

ORMOND DEEDS

BEING THE MEDIAEVAL DOCUMENTS PRESERVED
AT KILKENNY CASTLE

GENERAL EDITOR

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ORMOND DEEDS

VOLUME VI

1584-1603 A.D.

EDITED BY

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PREFACE

THIS sixth volume of the Calendar of Ormond Deeds, which covers the years 1584-1603 in Irish history, concludes the series, as originally intended to deal with the earlier or medieval portion of the great mass of documents now in the Muniment Room, Kilkenny Castle.

In the period covered by this volume Thomas, 10th earl of Ormond, generally called "Black Tom" or "Thomas Duff" in his time, continued to be a dominant figure in southern Ireland, as indeed he had been since his accession to the earldom in 1554. That dominance was now enhanced by the overthrow of the Desmond earldom in the years 1579-1583¹. In the latter and far more serious rising of Hugh, earl of Tyrone, and the northern chiefs in 1594-1603, Thomas played an important, if not a spectacular, part by checking the spread of rebellion in the southern counties and aiding in the reduction of Munster.

"Black Tom" was a man of character, courage and abundant energy, perhaps the greatest man yet produced by his house and certainly the most attached to the English connection. He was pre-eminently Elizabeth's "loyal earl" and served the English Crown during her reign continuously and almost unquestioningly.

As Lord Treasurer of Ireland the Earl was a prominent and permanent member of the vice-regal Council (Deed 69). Although as a soldier no striking exploits or victories are attributed to him, he was given high military office and jurisdiction from time to time. In 1585 a royal commission empowered him to execute martial law in counties Kilkenny and Tipperary (Deed 20). In that year the Council Book of the English Privy Council gives a record of his services in repressing the Desmond rebellion and the number of malefactors and rebel captains whom he had put to death by martial law (Deed 28).

During the Northern rising, he was appointed to execute martial law in the Pale and certain southern counties in 1594 (Deed 97). In 1597 he was appointed Lieutenant General of all the royal forces in Ireland and in December that year empowered to parley with O'Neill, O'Donnell and other northern rebels. (Deeds 127, 129).

Again in 1599 Ormond was appointed Lieutenant General under the ill-starred Earl of Essex and in April, 1600, under the Lord Deputy Mountjoy (Deeds 133, 136), but it is not recorded of him that he ever met the fighting northerners in open battle. He lived, however, to see the great Gaelic state of Tir Eoghain overthrown, as he had seen the great feudal principality of Desmond, and before his death in extreme

¹ See Preface to Vol. v of this Calendar, in which the pedigrees of the Desmond and Butler earls in the 16th century are given, as well as the outstanding points of the Butler-Fitzgerald feuds and the final suppression of the Desmond earldom.

old age in 1614 lived to feel whatever satisfaction he may have felt in the complete reduction of the Gaelic and Norman Ireland of his youth.

Apart from his services to the State, Earl Thomas followed the traditions of his house in building up his vast patrimony. The business side of "Black Tom" was perhaps more pronounced than his political and military abilities. Inheritor already of most of counties Kilkenny and Tipperary, he aimed consistently at recovering more distant estates which had been lost to the Irish or others by his immediate ancestors, and backed by the favour of the Crown had great success in recovering Nenagh from O'Kennedy, Arklow from MacMurrrough, and Auhgrim from O'Kelly, while pickings from the Plantation of Munster enlarged the Butler hold in county Tipperary (Deeds 7, 66, 75, 107, also pp. viii-ix, vol. V. Cal. Ormond Deeds).

But in profit and magnificence none of the Earl's inheritance or acquisitions came near the palatine regalities and liberties of Ormond. At a time when the Earl of Desmond's palatinate of Kerry was being undermined by the viceroys, the Palatine liberty of Ormond was allowed to stand intact (Deeds 43, 48 and Appendix II). The hereditary Prize of Wines in the ports of Ireland was almost as highly valued and was confirmed to the Earl in 1588 (Deed 50).

Neither the prisage nor the Palatinate was assailed under Elizabeth. It was otherwise under James, when the prize of wines was questioned by Crown lawyers and the Palatinate itself abolished from 1617 till 1662.

The internal organisation of this great earldom, as in former volumes, is illustrated in this by many documents. The "Composition for the Cess of Ormond" in 1592 connects with the general question of the State cess which added much to the agitation of Elizabeth's rule (Deed 71). The long deed called "Tenants of the Earl of Ormond" in 1595-6 illustrates the intermingling on honorable terms of English and Irish tenants under the Butler earls which had been going on for centuries and in which no part of Ireland had shown so general and liberal an example (Deed 114). The "Commission to establish the bounds of the Earl of Ormond's ancient estates" in 1580-94 (Appendix I.) is a long and rare specimen of an enquiry into the tenancies of a great Anglo-Irish lordship and illustrates tenurial custom and the free mingling of the two races, and gives abundance of ancient place-names. The vast extent of the Ormond lands is shown in Deeds 84-6, 102-4, III, 114, 120 and Appendices IV. and VI.

It was an age of sweeping confiscations and general insecurity for land-titles in Ireland, but the most loyal and ancient of the earldoms of the Anglo-Normans might have been thought secure. Instead a curious and unlooked-for series of events threatened even the succession of the titles and lands of Ormond. The Earl's next brother, Sir Edmund of Cloghrenan, aggrieved at the bestowal of part of his estates upon the adventurer Sir Peter Carew, joined the rebellion of James FitzMaurice in 1570 and was attainted in the parliament of that year

along with his brothers Edward and Piers¹. They were pardoned and restored to their estates in 1573, but the attainder was not at that time reversed, and Sir Edmund therefore remained till his death late in the reign, along with his sons, incapable of succession to the earldom.

The position now was that, as Earl Thomas had no surviving legitimate male issue, the whole Butler property would pass to the eldest son of Edmund, and, by reason of the attainder, revert to the Crown. This result was hoped for by many of the officials at Dublin, to whom these great feudal Liberties were obstacles in the way of English authority. Sir Edmund's two eldest sons, Piers and James, were slain in rebellion in 1597 and a third, Theobald, remained the likely heir to the earldom. Earl Thomas had a daughter Elizabeth, and it was proposed by the earl to marry her to Theobald and thus preclude the chances of a division of the estates between heir male and heir general. The aged Queen gave her consent to this marriage in January, 1603. On his accession, James I. confirmed this and later in 1603 created Theobald Viscount Tullophelim. The annulment of the attainder was however necessary to permit his succession to the earldom, and the new King, still complaisant, gave instructions to the Lord Deputy to have an act passed to this effect in the next Irish Parliament. But Parliament did not meet till 1613, and Theobald himself died before Earl Thomas in December, 1613. The heir at law was then Walter Butler, son of John of Kilcash, third son of James, 9th earl, who had never been attainted. The aged Earl Thomas himself died on 22 November, 1614, blind, and at the remarkable age of eighty-two. In his latter years he and his brother Edmund had striven by a series of conveyances and trusts to uses of the vast estates to protect the heirs at law from the threatened prospect of a reversion to the Crown. (Deeds 84-6, 101, 104, 111, 139, Appendix VI).

Walter of Kilcash now succeeded to the earldom as heir male at law, but the Butler estates came in question. King James, in characteristic fashion, in 1614 designed the hand of Lady Elizabeth, daughter and sole heiress of Earl Thomas and widow of Viscount Tullophelim, for a Scotch favourite, Richard Preston, Lord Dingwall. The marriage took place and Preston, backed by his royal master, attempted to secure the bulk of the Butler estates along with her. Earl Walter naturally resisted and this led to a prolonged Butler-Preston lawsuit, which had to be submitted to the royal arbitration in 1617². James gave the award to Lord Dingwall, and Earl Walter, who would not submit to it, was imprisoned in the Fleet till this King's death in 1625, a curious reward for the ancient loyalty of the house of Butler.

¹ For the Butler succession, see Hughes: 'Sir Edmund Butler of the Dullough' in *Journal of the Kilkenny Arch. Soc.*, 1870-1, pp. 153-; and W. F. Butler: 'Descendants of James, 9th Earl of Ormond,' in *Journal of the Royal Soc. Antiquaries, Ireland*, June, 1929, pp. 29, 44. For the existing Butler heirs according to entail, and the wills of Earl Thomas and Sir Edmund, see Carte's *Life of the Great Duke of Ormond*, (1736, I., Introd. lxvi-vii.), giving the main facts of the succession dispute; also Deeds 101 and 139 here, and Vol. V., Deed 288.

² See Appendices II. and IV. to this Volume. Numerous other documents and decisions of Crown lawyers however remain in the Muniment Room, Kilkenny Castle, connected with this law-suit and the official enquiry into the Butler succession and titles, which went on into Charles I's reign.

The occasion was seized on the Crown side to make a sweeping enquiry into the Palatinate and Prilage of wines of the Ormond earls, and the Palatine Liberty itself was resumed by the Crown in 1621.

Finally the great law-suit was settled by the marriage between Earl Walter's grandson and heir, James, and his cousin Elizabeth, daughter and heiress of Lord Dingwall and his wife Elizabeth Butler in 1629, which united the two families. On the death of Earl Walter in 1632 the young James became 12th earl of Ormond. Known to history as "The Great Duke of Ormond," he was for his services and unwavering loyalty to the Crown created Marquis in 1642, and in 1661, after the Restoration, Duke, while the Palatinate was also restored and made to cover "Dough Arra" (most of the barony of Arra and Owney in north Tipperary), and the Cross lands of the county.

The subsequent fortunes of the great House of Butler are in detail beyond our scope. James, the second Duke, was attainted in August, 1715, for his share in the Jacobite attempt to restore Prince James Edward to the Throne, and an act of the English parliament in 1716 extinguished the Palatine Liberty of Ormond and vested the Duke's property in the Crown. By an act of Parliament, however, in 1721 the Duke's brother, Charles, Earl of Arran, was allowed to purchase the Butler estate back again. Charles died without issue in 1758, and the claim to the title passed to the line of Richard Butler of Kilcash, brother of the first Duke. This claim to the earldom was allowed by the Irish House of Lords in 1791, and John, great-great-grandson of Richard, took his seat as 17th earl of Ormonde, and is the ancestor of the present Marquess of Ormonde.

The hereditary Prilage of Wines was finally sold out to the Crown in 1810 for a sum of £216,000, as confirmed by act of parliament in 1811.

EDMUND CURTIS.

TRINITY COLLEGE,
DUBLIN.
March, 1943.

LIST OF DEEDS

1. Writ of Thomas, Earl of Ormond, lord of the liberty of Tipperary, for restitution of Donald McDonoghe O'Bryen of Tullaghedy upon a forcible entry on his lands. [January 2, 1584].
2. Fifteen deeds relating to lands in Callan. [1584-1602].
3. Grant by Richard Shee to John Archdeacon, dean of Cashel, of lands, etc., in Garrannemanaghe and Cloghran, co. Kilkenny, to the use of the Earl. [April 10, 1584].
4. Grant by Thomas, Earl of Ormond, to James Dullard, of Ballyspellan. [April 12, 1584].
5. Four deeds relating to lands of William Vale in Tullaghmaine and Corbally, co. Kilkenny. [April 13-15, 1584].
6. Grant by Thomas, Earl of Ormond, to Nicholas Den and others of lands in Thomastown. [April 14, 1584].
7. Four deeds relating to the manor of Arklow and the three cantreds [1584-1601].
8. Grant by Thomas, Earl of Ormond, to Theobald Butler fitz John of Derreloskan, co. Tipperary, of the towns of Dyrreclony, Ballynmaystry, etc. [April 30, 1584].
9. Grant by the same to Walter Sexe, the earl's serjeant, of the dissolved monastery of Carrickbeg with all its possessions. [April 30, 1584].
10. Royal inspeximus of a case of disseisin between Walter Roche and Nicholas Canton over messuages and land in Ardkerneyes. [May 27, 1584].
11. Bond of Robert and Geoffrey Rothe to Richard Shee and Robert Gafney. Condition that Laurence Reyneghane, on being admitted to the parsonage of Callan, shall lease the tithes etc., of the parsonage to Shee and Gafney, and shall pay all dues except the first fruits due to the Queen. [June 2, 1584].
12. Grant by Thomas, Earl of Ormond, to John Archer fitz Walter, of Jenkyneston and Mayne, co. Kilkenny. [July 10, 1584].

13. Grant by the same to Richard fitz Edmund Comerford, of Bryckyndowne and Moyledrome, co. Tipperary. [October 13, 1584].
14. Grant by Thomas Fantleroy to Thomas, Earl of Ormond, of the wardship of John Tobyn, cousin and heir to James Tobyn of Killahe. [October 27, 1584].
15. Grant by Thomas, Earl of Ormond, to Adam Tobyn of the manors of Killahe and Modessill, and all the lands in cos. Kilkenny and Tipperary now held by the Earl in wardship for John Tobyn. (Cf. preceding deed.) [November 20, 1584].
16. Grant by Walter Butler fitz John of Kilcash and others of liberty to the Earl to distrain for rent in the lands granted [by the preceding deed] to Adam Tobyn. [December 1, 1584].
17. Grant by Thomas, Earl of Ormond, to Robert Mc Morishe McCody of Crompiston, co. Tipperary. [January 18, 1584-5].
18. Two Fanning deeds. (1) Bond of Richard Butler and another to the Earl of Ormond, that William Fanyng will abide by award of arbitrators as to lands of Ballymclaghin and Ballytarsny; (2) Award of the arbitrators. [January 27; March 3, 1584-5].
19. Grant by Onina ny Kenedy, widow, to Thomas, Earl of Ormond, of the Killyn near Ballicomin in Upper Ormond. [March 3, 1584-5].
20. Royal letters patent commissioning the Earl of Ormond to execute martial law in cos. Kilkenny and Tipperary. (Schedule of instructions by the Lord Deputy). [March 3, 1584-5].
21. Deed of Elles and Ellane Tobyne, daughters of James Tobyn deceased, acknowledging receipt from the Earl of Ormond and John Tobyn of £400 appointed for them by their father's last will. [April 17, 1585].
22. Grant by Thomas, Earl of Ormond, to Edward Clinton of the moiety of Cowleisell, co. Kilkenny. [May 10, 1585].
23. Deed of Thomas, Earl of Ormond, appointing Thomas Cantwell and others as his attorneys for letting his lands in Ireland during his absence in England. [May 24, 1585].
24. Grant by Thomas, Earl of Ormond, by his attorneys, to Elles Wale, widow, of Garriduff in Sledile in co. Tipperary. [June 22, 1585].

25. Grant by the same, similarly, to Walter Butler fitz John of Kilcash, of Downeskyegh, with the adjoining towns Whites-town, Lysshynefory, etc. [July 8, 1585].
26. Grant by the same, similarly, to James Laffan of Ballengrey, of Grantiston in Clanwilliam, and other land. [July 8, 1585].
27. Grant by the same, similarly, to Morishe Tobin, of lands, etc., in Kents Graig and Garrytibbodd, co. Tipperary. [July 9, 1585].
28. Copy of an entry in the Council Book of the English Privy Council, placing on record a testimony to the Earl of Ormond's martial services in Munster. [August 15, 1585].
29. Grant by Thomas, Earl of Ormond, to Brien O'Kennedy of Ballehimickyn, of all the seignories, rents, customs, etc., enjoyed by Owen O'Kennedy (O'Kennedy Don), late of Ballyartile in Ormond. [August 26, 1585].
30. Grant by the same, by his attorneys, to Richard Vale of Moylessan, of Mownceston, *alias* Moncelliston, co. Tipperary. [September 3, 1585].
31. Grant by the same, similarly, to Thomas Comerford fitz Richard and his brother Richard, of lands, etc., in Bowlentle, co. Tipperary. [October 1, 1585].
32. Grant by the same, similarly, to John Naishe, of lands, etc., in Kilmocahill, co. Kilkenny. [November 1, 1585].
33. Grant by the same, similarly, to Oliver Blanchvild of lands in Ballyquirke, co. Kilkenny. [January 28, 1585-6].
34. Grant by the same to Thomas Linch, of Shanechell, *alias* Shankill, and Kilahemylin, co. Waterford. [February 3, 1585-6].
35. Royal letters patent discharging Thomas, Earl of Ormond, in view of his services and losses, of his debts to the Crown. [April 20, 1586].
36. Grant by Edmund Butler of Cloghgrenan to Edward Langton of lands, etc., in Inistocke, including possessions of the late priory there. [April 23, 1586].
37. Indenture between the Countess of Ormond and her sister Gillis, wife of O'Kennedy, witnessing grant by Gillis of certain property to Thomas, Earl of Ormond, and grant by the Countess to Gillis of certain rents. [May 2, 1586].

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38. Grant by Sir Edmund Butler of Cloghgrenan to John Rowe and others of the town and lands of Kellistown to the use of Anthony Hungerford and his wife Margaret. [June 11, 1586].
39. Copy of Lord Deputy (J. Perrot) and Council's warrant to Sir George Bouchier for restoring to the Earl of Ormond the castle of Lackagh in Ormond, a forcible entry having been found of record against Sir Charles O'Carroll.
[September 28; October 12, 1586].
40. Grant by Thomas Butler fitz Walter of Ballyerk to Thomas Archer and Mark Walsh, of land in Fartianie, co. Tipperary, to the use of Thomas, Earl of Ormond. [December 10, 1586].
41. Grant by William Meagher to Thomas Archer and others of Ballynegurtine, co. Tipperary, to the use of the Earl.
[December 14, 1586].
42. Grant by William O'Tyerne to Donald O'Meara of Lisanusky in Ormond, of land in Kaeillaghcalaeon and another parcel of land.
[December 27, 1586].
43. Privy Council documents relating to freedom from cesses and impositions granted to Thomas, Earl of Ormond.
[February 22 and May 10, 1587; May 28, 1603].
44. Quit-claim by Redmond Stapleton to Edward Butler, son of James, Earl of Ormond, in respect of Ballypatrigyn, co. Tipperary.
[May 13, 1587].
45. Eight deeds of grants by members of the Bourke family of lands in co. Tipperary to the use of Thomas, Earl of Ormond.
[June 19, 1587—June 26, 1588].
46. Grant by Balthazar Shee and his brother Arthur to Edmund Shee of a close, etc., in Kilkenny, and other property.
[July 19, 1587].
47. Grant by Jasper Duff, sovereign of New Ross, and the portreeve, burgesses, etc., of the same to Richard Benet fitz Patrick of land in New Ross.
[October 12, 1587].
48. Royal inspeximus of a record of judgment in the court of chief place of Ireland, dismissing a case as appertaining to the court of the palatine liberty of Ormond. [October 25, 1587].
49. Indenture between Thomas, Earl of Ormond, and George Sherlocke fitz Peter, providing for certain mutual payments and engagements in the matter of offices now held by each of the parties.
[March 5, 1587-8].

50. Three documents relating to the prise of wines belonging to the Earl of Ormond in Limerick, Dublin, Drogheda, Galway, and other port towns of Ireland.
[March 21, 1587-8—August 9, 1596].
51. Six deeds relating to lands of Peter Hackett in Rathmacarty, etc., co. Tipperary.
[June 9, 1588—March 23, 1593].
52. *Inspeximus* by the Lord of the Liberty of Tipperary of a case of novel disseisin in the Liberty court. [July 14, 1588].
53. Grant by Thomas, Earl of Ormond, by his agents, to Peter Duffe fitz Richard Butler of the moiety of Bawnedonemone, co. Tipperary. [January 13, 1588-9].
54. Grant by Sir Edmund Butler of Cloghgrenan to Francis Cosby, of Farrenepriory in Queen's County, property of the dissolved monastery of Connall. [March 20, 1588-9].
55. Seven documents relating to Butler lands in Connacht.
[May, 1589—February 1612].
56. Grant by Thomas, Earl of Ormond, by his attorney, to Robert Gaffney, chantor of St. Canice's, of the Grange of Kells, property of the dissolved monastery of Kells. [June 26, 1589].
57. Grant by the same to William Purcell fitz Piers, of Grangemecome, property of the dissolved religious house of Jerpoint.
[August 28, 1589].
58. Grant by Sir Edward Butler of Cloghgrenan to Thomas Kavanagh, of Cloghnekeartin in Tullefellem, co. Carlow.
[February 24, 1589-90].
59. Grant by Thomas, Earl of Ormond, to Edmund Stackbolde *alias* Stapleton, archdeacon of Cashel, of Ballykelly, property of the dissolved monastery of Holy Cross. [May 3, 1590].
60. Grant by the same to Piers Butler, brother of the grantor, of Ballyspellan and Burremore, co. Kilkenny.
[May 5, 1590].
61. Articles of agreement by which, on terms stated, Christopher Carleill, captain, surrenders to William Warren, captain, the office of seneschal of Carrickfergus and other offices and rights in the north of Ireland. [May 23, 1590].
62. Quit-claim by Thomas Bermingham to Walter Hacket and others, in relation to all his right in Milestown, Cloning, and other places in co. Tipperary. [June 15, 1590].

63. Grant by Walter Wadding to Philip Moghan of half a messuage in Carrickmagriffin. [August 11, 1590].
64. Grant by Thomas, Earl of Ormond, to Dermot O'Kenedy, of all his manors, castles, messuages, etc., in Uskean, Ballirowirkmore, Kilnelahaghe, and other places in Ormond. [September 12, 1590].
65. Royal grant to Thomas, Earl of Ormond, of Bourke lands in Clanwilliam, amounting by estimation to 3000 English acres. (Names of places and former owners given.) [April 26, 1591].
66. Quit-claim by Moreghe O'Kenedy to Thomas, Earl of Ormond, in relation to his rights in Aghemethomas, the parish of Askean, Dromnenrye, and other places in co. Tipperary. [June 19, 1591].
67. Grant by Thomas, Earl of Ormond, by his attorneys, to Thomas Cantwell, of the Black Castle near Burries Liegh. [November 22, 1591].
68. Award by the Chief Commissioner and Council of Connaught and Thomond, between Marcus Dowley and his wife Margaret (O'Brien) on one side, and Moroghe O'Brien, baron of Inshyquyn on the other, concerning Tyrevickvran, co. Clare. [February 22, 1591-2].
69. Copy of Thomas, Earl of Ormond's petition to the Lords of the Privy Council regarding his office of Treasurer of Ireland, and his liberty or regality of Tipperary. [July 1, 1592].
70. Inquisition at Rappelleghe in Ormond as to escheated or concealed lands. Names of jurors, and their report as to property of Rory Mc Ee O'Kenedy, late of Tombrackan, executed. [September 21, 1592].
71. Two documents relating to the cess of Ormond. (1) Composition in lieu of cess agreed between the Lord Deputy and Council and the inhabitants of the barony of Middlethrid. (2) Commission from the principal inhabitants of the county palatine of Tipperary to Thomas, Earl of Ormond, to make a composition for cess on their behalf. [November 7, and December 13, 1592].
72. Inquisition at the manor of Nenagh as to escheated lands. Names of jurors, and their report as to the property of Donill McEe O'Mulyryan, late of Bohir in Kilenallongherty, killed while in rebellion. [March 24, 1593].

73. Grant by George Sherlok to Thomas, Earl of Ormond, of a castle and land in Barretstown, co. Tipperary, parcel of the lands of Thomas MacDonnogh Ro O'Carran, attainted.
[May 27, 1593].
74. Two grants by Cornelius *alias* Knoghor O'Megher, and others of his name, to Henry Sheth to the use of Thomas, Earl of Ormond, of lands in Ikerrin, (1) Killea, Curraghduff, etc., (2) Kilkip, Gortenegore, etc.
[March 28, and September 17, 1593].
75. Deed by which Thomas, Earl of Ormond, appoints Rory O'Cleary to be his serjeant of the manor of Nenagh; conditions and duties defined.
[May 1, 1593].
76. Grant by Thomas, Earl of Ormond, to Shane Mac Gillefoele of Garran in Ormond, of land in Garranballiverickin.
[May 13, 1593].
77. Grant by the same to William Harpole of Blackford, Queen's County, of all his castles, lands, etc., in the lordship of Forth O'Nolan, co. Carlow.
[July 1, 1593].
78. Two O'Kennedy deeds. (1) Grant by Thomas, Earl of Ormond, to Hugh MacDermot O'Kenedy of Rappallagh in Ormond, and his wife More yny Carroll, of the town and lands of Ballenclohe. (2) The same deed, with the addition of a few words.
[July 3, 1593].
79. Grant by Thomas, Earl of Ormond, to John Cantwell fitz Piers of Mokarke, and his wife Margaret Morres, of Ballemackede in Clanwilliam, and Balliotereghane and other places in Mowskriquirke.
[July 3, 1593].
80. Grant by the same to Robert Rothe of Kilkenny, of Beallacarhin in Clanwilliam, with its members (Lisgibban, Shanhagard, etc.).
[July 20, 1593].
81. Grant by the same to Edmond Tobin of Killahe, of the moiety of Barronstown, and the hamlets and lands of Ballinemoght and Ballinvy in Clanwilliam.
[July 22, 1593].
82. Grant by the same to Thomas Butler fitz Theobald of the Coniger, co. Kilkenny, of Garryduf, co. Tipperary.
[July 22, 1593].
83. Bond of Thadeus Trassy of Kenles to Henry Sheeth for performance of his promise to grant to Thomas, Earl of Ormond, the towns of Corragh, Lisenosky, Clone, etc., in co. Galway.
[September 27, 1593].

84. Two deeds relating to conveyances to uses of the Ormond estates. (1) Grants by the Earl's trustees (Sir Richard Shee and others) to the Earl; (2) Power of attorney given by the Earl to William Purcell fitz Robert to receive seisin of the same. [September 28, 1593].
85. Grant by Sir Richard Shee on his own behalf and that of three deceased trustees, of certain lands, held by them as tenants of the Earl, to William Purcell fitz Robert, with remainder to the Earl and to various named heirs in tail. With this deed are certificates of certain attainments. [October 1, 1593].
86. Grant by Thomas, Earl of Ormond, and Sir Richard Shee, to Peter Butler of Dowiske and Thomas Cantwell, of various possessions in co. Tipperary and elsewhere in Ireland, and certain monasteries with their possessions, all to the use of the Earl and his heirs. [October 2, 1593].
87. Appointment by Sir Edmund Butler of Cloghgrenan of attorneys to warrant to Thomas Cantwell and Mary (Fitzgerald) his wife, lands in Lishnemenaght, co. Kilkenny. [October 28, 1593].
88. Grant by Thomas, Earl of Ormond, to Thomas Howth of Lismeteig and his wife Margaret, of the manor of Knocktopher, etc., co. Kilkenny. [January 20, 1593-4].
89. Two Grante deeds. (1) Royal grant to Patrick Grante of Pleberdston, co. Kilkenny. (2) Grant by Patrick Grante to Thomas, Earl of Ormond, of Pleberdstown and all the lands granted in the preceding letters patent (many names of places and owners.) [March 25, and March 28, 1594].
90. Grant by Thomas, Earl of Ormond, to John O'Heden fitz Edmund, of Balleamery and two other places in co. Tipperary. [March 26, 1594].
91. Letter from Richard Purcell to the Earl of Ormond with regard to the Earl's title in Connigher and Castle O'Meheghane, disputed by Lord Mountgarret. [April 8, 1594].
92. Bond of Sir Charles O'Carroll of Lemyvanane to Thomas, Earl of Ormond, for his abiding by award to be made by arbitrators as to title to Mokyncorky, and for restitution of certain goods to Owny O'Carroll and others. [April 18, 1594].
93. Two Farrell Deeds. Bonds by Dermot Farrell of Gowran and others of the family to Thomas, Earl of Ormond, for securing to the Earl property in England devised by the last wills of James and Robert Farrell of London, fruiterers. [October 11, and May 13, 1594].

94. Three inquisitions of escheat taken at Callan as to the property held at death by :—(1) Walter Butler of Pollstoune (d. 1584) ; (2) Patrick Denn of Grenan (d. 1566) ; (3) Edmund Butler of Annaghcs (d. 1570). [June 26, 1594].
95. [Identical in terms with deed no. 80 above, but reading ' 1594 ' in date, instead of ' 1593 '].
96. Two Purcell deeds. Grant by Thomas, Earl of Ormond, to Philip Purcell and his wife Margaret Tobin, of lands in Clanwilliam. The first deed grants Castlecurry and Killynwilehard, and the second the manor of Swynfine and various towns and lands. [July 20, and July 22, 1594].
97. Letters patent of the Queen appointing Thomas, Earl of Ormond, to execute martial law in the Pale, during the absence of the Lord Deputy in Ulster. [August 15, 1594].
98. Grant by Robert Rothe of Kilkenny to Walter Butler of Kilcash of the town and lands of Ardcollom, co. Tipperary. [October 26, 1594].
99. Four O'Brennan deeds. Grants by various members of the family to Thomas, Earl of Ormond (directly, or to others for his use) of lands in Aghetobbir and other places in Idowgh, co. Kilkenny. [November 26, 1594—June 26, 1595].
100. Grant by Thomas, Earl of Ormond, to George Greme of the castle, messuages, etc., in Castlewaring, co. Kildare, and in Kiltown and Mynshy, co. Dublin. [January 20, 1594-5].
101. Last will and testament of Thomas, Earl of Ormond. [March 8, 1594-5].
102. Grant by James Shortall of Burdisheyes and his wife Ellenor Freny to Robert Rothe and others, to the use of Thomas, Earl of Ormond, of the manors, etc., of Dunmore, Inchekille, and Listerling, co. Kilkenny. [March 8, 1594-5].
103. Grant by Teig and Rory O'Carroll to James Oge Butler of Lismalin, of the towns and lands of Byrre, Krynekill, etc., in Ely O'Carroll. [March 18, 1594-5].
104. Final concord in the court of Common Bench on the Ormond lands in co. Tipperary. (Carrickmagriffin and over 100 other places named.) [April, 1595].
105. Grant by John Merry *alias* Holeghane to Thomas Merry of two messuages in Carrickmagriffin. [April 20, 1595].

106. Grant by Roger *alias* Rory O'Hiffernan of Drysshian to Walter Butler of Kilcash, of lands in Tullanenore, etc., co. Tipperary. [May 3, 1595].
107. Grant by Thomas, Earl of Ormond, to John Butler fitz Edmund Roo and his wife Johan Smithson, of the manor of Nenagh, the friary of the same, and all lands, etc., belonging to the manor. [May 16, 1595].
108. Deed of Piers Butler of Grantstown, releasing all debts due to him by Thomas, Earl of Ormond, under any legacy made to him by the last will of James, earl of Ormond. [May 21, 1595].
109. Manor of Dunmore. (1) Royal letters patent recording judgment of the Queen's Bench in a case of recovery; (2) Quit-claim by Nicholas Roch of his right in the manor, in reference to the said recovery. [June 2, 1595].
110. Royal letters patent granting to Edmund Barrett various hospitals and rectories (concealed lands) in cos. Cavan, Mayo, Galway, Westmeath and Longford. [June 16, 1595].
111. Two deeds by Thomas, Earl of Ormond, of conveyance to uses of certain estates. [July 30, and September 1, 1595; November 10, 1599].
112. Indenture of agreement between Thomas, Earl of Ormond and others, on one side, and Sir Richard Shee on the other, that the fine and recovery concerning the manor of Donmore shall not prejudice Sir Richard in certain rights. [August 31, 1595].
113. Grant by Thomas, Earl of Ormond, to Walter Dullard of the chief serjeantship of all his lands, etc., in the barony of Galmoy. [September 2, 1595].
114. Signed agreements of tenants of the Earl of Ormond to pay rent to his feoffees. (Tenants' holdings specified). With these are letters of Edmund Stapleton and John Cantwell relating to their agreements. [October, 1595—April, 1596].
115. Letter of attorney of Thomas, Earl of Ormond, to Thomas Purcell, to receive seisin from the attorney of John Butler of Clonburrin and other lands in Upper Ossory. [January 24, 1595-6].
116. Six deeds relating to lands in Weyperous *alias* Ballinacloghy, co. Tipperary. [January 30, 1596—May 27, 1601].
117. Copy of an order for a royal grant to Thomas, Earl of Ormond, of spiritual possessions of the abbeys of Osney, Kells and Jerpoint. [March 3, 1598 (*recte* 1596)].

118. Grant by Thomas, Earl of Ormond, to Ellenor Butler, widow of Gerald Blanchvilde, of Killmedemoke and other towns and the manor of Blanchvildeston, during the wardship of Edmund son of said Gerald. [March 28, 1596].
119. Grant by Thomas Forstall and sir William Bargee, chaplain, to Johane Shee, widow, of the New mill beside Rosbercon, co. Kilkenny. [April 10, 1596].
120. Grant by Thomas, Earl of Ormond, to Henry Shee of the manors, etc., of Carrigmegriffen, Thurles, Roskrea, Nenagh, etc., co. Tipperary, to the use of the Earl's last will. [June 8, 1596].
121. Award of arbitrators in a dispute between the High Town and the Irishtown of Kilkenny, as to liberties and immunities to be exercised within the latter. [September 24, 1596].
122. Royal letters patent appointing the Earl of Ormond commander in co. Dublin, etc. [October 13, 1596].
123. Petition of the vicars choral of St. Patrick's cathedral to the Archbishop of Dublin to admit on their presentation Robert Evans *presbyter* to the perpetual vicarage of Kynneagh. [April 15, 1597].
124. Two Dromineer deeds. (1) Grant by Thomas, Earl of Ormond, to Thomas Cantwell of the manor of Dromnyer, with the towns, etc., belonging to the same; (2) Engagement by Thomas Cantwell to pay the chief rent called 'marteierly.' [May 17, and May 31, 1597].
125. Grant by Thomas Aish of Dublin to John Everard of the wardship of Edmund, son and heir of Gerald Blanchvild. [June 1, 1597].
126. Royal letters patent appointing the Earl of Ormond commander of the forces. [June 13, 1597].
127. (1) Royal letters patent appointing the Earl of Ormond lieutenant general of the army. (2) Ditto, confirming the preceding commission, with grant of additional powers. (3) *Inspeiximus* by Lord Deputy A. Chichester of (1). [October 29, and November 21, 1597; November 15, 1613].
128. Exchequer decree concerning chief rents in Kerry, formerly property of Gerald, Earl of Desmond, and granted by the Queen to Trinity College, Dublin. [June 28, 1597; July 2, 1606; February 12, 1613-14].
129. Royal letters patent commissioning the Earl of Ormond, lieutenant-general of the army, to parley with O'Neill, O'Donnell, and others in Ulster. [December 3, 1597].

130. Bond by John White fitz Geoffrey to Gerald Vale fitz Philip, both of Clonmel, in reference to an exchange of properties, [December 22, 1597].
131. Sherlock grants. (1) and (2). Royal letters patent granting to George Sherlock the lands of Garrangibbon, co. Tipperary, and other lands of attainted rebels; (3) and (4) Grants by George Sherlock of the same lands to the Earl of Ormond, and R. Rothe and H. Shee to the Earl's use; (5) Royal inspeximus of a Chancery decree between the Earl of Ormond and James Sherlock, regarding Island Ivrick and Temple Ivrick. [November 21, 1597; June 26, 1591; February 3, 1597-8; June 18, 1613].
132. Two O'Kennedy deeds. (1) Grant by Keadaghe O'Kennedy to James Butler of Grenan, of Tiraglasse, Keltfadde, and Portolloghane, co. Tipperary. (2) Bond of the same Keadaghe and his son Thadeus to the same James. [April 3, 1598].
133. Royal letters patent appointing the Earl of Ormond lieutenant of the army and lieutenant general to the Earl of Essex, Lord Lieutenant of Ireland. [April 28, 1599].
134. Royal commission to the Earl of Ormond to protect Feagh McHugh's sons and the adherents of Rorie Oge. [August 28, 1599].
135. Paper memorandum of a bond given in the Liberty court for the appearance at assises of Gerald McShane. [March 12, 1599-1600].
136. Royal letters patent appointing the Earl of Ormond lieutenant general of the army under Lord Mountjoy, Lord Deputy. [April 8, 1600].
137. Two Archdekin deeds (1) Quit-claim by Richard Archdekin to Thomas Butler, Earl of Ormond, and others, as to his interest in the manors, etc., of Fowlkescourt, Donaghmore, Crosspatrick etc., in the barony of Galmoy. (2) Bond of the same to R. Rothe and H. Shee. [April 14, 1600].
138. Grant by John McEdmund Roo Butler to R. Rothe and H. Shee, to the use of the Earl of Ormond, of his lands, etc., in Rathnelvye, etc., co. Tipperary. [February 28, 1601].
139. Grant by Sir Edmund Butler of Cloghgrenan to Thomas Cantwell and Robert Walsh, of his estates in cos. Carlow and Kilkenny, to be held to the use of Sir Edmund during his life, then to his son Theobald, with remainders stated. [April 6, 1601].

140. Grant by Teig O'Carroll to Robert Rothe and others, to the use of the Earl of Ormond, of all his castles, messuages, etc., in Birre, Krynekill, etc., in Ely O'Carroll. [June 30, 1601].
141. Two Bourke Deeds. (1) Grant by Thomas, Earl of Ormond, to Richard Bourke of the manor of Grenane Onaght, and the town of Ballyhoste, etc., co. Tipperary. (2) Bond of Richard Bourke to the Earl. [July 11, and July 10, 1601].
142. Royal letters patent to the Earl of Ormond for the ransom of Owny O'Dempsey, a prisoner with the traitor Tyrrell. [August 31, 1601].
143. Grant by Thomas, Earl of Ormond, to Sir Walter Butler of Kilcash, of the wardship of Piers, son of Sir James Butler of Lismalin. [January 24, 1601-2].
144. Grant by the same to Richard Butler, of Ardfenane, of the towns and lands of Lismackhee, Grelaghbeg, etc., co. Tipperary. [April 9, 1602].
145. Grant by Patrick White, chantor of Holy Trinity Cathedral, Waterford, to feoffees to the use of Thomas White fitz Patrick and his heirs, of lands in Waterford, Thomastown, etc., formerly belonging to Thomas White fitz James. [January 16, 1602-3].

APPENDICES.

- I. Commission to establish the bounds of the Earl of Ormond's ancient estates (1589-94). pp. 119-147.
- II. Royal inquisition into the Palatine powers of the Earl of Ormond. pp. 147-150.
- III. Manor of Tullowphelim. pp. 150-153.
- IV. Royal inquisition into the descent of the Earldom of Ormond, 1613-1625. pp. 153-180.
- V. The common revenue of the town of Kilkenny, 1596-1600. pp. 180-183.
- VI. Conveyances to uses and actions of common recovery, etc., of the Earl of Ormond's lands, etc., in various counties, 1599-1603. pp. 183-197.
- VII. An O'Kennedy deed, 1608, relating to Monicroane in Ormond. pp. 197-200.

ORMOND DEEDS VI.

1.

A Palatinate Writ.

Paper copy of a writ in Latin addressed by the Earl of Ormond to the seneschal of the liberty of Tipperary, as follows :—

“ Sir Thomas Butler, etc., to the sheriff of the liberty of Tipperary, greeting. Whereas by a certain inquisition before our seneschal and justice of said liberty and their fellows on the Monday next after the feast of St. Nicholas, Bishop, in the 26th year of Elizabeth, it was found that Donald Mc Donoghe O'Bryen of Tullaghedy in said liberty was seised in his demesne as of fee of one plowland with appurtenances in said Tullaghedy and had long estate and possession thereof, until John son of Edmund Roo of Nenagh in Ormond, farmer, and other malefactors unknown, on September 1 in the 25th year of Elizabeth, forcibly entered said plowland and expelled said Donald, and still keep him out/now therefore we command you to cause said John fitz Edmund to be removed from possession, and said Donald to have full and peaceful possession of said land. This our writ to be executed before our seneschal and justice of said liberty on the first day of the next assize.”

Teste Theobald Butler, knight, Lord Baron of Cahir, seneschal of said liberty, at Clonmel, January 2 in the 26th year of Elizabeth.

Dorso : ‘ A writ of restitution upon a forcible entry.’ ‘ The original hereof remaineth with Mortagh O'Bryen of Annagh.’ January 2, 1584.

2.

Callan Deeds, 1584-1602.

(1) The Earl of Ormond grants to Fowlke Quemerford of Callan the village of Phycysionstowne in Co. Kilkenny and a parcel of land in the borough of Callan called Kylmeneghe for a term of 21 years at rent.

March 27, 1584.

(2) Fulk Comerford of Callan grants to Thos. Comerford of the same and his heirs for ever two messuages with their gardens, seven acres and two crofts of arable within the borough of Thomastown, Co. Kilkenny (boundaries given).

Witnesses : Wm. Troddy, Redmund White, Teig Mc Neiles, James Stack.

July 17, 1586.

(3) Thomas O'Doyre of Callan, husbandman, and Marion Andrewe his wife, grant to Henry Shee of Kilkenny a messuage with a garden in the town of Callan, to hold to said Henry, his heirs and assigns, to the use of Thomas, Earl of Ormond, his heirs and assigns for ever, at annual rent of 12*d.* Irish to the use of the church of the Blessed Virgin. Witnesses : Robert Rothe, Patrick Sentleger, William Kerdon, John Pollard, Richard Forstall, Patrick Bussher.

May 27, 1587.

(4) The Earl grants to Piers Harforde of Callan, burgess, six acres of arable land in the Frontesfield, parcel of the Earl's demesne in his manor of Callan.

Witnesses: Rob. Gafney, chantor, Wm. Purcell, Patk. Bussher, Gerot FitzThomas.

Feb. 24, 1591 (N.S.).

(5) Indenture between Richard Forstall, sovereign of Callan, and the burgesses and community of the same, on one side, and Thomas Merry burgess of the same, on the other, witnesses that said sovereign, etc., have granted to said Thomas a castle and a messuage with 'an outstall' annexed in Kenles street which were in the possession of Richard Merry, father of said Thomas, etc. To hold to said Thomas, his heirs and assigns, for ever, at annual rent of 2*s.* 8*d.*

Witnesses : Edward Brenan, James Heden, Sir James St. Lengir, chaplain, Walter Andrews.

May 11, 1593.

(6) Geoffrey Rothe Fitz William, merchant of Kilkenny, and his son William grant to the Earl of Ormond for a sum of 40*l.*

a castle and house in Callan (boundaries given), appointing as their attorney Daniel O'Kelly of Kilkenny, yeoman.

Witnesses: R. Shee, Patk. Bussher, Walter Sexe, Piers Swetman, sovereign of Callan, Patk. Walshe, James Butler, Gerald Comerford.

October 24, 1593.

Seal.

(7) Geoffrey Rothe fitz William of Kilkenny, merchant, and his son William Rothe, for a sum of money paid to them by the Earl of Ormond grant to Robert Rothe and Henry Sheeth of Kilkenny a castle and messuage in Callan, to have and to hold to said Robert and Henry to the use of said Earl for ever.

Witnesses: John Cantwell of Mockayrk, Richard Rothe, Edmund Ryan, George St. Leger, William Edwards, William Seymer, Peter Comerford, Piers Butler, George Comerford, Arthur Shee, Richard Forstall, Thomas Comerford.

October 24, 1593.

(8) Simon Nugent of Callan grants to Thomas Merry *alias* Holeghan, son and heir of the late Richard Merry, a messuage, garden, toft and cellar in Callan (boundaries given). To hold to said Thomas, his heirs and assigns for ever at annual rent of 6s. 2d. Irish.

Witnesses: James Butler, Piers Walshe, Gybbowne Blansvild, John Reoghe O'Meagher of Clonemore, William White, David Barron, John Mylott fitz Richard, Thomas Coltane, Thomas Gorman, William Kevanaghe.

August 20, 1594.

(9) Simon Nugent of Callan grants to Thomas Merry a messuage in the West street of Callan (boundaries given), to hold to said Thomas, his heirs and assigns for ever, paying yearly to the priests and clerks of St. Katherine's Chapel 2s. current money of Ireland toward the anniversary of Nicholas Sowlown, John Moledi, Megina Bussher and Johan Moledi.

Witnesses: Edmund Butler, William Troddy, Donoghe Dulothenty, Mise Maelruanaidh O Ribhardain (*in Irish Script*).

July 28, 1594.

Seal.

(10) William Kerdon and his wife Katherine Anyell of Callan grant to Rob. Rothe and Henry Shee of Kilkenny a castle in

the east street of Callan with messuage etc., to have and to hold to the earl of Ormond for ever.

Witnesses : Piers Butler, Adam Toben, Rich. Forstall, Gerod Dowell.

July 1, 1595.

Portion of seal.

(11) Final concord made in the Queen's court at Dublin on the morrow of the Trinity a.r. Eliz. 38, before Robert Dillon knight and William Bathe esquire and other lieges then present, between John Everard, gentleman, plaintiff, and Robert Rothe, Henry Shee, Geoffrey Rothe, William Rothe, William Kerdon and Katherine his wife, Richard Barron and Onora his wife, Thomas Grogue and Margaret his wife, defendants, concerning three messuages etc. in Callan, whereof a plea of agreement was summoned between the said parties in the said court.

The said Robert etc. admit the said tenement to be the right of the said John, as that which he has of gift of the said Robert, etc., and they quit-claim for them and their heirs to the said John for ever. In recognition whereof the said John gave to the said Robert etc. one hundred shillings of silver.
June 10, 1596.

(12) Final concord in the Queen's court at Dublin on the morrow of Trinity in the 38th year of Elizabeth, before Robert Dillon and William Bathe, justices of the Common Bench, made between John Everard and Robert Rothe, Henry Shee, Geoffrey Rothe, William Rothe, William Kerdon, Catherine his wife, Richard Baron, Honora his wife, Thomas Grogue and Margaret his wife, defendants, concerning three messuages and five gardens in Callan, whereof it was agreed between them that said Robert, Henry, etc., admitted said tenements to be the right of said John, which he has of their gift, and they have remitted and quit-claimed the same to him and his heirs for ever. For which quit-claim he has given to the same Robert, etc., 100 shillings silver.

June 17, 1596.

(13) Robert̃ Rothe, sovereign of Callan, and the burgesses and commons of same grant to Thomas Merry, *alias* Holeghan, of Callan an acre and a half of meadow at the Skehanagh in

the said borough (boundaries given), for a term of 61 years at annual rent of 2s., reserving to said sovereign, burgesses, commons and free inhabitants the common of pasture in said meadow.

Feb. 17, 1601 (N.S.)

Portion of seal of Callan
and another small seal.

(14) Rob. Rothe, sovereign of Callan, etc. (as above), with consent of Thomas Gorman and Nich. Adams, proctors of the church of the B.V.M. in Callan, grant to the Earl of Ormond a small garden or close in said town (boundaries given), to hold to the Earl and his heirs for ever, paying annually to said sovereign etc. 16*d.* to the reparation of said church.

Witnesses: Hen. Sheeth, sovereign of Kilkenny, Rich. Butler, Piers Butler, James Fennel.

March 20, 1601 (N.S.)

Seal of Callan.

(15) Deed of Simon Egerton and his wife Margery Kavanagh of Callan to the effect that/whereas Thomas Kavanagh of Callan on October 4, 1596, granted to said Simon and Margery a messuage etc. in the west street of Callan (boundaries given)/now Simon and his wife grant said premises for 25*l.* to Thomas Merry of Kilkenny, yeoman, to hold on the conditions stated.

Witnesses: Wm. White, Katherine Nugent, widow, Onnore Meagher, Katherine Merry.

September 17, 1602.

3.

Richard Shee of Kilkenny grants to John Archdeacon, dean of St. Patrick's, Cashel, all his castles, lordships, lands, etc., in Garrannemanaghe and Cloghran in Co. Kilkenny, with the rents, reversions and services of all the premises. To hold to said John, his heirs and assigns, to the use of Thomas, Earl of Ormond, his heirs and assigns for ever.

Signature: R. Shee. Witnesses: Sir Thomas Browne, Gerot Fitz Thomas, Richard Grace, Edmund Nolan, Donoche Mc Kinegh, Richard Finane, James Asteaken.

April 10, 1584.

Seal, perfect.

4.

Indenture of April 12, 1584, between Thomas, Earl of Ormond, and James Dullard of Folkescort, Co. Kilkenny, horseman, witnesses that said Earl grants the town of Ballyspellan, Co. Kilkenny, with its castles, messuages, etc., to said James for 21 years at annual rent of 8*l.*, he to be in readiness with horse and harness to serve said Earl from time to time.

April 12, 1584.

Seal.

5.

Four Vale Deeds.

(1) Deed of William Vale of Tullaghmaine to the effect that/ whereas by a writ of entry 'in le post' in Henry VIII's reign he recovered against James, late Earl of Ormond, all that Earl's lands, tenements and hereditaments in Tullaghmaine, and later granted the same to Robert Rothe of Kilkenny by his deed of February 25, 1583, and also enfeoffed said Robert in all said lands, etc., in Corbally or Correvale by another deed of the same date/ now said William grants to Thomas, Earl of Ormond, all his property in Tullaghmaine and Corbally, to hold to said Earl, his heirs and assigns, for ever.

April 13, 1584.

Two seals, broken.

(2) William Vale of Tullaghmaine, heir male of Walter Vale, formerly lord of Kilcashe, viz., son and heir of Edmund, son and heir of Richard Oge, son and heir of Richard, son and heir of Edmund, son and heir of Richard, son and heir of said Walter fitz Richard Vale (to which Walter, one Philip Vale after the death of Anastacia Britt granted Monedoife and Ardcollom), grants to Robert Gafney, vicar of Carrickmagriffin, Co. Tipperary, all the castles, lands, etc., in Monedoife *alias* Monenedoihe and Ardcollom aforesaid, to hold the premises to said Robert, his heirs and assigns, to the use of Thomas, Earl of Ormond, his heirs and assigns for ever.

Witnesses: Nicholas Leye, Robert Rothe, Henry Sheth, Richard Comerford fitz Edmund, John fitz Richard Power of Niddans, Edmund Butler fitz James, Nicholas Lynch, Thomas Leye, Edward Whitt, Nicholas Skyddy.

April 14, 1584.

(3) Thomas, Earl of Ormond, appoints Thomas Archer of Kilkenny his attorney to receive seisin of all the messuages, lands, etc., in Tullaghmaine and Corbally. Signature of the Earl.

Witnesses: William Archer, sovereign of Callan, Jasper Rothe, George Quemerford, Thomas Comerford, William Troddy, Thomas Clere, Edward Brenan, Redmund O'Costelly.
April 14, 1584. Butler seal.

(4) Thomas, Earl of Ormond, grants to Robert Rothe all his messuages, lands, etc., in Tollaghmayne and Corbally, Co. Kilkenny, to hold to said Robert Rothe and his heirs male lawfully begotten for ever, with reversion to the Earl, his heirs and assigns.

April 15, 1584. Rothe seal.

6.

Indenture of April 14, 1584, between Thomas, Earl of Ormond, on one side, and Nicholas Den, John Rothe fitz David and James Broder of Thomastown, merchants, on the other, viz., that said Earl grants all his messuages and lands in Thomastown commonly called Stafford's, and the abbey lands with their appurtenances, to have and to hold to said Nicholas, etc. even as Oliver Grace held the same, for 21 years at annual rent of 5*l.* and 6 capons every Shrovetide.

April 14, 1584. Three seals.

7.

Four Arklow Deeds, 1584-1601.

(1) Indenture of April 25, 1584, between Thomas, Earl of Ormond, and Hugh Duff McDonill O'Byrne of Knockrahe, Co. Dublin, viz., that the Earl grants the manor or lordship of Arklow commonly called the Innyremore, together with the three cantreds or shires commonly called Towaly, Tocowlenegonnyny and Tocowlenegleraghe with all the castles, meases, lands, etc. thereto belonging, and all appurtenances except main woods and eyries of hawks and game/to have and to hold to said Hugh even as Richard Walsh held them, for a term of 21 years at annual rent of 180 marks. Hugh to keep hospitality

for the Earl and his officers and to yield all such 'accates' of beeves, muttuns and hogs as the tenants of the lordship of Rathville are bound to pay/also to attend all hostings and journeys to serve against the Queen's enemies.

Witnesses: R. Shee, Bryan Leyne, Henry Gankighe, James Clearn.

April 25, 1584.

Seal.

(2) "Memo. that whereas upon several complaints exhibited by sundry of the inhabitants within the lordship of Arklow unto the Earl of Ormond as concerning several wrongs, injuries and other bad dealings used by said inhabitants, very pernicious and hurtful among themselves, whereby great discontentment and disquietness ensued thereof, for want of due course to be taken for redress of such wrongs and other indirect dealings as are continually growing betwixt said inhabitants as well for titles of land, actions of debt, as otherwise/thereupon said Earl having a circumspect care of said inhabitants, being his tenants, directed unto us his pleasure, willing us, James Grace of Rathville in county Carlow, Edmond Gall and Piers McWilliam of county Kilkenny, to repair to the lordship of Arklow, calling before us such controversies as were depending betwixt the inhabitants. Among which causes there was specially given us in charge to end and determine a controversy for certain lands within that lordship wrongfully detained from William McFerganany O'Dowle of Kilbryde by Nicholl Oge O'Dowle, James Mc Owen O'Dowle and others, which lands said William claims in the right of one Kittaghe O'Dowle, his ancestor, who was possessed of the fifth part of Cowle Conyne, one of the three shires of said lordship, containing the towns and lands of Kilbryde, Balleduffe, Cowlboye, Ballecantowlo, Tamplereny, Ballemony, Ballenattin, Coyloghe, Ballenegeghe, Ballinrushe, Kilcrowyn, Balleanderhan, Ballegiblott, Kealoge, Ballenecoyloige, Ballenemoyne, Ballemahese, Ballincowro, Rahinmor and Ballewooge. And forasmuch as we thought it necessary in a matter of so great importance to have the assistance of some sufficient men of said lordship, we made choice of Fardorrough Mc Phelym, Morgh Mc Donyll and Syman Mc Shane, freeholders, to join with us for the ending of this controversy. And being within the great hall of the castle of Arklow the

21st of March, 1593, having the appearance of the inhabitants of said lordship before us for the most part, we called in question the said controversy.

The award is made in favour of said William Mc Ferganonym as sole heir to one Dermot Beddy who was possessed of the fifth part of said towns and lands as heir to said Kittaghe O'Dowle. "

Signatures : James fitz Oliver Grace, Edmund Galdy mac Cody, Piers Mc William Cody *alias* Archdeacon, Fardoragh (Mc Phelym), Morgh Mc Donell, Syman Mc Shane.

Witnesses : Robert Grace, Edmund Grace of Walterston, Hugh Duff Mc Donell, constable of Arklow, Teige Duff Mc Donagh Glanne, Shane Keall, Morish Byrn, David Rothe, Robert Dormer, Richard Branegh fitz William, William Walshe, Maher Mc Hugh Duff.

March 21, 1594 (N.S.).

(3) Deed of April 1, 1596, by Thomas, Earl of Ormond, to the effect that he has granted to Richard Cromwell of Arklow, Co. Carlow, a messuage and a garden in said town commonly called the Dowle's tenements, to have and to hold to said Richard and his heirs male for ever at annual rent of 13s. 4d. with the usual perquisites and services. The Earl appoints William Dowel of Arklow to be his attorney.

April 1, 1596.

(4) Indenture dated the 20th day of March, 1600, and the 43rd year of Elizabeth, between Thomas, Earl of Ormond, and Captain Laurence Esmond, witnesses that the Earl grants to said Laurence the manor and lordship of Arklow in county Carlow, with all the castles, messuages, lands, tenements, etc., belonging to the same, saving to the Earl and his heirs a place for a weir upon the river of Arklow, also all eyries of hawks and all game ; to hold to said Laurence, his executors and assigns, for a term of thirty years at annual rent of 60*l.* together with 12 barrels of herrings to be delivered yearly to the manor of Arklow and sent from thence to the Earl's manor of Clonmore as often as herring fishing shall happen in the haven of Arklow, to be paid for by the Earl at 10s. sterling a barrel, also the moiety or ' half deale ' of all heriots, waifs, strays and profits

of courts, and 12 ' botes ' of wood to be delivered by the tenants and inhabitants of said lordship (commonly called the three shires) to the Earl yearly at Arklow to be carried from thence by boat to Dublin for the use of the Earl as has been the custom. The said Laurence and the tenants dwelling in the manor and lordship shall answer to the Earl and his heirs the accustomed rising out of the manor when required as heretofore, and shall receive and feed the Earl's horses and horseboys when he shall send them to those parts. The Earl's caterers shall be free to take accates in said manor for the provision of the Earl's house at prices current in the Earl's lands in county Carlow. The said Laurence shall further repair the wall or bawn of said manor where ruined, and shall buttress it with lime and stone within two years; he shall not commit waste in the Earl's woods, reasonable 'houseboote, ploughboote, hedgboote and cartboote' for him and his tenants excepted, nor dispose of his interest in the premises without licence from the Earl. He shall receive and feed the Earl and his company for 24 hours at any time at his own expense. Lawsuits between the lessee and the burgesses of the town of Arklow or the tenants of the manor shall be heard by the Earl or his officers.

