

*The*  
IRISH COMMISSION  
*of 1622*

Copyrighted material: Irish Manuscripts Commission

*The*  
IRISH COMMISSION  
*of 1622*

An Investigation of the Irish Administration,  
1615–1622,  
and its Consequences,  
1623–1624

*Edited by*

VICTOR TREADWELL



IRISH MANUSCRIPTS COMMISSION

2006

Copyrighted material: Irish Manuscripts Commission

© Irish Manuscripts Commission 2006

45 Merrion Square, Dublin 2

[www.irishmanuscripts.ie](http://www.irishmanuscripts.ie)

© Government of Ireland 2006

Introduction © Victor Treadwell

Printed by Cromwell Press, Trowbridge, Wiltshire

Design and production by Dunbar Design

Typesetting by Carole Lynch

Index by Audrey Delaney and Victor Treadwell

ISBN 1-874280-0

# INTRODUCTION

## I THE CONTEXT, SCOPE AND CHRONOLOGY OF THE CALENDAR

### *A The historical image of the 1622 commission*

The papers transcribed, summarized or listed in this volume relate to the origins, work and immediate political and administrative consequences of a wide-ranging commission of inquiry sent to Ireland in the spring of 1622. A detailed discussion of general questions of interpretation, particularly regarding the political aspects of the commission and its aftermath, is well beyond the scope of the modest introduction to a calendar. The commission has, indeed, been addressed by the editor elsewhere within the broader context of Anglo-Irish politics in the 1620s, with particular reference to Buckingham's influence and largely surreptitious accumulation of Irish income and land. Nevertheless, a brief summary is pertinent to the evaluation of the extensive material assembled in the calendar.<sup>1</sup>

Hitherto, when not virtually ignored, the Irish commission of 1622, 'of whose account', Borlase remarked as early as 1675, 'the times are silent', has received a predominantly negative assessment from the few English historians who have observed it. In particular, in the light of the cynical contemporary comment inspired by an intemperate royal dismissal of the 1621 parliament, the commission has usually been characterized as little more than a penal exercise or banishment for parliament men whose conduct had offended the Court. Consequently, the fruits of the commissioners' labours have also been little esteemed. While the banishment theory was (and is) not entirely without foundation, its bearing (then and since) on the performance of the commission has been, on the one hand, grossly exaggerated and, on the other, more subtly – and more seriously – misunderstood. In particular, the positive thinking that launched the commission has been woefully undervalued.<sup>2</sup>

In contrast to English historians' depreciation of the commission and all its works, and, rather, following Robert Dunlop's lead, a succession of Irish historians of the plantations have made extensive use of the 1622 commissioners' surveys, warts and all, and transcripts (of varying merit) of those relating to Munster and Ulster have been accessible in print for some time.<sup>3</sup> Nor have historians of the Irish church wholly neglected the mostly unprinted bishops' diocesan reports (the so-called 'royal visitation'), which were likewise the product of the 1622 commission, cited in its general certificate on the church (110(2)), and returned to the privy council along with its own reports. The importance of the diocesan returns as the prelude and ground of Irish ecclesiastical policy in the 1630s has, perhaps, not yet been fully explored. Their sheer bulk precluded inclusion in this calendar: a complete edition as

a companion to this volume is highly desirable.<sup>4</sup> Furthermore, the commission's work on the administration of justice, articulated in the certificate on the courts (94), has been considered in the form of a critical edition of its offspring, *His majesty's directions for ordering and settling the courts within his kingdom of Ireland, 1622*.<sup>5</sup> Nevertheless, most of the commission's reports remain unprinted and consequently have been relatively little utilized by British or Irish students of the period.<sup>6</sup>

There are, therefore, three excellent reasons for calendaring the records of this seriously underrated commission. The first is that, although little direct evidence of the commission's proceedings may have been lost, the wholesale destruction of the Irish public records in 1922 has enhanced the *empirical* importance of the commission's disclosures, especially that of the substantial revenue certificate and its satellites, as a primary source for the government of early seventeenth-century Ireland. The financial dilemma of English colonial rule was laid bare in nearly every revealing detail. As Lord Treasurer Cranfield observed to one of the senior commissioners, 'Without monies what can really be done with honour and safety amongst a people so generally inclined to a contrary religion?'<sup>7</sup> Secondly, the Irish commission of 1622 was the most ambitious of the spate of investigations by commission that were a distinctive feature of early Stuart government. It addressed problems that were of the greatest concern for the future not just of Ireland, its immediate object, but of all three Stuart kingdoms in 'the British Isles'. Not the least of these problems was the role of the royal prerogative in a government bent on coordinating, centralizing and anglicizing the rule of three disparate regimes. Another was the extent to which differences of religion should be tolerated or should determine the rights and duties of the king's subjects – even at some expense of administrative efficiency, social justice and political stability.<sup>8</sup> Finally, at a more practical level, though not without a couple of neglected opportunities and some flaws in execution imposed by the constraints of patronage politics,<sup>9</sup> the commission substantially achieved its ostensible investigatory purpose. *Pace* a poor historical press, the whole enterprise should be judged – in this respect at least – a remarkable technical success; indeed, the most remarkable of all the early Stuart essays in that kind. Its achievement should not be obscured by the subsequent failure of James I and his son to make (or rather to sustain) effective use of its recommendations for reform in Ireland. Nor, for that matter, should its potency be ignored because they let slip the opportunity to promote a stable parliamentary harmony of king and people in England. This had been for Cranfield (and, perhaps, for the parliament-men commissioners also) a significant political desideratum of the Irish commission. Thanks to the survival of a sufficiency of the commission's papers, many only relatively recently made easily accessible, both that achievement and its sadly unrealized potential can now be documented in very considerable detail. As an incidental archival bonus, it is also possible to clarify the interrelationship and, in some instances, the personal provenance of a scatter of manuscripts lodged in various repositories, some long ago, some more recently – and, perhaps, others which may yet come to light.

