

EARLY STUART IRISH WARRANTS, 1623–1639

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EARLY STUART  
IRISH WARRANTS, 1623–1639

The Falkland and Wentworth  
Administrations

*Edited by*  
MARK ELLIOTT



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## INTRODUCTION

In its modern context a warrant is usually associated with the apprehension of an individual or group of people suspected of an offence. Its function and purpose, however, extends much further. The definition of a warrant in the *Oxford English Dictionary* is 'a document conveying authority or security', or more specifically, 'a writing issued by the sovereign, an officer of state, or an administrative body, authorising those to whom it is addressed to perform some act.' Authorisations of this kind could take various forms including licences, attachments and protections. The process of a warrant in the seventeenth century, however, is difficult to ascertain. The *Calendar of chancery warrants* shows that from the reign of Edward I onwards it was the ordinary practice of the English chancery court to file the various warrants that it received from the king or others.<sup>1</sup> The vast majority of these led to the issue of more formal instruments under the Great Seal. The absence of this kind of record for Ireland means that only some tentative comments can be made about the procedure involved in issuing a warrant in the circumstances of the early seventeenth century. The documents in this collection consist of a heterogeneous assortment of executive warrants, which may have resulted in more formal commissions under a seal. Volume four of the Wentworth Woodhouse documents at Sheffield City Library, for example, contains warrants directed to the lord deputy and council from Whitehall.<sup>2</sup> These were ordered on the back of private petitions sent to the king by an individual or group who sought to bypass the Irish administration — something which Wentworth was very keen to stop when he took office. The majority of the petitions that are cited in these warrants, however, were addressed to Dublin Castle, but in cases where there is no reference to a petition it remains unclear what action lay behind the order.<sup>3</sup> For the most part they were directed by the viceroy although they could also come from the privy council when the viceroy was not in residence.

Warrants are an invaluable source for the study of Irish history, no more so than in the early Stuart period. Dated between 1623 and 1639, this collection of more than 600 warrants ranges across a broad spectrum of political, religious, social, cultural, economic, military and administrative affairs during the viceroyalties of Viscount

<sup>1</sup> *Calendar of chancery warrants preserved in the Public Record Office* [vol. I], A.D. 1244–1326 (HMC, London, 1927).

<sup>2</sup> A number of these, furthermore, correlate with warrants issued by the Irish administration in this volume.

<sup>3</sup> References are made to a 'petition book' or 'book of petitions' in the warrants. There appears to be no petition book extant for the period under consideration in this collection. However, BL, Harleian MS 4297 contains petitions for ecclesiastical matters for the early years of Wentworth's administration and there is a petition book for 1637 and 1638 (BL, Harleian MS 430).

Falkland (1622–9) and Sir Thomas Wentworth (1632–40).<sup>4</sup> They also afford insights into the interim government (1629–33) of the lords justices Loftus and Cork.<sup>5</sup> The importance of these warrants is that they shed significant light on the function of government while simultaneously they provide fascinating accounts of the activities of groups and individuals. Of added interest in this collection is the fact that every county is included and all levels of society are represented, ranging from nobility and bishops to bricklayers, brewers, divers and shoemakers. Thus the warrants not only show the efficiency of the instruments of government; they also reveal how far the administration's authority stretched.<sup>6</sup>

There are a number of aspects that feature regularly. For example, a sizeable proportion relates to political or ecclesiastical appointments. These could take the form of senior positions such as vice-treasurer or bishop, but they also include local offices like sheriff and curate. There is a notable emphasis on transporting goods, especially horses, hawks, pipestaves and oats, as well as soldiers. More importantly, the warrants reflect an improving economy. Wentworth's eagerness to strengthen trading links with Spain is noticeable but the evidence also points to an expanding domestic economy. This is reinforced by the government's sanctioning of several markets and fairs across the country. Local events of this kind were obvious meeting points for members of the public, whose political, religious or ethnic backgrounds differed markedly. Indeed, these warrants demonstrate a high degree of interaction between the various social groups in Ireland. This is most evident when examining legal disputes where natives and settlers frequently resorted to the courts to resolve their differences.<sup>7</sup> Above all, the warrants capture routine events that tend to be overlooked in correspondence or other state documents. Orders for the detention of rebels, malefactors and burglars, containing information about the crime committed, feature prominently in this collection. In addition, there are a number of references to begging passes for individuals who have encountered misfortune as well as orders that provide temporary protection for people in financial arrears. Merchants notably sought respite in situations where they lost their goods as a result of inclement weather or piracy. protection could also extend to people who inherited debts of their deceased spouses. References to cultural activities make for equally interesting reading. Rope dancers and stage players, for example, were licenced to travel the country thereby giving a revealing insight into the appeal of, and appetite for, the theatre and theatrics among members of the public.