Signature: Thomas Ormond et Oss. Witnesses: Henry Sheeth, sovereign of Kilkenny, R. Shee, Robert Rothe, William Kelly.

March 20, 1601.

Butler seal.

[Note.—Arklow is described as being in County Carlow. Wicklow had not yet been shired. See article on "The Byrnes' Country and the Manor of Arklow" by Liam Price in *Journal of the Royal Society of Antiquaries, Ireland*, for 1936, in which the author utilises the above and other Ormond Deeds bearing on Arklow. See also "Place names in the Barony of Arklow", by the same author, in *Proceedings of the Royal Irish Academy*, 1941.

8.

Indenture of April 30, 1584, between Thomas, Earl of Ormond, and Theobald Butler fitz John of Derreluskan in Co. Tipperary, viz., that the Earl grants the towns of Dyrreclony, Ballynmaystry, Ballyhomyn, Ballynloggan, the third part of

Teample Davan, Lyslevan, Beallacaryn, Lysgybbon, Loghbegg, the quarter of Kilnekask and half Scorlokeston in Clanwilliam, with all the castles, messuages, lands, etc., belonging to said towns, reserving all game, to have and to hold to said Theobald, etc., for 21 years at annual rent of 14*l.*, as well as the moiety of all heriots, poundages, profits of courts and other perquisites/ the grantee not to maintain, receive or relieve traitors or thieves, and to attend upon the Earl in warlike manner for all hostings, etc.

April 30, 1584.

9.

Indenture of April 30, 1584, between Thomas, Earl of Ormond, and Walter Sexe, serjeant to said Earl, witnesses that the Earl grants the site, circuit, etc. of the late dissolved monastery of Carrickbeg, Co. Waterford, with all the messuages, lands, reversions, tithes, altarages, etc., belonging to the same, to have and to hold to said Walter, etc., for 21 years at annual rent of 8*l.*

April 30, 1584.

10.

Inspeximus by Queen Elizabeth of a case of Disseisin before the Justices of the Common Bench at Dublin in the month after Easter, 1584, between Walter Roche of Ross, plaintiff, and Nicholas Canton of Wexford over 4 messuages and 72 acres of land, etc., in Ardkerneyes, of which the plaintiff claims to have been unjustly dispossessed. He is to recover seisin.

May 27, 1584. Portion of Seal of the Common Bench.

11.

Bond of June 2, 1584, between Robert Rothe of Kilkenny and Geoffrey Rothe of the same, merchant, to Richard Shee of Kilkenny and Robert Gafney, chaplain, in the sum of 50*l.* The condition is that Sir Laurence Reyneghane, chaplain, on being admitted to the parsonage of Callan shall within fourteen days after request by Richard Shee and Robert Gafney make unto them or their assigns a sufficient lease by indenture of all

the tithes of corn and other profits belonging to said parsonage for a term of 41 years at annual payment of 160 bushels of good corn of the common measure of Kilkenny out of the tithe corn of said parsonage, a third of wheat, a third of 'pracas' and a third of oats / said Sir Lawrence paying all ordinary and extraordinary charges due from said parsonage to the Queen's Majesty, the archbishop of Dublin, the bishop and archdeacon of Ossory, etc., and said Richard and Robert paying 20*l.* yearly in discharge of the first-fruits due to Her Majesty, the full amount of which is 30*l.*

June 2, 1584.

Two seals.

Note : 'pracas' means in Irish a 'mixed crop.'

12.

Indenture of July 10, 1584, between Thomas, Earl of Ormond, and John Archer fitz Walter of Kilkenny, merchant, viz., that the Earl grants the towns of Jenkyneston and Mayne in Co. Kilkenny with all the castles, lands, etc., belonging to the same, reserving all game / to have and to hold to said John, etc., for 21 years at annual rent of 12 marks with the usual perquisites, as well as four barrels of oats and eight cars of straw, viz., four of wheaten straw and four of oaten straw / said John to build the castle of Jenkyneston higher than it is at present and to cover it with oaken timber and slates, and also build a bawn near said castle within four years.

July 10, 1584.

Seal.

13.

Indenture of October 13, 1584, between Thomas, Earl of Ormond, and Richard fitz Edmund Comerford of Garryduff, Co. Tipperary, horseman, viz., that said Earl grants the towns commonly called Bryckyndowne and Moyledrome, Co. Tipperary / to have and to hold to said Richard, etc., for 21 years at annual rent of 10 marks, with the usual perquisites / said Richard to be in readiness in his best defensible manner to attend from time to time all manner of hostings, 'rodes' (raids) and journeys with said Earl.

October 13, 1584.

14.

Deed of October 27, 1584, by Thomas Fantleroy, gent., viz., that/whereas Her Majesty the Queen by letters patent dated Dublin, November 30, 1583, granted to said Thomas the wardship of the body and lands of John Tobyne, cousin and heir to James Tobyne of Killaha, Co. Tipperary, deceased, and of all the lands of which said James died seised in use or possession, and also the wardship of the heir or heirs of said John should he die within age, etc., reserving to Her Majesty 20s. yearly/now said Thomas in consideration of a sum of money paid to him by Sir Thomas Butler, Earl of Ormond, grants to said Earl the above wardship with the profits thereof, to have and to hold according to the original grant.

October 27, 1584.

15.

Indenture of November 20, 1584, between Thomas, Earl of Ormond, and Adam Tobyne of Cowrsillagh, Co. Tipperary, gent., witnesses that said Earl grants to Adam the manors of Kilahe and Modessill with the appurtenances in Co. Tipperary and all the castles, lands, etc., in counties Kilkenny and Tipperary whereof James Tobyne, late of Kilahe, died seised, with the reversion of the premises, all of which said Earl now holds in wardship for John Tobyne, next heir to said James, i.e., son and heir of Thomas Tobyne, son and heir of said James/ reserving to the Earl all eyries of hawks, all deer, the manor of Castleshane and such part of said premises as were heretofore granted by said Earl to Philip Purcell or towards the maintenance and preferment of Elles and Ellan Tobyne, daughters of said James/to have and to hold to said Adam, his executors and assigns, for a term of 10 years at annual rent of 50*l.*, 10 good poundage hogs, 16 good summer sheep, and 23 good watch hens.

November 20, 1584.

Seal.

16.

Deed of December 1, 1584, by Walter Butler fitz John of Kilcashe, Co. Tipperary, gent., John *alias* Farderogh Purcell of Burries Liegh in the same, gent., Adam Tobin fitz James, gent., James Tobin fitz Walter of Clonegoes in the same county,

farmer, and Walter McRichard Tobin of Kilamery, Co. Kilkenny, to the effect that/whereas the Earl of Ormond by his deed of November 20, 1584, granted to said Adam Tobin the manors of Kilahee and Modessell, Co. Tipperary, with the appurtenances, and all other lands, etc., whereof James Tobin, late of Kilahee, gent., deceased, died seised of in the lordship of Comsy in said county or in any other place in counties Tipperary and Kilkenny/all of which lands, etc., said Earl held by reason of wardship of John Tobin, next heir unto said James, that is, son and heir of Thomas Tobin, son and heir of said James (excepting the manor of Castleshane and such other parcels of the inheritance of said James as were granted by said Earl unto Philip Purcell, gentleman)/to have and to hold to said Adam and his assigns for a term of 10 years at annual rent of 50*l.*/now therefore said Walter, John, Adam, James and Walter grant to said Earl full power and authority to enter into all their lands to distrain for said rent should it be unpaid.

November 20, 1584.

December 1, 1584.

Four seals.

17.

Indenture of January 18, 1584, between Thomas, Earl of Ormond, and Robert Mc Morishe Mc Cody of Killnemraher, Co. Tipperary, 'kernaghe' (kern), witnesses that said Earl grants the town commonly called Crompton, Co. Tipperary, with all the castles, messuages, lands, etc., belonging to the same, to have and to hold to said Robert, his executors and assigns, for a term of 21 years at annual rent of 4 marks, a poundage hog, a summer sheep and 6 watch hens, with half heriots, profits of courts and other perquisites.

January 18, 1584/5.

18.

Two Fanning Deeds.

(1) Bond of January 27, 1584, by Richard Butler of Powleston, Co. Kilkenny, gent., and Morerteghe O'Riane of Ballyclaghine in the same, gent., to the effect that they owe 300*l.* to Thomas, Earl of Ormond, on condition that William Fanyng, son and heir of James Fanyng, late of Ballyclaghin, his heirs and assigns,

and all other persons seised or to be seised to his or their use of the moiety of the towns and lands of Ballym^elaghin and Ballytarsny, Co. Kilkenny, whereof William Fanyng, father of said James, was in his life-time seised, shall abide by the award of Gerald Blanchvild of Blanchvilston, Robert Forstall of Kilfiragh, Thomas Den of the Grenane, Nicholas Shortall of Upper Claragh, Co. Kilkenny, and Henry Shethe of Kilkenny, concerning the right, title, and interest of the moiety of said towns, now in controversy between said William Fanyng and the Earl of Ormond.

Signatures : Richard Butler, Mortaghe O'Rean, *manu aliena*.

January 27, 1584/5.

(2) Award of March 3, 1584, by Gerald Blanchvile of Blanchvileston, Thomas Den of the Grenane, Nicholas Shortall of Claragh, Robert Forstall of Killferaghe and Henry Sheth of Kilkenny between Thomas, Earl of Ormond, and William Fanninge fitz James of Ballym^elaghne, concerning the title to the moiety of Ballym^elaghne and Ballytarsne in Co. Kilkenny. The Earl is bound to abide by this award according to his bond of January 27 in the 27th year of Elizabeth (1585), while Richard fitz Walter Butler of Powliston and Mortaghe O'Ryan of Ballym^elaghne, horseman, are similarly bound on behalf of said William by their bond of the same date. Also the said Earl shall make an estate in tail of the premises to said William with remainder to Oliver Fanninge, William's uncle, with remainder to said Earl.

Signatures : Gerald Blanchvill, Thomas Den, Nicholas Shortall, Robert Forstall, Henry Sheth.

March 3, 1584/5.

Five seals in good condition.

19.

Onina *alias* Owne ny Kenedy of Ballicomin, Co. Tipperary, widow, grants to Thomas, Earl of Ormond and his heirs and assigns for ever, the town commonly called the Killyn near Ballicomin in Upper Ormond, with all the lands, tenements, etc., belonging to the same. Oliver Mores of Drehidnefarne and James Purcell of Ballicormyck to deliver seisin.

March 3, 1585.

Seal.

20.

Proclamation of Martial Law in Counties Kilkenny and Tipperary.

Letters patent dated at Dublin on March 8 in the 27th year of Elizabeth (1585 N.S.) by which the Queen, with the consent of Sir John Perrot, Lord Deputy, commissions the Earl of Ormond to execute martial law within the counties of Kilkenny and Tipperary.

Schedule of instructions by the Lord Deputy to the Earl.

“First, that proclamation be made throughout your whole charge that all idle men, vagabonds, sturdy beggars, harpers, rymers and bards shall depart out of the same upon pain of death, and all horse-boys, idle persons or such-like which after the day that said proclamation shall be made shall pass through that your charge without a letter or bill of his master's hand testifying whose servant he is, shall in like manner be apprehended and suffer pain of death. You shall fail not to employ your uttermost endeavour and diligent travail to cause said proclamation in all points to be put in execution, and the offenders against the same to be executed to death as the proclamation doth warrant.

That you shall likewise have full power and authority to take all such persons as do willingly or otherwise are known to provide, aid, support or maintain any outlaws, open thieves, murderers or rebels, and to send them so offending unto the Queen's common gaol of any of those counties, with certificate of the demeanour of the offenders, and shall also seize their goods and chattels, etc.

If any persons shall refuse aid when called upon, or shall in any wise resist you, the same contempt and refusal shall be certified to the Governor, who shall punish the offenders and recompense the Earl out of their goods.

It shall be lawful for the Earl to make reprisal for all ‘bodradge,’ robbery, stealth or spoil of goods or chattels, etc., and to kill, plague and correct the offenders.

The Earl and his followers may in the execution of their commission take freely in all places without impeachment horse-meat and man's meat during one night and a breakfast in each place.

The Earl shall have authority to put into execution in said

counties the several statutes ordained in this realm against grey merchants, corsers, buyers and sellers of horses and the makers of 'Aquavite,' as well within liberties as without, whereby the Irishry receive prohibited succour, relief and maintenance forbidden by the laws.

You may not fail but with all diligence to publish these our instructions throughout your whole charge whereby all Her Majesty's good subjects may take notice thereof and be careful to avoid the punishment ordered in the same."

Signed : Perrot.

March 8, 1584/5.

Portion of Great Seal.

21.

Deed of April 17, 1585, by Elles Tobyn and Ellane Tobyn, daughters of James Tobyn, late of Kilahe, Co. Tipperary, deceased, viz. that they have received by the hands of Thomas, Earl of Ormond, and of John Tobyn, son and heir of Thomas Tobyn, deceased, son and heir of said James, the sum of 400*l.* which said James appointed by his will to be paid unto them for their preferment.

April 17, 1585.

22.

Indenture dated May 10, 1585, between Thomas, Earl of Ormond, and Edward Clinton of Ballydonell, Co. Kilkenny, farmer, viz., that said Earl grants the moiety of the town of Cowleisell in said county reserving all game, but saving to Edward sufficient fire-bot, house-bot, plough-bot and cartbot, to have and to hold to said Edward, etc., for 21 years at annual rent of 4 marks.

May 10, 1585.

23.

Deed of Thomas, Earl of Ormond, dated May 24 in the 27th of Elizabeth, to the effect that he has appointed Thomas Cantwell of Cantwellscorte, Co. Kilkenny, Robert Rothe of Kilkenny, Thomas Den of Grenane in the same county, Thomas Archer and Patrick Sentleger, or any three of them as the said

Earl's wife shall appoint, to be his attorneys to set and let all his lands, etc., in counties Kilkenny and Tipperary and elsewhere in the realm of Ireland, for a term of 21 years, reserving to said Earl such rents and other reservations as said attorneys shall think reasonable, provision being made in every such grant or lease for the payment of rent, for the right of entry to the Earl's caterers or purveyors, and for the avoidance of the agreement after half a year's warning should the Earl disapprove of it. The attorneys are given full power to call to account all the Earl's officers and other persons who received any part of his goods or chattels, rents, revenues, customs or duties, and all who owe any arrears of rent, etc.; to hear and determine the complaints of tenants for any wrongs or extortions; earnestly and carefully to enquire by all ways and means for all sums of money, goods, etc., that were at any time heretofore concealed from said Earl or received by any person without rendering account to him; to perambulate the marks and meares of all the Earl's manors, lands and lordships, and upon view thereof to take order for all encroachments. The above commission to continue in force until the Earl returns from England, and no longer.

Signature : Thomas Ormond et Oss.

Witnesses : Edward Goege, James White, Patrick Shortall, under sheriff.

May 24, 1585.

Seal.

24.

Indenture of June 22, 1585, between Thomas, Earl of Ormond, and Elles Wale, widow, viz. that said Earl by his attorneys authorised by his commission of May 24, 1585, grants the village and lands of Garriduff in Sledile, county Tipperary, with all its lands, etc., to have and to hold to said Elles, etc. for 21 years at annual rent of 4*l.* 13*s.* 4*d.*

Witnesses : John Archer, Sir Lawrence Reyneghan.

June 22, 1585.

25.

Indenture of July 8, 1585, between Thomas, Earl of Ormond, and Walter Butler fitz John of Kilcash, Co. Tipperary, gent.,

witnesses that said Earl by his attorneys appointed May 24, 1585, grants the castle, etc., of Downeskyegh, Co. Tipperary, and also the towns adjoining commonly called Whitestown, Lysshynefory, Gortmcwalter and Lisdonyn/to have and to hold to said Walter, etc., even as Edward Butler, brother of the Earl, held the same, for 21 years at annual rent of 8 marks and the usual perquisites.

Signature : Walter Butler.

Witnesses : Nicholas Haly, Piers Butler fitz Thomas, Giffrey Power.

July 8, 1585.

26.

Indenture of July 8, 1585, between Thomas, Earl of Ormond, and James Laffan of Ballengrey, Co. Tipperary, gent., viz., that said Earl by his attorneys (as above) grants the town or village of Grantiston in Clanwilliam, Co. Tipperary, with all its castles, lands, etc., and a quarter of land, parcel of the premises commonly called Kearowewerey near Gortteroddane, reserving to himself all game / to have and to hold to said James, his executors and assigns, for a term of 21 years at annual rent of 7*l.* 6*s.* 8*d.*, a summer sheep, a poundage hog, 6 watch hens, and the moiety of all heriots, profits of courts, and other perquisites.

July 8, 1585.

27.

Indenture of July 9, 1585, between Thomas, Earl of Ormond, and Morishe Tobin of Knockgraffin, Co. Tipperary, farmer, viz., that said Earl by his attorney (as above) grants all the messuages, lands, etc., which he has in Kents Graig and Garrytibbodd, Co. Tipperary, even as Edmund Butler fitz John or any other of said Earl's farmers held the same, reserving to himself all game / to have and to hold to said Morishe, his executors and assigns, for a term of 21 years at annual rent of 3*l.* 6*s.* 8*d.* etc. (as in 26). Said Morishe to strengthen the mansion place called Garrytobbed with ditches and a gate, and build four houses upon the same.

July 9, 1585.

28.

Record of the Earl of Ormond's martial services.
Copy of an entry in the Council Book of the English Privy Council.

" August 15, 1585, at Nonesuch.

Present : Lord Treasurer, Lord Admiral, Lord Chamberlain, Mr. Treasurer, Mr. Vice-Chamberlain, Mr. Secretary.

This day was presented unto the Lords and others of her Majesty's most honourable privy council a letter from Sir John Perrot, knight, Lord Deputy of Ireland, dated the last day of April, in commendation of the faithful and good service of the Earl of Ormond during the last time of his government in Munster, and withall a testimonial bearing date the first day of March from divers corporations, noblemen and captains within that realm in more ample confirmation of the painful and loyal service of said Earl in suppressing the rebels and evil-affected there, and the good peace and quiet thereby purchased and established to divers counties and provinces. Moreover said Earl did present unto the Lords the names of a great number of traitors and offenders, being captains and leaders of men under the Earl of Desmond, put to the sword and execution by said Earl of Ormond and his companies since that last time of his government in Munster to the number of 35, and of notorious traitors and malefactors to the number of 747, besides divers others famished and put to flight, with another note of 6 captains and 63 notorious traitors put to death and executed by his lordship since he was discharged of that government, specifying particularly the names and surnames of said rebels, the minutes whereof remain in the council chest.

Which ample and sufficient testimony of his good and faithful service their lordships to the Earl's praise and to signify their good liking thereof, as also to the encouragement of others, did cause to be recorded in the Register Book amongst other Acts of Council and determined to impart the same to her Majesty."

August 15, 1585.

Signature : G. Woods (?)

29.

Indenture of August 26, 1585, between Thomas, Earl of

Ormond, and Brien O'Kennedy of Ballehimickyn in Ormond, viz., that said Earl grants all the seignories, rents, duties, customs and services which Owen O'Kennedy, otherwise called O'Kennedy Don, late of Ballyartile in Ormond, had and enjoyed in Lower Ormond/to have and to hold to said Brien and his assigns during the will and pleasure of the Earl, paying one good beast at or before the feast of the Nativity. Brien to serve in his best armour and furniture of war whenever required.

Witnesses : Peter Shee, John Bryane, Patrick Bussher.

August 26, 1585.

30.

Indenture of September 3, 1585, between Thomas, Earl of Ormond, and Richard Vale of Moylessan, Co. Tipperary, viz., that said Earl, by his attorneys appointed on May 24, 1585, grants the town and lands of Mownceston *alias* Moncelliston, Co. Tipperary, with the castle, lands, etc., of the same, reserving to himself all game/to have and to hold to said Richard, his executors and assigns, even as Theobald Liegh Butler, late tenant thereof, held the same, for a term of 21 years at annual rent of 3*l.* 6*s.* 8*d.*, etc. (as in 26).

September 3, 1585.

31.

Indenture of October 1, 1585, between Thomas, Earl of Ormond, and Thomas Comerford fitz Richard and his brother Richard Comerford, viz. that said Earl by his attorneys (as above) grants all the lands, etc., in Bowlentle, Co. Tipperary, to have and to hold to said Thomas and Richard, etc., for 21 years at annual rent of 6 marks/provided they build six good thatch houses, a strong, defensible garden, with a gate and strong ditches set with quickset.

October 1, 1585.

32.

Indenture of November 1, 1585, between Thomas, Earl of Ormond, and John Nashe of Kilmocahill, Co. Kilkenny, husband-

man, witnesses that said Earl by his attorneys (as above) appointed by his commission of May 24, 1585, grants all the meases, lands, etc., in Kilmocahill/to have and to hold to said John, etc., for 21 years at annual rent of 6 marks, provided that John make up a strong defensible garden with a gate and strong ditches set with quickset.

November 1, 1585.

Seal (I.H.S.)

33.

Indenture of January 28, 1585, between Thomas, Earl of Ormond, and Oliver Blanchvild of Gowran, Co. Kilkenny, burgess, witnesses that said Earl by his attorneys (as above) grants all the messuages, lands, etc., in Ballyquirke, Co. Kilkenny, reserving all game/to have and to hold to said Oliver, his executors and assigns, for a term of 21 years at annual rent of 9 marks, a summer sheep, a poundage hog, 6 watch hens and the moiety of all heriots, profits of courts and other perquisites.

Witnesses : Peter Rothe, Robert Hacked, William Edwards, Richard Waton, Patrick Bussher.

January 28, 1586.

34.

Indenture of February 3, 1585, between Thomas, Earl of Ormond, and Thomas Linch of Carrickmagriffin, Co. Tipperary, merchant, witnesses that said Earl by his attorneys (as above) with the advice and consent of Dame Elizabeth, Countess of Ormond, grants the towns or villages of Shanechell *alias* Shankill, and Kilahemylin, Co. Waterford, with all the lands, tenements, etc. of the same, reserving to said Earl all game/to have and to hold to said Thomas, his executors and assigns for a term of 21 years at annual rent of 4*l*.

February 3, 1586.

35.

Royal favour to the Earl of Ormond.

Letters patent of Queen Elizabeth at Westminster, April 20, in the 28th year of her reign, to the Treasurer, Chancellor and

Barons of the Exchequer and the Master of the Court of Wards and Liveries in England, and to the Vice-treasurer and Treasurer at Wars and the Barons of the Exchequer in Ireland, as follows :

“Whereas our right trusty and right well beloved cousin Thomas Earl of Ormond standeth indebted unto us in divers several sums of money by sundry obligations, bonds, etc., we let you wit that for the true, good, faithful and chargeable service done by said Earl unto us, to our dear brother King Edward VI. of famous memory, and to our sister Queen Mary, and in consideration of his exceeding great losses sustained by the waste of his manors and lands, burned, spoiled and made waste by those traitors against whom he served in Ireland, etc., we are well pleased and grant for us, our heirs and successors, that said Earl shall from henceforth be fully acquitted of all debts due unto us.”

April 20, 1586.

Great seal.

36.

Edmund Butler of Cloghrenan, Co. Carlow, grants to Edward Langton of Kilkenny and his heirs for ever a castle and a messuage in Inistiocke, near the gate of the same, an orchard and two meadows commonly called Grynebacke, and two acres of arable land with appurtenances in ‘the Fenoghe’ near ‘deploins,’ parcels of the possessions of the late priory of Inistiocke, and also all other castles, messuages, lands, etc. in the same.

Latin.

April 23, 1586.

37.

Indenture of May 2, 1586, between the Countess of Ormond and her sister Gillis (‘La Giles’), witnesses that said Giles grants her whole right and interest in the half of the castle, town and lands of Knockbreake in Ormond to Thomas, Earl of Ormond, and to his heirs and assigns for ever, together with the mortgage due upon the same when it shall be redeemed (being 50 kine), and also that said Gillis and her husband O’Kenedy shall make sufficient assurance in law of the same to said

Earl and his heirs when required to do so. In consideration whereof said Countess grants said La Giles the rent of Rossneharry for two years, and also remits the arrears of rent due therefrom for the two years past.

Witnesses : P. Butler, Patrick Sentleger, Gerald Fitz Thomas.

May 2, 1586.

38.

Deed (in Latin) of June 11 in the 28th of Elizabeth by Edmund Butler of Cloghgrenan, Co. Carlow, knight, viz., that he has granted to John Rowe of Hacketstown, Co. Waterford, Robert Walsh of Croballye, Co. Kilkenny, William Wale of Oroghell and Owen (Ovinus) O'Gormokan of Grangefort, Co. Carlow, the town of Kellistown with all its lands, etc., to said John, etc., their heirs and assigns for ever. The intent of the above feoffment is that the said feoffees shall be seised of Kellistown, etc., to the use of Anthony Hungerford of Dungarvan and of his wife Margaret for a term of 61 years at annual rent of 15*l.* to be paid to said Sir Edmund.

Signature : Edmond Butler.

Witnesses : Robert Harpole, John Hovendun, James Cooke, Morogh O'Curryne, Thomas Pursell, Robart Cooke, William Browne.

June 11, 1586.

39.

The Lord Deputy Perrot to Sir George Bouchier.

" J. Perrot. By the Lord Deputy and Council.

" We greet you well. Whereas, upon the controversy depending before us between Sir Charles O'Carroll, knight, and Walter More Butler, tenant to our very good lord the Earl of Ormond, touching the possession of the castle of Lackagh in Ormond, we ordered that the same castle and lands thereto belonging should be sequestered into your hands and custody until further direction were given from us in that behalf, and the ward of the same castle to be equally borne and found by the said parties/[now] forasmuch as we have received certificates from the commissioners late holding cessions at Clonmel that a

forcible entry was there found by record against said Sir Charles, and therefore have given direction by writ to the sheriffs to put said Earl or his assigns in possession of said castle and lands, and, forasmuch as we would not have any force used in the taking thereof, but justice to be duly and orderly done therein, this is therefore to will and authorise you upon receipt hereof to deliver unto this bearer for and on behalf of said Earl the quiet and peaceful possession of said castle and lands, and for your doing these our letters patent to you shall be sufficient warrant. Given at Athlone, the 28th of September, 1586. Adam Dublin, chancellor, Lucas Dillon, N. White, Edward Brabazon. To our well beloved Sir George Bouchier, knight."

September 28, 1586.

The true copy of the Lord Deputy and Council's warrant sent unto Sir George Bouchier for restoring the possession of the castle of Lackagh to the Earl of Ormond, examined and conferred with the original by us on the 12th of October, 1586. (Signatures) John Ossory, David Clere, dean of Kilkenny, Geoffrey Rothe, sovereign of Kilkenny, Richard Ragged, Edward Arthur Shee, Thomas Raghton, R. Shee, Robert Rothe, Thomas Archer, Peter Shee.

October 12, 1586.

40.

Thomas Butler fitz Walter of Ballyerk, Co. Tipperary, grants to Thomas Archer of Kilkenny and Mark Walsh of Rathtourtynne, Co. Kilkenny, five acres of arable land with appurtenances in the town of Fartianie in county Tipperary, to hold to them, their heirs and assigns, to the use of Thomas, Earl of Ormond, his heirs and assigns for ever.

Witnesses : Edward Ragged, Walter Cowes, Thomas Rothe, William Brenock.

December 10, 1586.

41.

William Meagher of Ballynegurtine in Ikerrin, Co. Tipperary, grants to Thomas Archer of Kilkenny, Peter Poore of Thurles

and James Laffan of Grayestowne, Co. Tipperary, the town or village of Ballynegurtine, with all its lands, tenements, etc., to hold to said Thomas, etc., their heirs and assigns, to the use of Thomas, Earl of Ormond, his heirs and assigns, for ever, with provision for re-entry on the premises on payment of 20*l.* current money of Ireland by the grantor or his heirs.

Witnesses: Patrick Archer, William Brennock, Redmund Morres, David Barrone, Piers Swetman, Thomas Laffan, Derbi O'Rian.

December 14, 1586.

42.

Grant (in Latin) by William O'Tyerne, son and heir of Fearrairs O'Tyerne, late of Kaeillaghcalaeon in Ormond, to Donald O'Meara of Lisanusky in the same, of land in Kaeillaghcalaeon and a parcel of land called Leaghseisregh Dwnye.

Signatures in dorso:

William O'Tyerne, Donald O'Meara, Gilleduff O'Kinedy, Philip Tuahi *sacerdos*, Bernard O'Kennedy, Donald O'Kennedy, Roger O'Tierna, Donatus O'Macray, Donatus O'Macray, Odo O'Macray, Thadeus O'Macray.

December 27, 1586.

Signet seal (imperfect).

43.

Two Orders of the English Privy Council to Sir John Perrot, Lord Deputy, touching the Palatine liberties of Ormond.

(Paper copy).

(1) "After our hearty commendations to your lordship, whereas we understand by our very good lord the Earl of Ormond that you intend to charge his manors and lands with cess and other impositions, notwithstanding that her Majesty in the xith year of her reign did by her letters signify her pleasure to her Deputy that in consideration that said Earl should forbear to take coyne and livery and other profits which he and his ancestors used to take of the inhabitants of counties Kilkenny and Tipperary, all said Earl's manors and lands should be free and discharged from all cesses and impositions whatsoever

(the subsidy due to her Majesty only excepted) as by a Concordatum passed to said Earl by Sir Henry Sidney, then Lord Deputy, and the Council upon receipt of her Majesty's letters, which we have seen and read, manifestly doth appear, which freedom we understand he has enjoyed these eighteen years past / and whereas we are also informed by said Earl that one Thomas Cantwell of Cantwells court, county Kilkenny, gent., whose ancestors were always wards to said Earl and his ancestors, is called upon in the Exchequer to sue out his livery from her Majesty, notwithstanding that some of us did by our letters dated August 18th last signify her Majesty's pleasure unto you that you should neither directly nor indirectly deal in any matter of wardships or intrusions or any other cause that concerned said Earl whereby he might receive prejudice during his abode here, for that his lordship's officers could not in his absence come by his evidence that concerned the same/ Her Majesty understanding hereof, and finding this your proceeding very strange to her great misliking, considering both the good deserts of said Earl and our said former letters, hath willed us to signify so much unto your lordship and withall in her Majesty's name to will and require you that you fail not to give present order and charge that said Earl's tenants may quietly have and enjoy the benefit of said freedom from time to time according to said Concordatum granted by warrant from her Majesty as aforesaid, and that likewise you fail not to give order that neither Thomas Cantwell nor any other whose ancestors were wards to said Earl or to his ancestors be by any direct or indirect dealing molested or sued before yourself, in the Exchequer or before any commissioners or other officers for any cause that concerneth said Earl for wardships, intrusions or otherwise, until the return of said Earl unto that realm. And for our parts we would wish that your disposition were more inclined to deal more friendly with said Earl and such as belong to him—not deserving the contrary—as one whom her Majesty holds in her special favour for his many good services to her highness; and so we bid your lordship heartily farewell. From Greenwich, February 22, 1586. To our very good lord Sir John Perrott, knight, Lord Deputy of Ireland, and the Council of the same, etc."

Signatures: Lord Treasurer, Earl of Derby, Lord Admiral,

Lord Chamberlain, Lord Cobham, Mr. Controller, Mr. Vice-Chamberlain, Mr. Walley, Ed. Waterhouse, Hen. Bagenall, Jo. Cantuar.

'This agreeth with original, Thos. Midens. Windebank.'

February 22, 1587.

(2) Order of the Lord Deputy and Council, given at St. Mary's Abbey near Dublin on May 10, in the 29th year of Elizabeth, as follows :

"Whereas we have received letters from the lords and others of her Majesty's most honourable privy council in England at Greenwich, February 22, 1586, on the behalf of our very good lord the Earl of Ormond, signifying her Majesty's pleasure that all said Earl's manors and lands should be free and discharged from all cesses and impositions whatsoever (the subsidy due to her Majesty only excepted), according to a letter signed to that effect by her Majesty in the 11th year of her reign, and according also to a Concordatum grounded upon her Majesty's said letters and signed by Sir Henry Sidney, knight, then Lord Deputy, and others of her Majesty's council then being / we have in performance of her Majesty's most gracious pleasure, and of their lordship's signification by their recited letters, and in confirmation also of said order signed by Sir Henry Sidney, concluded, agreed and ordered that all said Earl's demesnes being his own manurance or any of his lordship's lands that he may let either by lease or at will shall be free and discharged from all cesses and impositions whatsoever during her Majesty's pleasure (the subsidy due to her Majesty only excepted), but such as be freeholders of lands held of said Earl, and their tenants or 'resyantes' or such others as he has granted his lands in fee farm or in mortgage unto, shall be charged according to their portions as it shall fall out upon the allotment or division of any charge of the country / willing and ordering the sheriffs, cessors and collectors and all other her Majesty's officers and ministers not to cess, tax, charge or impose any such manors or lands of said Earl, etc., as they will answer the contrary doing at their extreme peril."

Signatures : Perrot [Lord Deputy], Adam Dublin, Canc., N. Bagenall, R. Gardener, Robert Dilloyn, John Kilmore, Lucas Dillon, H. Wallop, N. White.

May 10, 1587.

In dorso: 'By the Lord Lieutenant and Council. We confirm the within written Concordatum and straightly charge and command all men whom it concerneth to permit our very good lord the Earl of Ormond and his tenants to enjoy the full benefit thereof without let or hindrance as they and every of them will answer it at their peril. Given at the castle of Dublin, May 28, 1603. To all sheriffs, cessors, captains, collectors and to all other his Majesty's officers and subjects to whom it may appertain.'

Signatures: Mountjoy, Edmund Pelham, Anthony Sentleger, Geff. Fenton.

May 28, 1603.

44.

Redmund Stapleton *alias* Stackbold, son and heir of Walter son of Robert son of William Stapleton of Ballypatrigyn, Co. Tipperary, quit-claims for him and his heirs for ever to Edward Butler, son of James, Earl of Ormond and Ossory, of Ballynehensy, all his right, title and interest in Ballypatrigyn aforesaid, containing half a carucate of arable land near Bearnæ Kleycuill, free of every burden, service and exaction of the country.

May 13, 1587.

Seal.

45.

Eight Bourke Deeds, Co. Tipperary.

(1) Richard Bowrk fitz Ullig Oge of Ballywadig, Co. Tipperary, gent., and his son and heir Theobald Bowrk, grant to Robert Rothe and Henry Shee of Kilkenny all their messuages, lands etc., in Kilfiecle, Moybeg near the same, Moynerle, Knocklomeny and Gortbrack in Clanwilliam; to hold to said Robert and Henry, their heirs and assigns, to the use of Thomas, Earl of Ormond, his heirs and assigns for ever. Peter Rothe of Kilkenny, clerk, to deliver seisin.

Witnesses: Patrick Sentleger, Peyrs Powere, Donyll O'Meara, John Kenedy, John Bryan, Richard White, Redmund Mores, John Cantwell, Oliver Morres, Thomas fitz Piers Purcell, Patrick

Bussher, William O'Maly, Shane Mac Donogh, David Borke fitz Thomas, Shane Morres fitz Oliver, Piers Stackbold.

June 19, 1587.

Two seals.

(2) Richard Bowrk fitz John of Ballywadig grants to Robert Rothe and Henry Shee his whole quarter part of Moynierlie, Knocklomeny and Moybeg near Kilfiecle, and also a toft with a garden in Kilfiecle, to hold to said Robert and Henry, their heirs, etc., to the use of Thomas, Earl of Ormond, his heirs and assigns for ever. William Purcell of Kilkenny, clerk, to deliver seisin.

Witnesses: John fitz Lewes Bryan, Adam Sheth, Richard Purcell fitz Patrick, R. Barrone, Peter Rothe, Robert Frame, Richard Suppell, James Laffan, John Hogan, Richard Cody, John Cody *alias* Archdekin.

November 23, 1587.

Burke seal.

(3) Edmund son of David Bowrke of Ballithomas in Clanwilliam, and Redmund son of David Bowrke of the same, grant to Robert Rothe of Kilkenny and Henry Sheth of the same a parcel of land called Banshaghmore in Clanwilliam and a field called Gortrahinewagowne on the north side of the same; which land extends from the lands of Grantistowne near Clyquyll in the north to the ditch near Knockanecroghery in the south, and from the lands of Kilfiecle and Kearowullick in the west to the lands of said Edmund called the Midlequarter in the east. They also grant all the castles, messuages, lands, etc., which they have in Grantistowne aforesaid. To hold to said Robert and Henry, their heirs, etc., to the use of Thomas, Earl of Ormond, his heirs and assigns for ever. Provided that this grant shall in no way extend to the said lands called Midlequarter and Kearowrathnekahirregh, extending from said lands of Banshaghmore and Gortrahinewagowne in the west to the lands of Cahirrwollaghawe in the east.

Witnesses: Piers Butler, John Cantwell, Theobald Butler fitz John, John Hiffernane, John Hogan, Peter Rothe.

June 21, 1588.

Two seals.

(4) Richard, son of Edmund Ballagh Bourke, Theobald Bourke and Ullig Bourke, brothers of said Richard, of Laghawalle,

county Tipperary, grant to Robert Rothe and Henry Sheth the castle of Laghwalle called the High Castle, and also the Low Castle, with all the lands, rents, etc., in the town and fields of Laghwalle. To hold to said Robert and Henry, their heirs, etc., to the use of Thomas, Earl of Ormond, his heirs and assigns for ever. Patrick St. Leger of Kilkenny to deliver seisin.

June 22, 1588.

Three seals.

(5) Bond dated June 25, 1587, by Richard Bourke fitz Ullig Oge of Ballywadig, county Tipperary, and his son and heir, Theobald Bourke of the same, to the effect that they owe 100*l.* to Robert Rothe and Henry Shee of Kilkenny to the use of Sir Thomas Butler, Earl of Ormond. (The condition of the above bond follows, *see* (1)).

Witnesses: Patrick Sentleger, George Comerford, Henry Comerford, Pe. Rothe, William Purcell, Patrick Bussher.

June 25, 1587.

Two seals.

(6) Bond dated February 9, 1587 (O.S.) between Thomas Bourke of Glanfeagh, Co. Tipperary, gent., to Henry Sheeth of Kilkenny in the sum of 10*l.* to the use of Sir Thomas Butler, Earl of Ormond. The condition of this obligation is that said Thomas and his brother David shall from time to time when required make all assurance in law to said Henry to the use of said Earl of three acres of land in Glanfeagh near the land of Richard Bourke called Knocklomeny, and one acre containing 18 ridges in the land called Neacrye near Kilfekell, to have and to hold to Henry Sheeth to said use for ever.

Witnesses: Walter Butler, Richard Hacketh, Connell Karrain.

February 9, 1588.

Sheeth seal.

(7) Bond of June 8, 1588, by Edmund Bourke fitz David of Ballethomas, county Tipperary, to Robert Rothe and Henry Shee of Kilkenny in the sum of 100*l.* The condition of the bond being that Edmund shall make to said Robert and Henry, to the use of Sir Thomas Butler, Earl of Ormond, full assurance in law of his title and interest in the town and lands of Grantestown, county Tipperary, and also a parcel of arable land near Kilfecle and Carrowullig called the quarter of Banshaghmore,

and that he shall deliver over a feoffment passed by Edmund fits Redmond Bourke to said Edmund Fitz David of lands in Grantestown.

Witnesses : Sir John Toben, James Laffan, Walter Lawles, Patrick Busssher.

June 8, 1588.

(8) Bond of June 26, 1588, by Richard Bourke fitz John of Ballywadig, Co. Tipperary, gent., to Robert Rothe and Henry Shee of Kilkenny to the use of the Earl of Ormond in the sum of 100*l.* (The condition of the bond is as follows (see (2)]).

Witnesses : John fitz Lewes Bryan, Adam Sheth, Richard Purcell fitz Patrick, R. Barrone, Peter Rothe, Robert Frame, Richard Suppell.

June 26, 1588.

Seal.

46.

Indenture of July 19, 1587, between Balthazar Shee of Kilkenny, merchant, and his eldest brother Arthur Shee of the same, on one side, and Edmund Shee of the same, merchant, on the other, witnesses that said Balthazar and Arthur in consideration of the sum of 30*l.* paid by said Edmund grant a messuage with a close, a garden and divers edifices in Boyse's lane in the town of Kilkenny, extending from said lane in the west to the river Noyre in the east, and from Sweteman's lands in the south to the street leading to St. John's bridge and Jasper Shee's dwellinghouse, sometime St. Leger's lands, in the north, and also an acre of arable land at Cowlenegarrehe and another acre of firs beside Bonnesrath extending in the north-west to William Knarisbrough's lands, to have and to hold to said Edmund, his heirs and assigns, for ever at annual rent of 8*s.*

Signatures : Arthur Shee, Balthazar Shee.

Witnesses : Walter Perry, Roger Smith, Peter Shee, Knoghor Magher, James Shee.

Dorso : " I, Andrew Shee, now of Goodwin's Garden in the barony of Kells, do by these presents for a valuable consideration to me in hand paid before the perfecting hereof freely resign

and give up all my right, title and interest in and to the within recited premises unto James, Duke of Ormond, and his heirs for ever, and do hereby undertake to give such further assurances of the premises to his Grace whenever I am called unto by his Grace's learned counsel in the law. In witness whereof I have hereunto put my hand and seal this 16th day of September, 1664. Andrew Shee."

July 19, 1587.

Seal.

47.

Indenture of October 12, 1587, between Jasper Duff, sovereign of New Ross, and the portreeve, burgesses and commons of the same on one side, and Richard Benet fitz Patrick of said town, merchant, on the other, witnesses that the sovereign, etc., grant a stang of waste land within the franchises of New Ross outside the market gate, extending in length from the highway leading to Montgaret in the west to the highway leading to the Gallows Hill in the east, and in breadth from the common ground in the north to the Earl of Ormond's and other burgesses' lands in the south, to have and to hold to said Richard for ever at annual rent of 8*d.* Edward Ragged to be their attorney for livery of seisin.

October 12, 1587.

48.

Record of the Palatine Liberty of Ormond.

Inspeximus (in Latin) by Elizabeth of a record in the Chief Place of the Kingdom of Ireland, in these words :

" Pleas of plaintiffs held *Coram Regina* at Dublin on Saturday, the feast of St. George, in the 28th year of the reign.

" Com. Tipperari. Walter Archer of Kilkenny in his proper person against Edmund Archer of Archerstown, Co. Tipperary, gent., here also in person and in custody of the Marshal of the Marshalsea of this court, on a plea why *vi et armis* he (Edmund) entered upon 20 messuages, 20 gardens, 300 acres of land, 100 acres of meadow, 100 acres of pasture, and the third part of the mill in Archerstown, Galboly and Corbalie in Co. Tipperary

(which James Archer demised to said Walter for a term not yet expired) and ejected said Walter from his farm and inflicted other injuries to the grave loss of Walter, against the Queen's peace / Walter Archer by David Archer, his attorney, pleads that when said James Archer was seised in his demesne as of the said 20 messuages, etc., as of fee tail, he conveyed and to farm let the 20 messuages, etc., to said Walter on May 1 in the 27th year of the reign at Galboly, for the term of 21 years following ; in virtue of which Walter entered upon the same until said Edmund Archer on February 20 in the 28th year of the reign *vi et armis*, viz., with swords, sticks and knives, entered upon the said 20 messuages, etc., and ejected Walter from the same against the Queen's peace, to the value of 100 marks ; and pledges of the same are John Roo and Richard Denn. The said Edmund comes and defends the violence, etc., and seeks to have attorney, which is granted. He puts in his place Philip Hoare as his attorney. So a day is given to the plaintiff, on which day the parties came by the said attorneys before the Queen at Dublin. Edmund by his attorney defends the force and injuries, and says that said tenements are within the Liberty of Tipperary, and that Edward III., late King of England, by letters patent read here in court dated June 5 in his 46th year, gave and granted to James son of James le Butler the regalities, knights' fees and other liberties which he had in the manors of Clonmel, Kilfekill and Kilshilan in the said county as in other places, saving the four pleas and the profit of the Crosses/in virtue of which grant said James and the heirs male of his body up to this have had and exercised royal rights within said county, except the above pleas, as within a palatine county (*ut infra comitatum pallantinum*). And he says that all and singular these lordships, etc., and all actions both real and personal, and all pleas within the same or any parcel thereof, have been for all that time in the court of the said Liberty pleaded and pleadable, and are now pleadable in the court of Thomas now Earl before his Seneschal at Clonmel and elsewhere within said Liberty, and not elsewhere by the common law outside the palatine county, as he is prepared to verify, etc., and seeks judgment, if the court of the Queen is willing to recognise that here.

“ A day is given, on which said parties by the attorneys came

Coram Regina at Dublin, and on this it is sought by the said plaintiff if anyone for the Queen or for himself can or will say why his plea should not come into the judgment of this Court. It is finally adjudged by the Court that the defendant should be totally excused from any reply in this matter, and that the plaintiff should get no benefit by his suit and evidence, but shall be at mercy. And that the said letters should be allowed in all things to maintain the said Liberty and Regality in the form aforesaid.

“We therefore think fit to exemplify by these presents the tenour of said record at the instance of the Earl of Ormond.”

“In witness whereof We have made these our letters patent. *Teste* Robert Gardiner, esquire, serjeant-at-law, Chief Justice of the Chief Place in our kingdom of Ireland, at Dublin, October 25 in the 29th year of our reign.”

October 25, 1587.

Seal of Elizabeth.

[Dorso : ‘Enrolled in the office of the Master of the Rolls in the regality and liberty of county Tipperary, XII April, 36 Charles II, in the roll CXIII. Sam. Georges, *Custos Rotulorum*.’]

49.

Indenture of March 5, 1587, between Thomas, Earl of Ormond, and George Sherlocke fitz Peter of Waterford, witnesses that Sherlocke shall pay to the Earl 10*l.*, and that he shall not (by virtue of a letter of the Queen for the passing of 29*l.* 5*s.* in fee farm of any lands concealed from the Queen unto Sherlocke where he may find the same) procure any offices belonging to the Earl. On his part the Earl shall pay to Sherlocke 200*l.* at the house of Anstace Maddan, Sherlocke’s mother, in St. Peter’s street in Waterford; and shall not seek or procure any office belonging to the Abbey of Cahir, county Tipperary, now in the possession of Sherlocke.

Witnesses: Patrick Grante, William Morpew, John Stonydon.

March 5, 1588 (N.S.).

50.

Prize of Wines of the Earl of Ormond in various port towns of Ireland.

(1) "Testimonial of March 21, 1587, by George Faninge, mayor of Limerick, Stephen Roche and Edmund Comen of the same, bailiffs, concerning the manner in which prize wines have been levied in the port of Limerick to the use of the Earl of Ormond and his progenitors from time out of mind, made at the request of Nicholas Comen of Limerick, alderman, Receiver of said wines, as follows :

"Every ship wherein is laden above 17½ butts or pipes must pay one tun for prize wine.

Every ship laden above 18 tuns must pay 2 tuns.

The Receiver of said Wines and his servants are to have the choice out of as many butts, pipes or hogsheads as they can come unto and choose without removing them, one tun before and another behind the main mast ; and so if he is to receive but one tun for prize, he is to have one moiety thereof from behind and the other from before the mast.

The owner of such ship, or the owners or merchants of such wines, may not of set purpose dam the way between the wines to stop the Receiver's servants from tasting them, but are to leave said wines as they were received and placed beyond seas till the Receiver take his choice.

No wines may be unladen before the Receiver come aboard and taste the same without his '*liceas*,' upon pain of forfeiting unto him to the use of said Earl the wines so discharged.

The merchant or owner of such wines must at his own charges bring the Receiver and his company to shipboard and back again.

The prize wine so chosen must be delivered at the adventure or peril of the merchant or owner upon the quay, where it must be delivered full . . . and said Receiver at his return from shipboard is to have a flagon of wine containing one gallon at least of his best prize wine.

The said prize wines owe no manner of custom, impost, imposition or other duty whatsoever.

"Duties due by the Receiver :

The Receiver must bring aboard such ship some reasonable

quantity of victuals to cheer himself, the owner or merchant of the vessel at the Receiver's discretion, but the merchant or owner must be at the charges of such wines as they shall drink with the same meat or victuals.

For every butt or pipe so received for prize wines the Receiver is to pay 10s. Irish to the merchant or first owner of the same in full recompense and satisfaction for the freight thereof."

March 21, 1588.

Portion of Seal of Mayoralty
of Limerick.

[The *Cal. of Pat. Rolls (Ireland)*, II., p. 101-2, records judgement in claims of the Earl of Ormond to prize wines in the city of Galway, Feb. 12, 1585. See (3) below].

(2) Indenture of March 20, 1594, between Thomas, Earl of Ormond, and William Gough of Dublin, gent., witnesses that the Earl in consideration of the sum of 300*l.* grants all the prize wines of the ports, havens and creeks of the city of Dublin and the towns of Drogheda, Dundalk, Carlingford and Carrickfergus, and all other places, rivers or creeks in the north parts of Ireland, to have and to hold to said William, etc., for 21 years. The grantee agrees to pay according to the following rates, viz., for every tun of Spanish wines due for prisage, 14*l.*; for every tun of Bordeaux wines, 10*l.*; and for every tun of Rochelle wines, 'Nounce' wines, or other French wines, 7*l.*

March 20, 1594.

(3) Deed of August 9, 1596, by Thomas, Earl of Ormond, viz., that in consideration of the sum of 330*l.* he has granted to James Gough of Waterford, merchant, the prize wines of the town of Galway at the rates following, viz., for every tun of Spanish wine, 16*l.*, for every tun of Bordeaux or Gascony wine, 10*l.*, and every tun of 'Quinock' or small French wines, 7*l.*, said James paying the freight due and all other customs and charges; to have and to hold to said James, etc., until he shall receive wines to the value of 330*l.* according to the decision of the 'customer' of Galway.

August 9, 1596.

Seal.

51.

Six Rathmacarty Deeds.

(1) Deed of June 9, 1588, by Piers Hackett and his wife Kathrine Kelly of Rathm^ccarty, Co. Tipperary, to the effect that for a sum of money paid to them by Edward Hackett of Fitherde (Fethard) in the Crosse of said county, burgess, they have granted to Patrick Sawce of Fiethard, tailor, and to said Edward Hackett the castle, town and lands of Rathm^ccarty with the appurtenances, etc., thereof/to have and to hold to said Patrick and Edward, their heirs, executors and assigns, for ever, the said Piers to have re-entry to the premises on payment of 10*l.* 6*s.* 8*d.*

Witnesses : Teig O'Meara, William Kelly.

Dorso : Memorandum that we, the within named Edward Hackett and Patrick Sawse, have given and granted all the within specified lands, tenements and other hereditaments unto James Bryver of Waterford, gent., and unto his heirs to the use of John Everard of Fethard, esquire, and his heirs, and delivered livery of seisin of the same the xviith of May, 1591, upon the within specified conditions.

In dorso : Signatures of witnesses : Edward Hackett, John Everard, James Bryver, Theobald Mc Shane.

June 9, 1588.

(2) Deed of May 29, 1591, by John Everard of Fethard, Co. Tipperary, and James Briver of Waterford, viz., that they have granted the castle and lands, etc., of Rathmackarty, Co. Tipperary, to Robert Rothe and Henry Shethe of Kilkenny to the use of the Earl of Ormond for ever. Provided that whenever Piers Hackett and his wife Katherin Kelly of Rathmackarty shall pay the sum of 10*l.* 6*s.* 8*d.* in Fethard in the Cross of county Tipperary at the dwellinghouse of Edward Hackett, merchant, to said Robert and Henry, then it shall be lawful for said Piers to have re-entry to the premises.

May 29, 1591.

(3) Deed of January 1, 1592 (O.S.) by Piers Hackett of Rathmackarty, Co. Tipperary, viz., that/whereas said Piers, with Thomas Stackbold of Knockanenevagh and William

Woodlocke of Wodinstown, mortgaged to Edward Hacket of Fethard, merchant, for the sum of 10*l.* 8*s.* the town and lands of Rathmackarty and said Edward then gave seisin of the premises to John Everard of Fethard, who in his turn gave seisin to Robert Rothe and Henry Shee of Kilkenny to the use of the Earl of Ormond/now therefore said Piers pays to said Robert and Henry the sum of 10*l.* 8*s.* according to the condition of said mortgage deed.

January 1, 1593.

(4) Peter Hacket of Rathmackarty, county Tipperary, William Woodlocke of Wodinstown in the same, and Thomas Stackbolde *alias* Stapleton of Knockanneviegh in the same, gentlemen, grant to Thomas, Earl of Ormond, all the manors, lordships, messuages, lands, etc., in Rathmackarty, Ballydowlbeg, Kilmeclowre and Gortcrosse in county Tipperary, with the reversions and rents of the same. To hold to the Earl, his heirs and assigns, for ever, of the chief lords of the fees, etc. Patrick Bussher of Kilkenny to deliver seisin.

Witnesses : James Butler, Edward Goghe, Thomas Cantwell, Thomas Den, Thomas Archer, Barnabe Kearny, Edmund Stacbold of Ballenleyny, Edmund O'Shee of Cashel, Richard Morishe of Knockgraffin, Edmund Mc Casshyn of Rathmackarty, Dermot O'Haly of the same, Teig O'Mulrian of Ballenleyny, Dermot O'Conelly of Drehednefarny.

February 5, 1593.

(5) Bond of February 5, 1592, by Peter Hacket of Rathmackarty, Co. Tipperary, Thomas Stackbold of Knockanneviegh in the same and William Woodlocke of Wodinstown in the same, to Thomas, Earl of Ormond, in the sum of 40*l.* The condition of this bond is that whereas said Peter, Thomas and William have by their deed of this date granted to said Earl the towns and lands of Rathmackarty, Ballidowlebeg, Kilmeclowre *alias* Kilmochowre and Gortcrosse in county Tipperary, they shall when required make full assurance to said Earl for the premises.

February 5, 1593 (N.S.).

Two Seals.

(6) Thomas, Earl of Ormond, grants to Peter Hacket of Rath-

mackarty all the manors, lordships, lands, etc., in Rathmackarty, Ballidowlbeg, Kilmeclowre, and Gortcrosse in said county, with the reversions and rents of the same. To hold to said Peter and his heirs male lawfully begotten, for ever, with reversion to the Earl and his heirs, at annual rent of 4*l.* Irish.

Witnesses: Piers Butler, Robert Rothe, James Butler, Patrick Goeghe, Henry Sheethe, Edmund Power of Garrynstockdowny, William Mc Casshine, Thomas O'Dowgane, William O'Myeghane, William O'Hingerdell of Ballydowle, Richard O'Meagher of the same, Donoghe Mc Casshine.

March 23, 1593.

52.

A Palatinate case.

Letters patent of Thomas, Earl of Ormond, Lord of the Liberty of Tipperary, inspecting a record of the Liberty, as follows.

Pleas held at Clonmel before John Bray, esquire, sovereign of Clonmel and seneschal of the Liberty, and his fellows, on Tuesday next after the feast of SS. Peter and Paul in the 30th year of Elizabeth in the assizes there.

Liberty of county Tipperary. Case of Novel Disseisin: William Lincoll against Alexander Briver for two messuages, 10 acres of land, etc., in Carrickmagriffin, which he claims as his right and heritage, and in which said Alexander had no entry save after the disseisin made there unjustly by Hugh Blake, etc., and whereof William says that he himself was justly seised in his demesne as of fee in time of peace in the time of the present Queen.

Finally the court adjudges that said William Lincoll shall recover his seisin. In witness whereof, etc.

Teste the said seneschal at Clonmel.

July 14, 1588.

53.

Indenture of January 13, 1588, between Thomas, Earl of Ormond, and Piers Duffe fitz Richard Butler of Ballihartely, Co. Tipperary, gent., witnesses that said Earl by his agents

grants the moiety of the castle, town and lands of Bawne-donemone, Co. Tipperary, to the said Piers for 21 years at annual rent of 50s. with the usual perquisites.