*B The historical context and chronology of the 1622 commission*

The investigation was prompted in 1621 by growing apprehensions in England that, with the recent resumption of widespread politico-religious conflict in Europe, a weakly or corruptly governed and discontented Ireland was an unacceptable burden on the king's finances, a scandal to the protestant godly and, above all, a serious threat to the security of the British Isles and to the realization of dynastic goals abroad, including the restitution of the Palatinate to its Elector, James I's son-in-law. The wide range of concerns expressed in the English house of commons during April and May 1621, and in a substantial petition of grievances presented by the Pale nobility and gentry to the lord deputy about the same time (1), were in the first instance summarily reviewed by an ad hoc committee of Irish officials then in London, appointed 28 May. Its report of 16 June was annotated in the margin with the privy council's comments and orders for immediate action ('the postils') (2) and sent to Grandison, the lord deputy, in August. Just as he had excused Chichester after official abuses had been revealed by the commission of 1613, the king completely exonerated Grandison in 1621 and blamed his underlings.<sup>10</sup> Still, ever fearful that Ireland could be Great Britain's Achilles' heel, James recognized the need for a more thorough investigation on the spot. For its part, the privy council was also anxious to conclude protracted negotiations with the Ulster planters, which were intended to secure both their compliance with the conditions of plantation and an additional benefit to the royal revenue. On 27 July a long delayed warrant for a settlement was presented to the council by Sir Francis Blundell, who combined the functions of king's secretary for Irish business and court broker for the Ulster planters. As the same meeting completed the examination of the report of the official committee and issued directions for action by Dublin Castle, Lionel Cranfield was able to secure the rejection of the warrant in favour of a new review of the Ulster and the other plantations, as part of a more general inspection of the state of Ireland. Thus, by the end of July 1621, with Cranfield newly ennobled and on his way to the lord treasurership, king, prince and council (with Buckingham less enthusiastically in tow) were committed to a new, much more comprehensive investigation of the performance of Irish civil and ecclesiastical government. Particular attention was to be given to the administration of justice, the church, the royal revenue and the plantations over the seven years 1615–22. On 21 November Lord Keeper Williams announced to a hastily reconvened English parliament the government's intention of mounting a major investigation.<sup>11</sup>

Cranfield's preparations were thorough. The contents of the State Paper Office were ransacked for relevant papers, including earlier reform proposals. Advice was privately submitted by sympathetic Irish officials, such as Norton and Wilmot, and even by the calculating Villiers client, Annesley. Early in 1622, Cranfield commissioned a critical historical review of the plantations from the king's secretary for Irish business. Seeking to be reshuffled to Ireland as vice-treasurer, Blundell thought it expedient to make some remarkable, if cryptic, disclosures about the recent devious extensions of plantation to the midland territories.

From the outset, it was Cranfield's purpose to bring crown and parliament into a reforming partnership: the spearhead, a select group of commissioners from England, should include Commons activists, such as Sir Edward Coke, whose investigatory skills had been honed by the triumphant weeding-out of monopolists in the first session of the 1621 parliament. On such a remit, if the monopolies campaign were taken as a guide, heads would certainly roll, with Grandison's possibly among them. For a variety of reasons, the dispatch of the small, hard-hitting commission of Cranfield's original conception hung fire. By the first week of December, when the king peremptorily decided to end the delay, Cranfield was ill and had to send his preparatory papers and draft of the commission to Court. Consequently, we have been deprived of the detailed draft evidence of both his intentions and the precise extent to which the king and Buckingham revised them. At the same time James's apparent initial enchantment with his parliament of 1621 was progressively and irretrievably eroded by the consequences of Buckingham's political sabotage. Whether or not this intervention was the effecting of a prior conspiracy of the king, prince, favourite and Gondomar, the Spanish ambassador as a stage in negotiations with Spain, there can be no doubt it was, as I have argued elsewhere, precisely timed to blunt the political cutting edge of the Irish commission.<sup>12</sup> In the event, the gravity of the stakes, James's dislike of the public pillorying of his servants (a dislike that was fully fanned by Buckingham in this case concerning his clients), the sheer administrative intractability of the enterprise and, not least, its potential threat to carefully concealed Villiers interests in Ireland thus inspired the choice of no fewer than 21 commissioners. The king, Buckingham, Cranfield (with his allies, the duke of Lennox and the earl of Arundel), and Lord Keeper Williams all had a hand. The inflation of membership could have been aimed at 'sinking the ship with ballast', as Buckingham might have put it had he possessed Lloyd George's wit. On the other hand, while keeping the parliamentary members in check, there was some political safety in numbers and the ensuing sharpened perception of Irish problems would certainly be more widely diffused among the ruling elite back in England.

The commissioners included twelve Irish-based heads of departments and councillors (of whom not fewer than five were Buckingham's loyal clients), whose local knowledge, access to administrative resources, and future executive responsibility in following up the inquiry were, in various degrees, probably deemed indispensable, and Sir Thomas Phillips, a fierce freelance local critic of the Londoners' plantation in Ulster, who was most likely a Dublin Castle nominee. The leader of the contingent from England and chairman of the commissioners was Sir William Jones, chief justice of the king's bench in Ireland, 1617–20, and now a judge of the common pleas in England. His colleagues included Sir Thomas Penruddock, a long-time royal sewer and a kinsman–business agent of the earl of Arundel; Sir Henry Bouchier, ex-fellow of Trinity College, Dublin, planter (by inheritance) in Munster and Ulster, and gentleman scholar of the Arundel circle; Dr Theodore Price, former principal of Hart Hall (now Hertford College), Oxford, a royal chaplain and protégé of Lord Keeper Williams; and Richard Hadsor, an Old

English Middle Templar and crown counsel for Irish affairs. Hadsor was also the trusted solicitor of the duke of Lennox and his brother, Esmé, Lord Aubigny and earl of March, both of whom had interests in Ireland. There were four activists from the House of Commons (five if Sir John Jephson, an Irish councillor and Munster planter, who was also a member of the English parliament of 1621, is double-counted): Sir Dudley Digges, Sir Nathaniel Rich, Sir James Perrot and Thomas Crew. Digges (selected by Buckingham) and Perrot (the choice of Cranfield and Arundel) were – in defiance of the banishment thesis – of the quorum. This was a larger and more unwieldy miscellany than Cranfield and his Dublin ally, Sir Dudley Norton, the senior Irish secretary of state, had originally envisaged in the autumn of 1621 but, in the event, its English contingent was still able to deliver a formidable punch.

The commissioners (or rather those going over from England) were notified of their appointments by patrons or friends in high places early in January 1622. Thomas Crew, who was soon to be glad of the lord keeper's patronage, uniquely suffered enlistment by the privy council's mandate on 9 January. They spent about a month in briefing sessions with the privy council but their attempts to strengthen the powers of their commission were successfully resisted by the attorney general. In the absence of Cranfield's draft as modified at Court, it is impossible to gauge the full effect of these discussions. However, there are two instances of changes. One was a textual addition of authority to negotiate with the impropiators of church livings for the allocation of competent stipends to ministers; the other was an agreement that the commissioners should report to the king and privy council rather than return their certificates directly into chancery, as their commission continued formally to require. For his part, the king angrily rejected an attempt by the privy council at the end of January to exclude from the commission the outgoing lord deputy, whom he had already fully exonerated for the administrative deficiencies revealed in the official report of 16 June. Nevertheless, Grandison's recall had been expected for several months and the long delayed patent of Falkland, the new lord deputy, was hastily sealed on 4 February. In the event, although both were assigned places on the commission, neither was present during the most critical period of its operations: Grandison left Ireland on 4 May and Falkland did not assume office until 6 September.