The warrants are transcribed from four sets of manuscripts. Over half of them derive

<sup>4</sup> Henry Cary (c. 1576–1633), 1st Viscount Falkland (see *DIB*); Thomas Wentworth (1593–1641), created 1st earl of Strafford, 1640; lord deputy, 1632–40; lord lieutenant, 1640–41 (see *DIB*).

<sup>5</sup> Adam Loftus (1568?–1643), 1st Viscount Loftus of Ely (see *DIB*); Richard Boyle (1566–1643), 1st earl of Cork (see *DIB*).

<sup>6</sup> There are other collections of Irish warrants in the early Stuart period. Carte MSS 61 and 62 in the Bodleian Library, Oxford, contain warrants issued by Sir Arthur Chichester, lord deputy of Ireland, 1605–16 (see *DIB*). Additional warrants issued between 1604 and 1618 can be found in HMC, *Report on the manuscripts of the late Reginald Rawdon Hastings, esq.* (4 vols, London, 1928–47), iv, 18–53. Volume four of the Wentworth Woodhouse Muniments (Strafford papers) in Sheffield City Library also contain copies of warrants between 1632 and 1638, but these were issued from Whitehall.

<sup>7</sup> See Raymond Gillespie, *Seventeenth-century Ireland* (Dublin, 2006), pp 50–51.

from MS Eng. Hist. C. 304 in the Bodleian Library at Oxford, covering the period between September 1633 and January 1635. There are in excess of two hundred warrants from the recently discovered Calverley-Rudston papers housed in the East Riding Archives and Local Studies Service at Beverley in Yorkshire. Regrettably, few dates are recorded. References to individuals in initials suggest that the collection is a contemporary copy of originals that were issued from Dublin Castle. Nonetheless, it is possible to date the warrants between June 1634 and approximately 1637 on the basis of the internal evidence. The remaining two sets of manuscripts are from Marsh's Library, Dublin. There are thirty three warrants from MS Z3.2.6 which span between the years 1623 and 1638, while MS Z4.2.1 contains just the solitary warrant from 1639. Interestingly, there are only two duplicates with minor variations: a warrant to Richard Gething for the office of collector of the composition rents in Munster (warrant numbers 28 and 113), and a warrant for the fair of Doneraile to Sir William St Leger (warrant numbers 29 and 104). But rather curiously the warrant to Gething has conflicting dates. The Marsh's Library copy is dated 6 November 1635 while the Bodleian Library version is 2 December 1633. The reasons for this are unclear.

Very little is known about how the warrants ended up in private ownership. According to Mary Clapinson and T. D. Rogers, the Bodleian set was once part of Phillipps MS 3612 when it was bought at an auction in Sturtevant's on 6 June 1898. The manuscript was then donated to the Bodleian Library by F. J. Varley fifty years later.<sup>8</sup> The warrants are just one of four collections found in MS Eng. Hist. C. 304 that also include material relating to English and Dutch history in the seventeenth and eighteenth centuries. Furthermore, the original pagination marked on the top right hand corner begins at f. 35 (now f. 140), indicating that some documents are missing, and there are eight folios torn out after f. 538v which went unnoticed when the folios were renumbered. What became of the first thirty four folios is a mystery, but it is tempting to suggest that they were warrants issued shortly after Wentworth's arrival in Ireland at the end of July 1633.