January 13, 1589 (N.S.)

54.

Indenture dated March 20 in the 31st year of Elizabeth, between Sir Edmund Butler of Cloghgrenan, Co. Carlow, and Francis Cosby, son and heir apparent of Alexander Cosby of Stradbally in Queen's county, witnesses that said Sir Edmund grants the towns and lands called Farrenepriory *alias* Timogho in Queen's county, belonging to the late dissolved monastery of Connall in county Kildare, with all tithes, pensions, etc., belonging to the same, and all such interest as said Sir Edmund has in the same by Her Majesty's gift; to have and to hold to said Francis, etc., in as large a manner as the letters patent thereof made to said Sir Edmund import, paying annually for 54 years *q^l. 6s. 8d.* and all proxies.

March 20, 1589.

55.

Butler Lands in Connacht.

Seven documents, ranging in date from May, 1589, to February, 1612, including indentures between Thomas, Earl of Ormond, and Fardorough O'Kelly of Aughrim Hy Many, and other deeds relating to the Earl's claims in Burrishoole, Achill and other places in Connacht. (These have been printed by the present editor in the *Journal of the Galway Archaeological Society* for the years 1934-6).

56.

Indenture of June 26, 1589, between Thomas, Earl of Ormond, and Robert Gaffney, chantor of St. Canice's Cathedral, Kilkenny, witnesses that the Earl, by the attorneys authorised by his commission of March 18, 1586, grants the town and lands of the Grange of Kells in Co. Kilkenny, parcel of the lands of

the late dissolved monastery of Kells, to the said Robert, etc., for 21 years for an annual payment of 30 bushels of corn of the common measure of Kilkenny.

Signature : Roberte Gafney, chaunter.

June 26, 1589.

57.

Indenture of August 28, 1589, between Sir Thomas Butler, Earl of Ormond, and William Purcell fitz Piers of Purcelsench, county Kilkenny, farmer, witnesses that said Earl grants the town of Grangemecome in said county, parcel of the lands of the late dissolved house of Jerpoint, with all appurtenances except game, to the said William for 21 years at annual rent of 8*l.* William to carry the Earl's wood which is cut on the premises or in the lordship of Clone to the bank at Rathbeheg or to the Grange near the river Nore, as other tenants do.

August 28, 1589.

58.

Indenture of February 24, 1589, between Edmund Butler of Cloghgrenan, Co. Carlow, knight, and Thomas Kavanagh of Callan, Co. Kilkenny, burgess, witnesses that said Sir Edmund grants the castle and lands of Cloghnekeartin in Tullefellein, Co. Carlow, to have and to hold to said Thomas as Mortaghe O'Bolgir heretofore held the same, for a term of 41 years at annual rent of 4*l.*, a summer sheep, a dish of butter, a watch hen and two plough-days yearly, viz., one to sow oats, and one to sow wheat.

February 24, 1590 (N.S.).

Seal.

59.

Indenture of May 3, 1590, between Sir Thomas Butler, Earl of Ormond, and Edmund Stackbolde *alias* Stapelton, archdeacon of Cashel, witnesses that the Earl grants the town of Ballykelly in county Tipperary, parcel of the late dissolved monastery of the Holy Cross, which all appurtenances except game, to

the said Edmund, for 21 years at annual rent of 40s., provided that he shall build upon the premises two good thatch houses.

Signature : Edmunde Stapleton, archdeacon of Cashel.

Witnesses : John Cantwell, Robert Gafney, chantor, John Kenedy.

May 3, 1590.

60.

Indenture of May 5, 1590, between Thomas, Earl of Ormond, and Piers Butler, brother of the Earl, witnesses that the Earl grants the towns of Ballyspellan and Burresmore in Co. Kilkenny with all appurtenances except game to the said Piers for 21 years, rendering for the first two years a red rose at the feast of the nativity of St. John Baptist and thereafter an annual rent of 16*l*.

Signature : Piers Butler.

May 5, 1590.

61.

The Seneschal of Carrickfergus.

Articles of Agreement between Captain Christopher Carleill, esquire, and Captain William Warren.

Captain Warren to deliver at the signing of these presents the sum of 50*l*. as a free gift of gratuity to the wife of Captain Carleill for her consent to this agreement.

Warren to pay to Carleill or his assigns the sum of 340*l*. sterling.

Warren to give to said Carleill an assurance of 2000*l*. by bonds of recognisance from Sir Edward Moore, Harry Moore, Anthony Brabazon and Henry Warren.

Carleill to surrender all the offices, etc., which he now holds of her Majesty in the north of Ireland, namely the office of seneschal with the profits thereto belonging, the government of Her Majesty's forces there, and the twenty-five horsemen under his private charge, the constableness of the storehouse of Knockfergus (Carrickfergus) with the twenty warders thereto belonging, and all his right, title and interest in Island Magee."

Signatures : Christopher Carleill, William Warren.

May 23, 1590.

62.

Quit-claim (in Latin) by Thomas Bermingham *alias* Mc Oris, son and heir of John Bermingham, son and heir of Richard Bermingham, son and heir of James Bermingham, brother and heir of Theobald Mc Oris, to Walter Hacket, son of William Hacket, Ellan Bermingham, cousin of said Thomas, Thomas Venn and Thomas Naishe of Fetherd, of all his right in the messuages, lands, etc., in Milestown, Cloning, Ballewatlin, Shanecourt *alias* Oldcourt and Smithstown, Co. Tipperary.

“By me Thomas Brymygham *alias* McKeorishe, *manu aliena*.”

Witnesses: Nicholas Hackett, William Naishe, Cornell Meagher, John Meagher, Thomas Lucas and Nicholas Fannan.

June 15, 1590.

63.

Walter son of William Wadding of Carrickmagriffin, burgess, grants to Philip Moghan of the same, carpenter, and his heirs for ever, half of a messuage in said town, extending from said Walter's messuage to the town wall, and from James Sherlock's land to the Bridge Lane.

Witnesses: George Neale, George Brenock, Laurence Houley, David Dulan, Piers Walshe, Thomas Wodloke.

August 11, 1590.

64.

Deed (in Latin) of September 12, 1590, by Thomas, Earl of Ormond, to the effect that he has granted to Dermot O'Kenedy, son of Cornelius O'Kenedy, late of Dromnemehan in Ormond, all his manors, castles, messuages, etc., in Uskean, Ballirowirkmore, Kiltrelahaghe, Brittasse, Cullaghe, Dromod, Leghe Inchy, 'le Fie,' Fiddan O'Clery, Carrik in 'le Agha,' Ballidrenan, 'le Carrigin' and Kiltilloo in Ormond; to have and to hold to said Dermot and his heirs male for ever by service of ten shillings of royal service whenever scutage runs and at annual rent of 4*l.*, doing suit of court at the manor of Nenagh when summoned. This lease to become void should Dermot or his heirs make any unapproved alienation of the premises,

commit treason or felony, make war or rebellion in Ormond, or shelter any malefactors in their castle. The Earl appoints John Archdeacon, treasurer of St. Patrick's Cathedral, Cashel, to be his attorney for livery of seisin.

Witnesses : R. Sheeth, William Johnson, dean of Kilkenny, Walter Archer, Robert Rothe, Robert Garvey, James Couley(?), John Mc Egan, Dermot Mc Caegan, Morchay Mc Derby, James fitz Patrick, Lochlinn O Hogan (*in Irish script*), John Clere and John Archdeacon.

September 12, 1590.

65.

Grant of Bourke lands in Clanwilliam.

Letters Patent of the Queen.

"The Queen, being effectually minded to have her province of Munster re-peopled and inhabited by civil, loyal and dutiful subjects according to certain articles under the Great Seal bearing date at Westminster, June 27 in the 28th year of her reign (1586), and in consideration of the great charges and trouble that Thomas, Earl of Ormond, has been at in transporting and planting English people in said province, now grants to said Earl, by the advice of Robert Gardiner, chief justice of the Queen's Bench, Sir Henry Wallopp, Sir Valentine Browne, Sir Robert Dillon, Sir Lucas Dillon and Jesse Smythes, chief justice of Munster, all the castle, town and lands of Swyfyne with the members thereof, namely :—

Kiltane and Cahervare in Clanwilliam in the county and liberty of Tipperary, parcel of the possessions of John Bourke Fitz William, containing by estimation three acres of land, pasture and wood according to the great measure of the country ; and all other castles, manors, lands, tenements and hereditaments within said county and liberty, that is to say :

The castle, town and lands of Gortrodan in Clanwilliam, late the said Bourke's lands, containing three acres.

The castle, etc., of Belacarhin in the same with the members thereof, viz., Lisgibbon, Shanhaggard, Loghbegg, half of Scurlockstowne and half of Kilnecaske, containing four acres.

The castle, etc., of Ballinloghan, Ballinemaistraghe *alias*

Maisterstowne and Dyrryclonye in Clanwilliam, late the lands of said John Bourke, containing four acres.

The castle and half the town and lands called Brensagh and all the lands of Clonepath with appurtenances, late the said Bourke's lands, containing two acres.

Half the town and lands of Barronstowne *alias* Ballenvarrownye in said county containing one acre.

The town and lands of Ballengurten, late the possession of John Bourke fitz Walter, with the appurtenances containing five acres.

The castle, town and lands of Ballyamery with the members thereof, viz., Rathone and Rathfleminge, sometime the land of Edmond Heden, containing five acres.

A quarter of the town and lands of Laghvalle, late the lands of Edmund Ballagh Burke, containing half an acre.

The castle, town and lands of Cappagh in Muskryquirke, late the lands of Walter Bourke Fitz John, containing four acres.

The town and lands of Grelaghmore in Muskryquirke, late the said Walter Bourke's lands, containing three acres.

Half the town and lands of Drongane, late the lands of John Bourke Fitz Walter, containing two acres.

The town and lands of Ballyhummin, late the lands of said John, containing three acres.

The castle, etc., of Bealadroghe and Kyllardrye in the Crosse of said county, late the lands of Gerrott, late Earl of Desmond, containing a thousand acres.

The town and lands of Ballynemonykirke in the said Crosse, late the lands of Walter Kyrk, containing three acres.

The town and lands of Ballenwillen *alias* Miltown in the Crosse, late the lands of Melaghlen Roe O'Carren, containing two acres.

A tenement in St. Nicholas street in Cashel, late James Fellowe's land, value *per annum* 6s. 8d.

The chief rents of the free tenants and other tenants within the premises aforesaid.

All of the premises before mentioned amount by estimation to 3000 English acres.

The grant of the above lands, etc., is to said Thomas, Earl

of Ormond, his heirs and assigns, for ever by the name of Mount Ormond in fee farm as of the castle of Dungarvan, county Waterford, by fealty only in fee socage and not *in capite*, paying into the receipt of the Exchequer at Dublin for all said castles and premises, except the chief rents, from the feast of St. Michael, 1591, for three years the yearly rent of 8*l.* 6*s.* 8*d.*, and from after the feast of St. Michael, 1594, for ever the sum of 16*l.* 13*s.* 4*d.*"

The conditions of the above grant follow at large.

Teste Sir William Fitz William at Dublin, April 26 in the 33rd year of Elizabeth.

April 26, 1591.

Great Seal of Ireland.

66.

Moreghe O'Kenedy of Dromnemehan, Co. Tipperary, chief of his nation, quit-claims to Thomas, Earl of Ormond, and his heirs for ever, all his right and interest in the lordship, manor, castle, etc., of the territory called Aghem^cthomas and the parish of Askean, and also in all his lands and hereditaments in the castles, towns and fields of Dromnienrye, Ballyartely, Dromnemehan and Uskean, and in all rents, services, customs, etc., belonging to the same.

June 19, 1591.

67.

Indenture dated November 22, 1591, between Thomas, Earl of Ormond, and Thomas Cantwell of Cantwells court, Co. Kilkenny, gent., witnesses that said Earl by his attorneys grants the castle commonly called the Black Castle near Burries Liegh in the Crosse of Co. Tipperary and the mill near to the same, with all appurtenances except game, to the said Thomas, for 21 years at annual rent of 4*l.* 13*s.* 4*d.*

Witnesses: Gerot Fitz Thomas, Peter Rothe, William Purcell.

November 22, 1591.

68.

A County Clare Deed.

Award of February 22, 1591, by the Chief Commissioner (Sir Richard Bingham) and Council of Connaught and Thomond, between Marcus Dowley of Clonefoysse, Co. Galway, gent., and his wife Margaret, daughter and sole heir of Donogho O'Brien of Tyrevickvran, deceased, on one side, and Morogho O'Brien, Baron of Inshyquyn, on the other, concerning the castle, town and one quarter of land in Tyrevickvran, Co. Clare.

The complainants argued that said Donogho O'Brien was seised in his demesne as of fee of said premises, and died seised thereof, and after his death the premises descended to said Margaret as his daughter and sole heir. She being of tender years and within age, one Moriertaghe O'Brien, supposed base son of said Donogho, entered into the premises and was possessed thereof for certain years. While he was in possession, one Connochor Mc Moriertaghe Garrowe O'Brien of Cahervickorckran wrongfully and forcibly entered and expelled said Moriertaghe. But when said Connochor was in possession of the premises, Moroghoe O'Brien, now Baron of Inshyquyn, about four years past wrongfully with force and arms and by laying of ambush took said castle and the remainder of the premises, expelling Connochor; since which time said Baron holds the property.

The defendant was summoned to appear on the sixth day of the next general sessions to be held in Co. Galway, but he failed to do so. The award is therefore made in favour of the plaintiffs.

Given at Inish, February 22, 1591.

Signatures : R. Bingham, Thomas Dyllon, Gerald Comerford.
February 22, 1592 (N.S.)

69.

The Treasurership of the Earl of Ormond.

Dorso : 'The coppie of my Lord's petition to the Lords of the Counsell touching his office of Lord Treasurer of Ireland and touchinge his Libertie or Regalitie of Tipperary.'

"To the right honourable the Lords of Her Majesty's most honourable privy council. Most humbly sheweth to your Lordships your suppliant Thomas, Earl of Ormond, that where it

hath pleased the Queen's Majesty by her letters patent bearing date the first year of her reign to grant unto your suppliant the office of High Treasurer of Her Highness' realm of Ireland, and all profits, etc., to said office belonging / and by act of Parliament made there the tenth year of Henry VII it is enacted that the Treasurer of Ireland from thenceforth should have as large and ample power in all things belonging to his office as the Treasurer of England hath in his office, as for to make all customers, controllers, farmers and other officers and accountants for the most appovement of the revenue of the land of Ireland / and by the statute made in the 31st year of Henry VI said officers cannot be lawfully granted in England but by the warrant of the Lord Treasurer of England sent into the Chancery./

Wherefore may it please your Lordships to take order that your suppliant may have and enjoy the benefits of Her Majesty's said grant according to the laws in that behalf.

And where also the patents of sheriffs within said realm have time out of mind been made in Her Highness' Exchequer of Ireland, now of late within this year one William Phillips, clerk of the Crown in the Chancery in Ireland, for his own commodity hath made suit to make said patents as a matter belonging to his office because it is so used in England, and hath so far proceeded that he hath obtained an order from your Lordships for the same upon the certificate of my Lord Chief Justice of England, being then Attorney, and of Mr. Justice Gardyner / whereas the Treasurer and Barons of the Exchequer in Ireland were not privy to the same, neither were they or their counsel heard what they would say for maintenance of the jurisdiction of the Queen's Court of the Exchequer / therefore I most humbly pray that the old course may continue until both the parties may be heard.

Lastly, where King Edward III by his letters patent bearing date in the 46th year of his reign did grant unto James, then Earl of Ormond, all regalities, knights' fees and other liberties in county Tipperary, all which were again by King Philip and Queen Mary sufficiently granted and confirmed to your suppliant, by virtue of which ever since the time of the first grant said county hath been discharged of all cesses other than such as your suppliant and his ancestors have imposed upon them when they have served Her Highness or her noble progenitors / all which

notwithstanding there is now demanded of said county a cessment / may it therefore please your Lordships to take order in the premises and that your suppliant may have such rights, franchises and liberties in said county as he and his ancestors have always had, and that there may be no invasion made in his time who hath been and will be most ready to serve Her Majesty in all fidelity according to his duty."

Dorso : July 15, 1592.

July 18, 1592.

70.

An inquisition taken at Rappelleggh in Ormond, Co. Tipperary, on September 21, 1592, before Robert Rothe, Henry Shee, steward of the Earl of Ormond, and Thomas Archer of Kilkenny, Her Majesty's commissioners appointed to inquire for lands escheated to or concealed from Her Majesty in said county, by the persons underwritten.

Ogan O'Hogan of Ardcrony, Hugh O'Kenedy of Rapallagh, Donnogh O'Kenedy of Kilonyn, Dermot O'Meary of Listonny, John Butler fitz Edmund of Nenagh, Knoghor Mc Mahowne of Tirmoile, Piers Butler of Bawne, Hugh Mc Edmund O'Kenedy of the same, Mahowne O' Glisan of Cowlin, James O'Kenedy of Fenoghe, Teig Mc Donnogh of Rathurles, David O'Kenedy of Balleconyngyen, Bren O'Kenedy of Ballehemickin and Morregh Legh O'Glisan of Sraghe.

The above jurors attest that Rory Mc Ee O'Kenedy, late of Tombrackan, was seised in his demesne as of fee of the third part of two ploughlands in Tombrackan (the castle thereof excepted) and being seised thereof was executed by martial law at Knockaltan.

Signature : Ogan O'Hogan.

September 21, 1592.

71.

The Cess of Ormond.

(1) Indenture dated at Dublin, November 7, 1592, between the Queen by Sir William Fitz William, Lord Deputy, and the rest of Her Highness' Council whose names are subscribed, on

one side, and the lord baron of Donboyne and all the gentlemen, freeholders and inhabitants of the Barony of Middlethird *alias* Treanemeanaghe in Co. Tipperary, on the other, touching a composition made in lieu of cess and all other charges, as follows.

“Whereas by Her Majesty’s instructions authority is given to conclude a composition in the province of Munster in lieu of cess, which being accomplished in all the province except in the counties of Tipperary and Crosse of Tipperary, who are appointed by Her Majesty to victual a hundred of her soldiers till they shall condescend to a composition / Nevertheless the said Lord Baron, freeholders and possessioners of said barony of Middlethird do acknowledge with all humility Her Majesty’s princely care and great masses of treasure spent within the said province for the suppression of the late traitor Desmond and other his accomplices as also for defence of Her Majesty’s true and loyal subjects within this province, and have willingly submitted themselves to a composition and do by these presents most humbly and willingly offer unto Her Majesty a yearly composition of fifty pounds sterling lawful English money out of said barony during the next three years. And also the said Lord Deputy, etc., do accept this composition and agree that said Baron, etc., shall presently be disburdened of any further charge of victualling, etc.”

Signatures: W. Fitzwilliam, Adam Dublin, chancellor, Thomas Midensis, R. Gardener, G. Bourchier, Geff. Fenton.

November 7, 1592.

(2) Commission from the noblemen, gentlemen and freeholders of the county palatine or liberty of Tipperary to Thomas, Earl of Ormond, giving him authority to compound with Her Majesty or Her Highness’ commissioners for the composition now demanded in lieu of cess, and other charges by Her Majesty’s prerogative / giving him also authority to take four or six of their number to attend upon him about the matter. Whatever said Earl shall do for them in that behalf they bind themselves and their heirs to accomplish and perform by these presents.

Dated December 13, 1592, the 35th year of Elizabeth.

Signatures: R. Shee, Walter Archer, Piers Butler of Rathgole,

Piers Butler of Noddestown, Philip O'Kenedy *alias* Mc Teig, Donyll O'Mara, chief of his name, John O'Kenedy of Ballingarry, Edmund Mountgarret, Thomas Purcell, baron of Loughmoe, Teig O'Magher, chief of his name, Knoghor O'Mulrian of the Creg, Thomas Butler of Douyske, William Fanning of Ballygary, Edmund Fanning of Faren Rory, Piers Purcell of Ballenrosse, Walter Bowrk of Ileigh, Wauhy O'Carroll of Modrenhy, Charles O'Carroll of the same, Edward Butler of Ballynyhynsy, P. O'Doire, Walter Butler, James Laffan, Redmond Morres, William St. John, Piers Butler fitz Thomas, Gerrott Wale, William Butler of Ballybuo, Geffre Prendergast, Patrick Whyte, John Sall of Ballyonan, Edmund Maydwell, James Butler, William Ryan, John Cantwell of Mockayrk, etc.

December 13, 1592.

72.

Attainder of an O'Kennedy.

Inquisition taken at the manor of Nenagh in Ormond on the 24th day of March, 1592, the 35th year of Elizabeth (1593 N.S.) before Peter Butler of Grantiston, Robert Rothe of Kilkenny, Thomas Cantwell of Cantwellscourt, Thomas Archer and James Laffan, commissioners appointed to enquire by the oath of true and lawful men in county Tipperary and in the Cross and marches of the same, as well within liberties as without, of all lands, tenements, rents, etc., pertaining to the Queen by grant, forfeit, authority of Parliament, etc., and of all other things belonging to the office of escheators, according to letters patent under the Great Seal of Ireland dated the 1st day of July in the 32nd year of the reign.

The following jurors were sworn : Thomas Butler of Ardmaile, James Purcell of Ballicormicke, John O'Kennedy of Lacky, Peter Butler of Balliogan, Brien O'Kennedy of Ballehemickin, Edmund O'Kennedy of Bawndownenemony, Connor Mc Mahowne of Tiremoell, William Oge Mc William Mc Brien of Ballicorke, Mahowne O'Kennedy of Shanballeard, David O'Kennedy of Ballycomyn, Padris Mc Birrick of Ballilissin, Edmund O'Kennedy of Cranagh, Donogh O'Kennedy of Ballinderre, Rory O'Tirne of Kilcoman, John Bourcke of Cloghvoshire, Thomas Ryan of Garrankent and John O'Hogan of Lissin.

The jurors say on oath that Donill Mc Ee O'Mulyryan, late of Bohir in Kilenallongherty, Co. Tipperary, was killed at Lisnesille in said county on the 10th day of October in the 26th year of Elizabeth (1584), at which time he was in rebellion against the Queen with Gerald, Earl of Desmond, John Browne and divers other traitors. Donill was attainted of high treason by authority of parliament. At the time of his death he was seised in his demesne as of fee, to him and his heirs, of half of the town and lands of Bohir aforesaid, containing by estimation half a carucate of arable land, pasture and wood; which lands are concealed and unjustly detained from the Queen by Donogh Mc Ee of Bohir, being worth *per annum* 6*d.* current money of Ireland above all deductions.

Signatures: Piers Butler, James Laffan, Robert Rothe, Thomas Archer, Thomas Cantwell.

March 24, 1593.

[The above is a paper copy.]

73.

A Sherlock Deed.

Deed of May 27, 1593, by George Sherlok of Waterford to the effect that/whereas the Queen by letters patent under the Great Seal of Ireland dated at Dublin, March 26, 1593, granted to John Lie of Rathbride and to his assigns for a term of 60 years a castle and land in Barretstown, Co. Tipperary, parcel of the lands of Thomas Mac Donnogh Ro O'Carraan of Barretstown, attainted of high treason, at annual rent of 7*s.*/and whereas said John by his deed of March 27, 1593, granted to Roger Wilbraham of Dublin, Her Majesty's Solicitor General, all his interest in said town, who in his turn by deed of May 22, 1593, granted to said George Sherlok the interest thus obtained in the town/n^{ow} said George in consideration of the sum of 80*l.* grants to Thomas, Earl of Ormond, all his title and interest in said Barretstown.

May 27, 1593.

Seal.

74.

Two O'Meagher Deeds.

(1) Deed of March 28, 1593, by Cornelius *alias* Knoghor O'Megher of Killea in Ikerrin, Co. Tipperary, Philip O'Megher, Dermot O'Megher and William O'Megher of the same, to the effect that they have granted to Henry Sheth of Kilkenny and his heirs for ever all the manors, lordships, etc., of Killea, Curraghduff and Glanenalloran in Ikerrin / the true intent of this feoffment being that said Henry shall be seised of one half of the premises to the use of Thomas, Earl of Ormond.

Witnesses: Teig O'Megher, chief of his name, Redmond Morres, Patrick Bussher, Knoghor Mc Gilleduf O'Megher, Hugh Mc Gilleduf O'Megher, William Purcell, attorney.

March 28, 1593.

(2) Deed of September 17, 1593, by Knoghor O'Megher of Corraghduf in Ikerrin, etc., granting land in Kilkip *alias* Kilchep in Ikerrin, Gortenegore, parcel of the land of Corraghduf, and in Killanalowran, to have and to hold to Henry Sheth, etc., as above.

Witnesses: Robert Rothe, Redmond Morres, Shane O'Megher of Kileverdy, Edmund Cahill of Ballicahill, Shane Mc William O'Meagher of the Glan, Patrick Bussher.

September 17, 1593.

75.

Indenture of May 1, 1593, between Thomas, Earl of Ormond, and Rory O'Cleary of Nenagh, husbandman. The Earl appoints Rory his serjeant of the manor of Nenagh, granting him the serjeant's house and land, with all other freedoms and perquisites; to hold the premises during his good behaviour in said office, even as his father held the same, paying therefor 20s. yearly, a good 'wether' every May, a good poundage hog every Martinmas, and four capons. The serjeant shall daily walk and watch the meares of said manor, letting the Earl know

of all encroachments, keep the wood from spoil or cutting, and truly collect the Earl's portion of all heriots, etc., without fraud or deceit.

Witnesses : Richard Fennell, Teig Corckran.

May 1, 1593.

76.

Indenture of May 13, 1593, between Thomas, Earl of Ormond, and Shane Mac Gillefoele of Garran in Ormond, gent., viz., the Earl grants a quarter of a ploughland in Garranballiverickin in Lower Ormond whereof Shane Mac Gillefoele and Teig Mac Gillefoele, attainted of felony in said Earl's liberty, were lately seised as of their inheritance, with all the appurtenances excepting game and eyries of hawks, to have and to hold to said Shane, etc., for 21 years at annual rent of 13s. 4*d.* over and above the portion of the Earl's chief rent, commonly called 'mart Erly' (the Earl's beeves), usually paid out of the premises. Shane further agrees to send labourers to the Earl's works at his manor of Nenagh when required, and to receive the Earl's horses and horseboys from time to time. The lease is to become void should Shane commit felony or treason.

May 13, 1593.

77.

Indenture of July 1, 1593, between Thomas, Earl of Ormond, and William Harpole of Blackford, Queen's county, gent., witnesses that said Earl grants all his castles, lands, etc., in the lordship of Forth O'Nolan, county Carlow, reserving all eyries of hawks and all game, to the said William for 21 years at annual rent of 40*l.* William to receive the Earl's horses and horseboys, etc., send for the provision of the Earl's houses at Kilkenny, Gowran and Donmore twelve couple of rabbits every week, and attend with his tenants upon the Earl and his heirs in best armour and furniture for raids, journeys and general hostings for the service of Her Majesty.

July 1, 1593.

78.

Two O'Kennedy Deeds.

(1) Deed of July 3, 1593, by Thomas, Earl of Ormond. In consideration of the sum of 100*l.* paid to him by Hugh Mac Dermot O'Kenedy of Rappallagh in Ormond he grants the town and lands of Ballenclohe to the said Hugh and his wife More yny Carroll, for their lives, with remainder to their heirs male, and reversion to the said Earl, for an annual rent of 2*s.* 8*d.* Patrick Bussher of Kilkenny, clerk, to be attorney for livery of seisin.

Witnesses : P. Butler, Robert Rothe, Henry Sheth, Donogh McMorrogh O'Gleson, etc.

July 3, 1593.

(2) Deed of July 3, 1593, by Thomas, Earl of Ormond. In consideration of the sum of 100*l.* he grants to Hugh Mac Dermot O'Kenedy of Rappallagh and More yny Carroll, his wife, town, etc., of Ballenclohe as above, but adding ' to hold the premises by the thirtieth part of a knight's fee.'

July 3, 1593.

Seal.

79.

Deed of July 3, 1593, by Thomas, Earl of Ormond. In consideration of 80*l.* paid to him by John Cantwell fitz Piers of Mokarke, Co. Tipperary, gent., the Earl grants to John and his wife Margaret Morres the town of Ballemackede in Clanwilliam, Co. Tipperary, and the towns and lands of Balliotereghane, Garriduff and Clonemoilin in Mowskriquirke, Co. Tipperary, all of which premises were granted by the Queen to the Earl and to George Sherlock and have now come entirely into the hands of the Earl by his purchase of said George's portion. To have and to hold to said John and Margaret, with remainder to Thomas Cantwell, second son of said John, and his heirs male, then to his third son Richard, etc., then to his fourth son William, etc., then to his fifth son Piers, etc., then to his sixth son James, and his heirs male / holding the premises of said Earl and his heirs by the fortieth part of a knight's fee at annual rent of 10*s.* 3*d.*

July 3, 1593.

80.

Indenture of July 20, 1593, between Thomas, Earl of Ormond, and Robert Rothe of Kilkenny. The Earl grants the town and lands of Beallacarhin in Clanwilliam, Co. Tipperary, with the members thereof, viz., Lisgibbon, Shanhagard, Loghbeg, half Scorlokestown and half Kilnecaske, with the castle, lands, etc., of the same, to the said Robert for 21 years at annual rent of 13*l.* 6*s.* 8*d.*, with the usual perquisites, provided that said Robert shall be prepared to receive the Earl's horses and horseboys and to give them meat.

July 20, 1593. (cf. Deed 95).

81.

Indenture of July 22, 1593, between Thomas, Earl of Ormond, and Edmond Tobin of Killahe in Co. Tipperary, gent., servant of the Earl. The Earl grants the moiety of the town and lands of Barronstown *alias* Ballinvarrowne, and also the hamlets and lands of Ballinemoght and Ballinvy in Clanwilliam, reserving all game, to the said Edmund, his executors and assigns, for a term of 21 years at annual rent of 4*l.* and the usual perquisites. Edmund and his tenant to receive the Earl's horses and horseboys, providing them with meat and drink, and pay yearly at Carrickmagriffin the summer oats accustomed to be paid out of the premises.

July 22, 1593.

Seal.

82.

Indenture of July 22, 1593, between Thomas, Earl of Ormond, and Thomas Butler fitz Theobald of the Coniger, Co. Kilkenny. The Earl grants the town and lands of Garryduf in Co. Tipperary to the said Thomas for 21 years at annual rent of 9 marks, rendering the accustomed labours, ploughs, weeding-hooks and reaping-hooks as heretofore given by Edmund Comerford and other tenants of the premises, receiving the Earl's horses and horseboys from time to time, and paying annually at Carrickmagriffin the summer oats accustomed to be paid out of the premises.

Signature : Thomas Butler.

July 22, 1593.

Seal.

83.

Bond of September 27, 1593, by Thadeus *alias* Teig Trassy of Kenles, Co. Kilkenny, yeoman, to Henry Sheeth, to the use of the Earl of Ormond, in the sum of 200*l.* Said Teig to perform his promise to grant to said Earl in consideration of a certain sum of money the towns of Corragh, Lisenosky, Clone, Conery and Killyan with the appurtenances in Co. Galway, the purchase price to be determined by Henry Sheeth and James White of Kenles.

Witnesses: Jasper Shethe, Thomas Cantwell, Patrick Bussher, William O'Bowe.

September 27, 1593.

84.

Conveyances to uses of the Ormond estates.

(1) Deed of September 28, 1593, by Sir Richard Shee, knight, Robert Rothe, Thomas Cantwell of Cantwellscourt, and Henry Shee of Kilkenny, trustees of the Earl, to the effect that they have made a number of grants to Thomas, Earl of Ormond, as follows: (Some five hundred places are named, being the mass of the Ormond estates in Kilkenny, Tipperary and other counties as far away as the Saltee Islands in Wexford and Aran in Galway).

Daniel O'Kelly of Kilkenny, yeoman, is named as attorney to deliver seisin of all the premises either to the Earl or to William Purcell Fitz Robert of Kilkenny acting on his behalf.

'The meaning hereof is hereby to pass all the lands whereof said Sir Richard Shee, etc., stand seised to said Earl's use, and not any lands or tithe whereof they are seised or possessed to their own use or any use other than the Earl's use; and for Cowleyshill near Bawinonagh but the one moiety.'

Signature: Thomas Ormond et Oss.

Witnesses present at the making of the deed: John Archer, sovereign of Kilkenny, Walter Wale, Thomas Archer, Arthur Shee, Geoffrey Rothe, Helias Shee.

Signatures of witnesses present at the livery of seisin of various parts of the premises: Patrick Shortall, Helias Shee, David Rothe, John Reogh O'Megher of Clonmore, Teig O'Megher of Aghlomyn, Redmond Morres, sheriff, Piers Swetman, Patrick

Busser, Daniel Kelly, Robert Morres, Donnoghe O'Ryan, Thomas Dongan, W. Dongan, Humfrey Richardson, Humfrey Newman, Matthew Russell, Morogh Birn, William Bary, Gerald Mc Keggoo, James Grace, Edmund Eustace, Richard Grace, William Roche, William Bennett.

September 28, 1593.

(2) Power of attorney given by the Earl of Ormond to William Purcell Fitz Robert of Kilkenny, yeoman, to receive from the hands of Daniel O'Kelly full and actual possession and seisin of all the lands, etc., comprised in a deed of entail of this present date passed to said Earl by Sir Richard Shee, etc. (as above), and to receive full attornment of his tenants upon said grant in tail.

Witnesses: John Archer, sovereign of Kilkenny, Walter Roche, John Rede, Helias Shee, Piers Butler.

September 28, 1593.

Note.—For further conveyances to uses of the Earl's estates, see Deeds 86, 102, 103, 104, 111, 114, 120; and Appendices I., IV. and VI. in this volume; in which the place-names are given in full.

85.

Entail of the Ormond estates.

(1) Deed (in Latin) of October 1, 1593, by Sir Richard Shee of Kilkenny, survivor of William Johnson, John Archdeacon and Edmund Butler fitz Theobald, deceased, to the effect that he has granted to William Purcell fitz Robert of Kilkenny, yeoman, all the honours, manors, lands, etc., and ecclesiastical benefices which he and said deceased persons held as tenants of the Earl of Ormond in Gowran, Dunfert, Cnocktoffer, Kilkenny, Glasshare, Callan, Ballicallan, Damagh, Kilmanagh, Downemogan and Rosbercon in Co. Kilkenny/Carrickmagriffin, Killenale *alias* Kildanale, Knockgraffin, Castlecurry, Thurles, Nenagh, Roscrea, Ballinry, Lisonagh, Kilmore O'Russhing, Cashel, Kilcowle, the Grange of Kilcowle, Graigehishee and Channons-town in Co. Tipperary/Rathville, Clonmore, Tullaghofelim, Kallasne, Powerston, Leghlin and Ballinknockan in Co. Carlow/Durbardisiland *alias* the Great Iland in Co. Wexford / the

Little Iland in Co. Waterford / Oughterard, Castlewaring, Donada and Clintonscourt in Co. Kildare/Rush, Balscaddan, Corduff and Portrane, in Co. Dublin/Blackcastle and Donamore in Co. Meath, and in Dublin in the county of the city of Dublin, with all rents and reversions of the premises. To have and to hold to William Purcell, his heirs and assigns, for a term of 37 years, with remainder to the Earl of Ormond and his heirs male; then to Sir Edmund Butler of Cloghgrenan for life; then to Piers Butler, first son of said Edmund, for life, and to his heirs male; then to James Butler, second son of said Edmund, similarly; then to the other sons of said Edmund similarly in succession; then to Walter Butler of Kilcasshe similarly; then to Piers Butler, son of Walter, late brother of said Earl, of Ballynenoddagh, similarly; then to James Butler son of Edward Butler of Cloghensy, brother of said Earl, similarly; then to James Butler, son of Piers Butler fitz James brother of said Earl, similarly; then to the sons of said Piers in succession, similarly; then to the heirs male of Richard Butler late Viscount Mountgarret, uncle of said Earl; and then to the right heirs of Walter Butler of Kilcasshe for ever.

Witnesses: Thomas Cantwell, Thomas Archer, Arthur Shee, Geoffrey Rothe, Helias Shee, Edward Brenan, Piers Swetman, sovereign of Callan, William Kerdon, Adam Tywe of Callan, John Butler, Richard Forstall, Thomas Comerford, William Goughe, Matthew Russell, John Ball, Owen Russell, Patrick Follan, William Dongan, George Greme, Humfrey Richardson. Thomas Dongan, James Grace, Edmund Grace, Richard Grace, and Owen O'Birne.

October 1, 1593.

(2) Present when George Greme and Thomas Dongan, gentlemen, did attorne unto William Purcell in these words, 'we agree to the conveyances made to said William bearing date the first of October, 1593, of any lands and hereditaments whereof we are farmers in Castlewaring and Wottonread in counties Dublin and Kildare,' and then delivered each of them a penny as a token of attornment to the conveyance made to said William and to the right honourable the Earl of Ormond/ those persons whose names ensue: Henry Sheth, William Goughe, William Dongan, William Harbert.

Being also present when Giles Alen of Dublin, alderman, farmer of said Earl's lands in Oughterard, county Kildare, did likewise attorne to said William Purcell and delivered him as a token of attornment and consent to the conveyance aforesaid 3*d.* sterling in money/Henry Sheeth, Thomas Dongan, William Dongan.

October 1, 1593.

86.

Conveyance to uses of the Ormond Estates.

Thomas, Earl of Ormond, and Richard Shee of Kilkenny, knight, grant to Peter Butler of Dowiske, esquire, and Thomas Cantwell of Cantwellscourt, esquire, the following lands, tenements, manors, etc.

The Earl grants all the manors, lordships, lands, etc., of and in Swyfin, Kiltane, Cahervore, Gortroddan, Bealacarhin, Lisgibbon, Shanhagart, Loghbegg, half of Scorlockeston and Kilnecaske, Ballinlogan, Ballyhymyn, Ballynemaistragh, Dirreclony, the castle and half of Brensaghe and Clonepatt, half of Barronston in Clanwilliam, and all the lands, tenements and hereditaments in Ballygurtyn, a fourth part of Laghvalle, the castle, town and lands of Keappagh, Grelaghmore, Bealadrehad, Killardry and half of Drongan in Muiskriquirke, Ballynemonekirke, half of Milton, a tenement in St. Nicholas street, Cashel, and the town and fields of Balliamery, all of which lie in Co. Tipperary and the Cross of the same ; Kilvur in county Kilkenny, the rectories and tithes of Downmore, Donaghmore, Kilmocarr, Kilcolman, in Co. Kilkenny ; and of Loghmy, Corkehenny and Burrin in Co. Tipperary ; five knights' fees in Tulleleasy and Killogholyhan, containing 48 acres more or less, with the tithes of the same in Co. Cork ; five knights' fees and all the lands and tenements etc. in Clonlerche, Co. Limerick ; and all lands, tenements and hereditaments of which the Earl stands seised in his demesne as of fee to him and his heirs in lordship, not in use or reversion, in the whole of Ireland ; and also the town of Killeaghtmoylin, Co. Waterford.

The Earl and Richard Shee grant to said Peter and Thomas the monastery and possessions of Kenles, and the monasteries and priories of Callan, Thurles, Nenagh and Clonmel, Co.

Tipperary ; Carrigbeg, Co. Waterford ; Tulleveylim, Co. Carlow ; Clonmyne, Co. Wexford (excepting the town and tithes of Arclowe).

To have and to hold all the premises to said Peter and Thomas their heirs and assigns, to the use of Thomas, Earl of Ormond, his heirs and assigns, for ever.

Witnesses : John Archer, sovereign of Kilkenny, Walter Roche, Thomas Archer, Arthur Shee, Piers Swetman, sovereign of Callan, etc.

October 2, 1593.

87.

Edmund Butler of Cloghgrenan, Co. Carlow, knight, appoints Bartholomew Talbot and John Talbot of Dublin his attorneys to warrant to Thomas Cantwell of Cantwells court, Co. Kilkenny, and Mary Cantwell *alias* Mary FitzGerald his wife, 6 tofts, 6 gardens, 100 acres of land, 100 acres of pasture and 6 acres of wood with the appurtenances in Lishnemenaght, Co. Kilkenny, if the said Thomas and Mary hereafter shall be impleaded and shall call him to warrant to them the said tenements, etc. October 28, 35 Eliz.

Signature : Edmund Butler.

Signet.

Oct. 28, 1593.

88.

Indenture of January 20, 1593, between Thomas, Earl of Ormond, on one side, and Thomas Howth of Lism^eteig, Co. Kilkenny, and his wife Margaret Rothe, on the other. The Earl grants the manor of Knocktogher, Co. Kilkenny, and the town of Rathden, Lisnefennell, parcel of the demesnes of said manor, and the castle, mill, lands, etc., belonging to that manor, reserving the pigeon house of the manor, the chief rent of the burgesses of Knocktogher, the advowson of the vicarage of the same, all wardships, reliefs and chief rents due upon the freeholders in the barony of Knocktogher, all such lands as Francis Lovell and James Glasse Brenagh now possess as part of said manor, and all game/to the said Thomas and Margaret

etc., for 21 years at annual rent of 30*l.* with the usual perquisites, keeping hospitality for the Earl and his officers.

January 20, 1594.

89.

Two Grante Deeds.

(1) Letters Patent of Queen Elizabeth, according to the tenour of her letters patent given under Privy Seal at Greenwich on June 29 in the 30th year of her reign, granting to Patrick Grante the town of Pleberdston, co. Kilkenny, etc.

March 25, 1594.

Great Seal of Elizabeth
(in perfect order).

[Calendered in Morrin, C.P.R. Eliz., II. pp. 284-5].

(2) Deed of Patrick Grante of Waterford, dated March 28 in the 36th year of Elizabeth, to the effect that he has granted to Thomas, Earl of Ormond, all the lands, etc., which were granted by the Queen to said Patrick by letters patent of March 25 in the same year as follows :

In Co. Kilkenny. Pleberdstown, county Kilkenny, containing three messuages and three acres, parcel of the possessions of the late abbey of Kells, with the tithes of corn, hay and pasture of said town, and of Brownstown *alias* Brownsbarne, Fosse-maccody and Disertbegg, parcel of the possessions of said abbey.

A messuage and garden in Kilkenny lying between John Swetman's lands in the west and Boishe's lane in the east.

Half a messuage and garden between Robert Rothe's lands in the south and north.

Two shillings yearly rent out of a messuage and garden in said town where John Rothe fitz Piers dwells, parcel of the possessions of the abbey of Dowske.

A messuage in Kilkenny occupied by Richard Ragged near the Earl of Ormond's mill called Jenkin's mill, parcel of the possessions of the monastery of Jerpoint.

The fourth part of the town and lands of Kilrobin in Idowgh, county Kilkenny, containing the fourth part of an acre, sometime the lands of Donill Ballagh O'Brenan, late of Kilrobin, attainted of treason.

All the lands, etc., whereof James O'Brenan Mac Donnogh More, late attainted of treason, was seised in his demesne as of fee in the town and lands of Rathcally in Idowgh, containing half an acre.

The fourth part of Croghtency in Idowgh containing half an acre, parcel of the lands of Geffrey O'Brenan, late of Croghtency, attainted of treason.

The lands and possessions of Farr Mac Molaghlin Lieghe O'Brenan in Kilderregan in Idowgh, containing half an acre.

The lands of Hugh *alias* Ea O'Brenan Mac Shiare, late attainted of felony, in Clonyn in Idowgh, containing half an acre.

The lands of Owny Mc Henry O'Ryan, attainted of treason, in Killins, Ballyshaneboy, Burries and Barnevaddan in Farryn O'Ryan, county Kilkenny, containing one acre.

The lands of Tireleghe Mac Donill Mc Edmund O'Ryan, late of Ballyshaneboy, attainted of treason, in Ballyshaneboy, etc., as above.

The lands of Farganonym O'Ryan, attainted of felony, in Ollard and Knockewarrown in Farren O'Ryan.

The town and lands of Barnenicoll containing one acre, parcel of the possessions of James Brenagh fitz Edmund, late of Barnenicoll, attainted of treason.

In Co. Tipperary. The lands of Donill Mc Knoghor Efolle O'Mulrian, late of Cullaghe in Owny Mulrian, county Tipperary, slain in rebellion, in Cullaghe aforesaid.

The lands of Mollaghlin Mac Shane O'Fogerty, attainted of treason, in Inche O'Fogerty in Poble O'Fogerty, county Tipperary, containing two acres and a half.

The lands of John Mac Ullig Bourke, attainted of treason, in Towryn in Mowskryquirke, containing two cottages and one acre.

Two acres and a half in Rathgowle, county Tipperary, parcel of the possessions of the late monastery of St. John Baptist without the Newgate of Dublin.

The town and lands of Cowlegorte in Muskryquirke containing two acres, parcel of the possessions of Mahowne ne Bowly O'Quirke, late of Cowlegorte, attainted of treason.

The lands of Thomas Bourke, late of Cowlet, attainted of treason, in Lyssin *alias* Lassynne in Clanwilliam, containing the fourth part of an acre.

The town of Knockillie, county Tipperary, containing a castle and twenty acres, parcel of the possessions of Piers Butler, late of Knockillie, attainted of felony.

The lands of Donill Gowe O'Mulrian, attainted of treason, in Kilmocoage, containing one acre.

The lands of Morrogh Mac Knochor O'Brien, slain in rebellion, in Castelgare in Arra, county Tipperary, containing two acres.

The lands of Knochor Mac Doyn Mac Ivanny and Mahowne Mac Doyn Mac Ivanny, attainted of treason, in Corraghnewony in Arra, containing one acre.

The third part of the town and lands of Boher in Kilnallongert containing half an acre, parcel of the lands of Donill Mac Ee O'Mulrian, late of Boher, attainted of treason.

The lands of Donill Mc Donnogh O'Doire and Donoghe Dulleghenty O'Doire, slain in rebellion, in Crossaile, containing half an acre.

The lands of Dermot O'Glisane, slain in rebellion, in Garranmore *alias* Garrymore in Ormond, containing two acres and a half.

The lands of Owen Mac Mollaghlin Roo O'Dowdy, attainted of treason, in Kilkerasker, containing three acres.

A waste messuage in Carrimagriffin between the Earl of Ormond's house in the west and the river Suir in the east, and between the said Earl's house in the north and Patrick Dobin's lands in the south, which messuage was parcel of the possessions of the late priory of St. John of Jerusalem in Ireland.

The town and lands of Ballemacgillevile, county Tipperary, containing two acres, parcel of the lands of Robert Duf (?) Bourke, late of said town, attainted of treason.

All the above premises were granted by the Queen to said Patrick Grante and his heirs for ever at annual rent of 4*l.* 2*s.* 3*d.*; he now makes a grant of the same to the Earl of Ormond to have and to hold by the same conditions.

Signature : Patrick Grante.

March 28, 1594.

90.

Deed of March 26, 1594, by Thomas, Earl of Ormond, that/in consideration of the sum of 40*l.* paid to him by John O'Heden

fitz Edmund of Balleamery, Co. Tipperary/he has granted to said John the castle, town and lands of Balleamery, Rathone *alias* Rathghonekin and Rathflemyn *alias* Rathdufneplemeneghe in said county, to have and to hold to said John in as large a manner as said Earl held the same by virtue of Her Majesty's letters patent, with remainder to James O'Heden brother of John. To hold the premises of said Earl and his heirs as of his manor of Downeochoill in Ownaght, Co. Tipperary, by the fortieth part of a knight's fee and by suit of court to said manor as often as the court baron shall be held there, at annual rent of 5*l.* 6*s.* 8*d.*

Witnesses: Hen. Sheeth, Oliver Seintleger, Piers Butler, John Butler, parson of Callan, Richard Forstall.

March 26, 1594.

Seal.

91.

Letter from Richard Purcell to the Earl of Ormond.

'My very good lord and master my most bounden duty premised. It is so, right honourable, that upon perambulation of your honour's land of Kilmokar, the Connigher and Castle O'Meheghane are all cut from your lordship, and part of Failskeghane, and that done by favour of the bad jury, for the third part of your honour's proof were better that all my Lord of Mountgarret's proofs. Therefore, my very good lord and master, this I thought to let your honour understand, for if your honour have evidences to show for Conigher or Castle O'Meheghane they stand now parcels by themselves; and further, right honourable, the Lord of Mountgarret means to make as much controversy in the side of Glanmagowe, which if your honour neglect as you have done the other part you shall be like to go behind. And this I thought, my very good lord and master, to let your honour understand, lest your honour's right of Connigher or Castle O'Meheghane should be hindered by the commissioners or jury. And so most humbly I take leave. From Kilmokar this 8th day of April, 1594. Three of the jury were as bent against your honour as ever lay in them. Your obedient servant, Richard Purcell.'

April 8, 1594.

92.

Bond of April 18, 1594, by Callogh *alias* Charles O'Carroll of Lemyvanane in Ely O'Carroll, Co. Tipperary, knight, to Thomas, Earl of Ormond, in the sum of 300*l.*

The condition is that Sir Charles, his heirs and assigns, shall abide by the award to be made by Piers Butler of Grantestown, Co. Tipperary, James Laffan of Greistown, Cormocke O'Doyn of Ballyskenaghe and James Mac Rosse Magoghegan of Dromcollyn, King's county, concerning the title to the lands of Mokyncorky, parcel of Ormond, and shall in the mean time allow said Piers Butler to have possession of said lands by sequestration. Also that, in consideration of the fact that the Earl has caused 25 'garrans' taken from said lands by Walter More Butler to be restored to Sir Charles, the latter shall restore within ten days unto Owny O'Carroll of Moderenny, Solle Mc Egan of Corrowle, Mallaghlin Mac Gillefoile of Stevenstown, Charles *alias* Callogh O'Carroll of Behegh, Malrony Mc Teig of Moderenny and Walter More Butler of Lackagh all such goods as said Sir Charles or any men of his country lately took from them.

Signature : C. Carraill.

April 18, 1594.

93.

Two Farrell Deeds.

(1) Bond of October 11, 1594, by Dermot Farrell of Gowran, John Farrell, Thomas Farrell and John Farrell the younger, of the same, to Thomas, Earl of Ormond, in the sum of 1000*l.*

The condition of this bond is that/whereas the late James Farrell of London, fruiterer, by his last will devised to his wife Elizabeth Farrell a house in Rood lane in the city of London wherein Widow Griffin now dwells, and certain lands, etc., in Milton, otherwise called Middelton, near Sittingbourne in county Kent, and in Bobbinge and Bordinge in the same county, with remainder of the premises to said Derby *alias* Dermot, John, Thomas and John ; and whereas also the late Robert Farrell of London, fruiterer, brother of said James, by his last will devised a house in Borden called Sockling's Inn, with an orchard adjoining, to his wife Nan Farrell with

remainder to said Derby, etc. / now therefore the above-mentioned Farrells shall when required make to the Earl of Ormond, or to Bartholomew Daniell and Richard Rothe fitz Thomas and their heirs to the use of said Earl, full security in law for said premises.

Signatures : Derbe Farrell, John Farrell, Thomas Farrell, John Farrell.

Witnesses : Helias Shee, sovereign of Kilkenny, Robert Rothe, Henry Sheeth, Piers Butler, Gerot Fitz Thomas, Patrick Bussher.

October 11, 1594.

One seal in good condition.

(2) Bond concerning that part of the premises devised by James Farrell as above.

Witnesses : Thomas Cantwell, Patrick Condon, James Butler, Robert Rothe, Nicholas Shortall, Patrick Sentleger, James Forstall, Patrick Bussher, William Molrony.

May 13, 1594.

94.

Three Inquisitions of Escheat.

(1) Inquisition (in Latin) taken at Callan on June 26 in the 36th year of Elizabeth before Anthony Harepenny, deputy of Nicholas Kenney, General Escheator in Ireland within liberties and without, by oath of the following : Richard Astekin of Bawnemore, Richard Butler of Bonsestonne, James Brennaghe of Rahin, Thomas Purcell of Killkerill, Philip Brennaghe of Knockmolan, Edmund Shortall of Cloran, Thomas Butler of Rossenarrowe, Richard Quemerford of Ballibur, Theobald Butler of Neuchome, James Brennaghe of Downemogan, John Tobyn of Caerleyske, Redmund Blanchfeld of Ratgarvan, William Forstall of Forstallstowne, Edward Howlinge of Bathrathe.

The jurors say on oath that Walter Butler of Pollstoune in county Kilkenny died on April 8, 1584. At the time of his death he was seised in his demesne as of fee in the town, village and fields of Waringscastell in said county with all the appurtenances to value of 2s. yearly above deductions. The said

town, etc., is held of the manor of Claraghteverkin, but by what service they know not ; and said manor is held of the Earl of Ormond as of his manor of Gowran by knight service. Richard Butler is lawful son and next heir of said Walter, having been aged 20 years and married at the time of his father's death.

Signature and seal of Anthony Harepenny, deputy Escheator.

June 26, 1594.

(2) Inquisition taken as above. The jurors say on oath that Patrick Denn of Grenan in county Kilkenny died on March 3, 1566, and at the time of his death was seised in his demesne as of fee in the town and fields of Killcrone in said county with all appurtenances to the value of 10s. yearly. The said town, etc., is held of the Earl of Ormond as of his manor of Grannaghe by knight service. Thomas Denn is lawful son and next heir of said Patrick, being aged 22 years and married at the time of his father's death.

Same date.

(3) Inquisition taken as above. The jurors say that Edmund Butler of Annaghes, Co. Kilkenny, died on July 3, 1570. At the time of his death he was seised in his demesne as of fee of the town of Shanboe, worth 3s. yearly. That town is held of the Earl of Ormond as of his manor of Granaghe by knight service. Peter Butler is son and heir of said Edmund, being aged 26 and married at his father's death.

Same date.

95.

Indenture of July 20, 1594, between Thomas, Earl of Ormond, and Robert Rothe of Kilkenny, witnesses that the Earl grants the town and lands of Beallacarhin in Clanwilliam with the members thereof, viz., Lisgibbon, Shanagard, Loghbeg, half Scorlockeston and half Kilnecaske with all the appurtenances excepting game. To have and to hold to said Robert, etc., for 21 years at annual rent of 13*l.* 6*s.* 8*d.*, rendering the usual perquisites and receiving the Earl's horses and horse-boys from time to time.

July 20, 1594.

Seal.

96.

Two Purcell Deeds.

(1) Indenture of July 20, 1594, between Thomas, Earl of Ormond, and Philip Purcell of Swifine, Co. Tipperary, and his wife Margaret Tobin, witnesses that the Earl grants the towns of Castlecurry and Killynwilehard in Clanwilliam with all appurtenances except game, to have and to hold to said Philip and Margaret, etc., for 21 years at annual rent of 26s. 8*d.*, with the usual perquisites, provided that they and their tenants receive the Earl's horses and horse-boys from time to time.

July 20, 1594.

Seal (P.P.)

(2) Indenture of July 22, 1594, between Thomas, Earl of Ormond, and Philip Purcell of Kiltane, Co. Tipperary, and his wife Margaret Tobin, witnesses that the Earl grants the manor of Swynfine in Clanwilliam and also the towns and lands of Kiltane *alias* Curraghkilshane, Knockanenechaheregh *alias* Caherwore, Clyquill and the Currages, viz., Corrogmore and Corrogbeg in Clanwilliam, with all appurtenances except game, to have and to hold to said Philip, etc., for 21 years at annual rent of 10*l.* 13*s.* 4*d.*

July 22, 1594.

97.

Letters patent appointing the Earl of Ormond to execute martial law within the Pale.

Letters patent of Elizabeth.

' To our right trusty and well-beloved cousin Thomas, Earl of Ormond. Whereas our right trusty counsellor Sir Willizm Russell, our Deputy-General, is resolved to repair down into our province of Ulster with such of our army as shall be thought needful for the pacification of our subjects there, and forasmuch as by the advantage of the absence of our said Deputy and forces in those remote countries the disordered and evil-disposed subjects bordering upon Wexford, Kilkenny, Queen's county, Carlow, Kildare and Dublin, namely Feaghe Mc Hughe and his sons, Walter Reoghe *alias* Fitz Gerrat, Piers Grace and their adherents, might take encouragement and be emboldened

traitorously to move and stir war, rebellion or commotion within said counties, or to burn, pray or spoil our good and faithful subjects dwelling within those counties / know ye that for the long and approved trial We have made of your faithful service, valour, wisdom and provident circumspection, We by these presents nominate you, during the absence of our said Deputy from the county of Dublin, our General and chief leader of our army and forces residing within said six counties for the defence of the same and of the borders thereof.'