Nevertheless, a problem remained. Much of the commotion in the House of Commons had initially been directed by the anti-Villiers faction at the alleged failings of Buckingham's client lord deputy. Even after scrutiny by the king and Buckingham and royal endorsement early in December 1621, the text of the commission, originally drafted by Cranfield when the Commons' attack on monopolies and debates on Ireland were fresh in the memory, retained unmistakable traces of an intention to identify and proceed against incompetent or corrupt agencies. This residual punitive potential of the commission was, therefore, subsequently neutralized by the king, with Buckingham at his elbow in the form of additional 'private instructions' to the chairman, Sir William Jones, 'by order of the lord treasurer'. All personal charges and disputes in the first instance were to be



I

THE GENESIS  
OF THE INQUIRY

Copyrighted material: Irish Manuscripts Commission

# 1

## **The humble petition of nobles and gentlemen for themselves and in the behalf of others the nobility, gentry and subjects of this kingdom**

[The following is the Irish petition of grievances presented to the lord deputy, n.d. but probably April or May 1621: BL Harleian MS 3292, ff 1–4r. A slightly different version is Boyle (Chatsworth) MS 12/23, endorsed ‘The general grievances exhibited to my lord deputy’ (printed in *Lismore papers*, II, iii, 1–12).

The two versions have been collated here. There are some significant differences in substance, which have been indicated by italics for Lismore additions and by (\*—\*) for Lismore omissions. Both copies have 20 items in the first main section of the petition but Lismore has its own #15 (p 6) and Harleian has a new #19 and coda. The effects of these on the numbered sequence in both copies is indicated in the collation.]

To the right honourable the lord deputy:

Humbly declaring to your lordship that, upon perusal of a most gracious speech lately delivered by his majesty in the higher house of parliament in England and printed here at Dublin, we do observe to our exceeding comfort how sensible his highness is of any thing opposite to the good of his subjects in England, how willing to amend the same, and that in his sacred zeal to justice it grieved him that some exorbitant matters questioned in the said parliament were not before discovered unto him, whereby they might by his own handiwork be reformed, to whom (as the said most princely discourse importeth) no man be he never so near him is so dear as the public good and weal of his subjects amongst which sith we with the rest of the inhabitants of this realm (being poor and therefore inferior in merit but not in desire of well-doing) with the subjects of his majesty's other kingdoms are to be esteemed and ranked with them in points of subjection, we are confident that these pious and princely affections innative and inherent to his majesty will extend and reach to us, and that his highness will have a quick and lively feeling of any thing adverse to our good with a gracious promptness to repel or redress the same – yet are we very unwilling to become troublesome to his sacred majesty presenting of any matter (though prejudicial to the public) to his royal view which otherwise may be reformed. And therefore we dutifully do make bold to offer these subsequent heads to your honourable lordship's consideration, most humbly beseeching that your lordship will be pleased to take order for the speedy reformation of such of them as your lordship shall think expedient and to recommend the rest by your agents to the lords of his majesty's most honourable privy co[uncil] in England, by whose honourable mediation we are very hopeful that his [majesty] will be pleased to give such consent as from so gracious a prince in so just [a cause] may be expected by his most dutiful subjects. And we, as in duty become[eth us will] not cease to pray etc.

1. First, the sixpences for marriages, burials and christenings are in (some parts) of the kingdom as yet levied, though upon his majesty's reference the g[rant of that] registering being questioned at council table was by most voices [opposed], wherefore as the said charge was by public edict imposed, so it i[s humbly] prayed that the same may be decreed by like authority of public proclamation.

2. It is likewise humbly prayed that the annual composition for toleration of the short ploughs may be avoided and that some other course may be prescribed f[or] abolishing of that barbarism.

3. The late establishment of alehouses doth effect nothing according to the reformation pretended by the projectors of that work, for licences are granted to all persons who do sue for the same without respect of quality or places of their residence. It is therefore humbly prayed that the care of that matter may be remitted to the justices of peace without charge to the subject.

(fo. 1v) 4. The peace settled (God be thanked) by his majesty's care and princely providence in this realm hath so increased tillage as corn is brought to little or no estimation. If therefore some good course be not held to vent out what may be spared above the necessary use of the subject then will the farmers be discouraged and so disabled to pay their rents, wherein it is observed that the assize of bread and beer is not the better kept, much less amended, especially here at Dublin. For remedy of which harm it is offered to be considered whether were it not convenient that there should be a general licence for exportation of corn to any realm whereas the same would yield most benefit, foreseeing that competency of corn and at a convenient rate should remain for the use of the subject, by which licence and by the return, his majesty's customs would be increased and foreign coin would the more be introduced and made the more plentiful and common among us. Further, a general licence of making aquavitae would (in this abundancy of grain) prejudice no man but the farmers, whose licences are so multiplied as the mischief pretended to be reformed is rather increased than diminished. Likewise we humbly pray that an imposition of twenty pence laid upon every boule of corn unladen in Scotland may by your lordship's recommendation be taken away, and that as the recourse of Scottish men hither is admitted without any such imposition, so the like immunity may be obtained for the inhabitants of this kingdom to vent their corn to Scotland.

5. The like general toleration for exportment of wool, skins, tallow and suchlike prohibited commodities (taking care that competency should be left to the behoof of the subjects) would (as we conceive) produce the greater plenty of money from foreign parts with much increase thereby, and by the return, of his majesty's customs. And the staples already erected do hurt the public exceedingly and do benefit no man but the projectors, who, confining the transportation to their own lists, do make the price of those commodities at their own pleasures and do erect no clothworking, as by that course was pretended.

6. The making of pipestaves and ironworks will in short time destroy the woods of this kingdom if speedy order be not taken for planting and preservation of the woods. And it is very unworthy that out of every [thousand] pipestaves to be exported his majesty doth receive but 4s., when a private person doth receive a mark sterling.

7. The twelvences imposed upon the transportation of horses, together with other charges, doth draw deep to the very value of the horses so transported and, sith the twelvences are not paid to his majesty but to a private person, we humbly do beseech that the same may be taken away.

