got himſelf believed; and having free

[1] Clarendon's Life. [2] Id. ib. [3] Id. ib.
[4] Ib. vol. ii. p. 110.

free acceſs to the king, by mingling apologies for what he had done, with promiſes of what he would do, he made himſelf ſo acceptable to his majeſty, that he heard him willingly, becauſe he made all things eaſy to be done and compaſſed; and gave ſuch aſſurances to the bed-chamber men, to help them to good fortunes in Ireland, which they had reaſon to deſpair of in England, that he wanted not their teſtimony on all occaſions, nor their defence and vindication, when any thing was reflected upon to his diſadvantage or reproach."

The ground-work of the before-mentioned expedients, propoſed by theſe commiſſioners for the public ſervice of the kingdom, was [5] the calling a new parliament, conſiſting only of proteſtant peers, and commoners; a general pardon, and indemnity to all the proteſtants; and that nothing ſhould be done to the prejudice of the adventurers or ſoldiers; or towards qualifying the Iriſh for recovering poſſeſſion of their eſtates.

CHAP. VII.

The Iriſh catholics excluded out of the general act of oblivion.

IT was apprehended that the act of oblivion, and general pardon, which the Engliſh parliament had been drawing up to be preſented to the king at his landing, might be ſo extenſive as to comprehend the Roman catholics of Ireland.[1] To prevent this, other agents were ſent over by perſons concerned in the new purchaſes; all theſe attended the houſe of commons, ſuggeſting continually, that they never could be ſecure in any parliament, that could be called in Ireland, if it did not exclude out of that act of general indemnity, all perſons who had any hand in the rebellion; under which notion, they comprehended promiſcuouſly all thoſe

[5] Carte's Orm. vol. ii. [1] Id. ib. f. 205.

thoſe of the Roman catholic religion, who had been ſequeſtered or in arms.

Reports alſo were induſtriouſly ſpread by theſe agents that the Iriſh were ready to riſe into a new rebellion. But this was a thing [2] impoſſible to be conceived by any body that knew the miſerable condition of theſe people.[3] There were, indeed, ſome perſons, who had been deprived of their eſtates, ſo tranſported with the thoughts of regaining them upon the king's being proclaimed, that they endeavoured to take poſſeſſion of them immediately, without having recourſe to thoſe methods which the law preſcribes, in caſe of being unlawfully diſ-ſeized. Theſe were chiefly of thoſe Iriſh gentlemen, who had been found innocent,[4] when in Cromwell's time, inquiſition was made into the guilt of perſons concerned in the rebellion; and who were afterwards by him forced to quit their ancient eſtates, and accept of other lands in Connaught or Clare in lieu thereof. They had ſuffered grievouſly in the exchange, and having been tranſplanted by an uſurped power, eaſily imagined, they might warrantably re-enter upon their former poſſeſſions, and eject the intruders, as all in England did, whoſe eſtates had been taken from them [5] by the uſurpers. Hence aroſe ſeveral riots and diſturbances, which the convention at Dublin taking hold of, publiſhed on May the 20th, a declaration for preſerving the peace, and quieting poſſeſſions; and the ſevere laws and ordinances lately made by the uſurpers againſt the Iriſh, were hereupon put in execution. They were not allowed to go from one province to another, to tranſact their buſineſs; abundance of the eſtated men were impriſoned, all their letters to and from Dublin intercepted, and the gentry forbid to meet, and thereby deprived of the means of agreeing upon agents to take care of their intereſts, and of an opportunity to repreſent their grievances."

C H A P.

[2] Id. ib. f. 205. [3] Id. ib. [4] Id. ib. f. 206.
[5] Id. ib. vol. ii. f. 398.

CHAP. VIII.

A proclamation publiſhed againſt the Iriſh.

THE members of both houſes of the Engliſh parliament thus cloſely ſolicited by the convention agents, and too apt of themſelves to believe the worſt things that could be ſuggeſted concerning theſe people, joined in a repreſentation to his majeſty, as ſoon as he came to London,[1] "that many of the natives of Ireland, who had been deeply guilty of the late rebellion, had broke out of late into new acts of force and violence, ſome of them robbing, deſpoiling, and murdering ſeveral of the proteſtants there planted, and others by force entering upon, and diſquieting the poſſeſſions of the adventurers, and ſoldiers, to the great and manifeſt diſturbance of the Engliſh plantation; and they deſired that a proclamation might be iſſued to repreſs theſe attempts."

The king accordingly, on the 3d of June, 1660, iſſued a proclamation, wherein,[2] taking notice, by the information of the lords and commons, that many of the natives of Ireland had broken out into the abovementioned acts of violence, and bloodſhed, "did, by the advice of ſaid lords and commons, hold it his duty to God, and the whole proteſtant intereſt, to command, publiſh and declare, that all Iriſh rebels, other than ſuch as by articles had liberty to reſide in his dominions, and had not forfeited the benefit thereof, that ſhould reſort to England, or Ireland, ſhould be forthwith apprehended, and proceeded againſt as rebels and traitors; and that the adventurers, ſoldiers and others, who were on the 1ſt of January laſt paſt, in poſſeſſion of any of the manors, caſtles, houſes, or lands of any of the ſaid Iriſh rebels, ſhould not be diſturbed in their poſſeſſions, till either legally evicted by due courſe of law, or till his majeſty,

[1] Cart. Borlaſe. [2] Id. ib.

majeſty, by the advice of parliament, had taken further order therein."

This proclamation was not more injurious to many of the loyal Iriſh, whom it cauſed to be impriſoned, or driven out of both kingdoms, than it was fortunate to all thoſe, whom the late uſurpers had left maſters of their eſtates. For, by being thus preſerved in the enjoyment of the freeholds, they were enabled to chuſe repreſentatives to their mind, in the enſuing parliament, who, they knew, would confirm and perpetuate their unjuſt poſſeſſions.

CHAP. IX.

The Iriſh parliament.

LORD Chancellor Euſtace, Lord Broghill, now Earl of Orrery, and Sir Charles Coote,[a] now alſo Earl of Montrath,

[a] "Theſe two (new) earls," ſays Clarendon, "had been eminently againſt the king; but upon this turn, when all other powers were down, were eminently for him. But the king had not then power to chuſe any againſt whom ſome as material objections might not be made. With them there were too many others, upon whom honours were conferred; upon ſome, that they might do no harm, who were thereby enabled to do the more." Clar. Life, vol. ii. p. 219.

Yet ſome writers weakly contend, that Orrery was all along, even while he ſerved Cromwell, eminently, though ſecretly for him. Among the reſt his biographer, Morrice, draws a ridiculous inference of ſuch loyal intention in his lordſhip, from ſome of the worſt and moſt obnoxious circumſtances of his conduct, when moſt intimately connected with that uſurper. "When Lord Orrery," ſays he, "had given his word to be faithful to Cromwell, it would have been diſhonourable in him not to keep it. He ſerved the protector while he lived, honeſtly, diſintereſtedly, and zealouſly, and ſtill with a view of bringing back the king; of which the deſign of marrying his majeſty to Cromwell's daughter, was a ſtrong inſtance, and from the ſame motive did his lordſhip endeavour to perſuade Cromwell to accept the title of king." Mem. of E. Orrery, prefixed to his Lett. p. 98.

The

Montrath, were appointed lords juſtices of Ireland. They had procured inſtructions to be ſent them from England,[1] "to tender the oaths of allegiance and ſupremacy, to all his majeſty's ſubjects; to proceed according to law againſt thoſe that ſhould refuſe them; and to prepare ſuch bills, as by them and the privy council (which was then likewiſe appointed) ſhould be thought to be for the good of the people, in order to a parliament.

That parliament met on the 8th of May, 1661. The houſe of commons conſiſted of two hundred and ſixty members, of which number, all but ſixty-four were burgeſſes.[b] And [2] Cromwell having filled all the corporations

[1] Cart. Orm. vol. ii. f. 212. [2] Id. Ib.

The editor of Orrery's letters (the late Earl of Orrery) pretends, that his predeceſſor "propoſed this match between the king and the protector's daughter, with a remote hope that ſuch an alliance might at length bring about a reſtoration." But how remote, or rather impoſſible muſt ſuch hope have been, when the ſame Orrery endeavoured to perſuade the protector himſelf to accept the title of king? Or perhaps his lordſhip meant it to be remote in this ſenſe, that after King Oliver's deceaſe, King Charles was to ſucceed the throne, in virtue of this marriage.

[b] "That houſe of commons conſiſted chiefly of adventurers and ſoldiers." Cart. Orm. vol. ii. f. 263.

For this reaſon it ſeems to be, that from the year 1661 to 1666, the houſe of lords on all occaſions of privilege and conferences, treated theſe commons with great ſlight, and even contempt; frequently, after having appointed meetings with them on diſputes of their reſpective privileges, having kept the committees of the commons waiting an hour at their lordſhips door, and afterwards adjourning themſelves without meeting them. See Com. Journ. vol. ii. One paſſage of this kind deſerves ſome notice: a conference was demanded by the lords on the uſual wrangle about privilege; when the committee of the commons came to the place appointed, they found no forms for them to ſit on as uſual; on which they ſent to the black rod to appoint his ſervants to place forms in the chamber behind the lords chairs; who returned anſwer, that he could not cauſe that to be done: then they commanded the meſſengers belonging to the commons to ſet chairs for them inſtead of the ſaid forms.

Some

porations throughout the kingdom with a ſet of people of his own ſtamp, it is eaſy to account for the ſtrength and prevalency of that party in the houſe, which laboured to make good all the eſtates of the adventurers and ſoldiers, how guilty ſoever, and refuſed to hearken to any reaſonable propoſal, in favour of the old proprietors, however innocent."

But even this favourable compoſition of the houſe of commons did not content theſe ſtate harpies.[c] In order to have the dividing the ſpoil of the nation en-

 tirely

Some time after the lords came down to the free conference, and they being ſat, the committee of the commons took their ſeats behind their lordſhips, and as they were opening the free conference, their lordſhips whiſpered to each other, and immediately thereupon told them they could not admit of that poſture, and wondered they inſiſted on that point. After which they roſe, ſaying they would communicate what paſſed to the houſe of lords: being aſked by the commons if they ſhould ſtay for their lordſhips return, one of the lords (Earl of Drogheda) looking back towards them, ſaid, "they had a mind all to be lords." Whereupon one of the commons (Capt. Molyneux) anſwered, why may not another rebellion make ſome of us lords as former rebellions did make ſome of your lordſhips predeceſſors ſo." At length the black rod came and acquainted them from the lords, that they intended not to return to the ſaid free conference. Id. vol. ii. f. 518-19. The lords on this occaſion made a reſolution not to meet the commons in any conference, till the commons made reparation for the affront, in ſitting before them; and they kept their reſolution during that parliament. Id. ib. vol. ii.

[c] "Although his majeſty in his letter to theſe lords juſtices of the 11th of March preceding, ordered them to ſee Sir William Domville (an honeſt and loyal gentleman) ſettled ſpeaker of this houſe of commons." (Orrery's State Lett. p. 34.) Yet Sir William not being thought a favourer of their deſigns, they found means to fix Sir Audley Mervin, a Cromwellian and covenanter, in the chair." Ib. Orrery, in a letter to Ormond at this time, betrays their thoughts of this parliament's inſufficiency for their predatory purpoſe. "I writ my poor ſenſe to your grace, ſays he, how fit it might be, that after this parliament had done what it was requiſite for them to do, an unqueſtionable one might be called to confirm all; which I rejoice to find, was alſo my lord chancellor of Ireland's ſenſe, and is ſo well liked by his majeſty, your grace, and my lord chancellor of England." State Lett. p. 68.

tirely among themſelves, and for ever to preclude the catholics from having any ſhare, even in their debates about it, one of their firſt illegal reſolutions was,[3] "that no members ſhould be qualified to ſit in that houſe, but ſuch as had taken the oaths of allegiance and ſupremacy."[d] With the ſame view of baniſhing the catholic peers from the houſe of lords, Primate Bramhall, their ſpeaker, procured an order to be paſſed there,[4] "that all the members thereof ſhould receive the ſacrament of the Lord's ſupper from his grace's own hands."[e] To ſuch vile and predatory purpoſes, was one of the moſt awful inſtitutions of religion proſtituted at that juncture! But in no other parliament but one ſo conſtituted, and perverted, could acts, alienating the juſt properties of almoſt all the catholics in the kingdom, be expected to paſs.

CHAP.

[3] Orrery's State Letters, vol. i. p. 35.
[4] Borl. Reduct. of Irel. p. 34.

[d] "May 15th, 1661, Ordered, upon queſtion, that the undernamed perſons be, and are hereby appointed a committee to attend the right honourable the lords juſtices, and hereby to pray their lordſhips from this houſe, to iſſue out a warrant to the right honourable the lord chancellor to grant a commiſſion under his majeſty's great ſeal of this kingdom, unto ſuch perſons as their lordſhips ſhall think fit, whereby they, or any two or more of them, may be empowered to adminiſter the oath of ſupremacy, which is eſtabliſhed by act of parliament in this kingdom, 2° Elizabeth, and the oath of allegiance eſtabliſhed 3° Jacobi in England, unto all and every of the members of this houſe, that now are, or hereafter ſhall be, in ſuch manner, form, or order, at large, as in the acts they are ſeverally expreſſed." Com. Journ. vol. i. f. 602. The ſame was done in the houſe of commons. "June 17th, 1661, Ordered, that the undernamed perſons do repair unto his grace the lord primate of all Ireland, and, in the name of this houſe, do return thanks unto his grace, for his great pains taken yeſterday, in preaching and adminiſtering the holy ſacrament of the Lord's ſupper unto the members of this houſe." Id. ib. f. 640.

[e] "Which (adds Borlaſe) I the rather obſerve, it being, for what I ever heard, the firſt order of that nature. The compoſition of the lords houſe conſiſting moſt of papiſts." Ib.

CHAP. X.

Falſe reports of a conſpiracy among the Iriſh conſidered. The effects of theſe reports.

BUT the commons, not ſatisfied even with theſe advantages, in order to have ſome colourable pretext for the injuſtice intended, reſolved to render the party to be injured as odious as poſſible. For this purpoſe they left no means unattempted, however [a] wicked or abſurd, to countenance and diffuſe the calumny, lately raiſed by their emiſſaries, as if the Iriſh had actually entered into a real conſpiracy. They [1] had with great induſtry, called before them ſeveral witneſſes to prove that the papiſts were ſometimes ſeen attending divine ſervice in their own way, and that conſiderable numbers of people were gathered together on ſuch occaſions; [b] that a cutler's apprentice had new furbiſhed an old ſword for one of them; and that another was detected buying a horſe for his neceſſary occaſions. Such proofs of a conſpiracy, ſays Mr. Carte, might have appeared good and ſufficient to the two new earls, but did not ſatisfy Sir Maurice Euſtace, and a few others. Recourſe was, therefore, had to an old expedient for realizing imaginary plots, which had been formerly found ſucceſsful.[2] A letter ſuppoſed to have been written by one Iriſh prieſt to another, upon

 ſomewhat

[a] Cart. Orm. vol. ii. [1] Id. ib.

[a] "The enemies and competitors of the Iriſh," ſays Dr. Leland on this occaſion, "were indefatigable in endeavouring to load their whole party with the guilt of new conſpiracies; and even manifeſt forgeries were received as ſolid proofs." Hiſt. of Irel. vol. iii. p. 426.

[b] "All the foundation (ſays Mr. Carte) for this inſinuation was, that there had been of late, meetings of the poor Iriſh at maſſes, in order to partake of a jubilee, which the pope had ſent them; but the whole kingdom knew that they were in no condition to rebel." Orm. vol. ii. f. 231.

ſomewhat that was deemed treaſonable, becauſe dark and unintelligible, was ſomewhere found and laid before the parliament, by one Jephſon, a member;[c] who, with ſeveral other members, was himſelf, about two years after, convicted of a real conſpiracy againſt the government and executed for the ſame.[3] In conſequence of this pretended diſcovery, a proclamation was iſſued, and executed with great rigour,[4] "by which all artificers and ſhopkeepers, who had been left in their habitations by the uſurpers, at the time of the tranſplantation, were now baniſhed from Kilkenny, and other great towns. Horſes and arms, being no where elſe to be found, were ſought for in trunks and cabinets; and ſilver cups were defined to be chalices. The letter above-mentioned was tranſmitted into England with a repreſentation of the inſolence of the papiſts, for whoſe ſuppreſſion, in order to prevent the threatened danger, his majeſty's directions were deſired."

"But[5] Chancellor Euſtace ſuſpected the injuſtice, as well as deſign, of this charge againſt the Iriſh; and to diſcover what ground there was for it, he directed the judges in their circuits to cauſe the matter to be enquired into by the grand juries of the ſeveral counties,

[3] Com. Journ. vol. ii. f. 337. [4] Cart. Orm. vol. ii.
[5] Id. ib. f. 231.

[c] He repreſented the borough of Trim in the county of Meath. Com. Jour. vol. ii. f. 337. The following members, "Robert Shapcote, John Chambers, Thomas Boyd, Alexander Staples, Abel Warren, John Ruxton, and Thomas Scot, Eſqrs. were voted, *nem. contradic.*" for having been engaged in this plot, "to be expelled the houſe, and made incapable of ever ſitting in future parliaments; and that the ſaid expelled members be left to the courts of juſtice to be further proceeded againſt." Id. ib. f. 347. The charge of the houſe of commons againſt theſe men was, "that they were engaged in a late wicked and horrid plot, to have ſurprized his majeſty's caſtle of Dublin, to have ſeized on the perſon of his grace James Duke of Ormond, and to have involved the three kingdoms in blood." Ib. f. 350. The above expelled members were alſo made "incapable of exerciſing any employment civil, military, or eccleſiaſtical within the kingdom." Ib. f. 354.

ties, through which they paſſed. The finding of theſe juries was alike every where; there being a great calm in all places; no preparations for a riſing, nor ſo much as a rumour of any new troubles. Nothing could be more frivolous, and void of proof, than the paper which the commons drew up on this occaſion, and preſented to the lords juſtices; who yet thought fit to ſend it, incloſed in their letters, to Secretary Nicholas, ſignifying at the ſame time their opinion, that it would be deſtructive to the Engliſh intereſt, to admit the Iriſh to trade and ſettle in corporate towns; or to allow the Roman catholic lawyers to practiſe in their profeſſion; both which, however, had been poſitively allowed by his majeſty's letters."

CHAP. XI.

The parties principally ſuſpected of this conſpiracy, voluntarily appear before the lords juſtices, in order to detect the forgery.

THE imputation of a conſpiracy[1] was matter of great apprehenſion to the whole body of the Iriſh Roman Catholics; all their fortunes depending on the pleaſure of his majeſty, who was likely to be eſtranged from them, by unjuſt repreſentations of their diſpoſitions and deſigns. Wherefore the ordinary was prevailed upon to ſend for the two prieſts, whoſe names were in the letter;[2] and the Earl of Fingall waited upon the lords juſtices, to deſire a protection with regard to their function, but not to extend to the letter, or any other crime with which they might be charged. But the lords juſtices would not grant ſuch a protection; and ſome of the council told Lord Fingall, that they were no friends to the king, who made any objections, or took meaſures to prove it a forged letter. Dermott, however, the ſuppoſed writer of this letter, came to Dublin;

[1] Id. ib.

[2] Id. ib.

Dublin; as did Phelan, the other prieſt, to whom it was directed. Soon after the [3] former preſented a petition to the council, complaining of the injury done him, by this impoſture, deſiring leave, notwithſtanding his function, to appear before them, to juſtify his innocence, being ready to ſuffer any puniſhment, if he ſhould be found criminal as to that letter, or any thing elſe that might tend to ſedition, and the diſturbance of his majeſty's government. After a long examination, he was committed to the cuſtody of an officer; and the next day Phelan appearing, Mr. Belling went with him to the council, who having examined him, committed him in the like manner, upon his denying he had ever received any ſuch letter."

"It was very improbable, continues Mr. Carte,[4] that the Iriſh ſhould, at a time when their all depended on the king's good-will to them, be forming againſt him deſigns of an inſurrection, which, if they were never ſo unfaithful, they were in no condition to execute."

CHAP. XII.

Loyalty of the catholic nobility and gentry of Ireland at this juncture.

ON account of a ſevere perſecution at this time raiſed againſt them, and in hopes of removing all future pretence for the ſame, the catholics of Ireland, having agreed upon a remonſtrance and proteſtation of their loyalty, which was couched in the ſtrongeſt and moſt explicit terms,[1] ſent it by the Earl of Fingall to Mr. Walſh,[a] an Iriſh Franciſcan, then at London, who was

[3] Cart. Orm. vol. ii.
[4] Ib.
[1] Walſh's Hiſt. of the Iriſh Remonſtrance, f. 9.

[a] "This religious," ſays Mr. Carte, "had always been very cordial and ſincere in all his profeſſions and zeal for the Duke of Ormond's ſervice. And his grace having the poſt of ſeneſchal

was an humble confident of the Duke of Ormond: by whom it was immediately preſented to his majeſty, and moſt graciouſly received.

Walſh having ſoon after come to Ireland, in order to get this remonſtrance ſigned by all the Roman catholic clergy, nobility and gentry of the kingdom (as many of them as were at London, when it was preſented, having ſigned it there) ſucceeded ſo well, as to obtain, in a ſhort time, the ſignatures [2] "of ſixty-nine of the clergy, ſecular and regular; five earls, ſix viſcounts, two barons, twenty-four colonels and baronets, and ſixty eſquires and gentlemen."

But

[2] Ib.

ſchal or ſteward to the biſhop of Wincheſter (it being uſually given, in antient times, to ſome of the moſt powerful of the nobility, who were thereby engaged in the protection of the See) by a patent from biſhop Morley, with the fee of one hundred pounds a year, had ſettled it upon him for his ſubſiſtence. This was all Walſh had to live on. He received it duly, and enjoyed it till his death, which happened a little before the Duke of Ormond's." Orm. vol. ii. f. 548. The ſame hiſtorian informs us, "that Walſh having urged his grace to turn Roman catholic towards the latter part of his life, the duke told him, among other things, "that he wondered, if the condition wherein he was appeared ſo dangerous to him, why ſo good a friend did not admoniſh him ſooner thereof." "Walſh ſoon ſaw there was no good to be done, and did not venture on a ſecond attempt." Ib.

The following paſſage from Lord Caſtlehaven, further illuſtrates this Iriſh friar's character. His lordſhip, after having told us, "that he had received a long letter by a trumpet from Ireton, ſetting forth the great value he had for his perſon, and offering him, if he would retire from the king's ſervice and live in England privately, he ſhould not only enjoy his eſtate, but remain in ſafety with the eſteem and favour of the parliament;" adds, "I immediately ſhewed this letter to Father Peter Walſh, my then ghoſtly father, whom I had always found faithful to the king, and a lover of his country. With his advice, by the ſame trumpet, I anſwered all his points, and rejected his propoſition concerning my own perſon; deſiring him withal to ſend no more trumpets with ſuch errands, if perhaps, he would not have the meſſenger ill treated. From this time, there was an end of all meſſages, and letters between us." Memoirs, p. 127.

But the Duke of Ormond now returned to his government, and but too well acquainted with the late diſſentions and animoſities among the Iriſh clergy, (which, it will hereafter appear, he then intended to revive) affected to believe, that there could be no certain reliance on any declaration of loyalty from the catholic laity, until the whole body of their clergy had firſt unanimouſly ſubſcribed it. He therefore wrote a letter to Walſh, which was to be ſhewn to all thoſe eccleſiaſtics who were backward in ſubſcribing, wherein he told him,[3] "that, conſidering how well his majeſty received the ſubſcriptions to the proteſtation preſented to him in England, he did not a little wonder, that the example had not been more readily and frequently followed in Ireland. That he had no other end in wiſhing it ſhould, than that thoſe of loyal and peaceable diſpoſitions might thereby be diſtinguiſhed from others, for their own advantage; that the ſubſcribers were more likely to find ſuch advantage than the refuſers; and that he deſired to know who had already ſubſcribed, and who had refuſed."

His grace already knew, that as this proteſtation had been cenſured by ſome miniſters of the court of Rome, on account of its ſomewhat intrenching on the pope's ſpiritual authority, it would be hardly poſſible to prevail on ſuch of the Iriſh clergy, as had expectations from that court, to ſubſcribe it, in the ſame offenſive terms, in which it was conceived. For their chief, if not only objection, was to theſe terms; as Walſh himſelf owns,[4] "that none at all ſcrupled about what he calls the [b] catholicneſs of it;" and that theſe non-ſubſcribers had repeatedly offered to draw up and ſign a proteſtation of their own, equally loyal to his majeſty in point of civil obedience,

[3] Walſh's Hiſt. of the Iriſh Remonſtrance, f. 94. [4] Ib.

[b] "I muſt deſire the reader," ſays he, "to take notice here, that ſince the year 1661, till this preſent, about the end of the year 1666, there was not, among ſuch a number of pretences and excuſes, any one alleged, by any at all, of unlawfulneſs, unconſcionableneſs or uncatholicneſs in point of faith, religion or morality, in the ſubſcription of that remonſtrance, or declaration of allegiance." Hiſt. of the Iriſh Remonſ. f. 42.

obedience, and leſs liable to miſconſtruction, with reſpect to their ſpiritual ſubjection to the Pope. But all their propoſals of that kind were conſtantly rejected.

But the Iriſh nobility and gentry were not quite ſo ſcrupulous in this reſpect; for in order to convince the Duke of Ormond, that the refuſal of any number of their clergy ſhould be no hindrance to their ſubſcribing, *in terminis*, to the firſt remonſtrance, "they[5] aſſembled together at Lord Clanrickard's houſe in Dublin; where, after Lord Tyrconnel had declared, that their agreement to, and concurrence in, that addreſs, was wholly and ſolely their own act; that it was originally propoſed by the Earls of Clancarty, Carlingford, and himſelf; and ſeconded, in very good earneſt, by the Earl of Inchiquin, as many noblemen and gentlemen as were then preſent, and had not ſubſcribed at London,[6] in number thirty-three, put their names to it; which number being joined to the London ſubſcribers, made, in all, one hundred and twenty-one, whereof twenty-one were earls, viſcounts, and barons."

Not content with this, they at the ſame time drew up a letter, praying and inviting the unanimous, chearful and ſpeedy ſubſcriptions of all the reſt of the catholic noblemen and gentlemen of the kingdom. This letter was ſigned by the Earls of Caſtlehaven, Clancarty, Clanrickard, Fingall, Tyrconnel, and Carlingford; and expreſſed "their hopes,[7] that the ſame prudential, chriſtian, catholic, and obvious reaſons, which had induced themſelves to ſign that remonſtrance, would prevail upon them alſo to do the like, as theſe reaſons imported no leſs than the clearing of their holy religion from the imputation of moſt unholy tenets; the aſſuring his majeſty ever more of their loyal thoughts, hearts and hands, in all contingencies whatſoever; and the opening of a door to their own liberty and future eaſe, from thoſe rigorous penal laws, under which they, and their predeceſſors, had ſadly groaned during an hundred years paſt. That

[5] Id. ib. [6] Ib. f. 95. [7] Id. ib.

That as they hoped they could not think, they would even for theſe deſirable ends, ſwerve in the leaſt tittle from the true, pure, and unfeigned profeſſion of the Roman catholic faith, nor from the reverence due unto his Holineſs the Biſhop of Rome, or the catholic church in general; ſo they believed, that they would reſt ſatisfied, that nothing contained in this remonſtrance reflected at all on the ſpiritual juriſdiction, power, or authority of the Pope, or church; the whole tenor of it aſſerting only the ſupreme temporal power in the prince to be independent of any but God alone, and the fidelity and obedience due to him in temporal affairs, to be indiſpenſable by any power on earth, ſpiritual or civil."

Two [8] and thirty copies of this letter (one for each county in the kingdom) were ſigned by theſe noblemen. "And queſtionleſs," ſays Walſh, [9] "had they been ſent away, as deſigned, the hands of all the catholic noblemen and gentlemen of Ireland would have been ſubſcribed to the remonſtrance, in leſs than ſix months." But the Duke of Ormond, who had been made acquainted with the drawing up and ſigning of this letter, affected to have it believed, that, as there was then lately diſcovered a plot of the fanatics to ſeize the caſtle of Dublin, if any papers were known to be carried about by catholics for getting ſubſcriptions, their good intentions might be eaſily miſinterpreted, and even a conſpiracy imputed to them on that account; ſo "his grace was pleaſed," ſays Walſh, [10] "to countermand, for that time, and to ſuſpend ever ſince, the ſending about of theſe letters, expecting it might be done more ſeaſonably, when the clergy had ſigned firſt."

CHAP.

[8] Walſh's Hiſt. of the Iriſh Remonſt. f. 96.
[9] Ib. f. 97. [10] Ib.

CHAP. XIII.

The Iriſh clergy's remonſtrance of loyalty.

HIS grace ſtill perſiſting in his demand of a general and uniform ſubſcription of all the Iriſh clergy to the remonſtrance firſt delivered by Walſh (which he was privately aſſured, would not be obtained [a]), procured his majeſty's conſent, to ſuffer them to meet in a national ſynod at Dublin; which, notwithſtanding its favourable appearance, he clearly foreſaw, would only ſerve to increaſe thoſe diſſentions already ſprung up among them, on that ſubject. For, notwithſtanding all Walſh's prolix and learned harangues at this meeting, to prove the great expediency, and even abſolute neceſſity, of their general compliance, the majority of the ſynod ſtill refuſed to ſubſcribe to that particular addreſs; not, as they all declared, that they thought it contained any thing repugnant to the Roman catholic faith; nor yet, "that they meant thereby to decline or diſavow the ſubſtance of it; but becauſe they believed

[a] One of the reaſons, among many others, aſſigned by the non-ſubſcribers, was, "that none of either the laity or clergy who had ſubſcribed, were more favoured, or more at liberty than others; the lay-proprietors not, therefore, reſtored to their eſtates, though ſeveral of them could, beſides, according to the laws, plead innocency; and all of them, public articles both of war and peace for their ſaid eſtates, and for the public and free exerciſe of their religion too.

"Nor were the clergy, who had ſubſcribed, ſuffered to enjoy even one chapel, without daily hazards of impriſonments, and even men's lives, as appeared by a late perſecution, when both on St. Stephen's and new-year's day, in 1662, the chapel of the Franciſcans in Dublin, who had been all ſubſcribers, and wherein Walſh himſelf did officiate, was, by guards of ſoldiers and whole companies with naked ſwords, aſſaulted, the altar rifled, the prieſts carried priſoners to Newgate, and many both men and women grievouſly hurt, ſome ſlaſhed and wounded ſorely, even to the great endangering of their lives." Walſh's Hiſt. of the Iriſh Remonſt. f. 26.

lieved it more becoming the dignity of that meeting, and more reſpectful to his majeſty and his grace, to preſent a remonſtrance of their own framing, which, at the ſame time that it expreſſed as much loyalty as the other, ſhould be ſo unexceptionable, in point of language, that not only the biſhops and other clergy there preſent, but every Roman catholic prieſt in the kingdom, both ſecular and regular, would chearfully ſubſcribe it. Wherefore, after mature deliberation and debate, the following remonſtrance of loyalty was drawn up and ſigned by this congregation; and, on the 16th of June, 1666,[1] delivered to the Duke of Ormond by two of their biſhops, together with a petition, praying his grace to accept that remonſtrance from them, and to preſent it to his majeſty, the rather that it was ſo unanimouſly agreed to, as there was not one diſſenting voice in all their number."

" To the king's moſt excellent majeſty, Charles the Second, king of Great Britain, France, and Ireland, &c.

" WE, your majeſty's ſubjects, the Roman catholic clergy of the kingdom of Ireland together aſſembled, do hereby declare and ſolemnly proteſt, before God and his holy angels, that we own and acknowledge your majeſty to be our true and lawful king, ſupreme lord, and undoubted ſovereign, as well of this realm of Ireland as of all other your majeſty's dominions; conſequently we confeſs ourſelves bound in conſcience, to be obedient to your majeſty in all civil and temporal affairs, as any ſubject ought to be to his prince, and as the laws of God and nature require at our hands. Therefore we promiſe, that we will inviolably bear true allegiance to your majeſty, your lawful heirs and ſucceſſors; and that no power on earth ſhall be able to withdraw us from our duty herein; and that we will, even to the loſs of our blood, if occaſion requires, aſſert your majeſty's rights againſt any that

[1] Walſh's Hiſt. of the Iriſh Remonſt. f. 683.

that ſhall invade the ſame, or attempt to deprive yourſelf, or your lawful heirs and ſucceſſors, of any part thereof. And to the end, this our ſincere proteſtation may more clearly appear, we further declare, that it is not our doctrine that ſubjects may be diſcharged, abſolved, or freed from the obligation of performing their duty of true obedience and allegiance to their prince; much leſs may we allow of, or paſs as tolerable, any doctrine that perniciouſly, and againſt the word of God, maintains, that any private ſubject may lawfully kill or murder the anointed of God, his prince; wherefore, purſuant to the deep apprehenſion we have of the abomination and ſad conſequences of its practice, we do engage ourſelves to diſcover unto your majeſty, or ſome of your miniſters, any attempt of that kind, rebellion or conſpiracy againſt your majeſty's perſon, crown, or royal authority, that comes to our knowledge, whereby ſuch horrid evils may be prevented. Finally, as we hold the premiſes to be agreeable to good conſcience, ſo we religiouſly ſwear the due obſervance thereof to our utmoſt, and we will preach and teach the ſame to our reſpective flocks. In witneſs whereof we do hereunto ſubſcribe the 15th day of June 1666."

But the Duke of Ormond not only rejected the petition and remonſtrance of this clergy, but alſo ordered them immediately to diſperſe; and ſoon after baniſhed them out of the kingdom; inſomuch that when his grace quitted the government, there were not more than three catholic biſhops remaining there, two whereof were bed-rid, and the third had abſconded.[b]

CHAP.

[b] His grace expected their ſubſcriptions to that very remonſtrance which had been preſented to the king; and would accept of no other. See Walſh's Remonſt. f. 489. Although the non-ſubſcribers alleged, and Walſh himſelf owns in ſeveral parts of his hiſtory, that his remonſtrance ſeems to aſſert all that is contained in the oath of ſupremacy itſelf.

CHAP. XIV.

The Duke of Ormond's deſign in permitting this meeting of the Iriſh clergy.

PETER TALBOT, titular Archbiſhop of Dublin, and one of the moſt powerful opponents of Walſh's remonſtrance, obſerved afterwards to that religious, that he had been all along made uſe of only as a tool and a dupe, in that buſineſs. "The miniſtry," ſays he,[1] "for reaſons beſt known to themſelves, were willing to let you preach and preſs a formulary, which they foreſaw would divide the catholics among themſelves, diſcredit their religion, and give the government the colour and advantage of excluding from their eſtates, many meriting gentlemen, for not profeſſing that allegiance, which learned men of their own religion maintained to be abſolutely neceſſary in a faithful ſubject." That there were ſufficient grounds for ſuch an obſervation, can be now proved by unqueſtionable authority; for about the end of the year 1666, after the before-mentioned ſynod of the Iriſh clergy had been diſperſed, Lord Orrery, taking advantage of that incident, wrote thus to Ormond:[2] "I humbly offer to your grace, whether this may not be a fit ſeaſon to make that ſchiſm, which you have been ſowing among the popiſh clergy, publicly break out, ſo as to ſet them at open difference; as we may reap ſome practicable advantage thereby." And when, ſome years after, his grace's enemies had ſtrangely accuſed him of having countenanced and encouraged popery in Ireland, during his adminiſtration; and inſtanced his permiſſion of this ſynodical meeting of the Iriſh clergy, as a proof of it; the duke himſelf frankly declared,[3] "that his aim in permitting that meeting, was to work a diviſion among the Romiſh clergy; and that he believed

[1] Friar Diſciplined, p. 92. [2] State Let. vol. ii.
[3] Carte's Ormond, vol. ii. Append.

lieved he had compaſſed it, if he had not been removed; and if contrary councils and courſes had not been taken and held, by his ſucceſſors in the government; of whom," ſays he, "ſome were too indulgent to the whole body of papiſts, and others not much acquainted with any of them; not conſidering the advantages of the diviſion deſigned."

Some hopes, it appears, had been given (which his grace's before-mentioned letter to Walſh ſeemed to confirm), that the ſubſcribers to the firſt remonſtrance would be reſtored to their eſtates. But Archbiſhop Talbot calls upon Walſh, "to name but one,[4] who had been the better for his ſubſcription. A man," ſays he, "would think that my Lord of Iveagh's extraction, innocency, and merit, his breaking General Owen O'Nial's army, his raiſing and loſing two or three regiments in the king's ſervice, his venturing himſelf and his neareſt relations in the towns beſieged by Cromwell, his conſtantly following his majeſty's perſon and fortune in exile, needed no further remonſtrance of his loyalty; but, however, that nothing might be objected againſt him, he ſigned yours; and yet is nothing the nearer his eſtate. I know you preſſed my Lord Duke of Ormond very much in Sir Robert Talbot's behalf, ſaying it would be a great ſcandal if the only gentleman in Ireland, who never would reject the peace of 1646, and ſuffered ſo much on that account, were not reſtored to his eſtate; and yet you ſee he was, and his ſon is,[a] in the ſame condition with the reſt of your ſubſcribers."

CHAP.

[4] Friar Diſcipl. p. 87.

[a] In the year 1674, when Friar Diſciplined was publiſhed.

CHAP. XV.

The king confeſſes his obligation to make good the peace of the year 1648.

HIS majeſty had, at ſeveral times, acknowledged himſelf bound to fulfil his engagements to the Iriſh by the peace of 1648. We have already obſerved, that in a letter from Breda, in 1650, he deſired the Marquis of Ormond,[1] "to aſſure them, that he would perform all grants and conceſſions which he had either made or promiſed them by that peace; and which, as he had new inſtances of their loyalty and affection to him, he ſhould ſtudy rather to enlarge, than diminiſh or infringe in the leaſt degree."

In his ſpeech to both houſes of parliament, July 1660, when a general act of oblivion was intended to be paſſed, his majeſty knowing that means had been uſed to exclude the Iriſh from the benefit of that act, told them, "that he hoped the Iriſh alone would not be left without the benefit of his mercy; that they had ſhewn much affection to him abroad; and that he expected the parliament would have a care of his honour, and of what he had promiſed them." And in his declaration of the 30th of November following (which was intended to be the ground-work of the acts of ſettlement), he again acknowledged this obligation, and ſaid,[2] "he muſt always remember the great affection a conſiderable part of the Iriſh nation expreſſed to him, during the time of his being beyond ſeas; when, with all chearfulneſs and obedience, they received and ſubmitted to his orders, though attended with inconvenience enough to themſelves; which demeanour of theirs," adds he, "cannot but be thought very worthy of our protection, juſtice, and favour."

But

[1] Cart. Coll. of Orm. Orig. Pap. Carte's Orm. vol. ii. f. 129.
[2] Iriſh Statutes.

But the commiſſioners from Ireland, fearing that if the Iriſh were included in the general pardon, they would be of courſe reſtored to their eſtates (of which, by the bounty of the late uſurpers, theſe commiſſioners and their adherents, were then actually in poſſeſſion),[3] petitioned both houſes, that they might be excluded by an expreſs clauſe, to be inſerted in the act. And upon a motion being made in the houſe of peers, that this petition ſhould be rejected, and the Iriſh included in the general indemnity, the Duke of Ormond oppoſed it, alleging that,[4] "his majeſty had reſerved the cognizance of that matter to himſelf;"[5] though it was notorious, that his majeſty in his ſpeech to parliament, but a few days before, had acquainted them, "that he expected (in relation to his engagement with that people) they would have a care of his honour, and of the promiſe he had made them." Excluded however

[3] Carte, ubi ſupra. [4] Sale and Settlement of Ireland.

[5] What duplicity, when we reflect, that Ormond in his declaration, publiſhed on the concluſion of the peace of 1648, after having charged the Engliſh rebels with putting him under the neceſſity of concluding it, has theſe words: "this we mention not as thereby in the leaſt degree to invalidate any of the conceſſions made unto this people; but on the contrary, to render them in every point the more ſacred and inviolable, by how much the neceſſity on his majeſty's part for the granting thereof is greater, and the ſubmiſſion on their parts, to his majeſty's authority, in ſuch his great neceſſity, more opportune and ſeaſonable." Cart. Orm. vol. ii. f. 52.

I ſhall have frequent occaſion to quote this tract (Sale and Set. of Irel.). It was commonly called the Conventry-letter, becauſe it was dated from Coventry. It was written by Mr. Nangle, attorney general in Ireland in 1685. The Earl of Clarendon, when lord lieutenant of Ireland, often mentions it in his letters to England, as a piece much taken notice of. "I have received (ſays he, in one of them) a copy of a letter written by Mr. Nangle, to the Earl of Tyrconnel, from Coventry; 'tis a notable letter." State Lett. vol. i. p. 156. Elſewhere, he ſays, "I gave my Lord Chief Juſtice Keating a copy of Mr. Nangle's letter, and deſired his thoughts upon it." Ib. His excellency mentions Mr. Nangle in ſeveral of his letters, as "a perſon of undoubted abilities, and integrity in his profeſſion.

ver they were, to the aſtoniſhment of all honeſt men; who now perceived, what powerful inſtruments their enemies made uſe of, to accompliſh their wicked purpoſes.

CHAP. XVI.

Ormond's reaſons for his oppoſition to the Iriſh conſidered.

THE Duke of Ormond aſſigned two reaſons, in excuſe for his ungenerous conduct in this particular. Firſt he ſaid,[1] "if he had not oppoſed the motion for including the Iriſh in the general pardon, others undoubtedly would; who, by exaggerating their former miſconduct, would have excited rather the parliament's indignation againſt, than commiſeration for their caſe." But this reaſon has no manner of force. For although the Engliſh had heard nothing of the inſurrection in Ireland, but what gave them horror, and poſſeſſed them with the worſt opinion of the whole Iriſh nation, yet his grace could have eaſily ſet them right, as to that matter:[2] for, "beſides," as Mr. Carte confeſſes, "his being a witneſs of every man's behaviour during the troubles, he was well acquainted with all the circumſtances of their caſe; he knew what early attempts the moſt conſiderable of their nobility and gentry made to return to their duty; the difficulties they had to ſtruggle with in that work; the perſeverance with which they purſued their deſign, till they had accompliſhed it; and the zeal with which, in the late king's diſtreſs, they had embraced the peace of 1648." All this, I ſay, his grace could have eaſily made known to their lordſhips, in caſe of the ſuppoſed exaggeration of their miſconduct, and would have been bound in honour and juſtice to do ſo; whereas, by his oppoſition to the motion for including them in the general

[1] Walſh's Letter to the Biſhop of Ferns, p. 24.
[2] Carte's Orm. vol. ii.

general pardon, he gave occaſion to their lordſhips to conſider them, as the moſt criminal of all his majeſty's ſubjects in that reſpect, and as meriting peculiar and exemplary puniſhment.

His ſecond reaſon was ſtill weaker than the firſt, and is refuted by his own experience. He pretended,[3] "that he did not think, that the proteſtant peers, or commons of Ireland, or even the very catholic Iriſh, would be concluded by, or content with an act of the Engliſh parliament," viz. An act granting their pardon, and thereby putting them in a capacity to be reſtored to their eſtates! His grace could not, ſeriouſly, have meant, that either the proteſtant peers or commons, or the catholic Iriſh, would have deemed an act of the Engliſh parliament inſufficient for the purpoſe of their reſtitution; becauſe it was notorious[4] that he himſelf was reſtored to his lands in Ireland, by an act of the Engliſh parliament; and particularly, that one[5] Blackwell was diſpoſſeſſed of his grace's large eſtate at Killcaſh, in virtue of it."[a]

[3] Walſh, ubi ſupra. [4] Cart. Orm. vol. ii. f. 398.
[5] Id. ib. vol. ii. f. 392.

[a] "The parliament of England had reſtored the Marquis of Ormond to his eſtate; in conſequence of which ſeveral adventurers readily reſigned their poſſeſſion; but for the due execution of the act in all parts of Ireland, the king's letters were neceſſary." Cart. Orm. vol. ii. f. 218.

"There was an act of parliament paſſed (in England) with the conſent of all parties, that he (Ormond) ſhould be preſently reſtored to all his eſtate (in Ireland), which was done with the more eaſe, becauſe the greateſt part of it (for his wife's land had been before aſſigned to her in Cromwell's time, or rather in his ſon Harry's) lay within that province (Munſter), which Cromwell out of his huſbandry, had reſerved for himſelf, exempt from all title or pretence of adventurer, or ſoldier. What other part of his eſtate either the one or the other was poſſeſſed of, they very willingly yielded it up to the marquis, in hope of having recompence made them in other lands." Clarend. Life, vol. ii. p. 197.

CHAP. XVII.

The Earl of Orrery abuſes the king's confidence, with reſpect to the ſettlement of Ireland.

HIS majeſty's declaration before-mentioned, for the ſettlement of Ireland,[a] (which comprehended every foot of land in the kingdom) ordained, that about five hundred Iriſh gentlemen therein named, who had faithfully ſerved him abroad, ſhould be reſtored to their eſtates; but not until land of equal value was found,[b] to reprize

[a] In order to enhance the merits, and conſequently the rewards, of thoſe ſaid to be in the Engliſh intereſt, the firſt act of ſettlement ſets forth in the preamble, "that the Iriſh rebels were conquered by his majeſty's proteſtant ſubjects, in his abſence." Theſe Iriſh rebels, when they were conquered, fought under the command of the Marquis of Ormond, his majeſty's lord lieutenant of Ireland, and afterwards under the command of the Lord Marquis of Clanrickard, his majeſty's lord deputy of that kingdom. And thoſe proteſtant ſubjects who conquered them, were Cromwell, Ireton, Axtel, Hewetſon, Jones, Broghill, Coote, &c. who, indeed, vigorouſly purſued theſe Iriſh rebels, becauſe they conſtantly denied the authority of the pretended commonwealth, and unalterably adhered to the intereſts of Charles Stewart (as theſe his majeſty's proteſtant ſubjects were, in that time of conqueſt, always wont to call him); it was in conſequence of this act, which eſtabliſhes it as a fundamental law, that the Iriſh rebels were conquered by the Engliſh proteſtant ſubjects, that commiſſioners were appointed by his majeſty to decide the claims of the Iriſh, in purſuance thereof." Sale and ſettlement of Ireland.

[b] The claim of the adventurers was founded on an Engliſh act of parliament 17° Caroli, by which all thoſe who had lent money towards carrying on the war againſt the Iriſh, ſhould upon their being ſubdued have a certain portion of their forfeited eſtates conveyed to them. By the ſame act it was provided, that the money ſo lent ſhould not be applied to any other uſe but that of the Iriſh war. Yet, "ſcarce was there one hundred thouſand pounds thus raiſed, when the ſame parliament, contrary to its own act and engagement, cauſed it to be laid out for the ſetting forth

reprize the Cromwellian adventurers and ſoldiers, who then had poſſeſſion of them. It alſo ordained, that ſuch of the Iriſh as had never infringed the articles of the peace, concluded between the Marquis of Ormond and them in 1648, ſhould be reſtored upon the ſame conditions. But the king had already diſpoſed of ſo great a part of the kingdom in gifts to the Engliſh and Iriſh favourites (ſome of whom had been acceſſaries in his father's murder), that the order for repriſals was abſolutely impracticable;[c] on which account the adventurers and ſoldiers ſtill continued their uſurped poſſeſſion;[t] "although many of them, in reſpect of their notorious and opprobrious actions againſt the crown, throughout their whole employment, and of their expreſſing even after his majeſty's return, how little they were ſatisfied with the revolution, were univerſally odious, both in England and Ireland."

The

[t] Clarend. Life.

forth their army under the command of the Earl of Eſſex, then ready for its march, againſt the king at Nottingham." Borl. Hiſt. of the Iriſh Rebel. f. 121.

The ſoldiers, who were to be reprized with lands of equal value, had conſtantly fought for the uſurpers againſt the king; and were thus to be rewarded for that ſervice. "They were, (ſays Mr. Carte) for the moſt part, anabaptiſts, independents, and levellers." Orm. vol. ii.

Although the king himſelf had confeſſed in his declaration, which was to be the foundation of theſe acts of ſettlement, "that the eſtates and poſſeſſions, which the adventurers and ſoldiers did then enjoy, if they were examined by the ſtrict letter of the law, would prove very defective, and invalid, being no ways purſuant to thoſe acts of parliament upon which they are pretended to be founded." See that Declaration.

[c] "If (ſays Ormond on this occaſion) the adventurers and ſoldiers muſt be ſatisfied to the extent of what they ſuppoſe intended for them by the declaration; and if all that accepted and conſtantly adhered to the peace (of 1648) muſt be reſtored, as the ſame declaration ſeems alſo to intend, there muſt be new diſcoveries made of a new Ireland; for the old will never ſerve to ſatisfy theſe engagements." Cart. Orm. vol. iii. f. 340.

The Earl of Clarendon, who was thoroughly acquainted with the conduct and intrigues of this ſettlement, informs us,[2] "that his majeſty was led into this miſtake by a very poſitive aſſurance from Lord Orrery,[4] who was believed to underſtand the ſtate of that kingdom very exactly, that there was land enough to ſatisfy all the ſoldiers and adventurers; and that there would be a very great proportion left for accommodating the Iriſh very liberally." But his lordſhip, at the ſame time, made uſe of every ſiniſter means, for his own private advantage, to reduce that proportion to nothing.

For,[3] "believing he could never be well enough at court, except he had courtiers of all ſorts obliged to him, who would therefore ſpeak well of him in all places and companies, he recommended to many of them divers ſuits for ſuch lands, as by forfeiture, or otherwiſe, ſhould come to his majeſty; although he knew that his majeſty had reſolved (and that by his lordſhip's own advice) to retain thoſe lands in his own power, to the end that, when the ſettlement ſhould be made, he might be able to gratify thoſe of the Iriſh nation, who had any thing of merit towards him, or had been leaſt faulty.[4] His lordſhip often, even ſent certificates to theſe courtiers under his own hand, of the value thoſe ſuits might be to them, if obtained; and of the little importance the granting them would be to his majeſty; which having been ſhewed to the king, diſpoſed him to thoſe conceſſions, which otherwiſe he would not ſo eaſily have made."

CHAP.

[2] Clarend. Life. [3] Id. ib. [4] Id. ib.

[4] "This earl (ſays K. James in his Memoirs) was famous for changing parties ſo often, and for making a ſpeech to Cromwell to take the title of king; his tongue was well hung, he had ſome good parts, and he was reckoned ſo cunning a man that no body would truſt him, or believe what he ſaid." Macpherſ. Orig. Pap. vol. i. p. 43.

CHAP. XVIII.

The affairs of Ireland brought before the Engliſh Council.

ABOUT this time, a warm diſpute was carrying on at London, between the agents for the late confederate catholics, and the commiſſioners from the council and the two houſes of the Iriſh parliament, in ſeveral memorials preſented by them to the king, in juſtification of their reſpective claims, and pretenſions. "But[1] the Iriſh agents pleaded their cauſe under great diſadvantages."[2] The commiſſioners from the council and parliament differed a little among themſelves, about their private and perſonal intereſts; but they were all united in one unhappy extreme, that is, (ſays Lord Clarendon, who was preſent in council during theſe diſputes) in their implacable malice to the Iriſh; inſomuch, that they concurred in their deſire, that they might gain nothing by the king's return; but be kept with the ſame rigour, and under the ſame incapacity to do hurt, which they were then under. And though eradication was too foul a word to be uttered in the hearing of a chriſtian prince, yet it was little leſs, or better, that they propoſed, in other words, and hoped to obtain. Whereas the king thought that miſerable people to be as worthy of his favour, as moſt of the other party, and that his honour, juſtice, and policy, as far as they were unreſtrained by laws and contracts, obliged him more to preſerve them, at leaſt as much as he could. And yet it can hardly be believed, how few men, in all other points very reaſonable, and who were far from cruelty in their nature, cheriſhed that inclination in the king; but thought it in him, and more in his brother, to proceed from other reaſons than they publiſhed. Whilſt others, who pretended to be only moved by chriſtian charity and compaſſion, were more cruel towards them, and made them more miſerable by extorting great engagements from them for their protection

[1] Cart. Orm. vol. ii.

[2] Clarend. Life, vol. ii. f. 129.

protection and interceſſion; which being performed, would leave them in as forlorn a condition as they were found.

Beſides theſe impediments to their ſucceſs, from the malice of their enemies, the ignorance and prejudice of ſome about the king, and the fraud and cruelty of others, theſe agents from the confederate catholics had another obſtacle in their way, which was ſtill more inſurmountable; and that was the great poverty of thoſe who ſent them. "The [3] new earls of Orrery and Montrath had taken care to raiſe [4] privately among the adventurers and ſoldiers twenty or thirty thouſand pounds, to be diſpoſed of properly, without any account,

[3] Cart. Orm. vol. ii. p. 200.

[4] And as much more publicly. For "the Iriſh commons, on the 4th of March, 1661, ordered, nem. con. thirty thouſand pounds Engliſh to be raiſed throughout the kingdom, and preſented to his grace the Duke of Ormond, with a clauſe, that they intended not that preſent of theirs ſhould be interpreted as an excluſion of his grace from any other juſt favour his majeſty might think fit to confer on him or his." Com. Jour. vol. i.

This order was procured by his grace's friend, the Earl of Orrery, then one of the lords juſtices; for thus that earl wrote to his grace the day after it was paſſed. "Yeſterday the parliament met in this city; I had engaged the ſpeaker, and much the moſt, if not all the members, that their motion for their humble preſent for your grace might be the very firſt buſineſs gone upon. It paſſed without one negative." Orrery's State Lett. vol. i. p. 99.

The bill for granting thirty thouſand pound to the Duke of Ormond, was read thrice in one day and paſſed. See Com. Jour. vol. ii. f. 8.

The ſame Orrery having acquainted Ormond, that the firſt act of ſettlement was ſent to England, adds, "all this kingdom looks upon your grace as their great patron, to whom they in a high degree owe thoſe hopes, which his majeſty's gracious declaration has given them." State Lett. p. 37. This declaration was the baſis and ground-work of the acts of ſettlement. Again, he tells him, "your lordſhip's favour to this poor kingdom in haſtening the bill of ſettlement, is ſo ſignal and great, that I know not one man concerned in the good ſettlement of this kingdom but muſt, and does own himſelf your grace's ſervant, for your eminent pains and care in that deſired work." Ib. p. 90.

count, by way of recompence to ſuch as ſhould be ſerviceable to what was called the Engliſh intereſt. The Iriſh had no ſuch ſums to command; few friends about the court, and no means of procuring any. Thoſe of the Engliſh council, before whom they were to plead their cauſe, were highly prejudiced and incenſed againſt the whole nation, knew little of the conduct of particular perſons, who deſerved favour; but were willing to involve every body, in the general guilt of the maſſacre, as well as the rebellion."

CHAP. XIX.

The ſufferings of the Iriſh ſet forth by their agents before the king and council.

IN vain did the Iriſh agents urge,[1] "the great and long ſufferings of their countrymen; the loſs of their eſtates, for five or ſix and twenty years, the waſting and ſpending of the whole nation in battles, and tranſportation of men into the parts beyond ſeas; whereof many had the honour to teſtify their fidelity to the king by real ſervices; many of them returned into England with him, and were ſtill in his ſervice; the great numbers of men, women, and children, that had been maſſacred, or executed in cold blood after the king's government had been driven from them; the multitudes that had been deſtroyed by famine, and the plague,[2] theſe two heavy judgments having raged over

[1] Clarend. Life.

[2] "About the year 1652 and 1653, (ſays an eye-witneſs) the plague and famine had ſo ſwept away whole countries, that a man might travel twenty or thirty miles, and not ſee a living creature, either man, beaſt or bird, they being all dead, or had quitted theſe deſolate places. Our ſoldiers (Cromwell's) would tell ſtories of the places where they ſaw a ſmoak, it was ſo rare to ſee either ſmoak by day, or fire or candle by night and when we did meet with two or three poor cabins,

over the kingdom for two or three years; and at laſt, as a perſecution unheard of, the tranſplanting of the ſmall remainder of the nation into a corner of the province of Connaught, where yet much of the lands were taken from them, which had been aſſigned with all thoſe formalities of law, which were in uſe and practice under that government."

"In vain did they claim the benefit of the two treaties of peace, the one in (1646) the late king's time, and confirmed by him; the other (in 1648) confirmed by his majeſty, who was preſent;[2] by both which they alleged, they ſtood indemnified for all acts done previouſly by them in the rebellion, and inſiſted upon their innocence ſince that time; and that they had paid ſo entire an obedience to his majeſty's commands while he was beyond the ſeas, that they betook themſelves to, and withdrew themſelves from, the ſervice of France or Spain, in ſuch manner as his pleaſure was they ſhould do."

It was deemed ſtrange indiſcretion and folly in them, even by ſome of the leaſt prejudiced of their judges, to mention in that conjuncture,[3] "the unworthineſs and

[2] Clarend. Life, p. 201. [3] Ib. p. 202.

cabins, none but very aged men and women and children (and thoſe with the prophet might have complained, "we are become as a bottle in the ſmoak, our ſkin is black like an oven, becauſe of the terrible famine,") were found in them. I have ſeen thoſe miſerable creatures plucking ſtinking carrion out of a ditch, black and rotten; and have been credibly informed, that they digged corpſes out of the grave to eat. But the moſt tragical ſtory I ever heard, was from an officer commanding a party of horſe, who, hunting for tories (Iriſh) in a dark night, diſcovered a light, which they ſuppoſed to be a fire which the tories uſually made in theſe waſte countries to dreſs their proviſions and warm themſelves; but drawing near, they found it a ruined cabin, and beſetting it round, ſome did alight and peep in at the window, where they ſaw a great fire of wood, and a company of miſerable old women and children ſitting round about it, and betwixt them and the fire a dead corpſe lay broiling, which as the fire roaſted they cut off collops and eat." Colonel Laurence's Intereſt of Ireland, 2d part, p. 86, 87.

and incapacity of thoſe, who for ſo many years had poſſeſſed themſelves of their eſtates, and ſought then a confirmation of their rebellious title from his majeſty; or to inſinuate, that their rebellion had been more infamous, and of greater magnitude than that of the Iriſh, who had riſen in arms to free themſelves from the rigour and ſeverity that was exerciſed upon them, by ſome of the king's miniſters, and for the liberty of their conſciences, without having the leaſt intention or thought of withdrawing themſelves from his majeſty's obedience, or declining his government;[b] whereas the others had carried on an odious rebellion againſt

[b] Lord Clarendon's Life and Memoirs, from which theſe paſſages are cited, is a poſthumous work, written by himſelf, but not publiſhed till within theſe few years paſt. In this place he ſeems to exhibit ſome ſymptoms of remorſe for that Machiavelian advice, which the Iriſh ever accuſed him of having given the king, while the ſettlement of Ireland was under conſideration, viz. "to provide for his enemies, who might otherwiſe be troubleſome, and to overlook his friends, who would always ſtick to him;" and this advice they ever conſidered, as one of the principal cauſes of their ruin. That his lordſhip did give his majeſty ſome ſuch counſel, on that occaſion, and that, after his diſgrace, he was heartily ſorry for it, appears from the following certificate, which was lately printed in one of the public papers. Memorandum: "The Rev. Mr. Cock of Durham, being at his kinſman's, Sir Ralph Cole, at Banſpeth-caſtle, about the time that Lord Chancellor Clarendon was diſgraced, Sir Henry Brabant of Newcaſtle came thither, in his way from London, and told Sir Ralph and him this paſſage. That he, Sir Henry Brabant, having been to wait on Lord Clarendon juſt after his diſgrace, his lordſhip, after telling him how kindly he took that piece of friendſhip, expreſſed himſelf to this effect: 'That there were grievous things laid to his charge; but that he could bear up againſt all the reſt, if his majeſty would forgive him but one thing, which was, that he was the perſon who adviſed him 'to prefer his enemies, and neglect his friends; ſince the principles of the latter would ſecure them to him;' adding, 'that he took that for the cauſe of his own ruin, and wiſhed it might not occaſion that of many others, and at laſt the king's." This is teſtified by H. Bedford, who had it from the above Mr. Cock. London Chronicle, Decem. 2d, 1773.

He

againſt the king's ſacred perſon, whom they had horridly murdered in the ſight of the ſun, with all imaginable circumſtances of contempt and defiance; and as much as in them lay, had rooted out monarchy itſelf, and overturned and deſtroyed the whole government of church and ſtate. And therefore they obſerved, whatever puniſhment the Iriſh had merited for their former tranſgreſſions, which they had ſo long repented of and departed from, when they had arms and ſtrong towns in their hands (which together with themſelves, they put again under his majeſty's protection), that ſurely this part of the Engliſh, who were poſſeſſed of their eſtates, and had broken all their obligations to God and the king, could not deſerve to be gratified with their ruin and total deſtruction." "It was," I ſay, "deemed unpardonable indiſcretion in the

He ſeems to have apologized for the above advice to the king, in the following paſſage of his Life and Memoirs: "Whoever (ſays he) conſiders the temper and conſtitution of the army then on foot in that kingdom (Ireland), and the body of preſbyterians that had been diſbanded, and remained ſtill there in their habitations, together with the body of adventurers, all preſbyterians or anabaptiſts; and at the ſame time remembers the diſpoſition and general affection of the army in England, will not wonder that the king endeavoured, if it had been poſſible, rather to pleaſe all, than by any unſeaſonable diſcovery of a reſolution, how juſt ſoever, to make any party deſperate; there being none ſo inconſiderable as not to have been able to do much miſchief." Vol. ii. p. 120.

"We feel to this day (ſays Higgons) the diſmal conſequences of thoſe councils, which were not more wicked than weak and impolitic. The eſtates of the Iriſh who had fought for the king, and followed his fortunes in exile, were confirmed to drummers and ſerjeants, who had conducted his father to the ſcaffold." Remarks on Burnet, p. 103-4.

"The treatment of the royal party at this time, will never find belief with poſterity: to be neglected was enough, but to ſee the enemy triumph in their ſpoils, was more than nature could ſupport. There are inſtances of ſome, who were admitted to the royal preſence and favour, without being totally free from the blood of the king; while they who had laviſhed their own in his defence, were ſuffered to ſtarve in the ſtreets." Id. ib.

the Iriſh agents, to inſiſt upon theſe and other well known topics; and not leſs ſo, to give the moſt diſtant intimation of their humble hope,[4] "that when all his majeſty's other ſubjects were by his clemency reſtored to their own eſtates, and were in full peace, mirth and joy, the Iriſh alone ſhould not be exempt from all his majeſty's grace, and left in tears, and mourning and lamentation; and be ſacrificed, without redemption, to the avarice and cruelty of thoſe, who had not only ſpoiled and oppreſſed them, but had done all that was in their power, to deſtroy the king himſelf and his poſterity; and who now returned to their obedience, and ſubmitted to his government, when they were not longer able to oppoſe it."

To this juſt and affecting ſtate of the caſe, with reſpect to both parties, the commiſſioners from the council and parliament of Ireland, anſwered only by a falſe or exaggerated imputation of the crimes of particular perſons among the Iriſh, to the generality of that people;[5] and by an impudent revival of former ſelf-refuted calumnies, which, though at this day, they are well known to be ſuch, were then believed, or pretended to be believed, as ſo many certain and unqueſtionable truths, by their corrupt, malicious, or ill-informed judges.

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[4] Clarendon's Life. [5] Id. ib.

CHAP. XX.

A court of claims appointed in Ireland.

"THE king found,[1] that if he deferred ſettling the government of Ireland, till a perfect adjuſtment of all particular intereſts could be made, it would be very long; he ſaw that there muſt be ſome examination taken there, before he could make his determination upon thoſe particulars, which purely depended upon his own judgment; and ſo he paſſed that which is called the firſt act of ſettlement; and was perſuaded to commit the execution thereof to commiſſioners, recommended to him by thoſe who were moſt converſant in the affairs of that kingdom, though none, or very few of them, were known to his majeſty."

Theſe commiſſioners conſtituted what was commonly called the court of claims in Ireland,[2] "but were very ill qualified for ſuch a truſt. They were for the moſt part engaged, by their intereſts, in the party of the adventurers and ſoldiers; very many of them were in poſſeſſion of thoſe lands which others ſued for before them; and they themſelves bought broken titles, and pretences of other men, for inconſiderable ſums of money, which they ſupported and made good by their own authority. Thus the judges themſelves were both parties and witneſſes, in all cauſes that were brought before them."[3]

"Such ſcandalous practices could not be ſuffered to continue long.[4] Theſe commiſſioners were removed;

[1] Clarendon's Life.
[2] Id. vol. ii. p. 231. Cart. Orm. vol. ii. fol. 220.
[3] Clarend. Life.

[4] Inſtructions were ſent to the new lords juſtices, "to ſend over the names of fit commiſſioners to execute his majeſty's declaration for the ſettlement of Ireland." Carte's Ormond, vol. ii. f. 212.

ed; and ſeven gentlemen, of very clear reputations, appointed in their room; ſome of them lawyers in very much eſteem; and others, perſons of very good extractions, excellent underſtandings, and above all ſuſpicion for their integrity, and generally reputed to be ſuperior to any baſe temptation."

It was imagined, however, by the ſame noble hiſtorian whom I have hitherto cited, and who has honoured them with this very reputable character, that theſe new commiſſioners decided ſomewhat too partially in favour of the Iriſh on this occaſion;[b] "that there was reaſon to believe,[4] that the obſervation they had made of the bitterneſs and animoſities from the Engliſh, both ſoldiers and adventurers, towards the whole Iriſh nation of what kind ſoever; the ſcandalous proceedings of the firſt commiſſioners, together with the very ill reputation many of the ſoldiers and adventurers had for extraordinary malice to the crown and to the royal family; and the notable barbarity they had exerciſed towards the Iriſh, who without doubt, for many years, had undergone the moſt cruel oppreſſions of all kinds that can be imagined (many thouſands of them having been forced, without being covered under any houſe, to periſh in the open fields for hunger);[5] the infamous purchaſes that had been made by many perſons, who had compelled the Iriſh to ſell their remainders, and lawful pretences, for very inconſiderable

[4] Ib. vol. ii. p. 230. [5] Id. ib.

[b] And yet he ſtrangely confeſſes in the ſame place, "that many of the Iriſh, who in truth never had been in rebellion, but notoriouſly ſerved the king againſt the rebels, both in England and Ireland, and had never been put out of their eſtates, now upon ſome ſlight evidence, by the interception of letters, or confeſſion of meſſengers, that they had had correſpondence with the rebels (though it was evident that even that correſpondence had been perfunctory, and only to ſecure them, that they might purſue his majeſty's ſervice), were condemned, and had their eſtates taken from them, by the judgment of theſe commiſſioners." Life, vol. ii. p. 233. He inſtances in a long ſtory of Lord Fitzwilliams, a Roman catholic lord, afterwards made Earl of Tyrconnel by Charles II. Ib. p. 233, &c.

inconſiderable ſums of money; theſe," I ſay, " and many other particulars of that kind, his lordſhip imagined, might probably diſpoſe theſe commiſſioners to ſuch a prejudice againſt many of the Engliſh, and to ſuch a compaſſion towards the Iriſh, that they might be much inclined to favour their pretences and claims, and to believe, that the peace of the kingdom might be better provided for by their being ſettled in the lands of which they had been formerly poſſeſſed, than by ſupporting the ill-gotten titles of thoſe who had manifeſted all imaginable infidelity and malice againſt his majeſty, whilſt they had any power to oppoſe him." But certainly every candid perſon will allow, that men of ſuch diſtinguiſhed integrity and underſtanding,[c] as his lordſhip admits theſe commiſſioners to have been, were not likely to be biaſſed, even by the motives he has recited, to any unjuſtifiable partiality in favour of a people, with whom they had no manner of connection, and againſt whom, it is probable, they had imbibed ſome part at leaſt of thoſe unreaſonable prejudices, which prevailed but too generally at that juncture of time.[d]

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[c] " On the firſt arrival of theſe commiſſioners, ſome attempts had been made to corrupt them againſt all pretences that ſhould be made by the Iriſh." Clar. Life, vol. ii. p. 231.

[d] Theſe commiſſioners reſtoring ſome Iriſh, " raiſed ſo great a clamour, that the Engliſh refuſed to yield poſſeſſion upon their decrees, who, by an omiſſion in the act of parliament, were not qualified with power enough to provide for the execution of their own ſentences. The courts of law eſtabliſhed in that kingdom would not, nor indeed could, give any aſſiſtance to the commiſſioners. And the lord lieutenant and council, who had in the beginning, by their authority, put many into the poſſeſſion of the lands which had been decreed to them by the commiſſioners, were now more tender and reſerved in that multitude of decrees that had lately paſſed; ſo that the Iriſh were uſing their utmoſt endeavours, by force, to recover the poſſeſſion of thoſe lands which the commiſſioners had decreed to them; whilſt the Engliſh were likewiſe, by force, reſolved to defend what they had been ſo long poſſeſſed of, notwithſtanding the commiſſioners determination. And the commiſſioners were ſo

CHAP. XXI.

The conditions of the innocency or nocency of the claimants.

BUT although the commiſſioners of the court of claims were thus happily changed, the rigorous conditions of the innocency or nocency of the claimants, that had been firſt reſolved upon, were ſtill continued. According to theſe conditions, to prove a perſon innocent,[1] it was not enough to ſhew, that he had never taken arms in the late inſurrection, or entered into any treaty or aſſociation with thoſe who had; no: for if ſuch a perſon chanced but to dwell, however inof-

 fenſively,

[1] Sale and Settlement of Ireland. Cart. Orm. vol. ii.

ſo far troubled and diſſatisfied with theſe proceedings, that they declared they would proceed no farther in the execution of their commiſſion, until they could receive his majeſty's farther pleaſure; and that they might more effectually receive it, they deſired leave from the king that they might attend his royal perſon; and there being at the ſame time ſeveral complaints made againſt them to his majeſty, and appeals to him from their decrees, he gave the commiſſioners leave to return; and at the ſame time all the other intereſts ſent their deputies, to ſolicit their rights; in the proſecution whereof, after much time ſpent, the Duke of Ormond was called from Ireland to court; at which time a third bill was tranſmitted from the Iriſh parliament (the black bill), additional and ſupplemental to the other two, and to reverſe many of the decrees made by the commiſſioners." Clarend. Life, vol. ii. p. 329.

"The king," ſays Lord Clarendon himſelf, "was very tender of the reputation of his commiſſioners, who had been always eſteemed men of great probity and unqueſtionable reputation; and though he could not refuſe to receive complaints, yet he gave thoſe who complained no farther countenance, than to give the others opportunity to vindicate themſelves. Nor did there appear the leaſt evidence to queſtion the ſincerity of their proceeding, or to make them liable to any reaſonable ſuſpicion of corruption; and the complaints were ſtill proſecuted by thoſe who had that taken from them, which they deſired to keep for themſelves." Ib. p. 231.

fenſively, in any of the places occupied by the inſurgents, he was to be judged nocent.

This was ſurely a very hard condition; "for abundance of Roman catholics," as Mr. Carte obſerves,[2] "well-affected to the king, and very averſe to the rebellion of their countrymen, lived quietly in their own houſes, within the quarters of the rebels; who out of reverence to their virtues, or favour to their religion, allowed them to do ſo; ſuch of them as had offered to take ſhelter in Dublin, were by the lords juſtices baniſhed thence on pain of death by public proclamation, and ordered to retire to their own houſes in the country, where they could not help falling under the power of the rebels; and if theſe ſuffered them to live there in quiet, an equitable man, who conſiders the circumſtances of thoſe times, and the condition of all countries that are in a ſtate of war, will hardly ſee any iniquity in the receiving that mercy, or in the unavoidable neceſſity they were under of living in their own houſes, as ſhould bring upon thoſe perſons the forfeiture of their eſtates."

But of all the marks of nocency eſtabliſhed on this occaſion, that of having taken the engagement to Cromwell, was the moſt extraordinary; for that engagement was primarily contrived, during the uſurpation, by thoſe very perſons,[a] who, after the king's return, had acquired authority and influence enough to have the modelling and impoſing of theſe rigid conditions. From whence reſulted this very ſhocking injuſtice and abſurdity, peculiar, certainly, to the policy of theſe times,[3] that the original framers and promoters of that engagement, who had themſelves voluntarily taken and ſigned it, and had compelled others to take it, were not only held innocent, but rewarded with great honours, and employments of the higheſt authority in the ſtate; while thoſe who abhorred it, when it was forced upon them, and never took it but at the laſt extremity,

[2] Orm. vol. ii. [3] Sale and Settlement, &c.

[a] The new Earls of Orrery and Montrath.

extremity, and to avoid a violent and ſhameful death,[b] were condemned as nocent, not only to the loſs of their eſtates, but alſo to the mortification of ſeeing them beſtowed upon the very authors and impoſers of that engagement.

CHAP. XXII.

The time limited for holding theſe courts found too ſhort, and not ſuffered to be enlarged.

THE time limited for holding the court of claims was a twelvemonth; but it ſat only [1] "from February to Auguſt following; during which ſpace, the claims of near a thouſand innocents were heard, whereof half were declared innocent, notwithſtanding the many difficulties they had to encounter, as well from the rigorous conditions before-mentioned, as from a ſwarm of corrupt witneſſes that were daily employed againſt them. For the ſuborning of witneſſes at theſe trials was ſo frequent and barefaced, that their perjuries were ſometimes proved in open court,[2] by the teſtimony of honourable perſons, who happened accidentally to be preſent. Sir William Petty boaſted, when he had evicted the Duke of Ormond out of ſome lands before this court, that he had gotten witneſſes, that would have ſworn through a three-inched board."[a]

[1] Cart. Orm. vol. ii. [2] Id. ib. f. 393.

[b] "This engagement was, during the uſurpation, forced upon the Iriſh in ſo violent and barbarous a manner, that thoſe who refuſed it, were not only excluded from all benefit of the laws, but were alſo in imminent danger of their lives from the public orders given to Cromwell's ſoldiers to allow quarters to no perſon, whom they ſhould meet in their way, that could not produce a certificate of his having taken it; orders which were cruelly executed, even on poor peaſants, when through ignorance or forgetfulneſs, they had left their certificates behind them." Sale and Settlement of Ireland.

[a] Sir William Petty was accuſed, in the court of claims, of ſuborning

The time limited for the trial of innocents being expired,[1] Sir Richard Rainsford, one of the commiſſioners, and a man of great probity, thought it reaſonable to ſue for more time, in order to try the claims of thoſe who could not be heard within the period above-mentioned, and who certainly, had as much right to demand the reſtitution of their eſtates, until they were heard and found nocent, as thoſe who had undergone their trials, and been adjudged innocent. "But theſe,[4] ſays Mr. Carte, were left to be ruined, merely for want of that common juſtice of being heard, which is by all nations allowed to the worſt of malefactors.[b] The Duke of Ormond," adds he, "did not think it proper to inſert a clauſe in the bill, in the draught of which he was obliged to have the concurrence of the council, for relief of theſe unheard innocents." The duke himſelf ſeemed conſcious of the injuſtice of this omiſſion; for in a letter to the Earl of Clarendon on that occaſion, he ſays,[5] "if you look upon the compoſition of this council, and parliament, you will not think it probable, that the ſettlement of Ireland can be made with

[1] Sale and Settlement. [4] Ubi ſupra.
[5] Cart. Orm. vol. iii.

ſuborning witneſſes againſt Lord Barnwell and thirty-five Iriſh proprietors; but took care to have his cauſe brought before his friends in the Iriſh commons, then ſitting, which conſiſted moſtly of men of his own ſtamp, Cromwellian officers and adventurers, who acquitted him of the charge, on a ſuppoſition that the proſecution was malicious, and intended "to blemiſh and diſable ſuch teſtimonies as ſhould be brought into that court (of claims) againſt rebels, and particularly againſt the thirty-five Iriſh proprietors above-mentioned." See Com. Journ. vol. ii. f. 281. & alibi.

[b] "Of four thouſand claims of innocents, entered in that court of claims, the commiſſioners had not time to hear above ſix hundred, by the 22d of Auguſt, when their commiſſion ended." Life of Ormond, vol. ii. f. 297.

The Iriſh commons in their addreſs to the queen (Anne) in 1709, declare, "that the title of more than half the eſtates then belonging to the proteſtants, depended on the forfeitures in the two laſt rebellions" (in 1641 and 1688.) Com. Jour. vol. iii. f. 643.

with much favour, or indeed reaſonable regard, to the Iriſh. If it be, it will not paſs; and if it be not, we muſt look for all the clamour, that can be raiſed by undone men."

The king had committed the drawing up of that bill chiefly, if not ſolely, to the Duke of Ormond's diſcretion.[c] His grace therefore was certainly blameable for not inſerting the above-mentioned clauſe, even ſuppoſing him to have been merely paſſive in the omiſſion; but that he was equally active with thoſe of the council, in hindering his majeſty to grant further time for trying the claims of ſo many unheard innocents, will, I fear, be found too evident for the credit of his impartiality or honour.[d]

CHAP.

[c] "There was a clauſe in the (explanatory) act, that all the Iriſh ſhould put in their claims by a day appointed, and that they ſhould be determined before another day, which was likewiſe aſſigned, which days might be prolonged for once by the lord lieutenant (Ormond) upon ſuch reaſons as ſatisfied him." Clarend. Life, vol. ii. p. 227.

[d] There was hardly any ſtep taken in England, with reſpect to the ſettlement of Ireland, wherein his grace's advice was not ſought for, and followed. His friend the Earl of Orrery told him, "that he was aſſured by good hands, that moſt of the perſons to be reſtored by name, would be nominated by his grace, though afterwards inſerted in the act by his majeſty." State Lett. vol. i. p. 184. Lord Orrery's information was very right; for Lord Arlington had before acquainted Ormond, "that his majeſty had promiſed willingly to hearken to his grace's repreſentations from Ireland, concerning the qualifications of thoſe whoſe merit he ſhould deſire to recompence." And in another letter, he expreſsly told him, "that his majeſty had bid him write to his grace to know, what perſons he would adviſe him to nominate to be reſtored to their eſtates." And ſoon after, the ſame lord ſent him a warrant, "which," he ſaid, "he drew up as near as he could to his grace's ſenſe, by which his majeſty empowered him to ſend a liſt of the names." State Lett. by Brown.

CHAP. XXIII.

An enlargement of time for hearing all the claimants, by whom hindered.

HIS [1] majeſty, by a letter of February 21ſt, 1662, to the Duke of Ormond, had (probably at Sir Richard Rainsford's requeſt,) granted an enlargement of time for the trial of thoſe innocents who could not be heard within the year. But he afterwards revoked that grant, at the requeſt of his grace, and the Iriſh council. This appears from a letter of Lord Arlington to his grace, of the 7th of March following, wherein he tells him,[2] "that his majeſty was ſurpriſed at reading a letter from him and the council, of the preceding month, relating to the period that ought to be put to the commiſſioners ſitting and determining claims, on account of the contradiction, which that letter contained to what himſelf had judged, upon hearing that point debated in the (Engliſh) council;" but that, "however, his majeſty would reſume the conſideration of it." And accordingly, on the 25th of July following, the ſame Lord Arlington informed his grace and the council,[3] that "the king had actually revoked his grant of the 21ſt of February at their requeſt and ſolicitation." For after having told them, that upon receipt of their diſpatch concerning his majeſty's letter of the 21ſt of February, directed to his grace the lord lieutenant, for receiving, and admitting, in general, all ſuch perſons to put in their claims before his majeſty's commiſſioners in Ireland, as his grace ſhould judge fit, notwithſtanding the time limited by the act of parliament was elapſed, he adds,[4] "that he had acquainted his majeſty with their opinion thereupon, and that his majeſty had accordingly commanded him to ſignify to their lordſhips, that it was his majeſty's pleaſure, that his ſaid letter

[1] State Lett. [2] State Lett. Collect. by Brown, p. 356.
[3] Id. ib. [4] Id. ib.

letter of the 21ſt of February ſhould be wholly ſuſpended and laid aſide; finding that ſaid letter was gained upon grounds ſeemingly equitable, though now by their lordſhips found to be[a] inconſiſtent with the act of ſettlement." And thus above three thouſand perſons, who had entered claims of innocency, were not heard, and ſo were left to be utterly ruined.

For the court of claims being now at an end, that which was called the explanatory bill, put an abſolute period to all future hopes of theſe unheard claimants.[b] By that bill, it was enacted,[c] "that no perſon or perſons, who, by the qualifications in the former act of ſettlement, had not been adjudged innocent, ſhould at any time after be reputed innocent, ſo as to claim any lands, or tenements, thereby veſted; or be admitted to have any benefit or allowance of adjudication of innocency;

[c] See Acts of Settlement. Lel. vol. iii. p. 440.

[a] "The king referred the preparing of this bill to Ormond, and the Iriſh council." Lel. Hiſt. of Irel. vol. iii. p. 435. "But the lieutenant and council were empowered to explain any difficulties, and amend any defects in it." Id. ib. p. 442. "Ormond promiſed to explain and amend, agreeably to the wiſhes of the commons." Id. ib. Theſe commons, as we have ſeen, "were, for the moſt part Cromwellian rebels, independents, anabaptiſts, and levellers; and, by the appointment of the regicides, actually poſſeſſed of the eſtates of the Iriſh."

Lord Arlington, in a letter to the Duke of Ormond, June 27th, 1663, ſays, "As for the letters granted by his majeſty for reſtoring innocent papiſts to their dwellings, &c. in corporations; 'tis true, they have been gotten from his majeſty by much importunity for particular perſons, but upon your grace's repreſentation of the inconveniencies that may, and will ariſe from them, his majeſty reſolves to be very tender of granting the like for the future." State Lett. by Brown, p. 290.