The details of the Earl's commission follow. He is empowered to proceed against all rebels, to raise all the Queen's subjects of every degree, spiritual and temporal, and all martial forces, to execute martial law, to levy post-horses, carriages, cars, drays, 'gerrans' with their meat and furniture and drivers, and to employ couriers and messengers for getting intelligence.

Dated at Dublin. August 15 in the 36th year of Elizabeth.

August 15, 1594.

Great seal, perfect.

98.

Deed of October 26, 1594, by Robert Rothe of Kilkenny, son and heir of David Rothe, late of the same, deceased, to the effect that he has granted to Walter Butler of Kilcashe, Co. Tipperary, son and heir of John Butler, late of the same, deceased, the town and lands of Ardcollom in said county, with its castles, messuages, lands, etc. To the said Walter and the heirs male of his father for ever, with remainders over to Piers Butler fitz Walter of Moyally and the heirs male of his father, to Edward Butler of Ballinehench and his heirs male, to Piers Butler of Grauntston, brother of said Edward, and his heirs male, and to the right heirs of James Butler, late Earl of Ormond.

Witnesses : Henry Sheeth, Rob. O'Carouille, Thomas Merry, Philip Comerford fitz Nicholas, Edmund O'Luke.

October 26, 1594.

Seal.

99.

Four O'Brennan Deeds.

(1) Doneghe ne Kille mac Shane O'Brenan of Aghetobbir in Idowgh, Co. Kilkenny, Dermot mac Owen O'Brenan, Patrick

alias Gilpatrick mac Donill O'Brenan, Dermot mac Donill O'Brenan and Teig Liegh O'Brenan of the same, gentlemen, for a certain sum of money paid to them by Thomas, Earl of Ormond, grant to Peter Butler of Graigdowske, Co. Kilkenny, and Thomas Cantwell of Cantwellscourt in the same, all the messuages, lands, tenements, etc., in Aghetobbir. To hold to said Peter and Thomas, their heirs, etc., to the use of the Earl of Ormond, his heirs and assigns for ever.

November 26, 1594.

(2) Owen mac Donegh Buye O'Brenan of Rathcalle in Idowgh grants to Thomas, Earl of Ormond, all his messuages, lands and other hereditaments in Corrynhsin *alias* Cowrefoynshin in Idowgh, to hold to said Earl, his heirs and assigns, for ever.

Witnesses: R. Shee, P. Butler, sheriff, Piers Butler, Philip Purcell, Oliver Seintleger, Thomas Archer.

May 12, 1595.

(3) Owen Mc Shane O'Brenan of Rathcally, Moriertagh Mc Shane O'Brenan of the same, William O'Brenane Mc Cahir of Ballyhemekyne, and Redmund Ryogh Purcell of Esker, gentlemen, grant to Thomas, Earl of Ormond, all their messuages, lands, etc., in Corrynshine *alias* Cowrfoynshyn; to hold to said Earl, his heirs and assigns, for ever.

May 12, 1595.

Three seals.

(4) Doneghe ne Kille mac Shane O'Brenan of Aghetobbir and Dermot Mc Owen O'Brenan of the same, grant to Robert Rothe, Henry Sheeth and Thomas Archer all the messuages, lands, etc., in Aghetobbir, to hold to them, their heirs, etc., to the use of Thomas, Earl of Ormond, his heirs and assigns, for ever. Thomas Phelan of Kilkenny, clerk, to deliver seisin. Witnesses: John Rothe fitz Piers, Luke Archer fitz Laurence, Andrew Archer fitz Laurence, William Kelly.

June 26, 1595.

Two seals.

100.

Indenture of January 20, 1594, between Thomas, Earl of Ormond, and George Greme of Castlewaring in Co. Kildare,

gent., witnesses that the Earl grants the castle, messuages, etc., in Castlewaring and in Kiltown and Mynshy, Co. Dublin, with all chief rents, duties, customs, etc., to have and to hold to said George, etc., for 31 years at annual rent of 21*l.* 8*s.* Said George to receive the Earl's horses and horse-boys and give them meat and drink and also send two good horses and two men to carry stuff or provision for the Earl to or from Dublin.

January 20, 1595.

101.

Will and Testament of Thomas, Earl of Ormond.

Where I, Sir Thomas Butler, Earl of Ormond, etc., have made divers testaments, I call back any testament for my lands and do leave and bequeath all my lands conveyed by me to my use, or whereof any standeth seised in possession or reversion to my use, as follows :

Where Sir Richard Shee, Robert Rothe, Thomas Cantwell and Henry Shee did grant to me and to the heirs male of my body certain lands comprised in a deed of entail bearing date September 28, 1593, parcel of which lands Sir Richard Shee did stand seised of as survivor of other feoffees to my use, and of the rest said Robert, Thomas and Henry did also stand seised to my use / in which deed of entail there is a remainder of Dunmore and of other parcels, and of the moiety of said lands, to me and to my wife Elizabeth and to our heirs male, and of the other moiety to my daughter Elizabeth and to her heirs male, the reversion saved to said donors and to their heirs to the use of me and of my heirs, and a condition inserted in said gift that the donors and their heirs and the heir of the survivor of them may, upon tender of six shillings sterling to my wife or to my daughter or to the heirs male of the latter, re-enter into any part of said land by my direction or pleasure signified by act executed in my life-time or by my testament to such uses as I shall signify or set down /

My will therefore is that so soon as my wife shall be married to another husband the tender of six shillings be made to her, and that said donors, their heirs, etc., shall re-enter into all said lands and presently allot to my wife a third part thereof and the manor of Dunmore with appurtenances and the other

towns limited to her in remainder in said deed of entail for her dower and jointure of the same / provided always that no bad practice be used in the proof or allegation of said marriage, but that a sincere, upright, and honest course be followed, for so is my will / and that my said wife, she remaining unmarried after my death, shall during her life have the moiety of said lands, and also said manor of Dunmore, Ballyraghtan, Rathwallinogly, Barkleistown and Skehanaghe, as is contained in said deed of entail.

And for that said lands and hereditaments mentioned in said deed are the purchases of my father and grandfather and other my ancestors whose heir in blood I am, viz., of my father James Butler, of Peter Butler, his father, and of Dame Margaret Fitz Gerald, wife to said Peter, of James Butler, father to said Peter, of Edmond Butler, father to said James, and of Richard Butler, father to said Edmond, and all purchased to them and their heirs, and descended to me as heir in blood, and in fee simple from my said ancestors, and therefore to come to my general heir / I leave the moiety of all said lands, and the reversion of the other moiety thereof after my wife's death, and all the uses, profits and commodities of the same (excepting my own purchases) to my said daughter Elizabeth and to the heirs male of her body, etc., and also will that there be no tender of six shillings made to her according to the proviso of said gift in tail, but that she and her heirs male be permitted to enjoy said parcels / with remainder after the death of said Elizabeth without heirs male to the several male issue of my five brethren, Edmund, John, Walter, Edward and Peter, to be betwixt them equally divided ; with remainder for lack of such male issue to the heirs male of my uncle Richard Butler, late Lord Viscount Mountgarret, deceased ; with remainder to the heirs male of Walter Butler fitz Edmund, uncle to my grandfather, Peter Butler ; with remainder to the heirs male of James Butler, once Earl of Ormond and called Earl of Gowran ; with remainder to James Butler of Lysmalyn and his heirs male ; with remainder to the heirs male of John Butler, second son of Edmund, once Earl of Carrick, ancestor of said James ; with remainder to James Butler, Lord Baron of Dunboyne, and his heirs male ; with remainder to the heirs male of Thomas Butler, first ancestor of that name to said Lord Baron ; with remainder

to Sir Theobald Butler, Lord Baron of Cahir and his heirs male ; with remainder to the heirs male of James Butler, ancestor of said Sir Theobald and son of said James sometime called Earl of Gowran ; with remainder to my nephew James Butler fitz Edmund and to his heirs for ever.

Provided always that if my brethren, Sir Edmund Butler and Peter, be restored to their blood so that they may inherit as heirs in tail to their ancestors, all the premises after the death of my said daughter without heirs male shall be to them so restored, with remainder to the heirs male of my grandfather, Peter Butler, and as before limited.

This, notwithstanding what I shall give, grant, sell, lease or otherwise alter in my own lifetime, shall be effectual to all purposes, and so do I leave it ; and therefore do I will that a tender and re-entry be made and an estate executed according to my will and meaning.

I will that presently after my death the sum of two hundred pounds be collected of the revenue of said lands, and a portion thereof be bestowed upon the reparation of the bridges of Bennetsbridge and Deynyn, and the rest upon poor men according to the discretion of my said donors.

I will that no ambiguity or doubt be made concerning my wife or daughter, but that my wife have her third part of all my fee tail lands and a moiety of the rest, and also the manor of Dunmore and the said other towns, the Earl's Grange and Palmerstown and Kiltracie near Mealaghmore during her life in sort as before, and also my new house and purchased lands in Callan ; and the other moiety of said fee simple lands and the reversion of my wife's portion to be to my daughter Elizabeth as before.

Overseers of this my last will I institute and ordain my honourable and dear friends, Gilbert, Earl of Shrewsbury, Robert, Earl of Essex, Edmund, Lord Sheffield, Thomas, Lord Buckhurst, Edmund, Lord Viscount Mountgarret, Thomas, Lord of Slane, and James, Lord Donboyne, whom I heartily beseech to friend my wife and daughter and to help the execution of this my testament and last will."

Dated March 8, 1594.

Signature : Thomas Ormond et Oss.

Witnesses : James Butler, James Butler of Lysmalin, Thomas

Wadding, Robert Rothe, H. Sheeth, Patrick Archer, John fitz Lewes Bryan, Walter Deveroux.

March 8, 1595 (N.S.)

102.

Deed of March 8, 1594, by James Shortall of Burdisheyes, Co. Kilkenny, and his wife Ellenor Freny, daughter and heir of Piers Freny, son and heir of Ede Freny. They have granted to Robert Rothe of Kilkenny, Peter Butler of the abbey of Duisk and Thomas Cantwell of Cantwells court the manors, lands, tenements, etc., of Dunmore, Inchekille and Listerling in Co. Kilkenny, to have and to hold to said Robert, Peter and Thomas to the use of Thomas, Earl of Ormond, and his heirs and assigns for ever, of the chief lord of the fee by the accustomed rents and services.

March 8, 1595.

Seal.

103.

Deed of March 18, 1594, by Teig O'Carroll of Byrre in Ely O'Carroll in the county and liberty of Tipperary, son and heir of Callough More O'Carroll of the same, deceased, and Rory O'Carroll of the same, son and heir of Teig O'Carroll, deceased, viz., that in consideration of a sum of money paid to them by the Earl of Ormond, they have granted to James Oge Butler of Lismalin, Co. Tipperary, the towns and lands of Byrre, Krynekill, Clonlackagh and Byalanedarragh in Ely O'Carroll. To have and to hold the premises to said James, his heirs and assigns, to the use of said Earl for ever.

March 18, 1595.

104.

Final concord on Ormond lands in Co. Tipperary.

Final concord made in the Queen's court at Easter in the 37th year of the reign before Rob. Dillon, Kt., and William Bathe, Esq., justices of the Common bench and others present, between Thomas, Earl of Ormond, Richard Shee, Thos. Cantwell and Peter Butler, plaintiffs, and Henry Shee, defendant, of 35 castles,

500 messuages, 300 tofts, 9 mills, 400 gardens, 15,000 acres of arable land, 800 of meadow, 12,000 of pasture, 5,000 of wood, and 5,000 of moor in Carrickmagriffin, etc.

(A list of 110 places follows. Most of them appear in the much longer list in the record of a final concord dated October 22, 1601; see Appendix VI. The following, however, are not in the 1601 list, and the two together contain all or most of the Earl's lands and claims in Tipperary.)

| | |
|---------------|----------------|
| Kilclispin | Curraghpoer |
| Kilmore | Crokindown |
| Gortbrecke | Moeldrom |
| Gortoschansky | Monedossan |
| Moglas | Rathnelyne |
| Ballioste | Bawndownemony |
| Rathpeake | Ballaghloske |
| Bohirvindrann | Ballycomy |
| Farrenushily | Ballyneknocker |
| Rathnegrose | Ballyquirke |
| Clonwore | Lacke |
| Ballyvacmyne | Coleagree |
| Motekukeane | Castletowne |
| Ballynwate | Kilmicagh |
| Killasergh | Killaghlohem |

Concerning which a plea was summoned in the above court. Said Henry Shee recognised these tenements to be the right of the above Thomas Cantwell as those which the said Earl, etc., have of the gift of said Henry. Latter to warrant them to the Earl, etc., as against himself and his heirs for ever. In return the Earl, etc., agree to pay him 1,000*l.* silver.

*Ex. per Thom. Wilson deput. Rich.
Leventhrope chirographarii.*

April, 1595.

Dorso: A fine of Drominyer *inter alia* by the Earl.

105.

Deed of April 20, 1595, by John Merry *alias* Holeghane of Carrickmagriffin, Co. Tipperary, son and heir of Philip Merry

of Castletown, Co. Kilkenny, deceased, viz., that he has granted to his cousin Thomas Merry of Callan two messuages with their gardens in the New street of Carrickmagriffin, situated between the King's street in the west and the Earl of Ormond's orchard wall in the east, and between the lands of Patrick White of Clonmel, now held by Katherin Mighane, widow, in the south, and the King's wall in the north. To the said Thomas, his heirs and assigns, for ever, paying annually 23s. to said John and ros. to the portreeve, burgesses and commons of Carrick.

Witnesses : James Daton, John Archdeacon *alias* Mc Cody, Redmond Daton, Henry Seixe, Thomas Harrys, Henry Bennett.

April 20, 1595.

106.

Roger *alias* Rory O'Hiffernan of Drysshian, Co. Tipperary, gentleman, son of Egenus *alias* Owen O'Hiffernan, grants to Walter Butler of Kilcasse (Kilcash), esquire, all the lands, tenements and hereditaments in a sixth part of Tullanenore in said county, and all other lands, etc., belonging to said Rory in the same ; to hold to said Walter, his heirs and assigns, for ever. Meylemory Mc Swyny of Kilcassh to deliver seisin.

Witnesses : William Bennett, sovereign of New Ross, Peter Comerford, John Broun, James Comerford fitz George, David Rothe, John Deane, Aonghus O Hithfearnain (*in Irish script*).

May 3, 1595.

107.

Indenture of May 16, 1595, between Thomas, Earl of Ormond, and John Butler fitz Edmund Roo of Nenagh in Ormond and his wife Johan Smithson. The Earl, in consideration of a fine of 20*l.*, grants to said John and Johan the manor of Nenagh, the friary of the same, the towns of the Grange and Ballynvillane near Nenagh, and all the castles, messuages, lands, services, etc., belonging to the same (excepting the serjeant's place in Nenagh with the houses and lands belonging thereto); also such houses and lands as James O'Curryne and John Brenagh Shott at present possess, together with such pasture as said serjeant and Shott were heretofore accustomed to have

upon the lands of Nenagh for their cattle, and reserving further to said Earl all game. To have and to hold all the premises to the said John and Johan, their executors and assigns, for a term of 21 years at annual rent of 18*l.* 13*s.* 4*d.*, 14 summer sheep, 8 poundage hogs, 12 good capons, the Earl's chief rent [of beeves] commonly called 'martierly' which is usually paid out of the premises, and the moiety of all heriots, etc., keeping hospitality for the Earl and for his horses and horse-boys. Further, if the Earl appoint any masons, carpenters or other workmen to work for him upon said manor, the feoffees shall provide them with sufficient meat and drink during their abode there.

May 16, 1595.

Seal.

108.

Deed of May 21, 1595, by Piers Butler of Granteston, Co. Tipperary, releasing all debts due to him by Sir Thomas Butler, Earl of Ormond, under any legacy made to said Piers by the last will of James, late Earl of Ormond, father of said Piers.

Witnesses: Henry Sheeth, sovereign of Kilkenny, Robert Rothe, Helias Shee, John Harper, William Donyll, Edmund Ryan.

May 21, 1595.

Seal.

109.

The Manor of Dunmore.

Letters Patent of Queen Elizabeth.

(1) "Whereas among the pleas enrolled at Dublin before Robert Dillon, knight, and our other justices of the Bench of our kingdom of Ireland, of Easter in the 37th year of our reign, is contained as follows:—Henry Shee sues against Thomas Butler, Earl of Ormond, and Richard Shee, knight, the manor of Dunmore which he claims to be his right and heritage and in which the same Thomas and Richard have no entry save after the disseisin which Hugh Blake unlawfully made there upon said Henry, and whereof he claims that he was lawfully seised, etc. The said Earl and Richard Shee, tenant, by William Robinson their attorney come and defend their right and call to warrantie Edward Goeghe of Clonmel, John Swetman of Castelif, gent.,

James Shortall of Burdeshais and Eleanor his wife, who now by Thomas Wells their attorney come and freely warrant to them said manor with appurtenances, etc. And on this said Henry seeks against the same Edward, John, James, and Eleanor, tenants by their warranty, the said manor in form aforesaid, etc. Concerning which he says that he himself was seised of said manor in his demesne as of fee in the time of the present Queen, taking the profits to the value of, etc., and produces suit thereof. And said Edward, John, James, and Eleanor, tenants, defend their right by their warranty, etc., and further call to warranty Nicholas Roche who is present in court and freely warrants said manor to them. And on this said Henry seeks against the same Nicholas, tenant by his warranty, the said manor, etc., and produces suit. And said Nicholas, tenant by his warranty, defends his right and says that said Hugh did not disseise said Henry of the manor as Henry by the aforesaid writ and evidence depones. And on this he places himself on a jury. And Henry seeks leave for interlocution thereupon, and has it. And afterwards said Henry returns here in court in the same term in his own person. Nicholas, however, though solemnly exacted does not return but makes default, etc. The court therefore adjudges that Henry should recover his seisin of said manor against said Earl and Richard Shee, and that the Earl and Richard should have of the land of said Edward, John, James and Eleanor to the value, etc. And that Edward, John, etc., should further have of the land of said Nicholas to the value, etc. Nicholas in mercy.

On this Henry seeks a writ of the Queen to be directed to the sheriff of said county *de habere faciendo* to give him full seisin of said manor. And it is granted returnable to him here immediately. And afterwards on June 2 in the same term Henry comes here in court in his own person and the sheriff, Henry Butler, esquire, now commands that in virtue of said writ to him directed on the 28th day of May last past he caused said Henry to have full seisin of said manor according to said writ.

Which all and singular at the request of said Henry by the tenour of these presents we have thought fit to exemplify. In witness whereof We have caused to be set to these presents our seal used for sealing writs in the said Bench."

Teste Robert Dillon, knight, our Chief Justice of our Bench

of Ireland, at Dublin on June 2nd in the 37th year of our reign.

Robynson.

June 2, 1595.

Seal, perfect, of the Queen's
Bench of Ireland.

[This document is given in full as an instance of the procedure in a case of Recovery. The original text is in Latin.]

(2) Nicholas Roch of Dublin, yeoman, quit-claims for him and his heirs for ever to Henry Shee of Kilkenny all his right in the manor of Dunmore, which manor said Henry recovered against Thomas, Earl of Ormond, and Sir Richard Shee by writ of entry 'in le post' in May in the 37th year of Elizabeth.

Witnesses: Redmund Farrell, James Conyll.

June 2, 1595.

110.

Letters Patent (in Latin) of Q. Elizabeth, granting to Edmund Barrett, gent., the termon or hospital of Casshelcorra and other hospitals, and various rectories belonging to dissolved religious houses, in the counties of Cavan, Mayo, Galway, Westmeath, and Longford.

Teste the Deputy General [Sir William Russell] at Dublin, 16 June, a.r.r. 37.

Phillipps.

June 16, 1595.

The Great Seal of Elizabeth
(dated 1592: perfect).

Note.—This grant of concealed lands to Captain Edmund Barrett, the terms of which will be found in *Fiants* Eliz. 5935 and in Cal. P. R. (Morrin), II., p. 313, was revoked in the following year, 1596, after complaint made by Francis Shaen. Edmund Barrett was hereditary lord of the barony of Erris, Co. Mayo. On this matter see Cal. State Papers, Ireland, vols. for 1592-6, and 1596-7.

111.

Conveyance to uses of certain estates of the Earl of Ormond.

(1) Deed of July 30, 1595, by Thomas, Earl of Ormond, to the effect that he has granted to Nicholas Walshe, esquire, second justice of Her Majesty's chief bench, Piers Butler of

Douske, Robert Rothe, Nicholas Haly of Cashel, John Everard of Fethard and Richard Fennell of Cowleagh, physician, all his manors of Carrig[magriffin], Kilkenny, Gowran, Callan and Grennagh, with all villages, lands, advowsons, etc., belonging thereto. The Earl appoints Thomas Hatton of Fethard, yeoman, as his attorney.

The intent of this feoffment is that the feoffees, etc., shall be seised of the premises to the use of said Earl and of his heirs male ; with remainder, for the manors of Kilkenny, Gowran and Grennagh, to the use of the Earl's wife, Dame Elizabeth, for her life ; with remainder, for all the manors, to his daughter and heir apparent, Elizabeth, and her heirs ; with remainder to the Queen, her heirs and successors for ever.

The deed continues : " And I most humbly do beseech my said Sovereign, her heirs and successors, in consideration of the dutiful affection which during my whole life I carried unto her Imperial Crown, and in consideration of the faithful service which every way I might I did perform to Her Highness and her princely dignity, that it will please her, her heirs and successors to allow of this assurance of my said manors and of the disposition of them for the good and benefit of my dear wife and such my heirs male or female as God shall appoint by tenour of this deed to be entitled to the premises. Provided always that if my brothers or any of them or their heirs shall be restored to their blood, that then they so restored shall be entitled to the use of said manors and all other the premises according to the purport and true meaning of the ancient entails entitling my ancestors unto the premises, and the former dispositions and limitations of the same use to be to all purposes void."

Signature : Thomas Ormonde Oss.

Witnesses ; Patrick Sentleger, Janico Taaff, Thomas Merry.

July 30, 1595.

(2) Deed of November 10, 1599, by Thomas, Earl of Ormond. Whereas said Earl formerly enfeoffed several persons of the manors, towns, lands, etc., of Donmore and Kilmocar in county Kilkenny, and of divers other manors, etc., in said county, and also of those of Tamplomore and Holy Cross and others in county Tipperary, to the use of said Earl and of his heirs and

assigns/for the limitation of which use said Earl by a deed of September 1, 1595 and the 37th year of Elizabeth, disposed the same unto his wife, Dame Elizabeth, and to his daughter, the Lady Elizabeth Butler, and to several other persons/and for the better assurance of this conveyance several fines were levied and acknowledged by said Earl and by his feoffees in the court of Common pleas in Michaelmas last of the manors, etc., aforesaid unto Robert Rothe, Gerald Comerford, Henry Shee and Philip Comerford and to the heirs and assigns of said Gerald/and against the cognisees in said fines John Horsfall, bishop of Ossory, Edward Goeghe, Patrick Sentleger and Richard Comerford fitz Thomas recovered said manors, etc., in said court by several writs of entry 'in le post' *a die Sancti Michaelis in tres septimanas*/it is therefore declared by this present deed that the intent of said recoveries is that the recoverers, their heirs and assigns, shall be seised of said manors to the uses specified in said deed of limitation. As for the manors of Kilkenny, Callan, Grenagh, Carrick and Thurles, not disposed by said instrument but included in the fines and recoveries aforesaid, the intent is that the recoverers shall be seised thereof to the use of said Earl and of his heirs male, in default of which heirs the manors of Kilkenny, Callan, Grenagh and Carrick shall be held to the use of said Earl's wife for her life, while the manor of Thurles, and after the death of said Countess the other manors, shall be held to the use of the Earl's daughter, Elizabeth, and her heirs.

Signature : Thomas Ormonde Oss.

Witnesses : Robert Rothe, Henry Sheeth, John Everard.

September 1, 1595.

November 10, 1599.

Enrolled in the Chancery of Ireland on July 29 in the 17th year of James I. (1619).

112.

Indenture dated August 31, 1595, between Thomas, Earl of Ormond, Thomas Cantwell of Cantwells court, Peter Butler of Dowske and Henry Shee on one side, and Sir Richard Shee of the Upper Court on the other, to the effect that/whereas a fine

was levied in Her Majesty's court of Common Pleas in the last Easter term between said Earl, Sir Richard, Thomas and Peter, plaintiffs, and Henry Shee, defendant, whereby said Henry acknowledged certain castles, messuages, etc., in Donmore, Cowlishill and divers other places to be in the right of said Thomas Cantwell, as being held by said Earl, Sir Richard, Thomas and Peter by the gift of Henry, and remitted and quit-claimed the same unto them and to the heirs of said Thomas/and whereas also in a writ of entry 'in le post' brought at the same time by said Henry against the Earl and Sir Richard concerning the manor of Donmore, said Henry recovered that manor/now therefore it is agreed that said fine and recovery shall not extend to prejudice Sir Richard Shee or his heirs in their right to a parcel of land called Farrandive or to a portion of Cowlishill or to any other premises.

August 31, 1595.

Seal.

113.

Indenture dated September 2, 1595, between Thomas, Earl of Ormond, and Walter Dullard of Fowlkescourt, Co. Kilkenny, farmer, viz., that the Earl grants the chief serjeantship of all his lands, manors, etc., in the barony of Galmoy in said county, with all fees, perquisites and profits belonging to that office, to said Walter in as large a manner as his father Thomas Dullard occupied the same. Also for the better exercise of said office, the Earl grants a garden-house or messuage with appurtenances commonly called Garrynscotty in his manor of Fowlkescourt wherein Shane O'Corregane, late of the same, husbandman, sometime dwelt, with all the messuages, lands, etc., which said Shane possessed while he dwelt in said manor. To the said Walter and his heirs male for ever, with reversion to said Earl and his heirs. Adam Seix of Kilkenny, merchant, appointed attorney for the Earl.

Witnesses: Henry Sheeth, sovereign of Kilkenny, Helias Shee, Patrick Archer, Thomas Merry, Henry Seixe.

September 2, 1595.

Seal in good condition.

114.

Tenants of the Earl of Ormond, 1595-6.

Signed agreements by tenants of the Earl of Ormond to pay rent to his feoffees, Patrick Sentleger, John Lewes Bryan, Thomas Archer, John Aylward and others. Their names and signatures follow, attested by witnesses. The tenants are:—

James Cuff, farmer of Listerling, Disertbeg and Plebiston.
Thomas Raghton, farmer of a quarter of Browneston.

James Laffan, tenant of Ballenine, Killcarrin and Granteston, Co. Tipperary.

Thomas Shortall of Rathmowne, tenant of a quarter of Newhouse, Co. Kilkenny.

James White, tenant of the house and demesne of Kells, Blackrath, Haggard and Staines Heis, Co. Kilkenny.

Patrick Quemerford fitz Thomas, one of the tenants of Castlekele.

Barnabe Fitz Leawes, tenant of a parcel of land called Ferrinywater and of certain chief rents out of Whiteswall, Kepaghnegeragh and a house in Kilkenny.

Richard Fennill, tenant of Garrynerehy.

John O'Clery, tenant of Grangemocom and Oldton, Co. Kilkenny.

Lettice Shee, widow, and her son Edmund Swetman, tenants of Atetynow, Co. Kilkenny.

Donogh O'Tonny, tenant of Kilboy and Ballintogher, Co. Tipperary.

John Butler fitz Richard, tenant of Ballecomyn and Ballyknoghor in Ormond.

Edmund Fitz James, tenant of Aghnure.

Thomas Cantwell, tenant of the Goellin, Co. Tipperary.

Geffrey Power, tenant of Kilsallagh and Garrinstudon, Co. Tipperary.

Rory O'Hegan, huntsman, tenant of Kellevrane, Curraghballintle and Kiloven in Parish Fennogh, Co. Waterford.

James Og Butler, tenant of Clonmour in Ikerrin, a quarter of a ploughland in Knocballiveghe and Tomawne, and 7 acres in Killoghe.

Richard Purcell, tenant of the manor of Kilfeclé, Co. Tipperary.

- Thomas O'Hogan, tenant of Powerslands and Killardamy by Ardfynan in Co. Tipperary.
- William Brenagh fitz Edmund, tenant of Bernanicoll in the Walsh mountain.
- Edmund Toben, tenant of Baroneston, Ballenemoght and Ballinvy, Co. Tipperary.
- James Reogh Butler, tenant of Lomoge, Balleneleynagh and Ballesagert (?), Co. Kilkenny.
- Mahon O'Terne, tenant of Knocbreak, Glenerk and Rathmoilen in Ormond.
- Rory O'Kerroll, tenant of Bellaghelosc in Ormond.
- Gerrod O'Dwill, tenant of Ballyspellan and Borresmore, Co. Kilkenny.
- Walter Archer, tenant of a quarter of Cloghmonocode, county Tipperary.
- Helias Archer, tenant of Balecomyn, Ballinure, Leanaght, Croanevahe and half the Croanero in Co. Kilkenny.
- Richard Comerford, tenant of Kilmocahell, Co. Kilkenny.
- Pers Butler, tenant of Mohober, Ballintagert and Jencoll(?), Co. Tipperary.
- John Purcell fitz James, tenant of Cowlegad and Bawnemore, Co. Kilkenny.
- Katherin Kelly, widow of Edward Clenton, tenant of the Earl of Ormond's two parts of Ballydonill and half Cowlis-hell, Co. Kilkenny.
- Walter . . . fitz Piers, tenant of Lecaghoclere, Casteltonoclere and Aghnecarige in Ormond.
- John Fitz James, tenant of Moclere, Co. Kilkenny.
- Donegh O'Nele, tenant of Ballem'gillegille, Co. Kilkenny.
- Oliver Shortall, tenant of Rossneharly, Co. Tipperary.
- Edmond Brenagh, tenant of Rossoneny, Co. Kilkenny.
- Philip Brenagh fitz James, portreeve of Rosbercon and tenant to the Earl of Ormond of a mease therein and of Curraghmore.
- Donill O'Meare, called O'Mere, tenant of Killogany in Ormond.
- Piers Duf Butler, tenant of half of Bawnedonnamone and Balliartele in Ormond.
- John Fitz Edmund Ro Butler, tenant of the Grange near Nenagh, Rathnelin, Rapellaghmore and Ballinvellane in Ormond.

Donogh O'Lalor, tenant of Acregear.

Edmond Mc Cody fitz Nicholas, tenant of Dromro, Garran, Gurtin and Powerston, Co. Kilkenny.

Patrick O'Brin fitz Tirrelagh, tenant of Melaghmore, Co. Kilkenny.

Edmond Mc Code fitz Piers and Robert Mc Code fitz Piers, tenants of the town and temporalities of Fertnegeragh, Co. Kilkenny.

John O'Hogan, tenant of two parts of Killykregan in Ormond.

Robert Sentleger, tenant of Ballydwill, Co. Kilkenny.

Shane O'Shellow and Donoghe Reoghe, tenants of Gortroddan, Kerrowullig, Monerle, Knocklomny, Knockbreke and Mobeg.

John Butler, tenant of Dontrymean, Confeile, Cloghmoilehed and Aghtober in Co. Kilkenny.

Andrew Fitz Patrick, tenant of Inshekille, Co. Kilkenny.

Thomas Den, tenant of Garrandaragh, Glenpipe and Cowlenehahe, Co. Kilkenny.

Patrick Quemerford, tenant of Clonem^eshaneboy, Co. Kilkenny.

Ellan Purcell, tenant of Kilder, Co. Kilkenny, and of Dorrehes in Co. Tipperary.

John Brenagh fitz William, tenant of half of Balletarsne in Iverke, Co. Kilkenny.

William McJames Mc Thomas Macode, tenant of the manor of Fulkescorte with its members, Donaghmore, Ballelly, Crossepatrick and Tollevolte, and of the Little Grove by Kells, Co. Kilkenny.

Gerod Fitz Thomas, tenant of Ballikeffe, Ballenebanoge, Bodallmore, Bonesrath, and Lobeston, in Co. Kilkenny.

Robert Fitz Moris, tenant of Crompiland.

Piers Butler of Granteston, brother of the Earl of Ormond and his tenant of Marketcastle, Rosconill, Ballioskell, Kilmenan, Athorin, Kilgreb, Russeliston and other parcels in Co. Kilkenny, and of Granteston, Mogorban, Sawceriston, Ballemorishe, Balligoin (?), half Drongan, Kilmoleghe and a parcel of Grelaghmore in Co. Tipperary.

Richard Purcell fitz Patrick, tenant of the manor of Kilmoker, Tomekeny and Connehe, Co. Kilkenny.

Thomas Butler fitz Theobott and Catherine Bourke, tenants of Ballinlogan, Liselevan, a third of a quarter of Tempeldavean,

Ballehomyn, Dureclone and Ballenemastregh in Co. Tipperary.

Theobott Bourke, tenant of Leaighvalle, Co. Tipperary.

Catherin Bourke, tenant of Grenanonaght, Ballehosty south, Curregephere, a third of Rathnyvin, Moteboccan, Ballinvase, Terin, Killasseregh, Rathnecrohe, half of Ballevichymon, Rathpeake, Ferrintile and all the members of said Grenan.

Philip Purcell, tenant of Swifin, Cahirvore, Kilteane, Corroge and Kleqwill with their members and appurtenances in Co. Tipperary.

Onor Fitz Patrick, widow, tenant of a third of Glengoill, Co. Tipperary.

Mary nyn Ee, widow of Brien McDonill and tenant of Durrow, Co. Kilkenny.

Shane Mc Gerald, tenant of Lickin and Tullegheoan, Co. Tipperary.

Sir Richard Shee of Uppercourt, tenant of Tulleglis, Ardlow, Cloran, Garannemanoge and Rathcaishe in Co. Kilkenny.

Richard Comerford, tenant of Oveniston and Dangginmore, Co. Kilkenny, and of Boolicke and Classaghoill, Co. Tipperary.

James Comerford, tenant of Arloman and a quarter of Ballinlinte, Co. Tipperary.

Nicholas Comerford, tenant of Collegheore and Garrythomasin, Co. Kilkenny.

Thomas Croke, tenant of Kepaghedin, Ballylein, Oldmill, Killaloo, Rosmore and Phisizianeston, Co. Kilkenny.

Philip Grace, tenant of Illed, Molom and Norreban, Co. Kilkenny.

Redmond Asteken fitz Richard, tenant of Currihinenure, Ballesallagh, Lickediston, half of Agles and half of Rathkeran in Co. Kilkenny.

John Archer fitz Walter, tenant of Jenkeniston, Mayn and Julianeston, Co. Kilkenny.

Redmond Reogh Purcell, tenant of Graigran, Co. Kilkenny.

John Reogh O'Megher, assign of James Oge Butler, tenant of Clonmore in Ikerrin, Knockballyvegher and Tomowne, Co. Tipperary.

Redmond Mores, tenant of the manor of Templemore with its grange and members, Killtellan, Adameston, Moanne and Ashalleg, Co. Tipperary.

- Thomas Laffan, tenant of Lismacee, Grellaghbeg, Temple-
hurene and Knocketeneilie, Co. Tipperary.
- James Forstall, tenant of Cloggagh, Cashellferrell, Tullegher,
and Leoghonny, Co. Kilkenny.
- Tirrelagh Og O'Bryn, tenant of Kilmooliver and Tullehaght,
Co. Kilkenny, and of Kilklispin and Aghenny, Co. Tip-
perary.
- Walter Browne, tenant of the mill of Kilmooliver.
- Donogh O'Codyhe and William Comerford Mc Thomas
Evalue, tenants of Graigerossoney, Co. Kilkenny.
- David O'Codihe, tenant of the Seskin, Co. Kilkenny.
- John Butler fitz Thomas, tenant of Ballyerke and Cowlin,
Co. Tipperary.
- William O'Molrony, tenant of Castellelles, Co. Kilkenny.
- Thomas Butler fitz Theobald, tenant of Garryduf, Co.
Tipperary.
- Oliver Seix, tenant of Garryclohe, Co. Tipperary.
- Thomas Howth, tenant of Asshtowne, Co. Kilkenny.
- John White, tenant of the lordship of Borresowill in Con-
nacht.
- Richard Comerford, tenant of Brickindon and Moeldrom,
Co. Tipperary.
- Nicholas O'Shee, tenant of Brenermore, Co. Tipperary.
- Philip Brenagh, tenant of Ketingeston in the Walshe mountain,
Co. Kilkenny.
- Roland Grace, tenant of Callaghlohon and Parke in Ormond.
- Pers Grace fitz Philip, tenant of Krinkill, half of Bawne-
rickin, half of Monemock and Cowleban, Co. Kilkenny.
- Johan Carran, widow, executrix of the will of Oliver Morres,
and tenant to the Earl of Ormond of Drehedneferne, Ballinveste,
Bellaghaghill, Lisnegomog, Rathin and other parcels.
- Oliver Waton, tenant of the manor of Jeripond and Rosbolte.
- Richard Naish, tenant of Sraghgaddy and Scarry, Co.
Kilkenny.
- Francis Lovell, esquire, tenant of Kilknedy and Balle-
tarsne, Co. Kilkenny.
- Donogh O'Broder, Nicholas Walshe, Margaret Nyen, Donogh
O'Doule, Derby O'Brin, Donogh O'Brin and Johan
Forstall, tenants of the Long street of Jeripond.
- Patrick Fitz David, tenant of Purcell's house in Jeripond.

- Teig O'Meagher, tenant of Athlonnie, Co. Tipperary.
 Robnett Purcell, tenant of Cowlecrahin and Shagannagh.
 John O'Bolgir, tenant of Curraghmore in Sledily, Co. Kilkenny.
 Edmund O'Kearny, tenant of the town of the Holy Cross,
 Co. Tipperary.
 John Grace Fitz Oliver, tenant of Killenan, Lemoghe,
 Leaghardan, Co. Tipperary, and a quarter of Ballerobbin,
 Co. Kilkenny.
 James Purcell fitz William, tenant of the Grange of the Holy
 Cross, Clohanagh and a quarter of Rathkenan and Kil-
 mocoeg in Co. Tipperary.
 James Fenell, tenant of Ballebeg, Co. Tipperary.
 Mahon Mc Shane, tenant of the serjeant's place of Holy Cross.
 An Kevin, tenant of Kilcolme and Ballylowroo, Co. Kilkenny.
 Edmond Comerford, tenant of Rathbeg, Co. Tipperary.
 Thomas Purcell fitz Richard and his wife Johan Fitz Nicholas,
 tenants of Bramelliston and Kilcrony, Co. Kilkenny.
 John Cantwell, tenant of the house and temporalities of
 Athassel and Grange of Athassel.
 Johan Shee, widow, of Ross, tenant of the mill of Rosbercon,
 the friary of the same, and Garranbehe.

(The above documents, which are sewn together, are dated
 at various dates between October, 1595, and April, 1596.)

(2) Two letters relating to the above agreements.

'Patrick St. Leger, where you are desirous that I should
 repair to Kilkenny to attorne to my lord's feoffees for my farms
 of the quarter of Garranpiccard and Ballykeally which I hold
 of my very good lord the Earl of Ormond, for that I cannot
 presently repair thither I do by these my letters attorne to
 you in the name of yourself and of the rest of his lordship's
 feoffees for my said farms, and at our next meeting I will put
 my hand to your book. I have delivered to your man David
 the rent of said lands due the last Michaelmas gale. Thus I
 take leave. Cashel, the 18th day of January, 1595. Your
 loving friend and cousin, Edmund Stapleton, archdeacon of
 Cashel.'

January 18, 1596.

'Mr. St. Leger. For the attornment sought at my hands by

my lord for the 'chefery' and reversion of Ballym'keady, Clonemoylin, Garryduf and Ballyotherighane you shall understand that I hold the same lands to me and to my wife during our natural lives, and after our death the reversion of all said lands to my second son Thomas and his heirs male, for lack of which to my third son Richard and his heirs male, for lack of which to my fourth son William, and so to my fifth son Piers, my sixth son James, my seventh son Myles, my eldest son Edmund, and to the Earl of Ormond or his heirs. Therefore I do hereby yield my consent that if myself and my seven sons shall die without heirs male to be of any of us, that then the reversion of said lands shall be to such feoffees and uses as my said lord conveyed the same unto. In witness whereof I have hereunto subscribed my name the 15th of November, 1595.'

Signature : John Cantwell.

Dorso : ' To my very loving friend Mr. Patrick St. Leger, receiver to the right honourable the Earl of Ormond, this give.'

November 15, 1595.

115.

Letter of attorney of January 24, 1595, by Thomas, Earl of Ormond, to Thomas Purcell of Garranrow, Co. Tipperary, to receive seisin of all the castles, lands, etc., in Clonburryn, Kilgortrian, Agharny, Corbally, Graigedrisly, Graigegerran, Sraghnarrowe, Sraghliegh, Graigard, Ballykelly, Killyimy, Agharny and Failnemocky in Upper Ossory, by the hands of Richard Comerford of Ballybur, Co. Kilkenny, attorney of John Butler of Kilteynane, Co. Tipperary.

Witnesses : Robert Rothe, Walter Lawles, Thomas Merry, Richard Rothe, Walter Sexe, Richard Comerford, William fitz James Archdekin *alias* Mc Code of Fowlkescorte, Piers Purcell fitz James of Ballibene, James fitz William Mc Code, William Purcell.

January 24, 1596.

Seal incomplete.

116.

Six Weyperous *alias* Ballinacloghy Deeds.

(1) Writ of Thomas Butler, knight, ' Baron of Arclo,' Earl of

Ormond and Ossory, etc., to the sheriff of the Liberty of Tipperary.

By inquisition taken at Clonmel on Monday next before the feast of St. Hilary, Bishop, in the 38th year of Elizabeth, before Sir Theobald Butler, Baron of Cahir, seneschal of the Liberty and his fellows, justices of the peace, it was found as follows.

Philip O'Kenedy of Ballynecloghie within said Liberty, gentleman, was lawfully seised in his demesne as of fee of half of one castle, 10 messuages and 40 acres of land with appurtenances in Ballynecloghie, when Hugh O'Kenedy of the same, gentleman, Cnoghor O'Conne and Brien Mc Swyny of the same, kerns, and other malefactors unknown, on the 20th day of February in the 36th year of Elizabeth unlawfully entered the premises by force of arms and forcibly expelled said Philip and disseised him therefrom, in breach of the Queen's peace and the peace of the Liberty, and against the form of the statute of the 8th year of Henry VI. in such case provided, which statute was enacted in Ireland in the 10th year of Henry VII.

The sheriff is therefore directed to replace said Philip in seisin.

Teste Sir Theobald Butler, Baron of Cahir, seneschal of the Liberty, at Clonmel, the 30th day of January in the 38th year of Elizabeth.

Signatures : ' Per me Petrum Palmer justiciarium libertatis ' ; Helias Shee.

January 30, 1596 (N.S.)

Portion of Seal of Liberty.

(2) *Inspeximus* by Geoffrey Rothe, sovereign of Kilkenny, and other councillors and burgesses of the same, of two deeds concerning the manor of Weyperous as follows :—

James, Earl of Ormond, grants to Edmund son of John le Botiller for life the manor of Weyperous *alias* Ballineclohee. At Nenagh on September 2, 1356.

Inquisition at Nenagh before Thomas Wogan, the King's Escheator, on March 29, 1338, on death of James, Earl of Ormond. The portion relating to Weyperous thus :—

Thomas Cantwell (and other jurors) say on oath that James, late Earl of Ormond, on the day of his death held his manor of Nenagh with the weir of Clonleyn in county Tipperary of the

King in chief, doing suit for the same at Tipperary from month to month. Said James acquired the manor of Weyperous to him and Alianore his wife, and their heirs male.

In the manor of Weyperous there are 200 acres of land in the lordship which are usually under plough, valued at 2*d.* per acre in time of peace, nothing in time of war. There are 6 acres of meadow, valued at 4*d.* per acre yearly in time of peace, and 40 acres of pasture, valued at 12*d.* each *per annum* in time of peace. And in the said manor there are one castle, one hall, one chapel with a thatched roof, and two rooms covered with tiles.

James le Botiller, son and heir of James aforesaid, is next heir, being seven years of age at the Feast of All Saints in the eleventh year of Edward III.

The inspeximus of the above deeds was made at the instance of Hugh O'Kenedy of Ballineclohee, dated the 11th day of February in the 39th year of Elizabeth.

Signatures: Geoffrey Rothe, sovereign, Thomas Archer, Arthur Shee, Robert Rothe, Thomas Archer fitz Walter, John Archer fitz William.

February 11, 1597.

Seal of office of Sovereign
of Kilkenny.

(3) Letter of attorney, April 26, 1598, by Thomas, Earl of Ormond, to Donell O'Mare of Lisenyskie, Co. Tipperary, to receive seisin of the town and lands of Ballynecloghy *alias* Weyperous in Co. Tipperary from David McGilleduffe of Comynstown, attorney of Richard Forstall and William Troddy of Callan, who have granted the said town and lands to the Earl by their deed of April 21, 1598.

April 21 and 26, 1598.

(For the earlier Weyperous Deeds see Vol. II. of this Calendar pp. 26-27 and 55, and see also Deed of August 17, 1570, in Vol. V.)

(4) Deed of May 27, 1601, by Hugh *alias* Ee O'Kenedy of Rapplagh in Ormond, Richard Forstall of Callan and William Troddy of the same, viz., that for the sum of 200 marks paid to said Hugh by the Earl of Ormond they have granted to Robert

Rothe, Henry Sheeth and Walter Laules of Kilkenny all the castles, lands, etc., in the town and fields of Weperous *alias* Balleyneclohe in Ormond, with the reversion and rent of the premises, which lands said Forstall and Troddy recovered in a writ of entry 'in the post' in the court of the liberty of Tipperary against said Hugh and More ny Carroll, his wife, in the 39th year of Elizabeth ; to have and to hold to said Robert Rothe, etc., to the use of the Earl of Ormond for ever, with provision for re-entry to the premises on repayment of the sum of 200 marks by said Hugh. The grantors appoint as their attorney William Kelly of Kilkenny, yeoman.

(5) Counterpart of the above deed, signed by Hugh O'Kenedy, Richard Forstall and William Troddy, and witnessed by Edward Brennan, William Rothe, William White, James Heyden, James Bryan, Oliver Grace, Walter More fitz Piers, James fitz William Purcell, Teig Mc Donnogh and William Mc Morrogh. Seal.

(6) Bond of the same date by Hugh O'Kenedy to the Earl of Ormond in the sum of 50*l.* as security for the above grant, witnessed by Walter Butler, John Everard and Piers Butler.

May 27, 1601.

117.

Royal Grants to the Earl of Ormond.

Paper copy of an order delivered to the Lord Chancellor of Ireland, March 3, 1598 (*recte* 1596), in the 38th (*sic*) year of Elizabeth.

"Let indentures be made between the most Excellent Princess Elizabeth, on one side, and Her Highness' well-beloved cousin Thomas, Earl of Ormond, on the other, witnessing that/ on the advice of Sir William Russell, Lord Deputy, Sir Henry Walloppe, Vice-Treasurer and Treasurer at Wars, Sir Robert Gardiner, chief justice of Her Majesty's chief place, Sir Robert Napper, chief baron of the Exchequer, and Sir Anthony St. Leger, Master of the Rolls/commissioners appointed by letters patent addressed to them and to Sir William Weston, deceased, late chief justice of the common pleas, and dated at Westminster on May 16 in the 36th year of Elizabeth (1594) for granting, letting and setting Her Majesty's lands, etc., in

Ireland/ in consideration that said Earl by his deed of February 11th last surrendered to Her Majesty all the lands, etc., hereafter mentioned which he had held of the Queen by virtue of her letters patent dated August 24 in the 24th year of her reign (1582), and also in consideration of the sum of 25*l.* paid by said Earl to Sir Henry Walloppe to Her Majesty's use/now the Queen grants to said Earl and to his assigns the parsonages of Kiltaghan with seven acres of land in Keapdromyn and forty acres in Sleabome belonging to the same, being parcel of the possessions of the late abbey of Osney in England, the rectory and church of Tolleleigh, the rectory of Greeneowegownaghe, two parts of the tithes of Knocktofer and Kilcollom pertaining to the parsonage of Knocktofer, and one manse, five messuages and three acres of land belonging to the same, the tithes of the rectory of Ballygeraithe in county Kilkenny, the rectory of Howelstown, Derhinhinche and Kiltorkane, the rectory of Kilmoyne in said county, the tithes of corn of Tullaughaughe in the same, the two parts of the rectory and tithes of Ballihaughe in the same, the two parts of the tithes of Whitechurch in the same which extend in the towns and fields of Whitechurch, Ramor and Malardstown, the tithes of Earlestown and Ownestown in county Kilkenny and of Ardekilly, the two parts of the tithes of Drumnveryan in county Tipperary, the tithes of Garanegbone in the same, the two parts of the rectory of Barnale in the same, the tithes of the rectory of Fenor in the same, and of the rectory of Kilkirle and Ballyard in county Wexford, the tithes of the rectory of Beyle in the same, the two parts of the tithes of Kellestown in county Carlow, the tithes of Kilnady in county Kilkenny, the tithes of the rectory of Kilrye with the appurtenances which are yearly collected in the towns of Great Shortalstown, Dangyngrowe, Donamagen and Kilrye, parcel of the possessions of the late monastery of Kells in county Kilkenny, the tithes of the rectories, etc., of Jeripont, Ballylinch, Balknoe, Woulgrainge, Graingelegan, Blackrath, the town of Downbill, the Grange of Kilrie, Grange Clorane and Garan, the Grange of Mockehowne otherwise called Rathbobin (?) with all the altarages, the rectory and church of Rowre, and the portion of the tithes of the Great Burgadge with the appurtenances in county Kilkenny, parcel of the late monastery of Our Blessed Lady Mary the Virgin of Jeripont, with all other rectories,

churches and tithes belonging to said late house of Jeripont, together with all other messuages, cottages, tithes, altarages, etc., belonging to all said rectories as being parcel of the spiritual possessions of said several abbeys of Ossney, Kells and Jeripont, excepting the tithes and altarages due to the vicars and curates of said rectories and to their successors, reserving to Her Majesty all advowsons, knights' fees, wards, marriages, reliefs, escheats, woods, underwoods and mines, and to said Earl sufficient hedge-bot, fire-bot, plough-bot and cart-bot.

The grant of the above premises is to the Earl of Ormond and his assigns for a term of 21 years at annual rent of 165*l.* 14*s.* "

Per commissionarios Dominae Reginae in hac parte assignatos : William Russell, Henry Walloppe, Robert Napper, Anthony St. Leger.

March 5, 1596.

[The deed is described as of March 3, 1598 in the 38th year of Elizabeth, but 1598 is evidently a mistake of the copyist for 1595 (O.S.). Sir William Russell was Lord Deputy, during the years 1594-1597; the date must therefore be March 3, 1596 (N.S.)]

118.

Indenture of March 28, 1596, between Thomas, Earl of Ormond, and Ellenor Butler, widow of Gerald Blanchvilde, late of Blanchvildeston in Co. Kilkenny. The Earl grants the towns of Killmedemoke, Claragh, Tample, Smytheston *alias* Ballyngowne, and the manor of Blanchvildeston with all the castles, messuages, lands, etc., belonging thereto, to the said Ellenor, her executors and assigns, during the wardship of Edmund Blanchvilde, son and heir of said Gerald, at annual rent of 25*l.*, 4 summer sheep, 4 poundage hogs, 12 capons, and moiety of all heriots, etc. Ellenor to receive the Earl's horses for one night as often as he shall travel to those parts.

March 28, 1596.

119.

Indenture of April 10, 1596, between Thomas Forstall of the Hagard, Co. Kilkenny, gent., and Sir William Bargee of New

Ross, Co. Wexford, chaplain, survivor feoffee of said Thomas, on one side, and Johane Shee of New Ross, widow, on the other, The said Thomas and William grant a watermill called the New mill situated beside Rosbercon, Co. Kilkenny, with all tolls, water-courses, fishings, suits of mill, etc., belonging thereto, to the said Johane, her heirs and assigns, to the use of herself and Anne Strange of Wexford, widow, paying 6s. 8d. chief rent and 26s. 8d. to said grantors.

Witnesses : Richard Bennett, Thomas Rothe, Nicholas Haye, David Rothe.

April 10, 1596.

120.

Deed of June 8, 1596, by Thomas, Earl of Ormond, to the effect that he has granted to Henry Shee of Kilkenny all the manors, lordships and territories of Carrigm^egriffen, Carrigneshure, Lisronaghe, Knockraffine, Kilenale *alias* Kildanal, Tampelmore *alias* Korkehynne, Thurles *alias* Dourlesse, Roskrea and Nenagh *alias* Enaghurron in Co. Tipperary, with all the lands, rents, services, etc., belonging to the same/to have and to hold to said Henry, his heirs and assigns, for ever, to the use of the last will and testament of said Earl.

Witnesses : Walter Butler, Walter Wadding, Robert Keatinge, Thomas Wadding and Janico Taaff.

June 8, 1596.

Butler Seal.

Note : The Irish form given to Nenagh here (Enagh Urron) is interesting evidence of the contemporary pronunciation of *Aonach Ur-mhumhan*.

121.

The Liberties of Irishtown, Kilkenny.

“ Where(as) controversy and debate depended between the inhabitants of the High Town of Kilkenny, Co. Kilkenny, and those of the Irishtown concerning certain points of liberties and immunities to be exercised within the Irishtown, viz., the clerkship of the market, the assize of victuals, the correction of butchers, forstallers and regrators, the authority to hold pleas amounting to forty shillings or above, the merchant ‘yeld,’

the setting up merchants' shops, the muster master's office, the view of arms, the making of bye-laws and several other matters / the sovereign, burgesses and commons of Kilkenny alleging that the exercise of said liberties belongs to them by prescription, common usage and points of charter, and also because the said Hightown and Irishtown are united and made one incorporation by grant and constitution of the Queen's Majesty/and the portreeve, burgesses and commons of the Irishtown, on the other side, alleging that said liberties belong to them time out of mind as a distinct corporation and thereby exempted from the incorporation of said sovereign, etc., and not to be subject or tied to their laws/the parties therefore submitted the matter to the award of John Everard and Patrick Archer, who have decreed as follows :

" First, that said sovereign and his successors shall be clerks of the market and shall have the punishment and ordering of butchers within the Irishtown and also the control of the assize of bread and ale.

" That said sovereign, etc., shall have the correction and punishment belonging to the clerk of the market in the Irishtown, and that the rate set upon victuals in the Hightown shall be assessed to be the rate of victuals to be sold in the Irishtown.

" If offenders are punished by fines, such fines are to be imposed by the sovereign, etc., half of the amount going to him and half to the portreeve, etc., of the Irishtown.

" That the sovereign, etc., shall have the punishment of forstallers and regrators in the Irishtown, the portreeve thereof executing punishment according to the sovereign's direction.

" That none of the inhabitants of the Irishtown shall put up any shop of merchandise nor use any merchandise within said Irishtown saving such persons as now are or hereafter shall be admitted free of the merchant ' yeld ' (gild) of the town of Kilkenny by the sovereign, etc., of the same, and that those of the Irishtown shall claim no merchant ' yeld ' amongst themselves but that of the town of Kilkenny.

" That said sovereign, etc., shall be muster masters and shall have the view of musters, weapon and armour in the Irishtown from time to time, the parties mustering to be under the conduct of the portreeve by direction of the sheriff.

" That this award shall be no prejudice to the right of the

portreeve, etc., of the Irishtown to exercise all former liberties, privileges and authorities used heretofore by prescription, charter or otherwise and not restrained by this order, and that they may make bye-laws and ordinances for all other purposes tending to the government, correction and good of their incorporation.

“That a shambles shall and may be kept within the Irishtown at convenient times in some convenient place out of the glebe, and the nomination and appointment of ‘praisers’ for the said shambles shall be made by the portreeve, etc., while the sovereign shall oversee them and punish offenders.”

Dated the 24th day of September, 1596, in the 38th year of Elizabeth.

Signatures : John Everard, Patrick Archer.

September 24, 1596.

Everard seal.

122.

Letters patent of the Queen appointing the Earl of Ormond Commander in County Dublin, etc.