8. Recusancy doth occasion that shrievalties and justiceships of peace are conferred upon many who are unworthy of those places and thereby justice is eftsoons deluded and his majesty's accounts ill discharged. *Therefore if recusants shall be thought fit to be kept back from those employments, it is humbly offered to your lordship's consideration whether were it not convenient men well-estated in other counties and conformists should be employed, both for the better clearing of his majesty's accounts and administration of public justice.*

9. His majesty's revenues, composition and casualties are levied in Munster and Connacht by the provost marshal and clerks of the fines appointed in those provinces, with much oppression by cess of horse and foot attending them in that levy, besides excessive fees. And their accounts commonly in the exchequer are so imperfect as the subject many times is called in for payment of that which he [hath] thus formerly satisfied. Therefore it is humbly offered to consideration whether these collections are not to be (fo. 2r) left to the sheriffs to whom by the law they are most proper, who being well chosen will give better account in the receipt and with more ease and content to the subject.

10. The clergy by importunity have obtained letters for a special course of proceeding in their pretences of title with exclusion of recusants from the juries for trials of their differences, by which means some possessions for many ages continuing have been removed and others in like degree will be dispossessed probably if meet prevention be not used, we therefore do humbly pray that these courses may be forborne and that the subjects may be left to the rule of law, which is their common and proper inheritance.

11. The ordinaries in many dioceses do light heavily upon the subject for clandestine marriages, christenings and burials and for other spiritual causes determinable in their consistories, though some of the matters questioned be supposed many years past and some dispensed with by the general proclamation. And for these fines imposed for those causes, some of the ordinaries have peculiar prisons where the delinquents do remain committed by them until the demand be satisfied, whereby his majesty's prerogative is much encroached upon and the subject grievously oppressed.

12. The twelvences imposed by the statute of 2 of Eliz. upon recusants hath, by some ordinaries authorized by his majesty's patentee [i.e. the archbishop of Armagh] of late been collected without pity or compassion of the poorer sort contrary to his highness's pleasure signified (as we hear) for moderation in that kind and contrary to the intention likewise of the said patentee, by which collection together with the extortions fees of the sheriffs' clerks and other officers, many are undone yet no public good is performed by these substitutes with their collections. Therefore, it is humbly prayed that the said penalty may henceforward be levied by the churchwardens to be disposed for relief of the poor in their proper parishes, according to the tenor of the law enacted to that purpose, or to some other public

use as shall be thought fitting, wherein it is fit that a moderation be showed to such as his majesty hath been pleased to extend his pity and gracious favour.

13. The fees of clerks are excessive in the ordinary courts of [justice], spiritual consistories, provinces and circuits, notwithstanding [all former] establishments and reducements of those fees. If, therefore, an exem[plary in]fliction be not laid upon some of the offenders in that kind or [that the] judges in their proper courts do not fix a watchful eye up[on their] clerks, there is small expecting of reformation in that kind.

14. When some are criminally charged and attached in remote parts of the kingdom, they commonly are sent into Dublin guarded with horse or foot and are remanded sometimes to receive their trial where the fact is supposed, warded in the same manner, which horse and foot in their progress and regress do exact money, meat and dead-pays from the subjects, yielding no other satisfaction but tickets after the usual rate which are never paid. And by this course the composition is infringed, his majesty abused, and the poor subject above measure oppressed. It is therefore humbly beseeched that henceforward this (fo. 2v) oppression may be provided for and that the care of the prisoners may be imposed upon the sheriffs, who may command such attendance in their proper counties without charge to the country, as shall be thought necessary.

15. *Some judges of late times in their circuits obtained the like attendance of horse, which by cess and contributions fell out to be a great burden to the country. Sith the times are therefore (God be praised) well settled and that the service may well be supplied with the attendance of the sheriffs and gentlemen in that particular, it is humbly besought that this precedent may not be given by the administrators of justice to others, who by their example will be apt, contrary to the establishment of the composition, to light heavily upon the subject.*

[16] 15. The freeholders of the champion in Ulster have always enjoyed their distinct proportions of the adjoining mountains, and their tenants did time out of mind pasture upon those proportions, which mountains are nevertheless engrossed into a particular person's hands without much increase of his majesty's revenue and to the great prejudice of the champion proprietors and undoing of their tenants: wherefore it is humbly prayed that there may be restitution made to those proprietors again of their own portions, paying for the reservations now on foot, if his majesty shall think it fitting to demand the same.

[17] 16. It is also humbly prayed that the conveyances made for preferment of children, payment of debts and assurance of jointures, and for other good respects, may receive such favourable expositions in the court of wards as by the common law is to be granted, and that the resolution of the judges in England may be procured in these difficulties before that any positive conclusion be prescribed or agreed upon in the said court of wards.

[18] 17. Excommunication is in the highest strain of spiritual punishment and before this age did never proceed to sentence without previal admonitions and much circumspection and that for special contumacies in matters of high nature, but of later times it follows at the heels of monitors when the summons is either not made at all or performed perhaps not legally. And some ordinaries and other dignitaries do

procure dormant warrants directed to the lay magistrates and officers for attachment of the excommunicated persons, who are committed into private goals erected against law by those ordinaries and spiritual judges, where the attached are kept in, commonly taxed not according to the quality of the offence but at the will of the imposers and receivers, without saving of the contentment or dignity of the party punished, as by the ancient law still in force is observed by the civil magistrate in the serving of their amerciaments. And many times when these poor afflicted creatures do happen to decease before their assoiling, their dead carcasses are not admitted to Christian burial before out of their remaining estates or out of the benevolent contributions of their friends a good sum of money, assessed at the pleasure of the demandant, (\*be paid unto him. Out of which preposterous premises whether doth it not follow that there is the more aversion bred in some from conformity, is offered by us to be considered with humble request of reformation in this kind\*).

[19] 18. The lottery set up here at Dublin, which made some incursion into the country, hath sucked up a great deal of money in this kingdom, and by general voice it is held to be a mere imposture (fo. 3r) begetting idleness in the resorters to the same, pilfering in servants, and great detriment many ways to the public. Wherefore some judges in their circuits not long sithence did justly inflict corporal punishments and pecuniary mulcts upon some poor, broken merchants for exercising (though in trifles) the like deceit. Sith the law may not be compared to a spider's web which catcheth only diminutive flies, then ought it to repress greater abuse (though the same be veiled with a pious show for contributions towards the repair of Christchurch, which as it was never founded nor erected by deceit, so is the same not to be repaired or supported with cozenage).