The provenance of the two guard books in Marsh's Library is equally unclear. MS Z.3.2.6 is a miscellaneous collection of material chiefly relating to the seventeenth and early eighteenth centuries, while MS Z.4.2.1 primarily concerns court proceedings and administrative affairs in the early Stuart and Cromwellian period.<sup>9</sup> The thirty three warrants in the former manuscript are book-ended by documents relating to the eighteenth century. Moreover, they appear to have been bound with the intention of compiling all seventeenth-century material together. As a result, some chronological inconsistencies are present.

The history of the warrants in the Calverley-Rudston papers at East Riding Archives and Local Studies Service is easier to trace. They formed part of a collection relating to the Rudston family of Hayton. Until 1997 they were in the possession of the

<sup>8</sup> Mary Clapinson and T. D. Rogers (eds), *Summary catalogue of post medieval western MSS in the Bodleian Library, Oxford* (3 vols, Oxford, 1991), i, 227. See also Brian C. Donovan and David Edwards, *British sources for Irish history, 1485–1641: a guide to manuscripts in local, regional and specialised repositories in England, Scotland and Wales* (IMC, Dublin, 1997), p. 217.

<sup>9</sup> *Catalogue of the manuscripts remaining in Marsh's Library, Dublin*, comp. John Russell, ed. Newport J. D. White (Dublin, 1913), pp 46–54, 69–71.

family's decedents, then residing in Australia, when the East Riding Archives and Local Studies Service was contacted about preserving the papers.<sup>10</sup> They are generally in excellent condition. Only 24 out of the manuscript's 239 pages are either missing or badly torn. Consequently nineteen warrants are incomplete but for the most part there is sufficient information to understand the content and order being given. Quite how the warrants ended up in Yorkshire, however, is not clear. The fact that they are contemporary copies of the originals may be a factor. Yet other than the first page, which refers to Wentworth granting Captain William Rudston full command of 150 foot soldiers in the East Riding in June 1634, the remaining warrants all relate to Ireland.<sup>11</sup> The Rudstons, moreover, had no ties with the Dublin administration other than the fact that Wentworth jointly held the office of lord president of the Council of the North and chief governor of Ireland from 1633 until his execution in 1641.<sup>12</sup>

The structure of the warrants follows an almost invariable format. There is a margin of approximately two and a half centimeters from the left. The Bodleian set and the Calverley-Rudston papers both have the title of the warrant in the margins.

This does not apply to the Marsh's Library collection. Instead a summary of the warrant is provided at the top of the page in a late seventeenth- or early eighteenth-century hand.

#### editorial conventions

Modern spelling and punctuation have been adopted and contractions silently expanded for ease of reading. personal names have also been modernised where possible. Folio or page transitions are indicated in bold in square brackets, interlineal insertions are marked by caret symbols and marginalia indicated in angle brackets. Where words are crossed out and/or illegible this is indicated by [ ]; confident suggested readings of missing words are included within square brackets.

The initials of individuals mentioned in the Calverley-Rudston papers are retained in the text; where possible and with a degree of certainty individuals have been identified in footnotes. For those that remain unidentified researchers can consult a range of key texts, such as John Lodge (ed.), *Liber munerum publicorum Hiberniae or The Establishments of Ireland* (2 vols, London, 1852), Walter Metcalfe, *A book of knights* (London, 1886), James L. Hughes (ed.), *Patentee officers in Ireland, 1173–1826* (IMC, Dublin, 1960), *Calendar of the State Papers relating to Ireland, of the reign of Charles I* (London, 1901), and J. T. Gilbert, *Calendar of ancient records of Dublin* (18 vols, Dublin, 1892).

<sup>10</sup> The editor would like to thank the collections officer at the East Riding Archives and Local Studies Service, Ms Joanna Larter, for providing him with information about the Calverley-Rudston papers.

<sup>11</sup> For an overview of the Irish warrants in the Calverley-Rudston papers see Mark Empey, 'Irish warrants – hidden treasures from the East (Riding)' in *History Ireland*, vol. 21, issue 1 (2013), pp 20–21.

