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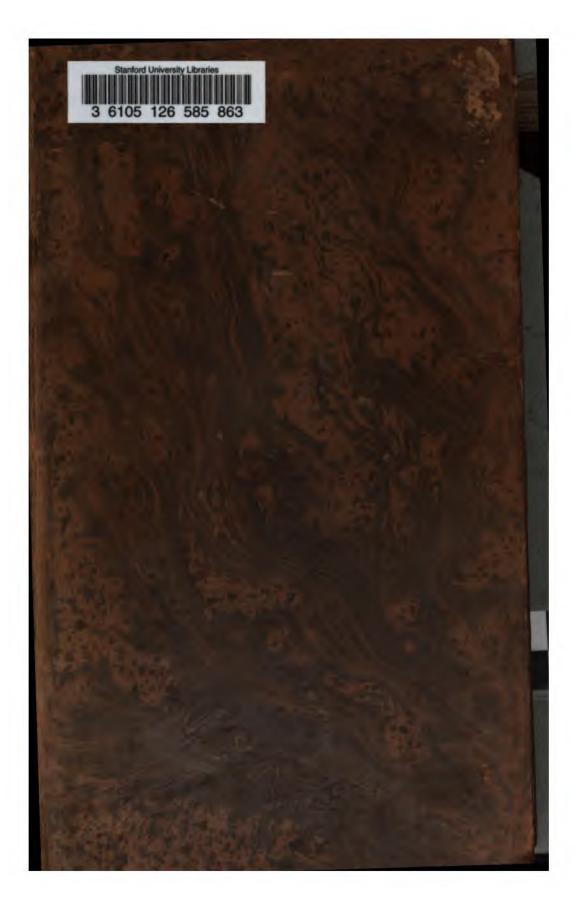
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# REBUS HIBERNICIS.

VOL. L

#### CONTAINING

- No. I. A Chorographical Description of the County of Westmeath.
- No. II. A Letter from Sir No. IV. The Differtation, John Davis to the Earl Part II. of Salisbury.
- Archbishop Usher of Corbes, Erenachs and Termon Lands.
- Account of two ancient Instruments.

- Part of the ancient Brehon Laws of Ireland.
- Two Laws from the Corporation Book of Irishtown, Kilkenny.

SECOND EDITION.

DUBLIN:

LUKE WHITE.

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Laws,	A Dif or Nati stry, Pa	onal Cuft	oms, call	g the an ed Gavel	cient Irish-kind and

No. IV. The Differtation, Part II. to which is added, Part of the ancient Brehon Laws of Ireland, also two Laws from the Corporation Book of Irishtown, Kilkenny.

The Reader is requested to correct the following Error.

Page 175, line 11, for Kilmore, and was and is Parson of Trim, reed, Kilmore, whose Bishop is a Man of this Country birth, and was and is Parson of Trim, in Meath, which is the best Parsonage is all the Kingdom, worth well nigh 400l. a Year,

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### NUMBER I.

A

CHOROGRAPHICAL

# DESCRIPTION

OF THE

COUNTY

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# WEST-MEATH.

WRITTEN A. D. 1682.

BY

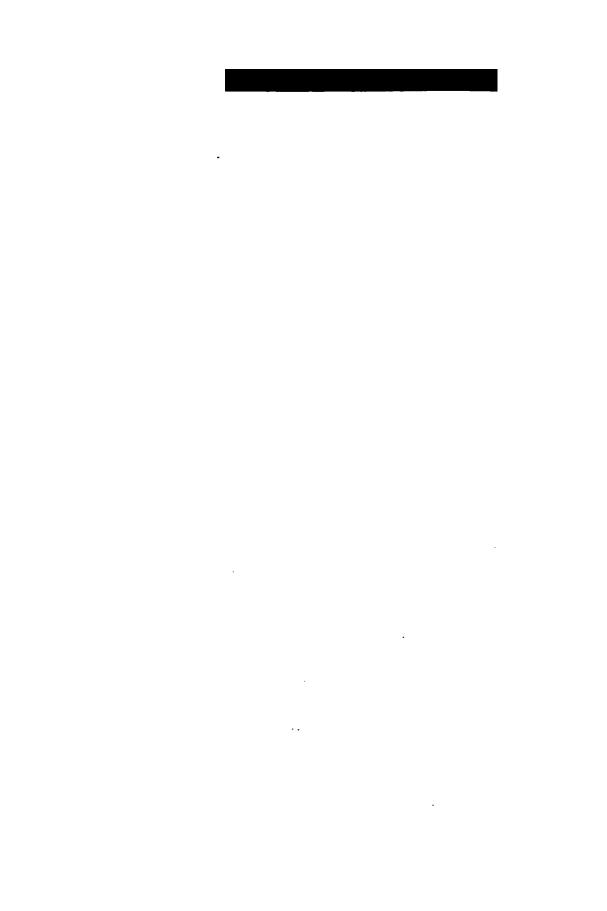
SIR HENRY PIERS,
OF Triffernaght, BARONET.

Published from the MSS. by

MAJOR CHARLES VALLANCEY.

SOC. ANTIQ. HIB. SOC.

DUBLIN:
LUKE WHITE.



# EDITOR'S PREFACE.

THE Editor of this collection of papers relating to Ireland, here offers to the public the fruit of many years researches; and they will find in the Collectanea many valuable tracts never yet published of those learned and industrious antiquaries, Usher,

Davies, Barclay and Lhwyd.

HE most gratefully acknowledges his obligations to the senior Fellows of Trinity College, Dublin, for the free access given him to many valuable papers in their libra-Master of the ancient language of Ireland, he has copied and translated all the fragments he could discover of the ancient Brehon Laws of this country, some of which. are evidently of an æra antecedent to Chriftianity in this island, being the edicts of Modha Nuadha, who was slain in battle at the close of the second century. ginal of one volume of these Laws is in the College Library, and many sheets on the fame fubject being among the fragments collected by that great antiquarian Ed. Lhwyd, for the Chandos Library, were obtained for the Editor from Sir John Seabright, by the favourable intercession of the Earl of Charlemont.

To the Earl of Rhoden he is obliged for a Collectanea from the Liber Lecanus, once the property of the College of Dublin, but now in the library of the Irish College at Paris. Lord Mount-Florence has also obligingly obtained for his use, a most valuable manuscript containing the various tributes paid by the petty princes to the provincial kings, and reciprocally by these to

the Plaths or petty princes.

To his ingenious friend Charles O'Conner, Efq; he is indebted for some fragments of the Brehon Laws; for the Dun-Sheanacas or ancient Topography of Ireland, and for several valuable annals. All these will be presented to the reader in an English dress in the course of this work. cient Laws will exhibit a true and impartial picture of the morals, manners and pohee of the people; they will demonstrate that fo far from being savage and barbarous, they were refined, polished and learned: they will demonstrate that Sir John Davies and others who have treated of these Laws, were ignorant of their force and contents, and that O'Flaherty and Keating studiously avoided them, as they would have forced them from that fabulous path in which the bards and poets had bewildered them. O'Flaherty pleaded ignorance of the old language in which thefe laws were writtin to Mr. Lhwyd, (see Lhwyd's Letter to the Royal Society, Phil. Trans. No. 336.) yet it is evident from the numerous poems he translated in his Ogygia to serve his own purposes,

purposes, written in the same dialect, that this was an evalive excuse.

Many Itineraries made through this country by learned men are in the cabinets of the curious and in the college library. Among the latter collection is the following chorographical description of the county of West-Meath, which we offer to the public as the first number of this work, to which we have added a map of the county, divided into baronies and parishes as a more perfect basis for some future pen to proceed England, France and Italy abound with Topographical writers. This delineation of a county by a private gentleman, may perhaps excite a like spirit among ourselves, so that in the knowledge at least of our country it may not be laid as in other sciences, that we are two centuries behind our neighbours.

The antiquities of this island bear uncommon and indelible marks of very remote times. Phænician monuments are scattered over the surface of it, and what is more extraordinary, Phænician names of things and places are retained even at this day.

To convents and monks we are indebted for the preservation of numberless monuments of antiquity, and this reslection ought to mitigate our disgust on perusing their dry registers of names and transactions. At the reformation our antiquities were on the point of being involved in the ruins of these religious foundations. Sir James Ware sirst undertook to rescue them, and to vindicate their

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their utility, and confidering his ignorance of the Irish language he did much. His works are the outlines and materials of a great plan which he enjoyed neither life or abilities to finish, and it is much to be lamented that he had not the good fortune to meet with so experienced and intelligent an amanuens as Mac Ferbis sooner.

The pagan inhabitants of this island preferved the primitive Phænician idolatry of the worship of the Sun and heavenly host, as types of a Supreme Being, until the arrival of the first Christian missionaries. Our druids like those of Gall, constituted academies to promote learning, and they were obliged to devote twenty years to study before they were admitted to the degree of doctor. They were allured to application by the many privileges of students and the great authority their ancient doctors obtained. Cæsar, lib. 6. says of the druids of Gall, that they were exempted from war and paying tribute; and that these privileges descended to the Christian clergy, and to the bards, will appear from the fragments of the Brehon Laws.

The druids affected various and almost all kinds of Philosophy, (Strabo, lib. 4.) and Pliny grants to them skill in medicine and magic. Of their opinions in ethicks, Diogenes Laertius in the proeme to his book, gives us this account, and they say the druids were wont to philosophize enigmatically; that the gods were to be worshipped sthat no evil was to be done; that fortitude was

to be embraced. This enigmatical mode of philosophizing, so prevalent among the orientals, they learned from the ancient Phoenicians, who had it from the Jews.

That the druids were skilled in geography, astronomy and natural philosophy, we learn from Cæsar; and Mela declares, they taught that the soul was eternal.

Our Irish druids strangers to the last of the Grecian and Roman deities, and to the gross idolatory of the more modern Phænicians, enjoyed the pure worship of Baal or the Sun, as the type of one Supreme Being. Hence in the days of paganism (as we learn from Avienus an author of the fourth century, who took it from more ancient authors,) this was called the Holy Island, and after Christianity the Island of Saints. No image of Jupiter, Mars, Venus, or any other pagan deity was ever found in Ireland, but the rough unhewn pillar still prefents itself in every parish.

The druidical tenets yet preserved in some fragments of our ancient manuscripts, shall be more largely treated of in the course of this work. We shall prove that our Irish druids considered Baal as the name of the true God; that the Assyrians, Chaldeans, and Phænicians, applied this facred name to the Sun, after which the Lord commanded the Israelites to call him no more by that name, as in the sixteenth verse of the second chapter of Hosea, And it Shall be in that day that thou shall call me Ishi, and shall no more call me Baal.

That

That we may leave no material subject relating to Ireland undiscussed, we shall give an ample detail of the records in Birmingham tower, with the substance of each: an article the more important as some of the rolls have been lately confumed by fire, and others rendered illegible by vermin and time. A compleat Irish historical library will also be introduced. In a word, it is proposed to give the public every interesting matter that concerns this kingdom and its antiquities, partly from our own labours, in fuch numbers as shall not exceed the price of Three Shillings each, and frequently under that value, and we hope from the extent of the plan now laid before the public, that the sale of this sirk number will be fuch as to encourage the publication of another, as foon as it can be prepared for the press; and we beg leave to add, that the publication will altogether depend on the early attention manifested to the undertaking.

#### TO THE

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#### RIGHT REV. FATHER IN GOD

# ANTHONY,

LORD BISHOP OF MEATH,

One of his Majesty's Most Honourable Privy Council of IRBLAND, and Vice-Chancellor of the University of Dublin.

### MY LORD,

WHEN at your Lordship's command I wrote and presented to your Lordship that inconfiderable trifle, my remarks of this county of West-Meath, you were pleased, such and so great is your humanity, to declare an esteem for it, far beyond its value; when after I had the honour and happiness of kissing your Lordship's hand, and receiving your bleffing at your visitation at Mullingar, you were pleased to enjoin me to renew my inquiries, and try what more I could glean up of remarks to add unto those before prefented. I, who think myself highly honoured in undertaking any employment at your Lordship's command, could not omit to make a new attempt, and although I have met with very little more than what at first I offered, yet being thus brought on a review of what I had written, I have not only

only given a few things new, but have attempted in some places by way of essay or conjecture at the reason of those phoenomena, which at first, so distrustful am I of my own judgment in enquiries of that kind, I durst hardly adventure at; and now restecting on what I have done, I have too great cause to fear, that my performance hath illustrated nothing more than my own weakness and ignorance in the great works of the Almighty's hand-maid, Nature.

But what apology shall I make for my over long excursion in that of the effort of the air on the water of the ocean? Surely nothing less than that goodness, I have already sufficiently experienced in your Lordship, can make atonement for it.

There are now many years elapsed since I first met with the elaborate discourse of the incomparable philosopher, the honourable Mr. Robert Boyle, concerning the weight and pressure of the air, which first ministred to me these fancies, which I have here adventured to spread before your Lordship; and though I seem to write with as much assurance of them, as if they were revera those doors and bars mentioned in the book of Job, which the all-wife and powerful Creator hath set unto the ocean, saying, Hitherto shalt thou come but no further, and here shall thy proud waves be stopped, yet I here let your Lordship know I have done all only by way of essay, not at all presuming that what I write is the real truth of the matter; we know that the ways of the Lord are unsearchable and past finding out: he is, as the philosopher says of him, i Kennson. I have overstrained Mr. Boyle's springs beyond either his design or their own stress, yet I hope I have have not cracked them. His doctrine, and what he with great candour and modesty builds on it, is nothing weakened by my bolder attempt, nor am I concerned whether my fancies sink or swim. If your Lordship thinks I have overshot the mark, I am very well contented to sit down with the reproof I find old Phoebus gives his over hardy son, when nothing must serve him but he must up and ride.

Magna petis, Phaeton; et quæ non viribus istis Munera conveniunt.

Your Lordship will find the accounts I give you of some places enlarged, especially those of Athlone and the battle of Rochenell; indeed what I gave before thereof was, methought, slight and desultory, far short of the merit of the matter, inasmuch as the actions of Athlone and Rochenell comprise all that was of remark in this county during the whole course of the war: for from the battle of Rochenell which was in the beginning of February, 1642, forward, this county being altogether within the Irish quarters, here was no scene for action, I thought them I say too slenderly represented, although I gave your Lordship all I then knew.

I therefore made it my business to get further knowledge of these things by application to a very worthy commander yet living, et quorum pars ipse suit non parva, who with no less candour and ingenuity, than sidelity and sincerity, hath given me the most of what your Lordship sinds represented of that time, whose memory not retaining the numbers of the slain on several occasions, and other circumstances, he chose rather to be silent in

many

many particulars, than to give any thing which he himself had not a particular remembrance of. What I had not of that worthy gentleman, I gleaned up among the natives, and being no way to their advantage, I thought I might more safely insert it: It is only what you find concerning the county of Longford forces, which came up late and yet too soon for themselves, and which after a course of forty years, I little wender, having had no monitor, if that worthy gentleman should have omitted.

If any thing here presented, be worth your Lordship's pains in reading over, I beseech your Lordship to ascribe it, where only due, to the influence your Lordship's commands have over me, not only begetting in me a readiness to undertake, but enabling me in some measure to perform; which give me leave to present to your Lordship in the more polite strain of our British Virgil,

Ut quod ab ingenio domini sperare nequibant, Deberent genio forsitan ista tuo.

BUCHANAN.

### MY LORD,

Your Lordship's

Most Humble Servant,

HENRY PIERS.

### CHOROGRAPHICAL

### DESCRIPTION

OF THE COUNTY OF

## WEST-MEATH.

The county of West-Meath is bounded Bounds. on the East with the county of East-Meath, on the West with the county of Roscommon, (from which it is parted by the river Shannon) on the North with the counties of Cavan and Longford, from which it is parted to the most part by the river Inny, and on the South by the King's county.

It is extended from East to West, viz. from Extent. Castle town, near Athboy in Meath to Athlone on the Shannon, about 35 Irish miles, (which might strike hard on 50 English miles) and generally not more than 14 or 15 in breadth, containing in this surround more than 180,000 acres of profitable land, plantation measure, besides bogs, lakes and heathy mountains, accounted unprofitable.

It is cantoned into 11 baronies, whereof on the North-East, Delvin; on the North, Demy-four, Baronies. Corkery, Moygoysh, and Rathconrath; on the North and West, Kilkenny; on the West and South, Clonlonan; on the South, Moycashell,

• i. e. The Half Barony of Fore.

#### A DESCRIPTION OF THE

and Fartullagh; on the South-East, Fairbill; and in the centre the bareny of Moyashell and Maherederism. The most Western part of the become of Kilkenny, where it draweth near Athlone, is filled the territory of Brawny, consainted sport 3 et 1000 screr

This county is for the most part of a pleasant the fail, and fruitful toil, in which respect some have called it the garden of lecland, well watered with many finall rivers, brooks and lakes, in all parts flored with excellent arable, meadow, and pasture grounds, abounding in all forts of grain, theep and kine, all icrts of tame and wild-fowl, fruits, and fresh-water fish; deficient in nothing necessfary to the use and emolument of human life, except only timber of bulk, (wherewith also it was assigntly well flored) a want to be bewailed, not only in this county, but in most parts of the kingdom; and, what is yet more deplorable, little care is taken for propagating to merula commodity, amidft the havock thereof made by iron-works. &c. in these counties, where as yet only small remainders of timber are: So that it is much to be feared that posterity will want not only necellaries for building, but even where-withal to drefs their leather, and make velicles for exportation of their inbred commodities, unless by a careful and timely prevention (a work well becoming the wisdom of our Parliament) provision be made for planting and raising all forts of forest trees, even in this our generation: Nevertheless this our county is well flored with copses or underwoods, the poor remainders of our ass-

Coples

tient forests.

ie.

It is every where raised in most pleasant hills and Hills and hanging grounds, and depressed again in most fruitfu. fruitful plains: Many of our hills are excellent arable even to their very fummits or tops, as Farragh, Frevin, Slewin, Larah, Knockasty, and divers others in most parts of the county.

It's principal commodities are corn of all kinds, Commohides, tallow, flax, hemp, cheefe, butter, wool, dities. wool-fells, honey, wax, &c.

Terra suis contenta bonis, non indiga mercis.

LUCAN.

Che planch rewarding and the merch

The plough rewarding and the merchant's toil. Quam dives nivei pecoris, quam latitis abundans.

VIRG.

What stores, my dairies, and my folds contain.

DRYDEM.

It is watered every where with plenty of fprings, Rivera. rivulets, brooks, lakes as aforefaid, and a few large rivers, whereof the chief are the Shannon, which Shannon, only bordereth our county on the West, and no where that I know of runneth within it. I shall not undertake to give a description of this the noblest of all the rivers in this kingdom, navigable for 60 miles within land, so as ships of the greatest burden come up to the key of Limerick, in which respect no river which I have read or heard of in Europe, can vie with it, unless the Dannow, or liter may be excepted. But as this samous or antient river (as its name seemeth to import) only toucheth on us, I only touch on it, and proceed to give some account of others.

The next river of note is the Inny, before-Inny, mentioned only as a boundary, but it is not fo altogether, for it holdeth a continued course of ten miles, wholly within this county, dividing the

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barony

### A DESCRIPTION OF THE

barony of Moygoysh into two half baronies, the upper on the South-fide, the lower on the North fide thereof. It hath its rife in the county of Cavan, in \* Lough-Rower, where passing under Daily's Bridge in that county, it falleth into † Lough-Selin above Finah in this county, thence gathering itself into a narrower channel, it glideth under a bridge there, whence after it hath continued its narrow course for a while, it again expatiateth in the broad waters of Lough-Kinully, from which again it holdeth a narrower course for 5 miles, and then loseth itself in the large and sinuous lake called Lough-Direvreagh, which waters the shores of three baronies. From this lake (wherein it was almost drowned) it recovereth again by much ado, and glideth; (for I cannot fay it runneth) in a fmooth, large, deep, and muddy channel, by some called Lough-Sallagh, 'till it watereth Ballybane; then closer girt, it submitteth to the bridge of Ballinglach, an antient and well built bridge, which having of late been very incommodious and dangerous for travellers, is now very well repaired, adorned and rendered safe for them at the charge of the county. From this bridge in a larger and deeper channel, it visits & Lough-Iron. (but in its passage as it were) for it only toucheth on it in the North end thereof; from which, being not any more willing to hazard its being loft in these lakes, it speedily recovers, and in a deep. Imooth, and sometimes a very broad channel, it falleth under the bridge of Ballinacarrow, a late built bridge, not much more than of twenty years standing.

Ballinacarrow ridge.

<sup>\*</sup> Lough Ramor. + Lough-Silin. § Lough-Iron, or the Lough of Trifternigh.

standing. The situation of this bridge (however it was not built 'till our days) seemeth to have been laid out by nature, for it is founded on a rock, which lay always conspicuous sunless in great floods, in a firaight line a-cross the river, and at just distances to receive and sustain the arches of a bridge. Henceforward this river becomes to us a boundary again between us and the county of Longford, arriving at the 1 Abby Shrewell; it divides the barony of Shrewell in the county of Longford, as before it did Moygoysh with us, into two half baronies. In this course it falleth over feveral rocky precipices, and under divers new-built bridges, until at last it is lost in that great lake in the Shannon called Lough-Ree or the King of lakes. And here it meets with the fate it so narrowly escaped in our county, for henceforward we hear no more of the Inny; unless we hearken after it in the Shannon, or Shannin, as some will have it (as if it were compounded of Shanno and Inny) and to countenance this they tell us. that before it meets with our Inny, that river is called only Shanno or Shunno. This river, were it not for these precipices before mentioned, might be made navigable unto Finagh, and for ought 1 know, higher. It is well stored with bream, pike. eel, trout, roach, and falmon. About Lough-Iron and Lough-Direvreagh, there is found, in the month of May only, a small fish without spot, of the shape almost of an herring, a fish very pleafant and delightful, but not taken in great quantities: the natives call it Goaske, I know not by any Goaske. name to English it. The pike and eel of Lought-Iron, and the bream of Lough-Direvreagh, exet et a

ceed any elsewhere in Ireland, for their excellency, and for aught I know, any in the whole world.

Brofpy.

The river Brosny riseth in Lough-Foyle, whence passing thro' the gardens of Cullenmore, it hveth to Mullingar, the chief town of our county, and thence to Lough-Inniel, when freeing itself from this large water, it is called for and the Brosny. the word fignifying a burthen of sticks, but why the river is called fo I do not know. It watereth the large barony of Moycashell, running besides the town of Kilbeggain, it sustaineth a fair bridge: leaving this barony, it falleth thro' the King's county, and after a long course there it payeth tribute to the Shannon at or near Bennagher.

Gaine.

Gaine is the last river I shall particularly describe, a small but very pleasant water of about four or five miles course, traversing the barony of Corkery. It hath its original from several springs that issue from the higher grounds which lie to the East and South of Monylea; these springs centring short of the town, form in one channel a very pretty brook, which thence foon falleth over a mill at Kilmaglish, and about a mile further over another at Ballinegall; thence it glideth to Knightswood, and there (like a snow ball increating as it goes) sustaineth a late built foot--bridge; hence forward coasting the lands of Knightiwood on the West, and Tifarnan (belonging to the See of Meath) on the East, it passeth to Multifornan, where it falleth under another -large bridge; thence to a mill, whence immediately it watereth the ground of the late Friery of Multifernan; this done, after a mile's longer course. it lofeth itself in the large lake Lough-Direvreagh. This water, tho' small and of a short course, is plentifully plentifully stored with the best small trouts in West-Meath, both white and red, and some small pikes also

Other rivulets and brooks, wherewith this coun-Springs ty is well ftored, it is needless to treat of, we running East and have of them which run both East and West; West. I myself have sometimes with pleasure observed. from one piece of ground not feemingly high. very good arable, with pasture intermixed, and within the reach of less than half an hour's easy riding, many small springs, which meeting from petty brooks, falling both East and Westward: those which fell West, centred in the Gaine, which, as before from Multifornan, loseth itself in Lough-Direvreagh, thence being incorporated in one channel with the Inny, it falleth finally from Limerick into the West sea. Those which fell Eastward, incorporated together in the river Deel, which from Donour in the county of East-Meath, falleth into the Boyne, and finally from Drogheds, Thus both East and West into the Eastern sea. share our waters of West-Meath. should seem that this county is seated on the summit or ridge of Ireland, and is perhaps equally railed with those rougher mountains in other countries, that would be thought to overton us.

Loughs or Lakes, this country affordeth very Loughs. many, well stored with all forts of fish before named, falmon excepted, which is found only in the Inny and Brosny, coming out of the Shannon.

Of some of those I shall speak, and first of Lough-Lene.

Lough-Lene, in Irish sounds like the lake of L. Lene. Learning, seated within half a mile of \*Foore town, in the baroay of Denby-Foore, from which it is

<sup>•</sup> Fore, in the half barony of Fore.

trumpets or loud-sounding instruments. Major General Reynolds, towards the latter end of our late unhappy war, is said (passing this country) to have halted here, and though he descended not into the water, was so taken with the amenity of the prospect, and the beauty of the landscape, and the most ravishing echoes that redoubled to him the noise of his trumpets, that he exclaimed he never came to the like place, and it is said to have wished he could even then with leisure and safety, sit down and take up his rest here.

Me nec tam patiens Lacedæmon,
Nec tam Larissæ percussit campus opimæ,
Quam domus Albuncæ resonantis,
Et præceps Anio, & Tiburni lucus.
HOR:

But me, nor patient Lacedæmon charms,
Nor fair Larissa with such transport warms,
As pure Albunea's far-resounding source,
And rapid Anio, head-long in his course.
Or Tibur, senc'd by groves from solar beams.
Francis.

The water, especially under this hill, is exceeding deep, (as if nature, out of this pit, had raised so vast a bulk) never yet fathomed by such as have attempted it. The hill, although it rise so steep as I have said, is yet in all its ascent cloathed with trees, that naturally and securely grow here (for no hatchet can come near them) which rising continually and gradually one above another, add no small grace to the landscape. This hill hath on that side which hangeth over the water, and about Chapel of midway from it to the top, an ancient chapel dest. Eyen dicated to a saint, called Eyen or Keyon. This or Keyon chapel is cut out of the natural rock, for all one

fide

fide of it appears to be the natural stone instead of a wall. It is now, and long hath been, without a roof: it hath in it a curious purling brook of crystal water, which issuing out of the rock side of the chapel, traverseth it, and falling throthe opposite side wall, hasteneth down to the waters below.

Est in secessu longo locus: insula portum
Esticit objectu laterum; quibus omnis ab alto
Frangitur, inque sinus scindit sese unda reductos.
Hinc atque binc vasta rupes, geminique minantur
In calum scopuli: quorum sub vertice latè
Æquora tuta silent. Tum silvis scana coruscis
Desuper, borrentique atrum nemus imminet umbra.
Fronte sub adversa scopulis pendentibus antrum:
Intus aqua dulces, vivoque sedilia saxo;
Nympbarum domus.

Far in a deep recess, her jutting sides
An isle projects, to break the rolling tides,
And forms a port, where, curling from the sea,
The waves steal back, and winds into a bay.
On either side, sublime in air, arise,
Two tow'ring rocks, whose summits brave
the skies;
Low at their feet the sleeping ocean lies.
Crown'd with a gloomy shade of waving woods,
Their awful brows hang nodding o'er the sloods.
Oppos'd to these, a secret grotto stands,
The haunt of Nereids, fram'd by nature's hands,
Where polish'd seats appear of living stone,
And limpid rills, that tinkle as they run.

PITT.

14

To this chapel from the land fide leads a pathway on the fide of the hill; the nearer you approach to it, the narrower doth the way grow; at last, and at a good distance from it, the way appeareth hewn out of the rock side, rendered easy and safe by the trees, which, as aforefaid, rife from the water, and range over one another, and hem up the way so close, that there is no danger either to slip or fall. To this chapel, on the first Sunday in harvest, the natives pay their devotions in pilgrimages, which for certain flages they undertake barefoot; but when they come to a certain noted place in the way, they hold on the remainder of their devotion on their bare knees, all along to the chapel, on stone and gravel, intermixed and overgrown with heath and grass. Their devotions performed, they return merry and shod, no longer concerned for those fins that were the cause of this so severe a penance; but as if, having now paid off the old score, they longed to go on in the new again, they return in all hafte to a green spot of ground on the east side of the hill towards the land, and here men and women fall a dancing and caroufing the rest of the day; for ale sellers in great numbers on these days have their booths here as in a fair, and to be fure the merry bag pipers fail not to pay their attendance. Thus in lewd and obscene dancing, and in excess of drinking, the remainder of the day is spent, as if they celebrated the Bacchanalia, rather than the memory of a pious faint, or their own penitentials, and oftentimes it falls out that more blood is shed on the grass from broken pates and drunken quarrels. when the pilgrimages are ended, than was before on the stones from their bare feet and knees dur-

ing their devotions.

Pilgrimages.

This chapel, so high above water, being passed, you may yet continue your travel, afcending for a good way within trees toward the top of the hill, which now in climbing becomes more easy in the ascent. But after a while, your way is no longer shaded with verdant trees, but incumbered with a more humble plant, heath intermixed with grafs. Having at last topped the hill, if in a fair day, you have a prospect into both East and West seas, and may perceive many mountains and countries both South and North, fo that from this, our county not only sendeth streams East and West, but affordeth a pleasant prospect of both seas. lake, as almost others in this county, affordeth many pleasant seats; but it being not my purpose to describe every fine place, I shall pass those by, and proceed to fay fomething of

Lough Foyle, the name of which feems to im-L. Foyle: port time, in that fenfe, as when a man borroweth for a time on promife of restitution; so as the word may denote, a lake borrowed for a certain feafon. And there goes an ancient fabulous story, which the natives blush not to own as a traditional truth, which, because it feems to countenance the interpretation I have adventured to give of this name, I crave the reader's leave to insert.

There lived, in I know not what age of the Fabulous world, two fifters, one in this country, the other flory. in the country of Roscommon, beyond the Shannon, both famous for their skill in enchantments and sorceries, as indeed were all of whom any of our ancient fables run. The fifter who lived here on a certain day (belike Tuesday or Wednesday) fent to her fifter in Connaught, to let her know she stood in need of her lake for some great defign

fign she had then on foot, and prayed the loan thereof, promising to restore the same on Monday to her. The Connaught (good natured) fifter immediately grants the request, and winding up her lake in a sheet, she quickly made fit for the purpose, sends it to her sister over hills and dales failing on the wings of the wind, into this country. Our Leinster lady places it here, where now we have it, and makes her use of it. At last, Monday comes, but no lake is returned according to capitulation; the Connaught fifter hereat storms, and becomes as turbulent, as the lake itself is on every blast of wind, sends to the Leinster lady to demand restitution of her water, challenging her upon her promise, but in vain, she had possession, and likes the water so well, that she resolves not to part with it. Nevertheless, because she would not feem to be worse than her word, she tells her that she had borrowed it indeed till Monday, but her meaning was, as the Irish phrase has it, till Monday after the day of eternity, or as we say in English, on Monday come never on a whee!barrow, (behold the great antiquity of equivocation) and thus we have made a shift to keep our borrowed lake to this day. I will not overburden the reader, with the many pleasant arguments our natives make use of, to justify this story, as that the place is yet remaining and to be feen in Connaught, whence this lake was taken; and that a certain church in an island in this lake, the walls whereof yet remain, was heretofore a parish church, having been of ready access before the lake was placed here, &c. for it is not enough, that we ourselves believe this story infinitely, but we would fain be thought fober and grave in fo doing, and by our worshipful reasoning make all the world as wise as ourselves.

This lake is fituated in the heart of our county, and almost in the very height of it, between the baronies of Corkery and Moyashell, distant a large mile from Mullingar, and Northward of it, a very large long and high seated water, and on every gale of wind, very tempestuous. Here is abundance of all forts of fish above named, falmon excepted, the trouts hereof are the best and largest in West-Meath. Of this water, this is particularly observable, that it sendeth forth continually two streams or rivulets, receiving none into it, except a very small one at Portneshangan, which at every drought is dry. One of these streams, being the beginning of the Brosny before-mentioned, runneth out at the South end, and is by the natives called the Golden Hand, or arm; Golden the other issueth out of the Northern end of the Hand. lake, and is by the natives called the Silver Hand, Silver or arm. This filver stream is of a very short Hand. course, not full a mile in length, and yet it turneth five overshaft mills, whereof the least hath a wheel twelve feet diameter; and one might have a wheel of eighteen feet, besides which, seats might be found with convenience for more mills, if our country could find them employment. These mills are perennial, never dry, not in the greatest droughts I have seen. This brook finisheth its short course, in the lake called, Lough-Iron, whereinto it falleth at the South end; and at the north end mingles with the Inny, and together with it, falls into the Shannon, Hence, and from what hath been said of the course of the Brosny. the Inny and Shannon, it is manifest, that this LoughLough-Foyle, with its two arms and the Shannon, embraceth half the county of West Meath; some part of the county of Longford; and a part no way inconsiderable of the King's county; of all which, it maketh one entire compleat island, every day in the year. This is a remark, not observed in any chorographical map I have seen of this county: no, not in Sir William Petty's great map of Ireland.

Digreffion concerning the rife or waters.

Whoever confiders the great quantity of waters, that continually rise in this lake, which we have represented in these two rivers, always streaming from it, may justly wonder, whence the fund or source thereof should be. If it be Taid, it is from the sea, from whence the waters by secret passages, streaming and percolating thro' the bowels of earth, loseth its brackish saltness. and becometh pleasant and healthful, both for the tile of man and beaft, I oppose it not. Nevertheless a great difficulty ariteth on this hypothesis. For fince it is a known and received maxim in hydrostaticks, that water, unless forced, will not rife higher than its first source or head; how shall it rile in this lake, in a place seemingly much higher than the sea? For if we consider what falls this water hath in its Silver arm before-mentioned, even in the short course of one small mile. and after when it incorporates with the Inny, in the several weyrs, over rocks and precipices, as at Shrewell, Newcastle and elsewhere, before it reacheth the Shannon; then the whole course of that river and its falls, as at the bridge of Athlone, Portumny, the great cataract at Killaloe, and elsewhere, in its whole course, until it arrives at the sea: we may modestly enough compute, that

that the waters rising in this lake are more than two-thousand foot, in perpendicular height, above the sea, where the Shannon falleth into it. Now if the former rule hold good, viz. that water riseth not higher than its first source, it follows either that these waters rise not from the sea, or that the sea must be somewhere higher than at the instex of this river into it; that so by its addititional weight, the waters may be forced to rise in this lake.

That all waters come from the fea, either by All waexhalation or percolation, or both, is plain, not ters from only by proof from Holy Writ, from whence the the fea. best hints even of natural philosophy may be taken; but by the unanimous consent of all writers, that I have met with. And that the sea is in fome parts higher than the land, we have argu-See ments from the experience of mariners, who tell higher us, that ships setting to sea, tho' with a favoura-than the ble wind and tide, go out much more flowly, than they come in from it to harbour, tho' they come with a less favourable gale; and the reason given is, that setting out, they sail against the height and as it were up hill, but coming towards land, they fail with the height and as it were down hill, and confequently make the greater speed. They tell us also, that from the tops of their masts, they are able to descry a distant ship, whereas, yet below on the deck it is not visible. which, in all likelihood, would not be fo, if the fea lay on a level; the reason seeming to be no other. than that the arch of the hill-riling sea opposeth, hindering the view of the distant ship from the deck below, which it doth not to them, that are so high raised as the top mast, inasmuch as at that heighth, C 2 thev

they may be taken to equal, if not furmount the height of the interpoling arch; and indeed to the naked and unaffished eye, the sea seemeth higher at a distance from land, than it does near the shore. Taking it therefore for granted, at the present, on these grounds that this is thus, the great enquiry is, whence it comes to pass, that the fea doth not overflow the land; at least these parts that lie first and nighest exposed to it.

Genesis.

We find that in the third day's work of the ch. 1.9. creation, God is said to have thus commanded. Let the waters under the Heaven be gathered together unto one place, and let the dry land appear; where by the way, the earth at this time feems to have been overwhelmed with waters; and elsewhere we find it is said in Holy Writ, that he hath fet bounds unto the fea, saving, hitherto shalt thou come and no further, and here shall thy proud waves be stayed. And indeed, whoever confiders how inconfistent and fluid a body of water is; how readily it spreads, if not pent up or bounded, will eafily grant, that it can be no less than the hand and power of Almighty God, that stints and keeps up the ocean within bounds; especially since we have granted, on the reason before alledged, that the sea in some parts, at least where it is most distant from land, is perpendicularly higher than the land. Whosoever considers this, I say, may think it well worth his enquiry, by what ways and means, this Almighty hand of Providence thus suspends or heaps together, those so vast and unwieldy bulks of unsteady water, which we call the oceans: for as that great philosopher, the lord Verulam saith in his advancement of learning, that final or material causes

Job 38, 11.

are not so fitly the enquiry of a philosopher, as formal and efficient causes are. Since therefore, we do not aseribe this stupendous act of God's Providence to a miracle, that is, to his over-ruling power, whereby he, whose ways are past finding out, acts fomething quite without, besides, or against all natural causes; it may perhaps be looked upon as no undutiful part in us, to endeayour modestly to search into the causes, methods, or ways, which he in his wisdom takes, for effecting this so wonderful a phænomenon. causes of this nature, when found out, or perhars but narrowly searched after, oftentimes minister matter of praising, admiring and adoring the infinite abysses of his wisdom and almighty If it be true, what some affirm, that ignorance is the mother of devotion, it must be only of such blind and superstitious performances, as such men endeavour to beget in their devotions. For certainly, a true and generous admiration and adoration of the goodness and wisdom of God. can never have rifen from dull ignorance, or blindness: and I remember our late cited author, the illustrious Bacon, writes somewhere to this purpose; that a short, dull, and shallow enquiry into the natural causes of things, or (which is the fame in effect) a flight and superficial knowledge in natural Philosophy, tends to Atheism and irreligion, which I place but one degree beyond ignorance, or rather look on as an higher improvement thereof; whereas a full, strenuous and deep fearch after the causes of things, tends directly not only to the finding out that there is a God, but the adoration of him when found. And thus it was truly faid of the heathen Philosopher, that man is the

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the priest of nature, that is, who, on all occasions, offereth up unto his maker sacrifices of praises and thanksgivings, for those excellencies he finds out in his fellow-creatures; and those wonderful operations they perform, tho' they be altogether insensible of these actings themselves.

To endeavour therefore to give some probable hint, if it may be, towards folving this great proposed difficulty, why the vast ocean, being granted higher than the land, doth not overflow it? I have confidered what I find very ingeniously proposed and fufficiently made out, by the no less learned. than truly honourable virtuoso, Robert Boyle, Eso: in his tract of Physicomechanical experiments, and that is, that the air hath in it both weight and spring, or a continual endeavour of expanding itself. This spring, the same author makes out to be stronger which is here near the earth, than it is higher up and at greater distance from us, being increased here by its own weight, as we see in artificial springs, the more we strain or press on them, the more forcible are their endeavours of relistance or expansion. By these two properties (which in his faid work he makes out beyond exception) of the air, he solveth all the phænomena that the world of philosophers before him thought sufficiently answered, when they told us, for instance, that heavy bodies under such and fuch circumstances, will, of their own accord, fuspend as it were their own innate gravity, and readily move upwards, to prevent that great evil of a chaim, histus, or vacuum in nature, herein ascribing to senseles and inanimate bodies, the eperation of election and understanding; for, ob finem agere non est nifi solius naturæ intelligentis: but

but to him who well considers and weighs what our faid author delivers in his faid excellent piece, it is manifest than they move upwards in such channels and under such circumstances not of their own accord, but as they are impelled and forced by the spring and weight of the outward air, where the counterbalance of the air, that before was within, is removed. For clear manifestation of this doctrine. I refer my reader to the learned author's work itself, wherewith whosoever · shall not rest satisfied, I request him to produce... a more rational hypothesis, or else in plain terms let him affert, that the sucker in his pneumatical engine (which being let slip, when the receiver was almost emptied, did with such impetuolity and hafte ascend) was an intelligent animal: or. if he like not that, let him go a wool-gathering. with Moor's Anima Mundi, or enjoy the fancy of Liney's invisible unaccountable hooks and wires; for my part, I shall here take for granted and lay it down for an uncontrouled principle. that the air, or atmosphere, hath these two propraties of weight and spring in it.

Now on this ground I proceed to confider the whole aggregate globe of the earth and water, in that state we may safely imagine it was in before the Almighty pronounced these words before cited in the work of the third day; or, if you please, as it was during the height of Noah's flood. And thus we may suppose the whole earth covered with water, as the text plainly sheweth it was. In the next place, suppose here the whole atmosphere, or body of air, now beginning to act on the aggregate of earth and water, which it encompasseth on all-parts by the sorce of its springs and pressure.

of its weights, it is manifest that the earth being a body confishent and compact, whose parts will not easily separate, or give way to the activity of the spring and weight of the air, shall still keep its own place, and the fituation of all its parts intire, notwithstanding the effort of the air upon this aggregate; whereas on the other fide, the water being a body fluid, and whose parts easily separate, may well be supposed to give way to this now incumbent weight and activity of the stmosphere, which if it do, it cannot otherwise do it, than by receding from some parts of the earth, and confequently rolling back upon itself: or, as the expression of Holy Writ runs, by gathering together unto one place or portion of the earth. And thus gathered together, it seems, to be even at this day; for whoever views the whole habitable continent, as represented in our geographical maps or globes, shall see it lie in form of two great islands (for whether the extreme North and South parts be land or water is not yet certain, and each alike to the matter in hand) and the ocean as one great water, bounding it every where. Now this operation of the air, still continuing on the whole sphere and acting uniformly, will not cease thus to drive and force the waters from the face of the earth upon themselves, till the air and waters be brought into an equal balance, that is, till the power of the weight and fpring of the air can force no more waters from the face of the earth, nor raise them higher, nor keep them inspended if they were higher raifed. For it is manifelt, if we suppose the weight and spring of the air, really to surmount, or but equal the weight of the water, the operation

tion would not have rested where it does, but the air would have removed the waters quite from the face of the earth. The infinite wildom of the Almighty having (for the advantage of the whole) so proportioned and balanced the weight of the one, with the spring and weight of the other, that there is yet water enough left in the sea, to possels and fill his decreed place which he brake up for it, and yet are they not so high raised, but that the weight and spring of the air (which as doors and Job, 18. bars he hath fet to it) are sufficient and strong 10. enough to fuffain and lock it up from overflowing the face of the earth: a confideration, though but in this one instance, sufficient to silence all atheiftical cavils, and eternally to open the mouths of the admirers and adorers of the infinite wisdom of the Deity, in fongs and praises of thanksgiving. For further dilucidation of this matter, I shall instance a part only of the vast ocean, as under the mentioned circumstances. Let us therefore take that limb thereof that interpofeth between our European shores and these opposite in America; suppose we them both covered as before with water, and then the air, by force of its spring and weight, acting as before on them, the effect can be no other than that the waters that cover Europe shall be driven from it towards the American shore, and at the same time, and by the same means, shall the water that covereth these parts of America, that oppose us, be driven thence towards us: the effect of the whole operation can be no other than that the waters must rise highest between both shores, even in the midst, and there remain sufpended, or heaped up, when farthest from the land; and this is the thing I contend for. therefore we imagine the whole ocean to be raifed

and suspended between its opposite shores, every where in form of a rifing, or every way hanging ground in the midst of a plain; or, if you please, like an higher raised ridge, between two others that are flatter and lower than it. I shall yet attempt further to illustrate my apprehensions in this whole matter, by instancing the operation of the air in one of the smallest portions of water. pose we then, but one drop of water trickling down from an height and hanging on the point of a reed, not yet grown weighty enough to part with it: you may perceive this faid drop (during the suspension) to hang in shape and form of a sphere or globe, and in this form to continue, even when it falls, until it reach the ground. Now I ask, why is the form or shape of this drop spherical? I remember an ancient grave person, well read in the philosophy of the schools, did long fince with a composed countenance, and magisterially enough, answer me to this very question, much after this manner: Sweetheart, thou must understand, that this spherical figure is of all other the most entire and compact; this drop of water therefore casts itself into this figure to preferve all its parts entire, for it is not possible that in any other figure a quantum equal to this drop. can contract all its parts so near the centre, as in this This he spake with gravity and reservedness, enough to have silenced all opposition from one of my station at that time. But to return to his answer. Is not this the same error I not long fince reproved, of ascribing to inanimate bodies actions of reason and choice? Is not this plainly, as the poet hath it, cum ratione infanire? However, with this answer coming from so grave a senior, to whem

within the narrowest and most imaginable pact of all bounds, even that of a sphere. it for answer to this question. Let us look is drop, or small portion of water, as it is fed in the open air, bounded every where by ly which endeavoureth every way to expand ; it is very easy to conceive, that every mipart of this water shall be forced by the spring at portion of the air which bears upon it, from ir itself, and consequently inwards upon itself, at all parts being at once so equally born upwith under, over and on all fides, the refult is action can be none other, than to cast mall quantity of water into our mentioned ical figure. This will appear yet farther if ke this drop and lay it gently on a hard , as a board or stone, you shall find it will diately alter the shape, and become from a e to an hemisphere. The reason being, that nding or leaning on the harder body, the air nes excluded from these parts that touch, being now no longer acted on by the air, luid body, from its own weight, spreads, same aleasty thems what it would have done

still its globular figure in the hemisphere before mentioned.

But if after all this, our drop be taken and laid on other water, it then immediately disappears, for mixing and incorporating into its congenite liquor, all the parts of it are excluded from the action of the air, unless we suppose the uppermost of all, and those if any protuberance you will imagine yet left) will forthwith be depressed into an equality of superficies with the former water. But I apprehend, some one may object to all this, that I take on me here to illustrate, the effort of the air, on the greatest imaginable quantity of water, from what it worketh on the least, and that, altho' the spring and weight of the air may be imagined to have such a power over so small a portion of water, it is not reasonable to imagine it should have the like, on so great a bulk, as is the entire ocean. To this I answer in short. that the mentioned effort of the air, on one small drop is of no more parts of air, than what immediately surround it. Hence therefore I infer, that if such be the effort of so small a portion of air, on a portion of water, equal to it, why may we not imagine that the whole atmosphere, or the whole united body of the air, that furrounds this aggregate of earth and water, which bears yet a greater proportion to the ocean, how vast soever it be, may have a conformable operation, on the whole waters exposed to it.

I shall yet attempt one instance more. Fill a glass or other vessel, with water or other liquor, till it be full, and if you yet continue gently to pour on, you will find that more liquor will yet be heaped on the glass, than really the glass doth contain.

contain, even to the height of the thickness of a grain of barley, or more, and there it will hang, on the subjectent liquor in the glass, which I suppose to be what Virgil meaneth, by his vina core-The reason of the liquor being thus sufpended, and not falling off, I take to be none other, than what we have been all this while difcourfing, and need not here repeat. But if you shall attempt to pour on still more, the liquor will rife, 'till it hath attained to high above the lip of the glass, that the weight of this heaped water, begins now to over-balance the weight and activity of the portion of air that hitherto sustained it, which is no more than what equals the periphery of the glass itself; and now by reason that the spring of the air, is overpowered by the weight of the overheaped water; it is no wonder to see the liquid body difflow and fall off, which it had done at first, if it had not been been upheld and forced together. by the spring of the air. And now you may behold the water continue falling off 'till the overbalance, or somewhat more be run off, and then again it stops, and that before the heaped liquor be quite got off; for now again, the effort of the air prevailing, it checks the remainder and supports a considerable quantity of water, after the head is brought to an equilibrium, or perhaps under it, with the portion of air that acteth on it.

I shall here cease from farther instances, and if by this time it may be granted, that the ocean is sustained and suspended by the weight and pressure of the spring of the air, to any pitch above the highest mountains in land, and thereby withheld from returning and overslowing the same, it will then be easy to answer all the cavils that some have brought, against the possibility of such Genelis

7. 11.

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an universal deluge, as we find recorded in holy writ to have been in the days of Noah; for if we shall suppose, that it pleased the Almighty at that time, but to suspend or withdraw, for the punish-Daniel 3. ment of mankind, the weight and activity of the air, as we seehe did that of the most subtile and violent of all natural agents, that we are acquainted with, even the leven times morethanufually excited fire in Nebuchadnezzar's furnace; what can be then imagined, but these vast heaps of water being now no longer fultained or pressed together by the counterpoise and activity of the atmosphere, (or if we may make bold with the forementioned expression out of Job) the doors and bars which the Almighty had fet unto the vast ocean, being now opened and withdrawn, these waters, I say, must needs (as it were) of their own accord, from the law of their innate weight and fluidity, difflow, spread abroad and prevail over the face of the earth, as we read, they then did. And who knows if by the fountains of the deep, that are faid to have been then broken up, any other matter or thing be intended, than this great irruption of waters, on the withdrawing the activity of the atmosphere. And if all this be imagined too little, (as perhaps it was) to beget fo great a deluge, as that was, for it is faid, that the highest mountains on earth, were covered fifteen Verse 19. cubits deep; Behold then, hereunto added, the auxiliary waters of these vast cataracts and spouts, that fell for forty days continually.

> Et si non prosunt singula, juncta juvant. Ovid. In union mighty, though, divided, weak.

> > Again,

Again, (which still makes for our Hypothesis) we find, ch. 8. when it pleased God the waters should abate, it is said that God first made a wind no pais over the face of the earth. I suppose all men conclude that wind is nothing else than air, forced or driven in such a channel; and I believe, no man of reason will imagine, that the activity of the spring of the air, which we suppose now again restored, was any way impaired by its being now itself, put into a more brisk motion. And who knows, if by the wind here mentioned, be mot intended, this very thing I drive at, viz. the weight and fpring of the air, now not only re-**Lored**, but invigorated on this extraordinary occafion, we see the effect followed, for it is expressly faid, that the waters returned from off the face of the earth, continually. Behold we here the uni-Ch. 8. 3. form effect of the weight and spring of the air returned, an effect, surpassing the power of the mind. if we suppose it void both of spring and weight. To my imagination, not only the whole current of these texts seem fully to confirm our Hypothefis, but the Hypothefis itself seems plainly to expound what else is dark in them; and certainly there is fuch a connexion between the word of God and his works, that they best elucidate one andther; and tho' the main current and design of the holy spirit in the scripture, is chiefly the delivery of such truths, as being assented unto both in theory and practice, render a man happy, both in this life and that which is to come, yet, exsuperabundant, we have in them, not only the best precepts of moral philosophy, but interspersed such excellent hints of natural philosophy also, as when rightly apprehended, lead us to a more excellent

cellent and certain knowledge of the works of nature, than all the mighty voluminous writings of many of our modern commentators on Aristotle, can do without them. But this by the by.

Now therefore to draw towards a conclusion of this matter. If on all that has been faid. it be thought fit to admit, that by the effect of the air, on the water in the ocean, they are highest raised, where farther distant from land, then it is easy to give an account how the waters here in Lough-Foyle, as also, in all other places elevated so high above the sea, at the influx of their several torrents into it, may be faid, and that without injury to our forecited Hydrostatical maxim, viz. that waters rife not, unless forced, higher than their first source, to come from the sea; for it is clear as what hath been faid, that waters heaped on themselves may, at distance of many leagues. furmount our proposed heighth of two thousand foot: if so, then the higher parts of these heaped waters, pressing on these subjected unto them, as our forementioned accurate author makes manifelt

our forementioned accurate author makes manifest Mr. Boyle they do, in his Hydrostatical experiments, contrary to the axiom of the schools, Elementa non gravitant in propiis locis. These lower parts, thus pressed, when they find secret passages and pores in the caverns of the earth, are through them forced by that higher and greater weight abroad in the ocean, to rise and spring wherever their conduits lead them, (as for instance in this our lake) and stream from them continually.

And now at last, for answer to our great proposed question, why the water in the ocean, being on our Hypothesis higher than the land, overslow it not. It is easy to conceive, that that power in

the air, that we now suppose able to force back and heap up the waters on themselves, is also able to keep them up and suspend them, where thus forced back. And to put us out of all fear of their returning to overflow the earth again, we have the promise of the Almighty, in this case Genesia expressly affuring us, that the waters shall no more 9, 15. become a flood to destroy all flesh.

I have in this discourse, adventured to expose these sentiments I judged rational to infer from the principles laid down to my hand, by that truly able and excellent author beforenamed, designing not in the least to impose upon any; nevertheless, I seriously offer to the reader, what I find very ingeniously proposed by the poet, for his imitation:

Candidus imperti; si non, bis utere mecum.

Hon.

If a better fystem's thine, Impart it frankly, or make use of mine.

FRANCIS.

And now for closing up this discourse, too long to be stilled a digression, tho' it be no other, I shall borrow a few lines from our British Virgil, out of his master-piece, his paraphrase on the one hundred and fourth psalm.

Te rerum, Deus alme, canam, dominumque patremque:
Magne parens, Janel i quam majestate verendus,
Ætheris æternas resto, moliris habenas.
Te decor, auratis ambit te gloria pennis,
Et circumfusum vestit pro tegmine lumen.
Tu tihi pro velo nitidi tentoria cæli
Et liquidas curvo sus penais fornice lymphas;

Et levibus ventorum alis per inania vetus,
Frænas ceu celeres volitantia mubila currus,
Apparent accinelle aura flammaque minifira,
Ut justa accipiant. Stat mulio mobilis avo
Terra, super solida mitens sundamina molis,
Pollenti stabilita manu, terra obruta quandam
Fluctibus, ut sus super ardua culmina velo:
Sed simul increpuit tua vex, tonitruque tremendo
Insonuere aura, paulatim ascendere montes
Cernere erat, sensimque cavas subsidere valles,
Inque cavas valles trepidas decurrere lymphas.
Neve iterum immissa tellus stagnaret ab unda,
Limitibus compressa suitans transcendere metas.

BUCHAN.

Awake, my foul, to hymns of praise; To God the fong of triumph raise. O cloth'd with majesty divine, What pomp, what glory, lord, are thine! Light forms thy robe, and round thy head The Heav'ns their ample curtain spread. Thou know'st amid the fluid space The strong-compacted beams to place, That proof to wasting ages lie, And prop the chambers of the sky. Behold, aloft, the King of Kings, Borne on the wind's expanded wings, (His chariot by the clouds supplied,) Through Heav'ns wide realms triumphant ride. Around him rang'd in awful state Th' affembled ftorms ministrant wait: And flames, attentive to fulfill The dictates of his mighty will. On firmest base uprear'd the earth To him ascribes her wondrous birth.

ing

He spake; and o'er each mountain's head The deep its watery mantle spread: He spake; and from the whelming flood Again their tops emergent stood; And fast adown their bending side With refluent stream the currents glide: Aw'd by his stern rebuke they fly, While peals of thunder rend the sky, In mingled tumult upward borne Now to the mountain's height return, Now lodg'd within their peaceful bed Along the winding vale are led. And, taught their destin'd bounds to know. No more th' affrighted earth overflow. But obvious to her use (their course By nature's ever copious fource Supplied.) refresh the hilly plain. And life in all its forms sustain. MERRICK.

And now to return to our Silver Hand or stream. issuing, as we said before, out of the northern end of Lough-Foyle, whose many falls, in so short a course, hath led us so long a dance, I shall give one remarkable passage concerning it, which you may take on my own certain knowledge. In a very cold season, about twenty years since, Lough-Iron, (whereinto I told you this brook falls) being frozen all over, infomuch as men and horses went over it without hazard; this Silver Hand, when it had attained the lake, held on its course. I may rather fay channel, thro' the whole length of the lake, liquid and unfrozen; and, which is more to be admired, the stagnant water of the lake itself, continued frozen under the liquid running stream; informuch as both men and women, with horses loaden, did, at that time, safely walk on theice, thro' the stream. I myfelf, be-D 2

ing one, walked ancle deep in the water on the ice, where I am certain, there was of ice and water together, the depth of no less than fifteen foot. This continued thus for many days, during the cold season, and seeming to admire it, I was told by an ancient and grave person, that it had been fo once before in my grand-father's days; and tradition tells us, it was once so, when the monks dwelt here. The cause hereof may be, for that the water, by falling over so many precipices and mills, in the short course before described, hath its spirits so excited and made active or tremulous in it, so as that the cold cannot so easily fix the parts thereof, as of the more dull, phlegmatic and stagnant water in the lake itself, as we see running rapid streams do not so readily freeze. as more quiet water. This I offer only by way of guels, for I confels, I know not why for this reason it should not be always thus in great frosts: and yet I have several times known this lake frozen over, without any appearance of this fream on it. But I leave the more accurate and nice inquisition into this odd phænomenon, to the curious witsof this inquisitive age wherein we live.

And now to return to Lough-Foyle, whence we have a long time deviated. Towards the louthern end of it there is an island, before-mentioned, and in it a church, said to have been of old a place of pilgrimage. In our last, long and unhappy wars of forty-one, towards the latter end thereof, when the power of our English arms began to prevail in this country; this island was made a garrison, or a place of retreat and safety for the natives, who hitherto, and to all such like places, slocked for securing their persons and

goods, until they could make their composition. From this island then, were sent two men in a cot to bring in turf, from a neighbouring bog where it stood stacked up and dry: having loaded their cot, they took in a young woman, whom they fested in the midst of the cot upon the turf, and launched forth. It fortuned the cot forung an unusual lake, and before they heeded it, it was more than half full of water; the men plied the best they could to get to land, but the water prevailed so that the cot sunk; the men not skilful in swimming were both lost; the woman, in so great a consternation, giving herself for lost, endeavoured no way to save herself, but sat still without motion and almost without sense; yet it pleased the Almighty, who oftentimes wonderfully and beyond hope appointeth means of deliverance, when the cot funk, the continuing still in the posture she was first seated in sloated, for so much of the turf remained united under her coats as buoyed her up, and there being no wind on the lake, she continued floating, until that by another cot, sent out from the island, she was received almost senseless into the same. This story bath been confirmed to me, not only by an eye witness, but by one of those, who in the other cot relieved her; and I am told the woman is yet This passage verifieth, that of the poet, tho' in a sense different from his, for had she endeavoured to fave herfelf, it is like the had escaped no better than the other two did:

Una salus victis, nullam sperare salutem. VIRG.

Catch one last beam of safety from despair.

PITT.

Hence

L. Iron

Hence let us look a little to the north west, and we meet with Lough-Iron (of which somethin before, not a full mile distant from Lough-Foyle it is in length, from north to fouth, a full mi and more, in breadth not half so much; it's nare need not be Englished, but, as tradition goeth, hath it on this occasion; it is said, that of o here was no lake at all, all wood, meadow ar woody pastures, only our Silver brook, assisted t several springs from the neighbouring ground watered the low ground in a small rivulet, ov which by stepping-stones was a passage for foc men: a country farmer passing near, chanced drop his plow-irons, which he was carrying the forge, in the brook; hence it got a nam which in the Irish tongue sounds, the Iron-brook this name held still, for when the water af prevailed over the low ground, the name w altered to that of the Iron-lake. This story I co feis looks somewhat odly, savouring of those i bles that our old traditions abound fufficien with, nevertheless, it gaineth much on those w know the lake, and the bogs and low grour that are about it; for first this lake is not so de as most of our lakes in this country are, for it no where above fixteen foot deep, whereas t shallowest of our other lakes are so many fathe and more. Again towards the banks or mare of it, (strand it hath none, except where the In falleth into it and near it) are seen under wat trunks and stumps of trees, especially near verge where it is shallow, lying in the mud, a indeed the whole bottom of the lake is nothi but mud; and, what I esteem a very great e dence in this case, I myself have found in our sh

low water near the banks, and taken up, stags homs much decayed and rotten. After all this, at the northern end of this lake, where the Inny runaeth into it (as aforesaid) in a fair, calm and clear fummer's day, you may be able to trace the old channel of the Inny, and plainly discern in eight orten foot of water, the antient banks the river had, on both fides thereof, before it overflowed and drowned all. Hereof I myself and many others, are witnesses. This so unusual a metamorpholis, seems to me to have been occasioned by some subsidence, or settling downwards of the land. the it occur not readily to guess at the cause thereof, and may confirm and be confirmed, by what of this kind hath been written, by antient and modern cosmographers, in their accounts given of other countries. Of the like changes of habitable places into standing pools, the poet sings,

Si quæras Helicen et Burin achaidas urbes; Invenies sub aquis: OVID MET.

If Burin and Helice (Grecian towns)
You feek, behold the fea their glory drowns.
SANDYS.

In the ditches that have been lately cut in the skirts of this lake, are constantly, from September to March, found in an incredible abundance, the fry of young fish. A youth, one of my sons, about seven years ago discharged a small piece at this fry in the water; of this shot were reckoned, that floated and were served up to the table in one dish, of young roach and bream more than two hundred and fifty, besides more than sixty that sunk and were told as they lay in the mud at the bottom. This hath seemed incredible to all that

## A DESCRIPTION OF THE

ever heard it, yet hath been attested by the Right Rev. the late Lord Bishop of Meath, Mr. Robert Ware and others then at my house, and to my own certain knowledge is no fiction, who stood by when the gun was discharged and saw the fish whea told out. But what to me seemed a greater wonder is. I did not find that many of the flain were wounded, and I imagine if any were, they were those that sunk. Most of the fish that were taken up feemed whole and untouched, only a few feemed fcratched rather than wounded on their sides, by the shot that had grazed on them, insomuch that a man might justly wonder, how they became bereaved of their lives. This I conreive to have been occasioned by the sudden impression and violent concustion of the ambient water on the fish, from the like made in the contiguous air, by the violent irruption of the ignited fulphur on discharge of the gun. But the great difficulty feems, to determine what noble part of the fish it was that was so affected, or vitiated on the displosion, as to examinate them so suddenly. find that all those small fish, and many other (if not all) great fish, have within them between the heart and back-bone, a small bladder full of air in shape somewhat resembling a long egg, which some, for want of other name, call the swim; the office of which, I take to be to counter-poile their own weight in the water, so that by contracting or dilating it, the fish may at pleasure, with ease and readiness, move higher and lower, on this or on that hand in the water. I find also, that to outward appearance, their brain seemeth to be as thin almost as water itself, and even as it were an oily

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oily moisture, and consequently more easily receptive of alteration in its texture, on the rapid concution of the water before spoken of. Hence I am apt to deduce it, the fish which floated, were vitiated in the brain, by the fudden and violent impression, made in the water before mentioned; and confequently so stunned, as to be rendered suite dead, or at least motionless for the time, whereupon their mentioned bladder, being no ways over-powered, by the voluntary motion of the fish exerting its own function, buoyed them up to the top of the water, their backs as the more heavy and fleshy part weighing downwards, and of consequence their bellies upwards, as is usual in dead fish. But for the fish we mentioned to have funk, (which scarce were a fourth part of the whole) I fancy they were smitten in their swims or bladders, whereby the included air evaporating, tho' perhaps not quite killed, they were now defeated of their natural buoy or counterpoile to their own weight, and must of consequence be for want thereof depressed and sunk. This I exhibit only as my own conjecture in this matter, no way pretending to a demonstration in any inquiry so nice; but leave the thorough discussion thereof, and of other phoenomena herein exhibited, to the more accurate and philosophical genius of this our inquisitive age; altho' I adventure to give on them my own conjectures.

I shall take leave for the present of this our lron-Lake, when I have told you, that we have in the margin of it, an excellent meadow, which in the several seasons of the year yields hay, grass, sish and sowl. But other low grounds near our lakes

lakes in this county, yielding the like also, I will no longer infift hereon, but pass now southward about six miles, to the more noble water

Lough-Inniell, the largest and most extended L. Imiell of all our waters in West-Meath, if Lough Direvreagh and Lough-Foyle do not contest with it in this respect. It is five miles long and full half as broad. The fabulous account given of the name. I shall not burthen this paper with, but shall acquaint the reader, that it is seated on the west and south of Mullingar, and of the same distance from it on the one hand, as Lough-Foyle is on the other, that is to fay, a large mile or more. It aboundeth with all forts of fish before-named, and is hemmed of all fides with excellent arable, meadow and pasture. On the south side thereof, jetteth out into the lake a very pleasant peninsula, being about three or four acres of ground, joined to the main land by a very pleasant neck of ground, of about forty yards long and about half so much in breadth. The Chersonese is cloathed with all forts of forest trees, which fill the arva except one green spot in the centre, a place very delightful and satisfactory to the beholder; for even at a distance, it affordeth a very pleasing prospect to such as travel westward from Mullingar, or fouthward to it. Into this water, as aforefaid, the Golden Hand of Lough Foyle, falleth from Mullingar at the east end, and is united at the west end, under the name of the Brosny. In this lake is an island belonging to the land of Disert, which was in some fort fortified by the Irish in the latter end of the late wars, and held as a garrifor by them, and made one of the chief repositorie of their wealth; yet notwithstanding it was taken

more

n composition by the English, who held it, until by the treachery of one Ryling of Mullingar, whom the governor of it trusted with his cots, for exportation of goods; he delivered the cots unto some of the Irish captains, who by this means in a dark night landed their men, and set on the governor unawares, and surprised him and his garrison. I hear of no great slaughter committed in the action, they were all made prisoners, 'till the English getting together a good force of cots, forced them to surrender again. From this water, let us look eastward again, and two miles beyond Mullingar, you shall meet with

Lough-Drin, so called from an high hill, under L. Drin. This lake, one of the least in which it is fituate. West-meath, is indeed a mere standing pool, for ought appearing, unless it has a secret vent by some of the neighbouring springs, which in this tract rife very plentifully; it is of depth incredible, yet scarce covereth an acre of ground, and remarkable only for the quality of trouts there found; for whoever eateth of them, falleth foon after into excessive fits of vomiting, which contimeth not without pain 'till the whole maw be This account I had of a servant of discharged. mine, who was my fisher and lived many years with me. But being willing to be more fully informed of the truth of this matter, I lately difcoursed with that worthy gentleman, in whose land this pool stands, who gives me a full confirmation of it, and that from his own experience: for he once eat of them, and found the operation conform to what is above related. But not content therewith, for tryal, fearing some other thing might occasion the vomit, he attempted yet once

more to eat of them, and found the effect as before. This gentleman further adds, that a certain fisher having taken good store of them, sold them in the town of Mullingar; coming thither again with more of the same fish, he was laid hold on by the inhabitants, and well drubbed for his pains, his fish thrown about the streets, and with much intreaty was he permitted to escape with unbroken bones. Enquiring at the cause thereof, the said gentleman told me, that before the rebellion of 1641, one St. ----- Veale lived at his father's tenant at Monylea near this pool, who drew a drain from the river Gain up into this pool, by which the trouts then got up to this water. farther adds, that this drain not being kept open, hath so grown up long since, as that the trouts are therein intercepted, and so pent up in the pond from running water, as that they are hereby altered and become emetick. This he gives as his account hereof, wherewith I am not so satisfied as to take it for the sole cause of this quality in the fish, altho' I deny not but by accident it may contribute unto it, if it be true that before this drain made, there were no trouts in this water, which this story seems to infinuate; I rather imagine there may be some mineral springs in this water, that may have secret and undiscovered vents. These springs, probably are not without gravel where they rife, in which this fort of fish is known to delight. But this supposition of mineral springs, being but a meer conjecture, I shall not enter into the enquiry how far the feeding of the fish in such springs, might alter their nature, and make them from an wholesome food, to become a medicine: and yet the same gentleman farther adds, that the eels found in this pool are exceeding good, and have no such operation, which if we could lay any stress on our former guess, might not be held inconsistent with it, for that it is known eels delight most in mud, and consequently frequent not the supposed mineral springs. I shall now lead my reader more northerly, even to the verge of the county, to the yet more admirable water, which shall be the last of our lakes I shall peculiarly give account of

Lough-Banean-Annagh, which may be render-L.Banean ed the white lake of the passage. This lake is in Annagh. the north of our county, being a boundary between our half-barony of Four, and that in Meath; fituate between two hills, which so pen it up that it beareth no proportion in its breadth, with its length. That which is most admirable of this water is, that during the winter season, when all other waters are at the fullest and overflow, this only then is at the lowest ebb, and thus continueth confiantly during the highest winter sloods and continual rains. But towards April, when all other floods do abate and fall, it beginneth to rife, and continueth so to do gradually 'till about the middle of June, by which time it is highest, and thus continue the during the whole summer's drought until about Michaelmas, and then when all other waters begin to swell this only abates, and gradually falls, 'till about the midft of December, and then it is at lowest ebb, and so continues 'till March again. This hath been and is its constant habit time out of mind. It rifeth when at highest more than twenty foot of perpendicular water all fammer long, it looks in colour green as the sea water is, but always fresh; in the winter when low,

it is limpid and clear, as our other waters are. A gentleman of good esteem, who lives near this lake, assures me of the truth of this, and adds, that in the winter season, while it is low, it receiveth a stream of water into it, from other neighbouring lakes, that at this time are higher than it, yet no stream was ever known to issue out of it at any time, nevertheless he farther saith, that one summer, about fourteen or fifteen years fince, the water rose so high in this lake, that about midfummer it overflowed, and that the tame channel by which in the winter before, it had received waters from one of these lakes, did now return back unto them, a stream no way inconsiderable; and farther he adds, that he hath oftentimes about Christmas, made coverts and laid fnares at one end of this lake to catch foxes, in more than forty perches of strand, in a place where he is certain, had he stood the summer before, and had the additional height of four men, (this was his expression) to his own, he had been drowned. Enquiring of him the cause of so admirable a phenomenon, he could not affign any, but saith, this matter hath proved the fruitless inquiry of all the learned in the neighbouring countries, who have several times had their solems meetings and reasonings about it; their result being, that this overflow is occasioned, by the opening of the pores of the earth (as their phrase is) at one season, and their being again shut a another. But to my apprehension this seems but ! general defultory account, and I confess it is much more easy to object against this hypothesis, that to establish a better, especially for a man that liveth at distance from this water, which, for ough

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ought I yet ever met with, hath not a parallel in the universe; nevertheless I shall venture here to cast in my mite, but I shall intreat my reader to look on it but as a conjecture at the cause, and no adequate account of so rare a phænomenon.

I look therefore on this rife and fall of water. to be, as it were, the only annual tide in nature, that we hear of, and offer it to be considered of as the refult of the influence of that great luminary of the heavens, the fun. For as all philosophers, that I have met with, ascribe the daily influx and reflux of the sea, to the influence of the moon observing that the highest tides that we call spring tides, keep their constant course with the full and waine thereof; so perhaps we in the instance in hand, may ascribe the great overflow of this lake to the fun's approach to us; for as I have told you, that about March, which is the time of the year that our fun causeth all germination in our horizon, this water beginneth its flow, and by the time he comes nearest to our zenith we have the flood at the highest, so consequently at the sun's recess it falls again, and when the sun is farthest distant, and that all germination and growth of the year ceaseth, then is the lowest ebb of this tide. I shall not descend to inquire over nicely into the manner of the sun's influence on this occcasion, as whether it be by the effort of his impression on our hemisphere, in his approach unto us, which then bearing harder as it were on our air, might be thought the more to invigorate the spring thereof, and so by the fecret conduits or pores (as the phrase of our philosophers is) to force more violently the waters from the ocean sbroad to rife and spring in this lake, to the height above

above mentioned. But against this account of this matter, it may be faid that for this reason the effect should be the same in all other lakes that have water continually springing in them, as in Lough-Foyle before-mentioned; to which I anfwer, that for ought I know it would be so in all those other lakes, had they not continual vents which carry off the rifing water, as it rifed continually, whereas this lake having no vent at all, except that one by which, as before said, it did one year fend forth its stream unto the neighbouring lakes: the waters that arise in it in the fummer are still heaped up on themselves, for want of a channel whereby to fall off, and at the fun's recefs, they as leifurely return whence they came and by the same passages, as upon his access they flowed unto us. However this matter be. I have adventured thus to exhibit this my conjecture. indeed with a great deal of hefitancy, for I look on the matter, being new and never handled by any I know of, as too nice for me to be positive in an account of this or any other hypothesis, and think it enough to expose the hint, given rather as a subject of discussion, than any way as yet to be infifted upon as a real account of the phoenemenon. I shall therefore now proceed to acquaint my reader, that the gentleman before-mentioned farther tells, that he has founded this water when lowest and found it eighteen fathoms deep.

It hath in it plenty of pike and eel, the largest and biggest he hath seen; some of the eels he hath taken have held out thirteen inches in compass. Of this admirable water, I have heard many years since, but of late made my inquiry more particular, and I find the same things, as to

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the in confirmed by divers others: more particularly by a worthy gentleman, who hath been about fourfcore years a near neighbour to this lake, and he affureth me of the truth of every matter of fact above related, and that it was never otherwise in the memory of man. I shall here close up what I have to say of our lakes, for I find nothing more to be said of any of them, that is peculiar and deserving a more particular relation, though many more we have well stored with fish and very pleasant waters.

Having too long perhaps detained my reader in the waters, we shall now make towards land. But before we comeat it, we are forced in many places to trace the bogs, wherewith West-Meath is for certain well stored. I do not remember that I have at any time seen in this county any large sarm, that hath not a bog in one skirt or other of it; and indeed were it not for these, our country being neither stored with timber for suel, or coal, would either be a desolate wilderness, or at least a very uncomfortable habitation.

Our bogs are of two forts, one we call red-bogs, from the colour of the turf or peat therein Red-bogs. found. These naturally produce only moss, a little short heath and a certain strong smelling shrub, which some from the bitterness call Moregall, the natives call it Riddoge. This sort of bog is also stored with an high raised and oftentimes conical berry, of a sharp, sour, piquant taste and yet not unpleasant; it makes an excellent sauce; the natives call them Moonogs, I know not by what name to make them speak English, unless by the general name of bog-berries. We have also

in those bogs, a certain round, flat, berry, full of Juice, somewhat sweet, called bill-berries, in colour purple, which leave the hand and face of the eater for a time black and blue. On this fort of bog is also found Ros Solis, in great abundance, especially in the slutches thereof, and in deep standing pits of water, overgrown with flobby moss. The other fort is the black-bog, it is rather a kind of meadow or pasture. It affordeth a sort of black, hard turf, which we call stone turf, and is a more lasting fort of fire, but not so pleasant or sweet. This kind of bog, (if not incumbered with water to which it is often subject) will cast good store of grass, and is reducible by draining, to excellent meadow. Our red-bogs, tho' drained, are not so easily improved. I have known many of them lye many years after draining (unless other husbandry be used) and cast little grass. The best course to reduce them after draining, is first to raise up the uppermost scruff or fod, which when dried and burnt in heaps, the ashes must be scattered abroad, the bog lightly plowed and fown with barley, which it will yield in great plenty; this done, leave it out, keep open your drains, and you may in time hope to fee a good head of grass.

Advan-

Of this kind of husbandry by draining something is done amongst us, more (for what I can tages or draining. find) than was done in former ages, yet far short of the merit of a matter conducing so much to the general advantage. I have not feen any bog less capable of being improved, than those about our Iron-lake aforesaid. They lie so level and low, that in an hundred perch you shall hardly find two foot fall above the high water mark in the lake,

lake, and withal so extraordinary full of old pits, that after as much water as is possible, without the use of engines to lead it, is drawn off, the pits stand many of them several soot deep of the stagnant waters from the lake; nevertheless by draining (this I mention to encourage others in so good a work) it doth become pasturable, and where heretosore you could not without hazard have walked, you may now ride securely.

In these bogs are found sometimes at four foot, Timber, and sometimes more deep, the roots, bodies and bogs. branches of oak, alder and other forts of forest trees. which tho' foft when first raised, yet if left to dry, become useful timber, but always black. I have often taken up leaves of willows and other trees, found under four or five foot of perfect turf, in their perfect fize and shape, no way impaired, only by their long lying in their moist beds, they become discoloured, inclining to yellow: I have also found five or fix foot in turf, hazel nuts whole and unbroken; nevertheless, when opened, there was nothing found within the shell, but a thick blackish These certainly may seem to strengthen our former conjecture, viz. that our Iron-lake and the bogs that now bound it, were formerly woody pastures, and also serves to add strength to what I observed in the beginning of this discourse, that of old we had in this country many forests, and the name that the forest, whereof now not one tree remains, that was in this barony for Forest of feveral miles both in length and breadth, remainshog. to this day amongst us, viz. the Forest of the Black-hog.

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In a large bog, not far from hence, are found many large portions of juniper, yew and deal or fir trees; one of these about eight foot long, and six inches square, I have this day in a floor in my house, the grain plainly shewing it to be fir; yet by long lying in this bog, it is become of a dusky blackish hue.

But not only trees and leaves have been thus found, some have found vessels of butter, very deep and over-grown with found turf. And I remember a worthy gentleman, now dead, hath told me, that digging in his bog, some years before the rebellion of 1641, for turf, he found some links of an antient gold chain, and what I more wonder at, the bowl and a piece of the stem of a tobacco pipe. How these should settle so low, especially the leaves and nuts above mentioned, occur not easily; for my part I am apt to believe, they kept the first station or level, in which they fellor were casually lost, and that the bog hath since risen or grown over them, from the sediment or flime which water leaveth behind it, in places where it hath long lain. And this I the less doubt of, having read somewhere in the writings of our excellent author before-mentioned, Mr. Robert Boyle, that he hath, for trial, set by some portions of the most clear and limpid waters he could meet with, in very clear glasses, and after some time he hath found therein a sediment of a whitish flime or mud, by which, with other his experiments in that piece, he clearly demonstrates that the elements amongst us are no where found pure and unmixed. And yet farther to confirm this, that bogs do grow, I shall relate what I have often been assured of by an old farmer of my

Bogs grow.

own

own, who hath avowed to me, that he hath twice in his own time raised perfect good turf in one and the same pit, viz. a second growth in the place where he had the former; and I myself know a certain piece of ground in this country, which is an high hanging ground and a moorish soil for two spade spit at top, but then gravelly clay, whereon I have often seen the inhabitants raise their turf this year and flea it to the gravel, and in less than ten years it will have a coat grown over as good, and as deep turf as before. I have oftentimes made this observation in my travel by and thro' this ground, by all which it is manifest not only that bogs do grow, but several of them in less time than a man would be apt to imagine: witness the tobacco pipe so long since found so deep in that turf, fince it is not much more than one age, fince tobacco was first in use among us.