[b] "Thus every one remaining of thoſe numerous claimants, whoſe cauſes had not been heard, was entirely cut off. They complained of perjury and ſubornation in the cauſes that were tried before the court of claims; but their great and ſtriking grievance was, that more than three thouſand perſons were condemned without the juſtice granted to the vileſt criminals, that of a fair and equal trial." Lel. Hiſt. of Irel. vol. iii. p. 440.

innocency; or any benefit of articles whatſoever."[b] This bill (which the Iriſh called the black act) was brought over to Ireland, ſigned and ſealed, by the Duke of Ormond himſelf.[c]

The

[b] Walſh's Hiſt. of the Iriſh Remon. f. 568.

[c] "By this act, Ormond is ſaid to have got the city of Kilkenny, and ſix other corporate towns, together with their lands and liberties, valued by himſelf and his friends of the council but at 60,000l. though they are well worth 120,000l." Unkind Deſerter, p. 165. By the ſame act, three hundred thouſand pounds were to be raiſed on his majeſty's ſubjects of Ireland, one hundred thouſand of which was for his grace. Queries, Unkind Deſerter, &c. p. 168. Quere, 17th, "Whether the Duke of Ormond's gifts and grants amount not to 630,000l. and whether this ſum would not have ſatisfied all the Engliſh intereſt of Ireland, and have ſettled the proteſtants and well-meriting natives of that kingdom in peace; whereas now his majeſty, and all Chriſtendom is troubled with their clamours againſt the breach of public faith." Ib. p. 169. "The Duke of Ormond's eſtate was much incumbered, and his rents before the rebellion, exceeding not 7000l. per ann. and during the war he got more by his government of Ireland, and giving up Dublin, than he could if he were in poſſeſſion of his eſtate." Id. ib.

Although this explanatory act was ſo contrived, as fully to anſwer all the predatory purpoſes of it, yet the commons thinking the tenure of their uſurped poſſeſſions ſtill inſecure, petitioned his grace for a further explanation of ſome parts of it; and particularly of the veſting clauſe, "for by that clauſe (they ſay) they find ſuch lands are veſted in his majeſty, as have been ſince the 23d of October, 1641, ſeized, &c. by reaſon of, or on account of the late rebellion or war; that the petitioners cannot but take notice, that in ſome actions that have been depending in ſome of his majeſty's courts of juſtice in this kingdom, wherein the former act of ſettlement hath been given in evidence, a doubt hath been raiſed from theſe words, 'By reaſon of, and on account of, the rebellion or war, whether it be not neceſſary for the making out of his majeſty's title by the ſaid act, to bring direct proof that the former proprietors of the lands ſo ſeized, &c. were in the rebellion or war.' That from thence jurors, in ſome caſes, have taken the liberty to find verdicts wholly contrary to the ſcope and intent of the ſaid bill. And that the petitioners do not find that the ſaid clauſe is ſo explained in this bill, but that the ſame doubts may hereafter continue, and that his majeſty's proteſtant ſubjects may be put upon the neceſſities of making ſuch proof, as by the preamble of the ſaid former act

ſeems

The articles above intended, of which the Iriſh were to receive no benefit, were thoſe of the peace of 1648; on the concluſion of which, Ormond himſelf, then lord lieutenant, declared by proclamation, in his majeſty's name, "that all perſons rendering due obedience to the ſaid peace ſhould be protected, cheriſhed, countenanced, and ſupported, according to the true intent and meaning of the ſaid articles."

I muſt here obſerve, that the king was ſo ſenſible of his obligation to perform his part of the articles of that peace, that mentioning it in his declaration for the ſettlement of Ireland,[d] which was to be the foundation and ground-work of theſe acts, he uſed the following remarkable

ſeems impoſſible to be made, &c." To this petition his excellency returned ſo gracious and ſatisfactory an anſwer, that the commons not only voted, "nem. con. that upon the confidence and aſſurance the houſe had received from his grace's ſaid anſwer, they would proceed to put the queſtion for paſſing the ſaid bill." Com. Jour. vol. ii. f. 388. But alſo ordered, "that the ſpeaker with the whole houſe, ſhould wait upon his grace, to know when he would be pleaſed to receive their moſt humble, hearty, and thankful acknowledgments for it." With which meſſage his grace was ſo well pleaſed, that by his ſecretary, Sir George Lane, he ſent anſwer to the commons, "that although it was then late, yet he would order dinner to be put back, and would be ready to receive the houſe immediately." Com. Jour. vol. ii. f. 388.

[d] In his majeſty's declaration for the ſettlement of Ireland, about five hundred gentlemen, who had faithfully ſerved him abroad, were named to be reſtored to their eſtates in that kingdom; yet it appears, that in the province of Ulſter, but three of the natives were reſtored, viz. Lord Antrim, Sir Henry O'Nial, and one more of an inconſiderable eſtate. In the province of Connaught but four were reſtored, viz. the Earl of Clanrickard, the Lord Mayo, Colonel John Kelly and Colonel Moore. Sale and Settlement of Ireland.

On the other hand, "the Lords Montrath and Maſſareen (two moſt inveterate parliamentarian rebels) had got into their hands moſt of the lands of the counties of Dublin, Louth and Kildare, and the barony of Barrimore; and the lords juſtices, to ſtop the clamours of the Earl of Fingall, and others who were not reſtored according to their orders, were forced to give them penſions out of the Exchequer, which juſt enabled them to ſubſiſt." Cart. Orm. vol. ii.

remarkable words: "We[7] cannot but hold ourſelves obliged to perform what we owe, by that peace, to thoſe who have honeſtly and faithfull performed what they promiſed to do, though both we and they were miſerably diſappointed as to the effects of thoſe promiſes." Nor did any of the diſpoſſeſſed Iriſh then claim the benefit of it, but ſuch as were conſcious, and could produce authentic and undeniable proof (ſome of them by appealing even to his grace's knowledge) that they had all along faithfully obſerved the conditions of it. And theſe, ſurely, had an inconteſtable right to the benefits of a peace "which, as Lord Caſtlehaven witneſſeth,[8] they had ſealed and confirmed with the blood of more than twenty thouſand of their beſt men, who loſt their lives to maintain it; refuſing, in the mean while, all offers of peace, and that to the very laſt, from the Engliſh parliament."[e]

Their agents before the king and council in England, "demanded (ſays Clarendon, who was preſent) the benefit of two treaties of peace, the one in the late king's time, and confirmed by him (1646), the other confirmed by his majeſty, (1648) who was preſent; by both which they ſaid, they ſtood indemnified from all acts done by them in the rebellion, and inſiſted upon their innocence ſince that time, and that they had paid ſo entire an obedience to his majeſty's commands whilſt he

[7] See that Declaration. Acts of Settlement.
[8] Memoirs, firſt edit.

[e] i. e. While they could keep any conſiderable number of their people together; for even Borlaſe "confeſſes, that while their aſſembly continued, ſuch terms were tendered to, and refuſed by, the confederates, as were agreeable to a conquering army to give (ſuch as that of the uſurpers then was) to a broken ſcattered party as the confederates were." But "being then (1652) reduced to bogs and woods, as their beſt holts, the terms ſo offered, and rejected by the aſſembly, when together, were ſoon after embraced by all of them, when ſcattered and divided into parties; on which they ſubmitted, and laid down their arms; having by the conditions, liberty to tranſport themſelves into foreign parts, or to ſtay in the kingdom." Hiſt. of the Iriſh Rebel. f. 385-6.

he was beyond ſeas, that they betook themſelves to, and withdrew themſelves from the ſervice of France and Spain, in ſuch manner as his majeſty ſignified his pleaſure they ſhould do. And (adds my author) if they had ended their ſpeech here they would have done wiſely."[9] This made an impreſſion on his majeſty and many of the lords.[10]

CHAP. XXIV.

Some reflections on the foregoing acts.

BUT matters were now ſo ſtrangely altered, that the very claiming the benefit of that peace, was made uſe of as an argument againſt their having any right to obtain it;[1] "becauſe," ſays Mr. Carte, "ſuch claim was deemed a plain confeſſion of former offences;---in ſhort the king[2] now declared for an Engliſh intereſt to be eſtabliſhed in Ireland; and conſidered the ſettlement of that kingdom, rather as a matter of policy, than juſtice. He ſaw, that one intereſt or other muſt ſuffer, and he thought it moſt fit for the good of the nation, the advantage of the crown, and the ſecurity of the government, that the loſs ſhould fall upon the Iriſh."[a]

The

[9] Clarend. Life, vol. ii. p. 201.
[10] Id. ib.
[1] Orm. vol. ii. Lel. ubi ſupra.
[2] Carte, ib.

[a] The preceding different conduct of theſe two parties is thus finely contraſted by that great genius and patriot, Dr. Jonathan Swift, Dean of St. Patrick's Dublin. "Thoſe inſurrections (ſays he) wherewith the (Iriſh) catholics are charged from the beginning of the 17th century to the great Engliſh rebellion, were occaſioned by many oppreſſions they lay under. They had no intention to introduce a new religion, but to enjoy the liberty of preſerving the old; the very ſame which their anceſtors profeſſed from the time that chriſtianity was firſt introduced into this iſland, which was by catholics; but whether mingled with corruptions, as ſome pretend, doth not belong to the queſtion. They had no deſign to change the government; they never attempted to fight againſt, to impriſon, to betray, to ſell, to bring to a trial, or to

The Duke of Ormond's conſolatory argument, with reſpect to theſe deſpoiled people, in his ſpeech to parliament on paſſing the firſt act of ſettlement, is ſomewhat remarkable.[a] "Thoſe," ſays he, "that ſhall be kept out of their antient eſtates, the inheritance of their fathers, through the defect of their qualifications, and by the all-diſpoſing providence of God, who was not pleaſed to make them active inſtruments in this happy change, are delivered from tyrannous confinements, cauſeleſs impriſonments, and a continual fear of their lives.[b] The good land lies afore them; their induſtry is at liberty, and they are reſtored to the freedom of ſubjects,

[a] Carte, vol. ii. Append. f. 25.

to murder their king. The ſchiſmatics acted by a ſpirit directly contrary: they united in a ſolemn league and covenant to alter the whole ſyſtem of ſpiritual government, eſtabliſhed in all chriſtian nations, and of apoſtolic inſtitution; concluding the tragedy with the murder of the king in cold blood, and upon mature deliberation; at the ſame time changing the monarchy into a commonwealth."

"The catholics of Ireland in the great rebellion loſt their eſtates for fighting in defence of their king; the ſchiſmatics, who cut off the father's head, forced the ſon to fly for his life, and overturned the whole antient frame of government, religious and civil, obtained grants of thoſe very eſtates which the catholics loſt in defence of the antient conſtitution, many of which eſtates are at this day poſſeſſed by the poſterity of thoſe ſchiſmatics; and thus they gained by their rebellion what the catholics loſt by their loyalty." Swift's Works, Dub. ed. vol. viii. p. 52.

[b] Before the year 1641, "the Iriſh (ſays Colonel Laurence) were proprietors of ten acres to one that the Engliſh had in Ireland; but, after the act of ſettlement, theſe Engliſh were in poſſeſſion, by that act, of four millions five hundred ſixty thouſand thirty-ſeven acres.—So that (adds my author) if the majority of proprietors may give the denomination to a country, which uſually it doth, Ireland is become Weſt England." Intereſt of Irel. part ii. p. 50-51.

Mr. Walſh, who was better acquainted with the condition of the Iriſh before the acts of ſettlement took place, ſays, "that the Roman catholics of Ireland were the lawful proprietors, and had been lately the poſſeſſors of nineteen parts in twenty of the lands of that kingdom." Reply to a Perſon of Quality, p. 145.

jects, and the protection of the laws; if an Iriſh papiſt be oppreſt, they ſhall relieve him; if the blood of the meaneſt of them be ſhed, it ſhall be ſtrictly enquired after. Let this ſtate be compared with that they were in before the king's reſtoration, and it will be found that the greateſt loſer has got ſomething." But all this cajoling amounts to no more than an oſtentatious ſuppoſition, that his grace's adminiſtration of Ireland was not altogether ſo unjuſt, tyrannous and bloody, as that of the regicides, his now favoured predeceſſors in the government of that kingdom. And the difference will appear ſtill leſs, when it is conſidered that the innocent ſufferers under Cromwell, had at leaſt the comfort of a remote, but reaſonable hope, that juſtice might be one day done them on his majeſty's reſtoration; but of this, their only remaining proſpect, they were then totally deprived, under Ormond, by this explanatory bill.

"It will be difficult," [4] ſays a contemporary writer, "to perſuade thoſe who were not eye-witneſſes of the fact, that the royal authority of a chriſtian king, which in one part of his dominions maintained the peer in his dignity, the commoner in his birth-right and liberty; which protected the weak from the oppreſſion of the mighty, and ſecured the nobility from the inſolence of the people; and by which, equal and impartial juſtice was diſtributed to all; ſhould, at the ſame time, be made uſe of, in another part of his dominions, to condemn innocents before they were heard, to confirm unlawful and uſurped poſſeſſions, to violate the public faith, to puniſh virtue, and countenance vice, to hold loyalty a crime, and treaſon worthy of reward; in a word, to exempt ſo many thouſands of faithful and deſerving ſubjects, from a general pardon, which, by a mercy altogether extraordinary, was extended to ſome of the murderers of his royal father!"

"Colonel Talbot, [5] afterwards Duke of Tyrconnel, ſuſpecting the Duke of Ormond to have done ill offices to

[4] Sale and Settlement of Ireland. [5] Cart. Orm. vol. ii.

to the Iriſh on this occaſion, expoſtulated with his grace in ſo huffing a manner, that it looked as if he meant to challenge him; and his grace, waiting upon his majeſty, he deſired to know if it was his pleaſure, at this time of day, that he ſhould put off his doublet to fight duels with Dick Talbot; for ſo he was uſually called. Talbot hereupon, was ſent to the tower, but after ſome time was releaſed upon his ſubmiſſion."

CHAP. XXV.

A dangerous conſpiracy of the puritans.

THE conſciouſneſs of having done a wrong is ever attended with ſome fear of reſentment from the party injured. Such was the Duke of Ormond's ſituation at this juncture, with reſpect to the deſpoiled Iriſh.[1] "He had ſpies and intelligencers in every part of Ireland, who ſerved him ſo well, that there was not the leaſt motion among them, but it came to his knowledge." Complaints, indeed, that wretched privilege of ſufferers, were heard from all parts; but no traces of a conſpiracy, nor even endeavours for redreſs were any where diſcovered. The caſe was very different with thoſe rebellious ſectaries, who had got poſſeſſion of their[a] eſtates. For upon the reſtoring of a few innocents, legally adjudged ſuch,[2] "they conceived ſuch reſentment

[1] Cart. Orm. vol. ii. [2] Id. ib.

[a] "I confeſs (ſays Lord Arlington in a letter to Ormond on this occaſion) it will be a hard matter to be very ſecure of thoſe who ſee their eſtates enjoyed by other men, till time hath accuſtomed them to ſuch digeſtion." State Let. by Brown, p. 408.

"This country (Ireland)," ſays the Earl of Eſſex, lord lieutenant in 1675, "has been perpetually rent and torn ſince his majeſty's reſtoration. I can compare it to nothing better, than the flinging the reward, upon the death of a dear, among a pack of hounds, where every one pulls and tears where he can for himſelf; for, indeed, it has been no other than a perpetual ſcramble." State Lett. p. 334.

reſentment againſt the government, for not having divided the ſpoil of the whole nation among them, that they entered into two dangerous conſpiracies on that account; firſt, in 1662,[b] to ſurpriſe the caſtle of Dublin, and afterwards in 1665, for a more deſperate purpoſe. For, at this latter period, there was a general deſign concerted in England, Ireland and Scotland, to riſe at one time, and to ſet up the long parliament, of which above forty members were engaged. Meaſures had been taken to gather together the diſbanded ſoldiers of the old Cromwellian army;[3 c] and Ludlow was to be general in chief. They were to riſe all in one night, and to ſpare none that would not join in the deſign; which was to pull down the king, with the houſe of lords; and, inſteads of biſhops, to ſet up a ſober, and painful miniſtry." In theſe conſpiracies ſeveral[4] preſbyterian miniſters, and ſeven members of the Iriſh parliament, were found to be[5] engaged. The priſons of Dublin were[6] crowded with theſe miniſters; and the members of parliament were ignominiouſly expelled.

Lord

[3] Orrery's State Lett. vol. i. p. 225. [4] Cart. Orm. vol. ii.
[5] Com. Jour. vol. i. [6] Carte ubi ſupra.

[b] The Duke of Ormond, in order to quiet the fears of theſe rebellious ſectaries, in a letter to the ſpeaker of the Iriſh commons, March 9th, 1662, very pertinently reminds them, "that the ſupport and ſecurity of a true proteſtant Engliſh intereſt, was the earneſt deſire of his majeſty, and the aſſiduous endeavour of him his ſervant, would clearly appear, when it ſhould be conſidered, how the council and parliament were compoſed; and withal if it be remembered of whom the army conſiſted; who were in judicature in the king's courts; who were appointed by his majeſty for executing the act of ſettlement, and who were in magiſtracy in the towns and counties; in which truſts, adds he, is founded the ſecurity, intereſts, and preference of a people." Com. Jour. vol. ii. f. 299. Theſe were almoſt to a man, either notorious promoters or ſecret abettors of the late uſurpation and regicide.

[c] "Vaſt ſums of money (ſays Lord Orrery) were levied for the carrying on this conſpiracy, and they had corrupted the moſt part of the ſoldiers that were in any freeholds; theſe freeholds they were to ſurprize, and to put all that oppoſed them to the ſword." State Lett. vol. i. p. 225-6.

Lord Orrery, from whom this account is moſtly taken, has confeſſed a truth on this occaſion, which he certainly never intended ſhould be made public. In a private letter to the Duke of Ormond, he tells him, "that [7] he had brought over Captain Taylor, one of the leaders in this latter conſpiracy, to make confeſſions to him; and that he had, as well as he could, laid open to him, the inexpreſſible mercy of his majeſty to that vile party he had engaged himſelf with; not only in pardoning to them their paſt crimes, but alſo giving them the lands of many who had ſerved under his royal enſigns abroad, to pay the arrears which had been contracted againſt his ſervice at home." Such, in thoſe days, were confeſſedly the rewards of loyalty, and the puniſhment of rebellion in Ireland!

CHAP. XXVI.

The Duke of Ormond apologizes for the favour he had ſhewn to the Cromwellian party in Ireland.

THE Duke of Ormond's ſtrange partiality [a] in favour of the partizans of the late uſurpers, to the ruin of ſo many thouſands of his majeſty's loyal, innocent, and meriting ſubjects, is thus more ſtrangely accounted for

[7] State Let. vol. i. p. 226.

[a] A remarkable inſtance of this partiality we find in one of his grace's letters to John Walſh, Eſq; one of his commiſſioners. "You know," ſays he, "what my inſtructions have been to my commiſſioners and ſervants: to give up, even whilſt I might legally do otherwiſe, whatever I was poſſeſſed of, which was but ſet out to adventurers or ſoldiers, though they had not cleared their title in the court of claims." Cart. Orm. vol. ii. Append. fol. 34.

This partiality will appear ſtill more ſtrange, when it is conſidered, "that his grace was the firſt of that family of the Butlers, that was educated a proteſtant; that his mother Lady Thurles, his brothers, ſiſters, and all his relations continuing Roman

for by himſelf. Having, in his ſpeech to parliament on paſſing the firſt act of ſettlement, given a moſt odious and ſhocking deſcription of theſe uſurpers, as "murderers of his majeſty's father, and uſurpers of his inheritance; whoſe endeavours were inceſſant to deſtroy his perſon, and to blaſt his fame; who drove him into exile, and all the afflicting circumſtances of that miſerable ſtate of a king." He thought fit in a ſubſequent ſpeech to the ſame parliament, on paſſing the explanatory act, to obſerve, "that it might ſeem liable to ſome objection, that whilſt he declaimed againſt the proceedings of theſe men, he yet undertook to ſee them ratified." After which, he ludicrouſly, and as if he were ſporting with the deſtruction of a whole people, adds, "to this I ſhall only for the preſent ſay, that unjuſt perſons may ſometimes do juſtice; and for inſtance, I will aſſure you, that Ireton,[b] at Limerick, cauſed ſome to be hanged that deſerved it almoſt as well as himſelf."

Thus, according to the Duke of Ormond's caſuiſtry, Ireton's ſuppoſed merit in hanging up ſome catholics at Limerick (obnoxious perhaps to his grace, though

[a] Borl. Hiſt. of the Iriſh Rebel.

Roman catholics, ſtill remained in the Iriſh quarters during the late inſurrection; and ſuch of them as were able to bear arms, as Lord Muſkerry, Colonel Fitzpatrick, his brother-in-law, his brother Colonel Butler of Kilcaſh, and Colonel George Mathews, and others his relations, as the Lord Mountgarret, Dunboyne, and divers other lords and gentlemen of his name and family, were generals or commanders of lower quality in the army of the confederates." See Earl of Angleſea's Let. to the Earl of Caſtlehaven, p. 62.

[b] This regicide, "with his own hand, wrote that precept which was ſent out under the hands and ſeals of the others, on the 8th of January 1648, for proclaiming their court for trying his majeſty, to be held in the painted chamber on the 10th of the ſame month." Trial of the Regicides, p. 10.

"He was once determined to deſtroy all the inhabitants, men, women and children of a whole barony in Ireland." Morrice's Life of Orrery, p. 33.

otherwiſe good ſubjects [c]), entitled that regicide's vile adherents to be legally inveſted with the eſtates and properties, of ſo many thouſands of the innocent and loyal natives; and that too in breach of articles, by which his grace had ſolemnly engaged to ſee theſe natives reſtored.

But

[c] The chief of thoſe executed at Limerick by Ireton's order, were the titular Biſhop of Emely, Major General Purcell, Sir Geoffry Baron, Sir Geoffry Gallway, and the mayor of that city. Theſe Ireton cauſed to be put to death, in revenge for their noble perſeverance in defending that city, though infected with the plague, for his majeſty. "Ireton had ſent in articles of ſurrender, in which he inſiſted that about ſeventeen of the principal perſons of the place, who were ſtill for holding it out, ſhould be excepted (from mercy). But theſe made ſo ſtrong a party, that the treaty was broke up, without any agreement. But the town being afterwards ſurrendered (by the treachery of Colonel Fennel), the Biſhop of Emely, Major General Purcell, &c. were taken in the Peſt-houſe, where they were hid." Ludlow's Memoirs, vol. i. p. 370, &c. Ireton himſelf, a few days after he had taken Limerick, caught the infection, and died of it there. Ludlow, from whom the above is cited, was one of the judges of that court-martial, which condemned theſe gentlemen.

The very words of the 2d article of the ſurrender of Limerick are, "But whereas through the practice of ſome perſons, more eminent and active than the reſt, the generality of the people (of that city) were partly deluded and deceived, by keeping them in vain expectations of relief from one time to another; and partly overawed and enforced by their power to concur, and contribute thus long to the obſtinate holding out of the place; therefore the perſons hereafter named, which are Major General Hugo O'Neil the governor, Major General Purcell, Sir Geoffry Gallway, Lieutenant Colonel Lacy, Captain George Wolfe, Captain Lieutenant Sexton, the Biſhop of Emely, John Quillan, a Dominican Friar, Capt. Laurence Welſh, a Prieſt, Francis Wolfe, a Franciſcan Friar, Philip O'Dwyer, a prieſt, Alderman Dominick Fanning, Alderman Thomas Stretch, Alderman Jordan Roche, Edward Roche, burgeſs, Sir Richard Everard, Dr. Higgen, Maurice Baggot of Baggot's-town, and Jeffery Baron, being as aforeſaid the principal appearing in ſuch practices in this ſiege and the holding out ſo long, ſhall be exempted from any benefit of this article or any article enſuing; and ſuch of them as can be found within the garriſon ſhall be rendered up at mercy, upon the ſurrender of the

But leaving this frivolous apology to the contempt it deſerves, let us now ſee, if we cannot aſſign more probable cauſes of this partiality, from the conſtant tenour of his grace's conduct, during the whole time of the preceding war, and for many years after his majeſty's reſtoration.

CHAP. XXVII.

The probable motives of the Duke of Ormond's paſt and preſent conduct, with reſpect to the Iriſh.

"TWO grants[1] were made to the Marquis of Ormond by the king, ſoon after the breaking out of the war in 1641; one was the veſting in him all the ſecurities and mortgages upon his eſtate, formerly made, and belonging to ſuch perſons as were, or had been, in the inſurrection. The other, was that of the lands held under him, and forfeited to him for breach of conditions. This grant was confirmed by a clauſe in the firſt act of ſettlement, and the eſtates thus granted contained a prodigious quantity of land,[2] which had been granted to gentlemen upon fee-farm, or quit-rents, and military tenures; by which they were obliged

[1] Cart. Orm. vol. ii. f. 306.

the city; and any ſuch perſon or perſons as ſhall be found to hide or conceal any of the ſaid excepted perſons, or be privy to their concealment or attempt of eſcape, and not diſcover to the beſt of their endeavour to prevent the ſame, ſhall be underſtood to have forfeited the benefit of theſe articles to themſelves." Borl. Iriſh Rebel. f. 359-60.

"Colonel Fennel," ſays Lord Caſtlehaven, "having cowardly or treacherouſly left the defence of the paſs at Killaloe, fled into Limerick with all his party; where, upon the rendition of the town, which happened not long after, Ireton, with more than his ordinary juſtice, hanged him." Mem. p. 128.

[2] It is affirmed that he got as many gentlemen's eſtates, upon the pretence of a grant of enjoying all lands that he could prove (by witneſſes) to have paid him any chiefry, as were worth at leaſt 150,000l." Unkind Deſert. &c. p. 166.

ed to follow their lord, the head of that family, upon any occaſion of hoſting, into the field; and upon failure thereof the lands were forfeited to their lord." [b]

From his grace's early application for theſe grants,[c] it is evident enough what uſe he intended to make of them; as alſo what were the true motives of his backwardneſs to conclude the ceſſation in 1643; and of his frequent diſobedience to his majeſty's urgent commands to haſten the peace of 1646; of his carrying on, at the ſame time, a private correſpondence and treaty with the Scotch covenanters in Ulſter, in oppoſition to that peace; and of his hindering the Iriſh to be included in the general act of indemnity, after the reſtoration, or to be indulged with the neceſſary enlargement of time, for proving their innocence in the court of claims. From all this, I ſay, it is manifeſt that his grace foreſaw, that a different conduct in any of

[b] "Moſt of the Marquis of Ormond's vaſſals and tenants, far from performing this condition of their tenure, had engaged in the rebellion and fought againſt him in the field. And king Charles I. to prevent any interfering of the claim of the crown and the rights of the lord, and any litigation of the Marquis of Ormond's right to thoſe forfeited lands, had, in Auguſt 1642, conveyed to him all the right, title and intereſt which the crown had, or might have, in any of thoſe lands. This was now confirmed by king Charles II. &c." Cart. Orm. vol. ii. fol. 218.

The ſame writer, however, tells us, "that his grace had, in the time of the troubles, to raiſe money for the ſupply of the army and ſervice of the crown, entered into many judgments, ſtatutes, recognizances, mortgages, and other ſecurities to Roman catholics, who had forfeited the ſame to his majeſty. And that all theſe were firſt, by a ſpecial grant, and afterwards by the act of ſettlement, given to his grace as fully as the crown enjoyed the ſame; but that his grace ſent directions to pay the perſons who had advanced him the money on theſe ſecurities, their full demand in ſome caſes, and a juſt and equal compoſition in others." Id. ib. fol. 309. But is it reaſonable to believe, that thoſe Roman catholics who had freely lent their money to his grace, with a view of enabling him to ſubdue the rebels, would afterwards raſhly incur a forfeiture of it by promoting or abetting the rebellion?

[c] 1642. See Cart. Orm. vol. iii.

of theſe conjunctures, would have precluded him from ſome part of that vaſt emolument, which he expected from theſe grants, and which he knew, was in the end to be proportioned to the extent, duration, and heinouſneſs of the inſurrection.

" And thus we find his noble friend, the Earl of Angleſey,[d] acknowledging in print, in 1681,[e] " that it was then apparent, that his grace and his family, by the forfeiture and puniſhment of the Iriſh, were the greateſt gainers of the kingdom, and had added to their inheritance vaſt ſcopes of land, and a revenue three times greater than what his paternal eſtate was[c] before

[e] Let. to the Earl of Caſtlehaven. Caſtlehav. Mem. 1ſt ed.

[d] When the Duke of Buckingham was endeavouring to ſupplant Ormond in the king's favour, and made overtures to the Earl of Angleſey to join him for that purpoſe, the " earl rejected theſe overtures with indignation, and gave Ormond notice of the deſigns formed againſt him." Lel. Hiſt. of Irel. vol. iii. p. 453. See Cart. Orm. vol. ii. fol. 482.

[c] A knowing contemporary writer aſſerts, " that the annual rents of Ormond's eſtate before the war, were but ſeven thouſand pounds ſterling (his antient eſtate being then encumbered with annuities and leaſes, which otherwiſe was worth forty thouſand pounds ſterling per annum), and at preſent (1674) it is cloſe upon eighty thouſand. Now the firſt part of his new great revenues, is the king's grant of all thoſe lands of his own eſtate which were leaſed or mortgaged; the reſt were grants of other men's eſtates, and other gifts of his majeſty." His gifts and grants are thought to amount to 630,000l. Unkind Deſerter, p. 161-2. See Queries. ib. Appen. p. 168.

The pamphlet containing theſe queries, was publiſhed in England ſoon after the reſtoration, but ſeems not to have been anſwered by any of the duke's friends either then or for ſome years after. " If his grace (ſays a contemporary author in 1676) or any one for him, can anſwer the ſaid queries, why is he or they ſo long ſilent? they render his integrity ſuſpected, they wound his fame and honour. Certainly, if there were any way to anſwer them, and prove them falſe, Father Walſh would, long before now, have ſpoken it loudly to the world." Unkind Deſert. &c. p. 172.

Nor was this ſilence of the Duke of Ormond and his friends the effect of contempt or diſregard, of the ſuppoſed calumny. The

before the rebellion; and that moſt of his increaſe was out of their eſtates who adhered to the peaces of 1646 and 1648, or ſerved under his majeſty's enſigns abroad." From whence his lordſhip juſtly concluded, that "his grace could not have been very ſincere, in making either of theſe peaces with the Iriſh; but that, whatever moved him thereto, whether compaſſion, natural affection, or any thing elſe, he was in judgment and conſcience againſt them; and ſo," adds he, "he has ſince appeared, and hath advantage by their laying aſide." [f]

It is, therefore, no wonder that his grace's noble brother-in-law, Lord Muſkerry, when on his death-bed, declared to himſelf, "that the heavieſt fear that poſſeſſed his ſoul, then going into eternity, was for his having confided ſo much in his grace, who had deceived them all, and ruined his poor country and countrymen." [3]

CHAP.

[3] Unkind Deſerter, &c.

The printer of the pamphlet was proſecuted and impriſoned, and two hundred copies ſeized in his houſe; and although his poverty and charge of children were very great, yet he would never confeſs who ſet him to work; ſuch a confeſſion would have procured him his liberty, but he ſeemed to ſlight it, being maintained very well in priſon, where he lay for a long time very contentedly, without making any application, or uſing any means to be bailed or diſcharged." Carte's Orm. vol. ii. fol. 385.

[f] "My Lord Duke of Ormond," ſays the Earl of Eſſex, lord lieutenant of Ireland in 1674-5, "has received above 300,000l. in this kingdom, beſides all his great places and employments; and I am ſure the loſſes in his private eſtate have not been equal to thoſe I have ſuffered (in the preceding civil war), and yet he is ſo happy as no exception is taken to it." State Lett. p. 213-14.

CHAP. XXVIII.

The Duke of Ormond befriends the Iriſh.

IN the year 1679,[a] when ſo much innocent blood was ſhed in England, by means of the perjuries of Titus Oates,[b] and his flagitious aſſociates, encouraged and patroniſed by the Earl of Shaftſbury,[1] "the peace and quietneſs of Ireland was a great diſappointment

[1] Cart. Orm. vol. ii. fol. 494.

[a] Such was the people's abhorrence of popery at this time in England, and ſo light and excuſable in their opinion did a perſon's being a proteſtant, render any other vice that a perſon might be guilty of, "that when Nell Gwin (Charles II.'s miſtreſs) was inſulted in her coach at Oxford by the mob, who miſtook her for the Ducheſs of Portſmouth (another miſtreſs of that king's, but a papiſt), ſhe looked out of the window, and ſaid with her uſual good humour, Pray good people be civil, I am the proteſtant w--e. And this laconic ſpeech drew upon her the bleſſings of the populace, who ſuffered her to proceed without further moleſtation." Graing. Biograph. Hiſt. vol. iv. p. 189. note.

[b] "The notorious Titus Oates (ſays the Rev. Mr. Grainger) was ſoon after the acceſſion of (king) James, convicted of perjury, upon the evidence of ſixty reputable witneſſes, of whom nine were proteſtants. He was ſentenced to pay a fine of two thouſand marks, to be ſtripped of his canonical habit, to be whipt twice in three days by the common hangman, and to ſtand in the pilory at Weſtminſter-hall gate, and at the Royal Exchange; he was moreover to be pillored five times every year, and to be impriſoned during life. The hangman performed his office with uncommon rigour. The beſt thing James ever did was puniſhing Oates for his perjury; and the greateſt thing Oates ever did, was ſupporting himſelf under the moſt afflictive part of his puniſhment with the reſolution and conſtancy of a martyr. A penſion of four hundred pounds a year was conferred upon this miſcreant by king William. He was, for a clergyman, remarkably illiterate; it is well known that he was the ſon of an anabaptiſt; and he probably died in the communion in which he had been educated." Biographic. Hiſt. of Eng. vol. iv. p. 348.

"Titus

ment to that earl and his party; and they took all poſſible methods to provoke and exaſperate the people of that kingdom, already too much diſcontented. For that end, they procured orders from the council of Ireland, to tranſmit ſevere bills againſt the Iriſh catholics in matter of religion, in hopes to drive them into a new rebellion. It was now propoſed to introduce the teſt act, and all the Engliſh penal-laws, into Ireland; and that a proclamation ſhould be forthwith iſſued for encouraging all perſons, that could make any further diſcoveries of the horrid popiſh plot, to come in and declare the ſame." [c]

The

" Titus Oates (ſays the ſame Biographer) was reſtrained by no principle, human or divine, and like Judas would have done any thing for thirty ſhillings; he was one of the moſt accompliſhed villains that we read of in hiſtory; he had been chaplain on board the fleet, whence he was diſmiſſed for an unnatural crime, and was known to be guilty of perjury before he ſet up the trade of witneſſing; he was ſucceſsful in it beyond the moſt ſanguine expectation: he was lodged at Whitehall, and had a penſion aſſigned him of 1200l. a year. The æra of Oates's plot was alſo the grand æra of whig and tory." Id. ib. p. 201-2.

Some have concluded from the following paſſage in D'Avaux, that the Prince of Orange had a conſiderable ſhare in framing this moſt iniquitous plot: " I preſume to declare," ſays that count, " that I have omitted nothing to diſcover the combinations that the Prince of Orange has engaged in, with the moſt abandoned of the Engliſh. On the 21ſt of September, 1679, I ſent intelligence that Oates, who has ſince that time been ſo notorious; Freeman, of whom I have already ſpoken; and Du Moulin, a man of intrigue and an execrable villain; arrived together in Holland ſome years paſt, and that the Prince of Orange had been in grand conferences with them." D'Avaux, tom. i. p. 32. See M'Pherſon's Hiſt. of Great Britain, vol. i. p. 343. Certain it is, that after that prince became king of England, he attempted to have reverſed Oates's ſentence; but the commons refuſed to gratify him in ſo impious an act. That villain, however, was pardoned and penſioned by his majeſty, as above-mentioned.

[c] On the firſt report of the popiſh plot, " Peter Talbot, Archbiſhop of Dublin, in a dangerous fit of the ſtone, was impriſoned in the caſtle. Orders were iſſued, that all officers ſhould repair to their reſpective garriſons; that popiſh eccleſiaſtics

The Duke of Ormond, then Lord Lieutenant of Ireland, and luckily at that juncture in England, employed all his intereſt with the king, to prevent the calling a parliament for theſe cruel purpoſes.[a] "I will venture," ſays his grace in a letter to the Earl of Arran on that occaſion, "to tell you, without a cypher, that the reaſon why the calling of a parliament in Ireland ſticks, is the ſeverity of two bills tranſmitted againſt the papiſts; the one taking away the votes of peers, whilſt they are papiſts; and the other inflicting death upon a certain ſort of popiſh clergy, if found in Ireland; the one ſeeming unjuſt, and the other cruel, and neither neceſſary. For my part, I confeſs, if I had been here when the expelling of the popiſh lords paſſed, I ſhould have voted againſt it in conſcience and prudence; in conſcience, becauſe I know no reaſon why opinion ſhould take away a man's birthright; or why his goods or lands may not be as well taken away; ſince money miſapplied is, for the moſt part, a more dangerous thing in diſaffected hands, than a word in his mouth. And I think no leſs of the other bill, for upon ſerious and cool thoughts, I am againſt all ſanguinary laws, in matters of religion, purely and properly ſo called."[d]

"It

[a] Cart. Orm. vol. ii. fol. 535.

tics ſhould depart from the kingdom, popiſh ſeminaries and convents ſhould be ſuppreſt. Informations quickly multiplied, and directions were received from England to ſeize Richard Talbot (afterwards Duke of Tyrconnel), Lord Mountgarret and his ſon, and a colonel of the name of Peppard. Lord Mountgarret, repreſented as a dangerous conſpirator, was of the age of eighty years, bed-ridden, and in a ſtate of dotage; and, to the further diſcredit of the evidences, no Colonel Peppard was known or could be found in Ireland." Lel. Hiſt. of Ireland, vol. iii. p. 474.

[d] Previous to, and concomitant with, Oates's plot, the minds of the people were inflamed by ſermons, pamphlets, &c. containing the groſſeſt and moſt abominable aſperſions on the civil principles of Roman catholics. Thomas Barlow, Biſhop of Lincoln, eminently diſtinguiſhed himſelf on that occaſion, in a book of one hundred and thirty-ſix pages in quarto; which though

" It [3] was a terrible ſtur upon the credit of the plot in England, that after it had made ſuch an horrible noiſe in a nation, where there was ſcarce one papiſt to an hundred proteſtants, there ſhould not, for a year, be found one witneſs from Ireland, to give information of any conſpiracy of the like nature in that kingdom, where there were fifteen papiſts to one proteſtant. But the proclamation above-mentioned, which was publiſhed according to the order ſent from England, ſupplied that defect. For upon the encouragement given in it, tories and other criminals, confined in jails;

[3] Cart. Orm. vol. ii. fol. 535.

though clearly refuted by Peter Walſh, in a letter to his lordſhip, containing five hundred and ninety pages in octavo, yet is ſtill made uſe of by all the libellers on that topic, as an inexhauſtible fund of arguments againſt allowing the rights of ſubjects, in theſe kingdoms, to the profeſſors of that religion; although their dutiful and loyal conduct affords the cleareſt refutation of theſe arguments. This Biſhop of Lincoln was not unconſcious of the injurious falſhoods he publiſhed at that juncture, againſt thoſe inoffenſive people, as appeared by his own ſubſequent trimming behaviour on different occaſions. " His conduct," ſays the Rev. Mr. Grainger, " for ſome time, like that of other Calviniſts, appeared to be in direct oppoſition to the church of Rome; but after James aſcended the throne, he ſeemed to approach nearer to popery than he ever did before. He ſent the king an addreſs of thanks for his declaration for liberty of conſcience; and is ſaid to have written reaſons for the reading of that declaration (by the clergy in their churches); his compliances were much the ſame after the revolution." Biograph. Hiſt. of Engl. vol. iv. p. 287.

Anthony Wood informs us, " that when Oates's plot broke out, September 1678, though he (Barlow) had been a ſeeming friend to papiſts, he became then a bitter enemy to them, and the Duke of York; but that when the duke was proclaimed king, he took all opportunities to expreſs his affection to him; and, among others, writ, as was ſaid, reaſons for reading his majeſty's declaration for liberty of conſcience. But when the king withdrew himſelf into France, to avoid imminent danger, in 1688, he was one of thoſe biſhops that very readily voted, that he had abdicated his kingdom. He was eſteemed by thoſe that knew him well, to have been a thorough-paced Calviniſt." Athen. Oxon. vol. ii. p. 877.

jails, pretended to have great diſcoveries to make on that head, and obtained their liberty, and had money given them by the government of Ireland, to tranſport them to England for that purpoſe; though theſe wretches knew nothing of the matter, till they were inſtructed by Mr. Hethrington, Lord Shaftſbury's agent in managing and providing for them."

It may not be unentertaining to the reader, to find here an exact deſcription of theſe witneſſes, left us by the lord lieutenant himſelf, after his return to Ireland. "At council," ſays he,[d] "there is little more to do than to hear witneſſes; ſome come out of England, and ſome producing themſelves here, and all, I doubt, forſwearing themſelves. Thoſe that went out of Ireland with bad Engliſh, and worſe clothes, are returned well-bred gentlemen, well-caronated, periwigged, and cloathed. Brogues and leather ſtraps are converted into faſhionable ſhoes and glittering buckles; which, next to the zeal tories, thieves, and friars have for the proteſtant religion, is a main inducement to bring in ſhoals of informers.[e] They find it more honourable

[d] Ib. vol. iii.

[e] "I dare not," ſays his grace in another letter, "ſay, though it be manifeſt, that moſt of our diſcoveries give more diſcredit, than confirmation, to the plot. It is well that I am not like to be charged for a plotter or a papiſt." Carte's Orm. vol. ii. Append.

"There were too many proteſtants then in Ireland," ſays Mr. Carte, "who wanted another rebellion, that they might increaſe their eſtates by new forfeitures. And letters were perpetually ſending into England, miſrepreſenting the lord lieutenant's conduct, and the ſtate of things in Ireland. The Earl of Angleſey gave the Duke of Ormond, a friendly advertiſement of thoſe miſrepreſentations and ſuggeſtions againſt his proceedings, made by one of the greateſt perſons in the kingdom, tranſmitted to ſeveral perſons in London, and particularly to ſome members of parliament and of the privy council." Orm. vol. ii. fol. 482.

On the other hand, "ſome perſons to whom the Duke of Ormond's moderation was not agreeable, imagining that he might be driven out of it by the danger of an aſſaſſination, dropped

honourable and ſafe, to be the king's evidence, than a cow-ſtealer, though that be their actual profeſſion; but as they have not the honeſty to ſwear truly, they want the wit to ſwear probably."[f]

Jones,[5] Biſhop of Meath, who was both the procurer and examiner of theſe witneſſes in Ireland, had been ſcout-maſter general to Oliver Cromwell's army.

Yet, upon the bare teſtimony of the above mentioned notorious miſcreants, ſeveral of the Iriſh nobility, clergy and gentry, were at that juncture, either thrown into jails or forced to quit the kingdom. Primate Plunkett (as Biſhop Burnet informs us, on the report of the Earl of Eſſex, who had been lord lieutenant of Ireland, and knew him perſonally), "was a wiſe and ſober man,[6] fond of living quietly and in due ſubjection to the government, without engaging in intrigues of ſtate;" yet he was brought over to England, and condemned, and executed at Tyburn, on the accuſation of theſe ſuborned witneſſes.[g]

But

[5] Cart. Orm. vol. ii. fol. 498.

[6] Hiſt. of his own Times, vol. i. f. 230.

dropped letters in the ſtreets of Dublin, inſinuating a conſpiracy formed for murdering his grace; and ſeveral pretended to give an account of what they had heard, or ſuſpected of ſuch a deſign. Divers examinations were taken, and the duke could not well tell at firſt what to think of the matter; as it ſeemed to agree with what was mentioned in general by Oates and Dugdale, whoſe depoſitions it was calculated to countenance. But he had too much firmneſs of mind to be moved by ſuch dark and inexplicable informations as were given, to alter a conduct founded on ſo much reaſon, as what he had hitherto obſerved." Id. ib. vol. ii. f. 481.

[f] Alluding to two friars that informed againſt the titular Primate Plunkett.

[g] "Plunkett," ſays Burnet, "was at this time brought to his trial. Some lewd Iriſh prieſts, and others of that nation, hearing that England was then diſpoſed to hearken to good ſwearers, thought themſelves well qualified for the employment; ſo they came over to ſwear, that there was a great plot in Ireland. The witneſſes were brutal and profligate men, yet the Earl of Shaftſbury cheriſhed them much; they were examined by parliament

But the Duke of Ormond,[h] by his great reſolution and activity, put a ſtop to this ſpreading miſchief, not without expoſing himſelf to the danger of being repreſented by the faction in England, as a plotter or a papiſt, on that account.

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liament at Weſtminſter, yet what they ſaid was believed. Some of theſe prieſts had been cenſured by him for their lewdneſs. Plunkett had nothing to ſay in his defence, but to deny all; ſo he was condemned, and ſuffered very decently, expreſſing himſelf in many particulars as became a biſhop; he died denying every thing that had been ſworn againſt him." Hiſt. of his own Times, vol. i. f. 230.

[h] His grace in one of his letters to England on this occaſion, ſays, "Here is one Owen Murphy authoriſed to ſearch for, and carry over witneſſes, I ſuppoſe to give evidence againſt Oliver Plunkett (the primate.) He has been as far as the county of Tipperary, and brought thence about a dozen people, not like to ſay any thing material as to Plunkett." Cart. Orm. vol. ii. App.

His grace was urged to impriſon all the principal Roman catholics of Ireland at this juncture; but he refuſed to do it, "becauſe," as he ſaid, "it could not be known, how many might be thus driven to deſperate courſes." "It was well known," adds my author, "how much the impriſonments, and other ſeverities of Sir William Parſons, had contributed to hurry numbers into the laſt rebellion; and neither the duke, nor the privy council, deemed it prudent to make another experiment whether the ſame meaſures might not be attended with the ſame effects." Lel. Hiſt. of Irel. vol. iii. p. 547.

AN

HISTORICAL AND CRITICAL REVIEW OF THE CIVIL WARS IN IRELAND.

BOOK X.

CHAP. I.

Archbiſhop King's ſtate of the proteſtants of Ireland under king James II. conſidered.

MANY and foul are the miſrepreſentations of Iriſh catholics, exhibited in Archbiſhop King's ſtate of the proteſtants of Ireland under King James II.; and although Mr. Leſley, a learned contemporary proteſtant divine, has demonſtratively proved moſt of his charges to be either abſolutely falſe, or greatly exaggerated (without any defence or reply from his grace, or his friends), yet the archbiſhop's book has paſſed, with applauſe, through ſeveral editions ſince Mr. Leſley's deceaſe, and is generally quoted as of unqueſtionable authority, by all writers, foreign and domeſtic, who have ſince treated of that part of Iriſh hiſtory; while Mr. Leſley's refutation of it is hardly any where to be met with, having been ſuppreſſed by

authority

authority in the firſt edition of it; and it was then ſo far ſtifled in its birth, that it has never ſince been reprinted.

Inſtead of taking pains to extol Mr. Leſley's character for veracity,[1] or to depreciate that of Dr. King for the want of it, I ſhall make uſe of no other argument, for either purpoſe, but ſuch as will naturally ariſe from the plain and certain evidence of facts, alleged and vouched by the former, but never diſproved, nor ſo much as contradicted, by the latter.

"No man," ſays Mr. Leſley,[1] "was, or could be, an higher aſſertor of paſſive obedience, than Dr. King had been all his life-time. Even at the beginning of the revolution, he told a perſon of honour, from whoſe mouth I had it, "that if the Prince of Orange

[1] Anſw. to King, p. 113.

[a] It will, probably, be objected to this writer's teſtimony, that he was a non-juror. But to this objection I ſhall only anſwer in the words of Biſhop Burnet, on a ſimilar occaſion. "I never," ſays that prelate, "think the worſe of men for their different ſentiments in ſuch matters; I am ſure I am bound to think much better of them for adhering ſtrictly to the dictates of their conſciences, when it is ſo much to their loſs, and when ſo ſacred a thing as an oath is in the caſe. I wiſh all who had the ſame perſuaſions, had acted with the ſame ſtrictneſs and tenderneſs." See Defence of the Bp. of Worceſter's Vindic. of the Church of Engl. p. 63.

Dr. Swift's teſtimony of this writer's merits, in his preface to Biſhop Burnet's Introduction to his Hiſtory of the Reformation, is worthy of notice. "Without doubt," ſays he, "Mr. Leſley is unhappily miſled in his politics; but he has given the world ſuch a proof of his ſoundneſs in religion, as many a biſhop ought to be proud of. I never ſaw the gentleman in my life: I know he is the ſon of a great and excellent prelate, who, upon ſeveral accounts, was one of the moſt extraordinary men of his age. I verily believe, that he acted from a miſtaken conſcience (in refuſing to ſwear allegiance to king William), and therefore I diſtinguiſh between the principles and the perſon. However, it is ſome mortification to me, when I ſee an avowed non-juror contribute more to the confounding of popery, than could ever be done by an hundred thouſand ſuch introductions." Swift's Works, Dubl. edit. vol. vi. p. 118-19.

Orange came over for the crown, he prayed God might blaſt his deſigns." In a letter to a perſon of undoubted credit, in the year 1686, he ſaid, "the principle of non-reſiſtance, was a ſteady principle of loyalty; that it was intolerable for the members of any ſtate, to flee to foreign ſuccours, on pretence that their own governors had made laws againſt reaſon, conſcience, and juſtice; yet this is one of his principal arguments, in the book above-mentioned, for juſtifying the revolution." "What I have above-written," adds Leſley, "I have from the perſon to whom he wrote it, and if he deſires it, his letters ſhall be produced." But it does not appear that he ever did deſire it.

By ſuch feigned aſſurances of loyalty, which he had often given to king James, after his arrival in Ireland, "that king had once ſo good an opinion of him,[1] that he had him frequently in private, and truſted him in his affairs; until at laſt, he found he was holding correſpondence with his enemies in England, and in the north of Ireland, and he, thereupon, impriſoned him. But his old friend, Chief Juſtice Herbert, was ſo far miſtaken in him, that he vouched for him at the council-table, with ſo much zeal as to ſay, that he was as loyal a man (to king James) as any that ſat at the board; which did retrieve the doctor from ſome inconveniences, and continued him for ſome time longer in king James's good opinion."

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[1] Leſl. Anſ. p. 106.

CHAP. II.

The ſame ſubject continued in general.

SUCH is Leſley's uncontroverted account [a] of Dr. King, as a ſubject and a man. His judgment of him, as author of the book in queſtion, is partly as follows.

"I can't ſay," proceeds he,[1] "that I have examined into every ſingle matter of fact, which this author relates; I could not have the opportunity; but I am ſure I have looked into the moſt material, and by theſe you will eaſily judge of his ſincerity in the reſt. But this I can ſay, that there is not one I have enquired into, but I have found it falſe in the whole, or in part; aggravated or miſrepreſented, ſo as to alter the whole face of the ſtory, and give it perfectly another air and turn; inſomuch, that though many things he ſays are true, yet he has hardly ſpoken a true word, that is, told it truly and nakedly, without a warp." [b] Mr. Leſley adds this particular caution, for thoſe who peruſe that book,[2] "that where Dr. King ſeems moſt exact, and ſets his quotations in the margent, that the reader might ſuſpect nothing, there he is to ſuſpect moſt, and ſtand upon his guard."

Theſe are heavy accuſations, of which, and ſeveral others, Mr. Leſley has exhibited many convincing proofs; and more ſhall be added in the ſequel, from undeniable

[1] Anſw. to King, p. 105. [2] Ib. p. 175.

[a] Wrote and publiſhed his Anſwer in England in 1692.

[b] It was, probably, from a conviction that this charge againſt himſelf was juſt, that his grace in the year 1708, wrote to Dr. Swift on a ſimilar occaſion, with reſpect to a pamphlet he had then publiſhed againſt the diſſenters, in the following words: "I wiſh ſome facts had been well conſidered, before vouched; if any one matter in it prove falſe, what do you think will come of the paper? In ſhort, it will not be in the power of man to hinder it from a warm entertainment." Swift's Let.

undeniable authority. His grace's continued ſilence under them for more than thirty years, that he ſurvived the publication of this anſwer, is the more wonderful, on account of his ſolemn atteſtation of the ſacred name of God, in the concluſion of his book, "that he had not miſrepreſented or aggravated any thing therein, in prejudice to any body, or out of favour or affection to a party; or inſiſted on ſuch particulars as might ſeem to ſerve no other purpoſe, but to make his adverſaries odious."

CHAP. III.

Particular facts related in Archbiſhop King's book proved falſe, concerning popiſh judges and juries.

BUT to come now to the teſt of this ſolemn atteſtation; I mean his relation of particular facts. Dr. King tells us,[1] that no ſooner had the papiſts of Ireland got judges and juries, that would believe them, but they began a trade of ſwearing and ripping up, what they pretended their proteſtant neighbours had ſaid of king James, whilſt Duke of York, in the time of the popiſh plot; and that of theſe proteſtants, many were found guilty, and exceſſively fined; and ſome of them impriſoned for their fines, not being able to ſatisfy the king, who ſeized both their body and eſtates."

The doctor likewiſe informs us,[2] "that theſe popiſh judges and juries connived at a wicked contrivance, which was diſcovered to the very bottom, in the county of Meath, to carry on this trade of ſwearing againſt all the proteſtant gentlemen in the country."

But unfortunately for Dr. King's credit, as an hiſtorian, that eminent and zealous proteſtant nobleman, Henry

[1] State of the Proteſtants, &c. p. 75. [2] Ib. p. 76.

Henry Earl of Clarendon,[a] lord lieutenant of Ireland in 1685, has left us a very different account of the behaviour of these popish judges and juries, on that occasion. He tells us, "that when these popish judges went to the assizes in the county of Down and Londonderry, where many considerable persons were to be tried for words formerly spoken against king James,[3] they took as much pains as it was possible, to quiet the minds of the people, wherever they went; and that they took care to have all the juries mingled half English half Irish." And particularly with respect to the county of Meath, where Dr. King tells us they principally connived at this wicked trade of swearing, his lordship adds,[4] "that Judge Daly[b] (one of these

[3] State Let. Dub. ed. vol. i. p. 326. [4] Ib.

[a] "All the Irish protestants," says Mr. Lesley, "speak exceeding good things of Lord Clarendon. They never parted with any chief governor with so much regret; and, as I have been told, none courted him more than Dr. King, who was admitted one of his chaplains." Answ. p. 132.

His lordship himself suspected, that he was recalled from the government of Ireland, on account of his religion. "If," says he, "my being a protestant be the cause of my ill usage, I am so far from being troubled, that I look upon it as a great honour to be found worthy to suffer for my religion." State Let. vol. ii. p. 158.

Harris informs us, "that he was so much depended upon by the protestants of Ireland, that after the Prince of Orange's arrival in England, they made all their applications to him, through his lordship." Life of K. William, f. 187.

That the Roman catholics of Ireland did not think him partial in their favour, appears from one of his excellency's letters from Waterford, September 12th, 1686, wherein he says, "Lord Tyrone came to see him there, and had continued with him all the time of his being there; but that not one of the other Roman catholic gentlemen had been with him. And that none of the Roman catholic inhabitants of that city (though there were there some pretty considerable merchants) had taken notice of him." State Let. vol. i. p. 402.

[b] Lord Clarendon, in a letter to Lord Sunderland, has the following passage: "It is thought fit I should recommend men to some towns (where it is doubted the election may not be good)

popiſh judges) did, at the aſſizes of that county, enlarge much on the unconſcionableneſs of indicting men upon words ſpoken ſo many years before; that he told the jury, that moſt of thoſe then charged before him in court, could give a good account of themſelves, and were well known in the countries where they lived, and that thereupon the juries, the major part of whom were Iriſh, acquitted them;" that Mr. juſtice Nugent (another popiſh judge)[5] "made the ſame declaration at Drogheda, where ſeveral perſons were tried for words, upon bills found at the former aſſizes; and that they were all acquitted, except one man, who was found guilty and fined five pounds."

But who would ſuſpect this impartial writer to have known, while he was committing theſe falſehoods to the preſs, that Lord Clarendon had, by king James's expreſs command, publiſhed a[6] proclamation, ſo early as July 1686, (the popiſh judges were made[7] only in April preceding,) "forbidding all proſecutions of that kind; and ordering, that no perſon ſhould be accountable for any words ſpoken againſt his majeſty, at any time before his acceſſion;" which proclamation his excellency immediately ſent off to the judges, then on their circuits. Yet theſe known facts, Dr. King has diſingenuouſly ſuppreſſed; for no body, I think, will have the hardineſs to pretend, that he, who was one of his lordſhip's chaplains, and a buſy enquirer into all the tranſactions of that time, could poſſibly be ignorant of a matter ſo notorious as this proclamation muſt have then been in every part of Ireland.

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[5] State Lett. Dub. ed. vol. i. p. 326. [6] Id. ib. p. 324.
[7] Id. ib. p. 162.

good) for mayors, and ſheriffs, and for common-council-men: in ſuch caſes I adviſe with thoſe who are beſt acquainted in theſe towns; particularly with juſtice Daly, and others of the king's council of that perſuaſion; and the liſts of names thoſe men give me, are always equal, half Engliſh half Iriſh; which, they ſay, is the beſt way to unite, and make them live friendly together." State Lett. vol. ii. p. 319.

CHAP. IV.

The execution of Captain Aſhton.

THE hanging of one Captain Aſhton for murder, is another of Dr. King's inſtances of the cruelty and injuſtice of theſe popiſh judges and juries. "The papiſts," ſays he,[1] "might kill whom they pleaſed, without fear of the law, becauſe they had popiſh judges and juries on their ſide; but if any killed or hurt them, they were ſure to ſuffer."[a] And then he complains, that Aſhton was hanged for killing a papiſt; who, he ſays, "abuſed his wife in the ſtreet." What the nature of the abuſe was, or whether it was by words or actions, he does not inform us; from whence we may probably conclude, that it was not of a very heinous nature; and that the doctor would inſinuate, that the killing of a papiſt, though but upon a ſlight provocation, ought not to be puniſhed, as a capital offence.

But

[1] State of the Proteſt. p. 47.

[a] There is a paſſage in Lord Clarendon's letters, which demonſtrates a very different diſpoſition in theſe popiſh judges towards proteſtants, from what Dr. King has imputed to them. "Upon a full hearing," ſays his lordſhip, "at the council-board, there was a complaint of the commiſſioners of the revenue proved againſt a juſtice of peace, who had diſcountenanced a collector of the exciſe in the execution of his office. When the board came to deliberate what to do, this," adds his lordſhip, "is remarkable, that ſeveral of our new Roman catholic counſellors, though the juſtice was an Engliſhman, and a proteſtant, were for putting off the buſineſs, and particularly the three new (popiſh) judges ſaid the gentleman would be more careful for the future." State Lett. vol. i. p. 292. His excellency alſo takes notice of the ſingular modeſty of theſe popiſh judges, when they were made privy counſellors; and ſays, "they were almoſt out of countenance on that occaſion; that they thought it would bring envy upon them, when it was not needful; they being, every way, as well qualified to do the king all poſſible ſervice, without the burden of that honour." Ib. 231.

But we find that Lord Clarendon, in whoſe time it happened, thought very differently of this affair. For his lordſhip informs us, that at that gentleman's trial,[2] "care was taken to have a good jury; but that they brought him in guilty; that great interceſſion was made with himſelf in his behalf; but that, in good earneſt, the fact was ſo horrid, and ſo fully proved, and the captain had ſo little to ſay for himſelf, that he did not think him a fit object of the king's mercy." His lordſhip adds,[3] "that the pannel was made up of the beſt men in the city; that is," ſays he, "men of the beſt reputation and credit, without regard to religion; and that there were as many of the one perſuaſion as of the other returned; that the captain excepted againſt as many of the jury as the law allowed him, who were all Roman catholics; but that the reſt, who were very honeſt men, regarded nothing but the evidence and their oaths."

Even Chief Juſtice Nugent, a papiſt, and one of the judges before whom this unhappy man was tried, and to whom Dr. King has been pleaſed to give a moſt profligate character,[4] "had been with his excellency, and deſired he might intercede with his majeſty, that he would be pleaſed to beſtow the captain's eſtate upon his wife and children." Which, for any thing I have found to the contrary appears to have been done.

CHAP. V.

The affair of the Quo-warrantos againſt the corporations not truly ſtated by Doctor King.

BUT theſe popiſh judges, not content with taking away the lives and properties of proteſtant individuals, conſpired, it ſeems, with the popiſh lawyers, to deſtroy whole corporate bodies, by iſſuing *quo-warrantos* againſt their charters; although (if we believe Dr. King)

[2] State Lett. p. 196. [3] Ib. [4] Id. ib. p. 204.

King)[1] "there was not one of theſe corporations found to have forfeited, by a legal trial; ſo that all the corporations in the kingdom were diſſolved without any reaſon, or pretence of abuſe of privilege."

"But[2] will any man believe, that lawyers (and ſome of them,[a] this author acknowledges, underſtood their profeſſion) would bring a *quo-warranto* againſt a charter,[b] and not ſo much as pretend any abuſe,[c] or forfeiture?

[1] State of the Proteſt. p. 68. [2] Leſley's Anſw.

[a] "Nangle (attorney general) arrived to a good perfection in the ſtudy of the law, and was employed by many proteſtants." King's State of the Proteſtants, &c. p. 55. "Mr. Stephen Rice was (to give him his due) a man of the beſt ſenſe among them (the popiſh lawyers), and well enough verſed in the law." Ib. p. 54. "It was before him (when chief baron of the Exchequer) all the charters in the kingdom were damned." Id. ib. Mr. Daly (afterwards judge) though a Roman catholic, yet underſtood the common law well, and behaved himſelf impartially." Ib. p. 55.

[b] "The ſeveral corporations in Ireland having forfeited their charters by miſcarriages, miſdemeanors, and other offences during the rebellion in 1641, and ſince, Charles II. had empowered his chief governor of that kingdom to grant new charters to ſuch of theſe corporations as he ſhould think fit; and for ſuch of them as ſhould not make application for renewing their charters, to iſſue *quo-warrantos* againſt them for avoiding the ſame. And King James being informed that very few had made ſuch application, directed his deputy Tyrconnel to cauſe theſe *quo-warrantos* to be iſſued, by which their former charters were made void, and new ones given them with additional franchiſes." See Harris's Life of King William. It appears from Lord Clarendon, "that King James's intention in all this was nothing more than that religion ſhould be no hindrance to the natives from enjoying the benefit of being freemen, and holding offices, as the reſt of his ſubjects did." State Lett. vol. ii. p. 8.

But Dr. King was of a different opinion, and would have that benefit monopolized in the hands of proteſtants alone, excluding the papiſts from freedom, and votes in the corporations." State of the Proteſt. p. 66.

[c] "Upon much leſs provocation, Capel Earl of Eſſex, lord lieutenant of Ireland, (that celebrated champion for liberty, and who was ſaid to have fallen a martyr to it) thought the bringing of *quo-warrantos* againſt the charter of Dublin neceſſary. That chief governor, in a letter to Secretary Coventry, in 1674-5, on occaſion of a trifling diſpute between the aldermen and commons

forfeiture? Of Mr. Nangle, the then attorney general, who was chiefly employed in that buſineſs, Lord Clarendon makes very honourable mention in ſeveral of his letters, and in one of them mentions him,[3] "as a man of great knowledge, very able in his profeſſion, and of the beſt reputation for learning, as well as honeſty, amongſt that people."[d]

But Dr. King's precipitate paſſion, or rather prejudice, againſt theſe popiſh judges and lawyers, ſeems to have ſo far tranſported him, that he has entirely miſtaken, or miſrepreſented, this tranſaction. "Lord Tyrconnel,"[4] he tells us, "knowing that the proteſtants would not give up their charters, did endeavour to prevail with them, to admit papiſts to freedom and offices in their corporations, that, by their means, he might have their charters ſurrendered;[e] but," adds he, "the reſolution of the lord mayor of Dublin ſpoiled that deſign, and forced the king to bring *quo-warrantos* againſt them." Harris, in his life of King

[3] Vol. i. p. 72. vol. ii. p. 373. [4] State of the Proteſt. p. 67.

mons of that city, ſays, "in my own thoughts, I am of opinion, and have been long ſo, that nothing will reduce this city to a due compoſure, unleſs it be the avoiding their charter by *quo-warranto*, and granting them a new one; for the body of the commons are ſo numerous, and moſt of them being extreme poor men, are continually mutinous and factious; whereas, if they had a new charter, and the number reduced to fewer, and thoſe named out of the moſt ſubſtantial chief trading men of the city, whoſe intereſt it is to be quiet, I am confident, it would be the only way to bring them into order and peace." Eſſex's Letters, p. 114.

[d] And in another letter of May 30th, 1686, he ſays, "in the liſt of the perſons added to the privy council, I find Mr. Richard Nangle; he is a very learned and an honeſt man." State Lett. p. 226.

[e] Dr. King, was ſo ridiculouſly prejudiced againſt ſuch natives of Ireland, as were afterwards appointed to city-offices under Tyrconnel's government, that not content to repreſent them as poor and unworthy, (the contrary of which can be proved) he tells us, "their very names ſpoke barbarities." State of the Proteſtants, p. 69. So much it ſeems were the doctor's delicate ears offended with the harſh ſound of Iriſh ſurnames.

King William, has retailed this ſtory from King, and dates it in the year 1686, in the mayoralty of Sir John Knox. But it is manifeſt, from Lord Clarendon's authentic account of theſe matters, that the lord mayor and aldermen of Dublin, and many other corporations, had been prevailed upon before Tyrconnel's time, to admit papiſts to freedom and offices among themſelves; [5] "for his lordſhip had himſelf diſpenſed with no leſs than fifteen Roman catholic merchants of Limerick, according to the king's order, from taking the oath of ſupremacy, when admitted to the common-council of that city: and, in a letter to Lord Sunderland, July 6th, in this very year, his excellency ſays,[6] "that he had ſent letters to all the corporations for giving their freedoms to all the Roman catholics as to his majeſty's other ſubjects, without tendering them the oath of ſupremacy; and for preſenting to him ſuch as ſhould be choſen into offices, that he might diſpenſe with their taking the ſaid oath according to the rules; that he had then received returns from about twenty of the corporations, all full of duty and obedience; and that, in ſome places, where they had two bailiffs, which are there the chief magiſtrates, they had, without any conteſt, choſen one of each religion."

And although, in the year 1686, ſome ſeeming oppoſition, in that reſpect, was made by the lord mayor and aldermen of Dublin; or rather, as Lord Clarendon expreſſes it,[7] "not ſo ſpeedy a compliance given to the king's commands as he expected;" yet it is by no means true, that they were ſo very reſolute, or uncomplying in that particular as King and Harris have repreſented them. On the contrary, it appears, that they afterwards not only complied with the king's orders, but alſo made a proper and reaſonable apology for their not having done ſo ſooner. For his excellency having [8] ſent for the lord mayor of Dublin to come to him, he, with the aldermen, expreſſed great readineſs to obey the king in any thing he ſhould command them; but

[5] State Lett. vol. i. [6] Ib. p. 304.
[7] Ib. [8] Ib.

but ſaid, that it being their conſtitution, that freemen ſhould be elected only at certain terms, they could not prevail with the commons, without whoſe conſent that rule could not be altered, though they tried twice, by his lordſhip's poſitive directions, to admit any freemen, till the uſual time; and when that time came," adds his lordſhip, " all the Roman catholics, who made application, were admitted." [f]

CHAP.

[f] The following extracts from papers relating to the admitting of papiſts into corporations, and ſent by Secretary Coventry to Lord Eſſex, in 1674, chief governor of Ireland, may throw ſome light on this affair.

" In moſt of the corporations of Ireland, the freemen were generally papiſts in the year 1641, and ſo continued till about the year 1652; and although moſt of the perſons who were then free, may now be preſumed to be dead, yet there being a cuſtom in moſt corporations, that all the ſons of freemen are alſo free of the corporations whereof their fathers were free, there cannot but be now very many papiſts living, who are intitled to their freedoms in their ſeveral corporations. In the uſurper's time, all the papiſts, that were freemen, were hindered from enjoying the benefit of their freedom.

" Since the king's reſtoration, many diſputes have happened concerning the papiſts (in Ireland) who were formerly free, being admitted again into the corporations.

" By a letter from the king, dated the 22d of May, 1661, his majeſty declared his pleaſure, that the reſpective former inhabitants, natives and freemen, and ſuch as had a right to be freemen in any of the cities or towns in this kingdom (Ireland), ſhould be forthwith reſtored to their accuſtomed privileges and immunities, and admitted to trade, in the ſaid reſpective cities and towns, as freely as heretofore, without making any national diſtinction, or giving any interruptions, upon pretence of difference of judgment, or opinion, in matters of religion. Notwithſtanding this letter, many of the antient freemen, that were papiſts, were kept out of ſeveral of the corporations.

" His majeſty afterwards, by his letters bearing date 26th February, 1671, in the time of Lord Berkley's government, did again declare his pleaſure that all the antient freemen of the reſpective corporations ſhould enjoy their former freedoms and privileges. Yet in ſome of the corporations, in which the number of proteſtants is great, many of the papiſts are ſtill kept out, and hindered from their freedoms. If they ſhould be hindered from their freedoms, they will complain that there is no law

to

CHAP. VI.

The behaviour of the Iriſh prieſts, and new recruits, under King James, impartially conſidered.

HAD Dr. King been as candid in his relation of facts, as he ought, and as he ſolemnly profeſſed to be; at the ſame time that he reproached the papiſts of Ireland, with the forwardneſs of ſome of their clergy, and the inſolence of the new recruits,[a] at this period, in Dublin; he would have given us, at leaſt, ſome intimation of the provocations, which both of them had received from the proteſtant inhabitants of that city; which indeed were ſo great and notorious, that Lord Clarendon takes frequent notice of them in his diſpatches into England.

to take that benefit from them; that it is againſt the king's pleaſure expreſsly declared in his ſeveral letters, and ſince made public by proclamation; that by the rules, papiſts, who are foreigners, may be admitted to be free in the corporations, and that it will be hard to bar papiſts, who are natives, from enjoying that freedom which has been already granted them." Lord Eſſex's Letters, p. 185-6-7, &c.

In the heads of the bill to prevent the further growth of popery in 1703, we find theſe words, "and whereas many perſons, ſo profeſſing the popiſh religion, have if in their power to raiſe diviſions among proteſtants, by voting in elections for members of parliament, &c." Com. Jour. vol. iii. f. 130.

[a] Theſe recruits were far from being ſuch deſpicable creatures as Dr. King has repreſented them. "They ſeemed to Lord Clarendon to be very good men, well-ſized, and as adroit (in their exerciſes) as could be expected of new men." State Lett. vol. ii. p. 54.

Theſe recruits were moſtly Roman catholic natives: Of whom his excellency in another letter ſays, "if the king will have one half of the Iriſh army to be natives, and the other half Engliſh, good God, why ſhould not the chief governor be truſted with it, and why ſhould it not be orderly done, which would make it well-digeſted, and not frighten people out of their wits!" Ib. p. 392. He alludes here to Tyrconnel's raſhly interfering in theſe matters, even during his excellency's government of Ireland.

England. In one of theſe he complains,[1] "that the new recruits were often affronted by the boys in Dublin, and that the ſoldiers, that were put out, did rap them ſoundly at fiſty-cuffs." From another of theſe diſpatches it appears, that theſe inſults and diſorders of the inhabitants of Dublin towards theſe recruits had riſen ſo high, that his lordſhip was obliged, "to ſend to the [2] lord mayor, to let him know, that he expected he would keep the town in order, and not ſuffer any rudeneſs to be committed." And as for the forwardneſs of the popiſh prieſts at that juncture, ſuch provocation was really given them from the pulpit,[b] and otherwiſe, not only by the inferior proteſtant clergy, but even by the biſhops,[3] "that his excellency thought himſelf bound to ſend for the biſhop of Meath to rebuke him, on that account; and to let him know his mind on that head, which that biſhop promiſed to obſerve." And although he had reſolved [4] "to hold the ſame courſe with other biſhops, and had even ſuſpended ſome of the turbulent

[1] State Lett. vol. i. p. 295. [2] Id. ib. p. 294.
[3] Id. ib. vol. i. p. 84. [4] Ib.

[b] On this occaſion his excellency "aſſured ſome of the Roman catholic biſhops, that he would give effectual orders, that whatever ſhould happen of that kind, the parties ſhould not be countenanced, and that their ſuperiors ſhould have notice of them. For that he was too well acquainted with the miſchief that ſort of looſe clergy had done, who would ſubmit to no authority; of which," adds he, "there are too many in all religions." State Lett. vol. i. p. 136-7. In this letter to Lord Sunderland, his excellency acquaints him, "that he was then giving the neceſſary orders, which Lord Sunderland had directed, to all archbiſhops, biſhops, ſheriffs, &c. that the Roman catholic clergy might not be moleſted in the exerciſe of their functions." Id. ib. "I believe you will hear a noiſe, (ſays Lord Clarendon on this occaſion) of two ſermons which were preached here (Dublin) before me on all-ſaints day, and the 5th of November. Indeed they were indiſcreet and impertinent ſermons, and I do as little love to have preachers meddle with controverſy or politics, as any body can do; I know neither of the men, but if I had, it had been all one, I would have done what I have done; the very next day I cauſed them both to be ſuſpended and ſilenced." Ib. vol. ii. p. 82.

turbulent preachers," yet he ſays,[s] "he could not anſwer, but ſome impertinent things would be ſaid even before himſelf; and that he durſt not undertake to keep the inferior clergy of Dublin within the bounds of duty and good manners."

CHAP. VII.

The conduct of the Iriſh and Engliſh army compared.

IF the new Iriſh recruits were inſolent and flagitious, their officers, according to Dr. King's account of them, were infinitely more ſo. Theſe officers were, in truth, the ſons of ſome of the beſt, but deſpoiled, families of the kingdom. But if we believe the doctor,[a] "they were the ſcum[t] and raſcality of the nation, who ruined all the proteſtant inns; and might have killed whom they pleaſed, without fear of the law." In ſhort, there was no irregularity, vice, or villainy, which he has not repreſented them to be capable of, and diſpoſed to commit.[b]

Allowing

[s] Ib. [t] State of the Proteſtants, p. 47.

[a] Lord Chief Juſtice Keating ("whom," as Lord Clarendon teſtifies, "all parties owned to be a good man." State Let. vol. i. p. 140.) in a letter dated 1688, ſays, "that the Roman catholic nobility and gentry of Ireland were univerſally concerned both in the Iriſh army then raiſed, and in that which was afterwards to be raiſed." Append. to King's State of the Proteſtants, &c.

Lord Clarendon himſelf, when in the government, had recommended ſeveral of theſe Roman catholic officers to be provided for, as Lord Brittas, Captain Butler, Major M'Carthy, Colonel Lacy, and others. State Let. paſſim, and vol. i. p. 4. The firſt and laſt of the above-named officers, he ſays, were almoſt ruined by Oates's villainy. Ib.

[b] This ſcurrility ſeems leſs indecently applicable to king William's officers in Ireland; for Marſhal Schomberg, in a letter to his majeſty from Liſburn, January 1689, tells him, "that moſt of the Iriſh officers under him, particularly thoſe of the Enniſkilleners

Allowing for a moment this account of king James's officers to be true,[c] which we ſhall juſt now prove to be falſe, how much more ſhocking and authentic accounts have we of the treachery and cruelty of the principal commanders and adherents of king William on this occaſion?

" Dr. Sheridan,[2] the deprived Biſhop of Kilmore, aſſured Mr. Carte, that being well acquainted with the old Earl of Peterborough, and often with him, he ſhewed him at one of his viſits, Sir George Hewit's original confeſſion, with his hand and ſeal to it (which he afterwards ſent to king James in France). In the confeſſion, the ſaid Sir George Hewit, (who had been made a lord by king William,) begged pardon of God and king James, for his diſloyalty and rebellion; and declared in it, that the night before king James went to Saliſbury, the Earl of Rocheſter and Lord Churchill, now Duke of Marlborough, the Biſhop of London (Stewart alſo, who is now a general officer), as he remembers, and himſelf, with others, met at Mr. Hatton Compton's houſe in St. Alban's-ſtreet; and there it was debated among them, how they ſhould do the beſt ſervice to the Prince of Orange; and at length it was reſolved, that the Earl of Rocheſter ſhould attend the king at Saliſbury, but in order to betray all his councils to the Prince of Orange; and the

[2] Macpherſ. Orig. Pap. vol. i. p. 280.

niſkilleners and Derry-men, were peaſants." Dalrymple's Mem. vol. ii. p. 72. part ii. The ſame Marſhal Schomberg mentioning king James's army, ſays, " the enemy are not only ſtrong in numbers, but alſo well diſciplined, and the ſituation of their camp as well choſen as the ableſt generals could contrive." Ib. p. 51. Of his own officers he ſays, " I never was in an army where there were ſo many new and lazy officers. The officers of the artillery are ignorant, lazy, and timorous. I diſcovered that in the artillery, there has been a great deal of roguery." Ib. p. 60, et paſſim.

[c] King James's Iriſh officers raiſed their own regiments, " and maintained them for five months at their own expence; the moſt of them having laid out all they were worth, and reduced themſelves to an impoſſibility of doing ſo any longer." King James's Memoirs. Macpherſon's Hiſt. Great Britain, vol. iii. p. 194-5.

the Lord Churchill ſhould endeavour to ſeize king James's perſon, and carry him off to the prince; but if he could not do that, he ſhould piſtol him or ſtab him when he was in the coach with him. This," adds Mr. Carte, " the biſhop has proteſted to me, more than once or twice, he ſaw written in the confeſſion of Sir George Hewit."

Mr. Leſley has juſtly obſerved on Dr. King's charge, " that there never was, and perhaps never will be, a war, wherein there were not ſome diſorderly and wicked perſons; and that, that army is beſt conducted and diſciplined, wherein ſuch crimes are feweſt a leaſt. Now," ſays he, " whether the proteſtant army, then in Ireland, was not much more miſchievous and ungovernable than the popiſh, I appeal to the teſtimony of an enemy then on the ſpot."

That enemy was Dr. Gorge, ſecretary to Marſhal Schomberg, who, in a letter to Colonel James Hamilton,[3] (after having told him, " that the ſoldiers in the proteſtant army under king William, robbed and plundered at pleaſure; that ſome of its leaders[4] ridiculed, ſcorned, and condemned all motions for its good government

[3] See Append. to Leſley's Anſwer to King.

[4] Marſhal Schomberg, in a letter to king William, in February, 1690, informs him, that " the Enniſkillen and Londonderry regiments were upon a footing of licence both to rob and ſteal." Dalrymple's Mem. vol. iii. p. 78. In another letter he tells his majeſty, that " one muſt count upon the troops raiſed in Ireland (for his majeſty's ſervice) only as ſo many cravats. That, in the day of battle, they will always throw themſelves upon the firſt plunder. That Mr. Harbord (pay-maſter general of his army) had experience of this: for that having gone one night, with his fowling-piece, upon a party with Count Schomberg, and having fallen from his horſe, five or ſix Enniſkillen-troopers began to ſtrip and rob him, although he cried out that he was pay-maſter, and that he would give them money to carry him to the camp; but that a French officer, in paſſing, having known him, the Enniſkilleners brought him back." Id. ib. p. 66. " I don't love to pillage," adds the Marſhal, " I do what I can to prevent others from doing it, who think

government and order, and ſaid, that religion was nothing but canting, and debauchery the neceſſary practice of a ſoldier [e]) takes notice, by way of contraſt, of the good diſcipline, principles, and practices of the popiſh army under king James, the ſtrict proclamations publiſhed by that king, for the obſervance of good order, and how the penalties enjoined by them were ſeverely and impartially executed." Dr. Gorge adds, "that too many of the Engliſh, as well as French

took of nothing elſe." Id. ib. "Your majeſty," ſays the ſame, "had need of officers of juſtice to repreſs the diſorders among theſe people (officers) who are lazy, and live only by theft and pillage." Ib. p. 59.

[e] "Can we expect," ſays Dr. Gorge in the ſame letter, ſpeaking of king William's officers, "that Sodom will deſtroy Babylon; or that debauchery will deſtroy popery? Our enemy fights with the principle of a miſtaken conſcience againſt us; we againſt the conviction of our own conſcience againſt them." Leſley's Anſw. p. 185.

"I am told," ſays Leſley, "this author (Dr. King) did expreſs his juſt indignation againſt the wild and barefaced debauchery of the (king William's) army, from his pulpit in Dublin, ſo far as to ſay, It was come to that paſs, that it was a ſcandal for any woman of reputation to be ſeen with a red or a blue coat." Anſw. p. 36.

In the Life of Mr. Bonnel, Dr. King's dearly beloved friend, (a book highly commended by the then Biſhops of Meath and Clogher) where mention is made of the total defeat of king James's party in Ireland, the author relates that good man's great regret, that "their (late) troubles were ſucceeded by a torrent of vice; that immorality and profaneneſs conquered as faſt as their victorious arms, and that the ſame army that delivered them, did corrupt them too." See Bonnel's Life, p. 69.

"Colonel Wooliſeley tells Secretary Southwell, that his own (king William's) men committed ſuch diſorders in their march, on all people without diſtinction, that it was a ſhame to ſpeak of it." Harris's king William, fol. 289. "The country ſtill (1691) ſuffered much under the power of the army (king William's), who, pretending to want ſubſiſtence, which was falſe, not only way-laid proviſions coming to the markets, but plundered the market publicly of whatever they claimed to want." Ib. f. 322. Propoſals were made to government to remedy this evil; however no ſteps were taken to obviate the miſchief; the oppreſſions went on, and nothing but the final ſettlement of the kingdom was able to remedy the evil." Id. ib.

French and Danes, in king William's army, were highly oppreſſive to the poor country people; whereas," ſays he, "their enemies (the Iriſh) had reduced themſelves to that order, that they exerciſed violence on none, but the properties of ſuch as they knew to be abſent, or, as they phraſed it, in rebellion againſt them; whoſe ſtock, goods, and eſtates were ſeized, and ſet by the civil government, and the produce applied towards and for the charge of the war."

CHAP. VIII.