“ Elizabeth, etc., to our right trusty and well-beloved cousin Thomas, Earl of Ormond, greeting. Whereas Piers Butler and James his brother, Walter Butler, supposed base son to the Viscount Mountgarret, that old arch-traitor Feaghe Mac Hugh, divers of the O’Birns and O’Tooles, Owny Mac Rory O’More and divers of the sept of O’More, and divers others in the province of Leinster, have traitorously and most wilfully entered into open action of rebellion and manifested their horrible treason by divers late burnings, spoils and murders, and seek daily to draw and allure others to their wicked confederacies / and, for that it is requisite for the speedy repression and extermination of so horrible rebels and for the peace and safeguard of good subjects, to have them persecuted and invaded in divers ways and in sundry parts at once/know you that We do by these letters patent nominate you in the absence of our Deputy, Sir William Russell, and of our right trusty Sir John Norris, General of our forces, to be our General and chief leader and

commander of our forces residing within the counties of Dublin, Kildare, Wexford, Carlow, Kilkenny, King's county and Queen's county."

Dated at Dublin, October 13 in the 38th year of Elizabeth.

October 13, 1596.

Great seal (perfect).

123.

Petition (in Latin) of the Vicars Choral of St. Patrick's Cathedral, Dublin, to Adam [Loftus] archbishop of Dublin. The perpetual vicarage of the parish Church of Kynneagh in the diocese of Dublin, of which the said vicars choral are patrons, being vacant by the death of William Cannopp *clericus* the last incumbent, the vicars present to the vacancy Robert Evans *presbyter*, and beg the archbishop to admit and institute him accordingly. *In cuius rei testimonium sigillum nostrum commune presentibus apposuimus.*

April 15, 1597.

124.

Two Dromineer Deeds.

(1) A paper copy of a deed of May 17, 1597, by Thomas, Earl of Ormond, viz., that he has granted to Thomas Cantwell of Cantwellscourt, Co. Kilkenny, the manor of Dromnyer in lower Ormond, and also the towns of Annagh, Castleheile, Carrigin, Carrick and half Ballydrenane, containing five ploughlands of the measure of lower Ormond, with the castle, bawn, messuages, lands, etc., belonging to the same, reserving to the Earl the use of said castle, bawn, hall and other houses for dwelling or for the defence of the country; to the said Thomas and his heirs male for ever, with reversion to said Earl and his heirs, at annual rent of 5*l.* 6*s.* 8*d.* It is further provided that said Thomas shall attend with the inhabitants and freeholders on the Earl for all rodes and journeys and general hostings as heretofore. Further, that all the fishermen now dwelling at Dromnyer shall fish for the provision and house of the Earl and his heirs when required at the river of Shannon near Dromnyer.

May 17, 1597.

(2) Deed of the last day of May, 1597, by which said Thomas Cantwell agrees to pay the chief rent commonly called 'marteierly' due on the above premises.

May 31, 1597.

Note: "Marteierly" (Mairt-an-Iarla) means the Earl's tribute of beeves imposed upon his tenants; cf. Deed 76 above.

125.

Deed of June 1, 1597, by Thomas Aish of Dublin, gent., to the effect that/whereas the Queen, in consideration of his good and faithful service and of a fine of 20 marks paid to Sir Henry Wallopp, Treasurer at Wars, has granted to said Thomas the wardship and marriage of the body of Edmund Blanchvild, son and heir of Gerald Blanchvild of Blanchvildstown, Co. Kilkenny, with the custody of his lands, etc./now said Thomas grants the wardship and custody to John Everard of Fetherd.

June 1, 1597.

126.

Letters patent appointing the Earl of Ormond commander of the forces.

"Elizabeth, etc., to the Earl of Ormond, greeting. Whereas, upon very weighty causes of our service, Thomas, Lord Burghe, our Deputy, is resolved to repair down unto our province of Ulster, and whereas Feagh Mc Hughe's sons and the sons of the late traitor Rory Oge and their adherents might take encouragement by his absence, etc., we appoint you our General and chief commander of our forces, with authority to execute martial law, etc."

Dated at Dublin, June 13, 39 Elizabeth.

June 13, 1597.

Great seal (perfect).

(cf. Deed 122).

127.

Letters patent appointing the Earl of Ormond
Lieutenant-General.

(1) Elizabeth, etc., to our right trusty and right well-beloved cousin Thomas, Earl of Ormond, greeting. Forasmuch as by

the death of the Lord Burghe, our late Deputy of our realm of Ireland, our said realm is destitute of a superior governour, and though we understand from our Council there that they have intended to make choice of two to be the Lords Justices of that realm during the vacation of a superior governour and Deputy, yet, considering how necessary it is to have our martial services governed and commanded by some special person of trust, knowledge and experience in the martial affairs of that our realm, we have, upon the special trust we do repose in your fidelity and the knowledge of your experience and valour, made choice of you to be Lieutenant-General and Captain of all our forces and men of war serving us in that our realm, and we therefore by these presents ordain, constitute and make you our Lieutenant-General and Captain of all our said forces ; giving you full power and authority to command all our captains, constables of any of our castles, or commanders of any forces in any part of our said realm to serve us in such places as you shall think meet and convenient to appoint and limit them for defence of our realm against all our rebels or any other foreign enemies ; giving you also full power and authority in your own person to levy and lead all our people and subjects of that realm for our service for the resisting and subduing of our said rebels or any other enemies ; charging and commanding all manner of persons of whatsoever degree to be obedient and aiding to you in all causes that may belong to the office of our Lieutenant-General of our said army either by sea or by land. In witness whereof we have caused these our letters of commission to be sealed with our great seal, witness ourself at Westminster, October 29, in the 39th year of our reign.

October 29, 1597.

Portion of Great Seal.

(2) Letters patent of the Queen dated at Dublin on November 21 in the 40th year confirming to the earl of Ormond the above commission, and granting him authority by the advice of Sir Thomas Norris, president of Munster and lord justice of Ireland, and of the Council of the same, to parley with rebels, to grant protection and pardon, and to execute martial law.

Nov. 21, 1597.

(3) Inspeximus of document no. 1 (above) witnessed by Arthur Chichester, Lord Deputy, at Dublin, November 16 in the 11th year of James I.

Nov. 16, 1613.

Great Seal (perfect).

128.

Exchequer Decree concerning chief rents in Kerry.

Mem. "whereas by an office taken of Dinglecushe, Co. Kerry, on October 1, the 26th year of Elizabeth [1584], it appears that Gerald, late Earl of Desmond, at the time of his attainder was seised in his demesne as of fee tail, viz., to him and the heirs male of his body lawfully begotten, amongst other things of the several chief rents ensuing, issuing yearly out of the towns and lands undernamed lying in said Co. of Kerry, viz., of 13s. 4d. issuing out of Letter, a like amount out of Killeveraghe, Ringkaheraghe and Killcoman in each case, 6s. 8d. out of Killowe, out of Dirrindomglasshie and Kilcoman, and out of Garran. Upon which office a *scire facias* issued out of this [Exchequer] court, returnable this term, against the several tenants of the premises to come and satisfy to His Majesty the arrearages of said chief rents due for five years ending at Easter, 1612, or else to shew cause to the contrary. Whereupon Donoghe Mc Connor of Lettir, gent., appeared and declared unto this court that the late Queen Elizabeth by the attainder of the late Earl of Desmond was entitled unto the very lands themselves above-named as escheated unto her by the right of her crown by said attainder. And thereupon by her Highness' letters patent bearing date June 28, the 39th year of her reign [1597], she did give and grant the aforesaid towns and lands of Lettir, Killoghe, both the Garrans, both the Kilcomans, Dirryne, Kilcoraghe and Rincaraghe with Cahirsevin, Rinarila, the half quarter and both the Kilcrineries and Leharin in said county unto the Provost and Fellows of Trinity College near Dublin and their successors for ever to their own proper use, paying yearly to the Queen, her heirs and successors for the same at the feasts of Michaelmas and Easter 48s. as a rateable proportion of the annual rent of 24*l.* 10s. 9d. Irish reserved entirely for the premises and many other parcels granted by said letters patent, for all their rents, services and demands what-

soever (Her Majesty's composition excepted) as by said letters patent produced in court appeared/Which sum of 48s. has duly from time to time been satisfied and paid to His Majesty by said Provost and Fellows of Trinity College. And the aforesaid Provost and Fellows, as also said Donoghe Mc Connor, humbly prayed to be discharged of the before-named several chief rents found by said office and supposed to be due and issuing out of the premises. Whereupon this court entered into a deliberate consideration hereof, and for anything yet discovered cannot perceive how Her late Majesty should by one and the same attainder of the said late Earl of Desmond have in his right both the aforesaid towns and lands themselves and also the said chief rents issuing out of them. The court finds that a complaint was exhibited to the right honourable the present Deputy by said Doneghe Mc Connor against one Captain Morgan, late Deputy Receiver of His Majesty's revenues and rents in the province of Munster, who distrained him for the aforesaid supposed chief rents, and that his lordship on July 2, 1606, deferred the same to Walshe. . . ."

It is ordered therefore that the petitioners be discharged of the payment of said chief rents.

Signature : William Methwold.

Copia vera ordinacionis intrate in officio meo examinata per me, Christoph . . . Rememoratorem Thes.

June 28, 1597.

July 2, 1606.

February 12, 1614 (N.S.)

(The final award as in the 'copia vera' is dated *Duodecimo die Februarii anno Domini 1613* (1614 New Style) and is indorsed 'Decree in the Exchequer concerning the chief rents of Kerry.' The Lord Deputy then was Sir Arthur Chichester).

129.

Commission to Ormond to parley with O'Neill.

Letters patent.

"Elizabeth, etc. Whereas it is thought meet for our special services that our right trusty and well-beloved cousin Thomas,

Earl of Ormond, Lieutenant-General of our army in Ireland, shall repair presently to the borders of our province of Ulster, and where opinion is conceived that divers the rebels in that province, detesting their wicked and abominable treasons, are desirous now to express their unfeigned remorse and to present to us by the hands of said Lieutenant their humble submissions, which cannot be conveniently effected without their personal access to said Lieutenant / Know ye therefore that We, with the advice and consent of Adam, archbishop of Dublin and Chancellor of Ireland, and Sir Robert Gardiner, chief justice of our chief place, our Lords Justices of Ireland, and the Council of the same, do hereby give full power and authority to Hugh, Earl of Tyrone, Hugh Roe O'Donell, O'Cane, Sir Hugh Mc Guire, Brien Mc Hugh Oge Mc Mahowne, Arthur Mc Gennys, Sir Oghie Oge O'Hanlone and to any other persons, not exceeding the number of fifty, dwelling within said province, at all times during the space of two months after the date hereof personally and safely to come to said Lieutenant to our towns of Drogheda or Dundalk, safely to abide and safely to depart without any manner of arrests, stays, trouble, forfeiture, etc., promising in our name and in the honour of a sovereign Prince that said Earl of Tyrone, etc., shall be defended, saved harmless, and have the full benefit of this our gracious protection.

Witness our said Lords Justices, at Dublin, December 3 in the 40th year of our reign."

December 3, 1597.

Great Seal (perfect).

130.

Bond of December 22, 1597, by John White fitz Geffrey of Clonmel to Gerald Vale fitz Philip of the same, 'brazier,' in the sum of 100*l.*, viz., that, whereas said John has enfeoffed Gerald of ground near Boolick commonly called Culynes in exchange for a plot near Meiliorstown and 14*l.* in money, said John shall make further security in law for the Culynes to said Gerald.

Witnesses: Michael White, portreeve, Richard White, Edmund Vale.

December 22, 1597.

131.

Sherlock grants.

Letters patent of Elizabeth (in Latin).

(1) " Know that We, etc./by consent of Thomas Norries, knight, Lord Justice of our kingdom of Ireland, and according to the tenour of our letters on behalf of George Sherlock, son of Peter Sherlock, late of Waterford, defunct, signed by our own hand under our privy signet, dated August 5 in the 29th year of our reign, directed to any Deputy of our Chief Justice and enrolled in the Chancery of Ireland/have given and granted for Us and our heirs to George Sherlock, knight, the towns, townlands, lands, tenements and hereditaments of Garran-gibbon with all its appurtenances in county Tipperary, containing 20 acres of arable land, pasture and wood of the great measure of the country, lately possessed by John Tobyn, late of the same town, attainted ; also a moiety of all the messuages, lands, pastures, etc., in the towns or townlands, etc., of Moneroe, Lislislie, Rushin, Ballipatrick and Lisfoinshin in said county, containing two and a half acres of the great measure of the country, lately possessed by Donell Grany Mc Donoghe O'Fogertie, late of Moneroe, attained ; six messuages in the town or townland of Balligawran in county Kilkenny commonly called St. John's land, lately part of the possessions of the Priory of Kilmainham (and other small parcels of property in Gowran, the boundaries being given) ; also 16 acres in Baggotes-town in county Limerick, late the property of Dermot O'Flanmore, attained ; an old church called Christ's Church in the town of Lismore and the cemetery there, part of our ancient heritage ; and a small parcel of land in Garranchantig in county Tipperary, late the property of John Bourk fitz William, convicted of high treason. (Provision for annual rent).

Further as it appears to Us by inquisition taken at Kilkenny on October 7 last before Anthony Harpeny, gent., deputy of Nicholas Kenney, knight, escheator and feodary of Ireland, and returned of record into the office of the Chief Remembrancer /that a certain Oliver Waston, late of Ratheley, county Kilkenny, gent., was seised in his demesne as of fee of the towns, etc., of Ratheley, etc., in the tenement of Ratheley, containing by estimation 20 acres, and being so seised, by his charter

dated May 8 in the 20th year of our reign, enfeoffed one Leonard Shortall and Richard Grace, who again enfeoffed Oliver Waston for the term of his life, with remainder to Patrick Waston, his son and heir apparent (the remainder continued to others), and finally Patrick Waston on June 27 last was attainted of high treason before Nicholas Walsh and other justices, whereupon he forfeited all said possessions/We grant the said possessions to the abovesaid George Sherlock."

Teste the Lord Chief Justice at Dublin, November 21 in the 40th year of Elizabeth. Phillipps.

November 21, 1597.

Great Seal.

(2) " Know that We, with the advice and consent of William FitzWilliam, Knt., our Deputy General of Ireland, and according to the tenour of certain letters patent signed with Our own hand under our Privy Seal given at Theobalds on the 5th day of August, 1587, directed to Sir John Perrott, Knt., Deputy General of Ireland, or to the Chancellor or Keeper of the Great Seal of the same, and enrolled in the Rolls of our Chancery there, in the 29th year of our reign, for the good and acceptable service of Peter Sherlocke, lately defunct, father of George Sherlocke, and for the good service to be done by said George, have granted and hereby grant the following to the said George, his heirs and assigns, viz. :—

Three acres, great measure, in Ballinorishe, late the land of Walter fitz John Bourke of Cappagh, attainted.

One acre, great measure, in Balliloghin, late the land, etc.

Three acres, etc., in the fourth part of Garryduffe, Balliot-teraghan, Ballihee and Tamplenehorney, late the land of Richard fitz Thomas Bourke of Garryduffe, attainted.

Two acres, etc., in the fourth part of Tenganeghe, the land of Richard Bourke and Edmund Offalloe Bourke his brother, attainted.

Thirty nine acres, small measure, in Ballim^eKeadee and Killnecaslee, late the land of Geoffrey Bwy Bourke, attainted.

Five acres, small measure, in Ballinvy and Ballenemoght, a parcel of land late of John fitzWilliam Bourke of Swyfine, attainted.

Two acres, small measure, in the cantred of Kilnemanaghe, the land of Edmund " Evony " or Edmund O'Dowyre, late of Kilnecry, attainted.

Fifteen acres, small measure, in a fourth part of Ballenlyntee, late the land of Richard fitz Ricarde Bourke, attainted.

Ten acres in Atieleman, fifteen acres of the great measure of the county in Knocknebally, Loghenny, Inchenegoinne, Lessene-gowny and Corraghcarbrye, land of Walter Bourke, attainted.

Clonmoyle, containing twelve acres, the land of Ullig McWilliam Devenaghe Bourke, attainted.

Lismackhee in Mouskerie Quirke, containing 54 acres ; also Oldecappaghe, Ballihanckarde, Grelaughbegge, and Knocknetynneel, containing 50 acres ; the land of Walter fitz John Bourke late of Cappagh in the liberty and county of Tipperary, attainted.

A third part of Cowlee, containing 1 messuage, 2 acres ; the land of Thomas Bourke, attainted.

Clequill and Corroges, containing 5 acres ; the land of Thomas son of Richard Bourke, attainted.

Half the village of Brenshighe, containing 5 acres ; the land of Theobald Bourke, son of Redmond, attainted.

A messuage and four gardens in Clonmel, of which one garden lies at Loughgate on the west side of " Barior " (?), two lie on the east side of Loughgate, another extends from Walter Wale's land on the east to the King's way on the west ; also a parcel of land in Richards Park in the burgesy of Clonmel ; another called Priors Park in said burgesy ; $\frac{1}{2}$ an acre and one stang in the north part of Bolicke called Bowyn, and another stang near the road called Fetherdes Boother on the east of the said burgesy, now held by Belina *alias* Beale Whitt and . . . White fitz James, parcel of the lands of the late priory of St. Edmund the Martyr of Athassel.

Also the town or village of the Graunge near the priory of Athassel, containing a messuage and 3 acres of land, parcel of the land of the priory of St. Edmund ; and a parcel of land within the burgesy or franchises of the same called Gortnemrahir, containing $\frac{1}{4}$ of an acre, part of the land of the late house of the Augustinian Friars of Callan.

Also a water-mill, now ruined and unroofed, called the New Mill within the franchises of the town of Callan, with $\frac{1}{2}$ an acre of land near the mill called the ' Inche.'

June 26, 1591.

Great Seal.

(3) George, son of Peter Sherlock of Waterford, gent., grants to the Earl of Ormond the lands of Garrangibbon in Co. Tipperary, late belonging to John Tobyn, now attainted of felony, and other lands of attainted rebels, which the Queen by letters patent granted to the same George in August, 1587, and November, 1597.

February 3, 1598.

(4) Grant by George Sherlock of Waterford, to Rob. Rothe and H. Shee to use of the Earl of Ormond, of Garrangibbon, etc., all which were granted to said George by the Queen upon attainder of John Tobyn, Donill Grany McDonoghe O'Fogerty, John Bourke FitzWilliam, etc.

February 3, 1598.

(5) Inस्पexinus by James I. of a decree in the Chancery of Ireland between Thomas, Earl of Ormond and James Sherlock, late of Waterford, regarding Island Ivrick and Temple Ivrick in Co. Waterford.

June 18, 1613.

Great Seal of James I.

132.

Two O'Kennedy Deeds.

(1) Keadaghe O'Kennedy of Keltefadde, Co. Tipperary, gent., grants to James Butler of Grenan, esquire, the castle, manor or town of Tiraglasse, the town or village of Keltefadde and the castle of Portolloghane in the same county, and all the messuages, lands, rents, advowsons, services, etc., in the towns and fields of Tiraglasse, Keltefadde and Portolloghane aforesaid. To hold to said James, his heirs and assigns, for ever. Witnesses: Walter Lawles, Walter Butler, Gilleduff O'Kenedy, Walter More fitz Piers Butler, Simon Cantwell, Piers Butler, Richard Cantwell.

April 3, 1598.

(2) Bond of April 3 in the same year of Elizabeth by Keadagh O'Kenedy of Keltefadde in Co. Tipperary, and Thadeus *alias*

Teig O'Kenedy of the same, son and heir apparent of said Keadagh, to James Butler, esquire, of Grenan, in the sum of 200*l.*

April 3, 1598.

133.

Letters patent appointing Ormond Lieutenant-General under the Earl of Essex.

“Elizabeth, etc., to our trusty and well-beloved cousin Thomas, Earl of Ormond, etc., greeting. Where we have made especial choice of our right trusty and right well-beloved cousin and counsellor Robert, Earl of Essex, Marshal of England, to be our Lieutenant General and Governour General of our realm of Ireland, reposing especial trust and confidence in his well-approved wisdom, valour and care for our honour and service and of the reformation of the abuses and misdemeanours of that our kingdom, and for that purpose have granted to said Earl of Essex both general and particular authorities by our letters patent under our Great Seal of England bearing date at Westminster, March 12 in the 41st year of our reign, and also by an establishment under our hand dated February . . . (*blank*) in the same year / nevertheless since no army can be well governed, or war well managed, where there are no sufficient officers both for number and skill to assist the General, and that he shall receive more strength and assistance by one chief officer that shall be in the next rank and flank to himself than by many inferior / We, having experience of your former good services and endeavours in said realm, and knowing how able you are above other men to advise and assist our said Lieutenant, do therefore name, constitute and appoint you to be Lieutenant of our said army and Lieutenant General to said Earl of Essex.”

(The document goes on to define the powers of the Lieutenant-General, viz., to treat and parley with rebels in the absence of the Governor, to execute martial law, etc. See Deed 20, *above*.)

Witness our said Lieutenant and Governour General at Dublin, April 28 in the 41st year of our reign.

March 12, April 28, 1599.

Great Seal (perfect).

134.

The Leinster Rebels.

Commission (in English) by the Queen to the Earl of Ormond to protect Feagh McHugh's sons and the adherents of Rorie Oge during the Earl of Essex's absence in Ulster.

Phillipps.

August 28, 1599.

Great Seal.

[Calendered in *Fiants Eliz.*, nos. 6116 (16 June) and 6325 (28 Aug.)].

135.

A Palatinate Deed.

Paper memorandum (in Latin) of a bond acknowledged on March 12, 1599, at Clonmel within the liberty of Sir Thomas Butler before John Whyte, esquire, seneschal of the liberty.

Memo. that on that day and at that place Gerald Mc Shane, Richard Wale of Morgonstown, Co. Tipperary, and Conne O'Neale of Molagh, appearing in person before said seneschal acknowledged themselves to be indebted to the lord of the liberty in 180*l.* English on the following condition, viz., that if said Gerald personally appeared before the seneschal and justice of the liberty on the first or second day of the assise of general session or gaol delivery, and surrendered himself to the Marshal of the Marshalsea of the liberty, the debt would become void.

March 12, 1600.

136.

Earl of Ormond appointed Lieutenant-General under Lord Mountjoy.

Letters patent of the Queen (in English) dated at Dublin on April 8 in the 42nd year of her reign, made by the advice of Charles, Lord Mountjoy, Lord Deputy, appointing Thomas, Earl of Ormond, Lieutenant-General of the forces, with power

to treat with traitors and rebels and to offer them protection and safe conduct, and to execute martial law, etc.

“Witness oure saide Deputie Generall at Dublin the eighte day of Aprell in the twoe and fortieth yeere of oure reigne.”

April 8, 1600.

Great Seal (perfect).

137.

Two Archdekin Deeds.

(1) Deed (in Latin) of April 14, 1600, and the 42nd year of Elizabeth, by Richard Archdekin of Cowlgad in Co. Kilkenny, by which he quit-claims to Sir Thomas Butler, Earl of Ormond, John Horsfall, bishop of Ossory, Edward Gowege of Waterford, Richard Comerford fitz Thomas of Ballyburr, Co. Kilkenny, and Patrick Sentleger of Kilkenny, his interest in the manors, etc., of Fowlkescourt, Donaghmore, Crosspatrick, Monenemocke, Bawnrickyn, Ballyspellan, Farrenywater, and in all other lands, etc., in the barony of Galmoy.

Signature : Richard Cody.

Witnesses : Walter Butler, Robert Rothe, James Fenell, Carbry Egan.

April 14, 1600.

(2) Bond of April 14, 1600, by Richard Archdekin of Cowlgad in Co. Kilkenny to Robert Rothe and Henry Shee of Kilkenny in the sum of 50*l*.

April 14, 1600.

138.

John Mc Edmund Roo Butler of Rathnelyne, Co. Tipperary, gent., in consideration of the sum of 24*l*. 2*s*. lawful money of England paid to him by Thomas, Earl of Ormond, grants to Robert Rothe and Henry Sheeth of Kilkenny, all his lands, tenements and hereditaments in Rathnelyne, Rapplaghmore and Lisnenagh in Ormond ; to hold to the said Robert and Henry, their heirs and assigns, to the use of said Earl and his

heirs, on condition that the grantor may have re-entry to the premises on the repayment of the above sum. William Kelly of Kilkenny, clerk, to deliver seisin.

Witnesses : Edward Brenan, Thomas Grace, William O'Kenedy.

February 28, 1601.

139.

Conveyances of Sir Edmund Butler's estates.

Deed (in Latin) of April 6, 1601, by Sir Edmund Butler of Cloghgrenan in Co. Carlow, son of James Butler, late Earl of Ormond, to the effect that he has granted to Thomas Cantwell of Cantwells court and to Robert Walsh of Woollengrandge in Co. Kilkenny, all the manors, lordships, towns, etc., of Cloghgrenan, Garrymore, Ballyntrolly *alias* Rahinedeoran, Cloydeagh, Ballynnemrenagh, Crowanlosky, Ballyngown, Tomarde, Tullagh-cryn, Curraghfyn, Rathornane, Cowlnekysshy, Rathvyndyn, Longly, Mortelstown, Cloghchrystycke, The Orchard *alias* Cloes Orchard, The Old Town, Seskyn Rián, Bolye er Eah, Cloghmashonyn, Ballyntrarny, Gragnespyddyogye, Clonemulsky, Ballyvare, Garryhundon, Powrestown, Chappelstown, Tullyvelym, Copenagh, Ballyvrykin, Ballyvorroghowe, Doownane, Kilmogarvoige, Ratharde, Ballyhanckard, Rathlahyn, Ballyvyoge, Butlersgrange, Crosscloghy, Cloghrowske, Ballycavale, Rathglasse, Newestoane *alias* Cloghnoe, Lehyne, Killynbryde *alias* Kilbryde, Bolynecreahy, Keappagh, Ballyvaldyn, Gracescastle, Ardristyn, Castlemore, Kellystown, Ballynonrye and Kilmurry in Co. Carlow; and Innystoge *alias* Innestioke, Bohelagh *alias* Bolagh, Kilcrosse, Rosynan *alias* Roseshynyan and Kyllynlyagh in Co. Kilkenny; to have and to hold all the above premises to said Thomas and Robert, etc. The above-said feoffees to be seised of the premises to the use of said Sir Edmund during his life, and after his death to the use of his son, Theobald Butler, with remainders over as follows. To the male issue of said Theobald and their heirs male; then to Sir Thomas Butler, Earl of Ormond, elder brother of said Sir Edmund, similarly; then to Walter Butler of Kilcashe, nephew of Sir Edmund, similarly; to Piers Butler fitz Walter, nephew of Sir Edmund, similarly; to Edward Butler, brother of Sir

Edmund, similarly ; to Piers Butler, brother of Sir Edmund, similarly ; to James Butler, eldest son of said Piers, similarly ; then to the male heirs of said Piers and their heirs male ; then to Edmund Butler, Lord Viscount of Mountgarret, and his heirs ; then to the heirs male of Sir Richard Butler, uncle of the grantor and late Viscount Mountgarret, similarly ; then to Richard Butler fitz Walter of Powlestown, Co. Kilkenny, similarly ; then to the heirs male of Edmund Butler, grandfather of said Richard, similarly ; then to Piers Butler, son and heir of Sir James Butler of Lysmalyn, deceased, and to his heirs male ; then to the heirs male of James Butler, grandfather of said Sir James ; then to Thomas Butler, Lord Baron of Cahir, and to his heirs male ; then to the heirs male of his father, Theobald Butler, late Baron of Cahir, deceased, and their heirs male ; then to the heirs male of his ancestor, James Butler, commonly called James Galdy,' and to their heirs male ; then to James Butler, Lord Baron of Dunboyne, and to his heirs male ; then to the heirs male of his ancestor, Piers Butler, and their heirs male ; then to Thomas Butler fitz Edmund of Cloghrenan, and his heirs male ; and finally to Piers Butler of the Grage, his heirs and assigns, for ever.

Signature : Edmund Butler.

Witnesses : Henry Sheeth, sovereign of Kilkenny, Patrick Archer, . . . Rowe, Patrick Grante, Charles Walshe, Robert Coursy, John Murphie, Nicholas Shee, Edward Ragget, Oliver Waton, Peter Carew, Robert Caffoye, Edmund Leigh, Fardorough Gormagan, Teige Gormagan, Mortagh Mc Caher, and others.

April 6, 1601.

[Cf. with this pedigree of the Butlers that of Deed 85 *supra*.]

140.

Teig O'Carroll of Birre in Ely O'Carroll, Co. Tipperary, son and heir of Callagh More O'Carroll of the same, deceased, for a sum of money paid to him by Thomas, Earl of Ormond, grants to Robert Rothe, Henry Shee and Walter More Butler of Drehednefearnay all his castles, messuages, rents, etc., in Birre, Krynekill, Conlackaghe and Bealanedarragh in Ely O'Carroll.

To hold to said Robert, etc., their heirs and assigns, to the use of said Earl, his heirs and assigns, for ever. William O'Meary of Lisenisky to deliver seisin.

Witnesses: Patrick Seintleger, Robert Mylles, William fitz Gerot, Theobald Bourke, William Rothe, John Sentleger, Thomas Butler fitz Walter, Richard O'Macky, John Geadagh, Teig fitz John O'Quillean, Fiaghra McEgaine, Doneghe O'Kearroll fitz Malrony, Rory O'Dowlaine.

June 30, 1601.

141.

Two Bourke deeds.

(1) Indenture of July 11, 1601, between Thomas, Earl of Ormond, and Richard Bourke of Grenane Onaght in Co. Tipperary, gent., viz., that the Earl grants his manor of Grenane Onaght and also the towns of Ballyhoste, Corraghpower and Corrokanneheirke in Co. Tipperary, with all the castles, lands, etc., belonging to the same, reserving to said Earl the chief rent and other customs due from the tenants or freeholders of Onaght, also all 'earies' of hawks and game, to have and to hold to said Richard, etc., for a term of 21 years, even as James Butler fitz Edward, deceased, held the premises, at annual rent of 26*l.* 13*s.* 4*d.*, with the moiety of all heriots, etc.

July 11, 1601.

Seal.

(2) Bond of July 10, 1601, by Richard Bourke of Grenane Onaght to Thomas, Earl of Ormond, in the sum of 100*l.*

July 10, 1601.

Seal.

142.

Letters patent for the ransom of Owny O'Dempsey.

"Elizabeth, etc., to our trusty and well-beloved cousin Thomas, Earl of Ormond, Treasurer of Ireland, greeting. Whereas Ony O'Dempsey, son of Sir Terrense O'Dempsey, remaining a prisoner with the traitor Tyrrell, having formerly been delivered to Ony McRorye as one of the pledges for you/and for that you are desirous to give a sum of money for the ransom of said Ony O'Dempsey, thereby to procure his liberty / We, of

our special grace and mere motion, are pleased, and do by the advice of our right trusty and well-beloved counsellor Charles, Lord Mountjoy, etc., our Deputy General of our realm of Ireland, by these presents license and authorise you as well to parley with said Tyrrell or any other touching said ransom, as to pay the same to any of them when ye have throughly agreed thereupon, authorising further hereby all our officers and subjects of our said realm to whom it shall appertain to be aiding and assisting to you and such as you shall employ on this behalf. In witness whereof We have caused these our letters to be made patent. Witness our said Deputy General at Dublin, the last day of August in the 43rd year of our reign."

August 31, 1601.

Portion of Great Seal.

143.

Deed of January 24, 1601, and the 44th year of Elizabeth, by Thomas, Earl of Ormond, viz., that he has granted to his nephew, Sir Walter Butler of Kilcashe, the wardship and marriage of Piers Butler, son and heir of Sir James Butler, late of Lismalin in said county, deceased, who held his lands by knight service of said Earl as of the manors of Knockgraffin and Thurles.

January 24, 1602 (N.S.)

144.

Deed of April 9, 1602, by Thomas, Earl of Ormond, viz., that he has granted to Richard Butler of Ardfenane, Co. Tipperary, son and heir of John Butler fitz Thomas, late of the same, deceased, the towns and lands of Lismackhee, Grelaghbeg, Knocknetynile and Tamplenehowrny in Co. Tipperary, containing by estimation 13 acres and a half, etc., to hold to the said Richard Butler and his heirs male for ever, with remainder to the heirs male of his father, with reversion to said Earl, paying an annual rent of 4*l.* with the annual reservation of 14*s.* to the Queen and her successors.

April 9, 1602.

145.

Deed of January 16, 1602 (in English) by Patrick White, chantor (precentor) of Holy Trinity Cathedral, Waterford, nephew and heir of Sir Patrick White, late of Waterford, chaplain, surviving feoffee of the lands, etc., that belonged to Thomas White fitz James, late of Thomastown, Co. Kilkenny, in the city and suburbs of Waterford and in the parish of St. John, near said city, as well as in Thomastown and elsewhere in Ireland, to the effect that he has granted to David Dobben fitz Robert of Waterford, merchant, and to Stephen White of the same, clerk, professor of divinity, the following properties:—

In the city of Waterford, a house in the tenure of Alson Deveroux, widow, and half the 'Kay' (quay) thereto belonging, the tenements held severally by Thomas Hoare, Walter Sall, Lawrence White, Anstace Lynch, widow, Katherin Moleghan, widow, Robert O'Boe, Anstace White, widow, Anstace Morrishy, widow, Nicholas Power, David Macky, Murtagh Quinlan, Richard Power fitz Robert, William Power fitz John, Lettice Tyw, widow, Anstace Convey, widow, Morish Moleghan, William Tyw, William Wadding, Thomas Furlong, Anstace Comerford, widow, William Madden, her son, William Lawles, Richard Bussler, Thomas Wyse, Paul Sherloke and Richard Brenagh, with the rents, etc., thereof.

In Thomastown, within the franchises and limits thereof in the County of Kilkenny the tenements, etc., held by Nich. Den, Donogh O'Shee and his wife Katherin Den, Patk. Dobben, Malladge Merry, More FitzJohn, widow, one bakehouse in the High Street, a tenement and three acres late in the tenure of Manus O'Coelan deceased, three tenements and two acres in the occupation of Thomas Dobben and his wife Katherin Mouny, one tenement and six acres late in the tenure of William Power and his son Edmund, one tenement, etc., in the tenure of James Dobben fitz Piers, two tenements, two acres at Legan Bother, one acre at Burgess Logh, one and a half acres at Glanmucky, three stangs at Broades castle, etc., in the tenure of Patrick Carran, a barn in the tenure of Edmond Sherloke, two tenements in the tenure of Thomas Cantwell and his wife Mary Fitzgerald, a weir, inch and great grove within the franchises of Inistiog, with all and singular the rents, reversions, etc. of the same.

The grant of the above premises is to said feoffees and to their heirs and assigns for ever, with the intent that they shall be seised thereof to the use of Thomas White fitz Patrick of Thomastown and of his heirs male, with remaining uses as follows : to Robert White fitz Patrick, brother of said Thomas, and his heirs male ; to Richard White fitz Patrick, third brother of said Thomas, etc. ; to James White fitz Patrick, fourth brother of said Thomas, etc. ; to the heirs male of James White fitz Nicholas, late of Waterford, merchant, by his wife Margaret Norman, cousin germain of Thomas White the elder, late of Thomastown, and their heirs male ; with remainder to the use of Thomas, Earl of Ormond, and his heirs for ever.

Signature : Patrick White, chantor.

Witnesses : John Rooth, Lawrence Walsh, sovereign of Thomastown, Jasper White, Alexander Luker, Robert Dobben, portreeve of Thomastown, Lawrence Dobben.

January 16, 1603 (N.S.)

APPENDIX I.

COMMISSION to establish the bounds of the Earl of Ormond's ancient estates (1589-94).

Letters patent of Queen Elizabeth. She has inspected a petition of the E. of O. to the Chancery of Ireland asking for a commission *Ad Perpetuam Rei Memoriam* as to the bounds etc. of his proper estates in counties Kilkenny and Tipperary. The petition says that divers gentlemen etc. of these counties/who, during the reigns of Henry VIII and Edward VI, had the wardship of the Earl's body and lands/norw make claim to various parcels of said Earl's manors and lands and have, by ungodly means, retained and do retain from him divers lands, rents, customs, services, etc. And inasmuch as there are divers aged persons in said counties who know the mears and marks of said lands etc., the Earl begs the Ld. Chancellor to grant a commission of *Dedimus Potestatem* to examine such witnesses as shall be produced on the Earl's behalf upon several schedules hereunto annexed. He begs that the commission may consist of Geoffrey Rothe, sovereign of Kilkenny, Thos. Archer of the same, Nich. Haly of Cashel, Daniel Dullany of Waterford, Edward Ragged of Ross and Peter Roth FitzWalter.

The Chancellor appoints said commissioners. They are to enquire into: what are the mears of the manors etc. named, along with the demesnes of the same; the title of the Earl and his ancestors; whether any persons having lands adjoining encroach on or retain the said lands, etc., or the chief rents, etc. of the same. The enquiry is to be made of the Earl's manors, etc., in the counties of Kilkenny and Tipperary, as follows:—

COUNTY KILKENNY.*

The Manor of Grenagh in the Barony of Iverk.

Also Norrebane, Morelombeg, Downane, Castletowne, Illed, and Henebrestowne in the Barony of Iverk, and the Earl's lands, etc. in Polroane and Clonetorowe in the same.

Also Mealeghmore, Rossoneny, Tullehaght, and Lomoge in Co. Kilkenny.

Also Listerling, Tullagher and Kilgrelan.

Also Collaghmore and Attynowe.

Also Ballykif in said county.

Also the Corporation of Callan; whether it encroaches on the Earl's lands of Crokes woods and Physicianstown.

Kilmanagh, Pottelrathe, Bryttas, Beallaghclonyn, Ballydowle, Ballycallan, and Corraghkegho in the Barony of Cranagh.

* The manor of Dunmore, with Kilmokar and Ballyraghtane, though not named here, appears in the evidence of witnesses (p. 121).

The manor of Fowkescourt; and Burremore and Monenemock within the lordship of the same.

The manor of Glasshare.

Clone *alias* Kilclone; whether its meares extend from the hill called Torattinn in the south to the stream of Classhechonyne in the north, and from the oak called Daredassadirrige (? Dare Wassadirrig) in the west to the lane or "bother" called Bohermore in the east.

Kilry near unto Bennettesbridge.

Ballyraghtane and Rathballenoghly in Fasaghdenyn (modern barony of Fassadinin), Castellomehegan, Falskehan and Coniger Boy, belonging to Kilmokar; whether they are the Earl's, proper inheritance and whether the Earl or his father or their tenants at Kilmokar possessed the same and took the profits in the Earl's name.

Kilmenan, whether the Earl or his ancestors were seised thereof.

Ballyosker; whether any persons or person do detain any lands etc. belonging to the same and to Market Castell and Rosconell.

The manor of Gowran.

Kyldir, Ballyshanemore, Castelelys, Downbyll, Ballebramell, Shraghgaddy, Skarry and Ballyquirke, in the Barony of Gowran.

Shortalstowne, Dangenmore and Clone in the Barony of Kells.

COUNTY TIPPERARY.

The Manor of Knockgraffon and the Earl's land therein called Powersland.

Mohober, Shanecourt and Ballintagert.

Garristockodon and Kinsallagh.

The town or village of Brenermore.

The manor of Carrickmagriffin, and Parish Fennor, parcel of the same.

Ballynorane and Shanonestowne.

The manors of Bowlyeke and Kilenale and the late abbey of Kilcoole.

The manor of Thurles.

The late abbey of Holy Cross.

The manor of Nenagh; the old castle hamlet or place called Clough-terred and the lands belonging called Shessereghdiravogher and Shesseregh Clonmock: whether the two latter be parcels from ancient times of said manor, and paid rents, customs, services, etc. to the Earl or his ancestors.

The manor and lordship of Lackaghoclere in Lower Ormond, and the lands belonging thereto, set for a term of years by said Earl to Walter More Butler.

COUNTY KILKENNY.

Garran and Clorane, parcels of the possessions of the late abbey of Jerpoint.

Cottrellesboly and Newe Castell in the Barony of Knocktopher and the marks and meares of Loer Derenehensy in said barony.

The village and wood of Lewchill.

EXAMYNACIONS taken before us whose names are underwritten by vertue of a Commission of *Dedimus potestatem ad perpetuam rei memoriam* for EXAMYNACION OF WITNESSES uppon Interrogatteries annexed to the same Comission which Comission beareth date the xiiith day of August in the xxxist yere of her Ma^{tes} Raigne.

DONMORE.

DERMOT O HOEN of the Resker in the countie of Kilkenny, husb. of thadge of lx yeres or therabowts being duly sworne and examyned uppon the holy evangelist to the xiiijth Interrogatory he deposeth
that the meare of Balliraghtane is the broke called Glasse glane boole as it leadeth from the Demyne (? Demesne) to Killmodymocke and therehence in the valey that leadeth to the land of Donmore of that side as the brooke goeth.

ffurther he deposeth

that Edmonde Blanchvilde of Blanchvildstowne, Co. Kilkenny, gent. deceased hath entred into ten acres of the Cuntry measures being by estimacion two hundreth burges acres of land or therabouts of the lands of Balliraghtane and occupied the same as parcell of the land of Killmodimock and since his Decease his son and heire Geralde Blanchvilde do holde the same lykewise.

The cause of his knowledge is that he beinge servant to one Redmonde Riogh Purcell deceased beinge a Counstable and Tenaunt to the Right honorable Sir Piers Butler Erle of Ormonde in Donmore and Ballyraghtane aforsaid sawe the said Redmonde and his tenaunts cattell quietly pasture uppon the said landes, and further he deposed that his said M^r and his Bailifs from tyme to tyme distrayned all such cattell as they founde pastureinge uppon the said landes from Killmodimocke aforsaid, adding further that after the death of the said Erle and also of the said Redmonde Riogh Purcell the said Edmonde Blanchvilde manured parcell of the said land called the land of the Redwoodd and that Lady Margaret Countesse of Ormound hath taken the corne that grewe uppon the said land to Donmore where she reked the same and putt it to her owne use.

And further he doth not depose.

ELLEN PURCELL of Donmore widdowe late wife to Andrewe fitz Thomas of the same, gent. age 60 and more, lykewise sworn, etc. to the 14th Interr. deposeth

that Margaret Countesse of Ormonde hath taken certaine Corne which grewe uppon the land of the Redwoodd to Donmore in Edmonde Blanchvilde's tyme which she converted to her owne use. Further deposeth

that she beinge tenaunt in Ballyraghtane to James Erle of Ormonde sone after the said Countesse's death took the pasture of the Redwood quietly as parcell of the said landes of Ballyraghtane. Further deposeth

that her servaunt Thomas Brenagh being underseriant to her husbände being grand seriant of the Manor of Donmore tolde her that the brooke called Glasse glaneboole is the meare betweene Ballyraghtane and Killmodimocke of that side.

EDMOND BOLGIRE of Donmore husb. age 80 or thereabout, lykewise sworn, etc. to the 14th Interr. agreeth in all with his next precontest Ellen Purcell.

Adding that he sawe the tenaunts of Ballyraghtane pasture uppon divers parcels of the sd. land within the brooke of Glasse glaneboole.

WILLIAM CLERY of Donmore, husb. age 60 or thereabout, lykewise sworn, etc. to the 14th Interr. deposeth

that he herde Andrewe fitz Thomas being Graund seriante of the Manour of Donmore and his underseriant Thomas Brenagh and dyvers others tell that the brook called Glasse glaneboole of that syde of the landes of Ballyraghtane was the meare betwene Ballyraghtane and Killmodimocke. Adding further

that he sawe Margaret Countesse of Ormonde take certaine stukes of corne sowed by Edmonde Blanchvilde and his tenaunts uppon parcell of the landes by the Redwood to Donmore where she reked the same and turned it to her own use which land at this day Gerald Blanchvilde is tenants of Killmodymock do sowe.

Also that he well knoweth that this incroachment made by Geralde Blanchvilde and his late father and their tenauntes uppon the landes of Ballyraghtane was at severall tymes presented before Therle of Ormond's Seneschiall holding his Barron Court at Donmore.

KILLMOKAR.

EDMOND BROWNE of Donmore, husb. age 47, sworn, etc. to the 15th Interr. deposed

that Donill McShane tenant of Thomas now Erle of Ormonde at Killmokar took the issues and profits of the landes of Castellomehegane and other the lands in the sd. Interr. mencioned quietly as parcell of the lands of Killmokarr.

Cause of knowledge that he dwelled with the sd. Donill at Killmokarr 3 or 4 yeres where he sawe and knewe as he before deposed.

JOHN PURCELL of Killmokarr, husb. age 70, sworn, etc., to the 15th Interr. deposed

that Castellomehega^{ne} ffalskehan and Conigerboy are part of Killmokarr and of the inheritance of the Erle of Ormonde and that Knoghour O Lonegan and Patrick Purcell fitz Robnett, tenants to Sir James Butler, E. of O. and Donill McShane late tenant to Sir Thomas Butler, nowe E. of O. at Killmokarr have successively possessed and enjoyed the sd. parcels and the issues and profits of them quietly tooke as parcell of the landes of Killmokarr. Cause of knowledge that he was servant and tenant to the sd. persons at

Tommecheny part of the demeaynes of the sd. Killmokarr, and sawe and knewe as he deposed.

DONILL O BRENAME of Killmokarr, husb. age 74, sworn, etc. to the 15th Interr. agreeth with his precontest John Purcell, except that he doth not remember the tyme that Knogher O Lonegan was fermour at Killmokarr. Cause of knowledge that he was borne at K. where he dwelled sithens allway to this day and sawe and knewe as he deposed.

NICOLAS O MULCHAEHELL of Jenkinstowne husb. age 73, sworn, etc. to the 15th Interr. agreeth with John Purcell. Cause of knowledge that he dwelled at K. when Knoghour O Lonegan Patk. fitz Robnet Purcell and Donill McShane were fermours thereof where he sawe and knewe as before.

ROBERT fitz EDMOND PURCELL of Killmokarr, husb. age 63, sworn, etc. to the 15th Interr. deposeth

that the parcells mencioned in the sd. Interr. are parcells of the landes of Killmokarr, and that Patk. fitz Robnet Purcell and Donill McShane as fermours to Sir James Butler, late E. of O. and to Sir Thomas Butler, nowe E. of O., tooke the issue and profits of the premisses quietly.

Cause of knowledge that he himself dwelled at Killmokarr duringe the tyme of the sd. ffermours and manured parcell of the land of the Conygerboy. And sawe and knewe as he deposed.

DERBY MENTAYNE of Killmokarr, husb. age 60, likewise sworn etc. to the 15th Interr. agreeth in all with his precontest Robert fitz Ed. Purcell, saying that this deponent did not occupie any part of the land as the sd. Purcell hath done.

WALTER WELSH alias BRENAGH of Donmore age 70, likewise sworn etc. to the 15th Interr. agreeth in all, etc. with his precontest Robert fitz Ed. Purcell, saying that he plowed no part of the sd. land. But he saith by vertue of his othe that he was collectour of the tieth of Killmokarr thre yeres and brought the tieth that grewe upon the land of Conigerboy to Kilmokarr as parte of the tieth thereof.

TEIGE O DEAGIN of Conehie, husb. age 43, likewise sworn, etc. to the 15th Interr. deposeth

that during such tyme as Donill McShane was ffermour to the nowe Erle of O. at Killmokarr, he sawe the lands and tenements comprised in the sd. Interr. in the quyet possession of the sd. Donill, who took the issues and profits thereof as parcels of Killmokarr. Cause of knowledge that he was cow herde to the sd. Donill and sawe the sd. Donill and his tenauntes cattell pasture uppon the sd. lands without interrupcion.

EDMOND O KALLY of Conehie husb. age 80 likewise sworn, etc. to the 15th Interr. saith that he cutt tymber for a house and som woodd

uppon Falskehan, parcell of the lands mencioned in the Interr., by the lycence of Donyll McShane being fermour to Thomas nowe Erle of O. at Killmokarr.

Cause of knowledge appeareth in deposicion.

PADIN Ó MULCHAHELL of Conehie husb. age 63, likewise sworn, etc. to the 15th Interr. agreeth in all with John Purcell.

SHANE macTEIGE Mc MOLAGHLIN of Conehie husb. age 63, likewise sworn, etc. to the 15th Interr. deposeth

that Castellomehegane and other parcells in the Interr. mencioned are of the lands of Killmokarr and that Patrick fitz Robnett Purcell and Donill Mc Shane being tenants to the sd. lords James and Thomas Erles of O. at Killmokarr did quietly take the issue and profits of the sd. lands.

Cause of knowledge that he dwelled then at Killmokarr where he sawe and herde as he deposed.

GILLEDUF O KELLY of Killmokarr, husb. age 63, likewise sworn, etc. agreeth in all with Shane McTeige McMolaghlin.

ANY NY MORTAGH O DULLANY of Killmokarr, widdowe, age 70 duly sworn, etc., to the 15th Interr. deposeth

that the sd. lands are parcell of the lands of Killmokarr, and that Ptk. fitz R. Purcell and Donill McShane being fermours to the Erles of O. at Killmokarr did quietly take the issues and profits of the sd lands.

Cause of knowledge that during the tyme that P. fitz R. Purcell and D. McShane were fermours at K. aforsd. her cattell did pasture upon the sd lands and she manured parcell thereof herself.

MORE NY BREDDAN of Killmokarr, widdowe, age 70, duly sworn, etc. to the 15th Interr. agreeth with Any ny Mortagh in all.

SHIARY O BREDDAN of Killmokarr, husb. age 68, duly sworn, etc. to the 15th Interr. deposed

that Ptk. fitz R. and D. McShane being fermours to the Erles of O. did quietly possess and enioye Castellomehegane and other the lands comprised in the Interr. and the issues and profits thereof took in right of sd. Erles as parcell of the lands of Kilmokarr.

Cause of knowledge that he is and always hath bene since he was born a dweller at Killmokarr where he sawe his father occupy and manure parcell of the lands comprised in sd. Interr.

DONEGHE O HOWEN of Conehie husb. age 60, likewise sworn, etc. to the 15th Interr. agreeth with Shiary O Breddan.

Cause of knowledge that he was born at Kilcollman nere Killmokarr where he bought pasture for his cattell and woodd for his provision of Ptk. fitz R. Purcell and D. McShane.

KNOGHOR O DEAGHILL of Killmokarr husb. age 60, likewise sworn, etc. to the 15th Interr. deposed

that the parcells comprised in sd Interr. are parcells of the

lands of Killmokarr, and that Ptk. fitz R. Purcell and D. McShane as fermours to the Erles of O. did quietly occupy and enjoye the sd. lands.

Cause of knowledge that he dwelled and yett doth at Killmokarr, where he sawe and herd as before.

[See later again for Kilmokar.]

(Signatures) Thomas Archer. Clk.
Edward Ragged.
Peter Rothe.

ANSTACE NY EGHER wife of Knochor O'Deagill agreeth with her husband.

MORISHE MAC KHOGHO of Conehe to the 15th interrogatory deposeth that he knew Donill Mac Shane to take the issues and profits of the lands comprised in said interrog. in the right of the Earl. He was stud-keeper to said Donill.

SHANE O'BRENANE of Kilmokar agreeth. Cause of knowledge that he dwelt at Tomekeny, parcel of the demesnes of Kilmokar.

PATRICK HAY of Conehie deposeth that Castellomehegan, Falskehane and Coniger Boy be parcels of the lands of Kilmokar, which is the inheritance of the Earl of Ormond. He hath seen Patrick Fitz Robnett Purcell and Donill McShane, farmers to Sir James, late Earl, and to Sir Thomas, now Earl, dwell at Kilmokar. He himself dwelled sometime at Ballygarran and other times at Kilmokar.

ANOR NY MEAGHER of Kilmokar, widow, agreeth. Her husband, Dermot O'Deagell, was proctor to Patrick Purcell Fitz Robnett, having the tithe of Kilmokar, and after was also collector of said tithe to Sir Nicholas Power, chaplain.

JOHN STANTON of Kilmokar, husbandman, agreeth. He hath seen Fitz Robnett manure parcell of the lands of the Coniger Boy and bring corn thereof to Kilmokar, and after his death hath seen Donill Mac Shane taking the pasture of said lands and give licence to others to pasture and cut wood.

DONYLL MAC SHANE of Formoile, county Kilkenny, gent., agreeth. Being tenant at Kilmokar to Thomas, Earl of Ormond, he enjoyed Castellomehegan, Fallskehane and Coniger Boy for 24 years as parcels of the land of Killmokar, and saw also Patrick Fitz Robnett Purcell who was farmer of Kilmokar before him quietly possess same; adding that he was driven to pay by order of Walter Butler Fitz Ormond and Piers Butler Fitz James eight plough garrons for a tract that was left upon Castleomehegan by the lord baron of Upper Ossory.

Touching Kilmenane, he deposeth that Pers Fitz Thomas Purcell, farmer to Sir James Butler, late Earl, possessed same, as he himself did as farmer to Thomas, now Earl.

That Edmond Lord Viscount Mountgarrett do encroach upon a great parcell of the arable land and wood of Kilmenane; and further

that James Shortall of Ballylorcan, gent., of late entered into the townlands and wood of Kilmenane and hath wrongfully taken the eary of great hawks that were bred in the wood of Kilmenane two years past.

JOHN PURCELL of Kilmokar deposeth that the 'bother' beginning in the mountain of Skeaghwilliam and as said 'bother' leadeth thence to Gassheneveagh in the Noere, is the meare which severeth the lands of Kilmenane on the one side and the lands of Ballymartine, Ballenelackin, Bealaragged and Kilmokar on the other. Piers Fitz Thomas Purcell was tenant to James, Earl of Ormond, in the town of Kilmenane, and also Edmond Mac David, Piers Grace and Donill Mac Shane successively were tenants of the premises to said James and to Thomas, now Earl, and the profits thereof took quietly until of late Viscount Mountgarret entered into parcel thereof called Cowlnehahorny and Cnockilowney and James Shortall into the rest. He was servant to Piers Fitz Thomas Purcell.

DONBYLL.

THOMAS MAC SHANE O'RYAN of Donbill, county Kilkenny deposeth that the ancient meares of Donbill do stand as they have been time out of mind except a parcel of the meare by east the moor called Monken moor that Gerald Blanchvilde of Blanchvildston brake a four years past or thereabouts by estimation 'a flight shott,' and occupieth within said meare where it was broken the quantity of a burgess acre, with the common of pasture of said moor, by way of encroachment; also that said Blanchvilde entered into five crofts, parcel of the lands of Donbill near his lands of Redinston.

He saw the monks of Jeripont permabulate the meare of Donbill, being in their company before the suppression of the abbeyes, and since by the Earl's stewards and other officers.

GILPATRICK MAC DONEGHE O'HARTLEY of Donbill agreeth, save that he was not with the monks when they perambulated the meare.

JOHN MAC PHILIP O'LONERGAN of Donbill agreeth.

DERMOT O'BRYNE of Donbill deposed that the meares stand save the parcel lately broken by Blanchvilde, who manured a parcel by estimation a burgess acre and in length a 'plough went.'

MORISHE MAC THOMAS O'RYAN of Donbill agreeth.

GAWRAN.

WILLIAM O'MOLRONY of Castellellis, county Kilkenny, deposed that his father John O'Molrony, being on his death bed, Dermott O'Farrell, John O'Farrell, and Thomas O'Farrell, his nephews, went unto him and desired him—as he was in God's bonds, sick of body and whole of mind, for that there was controversy between Thomas Quemerford, then constable of the castle of Gawran, and the commons of that town, touching the customs and duties that said commons were bound to

do to the Earl's mills of Gawran in right of said manor, to declare his knowledge therein, he left between him and God that he never knew any contradiction made by the commons of Gawran to join with the tenants of Johnmorestowne and the Haggard street from time to time during his memory to bring all the timber and other necessaries for the reparation of said mills, adding that by this time the commons of Gawran gave carriage for bringing of 'cogges and sprindels' to said mills. The cause of his knowledge is that it was Nicolas Swayne's gerrans that went for said timber.

DERMOT O'MORGHO of Gawran, miller, deposeth that the commons of Gawran, of the town of Johnmore and of the Haggard street from time to time have brought timber and all other stuff for reparation of the Earl's mills of Gawran, except straw and scolps. He hath been a miller in said mills these 40 years.

KILLURR.