But what shall I say if our whitish soft clay grounds (whence is fometimes digged, what we call marl for manure of our lands) do grow? I shall relate a story that may seem to give countenance hereunto. About the beginning of the reign of our late sovereign king Charles the first, of bleffed memory, a certain gentleman of this county, by name Thomas Nugent of Collamber Esq; riding not far from his own house, saw lying on the ground a prodigious pair of stag's horns, which had been found seven or eight foot deep in Horns a pit, whence the farmers had digged their marl found in The gentleman on whose credit I relate this story, marl-pits. is son to this Mr. Thomas Nugent, now about eighty years old, a person of good repute and worth. This gentleman shewed me, not long fince, the place in the great hall of that house, where

these horns were erected. The space of the wall they filled (when there fixed) being from the chimney to the end wall of the room, is no less than twelve foot in length, the hall at that time having no loft, would have received their height, had they been higher than they were, but their just height he remembereth not. The palms out of which the smallest horns branched, were as broad (he fays) as the targets, which in those days men of the blade used to wear. They were much decayed by reason of their long lying in their moist bed, many of the sharper points being quite rotted off. They were then the only wonder of those halcyon days, and the talk of all those who had not, as well as who had feen them; infomuch as that the report of them being carried to the court of England, his majesty was very desirous to see them, and fent his command in writing, together with his pass under the royal signet to Mr. Nugent, to bring them to him. Nugent obeyed, and went in person, and presented them some time before the late unhappy contest that had arose between his majesty and his parliament, for which his majesty rewarded him with a concordatum of five hundred pounds; what became of these horns after this I find not, but remember t have heard the relation of these things fresh ir this country almost thirty years ago. Some have thought them the horns of an elk; but if they were, they are the only proof that ever I heard of. that elks have been in this kingdom. But whether stags or elk's horns, two things I find remarkable on the whole relation, first their prodigious largeness, and then the great depth they were found at under ground. The first speaks what vast'

vast bodied beasts we have sometimes had in this kingdom; the other must imply, either that they funk for deep into the ground, which is not possible in so tenacious and stiff a body as this fort of clay is, unless we suppose them to be vastly heavier than their equal bulk in clay, or that this clay hath grown to this height over them, which I take to be the more rational supposition, for from these instances, and others deducible from the sod that we see daily grows even in a few years, where our pasture grounds have been flayed, and from the freshneis and fatness, not to say growth also of our arable, when suffered to lye out, for if any growth it hath, it is so slow, and the age of man so short, that no man, that ever I heard of, hath recorded From these No deany observations concerning it. reasons I am apt to conclude, there is no such de-cay in cay in nature, as some men have been prone to nature. complain of; but from the continual influence of the celestial bodies communicated to the earth. chiefly by these dews that during summer and harvest fall in great plenty, when our sun is nearer to us, for the reception whereof the earth had been by the frosts and cold of the preceding winter, during his distance from us, exceedingly well fitted and prepared; hereby, I say, the nature of the soil is continually redintegrated, and what may feem by the labour and industry of man to be drawn from it, is sufficiently and to advantage, by these influences, repaired. Infomuch, that if God had not declared in Holy Writ that an End shall be, I should be apt to imagine, such is the care and concern of the Almighty, whose mercies are renewed every moment for his whole creation, that never any should be.

But

cle.

Bog-mus-But to return to our bogs. In them is found, especially in slimy pits covered with water, a certain shell fish, which we may call the bogmuscle, in shape and size like the sea muscle, but flatter and broader, the shell in colour much brighter and greyish, by many degrees thinner, very brittle and easily broken. They are not found any where in great plenty, nor are those that are found much eaten, altho' said to be harmless by such as have eaten them.

It hath been observed of this island, that it

No poifonous animal in Ireland.

fostereth no venomous or deadly animalin it, which certainly is a very great bleffing, whereof few countries, that I hear of, partake, except it be true what some have written of the island of Malta in the Mediterranean sea; nevertheless we have a certain reptile found in our bogs and moorish Connogh pastures, called by the Irish the Connogh, it passeth my skill to make it speak English. is an ugly worm, fometimes as thick as a man's thumb, about two or three inches long, having, as all reptiles have, many short feet, a large head, great goggle eyes and glaring, between which riseth or jetteth forth, one thick bristle almost in shape like an horn, which is prominent and bendeth forward about three quarters of an inch. Whatever beast happeneth to feed, where this venomous worm hath crept (some say if he do but tread there) is certainly poisoned, yet may be infallibly cured, if timely remedy be applied. The case is two-fold, yet in effect but one, both proceeding from the very worm itself. Some there are that take this worm, putting it into the hand of a new-born child, close the hand about it, tying it up with the worm closed in it, 'till it be dead. This

worm.

This child ever after, by stroking the beast affected, recovers it, and so it will, if the water, wherein the child washeth, be sprinkled on the beast, have known a man that thus would cure his neighbour's cattle, tho' he never faw them. The other method of cure, which I like much better, is by boring an augur-hole in a well grown willow tree, and in it imprisoning, but not immediately killing, the worm so close by a wooden peg, that no air may get in, and therein leaving him to die at The leaves and tender branches of this tree, ever after, if bruised in water and the affected beast therewith be sprinkled, he is cured. all-wise and ever gracious God, having thus in his providence ordered it, that not only this venomous reptile, but divers others, and who knows if not all, did we know the right method of using them, should have in themselves their own antidotes, that so we might have a remedy at hand, as the poet sayeth.

:2:

ii s

Vir

明治は日本

Una eademque manus vulnus opemque ferat. Ovid

The hand that wounds applies the healing balm.

We have also in our bogs and low pasture grounds, and likewise on high moorish pasture, and mountains, a certain small animal (rarely met with) in length about a span, having four feet resembling the hands of a man, palm, thumb, and singers, from the hind foot backward it is as long as thence forward, but not so bulky, for it tapereth forth in length, and ends in a very small tail, without any sting that I could ever find. The best portrait that I can give of it is the crocodile in the maps and cuts of travellers and some geographers,

geographers, which it feems to me in all par refemble, and to outward appearance is none ( than a diminutive crocodile. They are of diffe colours; those found on the mountains are gre and azure; those in our bogs are betwixt gre and brown, speckled; some call them in the Arglogh-tongue, Arglogher, which may be rendered rush-pig, and others Askeloagher, or rush This animal, thus terrible to our outward vie altogether harmless; and tho' its jaws be very and he at pleasure exerteth thereout a very and slender branched, forked tongue, resemb at full extent an anchor, the outwings of whic draweth up close so as not to be visible at pleas yet it never offereth to sling or eject any poi It is a strange vivacious animal; for being ke the open air, it will live a twelvemonth toge without food or fustenance, more than what element affords it. I have known a young who for feveral months together, kept one of t prisoner on his hat, tyed by a thread to the band: it had more than half its long ta hinder part cut off, yet this poor creature li and seemed lively and strong enough; how he kept it in the whole time, and whether it for lack of food or not, I cannot tell. I have you this creature was no way noxious, I shall tell you wherein it is helpful to man, and under one of the saddest accidents or disaf that sometimes befal us; whoever therefore sha so hardy as to take this little formidable animal, stroke the belly and tail thereof three times ag: his tongue, drawing it against the scales of it, ever after perfectly and speedily cure any bur scald, and that by licking the part affected.

hath been confirmed to me from the certain knowledge and experience of a very honest gentleman, and a near neighbour.

Having too long, I fear, detained my reader in our lakes and marshes, we will now, with his good liking, range the more firm and stable champaign ground; and here you shall be sure to meet with most pleasant and fruitful fields, either cloathed with corn of all forts, or studded with white or black cattle, meadows in their seasons flowring, or pastures always verdant, no rough or impassable mountains, but instead thereof, pleasant and fine rifing hills, feated at such just distances, as if by them nature designed only to delight the elevated spectator with a more advantageous and chearful view of the adorned fields and plains; nevertheless, as before I complained of our great want of timber, so here I must of another deficiency, of almost as bad a consequence, want of hedges and fences; a defect that we cannot hope to find in our Want of days thoroughly removed, nor is it likely it ever hedges will, unless our proprietors become inhabitants also; and for adventurers and other gentlemen, set out their fences. estates at the highest rent to the poor farmer, and from him little of improvement is to be expected, who, if he be able to pay his rent and live, thinks himself happy and rich; nor indeed doth the genius of the Irish farmer incline to be at any present expence, in expectation of a future greater benefit: he will fence indeed his corn, but so slightly and without any manner of quick, that before it can be reaped, his own and his neighbour's cattle force him usually to a renewal of his labours; and if at any time he makes a fence likely to hold out a whole year, he triumphs, and with confidence pronounceth

pronounceth it a year's ditch, which among them passeth for a very strong sence.

In this our survey of Westmeath, we must not expect to meet with stately cities, nor great towns of mart, for being an inland country, having no navigableriver, norestablished manusactory among us, our inhabitants live more scattered in small villages, consisting mostly of poor small cottages, which stand not much longer than their sences; nevertheless, you will now and then meet with a few towns-corporate, some antient castles, and some abbies and monasteries, whereof I shall here give you the best account I can.

Rathwire.

Rathwire is the first place of note that presents itself to our view, and that at a distance if you come from the East, situate in the barony of Farbill, on a high rising ground, built as of design not to overlook but to awe the whole country founded (as tradition goes) by Sir Hugh de Lacy, who was one of our first English conquerors, and fixed in this country in or very near the reign of king Henry the Second. It seems by what to this day remains of the ruins, to have been a strong well built fort for the manner of building at that time, capacious and of good receipt, now remain only some portions of the outwalls, and heaps of rubbish,

Fuit Ilium et ingens

Gloria Dardaniæ.

Virg.

Here Ilium stood Dardania's mighty boast.

Very near this but in a valley behind it, is seated

Killuc-

Killucquin, the largest of all the parish churches I have seen in this county. It beareth some proportion with the mind not the body of the sounder (for

r Sir Hugh was a small timbered man) and not ly so but with the parish itself, which is comnsurate with the barony. For the barony of bill and the parish of Killucquin are terms onimous. The church hath a large and well ilt steeple or tower, in the west-end thereof, serein hang to this day two or three fair bells, ich have had the good fortune to escape the ine and fury of the late wars. On the eastl is a fair large chancel raised almost to the ght of the body of the church; the whole well ofed and shingled. On the north wall of the incel at the east-end, stands a fair handsome tle, now without roof, the mansion house, I pose, of the vicar or curate; adjoining to this irch are two or three chapels, whereof one called Mary's is a large one but without roof, all It in after ages for burial places to divers of the t families of the country; not far from the stch yard, on the fouth of it, stands what is left heantient parsonage house, a fair large building. ording to the antient mode of building; it is to day (prob pudor) waste without stick or stone, r a thus long settled and well established This feems indeed an universal malady. I take it to be one of the many inconvenies that follow non-residence, (an evil too frent among our clergy) which certainly here in wish so large and of very good revenue, is lly excusable.

this church, as in all churches I shall hereafter tion to be in repair, divine service, according re rites of the church of England, is conly celebrated, &c. Hence north-west let ravel to

Delvin,

accordingly here he remains pent-up all his day every day he faith mass in his chapel, which a is part of, nay almost all his dwelling-house, t there is no more house, but a very small cast wherein a tall man can hardly stretch himself length, if he laid down on the floor, nor is the any passage into the castle but thro' the chapt He hath fervants that attend him at his call in: out-house, but none lyeth within the church b himself. He is said by the natives, who hold him in great veneration for his fanctity, every day: dig or rather scrape, for he useth no other too but his nails, a portion of his grave; beir esteemed of so great holiness, as if purity as fanctity were entailed on his cell, he is constant visited by these of the Romish religion, who ai at being esteemed more devout than the ordina amongst them; every visitant at his departu leaveth his offering or (as they phrase it) devotic on his altar; but he relieth not on this only f a maintenance, but hath those to bring him in the devotion whose devotions are not so fervent as invite them to do the office in person; these ? called his proctors, who range all the countries Ireland to beg for him, whom they call the he man in the stone: corn, eggs, geese, turkies, he sheep, money and what not; nothing comes am and no where do they fail altogether, but fon thing is had, informuch that if his proctors d honestly, nay if they return him but the ter part of what is given him, he may doubtless f as well as any priest of them all; the only rec ation this poor prisoner is capable of, is to we on his terras built over the cell wherein he li if he may be faid to walk, who cannot in a line stretch forth his legs four times.

One of these churches before mentioned is St. Fecalled St. Fechin's, one of our Irish faints. diefentrance into this church is at the west-end. by a door about three feet broad, and fix feet high. This wall is hard upon, if not altogether, three feet thick; the lintel that traverseth the head of the door is of one entire stone of the full thickness, or near it, of the wall, and to the best of my remembrance, about fix foot long, or perhaps more, and in height about two foot or more; having taken notice of it, as the largest entire stone, I had at any time observed, especially so high in any building, and discoursing of it with an antient dweller in the town, I observed to him, that of old time they wanted not their engines, even in this country, for their structures; the gentleman, smiling as at my mistake, told me that the saint himself alone without either engine or any help placed the flone there, and thereon he proceeds in this formal flory of the manner and occasion of it. he faid the workmen having hewen and fitted the flore in its dimentions, and made a shift with much ado to tumble it to the foot of the wall, they assayed with their joint forces to raise it, but after much toil and loss of time, they could not get it done, at last they resolved to go and refresh themfelves and after breakfast to make another attempt at it; the faint also, for as the story goes he was then living and present, advised them so to do, and tells them he would tarry 'till their return; when they returned, behold they find the stone placed exactly as to this day it remains over the door. this was done, as the tradition goes, by the faint alone; a work for my part, I believe impossible to be done by the strength of so many hands

only as can immediately apply their force unto it however I assure you this story in that formality related, is infinitely believed by a generation credulous enough, and who boast of miracles and adhere to tradition how unlikely soever it be, if it seem to set but the least gloss or varnish on that religion or the relatives thereof, that they so tenaciously adhere unto.

Monastery of Foure.

Besides the churches and the cell, this corporation hath adjoining to it one monastery, not large but neat and of firm composure, of canons regular, built by the same St. Fechin about the year 630; this monastery is said to be built in a bog, and so it is, but sounded on a firm spot of ground which it wholly possesses. This town of Foure, after all that is said of it, is at this day but very mean, the inhabitants very poor and live in small cottages. Hence let us pass to

Fahatty.

Fahatty, on the Eastern banks of Lough-Direvereagh before described; the word may import or fignifie a joyful reception or welcome. was the retiring place of Mortimer Earl of March. who married Philippa the daughter and heir of Lionel Duke of Clarence, third fon to Edward the third and an elder brother to John of Gaunt Duke of Lancaster, the father of Henry the fourth. This Mortimer, after king Richard was deposed, that he might be out of harm's way, procul a Youe procula fulmine, with his princess, in whom after the death of Richard without heir of his body the right of fuccession remained, fixed his residence. as tradition goes, amongst us at this place, a place not more fafe than pleasant, not above a mile distant from the chapel before spoken of, on the fide of Knock-Eyen. By marriage riage with the daughter and heir of this bed, and not by the paternal line, the house of York got their claim to the crown, whereof in the fourth generation, they got into the possession in Edward the fourth. This Fahatty (Mortimer's Latium) by its ruins, for it is now little else, speaks itself to have been the residence of a prince, as the name seems to denote his welcome, and as in a decayed and out-worn face you may trace beauty, so in the ruins hereof you may yet behold the lineaments and foot steps of antient state and magnificence.

And not unlikely it is, that the relidence of these princes here in the \* meditullium almost of this kingdom, joined to the winning sweetness of a free and easy conversation, wherein princes in distress are never deficient, together with the injuries they might seem to suffer, being kept out by an usurping prince of their lawful right, might have given the first rise to that great affection this nation is observed by historians to have borne to the house and family of York, for nothing taketh more than the unjust sufferings of arightful prince, and perhaps also, that the success this family at bil found in Edward the fourth and his father Richard Duke of York, might have given countenance to that faying that to this day is common in the mouths of many, he that England would win must with Ireland first begin; and this affaction was no doubt then highly enhanced in the hearts of the people, by the winning carriage of Richard Duke of York, a wife and ambitious prince, during his administration here as Lord Lieutenant under king Henry the fixth. Thence about a mile eastward, we have the church of

F 2 Ballinegrofs,

<sup>\*</sup> i. e. Ceptre.

Ballinegross. Ballinegross, a new fabrick upon new foundations, large and capacious, having a handsometower or steeple at the west end, wherein hangs two fair bells. The patron hereof is Walter Pollard, Esq. who bestowed the ground thereof and a fair church yard. The church was built at the charge of the barony, and consecrated by the Right Rev. Henry Jones late Lord Bishop of Meath, in 1680. Hence westward about four or five miles we meet with

Multifernan.

Multifernan, a monastery of Franciscan friars, founded by William Delamere \*, in the reign of Henry the third, seated on the Gaine, in the barony of Corkery. The frame or fabric is rather neat and compact than fumptuous or towering, having in the the midst between the body of the church and the chancel, an handsome, strait, but very narrow steeple. After the dissolution of monasteries it became the property of Alderman Jans of Dublin, who or his successors permitted the friars to enter again and here fettle in as great or greater splendour than ever: here at and before 1641, they had their church not only in very good repair, but adorned (pardon the expression) with images, pictures, reliques, &c. here in the choir or chancel they had their organs and chorifters; they had not only apartments fufficient for their own number, but for the reception of many horse and foot at any time; here they had also, all houses of offices fit to make preparation for entertainment of fuch as came at all times to visit, or otherwise to consult or debate their concerns: and here it was that the fatal rebellion. which broke out with so much fury and havock on the English and Protestants in this kingdom in 1641.

• In the year 1236.

1641, was hatched and contrived: for this place being conveniently seated almost in the centre of the kingdom and also of great receipt; that year and some years before, great and frequent were the meetings here of the Popish clergy of all kinds, from all parts of the kingdom; infomuch that then great notice was taken thereof, and the evil consequences of their great frequency dreaded by such weening souls as knew nothing in particular of the machinations and contrivances then afoot amongst them; whereupon some even then spared not to divulge their apprehensions, and particularly the late Lord Bishop of Ardagh, Dr. Richardion, who the fummer before the war broke out, on no other ground, as I have heard he faid himself, withdrew with all his substance into England.

Hinc ille lacbryme.

Ah! hence the fource of our late cruel woes.

This abby is at this time altogether out of repair, yet the friers of this convent had before the discovery of the late Popish plot in England, a trary and convent on a piece of land near this place, being a parcel of Knights-wood belonging to Sir Thomas Nugent baronet, where they had built all manner of conveniencies both for the receipt of strangers and for their own use, but all thatched cabins which are to this day kept up in good repair, and are ready for their reception whenever they shall please, or find the opportunity of re-entering, and some say that it is not now altogether void of them, altho' he who owns to be an inhabitant therein is said to be a Protestant. Not far hence eastward on the north side of an high high hill after you have ascended more than I the height, we meet with a great hollow or c in the bowels of the hill, by the natives called

Catt's-hole.

Catt's-hole. The first entry is very low, so you must creep on all fours if you will enter; wl in this posture you have proceeded fourteen fifteen foot, you may rife and walk upright, here the cave is seven or eight foot high, an you bring light with you, you may behold a pi of nature's architecture; for as art is faid in of things to imitate nature, so here nature may faid to imitate art, so handsomely the vault see arched: the first room that entertaineth you pretty large, about ten or twelve foot in squa hence are divers narrow apartments verging e fouth and west; two of these of the length of perch or two, grow fo narrow and incommodi for farther travel, that they give but little inv tion to a farther fearch; the third towards west admits a curious person to a farther seas yet this also, growing at last both uneven and r row, I was discouraged to go as far as I mis fearing I might have fallen into some unhee precipices; the natives tell us, tho' one had n of a large portion of their credulity to believe that it endeth at Croach-Patrich in Connaus In this cave towards the latter end of our unhappy war of 1641, the chief tory of W Meath is faid for a time to have lurked; but better consideration he soon slighted his garril for altho' here one man might keep out a thouse yet it were easy for one man without, the w fetting convenient, by a smoke to force a g number within to a furrender, or death. At Kilmaca

Kilmscahill, are the ruins of a diffolved friary Killmaor monastery of Franciscans, whereof remains to cahill
this day, only some part of the walls of their
church; if other buildings they had, time hath
rendered them invisible; this standeth in that part
of the county that I told you was on the north
side of the Inny, as also did three or four miles farther northward on the lands of Clonmore, the
nunnery of

Kenard. Hence let us haste again to the south Kenard. of the linny, and within a short mile of it on the western banks of the Iron-lake before described, we meet an antient dissolved monastery or priory of Augustin monks, called

Trifternaugh. The word feems to denote Trifterthorns, thiftles or briers; this monastery is built, as naugh. many antient collegiate churches have been, in the form of a cross, having in the centre thereof a tower or steeple, raised on the four innermost corners of the cross, from each of which corners the wall sit riseth slopeth off until the whole is brought into an octagon; whence forward the tower rifeth about thirty foot in eight sides, in each of which is a window. The wall of this church and steeple, tho' without roof time out of mind, remains to this day very firm and substantial. This abby was founded by Sir Geoffry Constantine, who was one of our English conquerors, in or soon after the days of king Henry the second, to whom for his service were given the territories of Kilbixy and Rathmarthy; in his charter of donation to this abby he stiles himself, dominus territorii de Kilbiny, and tells us that he founded this abby in his terntory of Kilbixy. This generous founder, among other his large donations to this abby, gives his lands

Or Killmac-Cahal.

1

lands in Connaught without naming any particulars, whereas in all he had before given, he is so curious as not content with barely naming them, he describes their very mears and bounds; advising with an antient and judicious person, what he could imagine might be the reason hereof, he told me that this was usual with great warriors and conquerors of old, who confiding on their own prowess and good fortune, oftentimes designed lands to such and such uses even before they had conquered them; hence we may conclude, that Connaught was not yet conquered when this abby was founded, and whether our conqueror did or not after this time, make any impression on Connaught I cannot learn; fure I am, that there appears nothing that our monks that were here, ever had any possessions in Connaught, and of those that they had here, of which there remaineth record, many were fold and aliened in their own time, and many were lost at the time of the suppression, for want of due care or faithful dealings in those that were at that time by the crown employed, so as neither the crown, nor any by or under the title thereof, ever held them to this day.

O'Dogh-. arty's camp.

On the demesnes belonging to this abby, the great O'Dogharty, with his followers and forces out of Connaught, to the number of fix hundred men, is said to have encamped at an hillock where grew a thorn bush, called by the natives, from his deseat, O'Dogharty's bush, altho' since that, or another occasion it hath another name; he havingat here for many days, was at last set upon by or of the Queen's captains, his name nor the peculatime I could never learn; after a brish engagement on both sides, some of O'Dogharty's chief me

fallina

alling he gave ground and retired, hoping to be received and protected by Nugent, then tenant, within the abby walls; but Nugent, tho' it is said he had been kind unto him before, seeing him fly and the Oueen's forces at his heels, denied him entrance: thus he and his men missing of this hope, made but very weak relistance, insomuch that they were all miserably stain under the walls of the abby, few or none escaping; whether any · found quarter I cannot find; the flain to a great but uncertain number were buried on the spot, as daily experience shews us, when occasion is given of digging in our gardens any thing more than ordinary deep. This account the lame, is the best that ever I could learn of this action; and the great negligence of our forefathers, in trusting their actions not to writing but uncertain tradition, is much to be lamented, not only in this but in inflances of greater concern, some whereof we may have occasion to mention hereafter.

West hereof not a quarter of a mile is seated a Chapel of small and well built chapel, now in good repair, Temple wherein hangeth one small bell, which had the Cross. good fortune to escape the sury and rapine of the last war. In this chapel in our late bishop of Meath's days were ordained at one time, eleven or more priests and deacons, and at another time six or seven; this place supplies the defect of our mother church Kilbixy, now out of repair.

Before we leave this chapel yard, it may not be Corpnou. amis perhaps to entertain our reader with a certain miracle that was here fometime wrought, capial qui capere potest, which venerable tradition gives us to this effect; we have from antient days a certain relique, remaining even yet among us, kept

kept by a certain gentleman, a great zealot of the Romish church, with no small veneration; they call it Corpnou \*, that is in English, the holy or bloss, ed body; if it be meant or intended of the body of our bleffed Lord and Saviour Jesus Christ, as I fear it is, it falls very little short of blasphemy; the thing itself is no more than a small piece of wood shaped somewhat like a bible of the smaller volume, laced about with laces of brass, and on some parts studded over on the one side with pieces of cryital all fet in filver, and here and there larded with filver fet or chased into the wood and fastered with nails, some brass and some silver; on the other side appears a crucifix of brass, and whether it have any thing hidden within it, is known I be lieve to no man living, but it hath been and held to this day in great veneration by all of the Romish persuasion that live hereabouts; on occasion it is offered to them as a sacred oath, by which none dare swear falsely for sear his mouth should run awry up to his ears, or some othergreat deformity or sudden death should betide him; nor are we without flories of judgments of this fort, that have befallen false swearers, tho' no man living can say, that he ever saw any person that thus became deformed; but the flory of the miracle runs thus: In old times when the monks dwelt here, one of their young friars had occasion to carry this relique over the lake; carrying it under his arm in the cot, it chanced to fall into the lake, where being over-laden with brass, silver and crystal it sunk; the young friar returns and reports this great misfortune and loss; hereupon the whole convent is dissolved into lamentation, forrow and mourning, and certain days of fasting are indicted, not only in the convent but throughout the adjoining parishes, when the days of grief were lover, and all hopes of recovering the precious Exclique were given up, behold on a certain day fall the swine that were about this land, were seen to compass a little hillock that is yet in this chapel Lyard, in a posture of great devotion, being erect on their hinder legs, with their four legs held upwards as men use in their devotions to kneel with hands listed up; the unusualness of this spectacle did. as no wonder it should, attract the eyes of the beholders into admiration, to see swine, which by all men are effectmed the emblem of ingratitude, with their eyes erect unto heaven; the curiofity of the beholders, when the scene of wonder was over, engaged them to fearch in the faid hillock so unusually beset; on search made, a large square stone is found, having in the centre thereof a large square hole engraven about five inches deep, and herein was found, when none so much as dreamed thereof, the fo much bemoaned relique; it is not to be doubted but that hereupon was great joy and triumph, and on this occasion the relique becomes more than ever adored. This story is believed by the vulgar hereabouts, with a faith little short of that whereby they profess to believe the golpel, insomuch that if any man would be heard seriously to affert any thing he would pass for truth without making use of other oath, he avers it in words to this purpose, by the Corpnou that arose at Temple-cross, so is the chapel called, and fometimes, if our ferious man were born on the demelnes of this abby, he adds by way of triumph and exultation, under it was I born. Westward hence and north, about a mile distance is seated, Kilbixy, Kilbiry:

Kilbixy, the chief seat of our mentioned con queror's residence, and head of his territory; old a town of great note, having, as traditional telleth us, twelve burgesses in their scarlet gown a mayor or sovereign, with other officers suitable to so great a port. Of this so great state, is small are now the remains, that you may justified fay of it, what the historian says of the Veii i Italy,

Laborat annalium fides, ut Veios fuisse credamus.

FLORUI

History even doubts whether the Veil ever existed

The only remaining foot steps that I have me with hereof, is first a large piece of an old squar castle called the Burgage-castle, and forty acre of ground adjoining to it, called also, the Burgage land, corruptly for the Burgesses castle and Bur gesses-land, these being believed to have been the town-house and the land belonging to the corpora tion; there is also on the bank of our Iron-lake not far from hence, a place which in the Iris dialect founds the Haven of the market, this likely having been the landing place of fuch as from the eastern banks had occasion to this market. Whe ther this town of old, sent burgesses to parliamen or not, I do not find; but tradition says, that ou cross and market were, in what age I know not transferred hence to Mullingar, and perhaps wit them our right of sending burgesses to parliamen also. Other remainders of ancient state I find noze unless you will take for such the ruins, or rubbis rather, of many ancient houses and cattles, beside which and some late built cabbins, nothing is to b seen, but excellent corn of all kinds, so as it wa neve

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ever more truly faid of Troy, than it may be f this town.

Jam seges est ubi Troja fuit.

OVID.

The golden corn now grows where stood proud Troy.

h this town stands the remains of an ancient and well built church, the mother of many churches ind chapels about it, which had at the west end a very well built high tower or steeple. Here beleg at this day nothing more of remark, let us follow our cross, &c. Hence to the south and bout fix miles off we meet with

Mullingar\*, the chief town of the county, feated very near the centre thereof, as is faid before, Mullinon the river issuing out Lough-Foyle, which we gar. pul the Golden-hand or Arm, and in the midst between the two great lakes of Lough-Foyle and Longh-Inniel. The name of the town, if Engthed, imports the short mill; indeed in my time, here hath been an over-shaft mill of the least wheel that ever I saw, which with buckets and all was not eight foot in diameter, but now it is converted into a breast mill. There are also in this town on the same water, two other mills. Here were anciently two monasteries, one whereof was a priory of Cannons regular +, founded by Relph le Petit, Bishop of Meath, the other a conent of friers prodicant; one of these stood in the cast

Or Muillingear.

<sup>†</sup> About the year 1227. This priory was anciently hown by the name of the house of God of Mullingar. Forei monaft.

<sup>†</sup> Founded in 1237, by the Nugents, several chapters of the order being held here, shew that it was a great momaftery; part of the bell-tower and some other ruins remain. Burgh's Hib. Dom. pag. 218.

east end of the town, the other on the west end c the town, the ruins of which are this day scarcel visible. The ancient buildings here were of fashionable castles, some of which remain yet, an some are demolished, and better or at least mor commodious houses are built in their room Here are held continually, all affizes and fessions four fairs yearly, and all public meetings of the county. It is also a great thorough fare or row from Dublin to Connaught, all houses here an ale houses, yet some of the richer fort drive a other trades also; they sell all forts of commodities to the gentry abroad in the country, and some besides have large farms abroad. Here is a new goal built on the county's cost, for the old on was very weak; the old fession house also, being very narrow and inconvenient in all respects, a new one is a framing, very large and spacious ac cording to the modes of modern architecture the church also of this town is handsomely rebuilt This town was formerly a corporation, had in it public magistrate called a portrive, and always feat two burgesses to parliament; but now the whole town and commons being given in fee to the Right Hon, the Lord of Granard and his hein the ancient corporation is diffolved; and the whole town and liberties, with other his lordship's land in this county are by his majesty erected into manor, wherein actions without limit may be tried, and court leet, court-baron, &c. are held ac cording to law; this manor by a new and un presidented grant from his majesty, hath liberty to send two members to parliament, but whether

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inder the stile of burgesses, as formerly, time must shew. This town giveth the style of viscount to the Earl of Carbery in Wales. About five miles hence westward we have

Rathconrath, where stands a church in good Rathrepair, in our way to

Ballimore, a market town having two fairs in the Ballimore. year, seated on the west side of Lough-Seudy. Here was formerly a strong garrison of the English forces, towards the latter end of the war; this garrison seated on the skirts of the lake, was divided from the main land by a graff deep and large, with ramparts of earth and bulwarks; the ditch was so low carried, as to receive three or four foot of the restagnant water of the lake, over which was by a draw-bridge the entry into the fort. This was the chief fortress of this county, seated in the mid-way betwixt Mullingar and Athlone, from each distant ten miles; here is now a church built on the old foundation in repair except only the east end. Adjoining to this town is the old diffolved monastery of

Plary; here was formerly both a friary and Plary. numery, but in separated buildings\*, both of the Cistertian order; the land hereunto belonging are said to belong to the bishop of Meath, yet are withholden from that see, either by the adventurer, or the Lord Netterville. West and north from hence about half a mile, we have a fair, large and spacious field, by the road to Athlone, all excellent

<sup>•</sup> Founded by the Lacy's. I think it was of the order of Gilbertines. K. Henry 8th converted the church of this abby into the cathedral of the diocese of Meath; I know not how long it so continued. Warei monost.

arable and as smooth as a die, called in the Irist tongue.

Maghere-Tibbot.

Maghere-Tibbot, that is the field of Theobalc from the defeat of Sir Theobald Verdon, wh here fought a battle in king Henry the eighth days, against some party of the Irish, and was it the field flain; this Sir Theobald had his quarters and garrison in Ballimore adjoining, but what force he commanded, or who the enemy was that engaged, or of the success of the day, I have not been able to learn one word; tho' it is much to be feared our chief dying in the field, that the English came by the worst; for it is seldom met with in history, that chiefs are victors in death, as the great Gustavus Adolphus was. And here again I cannot but complain of the great neglect of former ages, in not committing to writing the actions of their times, but leaving all to the uncertainty and hazard of tradition, infomuch that the best accounts that we are able to rescue from oblivion, are so lame and jejune, and that in so short a revolution of time as since king Henry the eighth's days, that it is more than probable, had not the very name only preserved some superficial memory of this action, we had not now occasion ministred unto us of this complaint or this subject. Hence yet westward and north we meet with

Ardnacrana, a monastery or as some say a nunnery, whether is uncertain\*; I shall only observe

\* Founded, for Carmelites, in the 14th century, by Robert Dillon of Drumrany. Burgh's Hib. Dom. pag. 752 March 20, 1545, the lands were granted to Sir Rober Dillon, of Newtown, and therein it is called the monastery of the Friars preachers of Athnecarne. Lodge's peerage, vol. I. pag. 153.

and to pass it by, that the word in the Irish language foundeth, the high place of the Sow. Hence fouthward and somewhat west, we meet with

Kilkenny, which for distinction sake from the Kilkennycity of Kilkenny, is many times called Kilkennywest.

West. Here are yet to be seen some reliques of
an abby, or monastery belonging to the Knights

Templars\*. In this place also standeth a church in
good repair. From hence west and a little north,
even till we arrive at the great lake Lough-Ree
in the Shannon, in a promontory that jetteth into
the lake, distant from Athlone sive miles, and to
the north of it, was before the year 1641, a nunnery called

Bethlem, the only one that I have heard of Bethlem. that was of late days in this kingdom, of the order of St. Clare, the mother abbess whereof was a lady of good extraction, the daughter of Sir Edmund Tuit, who sometime lived in this county at Tuitstown. On the firing of their nunnery towards the end of the first year of the war, not long after the lord president had received the English forces, whither they retreated is not certain, I rather think they dispersed and scattered; but are of late united again at Athlone, and under the same mother abbess, a lady now of great years.

But the firing of their nunnery was a piece of fervice, if I may so call the burning of a house wherein none but women dwell, that was attended with a very sad circumstance; for two foot companies of English forces, before mentioned, were commanded to quarter at Ballinecloffy, a strong

Founded by Thomas a priest (great grandson of Sir Hen. Dillon, who came into Ireland in 1185.) who was buried therein.

Lodge's Peerage, vol. 1. p. 145.

<sup>\*</sup> It was founded for Cross-bearers, if I mistake not.

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castle and dwelling house of a gentleman of a antient family and good estate, situate in the promontory before mentioned; these were command ed by a gentleman of a very noble extraction. captain Bertie or Bartue, brother to the lord chamberlain of England, the earl of Lindsey, who was general for the king at the battle of Edgehill. These men hearing of the nunnery hard by, immediately marched thither, whether with or without command of their officer I have not learned, and plundered the same; I do not hear of any force there to relist them, nor that any violence was offered to any of the virgins; however, after rifling of the face they burnt it, and leaving the house in flames they returned to their quarters at Ballinecloffy aforefaid, which had been deferted by the inhabitants on their appearance, but left well flored with excellent strong beer and aquavita, . and all forts of provisions for food, and to it the whole party fell, officers and foldiers, without fear or wit, not fearing or suspecting any enemy, who yet was too near unto them. Ballinecloffy is feated in the mentioned promontory, which jets out into the lake or Shannon, nearer to the main land than Bethlem, and hath over against it on the other side of the Inny, which here falls into Lough-Ree in the Shannon, a place called Portenure, where a certain young gentleman lay; I do not hear that he was then in arms for the Irish. however, being informed at what rate the Enghish at Ballinecloffy then drank, and knowing the house to be sufficiently stored to disorder them all, resolved to try if he could advantageously fall on them; immediately he gets together about fix fcore men, who to be the more expedite stripped themselves to their shirts, and with such wea-

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pons as they had in readiness, hasted to the slaughter, having wasted themselves over the Annagh, so they call the water passage, they haste immediately to Ballineclossy, where they find our English by this time of day neither men nor soldiers, but mere brutes, neither capable to make defence, or so much as to apprehend their danger, most of them being asseep or so disabled with drink, as not to be in a condition to put themselves in a posture of defence. Never was the poet's

Invadunt urbem somno vinoque sepultam VIR.

Buried in wine and sleep the Trojans lay, The wily Greeks surprised their heedless prey.

more true of Troy, than at this time at Ballinecloffy, theisfue was, the captain, with some of the officers and soldiers were, to the number of fixty, miserably butchered; nevertheless, some, who had not so miserably besotted themselves as the rest, escaped, to bring the sad tidings to the next garrison, Connorstown; nor did these inhuman butchers satisfy their cruelty in the slaughter of the men only, (for some of the soldiers had wives) the women also must die, and the carcasses of both men and women be stripped and exposed naked; neither did their inhumanity end here-but modesty and shame here arrest my pen, and suffer me not to write, what they barbarously acted; they dragged the dead bodies of the men, and covered these of the women with them, and exposing them in such a posture as I leave to the reader's imagination to make out. Let us now range more fouthward, and in the barony of Moycashel we meet with

Kilbeggan,

G 2

LENE

Kilbeggan. Kilbeggan, a corporation and market town fending two burgesses to our parliament. The town is feated on the Brosny before described over which it hath an antient bridge, but now a late repaired, of lime and stone. Here stood monastery dedicated to the Virgin Mary, founde anno 1200, and replenished with monks from the Cistertian abby of Mellisont; of this abby remains only the name of the structure, not so much as the rubbish to be seen this day, nor of the house built here by the late lord Lambert beson the late war, more than the ruins; for it was burnt in the late war, and is not to this day repaired. In this town now stands a church in repair Hence let us visit

Ardnorchor.

Ardnorchor, in the same barony, called also Horse-leap; an antient stately structure, as the ruins thereof this day shew, founded, if not finish ed, by the fore-mentioned Sir Hugh de Lacy tradition telleth us, that in this place and during the building hereof, the faid Sir Hugh was un worthily flain, by a meer villain, a common la bourer and a native; as he was stooping down to give some directions to the workmen, the villain taking advantage of his posture knocked out hi brains with his mattock or spade: this gentleman is said of stature and limbs to have been but lov and small, and hence by nick-name to have been called Petite, and from him for this reason the Petits of our country would fain derive their de scent; he was an excellent horseman, and of him there is a tradition, that he leaped on horse-back over the draw bridge of this place; a thing al together incredible, notwithstanding the name Horse-leap, is alledged for proof or countenance of the fact. Here is a late built church, but o

old foundations, the roof whereof is a most curious frame, and according to the new model of architecture; this is a mother church to sixteen or more churches and chapels in this and the King's county. At Newtown also in this barony is another church in repair, as also at Ballioughloe in the barony of Clonlonan, and at Moylicker in the barony of Fertullagh. Let us now for a while look westward again as far as the Shannon, and on the eastern bank thereof we shall meet with

Clonmac-nois, now indeed reputed as part of Clonmac-the King's county, but of old not so, for this place nois. and three hundred acres of land was in 1638, by the management and procurement of Mr. Terence Coghlan, through the favour of Dr. Anthony Martin thenlord bishop of Meath, for what reasons Iknow not, taken from our barony of Clonlonan, and annexed to the barony of Garri-castle in the King's county, and much I fear to our great loss in all taxes and subsidies; for I am afraid this county bears the quota of this three thousand acres, on all occasions to this day. From hence we pass unto

Athlone\*, a corporate town fituate on both banks of the Shannon. The part on this fide the river was heretofore much the better built. The other part together with the king's caffle fituate on the western banks, is in the county of Roscommon, both parts united into one town, by a very strong, high-raised and well-built bridge, in the middle whereof stands a fair monument with some figures well cut in marble, together with queen Elizabeth's scutcheon of arms, and some inscriptions declaring the time, and the founders of the building.

Athluain, i. . " a ford of Luan.

This bridge, tho' the arches thereof be wide an large, causeth the river, which here is very deep to rife and swell backwards, so that under it the river hath a great fall, which giveth an advantage ous situation to several undershaft mills at eac end of the bridge. One tower on the corner of the castle wall is so advantageously seated that i commandeth the whole bridge, which nevertheles hath a great drawbridge on that end. This cafik was founded by king John on a parcel of land belonging to St. Peter's abby, which is on that side of the river, for which he granted a compensation otherwise; it is built on an high raised round hill, resembling one of our Danish raths or forts, the walls whereof do almost shut up the whole ground; in the centre whereof is an high-railed tower, which overlooketh the walls and country round about; on the fide that faceth the river are the rooms and apartments which served always for the habitation of the lord president of Connaught, and governor of the castle; the middle tower being the repolitory or store-house for ammunition and warlike provisions of all forts Of late, fince the presidency was dissolved, this castle and the demesnes of it and all revenues at granted in fee by his gracious majesty now reign ing, to the right honourable Richard Jones, ea of Ranelagh, grandson to Roger lord Ranelagh who was president of Connaught in 1641, and The presidents heretofore here held his heirs. their courts of justice, which are now dissolved This town on both fides the river was in time of the late usurpers very well fortified. The part of this fide hath very strong walls with large slankers of lime and stone, according to the rules of moderr

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modern fortification. The infide of these walls and bulwarks was lined with a large rampart of stone and earth, the outside was made not easily accessible by a large deep graff; round about on the stankers were mounted several great guns. The town on the other side was also fortified with great ramparts of earth slanked, and a large deep graff. The works here were set with a quick-set hedge, which was well kept and neatly shorn, and had obtained a considerable growth at the time of his majesty's happy restoration, so that here was a living strength both pleasant and useful.

– utile dulci. .

The useful blended with the sweet.

as the poet hath it. But all this beauty, all this frength is of late vanished, especially that on the further side, and the old castle only after the old fashion is upheld. At whose door to leave this great neglect I know not. The town on this fide was before the war fairly built as to outward apperrance, most houses boasting of their neatly hewen coyns and arches; but most especially the curious workmanship of the funnels of their chimnies; and one house built backward from the first by one Devenish exceeded all the rest for politeness of architecture; but this beauty was all without doors, for within they were ill shapen and ill contrived. In the fury of the late war this town was wholly destroyed by fire, but since it hath in a good measure been repaired, until by a very late fire, nineteen of these houses have been again turned into cinders, the market-house on this side the water hardly having been preserved. Were

were of old two convents or monasteries, the one on the Connaught side called St. Peter's, theother on this side of Franciscans founded by Cathal Cruiyarig, (or of the red sist) but he lived not to sinish it, that work being afterwards done by Sir—— Dillon in 1244°. On this side of the river likewise standeth the parish church, a low but well built fabrick, and in good repair. This castle gave the stile of viscount to the right honourable the late earl of Ranelagh; and the whole corporation sendeth two burgesses to our parliament.

This castle and town, during the first years of the late rebellion and war in 1641, were holden and commanded by the right hon. Roger Iones lord viscount Ranelagh, lord president of Connaught, but with what forces at first or strength I have not learned; fure I am the number was not great; no doubt there was the constant ward that always was in the king's castle, and I believe but very little additional strength. For all the country, that lies nighest Athlone on both sides the Shannon, were then for the most part of the popish religion, scarce six families in the county of West-Meath were protestants; but more particularly this town of Athlone were then all papifts. The town itself, being of stone houses, without other fortification was strong; nevertheless it had walls and two towers or gate-houses, or towers that scoured the principal streets. The people were rich and very early gave the lord president their faith

<sup>\*</sup> Sir Hen. Dillon of Drumrany, who came into Ireland in 1185, he was hereburied. Lodge's peerage, vol. i. p. 146.

In 1241, Albert archbishop of Armagh, consecrated the great church of this monastery. Mac Geoghagons.

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faith and affurance to keep and defend their town against all Irish rebels whatsoever, and in their affurance the lord president thought fit to withdraw his forces out of the town, trusting themselves with the guard of the town on this side the bridge. But it was not long before they appeared in their true colours, for in a few weeks time, finding that the president, trusting to them, went every Sunday with few attendants and no apprehension of treachery in them, to the church which is on this side of the town and near Dublin gate, they invite Sir James Dillon, who at this time commanded all the Irish forces within twenty miles of Athlone on this fide, to come to them, and opening the gates later on a Saturday night, receive all his forces into their town without any noise, designing to surprise the lord president, his daughters and attendants next day, as they should go to church, and having him in their custody to attempt the castle and garrison. The Irish soldiers lay quiet till next morning, not one appearing abroad. The time for the execution of their design drawing nigh, the lord president being ready to go to church, and the ladies taking coach. one of the Irish soldiers fitting and preparing his mulquet, it went off unawares; the others who lay ready, mistaking this for their signal, poured in their shot upon the castle windows, which altogether oppose that part of the town on this side, for as yet the lord president had not appeared on the bridge, and by this mistake, altho' some damage was done to the house, the president, his family and the king's castle were preserved. Sir James being defeated in his expectations, layeth close fiege to the castle on this side, and on the Connaught naught fide the Irish did the like, blocking up all passages, and manning all castles near hand on both sides the river; and thus besieged and blocked up doth the president remain for twenty-two-weeks time, nor were all the Protestant forces in Ireland able to relieve them, till supplies came from England.

At last in April 1642, four regiments of volunteers, confifting of four thousand men, belides officers, rendezvoused at Chester for the Irich fervice; the colonels were the lord prefident of Munster, Sir Michael Earnly, colonel Hunks and colonel Cromwell. This being now an unhappy conjuncture of time, by reason of the difference between the king and his parliament, the four regiments being also detained by cross winds from the fea, their commanders thought it their duty to offer their service to his majesty then at York. resolving to march to him thither, if here were willing to accept their service, and command them to come: that pious and gracious prince, tho' he received the offer of their service graciously, yet refused to accept thereof, saying, that being raised for the service of Ireland and relief of his protestant subjects there, he would not for any stress he himfelf was put to, divert them, and advised them with all diligence to pursue the war there; a manifest evidence of that excellent king's tenderness towards his protestant subjects, then indeed in great diffress in this kingdom, and enough alone to refute all obloquies that in after and the worst of times, were cast out against the best of princes, whom all the ages of mankind had seen.

The

The wind at last putting fair towards the end of May, the faid regiments with three or four troops of horse and dragoons land in Dublin, and after fome time of refreshment, they draw into the field. stader the command of the earl (now duke) of Ormond, who then was lieutenant general of the army in Ireland, who with them marcheth to the relief of Athlone, and by flow but wary marches he comes to Ballimore, within ten miles of Athlone, the Irish in all his march not daring to atsempt them, yet still attended close at his rear, in hopes of picking up some stragglers or tired persons. Hither came the lord president to attend the general, for now the Irish had drawn off all their blockades, and here received from him two full regiments of foot, his own and Sir Michael Earnly's, and two troops, the Lord Digby's of horse, and lieutenant colonel Moyle's of dragoons, but without any manner of provision, not so much as one biscuit; they being to be received into a place, that had been blocked up and destitute of all necessaries. In the whole conduct of this affair the care and vigilance of the general was conspicuous, who in all this time lodged not one night from the army, nor was known fo much as once to have his boots pulled off. The president having received these forces, sent them to feveral quarters, some to Ballinecloffy, of whose hard fate (a bad omen to the whole party) I spoke before, some to Connorstown, and some elsewhere, and it was expected, that having a force now so considerable, he might have lived of himself, and on the blood of his enemies, making these who had been before so hardy as to beliege him, now to maintain him; but the president, of temper exceeding

exceeding good, just, and honourable, was fitter for rule and command in time of peace, rather than war; nevertheless he often made impressions on the enemy, never met them but had advantage of them, yet wanting falt, and having but little bread and that very bad, in a short time his men began to fall into fluxes and other emaciating difeases, and tho' he was now free on all hands, was under as bad or worse circumstances, as when blocked up; his men began to die apace of all manner of diseases, which idleness (the rust of men of the blade) want of bread and employment usually bring along with them, insomuch that in one month's time, the foldiers died faster almost than their furviving comrades could make graves for them.

At this time it was that fixteen resolute blades. rather than die at home like rotten sheep, resolved to attempt to make their way with their arms in their hands to Dublin. They take their journey out of Athlone by night, but were met at Lowbaskin, about nine miles from Athlone, and were there by the Irish miserably butchered. Things going thus ill at home, about the middle of July the president takes the field, and marcheth into Connaught, with a force of nine hundred foot and two or three troops of horse with one good battering gun; they sat down with this force about the castle of Ballymartell seven miles from Athlone, in the road to Roscommon; this he forceth to yield. Thence he immediately advanceth before Ballintobber, the chief feat of O'Connor: here were in a body about three thousand horse and foot of Mayo forces under the command of one Butler. together with the county of Roscommon forces under



inder O'Connor himself. The president, that he night draw them into the plain grounds, makes hew of retreat for about three miles, when facing ibout he chargeth the enemy who had followed im, but in very good order, and were drawn up, and after a short dispute he deseated their united Thus wherever he faw an enemy he was rictorious, and yet so unfortunate, as by all to be nothing advantaged, nor have his men better fed rebetter clad, but still to remain under the same scknesses and hardships as before, a clear demon-Aration that the president knew better how to get than how to use a victory. After this victory, having neither provisions and scarce ammunition, he was forced to betake himself a little too early in the year to his winter quarters, and dividing his brees, some he quarters with Sir Michael Earnly n Roscommon, and some he marches back to During his absence in Connaught, Sir lames Dillon was not idle in West-Meath; he badmade a blockade and encamped at Ballagheron. three miles east of Athlone upon a pass, and from thence took the opportunity of the prefident's absence to storm the town on this side, being at this time but weakly manned; the foldiers forlook the walls, and betook themselves to the defence of the houses that were in themselves strong and flanked each other. He prevailed not against any but the hospital; that he forced and ired, and in it twenty fick foldiers were miserably surnt; but he enjoyed not his triumph long, for aptain St. George advancing from the castle ide with his company, beat him out again with the of and flaughter of many of his men, and forced im back to his former station at Ballagheron.

Soon

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Soon after this Sir Michael Earnly was commanded to attack him in his camp, which he did and force him to retire to his stronger castles of Killinua and Killing-faughny. But as foon as his back was turned he took up his old station again, and thence continued to diffress the town as formerly, fuffering no provisions to be brought in, and that again thro' famine and the badness of that small diet, the foldiers began to die apace, and the prefident being now under greater difficulties than ever ordered lieut. col. Moyle, an expert foldier, with his troop of dragoons, to attempt to make his way to Dublin, to solicit for relief. He marche out, but after some miles travel, is met by very confiderable forces of the Irish, and the alarm still increasing, he was forced to retire fighting every step back again; and thus filling up all the mean fures of a gallant commander and expert foldier, he made a gallant retreat without loss of one man, Being hereat nothing discouraged, he undertakes after a few days the same march, and thro' many difficulties and hardships, often fighting in great hazard, he at last made his passage and brought his troop safe to Dublin; there he sets forth the deplorable case of the English regiments at Athlone. But alas! the state was then in no condition to afford relief, they were at that time themselve under great pressures; pity and commiserate their estate they could, help or relieve they could not The lieutenant-col. feeing he could not prevail takes up his station elsewhere in the war, for inas much as he could not, with Noah's dove, bring with him the olive branch, he resolves with her at her third going forth, to return to the ark no more.

Thing

### COUNTY OF WEST-MEATH.

Things going every day worse and worse at Athlone, the president is forced to conclude a cessation with Sir James Dillon, by which the country was permitted and encouraged to supply and surnish the markets. But alas! the poor soldiers were little advantaged thereby, for having no money wherewith to buy, they were tantalized, not relieved, by the plenty of the markets.

During this treaty of cellation, the president had several meetings abroad with Sir James Dillon and his party, in one of which one Mr. Dalton, the son and heir of John Dalton of Mullin-Mihan, who had married the lord bishop of Elphin's daughter, a very honest gentleman and a good protestant, who had all along continued constant and faithful to the English party at Athlone, took a fancy to step abroad, in the president's company to fee his kinfmen and supposed friends. They flock about him, and making shew of great love, engage him in drink, and detain him beyond the time of the parley, so that unawares he stays, after the president was retired to Athlone, amidst his supposed friends, but indeed real enemies, who now first made him a prisoner. telling him the time of the truce was over, &c. and immediately they fend to acquaint his father old Dalton of Mullin-Mihan, and demand to know what he would have done with him; he out of bravado, whether really defirous his fon should fuffer or not is uncertain, asked why they had not hanged the rascal? With this kind of answer the medenger returns, and they, in whose custody he was, made no more ado, but immediately trufs-up the poor gentleman, merely for being a protestant and preserving his faith and loyalty to his king.

His widow remains with us to this day, a lady of excellent parts, and a living testimony of this \_cruelty and perfidiousness. But let us return.

The president being under these ill circumstances, was very desirous to have at least his daughters and some other ladies in a place of comfort and fafety, resolving in his own person to abide all hardships to the uttermost, giving sevent distant meetings to Sir James Dillon, he prevailed with him at last to procure from the great council then at Kilkenny, free passage for his daughters and other ladies and their menial fervants towards Trim; and Sir James himself undertook the convoy, and very honourably performed his undertaking therein; for foon after he delivered up the ladies and his charge safe to Sir R. Greenvill at Trim, which proved that happy occasion of the most considerable defeat that the Irish got in the first two or three years of the war. For soon after that excellent and incomparable lady, the lady Catharine daughter to the earl of Corke, and wife to Mr. Arthur Jones, fon to the lord president, now lady viscountess dowager Ranelagh, who indeed had been the chief of his charge, being come to Dublin, and having audience before the state, in a most elegant and polite oration, so pathetically set forth the distress, under which the poor remains of the English at Athlone laboured, that maugre all the necessities and pressure under which the state then groaned, a convoy to bring off the distressed English is resolved on, altho' if tha convoy had miscarried, it might, as things the stood, have hazarded the loss of all the English and protestants in Ireland, at least about Dublin.

- at quid forma et facundia possit tunc patuit.

The power of wit and beauty she displayed.

And accordingly that gallant commander Sir Richard Grenvill is pitched upon for this so important a fervice, to whom all the forces that could be spared from Dublin, Trim and all garnifons within call, in all not exceeding eleven hundred horse and foot, whereof proportionably but very few horse, were-consigned. With these he marches to Athlone, in all his way not impeded, only with some little appearances and distant skirmishes not worth mentioning. tone he stays a few days until the scattered parties were united from their feveral garrifons, when all come together they were not above four hundred and fifty, whereof many were so sick and weak that they were not able to march, so miferably had they been wasted with famine and sicknels in about seven months time, for it was now about the beginning of February, 1642. The fick foldiers were carried on their captains waggons and other ways also of carriage were prepared for them. The King's caftle was committed to the cuftody of the lord viscount Dillon of Cosrelioe.

Thus all being in a readiness, not the soldiers only, but all the English and protestants resolve on this march, and with them I shall intreat my reader to take his share in the toils and hazards thereof as far as Rochonell, the last of this country I shall give any account of.

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Rochonell

Rochonell.

Rochonell is seated two miles east of Mullingar, in the way to Dublin, upon a pass, I believe, not above fixty yards in breadth of good channel ground. The neck of ground that here divides between two large and spacious moors, is not long before it opens and enlarges itself; not much above one hundred yards within it is a high rifing ground, wherein is feated a castle, and some pure of an old bawn wall, having a small round turret on one end, all which one above another command this narrow pass. The moor on each hand this pass hath in all ages been esteemed impassible for horsemen, being of a low meadowish ground. interlarded in many parts with very deep floughs or guts, where water fometimes falls, nevertheless they are traversable enough by light foot-men. These moors or low grounds are so widely extended, that without a mile or two's travel backwards and fetching a compass of much more ground. there is no passage on either hand for horse or This place hath its name from an ancient leader of the Irish nation called O Connell Carnagh, who here in some age of the world, by I know not whom, was defeated, the memory of which action lives only in the name of the place, for Rochonell being interpreted, imports O Connell's route or defeat. On this so advantageous a piece of ground to oppose or dispute a passage, had no less a person than the great general Preston. with all the choice forces not only of West-Meath, but all he could for the time get together throughout all Leinster, seated himself; and to make fure work, he caused a trench to be made and a redoubt or breast-work to be cast up, quite across the forementioned neck of ground, where narrowest arrowest from moor to moor, wherein he posted is son col. Inigo or Diego Preston, since lord f Tarah, who had lately arrived from service Flanders, with three hundred choice men. Vithin them where the ground, as I said, enlarges felf, was the whole army drawn up in very good der, their several battalions of foot appeared inked with their horse, the castle also above the alls was manned. Their whole army, as I have ard some say, consisted of seven thousand borse ad foot, others have not owned so much; howver the additional multitude of spectators who overed the adjoining ground, encreased very much re reputation of their numbers. They flocked ither this day in hopes to see a certain old promey fulfilled in favour of themselves; which as, that a battle should be fought at Rochonell tween the English and Irish, and that the side party that should win the battle, should also a all Ireland. In this manner and posture did neral Preston attend the arrival of the English. The English being but an handful in compaon, had now passed Mullingar, with their sick d tired men. When behold! their scouts bring the hafty news to Sir Richard Grenvill, who nmanded the field, of a great formidable army iwn up at Rochonell to oppose his passage. mediately Sir Richard draws up his forces. ich were in their march, into a posture of fightfor which he prepares. Being advanced thin kenning of his enemy, he finds his fcouts d truly informed, that col. Diego Preston, so vantageously posted, so well lined, must be acked, must be beaten out of his breast work. er that the whole army engaged and beaten H 2 too.

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nell.

Battle of too, or elfe his passage, and if no passage all mu perish by the sword, Sir Richard delays not, con mands first one body of foot to advance to the breast work and force their enemy thence. The advance up close and fire, but Preston appears n folute to keep his station; he receives our shot and returns his; these first failing in their at tempt, another body is commanded up to relieve and second them; they also make their impres Tions but to no purpose, Preston will not easily quit his post; thus all the foot take their turn and all in vain; at length the weak Athlone re giments, who in this day's march had the rear at come up; they must on also and try their for tunes; but here it was well worthy the courag of Englishmen to see with what alacrity and cheerfulfiefs those poor, weak men address them felves to the fight, even the very fick men, wh hitherto had lain groaning in their uneafy waggor and carts, now forfake their beds of forrow, an forgetting they had hitherto been fick, they form out as cheerful, as if they had not last night strive with the pangs of forrow and death. In tho they advance with as much courage as the strong est men there, and what is wanting in the fliength, is supplied in their hopes of being soc either victors or ending their painful lives, in less lingering and more glorious death. The lor -president's regiment attempt with pike and sho las close as hand and foot could, and try if not t force of their arms, yet by the terror of the oghastly countenance to frighten Preston out this so well defended redoubt; but in vain De Diego, who had learned abroad what service we was not more easy to be frighted than forced

quit his flation; he had by this time once or twice ben relieved by fresh men from their greater body, and appeared now as resolute as at the first oulet: however no respite was given him, and the repulsed parties still relieve one another by turns, Sir Richard being resolved either to force his way, or here end his days. During this engagement, Sir Michael Earnly had been commended to face their horse on the bog side; he opposed their right wing of horse command by capt. Bryen, and plied them with his small shot. This gentleman was that day one of their best officers: he had been a German foldier, and came over in the English service, had been cornet unto Sir Thomas Lucas, but at this time was revolted, and took to the Irish side; he had 'till now stood manfully all their shot, when at last receiving a shot in his thigh bone, he fell from his horse; his fall so discouraged his followers, that they now no longer flood their ground, but drew back under some covert from Sir Michael's shot. This gentleman's fall, and the retiring of his party that enfued, I look on to be the first step to that glorious victory that foon after followed, for hereby was opportunity ministered to that worthy Person, major Morice, major to the earl of Ormond, who commanded as major this day in the field; he seeing what was done, and the ground being no longer incumbered by those horse, attempted to ride over one of these guts or sloughs in the moor, estemed !till now impassable for horse. but he found it otherwise, and retiring back again he was immediately advised by Sir Michael Earnly. to acquaint Sir Charles Coot, who that day commanded

manded the horse that were in the field; he readily advanced and passing with his horse charged that wing that had already retired on the fall of their leader; they stood not his charge but fell back in disorder; at which the whole field take the same course and fly; young col. Preston that hitherto had defended his post so manfully, thinks now fit as hastily to quit it; in a moment the whole ground is cleared of the enemy, having broken all orders and ranks, they flee on all hands and the English pursue. Many officers took to the castle, and yielded themselves prisoners of war. Eleven foot colours and one horse colours were taken; col. Preston, that so gallantly had maintained his station, was taken in the pursuit, having received a wound in the head. The new French arms, and the fine collars of bandoleers, are now taken up apace, the Irish soldiers discharging themselves of them as clogs; for as the matter stands now with them, one pair of heels is worth two pair of hands. The flaughter of this day was not proportionable to the number, or eagerness of the contest, more by odds fell in the pursuit than in the On the English part fell very few; Sir action. Abraham Shipman was deeply wounded in the breast on the first onset, but recovered afterwards. The English continued the chace on all hands, and had the spoil of the field; but to them whose lot it fell to follow the chace northerly foon appeared a semblance of new work, for by the time they had pursued as far as Lough-Foyle, not two miles. behold! our county of Longford neighbours appear as auxiliaries in a full body, who now make hafte, hoping to put in for share in the glory of the action. I will not say, that they might have appeared

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appeared sooner, if they had pleased, as some in this country have reported. I am fure they came mo foon for themselves, for finding they had now s victorious enemy to encounter with, they retire in the same disorder they found their neighbours in, and about the verges of this lake met their fate they made so great haste to overtake, such only outliving the dishonour as had the good fortune to betake themselves timely to their heels. 'It fared better with the county of Cavan gentlemen, who also were making all speed imaginable on the same errand, for meeting at good distance by those that fled ere they could reach the bridge of Ballinelack, with the tidings of the defeat, they fairly retire without so much as seeing an enemy, and march home in as good order as they came forth, thinking it no matter of prudence to provoke a victorious enemy. This was indeed a fignal day, a day of deliverance, for if all circumstances be considered, there was but little ground for the English to have hoped to escape, but that God, not themselves, ordered ways beyond hopes for their preservation. The number of the flain in this action from first to last is uncertain, many more escaped by flight than fell. The victorious English reunite under their colours. and march fafe to Dublin, fending before them the joyful news of this good day by captain Vaughan. who, as well for his good service, as news, was knighted.

Having now traced thro' the places of most note I know of in this county, I shall attempt Customs to speak of the manners and customs of this Manne. 2. people, and then conclude these my remarks. this I shall be more general, for that I find little

or nothing that can be faid in this county in this respect, that may not be said indifferently of all.

The customs therefore and manners of these people of old were in many instances, what we term rude and barbarous, much after the habit of our former Britons and other Europeans and more easterly nations, before the power of the ancient Romans prevailed, who by conquering and bringing them under subjection, wrought and moulded them into politeness of manners and civil constitutions. In like manner our English, after they had in Henry the tecond's days and succeeding times got footing in this island, took care by statute laws, to abolish the worst and most rude of their usages, and in their stead, to introduce the English customs, laws, habit and language.

It must be owned, that this work, tho's matter of great good and concern to this nation, in general went but flowly on, it receiving many interrup tions, especially when any disquiet happened in the English nation, and the people, tenacious enough of their ancient habits, did but flowly come into the English lure in this affair; some countries continued rude a long time, and some are not quite civilized to this day; and hereunto many things concur. First, The many distractions of England by civil war and contests within itself, which not only occasioned divisions, from minding the interests of this nation, but gave advantageous opportunities to the people to shake off, if possible, the English yoke. We need not travel far back into antiquity for an instance hereof; we have one too fresh in our own memory, the rebellion and war of 1641, enterprized at a time, when the king and bis parliament were at unhappy variance with each other, and maintained during the raging war that enfued on these differences, in England, are bifficient testimonies not only what influences the differences of England have over Ireland, one whereof was the withdrawing our armies hence, when we were in a fair prospect of giving a speedy end to that unnatural rebellion and war. But what use the natives endeavour to make of them, manifested in their treaty with a foreign prince, to be received by him unto his protection, that with more ease and security, they might shake off the English yoke.

In the next place I rank the degeneracy of Degenemany English families, as a great hindrance of rate the reducing this people to civility, occasioned not only by fostering, that is having their children Fostering nursed and bred during their tender years by the and Mar-Infh, but much more by marriages with them, by riages. means whereof our English, in too many great families, became a few generations, one both in manners and interests with the Irish: insomuch Irish as many of them have not doubted to assume even names. Irish names and appellations; instances hereof are but too many even this very day: thus a Birmingham is called by them Mc. Yores, Fitz-Simmons Mc. Kuddery, Weysly Mc. Falrene, &c. and from men thus metamorphofed what could be expected? But to evidence the great evils that enfue on these mixtures we have a very late infrance in one Tarrington some years since hanged in Connaught, as a tory; this fellow was the fon of an English soldier, who came over during the late war and quartered at Athlone: he marrying an Irish woman and dying left a young son to her tuition:

tuition; she bred him up after her manner, and he had so far degenerated in his generation, that on his trial he could not speak one word of Engi lish, and appeared with less either of English manners or demeanour, than the meanest of the Iris themselves. But too many instances of this sort could be brought nearer home; I know the for of Englishmen in my neighbourhood, who also ready are become Irish both in interest, education and religion, and very little differing from the Tarrington of whom we have spoken.

Emulations be-English.

A third cause why the Irish were not sooner reduced to the English customs and manners, was the tween the emulations and strifes that have been between the greatest of our English families themselves, who for many generations together being successively at strife, minded more their particular splenetis discord than the public good, or their common interest; whence often it fell out, that instead of reducing the Irish to good order, they themselves fometimes became obnoxious to them, and were forced to make suit unto them for aid in their hereditary contests; and thus weakening each other, they become the sport and may-game. of them, who made a gain of their mutual loffes.

Neglect of our kings.

A fourth cause, was the neglect of several of our former kings, many of them seeming little to regard or esteem Ireland, looking on it as a place of charge and burden without any advantage to the crown; and indeed it hath proved so for many generations together. But I may imagine that the cause proceeded mostly from their own neglect of But the small regard that one of the wisest of

our

fur princes, Henry the seventh, had hereof in the surface of his reign had like to have cost him idear; for both Lambert Simnell and Perkin Warbeck, two mock princes, found here probation, encouragement and support; so great aftion had this nation borne to the house of York, that they willingly suffered themselves to be cheated by any that had but the impudence to say they were of that house. Quad volumus facile credimus. From hence the one immediately and the other strer found countenance and relief in Scotland, invaded England, and had not the providence of God and the good fortune in arms of that prince interposed, they might have shaken his throne, and tumbled his crown into the mire.

To these may be added the corruption of some Corruptinferior officers of justice, as seneschals, sub-she-officers. iffs. &cc. and such also as have obtained grant. rom the crown of forfeitures or penal statutes. These whose duty it is to enquire after and punish ome fort of offenders against law; as for instance, uch as plow or draw their horses by the tail, burn orn in the straw, &c. these very persons in some arts of this kingdom, instead of suppressing hese barbarous and evil customs do encourage hem, by taking a general small composition, as me penny per house to licence or connive at them. o use their barbarisms without punishment; and his I have on good authority heard, is this day lone in that great lordship of Boreshoole in Conaught.

I might farther add, at least for this last century, he religion generally professed by the natives, the Roman, to which they make it their glory, that they so tenaciously adhere; and they seem to do it as it were in contradistinction to the English,

who

who generally have embraced the reformed, m unlike the Indian in the poet.

- who heaven wou'd forbear, Because he heard the Spaniards were there.

Thefe, I suppose, may be reckoned among the

CLEVELAND

causes of the slow progress this nation hath made towards civility, and accommodation to our Engl lish laws and customs, yet these not with standing this people, especially in this and the adjoining countries, are in our days become more polite an civil than in former ages, and feem very forwar to accommodate themselves to the English model particularly in their habit, language, and furname which by all manner of ways they strive to make English, or English like; this I spake of the infe Irish nowrior rank of them. Thus you have Mac Gown furname himself Smith; Mac Killy, Cock; Ma Spollane, Spencer; Mac Kegry, Lestrange; & Herein making some small amends for our degree nerate English before spoken of. All the your of this age learn to speak English in their pet schools, the only good they learn there, nor there now any more appearance of the Irish ca mantle, or trowles, at least in these countries; at altho' the language yet remains, it is neverthele so adulterated, by the multitude of English wor

> adopted to it, that it remains no where now in purity; I know feveral persons of worth, w not only speak, but write and read their tong exceedingly well, who profess they not at meet with many hard words they under Be

change their names into English.

Language.

Habit.

not, but fome whole Irish books, of which they are not able to give any manner of account.

The nobility and gentry value themselves very Antiquahigh on the flock of their antiquity and descent, ries. and in this respect they little set by others; you small meet with one or more antiquaries, as they are termed, that is deducers of their pedigrees, in Pedigrees. every great family, who will with as much confilence and affurance, rip up even unto Adam, fuch person's progenitors, as if Adam were but of percenday: he mouts up as high as Noah as affuredby, as if unto him he had as good authority, For what he delivers, as he has from Noah to Adam, and what there men so deliver is believed with equal affurance: nevertheless they are forced by the way to step into Spain, and then again to -south at Rgypt, in both which places I dare venwith my credit, very little will be found on inqui-Ty, their can sustain these their confident deduckions. As for England they love it not fo well as to honour it with their pedigrees; and yet in all Whelihood this island must have been first peopled out of it; for he who in enquiries of so great antiquity, whereof no unquestionable records are to the met with, makes his deduction with most shew of probability, ought to be esteemed the most Hurst accountant of time; now let all men judge whether is most likely that Ireland should be peocoled from Britain or Spain, the one being in view of it at one end and of the main continent at the other end; whereas the nighest coast of Spain is hot to be reached under several weeks fail, even with a fair wind, and that in these our days wherein the art of navigation hath attained to a high perfection.

But

But leaving every man to enjoy his own fentiments in this matter; I shall here, if my reader pleases, attempt to divert him with a pleasant story of one of these pedigreers, whereby will appear what value they have for these genealogies; a certain gentleman of English descent, and that no higher than queen Elizabeth's days, whose father linked with one of the antient Irish families, happened to be present when one of these genealogists was with great fatisfaction and veneration received by the hearers. This gentleman merrily requested the antiquary to rip up his pedigree also; the confident time-talker replied, that I can do with great ease, for you are the son of such a person, naming his father, the fon of such a person, naming his grand father, the fon of such a great person, naming his great grand father by his surname, who came over, and there stops; what says that merry gentleman, can you go no farther? No says the genealogist, not by your father's side; but if you will have your pedigree by your mother's fide, I will fet you up to the devil's house! speaking these last words in a far differing tone, and as a man rapt up in an ecstacy.

One great evil of this vanity in our Irish gentry is, that you shall hardly meet with any of them, that scorns not to take up any manual craft, whereby they may earn an honest livelihood, as if like cameleons, they could live on these airy vanities, that thus puff up their minds. They will walk from house to house with their greyhound, their constant attendant, and spend their whole age in idle wandring and coshering, as they term it, and live, as if they were born only frages consumers.

confumere. Against these were our statutes made of coshering and idle wandring. But also not in this instance only, but in many more may we complain with the poet,

Quid triftes querimoniæ Si non supplicio culpa reciditur? Quid leges sine moribus Vanæ prosiciunt?

HORACE.

But wherefore do we thus complain,

If justice wear her awful sword in vain?

And what are laws, unless obey'd

By the same moral virtues they were made?

FRANCIA.

- And against such fruitless idle persons, the same judicious poet thus very ingeniously elsewhere inveighs.

———— Fame servit ineptus:

Qui stupet in titulis et imaginibus: Quid oportet

Nos facere a vulgo longe lateque remotos.

HORACE.

And with a stupid admiration gaze

When the long race its images displays;

But how shall we, who differ far and wide

From the mere vulgar, this great point decide?

FRANCIS.

This people of old were very famous for their Learnlearning; and indeed in those dark ages of the ingworld, world, wherein barbarism, like a torrent, overflowed all our European countries, here only learning found fanctuary. Here then were many famous schools, and marts of letters, whereas Foure before mentioned was one, and hither from all parts of Europe they traded for this commodity.

Enemplo patrum commotus amore legendi, Ivit all Hibernos, sopbil mirabili claros.

Nurtur'd from youth in learning's mazy store, He fought, for wildom fam'd, Hibernia's shore.

And altho' learning in this our age, and for fome ages past, hath again got footing in Europe, infomuch as now it feems to exceed in arts and science all former times, no country that I hear of on this fide the Bolphorus, except Greece once the milital of all learning itself, being void thereof, yet but the not yet quite for sken this island, for the perple still retain an ardent defire for learning, and both at home and abroad do attain unto good measures thereof. There are from the highest to the lowest classes of them that are very ingenious and docile; in this only unhappy, that they will not breed their youth in our universities, neither it this kingdom nor in England, because of the religion therein professed, but choose rather, being not permitted to have public schools of their own to educate their children under private professors or else send them abroad into France or Spain for their breeding. Neither is a priest now among them of any repute, if he has not spent som year

years abroad. They are much given to Hospita-Hospita-lity from the highest to the lowest, even the mean-lity eft will receive into his house a stranger, and impart the best of his fare unto him: in this generosity they seem rather to exceed on occasions than fail short, especially when they make any public treats, for at such time it is usual with them not to suffer their guest to part until their whole stock of provision be spent. Their women are women generally beautiful, and love highly to set them-hand-selves out in the most fashionable dress they can some attain.

Every Irish surname or family name hath either Sur-O or Mac prefixed, concerning which I have found names. some make this observation, but I dare not undertake it shall hold universally true, that such as have O prefixed, were of old superior lords or princes, as O Neal, O Donnell, O Mellaghlin, &c. and such as have Mac, were only great men, viz. lords, thanes, as Mac Gennis, Mac Loghlin. Mac Doneho, &c. But however this observation hold, it is certain they take much liberty, and feem to do it with delight, in giving of nick-names: if a man have any imperfection or evil habit, he Nicshall be fure to hear of it in the nick-name. Thus names. if he be blind, lame, squint-eyed, grey-eyed, be a Rammerer in speech, left-handed, to be sure he shall have one of these added to his name: so also from his colour of hair, as black, red, yellow, brown, &c. and from his age, as young, old, or from what he addicts himself to or much delights' in, as in draining, building, fencing, or the like; fo as no man whatever can escape a nick-name, who lives among them or converseth with them, and sometimes, so libidinous are they in this kind of raillery.

#### A DESCRIPTION OF THE

raillery, they will give nick-names per antiphrasis or contrariety of speech. Thus a man of e cellent parts and beloved of all men, shall called, Grana, that is naughty or fit to complained of; if a man have a beautiful coutenance, or lovely eyes, they will call him, Cuieg that is squint-eyed; if a great house-keeper, shall be called, Ackerisagh, that is, greedy.

The landlords of old were, and still are gre oppressors of their tenants and followers, and ve much given to cosher upon them, that is, to cor for some time with their family and live on the nevertheless they are very industrious to preser them from the wrongs and oppressions of other and if this were the utmost of their kindness their tenants it were truly commendable, but this they too often exceed, for many of the will not spare to protect their tenants against t payment of their just debts; insomuch as af you have been at cost and charges in the law, a come with your execution, you happen well if y find not all your debtor's goods seized on by 1 landlord for his rent, and so mean a matter is with an Irishman to be protected by his lands. from the injuries of others, that it is a comm faying in the mouths of most of them. W boots it me to have a landlord, if he defend not, both in just and unjust causes; and anoth faying they have as rife as this, Defend me a spend me, insomuch that it seems they give the selves up to their landlord's pleasure, as to w he willeth for himself, in case he will suffer no else to do the like. These things, tho' true as the main, admit of many exceptions: for I know Several that are truly just and conscientious

their ways, both superiors and inferiors; and this matter of exception holds not only in this inflance but in most of what I have written, or shall write of all degrees of this people.

As to the inferior rank of husbandmen called, Sculloges Sculloges, which may be Englished, farmer or erafty. husbandman, or yet more properly, boors, they are generally very crafty and subtle in all manner of bargaining, sull of equivocations and mental reservations, especially in their dealings in fairs and markets; whereas if lying and cheating were no sin, they make it their work to over reach any they deal with, and if by any slight or fetch they can hook in the least advantage, they are mighty tenacious thereof, and will not forget the same, unless over-powered by the landlord, who is the party addressed to for justice.