Iriſh rapparees.

ALTHOUGH Dr. King confeſſes,[1] "that the hearts of the Iriſh ſoldiery were generally ſunk, and that they openly declared themſelves deſirous to lay down their arms, propoſing to themſelves no other conditions, but to return to the ſtation in which they were in at king James's acceſſion;" yet he at the ſame time repreſents that whole army as a band of furious freebooters and robbers,[2] "plundering the proteſtants

[1] State of the Proteſt. p. 82.

[2] "This the doctor aſſerts without proof; but if we may rely on what Marſhal Schomberg ſays of the officers under his command, we ſhall find them much worſe than thoſe of king James. "The troops of Londonderry and Enniſkillen," ſays he, "(as well as the French) pillage on their ſide. I muſt, however, tell your majeſty, that if our Iriſh colonels were as able in war, as they are to pillage the country, and not to pay the ſoldiers, your majeſty would be better ſerved by them. I have worked all this week to regulate what the captains ſhould give their ſoldiers, to prevent their cheating the men." Dalrymp. vol. iii. p. 50. In another letter to the king, wherein he cenſures one Major Broadnax, he ſays, "there are many other officers whom I could wiſh in England. I never ſaw any more wicked, and more intereſted." Ib. p. 33.

"Some of king William's regiments (in Munſter) lay as heavy on the country as the enemy could do; of which Feathard,

in every part of the country; and its new commiſſioned officers, under the denomination of rapparees, as committing ſo many depredations and outrages on their proteſtant neighbours, that they could not be ſafe in their houſes." This conſcious untruth, I ſay, he was not aſhamed to publiſh in the body of his book, though, in his appendix to it, he has inſerted a letter of Lord Chief Juſtice Keating, already cited, which teſtifies,[2] "that the thefts and robberies then committed, were done in many places, by the cottiers and idlers in the country, and often by King William's ſoldiers, though generally fathered on king James's army." And even Burnet has owned,[3] that "many of king William's army were ſuſpected of robbing in their turns, though the rapparees carried the blame of all."[b]

Even

[2] See Append. [3] Hiſt. of his own Times, vol. ii.

thard, in the county of Tipperary, afforded a melancholy inſtance, the day before the battle of Aughrim; which the army being about to leave, ſwept clean off every thing, not ſparing even the parſon's books and ſermons; and the loſs that little town ſuſtained, was computed to amount to 2000l. in money, plate and goods. But (adds my author) their damage was ſoon after repaired by a contribution from the ſeveral regiments concerned." Harris's K. William, f. 324.

Dr. King has exaggerated the number of robberies committed by the Iriſh ſoldiers to a ridiculous and incredible degree. He tells us that "in the year 1688, in the ſpace of three or four months, hardly one proteſtant in Ireland had a cow or a ſheep left; that the value of what cattle they were robbed of amounted to a million and a half of money; that theſe ſheep, cows, and bullocks ſo taken from them, would, if rightly managed, have furniſhed an army of an hundred thouſand men for three years. And that the Iriſh (inſtead of turning what they had thus gotten to any benefit of their own) took off the ſkins of theſe cattle, and left their carcaſſes to rot; at all which doings the government was not only not diſpleaſed, but did plainly encourage them." State of the Proteſtants, &c. p. 105.

[b] "They (among the Iriſh) who received protections from king William's generals, and were yet plundered by his ſoldiers, ran with particular animoſity to ſwell the number of theſe ravagers." Lel. Hiſt. of Irel. vol. iii. p. 589. "The people exclaimed,

Even king William's friends of higher rank, were greater robbers than theſe rapparees; as appears by the following reſolution of the houſe of commons:

" RESOLVED,[4]

" That great quantities of forfeited goods, ſtock and corn, in this kingdom, were ſeized by ſeveral perſons, by authority, or pretended authority, from the late Duke of Schomberg, for, and on their majeſties account; which were, by the ſaid perſons,[c] converted to

[4] Com. Journ. vol. ii. f. 527.

claimed, in the bitterneſs of grief, that the (Engliſh) army were worſe than the rapparees." Ib. p. 590.

The following paſſage from Biſhop Burnet, is applicable on this occaſion: " The king's (William's) army in Ireland was almoſt as heavy on the country, as the rapparees were. There was a great arrear due to them; for which reaſon, when the king ſettled a government in Ireland, of three lords juſtices, he did not put the army under the civil authority, but kept them in a military ſubjection to their officers; for he ſaid, ſince the army was not regularly paid, it would be impoſſible to keep them from mutiny, if they were put under ſtrict diſcipline, and puniſhed accordingly. The under officers finding, that they were only anſwerable to their ſuperior officers, took great liberties in their quarters; and inſtead of protecting the country, they oppreſſed it. The king had brought over an army of ſeven thouſand Danes, but they were cruel friends, and though they were maſters; nor were the Engliſh troops much better: but the pay, due for ſome months, being now ſent over, the orders were changed, and the army was made ſubject to the civil government. Yet it was underſtood, that inſtructions were ſent to the lords juſtices, to be cautious in the exerciſe of their authority over them; ſo the country ſtill ſuffered much by theſe forces." Hiſt. of his own Times, vol. ii. f. 39.

Even Harris confeſſes, " that the diſorders and robberies committed by king William's army, afforded matter for infinite complaints; that it was found by experience, that that army was almoſt as heavy on the country as the rapparees; that they took vaſt liberties in their quarters, and inſtead of protecting the country, oppreſſed it. And that, notwithſtanding the orders of the lords juſtices, extravagant outrages were daily committed by it." Life of king William, f. 295-6.

[c] In the return of the ſub-commiſſioners for ſeizing forfeited goods,

their own private advantage, and never accounted for to their majeſties."

The accounts ſeriouſly given us of theſe Iriſh rapparees, by ſome Britiſh writers, are really as ridiculous, as their treatment by the Engliſh ſoldiers was cruel and unjuſt. We are told,[5] "that they carried the locks of their muſkets in their pockets, and hid them in dry holes of old walls; and that they laid their muſkets charged, and cloſely corked up at the muzzel and touch-hole, in ditches with which they were acquainted; that their retreat was ſafe; for that they hid themſelves in the unequal ſurfaces formed by boggraſs; or laid themſelves all along in muddy water, with nothing but their mouths and noſtrils above it."

But Mr. Leſley's account of them, who had much better means of information, is both piteous and ſhocking. He relates it as a well-known fact, "that thoſe,[6] who were then called rapparees, and executed as ſuch, were for the moſt part, poor harmleſs country people; that they were daily killed, in vaſt numbers, up and down the fields; or taken out of their beds, and ſhot immediately; which," adds he, "many of the proteſtants did loudly atteſt; and many of the country gentlemen, as likewiſe ſeveral officers of king William's army, who had more bowels or juſtice than the reſt,[d] did abhor to ſee what ſmall evidence, or even

[5] Sir John Dalrymp. Mem. of Brit. and Irel. part i. p. 176.

[6] Anſwer to King.

goods, we find the following article: "Goods diſcovered to be taken away by ſome of the army, 435ol. 10s." Com. Journ. vol. ii. f. 628.

[d] "Three days after (iſſuing the proclamation) many of the Iriſh were plundered, who had ſtayed (at home) on the king's (William's) declaration, and frequent complaints were made of it to the General (Douglas), without redreſs; and the practice was ſtill continued. Notwithſtanding which, ſeveral of the Iriſh applyed for protections, which were of little uſe to them when obtained, either for ſecuring their properties or perſons; which violation, doubtleſs, caſt a heavy blemiſh on the king's declaration, which they began to conſider as a ſnare to them." Harris's

even preſumption, was thought ſufficient to condemn men for rapparees; and what ſport they made to hang up poor Iriſh people by dozens, almoſt without pains to examine them; they hardly thought them human kind." In Dean Story's liſt of perſons who died in this war, there are,[7] "of rapparees killed by the army or militia, one thouſand nine hundred and twenty-eight; of rapparees killed and hanged by the ſoldiers, without any ceremony, one hundred and twenty-two."

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[7] Sir John Dalrymp. ubi ſupra.

ris's king William, fol. 282. "The Iriſh finding they could have but little benefit from their protections (from king William's officers), now began to turn rapparees; and often ſtripped and killed ſtragglers from Douglas's party." Id. ib. f. 283. "Rapparees, upon being plundered contrary to the king's (William's) declaration, began to be very troubleſome." Id. ib. f. 287.

"The army (king William's) itſelf, as poſſeſſing more force, and as little humanity, were even worſe than the rapparees; murder, anarchy and miſery were ſeen every where." Macpherſon's Hiſt. of Gr. Brit. vol. i. p. 616.

"At Birr (1690), the army (king William's) labouring under a ſcarcity of bread, made that a pretence for ſtripping and robbing many of the Iriſh, who had taken protections; which infamous practice enforced thoſe people to go out upon their keeping, and turn rapparees; which raiſed numbers of enemies (to king William), who otherwiſe would have remained quiet." Harris's king William, f. 290.

CHAP. IX.

A conſpiracy of the proteſtants of Dublin againſt the government.

DR. King muſt have entertained a very mean opinion of his readers underſtanding, if he expected to be believed when he ſaid,[1] "that the government of Ireland, during Tyrconnel's adminiſtration, purpoſed to ruin the trade of both proteſtants and papiſts, in order to make king James abſolute and deſpotic; and *that, for the ſame end, it had formed a ſcheme, to* hang up one half of the proteſtants, and ſtarve the other."[2] Theſe notions are ſo perfectly burleſque, that they do not deſerve a ſerious anſwer; and yet the doctor has ſo gravely ſet about proving the latter aſſertion, from the circumſtance of diſarming the proteſtants of Dublin, on the 24th of February, 1688, and on the 20th of July, 1689, that, I hope, I ſhall be excuſed for taking ſome notice of it.

As for the firſt diſarming,[2] "this author himſelf knew (and probably at that time avowed), that the neceſſity of it was very great and urgent; as Derry had before,[b] on the 7th of December, 1688, ſhut its gates

[1] State of the Proteſt. p. 71, 74. [2] Leſley's Anſw. p. 77. 86.

[a] He is guilty of ſtill greater extravagance in ſaying, "that the proteſtants could not but conclude, that king James was ſo intent upon deſtroying them, that ſo he compaſſed that deſign, he cared not if he enſlaved himſelf and the kingdoms." State of the Proteſtants, p. 59. In another place he ſays, "It muſt be acknowledged, that king James not only ruined the proteſtant trade, but went a great way in deſtroying the trade of the Roman catholics alſo." Ib. p. 74.

[b] "By an order of the Iriſh commons, December 7th, 1695, the lord lieutenant was acquainted, that it was the unanimous opinion of that houſe, that the late rebellion in this kingdom could not be thought to have begun before the 10th of April 1689, being the time given by his majeſty's (king William's)

gates againſt the king's army; and as the Enniſkillen-ers [c] had marched, attacked and defeated a party of his majeſty's forces. He knew, that the proteſtant gentlemen in Ulſter had ſent a deputation to the Prince of Orange, December the 8th, 1688; that they had received commiſſions from him (and they actually proclaimed him in the beginning of March following) that, by reaſon of a villainous forged letter,[d] found in Cumber,

William's) declaration to the Iriſh to lay down their arms. But that it ſhould ſeem more reaſonable to have its firſt beginning from the time Duke Schomberg landed with his army in the kingdom, Auguſt 13th following; that till Duke Schomberg's landing, the late king James's authority was ſubmitted to, almoſt through the whole kingdom; and that what was taken from the proteſtants, before that time, was diſowned by the late king James, as may appear by ſeveral proclamations declaring, that whoever ſhould plunder any proteſtant, ſhould be anſwerable for the ſame, and undergo the penalties of the law." Com. Journ. vol. ii. f. 801. Not till Auguſt 13th, 1689, Duke Schomberg landed at Bangor in the north of Ireland, with about 10,000 men. Which then, of the two parties in arms ſo long before that time, ought to be deemed rebels?

"The inhabitants of the town of Bandon, in February, 1688, diſarmed the garriſon of Bandon, and ſeized upon the town for king William's ſervice." Com. Journ. vol. ii. f. 876. For which ſervice the Iriſh commons, in 1697, agreed, that "a ſum of two thouſand five hundred pounds ſhould be levied for theſe inhabitants of Bandon, by the high conſtables, on the province of Munſter." Id. ib. f. 897.

[c] Theſe Enniſkilleners were mercileſs enemies. At the battle of Liſniſkea, they "defeated and purſued the Iriſh with great ſlaughter, granting quarters to none but officers. About two thouſand fell by the weapons of an enemy tranſported by zeal and reſentment, above five hundred plunged into lake Earne, and but one of that multitude eſcaped." Lel. Hiſt. of Irel. vol. iii. p. 534.

[d] December the 9th, 1688; "which was a contrivance deſigned to engage the Earl of M——, who till then was deaf to all arguments for entering into the aſſociation in Ulſter." Leſl. Anſwer, p. 79.

The like villainous artifice was uſed to make king James's army deſert him at the camp on Hounſlow-heath. Colonel Langſton, and other ſuperior officers, affirming privately, with vollies of oaths, to the reſt, "that king James would turn out all

Cumber, ſetting forth, that the papiſts intended to maſſacre all the proteſtants, the whole north of Ireland appeared of a ſudden in one blaze, though the proteſtants then were ſo far from having any reaſon to fear the poor Iriſh there, as they pretended they did fear them, that they had them panting under their feet, in as much ſubmiſſion as ever a hawk had a lark."

Dr. King himſelf confeſſes, that before king James left England, the proteſtants of Dublin had entered into a plot, to ſeize [3] the lord deputy with the [e] caſtle, where

[3] State of the Proteſtants, p. 82.

all the proteſtant officers and ſoldiers in his army, and have none but Roman catholics; that he had entered into a cloſe league with France to have all the proteſtants throats cut in England and Scotland: and that, as ſoon as his army was modelled to his purpoſe, he would ſet up a maſs in every church in England and Scotland; and he that was not a thorough papiſt, ſhould be hanged, quartered, or burnt." Macpherſon's Hiſt. of Gt. Brit. vol. iii. p. 286.

Dr. King pretends, that this villainous forged letter was directed to Lord Mount-Alexander (p. 186): But Chief Juſtice Keating expreſsly ſays, "that it was neither directed to, nor ſubſcribed by any perſon;" he adds, "that copies of it were diſperſed throughout all parts of the kingdom; that the proteſtants were frightened to that degree by it, that many of them betook themſelves to the Ards, and other places of ſecurity in the north; ſome into Scotland; and very many families embarked for England and Wales, carrying with them all the ready money and plate they had. The conſternation being ſo great, that even the officers of the port, either out of commiſeration to the departing crouds of women and children, or being amazed at the ſuddenneſs of the fright, neglected to do their duty; whereby Dublin and the adjacent places, were drained dry of their caſh and plate." See Appendix to King's State of the Proteſtants.

"That letter cauſed the proteſtants of the north to meditate the deſign of riſing againſt the government." Lel. Hiſt. of Irel. vol. iii. p. 513.

[e] "When the news (ſays he) came to Ireland, that king James had ſent commiſſioners to treat with the Prince of Orange, it was propoſed by ſome to ſeize the caſtle of Dublin. The

where the ſtores and ammunition lay; "he knew,[4] that theſe proteſtants (and himſelf among the reſt) had a private underſtanding and connection with the northern rebels, as they were then called; that when they were diſarmed, February 24th, 1688, all the proteſtants, generally, in Ulſter, Munſter, and Connaught, and in all Ireland, except Dublin and other parts of Leinſter (which the lord deputy kept in awe with what forces he had), were then actually in arms, in oppoſition to the government, and had entered into aſſociations[f] to carry on their war. And he has even owned,

[4] Leſley, ubi ſupra, & p. 189.

The ſucceſs was extremely probable; conſidering that the papiſts, beſides the four thouſand of the army, were generally without arms; and that thoſe who were in arms were raw and cowardly. To do it effectually, there needed no more than to ſeize the Deputy Tyrconnel, &c." King's State of the Proteſt. p. 83.

"Dr. King wrote to an Iriſh proteſtant biſhop then in London, that it was in almoſt every proteſtant's power in Ireland to hang the reſt; yet that they were ſo true to one another, that they did not diſcover it." Leſley's Anſw. p. 106.

[f] "We are told (ſays Mr. Leſley) in the faithful Hiſtory of the Northern Affairs in Ireland, p. 7. (written by a proteſtant), that they began to arm and engage themſelves in aſſociations, about September 1688, 'two months before the Prince of Orange landed in England.' p. 77. And when the happy tidings of the prince's landing (in England), ſays Mr. Boyſe, had reached our ears, ſome non-conformiſt miniſters and gentlemen of note, were employed to get ſome gentleman or other ſent over from Dublin to the prince." Anſw. to King, p. 77.

Long before king James's abdication was determined in the convention in England, which was in February 1688, the proteſtants in the north of Ireland were in arms. Ib. p. 75. And on the 8th of December preceding that determination, a deputation was ſent by the gentlemen and others of that province to the Prince of Orange, with an offer of their ſervice; (ib. p. 77.) although king James did not go out of England till December the 23d in that year. Ib. p. 73. It is notorious, that upon the 11th of February 1688 (before the deſcent of king James's army into the north), ſome of Colonel Cormick O'Neil's troop of dragoons were killed by the proteſtant forces at Tuam upon Loughneagh,

owned,[5] "that king James's army was but an handful to the proteſtants, there being even after the diſarming, men and arms enough in Dublin, ſays he, to have dealt with them." And yet this *impartial* writer has repreſented the government's diſarming the proteſtants, at ſuch a critical juncture, as nothing leſs than a deſign to maſſacre them.

CHAP. X.

The diſarming of the proteſtants further conſidered.

AS for the ſecond diſarming of the proteſtants, on the 20th of July, 1689,[1] "it was in the very heat of the war, between King James, and the northern aſſociators, when Kirk had come from England, and was riding with his ſhips in Loughfoil, for the relief of Derry; which, with the before-mentioned conſpiracy of the proteſtants of Dublin, to ſeize the lord deputy and caſtle, will ſurely juſtify the ſuſpicion which the government entertained of theſe proteſtants, from the beginning."

With reſpect to the ſcheme of ſtarving one half the proteſtants of Dublin, which Dr. King has imputed to King James, Mr. Leſley obſerves,[2] "that the hanging two of his Iriſh ſoldiers before a proteſtant baker's door, for ſtealing two loaves not worth a ſhilling; and the leaving them to hang there forty-eight hours (which Dr. Gorge teſtifies) to terrify others, did not look like ſtarving the proteſtants of Dublin; but rather like feeding them, by letting them have bakers of their own, and protecting them in that manner." And as for that king's

[5] King, ib. p. 82. [1] Leſley, ubi ſupra.
[2] Ubi ſupra. See Dr. Gorge's Lett. Append.

Loughneagh, in endeavouring that way to eſcape the northern aſſociators, and get to their quarters. Leſley's Anſw. p. 86. And many other hoſtile acts were committed by the proteſtants in Ulſter, before the deſcent of that army. Ib. p. 89-90.

king's deſign of hanging the other half of the proteſtants, Mr. Leſley alſo obſerves, "that in all the time the proteſtants of Dublin were in King James's power, viz. in ſummer 1689, he did not hang one of them, though ſome of them deſerved it by the law then, as Dr. King could witneſs." [b]

CHAP. XI.

General De Roſen's cruelty before Derry conſidered.

AFTER Derry had ſhut its gates [a] againſt King James, and ſeveral times refuſed to ſubmit to his authority upon any conditions whatever, General De Roſen, a foreigner, was ſent to beſiege it; who made uſe, indeed, of a barbarous, though not unuſual expedient to reduce it under King James's obedience. For, finding that the town was in extreme want of proviſions, he purpoſed to increaſe their diſtreſs, by adding to their number; for which purpoſe, he iſſued orders for a general driving of all the proteſtants, protected and unprotected (ſays Dr. King), within thirty miles round; who

[b] "I am told (ſays Mr. Leſley) that Dr. King owed it to King James's mercy that he now lives: was he not (adds he) accuſed of holding correſpondence with, and giving intelligence to the rebels, as they were then called, both in England and the north of Ireland? did he not give frequent intelligence to Schomberg by one Sherman, and keep conſtant correſpondence with Mr. Tollet and others in London? a bloody-minded tyrant (ſuch as King repreſents James) would have found another puniſhment for it than a ſhort impriſonment. King James had once ſo good an opinion of this author, that he had him frequently in private and truſted him in his affairs, till at laſt he found him out." Anſw. p. 105-6.

[a] "Long before this, the people of Derry took out their pardon for ſhutting their gates againſt the Earl of Antrim's regiment, which (adds my author) was a confeſſion of ſome ſort of guilt." Leſley's Anſwer, p. 93. The proteſtants ſeized Derry the 7th or 8th of December 1688, and King James's army did not come to Dromore in the north till the 14th of March following. Id. ib. p. 97.

who were brought to his camp, and placed before the walls of the town, in hopes that their friends within would receive them into it, rather than ſuffer them to remain in ſo perilous a ſituation. On account of this inhuman order of [b] De Roſen, Dr. King thought himſelf entitled to brand the whole Iriſh army under him, with the decent appellation of [c] "murderers," becauſe,[a] "he

[a] State of the Proteſtants, &c.

[b] "Roſen repreſented to King James the ill conſequences of his clemency, as his protections were found in the pockets of ſeveral who were found in arms againſt his authority." Macph. Hiſt. vol. i. p. 567. "This wretched meaſure produced no effect on the townſmen (of Derry), they fired upon their friends from the wall, but no miſchief was done. Roſen convinced of the folly of his expedient, or touched with a momentary pity, withdrew the unhappy people after a few hours, and permitted them to return home. Some might have died of hunger and fatigue. The miſeries, however, which followed this deteſtable meaſure have been greatly exaggerated, and King James himſelf has been unjuſtly blamed. James was alarmed at the intelligence, and offended at his general. He wrote to all his officers at their peril to pay no regard to the order: he ſent his expreſs commands to the mareſchal himſelf to drop his unjuſt, as well as impolitic deſign. Theſe people (ſays James) lived peaceably at home, they had either my protection or they relied upon my declaration. De Roſen's meaſure was inevitably to depopulate a country which I was reſolved to defend. Beſides, this precipitate and unjuſt order furniſhed my enemies with an inſtance of my breach of faith in Ireland, which would contribute to ruin my intereſt in my other kingdoms." Id. ib.

[c] "Had Dr. King (ſays Mr. Leſley) ſuch a ſtory as that of Glenco, to tell of any of King James officers in Ireland, O! what declamations we ſhould have of the bloody Iriſh cut-throats, maſſacres, &c? And what uſe would he have made of their giving it under their hands, that what they did, was by the king's expreſs command, and none puniſhed for it?" Anſw. to King, p. 114.

That ſhocking ſtory of Glenco is thus briefly related by a late intelligent and unprejudiced writer. "A proclamation was publiſhed in autumn, 1691, which declared that all rebels who took the oaths to the government, before the firſt of January enſuing, ſhould be pardoned. All the attainted chieftains of the Highlands, except M'Donald of Glenco, took the oaths before the

" he did not remember to have met any thing like it in hiſtory." Had the doctor been a little more converſant with, or mindful of the hiſtory of his own country, he would have found, that in the reign of Queen Elizabeth, and ſince alſo, many orders of equal, or greater cruelty had been iſſued, by ſome of the moſt celebrated Engliſh commanders of thoſe times, in their ſeveral expeditions againſt the Iriſh. In the year 1602, Lord Deputy Mountjoy boaſted in a letter to the Engliſh council,[2] " that with his army, he had deſtroyed their

[2] Morriſ. Hiſt. of Ireland, f. 115.

the time prefixed. Upon the laſt day of December, he went to Fort-William, and deſired the oaths to be tendered to him by the governor of the fortreſs, who, as he was not a civil magiſtrate, refuſed to adminiſter them. M'Donald then went to Inverary, the country town, to take them; but by bad weather was prevented from reaching it, till the term preſcribed by the proclamation was elapſed. The ſheriff ſcrupled at firſt, but was prevailed upon at laſt to receive his allegiance. Advantage was taken of M'Donald's not having complied literally with the terms of the proclamation, and a warrant for proceeding to execution was procured from the king, which was ſigned both above and below with his own hand. Sir John Dalrymple, the ſecretary, gave orders that the execution of it ſhould be effectual, and without any previous warning. For this purpoſe, in the month of February, two companies went, not as enemies, but as friends, to take quarters in the valley of Glenco, where all the clan lived. To conceal the intention the better, the ſoldiers were of their own lineage, Highlanders of Argyle's regiment. They were all received with the rude, but kind hoſpitality of the country. They continued in the valley near a fortnight, and then in the night time roſe to butcher their hoſts! Captain Campbell of Glenlyon, who was uncle to the wife of one of M'Donald's ſons, and had ſupped and played cards with M'Donald's family the night before, commanded the party. Thirty-eight men were ſlain. The reſt would have ſhared the ſame fate, had not the alarm been given by one of M'Donald's ſons, who overheard one of the ſoldiers ſay to another, " he liked not the work; he feared not to fight the M'Donalds in the field, but had ſcarcely courage to kill them in their ſleep; but that their officers were anſwerable for the deed, not they." This execution made the deeper impreſſion, becauſe the king would not permit any of thoſe who were concerned in it to be puniſhed, conſcious

their corn, and cauſed a famine; that being the only ſure way," adds he, " to reduce or root them out." And his ſecretary Morriſſon,[3] " thought the war was then no way ſo likely to be ended, as by a general famine. Which, as we have already ſeen, they did at laſt completely effect. In the liſt of Sir William Cole's boaſted exploits againſt the inſurgents in 1641, we find,[4] " that within a few months, he had ſtarved and famiſhed five thouſand four hundred and fifty-ſeven of the Iriſh." And when the garriſon of Limerick, which was beſieged by Ireton in 1650, and like that of Derry, was in great want of proviſions, had turned out ſeveral

[3] Hiſt. Irel. f. 68. [4] Borl. Hiſt. of the Iriſh Rebel.

conſcious that in their caſe his own was involved." Sir John Dalrymple's Memoirs, vol. i. p. 213. Dub. ed.

" As a mark of his own eagerneſs to ſave Secretary Dalrymple, King William ſigned the warrant both above and below with his own hand. In the night Lieutenant Lindſay, with a party of ſoldiers, called in a friendly manner at M'Donald's door; he was inſtantly admitted. M'Donald, as he was riſing from his bed to receive his gueſt, was ſhot dead behind his back with two bullets; his wife had already put on her cloaths, but ſhe was ſtripped naked by the ſoldiers, who tore the rings off her fingers with their teeth. The ſlaughter became general. To prevent the pity of the ſoldiers to their hoſts, their quarters had been changed the night before; neither age nor infirmity was ſpared; ſome women in defending their children were killed; boys imploring mercy were ſhot by officers on whoſe knees they hung; in one place nine perſons as they ſat enjoying themſelves at table, were ſhot dead by the ſoldiers. The aſſaſſins are even ſaid to have made a ſport of death. At Inveriggen, in Campbell's own quarters, nine men were firſt bound by the ſoldiers, then ſhot at intervals, one by one: ſeveral who fled to the mountains, periſhed by famine and the inclemency of the ſeaſon; thoſe who eſcaped owed their lives to a tempeſtuous night. Lieutenant Colonel Hamilton, who had the charge of the execution from Dalrymple, was on his march with four hundred men, to occupy all the paſſes, which led from the valley of Glenco; he was obliged to ſtop by the ſeverity of the weather, which proved the ſafety of the unfortunate tribe. He entered the valley the next day; he laid all the houſes in aſhes, and carried away all the cattle and ſpoil, which were divided among the officers, and ſoldiers." Macpherſon's Hiſt. Dub. ed. vol. i. p. 628-9.

ſeveral uſeleſs perſons,[5] " that barbarous commander cauſed ſome of them to be executed, and the reſt to be whipped back into the town."[d]

In September 1690, the lords juſtices of Ireland iſſued a proclamation, which actually produced a greater famine among the Iriſh, than that which De Roſen's driving was only intended to produce in the garriſon of Derry.[6] By that proclamation, " the wives, children and families of all thoſe who were in arms againſt King William, and of all thoſe who had been killed in the ſame cauſe, and of all abſentees, were ordered to quit all places under his majeſty's obedience, upon pain of being treated as ſpies and enemies; by which means, great multitudes, eſpecially of women and children, were driven into the Iriſh quarters, which haſtened that famine that was afterwards among them."

" But to ſpeak impartially, " ſays Mr. Leſley[7] on that occaſion, " is not the ſtarving of a country, or province, as barbarous as ſtarving a city? And was not crowding all the Iriſh, men, women, and children over the Shannon in this war, done on purpoſe to reduce them to famine? And it had that effect. Many of theſe wretches died, many women miſcarried, and numbers were ſtarved in that driving over the Shannon; inſomuch that ſome of the proteſtant officers, who were employed in that expedition, expreſſed the greateſt regret to ſee ſuch lamentable ſpectacles, and were aſhamed

[5] Ludlow's Memoirs. [6] Leſley, ubi ſupra.
[7] Anſwer to King, p. 185.

[d] The celebrated Mr. Spencer, after having mentioned that Lord Deputy Gray (whoſe ſecretary he was) in carrying on the war againſt the Iriſh in Munſter, in 1580, " had driven them to ſuch an extremity of famine, that they digged dead carcaſſes out of the graves for food," was not aſhamed to conclude in theſe ſhocking words, " therefore, by all means it muſt be aſſured, that after once entering into this courſe of reformation, there be afterwards no remorſe, nor drawing back, for the ſight of any ſuch rueful objects as muſt thereupon follow, nor for compaſſion of their calamities; ſeeing that by no other means it is poſſible to cure them." State of Irel. p. 166.

ed of their commiſſions; and thoſe, who were thus driven, had King William's protections in their pockets." Theſe hiſtorical facts were, it ſeems, unknown to the Doctor, when he made his charge.

CHAP. XII.

King James countermands De Roſen's order.

I AM far from vindicating, or even meaning to extenuate the cruelty of De Roſen's order, from any former examples of the ſame kind; though many more than thoſe I have mentioned, might be produced in the commanders of armies, on ſuch occaſions.[1] "King James himſelf expreſſed the higheſt reſentment of it, and put a ſtop to its execution on the firſt notice; and in his circular letters to the governors of towns[a] and to

[1] Leſley, ubi ſupra.

[a] "Circular letter from King James forbidding to put De Roſen's proclamation in execution:"

"Truſty and well-beloved, we greet you well. Whereas we are informed, that our field marſhal general, the Marquis De Roſen, hath ſent orders to ſeveral places, requiring the relations of ſuch as are now in rebellion againſt us in Derry, of what ſex or age ſoever they be, to be delivered to him, and expoſed by him, as he hath projected and declared in the ſaid order; our will and pleaſure is, that if any ſuch order hath been ſent to you from the ſaid marſhal, you poſitively refuſe obedience thereto, and make it known to all our people, that ſuch orders have been given entirely without our knowledge, and are poſitively contrary to our inclinations, which have always been to reclaim even the worſt of our ſubjects by mercy, and inviolably preſerve the aſſurances we have given, either by our royal declaration in general, or by any particular protections, to ſuch as live peaceably under our government: we do therefore reiterate our orders to you, that you aſſure all our loving ſubjects of our real intentions in this matter, and you ſhall aſſure them that ſuch as live peaceably in their ſtations, ſhall, without diſtinction, enjoy our protection, and ſo requiring your obedience to this our abſolute will and

to the officers [b] commanding in chief in the North, he commanded them by no means to obey it; and accordingly, that order was not executed in moſt parts of that province. This, adds [a] Mr. Leſley, I had from the officers, to whom theſe orders were ſent, and from ſeveral Proteſtants who have ſeen them, and can produce them." Mr. Leſley alſo [a] appeals to the Earl of Granard, [c] then living, "whether the ſame day, that the news of this order of De Roſen's came to Dublin,

[a] Leſley, ubi ſupra. [a] Ib. p. 100.

and pleaſure, we bid you heartily farewell. Given at our court at Dublin-caſtle, this 3d day of June, 1689, and in the fifth year of our reign. By his majeſty's command,

Macpherſ. Orig. Pap. vol. i. p. 280. MELFORT."

[b] The Iriſh officers likewiſe, who were employed in De Roſen's driving, "executed theſe orders againſt their countrymen, (ſays Sir John Dalrymple) weeping, and obeying; and many of them owned, that the cries they then heard rang for ever in their ears." Memoirs, part ii. p. 40.

Thoſe very proteſtants whom De Roſen cruelly ordered to be thus driven before the walls of Derry, and whom King James immediately ordered to be diſcharged upon the firſt notice, "confeſs (ſays Mr. Leſley) that Lieutenant General Hamilton (who was much againſt that driving, but De Roſen commanded) ordered meal and other proviſions to be diſtributed among the poor people." Anſw. to King, p. 186.

"It would be inhuman to the memory of the unhappy, to impute the diſgrace of this action to King James. He revoked the order as ſoon as he heard of it, becauſe his own ſufferings had probably taught him to feel for thoſe of others." Dalrymple's Mem. part ii. p. 41.

"The French fleet which carried King James into Ireland, took ſome Engliſh merchantmen while his majeſty was aboard, and ſome of the maſters were brought before King James, who expecting nothing but death, fell down upon their knees begging their lives, which brought tears into the king's eyes, and he not only reſtored them their ſhips with all their effects, but ordered two frigates to attend them and ſee them ſafe through all the French fleet." Leſley's Anſw. p. 150.

[c] This earl was accounted very "zealous for the proteſtant intereſt; his lady was a preſbyterian, and he had conſtantly received five hundred pounds a year from King Charles the ſecond, to be diſtributed among the preſbyterian clergy in the North of Ireland, even when he permitted a cruel perſecution of their brethren in England." Harris's K. William, f. 105. Note.

his lordſhip did not tell King James of it, and whether his majeſty did not anſwer, that he was grieved for it, that he had ſent immediate orders to diſcharge it, and that none but a barbarous Muſcovite (for ſuch, it ſeems, De Roſen was,) could have thought of ſo cruel a contrivance."

As this charge againſt De Roſen has been frequently introduced in anniverſary ſermons on rebellion, plots and maſſacres, 'tis but juſt to give the following extracts from the authentic papers of Mr. Macpherſon, and leave the reader to judge of that general's conduct.

[4] DE ROSEN'S ORDER.

Camp before Londonderry, July 1ſt, 1689.

"The rebels of Londonderry augmenting every day in their obſtinacy,[d] which can no longer be endured, I have reſolved to gather together all the rebels of this country, and to conduct them to camp, and afterwards to drive them under the walls of the town that they may ſtarve. You are to give them no more ſubſiſtence than will be barely neceſſary to ſupport them this length from the places they ſhall be taken. And as I have certain information that a conſiderable number of the rebels of Londonderry and of this diſtrict, eſpecially their wives and children, have retired to Belfaſt and the neighbouring places; and as the hardineſs of their huſbands deſerves the ſevereſt chaſtiſements, I write this letter to acquaint you, that you are inſtantly to make an exact reſearch in Belfaſt and its neighbourhood, after ſuch ſubjects as are rebellious to the will of the king, whether men, women, boys or girls, without exception, and

[4] Macpherſ. Orig. Pap. p. 203-4-5.

[d] "At Derry the reſiſtance of the rebels continuing, they made ſeveral ſallies, killing many general officers and other officers, at length preſſed with want of proviſions, the garriſon propoſed a ſurrender on conditions (which they had ſo often inſidiouſly done before during the ſiege, at one time to the king in perſon). This was conſtrued by De Roſen into a mere feint to gain time (which is evident). The beſieged continued to fire and drove the Iriſh from two entrenchments, which they had taken the day before. The mareſchal incenſed at this unexpected reſiſtance, adopted the expedient above-mentioned." Macpherſ. Hiſt. Gr. Brit. vol. i. f. 566, and Orig. Pap. paſſim.

and whether they are protected or unprotected, and to arreſt them and collect them together, that they may be conducted by a detachment to this camp, and driven under the walls of Londonderry, where they ſhall be allowed to ſtarve in ſight of the rebels within the town, unleſs they chuſe to open their ports to them, which they ſhall be at liberty to do, if they are diſpoſed to pity them. Do not fail to exert yourſelf to the utmoſt in executing theſe orders punctually, and without delay, and at the riſk of being perſonally anſwerable to me for your diligence; and you are to be particularly careful, that none of the rebels, whether men or boys, women or girls, or infants, of whatever age, ſhall paſs the river and eſcape the way of Charlemont, to ſave themſelves from the wretchedneſs to which they are to be reduced.

"You are to intimate to the inhabitants of Port Patrick the orders you have received, and to declare to them, that they ſhall aſſuredly be treated with the ſame rigour, unleſs they remain quiet. I recommend to you to give the greateſt attention to the execution of theſe orders. I am, &c. DE ROSEN."

De Roſen "had however, before his maſter's (the king's) orders could reach him, aſſembled above four thouſand men, women and children, which he cauſed to be driven to the walls; but ſo little effect had this proceeding towards perſuading the town to ſurrender, that they fired upon them from the walls ("happily none were killed"), which Monſieur De Roſen perceiving, drew them off and ſent them to their homes again."[e]

[e] "It appears from another letter of the ſame date (camp before Londonderry, 5th July, 1689) that he (De Roſen) had by that time received from the king an anſwer to his letter of June 30th, and his majeſty's order, forbidding him to put his project in execution. He preſumes to blame James for his clemency, and attempts to juſtify his own conduct.

"SIRE,

"I have received the letter which your majeſty did me the honour to write to me the 3d inſtant, by which I ſee that your majeſty is always full of benevolence towards the rebels of this kingdom: their own conviction of this encourages them in inſolence, to which they are carried every day, and in the hopes that your

After all, the garriſon of Londonderry was, it ſeems, reſolved not to be behindhand in cruelty with De Roſen himſelf.[f] "For they erected gibbets, and had determined to hang ſome Iriſh gentlemen, who were priſoners in the town, had not de Roſen's order been ſo ſoon countermanded. And ſome add, that they even threatened to eat them after they were hanged;" which, from the extreme want of food, which they then laboured under, ſeems not be very improbable.

CHAP.

[5] Har. K. William, f. 105. Note.

your majeſty will have compaſſion upon them in the diſtreſſes to which they may be reduced; yet the troops are ruined, and the rebels will receive relief, which will oblige your majeſty to abandon every thing. I imagined that I might have induced them to ſurrender, by threatening them as I have done, but that has produced no effect. It is true, I have not put my project in execution, and that perhaps is the reaſon why we are not yet further advanced; for I have preſented before their gates but a ſmall number of their accomplices, to try if that would make any impreſſions on them; but they had the cruelty to fire upon them and to refuſe them every kind of aſſiſtance, for which reaſon I ſent them back to their habitations, after having made them comprehend the difference between your majeſty's clemency and the cruel treatment of their own party.

"You ſee, Sire, the condition your troops are in. I leave your majeſty to judge, if an honeſt man, who has a high ſenſe of honour, can continue to command them without great anxiety, when your enemies are particularly attentive to furniſh your rebellious ſubjects with excellent arms. I doubt not but we ſhall ſee them march againſt us ſoon, with protections in their pockets and arms in their hands, which happened frequently already, and happens every day." DE ROSEN.

"The Marſhal De Roſen appears to have been a diligent and active officer: but thoſe who ſerved under him were unacquainted with diſcipline, and either James himſelf was inattentive to the ſervice, or his orders were never properly executed." Macpherſon's Orig. Pap. vol. i. p. 210.

[f] Among theſe were "Lord Viſcount Netterville, Sir Garret Aylmer, Major Rowcommen, and a great many others of leſſer note, taken at the firſt engagement; and in the laſt, Captain Butler, ſon to the Lord Mountgarret, one of the great M'Donalds, a captain, and Captain M'Donogh, and many others too long to name." Walker's Lett. Macpherſ. vol. iii. p. 202. Note.

CHAP. XIII.

The proteſtants of Ireland were not deprived of their churches by King James, as Dr. King ſets forth.

KING James, when in Ireland, was not actuated by that intemperate [a] zeal for the re-eſtabliſhment of the catholic religion, which he had before, on ſome occaſions diſcovered in England; probably becauſe he had experienced the unhappy effects of it in the latter kingdom.[b] Even when he ſent the Earl of Clarendon lord lieutenant of Ireland, one of his inſtructions to him was,[1] "to conſult the Archbiſhop of Canterbury in all

[1] Clarend. State Lett. vol. i. p. 50.

[a] The true cauſe and motive of King James's endeavours to re-eſtabliſh the Roman catholic religion in England, ſeems not ſo much to have any bigotted attachment to that religion (as is commonly thought) as, "his ſufficiently knowing, that he could never be in entire ſafety, till the catholic religion was eſtabliſhed in England, in ſuch a manner as not to be ruined or deſtroyed." Theſe were his own words in a private conference with Barillon, the French embaſſador. And whoever conſiders his recent and alarming remembrance of his father's murder, and of his brother's inceſſant troubles during his whole reign, which were both cauſed principally by thoſe very men who were the greateſt enemies of that religion, and who imprudently called themſelves the only true proteſtants; will abate ſomewhat of their wonder at theſe his endeavours to give ſome eſtabliſhment to his Roman catholic ſubjects. See Sir John Dalrymp. Mem. vol. iii. p. 37.

[b] That King James entertained no malicious deſigns againſt proteſtants, merely as ſuch, appears from the following paſſage. "About the year 1687, the French proteſtants came in great numbers into England, to ſhelter themſelves from the perſecution that raged in their own country. They were received with great tenderneſs by the people, and with great kindneſs by the king, who granted them briefs for their relief, and gave them conſiderable ſums out of his privy purſe, which was looked upon as an artifice by ſome, but highly commended by more impartial perſons." Continuation of Baker's Chronicle, f. 741.

all the religious affairs of that kingdom." And Dr. King [2] confeſſes, "that when he was there in perſon, he turned out the popiſh mayor of Wexford, for not reſtoring a church of which the proteſtants of that city had been diſpoſſeſſed; and that he expreſſed himſelf with more paſſion on that occaſion than was uſual to him." This was a fact ſo notoriouſly true, that the doctor was aſhamed to deny or conceal it; but he was not aſhamed to affirm and publiſh what was as notoriouſly untrue, viz.[3] "that in the dioceſe of Dublin alone, twenty-ſix churches and chapels were by him taken from the proteſtants; and that his majeſty could not, or rather would not, prevent the demoliſhing, defacing, or ſeizing of nine churches out of ten."

King James had publiſhed a proclamation, December 13th, 1689, againſt meddling with any of the proteſtant churches in Ireland, as a violation of the act of liberty of conſcience.[4] But "his promiſes to protect the proteſtants of that kingdom," ſays Dr. King, "were meer pretences; the popiſh prieſts having taken poſſeſſion of moſt of the churches there, by his private permiſſion." [c]

Mr.

[2] Ubi ſupra. [3] State of the Proteſt. &c. p. 177. [4] Ib. p. 174.

[c] King James was hardly ever noted for duplicity of conduct; this cannot be ſaid of his competitor for the crown. The Prince of Orange in a letter to the emperor, acquainting him with his intended expedition into England, ſays, "I aſſure your imperial majeſty, by this letter, that whatever reports may have been ſpread, and notwithſtanding thoſe which may be ſpread for the future, I have not the leaſt intention to do any hurt to his Britannic majeſty, or to thoſe who have a right to pretend to the ſucceſſion of his kingdoms, and ſtill leſs to make an attempt upon the crown." And a little after; "I ought to intreat your imperial majeſty to be aſſured, that, I will employ all my credit to provide, that the Roman catholics of that country may enjoy liberty of conſcience, and be put out of fear of being perſecuted on account of their religion." Sir John Dalrymp. Mem. vol. iii. p. 170. See Append. Not only the emperor, but the pope himſelf, was cajoled by theſe deceitful aſſurances.

And yet Dr. King, at the ſame time, confeſſes, "that the proteſtants, in their application to government for the recovery of

Mr. Leſley treats this whole accuſation, as a notorious untruth and calumny; [5] he calls upon Dr. King to ſhew even one proteſtant church in Ireland, that was taken away, either by King James's order or connivance. He affirms that his majeſty was ſo very careful of the proteſtants, in that point, that even at Dublin, where he kept his court, neither the cathedral, nor any pariſh church in the whole city was taken from the proteſtants; he owns that he took Chriſt-church for his own uſe, becauſe it was always reputed the king's chapel.[d] But Dr. King himſelf," adds he, "and others then preached paſſive obedience in their own pulpits in Dublin; and that to ſuch a degree, as to give offence to ſome of their proteſtant hearers, who thought they ſtretched even to flattery." [e]

Theſe poſitive aſſertions, publicly and grievouſly impeaching Dr. King's veracity, having never ſince been contradicted, or even queſtioned by him or his friends, afford the ſtrongeſt preſumption, that they were, at that time, generally known and acknowledged to be undeniably true.

CHAP.

[5] Anſw. to King.

of ſome churches, had the luck to gain ſeveral of the popiſh nobility to favour their ſuits." Ubi ſupra, p. 176.

"King James, ſays Macpherſon, was peculiarly unfortunate; he was charged by the proteſtants of violence in favour of the papiſts; he was accuſed by the papiſts of too much lenity to the proteſtants." Hiſt. of Great Britain, vol. i. p. 564.

[d] Yet ſome adverſe writers have taken the liberty to charge K. James with violating his coronation oath. Was it for protecting the proteſtants, or allowing the catholics the free exerciſe of their religion, they forged this calumny? For King James's Coronation Oath, ſee the Append. ad finem.

[e] "Dr. King then uſed to ſay, that perſecution never hurted religion, but that rebellion deſtroyed it; and that it would be a glorious ſight to ſee a cartful of clergymen going to the ſtake for aſſerting the principles of religion, with regard to paſſive obedience." Leſley, Anſw. Pref.

CHAP. XIV.

King William's treatment of the epiſcopal clergy in Scotland, compared with King James's behaviour towards the proteſtant clergy in Ireland.

MR. Leſley has drawn a parallel between King William's behaviour to the epiſcopal clergy of Scotland, and King James's to thoſe of the eſtabliſhed church of Ireland, at the ſame time, viz. in the year 1689; by which it appears, that the former did actually effect in Scotland, what the latter was only ſuſpected to have deſigned in Ireland.

"When,"[1] ſays he, "the ſtates of Scotland were convened by King William's circular letter of March 1689, the oaths required by the law to be taken by all members of parliament, or any judicature, before they can ſit and vote there, being laid aſide, the antimonarchical and fanatical party were admitted into the houſe; and thereby, becoming the greater number (when the major part of Scotland, and much the greater part of the nobility and gentry, were epiſcopal) did afterwards frame an act of grace, pardoning and acquitting all thoſe that had been concerned in the open and public rebellions of Pentland-hills and Bothwell-bridge; and thus theſe furies incarnate, the aſſaſſinates of the Lord Archbiſhop of St. Andrew's,[2] as many of them as were then

[1] Preface to his Anſwer to King.

[2] "On the 3d of May, 1670, Dr. Sharp, Archbiſhop of St. Andrew's, on his way to that city, was attacked by a party of theſe furious zealots. The moſt of his ſervants were abſent; his daughter only accompanied him in his coach. Having fired on him in vain with their carabines, they diſpatched him with their ſwords. His murder was accompanied with circumſtances of the utmoſt barbarity: when he ſtretched forth his hand for mercy to one of the aſſaſſins whom he ſeemed to know, the inhuman villain almoſt cut it off with a ſtroke of his ſword. His daughter was wounded in ſeveral places, endeavouring to cover her

then alive, were enabled to become members of parliament. The fanatical mob, that had rabbled the epiſcopal clergy, were armed, and made the guard of this meeting of the eſtates, and reſolved to ſacrifice any who durſt oppoſe their deſigns. They attacked the Archbiſhop of Glaſgow in the ſtreets of Edinburgh where the convention ſate." [b]

"On the 31ſt of May 1689, King William ſent inſtructions to Duke Hamilton, commiſſioner, in theſe words: "You are to paſs an act, turning the meeting of the eſtates into a parliament, and the three eſtates are to conſiſt of the noblemen, barons and burgeſſes." Accordingly, the meeting, where the biſhops formerly ſate, was on the 5th of June, 1689, turned into a parliament, the biſhops being firſt excluded. Two days after, that parliament paſſed an act ſettling preſbyterian church-government, and on the 22d of July following aboliſhed epiſcopacy. This was done in conſequence of new inſtructions ſent to Duke Hamilton in theſe words: "you are to touch the act aboliſhing epiſcopacy, as ſoon as you can; and to reſcind all acts inconſiſtent therewith." Theſe inſtructions were ſigned by the King, at Whitehall, July 17th, 1689, and the act was touched at Edinburgh, on the 22d of the ſame month; and thus fell epiſcopacy in Scotland, two months and eleven days after King William and Mary took

her aged father from the murderers; they even mangled the dead body; they at length left the torn carcaſe with every mark of indignity on the high way. Men were ſhocked at an enthuſiaſm that gave the name of a religious action to the worſt of crimes. An univerſal joy followed the murder of Sharp among the adherents of the covenant, the pulpits thundered forth the applauſe of the aſſaſſins, and even ſome, who approved not of the manner of the deed, expreſſed their gladneſs at the removal of the arch enemy of their forms." Macpherſ. Hiſt. of Great Britain, vol. i. p. 272.

[b] "The blow (ſays Macpherſon) which the royal prerogative received in Scotland, in the memorable 1688, eſtabliſhed licenciouſneſs, inſtead of freedom in that kingdom. The parliament was placed in a ſituation to make the moſt for themſelves, at the hands of the king, while the people felt nothing from the alteration in government, but a change of tyrants." Hiſt. of Great Britain, vol. ii. p. 332.

took upon them the crown of that kingdom, which was the 11th of May, 1689." [c]

CHAP. XV.

The true cauſe of the decline of the proteſtant religion in Ireland in the reign of king James II.

THE decline of the proteſtant religion in Ireland, in the reign of king James, was not owing, as Dr. King ſuppoſes, either to the violence of his government, or the artifice, or induſtry of his prieſts; but to the [a] negligence at firſt, and afterwards to the ſelf-intereſtedneſs and tergiverſation of its own clergy. Of their negligence,[1] Lord Clarendon himſelf [b] frequently complained,

[1] State Lett. vol. i. p. 215.

[c] "They were printed at London, by order of King William, ann. 1689; and the Scots acts of convention and parliament, above quoted, are collected and extracted from the regiſters and records of the meeting of eſtates and parliament there by the commiſſioner, then exerciſing the office of clerk-regiſter, and printed Cum Privilegio at Edinburgh, ann. 1690." Leſley, ib.

"By an act made in Scotland in 1695, epiſcopal miniſters were prohibited to baptize or ſolemnize matrimony, in pain of perpetual impriſonment, but repealed 10th of Queen Anne, and no perſon to incur any penalty for reſorting to epiſcopal meetings, nor their paſtors for preaching, adminiſtering the ſacraments or marrying." Summary of penal Laws, p. 79.

[a] "I did not find (ſays Marſhal Schomberg, in a letter to King William, from Liſburn, December, 1689), that the miniſters apply themſelves enough to their duty; whilſt the Romiſh prieſts are paſſionate to exhort the people to die for the church of Rome, and in putting themſelves at their head." Dalrymp. Mem. vol. iii. p. 59.

[b] In one of theſe letters, he tells his grace, "that very few of the clergy reſided in their cures; but employed pitiful curates, which neceſſitated the people to look after a Romiſh prieſt, or a non-conformiſt preacher, of both which there was plenty. That he found it an ordinary thing in Ireland for a miniſter to have five or ſix, or more cures, and to get them ſupplied by thoſe who

complained, in his letters to the Archbiſhop of Canterbury, whom, as I have already obſerved, the king had ordered him to conſult, in all the religious affairs of that kingdom. And the effects of that negligence, together with the enſuing war (for which religion was the pretence) were ſuch, that Mr. Leſley ſays,[2] "he was himſelf a witneſs, that atheiſm, contempt of all religion, debauchery, and violence, were more notorious and univerſal, in the proteſtant army in Ireland, from the year 1688 to 1692, and more publicly owned, than ſince he knew the world. That to his knowledge, ſeveral had turned papiſts, on account of the lewdneſs of the

[2] Ubi ſupra, p. 36-7-8.

who will do it cheapeſt. When (adds he) I diſcourſe with my lords the biſhops on theſe things, I confeſs, I have not ſatisfactory anſwers." Dalrymp. Memoirs, vol. i. p. 223. Even Marſhal Schomberg complained to King William in 1690, "that the (eſtabliſhed) clergy of Ireland were people, that were little attached to their pariſhes." Ib. vol. ii. Append. p. 79.

Lord Clarendon complained in 1685-6, "that ſeveral of the clergy were abſent in England; and among theſe the Archbiſhop of Tuam, and the Biſhop of Down and Connor: that the former, after three years abſence, was reſolved to come home; but that the latter, who had been abſent from his charge ſix years, deſired to have his licence of abſence renewed; and that yet, it was really a ſhame to think how his dioceſs lay." State Lett. vol. i. p. 215.

"Some (clergymen) ſays his lordſhip, hold five, ſix or nine hundred pounds per annum in eccleſiaſtical preferments, and get them all ſerved for one hundred and fifty pounds a year, and do not preach once a year themſelves. Several of the clergy, who have been in England, ſent to renew their licences of abſence, but I have refuſed moſt of them, which has brought ſome of them home, and the reſt muſt follow." Ib. p. 215.

In the journals of the houſe of commons, October 1695, there is a petition of Peter Aris, Thomas Baker, Richard Adams, and other inhabitants of the pariſh of Newcaſtle in the county of Wicklow, complaining that they have had no ſervice in their pariſh-church ſince the troubles (1688) though their church be in good repair, and at leaſt three hundred proteſtants in the ſaid pariſh; under colour of an union to the pariſh of Delgany, though in truth there was no ſuch union; preſented to the houſe and read." Vol. ii. f. 728.

the army, and the apoſtacy of the clergy. And that, however it might ſeem a paradox, it was nevertheleſs true, that there had been more converts to popery in England alſo, and from the ſame cauſes, within the four years above-mentioned, than in four years before that period." That is to ſay, more in the four years after King James's abdication, when he could make uſe of neither force nor allurements to gain converts to his religion, than in all the time that he had it ſo amply in his power, to employ both theſe means of converſion for that purpoſe.[c]

Biſhop Burnet has accounted for this ſudden growth of irreligion and immorality, at that juncture, in the ſame manner. " A diſbelief," ſays he,[3] " of revealed religion, a profane mockery of the chriſtian faith, and the myſteries of it, became ſcandalous and avowed; and it muſt be confeſſed, that the behaviour of many clergymen gave atheiſts no ſmall advantage. They had taken the oaths to, and read the prayers for the preſent government; they obſerved the orders for public faſts and thankſgivings; and yet they ſhewed in many places, their averſion to our eſtabliſhment too viſibly. This made many conclude that the clergy were a ſort of men, that would ſwear and pray, even againſt their conſciences rather than loſe their benefices; and by conſequence, that they were governed by intereſt, not by principle. Upon the whole matter, the nation was falling into a general corruption, both as to morals and principles; and that was ſo much ſpread among all ſorts of people, that it gave us great apprehenſions of heavy judgments from Heaven."

Queen

[3] Hiſt. of his own Times, vol. ii.

[c] A late ingenious writer obſerves, " that the number of Roman catholics did not increaſe when they had the particular favour of the court. From the diſſolution of the Oxford parliament to the end of the reign of James II. none embraced their doctrine but a very few perſons, who were called court catholics, and they after the revolution all returned to the profeſſion of the proteſtant religion, except Mr. Dryden (the great poet)." Conſideration on the Penal Laws againſt Roman Catholics, p. 66.

Queen Mary, in a letter to King William, July 1690, has theſe remarkable words, " I muſt put you in mind of one thing, believing it now the ſeaſon (the king was then in Ireland), which is, that you would take care of the church in Ireland. Every body agrees, that it is the worſt in Chriſtendom." [4]

CHAP. XVI.

The perplexity of the eſtabliſhed clergy of Ireland after the coronation of King William.

THE ſtrange verſatility, and trimming behaviour of the Iriſh eſtabliſhed clergy on this occaſion, is thus freely deſcribed by Mr. Leſley.[1] " Before the aſſociation in the north, they prayed for King James; in the beginning of March following, they proclaimed the Prince of Orange king, and prayed for him. On the 14th of that month, King James's army broke their forces at Dromore, in the north of Ireland; then they prayed again for King James, that God might ſtrengthen him to vanquiſh and overcome all his enemies; in Auguſt following, Schomberg came over with an Engliſh army; then, as far as his quarters reached, they returned to pray the ſame prayer for King William, the reſt of the proteſtants ſtill praying for victory to King James. And yet they ſay, that, all that while, they all meant the ſame thing; four times in one year, praying backward and forward, point blank contradictory to one another. The biſhop [2] of Meath in his ſpeech at the head and in name of the proteſtant clergy of Dublin, took pains to clear himſelf and them to king William, from having been ſo much as trimmers to king James, while he was among them; that is, they were his inveterate enemies. Yet his lordſhip was one of the lords ſpiritual mentioned in the addreſs of the parliament of Ireland to that king, on the 10th of May, 1689; in which

[4] Dalrymp. Mem. vol. iii. p. 154.

[1] Anſw. to King, p. 108.

[2] Id. ib. p. 103

which they abhor the unnatural uſurpation of the Prince of Orange,[2] and the treaſon of thoſe who joined with him in England and Ireland; and profeſs to king James with their tongues and hearts, that they will ever aſſert his rights to his crown, with their lives and fortunes, againſt the ſaid uſurper and his adherents, and all other rebels and traitors whatſoever."[3]

CHAP.

[3] Anſw. to King, p. 103.

[2] That William's motives for invading England, were very different from what they are commonly thought to have been, viz. a glorious heroic zeal to deliver theſe kingdoms from popery and ſlavery, will appear from the following paſſage.

In the treaty of peace at Ryſwick, "as William truſted not his three plenipotentiaries at the Hague with his agreement with France, mankind juſtly concluded, that a ſecret of the laſt importance had been for ſome time depending between the two kings (Lewis XIV. and him), time has at length unravelled the myſtery. Lewis unwilling to deſert James, propoſed that the Prince of Wales ſhould ſucceed to the crown of England, after the death of William: the king with little heſitation agreed to the requeſt. He even ſolemnly engaged to procure the repeal of the act of ſettlement, and to declare by another, the Prince of Wales his ſucceſſor to the throne. The fifty thouſand pounds a year ſettled as a jointure on King James's Queen, was agreed to be paid, though the money was afterwards retained upon various pretences. Thoſe (adds my author) who aſcribe all the actions of William to public ſpirit, will find ſome difficulty in reconciling this tranſaction to their elevated opinion of his character. In one conceſſion to France, he yielded all his profeſſions to England; and by an act of indiſcretion, or through indifference, deſerted the principles to which he owed the throne. The ſuppoſed ſpurioufneſs of the Prince of Wales's birth, had been only held forth to amuſe the vulgar, and even theſe would be convinced by the public acknowledgment intended to be made by the very perſon whoſe intereſt was moſt concerned in the ſupport of that idle tale." Macpherſ. Hiſt. of Great Britain, vol. ii. p. 122-3-4.

CHAP. XVII.

The eſtabliſhed clergy of Ireland laboured under a particular difficulty on this occaſion.

AFTER King James's abdication, the parliament of England aboliſhed the declaration, viz.[1] "that it was not lawful upon any pretence whatſoever, to take up arms againſt the king." "But this, by ſome neglect, was ſtill left upon the Iriſh proteſtant clergy, under the penalty of forfeiting their livings, and as many of them as came into livings, after the revolution (among whom Dr. King was one), read the ſaid declaration publicly in time of divine ſervice, and were to continue ſo to do until ſome parliament took it away. Notwithſtanding which, they preached againſt it, diſputed againſt it, and inſtructed their congregations againſt it. And yet, to ſave their livings, they continued ſtill to ſubſcribe this hated declaration before their ordinaries; and took certificates under their hands and ſeals, that they had ſubſcribed it; and openly and publicly read the ſame, on the Lord's day, in their pariſh-churches, in the preſence of the congregation there aſſembled. They read it in the deſk, and preached againſt it in the pulpit; and when they came out of the church railed, at the parliament that impoſed it, and wondered and curſed their hard fate, that this declaration was not taken out of their way in Ireland as it was in England, and wiſhed it was done. In the mean time they would loſe nothing by it, they could ſwallow."

Nor was their embarraſſment much leſs, upon taking the new oaths that were afterwards framed.[2] "There never was, proceeds Mr. Leſley, ſo ſudden, ſo ſhameful a turn of men profeſſing religion; and their manner of doing it ſo impolitic as to make it evident, that they

[1] Leſley's Anſw. to King, p. 112. [2] Ib. p. 123.

they took the oaths, at leaſt, with a doubting [a] and ſcrupulous conſcience. For they did not take them freely, but haggled, and kept off, ſome to the laſt day, roaring againſt them all the while; and then coming about, all at once, with new-coined diſtinctions and declarations, point-blank contrary to the declared ſenſe of the impoſers; they differed among themſelves; every one had a ſalvo for his own conſcience; ſome pretended they kept paſſive obedience ſtill, others that they were never for it. It was a ſevere jeſt that the common people had got up againſt the clergy, that there was but one thing formerly that the parliament could not do, that is, to make a man a woman; but that then, there was another, that is, to make an oath the clergy would not take." [b]

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[1] State of the Proteſtants, &c. p. 149.
[2] Leſley, ubi ſupra. [3] Id. ib.

[a] The Iriſh Roman catholics, "made no ſcruple to take the oath of allegiance to King William and Queen Mary, which was agreed to in the articles of Limerick; and it was generally taken by them all over the kingdom, by the direction of their clergy." Leſley's Anſw. p. 125. "The Engliſh Roman catholics, in their chapels at London, prayed publicly at the ſame time, for King William and Queen Mary." Leſley, ib. p. 126.

[b] In the Commons Journal, ann. 1695, I find the following paſſage: "Mr. Weaver farther reported, that it is the opinion of this committee, that to an act in England of the 31ſt of Charles II. an act for the better ſecuring the liberty of the ſubject, there ſhall be added the following proviſo, viz. provided that no perſon or perſons ſhall have the benefit of this act, unleſs he or they take the oaths, and ſubſcribe the declaration made in England for this kingdom, intitled an act for abrogating the oath of ſupremacy in Ireland, and appointing other oaths, &c. The queſtion being put that this houſe do agree with the committee in this reſolution, it paſſed in the negative." Vol. ii. f. 668.

CHAP. XVIII.

The good faith of king William's and king James's officers compared.

DR. King was not aſhamed to affirm,[1] "that among all the articles into which K. James's officers entered, they never kept any to the proteſtants." Yet theſe proteſtants themſelves "ſpoke, at the ſame time, with commendation and honour, of Sarsfield's punctual obſervation of his articles, when he took Sligo, to omit other inſtances."[2] General Ginckle owned to Major General Dorington, in the preſence of the Prince of Wirtemberg, Monſieur Marquis de la Foreſt, and ſeveral other general officers, the good uſage their priſoners had received at Limerick, and other Iriſh garriſons; and moſt of the proteſtants that belonged to the north of Ireland, did then confeſs, that the Iriſh, while among them in the ſummer of 1689, kept their protections better to the proteſtants, than the proteſtant kept theirs to them.[3] Even ſome of the moſt zealous ſticklers for king William's government have complained much, that the articles entered into with the Iriſh at Carrickfergus, by Marſhal Schomberg,[4] were not punctually obſerved. For when that

[1] State of the Proteſt. &c. p. 149. [2] Leſley ubi ſupra. [3] Id. ib.

[4] "Schomberg," ſays Macpherſon, "inveſted Carrickfergus; he ſummoned the garriſon in vain; he opened four batteries againſt the place; he attacked it with the guns of the fleet; one thouſand bombs were thrown into the town; the houſes were laid in aſhes. The garriſon, having expended their powder to the laſt barrel, marched out, on the ninth day, with all the honours of war. But the ſoldiers broke the capitulation; they diſarmed and ſtripped the inhabitants, without any regard to ſex or quality; even women ſtark naked were whipt publicly between the lines." Hiſt. of Gt. Brit. vol. i. p. 570.

The Journal of the moſt remarkable Tranſactions in this War, publiſhed at that juncture of time, thus relates this breach of articles at Carrickfergus, with reſpect to the inhabitants: "The Iriſh in that town, when reduced to one barrel of

general firſt landed, he iſſued proclamations of protection and encouragement to the Iriſh, who would return to their habitations, and follow their labour; which many accepted, and a great part of the country was thereby planted, ſome places in as full a manner as before the revolution; but notwithſtanding theſe protections, the proteſtant army fell upon them, and waſted their whole country; and when the Iriſh held out their protections, they tore them, and bid them wipe their a--e with them, and none were puniſhed for this breach of protections."

Notwithſtanding General Ginckle's proclamation,[4] printed at Dublin, February 4th, 1690, wherein he aſſured the papiſts in their majeſties names, "that all of them, who would ſubmit to their majeſties government, ſhould be protected as to their religion, eſtates, and liberties; yet that did not hinder the multitude of out-lawries, and other forfeitures and proceedings againſt thoſe papiſts,[5] who ſubmitted to the government

[4] Leſley's Anſw.

of powder only, made ſoldier-like terms; marching out with their arms, colours flying, ball in mouth, and other uſual ceremonies in war; to be attended by a convoy, until they were within three miles of the Newry. Yet the articles, though ſigned by Schomberg himſelf, were nevertheleſs barbarouſly violated by the ſoldiers; who, without regard to age, or ſex, or quality, diſarmed and ſtripped the town's people, forcing even women to run the gauntlet ſtark naked."

[5] "By the report laid before the Engliſh houſe of commons, by Mr. Anneſley, in 1700, it appeared that three thouſand nine hundred and twenty-one perſons had been out-lawed by king William ſince the 13th of February, 1689 [the report made by the commiſſioners ſays, 13th February, 1688]; that all the lands belonging to forfeited perſons, amounted to more than one million and ſixty thouſand acres; that the moſt conſiderable grants were made to perſons born in foreign countries, to Kepple, to Bentick, to Ginckle, and to Rouvigny: who had been all dignified with peerages, in one or other of the two kingdoms. That beſides, a grant had paſſed the great ſeal to Elizabeth Villiers, now Counteſs of Orkney, a woman peculiarly favoured by William, of all the private eſtates of the late king James, containing ninety-five thouſand acres, worth twenty-five thouſand nine hundred and ninty-five pounds a year:

ment on that aſſurance.[c] As to their religion," adds Mr. Leſley, " they did not complain, for king William was very gracious to them in that reſpect; but as to their perſons, eſtates and liberties, they cried out heavily of breach of public faith, and great oppreſſion."

Mr. Leſley had before attempted to prove that theſe forfeiting Iriſh were not guilty of rebellion,[5] " how could they," ſays he, " who adhered to king James, be made rebels to king William, before they had ſubmitted to him? If you ſay he had a title to Ireland, by being king of England, becauſe Ireland is an appendix to the crown of England; I anſwer, from the beginning it was not ſo; and the government of England being diſſolved, as Dr. King ſays, by abdication,

[5] Id. ib.

year: And that, upon the whole, the value of Iriſh forfeitures amounted to three millions, three hundred and nineteen thouſand, nine hundred and forty-three pounds." Macpherſ. Hiſt. of Gt. Brit. vol. ii. p. 161-2.

There were not three thouſand proteſtants named in the act of attainder, paſſed by king James in Ireland, 1689; and they were all quickly reſtored by king William: whereas the Roman catholics attainted by king William, loſt all for ever, notwithſtanding they were to be reinſtated by the articles of Limerick. See King's State of the Proteſt. p. 133.

The above 1,060,792 acres, were worth per ann. 2,111,623l. 6s. 3d. total value 2,685,130l. 5s. 9d. (beſides the ſeveral denominations in the ſaid counties, to which no number of acres can be added, by reaſon of the imperfection of the ſurveys); " which we humbly repreſent to your honours, as the groſs value of the lands forfeited in Ireland, ſince February 13th, 1688." Rep. Commiſſioners ubi ſupra.

[c] " The impatience of William's Engliſh adherents only ſerved to confirm the Iriſh in their averſion to the new government. And by a ſhameful diſregard, and almoſt perpetual violation of his protections, granted to the peaſantry, they forced this order alſo to croud to their old leaders, and to take arms for their ſecurity." Lel. Hiſt. of Irel. vol. iii. p. 574.

The Iriſh " ſaw their religion on the point of being utterly extinguiſhed, and their remains of property ready to be ſeized by ſtrangers; no ſecurity in ſubmiſſion, no reliances on any promiſes of pardon." Lel. ubi ſupra, p. 576. At Chapel-Izod, " William was employed in receiving petitions and redreſſing grievances, ariſing from the perpetual violations of his protections." Id. ib.

and returned back to the ſuppoſed original contract, or firſt right of mankind, to erect government for their own convenience, of conſequence the tye which England had upon Ireland was diſſolved, and Ireland left, as well as England, in its ſuppoſed original freedom, to chooſe what government and governors they pleaſed; beſides all this, Dr. King's principles freed them from king William; becauſe of the preſumptions they had to think, that king intended to invade their property, lives, and religion."

"The deſertion (ſays Mr. Macpherſon[6] on this occaſion) upon which the deprivation of James has been founded in England, had not exiſted in Ireland. The lord lieutenant had retained his allegiance. The government was uniformly continued under the name of the prince, from whom the ſervants of the crown had derived their commiſſions. James himſelf had, for more than ſeventeen months, exerciſed the royal function in Ireland; he was certainly *de facto*, if not *de jure*, king. The rebellion of the Iriſh muſt therefore be founded on the ſuppoſition, that their allegiance is transferable by the parliament of England. A ſpeculative opinion can ſcarce juſtify the puniſhment of a great majority of the people. The Iriſh ought to have been conſidered as enemies, rather than rebels."

"The kingdom of Ireland," ſays the ſame author[7] (Macpherſon), "ever ſince its reduction in 1691, exhibited one continued ſcene of oppreſſion, injuſtice, and public miſery. The government of James, with all its diſadvantages, his own bigotry, the inſolence of the papiſts, combined with the fears of the proteſtants, were all more tolerable than the adminiſtration of William, ever ſince the ſurrender of Limerick. Coningſby and Porter,[d] the lords juſtices, rendered themſelves

[6] Hiſt. Gr. Brit. vol. i. p. 622. [7] Id. vol. ii. p. 26.

[d] An order of the lords juſtices Porter and Coningſby, to Samuel Booth, Eſq; high ſheriff of the county of Kilkenny, dated 19th November, 1691, ſets forth, "that they were extremely ſurprized at the frequent complaints they received from all parts of the kingdom, notwithſtanding their proclamation to the contrary, of the ill treatment of the Iriſh, who were in arms

ſelves odious, by a ſeries of fraud, cruelty and rapacity. They ſold common juſtice for money; they ſcreened the guilty, and oppreſſed the innocent. To render their proceedings ſummary, to clothe their authority with more terror, and with moſt expedition to enrich themſelves, they choſe to exert their power in the military way. The corruption at the ſource extended itſelf to every channel of government; the ſubordinate magiſtrates, the juſtices of peace, as if all law was at an end, made their own will and pleaſure the rule of their conduct. Preſuming on their power in the country, they deprived, under colour of their authority, many perſons of their effects; they diſpoſſeſſed many of their lands. Coningſby, created a baron by the ſame name, with his colleague Porter, continued in the government till the arrival of Sydney, on the 25th of Auguſt, 1693; in the intermediate time, they preſided in the court of claims for adjuſting the demands of thoſe comprehended in the articles of Limerick; and the obvious road to their juſtice, was ſaid to lie through their avarice."*

CHAP.

arms againſt their majeſties, and have either ſubmitted, and are under their majeſties protection, or are included in the articles granted upon the ſurrender of ſome of their garriſons, or ſubmiſſion of their army. That this proceeding has ſo extremely terrified them with the apprehenſions of the continuance of this ſort of uſage, that they found experimentally, ſome thouſands who quitted the Iriſh army, and went home with a reſolution not to go for France, are now come back again, and preſs earneſtly to go thither, rather than ſtay here; where, contrary to the public faith, as well as againſt law and juſtice, they are robbed of their ſubſtance, and abuſed in their perſons, &c." From an atteſted MSS. Copy of that Order, communicated to me by Mr. James Laffan of Kilkenny.

* King William's army, in want of pay from the crown, raiſed money by military diſtreſs from the ſubject, to the incredible amount of two hundred thouſand pounds. The ſtores left by king James in the kingdom, to the value, it was ſaid, of eighty thouſand pounds, were embezzled or applied to his own uſe by Coningſby. The lord lieutenant himſelf, and Ginckle, who had been created Earl of Athlone, were accuſed of poſſeſſing themſelves of almoſt all the forfeitures. But one of the moſt flagrant inroads upon the conſtitution, was depriving the citizens

CHAP. XIX.

A ſhort ſketch of the cruelties inflicted on the Iriſh priſoners in this war; and alſo on thoſe even under protection.

MR. Leſley, after having ſhewn, that the foregoing charge of breach of articles made by Dr. King againſt king James's officers, was groundleſs and wicked; has, by way of contraſt, produced ſeveral notorious and uncontroverted inſtances of the perfidy and cruelty of king William's officers, towards their Iriſh priſoners, in the courſe of this war. Out of theſe inſtances, I ſhall ſelect the few following; and with them conclude this tedious and melancholy narrative of the ſtate of the Iriſh at different periods, for the ſpace of more than one hundred and fifty years.

" When [1] Drogheda ſurrendered to king William, after the defeat at the Boyne, the ſick and wounded ſoldiers were, by the capitulations, to be taken care of, and to be ſent with paſſes to their own army, as they recovered. But they were not only neglected, and might have ſtarved but for the charity of ſome of their own poor countrymen, who ſold their beds and cloaths to relieve them, but they were alſo kept as priſoners after they recovered, contrary to their articles."

" Upon the ſurrender of Cork,[2] the Iriſh army, though priſoners of war, were by the conditions to be well uſed. Notwithſtanding which, even thoſe proteſtants who were moſt zealous for king William, owned, that the Iriſh General [3] narrowly eſcaped being murdered by

[1] Anſw. to King. [2] Id. ib.

citizens of Dublin of the right to chooſe their own magiſtrates. Macpherſ. Hiſt. Gr. Brit. vol. ii. p. 28, 9.

[3] General M'Carthy, of whom when colonel, Lord Clarendon, lord lieutenant of Ireland, reported to the Engliſh miniſtry, " that he was a man of quality, and a ſoldier; and that he

by the inhabitants; that he had no juſtice done him, nor any ſatisfaction, upon his complaint to the Engliſh General; and that the garriſon, after laying down their arms, were ſtripped; and marched to a marſhy wet ground, where they were kept with guards four or five days; and not being ſuſtained, were forced by hunger to eat dead horſes, that lay about them; and ſeveral of them died, for want even of that, when they were removed from thence. That they were afterwards ſo crouded in houſes, jails, and churches, that they could not all lie down at once, and had nothing but the bare floor to lie upon; where the want of ſuſtenance, and the lying in their own excrements, with dead carcaſſes lying whole weeks in the ſame place with them, cauſed ſuch infection that they died in great numbers daily. The Roman catholics of Cork, though promiſed ſafety and protection, had, on this ſurrender, their goods ſeized, and themſelves ſtripped and turned out of the town ſoon after."

"In December 1690,[1] one Captain Lauder, of Colonel Hale's regiment, being ordered with a lieutenant, enſign and fifty men, to guard about two hundred of the Cork priſoners to Clonmell, as they fainted on the road with the above ſaid bad uſage, ſhot them to the number of ſixteen, between Cork and Clonmell; and upon Major Dorington's having demanded juſtice againſt this officer from General Ginckle, Lauder got a pardon for the murder, and was continued in his poſt."

"King William's army,[4] after being entire maſters of Athlone,[b] killed in cold blood an hundred men in the

[3] Id. ib. [4] Id. ib.

he behaved himſelf extremely well, wherever he was quartered, with great eaſineſs and moderation." State Let. vol. i. p. 45.

His excellency ſoon after recommended him to the king to be made a major general. Ib. p. 47.

[b] "Douglas, in his expedition to Athlone, marched as through an enemy's country, his men plundering, and even murdering, with impunity, in defiance of the royal proclamation,

the caſtle, and little out-work on the river. And at Aughrim above two thouſand, who threw down their arms and aſked quarter; and ſeveral who had quarter given them, were afterwards killed in cold blood; [c] in which

tion, or the formal orders of their general. As he advanced, the Iriſh peaſantry appeared, ſucceſſively, in conſiderable bodies, to claim the benefit of king William's declaration; and were ſucceſſively enſnared by aſſurance of protection, and expoſed to all the violences of the ſoldiers." Lel. Hiſt. of Irel. vol. iii. p. 576.

" Douglas, in the mean time, purſued his deſtructive route to Athlone; his men plundered the country; they murdered many unfortunate wretches, who relied on the king's declaration; the peaſantry came in numerous bodies to claim protection; but they were expoſed to all the inſolence, cruelty, and tyranny of a licentious army. Deteſted, abhorred and feared, Douglas ſat down with his cruel followers before Athlone, he carried on his works with vigour; but he was ſoon forced to abandon the ſiege. The unfortunate perſons who had declared for William upon his approach, found themſelves obliged to attend him (in his retreat), to avoid the fury of their former friends, but they were robbed and plundered by thoſe from whom they expected protection. Nothing but miſery, diſtreſs, and even death were ſeen; the harveſt was trodden down by the troops, the wretched cabins of the unfortunate peaſantry were conſumed with fire, and the cattle driven as booty away." Macpherſon's Hiſt. vol. i. p. 595.

On king William's retreat, after his firſt attempt upon Limerick, " the proteſtants attended him to avoid the reſentment of the Iriſh; but they found enemies in their ſuppoſed friends; they were plundered of their effects and cattle; the army ranged at large after booty; they knew no diſcipline; they owned no authority. The king either winked at their irregularities, or he yielded to a ſtream which he could not oppoſe; his declaration was infringed; his protections diſregarded; his route covered with devaſtations, and all the other miſeries of war. Exceſſes of a ſavage barbarity, but upon queſtionable authority (Lel. vol. iii.), have been aſcribed to the king himſelf, on his retreat from Limerick. Diſappointment might have raiſed his reſentment; the outrages committed by his troops ſtain the annals of the times." Macpherſon's Hiſt. of Gr. Brit. vol. i. p. 596-7.

[c] " In the battle of Aughrim, and in a bloody purſuit of three hours (ſtopped only by the night's coming on), ſeven thouſand of the Iriſh army were ſlain. The unrelenting fury of

which number were the Lord Galway and Colonel Charles Moore. The Major of Colonel Epingham's dragoons owned to Major General Dorington, that Lord Galway was killed after quarter, and when the battle was over. More vouchers," adds Mr. Leſley, " might be produced if needful."

" In ſhort, many hundreds of the poor Iriſh priſoners were ſent at a time [5] into Lambay, a waſte deſerted iſland in the ſea near Dublin; where their allowance for four days might, without exceſs, be eaten at a meal; and being thus out of the reach of their friends, (all perſons [6] being prohibited to paſs into it with boat, or other veſſel, under the penalty of forfeiting the ſame) they died there miſerably, and in heaps."

Thus publicly were theſe, and many other facts, atteſted by Mr. Leſley, in his anſwer to Dr. King's State of the Proteſtants of Ireland under king James, in refutation of the numerous falſehoods contained in that book.[d] The truth of which anſwer is ſtill further confirmed, by the doctor's conſcious ſilence,[e] under ſuch

[5] Anſw. to King. Harris's king William, fol. 318.
[6] Id. ib. p. 164.

of the victors, appeared in the number of their priſoners, which amounted only to four hundred and fifty." Lel. Hiſt. of Irel. vol. iii. p. 606.

" Ginckle gained reputation by the defeat of the Iriſh at Aughrim; but his army loſt every claim to humanity, by giving no quarter." Macpherſ. ib. p. 621.

[d] For " Archbiſhop Tillotſon recommmended this book (to king William to juſtify the revolution), as the moſt ſerviceable treatiſe that could have been publiſhed at ſuch a juncture." Swift's Letter concerning the Sacramental Teſt.

[e] Though Mr. Leſley, in his anſwer, fervently prayed, " that God might give Dr. King grace, before he died, to repent ſincerely, and confeſs honeſtly, all the errors, wilful or malicious repreſentations in this book of his." P. 173.

One can't help ſmiling to find an aſſertion in Dr. King's life, lately prefixed to Dean Swift's letters to his grace, that, notwithſtanding this long ſilence both of his lordſhip and friends, " his Grace had by him at his death atteſted vouchers of every particular fact alleged in his State of the Proteſtants of Ireland, which

ſuch heavy accuſations, for more than thirty years that he ſurvived the publication of it; being moſt of that time, in the exalted ſtations of Biſhop of Derry, and Archbiſhop of Dublin; to which ſucceſſive dignities, he was thought to have been raiſed, chiefly on account of the great merit and ſervice of that performance.

CHAP. XX.

Surrender of Limerick, with the Articles of capitulation.

ON the 3d of October, 1691, was ſurrendered to General Ginckle, and the lords juſtices of Ireland, upon the articles of capitulation here following, freely and ſolemnly entered into, the city of Limerick,[a] together with all the other garriſons then held by the catholics of that kingdom, for king James. Theſe articles were afterwards ratified, and exemplified, by their majeſties king William and queen Mary, under the great ſeal of England; and in the year 1695, confirmed by an act of the Iriſh parliament. By the firſt of theſe articles, it was ſtipulated and agreed, "that the Roman catholics of Ireland ſhall enjoy ſuch privileges, in the exerciſe of their religion, as they did enjoy in the reign of king Charles the Second. And that their majeſties, as ſoon as their affairs will permit them to ſummon a parliament

which are now in the hands of his relations." Swift's Works, vol. viii. If this be not a ridiculous boaſt of his biographer, as moſt probably it is, theſe relations of his grace are now again thus publicly called upon to produce thoſe atteſted vouchers.