JAMES LAWLESS of Castell kely, county Kilkenny, deposed that the meare of Killurr extendeth from Cleghcorrannemoghelan in the north as the same meare leadeth unto the ditch of Maddynemoneroo in the south, and from thence as the highway leadeth from Therles Grange in the west unto Cleghcorrannemoghelan in the north, within which meare Richard Butler fitz Walter of Powlestowne, gent., encroached upon a great field of arable land containing twelve acres burgess or thereabouts. He saith further that there be about 35 acres arable land in possession of divers burgesses by south the meare of the thorn called Skaghnebonney, and two acres by north said thorn; and further that said Richard doth encroach a parcel of the lands of Butler's Grove by estimation a good acre next adjoining to Loghmoneylin, and a parcel of underwood near Tubbercrehir by estimation a stang. He saw the said field of Corrannenmoghelan in possession of John O'Mollrowny by the demise of James, Earl of Ormond, paying yearly 13/4. He saw the parcels of Butler's Grove in possession of Gerrod Mac Morry, Gilpatrick Mac Waddock and William Keatinge, tenants at Butlers Grove and Killure to said Earl.

WILLIAM O'MOLRONY of Gawran deposed that his father John O'Molrony being master carpenter to James, Earl of Ormond, told him that said Earl gave him Corrannenmoghelan in consideration of his services.

COTTRELS BOWLY.

MOROGH O RYAN of Burnchurch, Co. Kilkenny, husb. age 61, duly sworn, etc. to the 39th Interr. deposeth

that the meare of Cottres Bowly do stand. And further that he dwelling at Cottrels Bowly aforsd. above 40 yeres past and continued here for the space of 12 yeres, During which tyme he did

soe a parcell of the moore or medowe called Mone roman extending from the feld called Gortelogy parcell of the lands of Cottrels Bowly aforsd. to a feld called ffarren Connowe parcell of Waton's land, and from the highway leadinge to the olde Towne in the south west to a ditch which leadeth through the sd. meadowe northwards nere unto a haue thorne called Skagh ffaren connowe in the possession of the tenants of the sd Bowly who pastured uppon the same without interrupcon.

Also that the tenaunts of Cottrels Bowly were accustomed to kepe a Clone there for their cattell, and somtymes they permitted the tenants of the olde Towne for neybourhed to pasture there, and at other tymes he sawe their distresses taken for pasturinge there.

Also that he sawe one Richard roo Shortall who dwelled in the olde Towne challeng a parcell of the sd. moore, but he saith he never sawe him possess the same, nor use it more than to pasture there by sufferance of the tenants of the Bowly.

Also that Richard Shortall of Rathmour being harbinger to the Erle of O. haveing purchased parcell of the old towne cessed the tenants of the Bowly with horsses horssboyes and other charges as this Deponent herd and understoode by the tenants there and by means thereof the sd. tenants of the Bowly permitted the tenants of the olde towne to pasture their cattell there by way of neybourhed as he was lykewise enformed by the tenants of the Bowly, who bare the charge therof, this Deponent being then a capleherd there.

Cause of knowledge appeareth in deposicion.

JOHN WHITE of the Burnchurch, Co. Kilkenny, husb. age 63, sworn, etc. to 39th Interr. agreeth with precontest Morish O Ryan. Sheweth for cause of knowledge that his father Thomas White dwelled at Cottres Bowly about 40 yrs. past and this examynate being there with his sd. father sawe him divers times kepe the parcell of the moore or medowe callid Mone Roman as it is marked and meared by the sd. Morish O Ryan as a clone for his cattell and suffered not Waton of the Grove nor the tenants of the old town to pasture thereupon but at his pleasure and sawe his father and the tenants of the Bowly pasture on the sd. moore or meadow with their cattell within the sd. marks and meares without any disturbance, and sawe also his sd. father and divers others of the tenants of the sd. Bowly distraine the cattell of the olde towne for pasturing there, and herd none of the tenants of olde towne challenge it till David McShane challengid parcell thereof. But he never sawe him enjoy it, nor ever sawe him or any other disturbe the tenaunts of the Bowly to possesse it.

Also that he dwelling with his father in the hedhouse of the Bowly aforsd. herd all the tenants of the Bowly exclayminge uppon Richard Shortall for oppressing them with Cony and livery and also saith that for easinge them thereof they suffired the tenants of the olde Towne to have pasture uppon the sd. moore, and sithene that tyme he sawe no Clone kept there.

EDMOND MORTELL of Cottres Bowly Co. Kilkenny, husb. age 61, sworn, etc. to 39th Interr. deposed

that the meares of Cottres Bowly aforsd. do stand, except the parcell of the medowe or morre called Mone Roman which is marked and meared as the first deponent Morogh O Ryan hath sett downe.

Also that this Examinee did eare a litle croft, parcell of the sd medowe or moore and sowed the same with wheat and beare; and brought the same to the Bowly without any disturbance.

Cause of knowledge appeareth in deposicion.

THOMAS O MOREGHOW of Enesnag, Co. Kilkenny, husb. age 40, sworn, etc. to 39th Interr. deposed

that he was a dweller 20 yeres and more at Cottres Bowly by Walter Archer and Mrs. Mary fitzGerald's tyme, being ffermour to the Erle of O. there, during which tyme he sawe the tenants of the sd Bowly divers tymes distraine the cattell of the tenants of the olde Towne for pastureing upon the medowe or moore called Mone Roman and never sawe any challeng made by the tenants of the old towne all that tyme to the same till of late.

ANSTANCE HOWLING of Cottres Bowly, Co. Kilk. widdowe, age 56, sworn, etc. to 39th Interr. agreeth with Thomas O Moreghowe in all.

PHILLIPP MEAGHER of Enesnag, husb. age 60, sworn, etc. to 39th Interr. deposeth

that the meare of Cottrels Bowly doth stand, except the moore or medowe called Moneroman, and that the meare thereof extendeth as the first examynate Moroghe o Ryan hath deposed. Cause of knowledge that he being servant to Mr Walter Archer being farmour of the sd Bowly, sawe him and his tenants distraine the cattell that they fownd grasinge upon the sd. meddowe or moore.

Also that he herd the inheritors of the olde Towne challenge a parcell of the sd. moore or medowe and a small homell adioyning to Farren Connowe, which parcell is nowe and never before challengid by Waton of the Growe dureing this Examynate's knowledge.

SHANE MAC DONILL of Stamcarthie, Co. Kilk. husb. age 61, sworn, etc. to the 39th Interr. deposeth

that the meare of Cottrels Bowly do stand except the meare of Moneroman.

Cause of knowledge that he was tenant in the Bowly when Walter Archer was fermour thereof the space of 20 yrs. and after by Mary FitzGerald's tyme being farmours of the same. During which tyme he sawe the sd moore or medowe and the Crofts within the meare thereof in the possession of the sd farmours and sawe their servants oft distraine upon the cattell of the tenants of the olde towne that pastured there.

Also that he himself was the first that manured the sd. crofts for Edmond Mortell and John Howling who then and divers tymes after sowed the same.

ROBERT TOMYN of Cottrels Bowly, Co. Kilk. husb. age 80, sworn, etc. to 39th Interr. deposeth
that the meare of C.B. standeth except the meare of Mone Roman.

Cause of knowledge that he dwelled 40 yrs. and more at C.B. aforsd. where he sawe the tenants thereof distrayne the cattell of the tenants of the olde towne that pastured uppon the sd. Mone Roman.

KATHERINE CARDIF of Enesnag, Co. Kilk. widdowe, age 60, sworn, etc. to 39th Interr. deposeth

that she knoweth not the certaintie of the meare of Cottrells Bowly but she saith that the meare called Mone Roman is parcell of the lands thereof.

Cause of knowledge that she always during her life dwelled at C.B. till within these last 5 yrs. where she sawe the tenants of the olde towne of Jerupont cattell empounded sundry tymes by the inhabitants of the Bowly aforsd. for pasturing uppon the sd. moore.

ELLIS CARDIF of Enesnag, Co. Kilk. age 40, sworn, etc. to 39th Interr. deposeth nothing touching the meare of C.B. but saith that the parcell of moore or medowe called Mone Roman is parcell of the lands of the sd. Bowly.

Cause of knowledge that she dwelled all her lyf tyme till within theis 6 yrs. at the sd. Bowly and sawe the tenants thereof enioye the sd. Moore and som tyme they distrained the cattell of the tenants of the old towne of Jerupont that pastured there.

JOHAN HOWLING of Enesnag widdowe age 60 sworn, etc. to 39th Interr. agreeth in all with Ellis Cardif.

ELLEN HOWLING of Enesnag, wif to Phillip Meagher of the same age 50, sworn, etc. to 39th Interr. agreeth in matter and substance with Ellis Cardif.

Cause of knowledge that her father was seriant to Walter Archer and Mary fitzGerald at C.B. for 40 yrs or more. During which tyme she sawe him often tymes distrayne the cattell of the old towne of Jerupont for pasturing uppon the moore called Mone roman.

JAMES HOWLING of Jerupont, Co. Kilk. husb. age 40, sworn, etc. to 39th Interr. deposeth

that the meare of C.B. do stand except a parcell of Moneroman which is of the lands of the sd. Bowly.

Cause of knowledge that he himself was seriant at C.B. aforsd. 40 yrs. and that he often distrayned the cattell of the tenants of old town of Jerupont for pasturing uppon the sd. moore.

NYWE CASTELL.

WILLIAM LANG of the Nywe Castell Co. Kilk. husb. age 70, sworn etc. to 39th Interr. deposeth

that the meare of the sd. Nywcastell do stand, and that Sir Nicholas White, knight, Master of the Queen's Maj. Rolles in Ireland and his tenaunt Robert Walsh dwelling at Ballyheale incroched a parcell of pasture land called Reylansolosh and Glanhosseng, 12 acres, which notwithstanding is at this present in the possession of the Erles' tenants of Nyw Castell.

Cause of knowledge that he dwelleth always at the nywe castell since the yr of the rebellion of Thomas of Kildare and sawe and knewe as before he hath deposed.

NICOLAS LANG of the Nywe Castell aforsd. husb. age 50 sworn, etc. to 39th Interr. agreeth with W. Lang in all durezza his remembrance.

ELLEN BUTLER, Lady Dowager of Thomounde, age 65, being sworn upon her honour to the 39th Interr. deposed

that the meare of the Nywe Castell do stand as she lerned of Sir Donill o Cahell Chaplain deceased who was Chaplaine to Mr Adam Welsh being tenant in the Nywe Castell aforsd. to Pers Erle of Ormonde father to this deponent, who (as the sd. Sir Donill told her) did perambulat the meare of the sd towne and lands as the same meare standeth at this present.

Also that Sir Nicholas White and his tenant Robert Welsh dwellinge in Ballyheale doth pastur upon a parcell of land called Reilan so losh and Glanhossog, 12 acres of the land of the sd. Nywe Castell.

Cause of knowledge that she is chief tenant to Thomas nowe Erle of O. in the sd. towne theis 30 yrs. past, and distrayned the cattell of the sd. Robert Welsh and his tenants for pastureing upon the sd. land, and took the sd. cattell with her to Shepestowne where she impounded them, and so kept them till she had sufficient sureties to restore them at her pleasure.

(Signatures) Thomas Archer.
Edward Ragged.
Peter Rothe.

DIRRENHENSHY.

MORIERTAGH O CASSHINE of the Lower Dirrenhenchi, Co. Kilk. husb. age 47, sworn, etc. to the 39th Interr. deposeth

that the meares of the sd. Dirrenhenchy do stand except a parcell of mountaine ground by est. 12 acres called the lands of Ballyndoro(d) which James fitz Piers Butler and his tenants dwelling at Kiltorkan do wrongfully pasture by way of encroachment.

Cause of knowledge that he alwaies dwelt at Dirrenehenchy where he sawe and knewe as he deposd. And further he doth not depose, saving that the sd. encroachment began but this present yere.

SHANE MAC DERMOT O DOWNEY of Knocktofer, Co. Kilk. husb. age 50, sworn, etc. to the 39th Interr. deposeth

that the meare of the lower Dirrenehenchy doth stand except parcell thereof betwixt Kiltorkan and Dirrenehenchy called Ayte Croghsane Edowly as the same meare leadeth through turf moore untill it com to Dromliegh which is parcell of Dirrenehenchy aforsd. which meare James fitz Piers Butler and his tenants dwelling at Killtorkan did break this present yere and encroched within the same meare 12 acres of turf moore and pasture.

Further that John Heale of Upper Dirrenehenchy uppon eight yeres past encroched half an acre of underwoodd of the lands of the sd. Lr. D. and the same wrongfully as yet withholdeth.

Cause of knowledge that he being seriant of the sd Towne with Walter Carragh Bourk, Sr Nicholas White, Knight, and ffrances Lovell being counstables of the manors of Knocktofer and tenants of the sd. Lr. D. took from tyme to tyme rent of such of the neighbours as took upp turf in the sd. moore and killed connyes uppon the lands of Ballaghtoore for the sd. severall counstables from tyme to tyme without interrupcion. And fynding Edmonde McShane and Richin McShane of Killtorkan aforsd. stealing Conyes from Ballaghtoore aforsd. took the Conyes of them and a mantle for a distresse which he deliuered to the sd. Sr. Nicholas White.

Also that the one half of all the Conyes of Dromleigh came to the counstable and John Heale of Up. D. and the other half to Killtorkan and the pasture thereof with the rest of the hill was in Comens betwixt bothe the Townes.

Also that for the woodd cutt by John Heale he must have sent recompence for the same to ffrances Lovell being then Counstable.

(Signatures) Thomas Archer.
Edward Ragged.
Peter Rothe.

GLASHARE.

ROBERT MURPHIE of Glashare, co. Kilk. husb. age 60, sworn, etc. to 11th Interr. touchinge the meares of Glashare saith that one Teig O ffahie a very olde man who dwelt at Glashare in Therle of Killdare is tyme tolde this Examynate divers tymes that the meare betwixt Glasshare and Ossory begineth at the foord called Aghbealanewode nere Cownecrotte, and extendeth from thence as the Ditch goeth from the said foord to the Rathquill and from thence to the Leogh-enemore and so from thence through the woodd called Tower leigh as the Ditch there goeth untill it com to Barnenelacken and from thence

as the way leadeth untill it com to Barneenfraghen and from thence as the water called Sroghwallilehan runeth untill it come to the foord called Aghnebolibiggy within which Meare this deponent sawe one Richard Grace of Graces Castell disturbe John Grace of Glasshare manureing a parcell of arable land nere Rathquill and also sawe Tirlagh oge being tenaunt after the sd. Richard at Graces Castell bring certaine timber to Rathquill aforsd. for to build a house there which he was not suffred to do by John Grace by reason the same was parcell of the lands of Glasshare as the sd. John alleadged.

Also that S^r Barnabe late Lord Baron of Upper Ossory entred into Ballilehane about 20 yrs. past and did cutt a gate which John Grace putt there before which tyme this deponent sawe no clayne or disturbance given to the sd. John Grace or any other the tenants dwelling at Glashare, and for any other encrochmt. he knoweth not.

Cause of knowledge that he dwelled allways at Glashare where he sawe and knewe as he deposed.

PATRICK ARCHDEKIN of Cowlcasshine, Co. Kilk. gent. age 60, lykewise sworn, etc., to the 11th Interr. deposeseth

that the meare sett downe in the deposicion of Robert Morphie is the true and auneyent meare betwene the lands of the manor of Glasshare and Up. Ossory.

And for the encrochmet. he lykewise agreeth with his precontest by heresay.

Cause of knowledge that he dwelled always at Cowlcasshine and thereabouts where he sawe and knewe as he deposed.

TEIG O GORMAN of Glashare, Co. Kilk. husb. age 63, sworn, etc. to the 11th Interr. agreeth with above.

KALLAGH O KELLY of Glashare, husb. age 60, sworn, etc. also agreeth.

PATRICK O CURRIN of Glasshare aforsd. husb. age 40, sworn, etc. to 11th Interr. agreeth. Cause of knowledge that he was shepherd to John Grace late counstable of the sd. manors of Glashare and quietly pastured the cattell upon the sd. lands of Ballylehan and sawe the woodd of Ballilehan cutt from tyme to tyme by the sd. John Grace and his tenants untill Sir Barnabe fitz Patrick, Lord of Up. Ossorie entred therein in manor aforsd.

DERMOT O CURRIN of Glashare in sd. Co. husb. age 40 sworn, etc. to 11th Interr. saith that he knoweth not the certaintie of the meare of Glashare but saith by vertue of his othe that he sawe a gate putt up by John Grace at Ballilehane, and further that the sd. John Grace and his under tenauntes of Glashare quietly possessed the woodd and land mencioned in the deposicion of the first deponent Robert Murphie before such tyme as Sir Barnabe fitz Patrick late L. Barron of Up. Ossory did cutt the sd. gate and encroched upon the sd. land and woodd, and after him fflorence now lord Barron of Up. Ossorie do contynue the same encrochmt.

MORISH ARCHDEKIN of Monenemock, Co. Kilk. gent. age 80 & upwards lykewise sworn, etc. to 11th Interr.

for the auneynt marks and meares of Glasshare he doth not knowe certainly. But as touching the encrochment he saith that before the attainder of Therle of Kildare one Terlagh mac Owen being fermour to the sd. Erle at Glasshare havinge the possession of a hamlet or villadge called Ballylehan as parcell of the lands and possessions of Glasshare, did cutt certayne woodd for his house in the woodd of Ballilehan, and havinge the woodd cutt there certaine of the Archdekins of Cowlcasshine have burned the same being in pile clayming the sd. land to be their owne; whereupon the sd. Terlagh complained to the sd. Erle of Kildare his master for the iniury done to him in burning his sd. woodd, and the Erle upon the sd. Terlagh his complaint sent for foure of the chief of the sd. Archdekins and imprisoned them at Grangevillon, Co. Kildare for the same; sithence which tyme the sd. Erle of Kildare was possessed thereof till his attainder, and after in the quiet possession of James late Erle of Ormounde and his tenauntes dureing his lif. After whose death Thomas nowe E. of O. and Oss. was quietly seised therof untill abowte 20 yrs. past. Barnabe late lord of Upper Ossory deceased made clayme to the same and gave interrupcion to John Grace being them ffermour to Therle of Ormonde at Glashare to builde at Ballilehan, but he saith that notwithstanding that clayme Therle his tenauntes at Glashare took the issues and profittes of the woodd and landes of the sd. Ballilehan.

Ffurther saith that a parcell of arrable land 12 acres nere to Rathquill nowe in controuercy betwene Glashare and Graces castell was manured by the sd. John Grace in right of Glashare, and that Richarde Grace being tenant to the Lord Barron of Up. Ossory at Graces castell did cutt the trases of the sd. John Grace is plowghes upon the sd. land, and for any other encrochmt. he knoweth not.

Cause of knowledge that he dwelled at Cowlcasshine and other places nere to Glasshare where he sawe and knewe as he deposed.

PHILLIP GRACE of Glashare Co. Kilk. gent. age 57, lykewise sworn, etc. to 11th Interr. agreeth with Morish Archdekin touching the possession of the lands of Ballilehan and the parcell of land nere to Rathquill.

And for the possession of the sd. land to be in Therle of Kildare before his attainder this deponent knoweth not but by heresay.

Cause of knowledge that he dwelleth at Glashare all his life tyme where he sawe by his sd. father's tyme John Grace and also by his owne tyme as he deposed.

WALTER DULLARD of fiowlkes court, Co. Kilk. Chief Seriant of the Barrony of Gallmoy, age 58, lykewise sworn, etc. to the 11th Interr. touching the meares of Glashare he knoweth nothing, saving that about 21 yeres past he cutt severall pyles of woodd at 2 seurall yeres by the licence of John Grace being then Counstable of the Manor

of Glashare at Barmenfraghane nere that parte of the meare which is in the woodd of Ballylehane betwene the same and Ossory.

Also that he carried the sd. woodd with him quietly without interrupcion.

(Signatures) Thomas Archer.
Edward Ragged.
Peter Rothe.

KILGRELAN.

DONEGHE O NEALE of Tullegher Co. Kilk. husb. age 80, sworn, etc. to 5th Interr. deposeth

that the meare betwixt Kilgrelane and Ballyfoyle begins at Crompanefrigrisse near the river of the Noer in the East and as the same leadeth till it come to the okes called Darragheforie, and from thence to Knockanrege, and thence to the highway leadinge to Rosse till it come to Tomnegrosse and so to the forde of Ballefoyle called Aghboy.

Cause of knowledge that he was in company with David Barron of Clone in sd. co. gent. perambulating the meare of Kilgrelan divers tymes and dwelte at Ballyknocke near the sd. land where he sawe and knewe as he deposed.

PIERS FITZ WILLAM McCODY of Killcrosse Co. Kilk. gent. age 60, sworn, etc. to 5th Interr. agreeth with his precontest in all. Adding further that he was in place when James ffreny and David Barron fell out in wordes aboute the meare of Kilgrelane at which tyme the sd. David in this deponent's hearing sayed to the sd. James that yf he were not contente he would say that that would greve him.

PATRICKE O NEALE of Ballygelegill Co. Kilk. husb. age 60, lykewise sworn, etc. to 5th Interr. agreeth in all with Doneghe O Neale.

ADAM GRACE of Killrindowny in the Rowre, Co. Kilk. gent. age 70, lykewise sworn, etc. to 5th Interr. agreeth with D. O N. saving that as he herd by his father and others David Barron accompanied with divers others came to perambulate the meare betwixte the towne of Kilgrelane and Ballefoyle at which tyme they lefte all the landes and woodds by west the high way leading to Rosse to be of the landes of Kilgrelane.

THOMAS LONDAY of Inistocke, Co. Kilk. husb. age 65, sworn etc. to 5th Interr. agreeth with D. O N. in all.

JOHN BEG BUTLER of Jerupont, Co. Kilk. seriante to Thomas Erle of O. age 67, sworn etc. to 5th Interr. touching the certaintie of the meare of Kilgrelane he knoweth not, but sayth that about 30 yrs. past he being in company with David Barron of Clone in the sd.

co. gent. Oliver Grace late Abbott of Jeruponte and others goinge through the lands of Kilgrellane towards Rosse upon a fiede of the woodd side over Ballefoyle when the sd. Oliver Grace asked the sd. David Barron to declare his knowledge touching the same field being then in controversy betwixte the townes of Kilgrellan aforsd. and Ballifoye. To which the sd. David (as this examynate doth well remember) swearing a greate othe affirmed the same field to be parcell of the landes of Kilgrellane and the sd. Oliver Grace affirmed the sd. David's othe to be true both then, and at divers tymes after.

MONKEN GARRAN.

DONEGHE O BRODER of Monkengarrane, Co. Kilk. husb. age 70 duly sworn, etc. to the 38th Interr. deposeth

that he knoweth not the certaintie of the meare of the sd. Mounkengarran and Cloghran. But he saith by vertue of his othe that David McMortaghe being tenaunte of the sd. townes and of the landes belonging unto them the yere of the rebellion of Thomas of Kildare, did plowe the field called Botherlieghe which extendeth in bredth betwixt the sd. Botherliegh in the east and the brok that runeth from the Red hill in the west, and in length it lieth from the sd. brook in the south unto the glade or valley where an other brook runneth in the north.

Also that Moregh o Bolgire, Edmonde Cantwell, Thomas McJames Oge being tenauntes of the sd. Mounkengarran and Cloghran one after another have manured the sd. felde as in right of the sd. townes quietly without interrupcion.

Also that Edmonde Cantwell did plowe and occupie the felds called Gortnevenock in right and as parcell of the landes of the sd. townes and took a cropp of wheat of the sd. feld and after gave the wheat 'eddishe' to his sister Johan Cantwell as a helpe she then dwelling at Ballylorcan.

Also that Gortnebarneboy was manured by Nicholas o Brenane then tenant at Mounkengarran aforsd. who took certaine cropps of corn of the sd. feld but howe many he doth not remember.

Cause of knowledge that he was borne at the sd. Garran and dwelt there and at Ballyne all his life and sawe and knewe as he before deposed.

PHILLIP O BRODER of the Garran aforsd. husb. age 50 lykewise sworn etc. to 38th Interr. touching the certaintie of the meare he knoweth not, but he saith that the feld of the Botherliegh which extendeth in leingth from a brook runninge from the Red hill in the south unto a glade or valley where an other brook runeth in the north, And in bredth betwene the Botherliegh in the east, unto the sd. brook that runeth fro the sd. Redhill in the west, was manured by Thomas mc James oge being tenant of the sd. Garran and Cloghran as in right of the sd. townes quietly, and without interrupcion.

Also that Barnabe Bolgir as assigne to the sd. Thomas mc James did occupye and manure and quietly enioyed the sd. felds of Botherliegh the space of 7 or 8 yeres without interrupcion. Cause of know. that he was borne in the Garran where he contynued the most part of his life, and sawe and knewe as he deposed.

(Signatures) Thomas Archer.
Edward Ragged.
Peter Rothe.

LISTERLING.

RICHARD O HOWEN late of Listerlinge, Co. Kilk. husb. age 50 and more duly sworn, etc. to the 5th Interr. deposeseth

that the meare betwixt Listerlinge and Ballyredy beginning at a stone that standeth in the highway leading to Rosse of the north east and from thence directly till it com to a great stone called Arregrehan and from that stone to an olde ditch leading through the hill called Knockrehan and as the sd. ditch leadeth directly to the corner of the same ditch towards the great stone called the White horsse and from the sd. corner eastward directly till you com to an other corner and as the sd. ditch from thence leadeth sowthwards from the sd. corner unto an other corner towards the land of Ballyallag and from thence westwards till you com to an other corner towards Rathneconiny; within which meare Robert fireny of Balliredy aforsd. doth encroche uppon a great parcell of pastureable and arrable land by est. 60 acres.

Also that the meare between Listerling and Brabeston beginneth at the foord called Agh Owstace Roche in the west and therence as the way leadeth through a pathway and an olde ditch where the auncient meare was broken to a feld called Gortneskehemore within which meare the sd. Robert fireny do encroche uppon a parcell of arrable land by est. 16 acres in right of his land of Brabeston aforsd.

Cause of knowledge that he was at two seuerall tymes perambulating the sd. meares in company with the Erle of O's officers and others having with them the sd. Erle's auncient Register of his lands called the Redd booke by which the certaintie of the sd meares of Listerling appeared with other auncient witnesses who there confirmed the sd. meares.

Also that Sir William Phelane chaplin tolde him that the meare betwene Listerling and Brabeston as the sd. path directeth as aforsd. was broken by an inhabitaunt of Brabbeston aforsd. which the sd. Sir William strook with a pitchfork which he had in his hand whereof (as the sd. Sir William said) he took the occasion of his death.

PATRICK O NEALE of Ballygillegill, Co. Kilk. husb. age 60 duly sworn etc. to the 5th Interr. agreeth in all with Richard O Howen savinge for the killinge and strikinge of the man.

THOMAS O CAHELL of Listerling, husb. age 63, likewise sworn, etc. to the 5th Interr. agreeth in all with the sd. Richard O Howen except that this deponent was but ones perambulating the sd. meare with the sd. Erles officers.

EDMONDE O KENNAY of Ballydermott, Co. Kilk. husb. age 56 likewise sworn, etc. to the 5th Interr. saith nothinge of his own knowledge. But that he herd that the meare goeth through the hill as the sd. Richard O Howen deposed, and that this Examynate hath sene the lands within the meare nowe in controvercy pastured by the tenaunts of Listerling and Ballyredy in Comons.

WILLIAM MAC THOMAS O MOREGHE of Listerling, shepherd, age 60 likewise sworn etc. to the 5th Interr. agreeth in all with the sd. Richard O Howen.

Cause of knowledge that theis 40 yrs. past he dwelt at Listerling aforsd. and Ballikennay next adioyning thereunto where he sawe and herd as he deposed.

KILCLONE.

DERMOT O DRENANE of the Short Acre, Co. Kilk. husb. age 36, duly sworn, etc. to the 12th Interr. deposeth

that Darrenwassedirrick is the meare betweene Killclone and the lands of Clonetobberidd, and that the water called Glashenchonine is the meare of that side as it runeth as he herd.

Cause of knowledge that he was borne at the Short acre and dwelled there sithence and sawe the cattle of the short acre and Clone pasture uppon the land nere the sd. ok called Darrenwassedirrick quietly without disturbance.

ELLENOR FFRENY of Prickshaies, Co. Kilk. wif to James Shortall of the same, gent. age 47, likewise sworn, etc. to the 12th Interr. deposeth

that the hill called Torrattiny in the sowth and the oke called Darrewassedirrick in the west are the meares of that side of the land betweene the lands of Killclone and Clonetobbridd.

Cause of knowledge that she was borne at Killclone and there dwelled till she was marryed and sawe the said land perambulated as afore by Lewes Bryan, Oliver Grace, and others the Erles officers.

WILLIAM FITZ PIERS PURCELL of Owncls Inch, Co. Kilk. ffarmour age 50, likewise sworn, etc. agreeth with the sd. Ellinor ffreny towching the meare of Darrewassedirrick.

Cause of knowledge that he was of longe tyme a dweller in the parish of Killclone where he sawe as he deposed.

DONEGH O LALOUR of Rathbehagh Co. Kilk. husb. age 60, likewise

sworn, etc. to the 12th Interr. agreeth with Ellenor ffreny saving that for the land adioyninge to the hill called Torrattiny in the north by est. an acre that he herd the tenaunts of the Inch allways clayme the same to be their owne, and som tymes they pastured the same.

Cause of knowledge that he was borne at Rathbeahagh aforsd. where he now dwelleth and sawe as he deposed.

DONEGH O KELLY of Killclone, Co. Kilk. husb. age 60 lykewise sworne etc. to the 12th Interr. agreeth with Donegh O Lalour.

Cause of knowledge that he was borne at Killclone aforsd. and dwelt there and at Clonetobbed nere the same and sawe and herd as his precontest Lalour hath deposed.

Signatures as before.

POLLROAN.

MEARICY BRENAGHE of Downannayn in Yvercke Co. Kilk. husb. age 60 and upwards, sworn, etc. to the second Interr. saith that the meares of Powlroan towards Ballitarsny doo extend from the hoare stone standing in the headd of Loghduf by Ballitarsny and from the said stone through the mowre called Monekayne along directing by certaine stones in the sd. moure until the litle Knocke called ffaren Owattyne belonging to Richard Grannt and from thence to the highway leadeth betwixt the mowre and ffarren owattyn until the lands of Downamayn within which meares Geffrey Grannt hath and doth encroch upon parcell of the said mowre by est. 60 acres or thereabowts.

And also that the meares of the lands of the sd. Powlroan do extend toward Balliyevan untill the part farthest eastward of Carrigin leaghe by the lands of the sd. Bally yevan viz. as the meare of stones and hills on the sd. east side of Carrigleaghe do extend from the highway from Graghe neyr untill skehin ny Cossy Kily and from thence abowte the acre on the east side of Classe yerran within which meares Richard Grannt clameth title as parcell of Bally yevan to the sd. acre on the sd. east side of Classe yerran.

Cause of knowledge that he, this deponent, from his childhode dwelled in Powlroan and Downanayn aforsd. and sawe and knewe the tenants of Powlroan take and enjoy the issues and profits of the sd. moore and acre above specified without contradiction untill they weare of late disturbed by Geffrey Grannt as aforsd. and by his father before him and also that they were disturbed never for the sd. acre untill it was the last yere before the date hereof by Richard Graunt as is aforsd.

DAVID FITZ THOMAS GRAUNT of Powlroan, husb. age 65, lykewise sworn, etc. to the second Interr. agreeth in matter and substance towching the meares of Powlroan with his next precontest Mearicie Brenaghe.

Cause of knowledge that he since his birth dwelled in Powlroan and sawe and knewe the tenants of Powlroan without disturbance (untill disturbed as aforesaid) quietly and frelly take and cutt turves upp in the said moore called Monekayne and take the said turves from thence quietly and frely. And also sawe and knewe the cattell of the said Powlroan quietly pasture upon that part of the sd. moore within the sd. meares without disturbance and as for the acre above mencioned nere Classe yerran this deponent never sawe any make clayme to the same before Richard Grant this last yere made claym to the same as aforsd.

Also that he sawe the sd. acre sowen with oats by Phillip Henebrye as parcell of Powlroan and that this deponent was one of the reperes of the sd. oats.

NICHOLAS HENEBRIE of the Cloggaghe husb. age 70, likewise sworn, etc. to the 2nd Interr.

concerning the auncient meares of the parte of the moore aforsd. belonging to Powlroan agreeth with Mearish Brenaghe. Cause of knowledge that he was sargeant to Phillip Henebry who was constable at Grenaghe and held Powlroan and Ballitarsny at which tyme he this Deponent did perambulate the sd. meares with the sd. Phillip and others and then the sd. Phillip willed this deponent not to suffer any to take the profits of the sd. part of the moore within the meares expressed by his precontest, but onely the tenants of Powlroan.

Also that when any of any other towne beside Powlroan did by licence take or cutt turves in the sd. parte of the sd. moore during the tyme of this deponent being sargeant to his sd. master Phillip Henebrye, this deponent tooke sargeant fee called 'arriged porte' of the sd. other Townsman.

Also this deponent saith he never knewe any disturbance made for the sd. parte of the moore untill that Walter Gall having Ballitarsnye did make claime to the sd. parte.

Also that he sawe the acre of land above manured by Phillip Henebrye aforsd. as parcell of Powlroan, and that this deponent was overseer of the reping of the corn that the sd. Phillip had upon the sd. acre.

DAVID FITZ RICHARD BRENAGHE of Powlroan, husb. age 40, likewise sworn, etc. to the 2nd Interr. agreeth wholly during his memory with Mearicy Brenaghe.

RICHARD FITZ THOMAS GRAUNT of Powlroan, husb. age 43, agreeth also with Mearicy Brenaghe. Adding that his father being an old man and allwaies dwelling at Powlroan told him that the sd. meares were the auncient meares of the part of the sd. moore belonging to Powlroan, and also of the sd. acre, and he sawe and knewe the tenants of Powlroan enjoy the same in right of Powlroan.

JOHNE alias SHANE MAC THOMAS GRAUNT of Powlroan aforsd. husb.

age 40, likewise sworn, etc. to the 2nd Interr. agreeth with Mearicy Brenaghe and Richard fitz Thomas, and further saith that his father told him oftentimes that the tenants of Powlroan empownded the cattell of Ballitarsny for pasturing upon the sd. parte of the sd. moore by his sd. father's tyme.

POLLROAN.

JAMES FITZ RICHARD BRENAGHE of Downamaine, husb. age 60, likewise sworn, etc. to the 2nd Interr. agreeth wholly with Mearicy Brenaghe

Cause of knowledge that he was allwaies dwelling at Powlroan and Downamayn aforsd. and is well acquainted with the sd. meares, and also herd of his father and of other old men that the sd. meares are the auncient meares of the premisses.

DOWNENAN.

To the second Interr. he saith that the warren called Connykermore and the litle meadowe called Montanetomeneparky adioyning to the lands of Ballibrassill and Downeamaine are of the lands of Downeamaine and are within the auncient meares of the sd. Downemaine viz. within the meare and ditch of Downeamain without the sd. Coniker adioyning to the lands of Ballibrassill and within the meares of the sd. Downamain abowt the sd. meadow. Cause of knowledge that he hath dwelled a long tyme in the sd. Downamain and allwaies hath sene and known the sd. Conyker and litle meadow to be part and members of the sd. Downanain and allwaies was so accepted and reputed untill of late David Henebrie being tenant in the sd. Ballibrassill made claime to the same to be parcell of ye sd. Ballibrassill.

MEARICY BRENAGHE aforsd. and THOMAS MAC PHILLIP of Downanain aforsd. husb. age 30, likewise sworn, etc. to the 2nd Interr. agreeth wholly with James fitz Richard.

The sd. Thomas adding further that Edmond Henebry by the licence of this deponent's father for an easement of a way abowt 12 yeres agoo made a ditche without the sd. Coniker upon the lands of the sd. Downanain.

NICHOLAS FITZ WALTER BRENNAGHE of Downanain aforsd. husb. age 60, likewise sworn, etc. to the 2nd Interr. saith

that the sd. Coniker more and the litle meadowe specified by James fitz Richard are parcell of the lands of Downanain and that the meares expressed by his sd. precontest (as this deponent allwaies herd) are the true and auncient meares of the same parcell.

Cause of knowledge that he is dwelling in Downanain aforsd. during eightene yeres and saw and knewe the tenants of Downanain quietly enjoy the pasture of the sd. Coniker, and meadow and all the Conyes and other commodities of the same.

And that Phillip mac Nicholas being a verry old man dwelling in the sd. Downanain divers tymes told him that the sd. Coniker and meadowe weare of the lands of Downanain, and that this deponent during his being there saw and knewe ye sd. premisses so taken and reported.

NORBANE.

RICHARD CORKERAN of Norrebane, Co. Kilkenny, husb. age 60, sworn, etc. to declare his knowledge towching the auncient meares of Norrebane aforsd. Mowlombeg and Clonetowragh (viz.) betwene the sd. townes and Danginispidogy and Ballyda saith that the auncient meares of Norrebane do begin at the foord called Aghenemoo in the black water and extendeth from the sd. foord untill a great stone standing in a stony meare, and from thence as the dich leadeth to a great hawthorne standing in the sd. dich and from thence untill a thwart stony meare that leadeth towards the Cloghran bracke and from thence as the stony hedge or ditch goeth up the hill called Rabracke-egrenan and from thence untill the grove or wood of Clontowraghe within which meare is a parcell of land called Glanfry and the ynshe thereof by estimation five or six acres which James fitz Piers of Danginspidogy do challenge to be parcell of Danginspeddogie by what title this deponent knoweth not, which parcell of land this examynate have allwaies knowen and sene to be as part and member of Norebane aforsd. and that the tenaunts of Norebane did enjoy the pasture therof untill the sd. James within this 4 or 5 yeres claymed title to the same, as aforsd.

And alsoe he saith that the meares of the parcell of wood called Clonthorowe parcell of Mowlombeg do extend untill the place called Dromyn and throughe the sd. place untill the well called Tubburhiamus and from the sd. well untill the place called Ayt ty hyamus.

Also that the meares of the sd. Norrebane on thother side do meare with the lands of Ballinenearlage and Tyremore, viz. from Knockanycartye in the boggy wod as the streame leadeth from thence to a place called Knockannemoghe, and from thence throughe the great mour to the black well and from thence sowthward directly to the streame called Uyske umlla ne gappull and from thence as that streame leadeth to Aghe ne moo.

Cause of knowledge that he was borne at Norrebane aforsd. where he sawe and knewe the sd. Meares and the lands within the same to be as aforsd.

NORBANE ILLED.

WILLIAM O SWILIVAN of Norebane aforsd. husb. age 40, likewise sworn, and examined concerning the meares of Norebane, agreeth with Richard Corkeran, adding also that he doth remember that one Thomas O-Swilevan having wounded one Wm. Norreis upon the Insh parcell of Glanfrie was amerced, and paied a fine for the same in the Barron Court of Grennaghe.

Also that the meares betwene Iled and Ballinenearlage beginneth at the wilding tree called Osulleconsan in the wood betwene Iled and Ballinenearlage and from thence extendeth throughe the sd. wood to Knockannokaske and from thence throughe the Curraghe skehi untill the water course which is the meare in the edge of the same Curraghe betwene Iled and Rathcurbe.

Cause of knowledge that he was a cowheard in Norebane and that Piers Grannt being heir of Ballinenearlage aforsd. did shewe and perambulate the sd. Meares betwixt Ballinenearlage and Iled to and with this deponent.

JOHNE alias SHANE FITZ RICHARD of the Grenaghe, husb. age 60, likewise sworn, etc. to the 2nd Interr. saith

that as this deponent herd of his auncestors viz of his father and graundfather that the meares set downe and expressed by his first precontest Richard Corckeran of Norebane and Iled are the auncient meares of the sd. two townes.

Also that he remembreth that Katherin fitz Richard being widow late wife to ye Constable at Grenaghe tooke a quarter of a befe that was killed by mischance at the Inche of Glanfrie within the meares of Norebane in right of the signory of the manor of the Grenaghe.

PHILIP O KENEDIE of Iled, husb. age 44, likewise sworn, etc. to the 2nd Interr. concerning the meares of Norebane and the wood of Clontowraghe agreeth with Richard Coorkeran and concerning the meares of Iled agreeth with Wm. O Swilivan.

Cause of knowledge that he was sargeant in Norebane and Iled aforsd. duringe sixtene yeres by reason of which office he was acquainted and perambulated the sd. meares divers tymes and tooke distresses of any cattell that came from other townes to do pasture in any place within the sd. meares.

Also saith that during his memory there was no claime made by any to any of the lands within the sd. meares untill James fitz Piers aforsd. encroched upon Glanfry, and the inche thereof.

JAMES FORSTALL of Cloggagh, gent. age 45, likewise sworn, etc. to the 2nd Interr. touching the auncient meares of Norebane aforsd. agreeth with Richard Corckeran.

Cause of knowledge that he was during five years dwelling in Norebane aforsd. and enjoyed the lands within the sd. meares therof expressed by his sd. precontest and that this deponent during that tyme saw no controuersie for no parcell therof but for the litle ynch of Aghnemooe.

GRENAGH.

RICHARD FITZ THOMAS BRENNAGHE of the Grenaghe, Co. Kilkenny, husb. age 70, sworn, etc. to declare his knowledge. To the first Interr. he saith

and that himself being the sd. Erle's tennant at Ballyosker had and occupied the same quietly and tooke the gosshauks eary that was uppon the woodd there and other exchange.

KILMOCHAR.

RICHARD PURCELL fitz Patrick of Killmokarr gent. age 60, likewise sworn, etc. to the 15th Interr. he agreeth with the sd. Donill mac Shane.

Cause of knowledge that he sawe his father and the sd. Donill mac Shane quietly enioye the parcell comprised in the sd. Interr. being tenannts to the sd. Erles, and that they did tak the issues and profites of the same as parcell of the lands of Killmokarr and that he himself lykewise enioyed the sd. parcell quietly till within theis last two yeres past Edmonde nowe L. Viscount Mountgarret gave disturbance of the whole thre parcells containd in the Interr.

Also that the auncient meare of Killmokarr and the demeanes therof beginneth at the water called Glashenegirrinny nere Killcollan and therence leadeth to the Torrarde as the ditch leadeth from the sd. water thither and therence as the sd. ditch leadeth till it com to the Sallysharde nere Conigerboy, and so therence as the same ditch goeth to the Carmcowry, and as the same ditch goeth from thence to Aghemanrybaty, and from thence as the broke and lake leadeth to Bialanegloghgall, and from thence as an other lake goeth in the east of Killmokarr betwene a woodd and a mountaine till it com to Knockanecorrewoly, and from thence as a ditch leadeth to a lake called Tonn Tobbereviller and as the same lake goeth to Gortetagart, and as the ditch goeth from thence to Killmethevine and as the same ditch extendeth to Fanemsky and as the lake and water there goeth alonge till it com to the ditch of Lissnefonsheny and as a ditch goeth from thence to Glashenegirrinny aforsd.

Cause of knowledge that he walked the same meare as before divers tymes by his fathers tyme and by his owne tyme and never sawe any controuercy abowte the same till as before by the sd. lord of Mountgarrett.

KILMENAN.

To the 16th Interr. he deposeth that the meare of Killmenane beginneth at Glasheneviegh in the Ryver of the Noor and that the bother going from thence to Cowlnehahorny betwixt Ballynelaky and Killmenane aforsd. and therence as the sd. bother leadeth to the Annaghgare and the sd. meare of Killmocar is the meare in the southeast side of the Towne and lands of Killmenane.

And that James late Erle of O. was seised and dyed seised of all the lands and tenements within the sd. meare pertayninge to Killmenane as of his inheritauce, and that Thomas nowe E. of O. after his sd. father's death entred and was also seised therof untill the sd. Lord Mountgaret and James Shortall of Ballylorcan entred wrongfully in the premisses and the same do wrongfully possess and tooke the profittes therof theis last two yeres.

Cause of knowledge that he sawe Piers Purcell fitz Thomas dwelling at Killmenane aforsd. being tenaunt there unto the sd. lord James of Ormonde and after the death of the sd. L. James sawe also Donill mac Shane enioye the same as tenaunt to this Erle who bothe possessed the sd. lands quietly as before dureing their tenauncies.

LEWCHILL.

DONAT O FFOGURTY, Parson of Rosconall, age 50, likewise sworn, etc. to the 40th Interr. he deposeth that he sawe Donill mc. Shane enioye and occupie the lands in the Interr. mencioned as tenaunt to Thomas nowe E. of O. since thexchange past bytwene St. Leger and the sd. Erle.

Cause of knowledge that he sawe the sd. Donill occupie the premisses and take the issues and profites therof without disturbance.

KILMENAN AND LEWCHILL.

DONEGH LIEGH O COSTEGINE of Markett Castell, husb. age 70, sworn, etc. to the 16th and 17th Interr. as touching the meare of Kilmenane he agreeth with Richard Purcell as he herde of auncient men. He also agreeth with the sd. Richard as towching the dying seised and in possession of the lands and tenements of Killmenane.

Cause of knowledge that he sawe Piers Purcell fitz Thomas tenaunt to the sd. L. James there, and after the sd. Erle's death sawe also Donill mc Shane tenaunt to the nowe Erle, who bothe dureing their tenures took the issues and profittes of the same, and that this Examynate occupied parcell of the lands of Killmenane by Donill mc Shane is'tyme and sawe the same quietly in the possession of the sd. Erles and their fermours till the sd. L. of Mountgarrett and Shortall entred into the same about two yeres past.

To the (40)th Interr. he deposeth that the sd. L. Thomas nowe Erle and his tenaunts since thexchange past betwene him and St. Leger have quietly possessed the villadge lands and woodd comonly called Lewghill as the proper inheritaunce of the sd. Erle till abowte two yeres past one Thomas Vicars, Ensigne berer to Captaine St. Leger claymeth Comon therein as parcell of Leix.

Cause of knowledge that himself was tenaunt under the sd. Donill mc Shane at Markett castell where nowe he dwelleth and that he and the rest of the Erles tenaunts of the Towne did occupie the sd. land and woodd without disturbance.

Also that himself tooke eary of the great hawks that is wount to brede in the woodd there to the sd. Donill mc Shane divers tymes to be sent to the Erle.

TEIGE O BUGGY of Ballyosker, husb. age 80, likewise sworn, etc. to the 16 and 17 Interr. as touching the meare of Killmenane he agreeth with Donegh Liegh.

Saith farther that he perambulated the same accordingly with Donill mc Shane.

He also agreeth in the rest with the sd. Doneghe.

To the (40)th he agreeth in all with the sd. Doneghe.

WILLIAM O PHELANE of Ballyosker, husb. age 60, to the 16 and 17 Interr. he agreeth in all with the sd. Donegh liegh O Costegine. To the (40)th he agreeth in all with the sd. D.

DONYLL O PHELANE of Markett castell husb. age 60, likewise sworn, etc. to the (40)th deposeth that since the exchange past bytwene the sd. Erle and St. Leger he sawe the sd. Donill mc. Shane and the tenannts under him enjoye and occupie the contents of the Interr. without disturbannce till Thomas Vicars made clayme as before.

TEIG MAC KAY of Markett Castell age 40 lykewise sworne, etc. to the (49)th Interr. he agreeth for the space of 20 yeres in all with Donill O Phelane.

(Signatures) Thomas Archer.
Peter Rothe.

Examinations taken before us whose names are within written by virtue of Her Majestys commission of *Dedimus Potestatem* etc. on behalf of the Rt Honorable the Earl of Ormond and Ossory. Returned in Court the 10th of Feb. 1592 (1593 N.S.). Thomas Say. Published in Court Feb. 12, 1592 (1593).

Now we have thought fit to exemplify the tenour of the above premisses in the office of the Examiner of the Court of Chancery as of record at the request of said Earl.

In witness whereof we have had these Letters Patent made. Witness our beloved counsellor William FitzWilliam, Kt., Deputy General of our Realm of Ireland at Dublin on the 25th day of January in the 36th year of our reign.

January 25, 1594 N.S.

A. Sentleger
(Master of the Rolls).

APPENDIX II.

ROYAL INQUISITION into the Palatine powers of the Earl of Ormond.

Note.—These papers, together with Appendix III. and Appendix IV. following, belong to the period when, (after the death in 1614 of Earl Thomas), the question of the abolition of the palatinate of Ormond

was under discussion. The earl's daughter and heiress Elizabeth, who had been married first to her cousin Viscount Tullowphelim, after the death of the latter became the wife of Richard Preston, Lord Dingwall (afterwards Earl of Desmond), and the King was anxious to get the Ormond estates into the possession of this favourite of his. The general inquiry into the palatinate was carried out while Earl Walter, who succeeded Earl Thomas in the title, was in prison by the King's orders, in the years 1617-1625.

THE BUTLER PRISE OF WINES.

(Legal Opinions on the Inquisition under James I.)

“ King Edward III in the 46th year of his reign granted by letters patent under the Great Seal of England to James Butler, then Earl of Ormond, and to the heirs male of his body, the regality, knights' fees and liberty of the county of Tipperary, and his prize wines as well in the ports of Youghal and Kinsale as in all other ports of Ireland, and other things, yielding certain rent yearly to the King for said prize wines.

“ King Henry VIII in the 19th year of his reign granted by like letters patent unto Peter Butler, Earl of Ossory, and to the heirs male of his body, all and all manner of lands, tenements, castles, meadows, pastures, woods and dominions, with all their appurtenances, with all he should conquer or recover in all the dominion or county of Ossory in his land of Ireland then in the possession of the Irishry.

“ And after, King Henry VIII in the 29th year of his reign granted by like letters patent unto Peter Butler, Earl of Ossory and Ormond, and to James, Lord Butler, Lord Treasurer of Ireland, the dominions or manors, castles and towns of Dunfert, Knocktofer, Kilkenny and divers other manors, lands, tenements and hereditaments in sundry counties within the realm of Ireland, to have and to hold all and singular said dominions, etc., to said Peter and James during their lives and to the longer liver of them, and to the heirs male of the body of said Peter lawfully begotten.

“ And after, King Philip and Queen Mary in the 3rd and 4th years of their reign granted by like letters patent unto Thomas Butler, now Earl of Ormond and Ossory, said regality, knights' fees and liberty of Tipperary, and prize wines, to have and to hold to said Thomas and to the heirs male of his body lawfully begotten, and for want of such issue, the remainder thereof to the heirs male of the body of said Peter Butler, his grandfather, lawfully begotten.

“ And after, Sir Edmund Butler, knight, brother of said Thomas, Earl of Ormond, was supposed to be attainted of high treason and pardoned, and after had issue Theobald Butler, esquire, his sole son and heir, and died. And after, the King's Majesty that now is, reciting by letters patent under the Great Seal of England in the first year of his reign that whereas said Thomas, Earl of Ormond, hath not yet any issue male of his body lawfully begotten, and whereas said Sir

Edmund Butler was attainted of high treason as well by force of a certain act of Parliament as by due course of the common law, commanded his Deputy or Lieutenant General of his kingdom of Ireland for the time being and all other his officers, ministers and subjects, etc., to whom it may appertain, that at the next Parliament to be holden within said realm it may be enacted that all and singular judgements, convictions, outlawries and attainders, as well by force of any act of Parliament as by the common law or otherwise against said Sir Edmund Butler heretofore had and given for and concerning or by reason of any insurrection, rebellion, treason or any other offence against the late Queen Elizabeth committed, should be from henceforth annihilated, repealed and had for naught against said Sir Edmund Butler and his heirs by virtue of said act of Parliament to be enacted, and that said Theobald Butler by authority of said Parliament should be from henceforth adjudged, had and reputed in law of and in the same and the like honours, state, dignity, antiquity, style, blood, place and honours, and to all purposes, as if said treasons by said Sir Edmund had not been committed, and as if said convictions, judgements, outlawries, had never been had or given, and that said Theobald Butler and his heirs after said act of Parliament to be enacted shall be capable and enabled in law as heirs to all and singular their ancestors, lineal and colateral, to receive, demand and have all and singular lands, tenements, etc., by hereditary descent. In which patent there is commandment given to His Majesty's said Deputy, etc., that in the act so to be enacted one proviso be sufficiently in law contained and enacted, that the said act nor anything therein contained shall in any way extend to any regality, dominions, etc., which said Sir Edmund Butler had at the time of said treasons by him committed, or which to said late Queen Elizabeth came or ought to have come by reason or force of any judgement, conviction, outlawry or attainder, by virtue of any act of Parliament, or at common law or otherwise, against said Sir Edmund Butler before said act to be enacted, excepting all such manors, lands, etc., to said Sir Edmund Butler and to his heirs by the late Queen by any letters patent heretofore granted, any thing in said act so to be enacted notwithstanding."

"The questions are :

(1) "Whether by the recital in the King's letters patent, that Sir Edmund Butler was attainted by act of Parliament and by the course of the common law in Ireland (admitting that there were no record extant of any such attainder), that his son Theobald Butler shall be concluded to say that his father was not attainted."

(Answer).

'I think the recital no conclusion neither in the patent nor in the act, for the record of the attainder itself must appear and be alleged, and not a recital only will serve.'

'I think the recital in these letters patent to Theobald concludes him to say that there was no attainder of his father, but it will be

without doubt when the act of Parliament shall pass, the same will in recital agree with this patent, and then he and his heirs shall be concluded to deny the attainder without question.'

'I am clearly of the same opinion. Thomas Harris.'

(2) "Whether the said Theobald Butler, if the now Earl of Ormond die without heirs male of his body, shall have by descent said regality and liberty of Tipperary, prize wines and lands, as cousin and heir male unto said Peter Butler, his great-grandfather, either by said act of Parliament to be enacted or by the common law."

(Answer.)

'The attainder of Edmund is no impediment, but it will descend to Theobald his son as heir in tail *per formam doni* to Peter by the common law. I doubt for the prize wines whether there were any good entail of it. Therefore I wish it upon the surrender of the new patent a new grant were made by patent in fee, but let not the new patent recite it to be in consideration of the surrender of the former patent.'

'For the lands, there is no question but that they by the course of the common law will come to Theobald as heir male of the body of Peter *per formam doni*. And I think so also for the regalities, knights' fees, liberties; but for the prize wines there is most doubt. None of all these can come by the act of Parliament but by the common law by force of the entail by reason of the proviso. But to avoid all questions the patent would be renewed to Theobald if it may be without any recital of an express attainder.'

'I think so too.'

Circa 1617-25.

APPENDIX III.

Manor of Tullowphelim.

The first case, concerning Tullowphelim, etc.

James, Earl of Ormond, being tenant in tail of the manor of T., etc., to him and the heirs male of his body, the reversion in fee, in the 37th year of Henry VIII doth enfeof Nicholas Mootinge and others in fee with general warranty against all men, to the use of his last will.

On March 10, the 37th year of Henry VIII (1546 N.S.) said Earl deviseth that his feoffees shall stand seised of the premises to the use of Edmund Butler his second son and the heirs male of his body with like remainder over to Walter, James and Edward, his fourth, fifth and sixth sons, the remainder to Thomas his eldest son and the heirs male of his body, with divers remainders over, the remainder to the right heir of said James. James, Earl of Ormond, dies; Mootinge, the surviving feoffee, conveys the lands, etc., according to the direction

of the will to Edmund Butler and the heirs male of his body, the remainder over according to the directions of the will.

Question, whether the feoffment made to Mootinge by James Earl of Ormond do not displace the estate tail and whether it continue displaced till it be recontinued by entry of the issue in tail.

It is conceived the entail is displaced and so remains till entry or recovery.

On October 10 in the 12th year of Elizabeth (1570) Edmund Butler by deed enrolled grants and surrenders the premises to the Queen in fee.

Question, whether this displaces or discontinues the entail made to Edmund.

It is conceived it works not properly a discontinuance, but yet it passes such an estate to the Crown as does not become void by the death of Edmund, the tenant in tail, but a base fee passes by this to the Crown not determined by the death of Edmund till his issue recover.

On March 12 in the 16th year of Elizabeth (1574 N.S.) the Queen pardons to Edmund Butler all treasons, *et de uberiore gratia, etc., dat et concedit Edmundo Butler et heredibus suis omnes et singulas terras et hereditamenta, etc., qua sua aliquo tempore antehac fuerint et ratione premissorum vel alicuius eorum forisfacta devenerint.* Edmund by colour hereof doth enter and take profit.