<sup>12</sup> Mark Empey, 'paving the way to prerogative: the politics of Sir Thomas Wentworth, c. 1614–1635' (phD thesis, University College Dublin, 2009).

WARRANTS NO. 1–34

october 1623—january 1638

marsh's library, ms Z2.1.6

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1. [f. 61] 1623: Lord deputy FaLkLand's warrant For a commission  
to enquire about wastes in the woods in the territory oF  
raneLagh, county wickLow<sup>1</sup>

[22 october 1623]

By the lord deputy

Falkland

Whereas the lands in the territory of Ranelagh in the county of Wicklow are by office found to belong to the king's majesty and we are informed that since the finding of the said office much waste and spoil hath been made of the woods and timber thereon growing to the great loss of his Majesty's behalf, these are therefore to will and require you to draw up a commission in due form directed to our trusty and well beloved Sir William Brabazon, knight, Sir William parsons, knight and baronet, Master of the Court of Wards and Liveries and surveyor general of his highness's kingdom of Ireland, John Brereton, esquire, his Majesty's sergeant at law, Sir Henry Bealing, knight,<sup>3</sup> Edward Bolton, esquire,<sup>4</sup> ~~solicitor~~ his Majesty's solicitor general, Captain Dennis Dale, Calcott Chambré, esquire,<sup>5</sup> Robert pont, clerk, or to any three of them whereof Sir William Brabazon, knight, Sir William parsons, knight and baronet, John Brereton, esquire, his Majesty's sergeant at law, or Edward Bolton, esquire, his Majesty's solicitor general, to be always one; to enquire as well by view as by the oaths of good and lawful men of the same county by whom such waste hath been committed, when and to what value. And the same to be returnable with as much expedition as may be [ ] X X X X X X X X X X X X X X X X, <sup>6</sup> for doing whereof this shall be your warrant. Given at his Majesty's Castle of Dublin the 22nd day of October 1623.

To his Majesty's learned Council or any of them.

J. Veele<sup>7</sup>

2. [f. 62] 1624: a Licence For george Forte & matthew morris to  
tan & dress leather in maryborough & the Liberty thereof [1 July 1624]

By the lord deputy

Falkland

These are to will and require you presently upon sight hereof to draw up a fiant in due form of law containing a license unto George Forte and Mathew Morris during

The headings of warrants 1–34 are written in a different (later, probably eighteenth-century) hand from that of the secretary.

<sup>2</sup> William parsons (1570?–1650), later lord justice of Ireland (see *DIB*).

<sup>3</sup> Sir Henry Bealing (or Bellings) (c. 1603–77), father of the lawyer and historian, Richard Bellings (see under Richard Bellings, *DIB*).

<sup>4</sup> Edward Bolton (1592–1659), solicitor general of Ireland (see *DIB*).

<sup>5</sup> Calcott Chambré, d. 1635.

<sup>6</sup> This is how it appears in the manuscript and there is no obvious explanation.

<sup>7</sup> John Veele, Irish secretary of state.



their natural lives and the longer liver of them and their several assigns (having been brought up as apprentices in the trade of tanning), by themselves or there [*sic*] servants or apprentices, to tan and dress leather at the town or fort of Maryborough, ^or the liberties thereof^ in the Queen's County; with a prohibition to all others not to tan or dress leather within the said town or liberties other then such as have been authorized heretofore by Sir Henry Sidney, knight,<sup>8</sup> sometimes lord deputy of this kingdom, or by some other succeeding lord deputy by letters patents under the great seal of this kingdom, upon such pains and penalties as in the statutes made in the eleventh year of his Majesty's reign of the late Queen Elizabeth entitled an act for the limitation of places for tanning, and set down and provided with a *Non obstante* of the statute and all such other clauses as in grants of like nature are usual; and inserting a *proviso* that the several patentees shall from time to time keep and bring up to the trade of tanning one, two or more apprentices; and another *proviso* for the observing of all such instructions as shall be contained in a schedule to their letters patents of licence to be annexed. And for so doing this shall be your sufficient warrant. Given at his Majesty's Castle of Dublin the first of July 1624.