I will crave the reader's patience to fuffer me a Paffure while to give an instance of the dealing of this in Com. fort of men, and their customs in the manage of mon. their husbandry one with another. Every townland held by them is grazed in common, that is, every man's flock goes indifferently over all the pustures of the town. The difference lies here. he who holds the greatest number of acres in the arable, is supposed the more able farmer, and consequently is allowed to have more cattle on the pastures of the town, than he who holds fewer acres, or a lesser holding as they call it. The great evil hereof generally is overstocking their ground, by means whereof it is too often feenonce in three or four years, that they hazard the loss of their stock; as they graze in common, so one who is not acquainted with them, would. I 2 think.

think, that they plough in common too. For it is usual with them to have ten or twelve ploughs at once going in one small field; nevertheless every one here hath tillage distinct, tho' all appear fenced up in one mear or ditch. They divide usually one field into acres, half-acres, stangs, that is roods; and of these they make so many lots or equal shares, as there are ploughs in the town; so as a man whose share may amount to three acres, shall not have perhaps half an acre together, but feattered up and down in all quarters of the field. This ariseth thro' that great care and concern every man hath left he should be over-reached by his neighbour; and they will take upon them to be judges to an extreme nicety of the quality and quantity of each rood of ground; and, to make fure work, will bring their ropes to measure, # formally as a surveyor his chains. Their manner of division is thus. To each plough they reckon a certain number of acres, which by a general name is called a share; each share hath particularly such and fuch half acres or stangs assigned to it by name to make up the given number, and for greater equality take, these are not given as they lie in the ground, but, as they call it, they lay a large acre, stang or half acre to a lies (nor matters it where it lies) and on a good a worse, in all this presending the greatest indifference imaginable; when they have perfected this work, which usually they take time enough to consider of, a franger might think they might now permit any one to choose his share; nevertheless still one or two of these shares are left worse than the rest. and this they all know too, but they diffemble. their knowledge therein, pursuing still the grand delign

delign of over-reaching one another, while every manhopes the worst will not fall to his lot; and now at last they proceed to cast lots for their shares; herein also are they very nice, even to ridiculous folly; for commonly they will cast lots with agreement before hand, not to be tied up to this lot, but only to try how their lots will light; this done to no purpose, at last they will cast lots in good earnest, the manner whereof is thus, They call one share, made up of certain acres or stangs as afore, the first, and lay down for it a stone or turf on the ground; another they call the fecond, made up as the first, and lay down for it, a stone also or a turf; and thus they do for as many ploughs as there are in the town: this done each plough agree among themselves on one to give in a lot for each particular share, then the first puts into a hat it may be a small stick, another apebble stone, a third perhaps a scrap of iron, a fourth a shred of cloth or rag, or a flower, &c. and every man's lot is taken notice of by the whole number; this done they call a child or a stranger, who knows nothing of the privity, and he takes out any of these and places it on the first, then another on the second, &c. and thus, every man comes to know the lot or share of his plough; this done, and not before, begins the buffle and wrangle, for they to whom the worst lot falls are fure to cavil at all that is done, and now he tells exactly all the faults of his share, which before the lots cast, he seemed not to know. and there is no peace 'till all must fall anew to divide more equal again, and if they have not a landlord that can over-rule them, they will hinder one another from their labour for a month or two I have known when a wrangle hath continued so long that they have been forced to break up their fallow in common, and so likewise to harrow it, and then at last rather out of necesfity, than any love to peace or equity, they agree in making their lots either more equal, or take to it with more quiet; yet sometimes are they not thus itself satisfied, for so jealous they will be of one anothers practices, that no division can serve or fatisfy, but that which is the most nice that can be imagined, and certainly the worst and most incommodious, and that is by the ridges; yet to this, if peace cannot be had amongst them otherwife, it comes at last; and this division they call by a term, that I may English, the gut division. By all which appears how unequally and hard they will bear one upon another; and yet seem outwardly to pretend to nothing but equality.

Joining in

When the squabble about dividing is over, they Plough. as often fall by the ears again about joining together or coupling to the plough, for sometimes two, three or more will join together to plough. This they call coar, which may import an equal man, fuch another as myself, and with a little alteration of the found may fignify, help, right, or justice. In this also they are often very litigious, weighing the strengths of one another to mere niceties. But in case of disagreement, their customs hath provided for them, that with confidence they may come before their landlord and demand from him their coar, or equal man, or helper to plough, which they count the landlord bound to provide for them, and if he cannot, he is obliged to affift him am himself; sometime it so falleth out, that a ros-grained boor refuseth to afford his help, and when required thereto by his landlord, looking on. himself as sufficient enough for his own need without any coadjutor, in this case, tho' the custom obliges him that feeks the aid to bring every day into the field his horses and his tackle, and offer allo his own labour to the refusing party, to offer also his proportion of seed in its proper season, and then altho' the refuser hath denied throughout, the demander is to reap at harvest as good a portion of the crop out of the refuser's labours, as if he had been at expence all the year long. Bearded This custom they call, the law of Owen with the Owen's beard, who was one of their antient Brehons 22w. or judges.

In towns fet to farmers, every house hath ap-bog. propriated to itself a share or portion of the bog for turf cutting, by known measures and bounds, which whoever comes to that house is to enjoy so long as he lives in it, as well as the garden thereof. This must lie waste and untouched, until the ownerbe at leisure to cut his turf, nor may his neighbour, if more early at his work, lay one fod on his portion of the bog. If he does, immediately the complaint comes before the landlord, or his fleward, who supplies his place in all these toils, who is holden to do right, by causing the turf thus njuriously laid on, to be thrown into the pit again. f the landlord refuses or delays his justice herein, nost usually they will fall to loggerheads, and ftentimes they do so before the matter comes beare the landlord, and then likely the strongest and carries all. Hence they have a faying usual these or the like occasions sounding much to this

Share of bog. this purpose; a town without a landlord and a bull, is a town turned topsy turvy.

Tenants from year to year.

They hold but from year to year, nor do they delire longer term. They have a custom on a stated day every year to come and give warning to their landlord to provide other tenants for their holdings and houses, and this they will do s formally, as if they were in earnest, and yet after all they intend nothing less, for they will not lesse the place with their good will, where they and their ancestors have sat. In this case you shall have some of them tell their landlord, that they and their forefathers have been there as long and perhaps longer than he, and they will not out for him; whither shall they go? and the like stuff; and this their shiness of leaving their ancient habitation is not without some cause. For if one of them remove but to dwell in the next county, nay the next parish, provided it be under another landlord, he is on every little picque with his neighbour reproached with terms importing, vagabond, or a forfaken outcast, &c. and so keen is his anima redeundi, that he is not at ease within himfelf, 'till he make way for his return again, to the place, as he phrases it, where he ought to be:

Nescio qua natale solum dulcedine cunctos Tangit, et immemores non sinet esse sui.

Whence springsthis love of home, this fond desire, This longing after our paternal soil.

In countries that are rocky, as some part of Tuomond, where corn is not to be had in so great plenty, for in the barony of Burren, some part of Corkinroe

Corkinroe and elsewhere, their greatest fields are but little crofts; they have a custom every Mayday, which they count their first day of summer, to have to their meal one formal dish, whatever else they have, which some call, stirabout or hasty Strabout. andding, that is flour and milk boiled thick; and this is holden as an argument of the good wives good huswifery, that made her corn hold out so well, as to have such a dish to begin summer fare with; for if they can hold out so long with bread, they count they can do well enough for what remains of the year till harvest; for then milk becomes plenty, and butter, new cheese and eurds and shamrocks, are the food of the meaner fort all this season; nevertheless in this mess, on this day, they are so formal, that even in the plentifullest and greatest houses where bread is in coundance all the year long, they will not fail of this dish, nor yet they that for a month before wanted bread.

On the first Sunday in harvest, viz. in August Swimthey will be sure to drive their cattle into some ming of
pool or river, and therein swim them; this they obcattle.

Serve as inviolable as if it were a point of religion,
for they think no beast will live the whole year
thro' unless they be thus drenched; I deny not but
that swimming of cattle, and chiefly in this season
of the year, is healthful unto them as the poet
bath observed;

Balantumque gregem fluvio mersare salubri.

Viro.

In th' healthful flood to plunge the bleating flock.

but

but precisely to do this on the first Sunday in harvest, I look on as not only superstitious, but profane.

In their marriages, especially in those countries Marriages where cattle abound, the parents and friends on each side meet on the side of an hill, or if the weather be cold, in some place of shelter, about midway between both dwellings; if agreement enfue, they drink the agreement bottle, as the call it, which is a bottle of good \*ufquebaugh and this goes merrily round; for payment of the portion, which generally is a determinate number of cows, little care is taken; only the father or next of kin to the bride, sends to his neighbours and friends, sub mutuæ vicissitudinis obtentu. and ever one gives his cow or heifer, which is all one in the case, and thus the portion is quickly paid; nevertheless caution is taken from the bridegroom on the day of delivery for restitution of the cattle, in case the bride die childless within a certain day limited by agreement, and in this case every man's own beaft is restored; thus care is taken, that no man shall grow rich by often marriages; on the day of bringing home, the bridegroom and his friends ride out, and meet the bride and her friends at the place of treaty, being come near each other the custom was of old to cast short darts at the company that attended the bride, but at such distance, that feldom any hurt enfued; yet it is not out of the memory of man, that the lord of Hoath on fuch

<sup>\*</sup> i. e. Whiskey, the Irish Aqua-vitz, and not what is now understood by Usquebaugh.

### COUNTY OF WEST-MEATH.

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in occasion lost an eye; this custom of casting larts is now obsolete.

On the patron-day in most parishes, as also on the feasts of Easter and Whit-suntide, the more ordinary fort of people meet near the ale-house in Patronthe afternoon, on fome convenient spot of ground day. and dance for the cake; here to be fure the piper hils not of diligent attendance; the cake to be danced for is provided at the charge of the ale-Dancing wife, and is advanced on a board on the top of a for the pike about ten foot high; this board is round, and cake. from it riseth a kind of a garland, beset and tied round with meadow flowers, if it be early in the summer, if later, the garland has the addition of apples let round on pegs fastened unto it; the whole number of dancers begin all at once in a large ring, a man and a woman, and dance round about the bush, so is this garland called, and the piper, as long as they are able to hold out; they that hold out longest at the exercise, win the cake and apples, and then the ale-wife's trade goes on.

On May-eve every family sets up before their loor a green bush, strowed over with yellow May-lowers, which the meadows yield plentifully; in bush, ountries where timber is plentiful, they erect tall ender trees, which stand high, and they continue most the whole year, so as a stranger would go igh to imagine that they were all signs of alellers, and that all houses were ale-houses.

On the eves of St. John Baptist and St. Peter,
ey always have in every town a bonfire, late in
Bonfires
e evenings, and carry about bundles of reeds on St.
It tied and fired; these being dry will last long, John's
Id flame better than a torch, and be a pleasing
divertive

divertive prospect to the distant beholder; a stranger would go near to imagine the whole country was on fire.

Twelve-

On Twelve-eve in Christmas, they use to set up as high as they can a sieve of oats, and in it a dozen of candles set round, and in the centre of larger, all lighted; this in memory of our saviol and his apostles, lights of the world.

Wakes.

At funerals they have their wakes, which now they celebrate were more befitting heather than christians; they sit up commonly in a but or large room, and are entertained with beer an tobacco; the lights are let up on a table over the dead; they spend most of the night in obse flories, and bawdy fongs, until the hour come for the exercise of their devotions; then the priest calls on them to fall to their prayers for the foul of the dead, which they perform by repetition of Aves and Paters on their beads, and close the whole with a de profundis, and then immediate to the story or song again, till another hour prayer comes; thus is the whole night spent til day: when the time of burial comes, all this women run out like mad, and now the scene altered, nothing heard but wretched exclamations howling and clapping of hands, enough to deftro their own and other's sense of hearing; and thin was of old the heathenish custom as the poet hath observed:

----- omnes magno circum clamore fremebant

Hand mora festimant flentes.

Virg

DRYDEN.

is they fail not to do, especially if the deceased serof good parentage, or of wealth and repute, a landlord, &cc. and think it a great honour to dead to keep all this coyl, and some have been rain as to hire these kind of mourners to attend it dead; and yet they do not by all this attain lend they seem to aim at, which is to be thought amourn for the dead; for the poet hath well served,

Forester ille dolet, qui fine teste dolet.

The truly grieved in fecret weep.

int heaps of stones in the way, the corpse hid down, and the priest or priests and all slearned sall again to their Aves and Paters, a during this office all is quiet and hushed; this done the corpse is raised, and with it the t-cry again; in this manner the corpse is brought the grave, where during the office all is hushed in; but that done and while the corpse is laying wn and the earth throwing on, is the last and st vehement scene of this formal grief; and his perhaps but to earn a groat, and from this perhaps but to earn a groat, and from this perhaps of Connected the present of 
n some parts of Connaught, if the party deled were of good note, they will send to the wake

wake hogsheads of excellent stale beer and wine from all parts, with other provisions, as beef, &c. to help the expence at the funeral, and oftentimes more is fent in than can well be spent.

Month's feaf.

After the day of interment of a great personage they count four weeks, and that day four weeks, all priests and friars, and all gentry far and near are invited to a great feast. the preparation to this feast are masses said in all parts of the house at once for the soul of the departed; the room be large you shall have three or four priests together celebrating in the several corners thereof; the masses done they proceed to their feastings; and after all, every priest and friar discharged with his largess.

Inny the

This county is wholly comprized within the boundary diocese of Meath, except only the half barony osefe of Moygoish, which in the beginning we told you was on the north fide of the Inny, and in lieu thereof it taketh in that part of the county of Longford, that is on the fouth fide of the same, so as the Inny from the time it toucheth on the diocese of Meath till it lose itself in Loughree in the Shannon is the boundary to this diocese, but no where that I know of runneth within the same.

\* Usually termed the month's mind.

FINIS.

# Metanea de Rebus Hibernicis:

## NUMBER II.

### CONTAINING,

LETTER from Sir John Davis to the Earl of ALISBURY.

Original and first Institution of Corbes, Erre-LACHS, and TERMON-LANDS. By ARCHBISHOP ISHER.

An Account of two ancient Instruments sely discovered, illustrated by a DRAWING.

Published from the MSS. by

LAJOR CHARLES VALLANCEY,

SOC. ANTIQ. HIB. SEC.

DUBLIN:

LUKE WHITE.

M,DCC,LXXXVI.



#### TO HIS GRACE,

# R I C H A R D,

LORD ARCHBISHOP OF ARMAGH,

PRIMATE OF ALL IRELAND.

THIS

SECOND NUMBER

OFTHE

COLLECTANEA

IS INSCRIBED BY

The Editor.

Errenach, or Erreineach, is compounded of Err, noble, and Eineach, liberality; alluding to the lands appropriated or beshowed to the church: this officer was also named Arceineach, and Oirchindeach, the first expressly means, liberality to the body, and Oirchindeach implies providentia, which in ancient records fignified provision of meat and drink. Hence, with the moderns, Errenach, Arceineach and Oirchindeach, are fynonimous names for Archdeacon, whose office it was to take care of the church, its property and the indigent poor.

Tearmon implies a fanctuary, protection, or afylum, and is frequently written Tomran, and Tomharn, which are synonimous names with Tearmonn. Tearm-naomh is a patron saint; Tearmonn-cai, a house of defence, and Tearmonn Magcraidhe, was the antient name of St. Patrick's Purgatory.

Some have erroneously thought that the Greek and Latin Terminus (Deus Terminorum) was derived from this Tearmonn swhich has a different fignification. minus is from the Celtic Tir-muin, i. e. Tir, Terra and muin, patrimonium; the bounds of which being distinguished by large unhewn stones, the Greeks, according to their -usual custom of converting Celtic words to the sense of the nearest in found ة ماكلي. 1- ماكلي

in their own language, from thence formed Termon from rieus, i. c. finis. Terminus was represented by a large unhewn stone, even in the temple built for him, by Numa on the Tarpeian rock, but was afterwards honoured with a human body, placed upon a pyramid. Plutarch traces this custom of land-marks and boundaries no farther back than the time of this Numa Pompilius; but Virgil proves it to be as old as that famous legislatrice Ceres, partiri limite Campum. We are not to feek for ancient usages amongst the Greek and Latin authors, this amongst many others was detived from the Egyptians, who received it from the Hebrews, for as M. de Boze observes (Mem de l'Acad. t. 1. p. 50.) Moses does not appoint his people to fet bounds to their lands, fince the thing was established every where, but only forbids them to cucroach upon them.

Ter-muin, or Terminus, therefore implied a limited property of land, whose bounds were distinguished, and is of the same signification as the Hebrew party gabelut, i. e. limis, confinium, terminatio, from whence the Iberno-Celtic samed gabhaltas, which at this day means a farm,

It remains only to explain the term luach impighthe, mentioned p. 187 of this number.

ber. The literal meaning of this expression is, the fee of the petition, that is, the fee paid by the Errenach to his bishop on petitioning for liberty for his daughter to marry.

The Editor takes this opportunity of acknowledging his obligations to Archdeacon Mahon for the fragments of a valuable code of the Brehon laws. Part of this fragment is in the collection belonging to Sir John Seabright, mentioned in the flift number of this work; they do not follow in the fame order, and are mixed with others apparently of a more modern date. This is a strong proof that these laws are not the reveries of a Monk or a Bard, but that they were the established laws of this island.

The translation and revisal of these laws will take up a considerable time; the Editor, unwilling to with-hold so curious a subject from the public until the whole are compleated, proposes soon to give these laws in chapters, in some subsequent numbers. The Irish to be printed in the Roman letter on one page, and the English translation on the other.

Dublin, 20th of May, 1774

# L E T T E R,

WRITTEN IN THE YEAR 1600, BY

SIR JOHN DAVIS, KNT.

ATTORNEY GENERAL OF IRELAND,

T O

## ROBERT, EARL or SALISBURY.

MY MOST HONOURABLE GOOD LORD,

**I** AM not ignorant how little my advertisements do add unto your lordship's knowledge of the affairs of this kingdom; for a fmuch as I know. your lordship doth receive such frequent difpatches from the lord deputy and council here, as nothing worthy of any confideration is left by them unadvertised. Because, they, knowing things a priori, in that they see the causes and grounds of all accidents, can give your lordship more full and perfect intelligence, than such an inferior minister as I am, who come to understand things a posteriori, only by the effect, and by the success. Notwithstanding, because the diligence of others cannot excuse my negligence, if I omit duty in this behalf, I presume still to write to your lordship; and, though I write the same things as are written by others in substance. yet perhaps I may sometimes add a circumstance. which

which may give light to the matter of substance, and make it the clearer unto your lordship.

After the end of the last term, my lord deputy took a resolution to visit three counties in Uses, namely, Monaghan, Fermanagh, and Cavan; which, being the most unsettled and unreformed parts of that province, did most of all need his lordship's visitation at this time.

For Monaghan, otherwise called M'Mahon's country, Sir William Fitz-Williams, upon the attainder and execution of Hugh Roe M'Mahon, chief of his name, did with good wisdom and policy, divide the greatest part of that county among the natives thereof, except the churchlands, which he gave to English servitors, in which division he did allot unto five or fix gentlemen, fundry large demelnes, with certain rests and services, and to the inferior fort, several freeholds, and withal referved a yearly rent unto the crown of four hundred and odd pounds; whereby that county seemed to be well settled for a year Notwithstanding, the late rebellion, or two. wherein the M'Mahowns were the first actors, reversed all that was done, and brought things in this country to the old chaos and confusion. For they erected a M'Mahon among them, who became mafter of all, they revived the Irish cuttings and exactions, detained the queen's rent, reduced the poor freeholders into their wonted flavory: and in a word, they broke all the covenants and conditions contained in their letters patents, and thereby entitled the crown to refume all again; they having now no other title to pretend, but only the late lord lieutenant's promise, and the king's mercy. I speak of the chief lords and gentle-

#### TO THE E. OF SALISBURY

nen, whose estates were subject to conditions; albeit there was yet no office found of the breach of those conditions; but as for the petty free-holders, whose estates were absolute, many of them whose names were yet unknown, were slain in the late rebellion, and so attainted, if any inquisition thereof had been taken. Of such as did service in the wars, and had their pardons, some were removed and transplanted by the tyranny of the lords, and some were driven out of the country, not daring to return to their freeholds without special countenance of the state. And thus stood the estate of Monaghan.

Touching Fermanagh, otherwise called Maguire's country, that country was never reduced to the crown fince the conquest of Ireland, neither by attainder, furrender, or other refumption whatfoever, until Sir John Perrot's government, who caused Co-connaught M'Guire (father of Hugh M'Guire, who was a principal actor in the late rebellion, and flain in Munster upon an encounter with Sir Warham St. Leger) to furrender all the county of Fermanagh in general words to the late queen, and to take letters patents back again of all the country, in the like general words, to him and his heirs; whereupon was referved a rent of one hundred and twenty beeves, arifing out of certain horse and soot, and a tenure in capile. But this English tenure did not take away his Irish customs and exactions; he was suffered fill to hold his title of M'Guire, and to exercise histyranny over the queen's poor subjects, of whom the state took no care nor notice; albeit there are many gentlemen who claim estates of freehold in that country, by a more ancient title than M'Guire M'Guire himself doth claim, the chiefey. connaught M'Guire, having thus obtained letters patents, died seized of the country, and after his death. Hugh M'Guire being his eldest son, took possession thereof, not as heir at common law, but as tanist, and chief of his name, was created M'Guire, and held it as an Irish Lord, until he was flain in actual rebellion, which we hold an attainder in law in this kingdom. Hereupon an office being found, that Hugh M'Guire was killed in rebellion, one counsellor Roe M. Guire, whose ancestors had been chief Lords of the country. and who being received to grace, had performed good fervice in these parts, had a patent of the whole country granted unto him by the late lord lieutenant, and held it accordingly during the wars; when young Co-connaught M'Guire, brother to Hugh M'Guire, and second fon to the old Co-connaught, submitted himself to the late lord lieutenant; his lordship promised him to divide the country betwixt him and counsellor Roe. performance of which promife the state here by direction out of England persuaded counsellor Roe to furrender his patent, which he did, and thereupon fet down a division of the country, allotting the greater portion to Co-connaught, according to which division, they have since held rheir several portions; but hitherto they have no letters patents, my lord deputy having made stay thereof, till he had seen and understood the state of the country, and established a competent number of freeholders there, which will be more conveniently and easily effected now, while the land is in his majesty's disposition, than it would be, if those Irish lords had estates executed or past unto them. Upon

on these terms stood the estates of the chief is of Fermanagh. But touching the inferior stlemen and inhabitants, it was not certainly own to the state here, whether they were only unts at will to the chief lords (whereof the certain cutting which the lords used upon them ight be an argument) or whether they were free-Aders, yielding of right to the chief landlord stain rents and services, as many of them do aldge, affirming that the Irish cutting was but an surpation, and a wrong. This was a point herein the lord deputy and council did much efire to be resolved, the resolution whereof would ive them much light how to make a just and qual division of the country, and to settle every articular inhabitant thereof. Thus much touchg the estate of Fermanagh,

As for Cavan, otherwise called. Reilye, or O'Reilye's Country, the late troules had so unsettled the possessions thereof, which ideed were never well distinguished and estalished, as it was doubtful in whom the chiefry f that country rested, or if the chief lord had en known, yet was it as uncertain what demeines duties he ought to have, and for the particular nants, they were so many times removed and ected, as their title and possession were as doubt-I as the lords. True it is, that Sir John Perrot, ing deputy, purposed the reformation and seting of this country, and to that end indentures ere drawn between himself, in behalf of the late seen, on the one part, and Sir John O'Reilye, e chief lord of the country, on the other part, hereby Sir John O'Reilye did covenant to furrener the whole unto the queen, and Sir John Per-

rot on the other part did covenant that letters a tents should be made unto him of the whole; hot beit there followed no effect of this, for neither was thereany furrender made by Sir John O'Reily neither was there any patent granted unto during Sir John Perrot's time; marry afterwar when the late lord chancellor and Sir Henry W lop were lords justices, certain commanders we fent down to divide the country into baronies, to settle the chief septs and families thereis which they did in this manner. The whole coun try being divided into seven baronies, they assigned two to Sir John O'Reilye free from all country charges and contributions; a third barony the allotted to Philip O'Reilye, brother to Sir John O'Reilye; a fourth to Edmond O'Reilye, und to Sir John O'Reilye; a fifth to the fons of one Hugh O'Reilye, surnamed the Prior; and out of the three baronies, whereof Sir John O'Reilye was not possessed, they reserved unto him a chief rent of ten shillings out of every poll, (being a portion of land containing fixty acres, or thereabouts) in lieu of all Irish cuttings and taxes. other two baronies possessed by the septs of M'Kernan and M'Gauroll, being remote, and bordering upon O'Rork's country, they were neglected, and left subject still to the Irish exactions of the chief lord. But to the crown they reserved upon the whole country two hundred and twenty beeves, which the deputy ever fince hath taken for his provision. vision or establishment was made and reduced to writing as one of the commissioners, who is yet living, told me; who told me withal that they were well paid for their pains; for he that had least

country; yet cannot we find any return for country; yet cannot we find any return for commission, either in the council book, or in chancery; so as hitherto there were only promade for the settling of the country, but hing was really or effectually done; none of rules or ceremonies of the law observed, either accepting surrenders, or regranting the land a sgain, or by any other lawful conveyance, execution of estates.

After this, Sir John O'Reilye died in rebellion; hereupon his brother, Philip O'Reilye, took bon him the name of O'Reilye, and possessed inself of the country as tanist and chief lord, gording to the Irish custom, and being so possed was slain in rebellion. After his death, kimond O'Reilye, his uncle, entered in like manter, and was killed in actual rebellion; since the teath of Edmond none of that sept was elected a created O'Reilye, but the chiefry of the country stood doubtful till the end of the wars.

Then a niece of the earl of Ormond's, being the widow of Mullinora O'Reilye (eldest son of Sr John O'Reilye, which Mullinora had been always loyal, and was slain on the queen's part) supposing that Sir John O'Reilye held the country by grant from the late queen (which indeed he never had) caused an inquisition to be taken, whereby it was found that Sir John O'Reilye was seised of the country in see, and died seised, after whose death the country descended to Mullinora, who likewise died seised, his heir being within age, and in his majesty's ward; and thereupon she made suit to Sir George Carew, then lord deputy, as well for the grant of the wardship, as

for the affignment of her dower; whereas indep the land never descended according to the coin of the common law, but was ever held by t istry, according to the Irish custom, where there could grow neither wardship nor down for the tanist coming in by election, neither d his heir ever inherit, neither was his wife ever dowed. Howbeit Sir George did affign to her third part of the profit of the country, and gar her withal the custody of the body of her los but the custody of the land, during the king pleasure, he committed to the care of one Mu linora O'Reilye, great uncle to the suppose ward, whereof the poor gentleman hath med little benefit; because not being created O'Reive by them, they would not fuffer him to cut and exact like an English lord, neither would they fuffer him to receive the establishment made by the commissioners, because it had been broken and rejected by Philip and Edmond, who fithere held the country as tanists, or Irish chesteins. In these uncertain terms stood the position of Breny, which we now call the county of Cavan.

I thought it not impertinent to shew unto your lordship how unsettled the possession of those countries were, before my lord deputy began his journey, that it may appear how needful it was that the lord deputy should descend in person to visit those countries; whereby he might have opportunity to discover and understand the true and particular estate both of the possessions and possessions thereof, before he gave warrants for passing the same by letters patents unto any, and thereby prevent that error which hath formerly been committed in passing all Tyrone to one, and

Tyrconnel

Cyrconnel to another, and two other large terrinaies to O'Dogherty and Randal M'Sorly, withnat any respect of the king's poor subjects, who the patentess are made little kings, or rather tynats over them, in so much as they now being reach and prayed by the state, cannot yet be known to make freeholders for the service of the thinmonwealth, which before the passing of their patents, they would gladly and humbly have yielded unto.

.. The affaire therefore of the three counties before somed flunding in fuch terms as I have before expressed, my lord deputy, accompanied with the and chancellor, the lord chief justice, Sir Oliver lambert, and Sir Garret Moore, and being also wited upon by myself, who was for the service **Jined in commission** of affize, and gaol delivery with the chief justice, began his journey the 19th dy of July, 1606, being Saturday, and lodged that night and the next at the abbey of Mellifont. Garret Moore's houle; on Monday night his **landship** camped in the field upon the barders of Maney, which is the inheritance of the earl of Est, and albeit we were to pass through the what and vilest parts of the North, yet had we why for our guard fix or seven score foot, and lifty or fixty horse, which is an argument of a good time, and a confident deputy. For in former imes, (when the state enjoyed the best peace and ecurity) no lord deputy did ever adventure himdif into those parts without an army of 800 or oco men. The third night after our departure rom Mellifont, we came to the town of Moaghan, which doth not deserve the name of a good

good village, confishing of divers scattered cabbins or cottages, whereof the most part are possessed by the cast soldiers of that garrison, in the northwest part, whereof there is a little fort, which is kept by the foot company of Sir Edward Blayney, who is seneschal or governor of that county by patent. In the midst of this village there is a foundation of a new caftle, which being raifed ten or twelve feet from the ground, and so left and neglected for the space almost of two years, is now ready to fall into ruin again; albeit his maiesty's charge in building hath been already 1200l. at least. My lord deputy was as much displeased at the fight hereof, as the chief lords of the country are pleased and comforted therewith; because if it were erected and finished in that form as was intended, it would at all times be a bridle to their infolency. For the M'Mahons undoubtedly are the most proud and barbarous sept among the Irish, and do ever soonest repine, and kick, and spurn at the English government. My lord deputy having pitched his tent about a quarter of a mile from the town, did presently distinguish the business That was to be done, the determining the matters of the crown; and the hearing all perfonal petitions touching debt and trespass, he lest wholly to the justices of assize, and gaol delivery, and referved only to himself and the lord chancellor, the confideration of such petitions as should be made unto him, touching the lands and posselfions of that county; which business, because it was the principal, and taken in hand by my lord deputy himself, I will first trouble your lordsip with the relation thereof.

His lordship first propounded to the inhabitants of the country two principal questions in writing, viz. First, what lands they were at that instant possessed of; and secondly, what lands they claimed either by patent from the crown, or by promise from the state. When they had given their several answers to these questions, my lord deputy thought meet to inform himself of the particular estate of the country, by perusing the book of division made by Sir William Fitz-Williams, which remaining among the rolls in the chancery. the lord chancellor had brought with him of purpole for this service. By that book it did appear, that the county of Monaghan was divided into five baronies, viz. Dartrey, Monaghan, Cremorne, Trough, and Donamayne. That these five baronies contain an hundred Ballybetaghs, viz. Dartrey 21, Monaghan 21, Cremorne 22, Trough 15, and Donamayne 21. That every ballibetagh (which fignifieth in the Irish tongue a town able to maintain hospitality) contain 16 taths, each tath containeth 60 English acres, or thereabouts: loas every ballibetagh containeth 960 acres, the extent of the whole containing 100 ballibetaghs. is 96000 acres, besides the church lands. All this country, albeit it were refumed and vested actually in the crown by the act of attainder of Shane O'Neal, notwithstanding the M'Mahons being still permitted to hold the possession, no man fought to have any grant thereof, until Walter, earl of Essex, obtained the whole barony of Donamaine (otherwise called the Ferly and Clankavel) to himself and his heirs; and afterwards, upon the execution of Hugh Roe M'Mahon, chief of his name, Sir William Fitz-Williams divided divided and diffeofed the other baronies in the manner. In the Dartrey five ballibetaghs we granted in demessive unto Bryan M'Hugh O M'Mahon, then reputed chief of his name, at the heirs male of his body, rendering 30 l. ren viz. 61. for every balhbetagh, the other 16 ballib taghs were divided among the ancient inhabitar of that barony, some having a greater portion: lotted, and fome a left, howbeit every one d render a yearly rent of 20 s. out of every tal whereof 12 s. 6d. was granted to Bryan M'Hu Oge M'Mahon, as a chief rent in lieu of other duties, and 7s. 6d. was referved to t crown; which plot was observed in every of t other baronies, so as out of every ballibetagh co taining fixteen taths, the lord had 10 l. and t king 61.

In Monaghan, Ross Bane M'Mahon had lik wife five ballibetaghs granted unto him, with t like estate, rendering to the queen 30 l. rent, at the like chief rent, as aforesaid, out of nine ball betaghs more, and in the same barony Patric M'Art Moyle had three bally betaghs allotted un him with the like estate, rendering 18 l. rent the queen, and the like chief rent out of tother four.

In Cremorne, Ever M'Colla M'Mahon, we was the first of that name that entered into the rebellion, and is now farmer to my lord Essex of all his lands in that county, had shally betaghs in demesse granted unto him, a the heirs males of his body, rendering 30l. In the trown, and the like chief rent out of twe other bally betaghs, and in the same barony of Tatrick Dutte M'Colla M'Mahon had two believes.

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lybetaghs and an half affigned to him in demesse, rendering 151, rent, and the like chief rent out of two other baronies and a half.

In the Trough containing only fifteen bally-betaghs, Patrick M'Kenna had three ballytaghs, and twelve taths in demesne, given unto him, with the like estate rendering 221, rent as aforesaid, and the like chief rent out of the seven other bally-betaghs, and in the same barony one Bryan Oge M'Mahowne, brother to Hugh Roe, who was executed and the like estate granted unto him in three ballybetaghs, rendering 181, rent in like manner, and the like chief rent out of two other ballybetaghs, and under this condition, that if the patentees or their assigns, did not within five years build a castle upon some part of this land, contained in the patents, their several grants to be void.

Thus it appeared, that these four baronies were then bestowed among the chief lords or gentlemen of that county, and as they had their demesne and rents allotted unto them, so the inferior inhabitants, which were so many in number, as it is not fit to trouble your lordship with the list of their particular names, were all named in the book of division, and had their several portions of land granted unto them, and to their heirs; howbeit the effaces made to these petty freeholders were not subject to any conditions to deseat the same, but only to a nomine pene for non payment of the several rents; whereas in every grant made to the lords, there was a threefold proviso, viz. that if any of them took upon him the name of M'M4hon, or did fail of payment of the queen's reat,

or entered into rebellion, and were thereof attainted, their letters patents should be void.

Thus the temporal lands were disposed. the church land, the abbey of Clunis, which was the only abbey of any value in that county, were formerly demised to Sir Henry Duke for years: but the rest of the spiritual lands, which the Irin call Termons, they were granted to fundry fervitors rendering 10s. to the crown for every tath: which, out of all the church lands, amounted to 701. per annum, or thereabouts; but as wel these patentees, as the former, did all fail in performance of the conditions, whereupon their feveral estates depended; so as there wanted nothing but an office to be found thereof for the making - void of all their patents; and therefore as foon as the state of the possessions of this country did appear unto my lord deputy to stand in such fort as is before expressed, his lordship forthwith commanded me to draw a special committion directed among others to the chief justice, and myself, to enquire as well of the breach of conditions contuined in the grants before mentioned, as also of all escheated and concealed lands in the county. Accordingly the commission was drawn, and sealed in the hamper, in the execution whereof we im--pannelled as many of the patentees themselves as appeared at the fessions, to enquire of the articles contained in the commission, so as they them--felves found their own letters patents void, some for non-payment of the king's rent, and others for not building of castles within the time pre--scribed: besides they found divers of the infetior freeholders to have been flain in the late rebellion, whereby eight or nine ballybetaghs efcheated

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cheated to the crown, every bally betagh (as I faid before) containing 960 acres, or thereabouts; which office being found, there rested in the possession of the crown the greatest part of that county.

This being done, my lord deputy entered into council, in what manner he might best dispose and refettle the same again, according to his inflructions received out of England in that behalf; wherein albeit his lordship did resolve to determine of nothing finally before his return to Dublin, wherewith the rest of the council be proposed to digest all the business of his journey; yet having an intent to make some alteration of the former division, his lordship acquainted the principal gentlemen and lords therewith, moving them to give their free consents thereunto, to the end that those small alterations might not breed any difference or discord among them; so thereupon his lordship did in a manner conclude, that Bryan M'Hugh Oge should be restored to all that he had by the former division, except one or two ballybetaghs, which he was well contented should be disposed to two young children, his near kinsmen; for which he was permitted to receive recompence out of the land escheated within his barony.

That Patrick M'Art Moyle should likewise be restored in integrum; howbeit he was not well contented therewith; alledging, that my lord lieutenant, when he received him to grace promised to make him equal in possessions with Bryan M'Hugh Oge; but my lord deputy sound an easy way to perform that promise. Notwithstanding his lordship designed unto him one bally betagh more, being parcel of the barony of Trough, which

which lying upon the border of Tyrone hat been possessed of late by the earl, who pretendet that it is purgel of his countries.

That Ross Bane M'Mahown should likewise bestablished in all his former possessions, one bally betagh excepted, which he frankly gave to on of his kinsmen who was forgotten in the lest division.

That Patrick M'Kenna and Bryan Oge M'Ma hon should hold all their lands and rents with out any alteration at all. But the greatest change was to be made in the barony of Cremorne the greatest part whereof was by the former di vision assigned to Ever M'Colla, who notwith standing never enjoyed any part thereo, because that one Art M'Rory M'Mahon, an active an desperate tellow, who had a very small portion given him by Sir William Fitz-Williams, making claim to that whole basony did ever fince by strong hand withhold the possession thereof from Eve M'Colla; therefore not without consent of Exe himself, his lordship assigned to Art M'Rorve five bally betaghs in that barony; and because a place called Ballylurgan, containing two ballybetaghs lyeth in the midway between Monaghan and th Newry, which two towns are distant the one from the other twenty-four miles; and for as much a Monaghan being an inland town, cannot be fun plied with victuals, but from the Newry, and that it is a matter of great difficulty, in time of war, to convey victuals twenty-four miles, having no place of safety to rest in by the way, therefore his lordship thought it very necessary for the service of the estate, to reserve those two bally betaghs and to pais some estate thereof to the governor o Monaghan

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Monaghan, who doth undertake within short time to build a castle thereupon at his own charges. These seven ballibetaghs being resumed from Ever M'Colla, he hath yet allotted unto him and his sons in demesse, and in chiefry ten ballibetaghs, or thereabouts; albeit Patrick Duffe M'Colla his kiniman, doth still hold his five ballibetaghs acording to the first division. This resumption was made upon Ever M'Colla for two causes. first in regard the state shall not put him in quiet possession of a good part of that barony, whereas before he did not enjoy any part thereof: secondly. because he holdeth a whole barony in farm from my lord of Essex, wherein he hath so good a pennyworth, as he is grown fince the wars to be of greater wealth than all the rest of his name belides.

This much was intended for the principal gentlemen and lords of the country. As for the petty freeholders, such of them as have survived the wars, and not being attainted, have been fince pardoned, do owe good estates in law still, and need only to be established in their several possessions, all which his lordship hath a purpose to do by a general order; but the lands of such as were flain in rebellion, his lordship allotted two or three ballibetaghs thereof, lying in the barony of Monaghan, unto divers cast soldiers dwelling in that poor town, which will be a good strength to that garrison, the remnant being scattered in other baronies, his lordship hath disposed to such of the inhabitants as were commended for their inclination to prove civil and loyal subjects. Lastly, the patentees of the spiritual or termon lands making suit to his lordship to be restored to their several portions

portions granted to them upon the former division, his lordship thought fit to extend the like favour unto them Irishrie. And this is the effect of that business, which his lordship reserved unto himself, wherein his lordship doth make this a year of jubilee to the poor inhabitants of this county of Monaghan, because every man shall return to his own house, be restored to his ancient possessions, and withal have the arrear of his rent to the king remitted; which is indeed a great matter, for the arrear of this county doth amount to 6000l. at least.

Touching the services performed in this county by the justices of assize, albeit they found few prifoners in the gaol, the most part being bailed by Sir Edward Blaney, to the end the fort where the gaol is kept might not be pestered with them. yet when such as were bailed came in upon their recognizance, the number was greater than we expected. One grand jury was so well chosen, as they found with good expedition all the bills of indictment true: but on the other fide, the juries that were impannelled for trial of the prisoners. did acquit them as fast, and found them not guilty; which, whether it were done for favour of for fear, it is hard to judge; for the whole county, confisting of three or four names only, namely, M'Mahon, M'Kenna, M'Cabe, and O'Connolly, the chief was ever of one of those names, and of there names this jury did confift, fo as it was impossible to try him but by his kinsmen; and therefore it is probable, that the malefactors were acquitted for favour; but on the other part we were induced to think, that fear might be ths ◆ cause; forasmuch as the poor people seemed ver unwillin **1** 

willing to be sworn of juries, alledging, that if rendemned any man, his friends in revenge uld rob, or burn, or kill them for it; and the like mischief had happened to divers rs fince the last sessions holden there; such is arbarous malice and impiety of these people: rithstanding when we had punished one jury good round fines and imprisonment, for acing some prisoners contrary to direct and nant evidence, another jury being impannellir trials of others, found two notorious malears guilty, whereof one was a notable thief, and other a receiver of thieves, both which were ently executed, and their execution struck terror into the best men in the country; for xeef which they eat in their houses, is for the part stolen out of the English pale; and for purpose every one of them keepeth a cunthief, which he calleth his caterer. Bryan M'Mahon, and Art M'Rorye, two of the apal gentlemen before named, were indicted he receiving of such stealths; but they acwledging their faults upon their knees before ord deputy, had their pardon granted unto 1; so, as I believe, stolen flesh will not be so t unto them hereafter.

Then we had delivered the gaol, we impand another jury to enquire of the state of the ch in that county, giving them these special less in charge, viz. how many parish churches were in that county? who were patrons? who incumbents? which of the churches were iently repaired, and what decayed? of what y value they were? what glebe, tythes, or other

other duties, belonged unto every church? and who took the profits thereof.

This we did by virtue of that great commission which was fent out of England about twelve months fince; whereby the commissioners have authority among other things to enquire of the points, and thereupon to take order for the re-edifying and repairing of the churches, and fe the placing of fufficient incumbents therein. Th point of that commission was not before time pu in execution any where, albeit it was fundry time moved at the council table, that somewhat might be done therein. But the bishops that sit at that board, being not very well pleased, that laws men should intermeddle with ecclesiastical march ters, did ever answer that motion in this manner. 46 Let us alone with that business, take you no care for that, we will fee it effected we warrant 45 you." Notwithstanding there hath been so little care taken as that the greatest part of the churches within the pale lie still in their ruins; for as the common people (whereof many without doubt would conform themselves) have no place to refort unto, where they may hear divine service, this confideration moved us to enquire of the state of the church in these unreformed counties: the inquisition presented unto us in this county was in Latin, because the principal jurors were vicars and clerks; it appeared that the churches for the most part are utterly waste, that the king is patron of all, and that the incumbents are popish priefts, instituted by bishops, authorized from Rome. Yet many of them, like our old priefts of queen Mary's time in England, ready to yield conformity. When we had received this particular

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cular information, it was thought meet to referve it, and suspend and stay all proceedings thereupon until the bishop of Derry, Raphoe, and Clogher (which three dioceses comprehended the greatest part of Ulster, albeit they be now united for one man's benefit) shall arrive out of England, whose absence, being two years since he was elected by his majesty, hath been the chief cause that no course hath hitherto been taken to reduce this poor people to christianity, and therefore majus accessum bebet.

Laitly, for the civil government of this county, we made several orders; first, for the building of a gool and sessions-house we imposed a tax upon the county (by consent of the chief gentlemen and steeholders) of 401. ser. and for the surplusage of the charge we moved my lord deputy and council to promise an allowance out of the fines and casualties of that county. Next for the erecting of a free school, and maintenance of a schoolmaster in Monaghan, we prevailed with the chief lords sofar, as they yielded to contribute 201. a year to that use; finally, we received and enlarged sundry former orders made for the mending of highways, clearing of places, and bringing of lazy and idle men to justice, &c.

This is the effect of all our proceedings in the county of Monaghan.

From Monaghan we went the first night to the ruins of the abbey of Clonays, where we camped; and passing from thence through ways almost impassible for our carriages by reason of the woods and bogs, we came the second night after to the southside of Lougherne, and pitched our tents over against the island of Devenish, a place being

being prepared for the holding of our sessions for Fermanagh, in the ruins of an abbey there. Here my lord deputy distinguished the business as he had formerly done in the county of Monaghan reserving unto himself the disposition and settling of the lands of inheritance, and leaving unto the ordinary matters both criminal and civil.

For the lands of inheritance in Fermanagh, the flood not in the same terms as the lands in Mo-For the fignorie or chiefry, and the de mesne lands, that were the inheritance of M'Gui himself, were reduced and vested in the crown by two several inquisitions found after the death Hugh M'Guire, the arch-rebel, of whom I have spoken before, the one found in Munster, when shortly after he was slain in actual rebellion there by special commission, and the other in Fermi nagh by the late lord chief baron, by virtue his office of chief baron two years fince, when he was justice of assize in that county, both which offices are returned and remain of record, the one in the chancery, and the other in the exchequer. But forafmuch as the greatest part of the inhabitants of that country did claim to be freeholden of their feveral possessions, who surviving the late rebellion, had never been attainted, but having received his majesty's pardon, stood upright in law; fo as we could not clearly entitle the crown to their land, except it were in point of conquest, (a title which the state hath not at any time taken hold of for the king against the Irish which upon the conquest were not dispossessed of their lands, but were permitted to die, seised thereof, in the king's allegiance, albeit they held the same not according to the course of common law, but by the custom

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of taniftry, whereby the eldest of every sept claimed a chiefry over the rest, and the inferior fort divided their possessions after the manner of gavel kind) therefore it was thought meet to impannel a jury of the most sufficient inhabitants to enquire and present how many freeholders there were, and what lands they held in this county, and what certain rents and services they yielded to the M'Guire or other chieftains and tanists in ancient time, though this were a business of some labour, because the custom of gavel kind had made such petty factions and divisions of the possessions of this county, as the number of freeholders were exceeding great; yet within two days they brought in their inquisition in Irish, which being translated into English, appeared to be confused in general, and without method; wherewith my lord deputy not being satisfied, his lordship having taken a resolution to visit the fort and castle of Ballyshannon and Tyrconnel, being situate in the north-west end of Lougherne, and not distant from our camp above twenty English miles, commanded me in the mean time of his lordship's absence to call the grand jury who made the former presentment, and with them the chief inhabitants of every barony, and by conference with them to digest the business against his return, which was done in this order.

First, we thought meet to distinguish the possessions, next to enquire of the particular possessions thereof. Touching the possessions we found Fermanagh to be divided into seven baronies, namely, Magheryboy, Clanawley, Clankelly, Maghery, Stephanagh, Tirkennedy, Knockrinie, and Lough Lurgh. Every of these baronies contain seven ballibetaghs and an half of land, chargeable

chargeable with M'Guire's rent, and other contributions of the country. Every ballibetagh is divided into four quarters of land, and every quarter into four taths, so as a ballibetagh containeth fixteen taths, as it doth in Monaghan, but the measure of this country is far larger; besides the free-land, whereof there is good quantity in every barony, is no parcel of the seven ballibetaghs and a half, whereof the barony is said to consist. For these reasons, Fermanagh, containing but fifty-one ballibetaghs and an half of chargeable lands, is well nigh of as large an extent as Monaghan, which hath in it an hundred ballibetaghs.

Touching the free-land, we found them to be of three kinds.

- r. Church-land, or termon-lands, as the Irish call it.
  - 2. The mensal land of M'Guire.
- 3. Lands given to certain septs privileged among the Irish, viz. the lands of the chroniclers, rimers, and galloglasses.

The church-land was either monastery land, corbe-land, or Erenach's-land; for it did not appear unto us that the bishop had any land in demesse, but certain mensal duties of the corbes and Erenachs; neither did we find that the parsons and vicars had any glebe land at all in this country.

For monastery-land, we found not other than that which belonged to the abbey of Lisgoole, which doth not exceed the quantity of two ballibetaghs, and lieth for the most part in the barony of Clanawley. But the lands belonging to the corbes and Erenachs are of a far greater quantity, and are found in every barony. I had heard

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heard of the name of a corbe, and of an Erenach divers times fince I came into this kingdom. and would gladly have learned of our clergymen at Dublin, what kind of religious persons they were, but I could never be satisfied by any; and therefore at this time I was the more curious and inquilitive to inform myself of these ecclesiastical persons, the like whereof are not to be found in any other part of Christendom, nor in Ireland neither, but only in the countries that are mere Irish. When therefore we came to enquire of the quantity of the termon lands, I called unto me one of the best learned vicars in all the country, and one that had been a Brehon, and had some skill in the civil and eanon laws, and with much ado I got from him thus much light for the understanding of this matter. They told me that the word Termon, doth fignify in the Irish tongue. a liberty or freedom, and that all church-lands whatfoever are called termon-lands by the Irish. because they were ever free from all impositions and cuttings of the temporal lords; and had the privilege of fanctuary, so as no temporal ferjeant or officer might enter to arrest any person upon these lands, but the bishops officers only. Howbeit in common understanding among us that are English, we call only such termon-lands as were in the possession of corbes or Erenachs. the name of Corbe, I could not learn that it had any fignification in the Irish tongue; some call him in Latin, Converbius, but such as are of best understanding, call him Plebanus, and they yield the reason of that name, quia plebi ecclesiastica preeft. I collect by that which they tell me, that he was a prior or president of a collegiate church.

church, for he did not only possess a good qua tity of glebeland, the tenants and occupiers whereof were called termon men, and had privilege of clergy, but he had also some rectories appropriate, whereof he had that portion of tythes which belonged to the parson, and had withal the presentation of the vicarages. He had always his place or feat in a mother church, where he had a certain number of priests serving with him; in the cathedral church he had a stall in the choir, and a voice in the chapter, and this Corbeship is named a dignity in the register at Rome; for all dignities in cathedral churches, and all benefices of value in this kingdom are contained in a register at Rome, and the Pope at this day doth collate unto them, and until this day the persons prefented have enjoyed the benefices in these mere Irish countries by colour of the pope's collation.

Lastly, this Corbeship was in a manner hereditary; for though the Corbe were ever in orders. yet was he in these Irish countries usually married. or if he were not married he had children, and after his death, if any of his sons were qualified with learning, he was chosen by the dean and chapter to be Corbe; and if none of his fons were capable, another of that fept or furname was chosen without doubt. These Corbeships being in the nature of collegiate churches are vested in the crown by the statute of dissolution of monasteries. and accordingly some of them have been reduced into charge; but there are yet many whereof no inquisition hath been found, but concealed, as detained by the Irishrie unto this day. And that your lordship may perceive I weave not this web out of my own brain, but that I have authority

forit, which I deliver, I will here insert a certificate in Latin made unto me by an Irish scholar, whose opinion I required in this matter; which I have now by chance among my papers; for the most part of these things I have set down out of my memory, being now at Waterford, and having left the notes of our former journey at Dublin.

## The Scholar's opinion was this:

Corbanatus, five Plebanatus, dignitas est, et modo ad regem pertinet, sed antes ad papam; in matrici ecclesis debet necessario esse, initiatus in sacris ordinibus, omnesque decimas pertinentes ad banc debet babere, et benesicia adjuntta buic ipsius sunt, eorumque consecentiam babet et presentationem: dictum boc nomen, quia populo et plebi ecclesissice matricis ecclesis presuit; certum numerum sacerdotum quasi collegialum debet babere secum; primum stallum in sus ecclesis babet; babet etiam stallum vacuum in ecclesis catbedrali; et vocem in omni capitulo tam publico quam privato: inscribitur. Romano Registro, adeoque dignitas est.

Of these Corbeships, the best in these parts was at Clonys in the county of Monaghan, which M'Mahon himfelf procured to be conferred upon his eldest son, being but a boy in the time of the late rebellion. It was long before granted to Sir Henry Duke for years, and is now in the posfession of Sir Francis Rush, who married one of Sir Henry Duke's daughters. There is another at Derough in Fermanagh, which is likewife There are others in brought into charge. O'Rourke's country, others in Upper Offory, and in Ormond, and in many other places which are not yet discovered.

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Thus much touching the name and nature of Corbe.

For the Erenach there are few parishes of ar compass in extent, where there is not an Erenaci which being an officer of the church, took be ginning in this manner. When any lord or gen tleman had a direction to build a church, he di first dedicate some good portion of land to som faint or other, whom he chose to be his patron then he founded the church, and called it by th name of that faint, and then gave the land t fome clerk, not being in orders, and to his hei for ever; with this intent, that he should kee the church clean and well repaired, keep holp tality, and give alms to the poor for the soul health of the founder. This man and his hei had the name of Erenach. The Erenach w allo to make a weekly commemoration of the founder in the church; he had always prime tonfuram, but took no other orders. He had voice in the chapter when they consulted abo their revenues, and paid a certain yearly re to the bishop, besides a fine upon marriage every of his daughters, which they call a Lough nipy; he gave a subsidy to the bishop at his fi entrance into his bishoprick. The certainty which duties appear in the bishop's register; as these duties grew unto the bishop, first, b cause the Erenach could not be created, nor t church dedicated without the confent of t bishop. We are yet doubtful whether these lan possessed by Erenach be yet reduced to t crown; because the statute of Chaunteries is r yet enacted in this kingdom; but certain it

that these men possess all the glebe lands which belongeth to such as have care of souls.

Arad therefore when they shall be resumed, it were rineet they should be added to the parsonages and vicarages, whereby they may be found competent livings for able ministers, which may be placed hereafter in these parts. For now albeit there be in every parish both a parson and a vicar, vet both their livings being put together are hot sufficient to feed an honest man. For the tythes of every parish within the diocese, which comprehendeth Moriaghan, and almost all Fermanagh. are divided into four parts; whereof the parson being no priest, hath two parts; the vicar, who is, ever a priest, and serveth the cure, bath one-fourth. part, and the bishop hath another fourth part: which, God knoweth, in these poor waste coun-, tries do arise to very small portions. And thus we found the state of the church in this county.

Touching M°Guire's mental lands, which were free from all common charges and contributions: of the country, because they yielded a large proportion of butter and meal, and other provisions. for M'Guire's table, albeit the jury and other inhabitants did fet forth these mensal lands in certainty, which lying in feveral baronies did not in quantity exceed four ballibetaghs, the greatest thereof being in the possession of one M'Manus and his fept; yet touching the certainties of the duties or provisions yielded unto M'Guire out of these mensal lands, they referred themselves to anold parchment roll, which they called an indenture, remaining in the hands of one O'Brislan, a chronicler; and principal brehon of that country: whereupon O'Brislan was sent for, who lived not far from the camp, who was so aged and decrepid

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as he was scarce able to repair unto us; when k was come, we demanded of him a fight of that an cient roll, wherein, as we were informed, not on the certainty of M'Guire's mensal duties did a pear, but also the particular rents and other se vices which were answered to M'Guire out of eve ry part of the country. The old man, seeming t be much troubled with this demand, made an fwer, that he had fuch a roll in his keeping before the wars, but that in the late rebellion it wa burned among others of his papers and books by certain English soldiers. We were told by some that were present, that this was not true; for the affirmed that they had seen the roll in his hand fince the wars. Thereupon, my lord chancello being then present with us, (for he did not accom pany my lord deputy to Ballyshannon, but stail behind in the camp) did minister an oath unt him, and gave him a very ferious charge to inform us truly what was become of the roll. The por old man, fetching a deep figh, confessed that h knew where the roll was, but that it was dearer t him than his life, and therefore he would never de liver it out of his hands, unless my lord chance or would take the like oath, that the roll shoul be restored unto him again: my lord chancelle fmiling gave him his hand and his word, that I should have the roll re-delivered unto him. if I would suffer us to take a view and a copy therec And thereupon the old brehon drew the roll of of his bosom, where he did continually hear about him. It was not very large, but it was wri ten on both sides in a fair Irish character; howb some part of the writing was worn and defac with time and ill-keeping. We caused it fort

with to be translated into English, and then we percived how many veffels of butter, and how many measures of meal, and how many porks, and other fuch gross duties did arise unto M'Guire out of his mensal lands; the particulars whereof I could have expressed if I had not left the transbeed copy of the roll at Dublin. But these trifles are not worthy to be presented to your lordship's knowledge; it is sufficient to shew what quantities those mensal duties are, and for the quantities thereof, though it were great in respect of the land out of which these provisions were taken, which being laid altogether, doth not exceed four ballibetaghs, as I said before, such commodities in these parts are of little or no value, and thereforehe never made any civil use of them, but pent them wastefully in a sordid and barbarous manner among his loose and idle followers. Beides these mensals, M'Guire had two hundred and forty beeves, or thereabouts, yearly paid unto him out of the seven baronies, and about his eastle at laniskillen he had almost a ballibetagh of land, which he manured with his own churles.

And this was M'Guire's whole estate in certainty; for in right he had no more, and in time of peace he did exact no more; marry, in time of war, he made himself owner of all, cutting what he listed, and imposing as many bonaghts, or hired soldiers upon them as he had occasion to use. For albeit Hugh M'Guire, that was slain in Munster, were indeed a valiant rebel, and the stoutest that ever was of his name, notwithstanding generally the natives of this country are reputed the worst swordsmen of the north, being rather inclined to be scholars or husbandmen, than to be kerne.

kerne, or men of action, as they term rebels in the kingdom; and for this cause M: Guire in the k wars did hire and wage the greatest part of t soldiers out of Connaught, and out of the Bree O'Reilye, and made his own countrymen for them. And therefore the jury enquiring of escher found only two freeholders in this county, belid Hugh M'Guire himself, to have been flain in the late rebellion; hereby your lordship may percei what manner of lord M'Guire should have bee and what means and power he should have he to do hurt, if the state here had in former tim but looked into the flate of this country, and he established the English laws and justice amou them, whereby every man might have enjoye his own. And your lordship may likewise conje ture of what greatness the best of this sur-nar will be, when the chiefry of this country shall divided between two M'Guires, and the freek · ders shall be established in their several possession without any dependency upon the lords, paying only their certain rents and duties. thefe Irish lords appear to us like glow-worm which afar off feem to be all fire; but being t ken up in a man's hand, are but filly worms and yet this young Co-connaught M'Guire (who brother Hugh was the Alpha, and himself the Omega of the last rebellion; for Hugh was the first that went out, and himself the last that can in) will in no wife be fatisfied with the greate part of the chiefry of his country. Such is t pride of his own heart, and fuch is the enco ragement he receives from some of place and por er in this kingdom; and to the end he must thought a person fit to be pleased with extrac ا: ۱۰۰۰

diary good terms, he gave out a false alarm fone few days before our coming into Fermanagh, that himself, with the earl of Tyrconnel, were gone into Spain, a common and a poor Irish policy, practifed in this realm ever fince the conquest, to amuse the state with rumours that are utterly false; which, not with standing in former times hath prevailed to do hurt in that kingdom, according to the observation and saying of the old cardinal of Loraine, that, a lie believed but for an hour, doth many times produce effects of feven years continuance. I have digrest a little too much in this place, for which I humbly crave pardon, if your lordship shall not think it pertinent to this discourse, wherein I meant to set down the quantity and quality of the M'Guire's menfal duties.

Concerning the free-land of the third kind, namely, such land as is possessed by the Irish officers of this country, viz. Chroniclers, gallog-lass, and rimers, the entire quantity, if it were laid down together, as it is scattered in sundry baronies, doth well nigh make two ballibetaghs, and no more; which land (in respect of the perfors that merit no respect, but rather discountenance from the state, for they are enemies to the landish government,) may perhaps be thought meet to be added to the demessee lands of the chief lords.

In this manner were diffinguished the possessions of Fermanagh, which being drawn into method, were presented to my lord deputy upon his return.

For the several possessors of all these lands we took this course to find them out, and set them down for his lordship's information. We called

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unto us the inhabitants of every barony feverally. beginning with the barony of Magheryboy, wherein we encamped, and so calling one barony after another, we had present certain of the clerks or Scholars of the country, who knew all the septs and families, and their branches; and the dignity of one fept above another; and what families or metions were chief of every fept, and who were next, and who were of a third rank, and so forth, till they descended to the most inferior man in all the barony: moreover they took upon them to tell what quantity of land every man ought to have by the custom of their country, which is of the nature of gavel kind, whereby as their fepts or families did multiply, their possessions have been from time to time divided, and subdivided, and broken into fo many small parcels, as almost every acre of land hath a several owner, who termeth himself a lord, and his portion of land his country. Notwithstanding as M'Guire himfelf had a chiefry over all the country, and some demesne that did ever pass to him only who carrled that title. So was there a chief of every sept who had certain services, duties, and demelnes, that ever passed to the tanish of that sept, and never was subject to division. When this was understood, we first enquired whether one or more septs did possess that barony, which we had in hand, that being fet down, we took the names of the chief parties of the fept, or fepts, that did possess the barony, and also the names of such as were second in them, and so of others that were inferior unto them again in rank and impolitions. Then whereas every barony containeth seven ballibetaghs and an half. we caused the name of every ballibetagh to be written a down, and thereupon we made enquiry portion of land or services every man held ry ballibetagh, beginning with fuch first as nd and fervices, and after naming fuch as e greatest quantity of land, and so descendto fuch as possessed only two taths. yed, for lower we could not go, because ew the purpose of the state was only to estauch freeholders as were fit to serve in juries: It we had found by experience in the county maghan, that such as had less than two taths ed unto them, had not 40s, freehold per s, altra reprizas, and therefore were not of etent ability for that service. And yet the ser of freeholders named in this county was : two hundred: and in this order and mewe digested the business touching the possesand possessors of this county of Fermanagh, n we presented to my lord deputy upon his n from Ballyshannon; his lordship having ved it, and taken some consideration of it, if the principal inhabitants before him in the , told them he came of purpose to under-I the estate of every particular man in that itry, to the end to establish and settle the same rding to his majesty's directions out of Engand that he had received some information cof, which gave him some good satisfaction; beit that he would not suddenly take any final r touching the same, but would resolve what fit to be done, and finish his service the next 1 at Dublin. His lordship's speech, and good constration to the people, gave them great tentment.

It remains, I should inform your lordship, some what of the fervice performed by the justices assize in this county; albeit they had little to d here, no matter being prepared for them to we upon, for the gaol delivery must needs be quick ly dispatched, when there were no justices of pen that had either the will or the skill to commit m lefactors, and where there was no gaol of an fastness to keep them, being committed. beit, we had a full appearance of all the country and there came in upon recognizances, taken in skilfully enough by the sheriff, and other in inflices of the peace, twenty persons in number or thereabouts; the greatest part whereof we loose and idle people, bound over to find ma ters or furcties for their behaviour; others we committed for felonies, whereof some few we indicted, but in the end all were acquitted A want of evidence, which happened by the negl gence of the justices of peace, who had not bound their accusers to prosecute them. We rebuke the justices of peace for this omission, and imposed fines upon them, and so ended our gad Then made we the like inquistion delivery. here touching ecclesiastical living, and published the like orders for the civil government of this county, as we had done in Monaghan; and so dissolved our sessions. The erecting of a freeschool in this county was deferred, till the coming of the bishop of Clogher. The building of a gaol and fessions-house was likewise respited until my lord deputy had resolved of a fit place for a market, and a corporate town. habitations of this people are so wildly transitory, as there is not one fixt village in the whole county. His lordship took a view of two or three places

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places for that purpose, of which he conceiveth the abbey of Lisgoale to be the fittest; and I conjecture that the next term, when the principal gentlemen of this country shall repair to Dublin, to settle their estates, his lordship will make choice of that place for the shire town of this county, and then take order for the erecting of a gaol and house of sessions there.

Having spent six or seven days in this waste country, we raifed our camp, and returned the same way which we passed before into the county of Monaghan; and lodging the second night not far from the abbey of Clonays, we came the third day to the Cavan, and pitched our tents on the fouth fide of that poor Irish town. The appearance of this place was very full; for not only the natives of the county of Cavan, but also many inhabitants of Westmeath and other parts of the pale, bordering on this country, (whereof fome pretended title to land, others came to demand debts, and others to give evidence against felons.) repaired to this sessions; the chief of which was the baron of Delvyn, who came attended with many followers.

My lord deputy having a purpose to purfue the same course in the service here, which had been holden in the other two countries, caused forthwith a commission to be drawn and pass the seals, whereby the judges of assize and others were authorized to enquire of all lands escheated to the crown in this county by attainder, outlawry, or actual killing in rebellion of any person, or by any other means whatsever. For the dispatch of this business, a jury was impannelled of the best knights and gentlemen that were present, whereof

fome were foreign inhabitants of the pale, and freeholders of this country, and the rest were chief of every Irish sept, natives of this count We received two prefentments from them: first of fundry freeholders who were slain in late rebellion, and of fuch lands as they were is rally seized of at the time of their killings. fecond was, that Philip O'Reilye, who was, cording to the cuftom of the country, cre O'Reilye, and was lord and chieftain of the w country being seized of all lands, teneme and hereditaments in Breny O'Reilye, in de Juo et de fædo et jure (for these are the world the inquisition) was flain in actual rebellion; again they found, that after the death of Pill one Edmond O'Reilye was, after the like cuit of the country, created O'Reilye, and was like manner seized of the country, and being feized, was flain in rebellion. They found, laft that Sir John O'Reilye, who was chieftain tanist of the country long before Philip and B mond, did adhere to the earl of Tyrone, other rebels, and died an actual rebel against t This inquisition was found with so crown. difficulty, because the jurors themselves, all claim ing and pretending to be freeholders of lat within that county, were jealous least their parti cular freeholds might be found escheated by the office; because in the time of rebellion these lord or chieftains, by their Irish cuttings and exaction took the profits of the whole country at the pleasure, and so might be said to be seized of a the country in demelne, when they were flain rebellion. But some of the jury being learned the law informed the rest, that by the words domin

nor possession, but a signiory or chiefry may aderstood, and thereupon they were content in their seals to the inquistion, which being a and engrossed in parchment by one of the missioners was presented unto them. By these offices the greatest part of this county (if not a vested in the possession of the crown, but use my lord deputy conceived his majesty's sure to be, that the natives of the country, whom his highness hath granted his general hon shall be re-established in their possessions, ich they peaceably held before the late war; wait I do not understand that his lordship hath

particular direction touching the disposition this country of Breney O'Reily) his lordship refore thought fit to look back to the time be-E the late rebellion, and to inform himself how man's possession stood at that time, and neupon commanded one of us to take the like. in as was taken in Fermanagh, and in the like fer and method to distinguish the possessions and defines of this country; which was the more fily performed, because in the Irish countries here the custom of tanistry is not extinguished, etenures are every where alike. There is first general chieftain of every country or territory. hich hath some demesse, and some houshold profions yielded unto him by all the inhabitants ider him, every lept or fur-name hath a parti-Har chieftain or tanist, which hath likewise his spliar demesse, and duties, and these possesms go by fuccession or election, entirely without ry division; but all the other lands holden by minferior inhabitants, are partible in course of gavel

gavel kind, wherein there is no difference made between legitimate sons and bastards, and there fore both these customs both of tanistry and gave kind in this kingdom are lately by the opinion of all the judges here adjudged to be utterly voland extinguished either by surrender or resumtion of all the lands which are so holden.

My lord deputy having received the like furve of the lands and the like diffinctions or lift of the freeholders in this county, as was prefented to he lordship in M'Guire's country, deferred the diposing and settling thereof until his return to Dublin, having a purpose in Michaelmas tend to make a perfect establishment of these that counties.

The state of the lay possessions being disa vered, we did not omit to enquire of the numb and value of the parlonages and vicarages, of the reparation of the churches, and of the quality their incumbents, by which inquisition we foun that the greatest number of the parsonages a appropriate unto two great abbies lying within the English pale, namely, the abbey of Foreit Westmeath, granted to the baron of Delvin, and the abbey of Kells, whereof one Gerrard Fleming is farmer. To the first of these, fourteen part sonages within this county are appropriate; and to the other eight: belides there are two or three belonging in the like manner to the abbey of Cavan in this county, being now in the possessions of Sir James Dillon. As for the vicarages, they are so poorly endowed, as ten of them being: united will scarce suffice to maintain an hones. minister.

For the churches, they are for the most part in in; such as were presented to be in reparation, covered only with thatch; but the incumbents, the parsons and vicars, did appear to be such cor, ragged, ignorant creatures (for we saw materials) as we could not esteem of them worthy of the meanest of those lives, albeit many of them are not worth above a per annum.

This country doth lie within the diocese of Imore, whose bishop always was, and is parson Trim, in Meath, which is the best parsonage all the kingdom; whose bishop is a man of is country birth, worth well nigh 400l. a year: doth now live in these parts, where he hath o bishopricks: but there is no divine service or mon to be heard within either of his dioceses. lordship might have saved us this labour of quiry touching matters ecclefiastical, if he had as careful to see the churches repaired and polied with good incumbents, as he is diligent visiting his barbarous clergy, to make benefit st of their unsufficiency, according to the parae which is common in the mouth of one of our eat bishops here; that an Irish priest is better hen a milch cow.

Lastly, our gaol delivery was greater in this boanty, and the civil causes were more in number, and of better consideration and value, than those that did arise in the other two shires, which we had passed before. Yet we finished all our business here within five or six days, and after returned to Dublin about the 22d of August. This report of our service in the county of Cavan, I have contracted and delivered summarily, as well

well for that I doubt I have been too large in the precedent discourse, as also because we hold a uniform proceeding, and did in a manner the same things which we had performed in the other places of session.

Now, may it please your lordship, upon confideration of the whole matter, in my weak apprehension. I conceive thus much, that if my lord deputy do finish these beginnings, and settle these countries, as I assure myself he will, this will prove the most profitable journey for the fervice of God and his majesty, and the general good of this kingdom, that hath been made in this time of peace by any deputy these many years. For first, his lordship having gotten a true and clear understanding of the state of the clergy, in these parts, many will take a direct speedy course for the planting of religion among this rude people, who are apt to take any impression. his lordship knowing the number and value of the benefices in every county, may cause a union, or rather a fequestration to be made of so many as will make a competent living for a fole minister; then may he give order for the building of many churches, as there shall be competent livings for ministers in that county; and this preparation being made, his lordship may lastly provide fufficient to serve in those churches. Next for him majesty's profit, there will be revived and assure to the crown 500 l. per annum, out of Monaghan which though it was formerly referved was nevepaid to the king's coffers; and out of the othe two counties there will be raifed 500 l. a year now at least for rent and composition. Besides, the crown is restored to all the patronages of ecclesiafticaAtical promotions, which heretofore were usurped by the pope, and utterly neglected by the state tere. Lastly, his majesty shall have wardships, aschests, fines, americaments, and other casualties, which were never had nor heard of in these parts.

Finally, for the common good not only of these parts, but of all the kingdom befides; his lord-Thip in this journey hath cut off three heads of that hydra of the North, namely, M'Mahon, M'Guire, and O'Reily; for these three names of bhiefry with their Irish duties and exactions shall be utterly abolished, the custom of tanistry and eavil kind being abfurd and unreasonable, as they are in use here, and which have been the cause of many murthers and rebellions shall be clearly extinguished, all the possessions shall descend and be conveyed according to the course of the common law, every man shall have a certain home, and know the certainty of his estate, whereby the people will be encouraged to manure their land with better industry than heretofore hath been used, to bring up their children more civilly, to provide for their posterity more carefully; this will cause them to build better houses for their safety, and to love neighbourhood; thence will arise villages and towns, which will draw tradesmen and artificers: so as we conceive a hope that these countries in a short time will not only be quiet neighbours to the pale, but be made as rich and as civil as the pale itself.

This is the effect of the service which was performed in that journey, which my lord deputy made into Ulster this summer vacation; whereof I have made unto your lordship a broken and disjointed relation; for which I humbly crave par-N don. don, the rather because I was continually interrupted in the writing thereof, being employed upon my return out of the North, together with my lord chief justice, in a new commission of assize and nist prius for the counties of Waterford, Wexford, and Wicklow; so that I have been enforced to take fractions and starts, and almost instants of time to finish the several periods of this rude discourse: in which, notwithstanding, I hope your lordship will, according to your wonted noble disposition to me, accept in good part; and so with the presentation of my humble fervice, I leave your lordship to the divine preservation.

JOHN DAVIS.

## Of the Original and first Institution of Corbes, Erenachs, and Termon Lands.

Written by JAMES USHER, afterwards
ARCHBISHOP of ARMAGH, Anno 1609.

[This Tract is in the Library of the College of Dublin, all in Usher's own Hand-writing, and signed by him J. U. 1609.]

FOR the declaration of the original and first institution of Corbes, Erenachs, and Termonlands, it is to be considered, 1st, of what nature these lands be. 2. How they came to be possessed by the Termoners. 3. Who these Corbes and Erenachs may seem to have been, who now are the chief of the Termon men. 4th, and lastly, Who had interests in the profits of these lands.

Touching the first, it may be observed, that in times past it was provided, that whoever sounded a church should endow the same with certain possessions, for the maintenance of those who were to attend God's service therein, insomuch that a bishop might not consecrate any church, before an instrument of such a donation was delivered by the sounder. Concil. Braccares. cap. 5. 'Unusquisque episcopus meminerit, ut non prius dedicet ecclesiam aut Basilicam, nist antea dotem Basilicam.

cap. 19. Concil.

Moguat.

Concil.

Wormeti-

esfe, cap.

Legilo col-

сэр. 9.

'czetobleguiumipliusperdonationemchartulæcc ' firmatum accipiat. Namque non levis est ista tem 'ritas, si sine luminariis, velsine sustentatione coru ' qui ibidem servituri sunt, tanquam domus priva ' ira confecretur ecclefia.' And after this donatio the founder was no longer to have the disposal these pollessions, but the ordering thereof appe tained unto the bishop. Whereupon this can (a) Syned. Toletan, iii. was enacted in divers councils, (a) Multi, cont canonum constituta, sic ecclesias, quas ædificav rint, pollulant consecrari, ut dotem, quam eide fub Arnul-'ecclenzecontulerunt, censeantadepiscopiordina bo, cap. 4. onem non pertinere, quod factum et in preteritu 'displicat, et in suturo prohibetur.' Hence it came pals, that every church had allotted to it a certs proportion of land (with fervants appertaining the unto) free from all temporal impositions and e actions, as may appear by the statute of Charl magne. (b) Statutum est ut unicuique ecclesseur (b) Capitumanfus integer, absque also servitio attribuatt ler. ab An-And the council of Cologne, held in t №а. lib. 1. &с. time of Charles the grosse, 'Neque ex dote ecclesi i. e. ex uno manso et quatuor mancipiis cen exigatur.' Neither is it to be doubted, but the those who founded churches upon their lands, I ing willing to affign an endowment unto them places most convenient, would for this purp elipecially make choice of the lands next adjoin hig unto the house which they had builded. Bede (c) particularly recordeth in his history of frop Aidan, ' that he had no proper possessive

(c) Hift. Ecclef, lib. 3. Cap. 17.

é exceptà ecclesià sua et adjacentibus agellis. Now Brenach and Termon-lands being f from all charges of temporal lords, as all ecck affical policitions were by the fourth conflitut of the council held at Cashel, Anno 1172, (d) the (d) Girald. bihops being the chief lords of them, and churches Hib. Exp. being commonly built upon them, the reparation 1. 1. c. 34 of a great part whereof lay continually upon the Erenachs that belonged to them, there is no question to be made but that they were of this nature; and forafmuch as unto these lands certain freedoms were annexed, namely, the privilege of fanctuary (as appeareth by the office † taken for the + v. sate p. county of Cavan) the land from thence was called 103. Termon, or free and protected land; for the word tearmain is used in the Irish tongue for a fanctuary (whence Termon-fechin, a town belonging unto the archbishop of Armagh hath his denomination, as it were the fanctuary of Fechin, (e) (e) de que one of the country faints) and may well be thought topog. Hib. to have been borrowed by the Irifh (as many other 52. Mor. words are) from the Latin terminus, by reason tum este circa annum that fuch privileged places were commonly de-664.vel.667 figned by special marks and bounds. Ferminus shous assalismili bei babeat figna eirea se, saysan ancient synod bus liques. of (f) Ireland; and the old law of the Bavarians, (f) Cujus (lib. 4. § 1.) 'Si quis servum ecclesia vel ancillam hatestur in ad fugiendum suaserit, et eos foras Terminum vet. Ilb. Caduxerit, et exinde probatus fuerit, revoceteum ce-Camp. 'lenter,' &cc. I conclude, therefore, that Termons were indeed free land, but free from all claim of temporal lords, not of the church, being truly irritorium ecclefiasticum, land merely ecclesiastical, not of such a middle nature as the jurous of Gangall found that land to be of, wherein their monattery was feated, whose evidence is thus recorded. (g) 'Nostri jurati dixerunt, quod nostrum mo-(c) Centur. matterium in loco libero, non in fisco, non in terra a Goldatto 'eccleliattica effet, '&c. Our Termons, I say, were Aleman. not satiq. charta, 96.

Glebe lamis

church in

not free after this fort, but tributary unto the church, as may be seen in the register of Clogher, where Matthew, bishop of Clogher, is said to belonging have granted certain lands unto one Philip O'Heogan, ' pro duobus solidis singulis annis sibi Devonshire, et suis successoribus et ecclesiæ Clogherensi solwest cour- 'vendis nomine tributi;' and a little after, 'quam try, are called fanc- terræ peciam fecit patricius fuscus O'Heogain tuary landa, 6 Erenachus dictæ ecclesiæ nobis et ecclesiæ Clogmuin in the' rensi tributariam, reddendo inde nobis et suc-Irih is the cessoribus nostris ex ea singulis annis unum sofame as afy. lidum usualis monetse.'