Question, if anything vested in Edmund by patents or his entry.

It is conceived not by the patents because they grant only that which came by forfeiture of treason and there is no attainder in the charge, nor could his entry gain any estate, being but an intrusion.

At Michaelmas in the 42nd year of Elizabeth, Thomas, Earl of Ormond, who was heir of James, and others, levy a fine with warranty of the premises, and after suffered a recovery wherein he came as voucher; which fine and recovery is by indenture of October 24 in the 41st year of Elizabeth (1599) declared to be to the use of said Thomas and his heirs.

Question, what is wrought by the fine of Thomas, heir to the ancient entail.

It is conceived that fine works by estoppel between the parties and is a bar by the statute of 4 Henry VII., cap. 7, to the entail, and that this entail created by the conveyance made by Mooting is all made unvoidable during the continuance of any issue inheritable to that entail, and the recovery is void for want of a tenant to the premises.

On April 6 in the 43rd year of Elizabeth (1601) Edmund Butler doth enfeoff Cantwell and Walsh in fee with warranty to the use of himself for life, and after to Theobald, his son and heir apparent for life, and after to the use of such issue male as said Theobald should beget on any wife lawfully married, and the heirs male of such issue male, and after to Thomas and the heirs male of his body with divers remainders over, the remainder in fee to a stranger.

It is conceived that this feoffment made by Edmund, who had

before surrendered and granted to the Crown, is void in regard Edmund had no estate to grant nor any possession to make livery.

In the year 1602 Edmund dies and Theobald, his son and heir, enters.

It is conceived that the estate of the Crown gained by the grant of Edmund remains in the Crown and is not divested by entry, because an entry cannot be made upon the Crown.

On March 19 in the 45th year of Elizabeth (1603 N.S.), Thomas, Earl of Ormond, and John Horsfall and other recoverers, enfeoff Sir Nicholas Walsh, Robert Rothe and others to the use of himself and the heirs male of his body, and after to Theobald for life, the remainder to the first, second and third sons of Theobald successively, to them and the heirs male of their bodies, with divers remaining over.

This feoffment is void for the former reasons.

In Michaelmas term in the 1st year of James, Theobald levied a fine with remainder to him and his heirs.

This fine passed no estate because the estate was still in the Crown, but extinguished the right of Edmund.

On September 20 in the 5th year of James (1607) the King granted to Theobald in fee by letters patent, grounded on the Commissions for defective titles.

These patents are void because the Commission did not extend to those lands, and because they are lands whereof the Crown had made an entail. The entail was created by letters patent under the Great Seal of England, to which the exception in the proviso of the Commission did not extend, for it only goes to lands granted under the Great Seal of Ireland.

The lease made to Sir Thomas Butler on February 22 in the 5th year of James (1608 N.S.) is void because, for the reasons aforesaid, Theobald the lessor had no estate, and to be avoided in equity for the reasons apparent and observed in the putting in of the case.

And so if the former points hold not yet in equity, the lease being avoided, the feoffment of Theobald made on September 14, 1608, is a good feoffment.

The second case.

The second case is in effect the same with the first case, and the conveyances therein mentioned are void because of the King's possession.

The third case.

The third case differs because the lands therein were fee simple lands, and were passed out of the Crown by the letters patent of concealment in the 5th year of James.

But then Theobald was tenant in fee simple of a base fee determinable on the death of himself without issue male, for by this fine the estate tail to him limited was barred in Michaelmas term in the 1st year of James, the remainder expectant to the heir male of John,

third son of James, iate Earl of Ormond, in tail, the remainder to Thomas, then Earl of Ormond, with remainder over according to Moothing's conveyance. Then the lease of Theobald for 1000 years expired by the death of Theobald without issue male, and the feoffment of Theobald, being not seised of an estate tail but a base fee, maketh no discontinuance, but the lands remain to the now Earl, the heir male of the body of John.

[Dorso : "Questions and resolutions drawn by Mr. Maynarde."]

APPENDIX IV.

ROYAL INQUISITION into the descent of the Earldom of Ormond, 1613-1625.

These documents are part of the general Inquisition into the descent and palatine powers etc. of the Earldom of Ormond on the death in 1613 of Theobald Butler, Viscount Tullowphelim, nephew and intended heir of Earl Thomas, and then that of Earl Thomas himself in 1614.

A.

"A note of such records as are produced by the Earl of Ormond* for the maintenance of his liberty of Tipperary."

First, his lordship doth shew a patent dated June 5, the 46th year of Edward III. reciting a former patent dated November 11, the 21st year of Edward III [1347], whereby the King did then grant unto James, Earl of Ormond, for his life only '*regalitates, feoda militum et alias libertates et res quas tunc habuimus in comitatu de Tipperary, quatuor placitis, viz., incendio, raptu, forstallo et thesauro invento exceptis.*' And now in consideration of the service of said Earl, the King doth grant unto him and the heirs male of his body '*regalitates et feoda militaria et alias libertates et res predictas tam in manerio de Clonmel, Kilfekill et Killshelan quam in aliis locis in comitatu Tipperary, quatuor placitis, etc., exceptis.*'

Since the obtaining of this grant the Earls of Ormond have made these officers and used these liberties following within the county of the liberty of Tipperary, viz., a chancellor and a chancery of the liberty, for proof whereof we have seen in the 12th year of Richard II a recovery of certain lands by Richard Walsh against Philip Mandewell in an assize purchased out of the chancery of the liberty of Tipperary and arraigned before the seneschal of that liberty. In the 7th year of Henry VI. a writ of *amoveas manum* issuing out of the chancery of the liberty of Tipperary and directed to the seneschal of that liberty,

* Viz., Earl Walter, who succeeded Earl Thomas on his death in 1614.

who had seized certain lands demised for years unto . . . Shee, attainted of felony, which demise was made by tenant in tail who was dead, and this writ of *amoveas manum* was sued out by the issue in tail, etc.

A treasurer of the liberty, for proof whereof we have seen in the 7th year of Richard II a writ the Earl of Ormond directed to his auditors of the liberty of Tipperary which doth command them to allow unto Richard Walsh, his treasurer of his liberty, a certain sum of money upon his account.

In the 42nd year of Edward III. a *quietus est* made by the Earl of Ormond to his treasurer of that liberty.

A master of the rolls of that liberty, for proof whereof we have seen in the 34th year of Henry VIII. an exemplification of a fine levied in the 26th year of Henry VIII wherein mention is made that James Clere, dean of Ossory, was master of the rolls of the liberty of Tipperary.

A justice of the liberty: this is proved by the same record above mentioned of the 7th year of Henry VI. whereby it appeareth that one Shee was attainted of felony before the justice of the liberty.

A seneschal of the liberty, proved by the same record of the 7th year of Henry VI where the writ of *amoveas manum* was directed to the seneschal of the liberty, and by the record before mentioned of the 12th year of Richard II. where the recovery in the assize by Walsh against Mandewell was before the seneschal of the liberty.

A sheriff of the liberty made by the Earl of Ormond. For proof whereof his lordship did shew a writ of general summons to the session of the liberty of Tipperary in the name of the Earl of Ormond, dated in the 11th year of Henry VI. wherein the sheriff of the county of the liberty is commanded to summon '*omnes illos qui vicecomites vel coronatores nostri fuerunt*,' which word '*nostri*' doth argue, as his lordship conceiveth, that the sheriffs of the liberty were made by the Earl of Ormond and not by the King.

Coroners of the liberty, for proof whereof we have seen, in the 6th year of Henry VIII. a writ *de coronatoribus eligendis* directed to the sheriff of the liberty in the name of the Earl.

An escheator and clerk of the market of the liberty. For proof of this we have seen a roll of the 6th year of Henry IV wherein is contained a patent granted by the Earl of Ormond to David de Valle of the office of escheator and clerk of the market within the liberty of Tipperary.

A court of record wherein plea was held of actions real and of assizes, and fines levied of lands within the liberty, for proof whereof we have seen divers ancient rolls. In the 7th year of Richard II one plea contains the several proceedings in an assize of *mort d'ancestor*, in a *cui in vita* and in a writ of entry, all which actions were brought in the court of the liberty.

In the 47th year of Edward III a writ of dower was brought in the court of the liberty by Ellan the wife of William Stoke against John Follott and Ellan his wife.

In the 48th year of Edward III an assize of *novel disseisin* was brought by John de Londres against Thomas Comyne and Ema his wife.

In the 7th year of Richard II Henry Twysell and Allyce his wife did levy a fine to Nicholas Everard in the court of the liberty before the seneschal.

A gaol delivery of felons and power to pardon felons within the liberty, for proof whereof we have seen, in the time of Henry IV and Henry V divers rolls of indictments of felony taken before the seneschal of the liberty.

In the 48th year of Edward III and in the 12th year of Richard II, sundry rolls or estreats of fines and amercements, wherein are divers fines for pardons of felonies granted by the lord of Tipperary, in which pardons are excepted of rape, burning of houses, forstalling and treasure trove.

In the 11th year of Richard II, a pardon granted by the Earl of Ormond to Robert Prindergast of all felonies except *ut supra*.

County courts and tournes, for proof whereof we have seen in the time of Henry IV, Henry V, Henry VI, and Edward IV sundry rolls of county courts and tournes.

In dorso: 'The King's Council's certificate to the Judges of records produced for the liberty.'

Note.—There is another copy of this document in B.M. Cotton MSS. Titus B. xi. (vol. ii), f. 218 (reference given by Mr. D. B. Quinn).

B.

Several records proving the usage of the liberty of Tipperary.

An account taken of the treasurer of the liberty in the 42nd year of Edward III (1368).

An account taken of the treasurer of the same in the 46th year of Edward III (1372).

An account taken of the treasurer of the same, *tempore* Henry VI.

A roll containing several fines taken in said liberty for pardons granted by the lord of the liberty in the 48th year of Edward III (1374).

A roll of common pleas held in said liberty in the 47th year of Edward III (1373).

Two 'capiasses' sent out of said liberty court, directed to the sheriff of the liberty, *tempore* Richard II.

A pardon passed from the lord of the liberty to Robert Prindergast for felonies and other offences, dated the 2nd year of Richard II (1378-9).

A roll containing several fines taken in said liberty court for pardons granted by the lord of the liberty in the 12th year of Richard II (1388-9).

Several rolls of common pleas held in the liberty, *tempore* Richard II.

Several rolls of indictments in said liberty court in the times of Henry IV, Henry V and Henry VI.

Several rolls of tourne court and county court held before the sheriffs of the liberty in the times of Henry IV, Henry V, Henry VI, and Edward IV.

Two rolls of appearances, *tempore* Henry IV. and Henry VI.

A warrant from Thomas, Earl of Ormond, lord of the liberty, directed to the justice and chancellor of the liberty, whereby he appointed that letters patent should be made under his great seal of the liberty unto his cousin Sir Piers Butler, knight, of the office of seneschal of the liberty during the will and pleasure of said Earl, dated June 21, the 20th year of Henry VII (1505).

A recovery in an assize brought in said liberty before Oliver Hackett, deputy seneschal to Sir Piers Butler, of lands in the liberty, on May 1, the 23rd year of Henry VII (1508).

An indictment taken before Sir Piers Butler, seneschal of the liberty, in the 6th year of Henry VIII (1514-15).

An exemplification under the great seal of the liberty of a fine levied before the seneschal of the same in the 28th year of Henry VIII (1536-7).

Several rolls of indictment of felonies and other offences committed in the liberty in the times of Edward VI and of Philip and Mary.

Several warrants for pardons from Thomas, now Earl of Ormond, to divers persons for felonies and other offences committed in the liberty.

A grant of the liberty of Tipperary for term of life to James, the first Earl of Ormond.

A patent dated at Westminster, April 23, the 2nd year of Edward III (1328), wherein is recited that said king in the 2nd year of his reign granted unto James Butler, then Earl of Ormond, for term of his life (in consideration of his service to said king and to his father) the liberties and regalities of county Tipperary by these words: '*Regalitates cum feodis militum et omnibus aliis rebus quecumque fuissent que habuimus in comitatu Tipperarie in Hibernia, quatuor placitis, viz., incendio, raptu, forstallo et thesauro invento, ac etiam proficuo de croceis in dicto comitatu, etc., dumtaxat exceptis,*' which liberties by order of said king and his council were seized to his hands, and now by said letters patent he restored the liberties unto said Earl in as ample manner as he had them before said resumption, *habenda* to him for term of his life.

Memorandum that said James Butler, the first Earl of Ormond, was married to the lady Aynor Bohun, daughter to Humfrey Bohun, Earl of Hereford, Lord High Constable of England, which Humfrey was married to the lady Elizabeth, daughter to king Edward I and sister to king Edward II, by whom he had issue James Butler, the second Earl of Ormond.

A grant made of the liberty of Tipperary by Edward III in the 46th year if his reign (1372) to James, the second Earl of Ormond.

The said king Edward III by his letters patent bearing date June 5 in the 46th year of his reign (1372), in regard of his nearness of blood to said James, the second Earl of Ormond, and in consideration of the

service by him done and to be done to the Crown, granted the said liberties and regalities of county Tipperary unto said James and the heirs male of his body by these words: '*Ac iam in consideracione grati et fructuosi obsequii nobis per praedictum nunc comitem de Ormond consanguineum nostrum et in guerris nostris Hibernie hucusque impensi et imposterum impendendi, volentes eidem consanguineo nostro gratiam facere uberiolem, concesserimus et confirmaverimus pro nobis et heredibus nostris eidem consanguineo nostro regalitatem et feoda militum et alias libertates et res, etc., habenda sibi et heredibus masculis de corpore suo.*' By virtue of which grant said Earl and his heirs male, and Thomas, now Earl of Ormond, as heir male unto him, made a seneschal and other competent officers in said county before whom pleas of the crown and also all manner of pleas real and personal and mixed were determined from time to time, etc.

A grant of the liberty of county Kildare made to John, Earl of Kildare, in the 2nd year of Edward II (1308-9), *habendum* to him and the heirs male of his body, etc.

A patent from king Edward II, dated August 2, the 11th year of his reign (1317), to Thomas, Earl of Kildare, of the manor of Kildare and of the liberty of the county Kildare by these words: '*Sciatis quod cum nuper pro bono et laudabili servicio quod Johannes filius Thome de Hibernia comes de Kildare nuper defunctus celebris memorie domino Edwardo progenitori nostro et nobis postmodum impenderat nobisque impenderet in futurum, dedissimus et concessissimus per cartam nostram eidem Johanni castrum et villam de Kildare cum pertinentibus sub honore et nomine comitatus de Kildare, etc., habenda et tenenda eidem Johanni et heredibus suis masculis de corpore suo legitime procreatis una cum feodis militum, advocacionibus ecclesiarum, abbatiarum, prioratum, hospitalium et aliorum domorum religiosorum in comitatu de Kildare, libertatibus et liberis consuetudinibus et omnibus aliis ad predictum castrum et villam pertinentibus quoquomodo, excepto officio vicecomitis de Kildare et iis quae ad officium vicecomitis ibidem pertinent qua pro nobis et heredibus nostris retinuimus; tenenda de nobis et heredibus nostris per serviciium duorum feodorum militum imperpetuum prout in carta praedicta plenius continetur | Nos pro bono et laudabili servicio quod dilectus et fidelis noster Thomas filius et heres dicti Johannis nunc comes Kildare similiter nobis hactenus impendit, etc., dedimus et concessimus pro nobis et heredibus nostris et hac carta nostra confirmavimus officium vicecomitis praedictum et omnia quae ad officium vicecomitis ibidem pertinent, ac libertates comitatus praedicti cum pertinentibus adeo plene et integre sicut domini libertatis illius eas habuerunt et tenuerunt antequam libertas illa ad manus dicti patris nostri devenit, exceptis quatuor placitis, viz., de raptu, thesauro invento, forstallo et incendio qua nobis et heredibus nostris volumus retinere, habenda et tenenda eidem Thome filio Johanni et heredibus suis masculis de corpore suo legitime procreatis, etc.'* After which grant said Earl and his heirs male made from time to time a seneschal and other competent officers in said liberty of Kildare who heard and determined

pleas of the crown and all manner of actions real, personal and mixed, until the same liberty was resumed to the Crown by King Henry VIII upon the attainder of Gerald, Earl of Kildare.

Liberty of Kerry : a grant to Maurice Fitz Thomas, Earl of Desmond. The said liberty was granted in the 3rd year of Edward III (1329) by these words : ‘ *Dedimus, concessimus et hac carta nostra confirmavimus eidem comiti omnes regalitates et libertates quas habuimus in comitatu de Kiery in dicta terra nostra Hibernie, quatuor placitis, viz., incendio, raptu, forstallo et thesauro invento ac etiam proficuo de croceis in dicto comitatu de Kiery cum omnibus ad ea spectantibus qua nobis et heredibus nostris volumus remanere dumtaxat exceptis, habenda et tenenda eidem comiti et heredibus suis masculis de corpore suo legitime procreatis de nobis et heredibus nostris per servicium foedi unius militis imperpetuum, etc.*’ By virtue of which grant said Earl and his heirs enjoyed said liberty and appointed from time to time a seneschal and other officers there, before whom pleas of the crown, etc., were determined until the same liberty was resumed to the Crown by the late Queen upon the attainder of Gerald, then Earl of Desmond.

King Philip and Queen Mary in the 3rd and 4th years of their reign by their letters patent under the Great Seal of England granted the liberties and regalities of county Tipperary unto Thomas, now Earl of Ormond, and to the heirs male of the body of Peter Butler, late Earl of Ormond, grandfather of said Earl, in as ample manner as said James Butler, second Earl of Ormond, had and enjoyed the same (the said exempted points only excepted). Since which grant the said now Earl and his officers used and enjoyed said liberties in sort as his ancestors used the same.

There is a record of the 12th year of Richard II proving that there is a chancellor in the liberty. This record was borrowed of Thomas Gough.

Another record in the 7th year of Henry VI. proving a chancellor and justice in the liberty.

In dorso : Records proving the usage of the liberty of Tipperary, and other records.

C.

‘ A book containing certain conveyances past by the late Earl of Ormond and other things concerning him and his house. Here is also the entry of several letters from the Lord Admiral, etc., of England touching 800*l.* to be settled by Thomas Earl of Ormond on the Lady Elizabeth, his lordship’s and Justice Everard’s signifying the same to be done accordingly, etc.*

The copy of a latter dated 22nd January, 1602 [1603 N.S.], from the Lord Admiral the Earl of Shrewsbury and Mr. Secretary unto the Earl of Ormond.

* The English of the following documents is in part modernised. The comments of Counsel are in another hand than the letters.

“ Our very good lord, Her Majesty having been graciously pleased to hearken unto your suit for a marriage betwixt your daughter and nephew Theobald Butler, she hath entered into consideration how all things may be disposed in such sort as may be answerable to the actions of a Princess of her wisdom and judgment, and as Her Majesty hath already made you known that she had always an intention to transfer over to your nephew that honour and dignity of an Earldom (which otherwise is to end with yourself) by granting such restitution of honours and blood as shall be thought meet and convenient, to be penned by her learned counsel and yours together, and the same so amply and perfect for the present as may be assured to be confirmed at the next parliament that shall be holden in Ireland, so she expecteth that your lordship of your part should perform such assurances of your lands unto them as may make your nephew capable of that honour which you desire should be conferred upon him, and may give Her Majesty cause to assent to the marriage intended between your daughter and nephew, of whom (in respect of her nearness of blood to herself) she hath so much feeling of all things fit for her as she cannot think it honourable for her to be bound in marriage upon so great uncertainties as yet are offered ; for she is not ignorant that you have made sundry alterations of the state of your ancient entailed lands by fines and recoveries, many of them being left to be disposed by your last will—a matter subject to so many devices of fraud and abuse of your meaning as were unmeet to hazard a matter of so great consequence upon. And therefore Her Majesty hath commanded us to persuade your lordship in her name to make present conveyance of all your ancient entailed lands, for want of issue male of your body, unto your nephew Theobald Butler and the heirs of his body, with remainders over to the rest of your house and reservation of the Countess your wife's jointure as you shall think convenient. And yet her meaning is not so strictly to tie you as that there shall not be sufficient power left in yourself at all times to bridle and correct him and the rest in remainder at your pleasure. And therefore she will not mislike that there be a proviso inserted containing a state of revocation in yourself at any time during your life to alter and revoke any part or portion contained in your said deed, so as the same be declared in writing under your hand and seal and in the presence of any three at the least of any six or eight that you shall name in the said deed of your lands, being all persons of good and approved credit.

And for that it is uncertain whether your lordship shall have any issue male or not, Her Majesty expecteth that you should presently assure unto your daughter and to the heirs of her body, after your decease, so much of your fee-simple lands, to be chosen out whosoever yourself shall think fittest, to the sum of 800 *l. per annum* in good rents, not accounting any other services by the now tenants of them.

And Her Majesty nothing doubteth but you will satisfy both these her motions, especially considering they proceed of so princely a care of the posterity of your own blood, honour and kindred wherein

her own interest is least or at all not respected. And well she knoweth that if this provisional course be not presently performed, your daughter were like to run the hazard of a mean and indigent fortune ; for what were the son of Sir Edmund Butler if there were not assurances from the Earl of Ormond, his uncle, that he should succeed him as well in his lands and revenues as in his honour if there be no heirs male of your body, and if there be, then to be estated in lands at least to the yearly value abovesaid ?

Thus persuading ourselves confidently that your lordship will give Her Majesty full satisfaction in this behalf, we are also by her direction to move you that these several conveyances which you shall make may be done by the advice and privity of Sir Nicholas Walsh and Justice Everard, which will give Her Majesty good contentment. And lastly Her Highness doth nothing doubt but that you will allow unto the young couple some such liberal portion for their present maintenance during your own life besides his own living, which is but small, as in your own honour and noble disposition you shall think meet, that they may live with comfort and not be subject to such inconveniences as ordinarily accompany wants, which yourself would be loath to understand.

And so for this time we commit your lordship to God's protection. From the court at Richmond, the 22nd of January, 1602 (1603 N.S.).

Postscript. "Whereas Mr. Rothe informed Mr. Attorney and Mr. Wilbraham that there were several fines and recoveries passed of your entailed lands and other lands also, whereupon they required him to write to your lordship to send hither the exemplifications of them, now your lordship may forbear the sending of them hither if you will show them to Sir Nicholas Walsh and Justice Everard, and they to certify the contents of them to Mr. Attorney and Mr. Wilbraham."

Albeit some were of opinion at the time of the writing of said letter that the honour and dignity of the Earldom was to end with the late Earl by reason of the attainder of his second brother, Sir Edmund Butler, knight, father to Theobald Butler, as the said letter do purport, yet the law was taken afterward, and so it is taken at this day, that because the name of honour was entailed to the heirs male of the body of said Earl's grandfather, Peter Earl of Ormond, the same name of honour should descend from said late Earl unto his said nephew Theobald Butler, notwithstanding the attainder of his father, who died about three years before the writing of said letter of January 22, 1602 (1603).

The conveyance of the ancient entailed manors and lands was passed according to the contents of said letter, by which letter appeareth that the late Queen's meaning was that all the said entailed lands should be passed to the use and benefit of the heirs male of the house of Ormond for maintenance and supportation of said Earldom, and that no part of said entailed lands should be conveyed to the use of the Lady Elizabeth.

The said late Earl, according the contents of said letter, passed an estate of part of his fee-simple lands to the yearly value of 800*l.* unto certain feoffees to the use of himself for term of his life, the remainder to the Lady Elizabeth, his daughter, and the heirs of her body, with remainder over to others of his house, which lands were chosen out by said late Earl in such places as to him was thought fit and convenient, according the tenour and meaning of said letter, and said estate was passed by said Earl upon receipt of said letter voluntarily for advancement of his said daughter and of his own free will, and not by any commandment or constraint of the late Queen, who referred all to his own will and discretion as said letter doth purport.

“The said lords incerted in their letters 3 causes to move the Earle to give consent to their motion. First the enabling of the said Theobald to enjoy the said name of honour. Next the restitution of him to his blood at the next Parliament (which restitution never tooke effect). And lastly the consent of the late Queene to the intended marriage betweene the said Theobald and the lady Elizabeth, all which considerations may be soon answered by the Earls lernyd Councill when they shall consider of the said causes and motives.”

The copy of a letter sent from Justice Walsh and Justice Everard unto the lord Admiral the Earl of Shrewsbury and Mr. Secretary in answer of the said letter sent to the said Earl.

“Right honourable, etc. We have, according to your honourable letters of the 22nd of January last, caused two assurances to be made and perfected from the Right honourable the Earl of Ormond the one of some of his fee simple lands to the yerely value of 800*l.* and more in good rents besides other services to be done by the tenants thereof as by his rentales and by the examinacion of his receavers was made knowen unto us, to the use of his lordship for terme of his life, the remainder to his daughter the ladie Elizabeth Butler and the heires of her body lawfully begotten and to be begotten etc. And the other being of entailed lands to the use of the said Earl and of his heirs males of his body, the remainder to his lordship's nephew Theobald Butler and of the heires males of his body with other remainders to the use of gentlemen of his house and name etc. which assurances are now sent by us with Mr. Sherwood. We have also seen some exemplifications and other records of fines and common recoveries of those and other lands the true notes whereof we have transmitted to Mr. Coke and Mr. Wilbraham as in a postscript of your lordships letters to the Erle of Ormond is directed. Another conveyance of the Countesseis ioynture is promised to be made to the use of the Erle and of hir, and of the heires males of his body, the remainder to Theobald Butler and to his heires males etc. which we will call uppon to be effected with as much

expedicion as can be. And so in all humblenes we take leave. From Clonmell this xxvith of March 1603.

Your honourable lordships humblie at commaundment.
 Nicholas Walsh.
 John Everard.

To the right honourable the Erles of Nottingham and Shrewsbury and to the right honourable Sir Robert Cecill, knight, etc."

By this letter of Justice Walsh and Justice Everard sent unto the lord Admyrall ThErle of Shrewsbury and Mr Secretary, it appereth that they caused two assurances to be made and perfected from the late Earle of Ormond. The one of (? some) of his fee simple lands to the yerely value of 800*l.* and more in good rents besides other services to be done by the tennants thereof as by his lordships rentailles and by the examynacion of his receavours was made knowen unto them. To the use of the said Earle for terme of his life. The remainder to his daughter the lady Elizabeth Butler and the heires of her boddy, etc. And thother assurance (being of the entailed lands) was to the use of the said Earle and theires males of his boddy. The remainder to his nephewe Theobald Butler and theires males of his boddy with other remainders over to others of his howse, etc. which assurances were sent to the said lords etc. whereby may appere that the said severall assurances were drawn and perfected by the said Judge according the contents of the said letters of the 22nd of January 1602 sent from the said lords to the said Earle And that the lands conveyed to the use of the said lady Elizabeth was then of the yerely value of 800*l.* etc.

A cobby of Therl of Ormond his letter to the Lord Admyrall Therl of Shrewsbury and Mr Secretary in answer of their letters sent unto him.

"My honourable good lords. Having nowe perfected the conveyances according my late Soueraignes pleasure signyfyed unto me by your honours lettres sent by this bearer, Harry Sherwood my servant which, with a certificat under Sir Nicholas Walshe and Justice Everards hands of the fynes and recoveryes past of my lands, I have nowe sent unto my Agent Mr Robert Rothe to be imparted unto your lordships, not doubtinge but by your honourable meanes the kings most excellent majestie wil be pleased to effect all things for the contynewance of my howse and posterity as her late Majestie intended to performe, wherein his highnes shall not onely contynewe a howse that ever most faithfully and truely served his most noble progenitors, but in like duetie and obedience shall finde ever reddey to doe his Majestie their humblest and best service and binde me his highnes most humble and faithfull subiect and servant upon my knees daylie to pray to God to blesse his Majestie, longe in happynes to raigne ouer us.

I am nowe humbly to pray your lordships that the patent of creacion

and lettre for restitution in bludd at the next parliament to be holden within this Realm may be with all convenient expedicion procured, and in any other particular concerning the ending of this cause that you will be pleased to geve bearing and credit to my said Agent there; And so I comitt your good lordships to Gods blessed guiding; from Kilkenny the first of May 1603.

Your good lordships to comaund
Thomas Ormond and Ossory."

By this letter may appere, That the late Earle perfected the assurances according the late Queenes pleasure signified unto him by the lord Admyrall therle of Shrewsbury and Mr Secretary by their lettres of the 22 of January 1602 [1603 N.S.] sent by Henry Sherwood: which assurances being showed unto them their lordships allowed thereof, and the said lords having acquainted his Majestie with the same, his highnes gave consent that the mariadge shold goo forward and that all other things shold be effected in sort as the late Queene promised. All which were performed and effected accordingly.

March 1602. Entailed landes conveyd to the use of the late Erle of Ormond and theirs males of his boddy and others of his howse in Remainder in that degree

| Dated | A ^o 1602. | | |
|---|---|---|---|
| Kilkenny Ballygawrane <i>alias</i> Gawrane Dunfert Knocktogher Glasshare Rosbarcon | } IN THE COUNTIE OF KILKENY <i>cum pertin'</i> . | | |
| Carrickmagriffin Killenale <i>alias</i> Kildenale Knockgraffin Castlecurre Thurles Nenagh Roskree Ballynree Chanoneston | | } IN COUNTIE TIPPERARY <i>cum pertin'</i> . | |
| Rathvill Clonmore Tullaghophelym Kilasny Powerstowne Arclo | | | } IN COUNTIE CATHERLAGH <i>cum pertin'</i> . |

Dunbards Island *alias* le great I(s)land IN COUNTIE WEXFORD
cum pertin'.

Oghterard
Casterwarning
The rents issuing out of the } IN COUNTIE KILDARE.
Townes and lands of Downada
and Clyntons courte.

Ruish
Balscaddane } IN COUNTIE DUBLIN
Corduf } *cum pertin'*.
Portrarne }

One howse called the } IN COUNTIE CIVITAT' DUBLIN.
Carrebry in the citty }
of Dublin.

Walter Lawles.

A feoffment to Mem^d. that Thomas late Earle of Ormond and Ossory, John lord
Wat. Lawles of Busshop of Ossory, Sir Nicholas Walsh knight, Sir John Everard,
Damagh, Bally- Robert Rothe, Henry Sheeth, Richard Comerford fitzThomas, and
calan, Butler's Richard Comerford fitz Richard by their Deed bearing date the viiith
growe, Kiluerr, day of March in A° 1607, and A° R. R. Jacobi 5, enfeoffed Walter
Earles Grange, Palmerstowne. Lawles and his heirs of the mannours townes and lands of Damagh,
Ballycalan, Butler's growe, Kilurr, Earles grange, and Palmerstowne
(amonge divers other mannours and lands) with entent to surrender
the said lands unto his Majestie, and to take them by lettres patentes
from his highnes to the use of the said late Earle, or to such uses as
his lordship would lymitt and appointe. After which feoffment
the said Walter by his Deede dated 18 of Maij A° 1608 et A° R. R.
Jacobi 6 surrendered the said mannours and lands (amonge other
lands) unto his Majestie in his Courte of Chauncery, etc. Item, after
the said surrender the kinges majestie, by his highnes lettres patentes
dated at Dublin the 19 of Maij A° 1608, et A° R. R. Jacobi 6, graunted
the said mannours and lands (amonge divers other mannours and lands)
unto the said Walter Lawles and his heires with free libertie and lycence
to graunt the said mannours and lands with the rest of the said
mannours and lands incerted in the said lettres patents unto the said
late Earle and his heires or to any other person or persons whom the
said Earle would nominat or appoint, and to such uses and entents as
his lordship would lymitt or appoint without lycence, etc. Item,
after the said lettres patents, the said late Earle and the said Walter
Lawles by their deed enfeoffed the said Sir Nicholas Walshe, Sir John
Everard, Robert Rothe, Henry Shee and Richard Comerford fitz
Richard and their heires, of the said mannours, townes and lands of
Damagh, Ballycalane, Butler's Growe and Kilurr, Palmerstowne,
Earles grange, in the said county of Kilkeny to the use of the said
late Earle, and the heires males of his boddie, The Remynder to the

said late lord viscount Butler and the heires males of his boddie, And in default of such heires to the use of Sir Walter Butler knight, and the heires males of his boddy with other Remaynders over, etc.

A Deed indentyd whereby the said Thomas Earle of Ormond, John Horsfall, lord Busshop of Ossory, Patrick St. Leger and Richard Comerford fitz Thomas enfeoffed Sir Nicholas Walsh, Sir John Everard, Robert Rothe, Henry Sheeth, John fitz Lewes and Richard Comerford fitz Richard and their heires of the under written manours townes lands tenements and hereditaments to the use of the said Earle during his life and after his decease to the use of the lady Elizabeth Butler and the heires of her body and in default of such heires to the use of Theobald lord viscount Butler and the heires males of his boddy. The Remainder to Sir Walter Butler knight and the heires males of his boddy with other Remainders over etc. which feoffment bears Date the 19 of March 1602, Anno 45 Eliz. [1603 N.S.]

An Estate to the use of the la. Eliz. Butler past in A^o 1602

| | |
|------------------------------------|------------------------------------|
| Manour of Donmore | The 4. part of Nywhowse |
| Ballyraghtan | Therles lands in Lowestowne |
| Rathballynogly | Nywehowse |
| Barklestowne | Crostioke <i>alias</i> Blackesland |
| Skehanagh | Dromro |
| Kilro | Ballybramyll |
| Jenkynstowne | Kilcrone |
| Mayne | Powerstowne |
| Rosconyll | Garran |
| Markettcastle | Gurtyn |
| Ballyoskir | Bwolechomyn |
| Lawchill | Ballymacgillegill |
| Cloghmoylehe(e) | Melaghmore |
| Aghetobbir | Kilmacoliver |
| Downtryman | Garranmabe |
| Cownfoyle | Ballynunre |
| Corfoynshyn | Crowanro |
| Cowlcrahin | Lanight |
| Shanganagh | Listerling |
| Graigerawe | Garranbehe |
| Gilianstowne | Tullechir |
| Kilmocar | Killtracy |
| Tomegheny | Moclier |
| Inchechilly | Killymny |
| Kildir | |
| The two parts of Brownston warning | |
| Rathcasse | |
| Haggard | |
| Danginmore | |
| Shortalstowne | |
| Clonmacshanboy | |

Jeripont
 Ricesland in Knocktogher
 half Dyrrenehinchy
 Rossbolty
 Nywe castle *alias* Kyslannevany
 The newe howse nere St. Mary
 Church in Callan with the stable
 pidgion howse orchard and gardin
 nere the said howse.
 The newe mill of Callan
 Ballykife and Kilballykife
 Ballynebanog
 Cowlishebeg
 Owenstowne
 Bodalmore
 Ballydowell
 ffowlkiscouerte
 Donaghmore
 Crospatricke
 Ballyellys
 Tullevolty
 Ballyspellan
 Therles lands in Cowlgad and Bawnmore
 Garranconyll
 The parsonadges of Donmore, Donaghmore and Kilmocar.
 Manour of Lackagh in Ormond
 Casteltowne O Clery
 ffedanoclery
 Mokycorky
 Aghencarrigy
 Carrickechorig
 Ballyquirke
 Laghinchy
 Keppagh in Mowskryquirke *cum pert'*.
 Downechill
 Laghvally
 Grenanonaght Corraghpower and Ballyosty
 Grauntistowne
 Barronstowne
 Ballynvy and Ballynemoght
 Mannour of Kilfiecle
 Gorttroddane
 Monyerle
 Mobegg
 Knocklomeny
 Knockbracke
 Therles lands in Cloghmonecode
 Garritibbote *alias* Grangenegantagh

Brickin downe and Moeldrom
 Kilsallagh
 Garrystockedowne
 Garranpicard
 Ballynure
 Kilcarhin
 Kilboy and Ballyntogher
 Rathvyn
 Mogorbane
 Sawcerstowne
 Garryclohy
 Rathbeg
 Rossneharly

All the lands tenements hereditaments as well spirituall as temporall of and in Tullelehy Kyllighelyhane Clonlerch and elsewhere in ffarrynyknaragh in the counties of Corke and Lymericke. Com.
Cork and
Limerick

Md. that in the entent declared upon the said feoffment past from the said late Earle and from the said John Horsfall lord Busshop of Ossory and the rest of the said surviving Recoverours unto the said Sir Nicholas Walshe, Sir John Everard and to the rest of the said feoffees / there was a proviso or condicon whereby the lady Eliz. and the heires of her boddie are restrayned from passing any estates or conveyances of the said lands incerted in the said estate or feoffment or of any parte thereof unto any person or persons other than for terme of life or of 3 lives or for xxi yeres and if shee or her said heires doe the contrary, that shee and her said heires shalbe secluded from the benefict of the said uses, and those in remaynder to have the benefict thereof as by the said proviso more playnely may appeare.

A deed of feoffment indentyd past from the said late Earle, John Horsfall Busshop of Ossory, Patricke St. Leger and Richard Comerford to the said Sir Nicholas Walsh, Sir John Everard, Robert Rothe, Henry Sheeth, John fitzLewes, and Richard Comerford fitz Richard and their heires of the manours castels lands tenements and hereditaments underwritten to the use of the said late Earle and his wife Dame Ellen, Countes of Ormond / during their naturall lives and during the naturall life of the longer liver of them in recompence of the said Countesse jointure and dower of all the said late Earles lands and hereditaments, excepting the dower of the prise wyne / And after the decease of the said Earle and Countes to the use of theires males of the boddy of the said Earle and in default of such heires to the use of Theobald lord viscount Butler and theires males of his body, and for lack of such heires males to the use of Sir Walter Butler knight and the heires males of his boddy with other remandours over etc. with feoffment or deed indentid bearing date the 7 day of September in Anno 1603, and A° i. Regis Jacobi etc.

An estate to the use of Ellen, Countes of Ormond. Dated 7 September 1603.

COM. KILKENNY.

Manours of Grenagh *alias* Downbryn

Lickedistowne

Currenure *alias* Curraghenure

Ballisallagh

Half Agglis

Half Rathkyran

Nywtowne

The mill and ferribote of Grenagh

Clogagh

Casshelfarrell

Kilmechow

Laghvonee

Downenan

Polroan

Illyd

Molom

Norrebane

half Ballytarsny

Pottelrathe

Kilmanagh

Killyndee

Teanegeragh

Knockyn

Bellaghclonyn

Clone

Rathbehagh

Kilduf

Acregare

Ballyknocke

Corraghkegho

CottrelsBwoly

Kilcollom

Ballylowre

Litlegrowe

Colaghmore

Garrithomasyn

Aghenour

Rossenanae

The two granges nere Rossenanae

Sheskin

Corraghmore

Tullehaght

Ballynelenagh

Lomog

The howse and priory of Kells

Blackrathe

Stainsheis

- The grange of Kells
 The rectory of Kells
 Cottrels Rathe
 half Cowlishill nere Casteldogh
 Bwolicke
 Gortecomiske
 Gortenasy
 The 3 parte of Glanegoell
 Kilbremyll
 Buolyntle *alias* Classaghhoell
 Mohobbir Shanecourt and Ballyntagirt
 Lyckyn and Tullaghquano
 Ballyercke
 Cowlyn
 Ballydavid
 The late howse or priory of Holly crosse with the spiritualities and
 temporalities thereof (excepting Ballaghachill and Lisnegeog)
 The Abbey of Athassel
 The grange of Athassel
 Gowlyn with the old Towne of Athassel
 Gowlyn Religmory
 Bealacarrin
 Lisgibbon
 Shanhaggard
 Loghbeg
 Half Scorlokiston
 Half Kilnecashin
 Manor of Kilshielan
 Ballychornane
 Lisneharry
 Sheskyn
 Kilmore O Russhyn
 Garranenyerly
 Lisonaghe
 COM. WATERFORD
 Gurtynetenny

} COM. TIPPERARY

" Another deed indented dated the last day of December *anno*
 1613 whereby the said late Earl, Sir Nicholas Walsh, Sir John Everard,
 etc. enfeoffed James Butler, Piers Butler, Robert Grace, Walter
 Lawles and James fitz John Brian and their heirs of all the manors,
 towns, villages, etc. specified and comprised in the said former feoffment
 dated the 7 of September *anno* 1603 to the use of said late Earl and
 Countess and to such other uses as are declared in said feoffment.
 And in the said feoffment etc. the Earl added to the former jointure
 the parcells undernamed which the Countess is to enjoy during her
 natural life over and besides the said manors etc. specified, with
 remainder over to the now Earl and others of his house."

The moiety of the Freery of Clonmel in Co. Tipperary.

The manor of Clonmel extending to the counties of Tipperary and Waterford.

The towns or villages of Shortalsgrange, Rahynes (?), and Brittas in Co. Kilkenny.

The towns or villages of Tampleyvirke, Ilandyviric, Shankill and Killaghmoyn in Co. Waterford.

"Callan. Mem. that the late Earl and the surviving recoverers viz. John, Bishop of Ossory, Rich. Comerford fitz Thomas of Balliburre gent. enfeoffed Sir Nich. Walshe, Sir John Everard etc. and their heirs of the manor of Callan, to the use of said Earl and Countess Ellen for their natural lives, remainder over to the heirs male of the Earl, then to Viscount Theobald of Tullowphelim and his heirs, then to Sir Walter Butler and the heirs male of his body, with other remainders over."

[March 1607 : see next entry.]

Item: "After this feoffment the said late Earl, John, Bishop of Ossory, Sir Nich. Walsh, etc. by their deed bearing date the 8 day March 1607 [1608 N.S.] enfeoffed Walter Lawles and his heirs of the manor of Callan, to the intent to surrender the same to the King's Majesty and to take the same from him by letters patent to the uses declared; which manor (among other lands) said Walter by deed dated May 18, 1608, surrendered unto his Majesty. After which surrender his Majesty by his letters patent bearing date 19 of May *anno domini* 1608 granted the said manor etc. to Walter Lawles and his heirs, with a pardon of intrusion, and by the same letters patent also granted the said Walter liberty and licence to grant said manors to the late Earl and his heirs or to any other person or persons whom the said Earl should nominate or appoint etc."

"Item: After the passing of the said letters patent unto Walter Lawles, he by his deed enfeoffed Sir Nich. Walsh etc. of the manor of Callan to the use of the late Earl and Lady Ellen his wife for the term of their lives etc., then the heirs of the said Earl; remainder over to the said Lord Viscount Butler (etc. as before)."

"Mem. : of the lands whereof James Butler of Bealaborrowe Esq. Sir Piers Butler and Lucas Shee, Esq., do stand seised to the use of Ellan, now Countess of Ormond, . . . as part of her jointure made before Therles submission.

COM. KILKENNY

The Manor of Knocktogher
Kilknedy
Ballytarsny
Condonston
The manor of Glashare
Monenemock
Rathrickin *alias* Bawnrickin
Krinkill

Rathloghane
Cowlbane
Castelton
Henebriston

COM. TIPPERARY

Dromyner

COM. CATHERLAGH

Lisnevahe

Tobynston

Dromekirry

Winston *alias* Williamston

Harrowliston

Rathmore

Kennehey

Hacketiston

Lands contayned in a feoffment from Thomas late E. of O., Dame Ellen his wife, Piers Butler of Callan and Richard Comerford of Balliburr to S^r Nich. Walsh, S^r. John Everard and others, of the temporall lands belonging to the late abbaies of Jeripont and Kilcoole and the Freeries of Callan and Tulle and of the lordship of Fortonolan which deed beareth date the 8 day of September in the yere of the lord 1614.

The abbay or monastery of Jeripont with appurtenances in Jeripont, Kilkeny, Thomastown, Nywe Jeripont, Bawne, Woolgrange, Staghisland, Moorehowseland, Crosstyke, Smythiston, Gibbonssheephowse, Jackeston, Showleswood *alias* Kiltwolly, Ballydullen, Ardshinan, Kilgrellan, Dounebill, Kilry, Madogiston, Cloran, Garran, Grangemokhowne *alias* Rathlyne.

The freery of Callan.

The lordship of Ffortonolan in the com. of Catherlagh with the severall lands in severall quarters of lands mentioned in the letters patent thereof.

The freery of Tullophelim *alias* Tullenemraher in Com. Cath.

The abbay of Kilcowle in Com. Tipp.

The abbay of Leix in the Queens Com.

All which lands are past by the said feoffment to the use of the late Earl and the heirs male of his boddy and in default to the use of S^r Walter Butler etc."

" A feoffment from the said late Thomas, E. of O., to S^r. Nicholas Walsh (etc. as above) to the use of said Earl and his heirs etc., bearing date the 8 September 1614, of the lands and hereditaments under written viz.

The freery of Carrickbeg in Com. Waterford.

The freery of Thurles in Com. Tipp.

The Earles lands in Ballaghlosky, Ballycashe *alias* Farrenm^ebrien and Rathnelvne in Ormond and the rents and reversions thereof.

The rents and services due to the said Earle out of the towne and lands of Birry in Elyocarroll in the county of Tipperary and now in the King's Com.

Burresmore in the Com. of Kilkeny.

Conneghe and Ballyngarran in the said Com.

The rents customes and services due to the said Earle and his said heires in and upon the manors townes and lands of Turvey, little Turvey, Beyverstowne, Ballyelias, Balmoston, the forty acres and the twenty acres in the Com. of Dublin.

The rents customs and services due to the said Earle in and upon the towne and lands of Ballycomyn in Com. Tipp."

" A feoffment from Thomas, late E. of O. to Sr. Nich. Walsh, Sr. John Everard, Rob. Rothe, Henry Shee, Rich. Comerford fitz Richard, Walter Lawles and Tho^s. Comerford of Callan and their heires of the landes etc. under written to the use of the said late Earle and the heirs males of his boddy (etc.) which deed beareth date the 14th of September 1614.

In Com. Kilkenny.

Disertbeg, Pleberdiston, Kilrobbin, Rathcally, Croghtyncly, Clonyn, Kildergan, Barnenicoll.

The tiethes of Pleberdiston, Brownisbarne, ffossem^ody and Disertbeg.

The rent due to the said Earle of the towne and lands of Tulleglis, Ardlowe and ffarinduffe.

The customes services and chiefe rents due to the said Earle upon all or any the freeholders of the barrony or cantred of Idogh.

The rent or reversion of Whiteswall, Rathriagh and other hamlets or members thereof or occupied which are reputed as parcells of the same being in the said Com. of Kilkenny, and of Keppaghnegeragh late in the Com. of Kilkenny and nowe in the Com. of the city of Kilkenny and of a messuage in the said City called Lewes Courte.

In Com. Tipperary.

Ballybeg in the Crosse Com. of Tipperary.

Blackecastle of Burries in the said Com. of Crosse.

Garrynerehe

Kilmocoag

Crossaile

Cullyn

Garrymore

Moglasse

Kilkerasker

Parke

Castlellaghny

Killagheloghanny

Cowlegort

Rathgowle

Knockeballymeagher.

The reversion and rent of Ballyginlyn, Arloman, Ballynty, Ballyamery, Rathmacarty, Lysmackhe, Grelaghbeg and Powersland.

The Earl's rents and services due in upper and lower Ormond called the Earles Rent, Beeves or Marterle.

The rents and services due to the Earle in the Cantred of Ilegh.

The rents and reversions due to the Earle in the Barrony or Cantred of Slevardagh.

The rent due to the Earle upon the lands of Ballymackedy, Garryduff, Ballyottereghan, Ballyee and Templehourney.

The rent and reversion of the towne and land of Dromyneer.

Ditto of Poweriston in Com. Tipp.; also of Tighkencorry in Com. Waterford.

The senneryes (i.e. seignories), rents and services due etc. in the lordship or Barrony of Onaght in the said Com. [Tipperary].

The moytie of Kilmecasker.

All the Earles lands in Cowlee.

All his purchas lands in Carrickmagriffin.

All his lands in Incheoffogarty.

The parsonadge of Dovea Inche, harteyne, Loghmoy, Tamplemore *alias* Corkehenny, Barnane and Burryn.

The rent and reservation due upon Garrangibbon.

In Com. Kildare.

The Earles lands in Uttonread.

All the rents and services due out of the mannour of Donada Cloncurry and elsewhere in the lordship of Oghterenny.

The rent etc. of Clintons Courte nere The Nace in said Com.

In Com. Wexford.

All the Earles lands in the Town and Burgagery of Nywe Rosse.

The freery of Clonmyne.

The ilande of Salteses.

In Com. Dublin.

All the Earles rents etc. upon the mannour and lordship of Turvey.

Ditto upon Corduffe.

The Earles lands in Bardrom (?), Whitestoune, Haystowne and Rathlog.

In Com. Eastmeeth.

The Earles mannours and lands of Blackcastell and Donamore.

And all other his lordships, manours, towns, hamletts etc. whatsoever in any of the said counties, saving all such lordships etc. which are specified or contayned in any of the several deeds, feoffments, or writings indented made by the said Earle and by John Horsfall, Busshop of Ossory and others to Sir Nich. Walsh and other feoffees."

"A feoffment from the said late Earle and Rich. Comerford of Ballyburr to S^r. Nich. Walsh, S^r. John Everard, Rob. Shee, Henry Shee and Richard Comerford fitz Richard and their heires of the under written lands to the use of the said late Earle and the heires males of his boddy (etc.); which feoffment beareth date the 8 of September *anno* 1614, viz.

Com. Kilkenny.

Loghmeran

Archeriston

Bonesrath

Cowlebane

Briskilegh

Kappaghedon

| | |
|---|---------------------------------------|
| Luppiston | Killaloe |
| Bennetsbridge | Ballyleyn |
| Ballyshanmore | Rossemore |
| Scarry | Phisisianstown |
| Ballyquirke | Kilminicke |
| Sraghgaddy | Athetynoe |
| Kilmocahell | Curraghmore |
| Kilmenan | Casselgenan |
| torney | Rossbolte (1a : Eliz.) |
| Kilroe | Ballyrobbin in ye Walshe mountaine |
| Ballyginnade | Condoniston <i>ditto</i> |
| Crompiston | Keatingston <i>ditto</i> |
| Cloghasty | Derrinehense |
| Monemuck | Currenure |
| Rathrickin <i>alias</i> Bawnerickin | Henebriseton |
| Krinkill | Knockandrowle |
| Rathloghan | Kilknedey |
| The freery of Rosbercon | |
| Com. Tipperary | |
| Glanmaboge (1a : Eliz.) | Leaugh |
| Aghenny | Ballyrobbyn |
| Swyfine | Banemeshane |
| Kiltane | Gibbonstowne |
| Cahirvore | Mouncellstowne |
| Corroge | Ballyartile |
| Cliquill | Curraghleigh |
| Ballynloggan | Ballyrockmore |
| Ballyhymyn | Kilnelahagh |
| Maierstowne <i>alias</i> Ballyne- mastrigh | Brittas |
| Dirreclony | Cullagh |
| Kearoweullig | Dromye |
| Leasseny | Kiltilo |
| Cowlee | Gurtyn |
| Byaladirry | Garrymore |
| Garryduff | Garranballevirikin |
| Barronsland | Rapplaghmore |
| Lawlestowne | Ballynvellan |
| Lysnesille | Ballyvolvasse |
| Kilsallagh nere Kilconill | Ballycahall |
| Graigferagh | Downally |
| Crompesland | |
| Ballykiryn | |
| Ballyconyn | |
| Durrehe | |
| Clonmore and Killogh in Ikerrin in Com. Tipp. | |

“ A Copy of the Submission between Therl of Ormond and the Ld. Dingwall ” (1617). (Spelling modernised).

Indenture made May 14, 1617, in the 15th year of James by the grace of God King etc. between Sir Walter Butler, Earl of Ormond and Ossory, on the one part and Sir Richard Preston, Lord Dingwall, and the lady Elizabeth his wife, sole daughter and heir of Thomas, late Earl of Ormond, deceased, on the other part.

“ Whereas there are certain controversies and debates had, moved, and stirred betwixt the said Earl and the said Lord Dingwall and Lady Elizabeth for, touching and concerning the right, title, possession and use of the manors etc. of the said Thomas late Earl, whereunto Lord Dingwall in the right of said Lady Elizabeth and she in her own right pretend title of inheritance by or from said Earl Thomas late Earl/and the said now Earl pretendeth title as heir male by entails made / And for and concerning other lands etc. which were Theobald's late Ld. Viscount of Tullowphelim (late husband of Elizabeth) in use and possession / And for other lands enjoyed by Ld. Dingwall in right of said Lady and herself in her own right by estate derived from said late Earl / And for other lands which said now Earl hath in possession or use by pretence of conveyance from the late Earl / And for certain debts of said Ld. Viscount which the now Earl hath undertaken to pay by reason of agreements made between the late Earl, the now Earl and said Lady Elizabeth / And concerning the evidence of charters and writings that concern the said lands etc.

“ And whereas the Kings most excellent Majesty, out of his princely disposition and desire to plant and settle peace and amity betwixt the said parties, the one being the heir general and the other the heir male of an ancient and noble family within his Majesties kingdom of Ireland, hath been graciously pleased to move the said parties to condescend to the arbitration of the said controversies and debates / Now this indenture witnesseth that the said parties to these presents having due respect of his Majestys princely purpose and motion in that behalf, have mutually severally and respectively for themselves and their several heirs, executors and administrators submitted themselves to stand to abide by and perform such awards, order, final end and determination of and in the said controversies and debates as his Majesty shall set down limit declare and appoint by writing to be signed by his excellent Majesty and to be sealed with his Signet, And for that end and purpose the said Earl of Ormond and Ossory and Ld. and Lady Dingwall do each of them severally most humbly beseech his Majesty that he will vouchsafe to take the arbitration and composing of the said controversies into his Majestys royal hands and most princely and prudent consideration, and that he will be graciously pleased to direct, order and appoint that such and so many deeds, evidences and writings concerning the premisses as shall be procured and shewed forth by the said Earl for the maintenance and defence of his title to the said premisses or any part thereof,

and likewise such deeds etc. as shall be produced or shewed forth by the said Ld. Dingwall and Lady Elizabeth for the maintenance of their title, shall be shewed in Ireland unto such person or persons as his Highness shall be pleased to appoint to peruse the same. And true copies to be written of them in parchment, to be subscribed by the said persons that shall so peruse the same. And the said copies to be sent over to his Majesty to the end his Majesty may be thereby informed of the true content and purpose of the said deeds. And then the said charters, deeds etc. to be delivered unto the said parties and yet nevertheless to be afterwards disposed of, as his Majesty shall direct and appoint. And it is further thought fit and mutually agreed unto by all the parties to these presents that the said now Earl shall produce to the persons aforesaid to be named by his Majesty all such evidences and writings as the said Lady since the death of the said Viscount delivered to the said now Earl now in the said Earl's possession or in the possession of any other by his delivery or with his assent or as were in the Chamber called "The Treasurie" within the Castle of Kilkenny at the time of the decease of Thomas, late Earl, or elsewhere that the now Earl can conveniently come by. And if not, then he shall give a full and true account what is become of them to the best of his knowledge, purporting any conveyance made by the said late Earl or his feoffees to the said Lady Elizabeth by her particular name in possession or to any other to her use or to the use of the late Earl and of the heirs of his body, or to the use of his heirs in fee. And that the said Ld. Dingwall and Lady Elizabeth shall likewise produce such evidences and writings as they or any of them have (etc.) whereby any manours or lands, parcels of the said possessions of the late Earl or in use to him stand conveyed by said late Earl or from any of his ancestors in use possession or remainder to the said now Earl or the heirs male of his body, or whereby any of the said lands which were in the possession of Viscount Tullowphelim stand conveyed to the said now Earl and the heirs male of his body in use possession or remainder.

All which evidences deeds and charters shall also be perused as aforesaid and copied out truly and the said copies, transcribed by the persons appointed by his Majesty, shall be sent to his Majesty into England for his Majesty's better information. And the deeds etc. shall be respectively redelivered to such of the parties as shall produce and shew them forth, to be by them detained until his Majesty shall direct and appoint them to be otherwise delivered and disposed of. And whatsoever his Majesty shall do in the premisses the parties to these presents respectively for themselves, their several heirs, etc. promise and agree to accomplish fulfil and perform. And it is the true intent and meaning of the said parties that for the chattels real and personal indifferent between them they shall not be comprehended within this submission, for that the same is formerly submitted to other arbitrators agreed upon. And that the said Earl and the heirs male of his body and the said Ld. Dingwall and Lady Elizabeth and the heirs

of her body shall and may respectively set forth to his Majesty or such as he shall appoint as part of his or their title such errors as are and shall be found in all or any of the said fines or recoveries which have passed between the late Earl and his feoffees jointly or severally to any person or persons concerning the said premisses, and such release or releases of errors as they have respectively. And that the said Earl and his heirs male and the Ld. and Lady Dingwall and the heirs male of the body of the Lady Elizabeth shall likewise be at liberty to set forth to his Majesty any other matter that shall concern the premisses or any parcel thereof which shall be agreeable to the meaning or intent of the late Earl or shall be correspondent to law, equity, honour and conscience.