[a] "The particulars of the ſecond ſiege of Limerick (ſays Macpherſon) are neither important nor diſtinctly known. Six weeks were ſpent before the place, without any deciſive effect. The garriſon was well ſupplied with proviſions. They were provided with all means of defence. The ſeaſon was now far advanced. The rains had ſet in. The winter itſelf was near. Ginckle had received orders to finiſh the war upon any terms. The Engliſh general offered conditions, which the Iriſh, had they even been victors, could ſcarce refuſe with prudence." Macpher. Hiſt. Gr. Brit. vol. i. p. 620.

parliament in Ireland, will endeavour to procure the ſaid Roman catholics ſuch further ſecurity in that particular, as may preſerve them from any further diſturbance on account of their religion."

This ſurrender of Limerick, and the other garriſons, happened at a moſt favourable conjuncture for King William,[b] who was then engaged in a war with France; and while his forces were thus divided, by the Iriſh war, could not proceed in that, which he was carrying on abroad, with the deſired ſucceſs. On the other hand, what indeed ſhewed a real and laudable intention in the Iriſh to put an end to the troubles of that kingdom, by this capitulation, was, that previous to the ſigning of the articles, an [1] aſſurance had been ſent them of a ſupply of twenty ſhips of war, ſpeedily to arrive from France, under the command of Monſieur Chateau Renault, " which ſupply" did actually arrive in Dingle-bay a day or two after the articles were ſigned, conſiſting,[2] " as appears from the minutes of a letter from the lords juſtices to the king, of eighteen ſhips of war, ſix fire-ſhips, and twenty great ſhips of burthen, and brought on board eight or ten thouſand arms, two hundred officers, and three thouſand men."

King William was ſo ſenſible of the neceſſity of collecting and uniting his whole force againſt the formidable power of France, that in order to put a ſpeedy period to the Iriſh war, " he had ſent inſtructions to the lords juſtices,[3] to iſſue a proclamation, aſſuring the Iriſh of much more favourable conditions, than they afterwards obtained by the articles of Limerick. The juſtices formed theſe inſtructions into a procla-

[1] Lel. Hiſt. of Irel. vol. iii. p. 610.
[2] Harris's Life of King William, f. 353. [3] Id. ib. f. 372.

[b] " The opponents of William give him no credit, either for his juſtice or humanity, upon the preſent occaſion. They aſcribe his eagerneſs to finiſh the troubles of Ireland to his earneſt deſire of proſecuting with vigour the war on the continent. They allege, that had not an Engliſh parliament deprived his creatures of the hopes of Iriſh forfeitures, he would have been leſs liberal in the conceſſions which he made." Macpherſ. Hiſt. Great Britain, vol. i. p. 623.

a proclamation, afterwards ſtiled the *ſecret proclamation*,[c] becauſe though printed, it was never publiſhed; for their lordſhips finding Limerick reduced to the condition of capitulating, ſmothered the proclamation, and haſtened to the camp, that they might hold the Iriſh to as hard terms as the king's affairs would permit: this they effected. And although, adds my author, they deſerved the thankful acknowledgments of every proteſtant in the kingdom; yet a party ſoon ſprung up, that inveighed loudly againſt the articles.[d] The deſigning men of this party quarrelled with them, only becauſe their expectations were diſappointed of raiſing large fortunes out of the forfeitures; but they eaſily drew a majority of the proteſtants to their ſide. They thought the

[c] "We are told that they (lords juſtices) had already prepared a proclamation, offering terms ſtill more advantageous to the Iriſh than thoſe granted by the general; but on the firſt intelligence of a treaty they ſuppreſſed it. Hence it was called the SECRET PROCLAMATION, becauſe, though printed, it was never publiſhed." See Harris. Writers of Ireland, in the article Cox. Lel. Hiſt. vol. iii. p. 618.

[d] "Though the terms granted at the capitulation of Limerick were, perhaps, neceſſary in themſelves, and highly ſuitable to humanity, they were ſoon after, equally diſliked by both parties. The Engliſh proteſtants looked with unbounded reſentment upon articles, which rendered, in ſome meaſures independent a people, whom, on account of ancient prejudices and recent injuries, they abhorred. The Iriſh having obtained with ſo much facility ſuch good terms, imbibed an opinion, that they might have extorted conditions ſtill more favourable from an exhauſted enemy. The arrival of the French fleet, two days after the capitulation, with arms, ſtores, proviſions, and ammunition, confirmed them in their ſentiments on this ſubject. But that circumſtance, in conjunction with many other obvious reaſons, juſtified William for putting an end to the war upon moderate terms. Many millions had already been expended in the reduction of Ireland. Near one thouſand men had been loſt by ſickneſs and the ſword. The army, though victorious in the field, were exhauſted with fatigue. Winter was approaching, the ſiege of Limerick muſt in all probability have been raiſed, a ſecond diſappointment before that place would have been equal to a defeat. The ſpirits of the Iriſh would riſe, the French encouraged by their ſucceſs, would aid their allies with more effect." Macpherſ. Hiſt. Great Britain, vol. i. p. 622.

the Iriſh intitled to no articles, but what would expoſe them to the ſevereſt events of war. They cenſured the lords juſtices and the general, as if the kingdom were betrayed, inſiſting that the articles ought not to be obſerved."

[4] "This party-war was ſoon declared from the pulpit. Dr. Dopping, biſhop of Meath, preaching before the juſtices in Chriſt-church, Dublin, the Sunday after they had returned from the camp, argued, that the peace ought not to be obſerved with a people ſo perfidious. This ill opinion of the Iriſh catholics was probably taken up from the many ſcandalous libels then induſtriouſly propagated, and ſtill occaſionally revived by their enemies, on the principles and actions of ſuch of them as had been concerned in any of the different inſurrections, anterior to, or coincident with this revolution. But beſides that it has been often inconteſtably proved, that theſe libels contain little elſe but groſs and barefaced miſrepreſentations of facts, the experience of the time paſt ſhould have now evinced the integrity of the conduct and principles of theſe people, beyond all reaſonable doubt or ſuſpicion.

"But in order to obviate this (indeed) perfidious doctrine, thus ſolemnly delivered from the pulpit by the biſhop of Meath, doctor Moreton,[5] biſhop of Kildare, the following Sunday, ſhewed the obligation of keeping the public faith. This matter became ſo much the ſubject of diſcourſe, that it was neceſſary to ſettle people's opinions on the controverted points; and to that end, Dean Synge preached in the ſame church, on theſe words, "*keep peace with all men if it be poſſible*;" and moderated ſo judiciouſly, that no more was heard of the diſpute from the pulpit; but in parliament, and council, the difference ſubſiſted, until the Engliſh act of reſumption quieted the diſputants, who then ſaw they loſt nothing by the articles."

THE

[4] Harris's Life of K. William, f. 353. [5] Id. ib.

THE

CIVIL AND MILITARY

ARTICLES

OF

LIMERICK,

Exactly printed from the Letters Patents; wherein they are ratified and exemplified by their Majeſties, under the Great Seal of England.

GULIELMUS & Maria Dei gratia, Angliæ, Scotiæ, Franciæ & Hiberniæ, rex & regina, fidei defenſores, &c. Omnibus ad quos præſentes literæ noſtræ pervenerint ſalutem: inſpeximus irrotulament. quarund. literarum patentium de confirmatione, geren. dat. apud Weſtmonaſterium viceſimo quarto die Februarii, ultimi præteriti in cancellar. noſtr. irrotulat. ac ibidem de recordo remanen. in hæc verba. William and Mary, by the grace of God, &c. To all to whom theſe preſents ſhall come, greeting. Whereas certain articles, bearing date the third day of October laſt paſt, made and agreed on between our juſtices of our kingdom of Ireland, and our general of our forces there on the one part; and ſeveral officers there, commanding within the city of Limerick, in our ſaid kingdom, on the other part. Whereby our ſaid juſtices and general did undertake that we ſhould ratify thoſe articles, within the ſpace of eight months, or ſooner; and uſe their utmoſt endeavours that the ſame ſhould be ratified and confirmed in parliament. The tenour of which ſaid articles is as follows, viz.

ARTICLES

ARTICLES

AGREED UPON

The third Day of October, One Thouſand Six Hundred and Ninety-one.

Between the Right Honourable Sir Charles Porter, Knight, and Thomas Coningſby, Eſq; Lords Juſtices of Ireland; and his Excellency the Baron De Ginckle, Lieutenant General, and Commander in Chief of the Engliſh Army; on the one Part.

And the Right Honourable Patrick Earl of Lucan, Piercy Viſcount Gallmoy, Colonel Nicholas Purcel, Colonel Nicholas Cuſack, Sir Toby Butler, Colonel Garret Dillon, and Colonel John Brown; on the other Part:

In the Behalf of the Iriſh Inhabitants in the City and County of Limerick, the Counties of Clare, Kerry, Cork, Sligo, and Mayo.

In Conſideration of the Surrender of the City of Limerick, and other Agreements made between the ſaid Lieutenant General Ginckle, the Governor of the City of Limerick, and the Generals of the Iriſh army, bearing date with theſe Preſents, for the Surrender of the City, and Submiſſion of the ſaid Army: it is agreed, That,

I. THE Roman catholics of this kingdom ſhall enjoy ſuch privileges in the exerciſe of their religion, as are conſiſtent with the laws of Ireland; or as they did enjoy in the reign of king Charles the Second: and their majeſties, as ſoon as their affairs will permit them to ſummon a parliament in this kingdom, will endeavour to procure the ſaid Roman catholics ſuch farther ſecurity in that particular, as may preſerve them from any diſturbance upon the account of their ſaid religion.

II. All

II. All the inhabitants or reſidents of Limerick, or any other garriſon now in the poſſeſſion of the Iriſh, and all officers and ſoldiers, now in arms, under any commiſſion of king James, or thoſe authoriſed by him, to grant the ſame in the ſeveral counties of Limerick, Clare, Kerry, Cork, and Mayo, or any of them; and all the commiſſioned officers in their majeſties quarters, that belong to the Iriſh regiments, now in being, that are treated with, and who are not priſoners of war, or have taken protection, and who ſhall return and ſubmit to their majeſties obedience; and their and every of their heirs, ſhall hold, poſſeſs, and enjoy, all and every their eſtates of freehold and inheritance; and *all the rights, titles and intereſts*, privileges and immunities, which they, and every or any of them held, enjoyed, or were rightfully and lawfully intitled to in the reign of king Charles II. or at any time ſince, by the laws and ſtatutes that were in force in the ſaid reign of king Charles II. and ſhall be put in poſſeſſion, by order of the government, of ſuch of them as are in the king's hands, or the hands of his tenants, without being put to any ſuit or trouble therein; and all ſuch eſtates ſhall be freed and diſcharged from all arrears of crown-rents, quit-rents, and other public charges, incurred and become due ſince Michaelmas 1688, to the day of the date hereof: and all perſons comprehended in this article, ſhall have, hold, and enjoy all their goods and chattels, real and perſonal, to them, or any of them belonging, and remaining either in their own hands, or the hands of any perſons whatſoever, in truſt for, or for the uſe of them, or any of them: and all, and every the ſaid perſons, of what profeſſion, trade, or calling ſoever they be, ſhall and may uſe, exerciſe, and practiſe their ſeveral and reſpective profeſſions, trades, and callings, as freely as they did uſe, exerciſe, and enjoy the ſame in the reign of king Charles II. provided that nothing in this article contained be conſtrued to extend to, or reſtore any forfeiting perſon now out of the kingdom, except what are hereafter compriſed: provided alſo, that no perſon whatſoever

ſoever ſhall have or enjoy the benefit of this article, that ſhall neglect or refuſe to take the oath of allegiance,* made by act of parliament in England, in the firſt year of the reign of their preſent majeſties, when thereunto required.

III. All merchants, or reputed merchants of the city of Limerick, or of any other garriſon now poſſeſſed by the Iriſh, or of any town or place in the counties of Clare or Kerry, who are abſent beyond the ſeas, that have not bore arms ſince their majeſties declaration in February 1688, ſhall have the benefit of the ſecond article, in the ſame manner as if they were preſent; provided ſuch merchants, and reputed merchants, do repair into this kingdom within the ſpace of eight months from the date hereof.

IV. The following officers, viz. Colonel Simon Lutterel, Captain Rowland White, Maurice Euſtace of Yermanſtown, Chievers of Mayſtown, commonly called Mount-Leinſter, now belonging to the regiments in the aforeſaid garriſons and quarters of the Iriſh army, who were beyond the ſeas, and ſent thither upon affairs of their reſpective regiments, or the army in general, ſhall have the benefit and advantage of the ſecond article, provided they return hither within the ſpace of eight months from the date of theſe preſents, and ſubmit to their majeſties government, and take the above-mentioned oath.

V. That all and ſingular the ſaid perſons compriſed in the ſecond and third articles, ſhall have a general pardon of all attainders, outlawries, treaſons, miſpriſions of treaſon, premunires, felonies, treſpaſſes, and other crimes and miſdemeanours whatſoever, by them, or any of them, committed ſince the beginning of the reign of king James II. and if any of them are attainted by parliament, the lords juſtices, and general, will uſe their beſt endeavours to get the ſame repealed by parliament, and the outlawries to be reverſed gratis, all but writing-clerks fees.

* I *A. B.* do ſincerely promiſe and ſwear, that I will be faithful, and bear true Allegiance to their Majeſties King William and Queen Mary. So help me GOD.

VI. And whereas theſe preſent wars have drawn on great violences on both parts; and that if leave were given to the bringing all ſorts of private actions, the animoſities would probably continue that have been too long on foot, and the public diſturbances laſt: for the quieting and ſettling therefore of this kingdom, and avoiding thoſe inconveniences which would be the neceſſary conſequence of the contrary, no perſon or perſons whatſoever, compriſed in the foregoing articles, ſhall be ſued, moleſted, or impleaded at the ſuit of any party or parties whatſoever, for any treſpaſſes by them committed, or for any arms, horſes, money, goods, chattels, merchandizes, or proviſions whatſoever, by them ſeized or taken during the time of the war. And no perſon or perſons whatſoever, in the ſecond or third articles compriſed, ſhall be ſued, impleaded, or made accountable for the rents or mean rates of any lands, tenements, or houſes, by him or them received, or enjoyed in this kingdom, ſince the beginning of the preſent war, to the day of the date hereof, nor for any waſte or treſpaſs by him or them committed in any ſuch lands, tenements, or houſes: and it is alſo agreed, that this article ſhall be mutual and reciprocal on both ſides.

VII. Every nobleman and gentleman compriſed in the ſaid ſecond and third articles, ſhall have liberty to ride with a ſword, and caſe of piſtols, if they think fit; and keep a gun in their houſes, for the defence of the ſame, or for fowling.

VIII. The inhabitants and reſidents in the city of Limerick, and other garriſons, ſhall be permitted to remove their goods, chattels, and proviſions, out of the ſame, without being viewed and ſearched, or paying any manner of duties, and ſhall not be compelled to leave the houſes or lodgings they now have, for the ſpace of ſix weeks next enſuing the date hereof.

IX. The oath to be adminiſtered to ſuch Roman catholics as ſubmit to their majeſties government, ſhall be the oath abovefaid, and no other.

X. No

X. No perſon or perſons who ſhall at any time hereafter break theſe articles, or any of them, ſhall thereby make, or cauſe any other perſon or perſons to forfeit or loſe the benefit of the ſame.

XI. The lords juſtices and general do promiſe to uſe their utmoſt endeavours, that all the perſons comprehended in the above-mentioned articles, ſhall be protected and defended from all arreſts and executions for debt or damage, for the ſpace of eight months next enſuing the date hereof.

XII. Laſtly, the lords juſtices and general do undertake, that their majeſties will ratify theſe articles within the ſpace of eight months, or ſooner, and uſe their utmoſt endeavours that the ſame ſhall be ratified and confirmed in parliament.

XIII. And whereas Colonel John Brown ſtood indebted to ſeveral proteſtants, by judgments of record, which appearing to the late government, the Lord Tyrconnel, and Lord Lucan, took away the effects the ſaid John Brown had to anſwer the ſaid debts, and promiſed to clear the ſaid John Brown of the ſaid debts; which effects were taken for the public uſe of the Iriſh, and their army: for freeing the ſaid Lord Lucan of his ſaid engagement, paſt on their public account, for payment of the ſaid proteſtants, and for preventing the ruin of the ſaid John Brown, and for ſatisfaction of his creditors, at the inſtance of the Lord Lucan, and the reſt of the perſons aforeſaid, it is agreed, that the ſaid lords juſtices, and the ſaid Baron De Ginckle, ſhall intercede with the king and parliament, to have the eſtates ſecured to Roman catholics, by articles and capitulation in this kingdom, charged with, and equally liable to the payment of ſo much of the ſaid debts, as the ſaid Lord Lucan, upon ſtating accounts with the ſaid John Brown, ſhall certify under his hand, that the effects taken from the ſaid Brown amount unto; which accompt is to be ſtated, and the balance certified by the ſaid Lord Lucan in one and twenty days after the date hereof:

For the true performance hereof, we have hereunto ſet our hands,

CHAR. PORTER.
THO. CONINGSBY.
BAR. DE GINCKLE.

Preſent,
SCRAVENMORE.
H. MACCAY.
T. TALMASH.

AND whereas the ſaid city of Limerick hath been ſince, in purſuance of the ſaid articles, ſurrendered unto us. Now know ye, that we having conſidered of the ſaid articles, are graciouſly pleaſed hereby to declare, that we do for us, our heirs, and ſucceſſors, as far as in us lies, ratify and confirm the ſame, and every clauſe, matter, and thing therein contained. And as to ſuch parts thereof, for which an act of parliament ſhall be found to be neceſſary, we ſhall recommend the ſame to be made good by parliament, and ſhall give our royal aſſent to any bill or bills that ſhall be paſſed by our two houſes of parliament to that purpoſe. And whereas it appears unto us, that it was agreed between the parties to the ſaid articles, that after the words, Limerick, Clare, Kerry, Cork, Mayo, or any of them, in the ſecond of the ſaid articles, the words following, viz. " And all ſuch as " are under their protection in the ſaid counties," ſhould be inſerted, and be part of the ſaid articles. Which words having been caſually omitted by the writer, the omiſſion was not diſcovered till after the ſaid articles were ſigned, but was taken notice of before the ſecond town was ſurrendered: and that our ſaid juſtices and general, or one of them, did promiſe that the ſaid clauſe ſhould be made good, it being within the intention of the capitulation, and inſerted in the foul draft thereof. Our further will and pleaſure is, and we do hereby ratify and confirm the ſaid omitted words, viz. " And all ſuch as are under their protection in the ſaid counties," hereby for us, our

our heirs and ſucceſſors, ordaining and declaring, that all and every perſon and perſons therein concerned, ſhall and may have, receive, and enjoy the benefit thereof, in ſuch and the ſame manner, as if the ſaid words had been inſerted in their proper place, in the ſaid ſecond article; any omiſſion, defect, or miſtake in the ſaid ſecond article, in any wiſe notwithſtanding. Provided always, and our will and pleaſure is, that theſe our letters patents ſhall be enrolled in our court of Chancery, in our ſaid kingdom of Ireland, within the ſpace of one year next enſuing. In witneſs, &c. witneſs our ſelf at Weſtminſter, the twenty-fourth day of February, anno regni regis & reginæ Gulielmi & Mariæ quarto per breve de privato ſigillo. Nos autem tenorem premiſſor. predict. Ad requiſitionem attornat. general. domini regis & dominæ reginæ pro regno Hiberniæ. Duximus exemplificand. per preſentes. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſtibus nobis ipſis apud Weſtmon. quinto die Aprilis, annoq. regni eorum quarto.

BRIDGES.

Examinat. per nos { S. KECK. / LACON WM. CHILDE. } In Cancel. Magiſtros.

MILI-

MILITARY ARTICLES agreed upon between the Baron De Ginckle, Lieutenant General, and Commander in Chief of the Engliſh army, on the one ſide.

And the Lieutenant Generals De Uſſoon and De Teſſe, Commanders in Chief of the Iriſh Army, on the other; and the General Officers hereunto ſubſcribing.

I. THAT all perſons without any exceptions, of what quality or condition ſoever, that are willing to leave the kingdom of Ireland, ſhall have free liberty to go to any country beyond the ſeas (England and Scotland excepted) where they think fit, with their families, houſhold-ſtuff, plate, and jewels.

II. That all general officers, colonels, and generally all other officers of horſe, dragoons, and foot-guards, troopers, dragooners, ſoldiers of all kinds that are in any garriſon, place, or poſt, now in the hands of the Iriſh, or encamped in the counties, of Cork, Clare, and Kerry, as alſo thoſe called Rapparees, or volunteers, that are willing to go beyond ſeas as aforeſaid, ſhall have free leave to embark themſelves wherever the ſhips are that are appointed to tranſport them, and to come in whole bodies as they are now compoſed, or in parties, companies, or otherwiſe, without having any impediment, directly or indirectly.

III. That all perſons above-mentioned, that are willing to leave Ireland and go into France, ſhall have leave to declare it at the times and places hereafter mentioned, viz. the troops in Limerick, on Tueſday next in Limerick; the horſe at their camp on Wedneſday, and the other forces that are diſperſed in the counties of Clare, Kerry, and Cork, on the 8th inſtant, and on none other, before Monſieur Tameron, the French intendant, and Colonel Withers; and after ſuch declaration is made, the troops that will go into France muſt remain under the command

and

and diſcipline of their officers that are to conduct them thither; and deſerters of each ſide ſhall be given up, and puniſhed accordingly.

IV. That all Engliſh and Scotch officers that ſerve now in Ireland, ſhall be included in this capitulation, as well for the ſecurity of their eſtates and goods in England, Scotland, and Ireland, (if they are willing to remain here,) as for paſſing freely into France, or any other country to ſerve.

V. That all the general French officers, the intendant, the engineers, the commiſſaries at war, and of the artillery, the treaſurer, and other French officers, ſtrangers, and all others whatſoever, that are in Sligo, Roſs, Clare, or in the army, or that do trade or commerce, or are otherways employed in any kind of ſtation or condition, ſhall have free leave to paſs into France, or any other country, and ſhall have leave to ſhip themſelves, with all their horſes, equipage, plate, papers, and all their effects whatever; and that General Ginckle will order paſſports for them, convoys, and carriages, by land and water, to carry them ſafe from Limerick to the ſhips where they ſhall be embarked, without paying any thing for the ſaid carriages, or to thoſe that are employed therein, with their horſes, cars, boats, and ſhallops.

VI. That if any of the aforeſaid equipages, merchandize, horſes, money, plate, or other moveables, or houſhold-ſtuff belonging to the ſaid Iriſh troops, or to the French officers, or other particular perſons whatſoever, be robbed, deſtroyed, or taken away by the troops of the ſaid general, the ſaid general will order it to be reſtored, or payment to be made according to the value that is given in upon oath by the perſon ſo robbed or plundered: and the ſaid Iriſh troops to be tranſported as aforeſaid: and all other perſons belonging to them, are to obſerve good order in their march and quarters, and ſhall reſtore whatever they ſhall take from the country, or make reſtitution for the ſame.

VII. That

VII. That to facilitate the tranſporting the ſaid troops, the general will furniſh fifty ſhips, each ſhip's burthen two hundred tons; for which, the perſons to be tranſported ſhall not be obliged to pay, and twenty more, if there ſhall be occaſion, without their paying for them; and if any of the ſaid ſhips ſhall be of leſſer burthen, he will furniſh more in number to countervail; and alſo give two men of war to embark the principal officers, and ſerve for a convoy to the veſſels of burthen.

VIII. That a commiſſary ſhall be immediately ſent to Cork to viſit the tranſport ſhips, and what condition they are in for ſailing: and that as ſoon as they are ready, the troops to be tranſported ſhall march with all convenient ſpeed, the neareſt way, in order to embark there: and if there ſhall be any more men to be tranſported than can be carried off in the ſaid fifty ſhips, the reſt ſhall quit the Engliſh town of Limerick, and march to ſuch quarters as ſhall be appointed for them, convenient for their tranſportation, where they ſhall remain till the other twenty ſhips be ready, which are to be in a month; and may embark on any French ſhip that may come in the mean time.

IX. That the ſaid ſhips ſhall be furniſhed with forage for horſe, and all neceſſary proviſions to ſubſiſt the officers, troops, dragoons, and ſoldiers, and all other perſons that are ſhipped to be tranſported into France; which proviſions ſhall be paid for as ſoon as all are diſembarked at Breſt or Nantz, upon the coaſt of Brittany, or any other port of France they can make.

X. And to ſecure the return of the ſaid ſhips (the danger of the ſeas excepted) and payment for the ſaid proviſions, ſufficient hoſtages ſhall be given.

XI. That the garriſons of Clare-caſtle, Roſs, and all other foot that are in garriſons in the counties of Clare, Cork, and Kerry, ſhall have the advantage of this preſent capitulation; and ſuch part of thoſe garriſons as deſign to go beyond ſeas, ſhall march

out

out with their arms, baggage, drums beating, ball in mouth, match lighted at both ends, and colours flying, with all the proviſions, and half the ammunition that is in the ſaid garriſons, and join the horſe that march to be tranſported; or if then there is not ſhipping enough for the body of foot that is to be next tranſported after the horſe, General Ginckle will order that they be furniſhed with carriages for that purpoſe, and what proviſions they ſhall want in their march, they paying for the ſaid proviſions, or elſe that they may take it out of their own magazines.

XII. That all the troops of horſe and dragoons, that are in the counties of Cork, Kerry, and Clare, ſhall alſo have the benefit of this capitulation; and that ſuch as will paſs into France, ſhall have quarters given them in the counties of Clare and Kerry, apart from the troops that are commanded by General Ginckle, until they can be ſhipped; and within their quarters they ſhall pay for every thing, except forage and paſture for their horſes, which ſhall be furniſhed gratis.

XIII. Thoſe of the garriſon of Sligo that are joined to the Iriſh army, ſhall have the benefit of this capitulation; and orders ſhall be ſent to them that are to convey them up, to bring them hither to Limerick the ſhorteſt way.

XIV. The Iriſh may have liberty to tranſport nine hundred horſe, including horſes for the officers, which ſhall be tranſported gratis: and as for the troopers that ſtay behind, they ſhall diſpoſe of themſelves as they ſhall think fit, giving up their horſes and arms to ſuch perſons as the general ſhall appoint.

XV. It ſhall be permitted to thoſe that are appointed to take care for the ſubſiſtence of the horſe, that are willing to go into France, to buy hay and corn at the king's rates wherever they can find it, in the quarters that are aſſigned for them, without any let or moleſtation, and to carry all neceſſary proviſions out of the city of Limerick; and for this purpoſe,

purpoſe, the general will furniſh convenient carriages for them to the places where they ſhall be embarked.

XVI. It ſhall be lawful to make uſe of the hay preſerved in the ſtores of the county of Kerry, for the horſes that ſhall be embarked; and if there be not enough, it ſhall be lawful to buy hay and oats whereever it ſhall be found, at the king's rates.

XVII. That all priſoners of war, that were in Ireland the 28th of September, ſhall be ſet at liberty on both ſides; and the general promiſes to uſe his endeavours, that thoſe that are in England and Flanders ſhall be ſet at liberty alſo.

XVIII. The general will cauſe proviſions and medicines to be furniſhed to the ſick and wounded officers, troopers, dragoons, and ſoldiers of the Iriſh army that cannot paſs into France at the firſt embarkment; and after they are cured, will order them ſhips to paſs into France, if they are willing to go.

XIX. That at the ſigning hereof, the general will ſend a ſhip expreſs to France; and that beſides, he will furniſh two ſmall ſhips of thoſe that are now in the river of Limerick, to tranſport two perſons into France that are to be ſent to give notice of this treaty; and that the commanders of the ſaid ſhips ſhall have orders to put aſhore at the next port of France where they ſhall make.

XX. That all thoſe of the ſaid troops, officers, and others, of what character ſoever, that would paſs into France, ſhall not be ſtopped upon the account of debt, or any other pretext.

XXI. If after ſigning this preſent treaty, and before the arrival of the fleet, a French packet-boat, or other tranſport-ſhip, ſhall arrive from France in any other part of Ireland, the general will order a paſſport, not only for ſuch as muſt go on board the ſaid ſhips, but to the ſhips to come to the neareſt port, to the place where the troops to be tranſported ſhall be quartered.

XXII. That after the arrival of the ſaid fleet, there ſhall be free communication and paſſage between it and

and the quarters of the aboveſaid troops; and eſpecially, for all thoſe that have paſſes from the chief commanders of the ſaid fleet, or from Monſieur Tameron the intendant.

XXIII. In conſideration of the preſent capitulation, the two towns of Limerick ſhall be delivered and put into the hands of the general, or any other perſon he ſhall appoint, at the time and days hereafter ſpecified, viz. the Iriſh town, except, the magazines and hoſpital, on the day of the ſigning of theſe preſent articles; and as for the Engliſh town, it ſhall remain, together with the iſland, and the free paſſage of Thomond-bridge, in the hands of thoſe of the Iriſh army that are now in the garriſon, or that ſhall hereafter come from the counties of Cork, Clare, Kerry, Sligo, and other places abovementioned, until there ſhall be convenience found for their tranſportation.

XXIV. And to prevent all diſorders that may happen between the garriſon that the general ſhall place in the Iriſh town, which ſhall be delivered to him, and the Iriſh troopers that ſhall remain in the Engliſh town and the iſland, which they may do, until the troops to be embarked on the firſt fifty ſhips ſhall be gone for France, and no longer; they ſhall entrench themſelves on both ſides, to hinder the communication of the ſaid garriſons; and it ſhall be prohibited on both ſides, to offer any thing that is offenſive; and the parties offending ſhall be puniſhed on either ſide.

XXV. That it ſhall be lawful for the ſaid garriſon to march out all at once, or at different times, as they can be embarked, with arms, baggage, drums beating, match lighted at both ends, bullet in mouth, colours flying, ſix braſs guns, ſuch as the beſieged will chuſe, two mortar-pieces, and half the ammunition that is now in the magazines of the ſaid place; and for this purpoſe, an inventory of all the ammunition in the garriſon ſhall be made in the preſence of any perſon that the general ſhall appoint, the next day after theſe preſent articles ſhall be ſigned.

XXVI. All

XXVI. All the magazines of proviſions ſhall remain in the hands of thoſe that are now employed to take care of the ſame, for the ſubſiſtence of thoſe of the Iriſh army that will paſs into Faance: and if there ſhall not be ſufficient in the ſtores, for the ſupport of the ſaid troops, whilſt they ſtay in this kingdom, and are croſſing the ſeas, that upon giving up an account of their numbers, the general will furniſh them with ſufficient proviſions at the king's rates; and that there ſhall be a free market at Limerick, and other quarters, where the ſaid troops ſhall be; and in caſe any proviſion ſhall remain in the magazines of Limerick when the town ſhall be given up, it ſhall be valued, and the price deducted out of what is to be paid for the proviſions to be furniſhed to the troops on ſhip-board.

XXVII. That there ſhall be a ceſſation of arms at land, as alſo at ſea, with reſpect to the ſhips, whether Engliſh, Dutch, or French, deſigned for the tranſportation of the ſaid troops, until they ſhall be returned to their reſpective harbours; and that, on both ſides, they ſhall be furniſhed with ſufficient paſſports both for ſhips and men; and if any ſea-commander, or captain of a ſhip, or any officer, trooper, dragoon, ſoldier, or any other perſon, ſhall act contrary to this ceſſation, the perſons ſo acting ſhall be puniſhed on either ſide, and ſatisfaction ſhall be made for the wrong that is done; and officers ſhall be ſent to the mouth of the river of Limerick, to give notice to the commanders of the Engliſh and French fleets of the preſent conjuncture, that they may obſerve the ceſſation of arms accordingly.

XXVIII. That for the ſecurity of the execution of this preſent capitulation, and of each article therein contained, the beſieged ſhall give the following hoſtages ——— And the general ſhall give ———.

XXIX. If before this capitulation is fully executed, there happens any change in the government, or command of the army, which is now commanded by General Ginckle; all thoſe that ſhall be appointed

ed to command the ſame, ſhall be obliged to obſerve and execute what is ſpecified in theſe articles, or cauſe it to be executed punctually, and ſhall not act contrary on any account.

October 19.

Baron DE GINCKLE.

STATE

STATE

OF THE

CATHOLICS OF IRELAND,

FROM THE SETTLEMENT UNDER

KING WILLIAM,

TO THE

RELAXATION OF THE POPERY LAWS,

IN THE YEAR 1778.

STATE

OF THE

CATHOLICS

OF

IRELAND.

CHAP. I.

Infringement of the articles of Limerick.

AFTER a tedious and melancholy narrative of the ſtate of the Iriſh catholics at different periods, for the ſpace of more than of one hundred and fifty years, I ſhould have no occaſion to relate the following, had their ſufferings ended at the ſurrender of Limerick. Then indeed they might ſubſcribe with others, in proclaiming the change, a *glorious revolution!* But the conditions they had by that ſurrender obtained (I may ſay ſealed with their blood), though agreed upon and ſigned by both parties, in the moſt ſolemn manner, and afterwards ratified and approved by both their majeſties, King William and Queen Mary, under the great ſeal of England, were ſoon after baſely infringed contrary to the law of nature, the law of nations, and the public faith.

The infringement of theſe articles on the part of government commenced very early after they were ſigned; and it was afterwards repeated, from time to time,

time, in ſuch a manner, as to prepare the minds of the people to receive with leſs ſurprize, the total violation of them by acts "to prevent the further growth of popery," which were then in contemplation.

For although by the firſt military article, "It was agreed, that all perſons of what quality ſoever, that were willing to leave the kingdom, ſhould have free liberty to go into any country beyond the ſeas (England and Scotland excepted) with their families;"[1] yet, it is confeſſed that the lords juſtices, and General Ginckle, endeavoured to render this article of as little force as poſſible, "for as great numbers of the Iriſh officers and ſoldiers had reſolved to enter into the ſervice of France, and to carry their families with them, Ginckle would not ſuffer their wives and children to be ſhipped off with the men; not doubting but that by detaining the former, he would have prevented many of the latter from going into that ſervice. This, I ſay, was confeſſedly an infringement of that article.

And in leſs than two months after the capitulation of Limerick was confirmed by their majeſties,[2] "the juſtices of peace, ſheriffs, and other magiſtrates, preſuming on their power in the country, did, in an illegal manner, diſpoſſeſs ſeveral of their majeſties ſubjects, not only of their goods and chattels, but of their lands and tenements, to the great diſturbance of the peace of the kingdom, ſubverſion of the law, and reproach of their majeſties government." It appears from a letter of the lords juſtices of the 19th of November, 1691, "that their lordſhips had received complaints from all parts of Ireland, of the ill treatment of the Iriſh, who had ſubmitted, had their majeſties protection, or were included in articles; and that they were ſo extremely terrified with apprehenſions of the continuance of that uſage, that ſome thouſands of them, who had quitted the Iriſh army, and went home with a reſolution not to go for France, were then come back again, and preſſed earneſtly to go thither, rather than ſtay in Ireland, where, contrary to the public faith (add theſe juſtices)

[1] Harris's Life of King William. [2] Id. ib. f. 357.

juſtices) as well as law and juſtice, they were robbed of their ſubſtance and abuſed in their perſons."

In vain did the government of Ireland pretend to put a ſtop to this crying injuſtice and cruelty of the inferior civil officers. The lords juſtices themſelves ſoon after became equally guilty in theſe reſpects. It is confeſſed, [3] "that Capel, lord juſtice, in 1693, proceeded as far as it was in his power, to infringe the articles of Limerick." In 1695, the ſame lord Capel being deputy, was held the firſt Iriſh parliament in this reign. If the Iriſh catholics, then expected the performance of their articles, and of their majeſties ſolemn promiſe, to procure them ſuch further ſecurity from parliament in the particular of religion, as might prevent them from any future diſturbance on that account, "they[4] were indeed miſerably diſappointed; for inſtead of performing that promiſe, his majeſty, on the contrary, ſuffered ſeveral ſuch acts and reſolutions[5] to be paſſed in that parliament, as gave them infinite diſturbance, on account of their religion." But theſe were only preparatory ſteps to the ſeveral acts then in agitation, "to prevent the further growth of popery."

[3] Harris's Life of King William, f. 350. [4] Id. ib.

[5] 7 & 9 Wm. 3. ſeſſ. 1. c. 26. All popiſh archbiſhops, biſhops, vicars general, deans, jeſuits, monks, friars, and all other regular popiſh clergy, and all papiſts exerciſing any eccleſiaſtical juriſdiction, ſhall depart this kingdom before the 1ſt of May, 1698. And if any of them, ſhall be at any time after the ſaid day within this kingdom, they ſhall be impriſoned, and remain there without bail till they be tranſported beyond the ſeas out of the king's dominions, wherever the king, his heirs or ſucceſſors, or chief governors of this kingdom ſhall think fit: And if any ſo tranſported, ſhall return again into this kingdom, then to be guilty of high treaſon, and to ſuffer accordingly.

And from the 29th of December, 1697, no popiſh archbiſhop, &c. ſhall come into this kingdom from any parts beyond the ſeas, on pain of twelve months impriſonment, and then to be tranſported in manner aforeſaid; and if after ſuch tranſportation, any of them return again into this kingdom, they ſhall be guilty of high treaſon, and ſuffer accordingly.

And

CHAP. II.

Severe laws made againſt catholics.

AMONG many other ſevere laws, then enacted, againſt Iriſh catholics, his majeſty gave the royal aſſent to that illiberal act to reſtrain foreign education,[a] by which it is provided, "that, if any ſubjects of Ireland ſhould after that ſeſſion of parliament, go, or ſend, any child or perſon, to be educated in any popiſh univerſity, college or ſchool, or in any private family, or if ſuch child

And any perſon that ſhall from the 1ſt of May, knowingly conceal, or entertain any ſuch popiſh archbiſhops, biſhops, &c. hereby required to depart out of this kingdom, or that after the ſaid day ſhall come into this kingdom, ſhall for the firſt offence forfeit 20l. for the ſecond double the ſum, and if he offend the third time, ſhall forfeit all his lands and tenements of freehold or inheritance, during his life; and alſo all his goods and chattels; one moiety to the king, his heirs and ſucceſſors, and the other moiety to the informer (ſo as it exceed not 100l.) and the ſurpluſage of what ſhall remain, to the king.

December 1ſt, 1697. "Reſolved, that part of the act 2d Eliz. chap. 2d. which obliges every perſon, not having a lawful or reaſonable excuſe to be abſent, to reſort every Sunday to church, and there abide during the time of common prayer, preaching, and other ſervice of God be there miniſtered, under pain of forfeiting for every neglect, twelve-pence, ought to be put in execution." Com. Jour. vol. ii. f. 984. Are not theſe a direct and immediate violation of the firſt article of Limerick, and of king William's ſolemn promiſe for the free exerciſe of the catholic religion?

[a] "Whilſt this reſtraint upon foreign and domeſtic education was part of an horrible and impious ſyſtem of ſervitude, the members were well fitted to the body. To render men patient, under a deprivation of all the rights of human nature, every thing which could give them a knowledge or feeling of thoſe rights was rationally forbidden. To render humanity fit to be inſulted, it was fit that it ſhould be degraded. . . . Indeed I have ever thought the prohibition of the means of improving our rational nature, to be the worſt ſpecies of tyranny that the inſolence and perverſeneſs of mankind ever dared to exerciſe. This goes to all men, in all ſituations, to whom education can be denied." Lett. Eng. Commoner to a Peer of Irel. p. 13.

child ſhould, by any popiſh perſon, be inſtructed in the popiſh religion, or if any ſubjects of Ireland ſhould ſend money or other things towards the maintenance of ſuch child or other perſon, already ſent or to be ſent, every ſuch offender, being thereof convicted, ſhould be for ever diſabled to ſue, or proſecute any action, bill, plaint, or information in law, or equity; to be guardian, adminiſtrator, or executor to any perſon, or to be capable of any legacy or deed of gift, and beſides, ſhould forfeit all their eſtates, both real and perſonal, during their lives." This law was rigorouſly executed during that and the ſucceeding reign.

In the ſame ſeſſion, "it was reſolved, *nemine contradicente*, that the excluding of papiſts from having votes for the electing of members to ſerve in parliament was neceſſary to be made into a law."[b] Nothing certainly, but ſuch a law was wanting to complete the ſlavery of theſe people, and they were, accordingly, afterwards excluded in the firſt act to prevent the further growth of popery in the following reign. Thus were theſe, and divers other proceedings of the like enſlaving-tendency againſt theſe people, permitted and countenanced by a prince, the boaſted reſtorer of liberty to theſe kingdoms, whoſe public faith and honour were ſolemnly engaged to preſerve their former privileges entire; and to endeavour to obtain from parliament further ſecurity for them, in the article of religion, which was what alone rendered them thus obnoxious to government.

It

[b] "The taking away of a vote (ſays the ſame Engliſh commoner) is the taking away the ſhield which the ſubject has, not only againſt the oppreſſion of power, but that worſt of all oppreſſions, the perſecution of private ſociety, and private manners. No candidate for parliamentary influence is obliged to the leaſt attention towards them, either in cities or counties. On the contrary, if they ſhould become obnoxious to any bigotted or malignant people amongſt whom they live, it will become the intereſt of thoſe who court popular favour, to uſe the numberleſs means which always reſide in magiſtracy and influence, to oppreſs them. The proceedings in a certain county in Munſter, (in the 1769), read a ſtrong lecture on the cruelty of depriving men of that ſhield, on account of their ſpeculative opinions. Id. ib.

It is really ſhameful to ſee what mean, malicious, and frivolous complaints againſt papiſts were received under the notion of grievances, by that parliament. [1] "A petition of one Edward Sprag and others in behalf of themſelves and other proteſtant porters, in and about the city of Dublin, complaining, that one Darby Ryan a papiſt, employed porters of his own perſuaſion, having been received and read, it was ordered to be referred to the examination and conſideration of the committee of grievances, and that they ſhould report their opinion thereon to the houſe." It is obſervable, that the complaint of the petition was not, that theſe proteſtant porters were not employed by Ryan, but that the popiſh porters were.

And yet theſe ſame commons, that ſhewed ſuch remarkable deference to this trifling petition of the proteſtant coal-porters of Dublin, were not aſhamed to refuſe, in the ſame ſeſſion, common juſtice, in a matter of the laſt conſequence, to ſeveral of the moſt reſpectable Roman catholics of Ireland. For, upon a bill's being brought before them, very improperly intitled an act,[2] "for the confirmation of the articles of Limerick." A petition of Robert Cuſack, gentleman, Capt. Francis Segrave, and Capt. Maurice Euſtace, in behalf of themſelves and others comprized under the articles of Limerick, ſetting forth, that in the ſaid bill there were ſeveral clauſes that would fruſtrate the petitioners of the benefit of the ſame; and if paſſed into a law, would turn to the ruin of ſome, and the prejudice of all perſons intitled to the benefit of the ſaid articles, and praying to be heard by counſel to ſaid matters; having been preſented and read, it was unanimouſly reſolved that ſaid petition ſhould be rejected."

CHAP.

[1] Com. Jour. vol. ii. f. 699. [2] Ib. f. 932.

CHAP. III.

The catholics of Limerick cruelly treated.

IT would be too tedious and irkſome, to recite all the other inſtances of the breach of theſe articles, which we find recorded and avowed in the public journals of that parliament. I ſhall, therefore, only take notice of one remarkable paſſage, which immediately preceded the paſſing of the firſt act to prevent the further growth of popery.

The catholic citizens of Limerick thought themſelves particularly ſecured, by their articles, from any future moleſtation or diſturbance on account of their religion; but beſides what they had already ſuffered, in common with the reſt of their countrymen of the ſame perſuaſion, they are now compelled to abandon their dwellings, and ſettlements there, on that ſingle account: "for upon a petition of the mayor, ſheriffs, and proteſtant aldermen of that city, complaining, (like the proteſtant coal-porters of Dublin beforementioned) that they were greatly damaged in their trade, by the great numbers of papiſts reſiding there, and praying to be relieved therein; a clauſe was ordered to be inſerted in the act "to prevent the further growth of popery," that every perſon of the popiſh religion, then inhabiting within the ſaid city, or its ſuburbs, ſhould give in ſufficient bail or ſecurity, before the chief magiſtrate of the ſaid city, that they would bear themſelves faithfully towards her majeſty; or in default of giving ſuch ſecurity, ſhould depart out of the ſaid city and ſuburbs."[a]

But

[a] By the 2d of the civil articles of Limerick, "the inhabitants or reſidents thereof, of what profeſſion, trade, or calling ſoever they be, ſhall, and may uſe, exerciſe, and practiſe their reſpective trades and callings there, as freely as they did uſe, exerciſe and enjoy the ſame in the reign of King Charles the ſecond." And yet ſays Sir Theobald Butler, in his pleading againſt

But beſides the difficulty theſe people were under of getting ſuch ſecurity, as, at that period of jealouſy and diſtruſt, would be allowed ſufficient by the chief-magiſtrate, who was himſelf the principal petitioner againſt them; even thoſe few catholic inhabitants, whoſe ſecurity was unexceptionable, and who conſequently could not be hindered to continue in their habitations, were yet, ſoon after, put under a neceſſity of abandoning them, of their own accord; unleſs it can be ſuppoſed, that trading people can live contentedly, or with any ſort of convenience, in a place where they are forced to remain ſeparate from their wives, children, and ſervants. For that ſuch was to be the ſituation of thoſe few licenſed catholics (not more than twenty [1] were ſuffered to be thus licenced), is manifeſt from hence, that [2] "in March 1704, a petition from the Roman catholic inhabitants of Limerick, praying that bail might be taken for their wives, children and ſervants, as inhabitants thereof, having been preſented to the houſe, and read, it was ordered to be rejected." [b]

CHAP.

[1] Com. Journ. vol. iii. fol. 133. [2] Ib. f. 281.

againſt this clauſe, in the act of the 2d of Queen Anne, "the Roman catholic citizens of Limerick are prohibited by it from living or ſtaying there, even ſuch as were under the articles, and by virtue thereof had even ſince (1691) lived there, without giving ſuch ſecurity, as neither theſe articles, nor any law heretofore in force, do require, except ſeamen, fiſhermen, and day-labourers, who did not pay above forty ſhillings a year rent."

[b] The act to prevent the further growth of popery ſets forth, "that if any perſon or perſons of the popiſh religion, other than ſuch trading merchants (viz. ſeamen, fiſhermen, and day-labourers, who did not pay above forty ſhillings a year rent), not exceeding twenty, in each of the towns of Limerick and Galway, as ſhall be licenſed by the chief governor and governors of this kingdom, for the time being, ſhall preſume to live, dwell, or inhabit, or take any houſe or tenement, in either of ſaid towns, or their ſuburbs; he or they ſhall forfeit all his or their goods and chattels, and ſuffer impriſonment for the ſpace of one whole year." Com. Journ. vol. iii. f. 133.

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of popery, to be tranſmitted into England, his grace was pleaſed to give them his promiſe, which, indeed, he punctually performed, "that he would recommend it in the moſt effectual manner, and do every thing in his power to prevent the growth of popery."

There is no room to doubt of the Duke of Ormond's having always profeſſed himſelf a zealous and ſteadfaſt proteſtant. But what evidently ſhews, that his civil orthodoxy was not, therefore, the more to be relied upon, is, that he afterwards deſerted his proteſtant king, and adhered to a popiſh pretender to his throne. For which the Iriſh commons unanimouſly voted him "guilty of high treaſon;[4] his eſtate to be veſted in the crown; and that a reward of ten thouſand pounds ſhould be offered for apprehending him, in caſe he landed in any part of Ireland." So that he who, in 1704, had been addreſſed by them with particular marks of love and veneration, on account of his having procured this barrier to the proteſtant religion, as that law was then, and has been ſince called; became afterwards, in 1715, the public object of their averſion and contempt. For in their addreſs to the king, on occaſion of the rebellion which had then broke out in Scotland, they told his majeſty,[5] "that it was with the utmoſt concern, they found that this country gave birth to James Butler, late Duke of Ormond; a perſon who, in deſpite of his allegiance, and the obligations of repeated oaths, has been one of the chief authors and fomenters of that wicked and unnatural rebellion."

But, indeed, what better could theſe commons have expected from a perſon, "who,[6] regardleſs of public faith, and the articles of the capitulation of Limerick, had procured to be enacted, a penal ſtatute, through which there runs ſuch a vein of ingenious cruelty, that it ſeems to be dictated rather by ſome prætor of Diocleſian, than by a Britiſh or Iriſh nobleman?" It was a ſingular circumſtance in this duke's fortune, that although

[3] Com. Journ. vol. iii. f. 201. [4] Id. vol. iv. f. 64.
[5] Id. ib. f. 21. [6] Conſid. Pen. Laws.

though in his expedition on the coaſt of Spain, his ſoldiers committed many outrages, and profanations of what was held ſacred by the inhabitants; yet after the bill of attainder had paſſed againſt him, he fled for protection to that country, where he had connived at the ſacrilegious exceſſes of his army; and afterwards retired to Avignon, a territory belonging to the firſt prelate of that church, which he had treated with ſo much cruelty.

Upon the return of this bill to prevent the further growth of popery from England,[a] "Nicholas Lord Kingſland, Colonel John Brown, Colonel Burke, Colonel Robert Nugent, Major Allen, Captain Arthur French, with other Roman catholics of Ireland, and perſons comprized in the articles of Limerick and Galway, petitioned to be heard by counſel againſt it; which was granted."

This returned bill had a clauſe inſerted in England, which gave great offence to the whole body of diſſenters in Ireland; many of whom, then in the houſe of commons, were perſons of conſiderable power and influence. For this reaſon it was expected,[b] that it would have been totally laid aſide; and the rather, becauſe the diſſenters had lately received no ſmall diſguſt by a reſolution of a committee in October 1703,[7] "that the penſion of one thouſand two hundred pounds per

[a] Com. Jour. vol. iii. f. 173. [7] Id. vol. ii. f. 76.

[b] "A clauſe was added (in England), which they (Roman catholics) hoped would hinder its being accepted in Ireland. That matter was carried on ſo ſecretly, that it was known to none but thoſe who were at the council, till the news of it came from Ireland, upon its being ſent thither. The clauſe was to this purpoſe, that none in Ireland ſhould be capable of any employment, or of being in the magiſtracy of any city, who did not qualify themſelves by receiving the ſacrament, according to the teſt-act paſſed in England; which before this time had never been offered to the Iriſh nation. It was hoped, by thoſe who got this clauſe added to the bill, that thoſe in Ireland, who promoted it moſt, would now be the leſs fond of it, when it had ſuch a weight hung to it." Burnet's Hiſt. of his own Times, vol. ii. f. 214.

per annum, granted to the preſbyterian miniſters in Ulſter, was an unneceſſary branch of the eſtabliſhment."

The diſſenters, in their petition to the commons on occaſion of the above mentioned clauſe, complained, "that,[8] to their great ſurprize and diſappointment, they found a clauſe inſerted in the act to prevent the further growth of popery, which had not its riſe in that honourable houſe; whereby they were diſabled from executing any public truſt, for the ſervice of her majeſty, the proteſtant religion, or their country; unleſs, contrary to their conſciences, they ſhould receive the Lord's ſupper, according to the rights and uſages of the eſtabliſhed church."

This clauſe has been ſince called the ſacramental teſt, then firſt impoſed on the diſſenters of Ireland; whoſe zeal againſt popery was ſo credulouſly blind at that juncture, that upon a promiſe given them of having it repealed on the firſt opportunity, they readily concurred in paſſing, together with the clauſes againſt popery, that mortifying one againſt themſelves. But their friends in parliament, afterwards wanting either the power or the inclination to make good their promiſe, that clauſe was not only left unrepealed, but alſo put in frequent and ſtrict execution, during all queen Anne's reign. In October 1707, theſe commons entered into ſuch ſevere reſolutions againſt diſſenters, as plainly ſhewed, how little confidence their brethren ought to have placed in the promiſe they made them in 1703. For firſt, they "reſolved that,[9] by an act to prevent the further growth of popery, the burgeſſes of Belfaſt were obliged to ſubſcribe the declaration, and receive the ſacrament according to the uſage of the church of Ireland." And ſecondly, upon the non-compliance of ſome of theſe burgeſſes; "that the burgeſsſhip of the ſaid burgeſſes of Belfaſt, who had not ſubſcribed the declaration, and received the ſacrament, purſuant to the ſaid act, was, by ſuch neglect, become

[8] Preſbyterian Loyalty, ſub finem.
[9] Com. Journ. vol. iii. f. 546.

become vacant."[10] In ſhort, notwithſtanding the moſt ſtrenuous and repeated efforts ever ſince made by the diſſenters, to have that diſqualifying clauſe repealed, it ſtill remains in full force againſt them;* although its execution has been either artfully evaded, or benignly connived at, ſince the acceſſion of the preſent royal family to the throne of theſe kingdoms.

CHAP. V.

The ſame ſubject continued.

ON the 23d of February, 1703, purſuant to leave given by the commons,[1] Sir Theobald Butler, Counſellor Malone, and Sir Stephen Rice (the two former in their gowns, as counſel for the petitioners in general, and the laſt without a gown, as only a petitioner in his private capacity), appeared at the bar of the houſe of commons. Sir Theobald Butler, the firſt and principal ſpeaker on this occaſion, demonſtrated in a long and pathetic ſpeech,[2] that almoſt every clauſe in the act then before them, relating to the Roman catholics of Ireland, was a direct infringement of one or other of the articles of Limerick, which he, at the ſame time, held in his hand. "Articles," added he,[3] "ſolemnly engaged to them, as the public faith of the nation! That all the Iriſh, then in arms againſt the government, had ſubmitted thereunto, and ſurrendered the city of Limerick, and all the other garriſons in their poſſeſſion; when they were in a condition to have held out, till they might have been relieved by the ſuccours then coming out of France; that they had taken

[10] Id. ib.

[1] Account of the Debates on the Popery Law of 2d. Q. Ann.

[2] Ib.

* This clauſe was repealed without any oppoſition in the ſeſſions of 1782.

[a] See Appendix No. XV.

taken ſuch oaths to the king and queen, as by the ſaid articles they were obliged to take; that their ſubmiſſion was upon ſuch terms, as ought to be then, and at all times, made good to them; and that therefore to break thoſe articles, would be the greateſt injuſtice for any one people in the whole world to inflict upon another, being contrary to the laws of both God and man. That the caſe of the Gibeonites, 2 Sam. xxi. 1. was a fearful example of the breach of public faith, which, above an hundred years after, brought nothing leſs than a three years famine on the land; and ſtayed not until the lives of all Saul's family atoned for it. That even among the Heathens, and moſt barbarous of nations, all the world over, the public faith was always held ſacred and binding, and that ſurely it would find no leſs regard in that honourable aſſembly."

The ſame, and other arguments, againſt the paſſing of this bill, were ſuffered to be pleaded at the bar of the houſe of lords; but were equally diſregarded by both houſes. The petitioners were told,[1] "that if they were to be deprived of the benefit of the articles of Limerick, it would be their own faults, ſince by conforming to the eſtabliſhed religion, they would be entitled to theſe and many other benefits; that therefore they ought not to blame any but themſelves; that the paſſing of that bill into a law was needful for the ſecurity of the kingdom at that juncture; and in ſhort, that there was nothing in the articles of Limerick, that ſhould hinder them to paſs it."

This anſwer of the commons needs no commentary; the former part of it evidently exhibits nothing elſe but downright mockery, and a public inſult on national faith. And by the latter, beſides the notorious falſehood of it, a maxim ſeems to be adopted, that tends to deſtroy all truſt and confidence among men, viz. that the moſt ſolemn engagements between parties may be violated or ſet aſide by either of them, upon a feigned or groundleſs apprehenſion of danger from the other,

[1] Debates, ubi ſupra.

other, by keeping it. I call the apprehenſion of danger, in this caſe, feigned or groundleſs; becauſe I think, I may venture to challenge the ableſt and moſt zealous ſticklers for this law, to produce even one inſtance of ſuch miſconduct of the Roman catholics of Ireland, from the year 1691, when the articles of Limerick were ſigned, to the year 1704, when this firſt act to prevent the further growth of popery was paſſed, as could occaſion in the government any apprehenſion of danger or diſturbance from them. That no ſuch inſtance could be then produced, appears from hence, that one of the principal objections to their conduct was, "their not having congratulated her majeſty queen Anne, by a dutiful addreſs, on her acceſſion to the throne, as her proteſtant ſubjects had done;" which, as it may be reaſonably accounted for, from their diſtreſſed, perſecuted, and deſponding condition at that juncture; ſo, had they actually addreſſed her majeſty on that occaſion, in the moſt humble and dutiful manner that could be deviſed, moſt probable it is, that their very accuſers would have conſidered and repreſented it, as the meer effect of adulation and hypocriſy; if not of inſolence and preſumption in them.

Thus on the 4th of March, 1704, the royal aſſent was given to an act, which, beſides its being a violation of national faith, has been hitherto productive of every ſpecies of private, as well as public, injury; by ſtripping men of their property, for not parting with their integrity; by fining and impriſoning them, for conſcientious diſſent from ſettled forms of worſhip; or for holding tenets merely ſpiritual,[a] and totally foreign from

[a] "We agree," ſays Dean Swift, ſpeaking of the catholics, "with our fellow diſſenters, that perſecution, merely for conſcience ſake, is againſt the genius of the goſpel. And ſo likewiſe, is any law for depriving men of their natural and civil rights which they claim as men. We are alſo ready enough to allow, that the ſmalleſt negative diſcouragements for uniformity's ſake, are ſo many perſecutions. Becauſe, it cannot be denied, that the ſcratch of a pin is in ſome degree a real wound, as

from any interference with the civil government of the ſtate. So that our courts of juſtice and equity reſembled, in theſe reſpects, the Roman tribunal puniſhing the primitive chriſtians for not diſavowing the doctrine of Jeſus Chriſt, and embracing that of human inſtitution.

Soon after this act was paſſed, the commons entered into ſuch wild and intemperate reſolutions, concerning the execution of it, and of other penal ſtatutes which it revives and confirms, as ſhew them to have been as little influenced and directed by the dictates of common ſenſe, as they were by thoſe of common humanity. On the 17th of March, 1704, "they reſolved unanimouſly,[4] that all *magiſtrates, and other perſons whatſoever*, who neglected or omitted to put them in due execution, were *betrayers* of the liberties of the kingdom." In June, 1705, they "reſolved,[5] that the ſaying or hearing of maſs, by perſons who had not taken the oath of abjuration, *tended to advance the intereſt of the pretender.*" And that ſuch judges and magiſtrates, as wilfully neglected to make diligent enquiry into, and diſcover *ſuch wicked practices*, ought to be looked upon as enemies to her majeſty's government." And leaſt the judges, if not the inferior magiſtrates, ſhould be ſomewhat aſhamed of executing this new office of enquiring into, and *diſcovering* theſe wicked

[4] Com. Jour. vol. iii. f. 289. [5] Ib. f. 319.

as much as a ſtab through the heart. In like manner, an incapacity by law for any man to be made a judge, a colonel, or juſtice of peace, merely on point of conſcience, is a negative diſcouragement, and conſequently a real perſecution. For, in this caſe, the author of a pamphlet [*Reaſons for the repeal of the Sacramental Teſt*], puts a very pertinent and powerful queſtion: That *if God be the ſole Lord of the conſcience, why ſhould the rights of conſcience be ſubject to human juriſdiction?* Now to apply this to the catholics: The belief of *tranſubſtantiation* is a matter purely of religion and conſcience, which doth not affect the political intereſt of ſociety as ſuch. Therefore, why ſhould the rights of conſcience, whereof GOD is the ſole LORD, be ſubject to human juriſdiction? And why ſhould GOD be deprived of this right over a catholic's conſcience, any more than over that of any other diſſenter." Swift's Works, vol. viii. p. 56.

wicked practices of saying and hearing mass, on account of that infamy which is commonly annexed to the trade of priest-catchers, discoverers, and informers,[b] these commons had before taken care to resolve unanimously,[6] "that the prosecuting and informing against papists, was an *honourable* service to the government." Such was the good faith, good sense, and avowed honour of those bigotted times!

How very different from this, has been the state and condition of the protestants in Germany, ever since the famous treaty of Munster, in 1648? which was concluded with them by the emperor Ferdinand, for liberty of religious worship; and guaranteed by their most christian and catholic majesties, and other Roman catholic princes and states in Italy and Germany. "By this treaty,[7] not only all their immunities, lands, territories, and dignities, together with the absolutely free and uncontrouled exercise of their religion, but also power to bear offices, and enjoy church livings, even bishoprics and archbishoprics were granted, and for ever secured to these protestants."

"From hence it appears," to use the words of the same writer,[8] "how unstudied those men are in the great book of the world, who think that popish princes will not go on in the course of their politics, though the pope should assume a temporal jurisdiction to obstruct them." Yet some there are, presuming to call themselves the only true [c] protestants, who, not con-

[6] Ib. [7] Sir Peter Pet's Happy Future State of Engl. Pref.
[8] Ib.

[b] "Informers (says a distinguished Law Lord in the British House of Peers) are an infamous and odious set of people; and in fact, the Irish popery laws, and the construction put upon them by the Irish lawyers and courts of justice, are a confused heap of oppression and nonsense, and have very much contributed to corrupt the morals of the people of that country."

[c] "And whereas another author among our brethren the dissenters, hath very justly complained, that by this persecuting *test act*, great numbers of *true protestants* have been forced to leave the kingdom, and fly to the plantations, rather than stand

tent with Roman catholics abjuring all civil power and temporal juriſdiction in popes over other princes, inſiſt that it is abſolutely neceſſary for the ſafety of every proteſtant government, under which they are ſuffered to live, that they ſhould alſo renounce the pope's ſpiritual ſupremacy (the belief of which is an eſſential article of their religion, and has not the leaſt connexion with, or relation to the temporal dominion of other princes); at the ſame time that thoſe men, under a falſe notion of their chriſtian liberty, and a ſtrange preſumption that they are authoriſed to interpret the ſcriptures in their own private ſenſe, and to ſquare their conduct accordingly, even in the higheſt political affairs, have themſelves often uſurped a ſpiritual authority (not controulable by any earthly power, as imagined to be founded on ſacred writ), in virtue of which they have often excited, and afterwards juſtified, the moſt dangerous tumults and commotions; I may ſay, the ſubverſion of government, civil and eccleſiaſtical.

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ſtand here *branded* with an incapacity for civil and military employments. We do affirm, that the *catholics* can bring many more inſtances of the ſame kind; ſome thouſands of their religion having been forced by the *ſacramental teſt*, to retire into other countries, rather than live here under the incapacity of wearing ſwords, ſitting in parliament, and getting that ſhare of power and profit which belongs to them as *fellow chriſtians*, whereof they are deprived merely upon account of *conſcience*, which would not allow them to take the ſacrament after the manner preſcribed in the liturgy. Hence it clearly follows, in the words of the ſame author [Reaſons againſt the Teſt], that if we catholics are incapable of employments, we are puniſhed for our *diſſent*, that is, for our *conſcience*, which wholly turns upon political conſiderations." Swift's Works, vol. viii. p. 56-7.

CHAP. VI.

Perſecution of the catholics in the reign of queen Anne.

DURING all queen Anne's reign, the inferior civil officers, by order of the government, were inceſſantly hampering the Roman catholics with oaths, impriſonments, and forfeitures, without any other viſible cauſe, but that of their religious profeſſion; but the conduct of theſe people was ſtill found ſo blameleſs, that it ſometimes made their very perſecutors aſhamed of their ſeverity. In the year 1708, on the bare rumour of an intended invaſion of Scotland by the pretender,[a] "no fewer than forty-one Roman catholic noblemen and gentlemen were impriſoned in the caſtle of Dublin."

[a] This perſecution of the catholics of Ireland, had no other foundation but the pretender's being of the ſame religion with them; at the ſame time that the Iriſh preſbyterians were highly favoured by government; although it appears from Mr. Hook's authentic Memoirs, that "the preſbyterians in the weſtern and ſouthern counties (of Scotland), namely, in Clydeſdale, Nithſdale, Galloway, Air, Kirkudbright, with thoſe of the provinces of Tiviotdale, Tweedale, and the Foreſt, were (at that juncture) reſolved to take arms, and declare for the king (the pretender), and to raiſe 13,000 men, whom they were in a condition to be able to maintain; that they were ready to join themſelves to the friends of the king, whether catholics or epiſcopals; that they would begin, and thereby give an opportunity to the reſt to riſe; and that they would put the ſtrong caſtle of Dunbarton, on the river Clyde, into the hands of the perſon named by the king; that they had a correſpondence with the north of Ireland, and were certain that the Scots who inhabit that province, would declare for them; that they were ready to declare unanimouſly for king James; that all they aſked was liberty of conſcience for themſelves, as well as the catholics." Hook's Mem. p. 40, 41, 42.

"They are certain, that the inhabitants alone of the north of Ireland, who are Scots, will directly furniſh 20,000 men, compleatly armed, under a commander of great reputation among them, who has thereto engaged himſelf." Id. ib. p. 4.

And when they were afterwards ſet at liberty, "becauſe they had acted nothing againſt the government," the ſtate was ſo ſenſible of the wrong done them by their long and irkſome confinement, "that it remitted their fees, though they amounted to eight hundred and odd pounds."

What pitiful occaſions were then taken, from every trifling circumſtance of their religion, to perſecute the perſons of theſe unhappy people, appears, among numberleſs other inſtances, from the following paſſage; which, however inconſiderable in itſelf, has acquired ſome weight and importance from the remarkable notice taken of it by the Iriſh commons. It ſeems there is a place of pilgrimage with them in the county of Meath, called St. John's well, which had been frequented every ſummer from time immemorial, by infirm men, women, and children of that perſuaſion, in hopes of being relieved from their ſeveral diſorders, by performing certain acts of devotion and penance there. This the Iriſh commons deemed an object worthy of their moſt ſerious conſideration, and a matter of the greateſt national concern; and accordingly paſſed a vote, that theſe ſickly devotees, "were aſſembled in that place to the great hazard and danger of the public peace, and *ſafety of the kingdom.*" In conſequence of which, fines, impriſonments, and whipping were made the penalties of "ſuch dangerous and tumultuous aſſemblies." A penance much more ſevere than, probably, theſe poor people intended to inflict on themſelves; and from which they could hardly obtain any other cure of their diſorders, but that never-failing one, death; which, in thoſe times of religious rancour, frequently happened, by the extreme rigour of their puniſhment.

The ſcheme of the original framers of this law ſeems to have been, to drive the Roman catholic natives out of the kingdom[b] (which effect it certainly produced on great numbers),

[b] And even ſuch of the Roman catholic natives, as were afterwards willing to return, were not permitted. For in 1713, the

numbers), and to introduce foreign proteſtants in their room. Accordingly, in the year 1709, at the requeſt of the lords and others of the council, eight hundred and twenty-one proteſtant Palatine families were brought over to Ireland, and the ſum of twenty-four thouſand eight hundred and fifty pounds, five ſhillings and ſixpence, appointed for their maintenance, out of the revenue, on a reſolution of the commons, "that it would much contribute to the ſecurity of the kingdom, if the ſaid Palatines were encouraged and ſettled therein." But the error of that policy was ſoon after diſcovered; for the lords, in their addreſs to the queen, in 1711, thankfully acknowledge, "that her majeſty's early care had even *prevented their own endeavours* to free the nation of that load of debt, which the bringing over numbers of *uſeleſs* and *indigent* Palatines[c] had brought upon them." It is remarkable that only four, out of this great number of proteſtant ſtrangers brought over for the ſecurity of the kingdom, enliſted in her majeſty's army, though ſhe was then actually engaged in a war with France.

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the commons ordered, that "an addreſs ſhould be made to her majeſty, to deſire her, that ſhe would be pleaſed not to grant licences to papiſts to return into the kingdom." Com. Journ. vol. iii.

It was even dangerous for them to attempt, or endeavour to hear, what paſſed in the houſe of commons concerning themſelves. For in the ſame year, an order was made there, "that the ſerjeant at arms ſhould take into cuſtody all papiſts, that were or ſhould *preſume* to come into the galleries." Ib. f. 976.

[c] In the ſame year the houſe of commons in England, ſays Burnet, "came to a ſudden vote, that thoſe who had encouraged, and brought over the Palatines, were enemies to the nation. They even repealed a bill for the naturalization of all proteſtants, which had paſſed two years before, pretending that it gave the encouragement to the Palatines to come over." Hiſt. of his own Times, vol. ii. f. 338.

CHAP. VII.

Penal laws of diſcovery and gavel-kind enacted.

IN May 1709, was introduced into the houſe of commons, by Mr. Serjeant Caulfield, a bill for explaining and amending an act, intitled an act to prevent the further growth of popery. This bill was paſſed and tranſmitted into Great Britain, in due form, on the 20th of June following, and got the royal aſſent from Thomas Earl of Wharton, lord lieutenant of Ireland, on the 30th of Auguſt in the ſame year.

As this ſecond act to prevent the further growth of popery did, indeed, complete the miſery of theſe people, without even the pretence of any recent provocation on their part; it will probably throw light on this dark and iniquitous tranſaction, to give ſome ſketches of the character of that chief governor, by whoſe influence and management, this new calamity was brought upon them, which I ſhall now do from the account left us of him and his adminiſtration here, by that real and venerable patriot, Dr. Jonathan Swift, who was perſonally acquainted with him.

"Thomas Lord Wharton, by the force of a wonderful conſtitution, had paſſed, by ſome years, his grand climacteric, without any viſible effects of old age, either on his body, or his mind; and in ſpite of a continual proſtitution to thoſe vices, which uſually wear out both. His behaviour is in all the forms of a young man at five and twenty; whether he walks, or whiſtles, or ſwears, or talks baudy, or calls names, he acquits himſelf in each beyond a templar of three years ſtanding... He goes conſtantly to prayers in the forms of his place, and will talk baudy or blaſphemy at the chapel door. He is a preſbyterian in politics, and an atheiſt in religion; he had imbibed his father's principles of government, and took up no other in its ſtead, excepting that circumſtance, he is a firm preſbyterian. It

was

was confidently reported, as a conceit of his, that talking upon the ſubject of Iriſh biſhops, he once ſaid, with great pleaſure, he hoped to make his w——e a B——p.

" He is perfectly ſkilled in all the arts of managing at elections, as well as in large baits of pleaſure, for making converts of young men of quality, upon their firſt appearance; in which public ſervice he contracted ſuch large debts, that the miniſtry in England were forced, out of mere juſtice, to leave Ireland at his mercy, where he had only time to ſet himſelf right; although the graver heads of his party think him too profligate and abandoned, yet they dare not be aſhamed of him: for he is very uſeful in parliament, being a ready ſpeaker, and content to employ his gift upon ſuch occaſions, where thoſe who conceive they have any remains of reputation or modeſty, are aſhamed to appear.

" He hath ſunk his fortune by endeavouring to *ruin* one kingdom; and hath raiſed it by going far in the ruin of another. His adminiſtration of Ireland was looked upon as a ſufficient ground to impeach him, at leaſt for high crimes and miſdemeanors; yet he has gained by the government of that kingdom, under two years, five and forty thouſand pounds, by the moſt favourable computation, half in the regular way, and half in the prudential."

The moſt ignominious part of this character was written, and I believe publiſhed, about the time of this earl's adminiſtration. The dean further adds, " that he has had the honour of much converſation with his lordſhip, and that he was thoroughly convinced, how indifferent he was to applauſe, and how inſenſible of reproach; he is, ſays he, without the ſenſe of ſhame or glory, as ſome men are without the ſenſe of ſmelling, and therefore a good name to him is no more than a precious ointment would be to theſe."

After having exhibited this genuine picture of his excellency and his government of Ireland, as I may ſay, from the life, it is but juſt, I ſhould recite ſome part of thoſe diſtinguiſhed honours which were paid him by the

the Iriſh commons, on his paſſing this popery act, by which it will plainly appear, how exact a conformity of ſentiment and diſpoſition there was between his lordſhip and theſe commons.

"Beſides gratefully acknowledging her majeſty's moſt particular care of them, in appointing his excellency their chief governor, and earneſtly wiſhing his long continuance in the government;" they told him, "that they could not, on that occaſion, omit mentioning, how acceptable to the whole body of proteſtants his excellency's endeavours had been in their favour; to which, next to her majeſty's royal goodneſs, they juſtly attributed the return of the bill to *amend* the act to prevent the further growth of popery, in the manner the ſame was tranſmitted, notwithſtanding the ſtrong efforts made againſt it by the Iriſh papiſts in Great Britain." With which addreſs and acknowledgment his excellency deſired the ſpeaker to tell them, that he was extremely well pleaſed and ſatisfied."

And, in truth, what governor could be better diſpoſed or qualified than his excellency, as above deſcribed, was, to procure a law, which, under the ſpecious pretence of preventing the growth of popery in Ireland, has, in reality, more effectually prevented the growth and improvement of every thing that is either uſeful or ornamental to that kingdom; that inſtead of promoting true religion, and its genuine effects, public and private virtue, has given birth to more hypocriſy,[a] and, under that dangerous diſguiſe, to more of every other ſpecies of moral evil, and turpitude, than was before known in this, or any other part of the chriſtian world; a law,

[a] Of this the legiſlature itſelf ſeemed ſenſible when it paſſed this act, and many years after. For ſuch was its diffidence of converts made by it, even in the year 1725, that they then, "reſolved, that no perſon that is, or ſhall be converted from the popiſh religion, ought to be elected or admitted to ſerve as a member of this houſe, for *the ſpace of ſeven years next after his converſion;* and unleſs he produces a certificate of having received the ſacrament, according to the uſage of the church of Ireland as by law eſtabliſhed, thrice in every year, during the ſaid term." Com. Jour. vol. v. f. 290.

a law, by which great rewards are occaſionally held forth to that vile and deteſted race of men, diſcoverers and informers, who, being thus legally countenanced and encouraged, plunder indiſcriminately parents, brethren, kinſmen and friends, in deſpite of all the ties of blood, of affection and confidence; in breach of the divine law, and of all former human laws enacted in this or any other country, for the ſecurity of property, ſince the creation of the world!

CHAP. VIII.

Reaſons aſſigned for making thoſe laws.

TWO plauſible reaſons have been commonly aſſigned for the framing and continuing of theſe laws. Firſt, their tendency to bring the papiſts of this kingdom to conformity in religion, and loyalty, with their proteſtant fellow-ſubjects; and next, their aptitude to weaken and impoveriſh ſuch of them as prove refractory in theſe reſpects, to ſuch a degree as to render both them, and their poſterity utterly incapable of giving any future diſturbance to this government. But is it not notorious that hypocriſy, and diſaffection to the eſtabliſhed religion and government, are the natural and conſtant effects of ſuch forced converſions? And even ſuppoſing that converts thus made might at length become real proteſtants, and loyal ſubjects, "is evil to be done that good may ariſe therefrom," in this one inſtance, when both reaſon, and religion prohibit and condemn it in every other? On the other hand, does not the enacting ſuch predatory laws againſt theſe people, without their being even accuſed of any civil crime, and merely to weaken and impoveriſh them, ſuggeſt to the mind ſomething like the policy of an highway-man, in putting thoſe he has robbed to death, leſt if they were ſuffered to ſurvive their loſſes, they might chance to diſcover and proſecute him for the robbery?

The

The laſt of the common objections to the relaxation of theſe laws, which I ſhall conſider (and it is the only remaining objection that deſerves to be conſidered) is, "that the ſpirit of perſecution is peculiar and eſſential to the Roman catholic religion; and therefore that its profeſſors ought, in good policy, to be always kept under, and in an abſolute incapacity to exert it." But this objection confutes itſelf. It ſuppoſes, that men may be juſtified in actually wronging and perſecuting others, for no other reaſon, but merely to prevent theſe others from ever having the power (however remote and improbable) to injure and perſecute them. The Roman catholics wiſh not for a power to perſecute; they only implore the juſtice and mercy of the legiſlature, to relieve them from perſecution. But how can the ſpirit of perſecution be deemed peculiar to Roman catholics, when it is notorious, that their very accuſers, of every denomination, perſecute both them and one another, whenever they have the power and opportunity of doing it? That ſuch a ſpirit is far from being eſſential to their religion, however it may have unhappily poſſeſſed ſome of its bigotted members (and what ſect, or communion of chriſtians, is free from ſuch members?), is manifeſt from hence, that all their ableſt and moſt reſpectable divines, and in particular their laſt pope, Clement XIV. (who ſurely muſt be ſuppoſed to have known the eſſentials of his religion) condemn and renounce it, as unchriſtian and inhuman.[1] "The great misfortune in this caſe," ſays that eminently learned and pious prelate, "is, that ſome people confound religion with her miniſters, and make her reſponſible for their faults. It never was religion, but falſe zeal pretending to her, that ſeized fire and ſword, to compel heretics to abjure their errors, and Jews to become Chriſtians. And what is more dreadful than to ſee good men fall victims to a zeal diſpleaſing in the ſight of God, and condemned by the church, as equally hurtful to religion, and the rights of ſociety? The example of Jeſus Chriſt,

[1] Ganganelli's Letters, paſſim.

Chriſt, who during his reſidence on earth, bore patiently with the Sadducees and Samaritans (the infidels and ſchiſmatics of thoſe times), obliges us to ſupport our brethren, of whatever communion they be; to live peaceably with them, and not to torment them on account of any ſyſtem of belief, which they may have adopted. The power of the church is purely ſpiritual. Our bleſſed Saviour himſelf, when he prayed for his executioners, taught us how his cauſe is to be avenged. Had the miniſters of the goſpel been always careful to follow that divine model, the enemies of chriſtianity would not have been able to bring againſt it the unjuſt reproach of favouring perſecution. The church always diſavowed thoſe impetuous men, who, ſtirred up by an indiſcreet zeal, treat thoſe who go aſtray with aſperity; and its moſt holy biſhops, at all times, ſolicited the pardon of apoſtates, deſiring only their converſion. Men, therefore, ought not to impute to the church thoſe exceſſes, of which hiſtory has preſerved the memory, and which are repugnant to the maxims of the goſpel."

CHAP. IX.

Perſecutions in the reign of king George I.

NOTWITHSTANDING the great lenity and general beneficence introduced to the throne of theſe kingdoms, by the acceſſion of his majeſty George I. the popery laws were ſtill rigorouſly executed, during the greateſt part of his reign. Such of them as affected the property of Roman catholics, lay not within the ſphere of the royal clemency, becauſe they neceſſarily executed themſelves. And ſome unlucky circumſtances in the beginning of it, contributed to enforce the execution of thoſe acts, which prohibit the exerciſe of their religion, under very ſevere penalties. Among theſe, the Scottiſh rebellion in 1715, was the principal; as that rebellion had been raiſed and carried

ried on in favour of a popiſh pretender; though all the acting rebels, almoſt to a man, were Scottiſh preſbyterians; and none of the catholics in Ireland were known to be any way connected with them. Yet ſuch was the government's affected fear, or real hatred, of theſe catholics, that the penalties for the exerciſe of their religion, were then generally inflicted. Their chapels were ſhut up; their prieſts dragged from their hiding places; ſometimes from the very altars, in the midſt of divine ſervice, hurried into loathſome priſons, and from thence baniſhed for ever from their native country. This perſecution was the obvious, and but the natural, effect of a reſolution of the commons at that juncture: "that it was the indiſpenſable duty of all magiſtrates, to put the laws in *immediate* execution againſt popiſh prieſts; and that ſuch of them as neglected to do ſo, ſhould be looked upon as *enemies* of the conſtitution." And although this rebellion of the preſbyterians in Scotland, was the ſole pretence for this ſeverity; and the very ſame law which baniſhes popiſh prieſts, prohibits alſo diſſenters to accept of or act by, a commiſſion in the militia or array; yet ſo partial were the reſolutions of that parliament, that, at the ſame time that they ordered the former to be rigorouſly proſecuted, they reſolved unanimouſly, "that any perſon, who ſhould commence a proſecution againſt any of the latter, who had accepted, or ſhould accept of, a commiſſion in the array or militia, was an enemy to king George and the proteſtant intereſt." Thus of the only two main objects of the ſame law, its execution againſt one of them was judged highly meritorious; but it was deemed equally culpable, even to attempt it againſt the other; though the law itſelf makes no difference between them. Such was the juſtice and conſiſtency of our legiſlators of that period.

The frequent exertions of this particular prejudice againſt the Roman catholic clergy of Ireland, ſeem not to have been the effects of any new or ſudden provocation, ariſing occaſionally from their miſconduct, with reſpect to the government; but appear to have

have been owing to a ſpirit of intolerance, on account of their [a] religion only; and to have been uniformly carried on, upon principle, for many years after; until they were at length heightened to ſuch a degree of wanton cruelty, as rather diſhonours the religion it was intended to ſerve. For in the year 1723, it having been again unanimouſly reſolved in parliament, "that it was the indiſpenſable duty of all magiſtrates to put the laws in immediate execution againſt popiſh prieſts: and that the neglect of ſeveral magiſtrates, in executing the laws againſt papiſts, did greatly contribute to the growth of popery." Leave was given to bring in heads of a bill, for explaining and *amending* the two acts before mentioned, to prevent the growth of popery. Upon which occaſion, one of the moſt zealous promoters of that bill, having gravely taken notice, in a long and laboured ſpeech, that of all the countries wherein the reformed religion had prevailed, Sweden was freeſt from thoſe ſecret, but irreconcilable, enemies of all proteſtant governments, popiſh eccleſiaſtics; which, he ſaid, was viſibly owing to the great wiſdom of their laws, inflicting the penalty of caſtration on all ſuch dangerous intruders into that kingdom. He ſeriouſly moved, that this *gothic* and *inhuman* penalty might be added as a clauſe to the bill before them: to which the houſe, after a ſhort debate, agreed; and ordered it to be laid before his grace the lord lieutenant, to be tranſmitted into England, with this remarkable requeſt on their part, "that he would recommend

[a] Dean Swift, in his Plea of Preſbyterian Merit, after taking notice, that the Roman catholics of Ireland "abhorred the Jacobites and high-flyers above all other men, on account of ſeverities againſt their prieſts in queen Anne's reign, when that party was in power;" adds, "this I was convinced of ſome years ago, by a long journey into the ſouthern parts (of Ireland), where I had the curioſity to ſend for many prieſts of the pariſhes I paſſed through, and, to my great ſatisfaction, found them every where abounding in profeſſions of loyalty to the late king George; for which they gave me the reaſons above-mentioned; at the ſame time complaining bitterly of the hardſhips they ſuffered under the queen's laſt miniſtry." Works, Dubl. edit. vol. iii. p. 274.

commend the ſame, in the *moſt effectual* manner to his majeſty." To which his grace was pleaſed to anſwer, "that as he had ſo much at heart a matter, which he had recommended to the conſideration of parliament, at the beginning of the ſeſſion; they might depend upon a due regard, on his part, to what was deſired."