To our well beloved, his Majesty's attorney and solicitor general, or either of them (as shall appertain).

J. Veele

**3. [f. 63] 1625: warrant For a commission to sir Edward ViLLiers,  
Lord president oF munster & others, to administer the  
oath oF supremacy**

[27 may 1625]

By the lord deputy

Falkland

Whereas by the statute of 2 Eliz; it was among other things enacted that all and every officer and minister having her highness's fee or wages within this kingdom of Ireland should take and receive a corporal oath upon the Evangelist before such person or persons as should please her highness, her heirs or successors, or the lord deputy or other chief governor or governors of this kingdom, to name and assign according to the effect expressed in the said statute, these are therefore to will and require you forthwith to draw up a fiant in due form of a commission directed to our right trusty and right well beloved Sir Edward Villiers, knight,<sup>9</sup> lord president of Munster, or in his absence to the vice president here, and to Henry, earl of Thomond,<sup>10</sup> Richard earl of Cork, Dominick, Lord Viscount kinsale,<sup>11</sup> and to our trusty and well beloved the justices of assize for that province for the time being, and Sir Richard Aldworth, knight,<sup>12</sup> provost marshal of the said province, or to any two or more of

<sup>8</sup> Henry Sidney (1529–86), lord deputy of Ireland (see *DIB*).

<sup>9</sup> Edward Villiers (c. 1585–1626), government official and administrator (see *ODNB*).

<sup>10</sup> Henry O'Brien (d. 1639), 5th earl of Thomond (see *DIB*).

<sup>11</sup> Dominick Sarsfield (d. 1636), 1st Viscount Sarsfield of kilmallock, and Viscount kinsale (see *DIB*).

<sup>12</sup> Richard Aldworth (d. 1629), provost marshal of Munster and army officer (see *DIB*).

them, hereby giving them full power and authority to call before them from time to time all and every officer and officers of all and every city or town corporate within the liberties of the said province and all other person or persons whatsoever within the said province, which by the said statute ought to take the said oath, and them and every of them to require to take their said corporal oath to his Majesty, his heirs and successors, in such manner as by the said statute is expressed and according to the power and authority given by commission in his behalf by his late Majesty unto the Lord Viscount Wilmot,<sup>13</sup> lord president of Connacht, which is to be initiated ^by you^ in the whole substance hereof *mutatis mutandis*. And for so doing this shall be your [ ] warrant. Given at his Majesty's Castle of Dublin, the 27th of May 1625.

To our well beloved, his Majesty's attorney and solicitor general, or to either of them.

. Veele

**4. [f. 64] 1625[/6]: warrant For appointing ~~William Hilton~~ the king's attorney For the province of connacht [27 February 1626]**

By the lord deputy

Falkland

Whereas by the death of Walter Archer, late attorney of the province of Connacht, that place is now become void and in our gift and disposal, these are therefore to will and require you presently upon sight hereof to draw up a fiant [ ] in due form of law containing a grant of the said office of king's attorney unto ~~their~~ our well beloved William Hilton, councillor at law,<sup>14</sup> with the yearly stipend or fee thereunto belonging from the day of the death of the said Archer together with all such other fees, profits, perquisites and commodities whatsoever to the same belonging or in anywise appertaining in as large, ample, and beneficial manner as the said Archer, or any other formerly held or enjoyed the same, inserting therein all such other clauses as in like grants are usual. And the same fair[ly] engrossed in parchment to send us under your hand to be further passed as appertaineth. And for so doing this shall be your warrant. Given at his Majesty's Castle of Dublin, 27 February 1625[/6].

To our trusty and well beloved, his Majesty's attorney and solicitor general, or either of them.

Nich. Whyte<sup>15</sup>

<sup>13</sup> Charles Wilmot (1570/1–1643/4), 1st Viscount Wilmot of Athlone (see *DIB*).

<sup>14</sup> William Hilton, lawyer and judge of the prerogative court.

<sup>15</sup> Nicholas Whyte, Mp for kildare in 1634 (see McGrath).