In witness whereof.

Concordat' cum originali.

Barnaby Beale (?).

Bond (in Latin) by which Sir Richard Preston, Lord Dingwall and Elizabeth his wife admit themselves bound to Walter Butler, Earl of Ormond, in £100,000 lawful money of England.
Given on the 14th day of May in the year 1617.

The condition of this obligation (in English) is that if said Richard and Elizabeth, their heirs and executors etc. shall stand to abide by any award etc./concerning the right, title etc. of such manors, lands, etc. as were the late Earl Thomas's, and for and concerning other lands etc. which were Theobald's late Viscount Tullowphelim etc. or concerning other lands enjoyed by above bounden Ld. Dingwall etc. etc./which the Kings Majesty that now is shall make etc. and appoint to be signed by his Majesty and sealed with his Signet, according to the purpose and true intent of the submission of the said now Earl and Ld. Dingwall etc./that then this present obligation to be void and of no effect, or else to stand in full force and virtue.

He : Yelverton
Richard Hadsor
Chr. Darcy

Dingwall
Elizabeth Dingwall

Grant by Richard, Lord Dingwall, as follows :—

Whereas he stands indebted to his Majesty in great sums of money as by record of the Exchequer doth appear/and whereas Walter, now E. of Ormond, by his writing obligatory of May 14, 1617, stands bound to said Richard, Ld. Dingwall and Lady Elizabeth in £100,000/nor he and Elizabeth for the more speedy payment of said sums due to his Majesty have given and assigned and by these presents do give and assign to his Majesty the said obligation or writing obligatory and the sum of money in the same contained to the use of his Majesty/toward the payment of such sums of money as are due unto his Majesty, together with all the right of action execution and demand of him and Elizabeth in the said obligation. Provided always that if it happen that said

obligation, etc., cannot or shall not be levied to the use of his Majesty by process out of his Court of Exchequer in such time and sort as the Ld. Treasurer of Ireland and the Chancellor and Barons of the said Court shall for any cause mislike or disallow of this assignment and shall declare the same in writing that they think it not convenient for his Majesty to accept and take the said obligation and sum of money therein contained that then the said assignment shall be and remain void.

Given the 6th day of July in the 17th year of the reign 1619.

Deed by Richard, Ld. Dingwall, and Elizabeth, his wife.

Whereas Walter, E. of Ormond, by his writing obligatory of May 14, 1617, stands bound unto said Richard and Elizabeth in the sum of £100,000 on condition that he shall stand and abide such award as his Majesty should make betwixt said Walter, Richard and Elizabeth touching the controversies between them as by the said obligation doth appear, which obligation of £100,000 the said Earl hath forfeited unto said Richard and Elizabeth for not performing his Majesty's award according to the purpose of the obligation/and whereas said Richard is indebted unto his Majesty in divers great sums of money/ and for the more speedy payment thereof in a writing purporting an assignment bearing date the 6th day of July it is mentioned that said R. and E. for the consideration expressed have granted and assigned unto his Majesty the said writing and obligatory and the said sum of money in the same contained to the use of his Majesty etc./which R. and E. have already signed and sealed but not acknowledged or delivered as their acts and deeds/Now they to the intent that the said assignment may be duly and lawfully acknowledged and perfected etc. to be enrolled in his Majesty's Exchequer of Ireland have ordained and by these presents do ordain and constitute Patrick Esmond, esq. and Henry Sherwood, gent., to be their true and lawful attorneys for said R. and E. to deliver and acknowledge the aforesaid writing of assignment before the Chief Baron or other Baron of the Exchequer to the use of his Majesty as the deed of said Richard and Elizabeth, whereby the said assignment may be enrolled in his Court of the Exchequer.

Given on the (? 7th) day of July, 1619.

Abbeyes and other landes past from his Majestie unto Therl of Ormond in anno 2 of reign.

The temporalities of divers abbeyes, monasteries, freryes and other landes and possessions past in revercion by letters patent unto Thomas late Earl and to his heirs and assigns in the second year of his Majesties reign, which abbeyes etc. said Earl held by letters patent from King Phillip and Quene Mary bearing date in the 5 and 6 yeres of the reign unto him and the heirs male of his body. And forasmuch as he had no issue male of his body he made suit unto his Majestie in the 2 yere of his reign for passing the premisses unto him and his heirs and assigns, which now past unto him accordingly.

All which abbayes etc. were conveyed by the late Earl to Sir Nicholas Walsh Kt., and other feoffees to the use of the now Earl and to the heirs male of his body.

Com. Kilken.

The abbey of Jerpoint.
Downebill.
Smythestowne.
Fowkeswood, Ballydollyn, Kilrie, etc.
The late frery of Callan.

Com. Tipperary.

The late abbey of Kilcowl.
The late frery of Thurles.

Com. Regine.

The late abbey of Leix.

Com. Waterford.

The late frery of Carrickbeg.

Com. Catherlagh.

The lordship of ffortonolan with all the lands tenements and hereditaments which the King's Majestie or his auncestors had in the same lordship and divers other lands in the same lordship which are particularly expressed in the letters patent passed unto the said late Earl.
The late frery of Tulleophelym.

A briefe of divers manours and other lands mencioned (among other manours and lands) in an order by the Kings Majestie bearing date the 3 of October A° 1618 betwene the Earl of Ormond and Ossory of the one parte and the Ld. Dingwall and his lady on the other parte/which manours and lands are in the quiet possession and seisin of divers of his Majesties subjects in this Kingdom and were not in the possession and seisin of the said Earl at such tyme as the said Earl and said Lord Dingwall submitted them to his Majesties order, albeit his Majestie was enformed that the said lands were in the possession of the said Earl at the tyme of the said submission and before.

Upper Ossory.

Sraghenarowe. Graigeliagh. Eraigan. Graigedrisyn.

(All these are the lands of Teig fitz Patrick, nowe the baron of Upper Ossory and are in his quiet seisin and possession and were not at any tyme in the possession of the said Earl nor of any other to his use).

Clonborryn. Kilgortrian. Graigegarran (are in the quiet possession and seisin of John fitz Patrick esquire brother to the said Barron of Upper Ossory and were never etc., as above).

Ballygihyn. Clyquill. Oreye. Ballykenna.

| | |
|---|---|
| Nicholas Archer's assigns for a house and garden without the castle gate and near to the great orchard in the east | ii ^s |
| Thomas Archer for the kill and orchard near the castle gate in the west and going with the ditch there in the north | ii ^s |
| John Archer fitz William for the corner house betwixt the castle street and Boyse's lane | iiii ^s |
| John Archer fitz William for the next house and orchard thereunto in the north lying from said street to Boyse's lane and right by west the Earl's garden | xxii ^s |
| Philip Contreny for a little cot going to St. Patrick's churchyard in the east and the other gate in St. Patrick | iiii ^d |
| Walter Archer for a house in the south side of John Archer fitz Laurence's house at Crocker's cross | xii ^d |
| John Archer fitz Laurence for his dwelling-house and a house and orchard by west the lane there near Crocker's cross | viii ^s |
| Geoffrey Brenan for iiiii 'cooples', parcel of David Pembrock's farm | xviii ^s ii ^d |
| Redmond Prendercast's assigns to Mr. Robert Roth for parcel of a mease in the north side of the Walking street being three couples | viii ^s |
| Patrick Shychan's assigns to Mr. Robert Roth for four 'cooples', parcel of said mease | x ^s viii ^d |
| John Donoghowe for one parcel of said house | ii ^s viii ^d |
| William Fitz Thomas' assigns to David Pembrock for two couples in Walking street next unto the former house | viii ^s vii ^d |
| Thomas St Lendger's assigns to Walter Ragged for iiiii couples, parcel of said house | xvii ^s ii ^d |
| Kate Fitz Harry for ii couples of said house | viii ^s vii ^d |
| summa | iiii ¹ ii ^s ii ^d |

A note of such sums of money as John Mony, town bailiff, disbursed at several times by virtue of Mr. Helias Shee, sovereign, Sir Richard Shee, knight, and Mr. Edward Roth, chamberlains, their several warrants which hereafter ensue.

A bill of Mr. Helias Shee, sovereign, and the chamberlains for payment of 31^s 6^d in February 1599 [1600 N.S.] to pay carpenters and labourers that wrought at the waterside.

Another bill of Mr. sovereign's and the chamberlains for payment of 44^s 9^d to certain carpenters and workmen in January, 1599.

A bill of Mr. sovereign's and the chamberlains dated February 10, 1599 for 2^s delivered to Richard Marshall and 12^d to one Donoghe O'Mocoghow.

Mr. sovereign for warrant together with William Marshall's acquittance for 3^s 6^d for the rent of the new court, Michaelmas, 1599.

A warrant from Mr. sovereign and the chamberlains dated January 25, 1599, to pay Stephen Daniell 29^s.

Another from said sovereign and chamberlains dated January 23, 1599 to pay 15^s. to Mr. Arthur Shee, and Mr. Martin Archer.

Another warrant dated November 23, 1599, to pay John Dowly . . . for his wages 7^s 6^d.

Warrant to pay Nicholas Langton 8^s, dated the last of November, 1599.

Warrant to pay Nicholas Raggad, serjeant, for certain works done for the town, 19^s 2^d.

Warrant to pay 11^s 6^d for the town works.

Nicholas Raggad, 25^s 5^d for the town works.

Warrant from the sovereign and chamberlains together with William Marshall's acquittance for 3^s 6^d for the rent of the new court, Easter 1600.

A warrant from the sovereign and chamberlains for discharging the chamber at the receiving of my lord Deputy, June 20, 1600, the sum of 10^s, also to the labourers that carry said chamber, 8^d, to Geoffrey Roth (?) 6^d, and to Patrick Phelan foot-groom, 2^s.

A warrant dated June 25, 1600, to deliver to Thomas Shee 3^l 12^s to pay for the oats which was given by the corporation to my lord Deputy.

A warrant dated June 17, 1600, to pay Symon Archer 10^s for playing a Conqueror's part on midsummer day.

Another warrant of the same date to deliver to Philip Lawles and his brother for playing two Conqueror's parts, 21^s.

A warrant from the sovereign to pay Patrick Phelane for going with letters to Dublin, 7^s, dated May 24, 1600.

A warrant dated May 20, 1600, to Geoffrey Roth for his fee, 17^s.

For petty disbursements, 11^s 8^d.

For said John Mony's wages, 13^s 4^d.

Dated September 24, 1600, and signed by Helias Shee, R. Shee and Edward Roth.

APPENDIX VI.

CONVEYANCES to uses and actions of Common Recovery etc. of the Earl of Ormond's lands etc. in various counties, 1599-1603.

A.

(1) Co. Kilkenny. Final concord made in the Queen's Court at Dublin in Michaelmas week in the 41st year of the reign before Nicholas Walsh, kt., and William Bathe, gent., Justices of the Common Bench of Ireland, and others present, between Robert Rothe, Gerald Comerford, Henry Shee and Philip Comerford, petitioners, and Thomas,

Earl of Ormond, Richard Shee, kt., Peter Butler, Thomas Cantwell, John Everard, Edward Goagh, Patrick Sentleger, John FitzLewes, Richard Comerford fitzThomas, and Richard Comerford fitzRichard, defendants/ as to the manors of Kilkenny, Gowran, Dunfert, etc. (a long list of Butler lands in Co. Kilkenny follows: see later) concerning which a plea of convention was made between the parties. By this the Earl etc recognised said manors and tenements to be the right of Robert Rothe etc. as those which they have of the gift of the Earl, etc., and have quit-claimed them to said Robert etc. for ever. Moreover they have warranted the said manors etc. for themselves and their heirs to said Robert etc. and their heirs for ever. In recognition of which, Robert Rothe etc. shall give to the Earl etc. £1000 silver.

September 29—October 6, 1599.

(2) Indenture of October 24, 1599, between John Horsfall, bishop of Ossory, Edward Gough of Waterford, Richard Comerford fitz Thomas of Balliburr, Co. Kilkenny, and Patrick Sentleger of Kilkenny, on one side, and Thomas, Earl of Ormond, on the other, witnesses that/ whereas said bishop and the others have recovered in Her Majesty's court of Common Pleas several lands, manors, etc., in counties Kilkenny, Tipperary, Dublin, Carlow and Kildare against Robert Rothe, Gerrott Comerford, Henry Sheeth and Philip Comerford in several writs of entry 'in the post'/the intent of said recoveries is that said recoverers, etc., shall be seised of the premises to the use of the last will and testament of said Earl.

Witnesses: Henry Sheeth, sovereign of Kilkenny, R. Shee, Robert Rothe, Helias Shee, Nicholas Shortall, H. Sherwood, Walter Sexe, William Kelly.

October 24, 1599.

(3) Indenture of March 19, in the 45th year of Elizabeth, between Thomas, Earl of Ormond, John Horsfall, bishop of Ossory, Patrick Sentleger and Richard Comerford fitz Thomas, on one side, and Sir Nicholas Walshe, chief justice of the court of common pleas in Ireland, John Everard, esquire, second justice of Her Majesty's chief place, Robert Rothe of Kilkenny, Henry Shee of the same, John Fitz Lewes of the same and Richard Comerford fitz Richard of Dangenmore, Co. Kilkenny, on the other, witnesses that/whereas several fines '*sur cognissance de droit comme ceux qu'ils ont de leur don*' were acknowledged and levied in the quindene of Michaelmas (*in quindena Michaelis*) in the 41st year of Elizabeth before Her Majesty's justices of common pleas in Ireland by said Earl and by Sir Richard Shee, etc. (*as in 1*), unto Robert Rothe etc. of the honours, lordships, manors, etc. hereafter mentioned/ after the acknowledgment of which fines said bishop of Ossory, Edward Goaghe, now deceased, etc. recovered said honours, etc., against said Earl, Robert Rothe, Gerald Comerford,

Philip Comerford, now deceased, and Henry Shee before said justices in the Michaelmas term in the 41st and 42nd years of Elizabeth, which recoveries were executed by several writs of *habere facias seisinam*/the intent of which recoveries being that said recoverers, their heirs and assigns, should be seised of the premises to the use of said Earl's last will and testament, as by an indenture made between the Earl and said recoverers on October 24 in the 41st year of Elizabeth (1599) is declared/now therefore said Earl, bishop, Sentleger and Richard Comerford fitz Thomas, surviving recoverers to Edward Goaghe to the use aforesaid, grant to Sir Nicholas Walshe, Everard, Rothe, Shee, Fitz Lewes and Richard Comerford fitz Richard all their honours, lordships, manors, etc., in Kilkenny, Gowran, Dunfert, Knocagher, Glasshare and Rossbarcon in county Kilkenny, Carrickmagriffin, Killenale *alias* Kildenale, Knockgraffyn, Castlecurry, Thurles, Nenagh, Rosskree, Ballynree and Chanonstown in county Tipperary, Rathvill, Clonmore, Tullaghophelim, Kallasny, Powerston and Arcloe in county Carlow, Durbardes Iland *alias* the Great Iland in county Wexford, Oghterard and Castlewaring, and the rents and services issuing out of Donada and Clyntonscourt in county Kildare, and all their manors, castles, towns, etc., of and in Rush, Balscaddan, Corduff and Portrane in county Dublin, and a messuage called 'the Carrebry' with the appurtenances in the city of Dublin, with all the advowsons of churches, abbeyes, priorys, parsonages and other ecclesiastical benefices, knights' fees, escheats, leets, courts, services, liberties, franchises, markets, fairs, tolls, wrecks, etc.; to have and to hold to said Sir Nicholas, Everard, etc., of the chief lords of the fee by the ancient services to the use hereafter declared.

The intent of the above feoffment is that said feoffees, their heirs and assigns, shall be seised of all the premises to the use of said Earl and of his heirs male, with remainders as follows, viz., to Theobald Butler fitz Edmund, nephew of said Earl, for life; after his death to the use of the first issue male of said Theobald, and his heirs male; to the second issue male of said Theobald, etc., to his third issue male, etc., to the heirs male of said Theobald; to the use of Sir Walter Butler fitz John, nephew of said Earl, and his heirs male; to Piers Butler fitz Walter, nephew of the Earl, etc.; to Edward Butler, brother of the Earl, etc.; to Piers Butler fitz James, brother of the Earl, etc.; to the heirs male of Sir Richard Butler, late Viscount Mountgarret, deceased, uncle of said Earl; to the heirs male of Edmund Butler fitz Richard, late of Powleston, deceased; to the heirs male of Walter Butler, ancestor of said Edmund Butler fitz Richard; to the heirs male of Sir James Butler, late of Lysmalin; to the heirs male of John Butler, ancestor of said Sir James and second son of Edmund Butler, sometime Earl of Carrick; to the use of James Butler, Baron of Dunboyne, and of the heirs male of his first ancestor, Thomas Butler; to the use of Thomas Butler, Baron of Cahir, and of the heirs male of his ancestor James Butler *alias* James 'Galdy'; and to the use of the right heirs of Piers Butler fitz Thomas of Graige, deceased.

It is provided that the Earl may at any time change or abridge said uses by a deed signed and sealed by him in the presence of the Bishop of Ossory, the Baron of Dunboyne, the sovereign of Kilkenny, Sir Nicholas Walshe, John Everard, Gerald Comerford, second justice of the province of Munster, Robert Rothe, Helias Shee, Patrick Archer, Henry Shee and Piers Butler of Callan.

Signatures: Nicholas Walshe, John Everard, Robert Rothe, H. Sheeth, John Fitz Lewes, Richard Comerford fitz Richard.

Witnesses: David Buttevant, R. Power Coraghmore, Gerald Aylmer, W. Browne, Walter Archer, Patrick Archer, H. Sherwood, Dermot Ragged, Lucas Shee, sovereign of Kilkenny, Richard Deane 'decanus,' Rowland Fitz Gerald, Martin Archer, Edward Roth, Edward Shee, Nicholas Langton, John Roth fitz Piers.

March 19, 1603.

[Cf. with the above remainders the list given in the Earl's last will and testament in Deed 101 previously.]

(4) Counterpart of the above deed.

Signatures: Thomas Ormond et Oss., John Ossory, Patrick Sentleger, Richard Comerford.

Witnesses: Lucas Shee, sovereign of Kilkenny, Walter Archer, Patrick Archer, Richard Deane 'decanus,' Rowland Fitz Gerald, Edward Shee, Edward Rothe, Thomas Merry, Martin Archer, John Rothe fitz Piers, Nicholas Langton, Edward Woodlesse, Edmund Ryan, Charles Walshe, Edward Leonard, Walter Sherloke, H. Sherwood, Henry Bennett, Walter Sutton, William Aylward, R. Stackbold, Thomas Forlong, Nicholas Delan, Derby Casye, David McKenae, Richard Madocke, Walter Wadding, portreeve of Carrick, Piers Butler, Walter Walshe, Thomas Butler, Richardus Fenellus, John Stoughton, James Bryan, Edmund Butler, Walter Sexe, Thomas Lynche, James Grace, Walter Grace, James Grace fitz Oliver, William Harold, Teige Byrne, Dermot McEvoye, Philip Walsh, William Goughe, James Howling, . . . Hore, Walter Russell, James Roger, John Ball, John Martin, Nicholas Rutliche, Gerald Aylmer, knight, farmer of the manor of Donada, John Aylmer, his nephew.

Four seals.

(5) Indenture dated March 19, 1602, between the same parties as above, witness that the Earl of Ormond, etc., grant to Sir Nicholas Walshe, etc., all their honours, lordships, manors, etc., in Donmore, Ballyraghtane, Rathballynogy, Barkleyestown, Skehanagh, Kyllroe, Jenkinston, Mayne, Rosconyll, Marketcastle, Ballyosker, Lawghill, Cloghmoylehed, Aghtobber, Downtryman, Cownefeylee, Coorfoynshin, Cowlcrahine, Shynganagh, Graigerawe, Gillianstown, Killmocar, Tomecheeny, Inchechilly, Kilderr, the two parts of Browniston Warin, Rathcasse, the fourth part of Newehouse; all their lands in Loweston near Newehouse, Crostioغه *alias* Blakesland, Dromroe, Ballybrammyll, Killcronee, Powerston, Garran, Gurtine, Bolycomyne, Ballynnunree,

Garranevabee, Croanroe, Lanaght, Listerling, Garranbehee, Tullegher, Ballym^egillegill, Melaghmore, Killmacoliver, Killtrassy, Mocliree, Killenny, Haggard, Danganmore, Shortallstown, Clonemacshanebwy, Jerupont, Rice's land in Knocktofer, half Dirrenehensy, Rossbolty, Newcastle *alias* Kyslanevanny, the Newehouse and castle near St. Mary Church at Callan with the stable, pigeonhouse, orchard and garden near said house, and the mill called the New Mill with appurtenances within the borough of Callan, Ballykife, Killballykife, Ballynebanoghy, Cowlishillbegg, Oweston, Bodalemore, the two parts of Ballydowill, Fowlkescourt, Donaghmore, Crossepatrick, Ballyellis, Tullevoyltie, Ballyspellane; all their lands in Cowlgad and Bawnemore, Garraneconyll, the rectories or parsonages of Donmore, Downaghmore, and Killmocar with their appurtenances in county Kilkenny; and all their honours, manors, rents, etc., in the manor of Lackaghe in Ormond, Castleton O Clere, Fiddane O Clere, Mokincorky, Aghnecarrigy, Carrickechorig, Ballyquirke, Leaghinshie, Keppagh in Mowskryquirke, with the members and appurtenances thereof, Downoghill, Laghvally, Grenaneonaght, Curraghepowere, Ballyhostie, Graunteston, Barronston, Ballinvy, Ballynemoght, Kilfiecle, Gortroddane, Monierlee, Mobegg, Knocklomynnee, Gortbracke; all their lands in Cloghmonecode, Garrytibbott *alias* Graignekenteghe, Brickinedowne, Moyldrom, Killsallagh, Garryenstockedowne, Garranepiccarde, Ballynure, Kilcaryn, Killbwy, Ballintogher, Rathvin, Mogorbane, Sawcers-ton, Garryclohee, Rathbegg, Rossneharly, with their appurtenances in county Tipperary; and all lands etc., spiritual and temporal in Tulleleashy, Killoghelihane, Clonelierch and elsewhere in Farrenknanege, extending in the several counties of Cork and Limerick, with all advowsons of churches, etc., etc.

The intent of the above feoffment is that said feoffees, etc., shall be seised of all the premises to the use of said Earl of Ormond for his life, and after his death to the use of the Lady Elizabeth Butler, his daughter, and of her heirs, with remainder to the heirs male of said Earl, with remainder to Theobald Butler fitz Edmund, etc., as in previous deed.

Signatures: Thomas Ormond et Oss, John Ossory, Patrick Sentleger, Richard Comerford.

Witnesses as before, and also Robert Shortall fitz James, John Stoughton, James Forstall, Theobald Butler, Thomas Butler fitz Theobald, James Butler fitz Richard of Carrigley, Therlegh O'Kenedy, Thomas Comerforde, James Butler, Derby Casy, Derby O'Caran, Mallaghlen O'Brogan, Eady Lacy, Owny O'Kenedy, Philip Purcell, Philip Brenagh, David Dyermitii, Richard Comerford fitz Richard, Maurice Power, Richard Power, David Condon, Morish Fitz Redmond fitz Gerald, Patrick McCodie, William Fanning.

Four seals.

(6). Counterpart of the above deed.

Signatures : Nicholas Walshe, John Everard, Robert Rothe, Henry Sheeth, John Fitz Lewes, Richard Comerford.

Witnesses as in deed no. 2.

March 19, 1603.

(7). Deed of October 31, 1599, and the 41st year of Elizabeth, by Sir Thomas Butler, Earl of Ormond, Sir Richard Shee, Thomas Cantwell, John Everard, Edward Gough, John Fitz Lewes, Patrick Sentleger, Richard Comerford fitz Thomas and Richard Comerford fitz Richard to the effect that whereas they with Peter Butler have levied several fines in Her Majesty's court of common pleas in the quindene of Michaelmas in the 41st year of Elizabeth of divers manors, etc., in counties Kilkenny, Tipperary, Dublin, Kildare and Carlow, unto Robert Rothe, Gerald Comerford, Henry Shee and Philip Comerford and to the heirs of said Gerald, now said Earl and the others quit-claim to said Robert Rothe, etc., all writs of error and other actions concerning said fines.

Signatures : Thomas Ormond et Oss, R. Shee, Edward Goughe, John Everard, Thomas Cantwell, Richard Comerford, Patrick Sentleger, John fitz Lewes Bryan.

Witnesses : Thomas Wale, chaplain, Walter Butler, Nicholas Rothe, John Ryneghan, John Sentleger.

October 31, 1599.

Eight small seals.

(8). Deed of December 3, 1599, by Sir Thomas Butler, Earl of Ormond, to the effect that whereas John Horsfall, bishop of Ossory, Edward Gough, Patrick Sentleger and Richard Comerford fitz Thomas recovered by several writs of entry 'in the post' in Her Majesty's court of common pleas in Michaelmas Term (*a die Sancti Michaelis in tres septimanas anno regni reginae Elizabethae xli*) divers manors, castles, lands, etc., in counties Kilkenny, Tipperary, Dublin, Kildare and Carlow against Robert Rothe, Gerald Comerford, Henry Shee and Philip Comerford, in which writs the latter parties vouched said Earl to warrant said lands unto them, and the Earl vouched over Nicholas Roch, the common voucher ; now said Earl quit-claims to all the above parties all writs of error and other actions against them, and all right and interest in the premises.

Witnesses : R. Shee, Sir Thomas Wale, chaplain, Walter Sexe, William Kelly, David Archer.

December 3, 1599.

Butler seal.

(9) Deed of March 20, 1600, by John Horsfall, bishop of Ossory, to the effect that whereas said bishop, Edward Goughe, Richard Comerford fitz Thomas and Patrick St. Leger have recovered in Her

Majesty's court of common pleas several manors, lands, etc., in counties Kilkenny, Tipperary, Dublin, Carlow and Kildare against Robert Rothe, Gerrott Comerford, Henry Sheeth and Philip Comerford by several writs of entry 'in the post' to the use of the last will and testament of Thomas, Earl of Ormond, and are now seised and in full possession of said manors, etc., by virtue of several processes of *habere facias seisinam* directed to the sheriffs of said counties; and whereas Nicholas Roch, the crier of said court of common pleas, released into their possession all his right and interest in the premises, and all errors and writs of error; now therefore said bishop at the instance of the Earl of Ormond has released and quit-claimed for himself and his heirs to said Edward Goughe, Richard Comerford, and Patrick St. Leger all his right to said manors for ever.

Witnesses as in deed No. (2).

March 20, 1601.

Portion of seal.

B.

(1) Inspeximus of the record of a foot of fine and recovery before the Justices of the Common Bench of Ireland between Thomas, Earl of Ormond, Peter Butler, etc., and Robert Rothe, etc., for the manors of Carrickmagriffin, Killenale *alias* Kildenale, Thurles, Nenagh, Lisonagh, Kilshilane, Clonmel and Kilfeacle and 37 castles, 600 messuages, 400 tofts, 12 mills, 400 gardens, 20,000 acres of land, 1,000 acres of meadow, 15,000 of pasture, 8,000 of wood, 8,000 of moor in :—

| | |
|------------------------------------|--------------------------------------|
| Bealadirree | Ballyne |
| Monydociheer | Kilcarrin |
| Ardcollom | Graigfertagh |
| Kilomiry | Garryno |
| Garrynerehee | Glanegoile |
| Balliglissin | Crompisland |
| Garryduff | Crompiscastle |
| Garrangibbon | Sheethesland |
| Brenermore | Rathvin |
| Baronisland | Kilboy |
| Ballycornane | Ballyntogher |
| Lawleston | Ballykyrin |
| Graige <i>iuxta</i> Cnockgraffin | Glassaghgoyle <i>alias</i> Bwolyntle |
| <i>alias</i> Garrytibbot | Ballycomyne |
| Cloghmonecode | Mohobbir |
| Poersland <i>iuxta</i> Ardfenane | Shanescourte |
| Garranenerlee | Ballintagert |
| Lisnehary | Rosneharly |
| Lynescillee | Mogorbane |
| Kilsallagh <i>iuxta</i> Kilconnill | Garranstockdowne |
| Garranpicarde | Castlelaghin |
| Athasshell | Grantestowne |

| | |
|-------------------------------------|--------------------------------------|
| Relligmory | Davidstowne |
| Gowlin | Gibbonstowne |
| Garryclohy | Mouncellestowne |
| Durryhee | Ballyartilee |
| Rathbegge | Dromnemehane |
| Ballyowne | Ballyneclohy |
| Garrirobyne | Borrisoleigh |
| Lysdof | Pallisolegh |
| Immely | Cowlkilolegh |
| Lyckyne | Kilcollane |
| Tullaghmayne | Glanekyne |
| Bwolicke | Glanebride |
| Kilvrenill <i>alias</i> Kilbrenyll | Knockballedowne |
| Banem ^o shane | Garrangreny |
| Gortecomiske | Ballaghvenny <i>alias</i> Ballaghwny |
| Blackcastle <i>iuxta</i> Burreliesh | Gorteloh |
| Lyscahill | Graige Lissin |
| Garranroe | Knockinnee |
| Leawgh | Keapaghnemelagh |
| Pobblevogerty | Killenane |
| Ballyercke | Garranlogh |
| Moyalvy | Arbane |
| Eliogerty | Ardbuy |
| Corkehinny | Knockerny |
| Pobbleogahill | Dromegeill |
| Aghlomin | Correbally |
| Ballybeg | Kilomene |
| Knocketanekislane | Cronmoyne |
| Cowlin | Ballynvestee |
| Glantane | Bealaghaghill |
| Corraghebehee | Killin |
| Corraghliegh | Tubberedorin |
| Aghanbehigh | Kilcomynetle |
| Dromyner | Onaght |
| Annagh | Grenane Onaght |
| Ballycornane | Downeoghill |
| Ballyhimicykne | Swifine |
| Uskane | Kiltane |
| Ballyrorckmore | Catharvore |
| Kilnelaghagh | Corroge |
| Brittas | Cliquill |
| Cullagh Dromod | Bealacarryn |
| Leaghinch | Lisgibbon |
| Lefiegh | Shanhaggard |
| Fyddar ^o ecleree | Loghbeg |
| Carragnagh | Scorlockistowne |
| Ballydrenane | Kilnecaske |

| | |
|-----------------------------------|-------------------------------------|
| Carregin | Ballynloggan |
| Kiltilo | Ballyhymyne |
| Gurtyne | Masterston <i>alias</i> Ballynemas- |
| Owneyeomulrian | Durreclony tregh |
| Moderennsy | Gortroddane |
| Carrigcorge | Kearowullige |
| Holycrosse | Lafyne |
| Drohednefarney | Barronston |
| Ballynemoght | Mobeig [Moinbeg?] |
| Ballinvy | Knocklomeny |
| Cowlee | Knockbrack |
| Brenesigh | Laghvally |
| Ballynlynte | Banshaghmore |
| Clonpat | Gorterahintweegowne |
| Ballym ^o gilleville | Killee |
| Keapagh | Corraghduff |
| Old Keapagh | Glanem ^o owan |
| Ballyhancard | Kilmecog |
| Grelaghbeg | Cullaghmonroe |
| Knocknetenyle | Ballypatrick |
| Ballyloghkyn (? —lin) | Lisisly |
| Knockballoghlin | Garrenathenty |
| Ballybonshe | Incheofogarty |
| Arclennan | Bohir in Killenalongirty |
| Inchenegonyny | Crossayle in Kilnemanagh |
| Lism ^o cgownye | Garrymore |
| Coraghcarbery | Kilkerasker |
| Lism ^o kee | Grange <i>iuxta</i> Nenagh |
| Graigduff | Garranballebercken |
| Ballyterihane | Rapalaghmore |
| Ballyee | Ballynovellane |
| Tamplenehorny | Ballywolvasse |
| Towrin | Castletownoclerelaky <i>alias</i> |
| Cowlgorte | Lackaghoclere |
| Tanganach <i>alias</i> Shanganagh | Clonmore in Ikirrin |
| Mockincorke | Killogh |
| Ballycahell | Knockballymagher |
| Castlegare | Castlecurre |
| Corraghnowon | Ballynree |
| Downeally | Kilmore O'Russhin |
| Killogany | Chanonston |
| Killaghloghnay | Tomowny |
| Parke | |
| Rathgowle | |

Concerning which, the Earl etc. were summoned to appear in this Court in the quindene of Michaelmas in the 41st year of the reign to

answer to Robert Rothe etc. on a plea that they hold towards them a convention made concerning the above manors etc., namely that the said Earl etc. recognise the said manors and tenements to be the right of Robert Rothe etc. as those which they have of the gift of said Earl etc. Also they have remitted and quitclaimed them for themselves and their heirs for ever to said Robert etc. in return for £1000 silver. And according to statute proclamations of this were made in court on sixteen occasions from the 16th October in Michaelmas the 41st year (1599) to the 28th of May following.

All the above is now exemplified at the request of said Robert Rothe and Henry Shee.

Teste Nich. Walsh, chief justice of the Queen's Bench of Ireland at Dublin, on the 22nd of October in the 43rd year of the reign.

October 22, 1601. Seal of the Queen's Bench, perfect.

(Cf. with this action for Recovery the former Deed 104 which has also a long list of Tipperary lands of the Earl, not however so long as that in the above deed).

(2) A fine with proclamations "*sur cognissance de droit com ceux quilz ont de leure don*" levied in the quindene of Michaelmas 41 Eliz. (1599) in the Court of Common Pleas, Ireland, between Rob. Rothe, Gerald Comerford, etc. plaintiffs on the one part and Thomas, Earl of Ormond, etc. defendants, on the other; of the manors of Carrickmagriffin, Killenale, Knockgraffon, Thurles, Nenagh, Roscrea, Lisronagh, Kilsheelan, Clonmel and Kilfeakle, and of 37 castles, 600 messuages, 400 tofts, 12 mills, 20,000 acres of land, 15,000 of wood, 1000 of meadow and 8,000 of moor in Bealadirree, Ardcollum, etc. (see preceding Deed (1)).

Clauses of release and warranty to said Robert, etc.

All said manors etc. were afterwards in same Michaelmas term recovered by writ of entry according to the course of common recoveries by John Horsfall, bishop of Ossory, Edward Goaghe, etc., demandants, against the cognisees in said fine.

A like fine also levied in same term by same parties of the manors of Kilkenny, Gowran, Dunfert, Knocktopher, Rosbercon, Donbryne *alias* Grenagh, and Callan, and 40 Castles, 600 messuages, 40 tofts, 12 mills, 50 gardens, 20,000 acres of land, 1000 of pasture, 1000 of wood and 6,000 of moor in Donmore, Balliraghtane, Glasshare, Rathelballynogy, Skehanaghe, etc. (then follows a long list of properties of the Earl in Co. Kilkenny).
Michaelmas, 1599.

(3) *Inspeximus* by the Queen of a foot of fine before the Justices of the Common Bench, Ireland; regarding a convention made between the Earl of Ormond, etc. and Rob. Rothe etc. of the manors of Kilkenny,

Gowran, etc. (long list of Kilkenny properties of the Earl follows).
 October 22, 1601. Seal of Common Bench, perfect.

(4) Inspeximus by the Queen of a foot of fine before the Justices of the Common Bench of Ireland; regarding the Earl of Ormond's lands in Co. Kildare, viz., Oghterard, Castlewaryng, Donada, Cloncurry, Oghterym and Clintonescourt.

Teste the Earl of Essex, Lord Lieutenant, at Dublin, June 17, 1599.
 October 22, 1601. Seal of the Common Bench, perfect.

C.

Actions of Recovery of the Earl of Ormond's lands in Cos. Kilkenny, Carlow and Kildare.

(1) Letters patent of Queen Elizabeth to the effect that among the pleas enrolled at Dublin before Nich. Walsh and his fellow-justices of the Common Bench in Michaelmas Term in the 41st and 42nd year of the reign (Sept-October, 1599) is contained as follows under Carlow. John Horsfall, bishop of Ossory, Edward Goagh, etc. sue against Rob. Rothe, etc. (as above) the manors of Rathville, Tullaghvelim, Arklow, etc. Said John etc. to receive seisin. *Teste* Nich. Walshe, Chief Justice of the Common Bench.

October 16, 1599.

Robynson.

Seal of Common Bench, much worn.

Dorso: A recovery of therles manours and lands in the county of Catherlagh.

(2) Similar letters patent to the above. Among pleas enrolled etc., under Kildare. John Horsfall, bishop of Ossory, etc. against Robert Rothe etc. for the manors of Oghterard, Castlewaryng, Donada and Cloncurry, and £83 of rent in Oghterynnee and Clintonscourte in Co. Kildare, in which said Robert Rothe etc. have not entry save after the disseisin which Hugo Blake unlawfully made upon said Bishop, etc.

Said Bishop etc. to recover seisin.

Teste Nich. Walsh, kt., Chief Justice of the Queen's Bench in Ireland on October 16th in the 41st year of the reign.

Oct. 16, 1599.

Ex. per Will. Robynson *prothon.*

Seal of the Common Bench, much worn.

Dorso: A common recovery of therles lands and rents in the county of Kildare.

(3) Similar letters patent to the above. Among pleas enrolled etc., under Kilkenny. John Horsfall, bishop of Ossory, etc. against Robert Rothe etc. for the manors of Kilkenny, Gowran, Dunfert, Knocktogether etc. (a long list of the Earl's properties in Co. Kilkenny follows).

in which said Robert etc. have not seisin save after the disseisin which Hugo Blake made etc.

Said Bishop etc. to recover seisin.

Teste Nich. Walsh etc. as above on the 14th day of October in the 41st year of the reign.

Seal of the Common Bench, much worn.

Dorso: Recovery of therles manours and lands in the county of Kilkenny.

October 14, 1599.

Note: Oghteryne in No. (2) above is part of the modern barony of Ikeathy and Oughterany in north Co. Kildare.

D.

Earl of Ormond's lands in Co. Carlow, Arklow, etc.

(1) Pleas at Dublin before Nich. Walsh, kt., chief justice of the Common Bench and his fellows in Michaelmas Term ann. 41 and 42 Eliz. 3rd Roll. Robinson.

Co. Carlow. John Horsfall, bishop of Ossory, Edward Gough sue against Robert Rothe etc. for the manors of Rathvilly, Tullaghvelym, Arklow and Fortenolan in which the said R. Rothe etc. have not entry except after the disseisin which Hugh Blake thereof unlawfully made against the said bishop etc., and concerning which they say that he was seised of the said manor etc. as of fee in his demesne *tempore pacis* etc. The said R. Roth etc. by William Edwards their attorney come and defend their right, and call to warranty Thomas Butler, earl of Ormond, who came now by Robert Pyne his attorney and claimed the said manor as his right. Whereupon the said bishop etc. sue against the said earl by his warranty in regard to the said manors etc., and say that he was seised of the same in his demesne as of fee . . . Nicholas Roch who is present is now called to warranty, and says that Hugh Blake did not disseise the said bishop of the said manors as John, Edward etc. say, and puts himself on the county.

Nicholas Plunket, Robinson, etc.

Michaelmas, 1599.

(2) Final concord made at Dublin, Michaelmas, *anno* 41 Eliz., before Nicholas Walsh and W. Bath, justices of the Common Bench, between Robert Rothe, Gerald Comerford, Henry Shee and Philip Comerford, plaintiffs, and Thomas Butler, earl of Ormond, Richard Shee, knight, Peter Butler, Thomas Cantwell, John Everard, Edmund Goegh, Patrick Sentleger, John FitzLewes, Richard Comerford fitzThomas and Richard Comerford fitz Richard, defendants, concerning the manors of Rathvillie, Tullaghvelym, Arklow, and of 6 castles, 1000 messuages, 100 tofts, 4 mills, 100 gardens, 5000 acres of land, 1000 of meadow, 1000 of wood, 4000 of moor, in Clonmore, Killasny, Poerston, Trytwohees [of Arklow], and Fortenolan, concerning which a plea of convention was summoned in the same court,

according to which the said earl etc. recognised the said manor etc. to be the right of the said R. Roth etc., had of the gift of the said earl etc., and quit-claim accordingly for ever in return for £1000.
Michaelmas, 1599. R. Leventhrop.

(3) Summary of an Inspeximus made by Elizabeth on October 22, 1601, of a Foot of Fine dated June, 1599.

"We have inspected a Foot of Fine before our Justices of the Common Bench of Ireland, in these words.

"Elizabeth, etc., to the Sheriff of Carlow. Order Thomas, Earl of Ormond, Richard Shee, knight, Peter Butler, Thomas Cantwell, John Everard, Edward Gough, Patrick St. Leger, John Fitz Lewes, Richard Comerford fitz Thomas, and Richard Comerford fitz Richard that without delay they keep towards Robert Rothe, Gerald Comerford, Henry Shee and Philip Comerford an agreement made between them as to the manors of Rathville, Tullaghvelime and Arklow, together with castles, etc. (*as in 2*). And unless the said Earl of Ormond, etc., shall make you sure as to their claim, command them to be here before our justices at Dublin from the day of Michaelmas next coming for a fortnight, to show why they have not done so. And you shall have there before Robert, Earl of Essex, our Lord Lieutenant, etc., on the . . . of June in the 41st year of our reign [1599] the return of this writ, before Nicholas Walsh, knight, and his fellows, Justices of our Common Bench of Ireland, at Michaelmas in our 41st year, and shall command Thomas, Earl of Ormond, Richard Shee, etc. (as above) to be here at this day to reply to Robert Rothe, etc., concerning the abovesaid plea of agreement regarding the manors of Rathville, etc."

"Upon which, Thomas, Earl of Ormond, etc., being duly summoned to be present, in their proper persons came and sought leave to make concord. So they have it for a sum of 40*l*. So it is agreed that said Earl, Richard Shee, etc., admit the said manors, etc., to be the right of said Robert Rothe, etc., as that which they have of the gift of said Thomas, Earl, Richard Shee, etc., and so they quit-claim the same manors, etc., to Robert etc., and the heirs of the same Gerald for ever and warrant the same to them (as in usual form)."

"For which admittance, warranty, fine, etc., said Robert Rothe, etc., have given to the abovesaid Earl Thomas, etc., £1000.

Carlow. A foot of fine levied, etc., with proclamations before Nicholas Walshe, knight, and William Bathe, esq., justices of the Queen, and other lieges of the Queen present, at Michaelmas in the 41st year of the reign. The first proclamation is on October 16 in said year, the second on October 17, the third on October 18, the fourth on October 19, the fifth on January 23, and so on to the sixteenth made on May 28, according to the form of the Statute."

Exemplified at the request of said Robert Rothe, etc.

Teste Nicholas Walsh, chief justice of the Common Bench, at Dublin, the 22nd day of October in the 43rd year of the reign.

October 22, 1601.

Great Seal.

E.

The Earl of Ormond's Great Island, Co. Wexford, and his house in Dublin.

(1) Record of a plea enrolled before Nicholas Walsh, chief justice of the Common Bench, and his fellow-justices at Easter in the 43rd year of the reign, under County Dublin. Namely that Edward Goughe, Rich. Comerford FitzThomas and Patrick Sentleger sue Robert Rothe and Henry Shee for a messuage with its appurtenances in Dublin, as that in which Robert and Henry have no entry save after the disseisin which Hugo Blake unlawfully made upon said Edward, Richard and Patrick. (Case of Common Recovery follows). The messuage is adjudged to abovesaid Edward, Patrick and Richard who are to have seisin.

Exemplification made under seal of the Common Bench.

Teste Nicholas Walsh, Chief Justice.

June 22, 1601.

Seal of the Common Bench, perfect.

Note: For the Earl of Ormond's house in Dublin cf. (3) following. It seems to have come to the Butlers by royal grant after the attainder of the House of Kildare in 1536; see Carte's *Life of the Great Duke of Ormonde* (1736) I. p. xlvi, and Bryan, *Great Earl of Kildare*, pp. 144-5, 157. On October 22, 1537, among other grants by Henry VIII to Earl Piers and his son James is that of "one house or great messuage in St. Nicholas Street with a garden to the same annexed." For further information on this question, see the preface to this volume.

(2) Deed of July 3, 1601, by Thomas, Earl of Ormond, viz., that whereas Edward Goagh, Patrick Sentleger and Richard Comerford fitz Thomas recovered by several writs of entry 'in the post' the manor of the Iland commonly called 'the Great Iland' in Co. Wexford, and a house in the city of Dublin, against Robert Rothe and Henry Shee, in which writs said Robert and Henry vouched said Earl to warrant the lands unto them, and the Earl vouched over Nicholas Roch, the common voucher now said Earl quit-claims to all the parties above-mentioned all writs of error and other actions against them, and also all title to said premises.

Witnesses: Sir Thomas Wale, chaplain, John fitz Lewes Bryan, Robert Myllys, Walter Sexe, etc.

July 3, 1601.

Butler seal.

(3) "To all, etc., Thomas Butler, Earl of Ormond, Henry Shea, and Robert Rothe of Kilkenny, and Nicholas Roche, sub-marshal of the Court of Common Pleas of the Queen of her kingdom of Ireland, greeting.

Whereas Edward Goughe, Richard Comerford fitz Thomas and Patrick Sentleger, before Nicholas Walshe, kt., and his fellows, then justices of the said Queen of the Bench, by adjudgement of same Court recovered against the said Robert Rothe and Henry Shea a

message with appurtenances in the county of the city of Dublin commonly called 'thearle of Ormondes howse' by a writ of entry 'in the post,' in which the said Robert and Henry called to warranty the said Thomas, Earl of Ormond, who entered into warranty, and then similarly called to warranty the said Nicholas Roche / know ye that we, the said Thomas Butler, Robert Rothe and Henry Shee, and Nicholas Roche have released and quit-claimed for us and our heirs for ever to the said Edward, Richard, and Patrick all actions of error or errors which we have or can have by reason or in respect of the said message."

Witnesses : R. Shee, Nicholas Langton, Robt. Mylles, Piers Cantwell, George Robynson, Wm. Robynson, Thomas Shorte.

July 27, 1601.

Three seals.

APPENDIX VII.

An O'Kennedy Deed.

August 3, 1608.

Witnesses examined before Nicholas Haly, Chancellor of the Liberty of the County of Tipperary, by virtue of a direction to him made by the Seneschal of this said Liberty and his associates inclosed upon the interrogatories hereunto annexed, at the behest of Malrony Mulrian, plaintiff (regarding Monicroane in Ormond).

I. 'Donough O'Kennedy of Killonyne, gent., of the age of 80 years or thereabouts being sworn and duly examined, to the 4th and 5th interrogatories says by virtue of his oath that he knows Monicroane very well and that it is of the inheritance of the Kennedys and has heard that Mahowne O'Kennedy, Teig O'Kennedy and Cnoghor O'Kennedy mentioned in the interrogatories were seised thereof, but has seen none of them in possession, saving that it was commonly reported that Teig ne Morny, piper, was Cnoghor O'Kennedy aforementioned's tenant there, and that the said Cnoghor received refectons there of the said piper as his tenant, by common report.

To the seventh interrogatory he says that Onora ny Kennedy, sister to Cnoghor O'Kennedy, told this examinee that Donell O'Clohesie and Keane O'Clohesie were tenants unto Cnoghor O'Kennedy and that the serjeants levied presents and services in Cnoghor's name out of that place.

II. Hugh O'Kennedy late of Ballyneclohie, gent., of the age of 80 years or thereabouts being sworn etc., to the interrogatories first, second, etc., says he knows Monicroane in Ormond very well and that it is the inheritance of the Kennedys and that the same Teig as son and heir to Mahowne O'Kennedy and Cnoghor O'Kennedy

as son and heir to the said Teig were seised of the said Monicroane in their demesne as of the inheritance one after another and died seised thereof, but he has not seen Mahowne O Kennedy for that he died before this examine's birth.

III. Hugh McEdmond O'Kennedy of Bawnedonemony, gent., of the age of 60 years or thereabouts being sworn, etc., says that he knows Monicroan and that he learned of his ancestors that it was of the inheritance of Mahowne O'Kennedy and descended from Teig to the said Mahowne his son and heir, and that each of them died seised thereof, by hearsay. To the second interrogatory he says that he has seen Cnoghor O'Kennedy as son and heir to the said Teig seised of Monicroan and that he died seised thereof; the cause of his knowledge is that he has seen Teig ne Murny, piper, inhabiting the said Monicroan as tenant to said Cnoghor and yielding unto him duty or refections out of the same. To the sixth he says that he was present and has seen a writing made by Cnoghor O'Kennedy afore-mentioned unto Philip O'Haly and Teig O'Moynchane containing a gift upon Monicroan together with Ballycahill and other lands unto the use of William O'Kenedy and his heirs, and has seen the said Cnoghor delivering possession of the lands of Ballycahill in name thereof and Monicroane to the said Philip and Teig, but whether the said gift was sealed he knows not, but has seen the said delivery unto the aforesaid feoffees by Cnogher O'Kennedy; the cause of his knowledge that he procured his own name as witness to be set to the said writings.

IV. Brian O'Kennedy of Ballihimickyn, gent., of the age of 60 years being sworn etc., says that he well knows Monicroan in Ormond for that he dwelt within 3 miles thereof and further says that he does not know nor has seen Mahowne O'Kennedy or Teig O'Kennedy, but has heard of his neighbours and of his own knowledge and thinks that Monicroan was of the inheritance of Mahowne and Teig O'Kennedy and descended from them to Cnoghor the said Teig's son and Mahowne his nephew.

To the fifth he says that he has seen Cnoghor O'Kennedy, said Teig's son and heir, seised of Monicroan and die seised thereof; the cause of his knowledge that being the said Cnoghor's neighbour within 3 miles of Ballicahill he has seen the said Cnoghor set the same to Teig ne Morny and the said Teig yielding refections and duties out of the same.

To the sixth interrogatory he says that he was present and has seen Cnoghor make a grant in writing unto Philip O'Haly and Teig O'Moineghain and their heirs to the use of William O'Kennedy son to the said Cnoghor and his heirs, upon Ballicahell Monicroani (*sic*) and other lands appertaining to Ballicahell and to writing delivered, and does not remember the sealing thereof, and that afterwards said Cnoghor delivered possession of Ballicahell unto Philip and Teig, according to the contents of the same writing; the cause of his

knowledge being that he was present and has seen the same and procured his name to be put thereto as witness.

V. David McShane Glass O'Mulrian of Killinliegh, gent., of the age of 60 years being sworn, etc., says that he knows Monicroane well, being neighbour thereto. To the second, third and fourth interrogatories he says that he learnt commonly of the neighbours that Monicroain (*sic*) is of the inheritance of Mahowne and Teig O'Kennedy, but did not see any of them seised or possessed thereof. To the fifth interrogatory he said that he has seen Cnoghor, son to said Teig, possessed of Monicroain as his inheritance and died seised thereof, as the common report was, which he probably thinks to be true, and that he has heard that Cnoghor aforesaid did charge the same as his own inheritance with country duties. Item to the sixth interrogatory he says that he was present, and has seen Cnoghor O'Kennedy make a gift in writing to Philip O'Haly, etc. (as in III.); the cause of his knowledge appeareth in his deposition and that having married the said Cnoghor's daughter he was made privy to the premises.

VI. Donill McDonogho O'Brien of Tolloherdy, freeholder, of the age of 60 years, being sworn, etc., says that he knows well Monicroain, his dwelling being half a mile thereof and that the same is generally taken to be the inheritance of Mahowne O'Kennedy and his son Teig, but did not see any of them possessed of the same. Further he says that Monicroain descended from Teig to his son and heir Cnoghor O'Kennedy and that Cnoghor was thereof seised and died so seised etc.

Further he says that he was present at Ballicahill when Cnoghor O'Kennedy, son and heir of Teig, procured a grant in writing to be made to Philip O'Haly, etc. (as in III) and that afterwards he has seen the same William son to the said Cnoghor in possession of Monicroain for 2 or 3 years and setting the same unto others.

Further he says that he has seen Keane O'Clohesy, grandfather to the defunct, in possession of Monicroain for a year or thereabouts, and whether he held the same of Cnoghor at will or otherwise he knows not.

VII. Rory McTeig O'Mulrian of Gurtinneskehy, gent., of the age of 40 years, being sworn says that he knows Monicroain to be the Kennedys' inheritance, but he has not seen Mahowne or Teig seised thereof, for that both of them died before his birth, but knew that it descended to them, etc. The cause of his knowledge that this deponent, being son to Teig O'Mulrian, bailiff and overseer of Cnoghor's house and husbandry, and being in Cnoghor's house has seen said Cnoghor set the said Monicroain to tenants whose names he knows not, and his said tenants manuring the said lands and paying duties viz. po[u]ndage and worck (*sic*) and dishes of butter upon every Saturday in summer unto the said Cnoghor and says that the said

Monecruain is parcell of Ballicahell where the said Cnoghor died.

To the next interrogatory he says that himself was present when Cnoghor O'Kennedy sealed and delivered a writing unto Philip O'Haly etc. (as in III), and has seen said Cnoghor deliver possession of Ballicahell, by delivering a clod of earth to the said feoffees, and that the said William O'Kennedy after his father's death was in possession thereof, until by means of an order betwixt him and Cnoghor O'Clohesy defunct, and for fostering the said William's son, the said Monecruain was by William yielded up to Cnoghor O'Clohesy defunct upon what condition he knows not.

VIII. Donill O'Brien of Carrigetogher, gent., of the age of 60 years being sworn, etc., says that he knows Monecruain and that by common report the same is Mahown and Teig O'Kennedy's inheritance, and descended to them, etc.; the cause of his knowledge that he dwelling within a mile to that place has seen Teig ne Mourny inhabit the said land as tenant to Cnoghor, etc.

VIV. Loghlin Liegh O'Dogherain of Bawndonemony, husbandman, of the age of 60 years being sworn says that being born in a parcell of Ballicahell he well knows Monecruain and heard by common report that the same was the inheritance of Mahown O'Kennedy etc. The cause of his knowledge that he has seen Cnoghor set the same to Teig ne Mourny, piper, and the said Teig paying refections and other duties unto Cnoghor, and that above Loghlin McCnoghor, the said Cnoghor O'Kennedys bailiff or overseer of his husbandry, manured the same for the said Cnoghor, and that this deponent was drawing in corn growing upon that land unto Cnoghor O'Kennedy in Ballicahill, and after Cnoghor's death unto William O'Kennedy, who both manured and occupied the said Monecruain as their inheritance. Further he has seen Keane O'Clohesy grandfather to the defunct [Cnoghor] manuring Monecruain and tid and gather corn thereof for himself for a short space, by what interest or title he knows not.

X. Donnogho O'Brien of Carricketogher, husbandman, of the age of 60 years, being duly sworn says that he heard by common report etc., that Monecruain was of the ancient inheritance of Mahowne O'Kennedy and descended to them from their ancestors, etc.; the cause of his knowledge that he has seen the said Cnoghor set the same to Teig ne Mourny, piper, who enjoyed the same four or five years as tenant to said Cnoghor, etc.; the cause of his knowledge being that he himself was in Cnoghor's company taking refection of the said Teig by virtue of his tenancy.

As witness of the premises to be the deposition of the above witnesses the said Nicholas Haly subscribed his name and laid his seal, the day and year above-written.

Copia vera.

Nicholas Haly.

INDICES

The references are to the pages. The following abbreviations, among others, have been used:—bar. = barony, c. = *circa*, co. = county, d. = died, ds. = *dominus* ('Sir' for a cleric), f., or ff. = page, or pages, following, h. = heir or heiress, par. = parish, Q.B. = Queen's Bench, r. or rect. = rectory, s. = son, st. = street, tld. = townland, v. = vill, w. = wife.

Names of counties appear as Carl., Dub., Kild., Kilk., Tip., etc., and names of baronies as Fass. for Fassadinin, Go. for Gowran, I. & O. for Iffa and Offa, Kn. for Knocktopher, O. & A. for Owey and Arra, Sliev. for Sliev-ardagh, etc.

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