(\*19. The customs of this realm are rated here as they be in England, though in some commodities there be a great disparity in the price (among other things) in the hides. Where one hide of any Irish cow yields at most but a noble in this land and the cowhide in England doth quadruple at least the same value, yet the custom is one and the same for either. We therefore do beseech your lordship to be a means for the just redument of the customs as the quality of the commodity will require.\*)

(\*Thus have we singled out to your lordship and the rest some particulars of a chaos or confused multitude of matters which do pitifully corrode and absolutely consume not only the sap but the substance also of this poor commonwealth, wherein if we shall be so happy as to be relieved by your lordship's good endeavours then will we be encouraged to point at the rest and by that mean[s] the splendour and glory of that realm will shine again with much honour to your lordship in whose person the regency of a pious and prudent prince is now acted, whose reign upon the knees of our hearts we humbly pray may be lengthened to his eternal glory and the solace and comfort of us and the rest of his most humble and dutiful subjects.\*)

(fo. 3v) Additions to the former particulars humbly exhibited.

To the right honourable lord deputy and council:

1. Besides the said abuses touched for manner of the collections of the compositions, there are 16d. *per annum* levied out of every quarter of land in Connacht

together with his majesty's composition and 4d. for every acquittance, in which acquittance neither coheirs nor distinct freeholders (how poor soever) are admitted to join. And if for default of payment either horse, cow or other distress be taken, the same is undelayedly sold, if a buyer may be had, at an undervalue, and sometime[s] the distress is elaigned and the proprietor not admitted to acquit the same, and if a buyer be not readily found, the owner is driven to pay 4d. a night for grazing every beast.

2. All artificers are confusedly presented in the sheriffs' tourns in Connacht annually, upon pretence of some error committed in their trades or mysteries, without nomination of the parties or particularizing their offences, and fines are assessed upon them without due order and levied by the sheriffs without pity or respect of the quality of the persons or nature of the offence.

3. The sheriffs in that province do yearly exact and take forty shillings sterling from the inhabitants of every or most of the parishes upon supposition that the common pound or pinfold is not well kept.

4. The bailiffs or under-officers of the sheriffs in the said province do induce the grand juries at the assizes and quarter sessions to present petty trespasses of close-breaking and suchlike matters without procurement or privity of the parties grieved, of purpose that, by issuing of process upon those indictments, their own fees and gains may be increased.

5. The officers of the clergy in the said province, besides the imposition of fines and imprisonment before specified, do take distresses for their demands; and sometimes, where no distress is to be had, they strip poor men, forgetting all humanity, leaving them stark naked.

6. The curates of the said province, besides the demand of other mortuaries, do challenge and take both hides and tallow of such beeves as are killed for the funerals. And the said curates do cosher upon every of their parishioners twice yearly, and they do exact a barrel of oats of every of their parishioners every Lent and two barrels of other corn every harvest, besides their tithes, alterages and other lawful perquisites.

7. The escheators and feodaries in the said province and in other counties do not give convenient warning to the persons questioned, and when they do prefix a certain place, they sit at another and do return the offices so cautelously taken, whereby the (fo. 4r) occupiers are eftsoons dispossessed and put to their traverse, which through poverty they many times are not able to prosecute.

8. Saymasters and clerks of the market do rather hinder than benefit the public, for so as some composition be made with them, the reformation pretended is neglected, whereby the tanning of leather is as bad and as general as ever it was; neither is the assize kept nor measure looked unto, if the officers be compounded withal.

9. The fines imposed for defaults and other defects at the assizes and in other courts of justice are of later times grown to be very high and excessive, far above the ability of the persons punished, and by this mean[s] your lordship is much troubled with suits for mitigation, and many of the poor freeholders are by this course so disabled as they are driven to quit their estates by sale or otherwise.

10. At the general assizes and quarter sessions all the freeholders are returned and drawn to attend, wherein we pray that there may be henceforward a moderation used, as is in England.

11. Some justices of the peace do take recognizances with great penalties without due regard of the ability of the person or nature of the cause for which the recognizance is required.

12. The protecting of rebels has many times produced bad effects, and among others some men, held and reputed generally for honest, have been questioned in the highest degree upon approvement of protected traitors, to the great terror of many who are innocent.

13. The debarring of recusants from practice of law hath been [a] great prejudice to many and no small hindrance to expedition of justice whereof, and of several inconveniences following that restraint, we doubt not but your lordship and this honourable table are very sensible, and we do humbly pray that your lordship will be a mean[s] for redress in that behalf.

We have now enlarged the extent of our preceding complaint, and if with your lordship's authority or mediation by our a[gents] a reformation shall be obtained therein, then will other off[enders] in like degree be moved to reclaim themselves, or otherwise their names and offences will be found out and discovered to your lordship, and so the state of the whole realm being purged and purified from these infections will become happy and flourishing in good settlement to the great benefit and glory of his majesty and honour of your lordship.

## 2

### Report of Irish officials on the state of Ireland

16 June 1621

PRO, SP Ire., Jas I, cccxxvi no. 9, ff. 1–5 (the original report with autograph signatures)

[The privy council examined the first 15 articles on 22 June and completed their analysis by 27 July (BL Lansd. MS 151, fo. 365; *Acts privy council, 1621–23*, p. 25). A copy, apostiled with the orders of the privy council and its letter of 27 July 1621, was sent to the lord deputy with a royal covering letter of 10 August (see below). The privy council's 'postils' (inserted in the report, here in italics) are taken from one of several extant copies.]

(fo. 1r) May it please your majesty

By your instructions bearing date at Greenwich the 28th of May last, your pleasure was signified unto us that we should thoroughly inform ourselves and truly deliver our opinions to your majesty of these three things:

First of the general grievances under which your people or Ireland do suffer, either by patents granted from the crown, or otherwise;

Secondly of the state of the ecclesiastical and civil government of that kingdom which your majesty was informed was out of frame;



And lastly how your charge might be abated, and your revenue of that realm the best improved:

to the end such order might be taken in all of them, for the relief and comfort of your poor subjects there inhabiting, as to you in your high wisdom should seem good. Whereby as you have shewed the continuance of your royal care of that kingdom, which hath been made more happy since your majesty's mild and merciful government over it than in all the ages of your predecessors, so we as members thereof do offer unto your sacred majesty most humble and hearty thanks and do beseech you graciously to accept of our endeavours in performing of what you have commanded us, how weak soever they shall appear unto you.