So the tenants of the Erenach and Termonlands were tributary, or fervi ecclefiastici, which is the second point to be enquired. For the understanding whereof it is to be considered, that the temporal lands appertaining to the church, were occupied by laymen, who husbanded the same. both for the behoof of themselves and their families, and likewise for the benefit of the church. In "admonitione (b) Caroli apud Pistas: "Ut coin Glefferio 66 loni, tam fiscales quam ecclesiastici, &c. non de-" negent (i) carropera et manopera ex antiqua popers, "negent (1) carropers of many quibusdam in Manshus, pa-66 consuetudine. Ibid, ut quoniam quibusdam in (i) Curriage " locis coloni tam fiscales, quam de casis Dei suas and manur- "hæreditates, i. e. mansa quæ tenent, non solum " fuis paribus, fed et clericis, canonicis, ac villanis oresbyteris, et aliis quibuscumque vendunt, et tamtummodo cellam retinent; et hac occasione " fic destructæ sunt villæ, ut non solum census de-66 bitus inde non possit exigi, sed etiam quæ terræ " de singulis mansis fuerunt, non possunt cognosci 66 constituimus ut præcipiatur a nostris ministriali-" bus et a ministris, ut hoc nullo modo de cætero " fiat, nevillæ destructæ atq; confusæ fiant." These occupiers of the land were of two conditions, as appeareth

(b) Pithœus vocal. Ma-

appeareth by the sentence of Anastasius the emperor. (k) "Agricolarum alii quidem funt adscripti-(h) Cod. " tii, et corum peculia dominis competunt; alii ve-iii. Agre. " ro tempore annorum triginta coloni fiunt liberi et Cost. de "manentes cum liberis suis, et ii etiam coguntur 18. " terram colere & canonem prestare;" and in the same title, in the last law save one, sect. ult. no man may "vel adscriptitium vel colonum alienum sci-" enti prudentique in suum jus recipere;" but he must restore him "admonente domino vel ipsius "adscriptitii vel terræ. Dominus terræ (the land-" lord) was lord of the adicriptitius," but not to the free colon, who had for his lord, the land, rather than the landlord. Whereupon the emperors Theodosius and Valentinian (1) give this note concerning them: "Licet conditione videantur in-iii; st. de-"genui, servi tamen terræ ipsius, cui nati sunt, Thromse. " existimentur, nec recedendi quo velint, aut " permutandi loca habeant facultatem." Such were the coloni liberi, who by thirty years

possession obtained from the landlords an estate of Inheritance, remaining free tenants, tho' holding by a base tenure. For a smuch as (even by the common law) (m) no land holden by villenage, nor any (=) Little. custom rising of the lands, can ever make a free-lenge. man villein. Adscriptitii were the same with those Whom the Grecians call indian ro ayen, agri ippus consferous; our common lawyers, villeins regardant to a manor; and the French, bomines manus mortue, who could not be alienated away, but were perpetually bound unto those lands, whereunto at first they were appointed; in which respect, mancipia rustica, in the civil law, are reckoned among those goods which are immoveable. "Nominatim Ju-"Banus ait mancipia esse veluti membra rerum im-" mobilium: atque ideo, l. 3. D. de divers. temp.

prescrip.

(a) Hu-

thent- col-

" prescrip. Longæ possessionia prescriptio locum " habere dicitur tam in prædiis quam in mancipia &c." Thus Cujacius in his exposition of Justinian's 7th novel, where the statute of Leo the emperor is recited, " Vult (x) illa (Leonis nempe lat. 2. Tit. 46 constitutio) neque Deo amabilem archiepisco-44 pum, &c. neque osconomum vendere, aut do-44 nare, aut aliter alienare rem immobilem, do-66 mum forian aut agrum, aut colonum, aut man-66 cipia rustica, aut civiles annonas (nam et hac inter immobilia funt numeranda) quæ competunt " Constantinopolitanæ tanctissimæ majori ecclesia, " &c. In like fort, the council held at Senlis," (s) apud L. Bo-ce Nulli liceat alienare rem immobilem ecclefiz, epsterum " five domum, five agrum, five hortum, five ruf-"ticum mancipium." These servants were often lib. 4: tit. 16. cap. 25. manumitted and made free, remaining yet fill tributary unto their landlords, of which condition were they who in France of old were called Lid. or Liti; in Italy, Aldiones; of whom mention is made in this constitution of Ludovicus Pius, apad Ansegisum, lib. 4. cap. 1202 (in the copy which (\*) Poetam de Gelis Reiturus Reineccius (p) used; for in Pithœus's Ciroli mes-edition I do not find it; "Aldiones vel Aldianze ni. f. 59, b. 66 lege vivant in Italia in servitutem dominorum " suorum, qua Fiscalini vel Lidi vivunt in Francis." And in the laws of the Rinuarians, tit. 64. §. 1. "Si quis servum suum tributarium aut litum sece-44 rit. si quis eum intersecerit 36 sol. culp. jud." Of these divers conditions of servitude mention is made in the laws of the emperors Arcadius and (9) Cod. lib. Honorius, (9) "Servos vel tributarios vel inquili-" nos apud dominos suos volumus remanere:" Cenf. et Co-and in the second council of Challons, (r) " Quis lead leg. 12. " conflat in ecclesia diversarum conditionum ho-Cabillon. " mines esse ut sint nobiles & ignobiles servi, co-11. cap. 5. " wines esse ut sint nobiles & ignobiles servi, co-

" loni,

(a) Concil. S.lvanea. chellem De-Eccia. Gallicana.

11. tit. de

Agric. et

## USHER OF CORBES, &c.

" loni, inquilini, et centera hujusmodi nomina, " oportet ut quicunque eis prelati sunt clerici fre " laici clementer ergo cos agant, et miserecorditer " eos tractent, sive in exigendis ab eis operibus, " five in accipiendis tributis, & quibusdam de vi-" tis," &c. Thus in times past those who endowed churches and abbeys, bestowed not only bare lands, but lands stocked as it were with certain septs and races, tied there perpetually to perform all services for the behoof and benefit of those to whom they were given. Such a deed of gift we find made by one Erfoinus, (s) in the time of El-(s) Centur. pericus or Chilperic the French king, about 860 Chart. a years ago: "In loco qui dicitur Openwilare tra-edit. tom. & "dimus, S. Galloni (he meaneth Gallus, one of tan a the old worthies of Ireland, from whom the fa-ch.41. mous monastery and town of Gangall in Switz-" erland, had the name) viginti inchos, et in Eberinhen unum inchum de vinea, et de colonis es meis Erfoinum cum uxore sua, et cum omni apes pertenentià suà, cum casà et cum terrà, et cum omnibus fuis, et alium servum nomine Waldol-46 sum, cum casa, cum terra, et cum omnibusad cum of per tinentibus." Hence it is that we find so often in old grants, men numbered among other pofsessions given in Frank-Almoigne; as in a charter of K. Henry II: ratifying a former donation of earl Strongbow, in these words: " Sciatis quod. "ego dedi et concessi et hac mea charta confirma-"vi Thomæ Dominico meo clerico dignitatem "quæ dicitur abbatia de Glendalache, et per-"sonatum intus et extra, et omnes res et posses." " siones, et homines, et redditus in ecclesiis, et ob-" lationibus, et decimis, &c. et cum omnibus aliis "rebus ad abbatiam illam pertinentibus in perpetuam eleemofynam, ficuti melius Richardus " Comes

"Comes sua charta confirmavit." Thus there appertained unto churches two forts of tenents. fervi ecclesiae cum onere in the nature of viller 44 et liberi, or coloni ecclesiastici," as may eviden dently be seen in the laws of the old Almayae where several fines are set down for the killing either of them, such as the Irish call erich, or # tium Janguinis, and likewise a taxation of the on nary duties which both of them were bound perform unto the church whereunto they were gardant. The first is to be read, tit. 8. and "Si quis ecclesiasticum servum vel regium occid "rit, tripliciter componetur, hoc est xlv. Se "Quicunque liberum ecclesiæ, quem colonum w " cant, occiderit, sicutalii Alamanni componatus The other, tit. 22. and 23. " Servi ecclelize the " buta sua legitime reddant, xv. siclas de cervisa " porcum valentem tremissem unum, panum mo "dia duo, pullos v. ova xx. Ancillæ autem oper "ra imposita sive neglecto faciant, &c. Liberi au-"tem ecclesiastici, quos colonos vocant, omna " ficut & coloni regis, ita reddant ad ecclesiam," That the holders of the Termon lands were at the first tenants in one of these kinds, seemeth to ne more than probable. I mean that those were no other than "originarii (as Gelasius (1) termeth (1) Gelatius (1) them) originales inquilini, tributarii, or persons "colonariæ," as Sidonius Apollinaris (u) doth entitle them, or adscriptitii, or some such thing. Whereupon John Walton, archbishop of Dublin, ann. 1473, giving out a sequestration of the Corbeship of Glendalach, directeth it in this sort. (w) "Johannes, miseratione divina Dublinien-(w) Ex Re-66 sis archiepiscopus et Hiberniæ Primas, cle-"ricis, vassalis, adscriptitiis, et aliis habitatoribus "villæ et totius dominii nostri de Glendelache, "terrarum, silvarum, nemorum, etaliorum locorum " ipsius

Lucaniz. (e) Lib. s. Èpift. 19. iplius manerii nostri, salutem, gratiam, et bene-"dictionem." A strip of which servitude may seem to remain to this day upon the Erenach, who, besides an annual rent payed nomine tributi (as before I noted out of the register of Clogher) doth likewife give to the bishop a fine upon the marriage :: of every of his daughters, which they call Luach impigche, as the bishop of Kilmore, who doth usually receive it, informed me; so that I take no hold of the words of Dermicius O Cane, one of the Corbes of the north, and one of the jurors in the inquisition for the church lands in the county See this Inof Coleraine, used to the bishop of Derry (as his prifities belordship told me) were to this effect. debet dominus mutare censum antiquum, sed si 'careat rebus necessariis, vaccis pinguibus, &c. debet ad nos mittere, et nos debemus illi subministrare. Nam quæcunque nos habemus domini ' funt, et nos etiam ipfi illius fumus.'

Neither will it feem strange that the original of these matters should be fetched from this kind of raffalage, if it be well weighed, that the tenure is little better, whereby the northern people hold their land generally (as appeareth by the taillages, or cuttings, wherewith the Irish lords oppressed their tenants at their pleasure) and likewise that in times past, the buying and selling of servants (which now is grown out of use) was a matter so common in this country, that in an ancient synod of Ireland, a bishop's legacy out of the church goods is proportioned by the price of a wife, or a mid servant, as may be seen in two ancient books of canons, written about 700 years since, the one remaining in Bennet-College, and the other in Sir Robert Cotton's library. " Princeps (faith that ' fynod,

fynod, meaning thereby the bishop, as elsewhere ordinarily) in sua morte etiam de rebus

ecclesize commendare potest, hoc est, pretium an-

cille, sive de mobili substantià, sive de agra! Whereunto may be added another canon of that

(x) In vet. Irish council (x) (which cometh more near to the Bib, Gotton, matter in hand) 'De commendatione mulieris de-

gentis sub conjugio, si habuerit ecclesiam cui ser-' vierit quamdiu cum viro fuerit, ex consensu viri

4 tertiam partem substantize dabit ecclesize suze (sed "vir ejus:distribuet) cætera autem viri et filiorum

" ejus erunt."

Whereby I take it to be clear, that the churches of Ireland in old time had not only servants belonging to them in the way of: villenage, but allo liberi ecclefiabici, who had a propriety in the goods which they acquired, and might freely dispose of them, and yet ought service to some special church; in which respect (though otherwise laid)

CBP. 151.

(9) Capitu-they: were usually termed bomines ecclefiassici, as in lar. lib. 5. 4 Capitulis Carolinis (9) a Benedicto Levita Col-'lectis. Pro nimià reclamatione quæ ad nos venitde hominibus ecclesiasticis seu fiscalinis, qui non ' orant adjuranti' and in the old laws of the Ripuarians, tit. 10. § 1. Si quis fæminam regiam au ecclesiasticam parientem interfecerit, ccc. sol. " culp. jud. tit. 21. Quod fi ingenuus aut regins vel ecclesiasticus homo servo os fregerit, viii, sol.

" culp. jud." I come now to the third point, which concern-

eth the original of the Corbes and Erenachs, which bear themselves as head lords over these business eccle finfici. Where it is to be noted, that for th (s) Concil. Chalced. receiving and disposing of the church goods it wa Con. 26. Ni thought expedient (z) that every church shoul een a. Can. have an œconomus, cui res ecclesiastica gube: • nand

thandabatur.' For fo this officer is defined sinftitution of the emperors Leo and An-, lib. 1. Codicis Justiniani, tit. 1. (de sa-. eccles.) reg. 14. The law there (enlarged ds by Justinian (a) in Novel. constitut. 7. (c) Authent, ended to all the provinces) is this: " Ju-uit to i, mulli posthac archiepiscopo in hoc urbe facrolanctæ orthodoxæ ecclesiæ presiduti teconomo, cui res ecclesiastica gubernanindatur, esse facultatem fundos vel præive urbana sive rustica, res postremo imes aut in his prædiis colonos vel mancionfituta, aut annonas civiles cujuscunque ma vel superstitis voluntate ad religiosas as devolutas, sub cujusque alienationis ad quamcunque transferre personam, &c. somus autem qui hoc fecerit, imo fierifuerit, vel quacunque prorsus hujusvenditione, seu donatione, vel commuta-(nili ea quæ presenti lege concedimus) posin quacunque alienatione confenierit, lista sibi ecconomatus administratione prideque ejus bonis, quodeunque exinde modum ecclesiæ contigerit, reformetur: des ejus, et successores, ac posteri super acto five consensu competenter ab eccleis personis actione pulsentur.' The exof this office was in times past committed e who are archipresbiteri, or archidiaconie Hincmarus, archbishop of Rheims, in lle to the church of Tournay, willeth the 'Ut pro constituendis ministerialibus ec-Ricis præmium non accipiat, sed architeros, et archidiaconos eligat, facultatum insticarum dispensatores, qui in side sint i, et in moribus probati.' And the fathers

(b) Can. 25 there of the first council of Baccara (b) giv order for the disposing of a portion of the chu goods towards reparations and lights, fet it de thus, 'De qua parte sive archipresbiter, sive an " diaconus illam administrans episcopo faciat tionem.' The archidiaconus and the Eren have in the Irish tongue both the same na viz. Eireinneach, or (as some would write Oirchindeach, and the name of the Corbe, Corp. or Corbach (for the Irish use the letters p and b differently) and the Chorepiscopus seemeth to to have his original from the same with archip biter. Synod. Augustan. ann. 1548. Græci Chorepiscopes, hoc est, certarum n unoularum in qualibet dicecesi, speculato alii archidiaconos, alii archipresbiteros voca in nostra ecclesia cathedrali, archidiaconi, f reliqua vero diœcesi, decanorum ruralium 6 mine censentur.' Our Corbes and Erense belide the office of gathering up the bills rents, were likewise charged with maintain of hospitality, relieving the poor, and entert ing travellers and strangers. That the Ch piscopus of old had some especial care over (c) v. Can. poor, appeareth by the last canon save one the council of Neocæsarea. But that charge Trullagi. vide etiam perly belonged to the deacons, (c) who had et Onuphri-overlight and disposing of the ecclesiastical i um Panivi- nies, as Origen noteth, tractat. 16. in Matthe polit. oband the care of providing for the poor and strang ecclesialt. (whence in times past nenodochia were called vert diaco- conia) (d) and so to the archdeacon, as the pri (4) Joh. Di-pal of that order: I mean the ancient archidiac a. vita Gre- who in degree were inferior to the presbiteri, gorii, cap. the archdeacons of higher rank that exercise risdić

Ction under the bishop. And to that former of Archidiaconi do I refer the Erenachs, who efore were so many in number in every dio-, and (for aught that I can learn) were wont to dmitted ad primam tonfuram et diaconatum, not promoted ad presbiterium. be (whom I suppose to have been the same 1 Chorepiscopus, or archipresbiter) was of a er dignity, and stated in ecclesia matrice; had also in many places, one or more Ereha under him. In Latin he was called Plebaut as it is found in the office taken for the + ante, p. mty of Cavan. Now the Plebanus was the 304. ze with the rural dean, Archipresbiter, or Chorcopus, may appear by the testimony of the paists, cited by Isidorus Moponius, lib. 1. de estate militantis ecclesiæ, part 1. ch. 12. 'Ruulis archipresbiter vel decanus (says Moponius) lio nomine Plebanus regimine plebis nuncuatur; unde si habit capellanos perpetuos in nà ecclessà dicitur esse cum dignitate, vel si R in collegiata et in parochiali curata.' Whereh compare this certificate, Corbanatus, &c. (vide 157.) delivered unto fir John Davis three or r years fince by an Irish scholar in the north. The confideration of all these circumstances put ether, have induced me to think that our the at the first institution was Chorepiscopus, (e) vide whose name and dignity being unknown unto Rempub.
ruder Irish, no marvel, though some of them Zecchii de re detorted the name of Corbe to Converbius flatu Praise r so some of them in Latin stile him) or Con-27.et Johan. bach in Irish, which importeth as much as tution, menterraneus. In the Irish annals (f) the name ral p. s. lib. written thus, Comrba, or Comhurba where (f) annat the Ulton.

the first mention of a Corbe that I find is at the 858th year from Christ's nativity, or 859 from his incarnation, after the computation of the church of England; there it is recorded, 'that O Carrol 'king of Ossory, assisted with other kings, brought his army into the field against the king of Taraughe; but Imfeathna, Patrick's Corbe, and Imsuarlech Finno his Corbe, interposing themselves, O Carrol was persuaded to yield to St. Patrick and his Corbe.' So in the same annals, at the year of our Lord 920, or 921 after the common account, is noted the death of Moenach Mac Siadhaiel, St. Combgall his Corbe, the chief head (as he is there called) of all the learning or antiquities of Ireland.

It may be objected, that the Corbes and Bremachs always used to marry, and therefore not like to have been Archipresbiteri or Archidiaconi, But unto this I answer, that in Ireland, when churches were there first erected, no such law was admitted, which should restrain Presbitori or Diaconi from the state of wedlock; for proof whereof I alledge the testimony of him whose authority is of highest esteem with our people of Ireland. I mean St. Patrick, who had to his father Calphurnium Disconum, and to his grand-father Potitum Presbiterum, as Probus setteth down in the first book of his life; and he himself saith also in his confession, 'Patrem habui Calphurnium Diaconum, filium quondum Potiti Presbiteri. a very ancient book which belonged to the cuthedral church of Worcester, and may now be seen in Bennet's college library, in Cambridge, there are extant certain canons bearing this inscription. Synodus Episcoporum, i. e. Patricii, Auxilii, Affernini, which other where I have read also cited by the name of Synodus Patricii, as held by our

great St. Patrick, in whose days Auxilius and Iserninus flourished, as may be proved not only by our Irish authors, but also by Nennius † the † Hist. cap.
British writer, and Matthew of Westminster (g). (g) Flores
Historiarum Among other canons of that Synod this is one; ad an. 491. " Quicunque clericus, ab ostiario usque ad sacer-"dotem, fine tunica visus fuerit, atque turpitu-" dinem ventris et nuditatem non tegat; et si " non more Romano capilli ejus tonsi sint, et uxor " ejus fi non velato capite ambulaverit, pariter es a laicis contemnetur, et ab ecclesia separetur." And as it is manifest by this canon, that the clergy at that time were not debarred from marriage. so is it apparent that afterwards in the very see of Armagh, for fifteen generations, the primacy hath passed to the chief of the sept, as it . were by a kind of Inheritance, and that before Celfus (a married bishop, who deceased about tine 3. mothe year 1129) jam octo extiterant viri uxorati, net legatum et absque ordinibus, literati tamen, as Bernard Galinitawriteth in the life of Malachias, which is right nalem, tit. the state of our Corbes and Erenacha; for as those 5. Stephani in time possessed themselves of the place of the callo, ut archbishop, so did others in like manner keep in abusum toltheir fept the dignity of the Archipresbiter, † by lat, quo filli the name of Corbes, and others of the archdeacon, patribus & by the name of Erenachs, very little differing ficis forcedes from those, which in Wales were called Lay-ab-bant, quemadmodum ex bots, of whom Giraldus Cambrensia (b) thus registro ejus meriteth, which is a testimony very pertinent to vis Alphonthis purpose: "Notandum quod hec ecclesia, sus Cisconius, p. 515.

"" sicut et aliæ per Hiberniam et Walliam plures, (b) liner. \*\* sbbatem laicum habet. Usus enim inolevit & Lib. a. cap. prava consuetudo, ut viri in parechia potentes, 4 " primo

frimo tanquam œconomi, seu potius es " arum patroni et defensores a clero coni " postea processu temporis aucta cupidine s " sibi jus usurparent, et terras omnes cum " riori possessione sibi impudenter appropri 66 folum altaria cum decimis et obventio " clero relinquentes, et hæc ipsa filiis suis et " natis affignantes." Our Corbes and Ere do commonly speak Latin, and are in ac as clergymen, being subject unto the bishol fitation, giving unto him a subsidy at his ent and remaining chargeable with proxies and tions; whereof in the first office taken for county of Tyrone, 27th of July, 1608, th dence is given; "Ac ulterius jurati præd. " facramentum fuum dicunt, quod in qu " dictarum baroniarum præter illas terras " antehac possidebantur, ac modo possiden 46 hominibus nunc laicis, sunt alize quædan " de quibus quidam clerici sive homines lite " vocantur Erenaci, ab antiquo seisiti fi " &c. Nihilominus quilibet dictorum Ere " rum solvebat et solvere debebat archiepisc " ve episcopo, in cujus diœcesi terræ quasi 56 bant situatæ fuerunt, quoddam charit " subsidium, resectiones, ac pensionem " lem secundum quantitatem terræ et co " dinem patriæ." The same may be saic Corbeship, which was in like manner sul the bishop's visitation, and sometimes also fequestred no less than other places eccle were, whereof I find this precedent in th bishop of Dublin's register: " Quia ex dam rationabilibus causis coram nobis de 44 animum nostrum juste moventibus, c " Corl

Corbanatus ibidem cum omnibus emolumentis et pertinentiis suis duximus sequestrandum, et sequestramus per presentes: Tadeum Oskelly 44 clericum ejusdem villæ et ecclesiæ Glindela-<sup>56</sup> chensis ipsius sequestratorem custodem depues tantes, juriumque et pertinentium dicti officii antiquitus excrescentium, et excrescere valen-44 tium, usque nostram visitationem et ecclesiæ et 56 popularium de Glindelach prædict. ratiocinio emolumentorum ipsius officii et rerum ad illud 66 pertinentium nobis reservato, &c. etiam ex 66 scrutatis antiquis ecclesiæ nostræ Dubliniensis 66 scripturis et monumentis seu chartis, dispositio-<sup>46</sup> nem dicti officii, cum illud vacare contigerit, ad 66 nosetnostrossuccessores pertinere debere, et nul-" 44 lum alium (sede Dubliniensi duntaxat plena et consultà archipresule) pronuntiamus decernimus t se et declaramus in his scriptis. Datum in manerio nostro de Finglas, 11mo. die mensis Decembris, "A. D. 1472, et nostræ consecrationis anno 2do." This is the sequestration given out by John Walton, archbishop of Dublin, whereof I made mention.

It now resteth in the last place that I should shew who had interest in the profits of these church lands; where for latter times it appeareth by the register of Clogher and other records, that the Erenachs held these lands by grants from the bishop, dean, and chapter, which by order were still to be renewed, both at the first entry of every Erenach, and upon the consecration of every new bishop. The Erenachs were tied to manure the Termon lands, to reside upon them, and in no wise to alienate them unto any stranger. Out of the profits thereof they maintained hospitality, kept up their part of the sabrick of the churches,

O<sub>2</sub>

and yielded a yearly rent to the bishops: a certain portion of free land remained unto themselves (which they call Honorem villæ) not chargeable with any rent. In turning over the registers of the archbishops of Armagh, which by means of my uncle, the lord primate, I had occasion to peruse) I met with three evidences tending to the purpose. One containeth the grant of an Erenachy made by Milo, archbishopof Armagh, am (1) Habetur 1 365, in this form, (1) " Universis S. Matris eccle 6 fine filiis has literas visuris vel audituris, Milo "Dei et apostolicæ sedis gratia, archiepiscopu " Armach. Hiberniæ primas, salutem in Domini " sempiternam. Noverit universitas vestra, nosdi " unanimi assensu et voluntate decani et nosti " capituli Ardmachani, dedisse, concessisse, e " hoc presenti chartà nostrà confirmasse dilecti " nobis in Christo Willielmo et Arthuro Mac " Bryn, filiis magistri Arthuri Mac Bryn, tema " nostras subscriptas in tenemento nostro de Kyl "mor, quas nunc idem magister Arthurus de on nobis tenet, viz. Teachrana, &c. Habendur • et tenendum prædictas terras, cum carum peri " nentiis debitis in bosco & plano, &c. quas et " que idem magister Arthurus consuevit habere et omnibus viis et semitis, pratis et pascuis, et " omnibus libertatibus et liberis confuetudinibus d 66 prædictas terras spectantibus, secundumi pla-" rum terrarum debitas et antiquas limitationes cum pleno jure Erenachiæ in toto tenemente 46 ecclesize de Kellmore, nobis et successoribu 46 nostris, quoad vixerint et quilibet corum vixer offidendas, quamdiu nobis, nostræ ecclesia "Armachanæ, nostrisque successoribus et mini

... stris grati fuerint et obedientes, et quilibe

" corur

um gratus fuerit et obediens, et dictas terras perint, seu coluerit, ac eas in parte, vel in L nulli laico extrinseco colendas tradiderint. tradiderit: salvo tamen jure chartæ dicto huro super iisdem terris confects ad totam m iplius magistri Arthuri; quam chartam umus pro vità sua, presenti chartà non obite, in suo robore permanere. Reddendo e annuatim prædict. Willelmus et Arthurus is prædict. magistri Arthuri, et quilibet eoa qui supervixerit, nobis et successoribus dris, unum marcam, et octo denarios stergorum, ad festa apostolorum Philippi et Jacoet omnium sanctorum, per portiones æquaunum cum aliis omnibus, et servitiis inde sitis, et consuetis. In cujus rei testimonium illum nostrum, et sigillum commune nostri zituli antedicti presentibus sunt appensa tum apud Dunum, die 21. mensis Novem-A. D. 1365." The second is a grant of n lands in the diocese of Dromore, made z the vacancy of that see, anno 1427, by Swayne, then archbishop of Armagh, in words, viz. "Universis sanctæ matris ecclefiliis præsentes literas visuris vel audituris. hannes, &c. Custos spiritualium, et spiritus jurisdictionis ac temporalitatum episcopatus omorensis ipso episcopatu nonplene consulto, utem in Domino sempiternam. Noverit vesuniversitas, quod nos, ratione custodize susdictæ, juxta antiquam et laudabilem contudinem ecclesiæ nostræ Ardmachanæ, hacnus inviolabiter observatam, terras de Lachreht, Dyrke, Dromorensis diœcesis vulgariter incupatas, dilecto in Christo filio Mauritio " Mac

43. L

" Mac Bryn Erenacho (habendum et te " prædictas terras, cum omnibus suis jui 44 antiquis limitationibus) quousque eccles "morensi plene consulatur, seu de legiti " videatur pastore, concessimus et con " per præsentes, ratione custodiæ sup " inde annuatim, nobis et successoribu 44 pro tempore existentibus, reddendo, " solitum et antiquum bonæ et usuali " tæ Anglicanæ medietatem, viz. ad " apostolorum Philippi et Jacobi, et ali " dietatem ad festum omnium sanctorus " aliis fervitiis, et omnibus ordinariis " traordinariis et consuetis, quamdiu n " supra, semper salvo. In quorum fide " timonium, has literas nostras fieri fec 46 tentes, nostri appensione sigilli munita third containeth the confirmation of an E (A) Ex regif-(k) granted by John Mey, archbishop of t ero Johannis anno 1455, to one whose ancestors had Mey, H. f. " Universis sanctæ n enjoyed the same. clesiæ filiis, ad quos præsentes literæ " rint, Johannes, permissione divinà a 66 copus Armachanus, Hiberniæ primas, " in Domino sempiternam. Vestra nov " versitas, quod, exponente et supplican " dilecto filio Patricio Mackassaid, Erei " Twinha, eo quod ipse ab olim a nostri " cessoribus (sicuti et progenitores sui no " runt) Erenachiam de Twinha et terras " ibidem quas per sui particulas duximi 66 sentibus vulgariter pleniùs specificanda: eutus fuisset in iisdem debite inch " de antiqui sui juris confirmatione et no " investitura, quo sic firmiùs et securiùs " per

## USHER OF CORBES, &cc.

" permanere; ex certislicitiscausisnos moventibus, ' ad supplicationemsuam hujusmodi annuentes bei ne volèet gratantèr, nedum jusomnimodum, quod in antea huculque, ex concessionibus, ac chartis, et inde secutis, in Erenachia, et terris predi Cis, cum suis pertinentiis fuerit assecutus, in ormani sui robore ratum habentes, confirmamus, presentis scripti patrocinio communimus; · verum etiam, pro modo et forma nostræ ratione " iravestituræ, de consensu et voluntate unanimis " decani et nostri capituli Armachani, dedimus, " concessimus, et hac presenti chartà nostrà con-" firmamus predicto Patricio Mackaffaid terras " nostras de Twynha, sic per sui particulas, hic " quo supra vulgaritèr specificatas, viz. &c. cum " suis pertinentiis et antiquis limitationibus. Ha-" bendum et tenendum sibi et hæredibus suis " de nobis & fuccessoribus nostrisdictas terras cum " suisparticulis, pertinentiis, et limitationibus ante-" dictis; inde nobis reddendo, et nostris successo-" ribus, annuatim ad festa omnium sanctorum "et apostolorum Philippi et Jacobi, æquis por-" tionibus quinque marcas et duos solidos ster-" lingorum bonæ et legalis moneæt Angliæ, cum " aliis servitiis et oneribus ordinariis et extraordi-" nariis inde debitis et consuetis, quamdiu dictus " Patricius, et hæredes sui, nobis et successori-" bus nostris, ac officiariis nostris grati obedientes " et fideles fuerint, atque dictas terras inhabita-" verint, et eas coluerint, ac nulli laico extrinseco " colendas tradiderint, et reditus suos, servitia et " onera prædicta pro temporibus debitis fideliter "et plenè persolverint. Alioqui si in aliquo so-"lutionis debito defecerint in præmissis, liceat "nobis et successoribus nostris de dictis terris dis-Pomere, concessione prædictà pro aliquo non " obstante,

obstante, jure alterius cujusquam semper 26 Et dictum Patricium, nostrum Erenach " ecclesià de Twynha, cum omni inde or emolumento, fecimus, constituimus, et in oramillà tenore presentium ordinamus. " ominus, quidem, per has noftras concessi 48 constitutionem et ordinationem, nobis v cefforibus nostris, de novo introitu "novæ conceffionis seu investituræ, cum es gerit, pro aliquo nolumus derogare. "rei testimonium, sigillum nostrum, unic es gillo communi capituli nostri prædicti, 1 "tibus est appensum. Datum Armachiæ "Augusti, A. D. 1455, et nostræ consecra " anno 120.—By these evidences (and othe might be produced out of the register of Cl pitular. Car. which for brevity I omit) may easily be colle m. f. 401. 41 what fort, and upon what terms these church ad Florenti-have been held in latter days. At the first begi num, Equiveram epos.
(a) Epift, ad commonly was used in other parts of Christe epos. Luca-that the tythes and profits of temporal lan tinum ar- pertaining unto every church, were taken Clementem a common receiver, and distributed into et plebem equal portions, (1) one whereof was allotted Brundaßi. (4) Epic. bishop, another to his clergy, the third up lib. 3. ad Maximiam, reparation of the fabric, and a fourth towar Symcus. relief of the poor and strangers. This w

(p) Apud custom of the churches of Italy, as may I

vaincil of Worms, et lib. 7. capitular, ca. 290? aftly, Gregory the 1st making answer to the 1st. question of Austra, bishop of Canterbury (r) "Mos (r) Bota " (cdis apostolice est (faith he) ordinatis episcopians. 1. cap. " precepta tradere, ut de omni stipendio qued? " accidit, quatuor debent fieri portiones; una, viz. "epikopo et familiæ, propter hospitalitatem atque. "fusceptionem; alia clero; tertia pauperibus; "marta ecclesiis reparandis." In Spain the divifrom of the church revenues was made into three, parts, as is plain by divers councils held there 1, and namely, the 1st of Braccara, cap. 25. "Pla-"cuit, ut de rebus ecclesiasticis tres seque fiant. "portiones, i. e. una episcopi; alia clericorum. "tertia in reparatione, vel in luminariis ecclesiæ." And the council of Tarragona, (1) Can. 8. "Quia(1) Tons. s. "tertia pars ex omnibus, per antiquam traditio-250. edit. "nem, ut accipiatur ab episcopis, novimus statu-Binii, vid "tum." In the present state of our northern meritens. churches, if we well mark it, some traces of these 1,82. Tel ancient orders may be observed. For first in the 32. ix. Can. canons which have been cited, this may be noted, 5. Tom. 3. that in these days the parishioners were not tied to the reparation of their churches; but the charge thereof was to be defrayed out of the revenues of "Ex omnibus istis capitulis collige" " (saith the glosse (t) upon the decrees) laicos non (t) Joh. So"esse compellendos ad reparationem fabricæ, sed meca in 12. "antum clericos". Now this old order, which quature. other where is grown out of use, remaineth still in the North. "We find (say the jurors of the "county of Cavan 1) that the parson, vicar, and 1 See before erenach, are to repair and maintain their pro-letter to the per parish church at their own charge, out of bury. their benefices and the Termon-land, unto " which

"which work the parishioners did oftentime " luntarily give their benevolence." Again, fame canons the bishop was to have vel qua vel tertiam, secundum locorum diversitates, a (a) 16. galtian (u) noteth. And so (according to the div of places) the bishop enjoyeth his fourth in naught, and in the diocess of Clogher, as lik in the diocese of Derry and Raphoe his part, which also still retaineth the name of ta & tertia episcopalis. The taking up collections, and distribution of the church I into their several portions, was in those day special charge of the archidiaconus, as ma (w) ad honor pear by the epiftle of Gregory (w) ad honor archidiaconum Salonitanum; and of Isido Epift. 20. (x) Inder. (a) Isider. ad Lindifredum Cordubensem episcopum, the p. 615. edit. ad Lindifredum Cordubensem episcopum, the Paria, anno scribing the office of an archdeacon. "Colleges of the control o 1601. " pecuniam de communione ipse accipit, es "copo defert, et clericis proprias partes idei 46 tribuit." The archdeacon to this day is to by the Irish, Erenach (as before I have decla and we find that this was one office of our nach, to be the bishop's collector, as in the quisition for the county of Donegal † is partic † Ante p. ž75. fet down of O'Morreson the Erenach of the of Clonemanny, "that he was anciently accu ed to collect all the bishop's duties throughout

(7) Epist. 11. lib. 3. Now by the Canonica dispositio quartaru Gregory (y) calleth it) the bishop being to his fourth both of the spiritual and temporal p of the church in Clogher, he receive that accord the fourth part of the tythes of such parish are within that diocese. Besides this, every nach payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth unto him a certain yearly rent of the such payeth yearly rent of th

whole barony of Ennisowen."

ermon-lands belonging unto his church, if I should guess to have been in consideraf the Quarta due unto the bishop out of the oral possessions of that church, I suppose my Aure, would be found to have in it more proty and conformity to the ancient church gonent, than that which by some of the northern (men not very skilful in matters of such any) was delivered, viz.\* that when the tempo- • see letter rds in their feveral wars, and upon other oc-to the B. of Salisbury. as, began to charge and tax the Termonwith divers exactions and impositions, the es and Erenachs fled unto the bishop of the fe wherein they lived, and befought his proin against the wrongs and injuries of the temlords, and therefore voluntarily gave unto the p a rent or pension out of their land." But this pass. The bishop's portion being deductfuch fort as hath been shewed, there should in a fourth both of the tythes and of the temities to be allowed unto the ministers that ated the cure, another fourth to be spent in reions and keeping up of the church, and a h likewise pauperibus et peregrinis fideliter unda, as the canons (z) require. When there-(a) Galac the receiving of the church goods into a com-Epift, ad hand, and the sharing of them into their se-pleb. Branportions began to be abused (he which was Gratianum. Economus carving, as it is like, very favour-esp. Confor himself) or upon some other respect was cello. Greg. led, and every one was willing to be the stew-ad Clem. & of his own portion, the presbiteri, (that is, the ringim, Conon and vicar) and the archidiaconus, or Ere-cil. Worm.

Linear he shought to have grown to this com. 1, may be thought to have grown to this com-47. tion; the Erenach charged himself with the reparation

reparation of two-thirds of the fabrick (1 upon him the care of the lower part or bo the church) the parson and vicar undertool charge of the other third part. There bei divide betwixt them the three quarters of church goods which remained above the biallowance; for more quiet and ease the pref took wholly unto themselves the three quart the tythes (two whereof fell into the parson' and one to the vicar's) without challenging benefit in the temporal profits (except some quantity of glebe-land they were to dwell o archidiaconus or erenach for keeping of hospi and entertainment of strangers (besides the mon care of reparations) had affigned unt the commodity of the three quarters of the poral lands, which he raised out of such rents tings, and services as were to be exacted a Coloni Ecclesiastici, or Termoners. Thus things ordered, where the distribution o church goods into four parts was admitted, a be observed in those places, which belong diocese of Clogher, viz. in a part of Tyron Fermanagh, and in the county of Mona called in times past, Ergallia, where Quarta copalis, is faid to have been granted to the l of Clogher, by Innocentius the second, at the quest of Malachias. For so we read in the ter of that bishoprick. "Malachias, archie " pus Ardmachanus, apostolicæ sedis legati "Innocentio IIdo, impetravit quartam episcoj " per totam Ergaliam dari episcopo Cloghe " sicut in pontificalt ejusdem ecclesiæ com 66 continetur; quam vidimus, legimus, et a "bavimus," Howbeit, it appeareth by Bei

that this Malachias, all the time that he was bi-Propenjoyed not the benefit of any tythes, nor vetof lands, either mensal or censual; but lived rather by coshering after the Irish fashion. "Non servos (saith Bernard (a) in his life) non ancillas, (a) Bernard. non villas, non viculos, non denique quicquam lach. reditum ecclesiasticorum, seculariumve, vel in ipso habuit episcopatu. Mense episcopali, nihil prorfus constitutum, vel assignatum, unde episcopus viveret; nec enim vel domum propriam habuit; erat, autem, penè incessanter circuiens ż paræcias omnes, evangelio serviens, et de evangelio vivens, sicut constituit ei Dominus; dignus est, inquiens, operarius mercede sua." But := to return to the matter, whence I have a little di-: = gressed. As in Clogher the Canonica disposition : 15 5, = quartarum was in use, so in the dioceses of Derry and Raphoe the distribution in tertias was observed. of t 5 70 There the Erenach taketh up tertiam episcopalem of 🗄 of the tythes, which he delivereth not in kind, but payeth in confideration thereof a yearly rent unto 2S 🗀 to d He giveth unto him in like manner. the bishop. a certain annuity out of the Termon-lands, which me, i 22 I possibly might have been due (according to my a En former conjecture) in regard of the bishop's intebille reft in the third of the temporal lands belonging the n unto that church. So there should remain two re thirds both of the tythes and of the temporalities. Pile. The two thirds remaining of the temporalities the us, e Erenach held for the maintenance of his charge; RE the parson and vicar contented themselves with ئىت: the two thirds of the tythes (which were equally شد divided between them;) the parson, vicar, and Erenach, charging themselves in common with the keeping up and reparation of the church.

is the order observed in Derry and Raphoe. In the diocese of Armagh (from which also the state of the diocese of Kilmore differeth not much) the tythes are divided into three parts, whereof the parson hath two, and the vicar one; the ardbishop challenging only certain mensal tythes out of the lands lying about the city of Armagh. The Erenach possesseth the temporal lands of the church, yielding a rent unto the bishop. and intermeddleth not with the tythes; yet bereth together with the parson and vicar, the charge of reparations. So in divers dioceles, diverse cuttoms are held for the distribution of the church revenues: whereupon it falleth out sometimes that in one and the same county very different customs are observed in that behalf. As, namely, in one part of Tyrone (belonging to the diecese of Clogher) the bishop and vicar have one half of the tythes, and the parson the other in another part (belonging to the diocese of Derry) the parson, vicar, and erenach divide the tythes betwixt them in such fort as formerly hath been declared; and in another part (belonging to the diocese of Armagh) the parson taketh up two third parts of the tythes, and the vicar one; the archbishop and erenach claiming no part thereof.

And thus have I delivered my judgment, not so much of the present state, and much less of that which were meet to be settled hereafter (the ordering whereof I wholly refer unto the higher powers, not minding to interpose myself in state affairs) as of the original and first estate of Corbes, Erenachs and Termon-lands; wherein as I myself prosess that I have carried an indifferent hand, without any partiality or private respect whatsoever, (minimum)

enim is thic nec feritur nec metitur) so would I have none to imagine, that I take upon me peremptorily to determine any thing in this matter of antiquity; as being not ignorant with what obscurities questions of that nature are involved, especially where help of ancient monuments is wanting. My purpose only was to point unto the fountains, and to compare the present state of things with the practice of antienter times; thinking I have done well, if hereby I may give occasion of further enquiry that those who have greater judgment and more leisure to hold out the truth of this business.

#### ACCOUNT

OF TWO

# ANCIENT INSTRUMENT

LATELY DISCOVERED;

WITH A SHORT

#### INTRODUCTORY PREFACI

NEXT to the laws, policy, and government of a people, the arts and sciences known amongst them, deserve our attention, because such discoveries have had their origin and their improvements in settled and civilized societies. The discovery, and more especially their improvement are the work of well-regulated societies, particularly of such as have settled early, and have inhabited the same spot for a long series of time.

As we propose to treat of the manners and customs of the ancient Irish, this work would be essentially desective did we not describe such monuments of antiquity as have been discovered in this island. There is an intimate relation between the manners of a nation, and the arts and sciences

which

which it cultivates. Their influence upon each other is reciprocal.

All political societies have not made equal improvements in the arts; these have been carried to different degrees of perfection by different people. In this island we may mark their progress. Tools and implements of stone, such as used by the savage American, are frequently discovered; harmners of stone have been found in the copper mines of Kerry; heads of arrows made of slint, are often dug up and are now esteemed the work of sairies; nor is this peculiar to the Irish, all nations were originally in the same state of ignorance.

The Egyptians, Persians, Phœnicians, Greeks, and even the self-opinionated Chinese, acknow-ledge, that their ancestors were once without the use of fire. Mela, Pliny and Plutarch, speak of nations who at the time they wrote had but just learned it, and several modern travellers attest sects of the same kind in our days.

The use of copper succeeded that of stone. All succeeded authors are unanimous that mankind were latest in learning to work iron. The fragments of the Brehon laws of Ireland inform us, that iron was an imported commodity into this island. Iron, wine and leather were the chief imported commodities.

Arms and tools for husbandry were all of copper for many ages. The writings of Homer leave us no room to doubt of this; (b) even at the Trojan war iron was very little used. Copper, in a word, supplied its place, and this metal was used both in making of arms and all kinds of tools

<sup>(3)</sup> Il. l. 4. v. 511. l. 5. v. 723. Odyff, l. 5. v. 244. Diopyf, Hal, l. 4. p. 221.

and utenfils. The Sabean priests cut their hawith a knife of brass (c); Job speaks of bows brass (d); and Herodotus assures us that the Masagetæ had their axes, spears, quivers, hatchets at their very horse-trappings of this metal (c) Swords composed of copper, speltur and iron, the same shape and of the same mixture as quantity and quality of each metal, have befound in Ireland and on the plains of Cannæ, similar in form as to appear to be cast in the same mould; may we not conjecture that they we made by one and the same artist, and if strengened by further evidences may we not assert to the very people who wielded these swords Cannæ extended their conquests to Ireland?

Had the ancients handed down to us draw of these implements, many difficult points of tory might have been cleared up. Numberless parent inconfiftencies have been reconciled by labours of the indefatigable Montfaucon; the jectures of the very learned Bryant, that Egyptian and Arkite worship extended to British isles, is in a manner confirmed by the nument dug up at Thor in Westmoreland, an inscription dedicated to Jovi Serapi, preserv by that memorable magazine monger Sylvelly Urban (f). In Ireland we have stronger prop of the fire worship, we celebrate the fire feath Baal to this day, and Purtethia, or fire tower are common in this island, some are also to met in Scotland.

<sup>(</sup>c) Macrob. Sat. 1. 5. c. 19.

<sup>(</sup>d) Ch. 20. v. 24. The original Hebrew implies be or copper, and so the Vulgate has translated it; but i English version calls them bows of steel.

<sup>(</sup>e) Herodot. l. 1. n. 215.

<sup>(</sup>f) Gent. Mag. vol. 8. p. 417.



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B

Of all these the editor proposes to treat of in their turns, and in this number presents his readers with the drawings of two remarkable instruments not hitherto described.

#### PLATE I.

Fig. 1. represents a filver instrument lately turned up by the plough in a field near the cathedral of Cashel in the county of Tipperary.

C D. is a ring of folid filver, one inch and quarter in circumference: the diameter of the ring

from C to D is 51 inches.

E E. are two bosses or knobs of solid silver fixed to the ring; one side of each of which is curiously wrought with small pyramids of a quadrangular base, terminating in a point.

A B. is a spear of solid silver, 13% inches long, terminating in a point, and so slender as to convince us that it is not a weapon either offensive or defensive; it is so weak, that if held near the point B, the weight of the ring and bosses bend the spear. One side of the knob of this spear is also ornamented with pyramids as those of the knobs E E: this spear is moveable round the ring C D.

The superficies of the button F is engraved in form of a cross, as represented at G. The weight of this instrument is 18 ounces.

Another instrument of silver, similar to the above, has been lately dug up from under a rock at Ballinrobe.

Fig. 2.1 I. are two globes of folid filver, fastened to each end of the ring.

H. another globe which moves round the ring.

This

This is the only description given of this instrument in Exshaw's Magazine for the month of February last. If this work should fall into the hands of Curio, he is requested by the editor to give the exact dimensions and weight, and to observe if the spear point as at K. has not been broken, from the moveable globe or boss H.

FINIS.

# Collectanea de Rebus Hibernicis:

#### NUMBER III.

#### A

#### CRITICO-HISTORICAL

# DISSERTATION,

CONCERNING THE

Antient Irish Laws, or National Customs, called GAVEL-KIND, and THANISTRY or Senior Government.

#### PART I.

SHEWING.

The Nature and primitive Intent of these Laws, and the rational Grounds of their original Institution. Illustrated by remarkable Instances of similar Laws, antiently observed by other great and flourishing Nations, both European and Asiatic.

#### A L S O,

A short Sketch (from the Leabhar na Gceart, or Book of Rights) of the Subsidies which were furnished by the Provincial Kings of Ireland, to the different Princes and Dynasts of their respective Provinces, and of the State Retributions, and Fiscal Supplies annually paid to the Provincial Kings by those subsidiern Princes and their People.

The whole intended as an Essay towards furnishing some Lights for future Enquiries into the Origin of the antient Irish Nation.

DUBLIN:

LUKE WHITE

M,DCC,LXXXVI.

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# Advertisement.

As an Introduction to the Irish laws, which we intend to give the public in the course of this work, the next number will contain a critical and historical differtation on the gavel and thanistry laws of Ireland; wherein will be proved, that the affertions of Sir John Davis, Sir James Ware, and others, making these laws peculiar to the ancient Irish, are false, and arose from their ignorance of the laws of other nations, and even of their own.



# JAMES BARON LIFFORD, LORD CHANCELLOR

0 7

I R E L A N D,

THIS

THIRD NUMBER

OF THE

# COLLECTANEA,

CONTAINING A ...

Dissertation of the Laws .

OPTHE

ANTIENT IRISH,

IS DEDICATED BY

HIS LORDSHIP's

MOST OBEDIENT,

MOST HUMBLE SERVANT, CHARLES VALLANCEY.

# CONTENTS.

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Of the Eric or mulc't for homicide according to the antient Brehon-law of Ireland, compared with the laws of other nations,	<b>401</b>
An original antient pleading in favour of Senior-fuccession, with a translation,	410

SIR John Davis, Sir James Ware, and other writers of Irish affairs, having esteemed the ancient Irish system of government, and particularly the constitutional law of succession, called Thanksry, not only as absurd, but also as singular and unprecedented in other nations, has induced the author of the following Dissertation to take up his feeble pen in its defence; in which he has endeavoured to prove, that a similar form of government may be found in other political constitutions, and that this Thanistical law of succession was first introduced among the Irish, by their Celtic ancestors.

Whoever reads Procopius's History of the Vandalic war, and the foundation of the empire established by Geseric, or Gizeric, conqueror of Andalusia and Africa soon after the fifth century, will there find a true counterpart, if not an exact copy of the ancient Irish system of government, particularly with regard to the constitutional law of succession called Thanistry. As this historian may be regarded as an ocular witness of most of the facts and seats of the Vandalic war, he has been often referred to, the author has therefore given the quotations at length, as also from Gregory of Tours, to save the reader the trouble of seeking books, not to be found in every library.

Roderic O Flaherty, author of the Ogygia, (whom the Irish erroneously esteem as the Hiberman Procopius) seems to have considered the Thanistical law, rather in its abuses, and according to the manner of executing it in subsequent ages, than in its primitive institution or original intent and meaning. This author, among others is an example of the great loss it is both to his tory and to law, that they have too little contributed their mutual aids to each other. Lawyer themselves seldom give historical deductions of laws, and historians seldomer meddle with law at all, even with those which gave occasion in the constitution of a state, and on which, most than on battles and negociations, the sate of it doth often turn.

For this reason, it is difficult to trace the several revolutions of the seudal laws of descent in an one state of Europe; nor could such revolution be often traced at all, were it not for the light which the histories of public successions afford.

Before Edward I. proceeded to hear the claims of Bruce and Baliol, for the crown of Scotland, he put the following question to the parliaments of both kingdoms assembled together: 'By what 'law of succession is the right of succession to be determined?' The answer made unanimously by the parliaments of both kingdoms was, 'That 'the right of succession to the kingdom is to be judged by the rules observed in cases of counties, baronies, and other such like tenures.' Hence we see that the same rules which regulated private, were likewise the measures of public succession.

The author of this differtation agrees with Sir John Davis, that the laws of Thanistry and Gavel-kind would not be deemed rational laws in this improved age, and that such laws would (to use his own words) va en destruction del commonwealthis et pour ceo, nostre Ley est le melior Ley de mounde pour fair & preserver un commonwealth: the intent

of this essay is to prove that these laws were not in custome personall, peculiar to the Irish, but in common to most other nations on the globe.

The best historians allow that the English aniquities are involved in mist, and the Scotch in the most profound darkness regarding feudal succession; they knew that the inheritance, without fixing upon the eldest, or indeed any son at all, was equally divided amongst all the sons, but they knew not from what law or custom this proceeded.

This division of lands amongst the male off-spring, the ancient Irish called Gabhaltas-cinne or Gavail-kinne, from which Irish word, literally signifying a family settlement; the English formed the term Gavel-kind. The word Gavail or Gavaltas in the old Irish language signified any landed settlement whether by inheritance or conquest; thus by the words Leabbar na Gabbala is meant the Book of Conquests, and in an old manuscript now before me the estates which the O Briens of Thomond, and those of Arra possessed themselves of in the country of Arra in the thirteenth century, is called Gabbaltas, though subject to no service or rent in those days.

The learned Somner is as much mistaken in deriving the word Gavel kind from the Saxon Go-fal or Gavele, i. e. vestical, vel, redditus, a tax or tribute, and Cynde, i. e. natura, genus, modus, a mode or quality, as others are in deriving it from Gif, or Giveall-kind. Taylor is certainly right in deriving it from (a) Gasael, i. e. tenura and cenedl, i. e. generatio, i. e. fundus gentilis, sive breditarius, and this agrees perfectly with the Irish Gavail-cinne. See the root of this word explained

in the preface of the former number of this Collectanea.

The Franks were not the only people, besides the Irish, that observed this custom of Gaveling or dividing landed properties between the possession of children. The Anglo-Saxons practised the like custom, which they called in their language Giseal-kin; a word of almost the like sound and letters, as well as of the same signification with the Irish Gabbail-cinne. The Welsh also, who are the remains of the old Britons, observed it until the thirty-second year of Henry VIII.

Sir John makes no distinction of the Irish Gavels, of which there were too kinds, as we have explained by examples at page 263 of this work He treats only of the general gavel or repartition, at the extinction of some branches, as may be understood from his own words, ' Cest Canfinny, ou chiefe de Sept, apres le mort de che-' scun ter-tenant que avoit competent portion de ' terre, assembloit tout le Sept, & aiant mise ' touts lour possessions en Hotchpotch, fesoit novel \* partition de tout; —et il allottoit al chescun ' del Sept, solonque son antiquity, le melieur on ' greinder purparty.' Again, this author fays, the Irish custom of Gavel-kind, ' fuit agreeable 'al custome de Gavel-kinde, qui fuit en use et 'Northgales.' It is very probable that it originally was, as the ancient Britons derived this cufton from the same source as the ancient Irish. cordingly we find that the chief Strongbonian fa milies, exclusive of those who were confined with in the English pale, observed this gaveling cut tom, yet they did not regard the rule of equa shares, as I have noticed at page 266, where

el of the Burks is translated, as I find it reled in the aforementioned old manuscript. The Thanistical succession of the O Brien fay has been recorded from the earliest account lrish history down to the XVth century, in book of Munster and in the annals of Ire-The transactions of this family are interred with many historical anecdotes of the vas tribes of Belgians, Livonians, Prussians, Pomnians, Danes, and Norwegians, &c. who ined this country at different periods to the end the ninth century, under the name of Mair-, Leatmanni, Lochlanni, &c. &c. in which, inction is made between those invaders whom Irish denominated Fin-galli, and Duff-galli, white and black foreigners) names which have plexed our modern historians. This shall be subject of the succeeding number of this lectanea.

The author being unacquainted with the terms law, hopes the indulgence of such gentlemen the robe, into whose hands the following ets may fall. He flatters himself, that on an partial perusal, it will appear, some new lights rebeen thrown on these very ancient constitutal laws of the Celtic nations, and that the annut Irish are freed from the reproach of barbain, so wantonly and so illiberally bestowed on em by former writers.

Dublin, July 1774.



# DISSERTATIONS

ON THE

NATIONAL CUSTOMS, AND STATE-LAWS

OF THE

#### ANCIENT IRISH.

#### PART I.

#### CHAP. L

Of the entient Irifb laws or national customs, called Gavel-kind or Male-gavel, and Thanistry or Tanistic Succession.

#### SECT. I.

## Of the MALE-GAVEL.

A S the primordial and fundamental laws of all kingdoms and fovereign states are naturally coeval with, and calculated for the particular system of government originally intended and established by their respective founders: so all such primitive customs or usages as may pass either for state-maxims or for national

and conflitutional laws univerfally adopted by the body of people of which the flate was first formed, must have slowed either from the law of nature and the maxims of the primitive times, or from the particular genius and spirit that characterized each different nation, and the political circumstances, in which they primitively happened to be situated with regard to their neighbours and their own national views and public interests; or from the casual combination of some or all of these different principles together.

Thus that national and state-maxim, which had been antiently established among the Franks, and was by an express constitutional law to be most strictly observed by them after their first settlement in Gaul, I mean that law, by which all female heirs were excluded from any part or portion in such inheritances as they called Salic lands: was not only the natural result of the military genius of that people, as well as a measure of public expediency for extending their conquests, and securing their national settlement in that part of the then decaying Roman empire; but was also very plainly suggested by the principles of the law of nature and the reason of things; and far from being peculiar to the Franks alone, the same maxim was common to feveral other nations, who equally observed it, especially with regard to all properties and tenures of a like constitution and condition with the Salic lands.

The military benefices that had been inftituted by the Roman emperors, before the Franks had any fixed fettlements in Gaul, particularly and

# DISSERTATIONS

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### ANCIENT IRISH.

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service (b) as a necessary condition for the enjoyment of those landed benefices, but also required, that the sons of the veterans who were possessed of such lands, should be enrolled in the fervice at the age of eighteen, to the end, says this emperor, that they may learn to ferve their fowreign and their country, before they are of an age to become plunderers or highwaymen; it appears from a remark of St. Augustin in one of his fermons (c), that the Roman emperors also required an oath to be taken by those, who were to be possessed of such benefices, by which they bound themselves to the obligation of military fervice, as well as to fealty and allegiance to the Imperial crown; it further appears by the annexed passage of Severus Sulpitius concerning St. Martin (d), that by a law of Constantine the Great, it was not left to the free option of the male heirs of the beneficed veterans, either to CDgage

(b) Barbarorum qui apud Isauros sunt, vel per terrorem vel per voluntatem, loca ingressus est: quæ quum peragrasset, hoc dixit, facilius est ab istis locis latrones arceri quam tolli. Veteranis omnia illa quæ anguste adeuntur loca privata donavit, addens ut eorum silii ab anno octavodecimo mares duntaxat ad militiam mitterentur, ne ante latrocinari quam militare discerent. Vopiscus in Probo.

(c) Notum est, quod milites seculi benesicia temporalia a temporalibus dominis accepturi prius militaribus sacramentis obligantur, et dominis suis sidem se servaturos profitentur. Serm. 1. in Vigil. Pent.

(d) Sed cum edictum effet a regibus, et veteranorum fili ad militiam feriberentur, prodente patre qui felicibus ejus actibus invidebat, cum effet annorum quindecim, raptus et catenatus facramentis militaribus implicatus est. Sulpitius in vita Martini. engage in the service, or forseit the succession; but were absolutely forced to enrol and bind themselves by the military oath above mentioned, even at the age of fifteen: and here, to observe it by the bye, we have the true original and pattern both in matter and form, of those landed possessions, which, towards the decline and period of the Carlovingian race, were established in France and Germany, under the name of Feods or Feuds, otherwise called Fiess and Fees, held under the obligation of feesty, and homage or military service, sworn to the proprietary lord.

It was doubtless to leave no fort of room for a female succession into those military benefices of the Roman emperors, that the words Mares duntanat, were inserted by Probus in his just cited law: as if he had foreseen that in ease of failure of male issue, the daughters of the beneficed veterans might possess themselves of the land that was enjoyed by their father under pretext of a nominal enrolment in the fervice, and think themselves qualified to enjoy them by only employing a mercenary foldier to acquit the obligation incumbent on the benefice. This in reality happened to be the case, in after ages, with regard to feveral of the military benefices of the French nation, wherein after the diforders, which happened under the last kings of the second ruce, and when those benefices were converted into fiefs of perpetual property, 'tho' if ill under the ubligation of military fervice, a female succession was introduced and admitted of, especially in the grand feodal provinces, on condition of furnishing

ing the due contingent of officers and folding to perform this service in behalf of the feet heires.

But before we proceed farther on this mate or come to the explication of the confequent that enfued from the diforders just mentioned is to be observed, that the Franks after their fall settlement in Gaul, enjoyed two sorts of land properties of different constitutions and conditi ons; their very first settlements in that part of the then declining empire, consisted in what the called Salic lands, which in reality were but mistary benefices of the hereditary kind, grantel them by their first adventuring kings, and chiefy by Clovis; and which of consequence they held from the state, under the obligation of military Those Salic lands, according to a late fervice. and well approved French writer (e), were no only of the same constitution with the Roma benefices established by Severus and Probus, but also consisted mostly of those individual lands that had been assigned by them and other emperor to the imperial veterans; Clovis having diffinbuted them amongst the officers and soldiers of his army, according as they fell vacant, and it the mean time, to make up the deficiency bestowed on others a competent share of the lands that belonged to the domain of the emperors, or were otherwise at his own disposal whether from devolution, disinheritance, or con fiscation; for, according to this author, Clovis dk ПO

<sup>(</sup>e) Abbe Dubos Hist. Crit. de la Monar. Franc. vol. 4 lib. 6. ch. 13.

#### LAWS OF THE ANTIENT IRISH.

not disposses the old inhabitants of Gaul of the least part or portion of their properties, for which opinion, tho' contrary to the general notion, he gives, I think, very plausible reasons, if not quite satisfactory proofs; those Salic lands or hereditary benefices being held of the state, in whose direct dominion they always remained, subjected as they were to the obligation of military service, could not therefore be esteemed of strict property to the possessions, tho' they may be deemed a permanent interest, as descending perpetually from father to son, while the obligation and condition of their tenure was complied with and fulfilled.

The fecond kind of landed property which the Franks became possessed of by degrees after their establishment in Gaul, especially under Clovis, was called Allodium or Alleudium and terra Allodia, in English Allodial land, or Alleud, whereof there is question in the 62d title of the Salic law. which was first digested and reduced into writing under the reign of Theodoric or Thiery the eldeft fon of Clovis or Clodowic. Bolandus explains Allodium to be prædium seu quævis possessio libera jurisque proprii, et non in feudum Clientarii onere accepts. In short, it may be defined, a man's own land, or whatever he possesses freely and merely in his own right, without obligation of any service, or payment of any rent to ano: ther; and therefore may be called property in the highest degree; this name of Allodium at first was peculiar to the lands, that were left in property to the antient possessors, the old inhabitants of Gaul, both Romans and Celts. The Franks acquired sequired by degrees some of the Allodial lands, either by purchase or by inheritance, in consequence of marriages contracted with such of the Gaulish women, as inherited lands, that devolved to them thro' failuse of male heirs, which in all likelihood was the only case in which females could enjoy any share of lands, of whatever kind, atmost the Gauls or Celts, as may appear in the sequel. And as to the Franks it is plainly apparent from the said 62d title of the Salic law, which is de Allodiis, that it was only in case of such failure, their women succeeded to the Allodial properties, which happened to be acquired to them.

I have just observed, that the term Allodium year appropriated to the landed possessions of the old inhabitants of Gaul, whether Romans or Celts: the word in itself is mere Celtic, and its plain and natural root is still preserved in the old brish, allowed to be the purest and most perfect dislect now sublisting of that mother-tongue which was primitively the universal language of the European nations, very few or perhaps none at all excepted. Allod and Allod in the Celto-Ibernian tongue fignifies antient or old, as by prefixing the presposition an, or in, it means antiently, in former times, or of old, and hence the Istinized word Allodium or Alleudium, in English Alleud, which fignifies an independant hereditary property of antient standing or possession. like manner is the root of the latinized Celtic word. Fendum or Feodum, plainly to be found in the Irish language, wherein the words Fád and Fodán.

, though vulgarly fignifying the fod or mould of any ground, do mean as promy one particular lot or portion of land. cut out for any use whatsoever. Thus Duthchais fignified any piece or parcel id, that was of permanent or hereditary ty in any family, tho' subject to either ent or fervice. But Allodium and Feodum t the only words, whereof the etymolygists lossary-writers, have laboured in vain to nt the radical meaning, for want of knowing elto-Ibernian language, so unhappily ned now very near fix hundred years. But be hoped, that the candid acknowledgof certain late English writers, particularly dward Lhuyd (f), in favour of that antient e: and the celebrated Leibnitz's (g) opiof its great use towards illustrating the reantiquities of Gaul and Germany, will the learned and the curious to encourage nprovement of that truest dialect of the t Celtic tongue.

But

Archialog. Brit. Welsh Præf.
ostremo ad persiciendam, vel certe valde promoventeraturam Celticam, diligentius linguæ Hibernicæn adjungendum censeo et Lhuydius egregie facere nam ut alibi jam admonui, quemadmodum Angli Colonia Saxonum, et Britanni emissio veterum Celta-allorum, Cimbrorum: ita Hiberni sunt propago anum Britanniæ habitatorum, colonis Celticis Cimbrinonnullis, et ut sic dicam, mediis anteriorum. Ita-ex Anglicis linguæ veterum Saxonum, et ex Cimbrierum Gallorum; ita ex Hibernicis vetustiorum ad strarum Germanorumve et ut generaliter dicam, acm oceani Britannici Cismarinorum Antiquitates iltur. Et si ultra Hiberniam esset aliqua insula Celtici sis, ejus silo in multo, &c.

But to pursue our explication of the different kinds of properties that were enjoyed by the Franks after their transplantation into Gaul, it is to be observed, that besides the Salic lands, and the Allodial lands, the French antiquities make frequent mention of certain landed possessions, which are merely and peculiarly called benefices, and to which the obligation of military fervice was so strictly and particularly annexed, that by the first article of Charmelagne's capitular of the year 807 (b), all those that enjoyed them. were to march against the enemy at the first alarm. and to appear in the field before all other subjects: Abbe Dubos, who is the late French writer I have pointed at, is plainly of opinion, that those benefices, so frequently mentioned in the capitulars of the kings of the second race, were individually those very Salic lands of which there is question in the Salic law; and which in those capitulars he supposes to be otherwise called benefices, as being held from the state on account of military service; his chief reason is, that as the Salic lands are expressly opposed to the Allodial lands in the above cited title of that law; so in the capitulars of Charlemagne, the benefice stands opposed to the Allodium or Alleud, particularly in the 19th article of his capitular of the year 979 (i), as in the margin.

Abbe

(b) In primis quicunque Beneficia habere videntur, omnes in hostem veniant. Capitul. An. 807. Art. 1. 2.

<sup>(</sup>i) Et si Deo donante super se et super familiam suam aut in Benesicio, aut in Alode annonam habuerit, et venundare voluerit. Baluz. Capitul. An 779. Tom. 1 p. 456.

Abbe Dubos has indeed very sufficiently proved. that the Roman benefices instituted by Severus and Probus, and the Salic lands fettled upon the Franks at their first establishment in Gaul, were Exactly of the same nature and condition: and it is really what appears evident to whosoever compares the above cited constitutions of these two emperors with that part of the 62d title of the - Salie law, which referves the succession and secures the inheritance of the Salic lands to the male - heirs of the possessions; utterly excluding women from sharing in that kind of property: an exclusion, which plainly shews, that those lands were subject to the obligation of military service. of which women are naturally incapable. as the faid lands were at the fame time to descend by inheritance to the male offspring, it evidently follows, that they were of the same nature and constitution in all effential respects with those military benefices, that had been established by the Roman emperors above-mentioned.

Now therefore if Abbe Dubos had made it appear, that the French benefices, whereof frequent mention is made in the capitulars of the Carlovingian kings, were of the fame nature and conditions with those of the above emperors; it would follow of course, that they were also of the same nature and constitution with the Salic lands; but yet it would not follow, that those same benefices were individually the very properties, which are called Salic lands in the text of the Salic law. For I presume it should be considered that the kings of the second race, as

well as those of the first, might have occasionally made grants of other landed possessions to their rofficers and foldiery, on account of military for vice; as it is evident from history that the really did, even to the prejudice of their own the main; as also that they may very justly have distinguished by the name of benefice such new granted possessions from the ancient see lands that had been fettled upon the primitive Franks at their first establishment in Gaul. I cannot but think such a distinction is the more reasonably to be supposed, as the Salic lands were first granted to those adventurers, not only their pay for actual and future fervice, but also as a just reward of their past conduct and bravery in the profecution of a war, whereby their kings had obtained to happy and glorious an establishment in one of the most grateful soils, and most agreeable climates of Europe; after a long, fatiguing course of roving and plundering, fine the time they abandoned their former habitations on the right side of the Rhine.

But by what I have just said of the distinction that might reasonably have been made between the new benefices and those of the Salic lands; I would not be understood, as if I meant, that it should be or really was a mere nominal distinction. for I humbly think there was a real and essential difference between them, at least in one respect, as I shall soon explain. The ingenious writer I have repeatedly mentioned, no way apprehensive, it seems, of the least doubt or suspicion concerning such a difference, first supposes without

hout helitation, that the term benefice so often de use of in the capitulars, is always to be unflood as meaning the Salic lands (k); and then fupporting his opinion, contents himself with reason above-mentioned; I mean, the benebeing plainly opposed to the Alleud in Charnagne's capitular of the year 1779, in the same unner as the Salic lands are opposed to the Allied lands in the 62d title of the Salic law. us, it must be confessed, is a plain argument d proof of a natural agreement in some certain pect between the Salic lands and the benefices often mentioned in the capitulars; otherwise ey could not naturally stand apposed to one and e same thing, but far from proving those befices to be the very Salic lands granted by Clovis id his predecessors; or that the term benefice is at another name, by which they are designed r Charles the Great; this supposition does not ren prove them to be of a fimilar kind or conition in all effential respects. In a word, it only roves them to agree in one respect; which doubtis is, that both kinds of landed possession are qually held of the king under the obligation of ilitary service. But at the same time, I cannot at affure myself, that they also differed in anoer effential part of their constitution; which I rinly think to be this, that while the Salic. ids were a hereditary estate and property to the le descendants of those that first obtained and erved them, the benefices mentioned in the capitulees.

(k) Hist. Crit. vol. 4, p. 322.

capitulars, were but a mere bounty and gift of the king, granted only for life, to his officers and soldiery, on account of military service in time of war, and of civil offices in time of peace; for the same officers acted in both capacities, as we shall see in the following section.

That those benefices were not hereditary, I think may sufficiently appear from the very texts of the capitulars, that are quoted by the Abbe Dubos (1). For, in the first place, those benefices were subject to forseiture for bare omissions of civil duty, such as the neglect of discovering or delivering a robber into the hands of justice (m), and other such delinquencies as could not of their own nature be reputed capital; and consequently not grievous enough to cause the forseiture of any hereditary property; inasmuch as the innocence, as well as the interest of future heirs is generally considered on those occasions; excepting in some countries in the case of high treason, or of rebel-

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(1) Hift. Crit. vol. 4. p. 323, 324.

lion \* rather in the highest degree.

Mr. Carte in his Hittory of England, vol. 1. p. 364, cites the Hittoria Eliensis to prove there were some lands held by the Saxons, which were not liable to any forseiture, not even for rebellion; and those he supposes to be such as had been allotted to the sirst adventurers, when a partition was made of their conquests. If he is right in this conjecture, the Salic lands, being in the same manner, such as were acquired to the Franks by the conquests in Gaul, must in all appearance have enjoyed the like privilege of not being liable to any forseiture; inasmuch as the customs and usages

ce, we find those benefices frequently opproperty, as in the capitulars here rein the margin (n); what doubtless had 1 the case, if they were hereditary lands: ery landed tenement that descends to a eirs, is truly and really a property to him, it may not be free and independant, or juris, in the strict sense. To all this I shall d, that the best French writers, who have of the antiquities of that nation, generally 1 mentioning as one point of the usurpathe dukes, counts, and other officers upon onarchical rights and prerogatives, their ng hereditary in their own families those enefices, which till then they enjoyed only , or doubtless, during the king's pleasure of misconduct.

consequence of this last argument in faf our opinion being too plain to want an t deduction, I shall conclude with observlast from what I have hitherto advanced,

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f both nations were generally the same, as that auly observes, though he plainly contradicts himself as oint in the same place as shall appear in the sequel. remarks in the same paragraph, that the Boclands, id as being granted by written charters, under ren of rent or service to the king, were forseited murder and treason, but that their forseiture did and to the children of the guilty person.

Inditing habemus qualiter & comites & alii homines

nditum habemus qualiter & comites & alii homines ra beneficia habere videntur, comparant fibi pros de ipfo nostro beneficio, & curtes nostræ remanent

Baluz. cap. tom. 1. p. 453. . . . . . Quicunque um fuum occasione proprii desertum habuerit & inum postquam a comite vel a misso nostro ei notum fuerit, illud emendatum non habuerit, ipsum benemittat. Capit. an. 808. lib. 4. art. 38. it seems very apparent, if not quite evident, t } at the Franks under the first and second race enjoythree different kinds of landed possessions. the Salic lands, which in all effential respect s were of the same nature with the hereditary Roman benefices first instituted by Alexander Severus, and afterwards extended by Probus and Constantine. Secondly, the benefices for life that were occasionally granted by the kings of the second race, and doubtless by those of the first, who were fuccessors of Clovis and his fons, to their officers and foldiery on account of military fervice. And thirdly, the Allodial lands, which the Franks gradually acquired from the old inhabitants under both races, and which may be called property in the most perfect sense, and highest degree.

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But those distinctions were almost universally laid aside in France, before the establishment of the Capetian race, having been all reduced to one common form of tenure or possession known by the name of seud, sief, or see; which in nature and

Augustus the first Roman emperor settled benefices during life upon the soldiery of his armies, which consisted in lands, whereof he had dispossed the Roman citizens. Alexander Severus in the institution of his benefices granted to the frontier troops, acted much more agreeably to justice and equity, as well as to the maxims of wise government. He gave no other lands to his officers and soldiers, than those that were recovered from the Barbarians, who had encroached on the empire in its frontier provinces; and for his making those benefices hereditary, he assigns this sound reason, that their possesses must be the more vigilant and active in repelling the enemy, as they were to defend their own properties, whilst they were sighting for the safety of the empire, dicens, attentius hos militaturos, so four rura defenderent.

and condition was not effentially different from the Salic lands, and perhaps less so from the hereditary benefices granted by the Roman emperors: as we know from the above cited passage of S. Augustin, as well as from what Severus Sulpitius mentions of S. Martin, that an oath of fealty and homage or service was required of the beneficed foldiery, at least as early as the fourth or fifth centuries, in the same manner as it was And hence afterwards exacted from the fiefees. I suppose it was, that several of the French writers, such as Bodin, Du Moulin, &c. have used the terms feud, Salic land, benefice, all promifcuously and in the same signification; though it seems certain, that there was an effential difference between the fiefs under the third race, and the benefices that were granted under the king's of the first and second race; those being hereditary, and these only for life.

This great change in the condition of the subjects, and their manner of enjoying lands; this general extinction of the Allodial properties was begun soon after the first decline, and perfected towards the period of the Carlovingian race; when the dukes or governors of provinces, the counts or governors of towns and their territories, with other officers of inferior rank, taking advantage of the weaknesses of the last kings of that family from Louis le begue to Louis le faineant, as also availing themselves of the large concessions and grants made to them by the usurper Raoul to the great prejudice and diminution of the royal domain, not only appropriated to themselves the

sovereign power and jurisdiction, which till then they had exercised in the king's name, but also usurped the perpetual and hereditary property of all the lands that were situate within the limits of their respective governments. In consequence of this usurpation they obliged the Allodial proprietors, as well as the possessors of Salic lands, and those who enjoyed royal benefices, to hold from and derive under them for the future, so as to become their immediate vassals and fiefees; all bound on oath to pay them fealty and homage or military service, as to their immediate lords and fovereigns, to the great prejudice or almost the annihilation of the regal authority, as well as to the utter subversion of the most sacred rights of the king's subjects in general, but most especially the proprietors of Allodial lands. For, as monarchy, I mean regal power in its natural extent, and restrained or counteracted by no other power but that of the law, is the best and properest form of government for maintaining both the duration of empires and the tranquillity of the fubjects, as the chronological abridger of the French history observes in his particular remarks on the second race; so nothing could be more destructive or fatal to both the one and the other of these two objects, than the establishment of the feodal powers or figniories, that were fet up by the great lords of those unhappy times, and the feudatory tenures, to which they reduced the subjects under the sworn obligation of fealty and homage to themselves, more immediately than to their natural love, sign and king, who only retained red what was called an arriere vassalage over immediate vassals of those usurping lords. rus all the petty feudatories and tenants, tyinized by these new masters, were constantly pt in the most distracted condition between rir immediate lords and the king, not knowing aich to obey upon any clashing of interests beeen the two powers; fuch especially as had ought on a call for military service from both s one and the other at the same time; and their uation was the more perplexed, as the feodal rds to whom they had fworn homage or fervice. id consequently insist on a right to march them the field, in order to make war upon the very ng their supreme sovereign, whenever they dged it their interest to quarrel with him.

A like usurpation and change took place in ermany much about the same time, at least in e same century; but by a good number of ars earlier, if I am not mistaken, than it hapned in France. We find that the German ds, in the reign of Louis le debonnaire, son d successor of Charlemagne, assembled in diet Nimeguen, ann. 831, were powerful enough restore that emperor to the imperial throne ainst the joint interest and opposition of his ee sons, Lothaire, Pepin and Louis, who had posed and shut him up in a convent. The wars I divisions that were afterwards held up been the said Lothaire, become emperor, and brother Louis, who first was king of Bavaria I then of Germany, whence he was called uis le Germanique, could not but favour and be R<sub>2</sub> the

the occasion of carrying to a higher pitch, the growing power and authority of the German The partition that was subsequently princes. made of the kingdom of Bavaria or Germany, in the year 877, between the three fons of Louis le Germanique, having divided the fovereignty, and thereby weakened the regal power in all the divisions of that kingdom, must likewise have given a favourable opportunity to the German lords to push on more and more towards the independency they always aimed at. And the difputes that arose first between Charles le chauve King of France, and his nephew Carloman, for of Louis le Germanique, after the death of Louis II. fon of Lothaire, when they both contended for the empire in the year 875: and afterwards between the said Carloman and Louis le begue, the faid Charles's fon and fuccessor in the French throne, contending in like manner with each other for the Imperial crown; furnished without doubt to the German grandees the next, and in all appearance, the only opportunity they then wanted to complete their feodal usurpation, and fix their fovereignty upon the same basis it stands to this day. Accordingly we find that those German lords now become fovereigns and chief members of the body politic of the occidental empire, had so effectually usurped the whole power and authority of the state, that they took upon them to depose the emperor Charles le gros brother and successor of the above Carloman: which they really executed in the year 888.

Now as the above exposed occasions of aggrandizing the German lords, by which they were at last enabled to assume a secondal sovereignty, have all offered before the year 878, when Louis le begue was weak enough to pacify his male-contents at the expence of the royal domain, whereof he dismembered and distributed very considerable parcels amongst those factious harpies, who having afterwards erected them into hereditary lordships, were thereby in a condition to make the first step towards the usurpation, which they thence-forward carried on, and at last completely effected before the extinction of the Carlovingian race: and as this weak conduct of Louis le begue was the very first occasion of enabling those ambitious courtiers to usurp a feodal sovereignty in their respective provinces: it is therefore a plain consequence, that the French lords were not the first that began this kind of usurpation; but that they only followed the example of the German dukes and graves or counts, such as they had been appointed by Charlemagne; as governors of provinces or counties, upon the model of those of France.