The bill was accordingly tranſmitted to England; but rejected there, by means of the humane and earneſt interpoſition of Cardinal Fleury with Mr. Walpole, whoſe great power and intereſt at that juncture, were then univerſally known. His grace the lord lieutenant, in his ſpeech to that parliament, at the cloſe of the ſeſſion, in order to conſole them for the loſs of their favourite bill, gave them to underſtand, "that it miſcarried meerly by its not having been brought into the houſe, before the ſeſſion was ſo far advanced." And after earneſtly recommending to them, in their ſeveral ſtations, the care and preſervation of the public peace; he added, "that, in his opinion, that would be greatly promoted, by the vigorous execution of the laws againſt popiſh prieſts; and that he would contribute his part towards the prevention of that growing evil, by giving proper directions, that ſuch perſons only ſhould be put into the commiſſion of the peace, as had *diſtinguiſhed* themſelves by their ſteady adherence to the *proteſtant intereſt*." Theſe general words, "proteſtant intereſt," ſeem to carry with them a vague and indefinite meaning; but if the proteſtant religion is here, in any reſpect, ſignified by them, I will venture to affirm, that in no other age or nation, has religion ever been attempted to be ſerved or promoted, by ſo ſhameful and cruel an expedient, as that propoſed in this rejected bill.

CHAP.

CHAP. X.

The catholics addreſs his majeſty king George II.

THE Roman catholics of Ireland ſtill ſmarting under the laſh of the popery laws, after the acceſſion of George I. and recollecting that the two laſt, and ſevereſt of them, were ſaid to have been enacted as a puniſhment for their neglect in not having addreſſed her late majeſty queen Anne, on her acceſſion to the throne, were induced to think that they ought to avoid giving the like occaſion of offence on that happy event, and therefore, ſome of the principal among them, reſolved to preſent an humble congratulatory addreſs to his majeſty on that occaſion. But the before-mentioned rebellion in favour of a popiſh pretender, having then broken out in Scotland and England, ſo unjuſt and general a clamour was raiſed againſt them on that account, and ſuch virulent invectives and miſrepreſentations of both their civil and religious principles, daily iſſued from the pulpit and the preſs, as occaſioned them to change their reſolution, and to think it more prudent and ſafe at that period of jealouſy and diſtruſt, to remain ſilent in that reſpect; and by ſtill perſevering in their wonted dutiful behaviour, to give more ſubſtantial proofs of their loyalty, and of the falſehood and cruelty of theſe invectives and miſrepreſentations, than could poſſibly be conveyed by their moſt ſubmiſſive and zealous profeſſions of fidelity in a formal addreſs; and in truth, that the behaviour of theſe people was uniformly and unqueſtionably ſuch, during that whole reign, theſe very enemies have been ſince obliged to confeſs.

The conſciouſneſs of this behaviour, together with their reaſonable hope, that it had ſomewhat abated the former prejudices of their enemies, emboldened them to draw up an humble addreſs to his majeſty George II. on his acceſſion; which was preſented with all due reſpect

reſpect to the lords juſtices at the caſtle of Dublin, by Lord Delvin and other perſons of the firſt quality among them; but ſo little notice was then taken either of their addreſs or themſelves, that it is not yet known whether it was ever tranſmitted to be laid before his majeſty, as it was humbly deſired it ſhould be; or whether even an anſwer was returned by their excellencies that it ſhould be ſo tranſmitted.

CHAP. XI.

Penal laws enforced in the reign of King George II.

IN the year 1734 application having been made to his majeſty, for the reverſion of ſome outlawries, incurred by the inſurrections of 1641, the former of which, particularly, as we have already obſerved, had been moſt iniquitouſly obtained, and had actually reduced ſome of the moſt ancient, noble and opulent Roman catholic families of the kingdom, with their numerous deſcendants, to abſolute beggary. The commons then ſitting, and juſtly apprehending from his majeſty's known equity and commiſeration, that ſuch application might meet with ſome ſucceſs; reſolved upon a petition, wherein among other things, they tell his majeſty plainly, and even with a kind of menace, "that nothing could *enable them* to defend *his right and title* to his crown ſo *effectually* as the enjoyment of thoſe eſtates, which have been the forfeitures of the rebellious Iriſh, and were then in the poſſeſſion of his proteſtant ſubjects; and therefore, that they were *fully aſſured*, that he would diſcourage all applications or attempts that ſhould be made in favour of ſuch *traitors* or their deſcendants, ſo dangerous to the *proteſtant intereſt* of this kingdom." This petition produced the wiſhed for effect. The king in his anſwer aſſured the commons, "that he would for the future diſcourage all ſuch applications and attempts."

But the commons not content with this aſſurance, and ſtill fearing, that thoſe popiſh ſolicitors, who had been

been employed by the catholics in their late unſucceſsful attempt, might prevail upon their clients to renew their application at another more favourable juncture, brought in a bill, abſolutely diſqualifying all Roman catholics from practiſing as ſolicitors, the only branch in the law profeſſion which they were then permitted to practiſe.

While this bill, which was afterwards paſſed into a law, was under debate in the houſe of commons, certain Roman catholics of Dublin and Cork, not imagining that their making legal oppoſition to it, would give the leaſt offence to government, began to ſet on foot a collection among thoſe of their perſuaſion reſiding in theſe two cities, in order to enable them to defray the neceſſary expences attending on ſuch oppoſition. In this buſineſs ſome of their clergy in Munſter happened to be engaged; among whom, one Henneſy, a pariſh prieſt in that province, having, for his notoriouſly ſcandalous behaviour, been lately ſuſpended by his ſuperior, ſought revenge, by giving in examinations againſt him, importing that the money which had been thus collected by him and others, in different parts of the kingdom, was intended for no other ſervice, but the bringing in of popery and the pretender. Upon which theſe gentlemens papers were ſeized, and ſubmitted to the inſpection of a certain knight, who laid them before the houſe of commons, where they underwent the ſtricteſt ſcrutiny for many weeks; that venal and verſatile commoner, but conſtant brawler againſt popery, exerting all his boiſterous eloquence to perſuade the houſe, from the ſole evidence of theſe papers, though obviouſly harmleſs and inſignificant in themſelves, that a deep and dangerous popiſh plot was actually carrying on for the before-mentioned wicked purpoſes. And yet it appears after all, by the committee's printed report on this occaſion, that the ſum collected to accompliſh this mighty deſign of bringing in popery and the pretender, did not amount in the whole to full five pounds.

The committee, however, reſolved,[1] that it appeared to

[1] Com. Jour. vol. vi. f. 352.

to them, that under colour of oppoſing heads of bills, *great* ſums of money had been collected and raiſed, and a fund eſtabliſhed by the popiſh inhabitants of the kingdom, through the influence of their clergy, highly detrimental to the *proteſtant intereſt*, and of imminent danger to the preſent happy eſtabliſhment;" and therefore reſolved further, "that an humble addreſs ſhould be preſented to his grace the lord lieutenant, to iſſue his proclamation to all magiſtrates, to put the laws againſt popery in execution." In conſequence of this addreſs, the proclamation was iſſued by his grace, and the laws againſt popery were ſtrictly executed by the magiſtrates in every part of the kingdom.[a]

Theſe frequent reſolutions of the commons, aided by inflammatory anniverſary ſermons, and equally inflammatory pamphlets, occaſionally preached and publiſhed, diffuſed ſuch a ſpirit of rancour and animoſity againſt catholics, among their proteſtant neighbours, as made the generality of them believe that the words popery, rebellion and maſſacre, really ſignified the ſame thing, and thereby excited ſuch real terrors in theſe latter, as often brought the liberties and ſometimes the lives of the former into imminent danger. The moſt ſhocking circumſtances of the Iriſh inſurrection in 1641, and of the Engliſh gun-powder treaſon in 1605, were ſtudiouſly revived and aggravated in theſe ſermons, and pamphlets, with a degree of virulence and exaggeration, which, as it ſurpaſſed the moſt extravagant fictions of romance or poetry, ſo it poſſeſſed their uninformed, though often well-meaning, hearers and readers with laſting and general abhorrence of theſe people. The crimes, real or ſuppoſed, of catholics dead more than a century before, were imputed, intentionally, to all thoſe

[a] On the 9th of March, 1731, "Reſolved unanimouſly, that it is the indiſpenſable duty of all magiſtrates, and officers, to put the laws made to prevent the further growth of popery in Ireland, in due execution." It was alſo at the ſame time reſolved, *nem. con.* (being the end of the ſeſſion) "that the members of that houſe, in their reſpective countries, and ſtations, would uſe their utmoſt endeavours, to put the ſeveral laws againſt popery in due execution." Com. Jour. vol. vi. f. 183.

thoſe who ſurvived them, however innocent, of the ſame religious perſuaſion. By theſe means, an antient nobleman and privy-counſellor, of great power and influence, was ſo enthuſiaſtically incenſed againſt them, that, in the year 1743, on the threatened invaſion of England by the French, under the command of Mareſchal Saxe, he openly declared in council, "that as the papiſts had began the maſſacre on them, about an hundred years before, ſo he thought it both reaſonable and lawful, on their parts, to prevent them, at that dangerous juncture, by firſt falling upon them." And although the barbarity of that ſuggeſtion was quickly over-ruled in that honourable aſſembly; yet ſo entirely were ſome of the lower northern diſſenters poſſeſſed and influenced, by this prevailing prepoſſeſſion and rancour againſt catholics, that in the ſame year, and for the ſame declared purpoſe of prevention, a conſpiracy was actually formed by ſome of the inhabitants of Lurgan, to riſe in the night-time and deſtroy all their neighbours of that denomination in their beds.[a] But this inhuman purpoſe was alſo fruſtrated, by an information of the honeſt proteſtant publican, in whoſe houſe the conſpirators had met to ſettle the execution of their ſcheme, ſworn before the Rev. Mr. Ford, a juſtice of the peace in that diſtrict, who received it with horror, and with difficulty put a ſtop to the intended maſſacre.

[a] This atrocious deſign was known and atteſted by ſeveral of the inhabitants of Lurgan; and an account of it was tranſmitted to Dublin by a conſiderable linen-merchant, then at Lurgan on his private mercantile affairs.

CHAP. XI.

The conduct of the catholics of Ireland in the time of the rebellion in Scotland, 1745.

ON account of the Scottiſh rebellion in 1745 in favour of the pretender, in which it will preſently appear that not a ſingle Iriſh catholic, lay or clerical, was any way engaged, the minds of the proteſtants all over the kingdom were ſo much irritated by the inflammatory means before-mentioned, together with the additional incentives of paſtoral letters, of the like evil tendency, from all the biſhops of the kingdom to their reſpective dioceſans, that dreadful conſequences, with regard to theſe inoffenſive people, were juſtly apprehended; and probably would have enſued, had not the great wiſdom and lenity of their then chief governor,[a] frequently and earneſtly interpoſed. That nobleman, though preſſed from all quarters by their powerful enemies, on a pretended knowledge of their diſaffection, but really from the malignity of prejudice, to put the laws in force againſt them, always eluded their importunities, either by his own uncommon ſagacity and reſolution, or by ſome happy turn of pleaſantry, which never failed to expoſe the folly of their apprehenſions; for he quickly diſcovered, that they had neither the power nor the inclination to give the government any diſturbance. And he even aſſured both houſes of parliament, "that France, which alone encouraged and ſupported the raſh adventurer, had made uſe of him only as the occaſional tool of their politics, and not as the real object of their care. That although Great Britain had, in the courſe of this century, been often moleſted by inſurrections at home and invaſions from abroad, Ireland had happily and deſervedly enjoyed uninterrupted tranquillity." And in ſhort, that this attempt to ſhake his majeſty's throne, would

[a] Earl of Cheſterfield.

would ſerve to eſtabliſh it the more firmly, ſince all Europe muſt know the unanimous zeal and affection of his ſubjects, for the defence of his perſon and government."

The great goodneſs and mercy of providence in ſending ſuch a governor among us, at that period of ſuſpicion and danger, will be for ever moſt gratefully remembered by theſe people. Even their enemies in parliament, at the cloſe of his adminiſtration, ſeem to have, in ſome meaſure, retracted their former councils of rigour and ſeverity; for the commons in their addreſs at the end of the ſeſſion, after mentioning their late unquiet apprehenſions, " acknowledged, with chearfulneſs and the utmoſt gratitude, that the profound tranquillity which, without any extraordinary increaſe of public expence, the nation had hitherto enjoyed, was the reſult of his excellency's wiſe and vigilant adminiſtration; formed upon the principles, and carried on by the uniform exerciſe *of lenity* without remiſſneſs, and of firmneſs without *ſeverity*."

I promiſed to make it appear, that no Iriſh catholic, lay or clerical, was any way engaged in the Scottiſh rebellion of 1745. I ſhall now endeavour to make good that promiſe. In the 1762, upon a debate in the houſe of lords about the expediency of raiſing five regiments of theſe catholics, for the ſervice of the king of Portugal, Doctor Stone (then Primate), in anſwer to ſome common-place objections againſt the good faith and loyalty of theſe people, which were revived with virulence on that occaſion, declared publicly in the houſe of lords, that " in the year 1747, after that rebellion was intirely ſuppreſſed, happening to be in England, he had an opportunity of peruſing all the papers of the rebels, and their correſpondents, which were ſeized in the cuſtody of Murray, the pretender's ſecretary; and that, after having ſpent much time and taken great pains in examining them (not without ſome ſhare of the then common ſuſpicion, that there might be ſome private underſtanding and intercourſe between them and the Iriſh catholics), he could not diſcover the leaſt trace, hint, or intimation of ſuch intercourſe

courſe or correſpondence in them; or of any of the latter's favouring, abetting, or having been ſo much as made acquainted with the deſigns or proceedings of theſe rebels. And what," he ſaid, "he wondered at moſt of all was, that in all his reſearches, he had not met with any paſſage in any of theſe papers, from which he could infer, that either their Holy Father the Pope, or any of his cardinals, biſhops, or other dignitaries of that church; or any of the Iriſh clergy, had either directly or indirectly, encouraged, aided, or approved of, the commencing or carrying on of that rebellion."

CHAP. XII.

A bill for naturalizing the Jews paſſes the commons.

ON account of the continued ſeverity of the popery laws (ſuch of them particularly as executed themſelves, as all thoſe relating to property do), great numbers of the inoffenſive natives had quitted Ireland, and carried their wealth and induſtry with them. And ſuch was the miſtaken policy of thoſe days, that the proteſtant intereſt of Ireland was not believed to have ſuffered by this ruinous, though natural effect of theſe laws; on the contrary, it was confidently ſaid to be ſtrengthened and increaſed, by the removal of ſo many of its inteſtine enemies out of the kingdom! But as the ſtrength and proſperity of a country are known and acknowledged to depend on the number and induſtry of its inhabitants, an expedient was ſoon looked for, and found, by the great wiſdom of the nation, to ſupply the place of theſe ſelf-exiled papiſts, by introducing foreign Jews, and providing a national ſettlement for thoſe devoted vagrants. And although this expedient was, for a while, excepted againſt by ſome few over-ſcrupulous perſons, as diſcovering an inordinate and precipitate zeal in its authors for ſtrengthening the proteſtant intereſt, by a meaſure which

which ſeemed to bid defiance to a divine prophecy, and to ſap the foundation of chriſtianity itſelf; yet the Iriſh commons, in the ſeſſion of 1747, brought heads of a bill into their houſe, "for naturalizing perſons profeſſing the Jewiſh religion; which were committed, agreed to by the houſe, without any amendment, and preſented to his grace the lord lieutenant, to be by him tranſmitted into England." It is remarkable, that in the ſeſſion immediately preceding, the ſame bill was brought into the commons, and "carried through, without any debate;" but it then miſcarried either here or in England; as it alſo did this ſecond time; ſo that it has not as yet had the honour of being paſſed into a law among us. How aptly might each of theſe determined promoters of this hopeful bill, for ſtrengthening the *proteſtant intereſt* of Ireland, have exclaimed in the words of the poet,

Flectere ſi nequeo ſuperos, Acheronta movebo!

CHAP. XIII.

The catholics addreſs the lord lieutenant.

WHEN the Duke of Bedford was lord lieutenant of Ireland, he was greatly alarmed by an unprecedented attack on parliament; and not without ſome apprehenſion of danger to his own perſon. But this ſtrange and dangerous outrage[a] was ſoon appeaſed, by the aſſiſtance

[a] It was on this occaſion, that Prime Serjeant Stannard, a real patriot, and an unprejudiced honourable gentleman, in his ſpeech in the houſe of commons, contraſting the riotous conduct of the Lucaſians (as they were then called after their chief), with the quiet and dutiful behaviour of the Roman catholics, in that and other dangerous conjunctures, gave the following honourable teſtimony in favour of theſe latter: "We have lived amicably and in harmony among ourſelves, and without any material party diſtinctions, for ſeveral years paſt, till within theſe few months; and during the late wicked rebellion

aſſiſtance of that part of the army which was then in the city, without any further ill conſequence. But, as at the next meeting of the members of parliament, upon an enquiry into the authors and promoters of it, ſome of the very perſons guilty in that reſpect, did, by their intereſt in both houſes, endeavour to fix the odium of it on the obnoxious papiſts (to which conſcious untruth and calumny, the war then carrying on againſt France, gave ſome kind of colour); the catholics thought it high time publicly to vindicate their characters from that, and every other vile ſuſpicion of diſloyalty, by an addreſs to his grace the lord lieutenant; teſtifying their warmeſt gratitude for the lenity they experienced under his majeſty's government, and their readineſs to concur with the faithfulleſt and moſt zealous of his majeſty's other ſubjects, in oppoſing, by every means in their power, all, both his foreign and domeſtic enemies. Addreſſes of this loyal tenor were ſent to his grace from every conſiderable part of the kingdom, and moſt graciouſly received by him.[b]

CHAP.

bellion in Scotland, we had the comfort and ſatisfaction to ſee that all was quiet here. And to the honour of the Roman catholics be it remembered, that not a man of them moved tongue, pen, or ſword, upon the then, or the preſent occaſion; and I am glad to find, that they have a grateful and proper ſenſe of the mildneſs and moderation of our government. For my part, while they behave with duty and allegiance to the preſent eſtabliſhment, I ſhall hold them as men in equal eſteem with others, in every point but one; and while their private opinion interferes not with public tranquillity, I think their induſtry and allegiance ought to be encouraged."

[b] There was a circumſtance attending his grace's anſwer to the addreſs of the Roman catholics of Dublin, which for its great humanity and condeſcenſion, muſt not be omitted. As if he now meant to clear the Roman catholics intirely from the above-mentioned foul aſperſion, in the ſame place in which it was lately caſt upon them, he deſired the then ſpeaker, Mr. Ponſonby, while the houſe was ſitting, to read aloud from the chair, his anſwer to that addreſs, which contained his full approbation of their paſt conduct, and an aſſurance of his future favour and protection, as long as they continued it.

CHAP. XIV.

The catholics of Ireland, preſſed by penal laws, form an humble remonſtrance to be preſented to his majeſty.

THOUGH the exerciſe of the catholic religion at this time was connived at in this kingdom, the penal laws affecting the property of its profeſſors, were ſo frequently and rigorouſly executed, that ſeveral wealthy families were reduced to the ſad alternative, either to quit their native country or to ſtarve in it, which ſhews the falſehood and abſurdity of the common pretence, that theſe laws were originally framed and ſince kept in force, meerly for the ſuppreſſion of the exerciſe of the popiſh religion, on a groundleſs ſuppoſition, as it now appears, that both its doctrine and practice are hoſtile to the peace, order, and very being of this proteſtant government. "The Roman catholics of Ireland (ſaid an eminent member of the Britiſh commons on this occaſion) enjoy the full and free exerciſe of their religion; it is againſt their property that the ſword of law is raiſed."

In this ſituation they at length began to recollect the capitulation of Limerick in 1691, heretofore mentioned, as a topic of redreſs very proper to be now revived, which they ſeemed to have ſtrangely forgotten or overlooked for many years paſt, and which nevertheleſs holds forth to them as full and as ſolemn an aſſurance of being exempted from all future penalties and reſtraints on account of their religion, as the public faith of the nation, confirmed by an act of the Iriſh parliament, is capable of giving them. Upon this ground therefore, they formed an humble and dutiful remonſtrance of their grievances relative to their property, with a view of having it preſented in due form, to his late majeſty. But that good king happening to die at this juncture, to the great regret of all his ſubjects of every denomination, it was then thought proper, to introduce this remonſtrance

remonſtrance to the throne, by firſt preſenting a congratulatory addreſs to his preſent moſt gracious majeſty, on his happy acceſſion; which addreſs was accordingly drawn up, and after having been ſigned by all the moſt conſiderable Roman catholics of the kingdom, was laid before the Earl of Hallifax, lord lieutenant of Ireland, and by him tranſmitted to his majeſty, by whom it was graciouſly received. The remonſtrance above-mentioned was conceived in the following words:

To the KING's moſt Excellent MAJESTY.

The humble Petition and Remonſtrance of the Roman Catholics of Ireland.

Moſt gracious Sovereign,

WE your majeſty's dutiful and faithful ſubjects, the Roman catholics of the kingdom of Ireland, beg leave to lay at your majeſty's feet this humble remonſtrance of ſome of thoſe grievances and reſtraints under which we have long laboured without murmuring or complaint; and we preſume to make this ſubmiſſive application, from a ſenſe of your majeſty's great and univerſal clemency, of your gracious and merciful regard to tender conſciences, and from a conſciouſneſs of our own loyalty, affection and gratitude to your majeſty's perſon and government, as duties incumbent upon us, which it is our unalterable reſolution to pay in all events during the remainder of our lives.

And we are the more emboldened to preſent this our humble remonſtrance, becauſe it appeareth unto us, that the laws by which ſuch grievances are occaſioned, and ſuch penalties inflicted upon us, have taken riſe rather from private views of expediency and ſelf-intereſt, or from miſtaken jealouſies and miſtruſts, than from any truly public ſpirited motives; inaſmuch as they ſeem to have infringed certain privileges, rights and immunities, which had been freely and ſolemnly granted, together with a promiſe of further favour and indulgence

to

to the Roman catholics of Ireland, upon the moſt valuable conſiderations. For we moſt humbly offer it to your majeſty's juſt and generous conſideration, that on the third day of October, 1691, the Roman catholic nobility and gentry of this kingdom, under the late king James, entered into articles of capitulation at Limerick, whereby, among other things, it was ſtipulated and agreed, that "the Roman catholics of Ireland ſhould enjoy ſuch privilege in the exerciſe of their religion as they did enjoy in the reign of king Charles II. and that their majeſties as ſoon as their affairs would permit them, would ſummon a parliament in Ireland, and endeavour to procure the ſaid Roman catholics ſuch further ſecurity in that particular, as might preſerve them from any diſturbance on account of their ſaid religion." Whereupon theſe noblemen and gentlemen laid down their arms, and immediately ſubmitted to their majeſties government; at the ſame time that they had offers of powerful aſſiſtance from France, which might, if accepted, have greatly obſtructed the ſucceſs of their majeſties arms in the war then carrying on abroad againſt that kingdom.

And although theſe articles were duly ratified and confirmed, firſt by the commander in chief of their majeſties forces in Ireland in conjunction with the then lords juſtices thereof, and afterwards by an act of the Iriſh parliament, in the ninth year of his majeſty king William's reign, by which they became the public faith of the nation, plighted and engaged to theſe people in as full, firm and ſolemn manner, as ever public faith was plighted to any people; yet ſo far were the Roman catholics of Ireland from receiving the juſt benefit thereof; ſo far from ſeeing any ſteps taken, or means uſed in the Iriſh parliament, to procure them ſuch promiſed ſecurity, as might preſerve them from any diſturbance on account of their religion, that on the contrary, ſeveral laws have been ſince enacted in that parliament, by which the exerciſe of their religion is made penal, and themſelves and their heirs for ever have forfeited thoſe rights, immunities and titles to their eſtates and properties, which in the reign of king Charles II. they were

were by law intitled to, and enjoyed, in common with the reſt of their fellow ſubjects.

And ſuch is the evil tendency of theſe laws to create jealouſy and diſguſt between parents and their children, and eſpecially, to ſtifle in the breaſts of the latter thoſe pious ſentiments of filial duty and obedience which reaſon dictates, good policy requires, and which the almighty ſo ſtrictly enjoins, that in virtue of them, a ſon, however undutiful or profligate in other reſpects, ſhall merely by the merit of conforming to the eſtabliſhed religion, not only deprive his Roman catholic father of that free and full poſſeſſion of his eſtate, that power to mortgage or otherwiſe diſpoſe of it, as the exigencies of his affairs may require, but alſo ſhall himſelf have full liberty to mortgage, ſell or otherwiſe alienate that eſtate from his family for ever; a liberty, moſt gracious ſovereign, the frequent uſe of which has entailed poverty and deſpair on ſome of the moſt antient and opulent families in this kingdom, and brought many an aged parent's grey hairs with ſorrow to the grave.

And although very few eſtates at preſent remain in the hands of the Roman catholics of Ireland, and therefore little or no matter appears to be left for theſe laws to operate upon, nevertheleſs, we are ſo far from being ſecure in the poſſeſſion of perſonal property, ſo far from being preſerved from any diſturbance on account of our religion, even in that reſpect, that new and forced conſtructions have been of late years put upon theſe laws (for we cannot think that ſuch conſtructions were ever originally intended), by which, on the ſole account of our religion, we are in many caſes, ſtript of that perſonal property by diſcoverers and informers; a ſet of men, moſt gracious ſovereign, once generally, and juſtly deſpiſed among us, but of late grown into ſome repute, by the increaſe of their numbers and by the frequency, encouragement and ſucceſs of their practices.

Theſe and many other cruel reſtrictions (ſuch as no chriſtian people under heaven but ourſelves are made liable to) are and have long been greatly detrimental, not only to us in particular, but alſo to the commerce, culture,

culture, and every other improvement of this kingdom in general; and what is ſurely a melancholy conſideration, are chiefly beneficial to the diſcoverers and informers before-mentioned; who, under colour of theſe laws, plunder indiſcriminately, parents, brethren, kinſmen and friends, in deſpite of all the ties of blood, of affection and confidence, in breach of the divine laws, of all former human laws, enacted in this or perhaps any other kingdom, for the ſecurity of property, ſince the creation of the world.

The neceſſity of continuing laws in their full force for ſo great a number of years, which are attended with ſuch ſhameful and pernicious conſequences, ought, we humbly conceive, to be extremely manifeſt, preſſing, and permanent; but ſo far is this from being the caſe with reſpect to theſe diſqualifying laws, that even the pretended grounds for thoſe jealouſies and miſtruſts, which are ſaid to have given birth to them, have long ſince diſappeared; it being a well-known and undeniable truth, that your majeſty's diſtreſſed, but faithful ſubjects, the Roman catholics of Ireland, have neither the inclination nor the power to diſturb your majeſty's government; nor can (we humbly preſume) that only pretext now left for continuing them in force, viz. their tendency to make proſelytes to the eſtabliſhed religion, in any degree juſtify the manifold ſeverities and injuries occaſioned by them. For, alas! moſt gracious ſovereign, there is but too much reaſon to believe, that proſelytes ſo made are, for the moſt part, ſuch in appearance only in order to become in reality, what all ſincere chriſtians condemn and deteſt, undutiful children, unnatural brethren, or perfidious friends; and we ſubmit it to your majeſty's great wiſdom and goodneſs, whether motives ſo repugnant to the public intereſt, and to all ſocial, moral, and religious duties, are fit to be confided in or longer encouraged.

And becauſe we are ſenſible, moſt gracious ſovereign, that our profeſſions of loyalty have been often cruelly miſrepreſented, even by thoſe who were thoroughly acquainted with the candour and uprightneſs of our dealings in all other reſpects, we moſt humbly offer it to your

your princely and generous conſideration, that we reſt not the proof of our ſincerity in ſuch profeſſions on words, but on things known and atteſted by all the world, on our dutiful, peaceable and ſubmiſſive behaviour under ſuch preſſures, for more than half a century; a conduct, may it pleaſe your majeſty, that clearly evinces the reality of that religious principle, which withholds us from ſacrificing conſcience or honour to any worldly intereſt whatever; ſince rather than violate either by hypocritical profeſſions, we have all our lives, patiently ſuffered ſo many reſtrictions and loſſes in our temporal concerns; and we moſt ſubmiſſively beſeech your majeſty to look down on ſuch trials of our integrity, not only as a proof of our ſincerity in this declaration, but alſo as an earneſt and ſurety of our future good behaviour; and to give us leave to indulge the pleaſing hope, that the continuance of that behaviour, enforced by our religious principles, and of your majeſty's great and inherent goodneſs towards us, which it ſhall be the buſineſs of our lives to endeavour to merit, may at length be the happy means of our deliverance from ſome part of that burthen, which we have ſo long and ſo patiently endured.

That this act of truly royal commiſeration, beneficence and juſtice, may be added to your majeſty's many other heroic virtues, and that ſuch our deliverance may be one of thoſe diſtinguiſhing bleſſings of your reign, which ſhall tranſmit its memory to the love, gratitude, and veneration of our lateſt poſterity, is the humble prayer of, &c.

This remonſtrance having been communicated to the late right reverend primate Stone, was approved of by his grace, and by as many of his moſt diſcerning and confidential friends as he thought proper to ſhew it to, as he himſelf aſſured Lord Taaffe; and nothing hindered its being then laid before his majeſty, but thoſe unhappy diviſions and animoſities which ſtill ſubſiſted among us, and the premature death of his grace, which followed not long after, to the ſincere and laſting regret of all his majeſty's good and loyal ſubjects of this kingdom; ſo that it never was preſented to the king; and is now

inſerted

inſerted here, with no other view, but to ſhew what endeavours have been uſed from time to time, for ſeveral years paſt, to obtain the emancipation of at leaſt three parts in four of his majeſty's uſeful and innoxious Iriſh catholic ſubjects from the galling fetters of the popery laws of Queen Anne.

CHAP. XV.

Tumults in Munſter conſidered.

ABOUT this time, great tumults had been raiſed, and ſome outrages committed in different parts of Munſter, by cottiers and others of the loweſt claſs of its inhabitants, occaſioned by the tyranny and rapacity of their landlords.[a] Theſe landlords have ſet their lands to

[a] "The landlord of an Iriſh eſtate," ſays the learned and impartial Mr. Young, "inhabited by Roman catholics, is a ſort of deſpot, who yields obedience in whatever concerns the poor to no law but that of his will. To diſcover what the liberty of a people is, we muſt live among them, and not look for it in the ſtatutes of the realm: the language of written law may be that of liberty, but the ſituation of the poor may ſpeak no language but that of ſlavery: there is too much of this contradiction in Ireland. A long ſeries of oppreſſions, aided by many very ill-judged laws, have brought landlords into a habit of exerting a very lofty ſuperiority, and their vaſſals into that of an almoſt unlimited ſubmiſſion: ſpeaking a *language* that is deſpiſed, profeſſing a *religion* that is abhorred, and being diſarmed, the poor find themſelves in many caſes ſlaves even in the boſom of *written liberty*. Landlords that have reſided much abroad, are uſually humane in their ideas, but the habit of tyranny naturally contracts the mind, ſo that even in this poliſhed age, there are inſtances of a ſevere carriage towards the poor, which is quite unknown in England.

Nay, (ſays the ſame ingenious writer) I have heard anecdotes of the lives of people being made free with without any apprehenſion of the juſtice of a jury. But let it not be imagined that is common; formerly it happened every day, but law gains ground..... The execution of the law lies very much in the hands of juſtices of the peace, many of whom are drawn from

to cottiers far above their value, and to lighten their burthen, had allowed commonage to their tenants. Afterwards in deſpite of all equity, contrary to all compacts, the landlords incloſed theſe commons, and precluded their unhappy tenants from the only means of making their bargains tolerable." [a]

Another cauſe of theſe people's diſcontents was, the cruel exactions of tithe-mongers: theſe harpies "ſqueezed out the very vitals of the people, and by proceſs, citation, and ſequeſtration, dragged from them the little which the landlord had left them. Theſe are the real cauſes of the late tumults in Munſter, and it may be ſafely affirmed (adds my author) that there is no nation [illegible] has not had tumults from ſuch or the like cauſes, without religion coming into queſtion."

The riots, however, of theſe few forlorn men, were ſoon conſtrued into a general popiſh conſpiracy againſt the government; becauſe, indeed, the greateſt part of them were papiſts,[b] at leaſt in name; although it was well

[a] An Enquiry into the Cauſes of the Outrages committed by the Levellers.

from the moſt illiberal claſs in the kingdom. If a poor man lodges a complaint againſt a gentleman, or any animal that chuſes to call itſelf a gentleman, and the juſtice iſſues out a ſummons for his appearance, it is a fixed affront, and he will infallibly be *called out*. Where *manners* are in conſpiracy againſt *law*, to whom are the oppreſſed people to have recourſe? ..... They know their ſituation too well to think of it; they can have no defence but by means of protection from one gentleman againſt another, who probably protects his vaſſal as he would the ſheep he intends to eat.

The colours of this picture are not charged. To aſſert that all theſe caſes are common, would be an exaggeration; but to ſay that an unfeeling landlord will do all this with impunity, is to keep ſtrictly to truth: and what is liberty but a farce and a jeſt, if its bleſſings are received as the favour of kindneſs and humanity, inſtead of being the inheritance of RIGHT?" Young's Tour, Dub. Edit. vol. ii. p. 40-41.

[b] "Conſequences have flowed from theſe oppreſſions (ſays Mr. Young) which ought long ago to have put a ſtop to them. In England we have heard much of white-boys, ſteel-boys, oak-boys,

well known, that ſeveral proteſtant gentlemen and magiſtrates of conſiderable influence in that province, did all along, for their own private ends connive at, if not foment theſe tumults, and although we were aſſured by authority, "that the authors of theſe riots conſiſted indiſcriminately of perſons of different perſuaſions, and that no marks of diſaffection to his majeſty's perſon or government appeared in any of theſe people." [1]

This authentic declaration was grounded on the report which had been made to government, by perſons

[1] Dublin Gazette.

boys, peep-of-day-boys, &c. But theſe various inſurgents are not to be confounded, for they are very different. The proper diſtinction in the diſcontents of the people is into proteſtant and catholic. All but the white-boys were among the manufacturing proteſtants in the north. The white-boys catholic labourers in the ſouth: from the beſt intelligence I could gain, the riots of the manufacturers had no other foundation, but ſuch variations in the manufacture as all fabrics experience, and which they had themſelves known and ſubmitted to before. The caſe, however, was different with the white-boys; who being labouring catholics met with all thoſe oppreſſions I have deſcribed, and would probably have continued in full ſubmiſſion had not very ſevere treatment in reſpect of tithes united with a great ſpeculative riſe of rents about the ſame time, blown up the flame of reſiſtance; the atrocious acts they were guilty of made them the object of general indignation: acts were paſſed for their puniſhment, which ſeemed calculated for the meridian of Barbary; this aroſe to ſuch a height, that by one they were to be hanged under circumſtances without the common formalities of a trial, which though repealed the following ſeſſions marks the ſpirit of puniſhment; while others remain yet the law of the land, that would if executed tend more to raiſe than quell an inſurrection. From all which it is manifeſt that the gentlemen of Ireland never thought of a radical cure from overlooking the real cauſe of diſeaſe, which in fact lay in themſelves, and not in the wretches they doomed to the gallows. Let them change their own conduct intirely, and the poor will not long riot. Treat them like men who ought to be as free as yourſelves: put an end to that ſyſtem of religious perſecution which for ſeventy years has divided the kingdom againſt itſelf; in theſe two circumſtances lies the cure of inſurrection, perform them completely, and you will have an affectionate poor, inſtead of oppreſſed and diſcontented vaſſals." Young's Tour, vol. ii. p. 41-42.

of diſtinguiſhed loyalty and eminence in the law, ſent down and commiſſioned ſome time before to enquire upon the ſpot into the real cauſes and circumſtances of theſe riots; which report was afterwards confirmed by the going judges of aſſize, and by the dying proteſtations of the firſt five of theſe unhappy men, who were executed in 1762 at Waterford, for having been preſent at the burning down of a cabin, upon the information of one of their aſſociates, who was the very perſon that with his own hand ſet fire to it. Theſe men immediately before their execution, publicly declared and took God to witneſs, "that in all theſe tumults it never did enter into their thoughts to do any thing againſt the king or government."

CHAP. XVI.

The ſame ſubject continued.

BUT the perſon moſt obnoxious on this occaſion, and whoſe life ſeems to have been moſt eagerly ſought after, on a real or affected belief of his having primarily ſtirred up, and with French money and officers, ſupported theſe rioters, for the purpoſe of a future rebellion, was one Nicholas Sheehy, pariſh-prieſt of Clogheen. This man was giddy and officious, but not ill-meaning, with ſomewhat of a Quixotiſh caſt of mind towards relieving all thoſe within his diſtrict, whom he fancied to be injured or oppreſſed; and, ſetting aſide his unavoidable connexion with thoſe rioters, ſeveral hundred of whom were his pariſhioners, he was a clergyman of an unimpeached character in all other reſpects. In the courſe of theſe diſturbances, he had been often indicted, and tried as a popiſh prieſt, but no ſufficient evidence having appeared againſt him on that charge, he was always acquitted, to his own great misfortune; for, had he been convicted, his puniſhment, which would be only tranſportation, might have prevented his ignominious death, which ſoon after followed.

In

In the year 1765, the government was prevailed upon by his powerful enemies, to iſſue a proclamation againſt him, as a perſon guilty of high treaſon, offering a reward of three hundred pounds for taking him, which Sheehy in his retreat happening to hear of, immediately wrote up to Secretary Waite, "that as he was not conſcious of any ſuch crime, as he was charged with in the proclamation, he was ready to ſave to the government the money offered for taking him, by ſurrendering himſelf out of hand, to be tried for that or any other crime he might be accuſed of; not at Clonmell, where he feared that the power and malice of his enemies were too prevalent for juſtice (as they ſoon after indeed proved to be), but at the court of king's bench in Dublin. His propoſal having been accepted, he was accordingly brought up to Dublin and tried there for rebellion, of which, however, after a ſevere ſcrutiny of fourteen hours, he was honourably acquitted; no evidence having appeared againſt him but a blackguard boy, a common proſtitute, and an impeached thief, all brought out of Clonmell jail, and bribed for the purpoſe of witneſſing againſt him.

But his inveterate enemies, who like ſo many bloodhounds had purſued him to Dublin, finding themſelves diſappointed there, reſolved upon his deſtruction at all events. One Bridge, an infamous informer againſt ſome of thoſe who had been executed for theſe riots, was ſaid to have been murdered by their aſſociates, in revenge (although his body could never be found [a]), and a conſiderable reward was offered for diſcovering and convicting the murderer. Sheehy, immediately after his acquittal in Dublin for rebellion, was indicted by his purſuers for this murder, and notwithſtanding the promiſe given him by thoſe in office on ſurrendering himſelf, he was tranſmitted to Clonmell, to be tried there for this new crime, and, upon the ſole evidence of the ſame

[a] It was poſitively ſworn, by two unexceptionable witneſſes, that he privately left the kingdom ſome ſhort time before he was ſaid to have been murdered. See notes of the trial taken by one of the jury, in Exſhaw's Magazine for June 1766.

ſame infamous witneſſes, whoſe teſtimony had been ſo juſtly reprobated in Dublin, was there condemned to be hanged and quartered for that murder.

What barefaced injuſtice and inhumanity were ſhewn to this unfortunate man on that occaſion,[b] is known and teſtified by many thouſands of creditable perſons, who were preſent and eye-witneſſes on the day of his trial. A party of horſe ſurrounded the court, admitting and excluding whomſoever they thought proper, while others of them, with a certain knight at their head, ſcampered the ſtreets in a formidable manner, forcing into inns and private lodgings in the town, challenging and queſtioning all new comers, menacing his friends, and encouraging his enemies: even after ſentence of death was pronounced againſt him (which one would think might have ſatisfied the malice of his enemies), his attorney found it neceſſary for his ſafety, to ſteal out of the town

[b] I ſhall mention only one inſtance out of many. "During his trial, Mr. Keating, a perſon of known property and credit in that country, having given the cleareſt and fulleſt evidence, that, during the whole night of the ſuppoſed murder of Bridge, the priſoner, Nicholas Sheehy, had lain in his houſe, that he could not have left it in the night time without his knowledge, and conſequently that he could not have been even preſent at the murder. The Reverend Mr. H. an active manager in theſe trials, ſtood up, and after looking on a paper that he held in his hand, informed the court, that he had Mr. Keating's name on his liſt as one of thoſe that were concerned in the killing of a corporal and ſerjeant, in a former reſcue of ſome of theſe levellers. Upon which he was immediately hurried away to Kilkenny jail, where he lay for ſome time, loaded with irons, in a dark and loathſome dungeon: by this proceeding, not only his evidence was rendered uſeleſs to Sheehy, but alſo that of many others was prevented, who came on purpoſe to teſtify the ſame thing, but inſtantly withdrew themſelves, for fear of meeting with the ſame treatment. Mr. Keating was afterwards tried for this pretended murder at the aſſizes of Kilkenny, but was honourably acquitted; too late, however, to be of any ſervice to poor Sheehy, who was hanged and quartered ſome time before Mr. Keating's acquittal." The very ſame evidence which was looked upon at Clonmell as good and ſufficient to condemn Mr. Sheehy, having been afterwards rejected at Kilkenny, as prevaricating and contradictory with reſpect to Mr. Keating.

town by night, and with all poſſible ſpeed make his eſcape to Dublin.

The night before his execution, which was but the ſecond after his ſentence, he wrote a letter to Major Sirr, wherein he declared his innocence of the crime for which he was next day to ſuffer death; and on the morning of that day, juſt before he was brought forth to execution, he, in the preſence of the ſub-ſheriff and a clergyman who attended him, again declared his innocence of the murder; ſolemnly proteſting at the ſame time, as he was a dying man, juſt going to appear before the moſt awful of tribunals, that he never had engaged any of the rioters in the ſervice of the French king, by tendering them oaths, or otherwiſe; that he never had diſtributed money among them on that account, nor had ever received money from France, or any other foreign court, either directly or indirectly, for any ſuch purpoſe; that he never knew of any French or other foreign officers being among theſe rioters; or of any Roman catholics of property or note, being concerned with them. At the place of execution he ſolemnly averred the ſame things, adding, "that he never heard an oath of allegiance to any foreign prince propoſed or adminiſtered in his life-time; nor ever knew any thing of the murder of Bridge, until he heard it publicly talked of; nor did he know that there ever was any ſuch deſign on foot."

Every body knew, that this clergyman might, if he pleaſed, have eaſily made his eſcape to France, when he firſt heard of the proclamation for apprehending him: and as he was all along accuſed of having been agent for the French king, in raiſing and fomenting theſe tumults, he could not doubt of finding a ſafe retreat, and ſuitable recompence for ſuch ſervices, in any part of his dominions. It ſeems, therefore, abſurd in the higheſt degree, to imagine that he, or any man, being at the ſame time conſcious of the complicated guilt of rebellion and murder, would have wilfully neglected the double opportunity of eſcaping the puniſhment due to ſuch crimes, and of living at his

his eaſe and ſafety in another kingdom; or that any perſon, ſo criminally circumſtanced as he was thought to be, would have at all ſurrendered himſelf to a public trial, without friends, money, or family connections; and, above all, without that conſciouſneſs of his innocence, on which, and the protection of the Almighty, he might poſſibly have relied for his deliverance.

Emboldened by this ſucceſs, the knight before-mentioned publiſhed an advertiſement, ſomewhat in the nature of a manifeſto, wherein, after having preſumed to cenſure adminiſtration for not puniſhing, with greater and unjuſtifiable ſeverity, theſe wretched rioters; he named a certain day, on which the following perſons of credit and ſubſtance in that country, viz. Edmund Sheehy, James Buxton, James Farrel, and others, were to be tried by commiſſion at Clonmell, as principals or accomplices in the aforeſaid murder of Bridge. And, as if he meant by dint of numbers, to intimidate even the judges into lawleſs rigour and ſeverity, he ſent forth a ſort of authoritative ſummons "to every gentleman in the county to attend that commiſſion." His ſummons was punctually obeyed by his numerous and powerful adherents; and theſe innocent (as will appear hereafter) men, were ſentenced to be hanged and quartered by that commiſſion.

It will naturally be aſked, upon what new evidence this ſentence was paſſed; as it may well be ſuppoſed, that

"James Prendergaſt, Eſq; a witneſs for Mr. Edmund Sheehy, perfectly unexceptionable in point of fortune, character and religion, which was that of the eſtabliſhed church, depoſed, that on the day and hour on which the murder of Bridge was ſworn to have been committed, viz. about or between the hours of ten and eleven o'clock on the night of the 28th of October 1764, Edmund Sheehy, the priſoner was with him and others, in a diſtant part of the country; that they and their wives had, on the aforeſaid 28th of October, dined at the houſe of Mr. Teniſon, near Ardfinan, in the county of Tipperary, where they continued until after ſupper; that it was about eleven o'clock when he and the priſoner left the houſe of Mr. Teniſon, and rode a conſiderable way together on their return to their reſpective

that no uſe was made of the former reprobated witneſſes on this occaſion. But truth obliges me to anſwer, with reluctance and ſhame, that uſe was made of them, and a principal uſe too, in the trial and conviction of theſe devoted men. The managers, however, for the crown, as they impudently called themſelves, being afraid, or aſhamed, to truſt the ſucceſs of their ſanguinary purpoſes to the now enfeebled, becauſe generally exploded, teſtimony of theſe miſcreants, looked out for certain props, under the name of *approvers*, to ſtrengthen and ſupport their tottering evidence. Theſe they ſoon found in the perſons of Herbert and Bier, two priſoners, accuſed like the reſt of the murder of Bridge; and who, though abſolutely ſtrangers to it (as they themſelves had often ſworn in the jail), were nevertheleſs in equal danger of being hanged for it, if they did not purchaſe their pardon by becoming approvers of the former falſe witneſſes. Herbert was ſo conſcious of his innocence in reſpect to Bridge's murder, that he had come to the aſſizes of Clonmell, in order to give evidence in favour of the prieſt Sheehy; but his arrival and buſineſs being ſoon made known, effectual meaſures were taken to prevent his giving ſuch evidence. Accordingly bills of high treaſon were found againſt him,

tive homes; that the priſoner had his wife behind him; that when he (Mr. Prendergaſt) got home, he looked at the clock, and found it was the hour of twelve exactly." This teſtimony was confirmed by ſeveral corroborating circumſtances, ſworn to by two other witneſſes, againſt whom no exception appears to have been taken. And yet, becauſe Mr. Teniſon, although he confeſſed in his depoſition, that the priſoner had dined with him in October 1764, and does not expreſly deny that it was on the 28th of that month; but ſays, conjecturally, that he was *inclined to think* that it was earlier than the 28th, the priſoner was brought in guilty. Thus poſitive and particular proof, produced by Mr. Prendergaſt, with the circumſtances of the day and the hour, atteſted upon oath by two other witneſſes, whoſe veracity ſeems not to have been queſtioned, was overruled and ſet aſide, by the vague and indeterminate ſurmiſe of Mr. Teniſon. See Exſhaw's Gentleman's and London Magazine for April, and June, 1766.

him, upon the information of one of theſe reprobate witneſſes, and a party of light-horſe ſent to take him priſoner. Bier, upon his removal afterwards to Newgate in Dublin, declared, in a dangerous fit of ſickneſs, to the ordinary of that priſon, with evident marks of ſincere repentance, " that for any thing he knew to the contrary, the before mentioned Edmund Sheehy, James Buxton, and James Farrell, were intirely innocent of the fact for which they had ſuffered death; and that nothing in this world, but the preſervation of his own life, which he ſaw was in the moſt imminent danger, ſhould have tempted him to be guilty of the complicated crimes of perjury and murder, as he then confeſſed he was, when he ſwore away the lives of thoſe innocent men."

On Saturday morning, May 3d, 1766, the convicts were hanged and quartered at Clogheen. Their behaviour at the place of execution was chearful, but devout; and modeſt, though reſolute. It was impoſſible for any one in their circumſtances, to counterfeit that reſignation, ſerenity, and pleaſing hope, which appeared ſtrikingly in all their countenances and geſtures. Conſcious of their innocence, they ſeemed to haſten to receive the reward prepared in the next life, for thoſe who ſuffer patiently in this. For, not content to forgive, they prayed for and bleſſed their proſecutors, judges, and juries, as likewiſe all thoſe who were otherwiſe inſtrumental in procuring their deaths. After they were tied up, and juſt before they were turned off, each of them, in his turn, read a paper aloud, without tremour, heſitation, or other viſible emotion, wherein they ſolemnly proteſted, as dying chriſtians, who were quickly to appear before the judgment-ſeat of God, " that they had no ſhare either by act, counſel, or knowledge in the murder of Bridge; that they never heard an oath of allegiance to any foreign prince propoſed or adminiſtered amongſt them; that they never heard, that any ſcheme of rebellion, high treaſon, or a maſſacre, was intended, offered, or even thought of, by any of them; that they never knew of any commiſſions, or French or

Spaniſh

Spaniſh officers being ſent, or of any money being paid to theſe rioters. After this, they ſeverally declared, in the ſame ſolemn manner, that certain gentlemen, whoſe names they then mentioned, had tampered with them at different times, preſſing them to make, what they called uſeful diſcoveries, by giving in examinations againſt numbers of Roman catholics of fortune in that province (ſome of whom they particularly named) as actually concerned in a conſpiracy,[r] and intended maſſacre, which were never once thought of. But above all, that they urged them to ſwear, that the prieſt, Nicholas Sheehy, died with a lye in his mouth; without doing which, they ſaid, no other diſcovery would avail them. Upon theſe conditions, they promiſed and undertook to procure their pardons, acquainting them at the ſame time, that they ſhould certainly be hanged, if they did not comply with them." Thus did thoſe virtuous men, prefer even death to a life of guilt, remorſe, and ſhame, the juſt puniſhment in this world of their tempters, as well as the wretches ſeduced by them.

CHAP.

[r] "I was three times in Ireland (ſays an Engliſh commoner) from the year 1760 to the year 1767, where I had ſufficient means of information, concerning the inhuman proceedings (among which were many cruel murders, beſides an infinity of outrages and oppreſſions, unknown before in a civilized age) which prevailed during that period, in conſequence of a pretended conſpiracy among Roman catholics againſt the king's government." Lett. Eng. Commoner, &c. ubi ſupra.

CHAP. XVII.

Reflections on the foregoing ſubject.

YET ſome perſons there were, who, in order to ſave the characters of theſe their friends, from the horrible imputation of ſuborning others to commit perjury and murder, ſtrenuouſly endeavoured, and with ſome ſucceſs, to have it believed, that credit ought to be given to the teſtimony of thoſe approvers, in preference to the ſolemn and unanimous declarations of theſe dying men. But let us advert a moment to the miſerable weakneſs of this credulity. Thoſe approvers were impriſoned on a charge of murder, and ſtruck with the fear of an ignominious death; being certain, at the ſame time, that their pardon was to be obtained only by the teſtimony they gave, however falſe. On the other hand, the dying priſoners before mentioned, had often rejected the like offers of pardon, and ſolemnly denied their being guilty of the crimes for which they ſuffered, in the very article of death; conſcious that they were inſtantly to account for ſuch denial, before an all-juſt and all-ſeeing Judge. Now when we conſider this material difference in the circumſtances of the teſtimonies of the accuſers, and the accuſed, who can forbear concluding, that the oaths of the former were wilful perjuries, prompted by the hopes of a pardon, of which the ſhedding of innocent blood was to be the only purchaſe; and that the ſolemn declarations of the latter, were noble and ſucceſsful efforts of truth, conſcience, and honour, againſt all the ſtrongeſt temptations to the contrary, that the love of life, and the tendereſt endearments and connexions of this world, could have thrown in their way."

Such, during the ſpace of three or four years, was the fearful and pitiable ſtate of the Roman catholics of Munſter, and ſo general did the panic at length become, ſo many of the lower ſort were already hanged,

ed, in jail, or on the informers liſts, that the greateſt part of the reſt fled through fear; ſo that the land lay untilled, for want of hands to cultivate it, and a famine was with reaſon apprehended. As for the better ſort, who had ſomething to loſe (and who, for that reaſon, were the perſons chiefly aimed at by the managers of the proſecution), they were at the utmoſt loſs how to diſpoſe of themſelves. If they left the country, their abſence was conſtrued into a proof of their guilt: if they remained in it, they were in imminent danger of having their lives ſworn away by informers and approvers; for the ſuborning and corrupting of witneſſes on that occaſion, was frequent and barefaced, to a degree almoſt beyond belief. The very ſtews were raked, and the jails rummaged in ſearch of evidence; and the moſt notoriouſly profligate in both were ſelected and tampered with, to give informations of the private tranſactions and deſigns of reputable men, with whom they never had any dealing, intercourſe, or acquaintance; nay, to whoſe very perſons they were often found to be ſtrangers, when confronted at their trial.

In ſhort, ſo exactly did theſe proſecutions in Ireland reſemble, in every particular, thoſe which were formerly ſet on foot in England, for that villainous fiction of Oates's plot, that the former ſeem to have been planned and carried on intirely on the model of the latter; and the ſame juſt obſervation that hath been made on the Engliſh ſanguinary proceedings, is perfectly applicable to thoſe which I have now, in part, related, viz. "that for the credit of the nation, it were indeed better to bury them in eternal oblivion, but that it is neceſſary to perpetuate the remembrance of them, as well to maintain the truth of hiſtory, as to warn, if poſſible, our poſterity and all mankind, never again to fall into ſo ſhameful and ſo barbarous a deluſion."

CHAP.

CHAP. XVIII.

Some proſpect of mitigating the rigour of the popery laws.

ALL this while, the chapels of the Roman catholics were ſuffered to be open, and the exerciſe of their religion was actually connived at; although that religion was, at the ſame time, accuſed, in the ſpirit of the framers and advocates of the popery laws, of prompting its profeſſors to theſe pretended acts of rebellion; which proves to a demonſtration, that theſe laws, notwithſtanding their pompous title, were primarily intended, rather to deprive theſe people of their property and ſubſtance, than of the free exerciſe of their religion; ſince having long ſince taken from them almoſt all that was *real* of the former, they have left them unmoleſted with regard to the latter.[a]

By this connivance, however, the defenders of theſe laws pretend, that the objection from the breach of the articles of Limerick is removed; as theſe articles promiſed nothing more than that the Roman catholics ſhould

[a] "But it ſeems (ſays Mr. Young) to be the meaning, wiſh and intent of the diſcovery laws, that none of them (the Iriſh catholics) ſhould ever be rich. It is the principle of that ſyſtem, that wealthy ſubjects would be nuiſances; and therefore every means is taken to reduce, and keep them to a ſtate of poverty. If this is not the intention of theſe laws, they are the moſt abominable heap of ſelf-contradictions that ever were iſſued in the world. They are framed in ſuch a manner that no catholic ſhall have the inducement to become rich..... Take the laws and their execution into one view, and this ſtate of the caſe is ſo true, that they actually do not ſeem to be ſo much levelled at the religion, as at the property that is found in it. ..... The domineering ariſtocracy of five hundred thouſand proteſtants, feel the ſweets of having two millions of ſlaves: they have not the leaſt objection to the tenets of that religion which keeps them by the law of the land in ſubjection; but property and ſlavery are too incompatible to live together: hence the ſpecial care taken that no ſuch thing ſhould ariſe among them." Young's Tour in Irel. vol. ii. p. 48.

ſhould not be diſturbed in the exerciſe of their religion. But (beſides that there is a wide difference between a meer connivance and a *privilege*, the former being purely negative, or a non-hinderance, depending ſolely on the will or caprice of the perſons conniving; the latter, an actual and poſitive power of doing what is not otherwiſe prohibited, which power or privilege was the thing ſtipulated by the ſaid articles, not only to be preſerved, but alſo to be enlarged by a future parliament; whereas the quite contrary has been ſince done by theſe laws;) how can it be ſeriouſly imagined, that the catholics of Ireland enjoy, at this day, the free exerciſe of their religion, when that very exerciſe is preciſely the cauſe of their being robbed, purſuant to thoſe laws, in ſo many inſtances, of both their liberty and property! Nothing certainly can equal the abſurdity of ſuppoſing the exerciſe of that religion to be free and undiſturbed, at the ſame time that it is forbidden and reſtrained by a multiplicity of ſevere legal penalties, which are ſtill occaſionally inflicted.

Under all theſe unjuſt ſuſpicions, preſſures, and reſtraints, did the Roman catholics of Ireland labour, by the operation of the two ſelf-executing popery acts of the ſecond and eighth of queen Anne, without the leaſt glimpſe of any reaſonable hope of redreſs, until the year 1775; when a proſpect ſeemed to be opened to them of ſome future alleviation in the legiſlature's free and unſolicited tender of an oath of allegiance, which has afforded them the long-wiſhed-for opportunity of wiping off, effectually, thoſe foul aſperſions which for ſo many years paſt have been caſt upon both, by their ignorant or malicious enemies. In that year, a majority of humane and enlightened members, in both houſes of parliament, having been themſelves witneſſes of the conſtant dutiful behaviour of the Roman catholics of Ireland, under many painful trials; and conſcious that their long perſeverance in ſuch behaviour was the beſt proof they could have given of the integrity of that principle, which had hitherto withheld them from ſacrificing conſcience and honour

to

to any temporal intereſt, ſince rather than violate either by hypocritical profeſſions, they have, under all trials, patiently ſuffered in that particular: theſe truly patriotic members, I ſay, influenced by ſuch motives, cauſed the aforeſaid oath to be framed; which as it is the moſt certain teſt, that can poſſibly be required or given by men, of the ſincerity of their profeſſions muſt ſufficiently enſure their civil duty and allegiance.

As the conciliating ſpirit of the framers of this oath manifeſtly appears in the preamble to it, it may not be improper to inſert it in this place at large.

"Whereas many of his majeſty's ſubjects in this kingdom are deſirous to teſtify their loyalty and allegiance to his majeſty; and their abhorrence of certain doctrines imputed to them; and to remove jealouſies, which hereby have, for a length of time, ſubſiſted between them and others, his majeſty's loyal ſubjects; but upon account of their religious tenets, are by the laws now in being, prevented from giving public aſſurances of ſuch allegiance, and of their real principles, good-will and affection towards their fellow ſubjects; in order, therefore, to give ſuch perſons an opportunity of teſtifying their allegiance to his majeſty, and good-will towards the conſtitution of this kingdom, and to promote peace and induſtry among the inhabitants thereof, be it enacted, &c."

This teſt, ſo well calculated to anſwer all the neceſſary purpoſes of civil duty and allegiance, was, at its firſt promulgation, voluntarily and chearfully taken by a great and reſpectable number of the Roman catholic clergy, nobility, gentry, and people; when no other apparent benefit to them was either propoſed or expected from it, but that of teſtifying, in the moſt effectual manner, their loyalty and attachment to his majeſty's perſon and government, as well as their abhorrence of certain impious doctrines, moſt uncharitably imputed to them by their enemies.

CHAP. XIX.

The catholics of Ireland ſtate their grievances in an humble addreſs and petition to the lord lieutenant to be laid before his majeſty.

ABOUT this time theſe people, fearing that neither the number nor quality of their grievances were truly made known to his majeſty, or his council in England; from whom, in the laſt reſort, their redreſs was expected; ſet forth and delineated ſome part of the moſt conſiderable of them, in the following dutiful addreſs and petition; which, in order to its being tranſmitted to England, and laid before his majeſty, was preſented, in due form, to his Excellency the Earl of Buckinghamſhire, lord lieutenant of Ireland, by the Right Honourable the Earl of Fingal, the Honourable Mr. Preſton, and Anthony Dermot, Eſq. And as it has been hitherto but in few hands, and indeed exhibits a rare and ſtriking picture of perſevering loyalty, under oppreſſion, I will here communicate it to my readers.

To the KING's moſt Excellent MAJESTY.

The humble Addreſs and Petition of the Roman Catholics of Ireland.

Moſt gracious Sovereign,

WE your majeſty's moſt dutiful ſubjects, the Roman catholics of your kingdom of Ireland, with hearts full of loyalty, but overwhelmed with affliction, and depreſſed by our calamitous and ruined circumſtances, beg leave to lay at your majeſty's feet ſome ſmall part of thoſe numerous and inſupportable grievances under which we have long groaned, not only without any act of diſobedience, but even without murmur or complaint; in hopes that our inviolable ſubmiſſion, and unaltered patience under thoſe ſevere preſſures, would fully confute the accuſation of ſeditious principles, with

with which we have been unfortunately and unjuſtly charged.

We are deeply ſenſible of your majeſty's clemency, in moderating the rigorous execution of ſome of the laws againſt us: but we humbly beg leave to repreſent, that ſeveral, and thoſe the moſt ſevere, and diſtreſſing of theſe laws, execute themſelves with the moſt fatal certainty, and that your majeſty's clemency cannot, in the ſmalleſt degree interpoſe for their mitigation, otherwiſe your Roman catholic ſubjects would moſt chearfully acquieſce in that reſource, and reſt with an abſolute and unbounded aſſurance, on your majeſty's princely generoſity, and your pious regard to the rights of private conſcience.

We are, may it pleaſe your majeſty, a numerous and very induſtrious part of your majeſty's ſubjects, and yet by no induſtry, by no honeſt endeavours on our part, is it in our power to acquire or to hold, almoſt any ſecure or permanent property whatſoever; we are not only diſqualified to purchaſe, but are diſabled from occupying any land even in farm, except on a tenure extremely ſcanted both in profit and in time; and if we ſhould venture to expend any thing on the melioration of land thus held, by building, by incloſure, by draining, or by any other ſpecies of improvement, ſo very neceſſary in this country; ſo far would our ſervices be from bettering our fortunes, that theſe are preciſely the very circumſtances, which, as the law now ſtands, muſt neceſſarily diſqualify us from continuing thoſe farms, for any time in our poſſeſſion.

Whilſt the endeavours of our induſtry are thus diſcouraged, (no leſs, we humbly apprehend, to the detriment of the national proſperity and the diminution of your majeſty's revenue, than to our particular ruin) there are a ſet of men, who, inſtead of exerciſing any honeſt occupation in the commonwealth, make it their employment to pry into our miſerable property, to drag us into the courts, and to compel us to confeſs on our oaths, and under the penalties of perjury, whether we have, in any inſtance, acquired a property in the ſmalleſt degree exceeding what the rigor of the law has admitted

mitted; and in ſuch caſe the informers, without any other merit than that of their diſcovery, are inveſted (to the daily ruin of ſeveral innocent, induſtrious families) not only with the ſurplus in which the law is exceeded, but in the whole body of the eſtate, and intereſt ſo diſcovered, and it is our grief that this evil is likely to continue and increaſe, as informers have, in this country, almoſt worn off the infamy, which in all ages, and in all other countries, has attended their character, and have grown into ſome repute by the frequency and ſucceſs of their practices.

And this, moſt gracious ſovereign, though extremely grievous, is far from being the only or moſt oppreſſive particular, in which our diſtreſs is connected with the breach of the rules of honour and morality. By the laws now in force in this kingdom, a ſon, however undutiful or profligate, ſhall, meerly by the merit of conforming to the eſtabliſhed religion, deprive the Roman catholic father of that free and full poſſeſſion of his eſtate, that power to mortgage or otherwiſe diſpoſe of it, as the exigencies of his affairs may require; but ſhall himſelf have full liberty immediately to mortgage or otherwiſe alienate the reverſion of that eſtate, from his family for ever; a regulation by which a father, contrary to the order of nature, is put under the power of his ſon, and through which an early diſſoluteneſs is not only ſuffered, but encouraged, by giving a pernicious privilege, the frequent uſe of which, has broken the hearts of many deſerving parents, and entailed poverty and deſpair, on ſome of the moſt ancient and opulent families in this kingdom.

Even when the parent has the good fortune to eſcape this calamity in his life-time, yet he has at his death, the melancholy and almoſt certain proſpect of leaving neither peace nor fortune to his children; for by that law, which beſtows the whole fortune on the firſt conformiſt, or, on non-conformity, diſperſes it among the children, incurable jealouſies and animoſities have ariſen; a total extinction of principle and of natural benevolence has enſued; whilſt we are obliged to conſider our own offſpring

and the brothers of our own blood, as our moſt dangerous enemies; the bleſſing of providence on our families, in a numerous iſſue, is converted into the moſt certain means of their ruin and depravation: we are, moſt gracious ſovereign, neither permitted to enjoy the few broken remains of our patrimonial inheritance, nor by our induſtry to acquire any ſecure eſtabliſhment to our families.

In this deplorable ſituation, let it not be conſidered, we earneſtly beſeech your majeſty, as an inſtance of preſumption or diſcontent, that we thus adventure to lay open to your majeſty's mercy, a very ſmall part of our uncommon ſufferings; what we have concealed under a reſpectful ſilence, would form a far longer, and full as melancholy a recital; we ſpeak with reluctance, though we feel with anguiſh; we reſpect from the bottom of our hearts that legiſlation under which we ſuffer; but we humbly conceive it is impoſſible to procure redreſs without complaint, or to make a complaint, that by ſome conſtruction may not appear to convey blame: and nothing, we aſſure your majeſty, ſhould have extorted from us even theſe complaints, but the ſtrong neceſſity we find ourſelves under of employing every lawful, humble endeavour, leſt the whole purpoſe of our lives and labours ſhould prove only the means of confirming to ourſelves, and entailing on our poſterity, inevitable beggary, and the moſt abject ſervitude; a ſervitude the more intolerable, as it is ſuffered amidſt that liberty, that peace, and that ſecurity, which, under your majeſty's benign influence, is ſpread all around us, and which we alone, of all your majeſty's ſubjects, are rendered incapable of partaking.

In all humility we implore, that our principles may not be eſtimated by the inflamed charge of controverſial writers, nor our practices meaſured by the events of thoſe troubled periods, when parties have run high (though theſe have been often miſrepreſented, and always cruelly exaggerated to our prejudice); but that we may be judged by our own actions, and

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in our own times; and we humbly offer it to your moſt equitable and princely conſideration, that we do not reſt the proof of our ſincerity on words, but on things; on our dutiful, peaceable ſubmiſſive behaviour for more than four-ſcore years: and though it will be conſidered as too ſevere to form any opinion of great bodies, by the practice of individuals, yet if in all that time, amongſt all our people, in the daily increaſe of ſevere laws againſt us, one treaſonable inſurrection, or one treaſonable conſpiracy can be proved; if amongſt our clergy, one ſeditious ſermon can be ſhewn to have been preached; we will readily admit that there is good reaſon for continuing the preſent laws in all their force againſt us: but if, on the contrary (we ſpeak in full confidence) it can be ſhewn, that our clergy have ever exerted their utmoſt endeavours to enforce ſubmiſſion to your majeſty's government, and obedience to your laws; if it can be ſhewn that theſe endeavours have always been moſt ſtrenuous in times of public danger, or when any accident tended to create a ferment amongſt the people; if our laity have frequently offered (what we are always ready to fulfil) to hazard their lives and fortunes for your majeſty's ſervice; if we have willingly bound up the fruits of our diſcouraged induſtry with the fortune of your majeſty's government in the public loans; then we, humbly hope, we may be admitted to a ſmall portion of mercy, and that that behaviour, which your majeſty's benignity and condeſcenſion will eſteem a merit in our circumſtances, may entitle us, not to reward, but to ſuch toleration as may enable us to become uſeful citizens to our country, and ſubjects as profitable, as we are loyal to your majeſty.

Permit us, moſt gracious ſovereign, on this occaſion, to reiterate the aſſurances of our unſhaken loyalty, which all our ſufferings have not been able to abate; of our ſincere zeal for your majeſty's ſervice, of our attachment to the conſtitution of our country, and of our warmeſt gratitude for your majeſty's con-

tinual indulgence, and for the late inſtance of favour we have experienced from parliament, in enabling us, conſiſtent with our religious tenets, to give a legal proof of our ſentiments upon theſe points. And we humbly hope, that the alacrity and eagerneſs with which we have ſeized this firſt, though long wiſhed opportunity of teſtifying, in the moſt ſolemn and public manner, our inviolable fidelity to your majeſty, our real principles, and our good-will and affection towards our fellow ſubjects; will extinguiſh all jealouſies, and remove thoſe imputations, which alone have hitherto held us forth in the light of enemies to your majeſty, and to the ſtate. And if any thing farther can be ſuggeſted or deviſed, whereby we can by our actions, more fully evince our ſincerity, we ſhall conſider ſuch an opportunity of demonſtrating our real loyalty, as an high favour, and ſhall be deficient in no act whatever, which does not amount to a renunciation of that religious profeſſion which we value more than our lives, and which it cannot be ſuſpected we hold from obſtinacy or a contempt of the laws, ſince it has not been taken up by ourſelves, but has, from time immemorial, been handed down to us from our anceſtors.

We derive no ſmall conſolation, moſt gracious ſovereign, from conſidering, that the moſt ſevere and rigorous of the laws againſt us had been enacted before the acceſſion of your majeſty's illuſtrious houſe to the throne of theſe kingdoms: we therefore indulge the more ſanguine hopes, that the mitigation of them, and the eſtabliſhment of peace, induſtry and univerſal happineſs, amongſt all your loyal ſubjects, may be one of the bleſſings of your majeſty's reign. And though we might plead in favour of ſuch relaxation, the expreſs words of a ſolemn treaty, entered into with us, by your majeſty's royal predeceſſor, king William, (which has been forfeited by no diſobedience on our part) yet, we neither wiſh, nor deſire, to receive any thing, but as a mere act of your majeſty's clemency, and of the indulgence and equity of your parliament.

That

That this act of truly royal beneficence and juſtice, may be added to the other inſtances of your majeſty's auguſt virtues, and that the deliverance of a faithful and diſtreſſed people, may be one of thoſe diſtinguiſhing acts of your reign, which ſhall tranſmit its memory to the love, gratitude and veneration of our lateſt poſterity, is the humble prayer of, &c. &c.

Fingall
Gormanſton
Dillon
Kenmare
Cahier
Trimbleſton
Valentine Brown
P. Bellew
Robert Butler
Thomas Kavanagh
Michael Aylmer
William Cooke
Thomas Dillon
Richard Talbot
Charles White
Matthew Talbot
Robert Netterville
Farrel Caddell
Robert Caddell
N. Deaſe
John White
John Baggot
James O'Reily
Hugh O'Reilly
William O'Reilly
Robert French
James Moore
Pierce Birmingham
Michael Bellew
Luke Maſterſon
Andrew Hearne
Robert Daly
John Ryan
Edward Faneſtall
Bartholomew Barnwell
Tyrrel O'Reily
Richard Farrell
Anthony Dermott
And above three hundred other reſpectable perſons.

Having given a brief account of the ſtate of the catholics of this kingdom ſince the revolution to the preſent time, groaning under the oppreſſive weight of the popery laws: I ſhall now conclude with the following extract from the obſervations of that judicious and impartial writer, Mr. Young, on the State of Ireland; and leave the candid and unprejudiced reader to judge of the cruel treatment and long ſufferings of theſe people.

" It is no ſuperficial view I have taken of this matter in Ireland, and being at Dublin at the time a very trifling part of theſe laws was agitated in parliament, I attended the debates, with

with my mind open to conviction, and auditor for the mere purpoſe of information: I have converſed on the ſubject with ſome of the moſt diſtinguiſhed characters in the kingdom, and I cannot after all but declare that the ſcope, purport, and aim of the laws of diſcovery as executed are not againſt the catholic religion which encreaſes under them, but againſt the induſtry, and property of whoever profeſſes that religion. In vain has it been ſaid, that conſequence and power follow property, and that the attack is made in order to wound the doctrine through its property. If ſuch was the intention, I reply, that ſeventy years experience prove the folly and futility of it. Thoſe laws have cruſhed all the induſtry, and wreſted moſt of the property from the catholics; but the religion triumphs; it is thought to encreaſe. Thoſe who have handed about calculations to prove a decreaſe, admit on the face of them that it will require FOUR THOUSAND YEARS to make converts of the whole, ſuppoſing that work to go on in future, as it has in the paſt time. But the whole pretence is an affront to common ſenſe, for it implies that you will leſſen a religion by perſecuting it: all hiſtory and experience condemn ſuch a propoſition.

The ſyſtem purſued in Ireland has had no other tendency but that of driving out of the kingdom all the perſonal wealth of the catholics, and prohibiting their induſtry within it. The face of the country, every object in ſhort which preſents itſelf to the eye of a traveller, tells him how effectually this has been done. I urge it not as an argument, the whole kingdom ſpeaks it as a fact. We have ſeen that this conduct has not converted the people to the religion of government; and inſtead of adding to the internal ſecurity of the realm, it has endangered it: if therefore it does not add to the national proſperity, for what purpoſe but that of private tyranny could it have been embraced and perſiſted in? Miſtaken ideas of private intereſt account for the actions of individuals, but what could have influenced the Britiſh government to permit a ſyſtem which muſt inevitably prevent the iſland from ever becoming of the importance which nature intended!" Young's Tour in Irel. vol. ii. p. 48-9.

APPENDIX.

APPENDIX.

No. I. From the MSS. Trinity College, Dublin.

A brief Declaration of the Government of Ireland; opening many Corruptions in the ſame; diſcovering the Diſcontentments of the Iriſhry; and the Cauſes moving thoſe expected Troubles: and ſhewing Means how to eſtabliſh Quietneſs in that kingdom honourably, to your Majeſty's profit, without any encreaſe of charge.

[Wrote in the government of Sir William Fitz-Williams, who was ſix years lord deputy in Ireland; that is, from the year 1588 to the year 1594.]

By Captain THOMAS LEE, 1594. Anno Regni Reginæ 37°.

To the Queen's moſt excellent Majeſty.

UNDERSTANDING, moſt gracious ſovereign, the proud and inſolent terms the lords of the north of Ireland do now ſtand upon, it maketh me bold to ſet down my knowledge of thoſe parts to your majeſty, becauſe I have debated often with the chiefs of them, what was fit they ſhould yield unto your majeſty; and that it was unmeet for them in any ſort to condition with your highneſs: in the end (after long debating) they ſeemed ſomewhat to like and allow of that which I demanded, as hereafter ſhall appear. And becauſe your majeſty may the better judge the cauſes of their diſcontentments, I have here ſet down the unconſciable courſes which have been held towards them, which being remedied, and that they may ſee your majeſty doth no way allow of the ſame, there is no doubt (notwithſtanding all their proud ſhews of diſloyalty) but that they may be brought to dutiful obedience, and to yield you that profit which neither your majeſty now hath, nor any of your progenitors ever had; ſo as they may likewiſe have that which they demand, being nothing unfit for your majeſty to grant. In which diſcourſe, if any thing ſhould ſeem unpleaſing to your majeſty, I humbly beſeech you to paſs it over, and to peruſe the reſt, whereof I doubt not, but ſomething will content your highneſs, for that it tendeth to your highneſs's ſervice and commodity.

My

My meaning, whereby your highneſs's profit may ariſe, is by O'Donnel, Maguire, Bryan Oge O'Roirke, and Bryan Oge M'Mahon.

The demands I made for your majeſty were theſe, that they ſhould receive your majeſty's forces into their countries: and your laws to go current, as they did in other places; and ſome part of their countries to be reſerved for your majeſty, to diſpoſe unto them who ſhould govern them, and they to charge themſelves with that proportion that was fit for them to bear.

To thoſe demands they all yielded, ſo that they might have ſuch gentlemen choſen, as they knew would uſe no treachery nor hard meaſures towards them, but to live upon that which your majeſty would allow; and that which they would give of their free conſents, and to be no further charged; and they would be as dutiful as any other country in Ireland now is. And how this may be performed, I have made bold with your majeſty's favourable liking, here to ſet down upon my knowledge, both how your majeſty's forces may be received with their conſent, and they to yield great profit in diſcharge of that which your majeſty allows to the ſoldiers, and the ſoldiers to be well ſatisfied.

The cauſe they have to ſtand upon thoſe terms, and to ſeek for better aſſurance, is the harſh practices uſed againſt others, by thoſe who have been placed in authority, to protect men for your majeſty's ſervice, which they have greatly abuſed and uſed in this ſort.

They have drawn unto them by protection, three or four hundred of theſe country people, under colour to do your majeſty ſervice, and brought them to a place of meeting, where your garriſon ſoldiers were appointed to be, who have there moſt diſhonourably put them all to the ſword; and this hath been by the conſent and practice of the lord deputy for the time being. If this be a good courſe to draw theſe ſavage people to the ſtate, to do your majeſty ſervice, and not rather to enforce them to ſtand upon their guard, I humbly leave to your majeſty.

When ſome one who hath been a bad member (pardoned by your majeſty) hath heard himſelf exclaimed upon to be a notable thief after his pardon; and hath ſimply come in without any bonds, or any other enforcement, to an open ſeſſion, to take his trial, by your majeſty's laws, if any could accuſe him: notwithſtanding his coming in after this manner, and without any trial at the time (becauſe he was a bad man in times paſt) there hath been order given in that ſeſſion for the execution of him; and ſo he has loſt his life, to the great diſhonour of your majeſty, and diſcredit of your laws.

There

There have alſo been divers others pardoned by your majeſty, who have been held very dangerous men, and after their pardon have lived very dutifully, and done your majeſty great ſervice, and many of them have loſt their lives therein; yet, upon ſmall ſuggeſtions to the lord deputy, that they ſhould be ſpoilers of your majeſty's ſubjects, notwithſtanding their pardon, there have been bonds demanded of them for their appearance at the next ſeſſions. They knowing themſelves guiltleſs, have moſt willingly entered into bonds, and appeared, and there (no matter being found to charge them) they have been arraigned only for being in company with ſome one of your highneſs's ſervitors, at the killing of notorious known traitors; and for that only have been condemned of treaſon, and loſt their lives. And this diſhoneſt practice hath been by the conſent of your deputies.

When there have been notable traitors in arms againſt your majeſty, and ſums of money offered for their heads, yet could by no means be compaſſed, they have in the end (of their own accord) made means for their pardon, offering to do great ſervice, which they have accordingly performed, to the contentment of the ſtate, and thereupon received pardon, and have put in ſureties for their good behaviour, and to be anſwerable at all times, at aſſizes and ſeſſions, when they ſhould be called; yet, notwithſtanding, there have been ſecret commiſſions given for the murdering of thoſe men. They have been often ſet upon by the ſheriffs of ſhires, to whom the commiſſions were directed, in ſundry of which aſſaults, ſome of them have been killed, and others have hardly eſcaped. And after all this, they have ſimply come, without pardon or protection, to an open place of juſtice, to ſubmit themſeves to your majeſty's laws; where they have been put to their trial upon ſeveral indictments, of all which they have been acquitted, and ſet at liberty. If this be a courſe allowable, for poor men to be handled in this manner, and to be at no time in ſafety of their lives, I humbly leave to your majeſty.

When many notorious offenders have ſubmitted themſelves to your majeſty's mercy, and have been accepted, and have had their pardons, and have put in good aſſurances to be at all times anſwerable to your laws; the chiefeſt rebel (whoſe followers they were) hath been countenanced and borne out by your ſtate, to rob and ſpoil, burn and kill theſe poor men, who did thus ſubmit themſelves. When they have very pitifully complained againſt that arch-rebel and his complices, of theſe outrages, they have been ſharply rebuked and reproved for their ſpeeches, and left void of all remedy for their loſſes; ſo as when in the end they have made petition to have licence by their own means, and help of their friends, to recover their goods from the rebels, they have been rejected, and utterly diſcomforted; yet,

yet, nevertheleſs, remained dutiful ſubjects, although they ſee, that ſuch as continue notorious malefactors, are in far more ſafety than they who depend upon your majeſty's defence.

For it is well to be proved, that in one of your majeſty's civil ſhires, there lived an Iriſhman, peaceably and quietly, as a good ſubject, many years together, whereby he grew into great wealth, which his landlord thirſting after (and deſirous to remove him from his land) entered into practice with the ſheriff of the ſhire, to diſpatch this ſimple man, and divide his goods between them. They ſent one of his own ſervants for him, and he coming with his ſervant, they preſently took his man, who was their meſſenger, and hanged him; and keeping the maſter priſoner, went immediately to his dwelling, and ſhared his ſubſtance (which was of great value) between them, turning his wife and many children to begging. After they had kept him faſt for a ſeaſon with the ſheriff, they carried him to the caſtle of Dublin, where he lay by the ſpace of two or three terms; and having no matter objected againſt him, whereupon to be tried by law, they by their credit and countenance, being both Engliſh gentlemen, and he who was the landlord (the chiefeſt man in the ſhire) informed the lord deputy ſo hardly of him, as that without indictment or trial they executed him, to the great ſcandal of your majeſty's ſtate there, and impeachment of your laws. For if this man had been ſuch an offender as they urged, why was he not tried by ordinary courſe of law, whereby good example of juſtice might have been ſhewed, and your highneſs benefited by his wealth, which they ſhared; but to cut him off by martial law, who was a good houſeholder, inhabiting a civil country always liable to law, and laſt impriſoned in Dublin (where all the laws of that land have their head), was, in my conceit, rather rigour than juſtice; for as martial law is very neceſſary, and (in my opinion) ought to be granted to all governors of remote and ſavage places, where your majeſty's laws are not received, with all other authority and power, ſeverely and ſharply to cut off or puniſh offenders, according to the quality of their offence, until ſuch time as the people ſhall become civil, and embrace the laws and peaceable living (for till then they are not to be governed without the like meaſure of juſtice) ſo to uſe the ſame where the people are civil and obedient to other laws, is very indirect, and ſavours of cruelty; and yet this, and the like exemplary juſtice, is miniſtered to your majeſty's poor ſubjects there, who, if they have once been offenders, live they never ſo honeſtly afterwards, if they grow to any wealth, are ſure by one indirect means or other to be cut off.