#### GRANTS FROM THE CROWN

1. Alehouses: There was a grant made to Sir Thomas Roper for the sole registering of such alehouses as should be licensed through Ireland, and 10s. 6d. to be taken by him for each licence. This was found a grievance to your subjects, and complaint being made of it to your majesty by agents sent from thence, you were graciously pleased to give order, that the want of the act of parliament made in England, for the suppressing of the multitude of alehouses and the disorders committed in them should be supplied in the kingdom by an act of state, and that thereupon the patent made to Roper should be revoked; for which, though your majesty gave him a large pension and that you are at many great expenses otherwise for reducing the alehouses into better form, yet you were pleased for the ease of your subjects to take away two third parts of what they formerly paid to the patentee, and have only reserved our of every alehouse yearly 3s. 6d. and no more towards the defraying of the said pension, and all other charges whatsoever, which your subjects for their licences should pay. Notwithstanding which gracious course taken by your majesty, we understand that howsoever the poorer sort may receive a benefit by it, yet it is held a thing displeasing to the general of the country, although we, having examined it the best we may, do see no just cause for any thing yet appearing unto us why it should be a grievance because we conceive the people paid very near as much before to the justices their clerks and the clerks of the assizes, and being accompanied with so many benefits to the kingdom as it is and remaining in your majesty's hands.

*This proposition for licensing of alehouses in the course now settled according to the act of state, and 3s. 6d. only to be paid to his majesty yearly for every alehouse and no more, is allowed.*

2. Recognizances: The grant of forfeited recognizances upon alehouses, we conceive will hinder your majesty's profit in the other and be found a burden to the commonwealth. And we are informed that the like grant in England was the ground of this in Ireland, which grant made in England is now questioned by your parliament, and if your majesty shall be pleased for such reasons as the parliament shall give you to take away the grant here, we humbly leave it to your majesty's good pleasure to do the like favour to Ireland, if there shall appear no further cause to your majesty to the contrary.

*The grant is to be taken away as his majesty hath called in the like in England, and the recognizances to be estreated into the exchequer, according to the manner of England, and power given to certain commissioners to moderate the forfeitures, as they shall find cause.*

3. Sale of wine and aquavitaë: The grant for the licensing of the sale of wine and aquavitaë was presented to your majesty as a grievance by the agents and your majesty gave them this gracious answer, that, if by the opinion of your judges either here or there it might be taken away by law, it should be done. And for the several grants derived from that patent, you commanded your deputy and council to use their best means to recall them, as far as they justly might, with this further addition of your favour, that the grant now in being should determine with the time limited in it and for no cause whatsoever be any more renewed, which although they were rare and singular favours of a gracious sovereign to his people yet the carelessness of the agents (as we conceive it) is the cause that your subjects do still suffer under that grant. We do therefore humbly offer it again to your majesty as a grievance, as well because we are of opinion that the statute for the prices of wine to be sold by retail in Ireland doth differ from that in England as because the licences of all such as do sell either wine or aquavitaë are in the power of one man to grant, which as they do make the things themselves at a dear rate, so being made either for lives or years by virtue of that patent, the disorders committed by the parties licensed, are not in the power of the governors to be redressed. May it therefore please your majesty either to call in the said grant, if by the advice of your judges and learned counsel it may be done by law, or at the least not to countenance the patent (or those licensed by it) by your authority but to leave both the patentee and them to take their course by law against such as shall oppose their grants.

*The grant is not so much found fault with for itself as because the parties licensed do sell at what prices they please to the hurt of the subjects; and therefore the lord deputy and the rest authorized by act of parliament are to set the prices of wine yearly at the times usual and to publish by proclamation through the kingdom that no man shall exceed the rates laid down by them. And for the aquavitaë to take an order by act of state for the prices of it, which is to be published likewise by proclamation.*

(fo. 1v) 4. Registering of christenings etc.: The grant for registering of marriage, christenings and burials was likewise a grievance complained of by the agents, and to that your majesty made this answer, that the registering of them was a matter of such consequence, so useful and advantageous to your majesty in your service, and to your subjects in the whole course of their affairs, that there was a necessity the practice of it should be continued. But you were pleased to require the opinions of your deputy and council with divers of the bishops there, whether the registers of these things might not be as duly and orderly kept by the ministers of every parish, only for the usual fees, as now they are by the public register at Dublin for which the six pence are taken which is held so great a burden to the people. Upon this direction from your majesty, though your deputy and council were divided in opinions at the table concerning some particulars, yet they did all agree, the several circumstances considered, that the grant was a grievance and did beseech your majesty to revoke it, with whom we humbly join both in consent and desire. But

because there is more necessity that the registers of these things should be duly kept in that kingdom than in any other of your realms, the condition of your people there considered together with their religion, we humbly pray your majesty that directions may presently be sent to your deputy and council there to use their best diligence and care that the said registers may be hereafter kept by the ministers in a due and orderly manner as a matter of very great consequence as well for the good of your service as the benefit of the commonwealth, which may in our opinion best be done by enjoining every householder under a good penalty to give notice to the ministers of the several parishes, of such children as are born and such marriages and burials as are in his house from time to time, and the ministers to be commanded thereupon to make due and true entry thereof or for every default to be *ipso facto* deprived of their livings.

*This grant is to be taken away and the business settled according to the proposition.*

5. Registering of horses: The registering of such horses as are carried from thence is a new thing and doth bring with it a new imposition upon your subjects, yet if it did either advance your majesty's customs or do good to the kingdom by preventing of stealths, which were pretences for the procuring of that grant, the imposition might be the better borne, but in our opinions it doth neither, for your customs will be as duly answered without this register to the customers themselves and stolen horses cannot be so well discovered by this officer as by the searchers of the several ports.

*This grant is to be taken away.*

6. Pipestaves: Your majesty's gracious purpose in making the grant to one man that no pipestaves nor other wooden commodities should be carried out of that kingdom but by his licence was to preserve the timber of Ireland for the use of your shipping as there should be cause. But the patentee doth give his licences to all men that will seek them, and so the timber is wasted without respect had either of the fitness of it for your navy or the places where it is cut. And therefore this grant being so prejudicial to your service and so chargeable to your subjects is a burden, of which we humbly desire that the kingdom may be eased. But because your majesty hath a rent reserved upon the patent which we would not have you lose, we are humbly of this opinion, that the patent being called in, your majesty should in consideration thereof take out of every 1,000 of pipestaves to be transported out of that realm, double the customs formerly paid unto you, whereby your revenue shall be well increased to the singular contentment of your subjects, who by this means shall be eased of the one half at the least of those payments which now they usually answer to the patentee. And for the preservation of your timber we are of the opinion that none should be cut within certain miles of the seas nor in such places as your majesty and the lords of your council in your wisdom shall think fit to restrain it.