And here it naturally occurs to be observed, that as the usurpation of the German dukes, graves, &c. had served both as a precedent and a model to that which was carried on in France; so did the example and success of the French usurpers encourage the Anglo-Saxon governors to borrow from them the same pernicious model of usurping upon the regal power and domain, and assuming the same fashionable titles of dukes, counts

## DISSERTATIONS ON THE

counts or earls, as they did in Ethelred's reign. in imitation of those on the French continent. Our English governors did not indeed begin to usurp the hereditary property of their respective provinces or counties, until those of France had completed their feodal usurpation and sovereignty: which it is plain they effectually and universally had compassed before the reign of Lothine the fon of Charles the simple; since we find that king reduced to very little more than the one fmgle town of Laon for his whole domain, just after his accession to the throne in the year 954. an epoch which was 23 years earlier than the beginning of the weak reign of Ethelred, under whom the English governors assumed the titles of dukes, &c. and usurped the hereditary feodal property of their respective governments. It is true they might have made long strides, as it particularly appears, that the Mercian and Northumbrian lords really did, towards that usurpation under the usurped reign of Edgar, and even some years earlier during the troubles of his brother Edwy's, against whom the former rebelled in the Their uncle Edred, a weak prince. year 956. who died in 956, had indeed unwisely furnished a precedent to those usurping lords, when he committed to Osuolf the government of all Northumberland, with the right of inheritance in favour of his descendants. But besides that this precedent, and whatever progress of an usurping tendency, might have have been made during the reigns of Edwy, Edgar, and Edward the martyr, were but preparatory steps towards the usurpation which only began in that of Ethelred; as all these epochs chs were posterior to the time of Raoul's usstion of the French throne, and the reign of successor Louis d'Oulremer, when the seodal pation of the French grandees had been uniilly effected; it plainly follows, that the lish governors did not begin their usurping me until the French had finished their own, surnished them with a complete model.

nd this, to observe it by the bye, was not the instance of usurpation upon regal power; ein the state-officers of the Anglo-Saxons wed the steps and example of those of the iks. For it is very remarkable, that when officers or ministers, whom the French callvaires du palais, palace mayors, under the s of the first race, and who originally were governors of provinces, had rendered herey in their families, not only their provincial rnments, but also that of the king's palace houshold; so the Anglo-Saxon eoldermen anes (for so they first were promiscuously 1, as we find in the recital of Alfred's reions and laws, tho' afterwards those two tiwere distinguished) who in the beginning but temporary governors of counties under kings of the Heptarchy, not only made selves hereditary governors, but also cond entirely to their own use the public reveof their respective governments, and, as the æ mayors in France, usurped at long run the dignity: so we find in the Anglo-Saxon ry, that Witlaff, who at first was but chief rman of Mercia, afterwards became king of kingdom, even in the great Egbert's time. Indeed

Indeed the very titles of the French mayors and the Saxon coldermen, were of the same import and literal fignification; and so were their officer and power of the same nature and extent. The senieurs and archi-senieurs of the Franks, otherwise called maires, i. e. mayors, majors, as being majores natu, the same as seniores, under the kings of the first race, were according to the mimitive usages, and in consideration of their age and experience, entrusted with the principal offices and power of the state; and were particularly employed in the government of provinces, vested with both the civil and military power, The eoldermen of the Anglo-Saxons, a title which in the Saxon language signifies mayor, senior, or elder, were entrusted with the like double power in their government of counties and provinces. It was the impolitic union of those two powers in one and the same person, that gave fuch a general influence to the French mayors and the Saxon eoldermen, as enabled them to carry their usurpation to so great an excess, as the former did at the decline and towards the period of the first race, and the latter during the last age of the Heptarchy; and in some measure under the monarchy of Egbert and his three next fuccessors, until the great Alfred wifely separated, and put into different hands the administration of those same powers, whose union had proved so prejudicial and dangerous to the regal authority. Saxon eoldermen were indeed much flower in conducting themselves, according to the pernicious example of the French mayors, than their fucceffors the dukes and earls were in Ethelred's in following that of the French dukes and under the Carlovingian race.

o serious resections relative to the usurpathe French maires and Saxon coldermen. naturally occur to the reader in this place; ie, that the maxim of entrusting seniors oth the civil and military power in the goent of provinces, seems to have been a nacustom, which was common to both the s and the Anglo-Saxons; and as the latter zertainly composed of various tribes or naof Germans, Saxons, Frisians, Angles, Juts, &cc. it is rationally to be prefumed, that me custom was universal and common to all ermanic nations, founded upon their great ition for the persons, and confidence in the ty and experience of the principal seniors of espective tribes, agreeably to the maxims of The other reflection relaimitive times. o those usurpations particularly that of the h dukes under the second race: that inasas those kings of that family whose weak ict encouraged the usurping measures of their and counts, must have known, that the of the civil and military power in the hands palace mayors, was what enabled their own ors, Pepin Heristal and his bastard son es Martel, to strip their royal masters of whole authority, and thereby pave the way epin the son of this Charles, to deprive the ing of that race not only of his crown, but i liberty, treating at the same time his son and and heir Thiery in the fame inhuman manual as those Carlovingian kings, I say, must be been well-informed of so recent historical facts is very amazing, that they were so infatuated, to have furnished their dukes with the same may of dethroning themselves, that the above-name palace mayors had made use of to extirpate to whole royal family of the Merovingian race.

The reader I hope will excuse the preceded discussion concerning the different constitution and conditions of landed properties, and the changes they suffered from the usurpation of the second llords: a discussion I judged necessary to have premised by way of introduction to what I are just going to lay before the reader, in vindication of the ancient custom of male-gavel-kind, which has been inviolably observed at all times by the cient Irish, as well as by various other national until the fourth year of the reign of James Steerart, our first Albano-Scotic king, who then about the primitive and national custom, which had been formerly observed by his own nation as well as by the Irish.

The Irish custom called gavel-kind, consisted in dividing the father's hereditary lands among all his sons, utterly excluding the daughters from enjoying any share of the landed inheritance. The manner of this division shall hereafter be explained and exemplified by several instances of particular family-gavels, which I find mentioned in the Irish antiquaries; in the mean time I am to observe and prove in vindication of this Irish custom, first, that the maxim of excluding women from sharing

aring with their brothers or co-heirs male in aded properties, far from being peculiar to the ish, appears rather to have been universal or mumon at least to several other nations in the limitive times; and next, that the custom of riding the father's lands among his sons, was constantly observed by many other ancient peole as by the Irish, and seems rather a maxim of liversal practice in all the primitive nations, than a unreasonable custom peculiar to the Irish tone.

Now, as to the maxim of excluding the daughers from sharing with their brothers in the landed mberitance of the father, we find it as ancient as he patriarch Jacob, whose daughters were to enby no share with their brothers in the land of promise, which was their father's inheritance by wine appointment. Nor do I find in scripture ancient history, any instance of daughters baring with their brothers in their father's landed properties in those primitive times. I have obtwed and shewn in the beginning of this disourse, that the Romans, as well as the Franks, **Ecluded women from enjoying any portion of** sch lands as were subject to military service, and 'ere therefore called military benefices. In effect, is plainly against the nature of things that lands hich had been acquired by the fword, and either rust be maintained and defended at the point of e sword, or else are enjoyed on condition of miary service, should be possessed or shared by omen, who are naturally excluded from the miary profession.

Accordingly,

Accordingly, not only the Romans and Franks. but likewise the Goths, the Burgundians, and all the other barbarians who were first employed by the emperors as mercenary auxiliaries living upon military benefices, and afterwards forcibly fettled themselves in different parts of the empire, have all equally observed the maxim of excluding women from sharing either in the military benefices they made hereditary in their different families, or in any other lands that were acquired and defended by the fword; this plainly appears through the whole course of their history, as it hath been delivered to us by Procopius, Gregorius Turonensis, Isidorus, Idacius, &c. In a word, all the Teutonic or Germanic nations excluded the daughters from sharing with their brothers or other heirs male in the father's landed inheritance of whatever kind or condition, all being referved to the fons or male offspring alone; as appears expressly by the following axiomatical Latin distich, setting forth this same maxim of their ancient laws:

Teutonicis priscis patrios succedit in agros Mascula stirps omnis, ne foret ulla potens.

As to the old Irish, they were so tenacious of the maxim of excluding women from all landed inheritance in their different tribes, that the father's landed properties upon failure of his issue male, devolved entirely to his brothers or next male heirs without any regard to his daughters.

The

The exclusion of women from sharing in panonial estates, was so general among the lush well as the ancient Germans or Teutonics, that extended to all forts of landed properties witht distinction of Allodial and Feodal; a distincm whose origin could not have been earlier than in first institution of military benefices soon after e beginning of the third century; the landed operties of the old Irish, of whatever rank, ere all of one and the same nature and condiin, and may in a proper sense be stilled of the Modial kind, as they were proprii juris, subject o no rents or fervices, nor alienable by any exres state-law for any failure of duty towards e sovereign, though far from being safe from at of the strongest hand; the Dynasts and oparchs with their dependants were indeed in e custom of answering the military calls of eir provincial kings, for marching under their mmand to wage war against their enemies or tole they inclined to pick a quarrel with. his kind of military service, far from affecting re landed properties of those that rendered it, ras absolutely free and voluntary; inasmuch as role same Dynasts and Toparchs esteemed themlves not the less possessed of the right of makwar upon those very kings, as often as they rere able to form a sufficient alliance to vindicate arrievance they pretended to have suffered non them: and as to those kings of Meath or 'ara, who in the middle ages of the Scotic goernment, assumed the title of Monarch or King Fall Ireland, or rather have been stiled so by the

the writers of their party, most certain it is, that the provincial kings and other fovereigns never acknowledge any supreme right in those pretenders to monarchy, but always afferted their own independency against them at the point of the fword, as appears most glaringly from the Irish annals; notwithstanding any casual and short flarts of depredatory power in some of those nominal monarchs, who never failed to ke out upon ravaging expeditions into the neighbouring provinces, whenever they happened to have formed a fufficient party for fuch depredations; parallel to this, without doubt, was the case and state of all the Germanic and Scythian nations, and probably of all others in ancient times, before the formation and firm establishment of well policed states.

But to return to the male-gavel and the exclusion of women from landed properties, I can't but be of opinion, that it was univerfal. I mean common to all nations in the primitive times. and that it feems well grounded upon the principles of the law of nature and the reason of things. In those early days of the world and for a long time after the dispersion of Noah's posterity, all landed possessions, whether they were enjoyed by the right of primi occupantis, or acquired by force of arms, were all equally to be maintained and defended by the strength of hands and the use of the sword; functions, which womankind was excluded from by nature, notwithflanding all the stories of the pretended feats of arms of the Asiatic Amazons. We may assure ourselves, that

t matters have continued in the same state n after the establishment of political societies, Al those nations, wherein the system of general pernment was rudely planned out and the foby ill policed, especially in those which consisted different independent tribes of people, all ming and constantly exercising the right of ging war with each other, though in some be, politically connected together, whether by meneral but ill-formed confederacy, or by the khority of one common sovereign, which was regarded but as far forth as he had power sough to enforce it; in this same situation, we my conclude from all the lights furnished us by Mory, human affairs have always remained in I those parts of the Celtic and Scythian counies, wherein the Roman power and police had \* been established, as it was unhappily the case Ireland, as well as in most parts of Germany d throughout the Scythian nations; hence the imitive maxims were always maintained among e old Irish, and particularly that of excluding smen in all cases, even upon failure of all issue ale in one whole branch of a tribe, from enring any part of the family estate or landed operties, which in fuch case, devolved to the sles of the next branch, or elfe reverted to the sposal of the common chief of the whole tribe, no upon fuch occasions new-gavelled it amongst e different branches.

The Franks indeed after their fettlement in ml, allowed certain women to inherit Allodial ids; a custom they doubtless borrowed from the

the Romans and Romanized Gauls: but the liberty they granted on this occasion was very much straightened and limited, since it only extended to the mother and aunts, both paternal and maternal (with the preference to the latter) of the proprietor who died without issue either female or male; for it is natural to suppose, that if he left a daughter, the Allodial property was to be inherited by her. As to collateral female heirs, even were they listers or nieces, they were all expressly excluded by the law, and the inheritance was to devolve to the nearest collateral kinsman of the deceased, however distant he may Leg. Sal. tit. 62. de Allodiis. The benefit here allowed of to the above limited female hein feems very just and natural among the Franks of Gaul, whose acquisitions of Allodial lands must have proceeded chiefly from their intermarriages with Gallic or Romano-Gallic heirefles.

Before I have lost fight of the above explained principle or corollary of the law of nature, whereby women were excluded from landed properties in the primitive times, I shall observe it was the same principle together with the nature of the sunctions which were indispensably required from the persons of chief governors and commanders of nations and tribes, that gave an absolute and natural exclusion to womankind from being supreme rulers or sovereigns in any nation whatsoever during the primitive and middle ages of the world, and generally all along 'till within sew centuries of our times. One single Semiramis in Assyria, one Cleopatra in Egypt, one ambitious

## LAWS OF THE ANTIENT IRISH.

ambitious and monftroully unnatural Irene in the Oriental empire, one solitary Borana in that of Persia, and one sabulous and ingeniously singularizedold Macha, whose antiquity the Irish Saenachy's or antiquaries took care to make almost as venerable as Semiramis: these single instances, I say, of semale government, these rare anomalies in the different political systems of our world, can be of no prejudice to the principles by which women have been excluded from the regal government of nations and kingdoms; naturally disqualified to enjoy landed properties of a private condition in the primitive times, they were by a stronger reason incapacitated to enjoy kingdoms and govern nations.

The nature of the personal functions that were required of kings or fovereign rulers in the primitive times, and which they generally performed in person until within a few centuries past, were those of commanding their own armies in the field, and judging the causes of their subjects: functions which women are naturally disqualified to meddle with, the barbarian kings, even the most unpolished of them, did not dispense themfelves from acquitting these duties, nor omitted either of these two functions. A Roman writer gells us of the famous Attila king of the Hung. that after fighting a battle, his next care was to Fit on his tribunal, and decide the causes and dispintes of his people"; but in after ages, when

Attila egreffus habitatione, gravis valtu omnium oculis quaquaverfus in se conversis incedens, cum onesigio sedit pro adibus, hic cum multi quibus erant lites adierum, et eius justitiam exceperunt. Priscus Reth. in excerp.

have occasion to explain in the following section, according to the detailed account of Procopius de bello Vandal, lib. 1. cap. 7, 8, 9; in a word, I can easily conceive the principle, upon which the emperor Valentinian III. when Attila demanded his fister Honoria in marriage, with a view of sharing in the empire by her right, undeceive that ambitious barbarian king by roundly answering him, that in case he was married to Honoria, he could derive no right from her, inasmuch as women had none to the empire; neque Impertum Honorize deberi, virorum enim, non mulicum Romanum Imperium esse; Priscus Rhietor Duthesne, tom. 1. p. 223.

Now inafmuch as I have treated the good old ladies of antient times with all the severity of the primitive maxims by excluding them from the enjoyment of all landed properties, it is fit and decent, that before I take my leave, I should prowide for them otherwise in some becoming manmer; their fortunes and natural establishments were not the less secure for such an exclusion, they were under no necessity of providing a marridge portion to attract courtiers, or fatisfy hulbands; on the contrary their hulbands were obliged to portion and endow them according to the wife maxims of the primitive times, and without this condition they could obtain no female conforts. Women were therefore as earneftly courted and demanded in difinterested marriage in those days, as they are now haunted and in Yome countries run away with for their fortunes, more than for any conjugal affection. And hence

may affure ourselves the unfortuned good men of antient times found the marriage state ich happier, than some of our modern ladies d it with all their thousands,

Tacitus informs us that the German women ought no fort of portion or fortune to their sbands, but on the contrary, that the husband s obliged to bestow a marriage portion upon e wife: a plain and simple one indeed it was. ice it confifted not of any gaudy ornaments, but ily in some cows and a war horse, another with a ield, a sword, &c.; the wife in return presented me pieces of arms to the husband, and that as all the fortune that was demanded of her: ie Franks of Gaul always continued to observe is custom of their German ancestors till of late inturies; the learned abridger of the chronoloical history of France remarks, that in the abby f St. Peter en Vallee, there still subsists a Carruiry or Charter of seven hundred years antiquity. coording to the judgment of the great critic and atiquary M. le Laboureur, wherein is insertis donation made to that convent by Hilegarde Countels of Amiens and widow of aleran Count of Vexin; by which instrument is lady declares, that she gives and bestows to Re said abby of St. Peter an Alleu or Allodial roperty in land, which she had received as a marge portion from her lord and husband accordg to the usage of the Salic law, which, says she. liges husbands to portion their wives.

This happy custom of purchasing wives by isfying them and their parents with a fortune suitable

fuitable to their ranks or birth, was general in the primitive times, and much more antient than the Germans of the age of Tacitus. The husbands who were notable to give the accustomed fortuneor presents, were obliged to purchase them by some other valuable confideration. Thus Jacob agreed to ferve Laban for feven years, on condition of enjoying Rachel as his wife at the end of that term: Shechem and his father Hamor king of the Shechemites, far from requiring any marriage portion with Dinah, or taking advantage of her having been dishonoured, offered her father Jacob and his fons, whatever marriage portion and gifts they would be pleased to demand for her; and what plainly shews, that the custom was universal in those days throughout the Eastern nations. Shechem generously proposes to Dinah's father and brothers, that they may augment or rather multiply (for so the Hebrew text and that of the Septuagint literally express it) the marriage portion and gifts that were usually given by fuch husbands to their wives; for the fortune that Shechem understood and offered to be multiplied at his expence, could be no other than that which was customary to be given by husbands of his rank; which is very evident from this circumstance, that Jacob and his sons, far from having previously mentioned or demanded any particular marriage portion for Dinah, were rather positively reluctant to her marriage with that Prince, notwithstanding her misfortune.

Now I have only to proceed to an explication of the manner, in which the male-gavel or partition

landed properties was made between the heirs male among the old Irish; and also r. how universal that ancient and equitable was in the Celtic nations and others, acz to all the lights we can collect from an-To fpeak properly of the manner Irish gavel I must first observe, that there wo forts of gavels practifed among them: e was that, by which the father's landed. was divided among all his male children. by himself in his old age, or by the chief tribe, in case the father had died intestate. nanner of the gavel or division made by the was according to the rule of exact equality es, without any difference in favour of the fon during the father's life: but, after the s death, the equal share which he had reto himself, and which comprehended the in house of the family with its demesses, the eldest fon, who enjoyed it as a second: 1. conjointly with his first equal share, acg to the primitive maxim observed by the chs, who allowed a double portion of the ance to the eldest son, together with the good and the regal dignity. Vid. Roberti ini notas ad Gen. cap. xlix. v. 3, 4. rule of equality of shares was observed in. rision when it was made by the chief of the without any other difference than that the faid patriarchal maxim allowed in faof the eldest son. Of this sort of gavel or in of the father's lands between his fons, I manuscript now in my possession, furnishes a very

a very exact pattern in a partition, which Donogh O'Brien son of Brien-duff, son of Connor king of Thomond, and first founder of the family of Carrigoginiol, made of all his lands between his eleven sons towards the end of the XVth century; in which partition an equal number of plow-lands, all made equal in themselves, and whose names are all set down in my said manuscript, is given to each son; but the mansion house and demesse of Carrigoginiol, which the said Donogh reserved to himself was reversible to the eldest son with the dignity of Lord and Chief of the family.

Of the other kind of gavel, which is a general division or repartition of all the lands belonging to a whole tribe or family confisting of several branches, a repartition which became necessary from time to time through the decay or extinction of fome branches or particular families, my old manuscript contains two different examples, both regarding O'Briens of different houses; the one. which is the most singular, and at the same time the most disinterested and generous gavel that could be imagined, was made in the XIVth century, by Conor More O'Brien, chief of the Cuanagh family, who divided that country in the first place into three equal parts, between himself, and two other families of the same Cuanagh stock, to which he was but remotely related, viz. the family and branches of Palace, &c. descended from Morroghog of the one part, and those of Brien Roe of Bellyclogh, &c. of the other. In the next place he subdivides the one half of all his own share or

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past of Cuanagh between his coufin-gerung Turlogh and Mahon, sons of Tiege-anembraic, who was his father's elder brother: if then after this subdivision, he divides as yet I that remained to him into fix equal parts tween himself and his five brothers, whereof Was a natural fon, referving only fome chief at from his faid brothers; and yet the fubdivision m carried still further, for he now divides his we fixth part into three equal shares between his ree fons, Mortogh, Turlogh and Conor-og. In the Arra branch a gavel was made in the Vth century by Turlogh O'Brien of Arra Ale, the eighth direct descendant from Brien usedh king of Thornond: who divided his untry between his four fons, Mortogh, Turlogh; iege and Morrogh: my manuscript contains an mple detail and enumeration of all the lands and after affigured to each of these four sons: and is expressly observed in the same place, that this ras the third gavel or partition, that had been made of the country of Arra, fince the time of hien Ruadh's grandson, by name Brien fon of Donald, who was the first of this branch, that extled in the country of Arra, after his defeat at he battle of Difirt O Dea in the county of Clare, a the year 1218, by which event, he and his farily were dispossessed of their pretentions and tles of kings of Thomond, and reduced to the arrower limits of the faid country of 'Arra. Vide' aithreim Thoirdhealbhaig, or the history of the ars of Thomond, by John Magrath.

The

The English, Welsh, Norman, and French adventurers, who settled in Ireland in the XIM century, and their respective descendants of the first rank, such as the Fitz-Geralds, the Burks the Barrys, &c. were all as observant of the gavelling custom as the old Irish: but it seems they did not always observe the old rule of equality of shares as above described, in dividing their landed estates among their male children. manuscript records a gavel which Walter Burk baron of Castle-Connuing, now called Castle-Connel near Limerick, third direct descendant from Richard Burk earl of Ulster, made of his estate of Castle-Connuing between his three sons, Richard, Edmund and Tobias: to Richard his eldest fon he gave twenty plow-lands; his second fon Edmund enjoyed but eight plow-lands: and Tobias his third fon had seven plow-lands, whereof Brittas was one, which place gave the title of lord baron of Brittas to one of his descendants; it would feem by this gavel, that an equality of shares was not observed even between the second and third fons, and that the eldest had more than a double share of the inheritance: yet we know for certain, that the Anglo-Saxons and Welsh divided in equal shares the father's landed properties between all his fons, which hath been obferved by different English writers: Mr. Carte. in particular, observes it in his history of England, vol. 1. p. 365, where he also very justly remarks that fuch an equal division of the father's lands among his male children according to the Roman law, was observed by the Saxons rather as

ancient custom common to all the Celtic nations, Britons, Gauls, Germans, &c. than as a any way borrowed or derived to them from the Romans. In effect all the Germanic or Teuonic nations observed that ancient custom, as spears by the old Latin axiom expressed in the Lefore cited distich, from which it is likewise binly intelligible, that the division was made by giving equal shares to each son, as the words, potens ulla foret, naturally imply and sufficiently express an equality of fortune and power between the fons. Every reader of history knows, that the Franks, who were a Germanic nation, or \* Tather a confederated body of feveral nations or tribes of Germans, observed the same gavelling custom according to an exact equality of shares. Thus the four fons of Clovis or Clodovic, the founder of the French monarchy as it was afterwards called, divided between them their father's dominions in shares exactly equal according to Gregory of Tours and Agathias, whose words are cited in the margin 1. And when two of these Four sons had most inhumanly murdered their brother Clodomir's two fons, in vindication as I always apprehended of the law of senior succession, because they had been informed that their mother

† Defuncto igitur Clodoveô Rege, quatuor filii ejus, id est, Theodoricus, Clodomeris, Childebertus, atque Clotacharius regnum ejus accipiunt, atque inter se aqua lance dividunt. Greg. Tur. Hist. lib. 3. cap. 1.

Childebertus quidem et Lotharius, præterea vero Theodoricus et Clotomerus germani fratres fuerant, hi mortuo patre Clotoveo in quatuor partes Regnum partiti fecundum urbes et populos, ita ut æquas finguli partes acciperent. Agathias de rebus Justiniani, lib. 1.

mother Clotilda was resolved to enthrone those two young boys, her grandsons, in their father's kingdom; the three furviving brothers divided the kingdom of the deceased Clodomir in three equal parts between them, or rather renewed and confirmed the partition, which they had made of it before the perpetration of the said horrid murder, and immediately after the faid Clodomir's death, according to the author of the recent chronological abridgment of the history of France, at the year 533. See also Abbé Dubos Etalbis, de la Monarchie France, vol. iii. p. 490. Thus also the two surviving sons of Clovis Clodomirus and Clotarius, and their nephew Theedebertus, fon of Thodoric, divided equally between them the whole kingdom of Burgundy after the defeat and death of its king Gondemer. an. 534. In a word, the same custom of gavelling the dominions of the French crown, is well known to have been constantly observed among the male offspring of the royal family, during the first and second race of the kings of France

Now to give further proofs of the antiquity of this custom of male-gavel kind, as it hath been now explained, and shew at the same time how universal, or at least how common to various ancient nations it has been in all times, till within a few ages before our own days; to what I have already remarked of its having been observed by the old patriarchs of the race of Shem, I shall add in the first place, that Lycurgus whose wisdom in instituting his laws, without doubt, was improved and conducted by the example of other nations, enforced

ed the same custom in the Lacedæmonian by dividing all the lands of Laconia into thousand equal shares, and those of Sparts ine thousand, among so many different fa-: so that each and every family were all of property and power, agreeable to the spirit German maxim above-cited, ne potens ulla From the Lacedæmonians doubtless it was. ne Romans borrowed the same law of dithe patrimonial estate in lands among all ale children, together with the other laws of welve tables. And as to the Gauls and , that they also observed the same custom times, I think may very rationally be infrom the practice of the Britons or Wellh. being their descendants, must have derived ruftom from them, which they always fol-I till the 34th and 35th year of Henry VIII. hen abolished that ancient law of the Britons. nacted that all the lands in Wales should be adable to the direct heir alone, according to outside of the modern common law of Eng-

is general proof of the observance of the ling custom by the ancient Gauls and Celts, inded upon the practice of their descendants britons, is directly and expressly confirmed regory of Tours, who upon mentioning an of Childebert, the second son of Sigibart of Austrasia, in the year 575, observes that ded to facilitate the collecting of the regal or fiscal revenues, as they were anciently as upon the different denominations of lands,

by removing the difficulties and delays which attended such collections, all arising from the divisions and subdivisions that had been me between the male coheirs of the fingle origin properties, upon which the particular respecti fums recorded in the rolls of the Imperial fimms were primitively affessed and levied 1: this is a evident proof of the male gavelling custom being anciently observed among the Gauls; and as a the Franks, there is no doubt of its having bear followed by them at all times, as it was by all the other German nations, and even by their king with regard to the dominions of the crown. I have already remarked, that the Anglo-Saxons always scrupulously observed it in common with all the people of their mother country: and our moden English writers take notice, that it is still retained in full force in the greatest part of Kent, and in other places of less note, such as Urchenfeld in Hereferdshire. Now the reader is to judge i I have faid enough in vindication of this old of tom to give sufficient confusion to our good English lawyer Sir John Davis, who takes 6 much pains to represent it as a barbarous and pernicious custom, and seems to think, as if it ad been peculiar to the old Irish alone.

Before

Multum enim jam exactores hujus tributi spoliati erast eo quod per longum tempus et succedentium generations et divisis in multas partes ipsis possessimos colligi via peterat hoc tributum, quod hic Deo inspirante ita pracepa emendari, ut quod super hæc sisco deberentur, nec exactorem damna percuterent, nec cultorem tarditas aliqua de officio revocaret. Greg. Tur. Hist. lib. 10. cap. 7.

Before I have done with this subject I must mark concerning the above Irish gavels, first, sat the Seniors or Chiefs of families generally beferved the natural and equitable rule of exact quality in the shares or partitions they made beween the males of each family: of which we fee pery perfect examples in the preceding gavels of Euanagh and Carrigoginniol; second, that the Patural sons had their equal shares, as well as those who were born in lawful wedlock; a maxim, hich was likewise observed by the Franks, inasthruch as Theodoric or Thiery the eldest son of Clovis had an equal share of the regal dominions with the rest of his brothers, though it is allowed \* that his mother was only a concubine; a circum-Stance which proves that this custom was grounded vapon the patriarchal and primitive law of nature, and derived from an origin of a more ancient establishment than the laws of Christian princes. by which bastards are excluded from all landed inheritance. Agreeably to the primitive law Iacob's · Children by the handmaids of his wives Leah and Rachel, are ranked amongst the heads of the Ewelve tribes of Israel upon a level with the children of his faid wives folemnly married; and their descendants enjoyed their shares of the land of promise, as well as those of the other children of that patriarch; third, it is remarkable, that it was generally the senior or eldest of the family, and not the direct heir in lineal descent from the common stock, who was qualified to make this equal division between the males of his family. Of this we see a strong instance in the above above Cuanagh gavel, which is made by More O'Brien, whose cousin german Turil of Teige-an-Chomhraic, was the direct he Teige being the elder brother of Morto father of Conor More, who, notwithstand the right of feniority was then the chief family, and solely qualified to make the fourth, it is specially to be observed, that this chief or fenior flints himself in the pa to a bare equality of share with every other of the family; yet he referves the chief pr of the estate, as vested in himself during ! by subjecting the other shares to a chie which, though very light and inconfiderable notwithstanding, a sufficient proof and n their being dependent of him, as princip prietor. In a word, the equality of shares a very real community of goods and nec of life between the different members of mily; and the referve of some mark of rent, both secured the respect due to the and declared the absolute property of the substance and estate to be vested in him and hence it is evident, that what Strabo to another great ancient nation (of which after) was as naturally and properly app to the Irish in former times. Hi omnia pe lias communia habent, sed is imperat et re qui senior est. Strabo de Iberis Asiaticis.

It is finally to be observed, that as the of chief rent upon the gavelled lands, no established the sway and influence of the shead of the samily over all the members

ribe, and likewise secured a reversion of the full property and possession of the faid gavel lands unto the faid chief, when the actual tenants either forfeited, or died without iffue; so this ancient gavelling cuftom of our remote ancestors, was not, and could not in those days, be attended with any confequences, as defiructive of the iplendour of a family, as it must be in our days. ancient times, the dignity of a chief and members of a family, did not depend upon pecuniary revenues, but confifted, with regard to the chief, in his influence and power over a numerous tribe, in the quantity and affluence of their supplies of provision of all ferts to support his houshold, and in the number of fighting men they could furnish him to vindicate his right, or his quarrels with his neighbouring lords; and with regard to the Iplendour of the tribe in general, it confisted in their numbers, as well as in their capacity and means of furnishing their family-chief with those different supplies.

In a word, the gavel-kind custom, as it was observed by our ancestors, whether Irish, British, Anglo-Saxon, or Franco-Normans, was in their times perfectly reconcileable with all the natural exigencies of the state and dignity of any chieftain, were he even a sovereign prince; and why not? since it was manifestly grounded upon the law of nature and reason, the law of distributive justice and equity; and adapted to times and circumstances of political government, in which it could not be productive of any consequences prejudicial to either public or private economy;

it fecured at the same time their respective birthrights not only to the eldest, but also to the younger brothers or members of the samily, Far from ever qualifying the younger in any casual circumstance, to deprive the first born of the matural rights and privileges attached to his birthrank.

### SECT. II.

Of the Tanistry-law, or Tanistic manner of Succession among the ancient Irish.

ANISTRY, among the Irish of very old date, was a law of fuccession, whether to regal power or any princely dignity, to which landed proper ty was annexed; whereby, according to its pre mitive nature and institution, the oldest make among the near kinfmen of the last ruling prince (legally succeeding) and of the same name and flock, was constitutionally to succeed him by the right of feniority, unless some natural or accident tal infirmity had rendered him manifestly incapable of governing. I have faid, according to its primitive nature and institution, because I are well convinced, and it appears but too abundantly by all our historical accounts, that with regard to the general observance of that law, in process of time, the jealousies of ambitious princes of the fame blood whose succession was occasionally postponed, have frequently raised factions and parties in the state, whereby tumultuous elections and illegal inaugurations were gradually introduced. :.

and the senior prince, or chief, someaid aside, if not worse used, in prejudice of it of seniority, which made him the natuhereditary and the constitutional heir and or.

that the original intent and inflitution of te law of regal succession, was such as I w explained it; and that no election did vely interfere, nor could naturally be into interfere in a succession, which was out by the very course of nature, until unnaturally introduced by usurpation and that fuch I say was the real primitive inn and practice of this law, I hope the imreader will not judge me ill-grounded to when I have laid before him, not only the e of other ancient and flourishing nations. tituted and observed a parallel law of reession, by the sole right of seniority and vithout the least intervention of an election: other plain arguments grounded upon the nature, and the reason of things, as well the principles of found politics.

time, as to the origin of the word Taby which English writers have expressed law of sovereign succession, it is to be i, that Sir James Ware thinks it derived: Saxon Thanes, who were officers of suank among the Anglo-Saxons. It was ore natural to have derived it from the rd Tanaiste, which was the distinguishing ive and title of the senior and presumptive in every princely family. But to undertand

stand the true origin of the derivative word Tanistry, that of its immediate root Tanaiste must certainly be investigated and explained. To derive this honourable word Tanaiste, as Mr. O'Flaherty does, from the Irish name of the annular finger, called meur tanaiste, seems to be the same as deriving it from its very derivative which would be such a hysteron-proteron, as deriving the cause from its own effect; it may seem much more natural to think that such an object as a finger should rather borrow its distinctive name from the word which expressed the title and quality of the second personage of the whole state: because as the Tanist was the next in rank and power, as well as in right of succession to the reigning prince, so the annular finger is the next in fize and place to the middle finger.

But whether the Irish personages called Tanishs derived their name from the vulgar appellative of the annular finger, or rather, vice vers, we are still to seek for the original meaning of the word Tanish, and consequently that of its derivative Tanishry; a literary kind of disquisition I should be ill disposed to trouble the reader or myself with, but that I think it may be of some use towards discovering the origin and antiquity, as well as the nature and extent of the power and privileges which were vested in the ancient Tanishs.

If Mr. O'Flaherty, who appears indeed to have been well skilled in the Irish language, had taken notice of the old Irish or Celto-Ibernian word Tan or Tain, and its meaning, he might easily

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easily have perceived it to be the natural and identic root of the word Tanaiste or Tanist. This radical word Tan is to be seen in our ancient Irish manuscripts (o), fignifying a region, country, or province; as also its derivative Tanas (p). dominion, fovereignty, government, &c. from which root the word Tanaiste is plainly and naturally derived, to express the quality of the person who is vested with that sovereign power and government over such a region or province; so that this word Tanaiste signified in the Celtic language nearly the same thing as Dynasta did in the Greek. And if the Greek word Dunastes, was not formed upon the Celtic word Tanaiste, and derived from the same root Tan or Tain (the letters T and D being naturally commutable, and formerly used indifferently in several languages) I should think it not more naturally derivable from the verb dunamai, so as to fignify literally a potentate, than from dun, another Celtic word, which fignified a fortified town, that was the centre and capital of a fingle nation or tribe of people. And this derivation may feem the more natural, not only as Dunastes was not meant by the Greeks to fignify a powerful king or monarch. but also any potentate, as in ancient times, every town and tribe had a particular king or fovereign. Of this we have many instances in the second book of Homer's Iliad; and that this custom was universal

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which he explains by Tanaisteas.

<sup>(</sup>e) Amongst other old manuscripts, the ancient geographical poem of Mac Fearguil, beginning with the words, Tuille, feasa ar Eirinn Oig, &c. (p) Vid. Lhuyd's Dictionary, at the word Tannas,

versal in the primitive times, particularly among the Asiatics as well as the Greeks, we have sufficient grounds to conclude from the facred hiftory of Joshua's conquests in the land of Canasa, where every city had its own king, as is particularly set forth in Josh. c. 10.11. 12. where we fee a multitude of those kings enumerated together with their respective cities or kingdoms. Nor am I far from being inclined to think, that the word Tyrannus, for which the Lexicon-writers assign no theme or root, may have had it in the Celtic, particularly in the word Tir, which in the Celto-Ibernian language signifies a large country or tract of land, comprehending feveral towns, regions and districts; so that Tyrannus was the supreme king or monarch of the whole, and a word which was originally taken in a favourable sense, until the Tanists or Dynasts, who were brought under his sway, and could not be reconciled with subordination, gave that title the odious sense of a tyrant and usurper. The Celto-Ibernian word (q) Tierna or Tiearna, which fignifies a supreme lord or king, and is derived from the radical word Tir-land, Lat. terra, Hisp. tierra, is still taken in a favourable sense in the Irish language, nay, is so far from having any thing odious in its fignification, that they express the supreme Lord God by the words Tierna Dia.

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<sup>(4)</sup> The Irish poets have put an aspirated g into this word at the end of the first syllable for the sake of sound and rhyme, as the French have in the word Seineur, which is now written Seigneur.

# LAWS OF THE ANTIENT IRISH.

It must not be omitted that it was plainly upon is Celtic word Tan that the Greeks formed eir Tania, in these national names Mauritania, ufitania, Turditania, Aquitania, Brittania, figifying respectively the country of the Mauri, of he Lufi, of the Turdi or Turduli, of the Aquaics, or Armorics, of the Britts or painted people ambden observes very justly, that Tania signiied a region or country according to the gloffaries, not feems plainly to take it for a genuine Greek vord, in which I can't but think he was mistaken. Not can those conjectures concerning the origin of these national names ending in Tania, and of he words Dynasta and Tyrannus, be esteemed nerely prefumptive, fince it is undeniable that lumbers of Greek words have their origin in the Eltic and other foreign languages. Plato in his ratilus observes that the Greek word Cuon, a logor hound, plur. Cunes (in Irish Cu, and plur. bin, Coin, and Cain, Lat. Canes) and many thers, such as Pur fire (Ir. Ur.) Hudor water (Ir. bir.) were derived from the Phrygians, of whom trabo, lib. 7. p. 540, says, that they were oriinally Thracians, and these were anciently of e Celtic nations. See preface to the Iberno-Celtic ammar lately published.

But however it may be with the words Dynasta id Tyrannus, as to their origin, I can't but ink with some share of considence, that the ord Tanaiste or Tanist, is very plainly and narally derived from the Celto-Ibernian root Tan Tain, a region or country, and primitively gnissed a sovereign governor or prince of a region

ar province. That the Tanistical power was ariginally sovereign in the most extensive sense, until the Tanist became subordinate to the Tierna, the supreme lord or king, I think may naturally be inferred from the rights and privileges the Tanists retained as inherent in themselves, even after their subordination. Our historians inform us, that the Tanist was by special right not only chief commander or general of the army, but also chief judge, of the whole state or kingdom.

Of those privileges regarding the judiciary as well as the military power claimed by the Tanifts, the most expressive account I find in Irish history, is in the reign of Olliol-olum king of Munster, towards the beginning of the third contury according to our chronologists, and though this is. I think, the earliest explication of this matter furnished by historians, yet I am persuaded the establishment of Tanists and Tanistical customs among the Irish, has been of an earlier date, and cooval with the first Celtic or Celt-lberian colonies, that settled in this kingdom. In the account of Olliol-olum's reign, 'tis observed, on occasion of his having exiled Mac Con, a defcendant of Ithius fon of Breogan, that in those days the princes of the Ithian family claimed an alternate succession with those of the Iberian race. of which Olliol-olum was then the chief, and that when a prince of the latter branch was in possession of the throne, an Ithian claimed a right to be Tanist and chief judge of the kingdom; in consequence of which pretention it is said that Mac Con assumed the rank of Tanist, with its annexed mexed right of judicature, under Olliol-olum : nd that he was possessed at the same time of the hief military command, appears very plainly men what historians alledge as the cause of his mishment; they inform us, that Olliol-alum's notive for bringing this ambitious Tanist to congn punishment, was a discovery he had made his having abused the influence and military wer he was entrusted with, in favouring the abition and evil designs of Nemeadh or Neethus son of Srabhthine an Earnian prince, who and murdered Conaire the chief king of the North soiety of Ireland, and now had a view to succeed im on that throne in prejudice of faid Conaire's Ms, who were half brothers to Olliol-olum's hildren; and to remark it by the bye, this king \*Munster was the more interested in suppressing and punishing this conspiracy, as it was but too dain, that Mac Con's view and expectation from he issue of it was to secure his succession to the Momonian throne by the affishance of Nemethus. uprejudice of the rightful heir of Olliol-olum. But the confederacy was happily diffolved by the ignal victory gained by the king and his fons and hose of Conaire, at the battle of Fenabhra, over be combined forces of Nemethus and Mac Con. where the former loft his life, and the latter was vounded and expelled the kingdom; from the ircumstances that gave occasion to this battle, nd Mac Con having had influence enough to duce and command a part of the Munster fors against the chief sovereign and his, it appears ery plainly that this Tanist was possessed of the right

thine king of the North moiety of Ireland the end of the third century, that this k ed his fon Muireach Tireach with the being chief commander of the army in his prefumptive heir and successor; and larly for this reason, that in those days never exposed himself at the head of I his life being of such importance as not zarded upon the issue of a battle. From torical account it appears, that the Ti prefumptive successors to the throne possessed of the right of chief military co but by another historical fact, very aut recorded, we find that they preserved even as late as the end of the eleventh and the beginning of the twelfth. Tox year 1096, Dermod O'Brien, brother a wards fuccessor of Mortogh O'Brien k Ireland, subscribes to the election of Ma bishop of Waterford in the following i Dermod Dux frater Regis subscrips; charge of chief commander of the arm

kiled by them in the third century; yet I find no ention made of any particular instance or fact, which it may appear that they continued in possession and exercise of the said right after t epoch, notwithstanding the now cited proofs their having possessed that of the military comand so late as the twelfth century; from this thee of the historians with regard to any judimy power being exercised by the Irish Tanists Er the third century, I think I may probably er, that the Irish sovereigns have been much "Ser than those of the Anglo-Saxons in deprivg the Tanists of so dangerous a power. English history we find, that the Anglo-Saxon manes or Tanists, who were then chief goverm of provinces, preserved and exercised the juziary power, as well as the military command mil about the year 896; when king Alfred's ws deprived them of all civil jurisdiction. As r the Irish princes we are the better grounded to ink, that they abolished the judiciary power of Ex Tanists earlier than the time of Alfred's ha, as we find it frequently mentioned by their herians, before that epoch, that each prince had town particular judge chosen out of an inferior dependant family, in which that office was reditary, and who had some landed properties igned them by their prince for that service: has, the Clancies were the hereditary judges of chief of the O'Briens; the Egans, of that of : Mac Carthys, &c.

It is further to be observed, relatively to the iglo-Saxons, that in the same manner, as among the

meant teniors) were those very persons the title of Thanes, and were governors vinces under the kings of that nation, the same time with the military comme the civil jurisdiction, until king Alfred them of the latter, as I have already of and were in that monarch's time still Thanes or Eoldermen indifferently.

Nor were the Anglo-Saxons the only (people that allowed those rights and printheir seniors; the Franks, who were all manic nation, or rather a confederated different German nations, held their senieurs, as they expressed the word, in rank, and vested them with the very sax and offices both civil and military; the may find it well proved by the learned a Valois in his book de Gestis Francorum, ter him more minutely and correctly by Abbot Dubos in his excellent historical was 4. ch. 5. that among the Franks, under the Clovis and his successors of the Merovins and the successors of the Merovins of the

steial right and privilege the king's principal leers both for the civil administration and the hef military command; and had a great share Fithe government and direction of state affairs. salfo, that those who were appointed governors F-provinces or of great towns, were taken out of we venerable body of seniors, and that the said evernors, who, during the peace, had no con-In but the administration of justice and civil Eairs, had in time of war the chief military emmand of the forces of their respective proinces. And further, that those who served as their subalterns in the civil jurisdiction at home. were the very persons who acted as their inferior Micers during the campaign; it is likewise ob-Perved and proved by the same authors, that among those senieurs of the Franks, some were filled archi-senieurs, of whom were the highest whices of the king's court and palace, and the chief governors of great provinces; those erchi-senieurs were afterwards called mayors of The palace, whereof Clotarius IIId, instituted one each of the three kingdoms of Australia, Nethrafia and Burgundy, vested with all civil and thery power: an institution which afterwards proved fatal to his own family.

Of the same power and rank with those French trchi-senieurs and mayors of the palace, was in ill likelihood that chief minister or general governor, who among the Anglo-Saxons was stiled be Eolderman singularly and eminently, and wheref during the heptarchy it seems there was but ne in each kingdom, as I think may be inferred from

Cunculate and me people, put them at fword, and killed himself. We see by this that there was some particular Eolderman kingdom, who was fingularly and emine stiled, and that he had a Thane, who it se his lieutenant or subsenior, in the same that the archi-senieurs of the Franks ha senieurs as their substitutes: the same to pears still more distinctly in the hil Egbert's wars against the Mercians, of 1 is related, that after the death of the Luduan, they raised to the throne With Eolderman; but I have observed above, the Egbert had united all the heptarchy is kingdom, and the civil power and jurisdi the Thanes had been abolished by Alfre were called either Eoldermen or Thanes rently. In a word, the archi-senieurs or of the palace among the Franks, and ti Eoldermen of the Anglo-Saxons, (those) of whose rank there was but one in each ki of the heptarchy) were exactly of the sa tor-mor, or Mor-mhaor, among the Albanian h or Scots, the word Maor being the same as syor, and Mor Great, the compound of both mifying Grand Mayor, or High Steward, as : Lowland Scots expressed it in the Saxon lan-The Latin writers of Anglo-Saxon affairs led their chief Eolderman, Thani Kegii, which ews that Thane and Eoldermen were words of Esame meaning: and in the same sense Buchan latinizes the title of High Steward of Scotup by the word Ab-Thanus; whence it follows. at as Eolderman is the same thing as senior, so ie Arch-seniors or Mayors of the Palace among e Franks; the chief Eolderman of the Angloaxons, and the Ab-Thani of the Scots, were all tles of a parallel nature and fignification.

To go on a little further with my enumeration f those nations, wherein the pre-eminence of ank and office due to Seniors was held as a facred maxim. I shall add in the first place, what I think my reasonably be inferred from the following efface in Cæsar's commentaries, that the same uxim feems to have been common to all the At of the Germanic nations, as it was to the ranks and Saxons. In Cæfar's account of his medition against the Usipetes and Tenchtheri. tells us, that those nations deputed their Princes Elders to his camp under pretext of making eir submissions and obtaining favourable terms, Germani frequentes omnibus principibus ajoribusque natu adhibitis, ad eum in castra nerunt, &c. Com. Lib. 4. But in the next ice to produce reasonable grounds for concluding,

which regards their teniors and the rarespect they were held in. As this particle of the customs of that ancient national states of the customs of that ancient national states are states as a second of the states 
- The feniors or elders had great a among the Israelites, as they had an other nations of the primitive times.
  early days of the world, all forts of per trusted with any power or authority, a
- of private affairs, as well as public co and magistrates, were chosen from an
- feniors or ancients of every tribe or
- hence were formed in Rome, the ver
- latives of Senatus et Patres Conscripti,
- great council was composed of old
- fathers of a venerable age; and hence
- ' great veneration, in which old age wa

### WS OF THE ANTIENT IRISM.

and allowing them all forts of pre-· emizzence and authority from a confidence justly due to their experience, wisdom and equity. · Young people are only fit for movement, exerand action, but old age knows how to instruct, to counsel, and to command. of young people, says the wife man, Prov. 20, 29 is their strength of body; but the dignity of old men is their grey hairs. It scarce ever happens, that strength of understanding im- proved by Rudy can well supply the place of experience and knowledge of the world; s an old man being only endowed with a competent share of good natural sense, will have ac- quired knowledge and learning by experience slone. Nothing better warranted and ascertained in history, than that the best governed states ever known in the world, were those wherein ' the seniors or old people had the principal au-3: thority; and that the reigns of the youngest opinces were always the most unhappy. Wee 1 : be to the land, where king is but a boy, says the wife man, Eccles. 10. 16. It is this same woe and fcoorge that God threatens the Jews with. when he tells them by the mouth of the prosphet Isaias, c. 3. 4. That be will give them 4 young children as their princes. As foon as the Israelites became numerous enough to form a body of people, they were segoverned by their feniors or elders, even before

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their delivery from the Egyptian bondage; • when Mofes went to Egypt by the order of God, with his affurances of their speedy de-· livery. U

· when God thought proper to appoint ' cil for Moses to ease and assist him in go the great multitude of the people of ' choose out, says the Lord, Num. ii. · assemble before me seventy personages ' the old men of Israel, and whom you l be actually the elders of the people as ' governors or superintendants, · shews that the elders were already vest 4 authority, and in the actual exercise of ' natural state of the people of Israel and ' they received the law, which formed th ' a political body; and ever after through · whole course of the scripture, as often is mention of affemblies and public affe elders are always named in the first ra fometimes they alone are mentioned occasions, hence that expression in Pl 4 32. exhorting all persons to praise Go · assembly of the people and in the selfa · seniors, that is to say, in the great co fenate. Such were the two bodies, c 6 the ancient Actor and ------------

words by which ancient persons were expressed in different nations and languages, have passed into titles of dignity; from the Greek word Presbyteros, is formed the ecclesiastical title of priest, and from the Latin senior, that of seigneur. We may judge of the age required among the Hebrews to be admitted into the rank of feniors by that which those favourites of Roboam, whose counsel he followed, must have attained to at the time they were stiled young men; ii. Paralip. cap. x. v. 10, 11. is mentioned on that occasion, that they had been bred up with Roboam from his infancy, whence we may suppose them not less than forty years old, which was Roboam's age at that time.' ii. Paralip. cap. 12. v. 13.

To M. de Fleury's remark that the Latin word fenior has passed into a title of dignity, such is seigneur in the French language, in English gnifying lord. I shall add that the appellation of fuor has been at all times and still continues to the principal title of honour and dignity of lmost all the kings and sovereign princes of the bropean or Celtic nations; the Sennor of the paniards, the Signore of the Italians, the Sire of be French, the Sir and Sire of the English, and ven the Signior in that stile of Grand Signior, ppropriated to the Grand Turk, are all but so lany dialectic variations of the word Senior acrding to the different languages of those Euroan kingdoms; as to the title of Roy, Rey, ege, Koning and King, &c. in France, Spain, ly, Germany, England, &c. respectively, it directly

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rectly regards the office and power of a fovereign, as he is supreme ruler and commander, which is the literal meaning of that word, however differently expressed in different languages: but when any of those sovereigns of Europe are personally addressed or spoken to, they are always honoured with the title of Senior, according as that word is variously uttered in the different dialects of the European nations.

I shall further observe, that the sole appellative of Senior was used not only as a title and stile of regal honour and dignity, but served also in former times to express the very office and power of fovereigns: so that the word Senior was particularly and strictly appropriated to mean a sovereign ruler or commander. That this affertion is far from being destitute of grounds, I presume may sufciently appear to the reader by the following historical passages. John de Biclaro bishop of Girone in Catalonia, relating the actions of Levigildus Gothic king of Spain, about the middle of the fourth century, mentions in his chronicle, p. 60, that this monarch invaded the highlands of Arragon, where he vanquished and led away into captivity Aspidius the Senior of that country, together with his wife and children; et Aspidium terræ Seniorem cum uxeor et filiis captivos ducit, &c. In the acts of a council held under Thaffillo duke of Bayaria, in the time of Charlemagne and towards the middle of the eighth century, it is decreed that all those who for the future may be sent as deputies to the general assembly, must give a strict account of their place of abode, and who who the Seniors are of their respective countries, substant obstricte quæsitum ex quo loco sint, et qui fint Seniores eorum. Stephanus Stephanius in his notes on that place of the tenth book of Saxo-Grammaticus where he mentions the Senior of Sialandia, cites other historical instances of the same nature, and concludes that the word Senior signified in those days a sovereign lord or prince, or any person who ruled with supreme power; Senior est dominus aut princeps, vel qui alioquin summa cum potestate præest, quemadmodum Hispanis est in usu suum Senor, Italis Signore, Gallis Sire, &c.

Agreeably to the same primitive and natural file, the ancient Irish always understood by the Cehic word Scanoir the same as the Latins did by the word Senior, which they formed upon the Celtic; and by that of Sinfior, another Celtic word derived from the same root and nearly synonimous to Senior, the Irish meant what the Lating understood by Princeps tribus aut nationis; hence it was, that though the kings of England, after giving themselves the title of Lord of Ireland. allowed that of King to the chief princes of the Infly nation, such as the O'Briens, the O'Neils. the O'Conors and some others; yet those princes did not hold the title of King in higher efteem and honour, than that of Senior, which they unferstood to be the same in meaning and import. t was for this reason, that, though we find O'Neil tiled king by Henry IIId, in a roll of the 36th ear of his reign, as is likewise O'Brien stiled ing of Thomond by the same Henry in a roll of the

the 6th year of his reign, yet O'Neil in the address of homage he makes to Richard Ild, stiles himself by the title of Senior alone, instead of Rex or Princeps in these words. Ego Nelanus O'Neil Senior, tam pro meipso, quam pro filiis meis et tota natione mea, et parentelis meis, et pro omnibus subditis meis deveniæ ligeus homo vester, &c.

Nothing is more natural, or more perfectly agreeing with the maxims of the primitive times. than that the fovereign power should have been one of the appurtenances of the right of seniority. Sovereignty in its pure nature and original use among mankind has made its first appearance in the world in the persons of Seniors. ternal authority of fathers of families, over their children and bond-servants, was the very first form of fovereign government: as it necessarily must have been in the infancy of the post-diluvian world. This domestic sovereignty of fathers or heads of private families continued long after the primitive times in several nations, even under political governments, whether monarchical or republican; an absolute power of life and death over their children and flaves being then vested in all fathers of families. So it was under the Roman government both republican and Imperial. and so in Greece, with this difference of the latter with regard to Athens in particular, that there indeed the fathers could not immediately have ordered capital punishment relatively to their children, though they might as to their flaves, but t must have previously proved them disobeent and incorrigible before the senate or public dges. The same restriction was put to the ablute authority of fathers with regard to their mildren amongst the Israelites, after their political recorporation and Theocratic government accorded ag to the laws of Moles. And in those early days of the post-diluvian world, while the children of ' ach particular father of a family kept together n one body or fociety, the first born fon enjoyed by natural right not only the regal pre-eminence and power, but also the sacerdotal dignity and function, together with a double portion of the father's substance and inheritance. Thus the sceptre, together with the pontificate, and a double hare of the land of promise, would have belonged no Ruben the eldest son of Jacob had he not forcited that threefold right by his unnatural crime \* having defiled his father's bed; his double portion of the inheritance was given to Joseph: Levi had his priesthood, and his right of sovereignty was vested in Juda.

Of this triple right belonging to seniority in the persons of the first born sons, and of chief seniors of regal lines, we find several plain vestiges in the very Pagan antiquities. Virgil's Anius was king of Argos and priest of Phæbus at the same time. Rex Anius, Rex idem hominum Thæbique Sacerdos. Æneid. 9. Mercurius Trismegistus or ter maximus, was so called (according to Alexander ab Alex, in lib. dierum genialium) because he was a great

<sup>\*</sup> Vid. Fleury Moeurs des Israel, cap. 28.



a great philosopher, a great king, and priest al The Roman emperors were also high at once. priests or pontifices maximi; and that the descendants of Juda, to whom the regal dignity was transferred upon the forfeiture of Ruben, news lost fight of that maxim of the primitive times, according to which the priesthood and the regal power were enjoyed both at once by one and the fame senior or first born, appears in plain fact from the history of the Asmonean race, or the Machabees, amongst whom Johannes, Simon, and Johannes Hircanus exercifed both the fovereign power, and the charges of the pontificate; and their example was followed even by such of their fuccessors, as had been crowned kings, a Aristobolus and Alexander Janneus. several kings were also bishops of the Christian church, particularly Cormac Mac Cuillionan who was king of Munster, and bishop of Cashelat the end of the ninth century and beginning of the tenth: and before him Olcobhar who died in 851, and Ceanshaola or Cinfeledh who died in 872, were both bishops of Emly and kings of Munster. The ecclesiastic electors and other sovereigns who are bishops in the German empire, are still in our own days an instance of the same ancient maxim.

As to the fovereign or regal authority taken fingly in itself, it is very plain by what has been already observed, that in the primitive state of mankind it was both natural and necessary to confider it as one of the branches of the right of feniority; and accordingly we have remarked, that

a: fovereign power was primitively enjoyed by iors alone as their inherent right. The same zim must have continued to be held facred ing the first ages of the world, and before the at multiplication of mankind; and when the terity of Noah's three fons became numerous nigh to spread out into different tribes, at their aral feparation and dispersion throughout the rld, then forming themselves into different nans and political focieties; the chief regal digy or supreme power (before the introduction tyranny, and while the principles of the law nature were kept in view) must naturally ve been vested in the chief senior of that branch family which formed the direct line, as dending from the eldest son of the common stock. i first father of each separated tribe. direct hereditary succession of regal power m fether to fon, which has been established in posterity of David in the tribe of Juda, it s to ordained in consequence of the designs of widence with regard to the temporal descent Christ from the regal line of Juda.

But if we examine the course of regal successarian in other kingdoms belonging to the seniority Abraham, I mean those of straes or the tennes, and of Edom or Idume and of the progeny Esau; we shall find that in the latter (by at appears in I. Chron. Ch. I.) a direct hereintro succession, far from being observed even in one single instance, seems rather to have been stitutionally excluded; nor do we see any reato doubt, that the chief seniors of the descendants

scendants of Esau, succeeded each other regularly in their respective times, according to the abovedescribed maxim of the primitive ages. to a free election of the people, or any usurpations carried on by high hand, the facred text affords us no grounds to suppose, that either the one the other of those two measures might have intervened in the succession of the kings of Edon nor even in that of its dukes; and with regard te the kingdom of Israel we see, that not only the particular judgments of God upon the difference families who succeeded to that throne, have fre quently interrupted the direct hereditary success on; but also that the election of the people some times interfered as in that of Amri and Thebani 1 Kings, 16. and sometimes usurpation, as in that of Baaza, 1 Kings, 15. and of Zambri, 1 Kings, 16.

For what regards any instances of a lineal and hereditary succession that may appear in the ancient monarchies of the Chaldaeans or Babylonians, of the Affyrians, of the Egyptians, &c. as those kingdoms were originally founded upon, and subsequently governed by tyrannical meafures and despotic laws; so it is natural to think. that the primitive maxims of government grounded upon the law of nature might not have been regarded in such kingdoms; and that every reigning monarch employed all his absolute power to secure the succession for his son or natural heir It is however far from being certain, that, even in those despotic kingdoms, the regal succession was regularly carried on in a hereditary manner, according rding to the order of lines. For in the first see, as to the seven Chaldsean and six Arabian ags, who were the nearest successor of Nimrod the Babylonian kingdom, according to Euseiss and Georgius Syncellus, who mentioned been not only upon the authority of Alexander blyhistor, a cotemporary of Sylla the Roman licator, but also upon that of more ancient issurians, Berosus, Abydenus, and Apollodorus: is to those thirteen Babylonian kings, I say, it is ar from being certain, that either of the two races of them, succeeded each other in the direct bereditary manner, inasmuch as we have only a list of their bare names, without the least mention of their relation to each other.

In the next place, for what regards the Affyrian monarchs, fuccessors of Ninus, who made the Babylonian kingdom a part of his empire by the teduction of Babylon, whose last king of the Arabian race, he took captive with his wife and hildren, and afterwards put himself to death: s to those successors of Ninus, I say, though we ind by the accounts of Eusebius (doubtless upon be authority of Diodorus Siculus, Justin and thers) that Ninus was succeeded by his son Vinias, after the usurpation of his mother Semiraais, yet we see no further mention or proof of a ereditary succession according to the order of nes among the following kings of that empire om Ninias down to Sardanapalus, through a ries of fifty one kings according to Syncellus, ough Eusebius reduces their number to thirty ree as Diodorus does to thirty.

was promicionally carried on in every regal and princely family by the law of force and high hand amonest those of the same mame and blood. but generally, as he acknowledges, in favour of the malt deterring femors of each perticular no. " On virbus et clienteis potentior, plerumone " lengt a dignificant, quiden incomes a co-" nomins, defuncto (principi), faccedebat." And though this account of the thanistic manner of regal fuccession most certainly does not fait it otherwise, than as it may be confidered in its declining and abulive frame, and according as it was generally carned on in the latter unhappy times of the Irish nation; yet we see this author's candid enough to own, that the chief senior was generally the person, who succeeded to all real power and property amongst the Irish even in their declining Rate.

Sir John Davis in his historical relation of the affairs of Ireland, wherein, though it must be onfelled that in other respects he shews some marks of candour and justice towards the antient Irish, is pleased however, page 36, to throw very ferm reflections upon the taniftic law of succession, a he does in the fame page upon the Brehon law; and in the following page, furning up his arguments, and combining the thaniftic and gavelkind customs both together, he forgets his moderation, and betrave at the same time his shallow knowledge or rather utter ignorance of the general history of nations, even that of his own country, (as I shall hereafter shew) so far as to reprefent those two antient, I may say, almost general customs. eminence was vested in the persons of seniors irtue of their very right of seniority.

should not have been so diffuse upon a subject uch self-evidence, as those principles of the of nature upon which were grounded the r-explained rights and privileges so religiously wed to leniors under the dispensation of that a nor should I have been so minute in availing self of those maxims and general customs of primitive times, whereby all power and preinence was deferred to their chief seniors by all ile antient nations, wherein tyranny and dexism did not prevail against the most sacred hts.; I should not, I say, have enlarged so amupon those general heads, but that I thought argument should be overlooked, that could tribute to remove a prejudice, which I found deeply impressed on the minds of some English ters with regard to the thanistic law of regal reffion amongst the antient Irish, that they n to look upon it as a custom of extraordinary rularity, and even of a barbarous and unpolishnature. Sir James Ware, the most candid eed of those English writers of Irish affairs, and he same time the best instructed of what reded our antient customs, considers, not withading, the thanistic manner of government and al succession, merely in its corrupt and abusive e. according as it was practifed in latter ages. particularly after the establishment of the which colonies in this island under Henry IId. z of England. This writer gives us to unfland, (Antiq. Hib. cap. 8.) that the succession.

of those general maxims of the primitive times, which I have already explained, it is to be hoped, may be prevalent enough to induce all impartial readers to take no further notice of the censures of such English writers, as might have shewn their prejudice against the law-of regal and princely succession among the antient Irish.

The first precedent of a law of succession parallel to that of our remote ancestors, I shall look for in at least as antient a nation, and in some strong appearance, that which was the very original flock of some of the primitive colonies of this island; I mean the Scytho-Iberian nation, antiently fituated between the Euxine and Caspian seas. Of this antient people, Strabo gives us this high notion, "That their country is not only very " well improved, but of a climate naturally happy " for inhabitants; for Iberia, fays he, is full of "cities and inhabitants, they live in tiled houses, " and have edifices of a curious structure and " stone-work; they also have courts of justice " and other public buildings." And as a decifive proof of the riches and happiness of all that region inhabited by them and the Soanes their close neighbours; he further adds, that the very rivers and torrents threw out with their fand vaft quantities of gold dust and ore, which the people Arained through bored planks, and received into woollen fleeces; from which practice, he fays, the fable of the golden fleece was invented. The same author informs us, that the Iberian nation consisted of four orders; first, those of the royal race, in which the regal fuccession was kept up: the

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the second order was, that of the priests and priestly tribes; to which, besides their religious functions, belonged also the right of administering justice in all disputes of property, and concerning limits, and other public rights between all neighbouring people; the third order included both the military men and the agricultors, those two professions being thus held in equal esteem in that great and flourishing nation; the fourth and last order was the common people. who were destined for serving the kings, and supplying them with all forts of victuals and provisions. Such were the four orders of the antient Iberian nation: and it appears very plain from the general scope and contents of history, that the Irish Scoto-Iberian state consisted likewise of the same number and the same denominations of different orders or ranks of people, with the like privileges and duties respectively attached to each rank. I cannot conceive what grounds Mr. O'Flaherty might have had to exclude, or rather fay nothing, in his account of the different orders of the Irish nation, of the military men and agricultors; two public corps, which were always held in particular honour and efteem amongst the old Irish. The antient and famous militia called Feine, and the agricultors, who were distinguished by the appellative of Biadhtachs, from their great hospitality, were remarkably honoured and privileged in the antient state of the Irish nation.

But to return to the four ranks of people in the Schytho-Iberian nation in Asia, our author observes of those orders in general, that in all their X respective

have identically the plain, natural, and tr dation of our Scoto-Iberian system of the chief power and property, not only wit to particular septs or families, but also to the supreme power and princely succ general, as grounded on the right of And in the preceding section I have like ferved, that the Irish or Scoto-Iberian c male-gavel was regulated in all circun agreeably to this same maxim of the Iberians: it being manifest, that an equ bution of the family-substance between all ferent members, as it was observed by or tors, formed a very natural community o inalmuch as an equal participation of th faries of life out of the same mass of si was equivalently the very fame as living mon. Hi omnia per familias communia while the referving a chief rent, always - property vested in the gavelling and com fenior. Is imperat & rem tenet, qui senic ... have been often thinking, that this shor of Strabo, describing the political œco Als Thanisms ----- L. Al. ....

ig in his Utopia, under the command of the feiors of each family; which has been afterwards ery successfully realized in Paraguay, under the irection of the Jesuits.

Now, exclusive of what Strabo observes conerning the right of feniority with regard to the spreme command in each respective family or ibe of the different orders of the Iberians, he rplains and represents the law of regal succession, nd the universal sovereignty of that nation in ich a light as demonstrates it, to have been most ractly of a parallel nature with that of the ancint Irish or Scoto-Iberians, according to its oriinal institution and intent, that is to say, that the gal fovereignty of the whole state was by right f femiority to be always vested in the eldest of all iose princes of the royal race who were the earest in blood to the direct representative of its ock to or what is just equal, the eldest of the near infinen of the same name and blood (as the kish istorians expressed themselves) of the last reigng prince, who had constitutionally succeeded y the same right of seniority and proximity of lood. Such an exact parallel between the law of gal fuccession amongst the Schytho-Asiatic Ibeans, and that of our Irish Scoto-Iberians will lainly appear from the very words of Strabo, defibing the public and constitutional laws of the orders of the former nation in the place above noted. This author sets forth, that out of the rst order, that of the royal family, two kings ere (conflitutionally) appointed to fucceed; one, ho had the precedency or, supremacy by right

of his seniority and proximity of blood (alter soil cet, qui ætate & propinquitate antecedit) and another who was to be chief judge and general commander of the national forces (alter oui na det & exercitum ducat) or as Gurtlerus has it in other words, Judex alter & Copiarum Da.

Orig. l. 1. c. 10. S. 58.

To perceive, with full conviction, the end parallel and identity of nature between this lb rian law of regal/succession, and that of the old Irish, as above explained, we have only to take notice in the first place, that in Strabo's description of the natural qualities or conditions require in the chief king of the Iberians, for enjoying the right of precedency and pre-eminence, he dos not mean to compare his age with that of his & condary colleague alone, but plainly gives us to understand in a subsequent explication, that is must be the eldest, the chief senior of all the royal line or family. This follows evidently from what he afterwards fays collectively and in general, of all the respective families of the four different orders above described, viz. that in each family or tribe, he who is the senior and eldest of all, erjoys the right of supreme command, as well s the property and possession of the whole mass of Substance, whose use is in common amongstall the members of the same tribe: hi omnia per fr milias communia habent, sed is imperat & ren tenet, qui senior est: words which literally an manifestly import, that in the Iberian nation th right of all chief powers and command, wheth · supreme and universal as in their prime king; **fubalte**  subaltern and particular, as in the senior of each tribe, was attached to their quality of being the eldest of their respective families.

Hence it is to be inferred and noted in the fecond place, that inafmuch as the eldest person of the royal family could not always be the nearest in blood, respectively to the right line of the representative, since his nephew or grand-nephew by an elder brother must naturally be nearer, as a cousin german, or another collateral, may likewife happen to be, it is therefore that the proximity of blood required in the prime king of the Iberians, must be understood in no other sense than comparatively with that chief judge and commander of the army, who was his secondary. In the third and last place, it is to be noted, that the uniformity between the Schytho Iberian law of regal succession and form of government, and that of the old Irish Iberians is entirely compleated by the rights and functions attributed to the fecondary king of the former nation, those I mean of being chief judge and general commander of the army. The reader must have remarked, that in the beginning of this chapter, I have proved that the Irish Tanist was originally vested with the same double right. As to the title of king given by Strabo to the chief judge and general of the Iberian nation, it is very plain that it must be understood in a subordinate and limited sense, inas much as no other power or function is attributed to him by this author, and consequently none that could properly be esteemed regal and independant. From his great authority, and particularly

larly that of commanding all the national forces. he may in one proper sense be filled, Rex a regendo exercitu; and whoever knows any thing of Irish history, will readily agree that an Irish Tanust of a royal family, even after those of that quality were deprived of the judiciary power, and not always vefted with the actual command of the army, was notwithstanding held in such high light and confideration, as to be effected no. thing less than a secondary king. The title of Righ damhna, meaning king in fiery, or future king, was generally given to the prefumptive fuccessor of the reigning king. All these circumstances being considered and compared on both sides, the parallel between the Iberian form of regal government, and that of the old Irish, may! be looked upon as a finished one to the nicest perfection.

One further remark remains to be made upon the nature of the Iberian constitution, tending to justify what I have advanced in the beginning of this chapter, in afferting, that according to the oiginal inflitution of the senior-succession, called the Tanistic-law, it was inconsistent with its nature that any election should have interfered in carrying on such a succession, because the succesfor was always pointed out by the course of nature, as his right and title depended wholly and folely upon his feniority and proximity of blood; and by consequence was naturally independent of all extrinsic choice and election whatsoever. An election, in a word, is as inconfishent with the nature of a senior-succession perpetuated in E 1 same family, as it is with that of a direct here

## LAWS OF THE ANTIENT IRISH.

ly one, carried on from father to fon, or the at heir, according to the order of lines; the int and title of feniors being as conflaintly markfout by nature, as well as those of the direct of real heirs. Whence I must conclude, that inmuch as the same natural marks and qualities. mean, seniority and proximity of blood were mired as necessary conditions for enjoying the ime regal succession in Iberia, it had been ite inconsistent, that any election, properly sking, should have interfered in disposing of imperial crown of that nation. Here I can't it think it manifest, that Strabo's expression reing to the two Iberian kings, duo Reges delientur, is not to be understood in the proper and gorous sense, as if the author had meant, that e appointment of both these kings depended qually upon a free election, while the conditions at determined the right of one of the two, I sean the prime king, depended folely upon the ourse of nature.

After all, if any further scruple should arise rom the word Deliguntur being in the plural umber, and consequently applicable to the prime ing, as well as to his secondary, I would desire t may be considered, that the same word may in arrown days be applied without any impropriety, wen to some of those kings whose succession is nost strictly hereditary. In the ceremonials of heir coronation we find, that a herald at arms, reviously to the act of crowning the king, loudly ries out to the people, asking if they choose the resent prince for their sovereign king? to which puestion it is very plain, that their answer in the affirmative

affirmative cannot be less expressive of an election, than is the word deliguntur used by the Laun translator of Strabo, with regard to the succession

of the Iberian kings.

An instance hitherto not mentioned might indeed have given the face of an election to the afsembly in which the succession of the kings of Iberia must have been carried on and solemnized. At the death of every principal king of that nation, it is natural to judge that the national states assembled on that occasion, first to eximine which of the princes of the royal family had the prior right of succeeding in virtue of his superior feniority, and then to proclaim that prince whose right was verified and acknowledged Such a public act might have carried so strong an appearance of an election as may very well justify Strabo, or any other stranger to speak of the Iberian succession, as if it were properly elective. And here I think it material to observe that this circumstance of a public convention for examining and verifying the natural right of the prince, who should succeed in virtue of his seniority, was doubtless what gave the first occasion and seeming grounds of an infringement and alteration of the original institution and nature of senior-succession, by introducing those factious and tumultuary elections, of which I fpoke in the beginning, and shall have further occasion to speak more at large, where I intend to treat of the difmal consequences of the abuses of and deviations from the original law of that form of government. In the mean time, if I can shew the reader by the example ample of another antient and powerful nation, at the same law of senior-succession has been served in a manner so strictly and exactly agreeg with the description I have given of the originature and institution of the Tanistic law, that aroom was left for any fort of election even in a faintest appearance; such a plain and unexpionable example being produced, will, I ope, convince the reader, that the sense and inst of all those nations, who preserved this prinitive maxim of senior-succession in the regal evernment, did originally concur with plain as a for and the nature of things, in excluding all rts of election from interfering in such a succession.

The antient nation I mean to point at for havg furnished a perfect model of senior-succession,
institutionally excluding all forms and even aparances of an election, was another Schythian,
it more properly a Celto-Schythian people of
eat renown. They were the first in rank as well
historical fame of the five great bodies or agregates of different tribes, under whose generiil (a) appellatives, the whole German nation far
ad near as it was then known to the Romans,
as been comprehended by Pliny, lib. 4. c. 14;
rey were also the very people, who of all the
orthern nations were the first that made themselves

<sup>(</sup>a) Germanorum genera quinque: Vindili, quorum ars Burgundiones, Verrini, Carini, Guttones; alterum mus, Ingævones; quorum pars Cimbri, Teutoni, ac auchorum gentes; proximi autem Rheno, Istævones; sorum pars Sicambri, Mediterranæi, Hermiones, quorum ievi, Hermunduri, Chatti, Cherusci: quinta pars, Peuni, qui et Bastarnæ supra dictis contermini Dacis. Plii, lib. 3. c. 14.

selves formidable to the Roman empire, whose provinces of Mæsia and Thracia, some of their tribes invaded and ravaged as early as the year 250, under the reign of Decius, whose army they totally defeated, and pressed himself so close in his precipitate retreat or rather flight, that they forced him into a morals, whose waters providentially delivered the world of that impious perfecutor of the Christian church. I mean in a word to point at that numerous and warlike, nation of Germanics, whose different tribes Pliny comprehends under the generical denominations of Vindeli, by Tacitus called Vandalii, or Vandali, and of whom the former fays, that the Burgundiones, the Varrini, the Carini and the Guttones or Gothi, were only a part; the other tribes, which beside these four, were comprehended under the same national name of Vandali, Cluverius finds in other authors to be the following, viz. the Longobardi, by Paulus Diaconus called Vinili for Vindali, the Thuringii, the Angli, the Lemovii, otherwise called the Heruli, the Rugii, the Sidinii, the Suardonii, the Eudoces, the Caviones and the Nuitones. All those fourteen tribes of the Vandalic nation, the learned Cluverius places between the Vistula and the Albis or Elbe, towards the borders of the Baltic (ea, where he cuts out their respective habitations, from which several of them, some earlier than others, made emigrations into the European Sarmatia, and first settled towards the Mæor > lake, or more probably on both fides of the Boristhenes: the Roman writers of the declining ages of the empire, confounded that tribe the

Then called Gothi, with the people called Getze, after the former had advanced from the Borist-Taxons into Dacia, and there possessed themselves of the latter.

. The Latin writers of those latter ages have also: combanded and jumbled together the different. tribes of the Vandalic nations, and feem to have ranged all the most noted people of them under the name of Gothi, even exclusive of the Visigothi or Oftrogothi, as if that name had been the common and national denomination of all those different tribes, instead of that of Vandali, which was their generical name in the time of Tacitus. and Pliny; at the same time those writers have. Changed the generical nature of the same Vandali, by making it peculiar to one fingle tribe, or at least one particular body of those people they. Called the Gothic nations: thus Paul the deacon Calls the Longobardians by the name of Vinilia which he must have thought to be quite different From Vindili or Vandali, inasmuch as he sets forth. that a bloody war had been carried on between the Viniliand the Vandali; had he known the generical nature of the name and the identity of meaning between the words Vinili and Vandali. he would have expressed himself with less inaccuracy by faying, that the Longobardians, who were a tribe of the Vandali or Vinili, had been at war with another tribe of the same name.

Certain however, and remakably certain it is, that the common and national name of Vandali, had been particularly appropriated to one certain body of the Vandalic people, whether confifting only only of a fingle tribe, or of a confederacy and coalition of several tribes of the same nation. Cluverius expressly assures us, that it was a confederated body of the same nation, chiefly confiting of the Suardones, the Eudoses, the Nuithous and the Sidini, that the generical name of Vands was particularly appropriated to by the Roma writers of the fourth and fifth centuries. indeed very natural, that any confederated body confisting of different tribes of the Vandalic mation, should have assumed the common and mional name of Vandals, though every particular tribe was known by its own peculiar and distinctive name, while they enjoyed their respective fettlements separately from each other either at home or abroad; thus the Gothi, the Herli, the Burgundiones, the Thuringii, the Angli, were known only by their own respective and particular names, though they were all properly Vandals, as being but so many different tribes of the same Vandalic nation.

But whatever might have been the occasion of appropriating in a peculiar manner the common name of Vandali to those tribes of the Vandalic people, who of all others were the very first that gave beginning to the downfall, and afterwards had the most principal part in compleating the utter ruin and destruction of the Roman empire in the West; this single point I have further to consider relatively to these same people, that inasmuch as they were the very nation, in which I shall find a most perfect model of senior-succession in the constitutional manner above described, it is

atural and becoming, that I should give a ketch and account of their progress, since rst invaded the Roman empire, after passive Rhine in the year 406, until they settled mperial province of Africa, whose conquest empleated by taking the town of Carthage

To dispatch this account in the most sucnanner, I shall only make a capital sumecital of the events relating to this people their progress through Gaul and Spain, rethe reader to the authority of the Latin ns of those times, some of whose words I note in the margin, as often as it may be able to trouble the learned reader with an t of facts generally known.

ull therefore observe in the first place, that who was chief general and prime minithe emperor Honorius, having conceived ous views in favour of his own family, to nothing less than to that of vesting his cherius with the imperial purple, at the exfer the very life of his august master, whose ved considence he daily abused and availed of, for promoting his traiterous design: sidious Stilico, I say, a Vandal by origin, that end treat with the now mentioned rated body of the Vandalic nation, to be associated a tribe of the Suevi (b), together

is ancient and extensive name, was then particuexclusively attributed to the Hermundus, a nath was situated in those days between that of the n the west, the Bojoarii to the east, the Burgunthe south, and the Thuringii to the north. Clum. Antiq. 1. 3. c. 28. Tours in the 9th chapter of the second book of his history (f), by which it appears, that Resplendial, a king of the Alemanni, who was to join the Vandals at the instigation of Stilico, being discouraged by the news of their losses, as well as by the defection of Goares, another prince of the fame nation, changed his resolution, and returned home, leaving the Vandals to fight their own battles against the Franks. Here I shall observe, by the bye, that the fituation of that country on the right side of the Rhine, which the Franks inhabited in those days between the Maine and the Necker, according to Cluverius, seems to afford fome ground to judge, that this famous passage of that river was affected by the Vandals and their affociates, at some place between the two last mentioned rivers. And the conjecture may feem the better founded, as the cities of Mentz and Worms, which are situated on the left side of the Rhine. opposite that same tract of land which lies between the two faid rivers, are mentioned as the very first conquests of those invaders, after they had passed that river.