When there have been means made to an aged gentlemen (never traitor againſt your majeſty, neither he nor any of his anceſtors, and dwelling in one of the remoteſt parts of your kingdom)

kingdom) to come into your ſtate; and that the hard courſes uſed to others, made him demand ſecurity for his coming in, which hath been ſent unto him by great oaths and proteſtations, delivered by the meſſenger, whereof he hath accepted, and thereupon come in: yet, notwithſtanding all theſe promiſed ſafeties, this aged gentleman hath been detained priſoner for ſix years, and ſo yet remaineth. And his impriſonment is the only colour to ſatisfy your majeſty for a wonderful great charge, which your majeſty and your ſubjects were then put unto. But his detaining contrary to promiſe, hath bred great fear in all or moſt of his ſort (in thoſe parts) of crediting what your ſtate there ſhall promiſe.

When upon the death of a great lord of a country, there hath been another nominated, choſen, and created, he hath been entertained with fair ſpeeches, taken down into his country, and for the offences of other men, indictments have been framed againſt him, whereupon he hath been found guilty, and ſo loſt his life; which hath bred ſuch terror in other great lords of the like meaſure, as maketh them ſtand upon thoſe terms which now they do.

When there hath been a ſtratagem uſed for the taking into your majeſty's hands a young youth [the Earl of Tyrconnel], the heir of a great country, by whoſe taking his whole country would have been held in obedience, the practice whereof was moſt good and commendable; yet (after the obtaining of him) his manner of uſage was moſt diſhonourable and diſcommendable, and neither allowable before God nor man. My reaſons are theſe: he being young, and being taken by this ſtratagem, having never offended, was impriſoned with great ſeverity, many irons laid upon him as if he had been a notable traitor and malefactor, and kept ſtill among thoſe who were ever notorious traitors againſt your majeſty; having no other council, or advice, or company but theirs, what good could come to this young man for his education among ſuch, I humbly refer to your highneſs.

The taking of him as aforeſaid, was moſt commendable, and for the good of that country, ſo he had been brought up in this manner, preſently to have been ſent to your majeſty, to have been inſtructed in the fear of God, to have known his duty to your majeſty, and to have been furniſhed with all neceſſary parts for a gentleman. And as your majeſty ſhould have found his diſpoſition, ſo either to have detained him here or ſent him home into his country, whoſe good example (by his virtuous training up) might have done God and your majeſty much good ſervice in thoſe parts.

I have been the more bold to diſcover unto your majeſty the diſhonourable managing of your ſervice there, by the indirect cutting off of ſundry your majeſty's poor ſubjects, becauſe it pleaſed

pleaſed your highneſs (many years ſince) to impart unto me, how much you abhorred to have your people there dealt withal, by any practice, but only upright juſtice, by your majeſty's laws and forces, which being otherwiſe handled, I deſire to make known unto your majeſty, and your moſt honourable council, for redreſs thereof.

But I fear, that they who have well liked that courſe, and have been practiſers of the ſame, will inform your majeſty, that thoſe people are ſo bad, as it is no matter of conſcience to cut them off any way howſoever, which is (in my opinion) for none but tyrants and beggarly princes to imitate. But your majeſty being of ſo great power to offend the mightieſt kings of the world, and to revenge yourſelf upon them, may with much honour ſuppreſs your own vaſſals, by your highneſs's laws and forces, wherewith you are at charge in thoſe parts for that purpoſe.

Theſe principal inſtruments, as the lord deputy, and they who have been his aſſiſtants in thoſe diſhoneſt practices, have not only uſed theſe bad means againſt thoſe poor remote and ſavage people, but have done all their endeavours (ſo far as in them lay) to diſcomfort and diſcredit your majeſty's beſt ſervitors, living under their commands, becauſe they miſliked to execute ſuch unjuſt practices and devices, and to allow of their covetous, unconſcionable and diſhonourable gettings.

I am emboldened, moſt gracious ſovereign, to declare thus much, becauſe, not only my poor ſelf (one of the meaneſt in that place of ſervice) have been partaker of it; but ſome of your majeſty's chief officers alſo have taſted the indiſcreet bitterneſs of the two laſt lord deputies, as namely, Sir Robert Gardiner, in his place of juſtice, a moſt worthy man, and void of all manner of corruption; and Sir Richard Bingham, in his place of government, againſt whom (even within his own juriſdiction) traitors have been ſuborned and countenanced by them; and the like in nature, though not in quality, hath been done againſt myſelf; and as for Sir Richard, there was never man in his place that hath done your majeſty like honourable ſervice, without increaſe of charge. For my own part, I leave the report of my ſervice to ſuch as know it, and have ſeen it; yet have they not only done me injuſtice there, but have alſo uſed their beſt friends and credit here, to obſcure my good deſerts, and to make (as far as in them lieth) me a man to be hated of your majeſty, depreſſing me with all their might and authority there, and croſſing me with all their ability and malice here, not becauſe I have ſlacked or not performed your majeſty's ſervice at any time, but for that I have afore time and now, diſcovered unto your highneſs their diſhonourable dealings and intolerable corruptions.

And

And I desire not that your majesty should either simply credit me this my plain detecting them, nor them in excusing themselves; but if it please your highness, to appoint commissioners in that realm for the trial, if I prove not directly all that ever I have here declared, let me lose your gracious favour for ever.

Thus far of the disordered courses there held, all which notwithstanding your majesty's profit, may arise in those parts, in sort, as followeth:

First, for O'Donnel's country, it may please your majesty to send thither such gentlemen, against whom O'Donnel nor his country can take any exceptions; nor your state there think unfit for judgment or ability; namely, Captain Anthony Brabazon, to be seneschal of that country, and to have under his charge twenty-five horse; Captain Nathaniel Smith, to have 100 foot; Captain William Warren, to have his five horsemen restored to him (which Sir William Fitz-Williams bestowed upon others) and added to the twenty which he hath, to strengthen his band, and to be sent thither to be sheriff of that county. And for the settling of your majesty's forces there, to reserve these lands to be inhabited by those, whom those gentlemen shall take with them, viz. one small barony belonging to Tyrconnel, on that side of the river towards Conaught, called, as I take it, the barony of Carbery; the castle of Ballyshannon to be reserved still in your majesty's hands, for him who shall command there; the abby of Tashiroe to be bestowed upon the seneschal; the abby of Donegal, and the abby of Derry, are two abbies that have no lands belonging to them; so much land, therefore, to be laid unto them, as shall be thought sufficient for their habitations, who shall be drawn thither.

And the remain of the whole country to be given to O'Donnel and the chief men under him, so as they will contribute to this charge, which is only the diet of the hundred foot, which they may pay in meal, butter and beef, according to their usual manner, and your majesty's chief rent besides, which is 200l. yearly, to be the seneschal's fee; which 200l. your majesty seldom or never hath. This I believe O'Donnel will submit himself unto and perform, if he may be handled thereafter.

This garrison once settled in that place, will procure great quietness in your province of Conaught, and stop the only passage which they have to go to and fro to assist any traitor that may rebel there.

For Maguire's country called Farmanohan, Sir Dudley Loftus with his twenty-five horse (whereof he also wanteth five, taken from him as aforesaid is mentioned, to be restored to him), and he to be sent seneschal of that country; Henry Warren, his brother-in-law, to be sent as sheriff and assistant unto him, and to have 100 footmen under his charge. Your majesty

to

to beſtow upon thoſe two gentlemen (to be inhabited by them and their friends) all thoſe iſlands which are upon the lough, and that one abby which is in the country, and the lands belonging to it, and the caſtle of Enniſkillen, lately taken from Maguire; and the reſt of that country, to remain to the chief men inhabiting there, ſo as they defray the ſeneſchal's fee and the charge of the twenty-five horſe, to be levied in butter, meal and beef, both for the diet and wages of the horſemen, and their horſe-meat, in ſuch ſort as the Iriſhry themſelves ſhall ſet down, which will be a greater proportion than your majeſty would demand.

For the county of Monaghan, called Macmahon's country, in reſpect of the great diſlike which the Iriſhry have of the now ſeneſchal there, it may pleaſe your majeſty to let him be removed, and in his place (for that it is next to the Earl of Tyrone's country, and the chief place of the earl's abode) that Sir George Bouchier may be ſent thither as ſeneſchal, becauſe of the companies of horſe and foot which are under his charge, and for that he is a gentleman of good worth, who will with ſome good ſhow live in the place, which will be a great comfort to the earl to have ſuch a neighbour; and to aſſiſt Sir George in that ſervice, to ſend Sir Henry Duke as ſheriff of that country, to be placed in the abby of Cloonis (which is your majeſty's, and himſelf your farmer there) with his own company of light-foot, and a band of 100 foot more to be there in garriſon.

This place of Cloonis is the only paſſage from M'Guire's country, and thoſe parts, whereby the rebels may be ſtopped from doing your majeſty's good ſubjects any great damage in the Engliſh pale.

Your majeſty may ſupply thoſe places with two hundred foot and twenty-five horſe without any increaſe of charge, taking them from ſuch of the old garriſons as may very well ſpare them; for ſome one of the commanders of them is not worthy of a company, becauſe (in the laſt conflict with the rebels) he loſt his colours, and all his men ran away; and he who receiveth ſuch diſhonour by ſuch baſe traitors, it is a pity ever he ſhould carry colours or credit any more.

The aforenamed two hundred foot and twenty-five horſe are to be placed in Tyrconnel and Farmanohan, and the one hundred foot to be under Sir Henry Duke in Monaghan; at the abby of Cloonis may be alſo one of the companies of the old garriſon, and yet all other places of ſervice very well furniſhed within.

Within ſhort time after Sir William Fitz-Williams his receiving the ſword, he (finding many of your majeſty's garriſon-bands of ſoldiers in the hands of divers of your highneſs's counſellors there) had an intent to take them from them,

and

and to diſpoſe them to ſuch gentlemen as were more fit to follow your majeſty's ſervice, and often ſaid it was no reaſon but rather a great ſhame that ſuch as were aſſiſtants to him at the council board (having great offices and great entertainments belonging to them, and being otherways men of good living, and yet unable to lead men and follow the fury of the wars) ſhould have bands of your majeſty's ſoldiers remaining in their hands; adding moreover, that it was unfit and unſafe for your majeſty's men and ſervice to be trained by and truſted to their officers diſcretion, but rather to be beſtowed upon gentlemen of worth, ability and ſkill to follow the wars, which purpoſe of his, if it had taken effect, would (no doubt) have advanced your majeſty's ſervice in that kingdom very much: but when he better conſidered his own eſtate, and his coming to that place, and what peril he ſhould draw unto himſelf to hinder all his purpoſes of gaining, if he ſhould ſtrive with theſe great ones, he thought it more ſafe to let thoſe bands remain as they were, than to pluck ſuch a danger upon himſelf; for he knew if he ſhould diſpleaſe them (being men of great friends and abilities) he could not have lived there ſix years to have made his commodity of that your majeſty's poor kingdom, deſerving the place ſo little as he did.

But your majeſty being free from ſuch doubt as troubled him, may diſpoſe thoſe bands (as he had purpoſed) unto men of good deſerts, who have been long trained in your majeſty's ſervice there without reward, and many of them live diſcontented to ſee men of no worth accounted of, and themſelves being men of value neglected.

Whereby alſo your majeſty ſhall encourage many others to offer themſelves freely to your highneſs's ſervice, when they ſhall ſee good deſerts rewarded.

If theſe counſellors had been heretofore themſelves employed with their bands in the remoteſt parts there, to do your majeſty's ſervice in perſon, where great need ever was, there is no doubt but it had much availed; but to hold their bands of ſoldiers as they have done, and yet do, there is no reaſon why they ſhould have them.

But to return to my purpoſe; theſe bands being well diſpoſed of, and the forenamed garriſons placed in manner before expreſſed, and the ſame accepted of by the Iriſhry, becauſe they ſhall ſee that it tendeth to their good, and that nothing ſhall be taken from them more than is compounded for, ſhall win them to honour, love and obey your highneſs, and your officers and laws.

Your majeſty (to have this good ſervice effected) may be pleaſed, that as well the chief commanders of theſe garriſons, as alſo the ſoldiers, may be fully paid all their entertainment every month; whereby your majeſty ſhall be freed from the charge

charge of their victualling, and they ſhall have no cauſe to exact upon the poor people for want of victuals, or other proviſion.

It may likewiſe pleaſe your majeſty, in reſpect theſe late and preſent wars and troubles have greatly impoveriſhed them, to grant unto the inhabitants of thoſe countries of Tyrconnel, Farmanohan and Monaghan, two whole years reſpite before they ſhall pay any of the aforeſaid contributions; and that for thoſe two years they may not have any aſſizes or ſeſſions within their countries, but that the ſeneſchals of thoſe places may have full and abſolute authority over them; together with martial law (as hath been accuſtomed) to cut off all malefactors, and ſtraggling traitors; in which time thoſe countries may be quietly inhabited, and grow to ſome competent means to live upon, and be able to pay your majeſty.

And likewiſe it may pleaſe your majeſty, to appoint them ſuch a judge for the circuit as will uſe them with all clemency and mercy, and not to take ſuch ſlender advantages againſt them as many of their own countrymen have done; for, I aſſure myſelf, if the choice of a juſtice was left to themſelves, they would never chooſe an Iriſhman, becauſe none are ſo corrupt as they.

Whereas young O'Roirke is alſo out, and a great diſquiet of your majeſty's province of Conaught, he will in like ſort yield himſelf a ſubject, and receive a ſheriff into his country, and pay all duties appertaining, ſo as he may be accepted into grace, and reſtored to all that was his father's. This I think he verily will perform, becauſe I have been moved to be a dealer between Sir Richard Bingham and him.

And whereas I have taken upon me to nominate certain gentlemen as fit men for the places aforeſaid, without any of their privities, yet I am well aſſured (if it pleaſe your majeſty to appoint and command them) they will with all their abilities and endeavours be ready; but if any of them ſhall miſlike, in reſpect of the dangers of the places, and ſmallneſs of their companies, there be others who will undertake it.

A great part of that unquietneſs of O'Donnel's country came by Sir William Fitz-Williams his placing of one Willis there to be ſheriff, who had with him three hundred of the very raſcals and ſcum of that kingdom, which did rob and ſpoil that people, raviſh their wives and daughters, and made havock of all; which bred ſuch a diſcontentment, as that the whole country was up in arms againſt them, ſo as if the Earl of Tyrone had not reſcued and delivered him and them out of the country, they had been all put to the ſword.

The profit which ſhall redound to your majeſty by placing theſe garriſons aforeſaid in this ſort, will (after the firſt two years)

years) amount yearly to 6000 marks, that is to ſay 3000 marks to be ſaved, and 3000 marks to be gained.

Concerning Tyrone, as your majeſty hath beſtowed it upon the Earl, ſo for the better furtherance of the aforeſaid ſervices, it may pleaſe your highneſs to accept of his own offers, which were that all Tyrone might be but one county, which granted, he would (upon his own charge) build a gaol and a ſeſſion-houſe, and receive a ſheriff into his country, whereby your laws might be obſerved there.

And where the earl's adverſaries have, in times paſt, incenſed your majeſty againſt him, for the hanging and cutting off one Hugh Gavelock, a notable traitor, and ſon to Shane O'Neale, informing your majeſty, that the ſaid Hugh was your majeſty's ſubject, it ſhall be well proved that he was ever a traitor againſt your majeſty, a daily practiſer with foreigners (as the Scots and others) for the diſturbances of that kingdom, and one who ſought by all means to overthrow the earl, who by martial law (which he then had) did cut him off for his offences. For the doing whereof, he did incur your highneſs's diſpleaſure; and the ſaid martial law, which kept that whole country in awe, was taken from him; the want whereof has made his country people grow inſolent againſt him, and careleſs of obſerving any humanity or duty, which hath bred the outrages now in practice, ſo that (in my poor opinion) it were requiſite to reſtore the ſame authority unto him, provided it ſhould not extend to the cutting off of any but ſuch malefactors, as ſhall be of his own country, his tenants and followers; and I dare ſay, he may every year hang 500 falſe knaves, and yet reſerve a great ſtock to himſelf: he cannot hang amiſs there, ſo he hangs ſomebody.

For the performance of the ſervice in thoſe aforeſaid countries, it is not O'Donnel, Maguire, Brian Oge Macmahon, nor Brian Oge O'Roirke, nor any of thoſe four who muſt be dealt withal, for they are all traitors and villains, and moſt obſtinate againſt your majeſty. But the foundation muſt be laid upon the Earl of Tyrone, to draw him by any reaſonable conditions unto your majeſty, that you may have conference with him, and as he is made by your majeſty a great man there, ſo may he be alſo a ſpecial good member in that commonwealth, to redreſs and remedy many great diſorders, which no doubt he would faithfully do, if he might be truſted, for what maketh a man honeſt but truſt.

And whereas ſome affirm that he ſtandeth upon a pardon for himſelf and his followers, I think not ſo; for he and they hold themſelves in leſs ſafety thereby, than they were before, becauſe they have ſeen pardons ſerve (in their conceit) rather for traps to catch others in, than for true and juſt remiſſion and acceptance

acceptance into the free benefit of ſubjects, which maketh him fear the like practice towards himſelf.

For whom, although I have undertaken at my firſt coming, that he ſhould have performed as much as I then delivered on his behalf to your majeſty, now I dare not engage my credit ſo far from him, becauſe it is long ſince I ſaw him.

But if it pleaſe your majeſty to ſend me unto him, with encouragement and protection immediately from your majeſty, that he ſhall come to your lord deputy there, and to your highneſs here in ſafety, to come and go without impediment or ſtay of his perſon, I doubt not but to bring him and his ſon (whom I would wiſh to be detained, but as himſelf ſhall like of) and whatſoever he undertaketh to the lord deputy, coming in after this manner, there is no doubt of his performance: I know his adverſaries, who never were ſuch friends as they might have been to the commonweal of that kingdom, will be earneſt with your majeſty againſt this, and that it is a great diſhonour to you to grant it; but it will be proved, by their teſtimony who live there, how greatly it ſhall advance your majeſty's ſervice in this dealing with him, who hath heretofore ſerved faithfully and valiantly, and hath therefore well merited, and ſhall ſave the lives of your highneſs's ſubjects, and the expence of much of your treaſure.

They who will be againſt this, have thoſe many years ſuffered notorious traitors, namely, Feagh M'Hugh, and the baſtard Geraldines, mightily to diſhonour your majeſty, in the very view of your ſtate; and with that baſe rebel and his adherents, they will deal, as it were by way of intreaty, to accept of protections, which is as much diſhonour to a prince of your excellency and greatneſs as may be, ſo to condition with ſuch beggarly objects, as have neither power nor wealth, and yet are noted here to be great and dangerous men to your ſtate there.

If there go not ſome ſpeedy contentment to the earl, to ſtay all this expected fury, which is very like to happen, but that there muſt be preſent wars made upon him and his adherents, your majeſty ſhall take them in hand at a very unfit time, when they are thoroughly provided to do great miſchief, and your majeſty not ſo provided, to defend your poor ſubjects from their ſudden force and fury.

Your majeſty, ſince you were queen, never had ſo great cauſe to bethink you of the ſervice of that place, as now you have. Your highneſs ſhall not get ſo great honour in cutting off him, and thouſands of thoſe bare people that follow him, as you ſhall to win him and them to be good and loyal ſubjects, and to live and ſerve your highneſs for good offices. As the caſe now ſtandeth with the earl, he hath ſmall encouragements to be otherwiſe than now he is.

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For where it was your majeſty's pleaſure he ſhould have great encouragement given him, by thanks for his laſt good ſervice againſt Maguire, it was held from him, and inſtead of that, they deviſed all means and policies to aggravate matters againſt him to your majeſty, which is credibly made known unto him; and more, that upon what ſecurity ſoever he ſhould come in, your majeſty's pleaſure is to have him detained. How he hath theſe advertiſements from hence, I know not, but your majeſty is, or ſhall be informed that he and his lady are papiſts, and foſter ſeminaries, &c.

True it is, he is affected that way, but leſs hurtfully and dangerouſly than ſome of the greateſt in the Engliſh pale: for when he is with the ſtate, he will accompany the lord deputy to the church, and home again, and will ſtay and hear ſervice and ſermon; they, as ſoon as they have brought the lord deputy to the church door, depart as if they were wild cats, and are obſtinate; but he, (in my conſcience) with good conference, would be reformed; for he hath only one little cub of an Engliſh prieſt, by whom he is ſeduced, for want of his friends acceſs unto him, who might otherwiſe uphold him.

There hath been an old dunſical demand in taking pledges of ſuch as are held dangerous men to your majeſty's ſtate there. I make bold to give it that term, becauſe there is no one who hath known your ſervice of Ireland longeſt, who can ſet down and prove that ever Iriſhman was held in obedience by his pledge: if any can, let me loſe my credit for ever. I am able to ſet down of my own knowledge, almoſt by twenty years experience, in which time I have ſeen many pledges taken for the Iriſhery, for retaining them in obedience, the father for the ſon, the ſon for the father, the brother for the brother, and many other of like nature; when they have taken their times, nevertheleſs, without any regard of pledge, to play the traitors againſt your majeſty at their pleaſure. For when they neither fear God, nor be careful of their duty towards your majeſty, nor fear your force to reform them, your majeſty may be aſſured, it is not their pledges that can hold them in obedience. Your majeſty, therefore, may (in my opinion) do well to let no ſuch demand be made of them, but when they ſhall give cauſe of offence, let them be thoroughly followed with your forces, and plagued in ſuch ſort, as may make them afraid to offend you. For the leſs your majeſty ſhall eſteem them, the more obedient you ſhall have them; and by this courſe your majeſty ſhall ſave a great deal of charge for the diet of ſuch as they put in for pledge.

And where there was a credible report made, that the Earl of Tyrone came in to the now lord deputy, without pardon or protection; I aſſure myſelf, your majeſty ſhall find he came in upon the credit of your ſtate, although in policy he might be willed to give out otherwiſe, and no doubt, but ſuch as have often

often miſtaken his actions, and intents, would make an open demand of him, how? and he perhaps anſwer them, without protection; and upon this his anſwer, they might be very importunate with the lord and the council, that he might be detained for great matters of treaſon, wherewith they had to charge him, which demand of theirs, being refuſed, it is not unlike but they would either write to your majeſty, or to their friends here, to inform your majeſty how provident they were to have him ſafe kept, and yet their cares and offers were neglected.

Let thoſe devices of theirs take effect, or otherwiſe, to have him cut off, your majeſty's whole kingdom there would moan it moſt pitifully; for there was never man bred in thoſe parts, who hath done your majeſty greater ſervice than he, with often loſs of his blood upon notable enemies of your majeſty's; yea, more often than all the other nobles of Ireland. And what quietneſs your majeſty had theſe many years paſt in the northern parts of that kingdom, it's neither your forces there placed, (which have been but ſmall) nor their great ſervice who commanded them, but only the honeſt diſpoſition and carriage of the earl, hath made them obedient in thoſe parts to your majeſty. And what pity it is that a man of his worth and worthineſs ſhall be thus dealt withal by his adverſaries (who are men who have had great places of commandment) and neither they, nor their friends for them, are able to ſet down they ever did your majeſty one good day's ſervice, I humbly leave to your majeſty.

If he were ſo bad as they would fain enforce (as many as know him and the ſtrength of his country, will witneſs thus much with me) he might very eaſily cut off many of your majeſty's forces which are laid in garriſons in ſmall troops, in divers parts bordering upon his country; yea, and overrun all your Engliſh pale, to the utter ruin thereof; yea, and camp as long as ſhould pleaſe him even under the walls of Dublin, for any ſtrength your majeſty yet hath in that kingdom to remove him.

Theſe things being conſidered, and how unwilling he is (upon my knowledge) to be otherwiſe towards your majeſty than he ought, let him (if it ſo pleaſe your highneſs) be ſomewhat hearkened unto, and recovered (if it may be) to come in unto your majeſty to impart his own griefs, which no doubt he will do, if he will like his ſecurity. And then, I am perſuaded, he will ſimply acknowledge to your majeſty how far he hath offended you; and beſides (notwithſtanding his protection) he will, if it ſo ſtand with your majeſty's pleaſure, offer himſelf to the marſhal (who hath been the chiefeſt inſtrument againſt him) to prove with his ſword, that he hath moſt wrongfully accuſed him. And becauſe it is no conqueſt for him to overthrow a man ever held in the world to be of moſt cowardly behaviour, he will, in defence of his innocency, allow his adverſary to come armed

againſt

againſt him naked, to encourage him the rather to accept of his challenge.

I am bold to ſay thus much for the earl, becauſe I know his valour, and am perſuaded he will perform it; and what I have ſpoken of him, over and above this, theſe reaſons have led me to it.

Being often his bedfellow, he hath divers times bemoaned himſelf, with tears in his eyes, ſaying if he knew any way in the world to behave himſelf (otherwiſe than he hath done) to procure your majeſty's aſſured good opinion of him, he would not ſpare (if it pleaſed you to command him) to offer himſelf to ſerve your highneſs in any part of the world againſt your enemies, though he were ſure to loſe his life.

And as he hath in private thus bemoaned himſelf unto me, ſo are there many eye-witneſſes here in your highneſs's court, who have ſeen him do no leſs openly; which tears have neither proceeded from diſſimulation, nor of a childiſh diſpoſition, (for all who know him will acquit him thereof) but of meer zeal unto your highneſs, and grief and fear to loſe your favour, whom he deſireth with life, and all he hath, moſt dutifully and loyally to ſerve.

Whereas I have taken upon me to nominate certain gentlemen as fitteſt to be employed in the above-mentioned ſervices in thoſe remote places, I know there will be great exceptions againſt them, becauſe they are thought to be too near friends to the earl. But I will prove, that none can ever do your majeſty ſuch good ſervice there, as they who have been always trained up in thoſe parts in ſervice, and are beſt acquainted with the earl, and the other lords of thoſe countries. And I am of opinion, if it were demanded of the earl and the reſt, they had rather have ſtrangers placed in thoſe places, than thoſe gentlemen of their acquaintance: becauſe theſe, in any outrages in theſe countries, dare truſt the earl with themſelves and their ſmall troops, to be aided by him, whereof they ſhould not fail; when ſtrangers would be loth, and fear ſo to do: for their truſt will procure the earl and his followers to undertake and perform with them whatſoever they ſhall require for your majeſty's ſervice.

And what is it to your majeſty, to lay upon the earl the truſt and credit of ſettling your majeſty's forces in thoſe parts, and to give him your majeſty's free protection to come in, without fear, from time to time, to anſwer to any thing that ſhall be objected againſt him, and to retire home again? And if it ſhall at any time happen that he ſhall ſo offend, as to deſerve puniſhment, then your majeſty is to prepare your princely forces, and make royal war upon him, letting him ſharply taſte what it is to offend ſo gracious and great a prince.

And likewiſe, the reſt of the lords of thoſe countries are (upon the receiving in of your majeſty's garriſons, and paying the duties and compoſitions before ſpecified) to have the like meaſure afforded them. I am

I am the bolder, moſt gracious ſovereign, to ſet down this my opinion for managing thoſe remote places, and preventing theſe preſent expected troubles; becauſe I have been an eye-witneſs of a needleſs and a chargeable war held againſt one of the lords of the north, namely, Surleboy, a Scot, which war ended not by your majeſty's forces, but by the loſs of that rebel's chief inſtrument, his ſon Alexander; yet were the ſaid traytors intreated to accept of their pardon, and had more beſtowed upon them for playing the traytors, than they demanded before. And my fear is (if this expected fury ſhall follow to be wars) it will fall out to the like or a worſe iſſue; for he who doth now oppoſe himſelf againſt the earl, was the chief commander then, and did moſt diſhonourably perform it, as ſhall be apparently proved, when it ſhall pleaſe your majeſty to appoint.

I have heard, many think much that the earl performed not his promiſe with the now lord deputy, but they little conſider *what ſlender encouragement he had given him at his coming in* to do it. If he found, as like he did, in what great peril he was to be detained, as, notwithſtanding the aſſurance whereupon he came in, if his adverſaries credit would have place, he had been reſtrained. There was no likelihood of his performance of any thing he then undertook, becauſe he ſaw himſelf in ſo great peril, neither is it like he will hereafter hazard the like. But if his promiſe be expected to be performed, then, I think, he deſireth good aſſurance, firſt, of his own ſafety, whereupon there may be hope he will effect all promiſes, good offices, and ſervices, for the good of that poor kingdom; and till then there is nothing to be expected from him but doubt, and preparation to defend himſelf, and offend greatly.

When your majeſty's garriſon ſoldiers were firſt planted in the county of Monaghan, there was great ſervice offered to Sir William Fitzwilliam by Sir Henry Duke, for his ſitting down at the abby of Cloonis (whereof he is farmer) with his own company of light foot, and fifty of your highneſs's garriſon ſoldiers, and to have diſcharged your majeſty of all manner of victualling charge, only to have been monthly fully paid their entertainment; and at that time there were at the ſame abby good and defenſible buildings to ſuccour your majeſty's garriſon, which are defaced and pulled down by the traytors, for fear they ſhould ſerve for that purpoſe. If this offer had then been accepted, it had greatly furthered your majeſty's ſervice now, and peradventure had prevented, or at leaſt hindered the troubles now expected, becauſe it is ſo near upon Maguire's country, and the ſtay of his paſſage to the Engliſh pale.

Notwithſtanding it much imported that this ſervice ſhould have been hearkened unto, yet Sir William Fitzwilliam his malice at that time was ſo extreme againſt Sir Henry Duke, who no doubt would have performed it as effectually as he offered it, as he

he utterly rejected it; even as he did the like and many greater ſervices, offered by other your majeſty's good ſervitors there.

His greedy deſire at that time, in reſpect of his own gain, made him careleſs of theſe offers, and of thoſe good ſervitors, who would freely offer themſelves; he eſteemed beſt of the baſer ſort, as of one Willis, and ſuch as he was, whom he made captains and officers in the Iriſh countries, who with their great troops of baſe raſcals, behaved themſelves ſo diſorderly, as made the whole country to riſe in an uproar, and to drive them out, which advantage given by thoſe bad and lewd fellows to the ill-diſpoſed Iriſhery, hath emboldened them ever ſince to ſtand in no fear or ſubjection of your highneſs's ſtate, or forces there. Theſe, and many the like ſervices, as bad or worſe, did Sir William Fitzwilliam, whilſt he had authority in that place.

Although many needleſs journies were made by Sir William Fitzwilliam, which were both chargeable to your majeſty, and troubleſome to your poor ſubjects, yet was there one into the province of Conaught, which was very neceſſary, and grounded upon probable reaſon, determined for the cutting off and utter baniſhing of the traytor O'Roirke, and all his confederates; which ſervice could not be performed without the aſſiſtance of the Earl of Tyrone, who was ſent unto before the journey was undertaken. The meſſenger was one belonging to your highneſs's council there, a friend of Sir William Fitzwilliam, and one well-affected by the earl, who declared to him the cauſe of his coming down, to be for preparation againſt O'Roirke, and what the lord deputy's demand was, that the earl ſhould perform therein. The earl moſt honourably (as he had often times before) undertook to perform as much as the lord deputy then required, returning the ſaid meſſenger very well ſatisfied; for he ſent the lord deputy word, he would be ready to attend the ſervice with one thouſand men at the place appointed, and more he would have brought, if he had more time, or ſooner warning. The place to him aſſigned was on the border of Tyrconnel, on that ſide of Lougherne towards Conaught, there to ſtop the paſſage, that O'Roirke with his companies and creatures ſhould not that way eſcape into thoſe parts, which he well liked of, and promiſed ſo to do, adding further (if it pleaſed the lord deputy to command him) he would break a ferry with his forces into O'Roirke's country, and either drive him out of it, or deprive him of life, and prey his whole country, and do great ſervice upon all O'Roirke's adherents. This anſwer of the earl's ſeemed to ſatisfy the lord deputy very well, who prepared your majeſty's forces forthwith, and ſent word to the earl to be in readineſs upon ſix days warning.

The lord deputy took with him all your highneſs's garriſon, the raiſing out of the pale as many as he thought fit, and went onward his journey, giving out (becauſe the rebels ſhould

ſhould not ſuſpect) that it was only to ſee ſeſſions and aſſizes duly kept in Conaught, and ſat in divers places accordingly, inſomuch as at length he came to Sligo, which joins upon O'Roirke's country, where he abode four or five days with all his forces, being ſufficient to execute upon O'Roirke, and the other traytors, as much as he had before determined; the earl all this while expecting when he ſhould be called to that pretended ſervice, kept all his forces ready together for the purpoſe, which was no ſmall charge for him. But as it fell out afterwards, Sir William (as it ſeemed) had no ſuch intention: for upon a ſudden he departed from Sligo, journeying quite croſs the whole province of Limerick, leaving O'Roirke's country at his back, doing no ſervice, but charging the poor country (whereof as then it had little need) impoſing the performance of all this expected ſtratagem on Sir Richard Bingham, with ſome of the garriſon to aſſiſt him, who moſt honourably and painfully proſecuted the ſaid proud traytor upon his feet, to the great endangering of his life by the diſeaſe of the country, which caught him in the purſuit of that traytor, whom he then drave out of his country, by which means he was afterwards ſent to have his deſerts here in England. Which exploit (if it had been performed as it was plotted by Sir William Fitzwilliam) O'Roirke had periſhed there, and all thoſe traytors which are now aſſiſtants to his ſon, had then been cut off.

And if it ſhall ſeem to your majeſty, that the time will be over-long to have all theſe (and thoſe other notes by me before delivered to your majeſty) tried by commiſſion, it may pleaſe your majeſty to let him preſently be called before your honourable council here, to ſee how he can anſwer, firſt, the leaving off of this ſo great and neceſſary a ſervice by himſelf complotted; ſecondly, why he placed not your highneſs's garriſon (lying then idle, and doing no ſervice) in Tyrconnel for the reſpects aforementioned; and thirdly, why he refuſed the many great offers of thoſe your well known and experienced ſervitors there, which was to do ſeveral ſervices, and put your majeſty to no charge for the effecting of them; and to make choice of ſuch baſe men as Conell, Fuller, and Willis, whoſe behaviour I have partly touched before, being ſuch as a well adviſed captain of that kingdom would not admit into any office in his company.

His anſwering in theſe three points, and as many of the reſt as ſhall pleaſe your majeſty, will, I don't doubt, be ſo groſs, as your majeſty and honourable privy council may the more eaſily judge of the reſt. It may be, moſt gracious ſovereign, that he will frame anſwers to all objections, or elſe be perſuaded by ſome of his friends, not to eſteem them worth anſwering, in reſpect of the inequality of my eſtate to his, chiefly for the place which he held. For this I appeal to your majeſty, how much it importeth. And I do further affirm, that until he can

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diſprove theſe my allegations, or ſome of them, I ought to be credited as well or better than he; becauſe he hath avouched to your highneſs's moſt honourable council monſtrous and apparent untruth, which I can as well prove as any of theſe aforeſaid articles, namely, about the buying and getting of impreſt bills into his hands, which he hath ſworn and forſworn that he never did; but for the proof hereof, if it be your highneſs's pleaſure, that Sir Henry Wallop and his men be called, they can teſtify what great ſums of money they had paid him for impreſt bills in the time of his government, whereof moſt of them came to him better cheap than buying: for ſome were given him for cows, which he took in bribes, upon baſe conditions, of the Iriſhrie; other for placing men in ſundry offices. And he that will make no conſcience to forſwear ſuch a thing before ſo honourable perſonages, is hardly to be credited in excuſing greater matters.

It may be alſo upon demand, why he did not place your majeſty's garriſon ſoldiers in thoſe Iriſh countries? He will anſwer, that they could not be ſpared from other places; wherein your majeſty may well reprove him thus; for thoſe were the places where the foot bands were then beſtowed; Sir George Bourchier's at the Dingon in Ophalie, Capt. St. Leger's at the fort in Leaſe, Capt. Dowdall's band at Youghall, fifty of Sir Henry Wallop's band at Eniſkorthy, the marſhal's company at Newry. And in all thoſe places there was no need of garriſon, becauſe there were no enemies out to do ſervice upon, but they might very well have been beſtowed in other places, as ſome of them are now, when it is too late.

And for the fifty ſoldiers under my charge, they did your majeſty as little ſervice in all the time of his government, as the reſt, although they lie in a place of great ſervice, which is at Knockfergus; he having appointed ſuch baſe commanders over them to direct them, as deſerved not the pay of one of the ſoldiers. And although it was your majeſty's pleaſure that I ſhould command them, as captain over them; and notwithſtanding that I often made petition to him, and uſed all the means I could beſides, to go down to my company, and to have that authority he gave to others, undertaking to do your majeſty great ſervice in that place, yet did he, (for what cauſe I know not) utterly refuſe to grant my requeſt; as he rejected many other great ſervices by me offered unto him, holding me, to my great charge, to live upon the borders of Feagh M'Hugh's country, where I was fain to retain many men upon my own purſe, to defend myſelf, and do your majeſty ſome ſervice upon thoſe traitors; whereby, though it were to my coſt, I took many notable rebels, who were commanders of men, and brought them in to abide the cenſure of your majeſty's laws, which cut them off. For theſe, and many other ſervices done in his time, he rewarded me with all hinderance

rance that ever he could do me, not only by his authority and power, but by obſcuring my deſerts.

As it is the cuſtom and manner, moſt gracious ſovereign, of ſome to darken and diſgrace the deeds of the well-deſerving, thereby to countenance and grace their own favourites, though they merit nothing; which manifeſtly appeareth in the plotting down of that ſervice done upon that traitor Maguire the laſt year, which, as I underſtand (by Sir George Carew) was firſt delivered to my lord treaſurer, and by his lordſhip ſhewed unto your majeſty, wherein Capt. Dowdall is portrayed on foot, wading the ford in the fore front, arm and arm with myſelf, which is moſt untrue, as one Sadler, who was then his enſign-bearer, and divers other gentlemen, and others of credit, who are now in your majeſty's court can teſtify; for he came not in the ford at all to wet his foot, but forſook his place, both he and his lieutenant behaving themſelves, as in my other notes I have declared to your highneſs already. But when he ſaw the rebels defeated off their place, and driven to flight, then he came over the ford upon his horſe, and ſo on horſeback offered to lead the battle, which he ought to have done on foot, having no reaſon to ride, except he meant (if the enemy ſhould make head again) to ſhift for himſelf. Theſe and the like untruths (as the caſe now ſtandeth) ſerve to grace ſuch ſervitors, and to obſcure, and hinder the merits of ſuch as deſerve well. Although it would be too tedious to your majeſty to hear of all the needleſs journeys made by Sir William Fitzwilliams in the time of his government, yet can I not omit (beſides that one before rehearſed) his laſt journey into the county of Cavan, by the which your majeſty may judge of all the reſt.

Within ſhort time after the overthrow to that traitor Maguire, wherein your majeſty's ſoldiers were worn out, of all manner of reparations, he ſent for them to meet him one hundred miles from their garriſon places, which was at the Cavan. The time limited for their repair was but ſhort, yet came they thither the day appointed. He carried with him many horſemen through the Engliſh pale, to the great prejudice and impoveriſhment of the ſame, by reaſon of his many needleſs journeys before. And he ought in conſcience at that time have forborne coming into the county of the Cavan, becauſe it was charged with 200 ſoldiers, which were newly erected for the ſervice againſt Maguire, and paid only by the inhabitants of that country; yet nevertheleſs he made his journey thither, and there remained many days, to the great charge of that poor country, having no other cauſe but only to ſee a boat launched; which was ſo needleſs a journey undertaken and performed, that many a gentleman then under his command might (with his men) as well have effected, as it was by his preſence; which courſe if he had taken, it had ſaved the great charge whereat your majeſty then was, the extream

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and needleſs labour of your poor ſoldiers, and given the poor people of that country no cauſe of exclamation, who came before him in great troops with their plow-irons in their hands, ringing them together with pitiful moans, ſaying they were undone by his coming amongſt them, becauſe they were not able to bear the ſoldiers already put upon their charge. But ſo little was he moved with this their complaint, that he aſſeſſed them with more ſoldiers, horſemen and boys. In his return towards Dublin, he was met by many of the ſaid poor country people with the like lamentable outcry, which he regarded as much as the former.

He commanded your majeſty's ſoldiers back again to their places of garriſon, as little reſpecting their long journey, and the relief of their wants, as he did the poor peoples outcry whom he had oppreſſed. It was then near Chriſtmaſs, when the ſoldiers to whom (againſt that good time) he would not allow one penny of impreſt, he ſeeing them all very poor and greatly turmoiled.

Moreover he was ſo miſerable, as he refuſed to lend one of your majeſty's captains 20l. to impreſt amongſt his ſoldiers, he promiſing upon his credit, to pay the ſame within ſix days next after his coming to Dublin: ſuch was his honourable mind, as he never reſpected no man's neceſſity in compariſon of his own commodity. This needful journey, although it did not benefit him much, yet it ſerved his turn another way; for he coming home to Dublin in the deadeſt time of the winter, a little before Chriſtmaſs, it cauſed him to lie ſo cloſe, and to keep ſo miſerable a Chriſtmaſs, as was never there ſeen in repreſentation of the ſtate.

As he hath had neither care nor conſcience in ſundry ſorts, to diſhonour ſo gracious a prince as your majeſty (who did moſt bountifully enable him to do your majeſty good and honourable ſervice, and to ſpend liberally in his houſe) but to turn all thoſe your majeſty's bounties to his own private gain, preferring that before your majeſty's ſervice and the good of thoſe your people; your majeſty (in my opinion) being advertiſed by thoſe notes by me delivered, and the ſame proved true, may with ſafe conſcience benefit yourſelf with that which he hath diſhoneſtly gotten both by your majeſty and your highneſs's ſubjects in that poor kingdom; which example will (no doubt) cauſe others hereafter to prefer your majeſty's ſervice and profit before their own, and to beware of the like treſpaſs for fear of the like juſtice.

It may pleaſe your majeſty likewiſe to be advertiſed, that divers perſons having been for their offences pardoned by your majeſty, and thereby emboldened to frequent all places without fear, having been apprehended and committed ſtraightway to priſon, without any cauſe given (ſince their pardoning) whereof law might take hold; they have offered very ſufficient bail which hath been refuſed, and they detained, becauſe they, in times paſt, were bad (for which they were pardoned) or for fear they ſhould be bad in time to come. And being thus kept ſeverely in priſon

priſon many years, they have at length made friends there, and by great ſums of money here, purchaſed their pardon from hence, whereby they have been enlarged; now when they obtain their liberty by theſe money-means, and not by the juſtice which your majeſty's laws allow them, they think themſelves very hardly uſed, and others thereby become doubtful, and afraid to truſt to their pardons; ſuppoſing, if they want ſuch friends and ſuch means, they ſhould either be indirectly cut off, or elſe for ever kept in priſon, upon ſuggeſtion or ſurmiſe. But if they might perceive, that it is not your majeſty's pleaſure to have them thus handled, and that none ſhould lie in priſon without receiving trial by your highneſs's laws, if their cauſe ſo required, or elſe upon good ſureties to go at liberty, by either of which means, they may enjoy the benefit of your gracious laws, even as your good ſubjects which never offended, no doubt it would free them of great fear and ſuſpicion, and make them more dutiful than ever they were.

There is one priſoner in the caſtle of Dublin, an aged and impotent gentleman, of whom (if it be your highneſs's good pleaſure) I deſire your majeſty ſhall take notice; his name is Sir Owen Mc. Tool, one who was never traitor againſt your majeſty, nor ever in any traiterous action, but ſo good a ſubject, and ſo faithful a ſervitor as (for his deſerts) he had a penſion from your majeſty, whereof Sir John Perrott bereft him. This gentleman was ſent for by promiſe and aſſurance from the ſtate, that he ſhould not be abridged of his liberty; contrary whereunto he was committed unto priſon, where he hath remained theſe eight years; for whoſe enlargement all bail hath been refuſed, yet is the gentleman of ſo great years, as he is not able to go, and ſcarcely able to ride; for which reſpects and for the ſtate's promiſe (methinks) he ought to find favour. Moreover he is pledge for no man; if he were, pledges profit nothing, as before I have rehearſed. He is father-in-law to the Earl of Tyrone, and if the earl recovers your majeſty's favour, how highly your majeſty ſhall honour yourſelf by beſtowing this old gentleman's liberty upon the earl, and how much your majeſty ſhall provoke the earl to acknowledge your highneſs's favour therein, your majeſty may eaſily judge, and they who know the ſtate of that kingdom can inform. But if the earl be not ſo happy as to obtain ſuch grace at your majeſty's hands, yet it may pleaſe your majeſty graciouſly to regard the poor aged gentleman, that upon good ſureties he may have his liberty; for which I know there would be five hundred pounds given, though he can by no means ſteed them in any bad practice againſt your majeſty's ſtate there, neither in body nor council, neither can his impriſonment ſtay any of his friends from doing evil, if they be badly diſpoſed. If therefore your highneſs would be pleaſed to releaſe him of your own princely motion, he putting in ſufficient ſure-

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ties within the Engliſh pale to be ever ready within twenty days to anſwer to whatſoever may be objected, you ſhall bind him (as his bounden duty) always to pray for your highneſs, and mightily increaſe the affection of your majeſty's people there.

And if he or any other, of whom ſuch ſecurity ſhall be taken, ſhall afterwards offend as traitors, your majeſty's coffers are to be enriched by the forfeitures of their ſureties bonds (which are in no caſe to be remitted) and the traitors to be honourably cut off by your majeſty's forces at your pleaſure; which juſtice will be an example to traitors how they offend, and to their ſureties how they become bound.

There have been (theſe many years paſt) divers traitors ſuffered, I might rather ſay, ſuborned, in all their bad and traitorous actions, who (if matters had been diſcreetly and uprightly handled) might either have been utterly overthrown or cut off, or elſe drawn to ſubjection and due obedience to your majeſty and your laws, without any other, or more charge unto your highneſs, than you have been at continually; for your majeſty's ſoldiers were not at all employed, and yet thoſe traitors were ſuffered to go uncorrected for all their murders and treaſons; nay more, they were ſuffered to uſe your highneſs unreverently, which cauſed your majeſty's good ſubjects with grudge and heart's grief, oftentimes to complain.

The principal rebels and arch-traitors whom I mean, are Feagh Mc. Hugh, and the baſtard Geraldines, who are by marriage linked in affinity with that grand traitor; and becauſe I would have your majeſty underſtand how you have been long abuſed by untrue informations concerning this traitor and his complices, I proteſt they neither are of that ability to offend, nor of that power to defend, nor ſo hardly to be conſtrained to yield their due obedience, as hath been reported; yea, and that without the employing of great troops of ſoldiers againſt them, or charging the near bordering ſubjects extraordinarily: for they will now with more willingneſs afford all their helps of proviſion in the traitors country, than they have done heretofore, becauſe then they were greatly charged, and no whit defended. But if they might have ſuch a one choſen and appointed for that ſervice as they know would never ceaſe until he had quite deſtroyed that den of mountain-thieves, the poor ſubjects would neither ſpare charge nor trouble to aſſiſt him. The means how to reform theſe diſobedient rebels, and to perform this ſervice are theſe:

Firſt, Let no protection be granted to any, ſave only to ſuch as ſhall come in unto him who ſhall be appointed to follow that ſervice, and offer themſelves to do offices againſt the chief traitors: which when they have performed, and that ſpecial good hath ſucceeded their draught, then let them have pardon for their former faults, and ſafe protection (without any traitorous practice

practice, which hath too commonly been uſed towards them) ſo long as they ſhall behave themſelves as good and loyal ſubjects, living in duty and obedience unto your highneſs, your officers and laws.

And if any who be, or ſhall be, in authority to protect, do ſend for any offender upon promiſe that the ſame ſhall ſafely come and go, and then ſhall (contrary to that promiſe) take away the life of that offender, be his tranſgreſſion never ſo heinous, let that man in authority (be he never ſo mighty) loſe his credit in that place, and be puniſhed to the uttermoſt that law will afford, for ſo diſhonouring your majeſty, when your highneſs's word is paſt: for ſuch uſage is the cauſe why they will not now come to the lord deputy upon protection, and much leſs will they truſt any other, except they have had long experience of his upright and juſt dealing.

Furthermore, whoſoever hath a country or a ſeignory, which your majeſty hath beſtowed upon him, let him be bound that all his tenants ſhall be anſwerable to your laws, or himſelf to ſatisfy all ſpoils and treſpaſſes which they, or any to whom they give maintenance, ſhall commit againſt your majeſty's good ſubjects.

I know there will be great exceptions taken againſt this; they affirming, that many dwell upon their lands whether they will or not: let this (if it pleaſe your highneſs) be no excuſe, for if they know how to receive their rents and cuſtoms, let them likewiſe pay the ſpoil done to the good ſubjects, or bring in the offenders to anſwer to the law; eſpecially if they have the commandment of any of your majeſty's ſoldiers, by whoſe aſſiſtance they may enforce them to obedience.

And whoſoever ſhall be appointed to ſerve upon the aforeſaid traitors Feagh Mc. Hugh and his adherents, ſhall not need to have more than 100 foot and ſome 20 or 25 horſe, which horſemen it were requiſite (for good reſpects) ſhould be ſtrangers to that border; and with this ſmall number may he do very great ſervice.

But if it be objected, that this proportion of ſoldiers is too weak to do ſervice againſt ſo ſtrong a traitor, if it may pleaſe your majeſty to give me the leading of theſe ſoldiers, and the credit of the ſervice, I will either loſe my life, or effect as much as I have here ſet down. And where I will venture my life to perform ſuch a ſervice as this, I truſt your majeſty will venture your ſoldiers, and give me in charge to lie upon thoſe borders, to ſee your majeſty's ſubjects live in ſafety, and to give thoſe traitors, and the inhabitants of thoſe parts to underſtand, that henceforth they are no more to expect protection, but to ſubmit themſelves as ſubjects, and ſo continue, or elſe to feel the ſharp puniſhment due to obſtinate rebels. And to ſuch as ſhall ſubmit and do ſervice upon the reſt, there is pardon to be granted, and to him who ſhall do the beſt ſervice, ſhall not only be

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given pardon, but alſo maintenance for him to live upon. By which means I am aſſuredly perſuaded, I ſhall find inſtruments among themſelves, that ſhall ſerve effectually to cut off the reſt; ſo ſhall your highneſs be honourably ſerved, and thoſe parts of your kingdom, ſo near the ſtate, be reduced to obedience, for the example of thoſe countries which are more remote.

If this traitor Feagh Mc. Hugh ſhould be made more ſtrong by his friends (as I ſee not how they ſhould) and that further force ſhould be required againſt him, your majeſty's ſubjects in the Engliſh pale would willingly yield to your highneſs 600 ſoldiers, horſe and foot, at their own charge for ſix months, and longer if need required, ſo as they might ſee your majeſty would once take him in hand: thus much, many of the beſt of them, willed me to deliver to your highneſs.

There is no cauſe, why theſe expected troubles in the North ſhould hinder the preſent proceedings againſt theſe traitors in the ſouth, who are perſuaded they are ſpared but till ſuch time as your majeſty have ſettled the North, and then they expect to be followed by your highneſs's forces for their cutting off: all things therefore conſidered, they ſhould not be forborne till then; for though there be wars in the North, theſe in the South will offend your majeſty's ſubjects as much as they can, and thereby keep the ſtate the more buſied and troubled. And if they happen to be over hardly diſtreſſed, then will they fly to the North, there to be ſafe from your majeſty's forces; which refuge, if they be once driven unto, it's great odds they ſhall never come back to annoy the ſouth, which I pray God I may once ſee, and that ſome of your majeſty's good ſubjects may dwell where that traitor Feagh Mc. Hugh's forefathers and followers have remained theſe 100 years, to the great diſhonour of the ſtate and hurt of the poor ſubject.

For the due reformation of all the diſorders in that poor realm of Ireland, and the execution of what worthy action ſoever ſhall be by your majeſty, and your honourable council here determined, and for recovering the honour of that ſtate, which former governors there have loſt; your majeſty, in my judgment, hath made a moſt excellent choice of the now lord deputy, a man accompliſhed with all neceſſary parts both in body and mind, as I doubt not but his ſervice ſhall hereafter give good teſtimony, although he have received the ſword in a far more troubleſome and dangerous time than any of his late predeceſſors ever did. For neither the laſt Deſmond's wars, nor thoſe of Connor's and the Moore's, being both put together, are comparable to that which is now expected if it prove wars; which I deſire (if it be God's will and your majeſty's good pleaſure) may be otherwiſe, not for my private affection for any in the North, but for the public good which I wiſh to that poor kingdom.

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For the benefit whereof, and for the performance of all ſuch honourable ſervices as are now expedient to be done, and all the reſt before in this declaration mentioned, it's your majeſty, who muſt not only direct him, but alſo thoroughly enable his lordſhip, that he may give better encouragement to your majeſty's ſoldiers to take pains in your highneſs's ſervice, than they have had, or yet have; becauſe they daily ſee that he who never ſerved your majeſty in thoſe ſervices, ſhall come to far better preferment in that place, than the beſt commander or ſerving ſervitor there. Beſides you cannot get that done, which they do, who painfully, and faithfully ſerve.

What encouragement then can a man have to offer himſelf freely in the wars of that country, who ſhall neither get honour, reward nor payment for his labour? I ſpeak by experience of myſelf, who (upon my credit) have not had ten crowns impreſt of my own private pay, thoſe ten years, to furniſh me towards your majeſty's ſervice, when I was called upon, and yet I have made one at all times.

When ſuch hard meaſure then is offered unto captains, I humbly refer to your majeſty, what encouragement they can have to go to the field. Although without money or any thing elſe, they will do their beſt endeavour, with their ſubſtance, and themſelves, to do your highneſs ſervice; becauſe I know (and ſo do all the reſt) that it's not your majeſty's pleaſure to have them ſo diſcouraged, but the fault is in them who have been thither ſent as deputies, who have preferred their own gain before your highneſs's honour and ſervice, or the juſt rewarding of ſuch as have moſt truly and painfully ſerved: and for that they would pleaſe ſuch cowardly captains, as were their inſtruments to bring them in cows, to convert into angels, to cram their greedy purſes; whom I have a better will particularly to name, than thus generally to write of, if I were perſuaded, your highneſs would thereupon diſcard them: and I know they would not challenge me, becauſe I do them no wrong.

To encourage therefore your majeſty's ſoldiers, and to furniſh the lord deputy againſt all accidents that may happen, if it may pleaſe your majeſty, that all the treaſure which is ſent over into that realm at ſundry times, may be entirely ſent at one time, with commandment, that your majeſty's whole garriſon may be fully paid every month, your majeſty ſhould be moſt honourably ſerved, and the ſoldiers well contented, and the ſubjects not occaſioned to exclaim for want of payment for the ſoldiers diet, when both captains and ſoldiers ſhould have in their purſes to ſatisfy that, and to furniſh themſelves with all other neceſſaries.

For notwithſtanding your highneſs's garriſon hath been ſo ſlenderly paid theſe many years, your majeſty hath not ſaved any thing thereby, but it hath enriched a ſort of baſe clerks, and beggarly merchants, who will not credit a captain now for a groat upon

upon his bill; but all the commodity goeth to the lord deputy, the clerks and the merchants, ſo as the captain, to furniſh his company, can get no money unleſs he will give 400 for 200 or 200 for 100, and after the like rate; and in this prowling manner your ſoldiers are paid.

Foraſmuch as your majeſty doth pay all in the end, you may (if it be your highneſs's pleaſure) as well benefit your captains, and ſoldiers as other men's clerks, by ſending an overplus of treaſure to the lord deputy, to pay the old debt due only to captains, and ſoldiers, which few thouſands will diſcharge; except it be one man, unto whom your majeſty oweth five or ſix thouſand pounds, which (if it be your highneſs's pleaſure) may with ſafe conſcience be detained in your hands, becauſe he hath ſo ill deſerved, through the diſhonouring your majeſty in the place wherein he ſerveth.

And now (moſt gracious ſovereign) for that (as I have heard) it hath been credibly reported to your majeſty, that the laſt Deſmond's wars did coſt but 40,000 pounds, thereby the rather to induce your highneſs to make wars upon the north, I have thought it my duty (under your majeſty's protection) to ſet down the truth thereof, whereby it may the more eaſily be judged what the charge of theſe expected northern troubles may ſtand your highneſs in, by comparing the ſaid Deſmond's wars and theſe together.

The charge of thoſe wars to your majeſty was high, notwithſtanding the great ſupplies then had of your ſubjects, and the great ſuccour and aſſiſtance of ſundry caſtles and good towns, which held firm and faithful to your majeſty to receive and aid your ſoldiers upon all extremes; which towns and caſtles ſtood in moſt commodious places, not only to annoy, but utterly, in a manner, to overthrow the traitor, and all his co-partners. And where it coſt your majeſty then one pound, it coſt your ſubjects three, during all the time of thoſe wars, which charge of your ſubjects I can well make out; for the chief lord of one ſmall village, who had but eight pounds yearly rent for the ſame village, paid for one year's ceſs to your highneſs's ſoldiers thirty-eight pounds ſterling, whereof I was alſo an eye-witneſs. Theſe wars I ſay did ſtand your majeſty in four thouſand pounds at the leaſt, for the monthly charge was 7000l. beſides the victualling by ſea. And yet after all this, your majeſty afforded pardon to the baſeſt rebel who then took arms againſt you, who yet liveth in view of your ſtate.

The cauſe of thoſe Deſmond's wars, was even like to this in the north, through the great miſtaking of the Deſmond's adverſaries; and that it coſt your majeſty no leſs than I do here ſet down, Sir Henry Wallop can well teſtify.

Moreover, there are no helps to be hoped for in the north, either of caſtles or towns, wherein to garriſon, or once lodge your majeſty's

majeſty's ſoldiers, for the following and ſuppreſſing of thoſe traitors; for thoſe parts are merely void of ſuch refuge. Again, all the friends to your highneſs in thoſe countries are but two, O'Hanlon and Maginnes, and they uncertain, as your majeſty may thus judge: for O'Hanlon is married to the Earl of Tyrone's ſiſter, and merely enriched by the earl; Maginnes his eldeſt ſon is to marry the earl's daughter. And this affinity, in the manner of the Iriſh, is always to the party they ſee ſtrongeſt; and when your majeſty (as there is no doubt) ſhall prevail, they will then ſeek favour and make offer of much ſervice, but ſeldom or never perform any; whereof myſelf have been too often a witneſs. Theſe things conſidered, it may pleaſe your majeſty, and honourable council, to be rightly and thoroughly adverti ſed, before there be wars made in the north parts, whatſoever by ſiniſter informations may be ſuggeſted to the contrary.

For it is not the north only your majeſty ſhall now have to deal withal, but your highneſs's whole province of Conaught ſhall be in great peril of loſing, except Sir Richard Bingham be more ſtrongly enabled or aſſiſted than he is now, truſting to only one band of 100 foot and 50 horſe, wherewith I confeſs he hath done great ſervice. Knockfergus, and the Clanboyes, which are now garriſoned only with 100 foot and 25 horſe (who have done your majeſty no ſervice by reaſon of ſuch bad commanders as have been appointed over them) cannot but be loſt without a very great garriſon, and exceeding great charge; ſo that your highneſs's realm of Ireland being now (as it were) divided into four parts, viz. Leinſter, Munſter, Conaught and Ulſter, will be in very great danger to be half loſt; for Ulſter, is the earl's already: and in Conaught there are divers who have been traitors not long ſince (and yet ſcarce good ſubjects) who watch but ſuch an opportunity. And in Leinſter there are many, who now ſtir not, who will then ariſe in arms, namely, the Birns, the Tools, the Moores, the Connors, and the Cavanaughs; and many other as falſe traitors as thoſe, who (if they once perceive troubles to increaſe in the north) will ſeek to moleſt and offend the Engliſh pale, as they have done in times paſt.

And one ſpecial matter more is to be thought upon, where your majeſty, in all the wars of Shane O'Neale, had Tyrconnel faithful and ready to do your highneſs ſervice, and to aſſiſt your ſoldiers, giving the traitor many overthrows (being then an utter enemy to all the Neals); now it's not ſo, for O'Donnel is married to the earl of Tyrone's daughter, and is thereby ſo linked to him, that no place of ſuccour is left to your majeſty's forces in all the north; for Sir John O'Dogherty (who was well affected to your majeſty's ſervice) is now in hold under O'Donnel, ſo as no aid is to be expected from him. This poor gentleman hath been hardly uſed on both ſides; firſt, by Sir William Fitzwilliams, who impriſoned him, in hope to have had of him

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ſome Spaniſh gold; and now by O'Donnel, becauſe he ſhall not in theſe troubles annoy him.

To write of all other particularities belonging to the north, would be over-tedious. To conclude therefore (with your majeſty's pardon) there are but two ways, either to accept of their own offers of ſubmiſſion and contribution, for defraying of the charge, in this diſcourſe eſpecially before mentioned, and ſo to place your majeſty's garriſons in their countries, thereby to hold them in continual obedience to your highneſs's profit, or elſe to make royal war upon them, and ſo utterly to overthrow and root them up, through all the whole north of that kingdom, and plant others in their room or places. I may in no wiſe omit humbly to acquaint your majeſty, what great hinderance unto your preſent ſervice the ſtay of Sir Robert Gardiner his coming over is like to be, becauſe that he can beſt truly report to your highneſs the ſtate of Ireland, who (as he was ſpecially choſen by your majeſty to be a chief inſtrument for the good of that poor kingdom, where he ever did, and doth miniſter ſuch upright juſtice, as is void of bribery, affection, intreaty of friends, or fear of authority to over-rule him, thereby to do any thing unfit for a man of his place) can very hardly be ſpared from thence; yet, as the neceſſity of this time importeth, it were (under pardon) moſt meet he were ſent for with all ſpeed; for that (as he can) ſo he will, without fear of any, inform your majeſty truly how the ſtate of that your kingdom now ſtandeth, and ſhew good means how to ſtay this expected preſent fury, that is like to happen, to the utter ruin and cutting off many of your majeſty's ſubjects, and the exceeding expence of your highneſs's treaſure. There will be (no doubt) many reaſons alledged to your majeſty to ſtay him there, but I humbly beſeech your highneſs not to hearken to them, for the authors of theſe troubles are afraid of his coming hither. But his inſtant repair over, will more avail him than his ſtay there, although it's well known he doth (as far as his authority extendeth) afford the people juſtice, without begging it or buying it, which hath been too often bought and ſold there. And your majeſty may at your pleaſure return him hither again when he hath done exceeding good ſervice there: although I fear he will be loath (if either his own credit or friends may prevail) to go back thither any more, becauſe he ſeeth he is not able to do your majeſty ſuch good ſervice as he would and might, if he were more ſtrongly aſſiſted; moreover good deſerts there, procure ſcarce good opinion, or friends here.

What mean I to ſay thus much, when it is not to be amended? nay what pity it is that ſo gracious a prince, as is your majeſty, cannot help it! For theſe many years paſt your poor ſubjects have been crying out for juſtice, and could never get it; beſides it's grown to ſuch gain by corruption, that unleſs your

your majeſty vouchſafe to take it upon yourſelf, or make ſpecial choice of ſome of your honourable council here to look into it, it will not be holden; for if it be referred (as it hath been) there will be ſuch ſhuffling, and ſo much time ſpent, to ſave the credit of ſome one, that thouſands of your majeſty's good ſubjects ſhall periſh the while. And the rather, becauſe advice is chiefly required of him, who is cauſer of all thoſe troubles; and that your majeſty may the better judge what good can follow by his directions, let him ſet down what ſervice he did you when he had the whole authority in his own hands, whereby your highneſs may diſcern the reſt. I know (and thereon dare pawn my life) he cannot prove any one honourable or profitable ſervice he did your majeſty therein, at the time of his government.

Opinion is likewiſe required of ſome other counſellors now here, who can ſay as little of thoſe northern parts, as he who was never there.

This being moſt true, let not (I humbly beſeech your majeſty) your poor realm of Ireland be truſting to the advice of ſuch blind adviſers: but vouchſafe your highneſs to be adviſed by thoſe who know your ſervice there, by their own experience, and eye-witneſs of that whereof they ſhall yield their opinion; and no one (of a counſellor) can do it better than Sir Robert Gardiner, becauſe his circuit is northward, whereby he doth hear the griefs and diſcontentments of thoſe people.

Moreover I moſt humbly beſeech your majeſty to be no longer abuſed by lip-labour, and paper and ink; which have, theſe many years, gone for current payment, inſtead of good ſervice; and in ſhow of diſcovering great and weighty cauſes, when in truth, they ſeldom tend to any ſuch purpoſe; but ſeeing your majeſty doth pay them ſo well, it may pleaſe you to require better ſervice at their hands, whom your highneſs doth there put in truſt.

If I have, in theſe my plain and ſimple diſcourſes, offended your majeſty any way, I moſt humbly aſk pardon for the ſame.

As the phyſician cannot cure the diſeaſe of his patient, until he both know and take away the cauſe thereof, ſo neither are the calamities of your majeſty's kingdom of Ireland to be remedied, until your majeſty be both rightly advertiſed of the ſame, and put in practice the redreſs of the great abuſes there; which can't be better done (in my ſimple ſkill) than by making an example of ſome one who has ſerved your majeſty corruptly in that place; and the greater the perſonage is, the greater the juſtice, and the more your honour in making a precedent of ſuch a one: for your inferior officers can puniſh ſmall offenders, but it is in your majeſty only to correct the mighty tranſgreſſors.

And

And ſo may your majeſty (if ſo you will vouchſafe) look down by degrees, and in time ſurvey your highneſs's captains, who ſerve you there; diſcerning, by a little obſervation, the good from the bad; which is eaſily done, if every one be called to account, what ſervice he hath done you, what traitors he hath cut off, having full authority for it, or elſe how your highneſs's ſubjects have been defended by him and his ſoldiers. He who hath not performed one of theſe two, is unworthy to have command, or have pay.

Furthermore, when ſome experienced captain ſhall make offer of his beſt endeavours, let him (if it pleaſe your highneſs) be hearkened unto, and eſpecially when it tendeth greatly to the advancement of your majeſty's ſervice, without encreaſe of charge. And let them not (I beſeech your highneſs) be put off ſo groſsly as they have been, with ſaying, it is too ſmall a proportion of ſoldiers to perform ſo great a ſervice. For that is not the cauſe (moſt dread ſovereign), but this; if they ſhould allow of thoſe ſervices, when they are offered, it would diſcover, as many think, ſome of their great abuſes, which your majeſty may perceive, when you ſhall ſee great ſervices done with 100 where 500 have been employed, and your highneſs's ſubjects no whit the better defended.

There is no well adviſed captain will make offer of ſervice, but he hopeth to perform, or loſe his life; and eſpecially when he ſhall not gain thereby; for his ſoldiers muſt be paid, or elſe they will not ſerve; beſides he muſt keep them, or elſe he cannot effect the ſervice undertaken, ſo that his only hope of gain reſteth in reputation, reward, and preferment from your majeſty, as he ſhall deſerve, and not in polling and pilling the ſoldiers and your majeſty's ſubjects.

Theſe good ſervices then being accepted, and the abuſes reformed, there is no doubt but your majeſty's kingdom of Ireland ſhall quickly flouriſh in true ſubjection and due obedience, to your majeſty's honour and comfort; which I beſeech the Almighty to grant and continue.

The conſideration (moſt gracious ſovereign) of my own eſtate, who have engaged myſelf and my friends very far, for means to live, and do your majeſty ſervice, hath many times (in the penning of this diſcourſe) ſought to withhold me from diſcovering to your highneſs theſe cauſes of diſcontentments of your poor people in that kingdom, and the bad managing of your majeſty's affairs there, with the means of quieting them, of advancing your majeſty's ſervice, and advantaging your revenues, aſſuring myſelf that the doing of ſuch an office would neither procure me any friends, nor pay any of my debts: beſides it's againſt my profeſſion (being a ſoldier) to be a penman, or ſo earneſtly to ſeek for peace. Yet nevertheleſs, when I conſidered what due honour may be done unto God, what

what true ſervice to your highneſs, and what good to that poor commonweal, it made me utterly neglect my own fortune, and reſpect of my private benefit, and emboldened me to diſcharge my duty to God and your majeſty, and diſcloſe my zeal for benefiting that poor realm. And if theſe my labours ſhall be rightly conceived of by your majeſty, and your moſt honourable council, I ſhall think my time happily ſpent, and enjoy as much as I deſire.

And thus, moſt humbly beſeeching pardon for this my bold and rude diſcourſe, and praying on my knees to Almighty God, the director of all princes hearts, that it may pleaſe him to move your majeſty's mind duly to conſider of the premiſes, and pitifully to regard the preſent ſtate of that your poor kingdom, and beſeeching him to bleſs your highneſs with all honour, health, and princely happineſs, long to reign over us, I moſt humbly conclude with this my petition.

I humbly beſeech your majeſty, if it be your gracious pleaſure to accept the Earl of Tyrone into your highneſs's protection, that he may ſafely come in unto your majeſty, or to your lord deputy, and hither at your pleaſure, that I may be the meſſenger; becauſe at my coming over he repoſed great truſt in me, to deliver unto your majeſty thoſe things, wherewith he found himſelf grieved, wherein I doubt not but to do your highneſs acceptable ſervice, by reaſon of the poor credit I have with him. But if your majeſty be minded to deal otherwiſe with him (becauſe it hath been reported by thoſe who are adverſaries both to him and me, that I am a great friend unto him) to ſhow what manner of love mine is towards him, there is none of them, nor any other, who ſhall do greater ſervice than I will, if it pleaſe your majeſty to command me, and enable me fit for it; if not, my ſervice and myſelf, reſt at your highneſs's command to be diſpoſed, as it ſhall pleaſe you, for whom, as is my bounden duty, I will daily pray, &c.

Your majeſty's faithful

and obedient ſervant,

THO. LEE.

NUMB. II.

[From Deſid. Curioſ. Hibern.]

Remonſtrance of divers Lords of the Pale to the King, concerning the Iriſh Parliament in 1613.

[See Review, p. 93, vol. i.]

MAY it pleaſe your majeſty, ſuch is the exceſſive grief and anxiety of mind and conſcience, which we, the nobility of this your highneſs's kingdom, whoſe names are here under-written, do conceive, by the more prepoſterous courſes holden in parliament, as we muſt be inforced, before we deſcend further, moſt humbly with tears, to implore your gracious favour, that if the due regard of your majeſty's ſacred honour, the careful conſideration of the good peace and tranquillity of this your realm and country, the tender and feeling reſpect of our bounden and obliged duty to both, do carry us in aught beyond the limits of a well-tempered moderation, your highneſs will be graciouſly pleaſed to pardon our exceſs herein, ſo far as *pius dolor* and *juſta iracundia*, do in themſelves deſerve. It would far paſs the compaſs of a letter, if we ſhould inſiſt to particulariſe the manifeſt, old, precedent diſorders, and ſuch as ſtill do accompany this intended action; only your highneſs ſhall underſtand, that many knights from counties, and citizens and burgeſſes from cities and towns, have, contrary to the true election, been returned; and in ſome places force, and in many others fraud, deceit, and indirect means have been uſed for effecting of this ſo lawleſs a courſe of proceeding. Neither can we but make known unto your majeſty, that under pretence of erecting towns in places of the new plantation, more corporations have been made ſince the beginning of laſt month, or a little more, than are returned out of the whole kingdom; beſides, the number whereof (as we conceive it) contrary to your highneſs's intended purpoſe, are diſperſed throughout all parts of this kingdom; and that in divers places, where there be good ancient boroughs, and not allowed to ſend burgeſſes to the parliament; and yet theſe new created corporations, for the moſt part are ſo miſerable and beggarly poor, as their *tuguria* cannot otherwiſe be holden or denied than as *tituli ſine re, et figmenta in rebus*; for divers of which (their extreme poverty being not able to defray the charges of burgeſſes, nor the places themſelves to afford any one man fit to preſent himſelf in the pooreſt ſociety of men) and for others, we muſt confeſs, that ſome of great faſhion have not ſticked to abaſe themſelves to be returned: the lord deputy's ſervants, attornies, and clerks, reſident only in

in the city of Dublin, moſt of them having never ſeen or known the places for which they were returned, and others of contemptible life and carriage. And what outrageous violence was offered yeſterday to a grave gentleman, whom men of all ſorts that know him, do and will confeſs to be both learned, grave, and diſcreet, free from all touch and imputation, and whom thoſe of the lower houſe, to whom no exceptions could be taken, had choſen to be their ſpeaker, we leave, for avoiding tedioufneſs to your highneſs, to their own further declaration. And foraſmuch as, moſt renowned and dread ſovereign, we cannot in any due proportion of reaſon expect redreſs in theſe our diſtreſſed calamities, where many of thoſe who repreſent the body of your eſtate were the chief authors of them, upon the knees of our loyal and ſubmiſſive hearts, we humbly pray, that it would pleaſe your majeſty to admit ſome of us to the acceſs of your royal preſence; where, if we fail in the leaſt point of theſe our aſſertions, and declarations of other evils, which do multiply in this eſtate, we willingly ſubmit ourſelves to any puniſhment, as deſerved, which it ſhall pleaſe your highneſs to lay and inflict upon us. For we are thoſe, by the effuſion of whoſe anceſtors blood, the foundation of that empire, which we acknowledge your highneſs by the laws of God and man to have over this kingdom and people, was firſt laid, and in many ſucceeding ages preſerved. To us it properly appertaineth, both in the obligation of public duty and private intereſt, to heed the good thereof, who never laid the foundation of our hopes upon the diſturbance of it, garboils and diſſentions being the downfal of our eſtate, as ſome of us now living can witneſs; and therefore, we cannot, but out of the conſideration of our bounden duty and allegiance, make known unto your highneſs the general diſcontent which thoſe ſtrange, unlooked for, and never heard of courſes particularly have bred; whereof, if the rebellious and diſcontented of this nation abroad do take advantage, and procure the evil-affected at home, which are numbers, by reaſon of that already ſettled, and intended plantation, in any hoſtile faſhion to ſet diſorders on foot, and labour ſome underhand relief from any prince or eſtate abroad, who peradventure might be inveigled, and drawn to commiſerate their pretended diſtreſſes and oppreſſions; however, we are aſſured the proweſs and power of your majeſty in the end will bring the authors thereof to ruin and confuſion; yet it may be attended with the effuſion of much blood, exhauſting of maſſes of treaſure, the expoſing of us, and others your highneſs's well-affected ſubjects, to the hazard of poverty, whereof the memory is very lively and freſh among us; and finally, to the laying open of the whole commonalty to the inundation of all miſeries and calamities, which garboils, civil war, and diſſentions do breed and draw with them, in a rent and torn eſtate.

For

For preventing whereof, we nothing doubt but your majeſty will give redreſs, by the equal balance of your highneſs's juſtice, which we beſeech the Amighty, with your royal perſon, ever to maintain and preſerve,

Your majeſty's moſt faithful ſubjects,

David Buttevant.	Killine.	James Dunboyne.
Gormanſton.	Delvin.	Matthew Louth.
Da. Roche, Fermoy.	Chriſtopher Slane.	Thomas Cahyr.
Montgarret.	Robert Trymbleſton.	

May 19, 1613.

NUMB. III.

[From Deſiderat. Curioſ. Hibern.]

To the Right Honourable the Lords of his Majeſty's Moſt Honourable Privy Council.

The humble Petition of the Knights, Citizens and Burgeſſes of the Counties, Cities, and ancient Boroughs of Ireland.

[See Review, p. 93, vol. i.]

MOST humbly declaring to your lordſhips, that the aſſurance of his majeſty's moſt princely inviolable juſtice, whereof your lordſhips, in matters of ſtate and government, are the high and ſupreme diſtributors, doth embolden us, in our oppreſſions, to addreſs theſe our ſubmiſſive lines to your honours; wherein our purpoſe is, not to be pleaders, the ſtrangeneſs of our extremities finding no fit words to expreſs them; and therefore, in declaration of the naked truth, your lordſhips ſhall underſtand that we, the knights, citizens, and burgeſſes of the counties, cities, and ancient boroughs of this realm, coming, according to our bounden duties, into the parliament houſe, we find there fourteen counſellors of ſtate, three of the judges, having before received writs to appear in the higher houſe, all his majeſty's council at law; and the reſt of the number, for the moſt part, conſiſting of attornies, clerks in courts, of the lord deputy's retinue, and others his houſhold-ſervants, with ſome lately come out of England, having no abiding here; and all theſe, ſave very few, were returned from the new corporations erected, to the number of forty or thereabouts, not only in places of the new plantation, but alſo in other provinces, where there be corporations of antiquity; few or none of them having been ever reſident, and moſt of them having never ſeen theſe places: the reſt, who poſſeſſed the rooms of knights of ſhires, ſave four or ſix, came in by practice, and diſhoneſt devices, whereunto

unto themſelves were not ſtrangers; and ſome there were from ancient boroughs, who intruded themſelves into their places, by as undue and unlawful means; as the knights and burgeſſes duly elected were ready at the parliament door to prove and avouch. For redreſs whereof, we of the ancient ſhires, cities, and towns, to whom no exceptions could be taken, being deſirous to take the uſual and accuſtomed courſe, what outrageous violence enſued, by the fury of ſome there, we humbly leave to your lordſhips to be informed by our declarations; whereunto a ſchedule, by direction of my lord deputy, ſubſcribed with our hands, is annexed. And foraſmuch, right honourable, as the ſtrangeneſs of theſe proceedings, in a chriſtian commonwealth is ſuch, as we think his majeſty, and your lordſhips will hardly be induced to believe; they being, in the likelihood of impoſſibility, equal to that of Meſſalino unto the emperor Claudius in ancient Rome; or to any other accident, how rare ſoever, tranſmitted to poſterity in modern or ancient ſhires, we humbly pray, that your lordſhips, in commiſeration of our diſtreſs, will be a mean to his highneſs, that ſome of us, with ſome of our nobility, may be licenſed to preſent ourſelves there, for the proof of our aſſertions; wherein if we fail in any one point, we utterly renounce all favour; and that in the mean time his majeſty will be pleaſed to ſuſpend his gracious judgment, in the apprehenſion of what to our prejudice may be informed here; thoſe from whom his highneſs doth uſually receive information, being the authors of the carriage of what is done amiſs.

NUMB. IV.

[From Deſiderat. Curioſ. Hibern.]

Abſtract of the Report and Return of Commiſſioners ſent by the King to Ireland, to enquire into the Grievances and Complaints of the Iriſh, in 1613.

[See Review, p. 105, vol. i.]

UPON our arrival in Dublin the 11th of September, we cauſed his majeſty's commiſſion and inſtructions to be inrolled, and preſently directed our letters to the governors of Munſter and Conaught, as alſo to divers lords, archbiſhops, and biſhops, and to ſeveral of the ſheriffs of counties, and others, concerning the articles of the ſaid inſtructions, whereby our arrival, and the cauſe of our employment were made known to the people in moſt parts of the kingdom. Yet during the ſpace of one month at the leaſt, after our landing, no one petition was exhibited to us complaining of any grievances. Nevertheleſs

theleſs afterwards, upon the coming over of the lord Killeene and Sir Chriſtopher Plunket, two of the late petitioners to his majeſty, they exhibited unto us particular inſtances of oppreſſion and exactions by ſoldiers, provoſt-marſhals, and ſome others, ſpecially thoſe that reſide neareſt the ſtate; out of which particulars, being many, we ſelected three-ſcore or thereabouts, as meeteſt to be examined; whereby we might diſcern, what were the ſeveral kinds of the ſoldiers oppreſſions towards the people; for proof of which ſelected articles, divers days were aſſigned to them to produce their witneſſes: at which time ſome of the captains of horſe and foot, provoſt-marſhals, and ſome of their ſoldiers we warned to appear before us, and thereupon we proceeded in preſence of the Lord Killeene and Sir Chriſtopher Plunket, and ſome of the parties grieved, and we proceeded to a ſummary examination of thoſe diſorders; and by theſe examinations, and by other means, it doth appear unto us, that the ſoldiers, both horſe and foot, have extorted upon his majeſty's ſubjects in manner following: firſt, in all their journies and thoroughfares, where, by their warrant from the lord deputy, they are commanded to take meat and drink in the country, paying ready money, or giving tickets for the ſame; the ſoldiers nevertheleſs, for the moſt part, neither pay money, nor give tickets, as they ought to do; and in caſes where the collectors receive tickets for the payment of the country for victualling of ſoldiers, they, and ſometimes perſons authoriſed by the principal gentlemen of the country, do get theſe tickets into their hands, and obtain payment from his majeſty's treaſurer, and ſeldom make diſtribution thereof to the poorer ſort to whom it is due.

The ſoldiers, where they are ceſſed, do extort money from the poorer people (beſides meat and drink) for every night's lodging three ſhillings for a horſe-man, and two ſhillings for a foot-man, ſometimes more, and ſometimes leſs; and certain petty ſums are alſo taken for their boys and attendants, beſides victuals; and it happeneth ſometimes, that the ſoldiers that take ceſs, take money, as well for themſelves as for other ſoldiers abſent, which the country call Black-men, becauſe they are not ſeen; and ſometimes ſoldiers in pay, and others diſcharged out of pay, and divers vagrants in the name of ſoldiers, take meat and money of the people without warrant, or after the date of their warrant is expired, in extortious manner, by two or three or more in a company. And in all theſe caſes, when the people have not money to pay them, they take divers times, forcibly, either ſome of their cattle, or ſome of their houſhold ſtuff for pawns in lieu thereof, whereby breach of peace and affrays are occaſioned.

Likewiſe the ſoldiers, although they be always enjoined by the lord deputy's warrant to paſs to and fro the direct way in their

their journies, yet do they ſometimes make a circular and long courſe in their thoroughfare, whereby they ceſs and hurt the people, more days than is limited unto them, or is requiſite for their journey.