*This grant is to be taken away for the reasons in the proposition and the king's custom doubled upon every 1,000 of the pipestaves transported. And the lord deputy and council to be authorized to restrain the cutting of any timber to be transported but for shipping only within such a space from the sea as they shall think fit. Yet no man to be hindered by that restraint to cut what he will in any place for private uses within the realm.*

7. Linen yarn: There were several acts of parliament made in Ireland in the time of the late queen for the restraining of linen yarn within that kingdom to the end that the commodity being there wrought, many poor and idle people might be set on work and the customs augmented to the profit and commodity of that realm. And it was held a matter of such consequence in those times that it was made felony for any man to carry that commodity from thence, unless he would pay more custom for it than the yarn was worth. The grant for the (fo. 2r) licensing of yarn to be transported from thence is to one man and with a dispensation of all statutes yet because it hath been for many years together quietly settled not hitherto complained of to your majesty, that there are not many years of the said grant in being to expire, and that the patentee hath given way to an imposition of 13s. 4d. to be laid upon every pack of yarn for your majesty's use since this grant, which is a loss to himself and might have been opposed by him by virtue of his patent being for the consideration of 200 marks rent *per annum*, to have all such yarn as he should licence, free from all other payments to your majesty; our humble opinions are, if it may stand with your majesty's good pleasure, that the patentee should enjoy his lease for the years yet unexpired, yet as men careful of the good of the kingdom together with your majesty's profit, we humbly beseech your majesty that there may be no other patent for the transporting of that commodity be made hereafter to any, but that your majesty will be pleased to keep the power for the licensing thereof in your own hands. And where there is now forty shillings at the least taken upon every pack betwixt your majesty and the patentee, your majesty may then be pleased take but the one half of it at the most. And the payments being so abated and such a freedom of transportation given as may stand with the good of that kingdom, it will be an encouragement to your subjects there to sow more hemp and flax than now they do, which will redound to the good of all your kingdoms for providing cordage which they want, besides the increase of your customs both there and here, which in all probability will be very great.

*There are but seven or eight years in this grant yet to come, which is to expire and no more to be granted, and then the king to take 20s. upon every pack whereas now he hath but a mark.*

8. Short ploughs: The grant of the penalty of ten shillings to be imposed upon every man that should plough with his horses by the tails was to reform a barbarous custom too frequently used in that kingdom and your majesty's chiefest end thereby was to take away that abuse. The agents complained of this as a grievance but the reasons for it we do not find, more than that the assignees to the patentee (as they alleged) had contracted with the offenders for a lesser sum and so the ill custom was thereby rather continued than taken away. To this your majesty was pleased to answer that, if the allegation could be proved before your deputy and council, you would call in the patent and reform that lewd custom by some sharper course. This for ought we know the agents could not prove and so the grant remains as formerly it did, which we cannot present as a general grievance, being an imposition only laid upon some particular men for the reformation of an abuse. At which if your people do repine, it is rather because the penalty doth go to a private hand than for any

other cause. Your majesty may therefore be pleased by giving some reasonable consideration to the patentee for his interest, to convert the profits arising out of that grant to your own use so long as that barbarous custom shall continue, which, being collected by your own officers and for the increase of your revenue, will be less offensive to the people than now it is.

*The patentee for this imposition is to be compounded with for his grant and the king to take the profits of it into his own hands who (by raising the penalty) may either reform that barbarous custom in few years or much increase his revenue thereby.*

9. Recusants' fines: The penalty of twelve pence imposed upon every recusant by the statute for not coming to divine service is granted by your majesty to your almosiner of the kingdom, a grave and reverend prelate, the lord primate of Ardmagh, who in his own particular doth manage with such (fo. 2v) moderation and discretion as if no more money were collected than what doth come to his hands [or] no worse course taken with your people than what he directeth or doth know of, they had no just cause to complain. But being prosecuted as they are by the sheriffs' officers and such others as are employed in that business, the burthen is made very grievous unto them.

The manner of their proceeding against them is this:

All presentments are to be made either by the ministers or churchwardens in their several parishes. Churchwardens in most places there are none or such as are recusants themselves and, being parties to the cause, the service is not well performed by them so the charge doth lie on the ministers alone. The ministers present few or none of the better but the worse sort and of these great numbers are presented. These men for the most part are not able at the beginning of their prosecution to pay their fees, much less the penalty, and for that cause are either forced to absent themselves altogether from their appearance or to redeem themselves (with some small bribes) out of the hands of the sheriffs' bailiffs if they are taken by them, and so shift up and down until they are outlawed. Upon the outlawry, either the bodies of the poor wretches are taken to prison, their goods sold and they and theirs miserably perish, or else they flee into the woods and there lurk apt for any mischiefs, as opportunity shall serve. Our humble desire therefore to your majesty is for the ease and comfort of the multitude and poor that your majesty will be pleased to direct that the better sort of men in every county shall henceforth be proceeded against for the penalty, for they being reformed the poor will be led by their examples without further courses against them. By the better sort we understand the gentlemen of quality, freeholders and men of settled estates. And to the end that this service may be better performed than heretofore, the execution of it must not be left wholly to the ministers, who either for fear or favour do not perform it as they should, but they must be guided by the bishops of the several dioceses in it, the judges and justices of peace (being protestants) at the assizes and quarter sessions or the justices alone in the absence of the bishops and judges, by whose appointment the ministers must be commanded to present such of the better sort as they shall name unto them and none other until there shall be further cause. By this course the poor shall be redeemed from those oppressions which now they suffer by the

officers of the sheriffs, and the country be either reformed or such men punished who are best able to bear it, and yet the fines raised in this kind shall be much more than in the other. Out of which we humbly pray that the conformable poor in every parish may be provided for above all other respects, that others seeing them regarded may for the like reason endeavour to reform themselves.

*Care is to be taken that the better sort of men be preferred, as in the proposition. And the bishops and their officials (not the justices) to call upon the ministers and punish them if they shall neglect to do their duties therein.*

Thus as we have faithfully presented and delivered to your majesty our opinions of such grants as we conceive to be grievous to your kingdom of Ireland and advised as became us to have them taken away, if it might be done by law, so because many of the parties interested in them have either bought the said grants of others or been at great charges in settling them and that most of them are such as may bring a benefit to your majesty as well as a good to the commonwealth, we are humbly petitioners to your majesty for some reasonable satisfaction to be given to such of the patentees as will readily surrender of themselves and to leave such others of them as are obstinate to be concluded as law shall determine.