But where or whatever the real place of that traject may be, this I think I may advance upon good grounds relatively to the Vandals, that they are justly to be regarded as the principal and main body

(f) Renatus Profuturus Frigeridus, cujus jam supra meminimus, cum Roman resert a Gotthis captam atque subvertam, ait: Interea Resplendial rex Alamannorum, Goare ad Romanos transgresso, de Rheno agmen suorum convertit, Vandalis Francorum bello laborantibus, Godegisillo rege absumpto. acie viginti serme millibus serme peremptis, cunctis Vandalorum ad internecionem delendis, ni Alanorum vis in tempore subvenisset. Greg. Tur. his. lib. 2. cap. 9.

of those forces, by which had been effected memorable passage of the Rhine, and that first irruption of Barbarians into the interiors e Roman empire, that has been attended the fueces of a permanent and independent ment. That the Vandals were the main powid chief actors in these expeditions, and that Suevi and Alani are only to be confidered as auxiliaries, appears, I think, very plainly these two circumstances. First, that during engagements with the Franks, and before junction of the Alani, we find no mention e of the Suevi, as having had any part in e bloody actions: and secondly, that the ers of those times represent the Vandals as the cipal actors in this invasion under the direction tilico, and as the main body, to which the ni and Suevi have been made Auxiliaries or er intermixed troops in the Vandalic army. t literally appears by these words of Zozmus, idio sextum & Probo Consulibus, Vandali is & Alanis permixti nationes transalpinas everunt. Zoz, Lib. Hist. 6. ad an. 406. ow I am to observe in the next place, that Vandals having defeated the Franks, and d the Rhine under the command of Gun-: (f), successor of Godegisillus, they and ir affociates belieged, took and destroyed (I inflate the words of S. Jerome, in his epiftle Ageruntia) the noble city of Mentz: that of ' Worms

) Post hæc Vandali a loco suo digressi cum Gunderico in Gallias ruunt, quibus valde vastatis, Hispanias apit. Greg. Tur. Hist. lib. 2. cap. 2.

"Worms they turned into a heap of ruins, after having sustained a long siege. The powerful city of Rheims, those of Amiers and Arras. and the capital city of Morini, fituate at the very extremity of Gaul, Tournay, Spire and Strasbourg, are all possessed by the Germans The Aquitanias, the Novempopulania, the \* provinces of Lyons and Narbona have been ravaged. A small number of their towns have hitherto escaped the general calamity, though blockaded in such a manner by the enemy, that they are threatened with immediate famine. I can't without tears in my eyes, make mention of Tholosa, whose preservation dee pends only on the prayers and ment of its • holy bishop, Exsuperius. Spain which is just at the eve of its destruction, in the highest anguish of consternation. What a torrent of misfortunes! But we are not to attribute them to our princes, who are very pious and religious. All those evils are owing to the treachery of Stilico, that barbarian; difguifed as he was, under the appearance of a Roman (g).

From

(g) Moguntiacum quondam nobilis civitas capta atque subversa est, et in ecclesia multa hominum trucidata. Vangiones longà obsidione deleti. Remorum urbs præpotens, Ambiani, Attrebatæ, extremique hominum Morini Tornacum Nemætæ, Argentoratus translatæ in Germaniam. Aquitaniæ, Novemque-populorum, Lugdunensis, et Narbonensis provinciæ præter paucas urbes populata sunt cuncta, quas et ipsas foris gladius, intus vastat fames. Non possum absque lachrymis Tholosæ facere mentionem, quæ ut hucusque non rueret, sancti Exsuperii episcopi merita præstiterunt. Ipsæ Hispaniæ jamque perituræ quotidie constemiscunt, &c Hieron. Epist. ad Agerunt.

7;

From the mention here made by S. Jerome of the consternation of the Spaniards at the ap-Proach of the Vandals, it is plainly to be in-.ferred, that he wrote this epistle just before their Entrance into that province. What I have ob-Ferved as to the Pannonian rebels in my preceding -note concerning the Alani, the curious reader will find justified in the beginning of that same epistle; whereby it likewise appears, that some Other German and Schythian nations foon followed the example of the Vandali in invading Gaul, fuch as the Quadi, the Saxones, the Heruli, the Burgundiones, the Gepides, the Sarmatæ (a). One particular circumstance of Stilico's treacherous measures naturally occurs to be mentioned in this place; which is that he purposely called away all the troops then quartered in Gaul, that could make any timely opposition to his barbarians in their pallage of the Rhine, and this under pretext of sending those troops to fight the Goths on the banks of the Danube; this circumstance we learn from the very panegyrist of Stilico, (b) whose iniquitous designs the good poet may very probably have no notion or suspicion of.

But to return to our Vandals, I am to observe in the third place, that the British usurper Con-Y 2 stantin.

(a) Quidquid inter Alpes et Pyrenzum, quod Oceano et Rheno includitur; Vandalus, Quadus, Sarmata, Alani, Gepides, Herculi, Saxones, Burgundiones, et, o lugenda Respublica! hostes Pannonii vastaverunt. Hieron. ib.

(b) Agmina quinetiam flavis objecta Sicambris,
Quaque domant Cattos, immansuetosque Cheruscos;
Huc omnes vertere ininas, tutumque remotis
Excubiis, Rhenum solo terrore relinquint.
Claudian, de laud. Stilic.

stantin, whom the Imperial troops of Great Ritain, incensed at the treacherous conduct of Silico had set up as an emperor, having passed into Gaul, and routed back to their countries a gree part of the barbarians, allowing some footing to those who promised obedience and fidelity; the Vandali, Suevi and Alani, who by this time had fettled in the two Aquitains, found themselve under the necessity of attempting the passage of the Pyrenæan mountains, with a view of acquising some settlements in the Spanish province; this resolution they esteemed the more expedient, as Honorius had judged proper to compound matters with Conftantin, while the infolent Alan king of the Visigoths, encouraged by the progress and success of his countrymen the Vandak threatened the capital of the Western empire with total ruin and defolation; in these circumstances, the Vandali with their affociates the Alani, and the Suevi, took the hardy resolution of forcing their passage into Spain through the Pyrenæan mountains, whose gorges hath been occupied and defended by the Spaniards, since the first approach of these people towards the other fide of those hills; this passage they effected sword in hand even in separate corps one after another in the months of September and October, of the year 409: for which facts, the reader has sufficient authority in the marginal note here referred to (c), that of Idatius a Spanish bishop, who very possibly

<sup>(</sup>c) Vandali, Alani et Suevi, Hispanias ingressi æra quadringentesima quadrage.ima etima, alii quarto Calendas,

ght have been spectator of these partisof war, as he wrote his chronicle about of the fifth century, must be esteemed acception, especially as he is so particular the days and months of the facts; and suft be concluded, that S. Isidore of account written so late as towards the sixth, or beginning of the eighth cenwhich he places this passage of the 408, must either be mistaken by himrupted by his Copyists.

he subsequent part of the history of lalic people and their feats of war both d Africa, to the Epoch of the reduction e, and all that Imperial province under nion, it is too universally known, and stantially set forth by different authors mes to want any further explication that nish. The curious reader of antiquity taken notice; first, that the Vandals their passage of the Pyrenæans settled. the richest province of all Spain, ever vn by the name of Vandalusia, (now Indalusia) so called from those Vandals: at in or before the year 418, their king possessed himself of the province of here he quarrelled with Hermeric king vi. whose army he entirely invested and miserably

bus Octobris, Honorio octavum et Theodosio tertium, Consulibus. Idat. Chron. ad an. quadringentesima quadragesima sexta, Vanet Suevi, Hispanias occupantes, Neces, Vasruentis discursibus faciunt. Isidor. Hisp. hist.

miserably slaughtered in the mountains of that Province: third, that in the year 421, they gained a complete victory over the Roman general Castinus at the head of a numerous army, assisted by a corps of Gothic auxiliaries; fourth, that Count Bonifacius, to maintain himself in his usurped independancy in Africa, invited all the Vandalsto pass over into that province, which passage they effected in the month of May, of the year 427, (a) under the command of their king Geseric, who, from a catholic, according to Isidorus, (b) became an apostate, and a furious professor of Arianism: fifth, that these people afterwards obtained a permanent settlement in that province, according to the conditions of a peace, which Valentinian IIId. found himself under the necessity of concluding with them in the year 435; fixth, that in four years after the conclusion of this peace, and precisely on the 19th of October in the year 439, (c) they treacherously surprised and possessed themselves of Carthage, the capital of all the Imperial Africa, and thereby became absolute.

<sup>(</sup>a) Gesericus Rez de Beticz provinciz littore, cum Vandalis omnibus, eorumque samiliis, Mense Maio, ad Mauritaniam et Africam transiit, reliciis Hispaniis. Idat. Chronic. ad an. 427

<sup>(</sup>b) Gifericus, qui ex Catholico effectus apostata, a Arianam fertur primus transgressus persidiam; hic de provinciz Beticz littore cum Vandalis omnibus, eorumque familiis, ad Mauritaniam et Africam trajecit. Isid. His. Vand.

<sup>(</sup>c) Aëtio, rebus que in Galliis componebatur, intesto, Geifericus, de cujus amicitia nihil metuebatur, Cal. 14. Novembris Carthaginem dolo pacis invadit. Prosp. Chrus ad ann 443.

**absolute** masters of that vast province (d). An event, which may be justly regarded as the imenediate cause of the downfal of the Roman Power and empire, (e) and at which, according to the expression of Salvianus (f) the very soul of The republic was seized with its last agony. It is Dot without reason, that Salvianus calls Africa the foul of the Roman republic, fince all the habitants of Rome chiefly, and almost solely depended on that province, for their corn-provi-Son and daily bread, the main spring of human life, and hence it was, that Africa was very justly Called the granary of the Roman empire; it was Therefore very natural, that the mortal convultion, into which the reduction of Carthage and all the -province of Africa had thrown the Occidental empire, should shortly end with its utter dissolution: as it effectually did in the year 475: when Odoacer, a prince of the same Vandalic nation, dethroned and confined Augustulus, very justly so called, not only for his puerile age, but because he was the lowest in power as well as the last in number of all the successors of the great Augustus Octavianus (g).

Вy

<sup>(</sup>d) Carthagine fraude decepta, decimo quarto Calendas Novembris, omnem Africam Rex Gifericus invadit. Idat. Chron.

<sup>(</sup>e) Carthago a Vandalis capta, cum omni simul Africs lachrymabili clade et damno, Imperii Romani potentian dejecit; ex hoc quippe a Vandalis possidetur. Prosp. Chron.

<sup>(</sup>f) Africam ipsam, id est, quasi animam reipublice, captivavere. Salvian. de Gub. lib. 6. cap. 12.

<sup>(</sup>g) Bafilico et Armato Confulibus, Odoacer rex Gothorum Romam obtinuit. Orestem Odoacer illico trucidavit. Augustulum filius Orestis Odoacer in Lucullano Campaniæ

By this furnmary account of the Vandals, supported as it is by the authorities above cited, the reader I am confident, will be fatisfied as to the evidence of these two points; first, that the Vandalic people were efteemed a nation of our spicuous rank and consideration amongst the suit ent Germans in the time of Tacitus and Plury when the latter fets them down at the head of the five denominations of the people, of which the whole German nation was composed; secondly, that those confederated tribes of the same people, who invaded the Roman empire, at the infligtion of Stilico in the year 407, have by their military exploits, adventures, and successes so remarkbly fignalized themselves in their subsequent progress, that they must be allowed a principal short in the most memorable instance, that ever happened of that kind of nominal honour, which is se quired by unjust conquests: they being the very people, who under the guidance of providence were the first that undertook and afterwards principally effected the arduous work of shaking the foundation of, and then pulling down to the ground the whole pompous fabric of the Roman empire; but whatever degree of honour and splendow, whether real or nominal, may be allowed to thok people from their military atchievements and conquests, their very antiquity in quality of a well known nation, being a title they have an indifputable right to, should in all justice oblige us to hold

Campaniz castello exilio damnavit. Hesperium Romanz gentis imperium quod Septingentesimo vigesimo secundo, Gothorum de hinc regibus Romam tenentibus. Marcel. Chron. ad an. 476. I in an honourable light any fuch law or cufof national observance amongst them, as may be found discordant with the principles of the of nature; their horrid ravages by sea and I, after the taking of Carthage, together with reruel and relentless persecutions in that proz, however justly odious and execrable they e rendered the Vandalic name, cannot reflect dishonour upon such of their national cusis or conflitutional laws, as must be esteemed bly grounded upon reasonable principles, derived from the maxims of primitive es. And as to those persecutions it appears if the Vandals were made instruments and urges in the hand of God to punish the licenis lives of the Christians of Africa, where vianus tells us (a), that the preachers of the rd of God were then less safe in their persons hin the cities of that province, than the aposwere in those of the heathenish world. It herefore I very confidently assure myself, that judicious readers of antient history will canly think as I do, that if a law of regal succes-1 by the sole right of seniority be found in this ient Celto-Schythian nation of the Vandalic ple, it will not only be esteemed an honouraconfirmation, but also a particular explication proof of the original nature, as well of the Schytho-

<sup>)</sup> Ecce Afrorum et Carthaginiensium sidem! tutius adam Apostolis paganas urbes licuit intrare . . . Et umur si nunc Barbaros illi perferunt, enm videamus I sancti viri Barbaros pertulerint. Justus et Domiest justum judicium suum, de Gub. lib. 8. cap. 5.

Schytho-Iberian, as of the Irish or Scoto-Iberian constitution of regal or princely succession, through a series of elders descending from the same royal stock.

After these preambles which I have judged necessary for reasons now made very perceivable to the reader, I proceed to lay down in the words of Procopius, an author of unexceptionable credit on this occasion, the law of regal succession observed by the Vandalic nation, according as he found it explained in the last will and testament of their king Gesericus, that unjust conqueror of the Imperial province of Africa (b). This historian, whom we may regard as an ocular witness of most of the facts and feats of the Vandalic war, sets forth in the clearest light, that the fundamental and constitutional laws of the African empire, founded by Geseric, as enacted and explained in

(b) A conquest is esteemed just, according to the laws of nations, when made by one independent fovereign upon another, who had been the aggressor, whether by open hostilities, or by public insults which might be offered to him or his subjects, and affecting in any manner the dignity of his crown, or the public happiness of his people in any matter, wherein the crown or people had a just right; provided always, that satisfaction had been previously demanded by the aggrieved party, and politively denied by the offender; this last condition is particularly necessary for justifying the effusion of human blood of either side. If no conquest can be esteemed just without the conditions now laid down, let the reader of Roman history take a review of the different conquests made by the Romans in profecution of their aggrandizing scheme, and then let him consider within what distance of the walls of Rome, those principles of the law of nature and nations may oblige him to fix the limits of their just acquisitions.

his own folemn testament, expressly imported. that after the death of his eldest son Honoric the right of succession to the throne should at all times be vested in the eldest prince of all those, who descended in a male line from him the said Geseric, as the common stock of the family, without regard either to the rank or order of the lines, or to the proximity of degree, which the successor may stand in, relatively to the last preceding king (a), accordingly, after the death of Honoric, his fon Ilderic was laid aside, and the sceptre came into the hands of Gundamund, (who was the fon of Genso, one of Geseric's sons) the said Gundamund having then the right of seniority, which gave him the first rank amongst all the descendants of Geseric; extincto Honorico, in manus Gundamundi, cujus pater Genso, filius Generici fuerat, sceptrum Vandalicum devenit atatis jure, quæ in Geserici stirpe principem ei locum dabat-Procop.

(a) Haud diu superstes Gizericus, grandzvus, decessit, condito testamento: quo, przeter alia multa, illud Vandalis mandavit, ut Regnum Vandalicum ei semper obveniret, qui per virilez stirpem recta serie propinquitatis Gizericum ipsum attingens, cognatos suos zetate przecurreret. Igitur Gizericus, cum a capta Carthagine annos 39 Vandalis imperasset, fato, uti diximus, sunctus est. Procop. de bell. Vandal. lib. 1. cap. 7.

Regnum Gesericus filiorum maximo Honorico reliquit; annis demum octo Vandalis dominatus, morbo oppetiit... extincto Honorico, in manus Gundamundi, cujus pater Genso, filius Geserici suerat, sceptrum Vandalicum devenit etatis jure, que in Geserici stirpe principem ei locum dabat; provecto ad medium anno regni duodecimo, implicitus morbo è vita decessit; habenas regni capessit Thrasamundus ipsius frater. Thrasamundus, postquam Vandalis annis viginti septem imperasset, diem supremum abiit. Procop. ibid. cap. 8.

Procop. ibid. cap. 8. Thrasamund, who was Gundamund's brother, succeeded him by the same right of seniority; provecto ad medium anno reni duodecimo, Gundamundus implicitus motos vita decessit, et habenas regni capessit Thresmundus ipsius frater. Procop. ibid. After Thrusmund, Isderic the son of Honoric, being in his turn the eldest prince of his family, succeeded to the crown, after his two coulingermans now mentioned; in regnum successit Ildericus Honoria filius, ac Geserici Nepos. During the reign of lideric, a prince of the same blood, called Gelimar, son of Gelarid, who was the son of Gense, fon of Geseric, being the next in age to the reigning king Ilderic, was confequently known and confidered as Tanift or prefumptive successor (b). This confideration and light he was held in, both encouraged and enabled him to form a party and strong faction in his favour; by the means of which he not only deposed and confined lideric, but also committed the greatest cruelties towards all his friends: a circumstance which greatly savoured the emperor Justinian in the war, by which he both foon put an end to Gellimar's usurpation, and destroyed the Vandalic empire in Africa. When we have compared the Vandalic manner of regal succession, as now described, with the Taniffical

<sup>(</sup>b) In regnum successit Ildericus Honorici silius ac Gescici Nepus . . . . quidam è Geserici stirpe, Gellimar Gelaradi silius, Gensonis Nepos, pronepos Generici, jam grandis natu uno præcedente Ilderico, ideo ad regnum, ut existimabatur, propediem perventurus . . . ita dominatum occupat Gellimar, et Ildericum septem annos regno potitum cum Hoamere ejusque fratre Evagea in custodiam tradit. Ibid. c. 9.

itical law of fuccession in the old Irish kingdoms d principalities, wherein the eldest brother was an succeeded by a younger, and this latter by rephew, and he again by a cousin-german of rer collateral, before the first brother's son was alisted to succeed by right of seniority, the readwill then be enabled to judge, if a perfect resiblance or rather an exact uniformity be not and between the one and the other, as well as ween the abuses, to which both the Vandalic I the Irish constitutions have, and must have en room by very natural consequences. Ovum nest ovo similius.

By this plain account of Procopius we see with evidence, that no room has been left for any d of election to interfere in the regal succession Filerie's descendants according to the tenour his last testamentary act; by which it literally pears, that amongst all his descendants through eries of male lineage, the precedency or superity of age was constitutionally to determine at times the right of succession to the Vandalic Ut Regnum Vandalicum ei semper oburet, qui per virilem stirpem recta serie Geserin attingens Cognatos suos atate pracurreret. is was litterally and identically the Irish constional law of regal fuccession, according to its nitive institution and meaning; as it manifestppears by that antient axiom of national law find expressed in the word Sinsearcabt Fedsoige: expression, which though consisting but of two lantive nouns, has the energy of comprehendthe whole meaning of the following Latin **fentence** 

fentence and definition of the Irish law of regal succession, viz. Rex regize successionis apud Hibernos ea est, ut Regnum seu supremum dominum ei semper obveniat, qui a primo regize familia patre et Regni fundatore per virilem stirpem continuà serie descendens, cognatos suos ejusdem sanguinis et cognominis atate antecedit : in English: the law of regal succession amongst the antient Irish was, ' that the supreme power and dominion should at all times devolve to him. who being descended through an uninterrupted · feries of male ancestors from the common stock and first founder of the family, preceded in age all his kinfmen of the fame name and blood." Every Irishman, who is skilled in the antient Celto-Ibernian dialect of the country, will acknowledge, that the two Irish words above expressed, comprehended the whole import of the Irish law of succession, according to the above definition in the full extent and meaning of all its words; Sinsearacht, signifies not only Eldersbin a Seniority, but also Chieftainship, Superiority, or supremacy of power, command and dominion over a particular family together with all its prople and properties; and the word Feafog which fignifica Beard, being added in the genitive case to Sin-Searacht, means that such a supremacy is due to the Eldest-beard, that is to say, to the eldest man of the whole family or kindred descending from the same stock; and inssmuch as amongst the old Irish, nobody was ever counted a member, nor could be admitted as chief of any family, without being descended through a series of male anceftors ceftors from the founder and stock of the whole name and progeny; it was of plain and necessary consequence, that the chief must be of the same name and blood with all the rest of his kinsmen of the same family; it is therefore manifest, that the two Irish words above written very obviously comprehended the whole meaning of the preceding definition, expressed as it is in so many different words.

If the Salic law had been as litterally clear and explicit in that article which regarded the regal faccession amongst the Franks, as the Irish and Vandalic constitutions have been by determining, as above explained, that besides the condition of seniority, that of being a male, who was descended from the common stock by a series of male ancestors, was absolutely necessary to constitute a right of succeeding to the crown; it would have prevented that horrid and long continued effusion of Christian blood, which was occasioned by the samous contest between Edward IIId of England, and Philip de Valois of France after the death of Charles le Bel; when the faid Edward pretended to the right of succession, as being the son of the deceased king's fifter. Isabelle of France, and consequently nearer in blood than Philip de Valois, who was but a coufin-german. a paternal uncle's fon to the faid king. fronted with the text of clear and litteral evidence concerning the fundamental law of regal succession in the French monarch, such as that of the plain words in which the Irish and Vandals have delivered their own respective laws of the same nature:

nature; Edward would not in the face of all Errope any longer infift, as he did, upon pretending, that a right of succession could have been derived to him from his grand father through the person of his mother. But as the Salic law contained no text, by which Edward the third's claim may with any evidence appear to be ill grounded, it was very natural, that he and his successor should persist in the same claim, without acknowledging any superior judge, who could have a right to interpret that law to their prejudice, especially, as Edward the third, though a feodal subject of the French monarchy, did not think proper to submit to the judgment of the twelve peers of France on that point.

Theoderic the first, king of the Oftrogoths in Italy, by the testamentary disposal he made of his crown in the year 526, gave much a clearer interpretation than ever was given by the Franks, of the original intent and nature of the regal law of male succession amongst the different people of the Germanic nations. That great monarch had no male issue of his own body, nor any other natural heirs of his crown, furviving at the end of his days, than two grandsons, one by his second daughter, by name Theodegotha, who was married to Alaric the second king of the Visigoths; and the other by his third daughter, the celebrated and unfortunate Amalasontha, with her first husband Eutharic Cillica of the same family and stock of the Amaleans; another grandson by his eldest daughter Ostrogotha, and her husband Sigismund king of the Burgundians, had been unnaturally

monaturally put to death by his father three years before that of Theodoric; this I only observe by the bye; for this Burgundian prince, had he even survived his grandfather, could have no sight or chance to succeed to the Ostrogothic exown, as we shall see by the following testamentary act of old Theodoric; this monarch, agreeably to the fundamental maxims of government and law of succession, primitively established in his own and probably in every other royal family of the Germanic nations, presented at the end of his days to his nobles and people his grandfon Athalric as his lawful successor; not as being the son of his daughter Amalasontha, but as a descendant through a male line from the common flock of the family by his father Eutharic; excluding at the same time Amalric, his other grandson by his elder daughter and by Alaric king of the Visigoths, as being of a different nation and flock called that of the Baltes; though both were only two separated tribes of one and the same Gotho-Vandalic people; the French writers feem to be very little apprehensive, that the law of male-succession has been better explained in the statutes and maxims of so many different nations, than it was in the Salic law.

Before I have done with Geseric's testamentary law of Regal succession to be observed by his posterity in the African monarchy I shall take notice that it is not to be imagined that a prince of his capacity and experience, would have undertaken to establish such a law in his kingdom, if he had not known it to be agreeable to the spirit Z

and manners of the Vandalic people, as having been of antient institution in their nation; though perhaps either partly neglected, or abulively metised during the course of their adventurous emigrations out of the country of their origin. feric, who must have had his turn in the sovereignty either by virtue of that law, or by usurping some other man's right derived from a superor feniority, might in all likelihood have made no other change in the primitive disposition and course of the said law, than that of laying aid: for the future all his collaterals and their posterity and limiting the right of alternate succession to his own descendants, according as their seniority should by the course of nature respectively entitle them to succeed to the crown; and this new difposition he might indeed have judged himself justly qualified to make in favour of his own polterity, as he was the founder of the kingdom he committed to their care and government. If that monarch had introduced a new and unprecedented law of regal succession in the Vandalic nation, accustomed as those people were to a great share of liberty, as well as to tumultuous rifings and blood-'shed, it could not be expected, that they would have so peaceably submitted and reconciled themfelves to it as they did for so considerable a time after Geseric's death; and the respectful acquiescence of Geleric's posterity to the disposition of that law, is particularly remarkable in Ilderic, who notwithstanding his quality of being the direct heir of Geferic by his eldest son Honoric, acted without complaint or disturbance for almost forty

## LAWS OF THE ANTIENT IRISH.

forty years during the reigns of his two confingermans, before his degree of seniority entitled him to succeed. I shall add, that if Procopius had found any thing of extraordinary fingularity or novelty in that law, it is not likely, that so judicious a writer would have passed it as he did, without some animadversions. Nor is it very likely, that Geseric would have even imagined fuch a law, as either expedient or practicable in his days, if he had not received it from his ancestors, as being agreeable to the primitive maxims and practice of their nation. Neither would Procopius have affured us in the same history, that all the Gothic tribes together with the Vandals observed the same laws and customs (a) as well as they spoke the same language, and were all of a like manly stature and fair complexion, if he had found any thing fingular in the Vandalic law of succession, that may render it observably diffe. rent from that of the other tribes of those northern people.

Abuses indeed and various infringements of the primitive law of succession are very observable both amongst the earliest successor of Alaric I. Visigothic king, and conqueror of Rome in the

(a) Plurimæ quidem fuere superioribus temporibus hodieque sunt nationes Gothicæ, sed inter illas Gothi, Vandali, Visigothi et Gepides cum numero, tum dignitate præstant ....... vocabulis quidem, ut distum est, nulla vero præterea re inter se differunt. Cutis omnibus candida, slava Cæsaries, corpus procerum, facies liberalis, eædem leges, eadem sacra, Ariana scilicet, una demum lingua quam Gothicam appellant, ita ut ad unam universi gentem pertinuisse quondam, ac suorum deinde ducum discretos nominibus suisse existimem. Procop. Bell. Vand. lib. 1. cap. 1.

year 409, and among those of Athalric the grandfon of the above Theodoric, first king of the Oftrogoths in Italy. Vitiges was tumultuoully fet up as a successor of Theodat, Amalasontha's kcond husband, to whom, it seems, he had been either master of the horse, or captain of his guards. Nor is it known, that he belonged in any respect to the royal family of the Oftrogoth's the same thing in all likelihood may we say of is two fuccessors Evaric and Totilla, who being chose in a like manner by the Offrogoths, during the desperate warsagainst Justinian's twoablegeners Bellifarius and Narses, had in such circumstance no need of any other quality or title to the forreign power, than that of being brave waring and skilful commanders of their national troop. And as to the successors of Alaric, first king of the Vifigoths, we find plain marks of violence and party-business in the course of their successions. In Prosper's chronicle we see, that Ataulphus, the immediate successor of Alaric, was murdered at Barcelona by some of his people in the year 415(b), and that Sigeric, who was fet on the throne after him (as Isidore of Seville informs us Hist. Goth. p. 614.) together with other pretenders, were dispatched after the same violent manner by Wallia, who was succeeded by Theodoric I. in the year 419; the manner of whose succession I find no mention of, nor by what right he became fovereign commander of the Visigothic nation after

<sup>(</sup>b) Ataulphus a quodam suorum vulneratus interiit, reginumque ejus Wallia peremptis, qui idem cupere intelligentantur invasit. Prosp. fast, ad an. 415.

after the said Wallia; it may not seem unlikely, that during the unsettled state of those Barbarian. adventurers of the Germanic nations, they might. have judged it more expedient to observe that: antient maxim of the old Germans, Duces ex Virtute sumunt, (as remarked by Tacitus de. Morib, Germ. Num. 7.) by contenting themselves. with being under the guidance and command, of able captains, vested with all necessary power. without minding in such circumstances that other; maxim, reges ex nobilitate, mentioned in the same. place; and by which it appears that the Germansi were antiently accustomed and limited to receive their kings out of particular families of noble or: princely distinction in their respective nations: while their general captains, or chief commanders wanted no other qualification or title, than their own merit and abilities in military affairs. Iberian conflitution above explained it would feem. that that antient nation, wherein their chief generais succeeded as regularly as their kings, looked: upon the office of chief commander of the army. as almost of equal necessity with the sovereign. authority of their monarchs; according to the. same maxim the Gothic tribes during their unsettled and alarming state, might have judged, that: able captains vested with supreme military power. were more suitable to their circumstances than no. minal kings taken out of one particular family. especially, while they had no settled kingdoms. which may give them a real title to the regal dignity. And those German nations were the more free to chuse this expedient, as they were

not limited to any particular family for the choice of their chief captains, as the Iberians were by their national law, which obliged them to receive their chief commanders out of the royal family.

學出日 三 For the further satisfaction of such readers of modern history as might have received impressions of prejudice against the law of senior-succession either from Sir John Davis, or any other writer: before I come to the conclusion of this chapter. I shall make a short research into the French and Anglo-Saxon histories, after some Vestigia of the same antient law, which I apprehend may be very plainly found in both one and the other of those two German nations, as well as amongst their countrymen the Vandals. I shall begin with the Franks, and by a short research into the earliest monuments of their history, shall fairly examine if the right of feniority appears to have been any way regarded or observed in the course and manner of their regal fuccession. In this enquiry I have reason to promise myself some light from the nature and motives of the horrid conduct of Clovis king of the Salian Franks towards his nearest collateral kinsmen of the same blood, who were at the same time kings of different tribes of Franks respectively, all independent of each other, as well as of Clovis, and yet were cut off by him one after another in the most unnatural and treacherous manner. I shall first give the reader a contracted view of this bloody scene, and then point out the motives and views of its actor, as they shall naturally present themselves from the very facts, according as they are related in history.

Gregory

¥. Gregory of Tours informs us (a) in a full and circumstantial detail, that as soon as Clovis had extended his conquests, and thereby became more Powerful than any of the other kings of his nation, he bestowed all his time and attention upon the languinary talk of flaughtering and exterminating the feveral princes of his own blood, and then possessing himself of their respective kingdoms. He began with Sigibert king of the Ripuarian Franks, who was the most considerable amongst them, and whose son Cloderic was wicked enough to perpetrate the horrid murder of his father, at the shameful instigation of king Clovis, who had reduced him with promises of concurrence to procure him the succession of the Ripuarian Crown: but by a just judgment it soon appeared, that it was not for himself the unhappy parricide had vacated his father's throne. Clovis being speedily informed of Sigibert's catastrophe, sent off two of his blood hounds towards Cloderic under the pretended character of his agents or ambassadors for treating with him concerning their common interest, who pursuant to their instructions lost no time in dispatching away that ill-fated prince after his father; what one of them effected by dashing out his brains with a stroke of a battle-ax, while he stooped over a chest in which his father had hoarded up a large quantity of gold coin. Those two Ripuarian princes being brought to this tragical end by the contrivance of Clovis, he lost no time in assembling their subjects; and was successful

<sup>(</sup>s) Greg. Turon. lib. 2. c. 40, 41, 42.

cessful enough to persuade them, that he was no way accessary to that murder, alledging among other reasons for his justification, that it was quie unnatural he should have been guilty of so home an act as that of spilling the blood of his own nearest kinsmen. In a word, the affeverations of Clovis made such an impression on the minds of the Ripuarians, that they accepted the offer he made them of his own person for their sovereigns and consequently proclaimed him king by the ceremony of lifting him up on the large bucklet according to the custom of their nation.

Cararic another prince of the same family and king of a tribe of Franks, who, according to the judgment of Abbot Dubos, inhabited the countries comprehended between Bologne, St. Omer, and Brugges with their environs, was the next that fell victim to the ambition of Clovis: who first deposed, tonsured, and obliged himself and his son to become ecclefiaftics, the former a priest and the latter a deacon; and afterwards put them both to death, without respecting the sacred character they were vested with. After this sacrilegious execution, the same Clovis fell upon Ragnacarius king of Cambray, another near kiniman and prince of his blood; whose subjects being bribed, or rather being basely lured by Clovis with deceitful presents of brazen bracelets slightly washed over with gold, most treacherously betrayed their king and his brother Ricarius, and after having tied fall their hands behind their backs, presented them to the bloody minded Clovis, who did not fcorn to become their executioner, dispatching them in that fame

ne posture each with one huge stroke of his thi-By hatchet funk deep into their brains. Those synhappy princes had a brother called Regnor, who was king of another tribe of Franks abiting: the province of Maine, and whom: wis very speedily brought to the same tragical 1 with his brothers and kinfmen above mention-.. Gregory of Tours very plainly gives us to serfland, that Clovis had cut off (a) many per princes, who were likewise of his nearest is the fame royal family; and adds, that er acting out that bloody scene, he affected in familiar speeches to bemoan his own unhappy nation in being deprived of so many faithful ends and ailies, from whom, according to the s of blood, he may naturally expect affiltance ainst his enemies in time of need: but all this. ys that historiam, was but mere fiction and deceit. lculated for decoying into his murdering gins hopes of fecurity some other remains of his ismen, who till then had escaped his sanguinary rfuits. We shall find notwithstanding, that ne princes of the same blood survived Clovis; I still existed in the time of his immediate suc-Tors.

e) Interfectique multis Regibus et parentibus suis primis quibus Zelum habebat, ne ei regnum auserrent, regnum m per totas Gallias dilatavit: tamen congregatis suis usim vice disisse fertur de Parentibus quos inse perdiat: væ mihi qui tanquam peregrinus inter exteros rensi, et non habeo de parentibus, si mihi venerit advers, qui possit aliquid adjuvare. Sed hoc non de morte um condolens, sed dolo dicebat. Greg. Tur. hist. lib. ap.

Now with regard to the views of Clovis in his horrid and unnatural conduct towards all his collateral kinsmen; it is very evident, that their immediate object was his own aggrandizement by the enlargement of dominion and encrease of power: and this he plainly compassed by having cut off all the other reigning princes of his fami-But that Clovis had other views regarding futurity and the interest of his own posterity, appears' equally evident from the above-mentioned circumstance of his jealousy and uneasiness of mind at finding that some of his collaterals of the fame family had escaped his bloody pursuits, and fill survived the massacre of the unhappy king and princes, whose names I have recited as they are recorded by our author. To understand the nature of these remote views of Clovis, and the cause of his jealous apprehensions with regard to his furviving kinfmen, we must first lay down and consider some sew principles and maxims, which were of constitutional force and national obserance, amongst the Franks, according to the best accounts we have of their antient customs and manners, fince their first settlement in Gaul.

The first, that the Franks in general, divided as they were into different tribes, acknowledged but one royal family, out of which each tribe of them was furnished with a king. This maxim of adhering to one particular royal family seems to have been observed by their German nations, while the whole aggregate of their tribes continued to form but one national body or confederacy: for whenever it happened, that they had entirely

irely separated so as to have formed themselves different nations; in that case, they also had ir different royal families, in which the regal reffion was perpetuated whether by mere electior otherwise. This seems very apparent from above cited account of the disposition made by **leadoric**, the first Ostrogothic king of Italy h regard to the succession of his crown, to ich he preferred his grandson Athalaric, as bethe fon of an Oftrogothic prince by his second whter, before Amalaric his other grandson. rause his father was a Visigoth, tho' his mother is his eldest daughter and natural heiress; that the Franks, however separated into different ies, acknowledged but one royal family out of ich they received their kings, appears to be an soubted matter of fact by the above tragical ation of Gregory of Tours, who observes in eral places, that all and every one of those sancic kings, who had been murdered by Clovis re his own nearest kinsmen of the same blood: mt he himself even affected to mention as often the occasion offered, especially for promoting rown ends. In another passage of the same thoranterior to his account of that bloody scene ich was acted by Clovis, he expressly mentions is national maxim of the Franks having but éroyal family: and adds, that the same should nher appear in the sequel by the history of the d king's conquests (a).

Another

<sup>(</sup>a) Tradunt enim multi eosdem, Francos, de Pannonia se digressos. Et primum quidem litora Rheni amnis incoluisse:

Another maxim of national law among the Franks was, that in their feveral tribes and onlonies a popular election always interfered in keeping up the regal succession by filling the throne of supreme command. It is what Gregory of Tour plainly expresses in the above cited words, justs pagos vel civitates reges Crinitos super se creavife. At those electing assemblies, the particular cheire made of the elected prince was fignified not only by loud acclamations, but by a general best of bucklers instead of drums, according to the cuttom of all the Germans (a). And the inauguration was performed on the spot by raising the elected king upon a large shield in sight of the whole assembly, as appears by the above cited example of Clovis, when the Ripuarian Franks chose him as their sovereign king, after signifying their consent and approbation in the above-mentioned manner by a general refound both of their voices and bucklers (b). This same ceremony of regal inauguration was observed in like manner by the Goths, as may be particularly feen in Calfindore's account of Vitiges successor of Theodat, the husband of the unfortunate Amalasontha. A third

incoluisse: dehinc transacto Rheno, Tongriam transmease: ibique juxta pagos vel civitates Reges crimtos super se creavisse, de prima, et ut ita dicam, nobiliori suorum familia. Quod postea probatum victoriz Clodovechi tradidere, idque in sequenti digerimus. Greg. Tur. hist. lib. 2. c. 9.

(a) Si displicuit sententia, fremitu aspernantur; fin placuit, frameas concutiunt; honoratissimum Assensus genus est armis laudare. Tacit de Morib. Germ. cap. 11.

(3) At illi ista audientes, plaudentes tam palmis quam vocibus, cum clypeo erectum super se Regem constituunt. Greg: Tur. hist: lib. 2. cap. 40.

. third national maxim of the Franks was, in chuling their kings, they showed no partir regard to any right that may be claimed er by the first-born of the several branches of rroyal family, or by the direct heir of the last ming prince, unless he were otherwise well quad; and that maturity of age joined with milirexperience and personal merit in any prince of regal stock, whatever line or branch he may of, were the qualifications and conditions that emined their choice, as being pre-requilites of ispensable necessity in the persons of all comnders of military states, such as those of the incic tribes, who were generally engaged either defensive or offensive war with their neighirs, and whose king seldom dispensed themes from marching against the enemies at the d of their own forces. That the Franks aled no particular right or privilege to the first n or direct heir in the order of lines and birth. ongst the several princes of the royal family. shall find demonstrable from plain matter of t, when we come to treat of the succession of fons of Clovis, and their descendants. Nay, n several historical facts, I think we may find m to doubt, whether it was the general sense of Franks after the time of Clovis, and during first and second race of their kings, that the uted heirs of the crown should be allowed any u either of power or property, beyond what y be called merely prefumptive or expectative, ore they came to fuch maturity of age as may urally qualify them for exercifing the functions

of the regal dignity. Of this national maxim of the Franks, we shall find very plain vestiges in their history, traced down even as late as the beginning of the fifteenth century.

As to the maxim of allowing no particular right to the son or natural heir of the last reigning king, the real observance of it amongst the primitive Franks may, I think, be inferred with a good share of evidence from the mannner in which we find the regal fuccession carried on from Clodion the first king of that nation, who made a permanent settlement in Gaul down to Clodowic or Clovis who was his third fuccessor, and the first founder of the French monarchy. Clodion after his first settlement at Dispargum (a castle near Tongeren, or Aduatuca Tongrorum, as is supposed) surprised and possessed himself of Tournay and Cambray (d) towards the year 445, according to the computation of Sirmondus and Petavius. (e) Meroveus succeeded Clodion towards the year 448, according to Prosper's Chronicle: and as to this successor's lineal descent, so far are we from being grounded to think him iffued from Clodion, that by the expression of Gregory of Tours, we are left in a doubt, whether he was even of the same particular line or branch of the royal family (f). Mezaray is of opinion, that Meroveus

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<sup>(</sup>d) Greg. Tur. hist. lib. 2. cap. 9. Gest. Franc. cap. 5. Duchesne, tom. 1. p. 699. Vit. Rem. Duch. Po. 1. p. 524. (e) Sirmondus in notis ad Sidonium.

<sup>(</sup>f) Petavius Rat. temp. lib. 6.

the guardian of Clodion's two sons, whose was he supposes to be Clodobaud and Clodomir. To the opinion of some writers, that Meroveus that young prince, son of a king of the nks, whom Priscus Rhetor (g) mentions to essen at Rome towards the year 450, from more they conclude, that he was the son of king dion, the inconsistency of it is plainly denstrated by Abbot Dubos, vol. ii, p. 86.

Now with regard to the second successor of dion, who was Childeric the fon of Meroveus. first account we have of his life is, that the anks, who were his father's subjects, banished n out of their territories for the excess of his baucheries: and that far from allowing him any erent right of succession, as being the son of ir last king, they elected Egidius the Roman litary commander of Gaul (b) as their fole king d sovereign; who continued to reign over them, en after Childeric was recalled, and reigned alys in good understanding with him according to : same historian, who plainly gives us to undernd, that they fought in concert with each other ainst the Visigoths and the Saxons, the latter ng commanded by their Adoagrius, near Orns in the year 464 (i). And for further evince that the Franks, who were subjects of Cloon and Meroveus, chose their kings without any regard

g) Priscus in Excerp. legat. p. 36.
5) Denique Franci hoc ejecto, Egidium illum quem supe i Magistrum militum a Republica missum diximus, sibi nimiter in Regem adsciscunt. Greg. Tur. hist. lib. 2. c. 11.
7) Greg. Tur. hist. lib. 2. cap. 18. vid. Abbot Dubos, 2. p. 312.

deric the fon of the latter was only kin nay, a small share of the said conquests and which was likewise the only inhe rather the military benefice of Clovis ginning of his reign, as shall hereaste particularly observed.

Through the clear medium of the national maxims of the Franks, we a discern all those views and motives which regarded futurity in his horricatural plan of cutting off all his collate of the royal family. That ambitious has ensure the succession of his crown and to his own sons and their descendants knowledge of the general maxims and Franks, as above explained, he was vinced that every prince of the same be ever line or branch he may be of, has chance and expectative right to the said as his own sons or their offspring. that in the same manner, and by the

ofe two kings; so may his new acquilisposed of after his death, in favour of s as the feveral tribes of Franks whom ught under his subjection, might judge ving of their respective crowns and go-, without allowing of any prior right as may claim from the merit of their equests. Clovis was likewise sensible, hould happen to die before all his sons lat the maturity of age that was rewereign commanders according to the w of the Franks; any of them that deficient in that respect could not have ance to succeed him in any share of his in quality of a king, while there rey other prince of the royal family, who and military experience had been quakercise the functions of the supreme

remove those several causes of danger ainty with regard to the future state of 12 clovis conceived, and almost competeted the horrid design of cutting off his kinsmen, from whom and their is had room to apprehend an opposition o his own aggrandizement, but also to establishment and regal succession of his ofterity. Clovis however had not long e dominions and treasures of his murmen, when he was called to an account great judge in the 45th year of his age, e had finished that bloody work, as apthe plain words of Gregory of Tours,

at the close of his historical recital of that tragdy (a); but as to what that ambitious king had promised himself from that violent expedient in favour of his sons; it had indeed so far its defined effect with regard to them, that they were thereby left at full liberty to posses themselves of all that sather's dominions, which they divided between them with common consent and without control, at least without any effectual opposition at that time from those weak remains of the royal family, who had escaped the general massacre.

Another circumstance was indeed very particilarly conducive to the peaceable settlement of the sons of Clovis, as it had been likewise most effectually favourable to himself in all his undertaking for the enlargement of his dominions. The circumstance I point at, was the interest, which the bishops, and all the orthodox Christians of Gaul had in opposing some powerful barrier to the progress of the arms and oppressions both of the Burgundians and the Visigoths, whose kings were not only zealous votaries and defenders of the Arian herefy, but also professed and violent enemies of all the true believers of the divinity of our Saviour Jesus Christ. Evarix or Euric the Visigothic monarch, murderer of his own brother and predecessor Theoderic the Second, and for some time a cotemporary of Clovis in the beginning of his reign, shewed himself the most sanguine

<sup>(</sup>a) His transactis, apud Parisios obiit... migravit autem post Vogladense bellum anno quinto: fueruntque omnes dies regni ejus triginta anni; etas tota quadraginta quinque anni. Greg. Tur. lib. 2. cap. 43.

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of all others in carrying on the antichristian work of cruelly persecuting the Catholics in general. 46 The inferior clergy he committed to close con-"finement; of the bishops he exiled many, and <sup>66</sup> put others to death; those of the laity who 45 dittinguished themselves in opposing the pro-"gress of his herely, he ordered to be be-66 headed; and for suppressing all Catholic <sup>66</sup> communion of public prayers, he nailed 46 up the churches and all places of divine "worship (b)." I only translate the words of Gregory of Tours: An earlier writer than Gregory. I mean the celebrated Sidonius Apollinaris bithop of Clairmont in Auvergne, one of our most noted Christian poets, in a letter he writes about the year 475, to Basilius supposed to be the bishop of Aix, concerning those persecutions of Evarix, especially against the Catholic bishops, after observing to his friends that that king shewed himself not more intent upon enlarging his dominions, than propagating his herefy upon the ruins of the Catholic religion in those countries, wherein he had established his military command, concludes with this remark, that upon the whole of his conduct it would feem doubtful, whether he should rather be considered as the king of his nation, than as the chief of his fect. A sharp but just reflection worthy of the great Apollinaris, A a 2

<sup>(</sup>b) Hujus tempore Evarix Rex Gothorum excedens... truncabat passim perversitati suz non consentientes. Clericos carceribus subigebat. Sacèrdotes vero, (Episcopos sc.) alios dabat exilio, alios gladio trucidabat: Nam et ipsos sacrorum templorum aditus spinis jusserat obserari. Greg. Tur. hist. lib. 2. c. 25.

and not less becoming his Christian zeal as a bishop, than his judgment and experience as a statesman \*. Happy for both the temporal and spiritual peace of mankind in our days, that the kings of the present age are so well advised and instructed by the history of past times, as to shew themselves much more ambitious of the character of just and wife rulers, than that of either propagating their own religion, or perfecuting the followers of any other, were it even of the latest

growth.-

But to return to Clovis and the views of the orthodox Christians of Gaul with regard to him, that prince, who succeeded his father at the time those Visigothic and Burgundian kings were thus carrying on their persecutions against the catholics. was but a mere Pagan in point of religion, free in the mean time from all dispositions of quarrelling with the Christians on the score of their religion, while his heathenish priests were equally remote from forming any claim or pretentions to possess themselves of the Catholic churches or their revenues; which was far from being the case of the Arian clergy. Those were strong motives for the orthodox Christians of Gaul to favour the progress of Clodowic's arms, and to facilitate in all respects the encrease of his power, whereby he may be able to ballance, if not check that of the perfecuting

Sidonius was the son of a Przetorian Prefect of Gaul, under the emperor Honorius; he was made Prefect or governor of Rome by the emperor Athemius, who afterwards created him a Patrician, and was subsequently employed upon different embaffies of great importance.

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persecuting kings abovementioned. But beside this motive, the Catholic clergy must likewise have confidered and foreseen, that Clovis being but a simple and unprejudiced Heathen, may be more easily converted to the orthodox faith of Christ, than those Arian kings hardened and obstinate as they were in their herefy, and violently prejudiced at the same time against the Catholics. Subsequent events proved the wisdom and sound judge ment of the Catholic clergy on this occasion. Clovis became a convert to the orthodox faith: and Gundeband the Burgundian king, notwithstanding the confusion he had received at seeing fome of his ablest divines convinced and converted by the conference of bishops, which he agreed to be held at Lyons in his presence, (a) remained obdurate to the end of his life; though being at last convinced of the errors of Arianism, he offered to abjure it in a private manner; but a public abjuration being infifted on by Avitus the bishop of Vienne on the Rhone, that unhappy king died in his herefy and fins, Antiochus-like, against the light of truth, the inward conviction of his mind, and the pressing dictates of his conscience (b).

Abbot Dubos, after explaining and setting forth in a very advantageous light those views and expectations of the Catholics of Gaul with regard to Clovis, confidently infers from the tenor of a letter, which Remigius bishop of Rheims wrote to that prince soon after his accession (as that author thinks)

<sup>(</sup>a) Collatio Episcop. coram Rege Gundebando in oper. Greg. Tur. p. 1322. (b) Greg. Tur. Hist. lib. 2.

thinks) to the throne of the Salian Franks effeblished at Tournay, that the bishops and chief citizens of those provinces of Gaul which were still faithfully obedient to the Roman empire, tok upon them to invest Clovis with the dignity of Magister Militum, or chief commander of the Roman army in the faid provinces: affuring thenselves, as it may be supposed, that the oriental emperor Zenon, when informed of the prefing exigencies of their affairs, would approve and ratify that measure, as they had judged it of extreme necessity both for their own safety and the interest of the Catholic religion. But how that we reconcile this inference in all its circumftence with the plain context of that letter, and especially with its preamble, wherein the writer grounds is congratulatory compliment to Clovis upon a ber report? Remigius, who for the fanctity of his life as well as the lustre and antiquity of his see, was univerfally respected in his time, as if he had been properly the chief or primate of all the bishops of Gaul, could not but have had furer information than that of mere rumour or hearfay of what may regard the military dignity Clovis is supposed to have been invested with, if it really had been conferred on him either by the bishops and chief citizens of those obeying provinces of Gaul for the interest of their religion, or by the emperor Zenon at their recommendation and request: the bishop of Rheims being the most eminent of all those prelates, and not less interested in that or any other measure of common concern, must doubtless have been consulted by them upon such

reasion: at least, neither their own resolution : rour of Clovis, nor their negociation with the fror to the same end, could have escaped the . ledge of Remigius, whose penetration and nent was equal to his zeal for the Catholic : and confequently for promoting every meahat may tend to its prosperity. ne obvious and natural sense of that letter ' rts indeed, that Remigius makes his complis to Clovis upon the common report of his g taken in hand the administration of the ry charge, which was attached to his benefice. fling of the city of Tourney and its annexed ories; and gives him at the same time very ry advices for his just and successful conduct it administration; such as in the first place to are, that his faid military benefice should not efiled with exactions; and in the next, to ur and respect the bishops of his districts. ng him. that while he kept in good underling and harmony with the Catholic prelates. ay promise himself all forts of facilities and is in the execution of his office. The reader take notice, that those military benefices, as h been observed in the preceding chapter. granted by the Roman emperors as the flior pay of the foldiery, and their comlers: and the several nations and tribes of rians, who in the declining state of the emvere employed as auxiliary troops during the and fifth centuries, had certain territories ed to them as their military benefices, wherein th at first they had only the right of receiving a part

a part of the state-revenues, and the fruits of some lands as the hire of their service, without the least power or part in the civil administration, they usurped by degrees both the civil and the military power, and thus assuming at last all the rights of sovereignty, erected themselves as absolute and independent kings: what soon occasioned the utter subversion of the occidental enpire.

During the course of these gradual usurpation upon the rights of that declining state a when my tribe of those barbarians insatiably defirous a they were of enlarging their quarters; (urprile) and possessed themselves of some neighbourier posts or cities occupied by Roman troops, the weak and embarrafied emperors generally found themselves under the necessity of patiently beging with those insults and suffering such usurped possessions to pass under the name of military benefices, affigned to those rapacious mercenaries: thu contenting themselves with the bare form of saving appearances. It was doubtless in this sense, and agreeably to this form, that Remigius in his letter to Clovis, calls his fettlements in and about the city of Tournay by the name of his military benefice under the Roman emperor: tho he well knew at the same time, that they had been illegally acquired by Clodion, who had forcibly polletted himself of that city and its territories, even in an open hostile manner.

The chiefs of those barbarian tribes having thus usurped all supreme power over the Roman citizens of the districts or provinces, which passed under let the name of their military benefice, while wallo allumed the right of commanding fuchs the Roman foldiery as happened to have been bed within their adjacent quarters, madenia ir particular business at the same time to rel' helds the commanders of those same Roman bens and foldiers to their respective persons! Provernment; judging such a conduct towards m to be highly expedient for their own personali west, as it ensured them their favour and conwence in time of need toward maintaining them+ les in the fupreme command of their respective ies; the candidates or prefumptive successors erved in like manner an obliging behaviour firds the Roman citizens and foldiery for their a future interest; and those interested views; the Barbarian chiefs ferved to alleviate in fomet after the weight and barbarity of their yoke. the judicious readers of the histories of those barian wars and usurpations on the Roman pire, will find the preceding remarks plainly unded upon historical facts.

but to return to the congratulating letter of migius to Clovis or Clodouric. I think it persent to the subject in hand to observe, that as faid letter preserves no date, so I find nothing the observations made thereupon by Abbott bos, from which I may well assure myself of having been written to that prince so soon after father's death, or while he was of so mature age as is supposed by that learned writer; if no nerical error has crept into that passage of gory of Tours history, wherein he sets down

the years of Clodowic's reign, and his age at the time of his death, affigning thirty to the former and forty-five to the latter; it follows indeed that he had begun to reign at the age of fifteen This if we suppose as a matter of fact, and gu at the same time that the administration attribut to Clovis in Remigius's letter, was really exercise by Hypso very soon after his father's death, as is pretended by the above named writer; it would plainly follow, that the national maxim di the Franks, requiring maturity of age for the alministration of regal power or sovereign military command, was either dispensed with, or violated in favour of Clovis, or elfe, that the reality of suchs maxim has been supposed without sufficient fordation. As to the real observance of such a national maxim amongst the Franks, it is when I hope I shall produce such further proofs of in the fequel, as may give full fatisfaction to them. partial reader; nor is there any fort of necessity to admit of the supposition founded upon the letter of Remigius, inalmuch as it bears no date, as I have already observed. In a word, if the military administration attributed to Clovis by the venerable bishop of Rheims was of a regal or fovereign nature in any fense or respect, as it really must have been with regard to the Franks of his own tribe and military benefice; far from having any grounds to suppose, that that prince was invested with it, at least with the approbation of his own national subjects, before he came to a sufficient maturity, we have rather the most cogent reasons to suppose the contrary.

Bs to the number of years assigned by Gregory' . Tours to the reign of Clovis at the time of death, which being deducted out of his whole would have fixed its beginning immediately: er his fifteenth year; that historian, if the comnation attributed to him be free from error. have supposed, according to the common tion, that Clovis began to reign as foon as his ther had refigned his last breath: in the same moner that the reigns of the subsequent kings of sence were computed from the decease of their amediate predecessors: though it is very certain. nat until the time of Charles the fifth, or rather. at of his fon Charles the fixth in the year 1403. me of them can be faid to have reigned effectuly, until they had attained the twenty-fecond year their age, as shall hereafter be explained and At the same time I cannot but conceive firong suspicion of some error having crept into egory's supposed account of the years of Clowic's reign, and his age at the time of his death: cause I cannot see, how it may be reasonably conciled with an undoubted historical fact. sich is related by the same author in that very After mentioning the death et of his history. Clodowic, and the partition which his four fons ade between them of all his dominions, he inrms us, that Thiery otherwise Theodoric, had en a son called Theodebert, who was already of ch a maturity of age, as rendered him capable ferving the state (a). And what confirms this aracter of that young prince, our said historian ating the immediate consequences of Clodowic's death

(a) Greg. Tur. Hist. lib. iii. c. 4.

## DISSERTATIONS ON THE



death (an event, which must naturally have ea conraged the neighbouring powers to invade the Franco Gallic dominions) sets forth, that Cochiliachis king of the Danes, having made a descenon the coasts of Theodoric's kingdom at the head of all his forces, transported from Denmer in a very numerous fleet, the latter loft no timen marching away a powerful and well provided body of land-forces under the command of his fee Theodebert, ordering at the same time his fleet in fleer towards the invaded coast, to be commanded by the same prince at the place of action. Thus debertus proved himself worthy of so important a command, he not only defeated, but killed the Danish king at the head of his land-forces; he then embarked, engaged, beat, and dispersed the Danish sleet, brought back, and restored to the owners all the spoils which had been carried off by those piratical invaders, and returned completive victorious both by sea and land.

Now as to the age of Theodebertus at the time he atchieved this glorious exploit, which Abbot Dubos refers to the year 512, if Clovis was but forty-five years old, when he died a few months before in the year 511, we must necessarily suppose, that his grandson Theodebertus could not then have surpassed the fourteenth or sisteenth year of his age; and by allowing that prince even this small number of years, when he gave those signal proofs of his military capacity, Theodoric cannot be allowed more than sisteen years when he begat Theodebert, nor consequently could Clovis be of a more mature age, when he had Theodoric.

Now

that Theodoric would have committed an dition of so much importance as the repelling nidable invalion to the conduct of a youth may fourteen or fifteen years of age, seems to I supposition that cannot be reconciled with naxims of common prudence, much less with of state-government, even had that young mander been affifted by experienced officers. g vested with the supreme command over e officers, the flights of youth might have led to direct their operations in such a manner as it be attended with woeful consequences. I t therefore conclude, that Theodebertus was more mature age, when he was entrusted that important command, and confequently. his grandfather Clodowic must have been of we advanced age, than that of forty-five at ime of his death, which happened but a few the before this exploit of Theodebertus. As e rest, the latter supposition, which is a necesconsequence of the former, I mean that of is and Theodoric becoming fathers each at ige of fifteen at most, is remarkably repugto the national customs and manners of the nans; whose long continence is so particularly n notice of by Cæsar and Tacitus, that among young folks of that nation, the former obit was looked upon as the greatest scandal diffionour to any man to know womankind re the age of twenty. And the latter reks in general of the whole nation, that both men and women observed strict continence very mature age. Of the advantages of which

But however short or long Clodowic's age may have been at the time of I certain it is, that his four fons, unrival were left through their father's genera of all his collateral kinimen of any note divided his dominions between them controul or opposition, according to the accounts of Gregory of Tours and And here it is to be observed, that we material part of the old constitution b Franks and other Gesmanic nations ve and remarkably preferved by the fons in the partition they made of their fath nions: I mean the law of Male-Ga rule of exact equality of shares, as an old Irisb. Both Gregory of Tours and are very express as to this rule of equa partition made by the fons of Clovis. find in Gregory's account of the B princes, that the four fons of Gunderic. debandus, Godegisillus, Gundemarus, والمستداد المسترانية المسائدة المسائد المسائد المسائد

led between his two grand-uncles, Gildebertus Clotharius, in the year 555. And so was that laribertus, eldest son of the said Clotharius, ed equally between his three brothers in 566. Is also had Theodebertus the son of Theocia and his two uncles Childebertus and Cloius divided the kingdom of Burgundy after deseat and death of its king Gundemar in the r534. From all which instances we may concle, that this law of equal Gavel was a constitutional maxim common to all the tribes of those manic nations.

This national usage of gaveling the domins of the French crown between the fons or heirs of the last possessor, has been constantly rved during the first and second race of their zs, and that without any particular regard the first born or direct heir beyond the of the brothers or co-partners. that the learned and judicious author of the chronological abridgment of the French pry observes (a), that during the course of le races of the French kings, the crown was wed by the descendants of Clovis and Pepin in r respective times, according to the law of al partition, and without allowing any particuright or preference to the first born or direct In the partition or gavel made between the fons

<sup>)</sup> Pendant toute la premiere race, la Couronne fut porpar les Descendans de Clovis, a la verité sans droit d' se et avec partage: elle sut possede de même sous la nieme race par les Ensans de Pepin, &c. Abregon. p. 41. Edit. 4.

fons of Clovis, I find another remarkable circumflance, in which it exactly agrees with the antient Irifo custom of Gavel-kind; which is, that Theodoric, who, according to all the French historians, Audigier alone excepted, was but a natural fond the said Clovis by a concubine, had notwithstanding an equal share of his father's inheritance with his brothers the lawful sons of that king by his virtuous wife Clotilda.

From this agreement and uniformity between the antient Franks and the old Irish in that one point of the law of regal fuccession, which confisted in the male gavel or partition by an equality of shares. I think it may reasonably be presumed, that the primitive conflitution of the Franks was not essentially different from that of the Iribin the other principal part of the faid law, according to which, maturity of age was indispensably required for succeeding to the regal power and dignity: consequent to which maxim the direct descendants and heirs of royal families in Ireland were frequently excluded from the regal fuccession for the want of sufficient age, while their uncles or other collateral kinfmen, being feniors, filled the throne, and swayed the sceptre during life, referving to fuch direct descendants only the bare chance of succeeding afterwards by virtue of their feniority. Now if we can produce instances well warranted in history of some direct heirs of the crown of France, during the first and second race of their kings, being either excluded from the succession, or postponed to their collateral kinsmen for want of sufficient maturity of age; and can **fhew**  shew that even during the third race, when the direct hereditary succession became more firmly established, certain plain marks and vestiges, still remaining in the French constitution of the same ancient maxim, whereby maturity of age was esteemed an essential qualification, and made a condition absolutely required for the exercise of regal power; it is to be hoped, the reader will not think us quite unsuccessful in this particular enquiry into French antiquities.

The first plain instance I meet with in history of a direct heir of the French crown being excluded from the succession on account of immaturity of age happened in the year 673, when Donald or Daniel the only son and heir of Childeric II. was laid aside, while Thieric III. his uncle by the father, succeeded to the throne, and reigned during life as sole king of all the French dominions. This example is exactly parallel to the Tanistic manner of regal succession in Ireland, where one brother was frequently succeeded by another, while the son and heir of the elder brother and predecessor in the throne was quite excluded, or at least postponed to his uncle who reigned as absolute king, in right of his seniority.

The second instance of such an exclusion I find in the person of Thiery of Chelles, only son and heir of Dagobert III. who died about the year 718, when that young prince was laid aside for want of sufficient age, and the above Daniel came in for his turn in the regal succession, which he enjoyed during life under the name of Childeric II.

b a

and was fucceeded by the above Thieric of Chelles.

In the year 884, among the kings of the fecond race, a third plain example of such an exclusion from the throne for want of age, is remarkably observable in the person of Charles III. fon and only remaining heir of king Louis le Begue, after the death of his two brothers Louis III. and Carloman, when the faid Charles was excluded the throne of France by his kinfman Charles le Gros, emperor of Germany, under the fole pretext of his want of fufficient age. The same pretext was still alledged against that unhappy prince after the death of Charles le Gros, whom his nephew Arnoldus, a bastard son of his brother the emperor Carloman, succeeded in the Imperial throne, while the French crown was usurped by Eudes, son of Robert le Fort, the stock of all the kings of the third race.

Now as to this last race of the kings of France, though we find the hereditary succession regularly carried on from Hugh Capet, down to our own days, and no instance of utter exclusion given to the direct heirs of the crown, by appointing any other prince to reign as king, in case of immaturity of years in the rightful heir; yet we can discover plain vestiges of the old maxim of requiring sufficient age as an essential condition for the exercise of regal power still very discernably to be traced in the French constitution as far down as the beginning of the sisteenth century. To set those vestigia in their due light, we have only to lay down the following propositions im-

porting

porting certain historical facts of uncontestable truth and authority. The first, that maturity of age was always looked upon by the French nation as a condition so effentially necessary for exercifing the regal power and functions, that before the above epoch, the heirs of the crown were never inaugurated, proclaimed, stiled, or reputed kings, nor entrusted with the actual administration of the kingdom, until they entered the twenty-second year of their age, which was the term of their minority. The second, that during this long minority of the heir of the crown, one of his nearest relations of the same blood being of a mature age, and preferably, whoever was the next in fuccession, always claimed the right of being regent and administrator of the kingdom with regal authority; and accordingly, administred and governed absolutely in his own name, and not in the name of the minor, sealing all acts with his own seal of arms after the manner of all fovereign princes, and difposing of all the royal revenues or converting them to his own use according to his will and pleasure. Of the truth and reality of these maxims and usages of the French nation, the reader may fully satisfy himself by consulting the above cited chronological abridgement in the reigns of Charles the fifth, and Charles the fixth, and under the years 1974 and 1403: as also, Abbot Dubos, vol. iv. p. 80, 81, 82.

I refer to the judgment of the reader, if these very maxims alone, were there no other concurring instances to be found in the French antiquities, may not justly be regarded as so many plain B b 2

attained to full maturity of age, before they were vested with the regal power and dignity, was much of a more ancient date than the ceremony of crowning them at their inauguration. above account of their national customs and public usages we have observed, that the inauguration of their kings was performed by the fole ceremony of raising up the royal candidate upon a large shield or buckler, and proclaiming him king or fovereign commander, with the general acclamation of the army and multitude, as above explained. The Gothic nations used no other ceremony at inaugurating their kings, as we have always observed. Leovigildus, who was the feventeenth of the Visigothic kings of Spain, is faid to be the first, that added the regal crown to the rest of his regalia towards the end of the fixth century. But that he required the ceremony of coronation at his accession to the throne, is the more to be doubted, as it is not observed even in our own days by the kings of that monarchy. Nor does it appear from any folid proofs, that any of the Merovingian kings of France were either anointed or crowned at their inauguration, notwithstanding the story of the holy oyl-cruit of St. Remigius, which is abundantly refuted by many writers, and even denied by Roderic O'Flaherty (a): who has likewise observed and proved from good authorities, that Pepin was the first king of France, who used the ceremony of regal unction and coronation, which he received at the hands of St. Winifred, otherwise Bonifacius. arch-bishop of Mentz, in the year 752. The fame

(a) Ogyg. p. 51, 52

## LAWS OF THE ANTIENT IRISH.

fame king Pepin, and his two fons, Charles (afterwards called Charlemagne) and Carloman, were anointed and crowned kings of the Franks, by Pope Stephen III. as appears by his own letter to Regino, which is recited by Baronius, and referred to the year 754. And when the faid Charles became emperor, he was anointed and crowned a fecond time by Pope Leo III. as hath been recorded by feveral authors; in short, those Carlovingian princes were the first of all the kings of France, that used the ceremony of regal unction and coronation.

It being therefore an undeniable fact, that the kings of the first race never used the ceremony of regal coronation and unction, and yet were not the less respected and acknowledged as real and lawful kings, as foon as they arrived at fuch a maturity of age as qualified them to be inaugurated in the old usual manner, and entrusted with the fovereign power and administration of the kingdom, it follows by a plain and necessary consequence that the right enjoyed by the regents. was neither founded upon, nor derived from any fuch origin as the supposed notion, that the heirs of the crown should not be held as real kings. until they had been folemnly anointed and crowned. In a word, during the first race of the kings of France, whenever the prefumptive successor and heir of the crown happened to be under age, at the time of the demise of his predecessor, the administration of the kingdom was committed to a regent, who governed fovereignly and absolutely in his own name, during the minority, and his his right was folidly grounded, as it naturally refulted from the old national maxim of the Franks, whereby maturity of age was made a previous condition and qualification absolutely necessary for being either vested with the right or entrusted with the exercise of regal power. Hence it is, that in primitive times, the heirs of the crown of France, while minors, being under a temporary disqualification to be either invested with the regal dignity, or entrusted with the exercise of sovereign power, it became necessary, that this power, together with the whole administration of the kingdom, should be lodged in the hands of a capable person, who governed absolutely and somreignly in his own name, until the direct heir should have attained to the due maturity of age.

The hereditary prince having attained this necessary term of years, he was inaugurated and enthroned, as being then esteemed capable of exercifing the functions of the regal dignity. antient Franks judged it inconfishent not only with their national maxims, but also with the reason of things, to inaugurate and proclaim king a person who through the immaturity of his years and fense must naturally be incapable of governing the state and commanding its forces: of discharging in a word such duties and functions, as in those days were necessarily annexed to the regal office, and indispensably to be performed by the king in his proper person. And as the capacity of executing those regal functions was the natural product of years and maturity of age; so the general opinion mentioned by the author of the abridgment,





e king was not really king, until he had naugurated in the due time and manner, : flow from a mere groundless notion, as is to think, but rather from a solid princiunded in the law of nature and reason of

That author must therefore have comanother mistake, in imputing to the decontrivance of the regents, that the coroof the heirs of the crown was deferred for a time as the twenty-second year of their as late as they otherwise could; thus to their own advantage, as he plainly the above mentioned notion, that those were not really kings, until they had resolution for the usual manner.

CHAP.

# CHAP. II.

Of the State-laws of Subsidies, tributes, and find rights antiently observed by the Irish kings, and that subordinate princes, and states respectively.

THESE laws of subsidies, tributes and reginghts, are set forth in an antient book caled Leabbar na Great, or the book of rights formed inserted in the old records called Leabbar Glass Logb, and attributed to Benan, Benin or Benin nus, who was disciple and successor of St. Patrick.

All readers of antient history will readily agree, that the primitive customs of nations, regarding fuch flate-rights as are here understood, may be justly esteemed a good foundation for forming rational judgment concerning their respective or gin and antiquity. In weighing this matter, not only the constitutional mode of establishing and exacting those public rights, that regard subsidies, tributes and state revenues; but also the very nature or quality of the goods or effects, in which they were acquitted and complied with, is duly The Roman manner of impoto be considered. fing and exacting tributes and other public revenues, was not very different from that, which the fovereign powers of Europe observe in our own days, even with regard to the nature of the spe cie

cies in which they were paid; which was mostly those metals, that have been universally received as the common standard and measure of all other worldly goods: and this circumstance very evidently pointed out the modern origin of that peoblein quality of a commonwealth, when compared with the Schytbians, the Celts, and the other nations that retained the primitive customs, which regarded those public rights, that were at all times necessary for answering the exigencies of a state, and supporting the dignity of the sovereign. But the different manner and sense, in which those fiscal and state-rights have been established and enforced in different nations, is what I esteem the chief point to be considered for making a proper discernment, as well concerning their respective antiquity, as their natural liberties, and political freedom. In modern nations and states, founded in consequence of conquest, whether lawful or unjust; those regal or public rights that affect landed properties, were understood and infisted on as the very condition of the proprietor's tenure and title in those lands or estates. Thus after the Norman conquest, all the lands of England were considered as absolutely vested in the king, and the secondary proprietor's title or right was merely derived from the sovereign, and was subjected to an absolute condition of paying him certain rights or tributes, whether confisting in military service, or pecuniary rents, or in both. But in all antient nations, the possessor's right and title to his landed property, as well as any other belonging to him, was quite independent of the fovereign.

vereign, and founded only on the primitive law of nature and nations; and what he supplied towards the support of the state and public power, though it may be properly deemed a right and insisted on as such; yet was both demanded and given, nother as a free contribution, merely in view of the common interest, and the general exigency of the state, than any service or compulsory impost. No nation on earth ever produced a more perfect image of such a primitive state-constitution, as I have just now described, than that which is exhibited in the following national system of the antient Irish, concerning the public rights and state-revenues established in their government.

To introduce the reader into a full knowledge of the true spirit and meaning of this part of the Irish constitution, he must be informed in the first place, that amongst the different princes and states of this nation, the chief, and, I may say, the only proper mark of subjection and subordination. was the receiving a certain subsidy called Tuaresdal. which literally implies bire or wages in the English tongue, and which in effect was only a princely present, and token of generosity and magnificence in the giver. But the prince or state, that received it first, was deemed inferior and tributary to the prince, by whom it was given. This maxim, which visibly lays the foundation of the freest and most sociable form of government with regard to liberty and property, that can possibly be reconciled with any fort of political order and subordination, not only is expressed as a fundamental axiom in Leabbar na Gceart, or the book of public

public rights: but is likewise proved from several passages of antient histories, to have been constantly observed amongst the princes and states of the Irish nation. A very remarkable instance of it is let forth and explained in that history of the O'Briens of Thomond, which is entitled Caitbreim Thoirdkealbhaice, viz. that about the middle of the thirteenth century, when a general convention of the princes and nobles of the Irish nation, was appointed at a place called Caoluifge, in order to deliberate upon the choice of a monarch, under whose banners they were to fight against the English, Teige O'Brien of Thomond, contending with O'Neil of Ulster for the supreme power and fovereignty, had prepared a hundred horses in rich furniture as a subsidy or wages for O'Neil, and accordingly, fent them to that prince in this shape, and in the intent and meaning of the above explained maxim. O'Neil, highly stomached at that mark of pretended superiority from O'Brien, not only rejected his hundred horses, but retorted back upon him double the number, equally well accoutred and furnished. This punctilio of honour between the two princes, was the immediate cause of the dissolution of that general affembly, without its coming to any resolution, and Teige O'Brien reaped no other benefit from his conduct, than the distinction of the surname Capluifee, derived from the place of that transaction, which however was intended as a high compliment to him from his subjects and sycophants.

This state-maxim, regarding the political rightboth of the independent sovereign and the subordinate dinate princes, is expressed in the following Irish rhyme in the above mentioned Leabhar na Gozan, in that part of the said book, where the rhyme, expressing that general maxim, is applied to the king of Munster or Cashel; it runs thus in the old Irish language,

Ata sau Seanchas suaire sreath: Ni hainhhshios da gach Eolach, Tuarasdal Righ Caisil coir: Da Riogaibh caomha an cheadoir.

This rhyme expresses in the plainest and most energic manner, not so principally the right of the fovereign, as that of those subordinate princes: and accordingly, the following sketch of this national system of political occonomy, most evidently demonstrates step by step, that the tributes or supplies of the subordinate princes and nobles, were given and received under the form of an equivalent or return for the subsidy or wages first paid by the supreme sovereign; as well as for the necessary support of the state and regal dignity. In this general system of the Irish government, we see nothing essentially different from what has been and is still practifed in the universal system of the European republic, where several sovereigns, otherwise independent, receive subsidies or wages, and return by way of equivalent a certain supply either of military forces, or some other state contributions tending to the common inte--rest, and principally to maintain the balance of power, so necessary for the preservation of that general

general state, which is composed of the different sovereignties of all Europe.

In the next place the reader is to be informed. that with regard to the general and constitutional economy of the Irish nation and its government, the provincial lovereigns observed and enforced two forts of public rights. The one regarded their own respective sovereignties, or subordinate Rates and princes, the other was chiefly relative to the universal harmony and mutual dependence, that was to be kept up between the principal members of the national republic. I shall begin with the more immediate concern of the provincial sovereign, I mean that which regards his own fubordinate princes and states; and as I find the public rights of the king of Munster, both with regard to his own province, and the other provincial fovereigns more extensively explained, than those of any other Irish prince (though all were carried on upon the same plan) I shall therefore treat of him and his rights alone, as it will ferve as a portrait of all the rest. My author sets down the Momonian or Munster sovereign's rights. whether active or passive, I mean, regarding both himself and his subordinates in the manner and method following; where it appears, that he began always with his fubfidiary payments to the different princes or states of his province, according to the general state-maxim. But that the reader, unacquainted with Irish history, may not be startled at such a multitude of kings appearing in one province, he is to know, that every subordinate prince or head of a large tribe and tract of country times of that monarchy, such as the Du Normandy, Britanny, and Guienne, an Counts of Tholose, Flanders, and Chami &c. made war against the king of Franc which they had not as good a right as the fubordinate princes, with regard to their king; their lands and tenures being quite pendent of him, and subject to no fort of r fervile condition; whereas those of Franc theirs as Fiefs, deriving under the crow were subjected to military service and to which properly and originally meant not on jection, but fervility. As to the rest, the plicity of kings in one and the same provi been justified in the preceding chapter. example of the most antient nations, accord facred and prophane history. I proceed the to the detail of the public rights, regarding the king of Munster, and the subordinate 1 and states of the same province.

I. The king of Munster, (who was also the king of Cashel from his reliding at that presented by way of subsidy every year (a golden cups, 30 golden hilted swords, and 30 horses in rich furniture to the Dal-Cassian king, whenever he was not the sovereign of all Munster, to which he had an alternate right by the will of Olliololim. In some copies of the book of rights, I find added to the above presents, ten coats of mail, two cloaks richly adorned, and two pair of chess boards of curious workmanship.

II. To the king of Eoganaci Caifil, when the Dal-Cassian chief became king of Mnnster, according to his alternative, (b) ten men slaves, ten women slaves, ten golden cups, and ten horses in full furniture.

III. To the king of Offery, otherwise called the king of Gabbran, (c) ten shields, ten swords, and two cloaks with gold clasps and rich embroidery. The prose mentions, ten horses, ten shields, ten swords, two cloaks, and two suits of military array.

IV. To the king of Ara, (d) fix swords, fix shields of curious workmanship, and fix scarlet C c cloaks.

prince or king of North-Munster, and that precisely on the first of November, according to those words of Benignus's poem, Deich ccorn go nor gach Samhna; so it is to be understood, that the subsidies of all other princes and states were likewise paid annually about the same time.

(b) Boganact Caisil, otherwise called Magh Feimen or Machaire Casil, comprehended the country from Cashel to Clonmel, &c. Its particular chief was the stock of the Mac Carthies, but more antiently, the ancestors of a tribe of the O Donoghues, descended from Nadsraoich king of Munster, and consequently different from the O Donoghues of Loch Lein.

(c) The king of Offery was Mac Giolla Padraig, or Pitz-Patrick of the Herimonian race.