Alſo the ſoldiers in journies, being ceſſed in ſmall numbers in villages by the collectors, according to the ability of the places, they do ſometimes take money in the towns, wherein they are aſſigned to take their lodgings and victuals, and depart the ſame and lodge themſelves, without warrant, near the ſame place, whereby the people bear a double charge.

Moreover it appeareth, that ſome officers of bands have taken monies of townſhips, to forbear to ceſs upon them in their journies, and have ceſſed upon the towns not far diſtant from thence; and theſe exactions are committed by ſoldiers in counties where the compoſition in lieu of ceſs is paid, as in other places; wherein is to be obſerved, that by the tenor of the compoſition, the counties are to victual the ſoldiers in their paſſage at uſual rates, a matter reſerved for neceſſity of ſtate.

The ſoldiers do not only commit theſe abuſes in their thoroughfares, but when they are ſent into the country upon other employments.

The provoſt-marſhal (whereof there is one at the leaſt in every province) has likewiſe certain men to attend him, who do exact victuals and money in their paſſage up and down the country from the people, and commit other diſorders as ſoldiers do; which extortions have been committed by the ſoldiers and the reſt of themſelves, without any warrant at all, or connivance of any, ſo far as hath appeared unto us.

And notwithſtanding the oppreſſions in theſe kinds are very many (as may be ſeen by their informations to us exhibited from divers parts of the kingdom), yet, for any thing appearing unto us, very few have complained thereof to the lord deputy; who upon their complaints, hath given order for redreſs of ſuch grievances, as hath been manifeſted unto us.

The reaſons wherefore the people pretend to have forborne to make their complaints, is the fear they have had to be worſe uſed by the ſoldiers complained of at other times, and that the charges of the complaint would far have exceeded their damages and loſſes, although they cannot deny but the lord deputy hath given as eaſy acceſs and as ſpeedy remedy, as hath been given by former governors.

The names of ſome few ſoldiers that are offenders in theſe kinds, and are yet in pay, appear in our examinations, others are dead or diſcharged, and in many of the complaints againſt ſoldiers, their names are not known to the parties, neither have the ſoldiers, or others complained to us for want of pay by their captains, although ſome of them have been by us required publicly to deliver us their knowledge therein. . . . . There be di-

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vers complaints againſt ſheriffs in general, namely, that ſundry ſheriffs have no freehold, or habitation, in the counties for which they ſerve, as they ought to have by the laws of the kingdom; alſo that divers of them have no ſettled eſtates of land or freehold in other places; and having gathered rents, and other duties for his majeſty, they depart without paſſing their accounts, which appeareth to be true: and the reaſon thereof is affirmed to be, that in the civileſt countries in the Engliſh pale, and in other counties within the kingdom, there are found very few proteſtants that are freeholders of quality fit to be ſheriffs, and that will take the oath of ſupremacy, as by the laws they ought to do; and by the lord deputy's order, no ſheriff is admitted till he enter into ſufficient bond for anſwering his accounts.

It is likewiſe a grievance complained of, and found true, that many ſheriffs, eſpecially thoſe of the meaner ſort, do ſuffer their men, bailiffs, and followers to take victuals of the country for themſelves without money, and ſometimes both money and victuals; and that in gathering in his majeſty's rents, and the fines for uſing the ſhort ploughs, and other impoſitions, as building of bridges, and ſuch like, they do take of the people, beſides the principal duties twelve pence in the pound, and ſometimes greater ſums, for their private uſes, for which the ſheriffs give no reaſon, but that the ſame is taken towards their charges in collecting thoſe duties, in regard of the little benefit which their office otherwiſe yieldeth, &c.

NUMB. V.

[From Carte's Orm. vol. iii.]

The Remonſtrance of the Catholics of Ireland, delivered to his Majeſty's Commiſſioners at Trym, 17th March, 1642.

[See Review, p. 279, vol. i.]

To the KING's moſt excellent Majeſtie.

Moſt gratious ſoveraigne,

WEE your majeſtie's moſt dutifull and loyall ſubjects, the catholiques of your highneſs kingdome of Ireland, being neceſſitated to take armes for the preſervation of our relligion, the mainetenance of your majeſtie's rights and prerogatives, the naturall and juſt defence of our lives and eſtates, and the liberties of our country, have often ſince the beginning of theſe troubles attempted to preſent our humble complaynts unto your royall view; but we are fruſtrated of our hopes therein by the power and

and vigilance of our adverſaryes, (the now lords juſtices and other miniſters of ſtate in this kingdome) who by the aſſiſtance of the malignant partie in England, now in armes againſt your royall perſon, with leſs difficultie to attain the bad ends they propoſed to themſelves, of extirpateing our religion and nation, have hitherto debarred us of any acceſs to your majeſtie's juſtice, which occaſioned the effuſion of much innocent blood, and other miſchiefs in this your kingdome, that otherwiſe might well bee prevented. And whereas of late notice was ſent unto us of a commiſſion granted by your majeſtie to the right honorable the Lord Marques of Ormond, and others, authoriſing them to heare what we ſhall ſay or propound, and the ſame to tranſmitt to your majeſtie in writeing, which your majeſtie's gratious and princely favour, wee finde to be accompanied with theſe words, viz. (albeit wee doe extreamly deteſt the odious rebellion which the recuſants of Ireland have without ground or colour rayſed againſt us, our crowne and dignitie) which words wee doe in all humilitie conceive to have proceeded from the miſrepreſentations of our adverſaries; and therefore doe proteſt, we have been therein maliciouſly traduced to your majeſtie, haveing never entertayned any rebellious thought againſt your majeſtie, your crowne, or dignitie; but allwayes have beene, and ever will continue, your majeſtie's moſt faithfull and loyall ſubjects; and doe moſt humbly beſeech your majeſtie ſoe to owne and avowe us; and as ſuch we preſent unto your majeſtie theſe enſueing grievances, and cauſes of the preſent diſtempers.

Imprimis, The catholiques of this kingdome, whome no reward could invite, no perſecution inforce, to forſake that religion profeſſed by them and their anceſtors for thirteen hundred years, or thereabouts, are ſince the ſecond yeare of the reigne of queene of Elizabeth, made incapable of places of honour or truſt, in church or commonwealth; their nobles become contemptible, their gentry debarred from learning in univerſities, or public ſchools within this kingdom; their younger brothers put by all manner of imployment in their native country, and neceſſitated (to their great diſcomfort, and impoveriſhment of the land) to ſeeke education and fortune abroad; misfortunes made incident to the ſaid catholiques of Ireland only, (their numbers, qualitie, and loyaltie conſidered) of all the nations of Chriſtendome.

2. Secondly, That by this incapacitie, which in reſpect of their religion was impoſed upon the ſaid catholiques; men of meane condition and qualitie, for the moſt part were in this kingdome, imployed in places of greateſt honour and truſt, who being to begin a fortune, built it on the ruines of the catholique natives, att all tymes lying open to be diſcountenanced, and wrought uppon: and who (becauſe they would ſeeme to be carefull of the government,) did, from tyme to tyme, ſuggeſt falſe

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and malicious matters againſt them, to render them ſuſpected and odious in England; from which ungrounded informations, and their many other ill offices, theſe miſchiefes have befallen the catholiques of Ireland. Firſt, the oppoſition given to all the graces and favours that your majeſtie, or your late royall father, promiſed, or intended to the natives of this kingdom; ſecondly, the procuring of falſe inquiſitions, upon faigned titles, of their eſtates, againſt many hundred years poſſeſſion, and no travers, or petition of right, admitted thereunto, and jurors denying to find ſuch offices were cenſured even to publique infamie, and ruine of their eſtates, the findeing thereof being againſt their conſciences, and their evidences; and nothing muſt ſtand againſt ſuch offices taken of great and conſiderable parts of the kingdome, but letters pattents under the great ſeale; if letters pattents were produced, (as in moſt caſes they were) none muſt be allowed valid, nor yet ſought to be legally avoyded: ſoe that, of late tymes, by the underhand workeing of Sir William Parſons knight, now one of the lords juſtices heere, and the arbitrary illegal power of the two impeached judges in parliament, and others drawen by their adviſe and counſell, one hundred and fifty letters pattents were avoyded in one morning; which courſe continued untill all the pattents of the kingdome, to a few, were by them and their aſſociates declared void; ſuch was the care thoſe miniſters had of your majeſtie's great ſeale, being the publique faith of the kingdome. This way of ſervice, in ſhew only pretended for your majeſtie, proved to your diſſervice; and to the immoderate, and too tymely advancement of the ſaid miniſters of ſtate, and their adherents, and nearly to the utter ruine of the ſaid catholiques.

3. That, whereas your majeſtie's late royall father, king James, having a princely and fatherly care of this kingdome, was gratiouſly pleaſed to graunt ſeverall large and beneficiall commiſſions, under the great ſeale of England, and ſeverall inſtructions, and letters under his privie ſignett, for the paſſing and ſecuring of the eſtates of his ſubjects here by letters pattents under the great ſeale, and letters pattents accordingly were thereof paſſed, fynes payed, old rents increaſed, and new rents reſerved to the crowne. And the ſaid late king was further gratiouſly pleaſed, att ſeverall tymes, to ſend divers honorable perſons of integritie, knowledge and experience, to examine the grievances of this kingdome, and to ſettle and eſtabliſh a courſe for redreſs thereof. And whereas your majeſtie was graciouſly pleaſed, in the fourth yeare of your raigne, to vouchſafe a favourable heareing to the grievances preſented unto you, by agents from this kingdome; and thereupon did graunt many graces and favours unto your ſubjects thereof, for ſecuritie of their eſtates, and redreſs for remove of thoſe heavie preſſures, under which they have long groaned; which acts of juſtice, and grace extended to this

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people by your majeſtie, and your ſaid royall father, did afford them great coutent, yett ſuch was, and is yett, the immortall hatred of ſome of the ſaid miniſters of ſtate, and eſpecially of the ſaid Sir William Parſons, the ſaid impeached judges and their adherents, to any welfare and happineſs of this nation, and their ambition to make themſelves ſtill greater and richer, by the total ruine and extirpation of this people; that under pretence of your majeſtie's ſervice, the publique faith involved in thoſe grants was violated, and the grace and goodneſs intended, by two glorious kings ſucceſſively, to a faithful people, made unprofitable.

4. The illegall, arbitrary, and unlawfull proceedings of the ſaid Sir William Parſons, and one of the ſaid impeached judges, and their adherents and inſtruments, in the court of wards, and the many wilfully erroneous decrees and judgments of that court, by which the heirs of catholique noblemen, and other catholiques, were moſt cruelly and tyrannically dealt withall, deſtroyed in their eſtates, and bred in diſſolution and ignorance, their parents debts unſatisfied, their ſiſters and younger brothers left wholly unprovided for, the auncient and appearing tenures of meſne lords unregarded, eſtates valid in law, and made for valuable conſiderations, avoyded againſt law, and the whole land filled upp with the frequent ſwarmes of eſcheators, feodaryes, purſuivants, and others, by authoritie of that court.

5. The ſaid catholiques, notwithſtanding the heavy preſſures beforementioned, and other grievances, in part repreſented to your majeſtie by the late committees of both houſes of parliament of this kingdom, (whereunto they humbly deſire that relation be had, and redreſs obtained therein,) did readyly, and without reluctance, or repineing, contribute to all the ſubſidies, loanes, and other extraordinary graunts made to your majeſtie in this kingdome, ſince the beginning of your raigne, amounting unto well neere one million of poundes, over and above your majeſtie's revenue, both certain and caſuall: and although the ſaid catholiques were in parliament, and otherwiſe the moſt forward in graunting the ſaid ſummes, and did beare nyne parts of ten in the payments thereof, yett ſuch was the power of their adverſaryes, and the advantage they gained by the opportunitie of their continuall addreſs to your majeſtie, to increaſe their reputation in getting in of thoſe moneys, and their authoritie in the diſtribution thereof to your majeſtie's greate diſſervice, that they aſſumed to themſelves to be the procurers thereof, and repreſented the ſaid catholiques as obſtinate and refractory.

6. The army raiſed for your majeſtie's ſervice here, at the greate charge of the kingdome, was diſbanded by the preſſing importunitie of the malignant partie in England, not giving way that your majeſtie ſhould take adviſe therein with the parliament here; alledging the ſaid army was popiſh, and therefore not to

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be truſted; and although the world could wittneſs the unwarrantable and unexampled invaſion made by the malignant partie of the parliament in England, uppon your majeſtie's honour, rights, prerogatives, and principall flowers of your crowne; and that the ſaid Sir William Parſons, Sir Adam Loftus knight, your majeſtie's vice-treaſurer of this kingdome, and others their adherents, did declare that an army of ten thouſand Scotts was to arrive in this kingdome, to force the ſaid catholiques to change their religion, and that Ireland could never doe well without a rebellion, to the end the remaine of the natives thereof might be extirpated; and wagers were laid at a generall aſſizes and publique meetings, by ſome of them then, and now imployed in places of greate profitt and truſt in this kingdome, that within one yeare no catholique ſhould be left in Ireland; and that they ſaw the ancient and unqueſtionable privileges of the parliament of Ireland unjuſtly and againſt law encroached uppon, by the orders, acts and proceedings of both howſes of parliament in England, in ſending for and queſtioning, to, and in, that parliament, the members of the parliament of this kingdome, ſitting the parliament here; and that by ſpeeches, and orders printed by authoritie of both houſes in England, it was declared that Ireland was bound by the ſtatutes made in England, if named, which is contrary to knowen truth, and the laws here ſettled for fowre hundred yeares, and upwards; and that the ſaid catholiques were thoroughly enformed of the proteſtation made by both houſes of parliament of England againſt catholiques, and of their intentions to introduce lawes for the extirpation of catholique religion in the three kingdomes: and that they had certain notice of the bloody execution of prieſts there, only for being prieſts, and that your majeſty's mercy and power could not prevaile with them to ſave the lyfe of one condemned prieſt; and that the catholiques of England being of their own fleſh and blood, muſt ſuffer, or depart the land, and conſequently others not of ſo neere a relation to them, if bound by their ſtatutes, and within their power. Theſe motives, although very ſtrong and powerfull to produce apprehenſions and fears in the ſaid catholiques, did not prevaile with them to take defenſive armes, much leſs offenſive; they ſtill expecting that your majeſtie in your high wiſdome might be able in a ſhort tyme, to apply ſeaſonable cures, and apt remedies unto thoſe evils, and innovations.

7. That the committees of the lords and commons of this kingdome, having attended your majeſtie for the ſpace of nyne months, your majeſtie was gratiouſly pleaſed, notwithſtanding your then weightie and urgent affayrs in England and Scotland, to receive, and very often with great patience to hear their grievances, and many debates thereof at large; during which debates, the ſaid lords juſtices, and ſome of your privy councill of

of this kingdome, and their adherents, by their malitious and untrue informations conveyed to ſome miniſters of ſtate in England, (who ſince are declared of the malignant partie,) and by the continuall ſolicitation of others of the ſaid privy councill, gone to England of purpoſe to croſs and give impediment unto the juſtice and grace your majeſtie was inclined to afford to your ſubjects of this realme, did as much as in them lay, hinder the obtayning of any redreſs for the ſaid grievances, and not prevailing therein with your majeſtie as they expected, have by their letters and inſtruments, laboured with many leading members of the parliament there, to give ſtopp and interruption thereunto, and likewiſe tranſmitted unto your majeſtie, and ſome of the ſtate of England, ſundery miſconſtructions and miſrepreſentations of the proceedings and actions of your parliament of this kingdome, and thereby endeavoured to poſſeſs your majeſtie with an evill opinion thereof; and that the ſaid parliament had no power of judicature in capitall cauſes, (which is an eſſentiall part of parliament) thereby aymeing at the impunitie of ſome of them, and others, who were then impeached of high treaſon; and at the deſtruction of this parliament: but the ſaid lords juſtices and privie councell, obſerving that no art or practice of theirs could be powerfull to withdraw your majeſtie's grace and good intentions from this people, and that the redreſs graunted of ſome particular grievances was to be paſſed as acts in parliament; the ſaid lords juſtices, and their adherents, with the height of malice, envieing the good union long before ſettled, and continued between the members of the houſe of commons, and their good correſpondence with the lords, left nothing unattempted, which might rayſe diſcord, and diſunion in the ſaid houſe; and by ſome of themſelves and ſome inſtruments of theirs in the ſaid commons houſe, private meeteings of greate numbers of the ſaid houſe were appointed, of purpoſe to rayſe diſtinction of nation and religion, by meanes whereof a faction was made there, which tended much to the diſquiet of the houſe, and diſturbance of your majeſtie's and the publique ſervice; and after certain knowledge that the ſaid committees were by the water ſide in England, with ſundry important and beneficial bills, and other graces, to be paſſed, as acts in that parliament; of purpoſe to prevent the ſame, the ſaid faction, by the practiſe of the ſaid lords juſtices, and ſome of the ſaid privy councill and their adherents, in a tumultuous and diſorderly manner, on the ſeventh day of Auguſt 1641, and on ſeverall days before, cryed out for an adjournment of the houſe, and beinge over-voted by the voices of the more moderate partie, the ſaid lords juſtices and their adherents told ſeverall honourable peers, that if they did not adjourne the lords houſe on that day, being Saturday, that they would themſelves prorogue or adjourne the parliament on the next Munday following, by meanes whereof, and of great numbers of proxies

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of noblemen, not eſtated, nor at any tyme reſident in this kingdome, (which is deſtructive to the libertye and freedom of parliaments here,) the lords houſe was on the ſaid ſeventh day of Auguſt adjourned, and the houſe of commons by occaſion thereof, and of the faction aforeſaid, adjourned ſoone after, by which meanes thoſe bills and graces, according to your majeſtie's intention, and the great expectation and longing deſires of your people, could not then paſs as acts of parliament.

Within few dayes after this fatal and enforced adjournment, the ſaid committees arrived at Dublin, with their diſpatch from your majeſtie, and preſented the ſame to the lords juſtices and councill, expreſſing a right ſence of the ſaid adjournment, and beſought their lordſhips, for the ſatisfaction of the people, to require ſhort heads of that part of the diſpatch wherein your majeſtie did appeare in the beſt manner unto your people, might be ſuddainely conveyed unto all the partes of the kingdome, atteſted by the ſaid lords juſtices, to prevent deſpaire, or miſunderſtanding. This was promiſed to be done, and an inſtrument drawen, and preſented unto them for this purpoſe, and yett, (as it ſeemes deſireing rather to add fuell to the fire of the ſubjects diſcontents, than quench the ſame,) they did forbeare to give any notice thereof to the people.

8. After this, certaine dangerous and pernitious petitions, contrived by the adviſe and councell of the ſaid Sir William Parſons, Sir Adam Loftus, Sir John Clotworthy, knights, Arthure Hill, Eſq; and ſundry others malignant partie, and ſigned by many thouſands of the malignant partie in the citty of Dublin, in the province of Ulſter, and in ſundry other of the partes in this kingdome, directed to the commons houſe in England, were at publique aſſizes and other publique places made known and read, to many perſons of quallitie in this kingdome, which petitions contayned matters deſtructive to the ſaid catholiques, their religion, lives and eſtates, and were the more to be ſeared by reaſon of the active power of the ſaid Sir John Clotworthy in the commons howſe in England in oppoſition to your majeſtie, and his barbarous and inhumane expreſſions in that howſe againſt catholique religion, and the profeſſors thereof. Soone after an order conceaved in the commons houſe of England, that no man ſhould bowe unto the name of JESUS, (att the ſacred ſound whereof all knees ſhould bend) came to the knowledge of the ſaid catholiques, and that the ſaid malignant partie did contrive and plott to extinguiſh their religion and nation. Hence it did ariſe that ſome of the ſaid catholiques begun to conſider the deplorable and deſperate condition they were in, by a ſtatute law here found among the records of this kingdome, of the ſecond yeare of the raigne of the late queen Elizabeth (but never executed in her tyme, nor diſcovered till moſt of the members of that parliament were dead) by which no catholique of this kingdome could

could enjoy his life, eſtate, or lyberty if the ſaid ſtatute were executed; whereunto no impediment remayned but your majeſtie's prerogative and power, which were endeavoured to be clipped, or taken away, as is before rehearſed; then the plot of deſtruction by an army out of Scotland, and another of the malignant partie in England, muſt be executed; the feares of thoſe twofold deſtructions, and their ardent deſire to maintaine that juſt prerogative, which might encounter and remove it, did neceſſitate ſome catholiques in the North, about the 22d of October 1641, to take armes in maintenance of their religion, your majeſtie's rights, and the preſervation of life, eſtate, and libertie; and immediately thereuppon tooke a ſolemn oath, and ſent ſeveral declarations to the lords juſtices and councill to that effect; and humbly deſired they might be heard in parliament, unto the determination whereof, they were ready to ſubmit themſelves, and their demands: which declarations being received, were ſlighted by the ſaid lords juſtices, who by the ſwaying part of the ſaid councill, and by the adviſe of the ſaid two impeached judges, glad of any occaſion to put off the parliament, which by the former adjournment was to meete ſoone after, cauſed a proclamation to be publiſhed on the 23d of the ſaid month of October 1641, therein accuſeing all the catholiques of Ireland of diſloyaltie, and thereby declareing that the parliament was prorogued untill the 26th of February following.

9. Within few dayes after the ſaid 23d day of October 1641, many lords and other perſons of ranke and qualitie, made their humble addreſs to the ſaid lords juſtices and councill, and made it evidently appeare unto them, that the ſaid prorogation was againſt law, and humbly beſought the parliament might ſit according to the former adjournment, which was then the only expedient, to compoſe or remove the then growing diſcontents and troubles of the land; and the ſaid lords juſtices, and their partie of the councill, then well knowing that the members of both houſes throughout the kingdome (a few in and about Dublin only excepted,) would ſtay from the meeting of both houſes, by reaſon of the ſaid prorogation, did by proclamation two dayes before the time, give way the parliament might ſitt, but ſo limitted, that no act of grace, or any thing elſe for the people's quiet or ſatisfaction, might be propounded or paſſed. And thereuppon, a few of the lords and commons appeared in the parliament houſe, who in their entrance at the caſtle-bridge and gate, and within the yard to the parliament houſe doore, and receſs from thence, were invironed with a great number of armed men with their match lighted, and muſkets preſented even at the breaſts of the members of both houſes, none being admitted to bring one ſervant to attend him, or any weapon about him within the caſtle-bridge. Yet how thin ſoever the howſes were, or how much overawed, they both did ſupplicate the lords

juſtices

juſtices and councill, that they might continue for a tyme together, and expect the coming of the reſt of both houſes, to the end they might quiet the troubles in full parliament, and that ſome acts of ſecuritie graunted by your majeſtie, and tranſmitted under the great ſeale of England, might paſs to ſettle the minds of your majeſtie's ſubjects. But to theſe requeſts, ſoe much conduceing to your majeſtie's ſervice, and ſettlement of your people, a flatt denyall was given; and the ſaid lords juſtices and their partie of the councill, by their workeing with their partie in both howſes of parliament, being then very thyn as aforeſaid, propounded an order ſhould be conceaved in parliament, that the ſaid diſcontented gentlemen tooke armes in rebellious manner, which was reſented much by the beſt affected of both howſes; but being awed as aforeſaid, and credibly informed, if ſome particular perſons amongſt them ſtood in oppoſition thereunto, that the ſaid muſketteeres were directed to ſhoote them att their goeing out of the parliament houſe, thorough which terror, way was given to that order.

10. Notwithſtanding all the beforementioned provocations, preſſures, and indignities, the farr greater, and more conſiderable parte of the catholiques, and all the cittyes and corporations of Ireland, and whole provinces, ſtood quiet in their howſes; whereupon the lords juſtices and their adherents, well knowing that many powerfull members of the parliament of England ſtood in oppoſition to your majeſtie, made their application, and addreſſed their diſpatches, full fraught with calumnies and falſe ſuggeſtions againſt the catholiques of this kingdome, and propounded unto them, to ſend ſeverall great forces to conquer this kingdome; thoſe of the malignant partie here were by them armed; the catholiques were not only denyed armes, but were diſarmed, even in the citty of Dublin, which in all ſucceſſions of ages paſt continued as loyall to the crowne of England, as any citty or place whatſoever: all other auncient and loyall cittyes and corporatt townes of the kingdome, (by means whereof principally the kingdome was preſerved in former tymes) were denyed armes for their money to defend themſelves, and expreſs order given by the ſaid lords juſtices to diſarme all catholiques in ſome of the ſaid cittyes and townes: others diſfurniſhed were inhibited to provide armes for their defence; and the ſaid lords juſtices and councell having received an order of both houſes of parliament in England to publiſh a proclamation of pardon unto all thoſe who were then in rebellion (as they tearmed it) in this kingdome, if they did ſubmit by a day to be limited, the ſaid Sir William Parſons, contrary to this order, ſoe wrought with his partie of the councill, that a proclamation was publiſhed of pardon only in two countyes, and a very ſhort day prefixed, and therein all freeholders were excepted; through which every man ſaw that the eſtates of the

catholiques

catholiques were firſt aymed att, and their lives next. The ſaid lords juſtices and their partie haveing advanced their deſigne thus far, and not finding the ſucceſs anſwerable to their deſires, commanded Sir Charles Coote, Knight and Baronet deceaſed, to march to the county of Wickloe, where he burnt, killed, and deſtroyed all in his way in a moſt cruell manner, man, woman, and childe; perſons that had not appearing wills to doe hurt, nor power to execute it. Soone after, ſome foote companies did march in the night by direction of the ſaid lords juſtices, and their ſaid partie, to the town of Sauntry in Fingall, three miles off Dublin; a country that neither then, nor for the ſpace of four or five hundred yeares before, did feele what troubles were, or war meant; but it was too ſweet and too near, and therefore fitt to be forced to armes. In that towne innocent huſbandmen, ſome of them being catholiques, and ſome proteſtants taken for catholiques, were murdered in their inn, and their heads carryed tryumphant into Dublin. Next morning, complaint being made of this, no redreſs was obtayned therein; whereupon ſome gentlemen of qualitie, and others the inhabitants of the country, ſeeing what was then acted, and what paſſed in the ſaid laſt march towards the county of Wickloe, and juſtly fearing to be all murthered, forſooke their howſes, and were conſtrayned to ſtand together in their owne defence, though ill provided of armes or ammunition. Heereupon a proclamation was agreed upon at the board, on the 13th of December 1641, and not publiſhed or printed till the 15th of December, by which the ſaid gentlemen, and George Kinge by name, were required to come in by, or upon the 18th of the ſaid month, and a ſafetie was therein promiſed them. On the ſame day another proclamation was publiſhed, ſummoning the lords dwelling in the Engliſh pale near Dublin to a grand councill on the 17th of the ſaid month; but the lords juſtices and their partie of the councill, to take away all hope of accommodation, gave direction to the ſaid Sir Charles Coote, the ſaid 15th day of the ſaid month of December, to march to Clontarffe, being the houſe and towne of the ſaid George Kinge, and two miles from Dublin, to pillage, burne, kill, and deſtroy all that there was to be found; which direction was readily and particularly obſerved, (in a manyfeſt breach of public faith) by meanes whereof, the meeteing of the ſaid grand councill was diverted: the lords not daring to come within the power of ſuch notorious faith-breakers: the conſideration whereof, and of other the matters aforeſaid, made the nobilitie and gentry of the Engliſh pale, and other parts of the province of Leinſter, ſenſible of the preſent danger, and put themſelves in the beſt poſture they could for their naturall defence. Wherefore they employed Lieutenant Collonel Read to preſent their humble remonſtrance to your ſacred majeſtie, and to declare unto you the

the ſtate of their affayres, and humbly to beſeech relief and redreſs; the ſaid lieutenant collonel, though your majeſtie's ſervant, and imployed in publique truſt, (in which caſe the law of nations affords ſafety and protection) was without regard to either, not only ſtopped from proceeding in his imployment, but alſo tortured on the rack at Dublin.

11. The lord preſident of Munſter, by direction of the ſaid lords juſtices, (that province being quiet) with his accomplices, burnt, preyed, and put to death men, women and children, without making any difference of qualitie, condition, age, or ſex in ſeveral parts of that province; the catholique nobles and gentlemen there were miſtruſted and threatened, and others of inferior quality truſted and furniſhed with armes and ammunition. The province of Connaught was uſed in the like meaſure; whereupon moſt of the conſiderable catholiques in both the ſaid provinces were inforced (without armes or ammunition) to look after their ſafety, and to that end did ſtand on their defence; ſtill expecting your majeſtie's pleaſure, and allways ready to obey your commands. Now the plott of the ſaid miniſters of ſtate and their adherents being even ripe, applications were inceſſantly by them made to the malignant partie in England, to deprive this people of all hopes of your majeſtie's juſtice or mercie, and to plant a perpetual enmity between the Engliſh and Scotiſh nations, and your ſubjects of this kingdome.

12. That whereas this your majeſtie's kingdome of Ireland in all ſucceſſions of ages, ſince the raigne of king Henry the Second, ſometime king of England and lord of Ireland, had parliaments of their owne, compoſed of lords and commons in the ſame manner and forme, qualified with equall liberties, powers, privileges and immunities with the parliament of England, and onely depend of the king and crowne of England and Ireland: And for all that tyme, no prevalent record or authentique preſident can be found, that any ſtatute made in England could or did bind this kingdome, before the ſame were here eſtabliſhed by parliament; yet upon untrue ſuggeſtions and informations, given of your ſubjects of Ireland, an act of parliament, entituled, an act for the ſpeedie and effectual reduceing the rebells in his majeſtie's kingdome of Ireland to their due obedience to his majeſtie and the crowne of England; and another act, intituled, an act for adding unto and explayneing the ſaid former act, was procured to be enacted in the ſaid parliament of England, in the eighteenth yeare of your majeſtie's raigne; by which acts, and other proclamations, your majeſtie's ſubjects unſummoned, unheard, were declared rebells, and two millions and a halfe of acres arrable, meadow and profitable paſture, within this kingdome, ſold to undertakers for certains ſummes of monie; and the edifices, loghs, woodes,

woodes, and bogges, waſtes and other their appurtenances, were thereby mentioned to be granted and paſt gratis. Which acts the ſaid catholiques doe conceave to have beene forced uppon your majeſtie; and allthough void, and unjuſt in themſelves to all purpoſes, yett containe matters of evill conſequence and extreame prejudice to your majeſtie, and totally deſtructive to this nation. The ſcope ſeeming to aim att rebells only, and at the diſpoſition of a certaine quantitie of land; but in effect and ſubſtance all the landes in the kingdome, by the words of the ſaid acts, may be diſtributed, in whoſe poſſeſſion ſoever they were, without reſpect to age, condition, or qualitie; and all your majeſtie's tenures, and the greateſt part of your majeſtie's ſtanding revenue in this kingdome, taken away; and by the ſaid acts, if they were of force, all power of pardoning and of granting thoſe lands, is taken from your majeſtie; a preſident that no age can inſtance the like. Againſt this act the ſaid catholiques do proteſt, as an act againſt the fundamentall lawes of this kingdome, and as an act deſtructive to your majeſtie's rights and prerogatives, by collour whereof, moſt of the forces ſent hither to inſeſt this kingdome by ſea and land, diſavowed any authoritie from your majeſtie, but do depend upon the parliament of England.

13. All ſtrangers, and ſuch as were not inhabitants of the citty of Dublin, being commanded by the ſaid lords juſtices, in and ſince the ſaid month of November 1641, to depart the ſaid citty, were no ſooner departed, than they were by the directions of the ſaid lords juſtices pillaged abroad, and their goods ſeized uppon and confiſcated in Dublin; and they deſireing to returne under the protection and ſafetie of the ſtate, before their appearance in action, were denied the ſame; and divers other, perſons of rank and qualitie, by the ſaid lords juſtices imployed in publique ſervice, and others keeping cloſe within their doores, without annoying any man, or ſiding then with any of the ſaid catholiques in armes, and others in ſeverall parts of the kingdome liveing under, and having the protection and ſafetie of the ſtate, were ſooner pillaged, their howſes burnt, themſelves, their tenants and ſervants killed and deſtroyed, than any other, by direction of the ſaid lords juſtices. And by the like direction, when any commander in chiefe of the army, promiſed, or gave quarter or protection, the ſame was in all caſes violated; and many perſons of qualitie, who obtained the ſame, were ruined before others; others that came into Dublin voluntarily, and that could not be juſtly ſuſpected of any crime, if Iriſhmen or catholiques, by the like direction were pillaged in Dublin, robbed and pillaged abroad, and brought to their tryall for their lives. The cittyes of Dublin and Corke, and the ancient corporatt townes of Drogheda, Yeoghal and Kingſale, who voluntarily received garriſons in

your

your majeſtie's name, and the adjacent countryes who relieved them, were worſe uſed, and now live in worſe condition than the Iſraelites did in Egypt; ſo that it will be made appeare, that more murders, breaches of publique faith and quarter, more deſtruction and deſolation, more crueltie, not fitt to be named, were committed in Ireland, by the direction and adviſe of the ſaid lords juſtices and their partie of the ſaid councill in leſs than eighteene months, than can be parallelled to have beene done by any chriſtian people.

14. The ſaid lords juſtices and their adherents have, againſt the fundamental lawes of the lande, procured the ſitting of both howſes of parliament for ſeverall ſeſſions, (nyne parts of ten of the naturall and genuine members thereof being abſent, it ſtanding not with their ſafety to come under their power) and made upp a conſiderable number in the howſe of commons of clerkes, ſouldiers, ſerveing men, and others, not legally, or not choſen at all, or returned, and having no manner of eſtate within the kingdome; in which ſitting, ſundry orders were conceived, and diſmiſſes obteyned of perſons before impeached of treaſon in full parliament; and which paſſed or might have paſſed ſome acts againſt law and to the prejudice of your majeſtie, and this whole nation. And dureing theſe troubles, termes were kept, and your majeſtie's court of cheefe place, and other courts ſate at Dublin, to no other end or purpoſe, but by falſe and illegall judgments, outlawries, and other capitall proceedings, to attaint many thowſands of your majeſtie's moſt faithfull ſubjects of this kingdome, they being never ſummoned, nor haveing notice of thoſe proceedings; and ſheriffs, made of obſcure meane perſons, by the like practice, appointed of purpoſe; and poore artificers, common ſoldiers and meniall ſervants, returned jurors, to paſs upon the lives and eſtates of thoſe who came in upon protection and publique faith.

Therefore the ſaid catholiques, in the behalfe of themſelves and of the whole kingdome of Ireland, doe proteſt and declare againſt the ſaid proceedings, in the nature of parliaments, and in the other courts aforeſaid, and every of them, as being heynous crimes againſt law, deſtructive to parliaments and your majeſtie's prerogatives and authoritie, and the rights and juſt liberties of your moſt faithful ſubjects.

Foraſmuch, dread ſovereigne, as the ſpeedy applycation of apt remedyes unto theſe grievances and heavie preſſures, will tend to the ſettlement and improvement of your majeſtie's revenue, the prevention of further effuſion of blood, the preſervation of this kingdome from deſolation, and the content and ſatisfaction of your ſaid ſubjects, who, in manifeſtation of their duty and zeale to your majeſtie's ſervice, will be moſt willing and ready to imploy ten thouſand men under the conduct of well

well experienced commanders in defence of your royal rights and prerogatives; they therefore moſt humbly beſeech your majeſtie, that you will vouchſafe gracious anſwers to theſe their humble and juſt complaints, and for the eſtabliſhment of your people in a laſting peace and ſecuritie, the ſaid catholiques doe moſt humbly pray, that your majeſtie may be further graciouſly pleaſed to call a free parliament in this kingdome, in ſuch convenient tyme as your majeſtie in your high wiſdome ſhall think fitt, and the urgencie of the preſent affayres of the ſaide kingdome doth require; and that the ſaid parliament be held in an indifferent place, ſummoned by, and continued before, ſome perſon or perſons of honour and fortune, of approved faith to your majeſtie, and acceptable to your people here, and to be timely placed by your majeſtie in this government, which is moſt neceſſary for the advancement of your ſervice, and preſent condition of the kingdome: in which parliament, the ſaid catholiques doe humbly pray theſe or other their grievances may be redreſſed; and that in the ſaid parliament, a ſtatute made in this kingdome in the tenth yeare of king Henry the Seventh, commonly called Poyning's Act, and all acts explayning, or inlarging the ſame, be by a particular act ſuſpended during that parliament, as it hath beene allready done in the eleventh yeare of queen Elizabeth, upon occaſions of far leſs moment than now doe offer themſelves; and that your majeſtie, with the advice of the ſaid parliament, will be pleaſed to take a courſe for the further repealing, or further continuance of the ſaid ſtatutes, as may beſt conduce to the advancement of your ſervice here, and peace of this your realme; and that no matter, whereof complaint is made in this remonſtrance, may debarr catholiques, or give interruption to their free votes, or ſitting in the ſaid parliament, and as in duty bound they will ever pray for your majeſtie's long and proſperous raigne over them.

Wee the undernamed being thereunto authoriſed, doe preſent and ſigne this remonſtrance in the behalfe of the catholiques of Ireland, dated this 17th day of March, 1642.

GORMANSTON. LUCAS DILLON.
ROBERT TALBOTT. JOHN WALSH.

According to your majeſtie's commiſſion to us directed, we have received this remonſtrance, ſubſcribed by the Lord Viſcount Gormanſtown, Sir Lucas Dillon, Knight, Sir Robert Talbott, Bart. and John Walſh, Eſq; authoriſed by, and in the behalfe of the recuſants of Ireland, to preſent the ſame unto us to be tranſmitted to your ſacred majeſtie, dated the 17th day of March, 1642.

CLANRICKARD and ST. ALBANS. ROSCOMMON.
MOORE. MAU. EUSTACE.

NUMB. VI.

Extract of a Collection of ſome of the Maſſacres and Murders committed on the Iriſh in Ireland, ſince the 23d of October 1641.

[See Review, vol. i. p. 210, &c.]

This collection was firſt publiſhed in London in the year 1662. The author's frequent, candid, and public appeals to things openly tranſacted, and to * enemies themſelves, then living, and well known, is a ſtrong proof, that what he relates is real matter of fact; and there is yet a ſtronger inducement to think it ſo, becauſe it has never yet been proved to be otherwiſe: nor, as far as I have learned, even attempted to be proved.

County of ANTRIM.

1641. ABOUT the beginning of November, the Engliſh and Scotch forces in Knockfergus murdered in one night all the inhabitants of the territory of the Iſland Magee, to the number of about 3000 men, women, and children, all innocent perſons, at a time when none of the catholics of that country were in arms or rebellion. Note, that this was the firſt maſſacre committed in Ireland of either ſide.

Mr. Mac Naghten having built a ſmall fortreſs in the ſaid county, to preſerve himſelf and his followers from outrages, untill he underſtood what the cauſe of the then rebellion was; as ſoon as Colonel Campbell came near with part of the army, he ſent to let him know, that he would come to him with his party, which he did; and they were next day murdered to the number of 80, by Sir John Clotworthy, now Lord Maſſareen's, ſoldiers.

About the ſame time, 100 poor women and children were murdered in one night, at a place called Balliaghiun, by direction of the Engliſh and Scotch officers commanding in that county.

County of DERRY.

1641. Some 300 men, women, and children of the Iriſh, having freely come under the protection of the garriſon of London-Derry, were ſtripped, plundered, and killed by the ſaid garriſon.

1644.

* Sir Audley Mervyn, Sir Robert Hannah, (lady Mountrath's father) ſeveral general and other officers, then, and many years after, alive.

1644. Mr. Morris Mac Daniel, natural ſon of the late Earl of Antrim, was hanged at Coleraine, by the governour's orders, notwithſtanding he had Colonel Michael Jones's paſs.

County of DOWN.

1641. The burgeſſes and inhabitants of the town of Newry, meeting the Engliſh army on their march to beſiege the caſtle of the ſaid town, were received into protection; and, after quarter given to the garriſon of the ſaid caſtle, the ſaid inhabitants, and the ſoldiers of the ſaid garriſon, to the number of 500 and upwards, men, women, and children, were brought on the bridge of Newry, and thrown into the river, and ſuch of them as endeavoured to eſcape by ſwimming, were murdered.

County of DONEGALL.

1641. About the 20th of November, Sir William Steward commanded the gentry and inhabitants of that county to join with his forces in oppoſition to the rebels, and accordingly they came to the place appointed, where Captain Cunningham, with a party of the ſaid Sir William's regiment, under pretence of incorporating with them, fell upon the inhabitants with his armed ſoldiers, and killed very many of them; among whom were Owen Mac Sweeny, Morris O'Farey, and Donagh O'Callan, gentlemen of quality and eſtates.

About the ſame time, Captain Fleming, and other officers of the ſaid regiment, commanding a party, ſmothered to death 220 women and children, in two caves. And about the ſame time alſo the ſaid Captain Cunningham murdered about 63 women and children, in the iſles of Roſs.

1641. The governour of Letterkenny gathered together on a Sunday morning 53 poor people, moſt of them women and children, and cauſed them to be thrown off the bridge into the river, and drowned them all.

1641. In November, one Reading murdered the wife and three children of Shane O'Morghy in a place called Ballykenny of Ramaltan, and after her death cut off her breaſts with his ſword.

1641. 1642. The garriſons of Rapho, Drombo, Lifford, and Caſtle Raghaen, ſlaughtered no leſs than 1500 of the poor neighbouring inhabitants never in arms; and three perſons were chiefly noted among them for their barbarous cruelty, by name James Graham, Henry Dungan, and Robert Cunningham, commonly called the killer of old women.

1641. 1642. About 2000 poor labourers, women and children, of the barony of Tirbu, were maſſacred by the garriſons of Ballaſhany and Donegal; and Lieutenant Thomas Poe, an officer among them, coming under colour of friendſhip to viſit a neigh-

a neighbour that lay ſick in his bed, and to whom he owed money, carried a dagger under his cloak, which, whilſt he ſeemed to bow towards the ſick man in a friendly manner, aſking how he did, he thruſt it into his body, and told his wife her huſband ſhould be no longer ſick.

1650. In the month of June, about 3000 horſe and foot of his majeſty's army being defeated near Letterkenny by the Engliſh rebels, adhering to Cromwell, moſt of the principal officers of the ſaid party taken priſoners in the battle, were killed in cold blood, by order of Sir Charles Coote, late Lord of Mountrath, notwithſtanding they had quarter from the officers who took them priſoners.

County of Monaghan.

1641. Captain Townſley, governour of Maghernecloe, killed four labourers, and a woman, being under protection. Captain Bromwell, governour of Clunes, meeting upon the road with Marc Charles O'Conolly, a gentleman living under his protection, cauſed him to be ſhot to death. The ſoldiers of the garriſons of Dundalk and Trim, killed no leſs than 500 innocent perſons, women and children, in that county.

1641. 1642. The armies of Monroe and the Lagan, in their ſeveral marches through that county, ſlaughtered about 2000 poor old men, women and children.

1652. Colonel Barrow of Cromwell's army, having taken an iſland defended by Lieutenant Colonel Patrick Mac Mahon for his majeſty, after killing the ſaid lieutenant colonel and his ſoldiers, put all the women and children to the ſword, to the number of 80, among whom a child of ſix years old, being ſpared by the ſoldiers, was killed by order of the ſaid Colonel Barrow.

County of Cavan.

1642. Marc de la Pool, an Engliſh gentleman, having taken lands in that county ſome years before the war, invited ſeveral of his friends to come out of England, and live with him, who were all murdered in their houſes by the army, (only the ſaid de la Pool, who was brought into the town of Cavan) and there hanged for no other reaſon, but their being Roman catholics, and living among the Iriſh. Sir Alexander Godren, and his lady, both Scotch, but Roman catholics, each of them above 70 years old, were plundered of their goods, and ſtripped naked; and all their tenants, ſervants, and all their ſons murdered. In the ſame year the Engliſh forces in this county drowned 600 men, women and children, in and about Butler's-bridge, no murders having been committed on any proteſtants there,

there, although in the pamphlet lately printed, ſeveral murders are ſaid to have been committed in that place.

County of MAYO.

In this county few murders were committed by either ſide, though the libel ſaith, that about 250 proteſtants were murdered, whereof at Bellicke 220; whereas not one perſon was murdered there, which the now Lady of Mountrath can witneſs; her ladyſhip, and Sir Robert Hannah, her father, with many others, having retreated thither for ſecurity, were all conveyed ſafe to Mannor-Hamilton; and it is obſervable, that the ſaid lady and the reſt came to Mr. Owen O'Rorke's, who kept a garriſon at Drumaheir for the Iriſh, before they came to Mannor-Hamilton, whoſe brother was priſoner with Sir Frederick Hamilton; and the ſaid Mr. Rorke, having ſo many perſons of quality in his hands, ſent to Sir Frederick to enlarge his brother, and that he would convey them all ſafe to him: but Sir Frederick, inſtead of enlarging his brother, hanged him the next day, which might have well provoked the gentleman to revenge, if he had not more humanity than could be well expected upon ſuch an occaſion, and in times of ſo great confuſion; yet he ſent them all ſafe where they deſired.

There was a murder committed near the Moyn on 27 proteſtants, which was all (and that too many) that was committed in that county. Buchannan, ſaid to be buried alive, was killed in a private quarrel, and he cut off his adverſary's hand before himſelf was killed.

County of GALWAY, and Province of CONNAUGHT.

1642. Serjeant Redmund Bourke, of the Lord of Clanmorris's foot-company, and two more, were hanged by the then governour of the fort of Galway, the ſaid lord being then of his majeſty's army; for which action no reparation being given to his lordſhip, he alleged it to be the occaſion of his revolt from the Lord Marquis of Clanrickard. A party of the garriſon of the ſaid fort murdered ſix people in Rinveel, among whom one Geffery Fiz-Thibot, aged about 70 years, and in a burning fever, with his wife, who was old, were murdered in their beds; which action provoked many of the neighbours to ſtand on their guard againſt the ſaid fort.

1652. Richard Bourke, a colonel in his majeſty's army, had quarter given him by ſome of Colonel's Coote's men, he being taken in a ſkirmiſh between Colonel Grace, and ſome of Cromwell's party, and being priſoner for ſome time, Colonel Henry Ingoldſby cauſed his head to be cut off.

1652. 1653. It was a uſual practice with Colonel Stubbers, then governor of Galway, and others commanding in ſaid

ſaid county, to take the people out of their beds at night, and ſell them for ſlaves to the Indies; and by computation he ſold out of ſaid county above 1000 ſouls.

Murders committed in the ſaid county of GALWAY on proteſtants.

1642. It is confeſſed, that two proteſtants were murdered in that county, whereof one was a miniſter, as the libel ſays; but it is moſt certain the Lord Marquis of Clanrickard cauſed the three men, who murdered one of them, to be hanged in gibbets in three ſeveral places; and by his lordſhip's orders, Sir Roger O'Shaghneſy hanged the two cow-herds who murdered the other. Lord Clanmorris having declared againſt the ſaid fort for hanging his ſerjeant, as above expreſſed, took ſerjeant Rowlright, and two or three more of the ſoldiers of ſaid fort, pillaging a village near Galway, and hanged Rowlright, and the other three.

A barbarous murder was committed by one Edward Alta, an irreligious prophane fellow of the county of Mayo, and his accomplices, on ſome proteſtants at Shruel, a place meeting Galway, on about 30 perſons; and the pamphleteer might well remember, that the neighbouring gentry came with all expedition to reſcue the ſaid proteſtants; and that they did reſcue the biſhop of Killala (who by the pamphlet ſeems to have been murdered) and his wife and children, with moſt part of the ſaid proteſtants, and Bryan Kilkenny, a fryar, then guardian of the abby of Roſs, near Shruel, was of the firſt that made haſte to that reſcue, and brought the ſaid biſhop's wife and children, with ſeveral others of the ſaid diſtreſſed proteſtants, to his monaſtery, where they found as much civility as was in the ſaid fryar's power to give them for ſeveral nights; until Mr. Burke of Caſtle-Hacket brought the ſaid biſhop, his wife and family, to his own houſe, where they wanted nothing he could afford them for ſome weeks: the like being done by ſeveral other neighbouring gentlemen to the reſt of the ſaid proteſtants, until they were ſent to places of ſecurity by the Lord Marquis of Clanrickard's order; yet the ſaid fryar hath been theſe eight years paſt kept a priſoner for his function or calling, without any other crime laid to his charge, now being above 80 years old. And it is obſervable, that in this county of Galway all the war time, ſeveral proteſtant miniſters, viz. Dean York, Mr. Corroyn, Mr. Kelly, and other miniſters, had their proteſtant flocks and meetings without interruption, living among the Iriſh.

County of ROSCOMMON.

No murders were committed by any party in this county, only five perſons at Balanafada by one Roger O'Connor; and no murders

murders were committed at Ballaleague during the war, although in the pamphlet the contrary is expreſſed; nor was any ſuch man as William Stewart known in that county, nor to have been murdered there; though the abſtract ſets forth his being murdered in a moſt barbarous manner as is pretended.

County of Leitrim.

1641. It was commonly known to all ſides how cruel the governour of Mannor-Hamilton (Sir Fred. Hamilton) was in that county, how he uſually invited gentlemen to dine with him, and hanged them after dinner, and cauſed their thighs to be broke with hatchets before execution. Alſo the ſaid governour, being in Ulſter when the rebellion broke forth, deſired one Mr. Iraght (a gentleman who profeſſed much friendſhip to him) to do him the favour to guide him in ſafety to Mannor-Hamilton aforeſaid, which the gentleman did, and came near one hundred miles with him; but after being friendly treated for ſome days by the ſaid governour, he was hanged without the leaſt occaſion, neither was the gentleman in the rebellion, but was hanged leſt he ſhould. The libel ſays three proteſtants were murdered in this county; but on due examination it will be found, there was none.

County of Sligo.

Here is none at this time who can give any exact account of the murders committed in this county, but one remarkable murder in Creane's-caſtle in the town of Sligo. The Iriſh had a party commanded by major Richard Burke, (who after obtaining quarter to march away) to the number of about 200 were murdered, rendering the caſtle. This Sir Audley Mervyne knoweth to be true.

County of Dublin.

1641. About the beginning of November* 5 poor men (whereof two were proteſtants) coming from the market of Dublin, and lying that night at Santry, three miles from thence, were murdered in their beds by one Captain Smith, and a party of the garriſon of Dublin, and their heads brought next day in triumph into the city; which occaſioned Luke Netterville and George King, and others of the neighbours, to write to the lords juſtices to know the cauſe of the ſaid murder; whereupon their lordſhips iſſued forth a proclamation, that within five days the gentry ſhould come to Dublin to receive ſatisfaction, and in the mean while (before the five days were expired) old Sir Charles

* See Sir John Temple's Apology for this maſſacre in his hiſtory of the Iriſh Rebellion.

Charles Coote came out with a party, plundered and burned the town of Clontarffe, diſtant two miles from Dublin, belonging to the ſaid George King, nominated in the proclamation, and killed 16 of the townſmen and women, and three ſucking infants. Which unexpected breach of the proclamation (having deterred the gentlemen from waiting of the lords juſtices) forced many of them to betake themſelves to their defence, and others to abandon their houſes.

In the ſame week 56 men, women and children, of the village of Bulloge (being frighted at what was done at Clontarffe) took boats and went to ſea, to ſhun the fury of a party of ſoldiers come out of Dublin, under the command of Colonel Crafford; but being purſued by the ſoldiers in other boats, were overtaken, and thrown over-board. One Ruſſel, a baker in Dublin, coming out of the country in company with Mr. Archbold of Clogram, (who went to take hold of the proclamation of the lords juſtices) were both hanged and quartered. In March, a party of horſe, of the garriſon of Donſaghlin, murdered ſeven or eight poor people in protection, tenants of Mr. Dillon of Hunſtowne, having quartered in their houſes the night before, and receiving ſuch entertainment as the poor people could afford. About the ſame time a party of the Engliſh, quartered at Mallahyde, hanged a ſervant of Mr. Robert Boyne's at the plough, and forced a poor labourer to hang his own brother; and ſoon after they hanged 15 of the inhabitants of Swords, who never bore arms, in the orchard of Mallahyde; they likewiſe hanged a woman bemoaning her huſband hanged among them.

In the ſame year, after quarter given by Lieutenant Colonel Gibſon to thoſe of the caſtle of Carrigmain, they were all put to the ſword, being about 350, moſt of them women and children; and Colonel Waſhington, endeavouring to ſave a pretty child of ſeven years old, carried him under his cloak, but the child againſt his will was killed in his arms, which was a principal motive of his quitting that ſervice.

1642. In April one Nicholas Hart, and 14 labourers, going with corn to the market of Dublin, and having a paſs, were all murdered on the road by a party commanded abroad by Lord Lambert. The ſame day Mr. Sarsfield of Lucan ſent his groom to guide the Lord of Geſil's troop, which the fellow having performed, was knocked on the head for his labour. The ſame day 18 villages in protection, the fartheſt within ſix miles to Dublin, were plundered and burned, and to the number of 400 men, women and children, were cruelly maſſacred. About the ſame time a party of the garriſon of Swords, having brought in 30 poor labourers, forced them to dig their own graves, and then killed them. Much about that time one Bennet, ſheriff of the county, killed 16 men and women, coming

coming from the market of Dublin. A party under the command of Colonel Crafford murdered 140 women and children in Newcaſtle and Coolmain, being under protection. Many thouſands more of the poor innocent people of that country, ſhunning the fury of the ſoldiers, fled into thickets of firs, which the ſoldiers would uſually ſet on fire, killing as many as endeavoured to eſcape; or forced them back again to be burned, and the reſt of the inhabitants, for the moſt part, died of famine.

Note, That no leſs than 12000 of the poor inhabitants of that county were cruelly maſſacred the firſt year of the war.

County of KILDARE.

1641. Captain Thomas Hues, having ſummoned thirty-three contributors to meet him at Hedgeſtowne, cauſed them all to be murdered. The ſaid Hues murdered Mrs. Euſtace, aunt to Sir Robert Talbot, 90 years old, with two gentlewomen that waited on her, after ſhe had entertained him friendly in her houſe. The ſoldiers of Clongow's wood, and Rathcoffy, yielding upon quarter, were conveyed to Dublin, and hanged there, and upwards of 150 women and children were found in the ſaid places murdered. It is well known, that the commons of that country were, for the moſt part, deſtroyed and ſlaughtered by the Engliſh, in ſo much, that there were not ſo many left living as could gather the twentieth part of the harveſt.

County of MEATH.

1642. In April Mrs. Elinor Taaffe of Tullaghanoge, ſixty years old, and ſix women more, were murdered by the ſoldiers of the garriſon of Trim; and a blind woman, aged 80 years, was encompaſſed with ſtraw by them, to which they ſet fire, and burned her. The ſame day they hanged two women in Kilbride, and two old decrepit men that begged alms of them. In the ſame year Mr. Walter Dulin, an old man, unable to ſtir abroad many years before the war, was killed in his own houſe, by Lieutenant Colonel Broughton's troopers, notwithſtanding the ſaid Broughton's protection, which the old man produced. Mr. Walter Evers, a juſtice of the peace and quorum, an aged man, and bed-rid of the palſy long before the rebellion, was carried in a cart to Trim, and there hanged by the governour's orders.

Many plowmen were killed at Philbertſtowne. Forty men, women and children in protection, reaping their harveſt in Boneſtown, were killed by a troop of the ſaid garriſon; who upon the ſame day killed Mrs. Alſon Read at Donſaghlin, being 89 years old, and 40 perſons more, moſt of them women and children;

children, ſhunning the fury of the ſaid troop, were overtaken and ſlaughtered. About 70 men, women and children, tenants to Mr. Francis Mc Oyoy, and under protection, were killed by Greenvill's ſoldiers, and 160 more in the pariſh of Rathcoare, whereof there was one aged couple blind 15 years before. Captain Sandford, and his troop, murdered in and about Mulhuſſey upwards of 100 men, women and children, under protection, and cauſed one Connor Breſſan to be ſtuck with a knife into the throat, and ſo bled to death. And one Eleanor Cuſack, 100 years old, was tied about with lighted matches, and ſo tortured to death in Clonmoghon. James Dowlan, about 100 years old, Donagh Comen, Darby Dennis, Roger Bolan, and ſeveral other labourers and women, to the number of 160, making their harveſt, were ſlaughtered by the garriſon of Trim.

Mr. Barnwell of Tobertinian, and Mr. John Huſſey, innocent perſons, were hanged at Trim by old *Sir Charles Coote's party. Gerrald Lynch of Donower, aged 80 years, was killed by troopers of Trim, being in protection. Mr Thomas Talbott of Crawly's-town, about 80 years old, being protected, and a known ſervitor to the crown, was killed at his own door by ſome of Captain Morroe's troop. About the month of April the ſoldiers under the ſaid Greenvill's command, killed in and about the Navan 80 men, women and children, who lived under protection. Captain Wentworth and his company, garriſoned at Dumo, killed no leſs than 200 protected perſons in the pariſh of Donamora, Slane, and barony of Margellion, and Ovemorein, the town of Ardmulchan, Kingſtown and Harriſton, all protected perſons.

Sir Richard Greenvill's troop killed 42 men, women and children, and 18 infants at Doramſtown. A woman under protection was, by Captain Morroe's ſoldiers, put into the ſtock of a tuck-mill, and ſo tucked to death in the town of Steedalte. Lieutenant Ponſonby put two aged protected perſons to death at Downaſtone, each of them about 80 years old. Captain Morroe cauſed about 100 protected perſons, men, women and children to be put to death in the barony of Dooleek; and Lieutenant John Tench killed a protected perſon 70 years old, near Dooleek. Mr. Patrick White, ſon and heir of Mr. White of Clangill, in protection, was taken out of his bed, and knocked on the head by Lieutenant Luaton of the garriſon of Trim. Many thouſands of the poor inhabitants of this county were deſtroyed in the fire, as thoſe in the county of Dublin, and the reſt for the moſt part periſhed with famine.

County

* This Sir Charles Coote was killed at Trim in 1642. See Note vol. i. p. 138. His eldeſt ſon Sir Charles Coote, ſo often mentioned in theſe civil wars, was, for his *ſignal ſervices*, created Earl of Monmouth, by King Charles II. See vol. ii. p. 79.

County of WESTMEATH.

1642. About the latter end of March, Mr. Chriſtopher Mac-Gawly, notwithſtanding the protection of the Duke of Ormond, was killed in his own houſe, with two of his ſervants, by a party of the Engliſh army marching to Athlone, who laying the protection on the ſaid Mac-Gawly's breaſt, ſhot him through his protection, to try whether it was proof againſt a bullet. Mrs. Ellis Dillon of Killenennin, having the lords juſtices protection for herſelf and tenants, their wives and children, they were all killed by ſoldiers under Sir Michael Earnley's command.

County of LOWTH.

1641. In the month of February about 300 poor people, men, women and children, were cruelly ſlaughtered in the wood of Derruer, by a party of the garriſon of Dundalk and Tredath. About the beginning of March about 300 farmers and labourers, never in arms, with their wives and children, were maſſacred by a party of the garriſons of Dundalk, and Tredath in the Redmoore of Braganſtown. About the ſame time Captain Charles Townſly, and Lieutenant Faithful Townſly, with a part of the Engliſh army, and garriſon of Dundalk, ſlaughtered at Dunmogham 220 inhabitants of ſeveral villages, commanded by the officers of the ſaid army to live in that place for their greater ſecurity. A party of the ſaid garriſon of Tredath and Dundalk killed above 200 perſons in the caſtle of Reighſtown after quarter given. One Anthony Townſly hanged Mr. Dromgole of Dromgoleſtown at his own gate. The ſaid Townſly hanged upwards of 30 poor men and women, going to the markets of Dundalk and Tredath, on a tree, commonly called Eight Mile Buſh, midway between the ſaid towns.

1642. A party of horſe and foot of the garriſon of Tredath, killed and burned in the firs above 160 men, women and children, of the inhabitants of Termorfeighlin, within three miles of Tredath: no leſs than 1000 of the poor inhabitants of that county, though they were not taxed with any murders committed on the proteſtants, according to their own abſtract, were maſſacred.

County of WICKLOW.

October, 1641. Three women, whereof one gentlewoman big with child, and a boy, were hanged on the bridge of Neuragh by command of Sir Charles Coote in his firſt march to that county; and he cauſed his guide to blow into his piſtol, and ſo ſhot him dead. He alſo hanged a poor butcher on the ſame march called Thomas Mac William. Mr. Dan. Conyam

of

of Glanely, aged, and unable to bear arms, was roaſted to death by Captain Gee of Colonel Crafford's regiment: and in the marches in 1641, 42, and 43, the Engliſh army killed all they met in this country, though no murders are charged in the ſaid county to be committed on proteſtants by the abſtract. In the Uſurper's time Captain Barrington, garriſoned at Arklow, murdered Donagh O'Dayle of Killearrow, and above 500 more protected by himſelf; and it is well known that moſt of the commonalty were murdered.

County of KILKENNY.

1641. The Engliſh ſoldiers of the garriſon of Ballenakil burned an old woman of 90 years old in her own houſe in Idough. 1642. The ſaid ſoldiers maſſacred 180 men, women and children, who were cutting their corn, near the ſaid garriſon. They dragged Mr. Thomas Shee, an innocent perſon out of his own houſe, with five of his ſervants, and hanged them all at Ballenakil.

County of TIPPERARY.

1641. On the 24th of October one Browne and Captain Peaſely murdered eleven men, women and children in their own houſes at Golden Bridge, before any of the catholics took up arms in that county. About the ſame time the ſaid Captain Peaſely going through Cloneulty, Philip Ryan, a peaceable gentleman, and owner of the ſaid town, came out of his houſe to ſalute the captain; who pulled out his piſtol and ſhot the poor harmleſs gentleman dead at his own door.

Note, That theſe two murders occaſioned the riſing of the gentry and inhabitants of that county.

One John Wiſe of Ballyowen, an Engliſh ſoldier, came ſeveral times in woman's attire upon the road, and committed divers murders upon ſimple country people coming from the market.

County of CLARE.

1644. Forty families in protection were murdered by the garriſon of Inchicronan. 1646. Several reſiding near Bunratty were murdered by the ſoldiers of that garriſon under command of Lieutenant Adams.

County of CORK.

1641. In Condon's country about 300 labourers, women and children, were murdered by ſome of the now Earl of Orrery's ſoldiers. In the ſaid county, among others, they gelded one Denis Downy, and pulled out one of his eyes, and ſent him in that poſture to his wife. Fifty-ſix perſons, or thereabouts,

thereabouts, were brought priſoners to Caſtle Lyons, (moſt of them labourers, who did never bear arms) were put into a ſtable, and the women in that garriſon at night fired their beards, and the hair of their heads, which ſo diſfigured them, that their neareſt friends could not know them next day, when they were hanging.

1642. In the ſame county 355 perſons, men, women and children, were murdered with clubs and ſtones, being in protection. Mr. Henly, an Engliſh gentleman, dwelling in Roche's country, but a Roman catholic, had his wife and children barbarouſly ſtripped, and moſt of his tenants inhumanly murdered by adjacent Engliſh garriſons, he the ſaid Henly, or his tenants, being never in arms: and ſuch cruelty was uſed, that they ſtabbed young infants, and left them ſo half dead on their mother's dead carcaſſes. In the ſaid Henly's town, and the adjacent villages, at that time, there were murdered about 900 labourers, women and children.

1643. Cloglegh being garriſoned by the Iriſh, and ſurrendered upon quarter of life to Sir Charles Vavaſor, they were all inhumanly murdered, and the hearts of ſome of them pulled out, and put into their mouths; and many other maſſacres were committed the ſame time there on women and children. At Liſlee 24 men in protection were murdered by Colonel Mynn's ſoldiers. At Bellauere the ſame year Teig O'Mungan, and David Broge, blowing by command into piſtols, were ſhot to death by ſome of Captain Bridge's men, and eight poor labourers more killed by them, being in protection, and then employed in ſaving ſome harveſt of the Engliſh.

1642. At Clogheiulty about 238 men, women and children were murdered, of which number 17 children were taken by the legs by ſoldiers, who knocked out their brains againſt the walls. This was done by Phorbis's men, and the garriſon of Bandon Bridge. At Garranne, near Roſs, Connor Kennedy, who had protection for himſelf and his tenants to ſave their harveſt, were murdered by the garriſon of Roſs, as they were ditching about their corn.

1641. At Bandon Bridge, the garriſon there tied 88 Iriſhmen of the ſaid town back to back, and threw them off the bridge into the river, where they were all drowned. Patrick Hackett, maſter of a ſhip in Waterford, the Ducheſs of Ormond being deſirous to be conveyed by him to Dublin, after leaving her ſafe with her family and goods there, the lords juſtices and Duke of Ormond gave him a paſs for his ſafe return, who being driven by a ſtorm into Dongarvan, the ſaid maſter and his men were hanged by direction of the commander in chief there, notwithſtanding he produced his ſaid paſs. The Engliſh party of this county burned O'Sullivan Beare's houſe in Bantry, and all the reſt of that county, killing man, woman

woman and child, turning many into their houſes then on fire, to be burned therein: and among others Thomas De Bucke, a cooper, about 80 years old, and his wife, being little leſs; and all this was done without provocation, the ſaid O'Sullivan being a known reliever of the Engliſh in that country. Obſerve that this county is not charged in the late Abſtract with any murders.

County of WATERFORD.

1641. In Decy's country, the neighbouring Engliſh garriſons of the county of Corke, after burning and pillaging all that country, murdered above 3000 perſons, men, women and children, before any rebellion began in Munſter, and led 100 labourers priſoners to Caperquine, where being tied by couples, they were caſt into the river, and made ſport of, to ſee them drowned. Obſerve that this county is not charged with any murders to be committed on proteſtants.

NUMB. VII.

Extract of the Acts of the General Congregation of the Roman Catholick Biſhops and other Clergy, held at Kilkenny on the 10th, 11th, and 13th Days of May, 1642.

[From Borl. Hiſt. of the Iriſh Rebellion, f. 122.]

[See Review, vol. i. p. 222.]

Act I. IN which war, if ſome of the catholicks be found to proceed, out of ſome particular and unjuſt title, covetouſneſs, cruelty, revenge, or hatred, or any ſuch unlawful private intention, We declare them grievouſly to ſin, and therefore worthy to be puniſhed, and refrained with eccleſiaſtical cenſures, if adviſed thereof they do not amend.

—Act IX. Let a faithful inventory be made in every province, of the murthers, burnings, and other cruelty's, which are committed by the puritan enemies, with a quotation of the place, day, cauſe, manner, and perſons, and other circumſtances, ſubſcribed by one of public authority.

Act X.——In every pariſh let a faithful and ſworn meſſenger be appointed, whereby ſuch cruelty's, and other affairs may be written, and ſent to the neighbouring places; and likewiſe from one province to another: let ſuch things be written for the comfort, inſtruction, and carefulneſs of the people.

—Act XVIII. We ordain and decree, that all and every ſuch, as from the beginning of this preſent war, have invaded the

the poſſeſſions of goods, as well moveable, as unmoveable, ſpiritual or temporal, of any catholick, whether Iriſh or Engliſh, as alſo of any Iriſh proteſtant, being not an adverſary of this cauſe, and do detain any ſuch goods, ſhall be excommunicated; and by this preſent decree, We do excommunicate them, if, admoniſhed, they do not amend. And with the like cenſure, We do bind ſuch, as henceforward ſhall invade or detain ſuch goods ——

Act XIX. We command all and every the churchmen, as well ſecular as regular, not to hear the confeſſions of the aforeſaid excommunicated perſons, nor to adminiſter unto them the holy ſacrament, under pain of excommunication *ipſo facto*.

Act XX. We will and declare, all thoſe that murther, diſmember, or grievouſly ſtrike, all thieves, unlawful ſpoilers, robbers of any goods, extorters, together with all ſuch as favour, receive, or any ways aſſiſt them, to be excommunicated; and ſo to remain until they compleatly amend and ſatisfy, no leſs than if they were namely proclaimed excommunicated; and for ſatisfaction of ſuch crimes, hitherto committed, to be injoined, We leave to the diſcretion of the ordinarys and confeſſors how to abſolve them.

—Act XXVI.——We command all, and every the general, colonels, captains, and other officers of our catholick army, to whom it appertaineth, that they ſeverally puniſh all tranſgreſſors of our aforeſaid command, touching murtherers, maimers, ſtrikers, thieves, robbers; and if they fail therein, We command the pariſh-prieſts, curates, and chaplains reſpectively, to declare them interdicted, and that they ſhall be excommunicated, if they cauſe not due ſatisfaction to be made to the commonwealth, and the party offended. And this the pariſh-prieſts, or chaplains, ſhall obſerve, under pain of ſentence of excommunication given *ipſo facto*.

—Act XXIX. Moreover, We pray and require all noblemen, magiſtrates, and other martial commanders, that with their helps and ſecular forces, they aſſiſt and ſet forward in execution the aforeſaid ſtatutes in their ſeveral precincts reſpectively as often as it ſhall be needful.——

NUMB. VIII.

Intelligence from his majeſty's army in Scotland, to be preſented to the moſt honourable the lord lieutenant-general of Ireland; written at Inverlochy in Lochaber, the 7th of February, 1644; by an Iriſh officer of Alexander Macdonnel's forces.

From Carte's Collection of Original Letters and Papers, concerning the Affairs of England, and Ireland, found among the Duke of Ormond's Papers, vol. i. p. 73.

[See Review, vol. i. p. 304.]

WHEN the Iriſh forces arrived in Argyle's bounds in Scotland, our general-major, Alexander Macdonnel, ſent ſuch of his majeſty's commiſſions and letters to thoſe to whom they were directed, although for the preſent none was accepted of; which cauſed our general-major and thoſe forces to march into Badenoch, where they raiſed the country with them; and from thence to Caſtle-Blaire in Athol, where the Lord Marqueſs of Montroſe came unto, and joined them with ſome other ſmall forces. From thence they marched to St. Johnſton, where the enemy had gathered together 8000 foot, and 800 horſe, with nine pieces of cannon, his majeſty's army not having ſo much as one horſe; for that day, the Marqueſs of Montroſe went on foot himſelf with his target and pike; the Lord Kilpunt commanding the bow-men, and our general major of the Iriſh forces commanding his three regiments. The armies being drawn up on both ſides, they both advanced together; and although the battle continued for ſome ſpace, we loſt not one man on our ſide, yet ſtill advanced, the enemy being three or four to one: howſoever, God gave us the day; the enemy retreating with their backs towards us, that men might have walked upon the dead corps to the town, being two long miles from the place where the battle was pitched. The chace continued from 8 o'clock in the morning till 9 at night; all their cannon, arms, ammunition, colours, drums, tents, baggage, in a word, none of themſelves nor baggage eſcaped our hands, but their horſe and ſuch of the foot as were taken priſoners within the city. This battle, to God's glory, and our prince's good, was fought the firſt day of September.

From thence we marched ſtraight to Aberdeen, only ſurpriſing ſuch as withſtood us, with little or no ſkirmiſhing, till the 13th of the ſame month: at Aberdeen, the covenanters of the North had gathered themſelves together, to the number of 3000 foot and 500 horſe, with three pieces of cannon. We had then about 80 horſe: the battle being fairly pitched, it continued

tinued for a long ſpace, and the enemy behaved themſelves far better than they did at Johnſton. Yet we loſt not that day above 4, but the enemy were altogether cut off, unleſs ſome few that hid themſelves in the city. The riches of that town, and the riches they got before, hath made all our ſoldiers cavaliers. This battle being ended, only our manner of going down to battle, and how each commanded, I omit till it be drawn, and ſet down in a more ample manner; now tendering only a brevity of our proceedings; for if I ſhould write the whole truth, all that hath been done by our army would be accounted moſt miraculous; which I proteſt I will but ſhew in the leaſt manner I can, leaving the reſt to the report of the enemy themſelves.

After this battle, we marched towards the Highlands again, ſo far as to Caſtle-Blaire, where I was ſent to Ardamuragh, with a party to relieve the caſtle of Migary and the caſtle of Laughaline; Migary caſtle having a leaguer about it, which was raiſed two or three days before I could come to them; at which time the captain of Clanronald, with all his men joyned with Clencoe men, and others, who had an inclination to his majeſty's ſervice.

In the mean time, while I was intereſſed upon the ſervices, the Marqueſs of Montroſe marched back to the Lowlands, almoſt the ſame way that he marched before, till they came to a place called Fivy in the ſhire of Aberdeen, where Argyle, with 16 troops of horſe and 3000 foot marched up, and upon a very plain field Argyle was moſt ſhamefully beaten out of the field; and had it not been for his horſe, they had ſuffered as deeply as the reſt; ſo that there was not on our ſide any hurt done, but on their ſide, they loſt many of their beſt horſe, and moſt of all their commanders hurt, and the earl mareſchal's brother killed. After the armies ſeparated, the lord marqueſs marched again to Caſtle-Blaire, in Athol, where I met again with him and ſuch of the Highlands as had joined with me; the day of Fivy was on October 28th.

From Caſtle-Blaire, we marched to Glanurghyes, called M'Callin, M'Conaghy, which lands we all burned and preyed from thence to Lares, alias Laufers; and burned and preyed all this country from thence to Aghenbracke's, whoſe lands and country were burned and preyed; and ſo throughout all Argyle, we left neither houſe nor hold unburned, nor corn nor cattle that belonged to the whole name of Campbell. Such of his majeſty's friends as lived near them joined with us. We then marched to Loughaber, where Mr. Alane came and joined us, but had but few of his men with him. From thence we marched to Glengarry, where the lord of Glengarry joined with us. At this place we got intelligence that Argyle, Aghenbracke, and the whole name of Campbell, with all their forces, and a great number of Lowlandmen with them, were come to Inverloughy in Loughaber,

Loughaber, following us. This cauſed us to make a countermarch the neareſt way over the mountains, till we came within muſket ſhot of the caſtle of Inverloughy, it then being night, ſo that the enemy ſtood to their arms all night, the ſentries ſkirmiſhing together. By this place of Inverloughy, the ſea comes cloſe, and that night Argyle embarked himſelf in his barge, and there lay till the next morning, ſending his orders of diſcipline to Aghenbracke and the reſt of the officers there commanding the battle; which on all ſides being pitched, and their cannon planted, the fight began; the enemy giving fire on us on both ſides, both with cannon and muſkets to their little avail. For only two regiments of our army, playing with muſket-ſhot, advanced till they recovered Argyle's ſtandard, and the ſtandard-bearer, at which their whole army broke; which were ſo hotly purſued both with foot and horſe, that little or none of the whole army eſcaped us, the officers being the firſt that were cut off.

There Aghenbracke was killed, with 16 or 17 of the chief lords of Campbell: their other Low-land commanders (only two lieutenant-colonels) all cut off. Four others of the name of Campbell were taken priſoners, as Bearbrick, the young laird Carrindel, Inverleen captain, ſon of Eniſtefinth, and divers others that got quarter, being men of quality. We loſt but two or three that day; this battle was fought the 2d of February.

NUMB. IX.

From Carte's Life of the Duke of Ormond, vol. i. fol. 390.

[See Review, vol. i. p. 269.]

THE lords of the pale having received no anſwer from the lords juſtices to their propoſal for a ceſſation, ſent by Colonel Read, on March 9th, 1641-2, they renewed that propoſal by the Earl of Caſtlehaven, on the 23d of the ſame month. About the ſame time, Sir Lucas Dillon, Hugh Oge O'Connor, and other gentlemen of Roſcommon, propoſed a like ceſſation to the Earl of Clanrickard, and the preſident of Conaught. In the following month the lords of the pale repeated the ſame propoſition. And Lord Clanrickard, at the requeſt of the rebels in general, on May 19th, recommended to the ſtate the agreeing to a general ceſſation, until his majeſty's pleaſure was further declared, upon their humble ſupplications. But the juſtices entertaining different ſentiments, and reſolving upon a ſevere puniſhment of all, without diſtinction, abſolutely rejected the ceſſation.

NUMB. X.

[From Deſiderat. Curioſ. Hibernic.]

A Remonſtrance of the Right Hon. James, Earl of Caſtlehaven and Lord Audley, addreſſed to his Majeſty King Charles II.

[See Review, vol. i. p. 269.]

WHEREAS my eſcape out of ſheriff Woodcock's houſe in Dublin, where I was near twenty weeks a priſoner, is likely to occaſion various diſcourſes and conjectures, I have thought fit, by advice of my friends, to remonſtrate the truth of my caſe.

After having, with the reſt of the peerage of England, for the ſpace of near a year, ſerved his majeſty there, firſt, in his great council at York, and then in the parliament; but ſtill under the awe and terror, either of the Scottiſh army at Newcaſtle, or the rude rabble at London; at length many of the lords (as well wearied with that extream ſlavery, as unwilling to be any longer eye-witneſſes of the affronts daily multiplied on the king and queen, and other intolerable inſolencies tending to the deſtruction of monarchy, and eſtabliſhing of popular goverment) retired themſelves to their ſeveral houſes; and I, with his majeſty's leave, approved by the lords of parliament, about the feaſt of St. Michael the archangel, 1641, came into Ireland; where ſhortly after appeared the ſparks of the enſuing war, that now by fire and ſword doth rage throughout this kingdom. Upon the firſt diſcovery whereof, I with all poſſible ſpeed repaired to Dublin, and there not only offered my ſervice, but ſued to the ſtate for employment, for the ſuppreſſing of that commotion; but it was refuſed; anſwer being given me by one of the juſtices, and others of the council, that the character I bare of papiſt, made me uncapable of truſt, nay even of arms, to defend my own houſe from robbers. At this time the county of Kildare (where I reſided) was quiet, and held ſo till about mid November. But now the tide of confuſion began to overflow thoſe banks alſo, which occaſioned my ſecond journey to the juſtices and council; where after having made a faithful narration of the ſtate of that county, I became an humble ſuitor, that a troop of horſe might be preſently ſent down, averring, that a ſmall force would then do that, which the month following might be work for an army. But the effect of this journey, was only their lordſhips thanks, with an unanimous licence from the whole council, that until they were able to relieve me, I ſhould make fair weather, and preſerve myſelf and mine by the

the reſpect they knew the country bare me. But this helped me little; for ſhortly after, moſt of the chief of that county declared themſelves: ſo that the reſt of the winter, I was enforced to ſtand on my guard, with watch and ward, both day and night, keeping my brother M. Maruin Touchet, or ſome other, always at Dublin, from time to time, expecting the commands of the ſtate. The winter now paſt, and fair weather coming on, about Eaſter the Engliſh army (commanded by the lieutenant-general, now marquis of Ormond) in its march to Leix lodged ſome four miles from my houſe, whither that night, by the reſpect of the lieutenant general, was ſent a ſafe-guard. And in thankfulneſs, the ducheſs of Buckingham, the Earl of Antrim and myſelf, went the next morning to ſalute his lordſhip and his army; where we were ſo received, as ſtood well with the honour of that great lord and noble commander. After ſome days, his lordſhip having now relieved the places in diſtreſs, and finiſhed his deſign, in his return, and in ſight of my houſe, though three miles from it, was the encounter betwixt the Engliſh army and the Iriſh, commonly called the battle of Kilruſh; whither, becauſe I *in cuerpo*, with my three or four men, without gun or powder, did not come, and being to paſs through thouſands of the Iriſh, I am ſaid, by the malicious, to have diſcountenanced the king's army. The evening after victory, his lordſhip's march being near my houſe, he was pleaſed, with ſome of his chief commanders, to refreſh themſelves there; and in the night, his lordſhip wanting a guide to conduct him and his army ſome four miles to their quarters, I would truſt none with that charge but myſelf. Notwithſtanding this my reſpect, it muſt be given out, that ſo great an entertainment was never intended for the lieutenant general and his followers, but rather for the Lord Viſcount Mountgarret, and the reſt of the rebels. To this point, divers witneſſes were examined againſt me, though God knows, I expected not either of their coming thither.

By theſe miſinterpretations of my actions, I thought I muſt no longer ſleep, doubting that my quiet living in the country drew envy on my perſon, ſo that I reſolved to put myſelf into the faſhion, that is, to leave my houſe to be burnt, my ſtock of all ſorts (being of great value) to be a prey to whoſoever would take them; and to look at nothing, but to ſave myſelf and people, with ſome choice goods. To this purpoſe, I preſently reſolved to move the ſtate at Dublin, that I might have licence to go for England, it being the cuſtom of this kingdom not to depart without leave; but as I was diſpatching the meſſenger, a letter unexpected fell into my hands, delivered me by one of my ſervants; but the bearer never came to my preſence. I opened it, never aſking or conſidering from whom it might come. I found it ſubſcribed by the viſcounts Gormanſtown and Neterville, and the Lord of Slane: it was to this effect; that in obedience

dience to his majeſty's proclamation, they, and other united lords and gentlemen, had laid down their arms; to intimate which to the ſtate they had ſent one Lieutenant Colonel Read, from whom they had not heard; and that nevertheleſs, daily their own and their tenants houſes were burnt, their goods taken, and people killed. They deſired that I would mediate with the ſtate for a ceſſation of arms; and that a place might be appointed, where they and their confederates might meet to draw up their grievances, and ſo have free acceſs, by way of petition, to preſent them to his majeſty. With this letter, I preſently ſent another from myſelf to the ſtate, wherein I ſeemed to wiſh ſome good return might be made, but it happened otherwiſe; for anſwer to their lordſhips, they would make none at all, alledging they were rebels and traitors, and after many frivolous exceptions taken to my letter, as one, that I did not alſo call them rebels and traitors, they admoniſhed me to have nothing to do with them, and inſtead of licenſing me to go for England, they commanded I ſhould not depart the kingdom without leave. All this while from the firſt opening the ways from Dublin to my houſe, I was frequently at the Engliſh garriſons, and had always with me, either troops or troopers of the Engliſh army.

And now finding my unhappineſs, that how candid or ſincere ſoever my actions or meaning was, I muſt ſtill be miſtaken; I packed up all I could conveniently carry, and reſolved preſently to go to Dublin, where I would make my abode, till I had leave to paſs for England. But ſome few days before my intended departure, news was brought me, that by chance ſome of my friends at Dublin had diſcovered, that I ſtood indicted of high treaſon; for it was done with great ſecrecy.