(fo. 3r) CIVIL GOVERNMENT

1. Directions to be imparted to the Council: That the persons especially trusted with the civil government of that kingdom may the better know how to carry themselves in their several places, your majesty may be pleased to require your deputy for the time being to impart to your council such directions concerning the same as they shall hereafter receive from your majesty or the lords of your council here, for the detaining of such things from your council doth make them unable to give such advices for the advancement of your majesty's service, as otherwise they could and would if they were acquainted with your majesty's pleasure. We do not hereby intend that they should impart to your council such private secrets of state as your majesty shall be pleased to leave to their own managing but such as concern the public business of the commonwealth.

*The lord deputy is to acquaint the council with his instructions and directions according to this proposition.*

2. Private business not to be heard at the council table: There is much time spent at the council table in hearing and debating private business upon petitions which do properly belong to the courts of justice and, being determined at that board, your majesty loseth your fines upon original writs, issues upon main processes, fees for original and judicial seals, benefit of outlaws, the issues of jurors and many other profits which due course of proceeding at the common law will yield. Your majesty may be pleased to command that causes of that nature may be left to the law as more fit for the courts of justice than the council table. And because possessions have been there too frequently ended upon petitions only, whereby your people have been much grieved, we humbly pray that directions may be given that that course may be no longer held unless in some special and urgent occasions, which are first duly and

seriously to be considered of. We do not hereby seek to take away the power your majesty hath given to the council table there by commission for ordering possessions within the compasses of the plantations according to your majesty's instructions for the same, which your majesty hath directed as a case of state for the good of the undertakers and very fit to be continued until the plantations shall be settled.

*Such businesses as are legal and have been heretofore handled at the council table to be left to the law, except in matters of great importance or oppression and especially those that concern the church.*

3. Pardons and protections: Pardons and protections for criminal causes have brought much mischief to your majesty's kingdom and therefore we humbly pray that they may both be sparingly granted and no pardon at all be given to any men in hold or upon bail before they shall be first tried or convicted; and then their pardons to be granted upon due consideration of their offences at the council table, which shall be mentioned in the pardons, whereupon such fines shall be reserved according to their several qualities, as by Act of Council was heretofore laid down, with such further increase thereof as the offences considered shall be thought fit. And for protections we desire that no power may be given for granting them to men of mean condition but such as are of the privy council or otherwise of good quality and worth.

*Pardons for criminal causes not be granted before conviction unless for great and weighty causes concerning the state. The rest touching protections and all other things contained in this article to be ordered as in the proposition is advised.*

4. People to be sent into foreign parts: The increase of the people in that kingdom especially of such as go under the title of gentleman but are unprovided of means to live (yet active and able to do mischiefs) is very great, who swarm in such multitudes in the (fo. 3v) remote parts of the realm as they seem to threaten the quiet thereof, if some timely prevention be not used. Your majesty may therefore be pleased either to vent them into the service of some foreign parts or to take some such other course with them as your majesty in your great wisdom shall think best.

*It is allowed that idle gentlemen be suffered to go to foreign wars, wherein they will either perish or, if they return, their breeding will make them inapt afterwards to live like kerns and so they shall do no hurt in the kingdom.*

5. Children not to be brought up beyond seas: We observe by experience that the schools have nursed up more seditious persons than have been bred elsewhere and that learned men have been more forward to stir up rebellions than others. Your majesty may therefore be pleased to forbid the parents upon an exceeding great penalty not to send or suffer their children to be brought up at any university beyond the seas.

*Such as are able are to be commanded to bring up their children here, especially the noblemen and the rest, as in the proposition is advised.*

6. Recusant justices and lawyers: Though your majesty as a high point of state hath been pleased to give order that neither gent[lemen] recusants should be admitted justices of the peace nor recusant lawyers suffered to plead at the bar, supposing thereby to draw them to conformity in religion which is earnestly to be desired, yet we observe by experience that, since that direction was put in execution, the courts of justice have been left in a manner naked. For many of the cases which were

there usually handled are now privately ended in the country by the same lawyers, whereby your majesty doth lose much in your casual revenue. Besides whereas then they did practise heretofore they were so careful of their reputations that they were very wary in their carriages and so fearful to offend as they would not give any advice at all, or very privately in such things as were prejudicial to the crown, lest they should lose their credits with the state and with their credits their profits. But since this course was taken with them, they are most malicious advisers and perverse practisers against your majesty's titles to lands, wardships and the present government. And the people, being led by them in all their courses, are by them much seduced. We do therefore most humbly present it to your majesty to be considered of in your high wisdom whether, for these reasons, it were not more convenient for your service and the good of the kingdom that some such eminent men in every country (though recusants) as will take the oath of allegiance should be made justices and the recusant lawyers be admitted again to their practice in the courts of justice, or be restrained from pleading as now they are.

*This is to be further considered of.*

7. Undertakers to be sent over: The plantations which your majesty hath made have brought much civility into the kingdom and strength to the parts where they are, and will in short time be an occasion of much more happiness to that country if your majesty would be pleased to command all such undertakers as are to have lands there (by your majesty's favour) without exception presently to repair thither reside upon their proportions and to build and plant.

*The profits of such undertakers' lands as have not passed their patents or as are absent from thence without licence to be immediately seized into his majesty's hands and their estates to be forfeited, if they be not there and have passed their patents by All Hallowtide next.*

8. Sheriffs: The last which we shall present to your majesty of this kind are the abuses and extortions committed by the sheriffs and their officers, which are very many and your people do suffer under nothing more. Your majesty shall do a singular favour to the kingdom by commanding your deputy and chief officers to look more carefully into their courses and to require them to dismiss their idle and unnecessary followers, which are the caterpillars of the commonwealth, and to the end that such men may hereafter be appointed sheriffs as in all probability will be least offensive to the country. We humbly desire (fo. 4r) that the lord chancellor and the judges with the presidents for their provinces, advising together, may, according to the statute in that case made and the manner of England, present such men to the lord deputy as are fittest, both for their abilities and lands, yearly to serve for every country (if any such are there to be found), of which the lord deputy may make choice of one, which sheriffs so chosen are to be admitted without any other consideration to be given for their places but their usual fees. By which course the lord deputy shall be freed from importunities of suiters, who have often for their own benefits procured ill choices to be made, the service of the country shall be better performed and your majesty's casual revenue more orderly collected than now it is or formerly hath been.

*This proposition is approved for the electing of sheriffs in such manner as is therein expressed.*