(d) The king of Ara in the north west part of the county

cloaks. The profe adds, seven shields, seven swords, and seven horses.

V. To the king of *Eile* (e) fix men flaves and fix women flaves, fix shields, and fix swords: according to the prose, eight coats of mail, eight shields, eight swords, eight horses, and eight cups.

VI. To the king of *Uaithne*, (f) fix shields, fix swords richly mounted, and fix horses magnificently accourted, and particularly with golden bitted bridles: according to the prose, seven horses, eight swords and eight cups, together with particular marks of honour and distinction shewn him at the court of Cashel.

VII. To the king of Deifies, (g) a ship well rigged, a gold hilted sword, and a horse in rich furniture: by the prose, eight ships, eight mea slaves, eight women slaves, eight coats of mail, eight shields, eight swords and eight horses.

VIII. To the king of Cairbre Aodbbba, whole principal

of Tipperary, (i. e. Tubber Arat) was O Donnegan of the Earnian race; but in the year 1318, it came to the possession of the descendants of Brien Rua, king of Thomond, called the O Briens of Ara.

(e) Eile was the country northwards of Cashel in the county of Tipperary, its king was O Fogurty of Engenian descent, and from him was called Eile ui Fhogurta: but Eile ui Chearbhuil, situate in the king's county, belonged to a tribe of the O Carrols, descended from Teige son of Cian, son of Olliololim.

(f) The king of Uaithne or Owny, fituate between the counties of Tipperary and Limerick was O Ryan of a

Lagenian race.

(g) The kings of Defies, which comprehended the entire county of Waterford, were O Felan and O Bric, both defeended from the Herimonian flock.

principal seat was Brughrigh, (b) ten slaves made captives in a foreign country, as appears from the plain text of the verse, viz. Deith Gaill gan Gaedbilga; the prose has seven bond-slaves, seven free servants, seven swords, and seven cups.

IX. To the king of Conal Gabbra, (i) the following privileges and presents, viz. while the king of Conal Gabhra remained at the court of Cashel, he had the honour to sit near the king at table, and at his departure from court, was presented with a horse in rich furniture, and a military suit of array, and all his attendants received the like presents proportioned to their respective ranks; according to the prose, the whole was only ten shields, ten swords, ten horses and ten cups.

X. To the king of Aine Cliach, (k) a fword and shield of the king's own wearing, and thirty cloaks, which were given him in the month of May, precisely according to the verse, Is triocad brat gach Béiltine; the prose has eight swords, eight horses, eight cups, two coats of mail, and two cloaks.

C c 2 XI. To

(b) The king of Cairbre Aobhdha, now called Kenry in the county of Limerick, was O Donovan, before the transplantation of the family to Carbury in the county of Corke; the chief dynasts were O Cleircine and O Flannabhra, all of Eugenian descent.

(i) Ua Cconnuill Gabhra, the kings of Upper Connello in the county of Limerick were Mac Ennery and O Sheehan, descended from Mahon an elder brother of Brien Borove, and king of Munster: O Collins and O Kinealy of the Eugenian race were the kings of the lower barony

of the Eugenian race were the kings of the lower barony of Connello, but they were all difinherited by the Fitz-Geralds, upon their first conquests in Munster.

(4) The king of Eoganacht Aine Cliach, which was the county of Limerick, was O Kiarwick descended from Feldhlim son of Nadsry king of Munster.

XI. To the king of Fearmuighe or Glearambain, (1) one horse richly accounted, one shield curiously wrought, and one sword: by the profe, seven horses, seven shields, and seven cups.

XII. To the king of Aoibb Liathain, (m) a fword and shield of the king's own wearing, one horse richly accounted, and one embroidered cloak; according to the prose, five horses, sive

fwords, five cloaks, and five cups.

XIII. To the king of Musgruidbe, (n) one of the king's own swords, one of his horses, and one of his hounds: the prose allows seven horses, seven coats of mail, and seven suits of complex armour.

XIV. To the king of Raibleann, (0) ten fwords, ten scarlet and ten blue cloaks, and ten cups; according to the prose, ten horses, ten

coats of mail, and ten shields.

XV. To the king of Dairinne, (p) seven ships, seven

(1) The king of Eoagnacht Gleannamhain which comprehended that part of the county of Corke, now called Clan-Gibbons, Condons and Roche's country, was O'Keeffe; but that part properly called Fearmuighe belonged to O Dugain, who was descended from Ir son of Mileadh.

(m) The king of Aoibh Liatháin, now called Barrymore and Cinealtalmhuin were O Lehane and O Anamchadha

of Eugenian descent.

(n) Musgry in the county of Corke, sometimes called Musgruidhe Miotaine and sometimes Musgrudh ui Fhloins, its chief king was O Flinn of the Earnian race, until Dermod Mor Mac Carthy disposses him.

(e) Raithlean, was the principal feat of O Mahony Fions, who was chief king of the baronies of Cineal Aodha and Cineal Mbeice in the county of Corke, and descended from

Cas son of Core son of Luig king of Munster.

(p) The king of Corcaluighe, otherwise called Dairinne in Carbury in the county of Corke was O Driscol, descended from

feven coats of mail, and feven swords; by the prose, seven ships, seven coats of mail, seven horses, seven swords, and seven cups.

XVI. To the king of Leim-con, (q) a ship in full rigging, one horse in rich furniture, one cup curiously wrought, and one sword: in the prose, seven ships, seven horses, seven coats of mail, seven shields, and seven swords.

XVII. To the king of Locb-Lein (r) ten ships, ten dun horses, and ten coats of mail: by the prose, seven ships, seven horses, seven coats of mail, seven shields, and seven swords.

XVIII. To the king of Ciáruidhe, (f) ten horses well accourted, and a silk cloak: according to the prose, seven cloaks with gold clasps, seven horses, and seven cups.

XIX. To

from Luig fon of Ithe; the other principal dynasts of the Ithian race, were O Leary, O Cobhthach, O Baire, O Flinn, and several others.

(9) The king of Leim Con, in the west of Carbury was

O Drifcol-og.

N. B. There were three O Driscols, viz. O Driscol More, whose estate or lordship extended from Glendore harbour to Dromelegue northward, and to both sides of the river Eylan, and to Cape Clear westward. O Driscol-oge, who resided at Leamcon, and possessed all that tract of land, which now consists of the parishes of Scul and Caharagh; and O Driscol of Beara or Bearhaven, whose lordship extended from the bay of Bantry to the river of Kinmare.

(r) The king of Eoganacht Locha Lein in the county of Kerry, was O Donoghue descended from Cas son of Core son of Luig king of Munster: but before him the chief kings were O Muirearty and O Carrol descended from Cairbre

Luachra fon of the faid Core fon of Luig.

(f) The king of Ciaruidhe Luachra, otherwise called Feorna Floinn, was O Connor Kerry who was of the Ruderician race, and descended from Ciar son of Feargus, son of Roih, XIX. To the king of Dairbre, (1) three ships well rigged, and three swords: according to the prose, seven horses, seven hounds and seven cups; and so on to other perty kings and states, too self-ous to be mentioned; every one of which he complimented with a proportionable present by way of an annual subsidy.

The reader is to judge, if such yearly munificence could be extended to fo many princes and states, without a certain degree of royal magnifi. cence and iplendour, supported by power and opulence; and from this circumstance, as well as from the quality of some of the subsidiary prefents now described, it may be concluded, not only that a foreign trade and commerce was carried on in Ireland in those days (of which, beside the anthority of Irish history, we have further proof in the testimony of Tacitus in Vit. Agricol.) but also, that arts and handicrasts of this kind had been brought to great perfection in this kingdom. It further appears from the quality of some of those presents, that the use of gold and silver was then of an antient standing amongst the old Irish. though they chose rather to adhere to the primitive cultoms of complimenting each other with furniture and provisions, than with coined pieces of those metals, which could not immediately serve them instead of the necessaries of life. The **fumptuary** 

<sup>(1)</sup> The king of Dairbre, now called Iveragh in the county of Kerry, was O Shea of Earnian descent:—
O Failbhe and O Connel were settled near him in the barony of Corcaduibhne, who were of the same Earnian stock, being all descended from Corc son of Cairbre Musg, son of Connaire son of Moghlaimhe king of Leath Cuinn.

fumptuary laws which I shall exhibit in the course of this work, do also affix the value in cattle, of embroidery in gold, silver, and silk.

I shall now proceed to shew and explain to the reader the different forts of retributions or tributes, those subordinate princes and states paid their chief provincial fovereign in return of his Subsidies, both for the necessary support of his dignity, and for answering the exigencies of the These two different objects required, that the tributes should likewise be of two different natures, the one fort was merely fiscal, and regarded only the support of the king's houshold, or that of his particular state and dignity. other kind of tribute confisted in what was necesfary for supporting the public state, and defending the kingdom upon all occasions and exigencies. whether ordinary or casual. From the payment of this latter kind of tribute, no subordinate prince or flate was, or could be exempted. For the casual exigencies of defending the state in time of war, or exterior infults, they supplied their respective contingents of fighting men: and for the ordinary exigencies regarding the inward occonomy and police, they furnished either men or effects, according to the nature of the call; and as those objects of casual and ordinary state-exigencies were not of a fixed and invariable nature, the respective proportions of the tributary princes and states are not, and could not be specified in the book of rights. But the other fort of tribute, regarding the support of the king's houshold and dignity is minutely taxed and entered in

that book, respectively and proportionably to every petty state or tribe of people, that was to furnish it. And it is to be observed, that no king is subjected to it, though the people of their comtry are; and that not only for the consideration due to the regal dignity, but also, because the other kind of tribute regarding the public interest and state is all reserved for, and levied on those subordinate kings. For what regards the siscal tributes, the manner of paying them, agreeably to the primitive times, will be sufficiently exemplified by the following entries, faithfully translated word for word, out of the antient record, called Leabhar na Geeart, or the book of Irish Rights.

I. The king of Cashel or Munster, received a yearly tribute of one thousand bullocks, one thousand cows, one thousand weathers, and one thousand cloaks from the inhabitants of Burren.

II. From the inhabitants of *Corcamruadb*, one thousand bullocks, one thousand cows, one thousand sheep, and one thousand cloaks.

III. From the people of Corcabbaifcin, one thousand bullocks, one thousand weathers, one thousand hogs, and one thousand cloaks.

IV. From the inhabitants of Corcaduibbne, one thousand bullocks, and one thousand cows: but according to the poem beginning with the words, \* Cios Caifil Accualabbair.' It is added, thirty fearlet cloaks, thirty bullocks, and thirty milch cows.

V. From those of Ciaruidbe, one thousand bullocks, one thousand cows, and one thousand hogs.

VI. From

I. From the people of Seatimadb, (u) one lived bullocks, one hundred cows, and one lived hogs: according to the poem, they were ay only fixty bullocks, fixty cows, and fixty k weathers.

II. From the inhabitants of *Corcaluighe*, one dred bullocks, one hundred cows, and one dred hogs.

III. From the people of Musgruidbe, one thand cows, and one thousand hogs: though accounts add three hundred beeves, three dred hogs, one hundred milch cows, and one dred cloaks.

X. From the inhabitants of that part of rmuighe, which belonged to O Dugain of the of Ir son of Mileadh, forty bullocks, forty ves, and forty milch cows.

C. From the people of the *Defies*, one thoud bullocks, one thousand milch cows, two thoud hogs, one thousand sheep, and one thousand aks.

KI. From those of *Uaithne*, three hundred ch cows, three hundred hogs, one hundred locks, and three hundred cloaks.

XII. From the inhabitants of Ara, one hundred cows.

w) Seactmadh is an ancient name of some country in west of the counties of Corke and Kerry, which I do: sind in any other old writing, except this poem. I am lined to think it was Iveragh in the county of Kerry, ich as it chiesly belonged to the O Sheas and others of Earnian race, was consequently liable to pay tribute; I this seems the more probable, as that country alone is reckoned amongst the other tributary states by any er appellative.

cows, one hundred hogs, two hundred weather and one hundred green cloaks.

XIII. From the people of Offery, seven had dred cows, and seven hundred cloaks; beside to obligation incumbent on the king of Offery supplying the king of Munster with his characteristic of armed men, when demanded upon necessary occasion. And so on from different other countries and petty states: all which supply were to be paid in by those different people, affated times and certain seasons of the year.

N. B. The Dalgais and the following that and principalities were exempted from payon this kind of fiscal tribute to the king of Munifer as is set forth in the book of rights, but not at large in the Irish poem beginning with a words, A Eolcha Mumban Moire, viz.

1. Eoganati Cashel; 2. Eoganati Aine; 3. Eoganati Gleannambain; 4. Eoganati Raithlean; 5. Eoganati Locha Lein; 6. Eoganati Graffan (x); 7. Add Liathain; 8. Ua Cconuill Gabhra; 9. Aoibh Cainh Aodhbha; 10. Aoibh Cormaic; 11. Eile y Fhogutha. In a word, all the tribes descended from Olliololum by his three sons, Eogan More, Corma Cass, and Cian, were considered as free states exempted from the payment of this sort of annual tribute for the support of the king's houshold. From this and the preceding notes it appears, that none but such as may be considered as mere subjects and foreigners, no way belonging to the royal family

<sup>(</sup>x) The king of Eoganacht Graffan was O Sulivas, whose ancestors held their chief regal seat at Knock Graffan on the banks of the river Shure in the county of Tipperary.

ly of Munster, were subjected to the payment is kind of tribute.

Lide the above tributary supplies, the king his royal granaries furnished by those of his immediate domain: and his wine cellars were Hed by the means of foreign commerce, : his home-liquors were provided by the stewof his palace and kitchens. Such was the ier of houshold-economy, and such were the finances of the greatest princes in primitive Their exchequer and fifcal revenues inally confisted in cattle, corn, and other neies of life, which, as they were the most I wealth and treasury, so they were the most al and folid riches, and at the same time the fubject to luxurious abuses. The Latin pecunium and pecuniae, now used to signify y or riches, were originally applied by the is or Romans to that fort of wealth, which sted in cattle, and were derived from the Pecus, pecudis: and by the bye, I am apt to the words were primitively pecudium and e, in the same manner that Pecudiarius. ies a Herdsman: there being many examples ch changes of one letter for another in all lages. Not only the antient Latins regarded and corn as their principal riches, as did e first patriarchs or heads of tribes; but reatest kings we read of, either in sacred or ne history, depended upon them as their pal finances for the support of their digand houshold. The magnificent Solomon's ues, collected by his twelve intendants of provinces.

provinces, were nothing elfe, than all forts of provisions for the king's court and stables, I Kings ch. iv. v. 7, 27, 28. And that they confifted only in beeves, cows, sbeep, and other cattle, &c. as well as in corn, or grain of different kinds, appears expressly in the same chapter, v. 22, 23. When the same king applied to Hiram king of Tyre for fupplying him with timber for building the temple; we find that all the payment stipulated by the latter, confished barely in provisions to be supplied for support of his houshold. Præbebisque necessaria mihi, ut detur cibus domui mez, 1 King. 5. Thus were all kings and their houshold supported amongst the old Germans, by supplies of cattle and corn freely and abundantly furnished by their people, as Tacitus informs us in these words, Mos est civitatibus ultrò et viritim conferre Principibus armentorum vel frugum aliquid; qud pro honore acceptum etiam necessitatibus subrenit.' Tac. de M. G. c. 15. Nor can this manner of paying regal rents and revenues in cattle, com &c. be esteemed either barbarous or impolished: fince it is well known, that the kings of England even as late as the thirteenth century, were often paid in the like old coin of beeves, which were thence called rent-beeves. Vid. Sir John Davis's historical relation, p. 6.

We shall now enter on the detail of other subfidiary presents made by the king of Munster to the different pentarchs or provincial kings, and other princes of Ireland in his royal tour to those princes, as the same is described in the book of rights: which subsidies however, I do not suppose we been given or received as a mark of furity in the king of Munster over the other archs, (unless it should have happened, that as also monarch of Ireland at the same time) pting only the king of Leinster, over whom former, in his quality of king of all Leathha, assumed a tributary right. I therefore der this kind of subsidies, as well as the retions supplied by those that received them. constitutional cement of mutual friendship harmony between the princely chiefs of the republic, and as a mark of their political ndance on each other for the common interest The order of the king of Munfprogress in his royal visits, according to the of rights, was as followeth.

The king of Munster, attended by the chief es of his kingdom, began his visits with the of Connaught, and presented to him 100 s, 100 suits of military array, 100 swords, 100 cups, in return for which, the said king o entertain him for two months at his palace of them, and then to escort him to the territories yrconnell.

He presented to the king of Tyrconneit, eeds, 20 compleat armours, and 20 cloaks, which the said king supported him and the ity of Munster for one month at his palace difruadb, and afterwards escorted him to the ipality of Tyrone.

. He presented to the king of Tyrone, 50 s, 50 swords, and 50 cups; for which this entertained him and his court for a month at his

his palace of Oiligb, and then conveyed him to Tulach-6g.

IV. He gave the king of Tulach-og 30 formel steeds, 30 swords, and 30 cups; in return of which this Dynast treated him and his suite for twelve days at Drumchla, and thence escorted him to the principality of Orgialla.

V. He presented the king of Orgialla with 70 steeds, 70 suits of military apparel, and 8 corslets, in gratitude of which the said prince was to entertain him and his nobility for one month at his palace of Eambain, and afterwards to escont

him to the kingdom of Ulster.

VI. To the king of User he presented 100 steeds, 100 swords, 100 cloaks, 100 cups, and 100 bed-covers or counterpoints curiously wrought, in consideration of which royal present, this king regaled him and his retinue for two months at his palace of Boirce, and then waited upon him with the princes and nobles of his court to the kingdom of Meath.

VII. He presented to the king of *Mealb* 100 fleeds, 30 compleat armours, 30 conflets, and 30 cloaks, for which the said king treated him and his court for one month in his palace of *Teamber* or *Tara*, and afterwards escorted him with 100 of his own chiefs to the kingdom of Leinster.

VIII. He presented the king of Leinster with 30 bond-women, 30 steeds, 30 cups, and 30 rich bed-covers; in return of which he was entertained for two months by the two kings of the north and south parts of Leinster; and then the said

kings, together with their nobles, were to impany him to the principality of Offery.

K. He presented the king of Offery with 30 es, 30 corsiets, or coats of mail, and 30 eds; for which this king was to entertain him is palace of Gowran for one month, and then scort him to the territories of his own king-

rom the nature of those presents, and the ging manner of offering them, as well as the itude of high compliments with which they e acknowledged, the reader may judge how ely the Irish nation imitated in this point, as most others, the manners of the ancient Geras, of whom Tacitus observes, that they deted in receiving gifts from the neighbouring es, such especially as were presented in a pubmanner: and those presents consisted of choice les, grand weapons or arms, horse-furniture, k-chains, &c. Gaudent præcipuè finitimarum itium donis, quæ non modo a fingulis, sed pubmittuntur. Tacit. de Morib. Germ. cap. 15. m the description of the above royal tour, as Il as from the antiquity of the diction and lanage in which it is let forth both in profe and verse, it seems evident, that the law or custom ich regulated those princely visits, and the hts attached to them, was of a very ancient nding amongst the Irish sovereigns; and parularly it may feem, that the tours of the kings Munster, as now described, were really and Estually carried on by some of them before the druction of the royal palace of Eamban or Emania

Emania in Ulster, and that of Cruachan in Connaught. Mr. O'Flaherty fixes the epoch of the building of Emania by Kimbaithus, about 353 years before the Christian æra; and that of its demolishment in the reign of Moredachus Tirius. he refers to the year of Christ 332. Some of the above described tours cannot therefore be of kis antiquity than this last epoch. It may however be reasonably supposed, that those circular visits of the kings of Munster could not have been performed with the splendour and majesty above de. scribed, before the end of the 2d century, when those descendants of Hebersionn recovered their original right of possessing half the kingdom of Ireland; a right, which Eugenius Magnus called Mogha-Nuagad, then wrested out of the hands of Conn of the hundred battles, king of all Ireland, after having defeated him in ten successive engagements, or general actions. Ever fince that epoch, the kings of Munster disavowed, in a special manner, any right in the chief kings of the northern half to demand tributes from them or their subjects: in the above described tour of the king of Munster, there is no mention made of a king of all Ireland, nor fuch an extraordinary compliment paid to any particular king, that could denote him to be a superior sovereign. The king of Connaught receives as royal a present as the king of Ulster: and the king of Meath, or Teamhair, is not complimented in as regal a manner as either the one and the other. And agreeably to the reason now alledged, we find it expressly mentioned in the book of rights, by way

of preamble to the king of Munster's prerogatives, That he owned no superior in temporalities but God, and that he was independent fovereign of the fouth-half of all Ireland, which was separated From the north by a right line drawn from Dublin to Galway, and pailing through the high lands It was in consequence of this state of Eskir Riada. amaxim of independency in the kings of Munster, That Fiacha Muilleathan king of the Momonian provinces or Leathmogha, absolutely disavowed all right of tribute from his dominions to the faid king Cormac or any of his predecessors. In effect The king of Munster obliged that northern prince not only to retract and relinquish such a vain and groundless pretension, but also to make full reparation for the damages he had done to the people of Munster by the rash invasion of that province: for the performance of all which conditions, the victorious Fiacha Muilleathan obliged him to fend hostages to his court at Rath Naoi now called Knock-Raffan near Cashel.

Here I cannot but express my hearty concern, that the codes of civil laws antiently used in this kingdom, should not have been handed down to us compleat. By the imperfect collection of the Brehon laws, preserved in the late duke of Chandois's library, and conveyed to my hands, by the kind interposition of the earl of Charlemont from Sir John Seabright, whose property they now are, I think myself sufficiently well grounded to expostulate with Sir John Davis upon the severity as well as the injustice of his censure on the antient Irish, concerning their observance of these

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very laws. The attorney-general pronounces his severe sentence against them in the following words, by which he seems affected to give us a sample of his erudition and extensive knowledge of the civil laws of different nations. 'Whereas (says he) 'by the honourable law of England, and by the laws of all other well governed kingdoms and commonweals, murder, man-slaughter, arape, robbery, and thest, are punished with death: by the Irish custom of Brehon law, the highest of those offences was punished only by fine, which they called an Eiric.' Hist. Disc. p. 36.

Justice, as well as sound judgment, and theinterest of his own reputation, in quality of a write and a jurisconsult, should have cautioned that gentleman against throwing out an odious resection of such a weight upon a whole nation, without having previously consulted either the Irish histories and records, by which he might be soon disabused; or those of other nations, whereby he could easily convince himself, that the very abuse of the Irish Brehon laws concerning the points in question, never went further, than what we find enacted by the express texts of the antient laws of several other nations.

Without insisting upon the truth of what historians relate of some of the Irish kings who lived before the light of the gospel appeared in this kingdom, and are said to have enacted capital punishment against murderers and wilful homicide, I shall prove from undoubted authority, which however modern, if compared with those which were

made

#### LAWS OF THE ANTIENT IRISH.

made in the times of the Pagan Irish, is of sufficient antiquity to convince the reader of the injustice of Sir John Davis's censure above explained. The statute I point at is to be found in the acts of the general convocation of the states of Ireland, affembled by Murtogh More O'Brien, king of Ireland, an. M.C.XI. of which I have an extract in an old Irish manuscript, and by whose sixth article, parricide and murder, as also robbery and theft of great damage, were to be punished with death without expectation of reprieve, or mercy of any kind. And thus much is necessary to disculpate the antient Christian Irish from the injustice of Sir John's censure, since he makes no distinction between the Irish Christian kings and their Pagan ancestors, and every reader of Sir John's works must suppose he treats of the age in which he lived.

That the antient Pagan Irish punished murder and theft by fine alone, is certain; as will appear from the fragments in my hands; but from this lawyer's censure on the Irish by fine alone, we may reasonably infer, that he overlooked, or rather had not read all the old laws of his owncountry. By the flightest perusal of the Anglo-Saxon laws, he would have found, that his cenfure lay as heavy on his own countrymen and their laws in former times, as it did upon the old Irish. It appears quite evident from the very text of king Athelstan's laws, that all forts of homicide, and even parricide, were then punished in England only by a pecuniary fine or mulct. 'Whoever killed an arch-bishop (which could not be  $\mathbf{D} \mathbf{d} \mathbf{2}$ ' knowingly

"knowingly done without parricide) or a duke, was fined with no more than fifteen thousand thrympses, or groats, which made 250l. stell-The parricide of a bishop, and the killing of an earl, was taxed only at 8000 groats, or about 1421, sterl. A viscount's life was com-• penfated by half this last sum: and the noble blood of a lord baron was effeemed to be worth on more than 2000 groats, or 25l. 10s. which " was likewise the fine, and sole temporal punish-" ment for murthering a simple priest. Whoever 'killed any other plain man within the twelve days of Christmas, on the Sundays of Easter and Pentecost, on Ascension Thursday, or in the festivals of the Purification. Assumption and Nativity of the bleffed Virgin Mary, or in the day of all Saints, was punished with the fine of 40s. Rape, robbery, and theft, were ' likewise punished with 40s, fine.' Athelft. Reg. cap. de diversis occisorum sanguinis pretiis. See also Hywell's Dda's Leges Wallice, p. 192. Homer also, in his description of the shield of Achilles, represents two citizens pleading concerning an Eiric, or mulch, due for a homicide. He who had flain the man maintains that he had paid the mulct. The relation of the dead declared that he had not received it, and both of them, fays the poet, appealed to the depolition of witnesses for determining their dispute. Il. l. 18. v. 499. &c.

A good lawyer, and an impartial judge would have also inspected into the old laws and customs of different foreign nations, before he had laid so grievous

grievous a charge in a fingular manner upon the antient Irish and their laws concerning the punishment of capital crimes. Besides reviewing the Anglo-Saxon statutes, he would have also confulted those of other nations of a like genius and spirit, as well as of an equal antiquity. By the most cursory cast of an eye on the Salic law, he could therein have found it expresly enacted, That any freeborn man who had killed a Frank. or a Barbarian, or any other person, who lived according to the Salic law, was to pay 200 gold fols or pence, by way of a fine. That 300 ' gold pence was to be the fine for killing a Roman, who may be qualified to fit at the king's Whoever shall be convicted for the ' murder of a Roman, who is a man of an inde-' pendent property, shall be obliged to pay a fine of 100 gold pence. Whoever has killed a tributary subject, who was a Roman, shall be ' liable to the fine of 45 gold pence (a).' And afterwards, the same law adds, ' Whoever has killed a chief baron, or an earl or graff, who had been one of the king's houshold, shall be ' condemned to pay a fine of 300 gold pence (b).'

(b) Si quis Sagibaronem aut Gravionem, qui puer regius fuerat, occidetic, solidis ter centum culpabilis judice-

tur. Lex Sal. Tit. 57. part. fecunda.

<sup>(</sup>a) Si quis ingenuus Francum aut Barbarum aut hominem qui Salica lege vivit, occiderit, solidis ducentis cul-pabilis judicetur. Si Romanus homo conviva regis occisus fuerit, solidis trecentis componatur. Si quis Romanus homo possessor, id est, qui res in pago ubi remanet, proprias possidet, occisus fuerit; is qui eum occidisse convincitur, folidis centum culpabilis judicetur. Leg. Sal. Tit. 44. Si quis Romanum tributarium occiderit, folidis quadraginta quinque culpabilis judicetur. Ibid. Tit. 44.

In like manner, the law of the Ripuarians, another tribe of the Franks, decides. ' that if a freeborn man has killed a Ripuarian citizen, he is to be condemned to the payment of 200 gold fols or pence (c). That if a Ripuarian kills a Sa-'lian Frank, he likewise pays 200 gold pence. That the fum of 160 gold pence must be paid for killing an Alleman or German, a Frision, a Bavarian, a Saxon, &c. If he has killed a Burgundian, he shall be likewise fined in 160 ' fuch pence. If he has killed a Roman, who is on not a subject of the Ripuarian king, he shall ' pay a fine of 100 gold pence (d).' The law of the Frisiones in the compilation of Lindembrug, determines, ' that if a nobleman hath killed another noble, he shall pay 80 gold sols or pence: but if he hath killed a simple citizen. he must pay only 54 gold sols and one denier. 4 The noble that kills a franked fervant, shall 6 pay 27 gold pence wanting one denier to his mailer, and nine such pence to his nearest relations. A citizen who had killed a nobleman. was to be fined 80 gold fols, and only 53 and one denier, if he kills another citizen of the same e rank with himself. If a freed servant has kill-6 ed

(c) Si quis ingenuus ingenuum Ripuarium interfecerit ducentis solidis culpabilis judicetur. Lex Ripuar. Tit. 7.

(d) Si quis Ripuarius advenam Francum interfecerit ducentis solidis culpabilis judicetur. Si quis Ripuarius advenam Alamannum, seu Fressonem, vel Bajuvarium aut Saxonem interfecerit, centum sexaginta solidis culpabilis judicetur. Si quis Ripuarius advenam Burgundionem interfecerit, centum sexaginta solidis culpabilis judicetur. Si quis Ripuarius advenam Romanum interfecerit, centum solidis mulcatur. Lex Ripuar. Tit. 36.

'ed a nobleman, he shall pay 80 gold sols; and only 53 and one denier for killing a simple citizen.'

I have already observed, that the laws and statistes of the Irish kings before the coming of the Esselish, ordained the pain of death against wilful murder, rape, robbery, &c. By some of the Brehon or civil laws the same crimes were also punished by mulcts or fines, whether of money, cattle. or land-property, according to the condition of the criminal, who beside was to suffer death, unless he had made his escape. Those fines were employed to make reparation, partly to the family of the person that was killed, or to those that had suffered in their property or honour, and partly to the public. In the fame manner, we find it expresly imported by the laws of the Ripuarian Franks, titulo 79, and by those of the Burgundians, tit. 2. de Homicid. that besides the pecuniary mulcts above described, as ordered by the civil law in reparation of damages, the criminal was afterwards to suffer death by the law of the prince, or by his particular fentence: unless forme favourable circumstances had moved him to grant his royal pardon or reprieve. The same maxim we find observed and enforced by the particular ordinances of the French kings Childibert the second, and Charlemagne, Vid. Capitul. Baluz. tom. 1. p. 19. and p. 197. By the disposition of those statutes, the civil laws and judges were first to proceed to the examination of the guilt and sentence of the pecuniary fine, but were not to meddle with the fanguinary fentence or execution, in regard to any free-born subject, which part

part was referved to the fovereign: and of this last maxim we still find very plain footsteps in England, where the king's death-warrant is previously required for the execution of persons of certain ranks or conditions, ever since the establishment of the Norman laws in that kingdom.

From what I have faid of the Anglo-Saxon laws. I do not mean to throw any censure upon them for not punishing those grievous crimes. otherwise than by pecuniary mulcts; for if they really never punished with death the horrid crime of murder, (which is a point I do not take upon me to determine) in that maxim, they only imitated or rather preserved the antient manner of their German ancestors, of whom Tacitus obferves, ' that they atoned for homicide by the forfeiture of a certain number of cattle; and that the whole family of the person who was 'killed received and was content with this kind of satisfaction; a very salutary custom for the ' public good, remarks our author, as the entertaining of spight and enmity must be of dangefrous confequence amongst a people of unbound-'ed liberty.' All the Germanic nations above cited for the observance of this custom of punishing homicide by pecuniary mulcis, had the same political reason for adhering to it after the manner of their remote ancestors, and so had the antient Irish, as the subjects of that nation enjoyed as much liberty with regard to their actions, as those of any other.

If Sir John Davis was not really informed, that the laws of punishing homicide, &c. by fine alone, were formerly observed in so many other nations, nations, and even in his own country, much more currently than in Ireland; all I can say in favour of his knowledge as a jurisconsult, is, that his erudition extended only to the laws of his own times. But if he was conscious of the existence of such laws, in various other civilized nations in former times, such especially as the Anglo-Saxons and Franks. I don't see how he can escape the censure of prejudice and partiality, in laying the whole burden of his odious charge of barbarity and in-Justice upon the Irish alone, and their Brehon Laws. If we are to censure the Irish antient cultom, by which mere and unpremeditated homicide was punished by a heavy fine, even that of the forfeiture of property to the profit of the fur-Viving sufferers, I am at a loss how to bring off uncensured the present practice of our English laws, by which mere homicide or manslaughter (into which murder is often construed by favourable juries) is often acquitted of all forts of punishments, either fanguinary or pecuniary.

Is shall finish this part of my essay with a precious morsel of antiquity, being the case of Senior Succession, stated according to the Irish law. It was written by some Brehon, whose name or date do not appear: by the composition and language, it seems to have been the work of the 6th or 7th century. The original is in the possession of Charles O'Connor, Esq. The modern Irishman will acknowledge that he understands little of it; and I must assure my readers, that my translation has lost much of the beauty and nervous expression of the original; but it is a literal one.

Aighneas

Aighneas do thabhairt Tighearnuis do reir an Fheneacais do Shinsior.

AG so na hadhbhair far cora do A tighearnus do ghabhail, ina do B. Ar an adhbhar gurobe A as fine, agus as fearr do reir dhlighidh. Mar a der dligheadh Sinfior la Fine, &c. i. e. an ti as fine ar an fine do dhul ifin Fhlaitheamhnas, agus mar a der dligheadh, Ara chae ofar finfior, &c. i. e. ceimighneadh an ti as aige riasan ti as sine as an Flaitheamhnas. Mar ader, Fo creamar aois la fine acht ni ba aois diograidh, i. e. as fearr as incheannaighthe an te as fine do rer an fheneachais, acht munab aois do chuaidh o chongnamh i, ionus nach iontughtha gradha no ceim flaithis di ar arfaidett, Mur a der, An ti bes fine ase do fet, i. c. ase an te as fine as remhteachtaige, i. e. as toisionaighe leam do dhul isin righe no isin flaitheamhnas. mur a der, dligbidb cean sogbaine, dligbidb finfor faor togba, do fet aoi aoisaibh, i. e. as remhteachtaighe, i. e. as toisionaighe lem do reir cuisi dlighidh, an te as sine do dhul isin flaitheamhnas, oir dlighidh an finfior athogha go faor, dlighidh an ti as fine afritheoladh go maith da Agus mur a der, as redh gach chur ifflaitheas. 16dh, i. e. amhuil as redh imtheacht ar an slighidh moir rèdh, as amhluidh as rèdh an tè as sine do dhul ifin bhflaitheas. Agus mur a der, foimrim gach aonach ceangair gach conair. gach roilbhe, dall gach dubhadhaigh, i. e. torca imtheacht leadings in favour of Senior-fuccession to the Sovereignty, according to Law.

HESE are the reasons that A. should in stice be nominated to the fovereignty, rather an B. Because A is the senior, and most cable according to the law. Thus fayeth the law, he eldest of the tribe, &c.' that is, the senior ecceds to the fovereignty, and fays the law, he eldest is the protector of the youngest,' how en can he protect him unless he succeeds to the vereignty? Again, thus sayeth the law, 'feniority qualifies a man to be chief, unless so old is to be degraded; that is, the senior is most pable of ruling, unless so old as to be unable to pport his government, so that the rank of soreignty is not to be diverted but in the instance w mentioned. For fayeth the law, 'The fenior is the chief finew of the state, he is the forerunner,' that is, chief of the fovereignty. nd fayeth the law, 'the fenior is the proper chief, age gives him pre-eminence, and the law nominates him; Therefore, I plead, that e eldest be nominated to succeed to the soveignty, for he is the most proper person to adinister justice to the people. And it is said, here is one direct road to all things, every beaten pad is easy to the traveller: thus is the road to ne sovereignty free and open to the eldest or nior. Again, it is faid, fase and easy to the traveller

Righin imtheacht imtheacht na hoidhche. tslebhe, urusa ceimniughadh na sligheadh móire fornharcaideacht gach aonach no gach fean 18dh: samhuil sin re dligheadh tuist, i. e. te dligheadh chuireas finfior ittaoifitheacht righem tuaithe no isin flaitheas gelfine, ara soidhenta do reir dligheadh tar dhocra an tíofar do chat Saitheas ar a bheluibh. Agus mur a des, a ruin amhaoinigh amhocha in muirthi mein moltar gach fineachair, i. e. afe ni do mealadh ndr an fencachais, an te as fine do dhul istell theas. Ro feas as nafdaighthe gach neads headh, gach ollamh fri fine, gach fine fri feat chas, gach feneachas fri fior, gach fior fre falath gach fasach fria dicheadal. Agus mur a der, del Sleadh riar ireamhadh, gach duine dligheach as garar uile ifflaitheamhuin fior. Fo bith s caire, conbearbha gach nuile nomh. dire dligheach gach ndireach, i. e. as do as die heach learn tighearnas do tabhairt don ti as ist, & direach gach ndileas, i. e. as an as direach lam an flaitheas do tabhart, i. e. don ti dar diless & i. e. don ti as fine. Agus mur a der a Seanchu, \* Cisser toirgsiona gach fine an tan as marbh Ri 'na tuaithe? as eadh dleather do gach gradhin tuaith teacht cano lándaimh go teach an Bruighadh, & ambeth rè re tri noidhche an aga conhairle cia do gebhaidh isin bhflaitheambnas & ' gurob è gabhaidh ann an te dan duthaidh è, & gurob flaith a athair no a sean athair & go rabhaid tri conntairisme aige, i. e. bailte puirt, & <sup>6</sup> gurob iconraic è gan guin gan goid.<sup>2</sup> Adhbhar ele fan cora, A do chur affiaitheas im

Adhbhar ele fan cora, A do chur affiaitheas im B, do beth in urthuafacht na ttoisieachta rénè rudhartha, reller is the beaten road, but tedious and irkne is the trackless mountain, and uncertain is way on the deep seas; thus is the beaten road en to the senior to advance to the sovereignty or thship of a gel-fine; it is therefore meet and oper, it is agreeable to the law to elect the ior and to reject the junior. Moreover it is 1, the most noble in blood, the most wealthy in Mance, is always the most renowned in every be, that is, if we judge of these things accordg to the express words of the law, the senior must exect to the fovereignty. It is a known maxim. at all protection and support proceeds from the w, that the most learned men proceed from the bes, and that every tribe is supported by the macas or laws; that every law is founded in alon, and that reason proceeds from reflection d communication of ideas each to the other. is known and allowed that the affemblies of ilosophers in all ages, have always had recourse the law in matters of this kind, and that their ice nominated the prince; therefore when the r is just, let every man subject himself to it: w the law of nominating the senior is founded justice, let him therefore be proclaimed sovegn. But what fays the Seancas, (or our most cient Code) 'How is a tribe to conduct themelves on the death of a fovereign?—every noble the district shall of his free will, with full etinue, assemble forthwith at the house of a Bruigh, and shall there remain in council during hreee nights, confidering to whom of right the overeignty belongs, and they shall name him, whose right and property it is to succeed, him whole

rudharta, gan fuaidredh gan mhillin a dhideadh uime, ase sin a cheart do legean uiris de # rè priomhscript. Mar a der dligheadh, 'katt crece gan eargaire, i. e. madh do reachadh fail an codhnaigh ina fiadnuisi, & gan a crossdian, do sgursiad les amhuil sgo madh è sen do ma fadh iad. Oir a der dligheadh gurobarch hadhbharibh tug dia urlabhra do dhuine, i. 🕻 thairmeasg uilc, do f horaileamh maithis, dos nadh eoluis & do iarraidh eoluis. dligheadh, 'gibe duine cellidhe ara ndenne thar no dochar do lathair fen, & go flaci \* athairmeasg go leanann air muna ccrossas Agus ader dligheadh, 'bi gach connradh a do ronadh, & ni dligh connradh cumigug Ni dhligh coibhce cofgradh, ni dligh iodh athcuingidh, as gach naidhm amhuil fo naidh As gach cor amuil do ronadh. Ar ni fuaidrit cuir iar na ndluthadh, a meas, a ttomha imchisi, an iomradh ria na ndeanamh, ar am taithmheac iar naidhm, ar na rob ghaois is mbaois, biothratha, bithdilfi, amhuil fo-milt; agus ader, Ruidhleas gach leughadh, laindin gach dilsiughadh: Tuidhmide gac cor, doniodh naidh lámh & buel & teanga. Ader fos, as best "Conall Comhramhach, gidh feancha go moir eolus, ni taithmith annsin. Socorach gach fac, faor gach faoithir ara bfiannathar gaoith, i. c. # flain leam a afdadh an ni ro feadadar na gaoith breth uatha an duibhart feasa. Agus amhuil beart, asdadh caich iccoruibh beul ar baoi an bio imboile, muna aídadaois cuir beul: afcadh ciall riaglach dlighidhlin anuas uile (gidh eclamba asuidhiughadh & anughdair) gach dlightheach conradh see father or grandfather was a Flaith, who three royal palaces, and who had conducted felf in his fovereignty without plundering, naiming his subjects.

10ther reason why A. should be nominated r than B. is, that A. has been many years ed and esteemed as heir to the sovereignty: w has neither expelled him, or been turned It him in any instance. A. therefore pleads ght; for thus fayeth the law, ' the man who ids facitly by, and fees his property fold to aner, that man shall lose his property as if he iself had sold it.' Again, sayeth the law, d gave to man the use of speech, for these r reasons, to forewarn evil, to point out dness, to seek knowledge, and to comnicate it.' And moreover fayeth the law. t man in his senses, who suffers evil to be ie in his presence, without endeavouring to venti t, let that man abide the consequences.' again, 'let every covenant be fulfilled; it regainst the law to evade a covenant.' It is awful therefore to fet aside a just inheritance out cause, or is it lawful for the other party. scale, to petition a gift: let every covenant cording to its terms, every furety according bonds. When once a furety is given, or a ant made, no law can dissolve the terms. r in measure, in weight, in tributes or pro-: no art, no selfwill can afterwards controul at the letter of the covenant must be strictly Again it is said, faithful and not to ontradicted is the written law, and binding ry furety whether by hand or tongue. fays. conradh do bheth do rér mur do nithear e iffiadhnuisi daoine cellidhe go ffios doibh fén gan thairmeasg.

Cuis ele chuireas B, o thighearnus, i. e. B. do bheth fionghalach, i. e. fhoil a fhine fén do dor-Mar ader, dergf hine, i. e. an fine fionghalach. An fionghalach umuro bherid fine adhiobhadhfidhe & ni bherid a chion & ni bhereannfomh diobhadh na fine & beridh a cion. As eadh a chiallsin, i. e. gi be neach dheargus a lamh' ar a f hine fén ag dortadh a fola gurob fear fionghaile mursin e, & nach coir a cor i ttighearnus. Agus fos ata do reir dhlighidh nach tted a chion ara fhine (mur adertha cion comhoguis) & go tted a edhreacht alaimh afine ara shon sin. eadh ado gheána an fionghalach peannait do dhia & eric do dhuine ar son a mhighniomha do gebh achuid ronna do edhreacht a athar & a seanathar fén & ni fhaghann cuid don fhearann edhreachts coitchinne bhios ag an fhine uile. Agus ader dligheadh, 'gurataigheas & guiedireas & gutusrusdal & goid & etheach, feall & fionghal & duinetaidhe, go tteafdann a laineanachlann o dhuine fa gach enni diobhsin, & féchtar mataid sin, no eanchor diobh ar, B. go tteasda a laineanachlann uadha & ar na hadhbharaibh reamraite uile, gur eagur flaitheas ris & gurob do A. dleagar a thabhairt.

END OF THE FIRST PART.

fays, 'Conall Comhramhach,' there is no breaking the line of genealogy; fafe is every free man, and free is every nobleman. And it is faid, stop that people wheresoever situated, who would trespass with their tongues, the sense of which is this, that a covenant made in the presence of men, not being idiots, shall be binding without let or hindrance.

Another reason why B. is disqualified for the sovereignty is, that B. is a murderer; he hath spilt the blood of his own tribe; he is a deargfine; consequently as a murderer, the tribe take his inheritance, yet take not on them his guilt. Whoever stains his hand in the blood of his own tribe, is a murderer, and cannot be elected to the sovereignty, yet, according to law, his kinsmen are not disqualified, although his inheritance descends to his tribe; for, though a murderer does pennance to God, and gives Eric to man, he gets his portion of paternal inheritance, but none of the land he inherited in common with the tribe. And lastly sayeth the law, perjurers, false witnesses, false-sureties, thieves, traytors, murderers, menstealers, shall forfeit a full Eric for every such crime: Lo! then if any one of these crimes can be proved on B, he must pay the full Eric for all these reasons aforesaid B. cannot be nominated, and A. in due course of law is the proper lovereign.

END OF THE FIRST PART.

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## Collectanea de Rebus Hibernicis.

### NUMBER IV.

#### A

CRITICO-HISTORICAL

## DISSERTATION,

CONCERNING THE

LAWS OF THE ANTIENT IRISH.

PART II.

#### CONTAINING

The TANISTIC LAW of SENIOR-SUCCESSION, illustrated in an Historical and Genealogical ACCOUNT of the Kings of Munster.

#### BEING

An Essay on the General History of Munster; from the Beginning of the third Century, to the Year 1541; when Morrogh O Brien furrendered his Title of King of Munster to Henry VIII. and was created Earl of Thomond and Baron of Inchiquin.

Compiled chiefly from the Codex Momoniensis or Book of Munster, the Annals of Innisfallen, Tighernach, Magradan and the Chronicon Scotorum of CLONMACNOIS.

Interspersed with OBSERVATIONS on the various Tribes of Belgians, Livonians, Prussians, Pomeranians, Danes, and Norwegians, who invaded this Country, at different Periods, to the end of the ninth Century.

#### TO WHICH IS ADDED,

PART of the antient Brehon Laws of IRELAND,

DUBLIN:

LUKE WHITE

M, DCC, LXXXVI.

The whole intended as an Essay towards furnishing some Light for future Enquiries into the Origin of the antient Irish Nation.

# THE RIGHT HONOURABLE WILLIAM O'BRIEN,

EARL AND BARON OF INCHIQUIN,
AND BARON OF BURREN,

THIS FOURTH NUMBER

OF THE

COLLECTANEA,

CONTAINING THE

TANISTIC LAW OF SENIOR SUCCESSION,

ILLUSTRATED IN THE

HISTORY OF HIS ANCESTORS, KINGS OF MUNSTER,

IS DEDICATED, BY

HIS LORDSHIP'S

MOST OBEDIENT,

MOST HUMBLE SERVANT,

CHARLES VALLANCEY.

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## ) ISSERTATIONS

ON THE

## NATIONAL CUSTOMS, AND STATE-LAWS

OF THE

## INTIENT IRISH.

PART II.

#### C H A P. I

be Tanistic Law of Senior Succession illustrated in an bistorical and genealogical account of the Kings of Munster of the Dal-Cassian race, connected with the bistory of the Eugenian Kings of Cashel, and those of the other provinces of Ireland.

BY way of introduction to the following istory I think myself obliged to inform the eader that my whole account of the lives and eigns of the Dal-Cassian Kings of Munster, from Eogan

Eogan More súrnamed Mogh Nuagad, the stock of that race, down to Kennedy the Father of Brien Borove king of all Ireland, hath been extracted out of that old monument of Irish antiquities the Codex Momonienfis or Munster book, whereof I have an authentic copy; and as no regular chronology hath been observed by the authors of that ancient work, the reader, I hope, will therefore excuse the like defect in that part of my history; and the more, as none of those few of the general annals of Ireland which still subsist, hath furnished us with a complete and exact account of the succession of the Kings of Munster of either the Dal-Cassian or Eugenian race, until about the beginning of the ninth century; from which epoch the reader may expect a regular and true chronology down to the end of this essay. In the mean time I judge it necessary to prepare the learned reader for the first part of this history, by apologizing for its dryness and want of interesting transactions or important events; nothing of the kind is to be expected until the arrival of the northern invaders towards the end of the VIIIth century; after which time the reigns of Kennedy son of Lorcan, and those of his sons Mahon and Brien Borove and their fuccessors will open quite different scenes of action and bravery in repelling foreign force and maintaining regal independency. In the reign of Mahon fon of Kennedy, the reader will find a critical differtation concerning the faid northern invaders, whom our writers called Lochlannaice, the countries from whence they came, and the causes of their

ir emigrations and foreign expeditions, in the IIth and IXth centuries.

Such readers as may be neither curious nor inefted in mere Irish affairs unconnected with eign history, are at full liberty to pass over the It part of the following essay as slightly and as pidly as they please; but as to those who by ture are inclined to, and interest themselves in latever may regard Irish antiquities, and the fervation of those venerable remains of the I monuments in which they were recorded: ope I need not make them any apology for livering into their hands in its original simpliciwhat I have found in the Codex Momoniensis ncerning the kings of the Dal-Cassian race, om the IId century to the beginning of the Ith: after which I shall pursue their history conected with that of the Eugenian princes, and her kings of the different provinces of Ireland, cording to the authority of the best annals, articularly those of Innisfallen, Tighernach and s continuator, with those of Magradan, the hronicon Scotorum and of Clonmacnoiss, of all hich I have old and well authenticated copies. have chosen the succession of the Dal-Cassian inces, preferably to that of the Eugenians for rrying on this history, because the Munster ok does not furnish any regular account of the inces of the latter family; it were to be wished r the advantage of antient history, that other liters well versed in Irish antiquities would col-It all the accounts they could find of their respecre provincial kings, beginning at the IIId century: tury; for I must own I have but very little faith in many things that are delivered in the histories of times preceding this epoch. Such an undertaking may facilitate the compiling of a good general history of old Ireland.

# EOGAN MORE.

Eogan More, furnamed Mogh Nuagad, king of Munster towards the end of the IId century, was the fon of Mogh Neid king of the same province, descended from the royal line of Heber Fionn: his mother was Sida daughter of Flam, fon of Fiachra of the Earnaians of Munster; be married Beara daughter of Eibhir son of Midhm a king or prince in Spain, and had by her two fons, viz. Olliol Olim and Luig Lega, and two daughters, whose names were Caoimhniall and Sgoithniamh; this inter-marriage between Eogan More and the daughter of the above Spanish prince, happened while Conn furnamed Ceadchathach was king of Tara, and stiled himself king of Ireland; our brave Momonian king aflisted by Nuagad Dearg, son of Dairinne, son of Baire, a prince of the Ithian race, with whom he had been educated, made war upon Luig Allabhach fon of Cairbre Cromchin, fon of Daire Doranmore, and Aongus (both Earnaian princes and of the posterity of Connaire More) for their usurpations in the province of Munster; he gave them three battles, one of which happened at Samhdoire, where Luig Allathach was flain; hereupon Aongus, being deprived of his powerful affociate

valurpation, and despairing of being able to ake head against Eogan, whose power and miary glory was daily encreasing, repairs to Conn e king of Tara, and represents to him the fatal in sequences of Mogh Nuagad's victories. ng moved at the complaint of his suppliant, id jealous of the growing power and reputation the Heberian prince, supplied Aongus with reinforcement of five thousand men. Aongus order to vindicate his usurped right, by surrizing his adversary, marches with all possible reed at the head of his auxiliary troops, joined the remains of his own scattered army, to the ritory of Ive-Liathain in the county of Corke. there Eogan well prepared to receive him, obtined a fignal victory, and had the glory and Misfaction of killing the usurper of his father's rown and kingdom with his own hand.

This circumstance brought on a tedious and loody war between our Momonian hero aird conn Ceadchathach, in the progress of which the ormer proved victorious in ten successive pitched attles, viz. the battle of Brosne, the battle of Freine, the battle of Gabhran, the battle of Samaite, the battle of Athlone, the battle of Athfail. the battle of Sliabh-mosaigh, the battle of Moigh-crioch, the battle of Suama, and the batle of Visneach; these victories so far humbled and educed the power of Conn, that he was glad to ome to an equal division of Ireland, between him nd his resolute enemy, and to content himself rith the chief regal jurisdiction of the northern alf, called from him Leath-Cuinn, or Conn's half:

half; the fouthern half, which was the hereditary right of Mogh Nuagad and his ancestors derived to them from Heber Fionn, was called Leathmogh, or Mogh's half. The bounds fixed between them were from Athcliath na Mearuidhe, now called Clarin's bridge, near Galway, to the ridge of mountains called Eifgir-Riada, on which Cluainmacnois and Cluainirard are situated, and so on to Dublin. By this means these two determined enemies came at last to a reconciliation, and remained each in peaceable possession of his respective part, without infringing on the temtories of the other, or committing any hostilities for the space of fifteen years: at which term of time certain disputes relative to the duties of the port of Dublin happening between them, they assembled their forces at Magh-Leana, where Eogan being surprised in his bed, was barbaroully murdered by Conn in person, the night before the day on which the battle was to be fought. Thus far our Irish original of this translated extract.

#### REMARKS.

Keating's account of the origin, progress and circumstances of the above described war, by which Eogan More recovered the hereditary right of his ancestors, differs in some material respects from the above narrative. He sets forth that the Earnaidhs, who derived their origin from Herimon, and consequently of the same stock with king Conn, had so far overpowered the descendants

s of Heber Fionn, that three chiefs of those ingers usurped at the same time all regal sway Munster, viz. Luig Allathach, Daire Doran-That Eogan More in this re, and Aongus. nation of his affairs found himself under the ne-Lity of craving the affiftance of Daire Barrach. of Cathoir More, king of Leinster, of the remonian race, with whom Keating favs that gan More had been educated, instead of attriting his education to Nuagad Dearg, son of sirinne, son of Baire of the Ithian race, for som Keating must have mistook Daire Barrach, account of the resemblance between his name d that of Dairinne Mac Baire. Keating adds, at this king of Leinster, sensible of the wrong dusurpation carried on by the Earnaidhs against ogh Nuagad, supplied him with sufficient forces recover the crown of Munster. Eogan at the ad of these auxiliaries marched into the pronce of his ancestors, and halted in Ive-Liathain, w called Barrymore, in the county of Corke: re Aongus made head against him with a nucrous army, and a bloody battle enfued, in nich Eogan More being victorious routed the emy and purfued them so close, that he drove m entirely out of the province. He afterwards entions Aongus's flight and application to Conn adchathach, and his return at the head of fifn thousand auxiliaries, and that having enzed Mogh Nuagad in the abovementioned intry of Ive-Liathain, he was totally defeated econd time, and the remains of his army all ited without any further possibility of returning

to the charge. The reader will observe the difference between the two accounts, not only with regard to the prince, who is mentioned as the real assistant of Eogan More, but also as to the circumstance of Keating's making Daire Donnmore, one of the three usurpers at the same time together with Luig Allathach and Aongus; where as our manuscript mentions but the two latter And Keating's account in mentioning Daire Doranmore as one of the usurpers, seems to be the more inconsistent, as the said Daire was the grand. father of Luig Allathach by his fon Caibre Cromchion, according to his own genealogy of Consin the second monarch of Ireland, besides the mnatural order of placing Luig Allathach in the first rank of the usurpers before his said grands. ther.

O'Flaherty's account of the circumstances of this war, Ogyg. p. 315-16. is remarkably different from both Keating and our original; without introducing any previous motive of that quar. rel between Conn and Mogh Nuagad, he begins with informing us, that after firenuous efforts and engagements between those two princes. Mogh Nuagad was obliged to transport himself to Spain, where after nine years exile, he entered into an alliance with Fraoch, fon of Heber and grandson of Midna, a Spanish prince, with whole fister Beara he contracted marriage. That this Spanish prince Fraoch, coming to Ireland with his faid fifter and brother in law, at the head of a powerful army of his own subjects, not only re-established Mogh Nuagad in the throne of Munster. after defeating Conn in ten successive battles, but alfo

forced him to come to an equal division of whole island with his victorious antagonist. possessed himself of the south half according re above described limits. This hiftorian furadds, that the said division subsisted not er than one year, contrary to the above acnt of fifteen years, and concludes with telling that Mogh Nuagad having claimed the foignty and commercial duties of the north fide he harbour of Dublin, king Conn met him rall his forces on the plain of Magh-Leana re having found Mogh Nuagad of superior e, he furprized and killed him in his bed the ht before the intended day of battle; but pre-Is at the same time, that Goll, son of Morna, the immediate perpetrator of this murder: this Christian historian thinks proper to justit by the Heathenish poet's text, dolus an virtus in bofte requirat? Thus far O'Flaherty.

Another account of the battle of Magh-Leana xorts, that early in the morning before dayit, Conn having surprised Eogan More in his t, where he gave him a mortal wound while id asseep in his bed, the guards and army of wounded king soon took the alarm, and put mselves in order of battle at the first dawn of that Eogan More, not withstanding his morwound, fought for some hours at the head of army, until such time as he had the satisfactor of taking revenge for his life by a great ighter of his enemies: and after that expiring he field, his army still continued to dispute the tory with such resolution and constancy as the enemies no room to boast of the advantage.

tage they had derived from their inglorious stra-

tagem of a nocturnal furprize.

But to return to our original: it concludes the history of this valiant prince Mogh Nuagad with observing, that his death was universally lamented by all his subjects: because he was justly esteemed to have been one of those kings who best deserved of the Irish nation by having signally relieved it in a time of great scarcity and famine. His eldest fon, Olliol Olim, having not attained the required maturity of age at the time of his father's death, Macniad, an Ithian prince, whose family was allied to that of Eogan More, was therefore acknowledged as fovereign commander of Leath-Mogh by all the princes and flates of that king-This prince thus vested with the chief command, was urged by the princes and people of Leath-Mogh to march directly at their head against the treacherous enemy, to revenge the death of their late king. Conn and his forces being informed of this resolution, and apprehending the consequences of a war, which should maturally be animated by the just resentment of the Memonians, declined appearing in the field; judging it much more safe and prudent for him and his people to agree to any terms, than he. zard their lives with a desperate and formidable enemy, furiously bent upon revenge. Consequent to this determination, and in order to obtain a cessation of arms, Conn proposed the following conditions, which were accepted of by the Memonians, viz. That he should deliver into their hands 200 slaves, 200 chariots, 200 steeds, 200 barges

rges, 200 javelins, 200 swords, and 200 unds; besides his own shield and sword. That nerable monument, the Codex Momonienfis, es on with informing us, that the ambassadors it by Con on this occasion were Ciodhruadh, a of Fircaogat, and Croitin, both the most tinguished poets of Leath-Cuinn in their own The former's poem, explaining the cirrnftances and progrets of this whole affair, is inted in our original. Thus it came to pass, at the Momonian troops were prevented from renging by the spilling of blood, the death of eir sovereign. Conn nevertheless did not long cape the divine vengeance, for within the ace of two years he was killed by Tiobraideach, son of Mal, son of Rochry, of the royal e of Ire.

# OLLIOL OLIM.

Eogan More, or Mogh Nuagad, left two fons his wife Beara, viz. Olliol Olim and Luig iga, as above explained. The latter was rearkable for his extraordinary strength and agiy of body, as well as for his dexterity in handg all military weapons, so that he is generally knowledged as one of the most famous heroes Irish story. He slew Art, son of Conn Ceadathach, then king of Tara, at the battle of agh-Mochruime, near Galway, where he ased Mac Conn, fon of the above Maieniad. ainst this said Art, without regard to his own phews, the fons of Olliol Olim, who were fightfor him at the said battle, where seven of F f them

Oirige, 12. Eecha Dimona. The above feven fons of Olliol Olim by Saidhbh fought for their uncle Art the son of Conn at the battle of Magh-Mochruime, out of which no more than two escaped, viz. Cormac Cas and Cian; the above Eogan Cæmh was elder brother of Cormac Cas, and left a son called Fiachra Muilleathan. Flaherty, Ogyg. p. 331, mentions the above Eocha Tæbh-fada or Eochains, a longo latere, as he justly interprets his name, as having been killed together with his brother Cian by Feargus Dubdeadach the successor of Mac Con, in a battle which they sought for Cormac the son of Art, son of Conn Ceadchathach.

Olliol Olim by his last will and testament (after a peaceable reign of 23 \*years) demised and settled the perpetual enjoyment of the crown of Leath-mogh upon the male issue and posterity of his two eldest sons Eogan and Cormac Cas, by a succession which should be exactly and uninterruptedly alternate between both branches: with this particular condition and law, that the eldest prince, if capable of governing, should always succeed out of either branch. See Flaherty Ogyg. p. 326, compared with p. 57. l. 28, 29; this law of succession was observed regularly enough between the two branches for several generations (as Keating and Flaherty have

<sup>\*</sup> These 23 years are to be computed from the time he exiled Mac Con, son of Mac Niad, who had raised disturbances in his kingdom, for in some of the lists of regal succession he is allowed sifty years reign.

also observed) after which some abuses and violations have frequently happened, as it was natural to expect. We shall however see through the course of the following extract, that this law of alternate succession carried on according to the right of seniority, has been always insisted upon whenever any infringments or usurpations were attempted by high-hand.

## CORMAC CAS.

Cormac Cas fon of Olliol Olim was the succeeding king; this prince was remarkable for his strength of body, and was equally dexterous and resolute. It is recorded of him that he was one of the most distinguished Irish champions of the age he lived in; he established a certain chiefrent to be regularly and proportionably paid by the different states of Leath-mogh to the king thereof for the support of his person and dignity. by his fuccess in all military operations, his hame became a terror not only to the inhabitants of Ireland, but also to foreigners; he defeated and brought away spoils of great value at thirty different times from the Welsh, who came over to the affistance of the Lagenians against him, which made the latter return to their obedience, submit themselves peaceably to his government, and pay him the above tribute of Eidirsgeoil: he supported the rights and privileges of the crown of Leathmogh in eight battles against the other provinces. viz. the battle of Iorras, the battle of Damhia. the battle of Carman, the battle of Liamhna against

against the Lagenians who had revolted from their obedience, the battle of Cruachan against the people of Connaught, the battle of Teamhir or Tara against Fioncha, the battle of Tailtion, and the battle of Samhna, in which last engagement he flew an Ultonian prince, and was himself grievously wounded. He married Sunhair the daughter of the celebrated Fionn Mac Cuil, hereditary chief general of the famous military corps called Clanna Buoiscoine; and had by her three children whose names are Moghchorb, Aife and Eadaoin. After the death of Cormac Cac, his nephew Fiacha Muilleathan, by his elder brother Eogan Cæmh, succeeded to the throne of Leath-mogh; this prince distinguished his martial spirit by a timely exertion of his power against Cormac, son of Art, son of Com Ceadchathach, who had made a fudden irruption into Munster at the head of all his forces, with a view to make that province tributary to his crown. Fiacha Muilleathan gave him battle at a place called Drom-dabhaire, now Knocklong, in the county of Limerick; where he defeated and routed his army, the remains of which he pur fued all the way to Offory, where he overtoook Cormac and made him prisoner of war, who was glad to redeem himself by a solemn engagement, confirmed by the delivery of hostages, not only of repairing all the damages caused by his unjust invalion, but also of never molesting the king of Munster for the future, or setting up any pretenfion of supremacy or right of tribute from his kingdom, kingdom, which never owed any to the kings of Tara or to any other but its own.

#### MOGHCHORB.

Moghchorb fon of Cormac Cas succeeded in the fovereignty of Leath-mogh immediately after his cousin-german the above Fiachra Muilleathan; he was a very powerful and brave prince, and well experienced in military operations and discipline; he obliged the states and princes of Leinster to pay him the tribute of Eidirsgeoil; he was as formidable to foreigners as his father had been; it was in his reign, that the most bloody and memorable battle of Gabhra was fought, A. D. 296, between him and Cairbre Liffeachair, son of the above Cormac, king of Tara, wherein most of the standing army that had been lately commanded by Fionn Mac Cuil and its renowned heroes called Fiana Eirionn, or Phenians, who were of Moghchorb's party, had been slain, after having made an equal carnage of their rivals the Clanna-Moirne, who fought for Cairbre Liffe-Moghchorb reigned for the space of twenty years according to the Reimriogra, or Regal Kalendar.

#### FEARCHORB.

Fearchorb fon of Moghehorb, was proclaimed king of Leath-mogh immediately after his father's death, and reigned ‡ seven years according

‡ In some of the lists he is allowed twenty years reign.

ing to the Reimriogra, or Regal Kalenda, He was a warlike and enterprising prince; he engaged in the pitched battles of Ilachta and Tailtion with the princes and flates of Tara, in the latter of which the famous champion Tine, for of Triun, fell by his sword; he fought seven battles against the different provinces and principalities of Ireland both separately and conjunc tively, excepting the province of Leinster, which always submitted to pay him the tribute of Eulesgeoil. It is acknowledged by all Irish antiqueric, that for his liberality and generous spirit, he was not inferior to any prince of the Irish nation, and they further add, that it was a constant maxim with him never to fit to an entertainment without the focial attendance of a hundred of his nobles at least. This prince defeated the combined forces of the princes of Connaught and their allies at the battles of Ceara, of Cruachan and of Coruina, in vindication of his right to the immediate fovereignty of the country now called Thomond, which originally belonged to his ancestors.

### AONGUS TIRACH.

Aongus Tirach, the son of Fearchorb, succeeded to the sovereignty immediately after Ollil Flann Beag, the son of Fiachra Muilleathan; he was a stout and courageous prince; he slew with his own hand Fiacha Figinte, son of Daire Cearb, in the samous battle of Cliona; he was remarkable for the strictness of his laws, as well as for his candid and unbiassed judgments; and agreeably to that principle,

- principle, he never would favour his nearest or dearest friend against his most warranted enemy in prejudice of the truth; he used all possible means to reconcile people at variance, and promote true concord and harmony among his subjects, and was generally chosen by the contending princes of the whole nation to be umpire and arbitrator of their disputes, and they always agreed to his determination.

### LUIG MEANN.

Luig Meann otherwise Luig Lamh-dearg, the son of Aongus Tirach, filled the throne of Leathmogh. He was a prince of uncommon strength and activity of body, and was distinguished for his judgment and skill in conducting military operations; he fought seven bloody battles with the Conatians, in all which he had the advantage, and killed seven of their chief princes; he so harrassed them by frequent attacks, and laying waste their territories with fire and fword, still pursuing the advantages he was used to gain, that they were reduced to the necessity of submitting to his own terms: but this prince too generous to avail himself of all the advantages the laws of arms had then entitled him to, deprived them only of the country now called Thomond, extending from the bay of Killcolgan near Galway to Limerick: and from Lough-dearg to Leim-Cuchullan, now called Loop-head, otherwise Cape Leane at the mouth of the Shannon; to this tract of ground he had a just and antient claim, inasmuch as it was within

within the limits of Leath-mogh traced out from Galway to Dublin; thus the victorious Luig Meann contented himself with the glory of recovering the right of his ancestors, and acquiring for his posterity the enjoyment of those lands as a perpetual memorial of his valour.

The Psaltar of Cashel, here cited by the original, and other antient records, describe the entire patrimonial estate and dominion of Luig Meann and his posterity, according to the following delineation and limits, viz. from Leim-Cuchullan, or Leim-na-Con, in the west of Thomond, to Sliabh-Bladhma or Bloomy mountain in Offory, now between the King and Queen's counties; and from Carran-Fearaidh or Knock-Aine in the county of Limerick, to Ath-Lucad on the frontiers of the county of Galway. Others have traced them from the lses of Aran, to Sliabh-Eibhline near Cashel, as well as to Knock-Aine, and from the faid Leim-na-Con to Slighe-Dala in Offory: which is a more exact delineation of the length and breadth of the Dal-Cassian estate, than that of O Flaherty, who gives them no other breadth than from Sliabh-Eachty on the north fide of Lough-Dearg, to Sliabh-Eibhline in the county of Tipperary.

Luig Meann was equally successful in his engagements with foreigners, for he routed the Welsh invaders in many desperate conslicts at various times, and expelling them quite out of his dominions of Leath-mogh, he followed them with a powerful fleet to Wales; which when they had been apprized of, they prevailed with the neighbouring



eighbouring states to send them succours against the foreign and common enemy. But the brave uig Meann, undaunted at their vast preparations, ches through the country in a hostile manner. deing opposed by the enemies, he overthrew Them at the expence of much blood with all their Muxiliary forces, and receiving the fons and Boughters of their princes and chieftains, in quality • hostages for their future obedience and the ying him homage and tribute as to their lawful ing and sovereign, he returned home to his own Eximptom, and regularly received their annual Exibutes. In like manner it is added, that he went on hostile expeditions into Scotland, from hence he returned equally victorious and fuc-- cessful. This same Luig Meann is here repre-Ented not only as king of Leath-mogh, but is also considered equal to the monarch of Ireland. power and influence over the natives, which authority he had gained by his own superiour : Valour and extraordinary abilities of mind.

# CONALL EACHLUATH

After the death of Luig Meann, Criomhthan More, son of Fioga, of the posterity of Eogan son of Olliol Oluim, being king of Ireland, ceded the kingdom of Munster to Conall Eachluath son of the said Luig Meann, for whom this monarch had a personal affection from his having been educated at his own court from his youth. This circumstance highly displeased the descendants of Fiachra Muilleathan, who represented to Conall that

that he ought as well in regard to his own honour, as to the justice which was due to his kinsmen in blood, by no means to accept the donation of the generous monarch, and the more fo, as he was well convinced that Corc son of Luig of the lineal descent of said Fiachra Muilleathan, had both age and experience enough to take into his hands the reins of government. This remonstrance had fuch effect on the generous mind of Conell Eachluath, that by a very rare example he confented to compromise his right to the crown he was possessed of, and refer the whole matter to the folemn judgment of an affembly of the princes and states of Munster; those princes being affembled on this important occasion decided. that Corc fon of Luig, in virtue of his right of Seniority, (Oir fa be budb Sinne, are the very words of this historian) should be first entitled to the rule of the kingdom; and as a further motive of this decision, they alledged, that a descendant of Cormac Cas had been last in possession of the crown of Leath-mogh, and therefore, that in consequence of the last will of Olliol Oluin, their common parent, (which was held inviolable concerning a regular alternate succession to the sovereignty of Leath-mogh in the posterity of Fiacha Muilleathan, and the royal line of Cormac Cas) the descendant of the former had now the best right to the succession; and on the other hand, Corc fon of Luig, and the other princes of Leath-mogh were obliged by the same sentence to deliver up their sons to Conall Eachluith in quality of hostages to insure him of his **fuccession**  ession immediately after Corc son of Luig, to make the same good to his son in case the Corc should out-live himself. Upon this sion the princes of Munster by their solemn same confirmed and ratissed the Will of olduim, concerning the State-law of alternate ession between the descendants of his two Eogan More and Cormac Cas. Thus it e to pass, that Conall Eachluath son of the re Luig Meann, was content to cede the reins government, which had been put into his hands he monarch Criomhthan, to Corc son of Luig she posterity of said Eogan More.

The faid Conall Eachluath, after the decease Forc his competitor, refumed the government the kingdom of Cashel, and Criomhthan his ner friend still king of Leath-coin, being emyed in carrying on wars in foreign countries. iblished him during his absence in the supreme amand and administration of his share of the nd. Conall was not inactive in this commis-1, for he exercised Criomhthan's power, with ich he had been vested, not only titularly but ectually, and accordingly disposed of posts h civil and military throughout the kingdom. I received hoftages and the payment of tributes m all the northern provinces and states. This ole transaction is described at large in Cormac ic Cuillionane's Psaltar of Cashel, in a poem rinning with the words, " Cain ro rabb Conall Eachluath."

EANNA

his twelve fons, referving only to the eldeft, in case of his surviving himself, the supreme power and authority, with all the rights thereunto belong. ing. It is here to be observed, that the offspring of Luig Dealbhaodh, who from their father's firname were called Dealbhnaidhs, made other great fettlements for themselves in Meath, Osfory, and Connaught; all which different possessions were called Dealbhnas or Delvins, but diffinguished by various firnames. The country called Delvin. More was in Meath, whose former Lord was O Finnallain, a Dal-Cassian, which title is now in the Nugent family, barons of Delvin, and earls of West-Meath. In the same province was likewise Delvin of Teanmoy. Delvin-Eathra, now of the King's County, was the lordship of Mac Coghlan, Delvin-Nuagat, now a part of the county of Rofcommon in Connaught: Delvin-Culfabhar and Delvin-Feadha, were likewise in Connaught, the latter in Tirdaloch to the west of Galway: it was divided into two districts called Gno-more and Gno-beag, of which now confifts the whole barony of Moy-Cuillin. The O Conrys were antiently the chiefs of Gno-beag, until they were partly dispossessed, and partly made tributaries by the O Flaherty's.

# B L O D.

Blod, fon of Cas, succeeded his father in the principality of north Munster. This prince had four sons, viz. Carthan Fionn, Carthan Dubh, Eccha,

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Eocha, and Breanan Bán: this historian is altogether filent of his actions.

### CARTHAN FIONN.

Carthan Fionn, otherwise called Carthan More, immediately succeeded him. This prince lived when St. Patrick was preaching the gospel in Ireland, and was baptized by him at Sanigean, or Sainaingéal, near Limerick. He had three sons, whose names were Eocha Baildearg, Aongus Tuillidh, and Cormac Coichin.

### EOACHA BAILLDEARG.

Eocha Bailldearg, the son of Carthan Fionn, ruled next after him. This prince left two sons, viz. Conall, who did not reign, and Breacan Aran. The former dying before his father Eocha Bailldearg, had two sons, viz. 1. Aodh Caomh, who became king of Cashel, 2. the saint Molualobhar, who was the first founder of the church of Killaloe.

### CORMAC COICHIN.

Cormac Coichin, the son of Carthan Fionn, succeeded his brother in the sovereignty of North-Munster.

### AODH CAOMH.

Aodh Caomh, the son of Conall, son of Eocha Bailldearg, succeeded his grand uncle Cor-G g mac

mac Coichin. He was the first Christian prince of his family that became king of all Munster. His investiture, with the authority and title of king of that province, was performed at his own court in the presence of St. Breanan of Clonser, and of his domestic poet Mac Leinein, afterwards first bishop of Cloyne, and by the concurrence of Aodh Dubh, the father of Fignin and Failble Flann, and son of Criomhthan, then chief reprefentative of the Eugenian race. These two princes, attended by the nobles of their respective tribes, met on the plain of Magh-Feimin, between Cashel and Clonmel, with a view to consult about matters of public and common concern, and afterwards repaired to the court of Aodh Caomh, where the Eugenian princes were splendidly entertained. Here it was, that this Dal-cassian prince represented to Aodh Dubh his own right to fill the throne of Cashel; but the Eugenian prince could by no means be prevailed upon to acknowledge him fovereign of that kingdom, until such time as he was enfured of his own or his fon's fuccession immediately after him. Of which he was satisfied by having had the holy Breanan and Mac Leinein given him as fureties for the performance of this public contract. The truth of these particulars is confirmed by the testimony of that faint, in a poem attributed to him, which begins with the following words: Au aá Aodha mo dba charaid soun a raon.

FORRANAN.

#### FORRANAN.

Forranan, fon of Fionan, fon of Breanan, fon of Eocha, fon of Caifin, fon of Cas, succeeded Aodh Caomh in the throne of North Munster.

## DIOMA.

Dioma, the fon of Ronane, fon of Aongus. son of Carthan Fionn, collateral kinsman in the fourth degree of the above-mentioned Aodh Caomh, was the next Dal-cassian prince, who laid claim to the crown of Cashel after the death of Finine, eldest son of Aodh Dubh, and ancestor of the O'Sullivans, who, pursuant to the above agreement made between his father and the faid Aodh Caomh, succeeded the latter in the sovereignty of Cashel. This Dal-cassian prince, Dioma, supported his right to the crown of Cashel against Failbhe Flanh, younger brother of the above - Finine. These disputes very probably must have been attended with great effusion of blood on both fides, had not the clergy of Munster jointly offered their mediation, which was accepted of by the two contending princes. That venerable body being affembled on this occasion, and judging that the state law of regal succession should be inviolably grounded upon the right of feniority, concluded that the alternative, claimed by Dioma, should not then take place in prejudice of Failbhe Flann, inasmuch as the latter was of a maturer age. But with this referve and clause in favour of the said Dioma, that he or Gg 2 his his direct heir should reign immediately after said Failbhe. And this condition and clause, as also the following articles were ensured to him by the strictest obligations and the delivery of hostages. The further articles stipulated by Dioma on this occasion, were,

- 1. That in consideration of his giving up the kingdom of Cashel into the hands of Failbhe Flann for that turn, neither he the said Failbhe Flann, nor any of his tribes or successors in the same throne, should ever claim any sovereign power or right of tribute over the kingdom of North-Munster, according to its known limits and boundaries, from Slighe-Dala in Ossory, to the west of Ireland, on both sides of the Shannon, and from Sliabh-Eibhline, Cashel, Knock-Aine, and the river Feil, its southern limits to Galway, and the isles of Arran towards the north.
- 2. It was stipulated by Dioma, that the king of North-Munster should ever after be lawfully and avowedly entitled to a fovereign jurisdiction over the countries, which the ancestors of the Dalcassian princes had bestowed on different families in South-Munster, viz. That of the country inhabited by the posterity of Mac Conn, son of Maichiad, of the tribe of Dairinne and Ithian race; inafmuch as it was Cormac Cas, for of Olliol Olim, bestowed them on his mother Sadhbh's grandson, called Maicnaid, the son of Mac Conn, (for Sadhbh, daughter of Conn of the one hundred battle, was first married to Mac Conn's father.) These lands were of the royal estate and patrimony of Cormac Cas, because Olliol Olim had made an equal division of the province of Munster between him and his brother Eogan

Eogan More's fon Ficha Muilleathan, deducting only those territories which he appointed as the patrimony of his third fon, Cian, in the north-east part of the said province, which were added to the other possessions of his in that of Leinster. Fiacha Muilleathan shared no part of his own division with the sons of Mac Conn, though his cousingermans: he and they being all grand-sons of the above Saibh. But Cormac Cas, from his natural tenderness for Macniad, who was his nephew by the half blood, bestowed upon him a vast tract of ground, which comprehended all the west part of that country we now call the country of Corke. and was from the time of that donation diftin-. guished by the name of Corcalaidhe, as being then possessed by the posterity of Luig Ladh, who was the grand-father of Mac Conn. The Dalcassian tribe did therefore esteem themselves entitled to claim the fovereignty of a country which had been the free-gift of their ancestor. It was further covenanted between Dioma and the Eugenians, that the Dal-cassians should have a like fovereign jurisdiction over the one-half of the country called Ibh-Eochach, now corruptly Ibh-Echach, in the west of the county of Corke; inasmuch as it was the free donation of Conal Eachluath to Eocha, son of Cas, son of Corc of the Eugenian line, whom the former had bred in his court; and when his uncles and brothers would not allow him any share amongst them. the generous Conal fettled him in the above-mentioned country. In the last place, it was stipulated that the Dal-cassian princes should recover

the fovereignty of the country then called lbh-Torna-Eigeas, and now Clan-Morris, in the county of Kerry, because it was Conal Eachlush that had given all that territory as a dowry to his daughter Caomhsionn, who was married to Tor-

na Eigeas.