Amazed at this ſad and unexpected news, the next morning by five of the clock, I poſted for Dublin, giving order, that all my beſt furniture and linen ſhould be preſently ſent after, which accordingly was done. My ſtock of all ſorts (as the Marquis of Ormond and Sir Arthur Loftus well know) I beſtowed for the uſe of the Engliſh army, and deſired nothing in recompence, but only that my people, with the remainder of my goods, might be brought ſafe to Dublin, where I was now gone to purge myſelf.

But I continued there for many days, without any notice taken of me; though I preſently acquainted the lords juſtices, and many of the council, of my arrival, and the cauſe; ſo that it was then thought, and may yet be believed, that they hoped by that indictment, rather to have frighted me, as they had done thouſands of others, into rebellion, as they term it, than that they had any good evidence againſt me.

But I, not willing to lie long under that title of infamy, went myſelf to the council, took notice of my charge, and deſired that with all convenient ſpeed, I might be brought to my purgation.

gation. Hitherto it is evident, I thought not of my eſcape. The council, after ſome debate, confined me to maſter Woodcock's houſe, one of the ſheriffs of Dublin. From whence, after a day or two, I ſent a petition to the ſtate, and it was to this effect, laying down by many particulars the improbability of my aſſociating myſelf in this war, as that I was a peer of England, that the main of my eſtate lay there, and the little intereſt or power I had in this kingdom; that my accuſers were of baſe condition, and would have been taken off for a ſmall ſum of money, and that two of them, namely, Ennis and his ſon, ran away from the Engliſh colours with their arms, and afterwards ſerved againſt them at the battle of Kilruſh; and the third, William Collis, had been ſadler to ſome of the Iriſh army, whereby it is moſt evident, that beſide what other reward thoſe men might be promiſed, they were made ſure of their lives; that the jury who found this indictment, on the evidence of theſe men, were perſons of the ſame nature and condition, as particularly one Francis Dade, who aſſociated himſelf with the Iriſh, changed his religion, and went to maſs. This man having forfeited his life, according to their rule, they make a leading juryman, and I believe a witneſs, he not daring to deny what they would have him do or ſay. In fine, that there was not one gentleman, or ſcarce a landed-man amongſt them. For theſe reaſons, and for that it had been frequently granted to others in the like caſe, I deſired to be bailed. Anſwer was returned to this modeſt petition, that the witneſſes were no rebels, but eſpies; ſo that what I had ſaid, was no impeachment to their teſtimonies, and in general they thought not fit to grant the petition. Well, though I thought that as well this anſwer, as the whole proceedings, ſomewhat harſh, yet I did not much weigh it; for ſhortly after was to follow Trinity term. At which time I aſſured myſelf, that by my innocency I ſhould be ſet free both from priſon and blame.

Oh! but here I was much deceived. For this term muſt be otherwiſe employed. For though, through hanging, racking, and barbarous treating of ſuch as ſubmitted on the king's proclamation, thouſands had declared themſelves for the country, who were in all poſt haſte going to Dublin, to put themſelves under the protection of the ſtate; yet there were as many more that ſtood at a gaze, as moſt unwilling to run the common courſe, and yet loth to be handled after this rude manner. Againſt theſe, muſt bills of indictment preſently be drawn, and grand-jury-men picked for the purpoſe. And to ſtrike the buſineſs dead in the eye, fearing theſe men were not wicked enough, the judges of the king's chief place, on the bench delivered, as part of their charge, that they muſt not be ſcrupulous; for that common fame was now evidence enough to find a bill of indictment.

Notwithſtanding

Notwithſtanding this great and holy employment of theſe reverend fathers of the law, they muſt yet do ſomething more to ſhew their grandeur; that was, I by a habeas corpus muſt be brought into the court before them, where after I had been ſufficiently looked at by their lordſhips and the people, I was remanded back to the place whence I came, without any thing ſaid unto me. This term finiſhed, and the jury-men having well acted their parts, ſome of the judges are diſpatched for England, to ſhew there, that the pen in Ireland had been as active as the ſword, and that now, for the deſtruction of at leaſt all the priſoners, there wanted little, but that old ſaying, Hangman, do your office.

It is no great wonder that now, how innocent ſoever I was, my head ſhould begin to ake. Yet a ſeſſion of parliament being ſhortly to follow, I conceived good hope of fair play there: knewwhen I ſaw the compoſure of this great tribunal; that the upper-houſe conſiſted of no more than five or ſix temporal lords, and ſome biſhops; the houſe of commons (anciently the repreſentative body of the kingdom) for the major part of clerks and clerks-men, few having any land, and thoſe illegally choſen, as by muſketteers, and a rabble of ſuch like freeholders; I began to think that ſuch a kind of parliament might err, and feared nothing more than a trial there. And ſurely I had reaſon when nothing would ſerve their turns, but a ceſſation of Poyning's act, during that ſeſſion; by which they were freed from tranſmitting their bills into England, and ſo might make laws, as in their diſcretions they thought fit; and I have too great cauſe to believe, they would have made one for attainting me, and the reſt of the priſoners.

All this while, no means are untried to make matter againſt me; for, as before, witneſſes were rewarded, by giving them their lives, being forfeited; ſo now to others, rough language muſt be uſed. One John Bird being examined before Sir Robert Meredith, concerning me, and not anſwering as was expected, the ſaid Sir Robert demanded his religion, the honeſt man replied, a proteſtant: Ah! quoth he, by thy anſwers thou ſhouldeſt have a little pope in thy belly.

And now, having by many ſuch indirect ways, furniſhed themſelves with plenty of evidence, they begin to affront me, by diſarming my men, by pulling one maſter Henry Slingſby out of my chamber, coming by accident with a gentlewoman to viſit me, ſaying he was a Romiſh popiſh Jeſuit, it being well known, he was no ſuch man; and ſo carried him to priſon.

And laſtly, the ſheriff's houſe is now thought too weak for ſo great a traitor. Hereupon a writ is iſſued to the ſheriff, to bring me with a ſtrong guard to the inns, where the judges were, being near half a mile: from whence I muſt be ſent to the caſtle, a loathſome priſon of itſelf; but the inhumanity of the gaoler, by name

name Manwaring, after Hell, makes it the ſecond place for miſery and affliction. Well, I thought it now high time, as the judges had ſummoned my body, I ſhould recollect my wits. And as I ſtood conſidering my caſe, a paſſage in the Earl of Straſford's trial occurred to my memory. He ſtood much upon his juſtification, and demanded the benefit of the law, but maſter St. John replied, that to hares, deer, and other innocent creatures, law was afforded; but to wolves, foxes, and other ſuch like vermin, any means might be ſought for their deſtruction. Now, I finding myſelf hitherto dealt with as one of theſe, although I waved the malice of the wolf, I made ſome little uſe of the fox's craft, and for that preſent feigned myſelf ſick, and on information thereof given, my attendance on the judges was ſpared till the morrow.

Having thus gained time, I well pondered all which hath been before related, together with, If I were a traitor, to whom it was? The king himſelf, I found purſued both with men and ſword, by an army of his own people; whoſoever followed or adhered unto him, declared rebels and traitors; the queen, his royal conſort, flying from place to place, like an exiled or baniſhed woman; and, by Mr. Martin's, and divers the like ſpeeches in the houſe of commons in England, that his ſacred majeſty was not fit to bear the office of a king, and that he might be depoſed; and much more to this effect, as may be ſeen in divers printed papers: which language in that place going unpuniſhed, I could not conceive that the authors of ſuch inſolencies, or the ſwaying malignant part of the ſtate here, who from time to time took their directions from them, could adjudge any thing againſt his majeſty treaſon. O, but I remember, that in a book of the king's, relating truly all the paſſages, from the firſt of this parliament to the twelfth of Auguſt, he complains of two great officers, lately ſet up in England, who uſurped the regal power, the one is a general for the land, the other admiral of the ſea: but to theſe I never owed allegiance, and ſo conſequently could be no traitor to them. I then began to conſider the condition of this kingdom, as that the ſtate did chiefly conſiſt of men of mean birth and quality; that moſt of them ſteered by the influence and power of thoſe who were in arms againſt the king: that they had by cruel maſſacring, hanging and torturing, been the ſlaughter of thouſands of innocent men, women, and children, better ſubjects than themſelves; that they, by all their actions ſhew, looked at nothing but the extirpating of this nation, the deſtruction of monarchy, and by the utter ſuppreſſing of the ancient catholic religion, to ſettle and eſtabliſh puritaniſm. To theſe I could be no traitor. Near about the time of this my exigency, I was much cheared by a viſit I received from Sir Arthur Loftus, ſon to Sir Adam Loftus, a leading inſtrument in all wicked deſigns againſt his majeſty, telling me (as joyful news) that the parliament had lately given the king a total overthrow; and

and that he was now reduced to ſo low a condition, that by the next, we ſhould certainly hear the king had ſubmitted to the parliament, and till that were done, things would never do well. Here I took my reſolution, with God's help, not tamely to die butchered, and ſo to have my innocency ſmothered; but to preſerve my life, I hoped more to the honour of God, and ſervice of king Charles, and that by eſcape. Now foraſmuch, as the moſt immediate way into England was blocked up, I reſolved upon a trial, to gain a paſſage by Wexford into France, and from thence into England; conceiving, I ſhould have been forthwith able to have put myſelf into a ſum of money, to have borne my charges, by the ſale of ſuch plate, goods, and ſtock, as I had in the country: but I was not many hours out of Dublin, before I was purſued by ſome troops of horſe, Sir Arthur Loftus leading them, who that night came to my houſe in the county of Kildare, and miſſing me, killed ſome of my ſervants, hurt divers, and, after having rifled the houſe, they ſet it, and all about it, on fire: and beſides all my ſervants priſoners, they carried away more than the worth of five thouſand pounds in plate, and other goods.

Here my wings being clipt, all that I had to carry me abroad, or keep me at home, being thus taken from me, together with the diſtractions in England, ſo that I could make little or no account of my eſtate there; in this ſtreight, I thought fit to apply myſelf to the great aſſembly of the kingdom of Ireland, who having given me full ſatisfaction for their aſſembling, and that their taking arms was but natural, as to defend themſelves and theirs from thoſe aforeſaid barbarous cruelties; and that they deſired (as may appear by many of their inſtruments in writing) nothing but the free exerciſe of their ancient religion, their juſt liberties, and the preſervation of this crown unto his majeſty, I having ſome intereſt both in honour and eſtate in the country, aſſociated myſelf with them; and they, after ſome time that I was amongſt them (more out of charity than merit in me) offered me the generalſhip of their horſe, of the province of Leinſter, which I thankfully accepted: and now in my colours bear this device, *Sagittæ tuæ acutæ in corda inimicorum regis.* For the executing whereof, I deſire God no longer to proſper my actions, than my heart, hand, ſword, and prayers, ſhall be readily and chearfully employed therein.

Having, with much trouble to the reader, endeavoured to vindicate myſelf in this remonſtrance, I conceive it both proper and charitable, in this place, to labour to acquit him, who, I underſtand, hath unjuſtly ſuffered for my ſake, I mean ſheriff Allen. The proteſtant ſheriff Woodcock, to whoſe cuſtody only I was committed, went unpuniſhed for my eſcape, as really he knew nothing thereof. But ſheriff Allen being a catholick, who had no charge of me, nor acquaintance with me, other than

than that I often ſaw him, when he came to treat with his brother ſheriff about the city affairs, he, poor innocent man, for ſo I take God to witneſs he was as to my eſcape, or as to any word let fall to that effect to my knowledge, or that I can gueſs, was, with great inhumanity, dragged to priſon, moſt of his goods ſeized upon and taken away, and a great number of ſoldiers ceſſed upon his houſe. Whereby, and being made uncapable to receive his rents or debts, or to follow any other way he had to gain a living by, his wife and children, from that day forth, were expoſed to the charity of their friends, and he condemned to impriſonment for a whole year in miſery. How juſtifiable or conſcionable, this proceeding was, I will not argue, much leſs aggravate, having diſcharged my conſcience thereupon: the matter itſelf, both to God and the world, crying loud for juſtice.

NUMB. XI.

[From Deſiderata Curioſa Hibernica, vol. ii. p. 78.]

The heads of the cauſes which moved the northern Iriſh, and Catholicks of Ireland to take arms. Anno 1641.

[See Review, vol. i. p. 190, &c.]

1. IT was plotted and reſolved by the puritans of England, Scotland, and Ireland, to extinguiſh quite the catholick religion, and the profeſſors and maintainers thereof, out of all thoſe kingdoms; and to put all catholicks of this realm to the ſword, that would not conform themſelves to the proteſtant religion.

2. The ſtate of Ireland did publickly declare, that they would root out of this realm all the natives, and make a total ſecond conqueſt of the land, alledging, that they were not ſafe with them.

3. All the natives here were deprived of the benefit of the ancient fundamental laws, liberties, and privileges, due by all laws and juſtice to a free people and a nation, and more particularly due by the municipal laws of Ireland.

4. That the ſubjects of Ireland, eſpecially the Iriſh, were thruſt out forcibly from their ancient poſſeſſions, againſt law, without colour or right; and could not have propriety or ſecurity in their eſtates, goods, or other rights, but were wholly ſubject to an arbitrary power, and tyrannical government, theſe forty years paſt, without hope of relief or redreſs.

5. Their native youth here, debarred by the practice of ſtate, from all learning and education, in that the one only univerſity here excludes all catholicks thence; neither are they ſuffered to acquire learning or breeding beyond ſeas, of purpoſe to make them rude and ignorant of all letters.

6. The catholicks of this realm are not admitted to any dignity, place, or office, either military or civil, ſpiritual or temporal, but the ſame conferred upon unworthy perſons, and men of no quality, who purchaſe it for money, or favour, and not by merit.

7. All the trading, traffick, ſhipping, and riches of this whole iſle, by the corruption of the ſtate, are engroſſed by the Dutch, Scottiſh, and Engliſh, not reſiding here, who exclude the natives wholly from the ſame; and who return the product, and all their ſtock and coin back into their native countries.

8. All the ſtaple and rich commodities of the realm are turned to monopolies, and heavy impoſitions againſt law laid on all merchandize.

9. The principal native wares of the land exported into foreign parts, unwrought and unmanufactured, thereby depriving the kingdom of all manual trades and occupations; and driving the natives to furniſh themſelves from head to foot, with manufactures from abroad, at very dear rates.

10. All their heavy and inſufferable preſſures proſecuted and laboured by the natives of this kingdom, with much ſuit, expence, and importunity, both in parliament here, and in England before his majeſty, to be redreſſed, yet could never be brought to any happy concluſion, or as much as hope of contentment, but always eluded with delays.

11. Common juſtice, and the rights and privileges of parliament, denied to all the natives of the realm; and the antient courſe of parliamentary proceeding wholly declined.

12. His majeſty's royal power, honour, prerogative, eſtate, revenue, and rights, invaded upon, by the puritan faction in England.

13. The government of all his realms, his queen, children, and family, uſurped by the parliament of England, and eſpecially by the houſe of commons; as likewiſe, the nominating and diſpoſing of his privy council, judges, clergy, officers, navy, forts and caſtles, arrogated by the ſaid houſe of commons, leaving his highneſs nothing, but the bare name of a king.

14. The many affronts and wrongs done by the ſaid houſe, to the ambaſſadors of foreign princes, confederates of his majeſty, reſiding in England, and to their chaplains and ſervants, againſt the conditions of their league, and the law of nations.

15. The groſs injuries and ſcandal given by the ſaid houſe of commons to the queen's majeſty, and her chaplains and ſervants, in breach of the articles made upon her marriage.

16. The many horrid murders, robberies, pillages, waſte, burnings, and other execrable cruelties, perpetrated of late by the proteſtant armies here, by publick direction of the ſtate of this realm, upon his majeſty's good ſubjects of the Engliſh pale, and other parts of this land, they not offending againſt the laws

or

or peace of the realm, but merely ſtanding upon their own defence; and this done them againſt his majeſty's pleaſure, and without his privity.

17. All the natives in the Engliſh plantations of this realm, were diſarmed by proclamation, and the proteſtant plantators armed, and tied by the conditions of their plantations to have arms, and to keep certain numbers of horſe and foot continually upon their lands, by which advantage, many thouſands of the natives were expulſed out of their poſſeſſions, and as many hanged by martial law, without cauſe, and againſt the laws of this realm; and many of them otherwiſe deſtroyed, and made away, by ſiniſter means and practices.

18. Half this realm was found to belong unto his majeſty, as his ancient demeſne and inheritance, upon old feigned titles of three hundred years paſt, by juries, againſt law, their evidence and conſcience, who were corrupted to find the ſaid titles, upon promiſe of part of thoſe lands ſo found for the king, or other reward, or elſe were drawn thereunto by threats of the judges in the circuits, or by heavy fines, mulcts, and cenſure of pillory, ſtigmatizings, and other like cruel and unuſual puniſhments.

NUMB. XII.

[From Walſh's Hiſtory of the Iriſh Remonſtrance.]

To the King's moſt excellent Majeſty.

The humble Remonſtrance, Acknowledgment, Proteſtation, and Petition of the Roman Catholick Clergy of Ireland.

[See Review, vol. ii. p. 86.]

YOUR majeſties faithful ſubjects, the Roman catholick clergy of your majeſties kingdom of Ireland, do moſt humbly repreſent this their preſent ſtate, and deplorable condition.

That being intruſted by the indiſpenſable commiſſion of the king of kings with the cure of ſouls, and the care of their flocks, in order to the adminiſtration of ſacraments, and teaching the people that perfect obedience, which for conſcience ſake, they are bound to pay to your majeſties commands, they are loaden with calumnies, and perſecuted with ſeverity.

That being obliged by the allegiance they owe, and ought to ſwear, unto your majeſty, to reveal all conſpiracies and practices againſt your perſon, and royal authority, that come to their knowledge, they are themſelves clamoured againſt as conſpirators, plotting the deſtruction of the Engliſh among them, without any ground that may give the leaſt colour to ſo foul a crime, to paſs for probable in the judgement of an indifferent perſon.

That

That their crimes are made as numerous, and as divers, as are the inventions of their adverſaries: and becauſe they cannot with freedom appear to juſtifie their innocence, all the fictions and allegations againſt them are received as undoubted verities; and which is yet more miſchievous, the laity, upon whoſe conſciences the character of prieſthood gives them an influence, ſuffer under the ſuppoſition of all the crimes thus falſly imputed to them: it being their adverſaries principal deſign, that the Iriſh, whoſe eſtates they enjoy, ſhould be reputed perſons unfit, and no way worthy of any title to your majeſties mercy.

That no wood comes amiſs to make arrows for their deſtruction; for, as if the Roman catholic clergy, whom they eſteem moſt criminal, were, or ought to be, a ſociety ſo perfect, as no evil, no indiſcreet perſon ſhould be found amongſt them, they are all of them generally cryed down for any crime, whether true or feigned, which is imputed to one of them; and as if no words could be ſpoken, no letter written, but with the common conſent of all of them, the whole clergy muſt ſuffer for that which is laid to the charge of any particular perſon amongſt them.

We know what odium all the catholick clergy lyes under, by reaſon of the calumnies with which our tenets in religion, and our dependence upon the pope's authority are aſperſed: and we humbly beg your majeſties pardon, to vindicate both by the enſuing proteſtation, which we make in the ſight of heaven, and in the preſence of your majeſty, ſincerely and truly, without equivocation, or mental reſervation.

We do acknowledge and confeſs your majeſty to be our true and lawful king, ſupreme lord, and rightful ſovereign of this realm of Ireland, and of all other your majeſties dominions. And therefore we acknowledge and confeſs ourſelves to be obliged under pain of ſin, to obey your majeſty in all civil and temporal affairs, as much as any other of your majeſties ſubjects, and as the laws and rules of government in this kingdom do require at our hands. And that, notwithſtanding any power or pretenſion of the pope or ſee of Rome, or any ſentence or declaration of what kind or quality ſoever, given, or to be given, by the pope, his predeceſſors, or ſucceſſors, or by any authority ſpiritual or temporal proceeding or derived from him, or his ſee, againſt your majeſty, or royal authority, we will ſtill acknowledge and perform, to the uttermoſt of our abilities, our faithful loyalty, and true allegiance to your majeſty. And we openly diſclaim and renounce all foreign power, be it either papal or princely, ſpiritual or temporal, in as much as it may ſeem able, or ſhall pretend to free, diſcharge, or abſolve us from this obligation, or ſhall any way give us leave or licence to raiſe tumults, bear armes, or offer any violence to your majeſties perſon, royal authority, or to the ſtate or government. Being all of us ready, not only to diſcover, and make known to your majeſty, and to your miniſters,

niſters, all the treaſons made againſt your majeſty, or them, which ſhall come to our hearing, but alſo to loſe our lives in the defence of you majeſties perſon, and royal authority, and to reſiſt with our beſt endeavours all conſpiracies and attempts againſt your majeſty, be they framed, or ſent under what pretence, or patronized by what foreign power or authority ſoever. And further we profeſs, that all abſolute princes, and ſupreme governours, of what religion ſoever they be, are God's lieutenants on earth, and that obedience is due to them, according to the laws of each commonwealth reſpectively, in all civil and temporal affairs. And therefore we do here proteſt againſt all doctrine and authority to the contrary.

And we do hold it impious, and againſt the word of God, to maintain, that any private ſubject may kill or murder the anointed of God, his prince, though of a different belief and religion from his. And we abhor and deteſt the practice thereof as damnable and wicked.

Theſe being the tenets of our religion, in point of loyalty and ſubmiſſion to your majeſties commands, and our dependence of the See of Rome no way intrenching upon that perfect obedience, which by our birth, and by all laws divine and human, we are bound to pay to your majeſty, our natural and lawful ſoveraign: we humbly beg, proſtrate at your majeſties feet, that you would be pleaſed to protect us from the ſevere perſecution we ſuffer meerly for our profeſſion in religion: leaving thoſe that are, or hereafter ſhall be guilty of other crimes (and there have been ſuch in all times, as well by their pens, as by their actions) to the puniſhment preſcribed by the law.

Fr. Oliver Darcy, Biſhop of Dromore.

Fr. Geo. Dillon, of S. Francis Ord. Guardian of the Iriſh Franciſcans at Paris.
Fr. Philip Roch, of S. Francis Ord. Reader General of Divinity.
Fr. Anthony Gearnon, of S. Francis Ord. one of her majeſties the queen mothers chaplains.
Fr. John Everard, of S. Francis Ord. Conf. and Preacher.
Fr. Anthony Naſh, of S. Francis Ord. Conf. and Preacher.
Fr. William Linch, of S. Francis Order Conf.
Fr. Nicholas Sall, of S. Francis Ord. Conf. and Preacher.
James Cuſack, Doctor of Divinity.
Cornelius Fogorty, Protonot. Apoſt. and Dr. of the civil and canon law.
Fr. Henry Gibon, of S. Aug. Ord. Conf. and Preacher.
Daniel Dougan, Divine.
Fr. Redmond Moore, of S. Dom. Ord. Conf. and Preacher.
Bartholomew Bellew.
Dennis Fitz Ranna.

Bartholomew

Bartholomew Flemming.
Fr. Peter Walſh, of S. Fran. Ord. Reader of Divinity, and Procurat. of the Rom. Cath. clergy, both Sec. and Reg. of Irel.
Fr. Redmond Caron, of S. Fran. Ord. Reader Jubilate of Divinity.
Fr. Simon Waſre, of the ſame Ord. Reader of Divinity.
Fr. James Caverly, of S. Francis Ord. Conf. and Preacher.
Fr. John Fitz Gerald, of S. Francis Ord. Conf. and Preacher.
Fr. Theobald Burk, of S. Francis Ord. Conf. and Preacher.
Fr. Matthew Duff, of S. Francis Ord. Conf. and Preacher.
Fr. Peter Geoghegan, of S. Francis Ord. Conf. and Preacher.

NUMB. XIII.

[From Walſh's Hiſtory of the Iriſh Remonſtrance.]

To the King's moſt excellent Majeſty.

The faithful Proteſtation, and humble Remonſtrance of the Roman Catholick Nobility and Gentry of Ireland.

[See Review, vol. ii. p. 89.]

YOUR majeſties faithful ſubjects, the Roman catholick nobility and gentry of your majeſties kingdom of Ireland, out of a deep ſenſe of thoſe prodigious afflictions, under which the monarchy of Great Britain, has before your majeſties happy reſtauration, groaned theſe twenty years: and out of our ſad thoughts, which daily bring more and more ſighs from our breaſts, and tears from our eyes, for not only the ſtill and yet continued miſeries, and ſufferings of the catholick natives of this our unfortunate country, even amidſt, and ever ſince, the ſo much famed joyes and triumphs of your ſacred majeſties moſt auſpicious inauguration; but alſo for the cauſes thereof, (whereinto we have made the moſt narrow ſearch we could) of theſe our own unparalleled calamities; and upon reflection upon that allegiance we owe, and ought by all divine and human laws, and which we are, and have been alwayes ready to ſwear and perform to your majeſty, our only ſoveraign lord on earth; and on the ſcandal (notwithſtanding) which ſome perſons (who are unwilling to underſtand aright our religion) caſt upon it, as if it were not conſiſtent with all dutiful obedience and faith to the ſupreme temporal magiſtrate; and upon conſideration likewiſe, of a further tye of conſcience on us, for endeavouring, as much as in us lyes, to clear your majeſties royal breaſt from all fears and jealouſies whatſoever, if any, peradventure, your majeſty entertain of us, through the ſuggeſtion of ſuch as hate our communion or nation; and to wipe off that ſcandal, and allay the odium under which our church hath layn this laſt century of years,

years, among other chriſtian people in theſe nations, of a different way from ours in the worſhip of God; we humbly crave your majeſties pardon, to vindicate both ourſelves, and our holy belief, in that particular of our allegiance, by the enſuing proteſtation. Which (in imitation of the good example given by our clergy, and purſuant to the general doctrine and practice of the catholick church) we make in the ſight of heaven, and in the preſence of your majeſty, ſincerely and truly, without equivocation, or mental reſervation.

We do acknowledge and confeſs your majeſty to be our true and lawful king, ſupreme lord, and rightful ſoveraign of this realm of Ireland, and of all other your majeſties dominions. And therefore we acknowledge and confeſs ourſelves to be obliged, under pain of ſin, to obey your majeſty in all civil and temporal affairs, as much as any other of your majeſties ſubjects, and as the laws and rules of government in this kingdom do require at our hands. And that notwithſtanding any power or pretenſion of the Pope, or See of Rome, or any ſentence or declaration, of what kind or quality ſoever, given, or to be given, by the Pope, his predeceſſors, or ſucceſſors, or by any authority, ſpiritual or temporal, proceeding or derived from him, or his See, againſt your majeſty, or royal authority, we will ſtill acknowledge and perform, to the uttermoſt of our abilities, our faithful loyalty, and true allegiance to your majeſty. And we openly diſclaim and renounce all foreign power, be it either papal or princely, ſpiritual or temporal, in as much as it may ſeem able, or ſhall pretend to free, diſcharge, or abſolve us from this obligation, or ſhall any way give us leave or licence to raiſe tumults, bear armes, or offer any violence to your majeſties perſon, royal authority, or to the ſtate or government; being all of us ready, not only to diſcover, and make known to your majeſty, and to your miniſters, all the treaſons made againſt your majeſty or them, which ſhall come to our hearing, but alſo to loſe our lives in the defence of your majeſties perſon, and royal authority; and to reſiſt with our beſt endeavours all conſpiracies and attempts againſt your majeſty, be they framed or ſent under what pretence, or patronized by what foreign power or authority ſoever. And further we profeſs, that all abſolute princes, and ſupreme govenours, of what religion ſoever they be, are God's lieutenants on earth; and that obedience is due to them, according to the laws of each commonwealth reſpectively, in all civil and temporal affairs; and therefore we do here proteſt againſt all doctrine and authority to the contrary. And we do hold it impious, and againſt the word of God, to maintain, that any private ſubject may kill or murther the anointed of God, his prince, though of a different belief and religion from his. And we abhor and deteſt the practice thereof as damnable and wicked.

Theſe

These being the tenets of our religion in point of loyalty and submission to your majesties authority, and our observance and veneration of, or communion with, the See of Rome, in matters purely spiritual, no way entrenching on that perfect obedience, which, by our birth, by the laws of God and man, we are bound to pay to your majesty, our natural and lawful soveraign.

Prostrate at your majesties feet, we most humbly beg, that all your majesties Roman catholick subjects of Ireland who shall, by subscription or consent, concur to this publick protestation of loyalty, be protected from persecution, for the profession or exercise of their religion, and all former laws, upon that account, against them repealed.

Luke, Earl of Fingall.
Mourogh, Earl of Inchequin.
Donoghe, Earl of Clancarthy.
Oliver, Earl of Tyrconnell.
Theobald, Earl of Carlingford.
Edmond, Visc. Montgarrett.
Thomas Visc. Dillon.
Arthur Visc. Jueagh.
William Visc. Clane.
Charles Visc. Muskry.
William Visc. Taaffe.
Oliver, Baron of Lowth.
Wm. Baron of Castle-Conell.
Col. Charles Dillon.
Matthew Plunket, Esq.
Lieut.-col. Ignatius Nugent.
Edward Plunket, Esq.
Nicholas Plunket, Knight.
Matthew Plunket of Dunsany.
James Dillon, Knight.
Col. Christopher Brian.
Robert Talbot, Baronet.
Vullick Burk, Baronet.
Edward Fitz Harris, Baronet.
Valentine Brown, Baronet.
Luke Bath, Baronet.
Henry Slingsby, Knight.
John Bellew, Knight.
Col. William Burk.
Col. John Fitz Patrick.
Col. Brian Mac Mahon.
Col. Miles Reilly.
Col. Gilbert Talbot.
Col. Milo Power.
Lieut.-col. Pierce Lacy.
Lieut.-col. Vullick Burk.
Lieut.-col. Thomas Scurlog.

Esquires and Gentlemen.

Jeoffry Brown of Galway.
John Walsh of Ballyuoher.
Patrick Brian.
Ja. Fitz Gerald of Lackagh.
John Talbot of Malahyde.
Tho. Luttrell of Luttrellstown.
John Holywood of Artayne.
Hen. O'Neill, son to Sir Phelim O'Neill.
Dudley Bagnell of Dunlickny.
Henry Dracott of Mornanton.
Edward Butler of Monihore.
Nicholas Darcy of Platin.
Patrick Sarsfield of Lucan.
Jn. Mac-na-Mara of Creattlagh.
James Talbot of Bela-connell.
Robert Balf of Corstown.
James Talbot of Templeoge.
Patrick Archer.
Luke Dowdall of Athlumny.
Philip Hore of Killsalaghan.
James Barnewall of Bremore.
James Allen of Saint Wolstans.
Tho. Cantuell of Balymakeddy.
Jn. Cantuell of Cantuells-court.
Edm. Dillon of Streams-town.
John Flemming of Stahalmock.
Peter Sherlog of Gracedieu.
Christ. Archbold of Tymolin.

Patrick

Patrick Moore of Duans-town.
Nicholas Haly of Towrine.
Pierce Butler of Callan.
Pierce Butler of Killuealegher.
John Sedgraw of Cabragh.
Richard Wadding of Killbarry.
Tho. Brown of Clan-Donel-Roe.
Oliver Caſſel of Dundalke.
Patrick Clenton of Iriſh-town.
Capt. Chriſtopher Turner.
John Baggot.
William Grace.
John Arthur of Hogeſtown.
Marcas Laffan of Greats-town.
Chriſt. Aylmer of Balrath.
James Plunkett of Gibſton.
Tho. St. John of Mortles-town.
William Barioge of Rincorran.
Rich. Strange of Rockwell-caſtle.
James Butler of Ballenekill.
Anthony Colclough.
Tho. Sarsfield of Sarsfields-town.
Pierce Nangle of Monanimy.
Ja. Wolverſtown of Stillorgan.
Michael Brett.
Patrick Boyton of Bally-turny-mac-oris.
James White of Chambolly.
Major Lawrence Dempſy.
Captain Richard Dempſy.
Edward Nugent of Calvin.
Patrick Porter of Kingſton.
Major Marcus Furlong.

NUMB. XIV.

[From Leſley's Anſwer to King. Append.]

Extract of Dr. Gorge, Secretary to General Schomberg in Ireland, his Letter, dated April (or May) 1690, to Colonel James Hamilton, in London, to be communicated to the Lady Viſcounteſs Ranelagh, the Lord Maſſareen, and others.

[See Review, vol. ii. p. 159.]

YOU know how often and how early we preſſed the neceſſity of reſtoring a civil government in this province, and how often and openly we declared that the ruine of the countrey muſt be the prejudice, and endanger the ruine of the army; and that there could be found no hands ſo cheap and eaſie to be got, or any that would be more hearty and faithfull than the proteſtants of this countrey, who having their particular intereſts ſeconded by natural and religious motives, muſt be more zealous in carrying on this war, than any foreign or mercenary ſoldiers, as is evident by what has been done by the Londonderry and Eneſkillen ſoldiers, who are and were made up of the meaneſt and loweſt people of this and the neighbouring provinces. You cannot forget who offered, and that at their own charge, on our firſt landing here, to block up Charlemont, and to raiſe regiments to ſecure the northern garriſons, that the eſtabliſhed army, might have the more leiſure to attend the motions of the publick enemy; and I preſume you cannot but as well remember, who ridiculed, ſcorned, and contemned all motions of that kind, and who affirmed,

affirmed, and that openly, that the proteſtants of this province, ought rather to be treated as enemies than friends, and that the beſt of them had either baſely complied with K. J. and his party, or cowardly left and deſerted their countrey; that the goods and ſtocks of the proteſtant inhabitants, once ſeized by the enemy, were forfeited, and ought not to be reſtored, but given as encouragement to the ſoldiers; that all papiſts ought to be plundered, and none protected; that the reſtoration of civil government was a diminution of the power of the general and the army, and that all the proteſtants, inhabitants of this province, were falſe to the preſent government, and ought not to be truſted with places of truſt or power; that as their perſons were not to be truſted, ſo their oaths and complaints were neither to be believed not redreſſed; that ſo an eaſier and a ſafer approach might be made to invade the little left them by the Iriſh.

That all endeavours of the ſettlement of a publick revenue were deſigns to oppreſs the army; that free quartering was the leaſt retaliation that proteſtants could give for being reſtored to their former eſtates; that religion is but canting, and debauchery the neceſſary character of ſoldiers. If to theſe you add the preſſing of horſes at pleaſure, quartering at pleaſure, robbing and plundering at pleaſure, denying the people bread or ſeed of their own corn, though the general by his publick proclamation requires both; and ſome openly and publickly contemning and ſcorning the ſaid proclamation; whereby multitudes of families are already reduced to want of bread, and left only to beg, or ſteal, or ſtarve. Theſe being the practices, and theſe the principles, and both as well known to you as to me; can it be wondered that the oppreſſed proteſtants here ſhould report us worſe than the Iriſh? Or can it be wondered that God ſhould purſue us with his dreadful judgments, who have ſo provoked him with our daring ſins? Or can we rationally expect God ſhould fight for us, while we thus fight againſt him? We may as well expect grapes from thornes, and figs from thiſtles, as ſucceſs to a proteſtant cauſe from ſuch hands. Can we expect Sodom to deſtroy Babylon, or debauchery to deſtroy popery? Our enemy fights with the principle of a miſtaken conſcience againſt us, we againſt the conviction of our own principles againſt them. What I have learned of the enemies principles and practices ſince I left you, I ſhall here inform you, and reduce what I have to ſay to theſe two general heads.

I. The frequent diſcourſe of their king.

II. His public declarations and proclamations for the well-government of his army.

I. As to his private diſcourſe.

1. He expreſſeth great zeal, and paſſionate affection to his Engliſh ſubjects, in ſo much that both French and Iriſh often

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ſay of him, as he did of King David, That he loves his enemies, and hates his friends.

2. He is heard often to deſire his officers, That in their engagement with the Engliſh, they ſhould be treated as miſtaken ſubjects, and not as obſtinate rebels.

3. He is heard often to declare, that ſince he rightly underſtood chriſtianity, he ever aſſerted chriſtian liberty, as well in his paſt proſperity, as preſent adverſity.

4. That all perſwaſions in matters of religion, Who have moſt charity and leaſt of ſeverity, are moſt agreeable to chriſtianity.

5. He is often heard to complain, That he ever obſerved, an aptitude and propenſity in perſons of power to perſecute ſuch as differ from them.

6. That this natural aptitude to perſecute, ought to be reſtrained by wholeſome and effectual laws.

7. That this perſecuting ſpirit influencing the greater number of all perſwaſions, eſpecially perſons in power, is the only cauſe of his majeſty's preſent ſufferings.

8. He is paſſionately kind to all deſerters, and chearfully receives and ſoon prefers them.

9. He pretending his ſufferings to be thus on the account of conſcience, ſeems not to doubt, but God will find ſome unexpected means, for his reſtauration, in 1690, as he did in 1660.

10. He is heard frequently to declare againſt the dragooning perſecution of France, and the barbarous and inhumane murders committed on the proteſtants of this kingdom in the year 1641, as paſſionately, and perhaps as ſincerely as the Scribes and Phariſees did againſt their forefathers for perſecuting the prophets.

To theſe I think fit to add the particulars of his majeſty's publick declarations, which are ordered to be read once every two months in the head of every troop and company in his whole army, and to be fixed up in all the boroughs and market-towns in this kingdom.

1. His majeſty is pleaſed earneſtly to recommend the performance of publick and private duties to God, to all under his command, and particularly recommends to the Roman catholicks of his army frequent confeſſions, and ſtrict obſervation of Sundays and Holy-days.

2. He publickly declares what ſubſiſtence he allows to every horſe, dragoon, and every private ſoldier in his army, and what is reſerved in the paymaſter's hands for the accoutrements and the hoſpital.

3. He avoids and forbids as unneceſſary, the charge of all agents, and commands the majors of every regiment to do that work, and to ſave the charge.

4. He ſtrictly requires the private ſoldier out of the ſaid ſubſiſtence duly and truly to pay his quarters.

5. In

5. In caſe they ſhall want their ſubſiſtence, they are then required every week to give their reſpective landlords a note under their hands, which ſhall be received by the receiver general, as ſo much money out of any branch of his majeſty's revenue.

6. His majeſty forbids all ſtraggling of private ſoldiers from their garriſons without their officers paſs; and requires all officers, either military or civil, to apprehend ſuch ſoldiers having no paſs, and to ſend them to their colours, to receive puniſhment according to their demerits.

7. His majeſty by the ſame proclamation, forbids all plundering on any pretence whatſoever, under pain of death without mercy.

8. He requires both officers and ſoldiers under the pain of his high diſpleaſure to demean and behave themſelves civilly and reſpectfully in their reſpective quarters; and to aſſiſt and not obſtruct the civil magiſtrates in the execution of their reſpective truſts, eſpecially the officers concerned in and about his majeſty's revenue.

9. He forbids all officers and ſoldiers to quarter themſelves on any of his majeſty's ſubjects, without having a billet or ticket under the hand of the conſtable or other civil officer of the place.

10. He ſtrictly forbids preſſing any countrey-man's horſe on any pretence whatſoever, without having his majeſty, his captain general, his lord lieutenant, or deputy lieutenant's licenſe for his ſo doing; and then allows them to preſs the ſaid horſe but one day's journey, and to ſee that the horſe be returned as well as when received; and particularly forbids the preſſing any horſe belonging to any plough.

11. His majeſty in the ſame proclamation, enjoyns ſevere penalties on all foreſtallers or obſtructers of proviſion going to either camp or market.

Laſtly, The reſpective penalties enjoyned in the ſaid proclamation, are ſeverely and impartially executed on the reſpective offenders. My family tells me, that the week before they left Dublin, there were two private ſoldiers executed before a proteſtant baker's door, for ſtealing two loaves not worth a ſhilling. And a fortnight before, a lieutenant and enſign were publickly executed at a place where, on pretence of the king's ſervice, they preſſed a horſe going with proviſions to Dublin market; two others were condemned and expected daily to be executed for the like offence: theſe ſevere examples confirming the penalties of theſe publick declarations, contribute ſo much to the quiet of the countrey, that were it not for the countrey raparees and tories, theirs, 'tis thought, would be much quieter than ours. Some of our foreigners are very uneaſie to us; had not the prudence of a diſcreet major prevented it, laſt Sunday was ſeven night had been a bloody day between ſome of the Daniſh foot and Colonel Langſton's regiment of horſe. The truth is,

too

too many of the Engliſh, as well as Danes and French are highly oppreſſive to the poor countrey; whereas our enemy have reduced themſelves to that order, that they exerciſe violence on none, but the proprieties of ſuch as they know to be abſent, or, as they phraſe it, in rebellion againſt them, whoſe ſtock, goods, and eſtates are ſeized, and ſet by the civil government, and the proceed applied for and towards the charge of the war. And for their better direction in their ſeizures, it's reported and believed, that they have copies of the particulars of the proteſtants loſſes, given in to the committee of the late houſe of commons at Weſtminſter.

NUMB. XV.

A Proteſtation of Allegiance, by thirteen Miſſioners, to Queen Elizabeth, January 31ſt, 1602. Taken from Henry Moore's Hiſtory of the Engliſh Jeſuits.

WHEREAS it hath pleaſed our dread ſovereign lady, to take ſome notice of the faith and loyalty of us, her natural born ſubjects, ſecular prieſts, (as it appeareth in her late proclamation) and, of her princely clemency, to give a ſufficient earneſt of ſome merciful favour towards us (being all ſubject, by the laws of the realm, unto death, by our return into the country, after our taking the order of prieſthood, ſince the firſt year of her majeſty's reign) and only to demand of us a true profeſſion of our allegiance, thereby to be aſſured of our fidelity to her majeſty's perſon, and crown, eſtate and dignity: we, whoſe names are underwritten, in moſt humble wiſe proſtrate at her majeſty's feet, do acknowledge ourſelves infinitely bound unto her majeſty therefore; and are moſt willing to give ſuch aſſurance and ſatisfaction in this point, as any catholic prieſts can, or ought to give unto their ſovereign.

Firſt, Therefore, we acknowledge and confeſs the queen's majeſty to have as full authority, power, and ſovereignty over us, and over all the ſubjects of the realm, as any her highneſs's predeceſſors ever had. And farther, we proteſt, that we are moſt willing and ready to obey her in all caſes and reſpects, as far forth as ever chriſtian prieſts within this realm, or in any other chriſtian country, were bound by the law of God, and chriſtian religion, to obey their temporal prince; as to pay tribute and all other regal duties unto her highneſs; and to obey her laws, and magiſtrates, in all civil cauſes; to pray to God for her proſperous and peaceful reign in this life, according to his bleſſed will; and that ſhe may hereafter attain everlaſting bliſs in the life to come. And this our acknowledgement we think to be ſo grounded upon the

the word of God, that no authority, no cauſe, or pretence can, or ought, upon any occaſion, to be a ſufficient warrant, more unto us, than to any proteſtant, to diſobey her majeſty in any civil, or temporal matter.

Secondly, Whereas for theſe many years paſt diverſe conſpiracys againſt her majeſty's perſon and eſtate, and ſundry forcible attempts of * invading and conquering her dominions, have been made, under we know not what pretences and indentments of reſtoring the catholic religion by the ſword (a courſe moſt ſtrange in the world, undertaken peculiarly and ſolely againſt her majeſty and her kingdoms, and unknown among other princes departed from the religion and obedience of the See Apoſtolic no leſs than ſhe) by reaſon of which violent enterprizes, her majeſty, otherwiſe of ſingular clemency towards her ſubjects, hath been greatly moved to ordain and execute ſeverer laws againſt catholics (which, by reaſon of their union with the See Apoſtolic, in faith and religion, were eaſily ſuppoſed to favour theſe conſpiracys and invaſions) than perhaps, had ever been enacted, or thought upon, if ſuch hoſtilities and wars had never been undertaken: we, to aſſure her majeſty of our faithful loyalty alſo in this particular cauſe, do ſincerely proteſt, and, by this our public act, make known to all the chriſtian world, that in theſe caſes of conſpiracys, and practiſing her majeſty's death; of invaſions, or whatſoever forcible attempts, which may hereafter be made by any foreign prelate, prince, or potentate whatſoever, either jointly, or ſeverally, for the diſturbance, or ſubverſion, of her majeſty's perſon, eſtate, realm, or dominions, under colour, ſhew, or pretence, or indentment, of reſtoring the catholic religion in England, or Ireland; we will defend her majeſty's perſon, eſtate, realms, and dominions, from all ſuch forcible and violent aſſaults and injuries. And moreover, we will not only ourſelves detect, and reveal any conſpiracys, or plots, which we ſhall underſtand to be undertaken by any prelate, prince or potentate, againſt her majeſty's perſon or dominions, for any cauſe whatſoever (as is before expreſſed) and likewiſe, to the beſt of our power, reſiſt them; but alſo will earneſtly perſuade, as much as in us lieth, all catholics to do the ſame.

Thirdly, If upon any excommunications denounced againſt her majeſty, upon any ſuch conſpiracys, invaſions, or forcible attempts, to be made, as are before expreſſed, the pope ſhould alſo excommunicate every one born within her majeſty's dominions, that would not forſake the aforeſaid defence of her majeſty and her realms, and take part with ſuch conſpirators or invaders: in theſe, and all other ſuch like caſes, we do think ourſelves, and all the lay-catholics born within her majeſty's dominions, bound in conſcience not to obey this, or any ſuch like cenſure;

* The Spaniſh Armada in 1588.

cenſure; but will defend our prince and country, accounting it our duty ſo to do, and, notwithſtanding any authority, or any excommunication whatſoever, either denounced, or to be denounced, (as is before ſaid) to yield unto her majeſty all obedience in temporal cauſes.

And becauſe nothing is more certain, than that, whilſt we endeavour to aſſure her majeſty of our dutiful affection and allegiance, by this our chriſtian and ſincere proteſtation, there will not want ſuch as will condemn and miſconſtrue our lawful act; yea, and by many ſiniſter ſuggeſtions and calumnies, diſcredit our doings with the chriſtian world; but chiefly with the pope's holyneſs; to the greateſt prejudice and harm of our good names and perſons, that may be; unleſs maturely we prevent their endeavours therein: we moſt humbly beſeech her majeſty, that, in this our recognizing and yielding Cæſar's due unto her, we may alſo, by her gracious leave, be permitted, for avoiding obloquies and calumnies, to make known, by like public act, that, by yielding her right unto her, we depart from no bond of that chriſtian duty, which we owe unto our ſupreme ſpiritual paſtor: and, therefore, we acknowledge and confeſs the Biſhops of Rome to be the ſucceſſors of St. Peter, in that See; and to have as ample, and no more authority or juriſdiction over us, and other chriſtians, than had that apoſtle, by the gift and commiſſion of Chriſt our Saviour; and that we will obey him ſo far forth, as we are bound by the laws of God to do; which we doubt not but will ſtand well with the performance of our duty to our temporal prince, in ſuch ſort as we have before profeſſed. For as we are moſt ready to ſpend our blood in the defence of her majeſty, and our country, ſo we will rather loſe our lives, than infringe the lawful authority of Chriſt's catholic church.

Robert Drury,	Anthony Champney,	Robert Charnock,
John Jackſon	William Biſhop,	John Boſwille,
Francis Barnaby,	John Colleton,	Antony Hepburn,
Oſwald Needham,	John Muſh,	Roger Cadwaller.
Richd. Button,		

N. B. Dr. William Biſhop, who was principally concerned in drawing up this proteſtation, was afterwards appointed by the See of Rome, Biſhop of Chalcedon. Dod's Eccl. Hiſt. vol. ii.

NUMB. XVI.

[Account of the Debates on the Popery Laws, 2 Ann.]

The ſeveral Arguments of Sir Theobald Butler, Counſellor Malone, and Sir Stephen Rice, at the Bar of the Houſe of Commons of Ireland, February 22d; and at the Bar of the Houſe of Lords, February 28th, 1703, againſt paſſing the Bill intitled, An Act to prevent the further Growth of Popery.

[See Review, vol. ii. p. 237.]

THE papiſts of Ireland obſerving, that the houſe of commons were preparing the heads of a bill to be tranſmitted to England, to be drawn up into an act, *to prevent the further growth of popery*, and having in vain endeavoured to put a ſtop to it there; at its remittance back again to Ireland, preſented to the houſe of commons a petition in the names of Nicholas Lord Viſcount Kingſland, Colonel J. Brown, Colonel Burk, Colonel Robert Nugent, Major Pat. Allen, Captain Arthur French, and other Roman catholics of Ireland, praying to be heard by their counſel againſt the paſſing the ſaid bill, then under conſideration of the ſaid houſe; and to have a copy of the bill, and a reaſonable time to ſpeak to it before it paſſed. Which petition being referred to the committee of the whole houſe, to whom the conſideration of the ſaid bill was referred, it was ordered, that the petitioners ſhould have a copy of the ſaid bill, and be heard by their counſel, before the ſaid committee.

And in purſuance of that order, Sir Theobald Butler, Counſellor Malone, and Sir Stephen Rice, (the two firſt in their gowns as counſel for the petitioners in general, and the laſt without a gown, only as a petitioner in his private capacity) together with many others, upon Tueſday the 22d of February, 1703, appeared at the bar of the ſaid houſe of commons, where Sir Theobald Butler firſt moved and acquainted the houſe, that, "by the permiſſion of that houſe, he was come thither in behalf of himſelf, and the reſt of the Roman catholics of Ireland compriſed in the *Articles of Limerick* and *Galway*, to offer ſome reaſons, which he and the reſt of the petitioners, judged very material againſt paſſing the bill, intituled, *An act to prevent the further growth of popery*; that by leave of the houſe, he had taken a copy of the ſaid bill (which he had there in his hand), and with ſubmiſſion, looked upon it to tend to the deſtroying of the ſaid articles, granted upon the moſt valuable conſiderations of ſurrendering the ſaid garriſons,

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at a time when they had the ſword in their hands; and for any thing that then appeared to the contrary, might have been in a condition to hold out much longer, and when it was in their power to demand, and make for themſelves ſuch terms, as might be for their then future liberty, ſafety and ſecurity: and that too, when the allowing ſuch terms, were highly advantageous to the government, to which they ſubmitted; as well for uniting the people, that were then divided, quieting and ſettling the diſtractions and diſorders of this then miſerable kingdom, as for the other advantages the government would thereby reap in its own affairs, both at home and abroad; when its enemies were ſo powerful both by ſea and land, as to give doubt or interruption, to its peace and ſettlement.

" That by ſuch their power, thoſe of Limerick did for themſelves, and others therein comprized, obtain, and make ſuch articles, as by which, all the Iriſh inhabitants in the city and county of Limerick, and in the counties of Clare, Kerry, Cork, Sligo and Mayo, had full and free pardon of and for all attainders, outlawries, treaſons, miſpriſion of treaſons, felonies, treſpaſſes and other crimes whatever, which at any time from the beginning of king James the Second, to the 3d of October 1691, had been acted, committed, or done by them, or any of them; and by which they and their heirs were to be forthwith put in poſſeſſion of, and for ever poſſeſs, and enjoy all and every of their freeholds and inheritance; and all their rights, titles, and intereſts, privileges and immunities, which they and every of them held and enjoyed, and by the laws in force were entituled unto, in the reign of king Charles II. or at any time ſince, by the laws and ſtatutes that were in force in that reign, &c. And thereupon read ſo much of the ſecond article of Limerick, as tended to that purpoſe.

" That in the reign of king Charles the Second, the petitioners, and all that were entituled to the benefit of thoſe articles, were in ſuch full and free poſſeſſion of their eſtates; and had the ſame power to ſell, or otherwiſe to diſpoſe, or convey them, or any other thing they enjoyed; and were as rightfully intituled to all the privileges, immunities and other advantages whatever, according to the laws then in force, as any other ſubjects whatſoever, and which, therefore, without the higheſt injuſtice, could not be taken from them, unleſs they had forfeited them themſelves.

" That if they had made any ſuch forfeiture, it was either before or after the making the ſaid articles: if before, they had a full and free pardon for that by the ſaid articles, &c. and therefore are not accountable by any law now in force for the ſame; and for that reaſon not now to be charged with it, and ſince they cannot be charged with any general forfeiture of thoſe articles ſince, they at that ſame time remained as abſolutely

intituled to all the privileges, advantages and benefits of the laws both already made, and hereafter to be made, as any other of her majeſty's ſubjects whatſoever.

" That among all ſocieties there were ſome ill people, but that by the 10th article of Limerick the whole community is not to be charged with, nor forfeit by, the crimes of particular perſons.

" That there were already wholeſome laws in force ſufficient, and if not, ſuch as were wanting might be made, to puniſh every offender according to the nature of the crime: and in the name of God let the guilty ſuffer for their own faults; but the innocent ought not to ſuffer for the guilty, nor the whole for any particular. That ſurely they would not now (they had tamely got the ſword out of their hands) rob them of what was then in their power to have kept; for that would be unjuſt, and not according to that golden rule, to do as they would be done by, was the caſe reverſed, and the contrary ſide their own.

" That the ſaid articles were firſt granted them by the general of the Engliſh army, upon the moſt important conſideration of getting the city of Limerick into his hands (when it was in a condition to have held out, till it might have been relieved by the ſuccours then coming to it from France) and for preventing the further effuſion of blood, and the other ill conſequences which (by reaſon of the then diviſions and diſorders) the nation then laboured under; and for reducing thoſe in arms againſt the Engliſh government to its obedience.

" That the ſaid articles were ſigned and perfected by the ſaid general, and the then lords juſtices of this kingdom; and afterwards ratified by their late majeſties, for themſelves, their heirs and ſucceſſors; and have been ſince confirmed by an act of parliament in this kingdom, viz. ſtat. 9. Guil. 3. ſeſ. 4. chap. 27. (which he there produced and pleaded), and ſaid could not be avoided without breaking the ſaid articles, and the public faith thereby plighted to all thoſe compriſed under the ſaid articles, in the moſt ſolemn and engaging manner, 'tis poſſible for any people to lay themſelves under; and than which nothing could be more ſacred and binding. That therefore to violate, or break thoſe articles, would on the contrary be the greateſt injuſtice poſſible for any one people of the whole world to inflict upon another, and which is contrary to both the laws of God and man.

" That purſuant to theſe articles, all thoſe Iriſh then in arms againſt the government, did ſubmit thereunto, and ſurrendered the ſaid city of Limerick, and all other garriſons then remaining in their poſſeſſion; and did take ſuch oaths of fidelity to the king and queen, &c. as by the ſaid articles they were obliged to, and were put into poſſeſſion of their eſtates, &c.

" That

" That ſuch their ſubmiſſion was upon ſuch terms, as ought now, and at all times to be made good to them: but that if the bill then before the houſe, intituled, An act to prevent the further growth of popery, ſhould paſs into a law (which, ſaid he, God for forbid!) it would be not only a violation of thoſe articles, but alſo a manifeſt breach of the public faith, of which the Engliſh had always been moſt tender in many inſtances, ſome of which he there quoted; and that, in particular, in the preamble of the act before mentioned, made for confirmation of theſe articles, wherein there is a particular regard, and reſpect had to the public faith.

" That ſince the ſaid articles were thus under the moſt ſolemn ties, and for ſuch valuable conſiderations granted the petitioners, by nothing leſs than the general of the army, the lords juſtices of the kingdom, the king, queen, and parliament, the public faith of the nation was therein concerned, obliged, bound, and engaged, as fully and firmly, as was poſſible for one people to pledge faith to another; that therefore this parliament could not paſs ſuch a bill, as that intituled, An act to prevent the further growth of popery, then before the houſe, into a law, without infringing thoſe articles, and a manifeſt breach of the public faith; of which he hoped that houſe, would be no leſs regardful, and tender, than their predeceſſors, who made the act for confirming thoſe articles had been.

" That the caſe of the Gibeonites, 2 Sam. xxi. 1. was a fearful example of breaking of public faith, which above 100 years after brought nothing leſs, than a three years famine upon the land, and ſtayed not till the lives of all Saul's family atoned for it.

" That even among the heathens, and moſt barbarous of nations, all the world over, the public faith had always been held moſt ſacred and binding, that ſurely it would find no leſs a regard in that auguſt aſſembly.

" That if he proved that the paſſing that act, was ſuch a manifeſt breach of thoſe articles, and conſequently of the public faith, he hoped that honourable houſe would be very tender how they paſſed the ſaid bill before them into a law; to the apparent prejudice of the petitioners, and the hazard of bringing upon themſelves and poſterity, ſuch evils, reproach and infamy, as the doing the like had brought upon other nations and people.

" Now, that the paſſing ſuch a bill as that then before the houſe to prevent *the further growth of popery*, will be a breach of thoſe articles, and conſequently of the public faith, I prove (ſaid he) by the following argument.

" The argument then is (ſaid he) whatever ſhall be enacted to the prejudice or deſtroying of any obligation, covenant or contract, in the moſt ſolemn manner, and for the moſt valuable conſideration entered into, is a manifeſt violation and deſtruction

ſtruction of every ſuch obligation, covenant and contract: but the paſſing that bill into a law, will evidently and abſolutely deſtroy the articles of Limerick and Galway, to all intents and purpoſes, and therefore the paſſing that bill into a law, will be ſuch a breach of thoſe articles; and conſequently of the public faith, plighted for performing thoſe articles; which remained to be proved.

"The major is proved (ſaid he) for that whatever deſtroys or violates any contract or obligation, upon the moſt valuable conſiderations, moſt ſolemnly made and entered into; deſtroys and violates the end of every ſuch contract or obligation: but the end and deſign of thoſe articles was, that all thoſe therein comprized, and every of their heirs, ſhould hold, poſſeſs, and enjoy all and every of their eſtates of freehold and inheritance, and all the rights, titles, and intereſts, privileges and immunities, which they and every of them held, enjoyed, or were rightfully entituled to, in the reign of king Charles the Second; or at any time ſince, by the laws and ſtatutes that were in force in the ſaid reign in this realm: but that the deſign of this bill, was to take away every ſuch right, title, intereſt, &c. from every father being a papiſt, and to make the popiſh father, who, by the articles and laws aforeſaid, had an undoubted right, either to ſell or otherwiſe at pleaſure to diſpoſe of his eſtate, at any time of his life, as he thought fit; only tenant for life: and conſequently diſabled from ſelling, or otherwiſe diſpoſing thereof, after his ſon or other heir ſhould become proteſtant; though otherwiſe never ſo diſobedient, profligate, or extravagant: Ergo, this act tends to the deſtroying the end for which thoſe articles were made, and conſequently the breaking of the public faith, plighted for their performance.

"The minor is proved by the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 15th, 16th, and 17th, clauſes of the ſaid bill, all which (ſaid he) I ſhall conſider and ſpeak to, in the order as they are placed in the bill.

"By the firſt of theſe clauſes (which is the third of the bill), I that am the popiſh father, without committing any crime againſt the ſtate, or the laws of the land, (by which only I ought to be governed) or any other fault; but meerly for being of the religion of my fore-fathers, and that which, till of late years, was the ancient religion of theſe kingdoms, contrary to the expreſs words of the ſecond article of Limerick, and the public faith, plighted as aforeſaid for their performance; am deprived of my inheritance, freehold, &c. and of all other advantages which by thoſe articles, and the laws of the land, I am entituled to enjoy, equally with every other of my fellow ſubjects, whether proteſtant or popiſh. And though ſuch my eſtate be even the purchaſe of my own hard labour and induſtry: yet I ſhall not (though my occaſions be never ſo preſſing), have liberty (after my

my eldeſt ſon or other heir becomes a proteſtant) to ſell, mortgage, or otherwiſe diſpoſe of, or charge it for payment of my debts; or have leave out of my own eſtate, to order portions for my other children; or leave a legacy, though never ſo ſmall, to my poor father or mother, or other poor relations; but during my own life, my eſtate ſhall be given to my ſon or other heir being a proteſtant, though never ſo undutiful, profligate, extravagant, or otherwiſe undeſerving; and I that am the purchaſing father, ſhall become tenant for life only, to my own purchaſe, inheritance and freehold; which I purchaſed with my own money: and ſuch my ſon or other heir, by this act, ſhall be at liberty to ſell, or otherwiſe at pleaſure to diſpoſe of my eſtate, the ſweat of my brows, before my face; and I that am the purchaſer, ſhall not have liberty to raiſe one farthing upon the eſtate of my own purchaſe, either to pay my debts, or portion my daughters, (if any I have) or make proviſions for my other male children, though never ſo deſerving and dutiful: but my eſtate, and the iſſues and profits of it, ſhall, before my face, be at the diſpoſal of another, who cannot poſſibly know, how to diſtinguiſh between the dutiful and undutiful, deſerving or undeſerving. Is not this, gentlemen, (ſaid he) a hard caſe? I beſeech you, gentlemen, to conſider, whether you would not think it ſo, if the ſcale was changed, and the caſe your own, as it is like to be ours, if this bill paſs into a law.

"It is natural for the father to love the child, but we all know (ſays he), that children are but too apt and ſubject, without any ſuch liberty as this bill gives, to ſlight and neglect their duty to their parents; and ſurely ſuch an act as this, will not be an inſtrument of reſtraint, but rather encourage them more to it.

"It is but too common with the ſon, who has a proſpect of an eſtate, when once he arrives at the age of one and twenty, to think the old father too long in the way, between him and it; and how much more will he be ſubject to it, when by this act, he ſhall have liberty before he comes to that age, to compel and force my eſtate from me, without aſking my leave, or being liable to account with me for it, or out of his ſhare thereof, to a moiety of the debts, portions, or other incumbrances, with which the eſtate might have been charged, before the paſſing this act.

"Is not this againſt the laws of God and man? againſt the rules of reaſon and juſtice; by which all men ought to be governed? Is not this the only way in the world, to make children become undutiful? and to bring the grey-head of the parent to the grave, with grief and tears.

"It would be hard from any man, but from a ſon, a child, the fruit of my body, whom I have nurſt in my boſom, and tendred

dred more dearly than my own life, to become my plunderer, to rob me of my eſtate, to cut my throat, and to take away my bread; is much more grievous than from any other; and enough to make the moſt flinty of hearts to bleed, to think on't. And yet this will be the caſe if this bill paſs into a law; which I hope this honourable aſſembly will not think of, when they ſhall more ſeriouſly conſider, and have weighed theſe matters.

" For God's ſake, gentlemen, will you conſider whether this is according to the golden rule, to do as you would be done unto? And if not, ſurely you will not, nay you cannot, without being liable to be charged with the moſt manifeſt injuſtice imaginable, take from us our birth-rights, and inveſt them in others before our faces.

" By the 4th clauſe of the bill, the popiſh father is under the penalty of 500l. debarred from being guardian to, or having the tuition or cuſtody of his own child or children: but if the child pretends to be a proteſtant, though never ſo young, or incapable of judging of the principles of any religion, it ſhall be taken from its own father, and put into the hands or care of a proteſtant relation, if any there be qualified as this act directs, for tuition, though never ſo great an enemy to the popiſh parent; and for want of relations ſo qualified, into the hands and tuition of ſuch proteſtant ſtranger, as the court of chancery ſhall think fit to appoint; who perhaps may likewiſe be my enemy, and out of prejudice to me who am the popiſh father, ſhall infuſe into my child, not only ſuch principles of religion, as are wholly inconſiſtent with my liking; but alſo againſt the duty which by the laws both of God and nature, is due from every child to its parents: And it ſhall not be in my power to remedy, or queſtion him for it; and yet I ſhall be obliged to pay for ſuch education, how pernicious ſoever. Nay if a legacy or eſtate fall to any of my children, being minors, I that am the popiſh father, ſhall not have the liberty to take care of it, but it ſhall be put into the hands of a ſtranger; and though I ſee it confounded before my face, it ſhall not be in my power to help it. Is not this a hard caſe, gentlemen? I am ſure you cannot but allow it to be a very hard caſe.

" The 5th clauſe, provides that no proteſtant or proteſtants, having any eſtate real or perſonal, within this kingdom, ſhall at any time after the 24th of March 1703, inter-marry with any papiſt, either in or out of this kingdom, under the penalties in an act made in the 9th of king William, intituled, an act to prevent proteſtants inter-marrying with papiſts; which penalties, ſee in the 5th clauſe of the act itſelf.

" Surely, gentlemen, this is ſuch a law as was never heard of before, and againſt the law of right, and the law of nations; and therefore a law which is not in the power of mankind

kind to make, without breaking through the laws which our wiſe anceſtors prudently provided for the ſecurity of poſterity, and which you cannot infringe, without hazarding the undermining the whole legiſlature, and incroaching upon the privileges of your neighbouring nations, which it is not reaſonable to believe they will allow.

" It has indeed been known, that there hath been laws made in England, that have been binding in Ireland: but ſurely it never was known, that any law made in Ireland, could affect England or any other country. But by this act, a perſon committing matrimony (an ordinance of the Almighty) in England, or any other part beyond the ſeas (where it is lawful both by the laws of God and man, ſo to do) if ever they come to live in Ireland, and have an inheritance or title to any intereſt to the value of 500l. they ſhall be puniſhed for a fact conſonant with the laws of the land where it was committed. But, gentlemen, by your favour, this is what, with ſubmiſſion, is not in your power to do: For no law that either now is, or that hereafter ſhall be in force in this kingdom, ſhall be able to take cognizance of any fact committed in another nation: nor can any one nation make laws for any other nation, but what is ſubordinate to it, as Ireland is to England; but no other nation is ſubordinate to Ireland; and therefore any laws made in Ireland, cannot puniſh me for any fact committed in any other nation, but more eſpecially England, to whom Ireland is ſubordinate: And the reaſon is, every free nation, ſuch as all our neighbouring nations are, by the great law of nature, and the univerſal privileges of all nations, have an undoubted right to make, and be ruled and governed by laws of their own making: For that to ſubmit to any other, would be to give away their own birth-right, and native freedom; and become ſubordinate to their neighbours, as we of this kingdom, ſince the making of Poyning's act, have been, and are to England. A right which England would never ſo much as endure to hear of, much leſs to ſubmit to.

" We ſee how careful our forefathers have been to provide that no man ſhould be puniſhed in one county (even of the ſame nation) for crimes committed in another county; and ſurely it would be highly unreaſonable, and contrary to the laws of all nations in the whole world, to puniſh me in this kingdom, for a fact committed in England, or any other nation, which was not againſt, but conſiſtent with the laws of the nation where it was committed. I am ſure there is not any law in any other nation of the world that would do it.

" The 6th clauſe of this bill, is likewiſe a manifeſt breach of the ſecond of Limerick articles, for by that article, all perſons comprized under thoſe articles, were to enjoy, and have the full benefit of all the rights, titles, privileges and immunities

ties whatſoever, which they enjoyed, or by the laws of the land then in force, were entituled to enjoy, in the reign of king Charles II. And by the laws then in force, all the papiſts of Ireland had the ſame liberty, that any of their fellow ſubjects had, to purchaſe any manors, lands, tenements, hereditaments, leaſes of lives, or for years, rents, or any other thing of profit whatſoever: But by this clauſe of this bill, every papiſt or perſon profeſſing the popiſh religion, after the 24th of March 1703, is made incapable of purchaſing any manors, lands, tenements, hereditaments, or any rents, or profits out of the ſame; or holding any leaſe of lives, or any other leaſe whatſoever, for any term exceeding thirty-one years; wherein a rent, not leſs than two-thirds of the improved yearly value, ſhall be reſerved, and made payable, during the whole term: and therefore this clauſe of this bill, if made into a law, will be a manifeſt breach of thoſe articles.

" The 7th clauſe is yet of much more general conſequence, and not only a like breach of thoſe articles, but alſo a manifeſt robbing of all the Roman catholics of the kingdom of their birth-right: For by thoſe articles, all thoſe therein comprized, were (ſaid he) pardoned all miſdemeanors whatſoever, of which they had in any manner of way been guilty; and reſtored to all the rights, liberties, privileges and immunities whatever, which, by the laws of the land, and cuſtoms, conſtitutions and native birth-right, they, any, and every of them, were, equally with every other of their fellow-ſubjects, intituled unto. And by the laws of nature and nations, as well as by the laws of the land, every native of any country, has an undoubted right and juſt title to all the privileges and advantages, which ſuch their native country affords: And ſurely no man but will allow, that by ſuch a native right, every one born in any country, hath an undoubted right to the inheritance of his father, or any other, to whom he, or they may be heir at law: But if this bill paſs into a law, every native of this kingdom, that is and ſhall remain a papiſt, is, *ipſo facto*, during life, or his or their continuing a papiſt, deprived of ſuch inheritance, deviſe, gift, remainder, or truſt, of any lands, tenements, or hereditaments, of which any proteſtant now is, or hereafter ſhall be ſeized in fee-ſimple abſolute, or fee-tail, which by the death of ſuch proteſtant, or his wife, ought to deſcend immediately to his ſon or ſons, or other iſſue in tail, being ſuch papiſts, and 18 years of age; or, if under that age, within ſix months after coming to that age, ſhall not conform to the church of Ireland, as by law eſtabliſhed; and every ſuch deviſe, gift, remainder, or truſt, which, according to the laws of the land, and ſuch native right, ought to deſcend to ſuch papiſt, ſhall, during the life of ſuch papiſt (unleſs he forſake his religion), deſcend to the neareſt relation that is a proteſtant,

tant, and his heirs, being and continuing proteſtants, as though the ſaid popiſh heir and all other popiſh relations were dead; without being accountable for the ſame: Which is nothing leſs than robbing ſuch popiſh heir of ſuch his birth-right; for no other reaſon, but his being and continuing of that religion, which by the firſt of Limerick artitles, the Roman catholics of this kingdom were to enjoy, as they did in the reign of king Charles II. and then there was no law in force, that deprived any Roman catholic of this kingdom of any ſuch their native birth-right, or any other thing, which, by the laws of the land then in force, any other fellow-ſubjects were intituled unto.

" The 8th clauſe of this bill, is to erect in this kingdom a law of *gavel-kind*, a law in itſelf ſo monſtrous and ſtrange, that I dare ſay, this is the firſt time it was ever heard of in the world; a law ſo pernicious and deſtructive to the well-being of families and ſocieties, that in an age or two, there will hardly be any remembrance of any of the ancient Roman catholic families known in the kingdom; a law which, therefore, I may again venture to ſay, was never before known or heard of in the univerſe!

" There is, indeed, in Kent, a cuſtom, called the Cuſtom of Gavel-kind; but I never heard of any law for it till now; and that cuſtom is far different from what by this bill is intended to be made a law; for there, and by that cuſtom, the father, or other perſon, dying poſſeſſed of any eſtate of his own acquiſition, or not entailed, (let him be of what perſuaſion he will) may by will bequeath it at pleaſure: Or if he dies without will, the eſtate ſhall not be divided, if there be any male heir to inherit it; but for want of male heir, then it ſhall deſcend in Gavel-kind among the daughters, and not otherwiſe. But by this act, for want of a proteſtant heir, enrolled as ſuch within three months after the death of ſuch papiſt, to be divided, ſhare and ſhare like, among all his ſons; for want of ſons, among his daughters; for want of ſuch, among the collateral kindred of his father; and in want of ſuch, among thoſe of his mother; and this is to take place of any grant, ſettlement, &c. other than ſale, for valuable conſideration of money, really, *bona fide*, paid. And ſhall I not call this a ſtrange law? Surely it is a ſtrange law, which, contrary to the laws of all nations, thus confounds all ſettlements, how antient ſoever, or otherwiſe warrantable by all the laws heretofore in force, in this, or any other kingdom!

" The 9th clauſe of this act, is another manifeſt breach of the articles of Limerick; for by the 9th of thoſe articles, no oath is to be adminiſtered to, nor impoſed upon ſuch Roman catholics, as ſhould ſubmit to the government, but the oath of allegiance, appointed by an act of parliament made in England, in

in the firſt year of the reign of their late majeſties KING WILLIAM, and QUEEN MARY, (which is the ſame with the firſt of thoſe appointed by the 10th clauſe of this act:) But by this clauſe, none ſhall have the benefit of this act, that ſhall not conform to the church of Ireland, ſubſcribe the declaration, and take and ſubſcribe the oath of abjuration, appointed by the 9th clauſe of this act; and therefore this act is a manifeſt breach of thoſe articles, &c. and a force upon all the Roman catholics therein comprized, either to abjure their religion, or part with their birth-rights; which, by thoſe articles, they were, and are, as fully, and as rightfully entituled unto, as any other ſubjects whatever.

"The 10th, 11th, 12th, 13th, and 14th clauſes of this bill, (ſaid he) relate to offices and employments, which the papiſts of Ireland cannot hope for the enjoyment of, otherwiſe than by *grace and favour extraordinary; and therefore*, do not ſo much affect them, as it does the proteſtant diſſenters, who (if this bill paſs into a law) are equally with the papiſts deprived of bearing any office, civil or military, under the government, to which by right of birth, and the laws of the land, they are as indiſputably entituled, as any other their proteſtant brethren: And if what the Iriſh did in the late diſorders of this kingdom, made them rebels, (which the preſence of a king, they had before been obliged to own, and ſwear obedience to, gave them a reaſonable colour of concluding it did not,) yet ſurely the diſſenters did not do any thing to make them ſo; or to deſerve worſe at the hands of the government, than other proteſtants; but, on the contrary, it is more than probable, that if they, (I mean the diſſenters) had not put a ſtop to the career of the Iriſh army at Enniſkillen and London-Derry; the ſettlement of the government, both in England and Scotland, might not have proved ſo eaſy, as it thereby did; for if that army had got to Scotland, (as there was nothing at that time to have hindered them, but the bravery of thoſe people, who were moſtly diſſenters, and chargeable with no other crimes ſince; unleſs their cloſe adhering to, and early appearing for the then government, and the many faithful ſervices they did their country, were crimes) I ſay (ſaid he) if they had got to Scotland, when they had boats, barks, and all things elſe ready for their tranſportation, and a great many friends there in arms, waiting only their coming to join them; it is eaſy to think, what the conſequence would have been to both theſe kingdoms; and theſe diſſenters then were thought fit for command, both civil and military, and were no leſs inſtrumental in contributing to the reducing the kingdom, than any other proteſtants: And to paſs a bill now, to deprive them of their birth-rights, (for thoſe their good ſervices,) would ſurely be a moſt unkind return, and the worſt reward ever granted to a people,

a people, ſo deſerving. Whatever the papiſts may be ſuppoſed to have deſerved, the diſſenters certainly ſtand as clean in the face of the preſent government, as any other people whatſoever: And if this is all the return they are like to get, it will be but a ſlender encouragement, if ever occaſion ſhould require, for others to purſue their examples.

" By the 15th, 16th, and 17th clauſes of this bill, all papiſts, after the 24th of March 1703, are prohibited from purchaſing any houſes or tenements, or coming to dwell in Limerick or Galway, or the ſuburbs of either, and even ſuch as were under the articles, and by virtue thereof have ever ſince lived there, from ſtaying there; without giving ſuch ſecurity as neither thoſe articles, nor any law heretofore in force, do require; except ſea-men, fiſhermen, and day-labourers, who pay not above forty ſhillings a year rent; and from voting for the election of members of parliament, unleſs they take the oath of abjuration; which, to oblige them to, is contrary to the 9th of Limerick articles; which, as aforeſaid, ſays the oath of allegiance, and no other, ſhall be impoſed upon them; and, unleſs they abjure their religion, takes away their advowſons and right of preſentation, contrary to the privilege of right, the laws of nations, and the great charter of Magna Charta; which provides, that no man ſhall be diſſeized of his birth-right, without committing ſome crime againſt the known laws of the land in which he is born, or inhabits. And if there was no law in force, in the reign of king Charles the Second, againſt theſe things (as there certainly was not), and if the Roman catholics of this kingdom have not ſince forfeited their right to the laws that then were in force; (as for certain they have not) then with humble ſubmiſſion, all the aforeſaid clauſes and matters contained in this bill, intituled, *An act to prevent the further growth of popery*, are directly againſt the plain words and true intent and meaning of the ſaid articles, and a violation of the public faith, and the laws made for their performance; and what I therefore hope (ſaid he) this honourable houſe will conſider accordingly."

Counſellor Malone and Sir Stephen Rice made diſcourſes on the ſame ſide; the latter, not as a counſel, but as a petitioner, likely to be aggrieved by the paſſing of the ſaid act: But in the courſe of the reply to the arguments of thoſe gentlemen, it was objected, that they had not demonſtrated how and when (ſince the making of the articles of Limerick) the papiſts of Ireland had addreſſed the queen or government, when all other ſubjects were ſo doing, or had otherwiſe declared their fidelity and obedience to the queen.

It was (among other things) obſerved, that by a proviſo at the latter end of the ſecond of thoſe articles, none was to have

or

or enjoy the benefit thereof, that ſhould refuſe to take the oath of allegiance.

That any right which the papiſts pretended to be taken from them by the bill, was in their own power to remedy, by conforming; as in prudence, they ought to do; and that they ought not to blame any but themſelves.

The next day the bill was ordered to be engroſſed and ſent to the lords.

The petitioners having applied to the lords alſo, for leave to be heard by their counſel againſt the bill, the ſame was granted; and the ſame counſel, upon Monday, February 28th, appeared there, and offered ſuch-like arguments as they had made uſe of in the other houſe: They told their lordſhips, that it had been objected by the commons, that the paſſing that bill would not be a breach of the articles of Limerick, as had been ſuggeſted; becauſe, the perſons therein comprized were only to be put into the ſame ſtate they were in the reign of Charles the Second, and becauſe, that in that reign there was no law in force which hindered the paſſing any other law thought needful for the future ſafety of the government. That the commons had further ſayed, that the paſſing this bill was needful at preſent, for the ſecurity of the kingdom; and that there was not any thing in the articles of Limerick that prohibited their ſo doing.

It was admitted, on the part of the petitioners, that the legiſlative power cannot be confined from altering and making ſuch laws as ſhall be thought neceſſary, for ſecuring the quiet and ſafety of the government; that in time of war or danger, or when there ſhall be juſt reaſon to ſuſpect any ill deſigns to diſturb the public peace, no articles or previous obligations, ſhall tie up the hands of the legiſlators from providing for its ſafety, or bind the government from diſarming and ſecuring any, who may be reaſonably ſuſpected of favouring or correſponding with its enemies, or to be otherwiſe guilty of ill practices: "Or indeed to enact any other law," ſaid Sir Stephen Rice, "that may be abſolutely needful for the ſafety and advantage of the public; ſuch a law cannot be a breach either of theſe, or any other like articles. But then ſuch laws, ought to be in general, and ſhould not ſingle out, or affect, any one particular part or party of the people, who gave no provocation to any ſuch law, and whoſe conduct ſtood hitherto unimpeached, ever ſince the ratification of the aforeſaid articles of Limerick.——To make any law that ſhall ſingle any particular part of the people out from the reſt, and take from them what, by right of birth, and all the preceding laws of the land had been confirmed to, and intailed upon them, will be an apparent violation of the original inſtitution of all right, and an ill preſident to any that hereafter might diſlike either the preſent or any other

other ſettlement, which ſhould be in their power to alter; the conſequence of which is hard to imagine."

The Lord Chancellor having ſummed up all that had been offered at the bar, the houſe proceeded thereupon; the bill was read through; and, to the great mortification of that unhappy party, was paſſed; and upon the 4th of March obtained the royal aſſent.

NUMB. XVII.

[From the Hiſtory of the Coronation of King James II. and Queen Mary; publiſhed by royal authority in 1687, p. 88.]

The Coronation Oath of James II.

[See Review, vol. ii. p. 183.]

SERMON being ended, the king uncovered his head, and the archbiſhop aroſe, and repaired to his majeſty, and aſked him:

Sir, Are you willing to take the oath uſually taken by your predeceſſors?

And the king anſwered. I am willing.

Then the biſhop miniſtered theſe queſtions; to which the king (having a book in his hand) anſwered ſeverally as followeth.

ARCHB. Sir, will you grant and keep, and by your oath confirm to the people of England, the laws and cuſtoms to them granted by the kings of England, your lawful and religious predeceſſors; and namely, the laws, cuſtoms, and franchiſes granted to the clergy by the glorious king St. Edward, your predeceſſor, according to the laws of God, the true profeſſion of the goſpel eſtabliſhed in this kingdom, and agreeing to the prerogative of the kings thereof, and the antient cuſtoms of this realm?

KING. I grant and promiſe to keep them.

ARCHB. Sir, will you keep peace and godly agreement intirely, according to your power, to the holy church, the clergy and the people?

KING. I will keep it.

ARCHB. Sir, will you to your power cauſe law, juſtice and diſcretion, in mercy and truth, to be executed in all your judgments?

KING. I will.

ARCHB. Sir, will you grant to hold and keep the rightful cuſtoms which the commonalty of this your kingdom have, and will you defend and uphold them to the honour of God, ſo much as in you lieth?

KING. I grant and promiſe ſo to do.

Then

Then the petition or requeſt of the biſhops to the king, was read by the biſhop of Gloceſter, with a clear voice, in the name of the reſt ſtanding by.

Our lord and king, we beſeech you to pardon us, and to grant and preſerve unto us, and the churches committed to our charge, all canonical privileges, and due law and juſtice, and that you will protect and defend us, as every good king in his kingdom ought to be protector and defender of the biſhops and churches under their government.

The king anſwered:

With a willing and devout heart, I promiſe and grant you my pardon; and I will preſerve and maintain to you, and the churches committed to your charge, all canonical privileges, and due law and juſtice. And that I will be your protector and defender to my power, by the aſſiſtance of God, as every good king in his kingdom ought in right to protect and defend the biſhops and churches under their government.

Then the king aroſe from his chair, and being attended by the lord great chamberlain, and ſupported by the two biſhops, and the ſword of ſtate carried before him, he went to the altar, and laying his hand upon the Evangeliſts, took the oath following:

The things which I have here before promiſed, I will perform and keep. So help me God, and the contents of this book.

And then kiſſed the book.

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F I N I S.

The following valuable Works were lately publiſhed, by LUKE WHITE.

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