Dioma's pacific disposition, to which, according to this author, he facrificed his indisputable right of alternate succession, was however rewarded by providence; inasmuch as it is certain, that he lived to wear the crown of all Munfler, and was brave and successful enough to have repulsed the invasion of all the Conatian forces, under the command of Guaire king of that province. Our author informs us, that in Dioma's reign, all the princes and states of Connaught having joined their forces with a view to recover the country now called Thomond, of which they had been dispossessed by the brave Luig Meann, made: fudden irruption into the province of Munster, where Dioma foon met and engaged them in a bloody battle at Carran-fearaidhe, now called Knock-Aine, in the county of Limerick, where he gained a complete victory, and killed five of the Conatian princes, whose names were Maoldune, Maolgaillid, Donall, Maoldubh, and Maolbreafal, together with four thousand of their inferior officers and foldiers; and many others were made prisoners.

Note; that the abovementioned mediators in their fentence concerning the respective pretentions of Failbhe Flann and Dioma, have not shewn a just regard to the state law of succession made by Olliol Olim, by which an exact alternative of supreme

furteme government was enacted and settled between the princes of both tribes. Those arbiters grounded their fentence folely and entirely upon the right of seniority in Failbhe Flann, without confidering, that his elder brother Finine was the immediate predecessor in the throne of Cashel, and consequently that the next alternative belonged of all right to a prince of the Dal-cassian tribe. The thanistic law of succession, chiefly, if not folely grounded upon the right of feniority. was to be observed amongst the princes of one and the same tribe, in respect to each other; but with regard to the princes of the two different tribes of Eugenians and Cassians, and their mutual rights respectively to each other, the chief and fundamental point of the state law of succession enacted between them by the will of Olliol Olim, was the alternate enjoyment of supreme power and government in the throne of Leath-mogh. This point we shall hereafter find to have been in fifted upon from time to time, even by the Eugenians, whenever they found it necessary to have recourse to it.

Our original sets forth in this place, that from the first establishment of the Christian religion in Ireland, to the time of Lorcan, the grandfather of Brien Boromh, seven princes of the Dal-cassian race had enjoyed the crown of Cashel and all Munster. Their names and series of regal succession, together with other princes who were only kings of North-Munster, to the time of Lorcan, are as followeth: 1. The above Dioma, 2. Feardomnach, son of Dioma, king of Cashel, &c.

&c. 3. Ainleadha, son of Dioma, king of Cashel, &c. 4. Dubhdin, son of Dioma, king of Cashel, &c. 5. Cearnach, son of Ainleadha, king of Cashel, &c. Torpa, son of Cearnach, king of North-Munster; Donal, son of Eichiaran, son of Olliola, son of the above Feardomnach, king of North-Munster, Finachta, son of Eichiaran, king of North-Munster; Cormac, son of Donal, son of Eichiaran, king of North-Munster. 6. Rebecan, son of Mothla, son of Mæltuille, of the same stock with Dioma, king of Cashel.

#### LACHTNA.

Immediately after the alternatives of the abovementioned Cassian princes in the throne of Cassel, Feidhlim, fon of Criomhthan, of the Eugenian tribes, succeeded to that crown. This king soon after his inauguration demanded the usual tributes and hostages, with all other marks of submission from the different princes and states of South Munster; not exempting the Eoganachts, and other free states belonging to the principal branches of the Eugenian family. The princes of those free states very stifly refused to comply with their king's demand; and alledged, as chief reason of their refusal, that as those of the Cassian race had as good a right as the Eugenians to an alternate succession to the throne of Cashel, fo they should be equally burthened with all such tributes and taxes as may be necessary for supporting the dignity of that crown. The king of Cashel very reasonably replied to those remonstrances of the Eugenians, by desiring they may confider.

# ILLUSTRATED.

consider, that as the major part of the lands and states belonging to the Dal-cassian tribes, was merely and properly their own acquisition, as well as a glorious monument of the valour of their ancestors, so it consequently owed no subjection or tribute to the crown of Cashel, to whose dominions that acquisition was never annexed: beside. that those Dal-cassian states were frequently exposed to the attacks and hostilities of the Conatians, against whom they were obliged to serve as a barrier, which was equally, though not so immediately useful and necessary for the defence of the Eugenian states. But those reasons, however just and solid in themselves, were not prevalent enough to remove the jealousies of the Eugenians against the Dal-cassians; on the contrary, they at last prevailed with king Feidhlim to march at their head with all the forces of South-Munster into the heart of North-Munster, resolved to reduce the Dal-cassian states to the same subjection with themselves, or die in the attempt. But king Feidhlim foreseeing at the same time the difficulties, which that enterprize should meet with from the martial spirit of the Dal-cassian tribe, and defirous of preventing the effusion of human blood. thought proper to proceed with caution and prudence upon this perilous expedition. He therefore halted at a place called Lig-na-Nachtran in the country of Thomond, and from thence difpatched ambassadors to the princes of the Cassian race, with full power to fignify unto them the firm resolution of the Eugenian states, and that nothing

nothing less than their subjection to the crown of Cashel, by the payment of tributes and taxes, with the delivery of hostages, could prevent a bloody war, between the two tribes, which may be attended with most dismal consequences. The Dal-cassian princes having heard out those ambassadors concerning these new pretensions of the Eugenians, dismissed them with scorn and indignation, charging them at the same time to assure their king that he should find them well prepared to give him a warm reception, and dispute that matter with him and his forces, at the point of the fword. But the clergy of the country pursuing wifer counfels, entreated those ambassadors to represent to king Feidhlim, that none of his predecessors ever pretended to a right of subjection, or tribute, from the Dal-cassian princes, and that their kingdom of North-Munster was always acknowledged as an independent state, especially that part of it which was the conquest of Luig Meann, and may be justly esteemed the price of Dal-cassian blood. At the same time Lachtna, son of Anluan, who then was the sovereign rule of North-Munster, and a prince of great prudence as well as valour, took an opportunity of riding away incognito with one fingle attendant, to pay a private and friendly visit to king Feidhlim at his camp, who received him with the greatest demonstration of fatisfaction and civility, which ended in a thorough reconciliation and change of purposes between them and their respective tribes. In a word, Feidhlim was fully fatisfied with a polite declaration, which was made

to him by Lachtne, importing, that for his particular part, he was willing to acknowledge him as king of Cashel and South-Munster; but without prejudice to the independency and rights of the king and states of North-Munster. Feidhlim and his princes were doubtless the better disposed to be fatisfied with this polite declaration of Lachtna, as the Dal-Cassian forces were marching from all quarters to meet those of Feidhlim, who were already very apprehensive of being surrounded and attacked on all fides, without even the possibility of a retreat. But when the Dal-Cassian chiefs had notice of the reconciliation, they all affembled about their fovereign, and paid their compliments to the king of Cashel, who received them in the most gracious and friendly manner; and Lachtna infifted that as he was so splendidly entertained by king Feidhlim that day in his tent, he expected his visit, and an acceptance of the like politeness from him at his court, where he prevailed with Feidhlim and his princes to spend some weeks, during which time they were regaled in the most magnificent manner. At Feidhlim's departure, he solemnly promised he never would pretend to the right of either tribute or hostages from the martial and royal tribe of Dalcais, whom he acknowledged to have been always free and independent.

# LORCAN.

Lorcan, the fon of Lachtna, fon of Corc, fon of Anluan, fon of Mahon, fon of Torelach, fon of Caithil,

Caithil, fon of the above Aodh Caomh, fon Conall, fon of Eocha Bealldearg, of the direct line of Cormac Cas, succeeded his father in the fovereignty of North-Munster: he was a powerful and resolute prince, and was distinguished for his generofity, prudence and piety. Our historian relates a remarkable affair that happened between this prince and Flann Siona king of Leath-Cuinn: this king instead of employing his forces in giving proper check to the Danish invaders, who in his time were committing the most barbarous devastations, cruelties and sacrileges, especially in the North of Ireland, and even in Meath and Kildare under his own eyes, thought proper to make a fudden irruption into the province of Munster, at the head of his troops, where he plundered and laid waste a great part of the country. At his return home loaded with booty. he boasted to his officers, that there was no prince or state in all Ireland, that would dare to molest or obstruct his march, and that he should hold himself as safe and free in his passage, as if he had been upon a tour of pleasure and sporting in the heart of his own patrimonial estates: wherefore he declared that he intended to divert and amuse himself at his chess-board, wherever he thought proper in his way homeward, without the least compliment to any prince or state whatsoever This practice and conduct, it feems, was held as a mark of contempt in those days, towards the prince and people, in whose state such sporting liberties had been taken by another, without their consent.] A domestic poet, called Flann Mac Lonnane,

anane, who was of this king's retinue, having rd out this piece of rodomontado, could not ain from telling his mafter, that he was apprefive if he had gone upon such a sporting me into the country of the Dal-Cassian tribe, ended as he was by all his forces, he should na have a more serious and yet a brisker game May, than that of either chess or hazard; hereon this king, after casting a scornful look at poet, instantly orders his troops to march ards Thomond. In the mean time, the poet € Lonnane, who would not gladly be found a prophet, took an opportunity to give timely ece of his master's design to Lorcan, King of mth-Munster, who having lost no time in giving alarm to the chiefs of his tribe and their zes, they foon were in readiness to give a warm eption to king Flann; this prince having rched into the country of Aobh-Caisin in omond, halted on the plain called Maghhair, at the very spot on which the kings of rth-Munster were usually inaugurated: and e, after a short refreshment, he ordered a al to be made to his courtiers and officers, to to their amusements without care or apprehen-3; and for his part, he challenged a companion a game of chess. But the Dal-Cassians, who I diligently watched his march and motions, re by this time affembled in fight of his camp, l in a sufficient number to disturb his attention that fort of game. In a word, they poured vn upon him, before he had finished his party hess, and soon overturned his gaming tables, after

after forcing their way sword in hand, to the way spot on which they stood: the sport did not call with this brisk scussile; for our historian informs us, that the affair came to a general and sall bloody engagement between both armies, which continued for three days successively, and cannot with a total descat and dreadful carnage of hing Flann's men, who at last was drove to the extremity and confusion of employing the intensition of his poet, to obtain quarters for his own person.

Note; This piece of military conduct, however odd it may appear in our days, I judged not allogether improper to be related in this extract, inasmuch as it may serve as a sample of the manners and customs observed by the warrion of those times. It is just to remark at the same time, that no part of the ridicule of this traction falls upon Lorcan or his tribe, who, being attacked in a contemptuous as well as holds manner, were obliged not only to vindicate their own honour and rights, but also to repel their vader of their country, to whom they owed me submission.

Cormac Mac Cuillinan, king and bishop of Cashel, paid a visit to this Dal-Cassian prince of his court of Thomond, where he was honound received for nine successive days, to the great in tisfaction of the venerable guest, and that of in numerous suite. This king at his departure, in presented to Lorcan and the other princes of in sept, that he hoped the principal heads and in presentatives of the twelve branches, into with

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ribe of Dal-Cais was divided, should deliver his care and tuition one of their several sons. educated in the nature of ecclesiastics. pious proposal of the king of Cashel they eadily consented, Lorcan himself being their edent in giving up his youngest son Cosgarach, pt Conla fon of Eionachta, who would not dehis own fon, upon a furmife, which he did not eal, that this had been a specious pretext in nac to carry away the young princes, and: wards detain them at Cashel, in the state and ity of hostages. The venerable Cormac: nnly protested, that the charges of Conla both injurious and groundless, and in the. ence of the affembly, gave him his maledic-, of which Conla and his posterity (say the rds) felt the temporal effects, being foon after ced to a possession of lands, confined within scanty limits of the district of Sgethchtan.

orcan, in some time after, went to return the of king Cormac, but before he approached court, thought proper to halt at a place called in Nurlan, on the plains of Cashel. This is being informed of Lorcan's visit, sends him invitation without any further ceremony or pliment by one of his houshold, who as soon e delivered his errand, was obliged to return a plain denial. The messenger immediately, rms his royal master, that the king of Northister seemed to be rather affronted than sed with the invitation. Cormac having sufly resected upon this circumstance, and the cause

cause of that refusal, made the following declaration in the hearing of all his courtiers; I certainly know, fays he, the reason of the worthy prince's non-compliance, he requires the benefit of that right, which the Dal-Cassian kings, whenever they do not fill the throne of all Munster, are indifputably entitled to inherit in the regal house of Cashel: for the said princes in such conjunctures have an unquestionable right to possess the entire northern half of that palace, for this reason, that their ancestors and themselves have always defended the king and crown of Cashel against the attacks and invasions of the provincial troops of Leinster, and the forces of Leath-Cuinn. Hereupon, Cormac dispatches one of the princes of his tribe to make an apology to the Dal-Cassian king for the incivilities shewn him, and request he would now come on, and enjoy his privileges in the royal feat of Cashel. Lorcan made no difficulty to comply with this offer, and was received with open arms by king Cormac, who, as foon as the Dal-Cassian prince entered, gave him possession of the north-half of the entire palace, and feated him and the princes of his blood at his right hand; an honour which they were entitled to enjoy, not only because the Dal-Cassian forces always formed the foremost ranke in all offensive and desensive engagements with the common enemy, but also covered the rear of the Momonian armies in all their necessary retreats, being at all times the last that quitted the field of battle. In return to this compliment due to his rank, Lorcan gave the king of Cashel

his most hearty thanks, and frankly declared, if he had not shewn him the honours and privileges, to which he had an hereditary right, that, far from paying him a visit, he and the other princes of his tribe, should never hold the least correspondence with the king of Cashel, or his Eugenians, nor ever after assist them in their greatest distresses. The venerable Cormac himself, having an extraordinary talent for poetry, expresses the privileges of the Dal-Cais in the regal house of Cashel in a poem of his Psaltar which begins thus: "Ruidbleas Dal-Cais Cea"daibb Armach."

In this prince's reign as king of North-Munster, Teige Mac Cathil the king of Connaught, made a fudden invalion with all the forces of his province into the country of Thomond, of which the Dal-Cassians being speedily alarmed, by an expedient generally practifed on the like occasions, affembled their forces in a fufficient number, and repelled the invaders, after a general deroute and flaughter of their men. The military expedient above-mentioned, and which the Dal-Cassians ordered to be observed upon the first notice, or apprehension of an invasion by the Conatians, confifted in lighting a large alarming fire on the fummit of the hill called Rinarda, which may. apprise the watch-guard of the height called Sliabh-Muiceann to do the same, who were to be imitated by those of Knock-an-Phriachan, which last fire advertised the watch of Knock-an-Dubhan, so that by this means every man who faw the fire, that was able to bear arms throughout the whole kingdom

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of North-Mizfier, inflantly repaired to Ceann-Current, presented to repel the invaders.

The most Cormac Mac Cuillinan, bishop and king of Cathel, not only had a personal affection for Local, but was fenfible of his right to facesed himself in the throne of Cashel. This king being importuned by Fiahartach abbot of Lis-Caria, and other princes of his tribe, to go more an expedition into Leinster, in order to enface his right of tribute from that province, as part of Leath mogh; and having a fore-fight of his death before his return from that enterprise, sent a friendly invitation to Lorcan, at whose arrival he declared to all his court and kinfmen, that this prince had a just and natural right to faxceed himself in the throne of Cashel, pursuant to the will of Oill Olim, their common ancestor: and therefore did from that moment, demise his crown to Lorcan, in case he should not survive the expedition he then was going upon. Accordingly, this enterprise having been fatal to the Life of Cormac, agreeably to his own pre-fentiment of death, this Dal-Caffian prince succeeded him, and reigned as king of all Munster for the remainder of his days, which, I shall here observe, that, according to O Dubhagane, quoted by Keating, was only a year and a half; but it appears from Chronicon Scotorum, that he reigned for fix years, i. e. from the death of Cormac in the year 908, to the commencement of Flaithbhertach Mac Ionmhuinen's reign, in the year 914.

KINNEDY.

#### KINNEDY.

Kinnedy son of Lorcan, succeeded his father, at least in the kingdom of North-Munster; and we shall by and by find sufficient reason to think, that he may very justly be allowed a place in the catalogue of the kings of all Munster. This prince was attacked all of a sudden and at once by a confederacy of the following princes and states, viz. Meath, Dealbhna, Corcamrua, Eile, Muscrytire, Tiege Mac Cahil king of Connaught with all his forces, the Eoganacht of Cashel, and their king Callaghan, who doubtless was the author and fomenter of all this confederacy. But the brave Kinnedy, with his invincible Dal-Cassians, intrepidly and constantly facing about to oppose the different attacks of their invaders, not only maintained his ground against them all in the most gallant manner, but also gained several victories in the profecution of this defensive war: and particularly a very fignal one against Callaghan of Cashel, of whom he won the battle of Saighleann, where 300 of Callaghan's tribe beside numbers of his troops were left dead on the field of battle. This was not the only battle Kinnedy fought against Callaghan, as shall just hereafter appear from the Chronicon Scotorum. This gallant prince met the confederate army of all Leath-Cuinn, at Athlone in Connaught, and there fought and forced them to retire with considerable loss. He also had twenty-four bloody engagements with the Danes, whom at long run he entirely Hh2 routed routed out of his kingdom of North-Munster. Thus far the Munster book concerning the gallant actions of this great prince.

Keating, agreeably to his usual fondness of entertaining his readers with stories of an extraordinary nature, relates two very fingular events concerning Kinnedy and Callaghan, fon of Buadhean, a prince of the Eugenian flock, his cotemporary and rival for the throne of Cashel; in the first place he tells us, that Kinnedy, after the death of his father Lorcan, had convened the princes and states of the whole province, at a place called Gleannamhuin, now Glanworth, in the county of Corke, to whom he fignified and afferted his right of succeeding to the throne of all Munster; but adds, that the mother of Callaghan appearing at the same time in the midst of this awful affembly, pathetically remonstrated to Kinnedy, that according to the law of alternate fuccession antiently established by the last will of Olliol Olim between the Eugenians and Dal-Cassians, her own son had then the right of succeeding in his turn to the throne of Cashel, preferably to Kinnedy. This argument, by the bye, would imply a plain acknowledgment from the inventor of the flory (who doubtless was one of the seanachies belonging to the Eugenian princes) that Lorcan, the father of Kinnedy, had been the immediate predecessor of Callaghan in the throne of Cashel, though the writers of the Eugenian party have expunged him out of their lists of the kings of Munster. Our historian, purfuing the story, assures us however, that Kinnedy. not withstanding his great power and influence. was good enough to acquiesce to those reasons and relinquish his pretentions in complaisance to this old lady.

Keating's other story relative to these two princes, but which regards Callaghan in a more particular manner, is, that this prince being treacherously invited to Dublin by Sitrick, the son of Turgefius the Danish tyrant, under the sanction of a promise the said Sitrick had made him of a marriage alliance with his fifter Bevionn, daugh-Per of the said Turgesius, was perfidiously seized at his arrival, together with his companion Donchuan the fon of Kinnedy, and both fent off tied neck and heels to Ardmagh, there to be disposed of according to the fanguinary views of that usurper: but that Kinnedy, to whom Callaghan had entrusted the government of the whole kingdom during his absence, being informed of Callaghan's captivity, raised all the forces of Munster, both by fea and land, and dispatched them away under the command of an able general called Donogh O'Keeffe, and an experienced admiral, by name Failbhe Fionn; and that, by the extraordinary valour of these commanders and their respective forces, Callaghan and Donchuan were rescued from on board the Danish fleet off Dundalk, and brought away triumphantly, after killing Sitrick and his two brothers, whom our historian, faithfully copying his learned authors, calls by the names of Tor and Magnus.

But with regard to these two stories, the latter of which is wonderfully enlarged upon, and embellished with all the flowers of romantic eloquence, quence, besides the profound silence of all Irish annals, which of itself alone, may found a strong fuspicion and prejudice against the reality of their respective subjects; I shall observe in the first place with regard to the former of the two, importing the pacific acquiescence of Kinnedy to Callaghan's pretentions, the annals represent him of a quite contrary disposition and conduct, inasmuch as we find it expressly mentioned in the Chronicon Sotorum, at the year 944, to which is therein referred the death of Flaithbhertach, the son of Ionmhuinein, Callaghan's predecessor in the sovereignty of South-Munster, that a very bloody battle was then fought between Kinnedy and Callaghan, both visibly contending for the throne of Cashel, as soon as it was vacated by the death of the faid Flaithbhertach; in which battle, foughtat a place called Magh-Duine, many lives were loft on both fides, as the author of the Chronicon obferves, by adding to his Irish account the Latin words, ubi multi ceciderunt. And, to remark it by the bye, this fanguinary contention and rivalship between these two princes, discredits in great meafure that zealous part which Kinnedy and his fon Donchuan are said to have taken in what regarded Callaghan's interest during his captivity. But at the same time it is observable, that the power and fovereign command attributed to Kinnedy by the authors of Callaghan's story, implies a fair concession from them of the sovereignty of Munster, being at least as extensively shared by the scrmer as it was by the latter.

Now as to Callaghan's captivity under Sitrick, the fon of Turgesius, and his heroic deliverance by the forces of Munster, I cannot but observe, that the whole story is inflexibly irreconcileable with the most authentic accounts and historical facts expressly recorded in the Irish annals. Turgesius, the supposed father of Callaghan's perfidious enemy Sitrick, finished his execrable life, according to the Chronicon Scotorum, the annals of Innisfallen and those of Ulster, in the waters of Lough-Nair, whereinto they tell us he was plunged and drowned anno 845, by Maolseachluin king of Meath, who had feized the body of that tyrant, whether by open feats of war, or by fuch a stratagem as that which has been first related by Giraldus Cambrenfis, Topogr. Hib. Dift. 3. c. 4. who (according to his well known talent of inventing wonderful stories concerning Irish affairs) will have us believe what the annals above cited are all quite filent upon, that Maolseachluinn contrived the capture of that Danish king, by complimenting him with the disposal of his fair daughter, accompanied by fifteen young bravos disguised in woman's dress, under which they concealed well prepared weapons for the execution of that delign. But however this event was brought about, it is agreed upon by all authentic accounts and the best authors. that Turgefius died in the year 845. But the earliest mention I find of Callaghan in the said annals, particularly in Chronicon Scotorum, is in the year 936, that is to fay, eight years before he contended with Kinnedy for the succession at the death of Flaithbhertach in 944; at which first mentioned year of 936, he is faid to have plundered,

dered Clonmacnois in Meath, at the head of a party of Munster men; and in the year gas he is mentioned as making another expedition of a like nature, affifted by a party of Danes, into the fame province, wherein he plundered Cluainniming Cluainaineach, and Cill-aice. Now from the time of Turgesius's death in 845, to the very first of those epochs of Callaghan's first appearance in the world in quality of an adventuring partifan, there are just 91 years, and to that of his assuming the title of king of South-Munster, as successor of Flaithbhertach in the year 944, there are at least 99 years, and possibly within a few months of a whole century. And what allows us full liberty to extend this good round number of years to near half a score beyond the whole century, the writers of Callaghan's flory all agree in telling us that he finished his life as well as his reign of to or twelve years (for they differ as to its duration) foon after his return from his captivity, in which they give us to understand, that he had remained but a few months. Bevionn, the daughter of Turgesius, must therefore by a necessary consequence be a pretty grave and experienced matron, of more than an hundred years of age, when her brother Sitrick, who could not be much younger, but may by many years be older, was arch enough to fet her up for the object of Callaghan's ambition and courting expedition to Dublin. But a further mischief and cross purpose against this much famed story is, that the annals make no lost of mention of this Sitrick, fon of Turgefius, with regard to whose issue, either male or female, they keep a profound silence.

The next account they give us of any principal chiefs of the Danes or Norwegians, is in the year 853, when Amhlaibh, or Amlavius (to whom Giraldus Cambrensis, Topogr. Hib. l. 3. c. 43. affociates his two brothers Sytarachus and Ivarus) arrived in Dublin from Norway, and subjected all the Danes and Norwegians of Ireland to his do-But as this event was 91 years anteceminion. dent to Callaghan's assuming the title of king of Cashel in 944, this Sitricus, the brother of Amlavius, besides his having never been mentioned as king of the Danes of Dublin, but only governor or commander of those of Waterford, could not be the person whose sister might have tempted the ambition of our Momonian prince. To this we may add, that the authors of this story, far from mentioning Amlavius and Ivarus as the brothers of their Sitricus, have taken care to affign him two of quite different names, Tor and Magnus, whom they reckon among the flain in the wonderful battle by which Callaghan was re-We find indeed another Sitrick mentioned in the annals at the year 919, as an affociate with one Ivarus at that bloody battle near Dublin, in which Nial Glunduff and many other Irish princes were flain, with great numbers of their men and officers. The Chronicon Scotorum calls this Sitrick by the distinctive name of Sitrick Gaile, and the Innisfallenses call him Sitric, the fon of Amhlaibh, or Amlavius. Sir James Ware mentions him at the year 916, Antiq. Hib. p. 109. The epoch of this battle is just 25 years before that of the death of Flaithbhertach, the predeceffor of Callaghan in the throne of Cashel: and yet

yet this Sitric disappears immediately after that battle, and must be supposed to have lost his life either in that action, or before the end of the same year, inasmuch as there is no mention of him in another most slaughtering battle and victory, which Donogh Mac Floinn, the fuccessor of New Glunduff, gained the year following over the Dr nish and Norwegian forces, wherein the Chronica Scotorum observes, that these foreigners suffered much greater carnage and loss of men, than the list had sustained from them in the preceding buttle Another proof of the above Sitrick's having finished his days before 921, is, that Godfra or Godfidus, grandson of Ivar, is mentioned at this year as king of the foreigners of Dublin. of this same Godfridus is mentioned at the year 934. when his fon Amlavius, or Aulafius succeeded him, and died in 941, and was succeeded by his fon Blacarus until 948, when he loft his life with 1600 of his people in a battle, wherein Congalach, the fuccessor of Donogh Max Floinn, gained the victory. Blacarus was succeeded by Godfridus, son of Sitrick, whom we find mentioned as still reigning in the year 951, after which he foon loft his life, as mentioned by the Chronicon Scotorum by a visible judgment from God, for having deftroyed and plundered various churches named in that chronicle; and was fucceeded by another Godfridus, son of Aulasius, who died in 962, fix years after the death of Callaghan Cashel, during whose reign, from 944 to 954, no Sitrick appears at the head of Danes or Norwegians, as is plain from the preceding fuccession of their kings.

Another

Another plain mark of invention in this story of Callaghan's captivity under Sitrick, the son of Turgefius, is furnished by the part, which Donthuan the son of Kinnedy is said to have acted n this romantic adventure, which the authors of t represent as having happened not long before the death of that Momonian prince. The Chronicon Scotorum sets down at the year 958, that is to say, the fifth year after that in which Callaghan began his reign, the death of Donchuan and his brother Achiaran, as having been killed by Congalach the successor of Donogh Mac Floinn in the throne of Tara, in a plundering expedition which he then made into the province of Muniter. same fact I find mentioned in another old manuscript I have in my possession, without either title or author's name. Callaghan lived for five years after this event, a circumstance, which besides the little appearance there is of any good understanding having subsisted between him and Kinnedy or his fons for the reasons above mentioned, founds a very material prejudice against the truth of this famous story. The last symptom of delirious imagination, I shall take notice of in the inventers of this romance, is the mention they make of Morrogh Mac Floinn king of Leinster, as having opposed the passage of Callaghan's army through his country, at their return to Munster. To convince us of the inconsistency of this episode, we have only to observe, that the Chronicon Scotorum at the year 944, when Callaghan began hisreign, mentions one Bran Mac Maol-mordha, as being then the reigning king of Leinster, and affishing Congalach, afterwards king of

of Tara, in ransacking Dublin, where they killed 400 Danes. This Brian king of Leinster, was killed by the king of Offory, anno 947, according to the Chronicon Scotorum, that is to fay, fix or feven years before Callaghan's death. Now according to the lift or catalogue we have from the Leinster records of the kings of that province, and their succession with the dates of their enthronement and death, I find that Morrogh Mac Flin or Mac Fin. as he is called in some copies, began his reign just 21 years after the death of Bran, i. e. 14 or 15 years after that of Callaghan. I shall conclude this tedious criticism, by affuring my reader, that zeal for the honour and credit of the true antiquities of the Irish nation, and far from a natural inclination of expoling the weakness of any of the Irish writers. is what induced me to make these animadversions upon this famous story of Callaghan Cashel: and upon this occasion, I am forry to have too much reason to lament the discredit, and even the dishonour, which the English translation of Keating's historical collections must naturally have reflected upon the authentic and genuine antiquities of this nation, of which some precious monuments are still remaining, as I shall soon have occasion to mention more particularly; a translation, which besides being miserably incorred and abfurd as to the literal sense in many places. for want of a competent knowledge of the Irish language in the chief translator, visibly alters of gives a designed turn to the true meaning and scope of the original. Nor could the author, whose zeal for the preservation of the Irish language

engaged him to undertake the compiling t work, have ever intended it for a genuine ell grounded history of Ireland, much less and any defign to have it published in any language than the native tongue, for whose vement it was principally calculated. This pption of his landable views and intention egard to that work, must appear very natud well founded in the eyes of those who will npartially confider, that a person of Keacharacter and profession, could not be suf-I to have had any other view or meaning in arding his history with so many fabulous rences of Pagan superstition and Druidish Stions, as well as with various romantic s, which are as plainly inconsistent in them-, as they are irreconcileable with the annals is country, but to amuse the common fort of readers, and give them at the same time a and emulation for the improvement of their : language.

fore I have done with the story of Callaghan shel, I shall confess, I am strongly of opinion, his romantic story has been raised upon no foundation, than that of the capture which nnals both of Innisfallen and the Chronicon rum mention to have been made of the body llaghan, by Mortogh the son of Nial Glünduss, eyear 941, when this prince is mentioned to made a sudden irruption into the country of el, where he surprised and seized Callaghan, n he led away captive and delivered up into hands of Donogh Mac Flin the king of, who, as the Innisfallenses observe, soon afterwards

afterwards gave him his liberty upon some conditions which are not explained in either of those annals. Some Momonian Bard or Seanchy attached to Callaghan's family, having had a traditionary knowledge of this disgrace of that king, might have bethought himself of giving it such a different turn and kind of new creation, as may rather reflect honour upon the memory of an Eugenian prince, who otherwise had given proofs of his military courage, though fometimes upon unbecoming expeditions, of which we have occasionally cited some examples from our authentic To finish this abridged extract of Kinnedy's history, we have only to observe that according to the genealogical records of the Mac Brodins, hereditary antiquaries of the Dal-Caffian princes, this Kinnedy had ten fons, viz. Lachtna Mahon, Brien surnamed Borumha, Eachiam Donchuan, Anluan, Marcan, Ædh, Cleircin, and Domhnal; of these sons five only left issue, which were, Mahon, Brien, Eichiarn, Donchum, and Anluan; Kinnedy's death is mentioned by the Chronicon Scotorum at the year 951.

# LACHTNA.

Kinnedy was succeeded in the kingdom of North-Munster, by his son Lachtna, and reigned for three years, according to the Brodins, both in their genealogical records, and their Reim-Riogra or Regal Succession of the Dal-Cassian princes; in the said records it is mentioned of this Lachtna, that he fought a battle at Magh-Duine against O Floinn, O Kearny Fionn, and O Kearny Duff,

whom he left dead all three together on the of battle. And the same authors remark, the place called Grianan-Lachtna, or the e of Lachtna's in Craigliath, a district of nond, was called from this prince, who built aid palace towards the year 953. The cirtance of Lachtna's immediate succession after ther, seems to prove him the eldest of Kin-'s ten sons.

fore I begin the reign of Mahon son of edy, I shall make a few remarks concerning exorbitant number of king's of Munster of lugenian race, which the antiquaries of that ely family have fet down in their royal ogue, or series of regal succession in the house achra Muilleathan, from his time to that of gradh the fon of Ailgeanan, who has been the ing of Munster of that family, and was the ediate predecessor of Mahon, son of Kinnedy, he Dal-Cassian race. To shew how ill nded and inconsistent those antiquaries have in swelling their regal catalogue, with so t a number of Eugenian kings of Munster ing successively or at different times, I have to remark.

That, in the annals of Tighernach and the micon Scotorum Cluanense, of both which nicles I have old and authentic copies, hran and Amhalga sons of Eanna are set down ings of Munster in the year 598, and consently coregnants, or reigning at the same time ifferent parts of that province; and yet the enian antiquaries give them separate places

in their lift of the kings of Munster, as if ther had reigned separately and at different time. The latter of these two princes dying in the war 604, left the kingdom to Finghin, son of Act Duff, who was accordingly proclaimed king in the fame year; so that there are no more than in years from the beginning of the coinciding reign of the above brothers, to Finghin's inauguration in the throne of Munster. But the Engenin antiquaries allow seven years to Amhalga, and eleven to Gabhran separately from each other, after which they infert no less than five Eugenia kings in their catalogues, distributing 67 years between them, from the reign of the sid Gabhran son of Eanna, to that of Finghin son of Aodh Duff above mentioned.

II. According to the said chronicles, this same Finghin, son of Aodh Duff, died in the year 615, and they also mention Aodh Beannan as king of Munster at the same time, both chronicles agreeing that he died in the same year 619. And yet the Eugenian antiquaries give them separate reigns and place Cathal son of Aodh Flannchathrad's reign of ten years, according to some, and twenty, if we believe others, between them both, and prefix the reign of the said Aodh Beannan to that of Finghin son of Aodh Duff.

III. According to the faid annals of Tightnach, and the Chronicon Scotorum Cluanent, Finghin fon of Cu-gan-Mathair, became king of Munster in the year 678, and died in the year 696; and Congal fon of Maoldun is express stiled king of Munster in the same annals, who

death

death they both mention at the year 690, which is fix years before that of Fiongaine or Fingin, who reigned from the year 678. This is a plain demonstration, that these two princes were only coregnants and kings in part, like those above mentioned; and notwithstanding the Eugenian antiquaries set them down in their lists as kings of all Munster, reigning successively one after the other.

IV. According to the same chronicles, Cormac, son of Ollil, became king of Munster, immediately after his father, in the year 700, and had an untimely end in quality of king of that province, in the year 712. The said chronicles also mention Cormac son of Maonach, as king of Munster at the same time, and refer his death to the year 711, by which it appears he was coregnant with Cormac son of Ollil, reigning for some time in a separate part of that province, and yet both these princes are set down as kings of Munster, in the Eugenian list of kings, as if reigning over the whole province at different times.

V. According to the Chronicon Scotorum, from the death of Cormac fon of Cuillinan, at the bloody battle of Bealach-Mughna fought in the year 908, to the death of Callaghan Cashel, king of Munster in the year 954, it is plain there are only forty six years, which were filled up by Cormac's immediate successor Lorcan, the father of Kinnedy, a Dal-Cassian prince who died in the year 914, and was succeeded by Flaithbeartach, the son of Ionmhuinein abbot of Innis-catha, an Eugenian, who died in the year 944: and thirdly, by Callaghan Cashel, who succeeded said Flaith-

I i bhertach,

bhertach, and died in the year 954. Notwithflanding this glaring evidence and matter of fact, the Eugenian antiquaries in all their lists of kings that I have seen, do insert the reigns of no less than thirteen princes of the Eugenian line, from the death of Cormac to that of Callaghan Cashel, and distribute amongst them a series of 165 years.

VI. If we may depend upon Keating's account of the general affembly of Dromceat, in the time of Aodh Mac Ainmireach, king of Tara, after the middle of the fixth century, and I am the better inclined to think we may, as I find the said affembly mentioned in my copy of the annals of Innisfallen, during the reign of the faid king; it affords us a clear notion of one method which has been observed by the Eugenian antiquaries to increase their list of the kings of Munster, in the line of Fiachra Muilleathan. Among the kings whom Keating mentions as members of that affembly, he names Maoldun fon of Aodh Beannan, as king of West-Munster; and at the same time sets down Finghin son of Aodh Duff, son of Criomhthan, as king of all Munster and another member of the faid affembly. good antiquaries of the Eugenian party, recket both the one and the other of these two princes as kings of all Munster, reigning separately and at distant times, placing two kings between them And thus without doubt they have done both. with regard to many others of that family, who were only petty fovereigns in their respective pure of the province of Munster.

I shall finish these remarks with observing, that, **eccording** to the preceding account of the regal fuccession of the Dal-Cassian princes, taken from the Munster book, no more than seventeen of that family have been kings of Cashel and all Munster, from Ollil Olim's time, to that of Brian Boromh, beginning with Cormac Cas, the stock of this line, and ending with Mahon the elder brother and predecessor of the said Brian; yet we find. that during this interval of time, the alternative of succession between the posterity of the said Cormac, and those of his nephew Fiachra Muilleathan was always infifted upon, as may be feen not only in the Munster book, but also in Keating. especially at the times of Criomhthan Mac Fioga and Connal Eachluath, of Cormac Mac Cuillinan and Lorcan Mac Lachtna, and of Callaghan Cashel, and Kinnedy the son of the said Lorcan. And what is particularly remarkable upon these different occasions, we find it was the Eugenian family that infifted on this alternate right in their own favour. Hence I think it might very rationally be concluded, that there were as many kings. of all Munster of the Dal-Cassian race as of the Eugenian, or at least that the disparity was not very great; though the Munster book reckons but seventeen during the above interval: but good Dr. Keating in his account of the reign of Cormac Mac Cuillinan, tells us very confidently that no less than forty-four kings of this last mentioned family reigned in Munster, from the time of Aongus fon of Nadfry (he should have said from Fiachra Muilleathan, to agree with the lists I i 2

of the Eugenian antiquaries) to the time of Mahon, son of Kinnedy; and that during this time the princes of the Dal-Cassian race possessed no more lands than the principality of Thomond, or North-Munster. And this he assures us of, after having occasionally informed us from time to time in the preceding part of his history, that several princes of that samily have been kings of all Munster after Cormac Cas, particularly Connal Eachluath, Dioma the son of Ronane, and Lorcan the son of Lachtna, besides Moghchorb, Fearchorb, and others.

But upon the whole matter, I presume it might justly be concluded from the preceding remarks, that the lift of Eugenian kings may very reasonably be shortened at least by near a third part, so as to reduce their number to thirty or thirty-two real kings of all Munster. And as we may as reasonably presume to raise the number of Dal-Cassian kings of that whole province during the faid interval, from that of feventeen, as it is in the Munster book, to at least twenty; so we may conclude upon very rational grounds, that the whole number of kings of all Munster furnished by both families conjunctively, did not exceed 52 during the said interval of time, which was of about 700 years. In such a government as that of the old Irish, wherein maturity of age, or rather seniority, was constitutionally required, no less than feven kings should reasonably be allowed for every century: and if we consider that those kings frequently came to an untimely end through the machinations of those who aspired to become their fucceffors.

fucceffors, we may upon a confiderable interval of time as often allow eight kings to one century as feven kings, so as to compute their reigns, one with the other, to be of between 12 and 15 years. And as this computation cannot reasonably be exceeded, so I think the above number of 52 kings furnished from the two families, is the highest that can be allowed to fill the space of 700 years.

As the Eugenian tribes were always more numerous in Munster than the Dal-Cassians, several of whose branches had transplanted themselves to Leinster, as above explained, so it may very naturally have happened, that they were wronged of their alternative of succession in the throne of all Munster, as often as the Eugenians found themselves in a condition to take the advantage of them. And this must have happened the more frequently, as the Dal-Cassians were almost perpetually engaged in a defensive war against the Conatians, ever since their renowned ancestor Luig Meann had conquered that people, and annexed to his kingdom of North-Munster all that country on the north side of the Shannon, which was afterwards called Thornond and now the county of Clare: but whatever injustice the Dal-Cassians may have suffered with regard to their right of alternate succession in the throne of all Munster, during the interval above mentioned, it will appear in the following part of this history, that they afterwards very gloriously repaired their losses by maintaining themselves in constant possession of the supreme power, either as kings of all Ireland, or of Leathmogh. mogh, consisting of Munster and Leinster, or of both the Momonian provinces, from the time of the above Feargradh, who died in the year 96, to the English invasion in the year 1172. Now we are to resume our history, and proceed to the reign of Mahon the son of Kinnedy.

### MAHON.

Mahon succeeded his brother Lachtna, in the kingdom of North-Munster, in the year 954; and fucceeded also to the throne of South-Munks after the death of Feargradh fon of Ailgeanan, the last king of Cashel of the Eugenian noe, who was treacherously killed by Maolmusdh Mac Broin, chief of the O'Mahonies and his class. anno 060, as is expressly mentioned in the series of the kings of Cashel inserted in the Munster book. By this revolution Mahon became sole king of the two provinces of Munster, and fupreme fovereign of all Leathmodha or the fouthhalf of Ireland, at the above epoch of 960. And as his death is referred by our annals, particularly the Chronicon Scotorum, and the annuk of Innisfallen, to the year 976, when he was murdered in cold blood by the same Maolmuadh Mac Broin and his two brothers, to whom he had been treacherously betrayed by Donovan son of Cahil, as shall hereafter be fully explained; it necessarily follows, that Mahon's whole reign a king of all Munster was of sixteen years; though Keating and the Eugenian antiquaries allow him but twelve.

Mahon,

Mahon, inheriting the martial spirit of his ancestors, was from the beginning to the end of his reign constantly waging war with the common enemy the Danes; against whom he fought seven pitched battles, besides numberless skirmishes and cafual actions, in all which he was fignally victorious, according to the Munster book. But as my copy of that valuable monument of our antiquities very unhappily finishes at the reign of this king, with regard to whose history it plainly appears defective, and quite short of the primitive original, no particular account of any more than two of the seven battles previously mentioned in general, being found therein; I must therefore have recourse to other authorities, for carrying on to the utmost of my informations the Rory of this great prince, whose end was as undeservedly ill-fated and tragical, as his life had been fortunate and glorious. The particulars I find remaining in my copy of the Munster book, short as it may be of its original account of Mahon's full history, are however very deserving of being recited in the first place; and the more, as through the lamentable loss of the monuments of Irish antiquity, nothing so curious and satisfactory is to be found elsewhere, relative to the actions of this magnanimous king. I shall begin with my expiring author's account of a bloody battle that was fought and gloriously won by Mahon, against the king of Connaught, for which he found himself under the necessity of interrupting his engagements against the common enemy. Our Momonian hero, having received some provocations from

from the people of Connaught and their king Feargal O Ruark, marched at the head of his troops into the heart of their country, resolved to be revenged on them for cruelly taking advantage of his hard circumstances. Feargal and his people determined to oppose his passage over the Targlin, met him on the banks of that rive, where after a very brisk and bloody engagement, the unfortunate Connatian king, and the remains of his officers and men, were drove to the nextfity of throwing themselves into the river to swim over for faving their lives, in which desperate attempt many of them met in the waters the fate they apprehended from the victors sword. But Feargal, though he saved his life, did not escape without the additional difference of having left his shield behind him in the possession of Mahon, who had fairly stripped him thereof in a personal rencontre, during the heat of the action. battle was fought in the year 965.

Thus the Munster book; wherein it is added, that Mahon had this trophy laid up in his palace as a monument of his valour and victory; and that one or other of his general officers during his time, and afterwards the princes of his family, always wore Feargal's shield on days of battle, especially whenever they fought against the people of Connaught, thereby to damp their spirits with shame and confusion, on account of that digrace. In this point of conduct, as in other various maxims of the antient Irish, a perfect uniformity of manners and customs is observable between them and the old Germans, according

cording as those of the latter are described by Tacitus, who (in his treatise de Morib. Germanorum) takes notice, that nothing was more ignominious in the eyes of this warlike people, than a combatant's having left his shield behind him on a day of battle in possession of the enemy. But, to return to this glorious victory of Mahon; we are to observe, that according to an Irish poem beginning with the words, "Caogad Ardrigh air dith Ceadaibh," which is recorded in the Munster book, as having been composed to perpetuate the memory of Mahon's conduct and success on that occasion, not less than fifty princes or chiefs of clans were killed in this battle.

Now as to Mahon's wars with the Danes, the fame Chronicle informs us in general, that he fought seven pitched battles against these invaders. in all which he was gloriously victorious; but it descends to no particulars, nor names, either of places or persons, but with regard to two of them: the one is that of Sulchoid, which is also mentioned in several other records and historical accounts of Mahon's life, and fought in the year 968. according to the Chronicon Scotorum; concerning which, my copy of the faid book of Munster sets. forth, that this king fought it against the Danes of Limerick, under the command of Maoghnas or Magnus, their chief governor or king, and those of Leinster, conducted by Carran, who came as auxiliaries to their countrymen of Limerick; and that these two chiefs, with many of their subaltern officers, and three thousand of their men, were all left dead on the field of battle. Keating

Keating mentions this, or perhaps another different battle, that was fought and won by Mahoa at the same place of Sulchoid against the Danes of Limerick, commanded by Muiris, or Maurice, their governor, and affifted by Totil and Ronane. the former of whom is stiled governor of Waterford by the English translator of Keating, and the latter governor of Limerick; which titles however I do not find attributed to them in any of the Irish manuscripts of that history. In this battle Keating informs us, that these three commanders. with two others, called Bernard and Toroll, loft their lives with two thousand of their countrymen. who were left dead on the spot (in one of Kearing's manuscript copies I find the number of the Ilain amounting to seven thousand;) and that Mahon, and his brother Brien, with their victorious army, pursued the rest of the Danes to the city of Limerick, where they flaughtered them both in the streets and in their houses; after which they plundered and burnt the town, fet fire to the gates, demolished the walls, and entirely dismantled that fortress. The number of the flain might therefore very possibly have amounted to leven thousand both at Sulchoid and Limerick.

My old anonymous manuscript, above-mentioned, relates all these circumstances of this battle of Sulchoid, regarding Mahon's pursuit of the Danes after their defeat at that place into the streets of Limerick, the slaughter that was made of them therein, and the plundering, burning, and dismantling the town; but it premises one curious circumstance to his relation of that battle

and

and its consequences; which is, that the action began at a place called Cnamhchoill, now pronounced Knawhill, between Cashel and Sulchoid. where he says that the day before the decisive battle at this place, Ivorus, a Danish commander. appeared with a ftrong body of cavalry to reconnoitre Mahon's army, and that he was suddenly attacked at that place by Brien, surnamed Boromh, at the head of some squadrons of lighthorse: who, after a brisk engagement, wherein more than half the number of the Danish party was left dead on the spot, routed and pursued the rest to the main body of their army, then encamped at Sulchoid; and that Mahon speedily followed at the head of all his forces to the last mentioned place, where the decifive action was gloriously atchieved by him and his said brother Brien, as above detailed. The difference of circumilances between this battle of Sulchoid, and that which is accounted for in the Munster book. makes me think they were two different actions. though happening at the same place; and I am the more inclined to be of this opinion, as I find that Sulchoid is frequently mentioned in subsequent ages and wars, even as far down as the last campaigns and revolutions that happened in this kingdom, as a noted post for the encampment of armies, being fituated in a plain, which is guarded by heights on both sides, within one day's march of Limerick, and in the direct road from Dublin to that town by the way of Cashel. With regard to the other battle, which the Munster book particularizes, as having been fought and

won by Mahon against the Danes, it descends to no other detail of its circumstances, than that the Danish forces were commanded by Ivar, chief of such of those foreigners as were still in and about Limerick; which plainly shews that this action was another quite different from that which is deferibed by Keating.

Of the other battle of Mahon against these common enemies, as particularized in the Munster book, there is no further explication or detail, than that he fought it victoriously in the year 970, against Ivar commander of the Danes of Limerick, assisted by two auxiliary bodies of people, who are distinguished by the national names of Mairtinigh and Leathmannigh, words which are pronounced Martini and Letmanni. Who these two different people were, and of what origin is a question I shall endeavour to clear up in a short differtation at the end of this reign, as I think the Irish historical antiquities interested in its eclair-cissement.

Now we are to pursue and finish Mahon's history according to other authorities. In my copy of the annals of Innisfallen, I find mention made of a very bloody battle that was fought in the year 972, between Mahon and Maolmuadh Mac Brain chief of the O Mahon's, assisted by the Danes of Munster. In the year 975, he gained a very signal victory over the Danes of Corke, Waterford, Limerick, and all Munster, according to the Chronicon Scotorum. The abovenamed Maolmuadh Mac Brain, ancestor of the O Mahonys, who at that time was the most powerful.

## ILLUSTRATED.

erful, as well as the most restless and ambitious of all the Eugenian chiefs, envious of Mahon's glorious actions and successes against the common enemy, fet all his engines to work in order to take away his life, and thereby force his way to the throne of all Munster. For this end he sent private messages to all the principal Danish commanders of the province, and particularly to Aralt, fon of Ivarus, whom Mahon had flain at the battle of Sulchoid, earnestly soliciting them to make all preparations in the most private and expeditious manner, and join himself and his forces to take their full revenge of their declared and constant enemy the king of Munster. This encouragement was fo very agreeable to the Danes. that they lost no time in mustering all their forces, and joining Maolmuadh, whom they found well prepared at the head of a strong body of Eugenians at the place and time appointed for the general rendezvous. The Chronicon Scotorum refers this event to the year 976. Maolmuadh. with all his auxiliary Danes, marched directly and with all possible speed, to surprize the king of Munster, who had but just time enough to assemble his forces, and range them in order of battle before the near approach of the enemies. Both parties were just preparing to enter upon action, when Columb son of Ciaragain the bishop of Corke, attended by some of his clergy, unexpectedly appeared in the field between both armies, and by his pious intercession and supplications prevailed with the king of Munster and his enemies to fuspend the battle, and thereby prevent

#### THE LAW OF TANISTRY

fter, with an account of the years of their reigns, and manner of their death; wherein it is mentioned that Mahon was murdered on the mountain of Muffiry near Macroomp, at a place called Leath-Mbagbtbambna, or the grave of Mahon, from his name. This mountain lies in the direct line between the places where Maolmuadh and Donovan had their residences.

Keating confidently tells us, that Eichiania, fon of Kinnedy, was king of Thomond, when his brother Mahon was king of all Munster. But it is recorded in the Chronicon Scotorum, an authority which we may depend upon, that Eichiaruin and his brother Donnchuan were both killed by Congalach, king of Tara, in Thomord, in the year 950, just ten years before the beginning of Mahon's reign. It feems, however, that Eichiaruin and Donnchuan were elder brothers of Mahon, and it is possible the former might have been king of Thomond after Lachma Whence it must follow, that Brien Boromh, whose nativity is marked down in the Chronicon Scotorum at the end of the year 924, just 25 year before the death of Eichiaruin, and Donnchum was but the fifth fon of Kinnedy, fon of Lorgan

Mahon left iffue, of whose posterity the most flourishing were the Mac Eneirys, who enjoyed the large estate of Casile Mac Eneiry, till the time of Cromwell's usurpation; and whose chief was in former times the principal lord of the country now called the barony of Upper Connalla, in the country of Limerick, until the arrival of the English planters, when the earls of Desmond had possession

possession of most parts of that county. Before that time Mac Eneiry's principality extended from the river Maig to Abbey-Feil on the bounds of Kerry. The O Shyhans, who were likewise of Mahon's posterity, enjoyed very considerable properties in lower Connall, until they were dispossessed by the said Earls. As to the Mac Eneiry's I find in Tighernach's annals, Kineth Mac Eneiry mentioned as king of Conallo, at the year 1029, on occasion of a battle fought between him and Doncha O Donegan king of Orrery, wherein both were killed; which shews the early settlement of the Mac Eneiry's in that country after Mahon's death.

Having thus finished my account of the life and reign of Mahon, I am now to make good my promise of giving some account in this place, of the above mentioned Martini and Lethmanni by laying down my opinion concerning what kind of people they were, and of what original. As to the Lethmanni, the investigation of their origin must be the more difficult task, as I find no mention of them in any other monument of Irish antiquities; wherefore, I must necessarily trace them out by the fole light of foreign authorities. But with regard to the Martini or Martinei, I am sufficiently warranted by historical accounts, to think and say without hesitation, that they were a tribe of the ancient Irish Belgians, or Clanna-bolg, (for so Irish antiquaries have always called the people of the Belgian colony) as may be seen explained at large in Flaherty's Ogygia, p. 175. Where the Martinei, the Erna, and the Kk Mornei Mornei or Morini, &c. are set down as different clans of that ancient people, some belonging to the Damnonian Belgians, and others to the Gallenian Belgians of Leinster.

And inafmuch as all Irish antiquaries allow, that those Belgians were inhabitants and rulers of Ireland, not only long before those they cal the Milesian colony, (whom they preceded by 278 years, according to O'Flaherty's computation) but also, before the Tuatha de Danan, whom the faid antiquaries mention as the immediate posses fors of this Island, before the Scots otherwise called Milesians; it follows that those Martinei, as well as the Ernei, and the other tribes of those Belgians mentioned in Irish history, had a very good right to maintain their ancient possessions, even by confederating with any people that would help to protect them against their former invaders of the Scottish colony. All historians agree in affuring us that those Belgian tribes retained the property and fovereign power of all Connaught, and uninterruptedly furnished kings to that province, till the time of Cairbre Liffeachair son of Cormac Mac Airt, when Aidius the son of Garadius was king of Connaught, and the last of the Belgian race, towards the end of the third century. There still subsist in the city of Limerick and in that of Galway, some respectable remains of those Belgian Martinei, I mean the family, who are now known by the name of Martin.

With regard to the Leath mannice or Letimanni, I have no other conjecture or opinion to offer the reader concerning their origin, but that they

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were in all appearance the people of that central province of Livonia, whose capital is Riga, stiled by Cluverius Urbs totius Livonia nobilissima: and which province by the inhabitants is called Letten, and Letta by the Latin Geographers, vid Cluver. Introd. Geogr. l. 4. c. 26. The author of the Munster book calls those people by the name of Leath-mannicc, with the same propriety of speech as the Irish writers always called the Germans Gear-mannice, and the Flemish, Fleamannice or Plea-mannice, &c. The learned Usher, (Sylog. Epist. Hib. p. 121.) is of opinion, that the Ost-manni, who came to Ireland under the conduct of three brothers called Abhlavius, Sitricus, and Ibharus, (A. D. 853, according to our annals, followed by Waræus Antiq. Hib. p. 106.) were all Livonian; and plainly feems to think they were called Ost-manni as being the descendants of the Officei or Officees of the Greeks, who were the Offii of Tacitus and Pliny. In this opinion I should not however be easily induced to join that great antiquary.

Giraldus Cambrensis (Topogr. Hib. l. 3. c. 43.) tells us, that those foreigners who came with the threecommanders above named, called themselves Ost-manni, as being Easterlings or people come from the East. They might indeed have been properly so called by the Irish, or by themselves with regard to Ireland, in reference to which Livonia is situate to the East, or rather to the North-East. But if that people call themselves Ost-mans at home in Livonia, as well as in Ireland; they certainly were no other than the K k 2 inhabitants

inhabitants of the province of Esten or Æstonia, who so distinguished themselves from the rest of the Livonians by the name of that particular country, and not from its natural situation, which they could not have esteemed absolutely or peculiarly easterly, as they could not be ignorant, that there were other nations of mankind, situate between themselves and the rising of the sun.

That the Off-manni or rather Eaft-manni, who came to Ireland under the command of the three officers above named, were really Livonians, as Usher has judged, is an opinion which I think receives firong confirmation from this mention that is made of Læth-mannicc, as of foreign people affociated with the rest of those strangers who infested and settled in this country from the latter end of the eighth and during the ninth century: for as those Let-manni plainly seem to be the people of that particular province of Livonia, which is called Letten and Letta, so the Oft-manni or Eaft-manni appear as plainly to be the inhabitants of that other province of the fame country, which is called Esten and Estia: and which, it is natural to think, had retained the generical and national name of the ancient Effi. described by the Roman writers; in a word, these two opinions. Usher's of the origin of the Ostmanni from the province of Estonia, and mine of that of the Let-manni, mentioned in the Munster book, from the province of Letten mutually support and confirm each other, so as to make it the more apparent, that both people were Livonians, of these two different provinces respectively. respectively. And if we add to all this, that those foreigners who came to Ireland, with the three brothers and commanders now often mentioned, and were settled by them in the cities of Dublin, Waterford, and Limerick, have been frequently called by the name of Gaill, by Irish writers, ever fince their first landing in this country; this circumstance, joined with that of the Let manui, being found mentioned in Irish antiquities, not long after the arrival of those same foreigners, will render it more than probable, that all and every one of the different provinces of Livonia have furnished adventurers to the expeditions for invading Ireland, in the ninth century.

For as the Let-manni, and Est-manni, were very apparently the people of the provinces of Letta and Estia respectively: so I think it equally apparent, that those whom Irish writers call Gaill, were the people of Semigallia, which is a third province of Livonia, bordering on Letta towards the South, and situate just at the bottom of the And here it is particularly Sinus Livonicus. to be remarked, that before the arrival of those same foreigners, writers have never distinguished any people or nation by the name of Gaill: for as to the Gauls, in the most ancient writings, the words Ceilt or Geilt, and Ceilteach, fignify a Gaul and Ceilltiic in the plural: and writers of the middle ages have used the word Galtach to signify a Gaul, and plurally Galtice the people of Gaul; but the words Gall in the fingular, and Gaill in the plural, first used to signify some of the invaders of the ninth century, who probably were

the people of Semigallia, have afterwards been employed by writers, to mean all forts of foreign invaders promiscuously and in general, whatever nation they may be of. So that the Anglo-Saxons, who invaded Ireland after the suppression of the Danish power, have always been called Gaill as well as Sasonicc, by Irish writen; and are called Clanna Gall by the common people to this day.

Besides these general appellatives of Gaill and Let-mannice, the Irish writers made use of the word Danir, which in right orthography is rather Danfbir, literally meaning viri Dani, to fignify the people of Denmark in particular. And this word I find to have been of later use than any of the preceding; from which circumstance it may be inferred with some appearance of truth, that the Danes were not as early in their invalive expeditions to Ireland, as the Livonians and other inhabitants of the right hand coasts of the Balticfea: for which I shall by and bye assign a reason, whereof the reader is to judge as he may think proper; in the mean time, it is necessary to obferve, that with regard to the northern invades of the ninth century, writers most generally and commonly call them all promiscuously and indifferently by the national name of Locb-lannach in the fingular, and Lock-lannice in the plural; whether they were Livonians, Prussians, Pomeranians, Saxons, Frisians, Danes, Norwegians, Swedes, or any other people of lower or northern Germany inhabiting the coast of either the Baltic or the Germanic sea. To the people of those regions regions alone the name of Locb-lannicc was always affected by Irish writers, while they extended that of Gaill to all sorts of foreign invaders, whatever part of the globe they came from. From hence it seems evident, that this word Locb-lannach or Locb-lannicc, has been originally formed upon the name they first had given, or traditionally heard to have been given either to all those maritime coasts of the Baltic and Germanic seas in general, or to some particular country adjacent to one or other of the said seas, from which that name may have been extended to signify all the other countries of those regions.

As to Keating's and Flaherty's etymological explication of the word Loch-lannach, by which, they would mean powerful at sea, the Irish of the ninth century could not be ignorant, that other nations had as good a right to that character as any of the Germanic people we are speaking of, whom they confequently would not have distinguished by that name. The whole maritime force of the several Germanic and Schytho-Germanic people of those days all combined together could not match even the third part of the naval power of Charlemagne; of whom we read, that his armaments formed one continued cordon of ships of force, stationed at convenient distances. all the way from the mouth of the Tyber to the coasts of Denmark. Mr. Edward Lhuyd, in his comparative etymology, (Archæol. Brit. p. 19. c. 2.) sets down Lychlynnydb, as signifying a Norwegian in the old British or Welsh language; and confequently we may prefume that they gave the

the name of Lychlynn to the country of Norway. The word Locb-lannach, sometimes indeed meant a Norwegian with the old Irish, butitally fignified a Dane, Swede, Livonian, Prussian, &c. with all the Irish writers, as well as a Norwayman. Whatever original fignification the old Wells might have given their word Lychlynnydb, for my part. I am strongly inclined to think, that Locklann or rather Loch-land, (for the Irish always used mn and nd indifferently for each other, especially at the latter-end of words, as may be feat in old parchments, and I find the words Lodland and Loch-lainde set down in my old copy of the Chronicon Scotorum as frequently as Locklann) that Loch-land, I say, a Celtic word which litterally fignifies a land of lakes or a watry to gion, was a name which our remote ancellos gave either to some particular country situated on the Baltic, from which it might have extended itself to signify all the other countries of those parts; or else, that they originally comprehended under the same name all the country surrounding that sea, as well as those of lower Germany sur ated on the Germanic sea. And this would seem the more natural, as it is well known, that all those regions are more abundantly watered with lakes and rivers, than any other large tract of Europe. If any particular country of those that are fituated on the Baltic or the Germanic 62, was peculiarly called Loch-land by the anient Irish, it may very probably be that region on both sides of the lower Vittula, which comprehends the provinces now called Pomerania and Prulls, which

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which were the antient feats of the Goths, and that part of the Eftii, which by the antients were diffinguished by the name Scyrri. Helmodus a German historian and geographer of the twelfth century tells us, that those countries, and more especially Prussia, are almost inaccessible through the great number of their lakes or loughs, and fenny grounds; inaccessi paludibus, nullum inter se dominum pati volunt, are the words of this author relative to the Prussians. Cluverius, a native of Dantzick, gives us the same notion of those countries, by describing them in these words, ' terns \* paludibus lacubusque creberrimis præpedita atque ' invia,' (Germ. Antiq. l. 3. c. 48.) words whose whole meaning is comprehended in one Iberno-Celtic word Loch-lann, or Loch-land.

But what I think very much to our purpose for grounding not only the reality, but also the antiquity of this name Loch-land, being given to those right coasts of the Baltic, which comprehended Pomerania, Prussia and Livonia, is furnished by Jornandes in his history of the Goths. written about the middle of the fixth century; wherein, according to Cluverius's explication, that author's following words, pervenit ad terras que lingua eorum (Gothorum) Ovin vocabantur, must be understood of the countries of the Esti of Tacitus beyond the Vistula, which in the Gothic language, were called by the names of Ouen or Ouen-land, as Jornandes tells us in the above Now it is plain to every words terræ oven. Irishman, who understands the Iberno-Celtic language, that Ouen-land and Loch-land, fignify the

very same thing, Abhuin or Obhuin, which is pronounced as Ouin, signifies in Irish a river: and though the Irish word Loch or Lach in its primitive and radical meaning, properly signifies a lake and is the radix of the Latin lacus, yet we find it very frequently used by Irish writers, to signify a river, even so as to make it synonymous to the word Obhuin or Ouin. Cluverius observes, in the place above cited, where he explains the words of Jornandes, that even in his time, the Saxons distinguished by the name of Ouven-land, all such lands as abounded with lakes and rivers.

Whether the name of Loch-land may have been peculiarly given in primitive times to those countries, which are fituated on the right or fouth fide of the Baltic, for the reasons now explained; or whether the antient Irish might have given that name in general to all the countries lying round about the borders of that sea, which may properly be called a lake or lough, being almost quite shut up within land, and consequently may have given the name of Loch-land to all the countries by which it is furrounded; certsin however it is, that Irish writers extended that name to all and every one of those said countries, whose inhabitants they promiscuously called Loch-lanice. as I have already observed, and I am quite of opinion, that this name was known in Ireland before the arrival of the invaders of the eighth and ninth centuries; for I think it very apparent, and I am confident I may upon another occasion make it appear from such plain reasons, as may in a proper sense be called living arguments, that some colonies

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colonies of different Germanic people have been fettled in this island, before its conversion to Christianity, who must have derived their respective origins from those different nations of Germans, whom Tacitus, Pliny, and others, mention as the antient inhabitants of the countries, which are situated on the right hand coasts of the Baltic, and who consequently could not have been strangers to the old name of any particular country of the same side of that sea, from which they originally proceeded, or that of any other of those northern coasts.

Now it remains to be observed, that the Irish writers divided their Locb-lannice of the ninth century into two forts, viz. the Fionn-locb-lannice, or white Loch-landers, and the Du-loch-lannice, or black Loch-landers, whom they also distinguished by the name of Fionn-geinte, or white Gentils, and Du-geinte, black Gentils or Pagans. diffinction of our Loch-landers and that of the Albanian Picts, who were divided by the Roman writers into Vecturiones, and Ducaledones, was exactly of a parallel nature and fignification Ducaledones fignified the black Caledonian Picts. and Vecturiones, a corruption of the word Vitguriones, meant the white Picts or white men of the same people called Picts, for Vit in the Germano-Celtic fignifies white, and Gur, from which Guriones was formed in the plural by the Romans, is the British word for m.m. Vid. Archæol, Brit. in voce Vir, p. 174. The Fionn-loch-landers were also called Fionn-gaill by Irish writers; whence the name of the country about Dublin which is called

called Fingall. Here the reader is to be informed that in the meaning of the Irish language, the word Fions or white when applied to man or woman, has reference chiefly to the hair of one's head; so that Fionn-locb-lannice signified the Lochlanded people with the fair or flax-coloured hair; fuch as the Roman writers called flava casaris, and its opposite and correlative Du-loch-lamic fignified the Loch-landers with the black or dark coloured hair. Hence I see no reason, that may incline me to the opinion of modern Irish writers, who think, that in the sense of the old Irish, the black Loch-landers were the Danes, and the white Loch-landers the Norwegians. For if we may judge of the features and hair of the Danes of those days according to what we know of the prefent inhabitants of Denmark, who in general are rather of a fair than a black or dark complexion, we can have no reason to judge, that those who inhabited that country in the ninth century, could with any foundation or propriety of speech be distinguished from their neighbours by the name of Loch-landers. And as to the Norwegians, I fee as little reason to think they could have a better right to the name of white Loch-landers, than their neighbours of the same climate, particularly the Suiones, the Gutæ, the Hilluviones, the Scandii, &c. of which the people of Swedeland were then composed. Roderic O'Flaherty, Ogyg. p. 303, thinks the Finlanders were the Fionn-lochlanders of the Irish writers; and derives the name of Finland from the beauty and fertility of its soil, imagining

gining that the word Fin, which enters into composition of that name, is the same as our glo-Saxon word fine, or beautiful. He did, it seems, reslect that Finland is so called n its antient inhabitants the Fennii, whose deption by Tacitus does not give us the least not think they had any particular right to be inguished from their neighbours, either by whiteness or beauty of their complexion, or pleasantness of their country.

We cannot in my opinion be qualified to offer in so much as a conjecture, much less to speak issively on this subject, with any shew of reaor foundation, before we have observed in first place, that according to the Irish annals. rticularly those of Innisfallen, and the Chronin Scotorum of Clusinmac-Noiss, the first aparance of the black Loch-landers in this kingm, was in the year 851, when they arrived th considerable forces at Dublin, where they atked the white Loch-landers, and dispossessed m of that town and its neighbouring territories. d though the whites having received reinforcents from their own country, fought the blacks Et year during three days and three nights, as : Irish chronicles inform us, yet the latter were Il victors and kept their possessions, contrary to James Ware's account of this battle, who missing the sense of the Irish language, interprets words that describe that action, as if the black xh-landers had lost the victory, and were exlled in their turn. But in two years after this volution in favour of these new invaders, called black Loch-landers, the three brothers abovementioned, who conducted the Ostmanni, whom the learned Usher derives from Livonia, arrived in Dublin, dispossessed the black Loch-landers, and settled themselves and their people not only in that city, but also in those of Waterford and Limerick. And in the mean time Abhlavius, who settled in Dublin, was acknowledged chief commander or king, by all the Loch-landers of Ireland, both white and black.

Now that those new invaders and conquerors of the black Loch-landers, were of the people called white Loch-landers, as well as those that had been dispossessed by the blacks in \$51, appears, I think, evident enough from this one circumstance, that the name of Fingall could not have been given to the country about Dublin, which still retains that name, till after the arrival of Abhlavius and his people, and while it was possessed by them and their posterity, who continued to be its sovereign possessors till Brien Boromh's time. the names of white Loch-landers and black Lochlanders are but mere comparatives or correlatives to each other, in such fort that neither of them could have existed without the co-existence of the other: so neither the people whom writers all white Loch-landers or white Gallions, could have been so called by them before they had seen the other later Loch-landers, who were of a darker complexion, nor consequently could the country which had been possessed by the first Loch-landers, have received the name of Fingall, derived from that of its possessers the Fingaills, or white Gallions.

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Gallions, before it came into the hands of the above Abhlavius and his people, who had conquered it from the black Loch-landers. And very agreeably to this argument, I find after a strict and minute search into the Irish annals, that from the first appearance of these northern invaders on the coasts in the year 795, till the arrival of the black Loch-landers in 851, writers never called any of those foreigners by the name of either white Loch-landers or black Loch-landers, but always by either of these three names simply and without distinction, viz. Loch-landers, Gaill, Geinte; names which they used promiscuously for each other.

The next step that should, I think, be taken for deriving some light upon this subject, is to look into foreign history, and after taking a view of the state of affairs in Germany about the time those northern pirates began to infest the coasts of Ireland, to consider which of the different people who inhabited the northern and lower parts of the German continent, and the countries bordering on the Baltic sea, may be reasonably supposed to have been earliest in feeling the necessity of quitting their native feats at that time, and feeking new establishments in the British isles or elsewhere. In this review of the state of Germany in the eighth century, the most remarkable object that presents itself is, that long and bloody war which was carried on by Charlemagne against the Saxons and their allies for the space of 30 years. from the year 772 to 802, when this conqueror entirely finished the reduction and dispersion of that warlike nation. This war must naturally have have produced among the Saxons and their alies and neighbours, changes of feats, emigration and expeditions into distant countries, such exactly as those which antient history sufficiently gives us to understand were produced by the way of Drusus and Germanicus on the banks of the Elbe, and in those very quarters of Germany which made the theatre of Charlemagne's was with the Saxons.

For in the same manner that the arms of the Roman generals caused such pressures and one motions of the northern Germans of those days extended all the way to the Vistula and the comtries beyond it, so as to have obliged the mole part of the Vandalic tribes, particularly the Golfs, first to pass that river, and afterwards quit the country they call Oven-land, now Prussia, from whence after roving through Sarmatia, and the borders of the Mæotic lake, they passed into Dr cia, where in process of time they settled under Marcus Aurelius about the year 161: so in like manner the expulsion and dispersion of the Saxon and their auxiliaries must have caused such a pressure and exuberancy of inhabitants in those parts to which they had the easiest access, as made it absolutely necessary for such hard pressed and crowded countries to discharge themselves upon their next neighbours on the same continent, or fend off their redundant numbers by sea into some distant parts of the world. The countries be tween the Elbe and the Vistula, and those be yond this latter river, afforded a larger and mon inviting scope of ground to the Saxons and their neighbouring

neighbouring auxiliaries to refuge themselves in, than the narrow peninfula of the Chersonesus Cimbricus, or Denmark and Jutland; which otherwise was of the more difficult access to those distressed fugitives, as it was governed at all times by powerful kings, and thickly inhabited by the bravest of all the Germanic nations the Teutons and the Cimbrians. Nor was it either prudent or political for the expelled Saxons to attempt forcing their way into that narrow neck of land, out of which they might naturally foresee, that they should be obliged sooner or later to pass over the streights of Sunda, and fight for more disagreeable habitations amongst the Norwegians and Swedes, people of as flubborn and as brave a spirit as the Cimbrians.

From these considerations I infer, that in the same manner as the pressure caused by the wars of Drusus and Germanicus on the banks of the Elbe, have been sooner propagated, and more sensibly felt on those of the Vistula and beyond it, than in the Chersonesus Cimbricus, as appears from ancient history, particularly that of the difpersion of the Vandalic tribes; so the pressures ariling from the expulsion of the Germans by Charlemagne, must for the same natural reasons have fooner dilated and propagated themselves towards the same river and the countries to the east of it, than to any other part of the Germanie continent. From this argument I conclude, that the necessity of discharging the redundancy caused by the dispersion of the Saxons, may reasonably be supposed to have been begun in the countries

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now called Pomerania and Prussia, the latter of which, as I have already repeated, was called Oven-land, the same as Loch-land in the time of Jornandes, and his Goths, according to Cluvenia, and that the naval expeditions which were prepared for that discharge might have set out from the sea-ports of these countries, such as Dantzick, Colberg, Koningsberg, &c.

And that the people who were sent off on such of those expeditions as have been made to be land, were composed of Saxons, as well as of the natives of the countries from which they let out, appears, I think, from this circumstance, that in the year 837, when those foreigners made thefall settlement in this island, (for before that epoch they were only infesting and plundering our costs from their first appearance in 795) by taking and possessing themselves of Dublin, the annals of lanisfallen and those of Clonmacnoiss called Chronicon Scotorum, mention one Saxolb commande of those same foreigners, who then took this city. as having lost his life at that enterprize. first adventurers continued in possession of Dublin and its environ from the above year \$37 to \$51, when they were dispossessed by those whom our ancestors called black Loch-landers or black Gentils, comparatively with the former Lochlanders, who in all appearance from the reasons above mentioned, were mostly composed of the people of Pomerania, and Prussia, of whom Helmoldus tells us, that they were of a fair complexion.

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The Dantzickers, Pomeranians and Mecklenburghers of the eighth century, (for I would not exclude the latter from having taken part in the above expeditions, as they could not have been less urged by the same necessities, and the ports of Lubeck, Wismar and Rostock, were convenient to them) for the greater parts were the descendants of the Vandalic tribes, whose seats in the time of Tacitus, who lived under Vespasian extended from the confines of Holstein to the Vistula. Procopius in his history of the Vandalic war, (Lib. 1. cap. 1.) describing the different tribes of the Vandali with whom he was acquainted, remarks that they were all white skinned. with fair or flax coloured hair, cutis omnibus candida, flava casaries, &c. And this is the very complexion which the Irish have always distinguished by the word Fionn. The Gottones or Gothi were only one particular tribe of the Vandalii, and their habitations in the time of Tacitus were on the banks of the lower Vistula in the country where Dantzick is now fituated. Now it is remarkable, that in several places of Tighernach and the Chronicon Scotorum, I find the Gottaicc or Goths mentioned among our northern invaders: and it seems they were of high distinction amongst those foreigners, inasmuch as their names were tacked as a furname to that of feveral of our Irish princes in those days. Mælruana Got O Mælseachlin was the name of the presumptive successor to the throne of Tara in the year 977, vid. Tighernach and Chronicon Scotorum, Mælseachlin Got king of Meath is men-Ll2 tioned

tioned in both the said annals at the year 1025. Giolla Got O Ciarda king of Carbury in Ulster, is so named in Tighernach's continuator, anno 1155. And Donal Got Mac Carthy was prince of Carbury in the county of Cork, and so named in the annals of Innisfallen at the year 1252.

From all this I conclude, that the first northern invaders of Ireland, who were called Fionn-lochlanning, and had fettled at and about Dublin before the arrival of the black Loch-landers, were either Pomeranians, Mecklinburghers or Prussians, or perhaps an affociated body of those different people collected and probably commanded by some Saxon fugitives after their dispersion by Charlemagne. And as to the second colony of white Loch-landers, who under the conduct of Abhlavius, Sitricus and Ibharus, dispossessed the black Loch-landers, I would be inclined to think them only a second expedition and discharge of inhabitants from the said countries, but that I find in the Munster book the name of Letmannice. given to those foreigners, who were settled in Limerick by Ibharus, one of the three abovenamed commanders of the fecond expedition of white Loch-landers: and this is what chiefly bends me to the opinion of the learned Usher, who thinks that those who were conducted by the faid three commanders came from Livonia, and were therefore called Ost-manni or East-manni by the Saxon writers. For as to the Irish it appears. that they never gave that name to any of those foreigners, as it is not to be found in the Irish chronicles. The Let-manni and other Livonians

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may be properly called Fionn-loch-lanning or white Loch-landers, as their complexion could not be fenfibly different from that of the Prusfians, who were of the same Estian nation, with a strong mixture of the Goths remaining amongst them fince they passed the Vistula in consequence of the wars of Drusus and Germanicus. And it is not unlikely, that the expedition conducted by the three often named brothers, might have been composed of Prussians and fugitive Saxons as well as of Let-manni or Letians: inasmuch as the pressure and redundancy of inhabitants propagated to Prussia by the dispersion of the Saxon nation and their auxiliaries, might very naturally have obliged the people of that country to difcharge themselves towards Livonia, were it for no other reason or view, than to find so convenient a port as Riga for their intended expedition.

This is all I have to fay of the white Lochlanders. And now the question is, who the black Gentils were? What part of lower or northern Germany they were from? And what necessity urged them at that time to quit their native country? This, I must acknowledge is a question, which I see little or no light to solve, or even to speak to in any satisfactory manner: my only conjecture about them is that they may be a body of Frisians with a mixture of the dis-We read in Charlemagne's perfed Saxons. history that in the year 795, he transplanted great numbers of the Saxons into different parts of his dominions, such as Friseland, Flanders, Switzerland.

land, &c. And the English historians mention the Frifians among those foreigners who invaded England and took York, anno 867. The Frifan whose seats in Charlemagne's time were near the lower Rhine and the Zuider-Zee, in the country still called Frizeland from their name, whether they naturally were of a dark complexion or not, might have received a strong mixture of Guill and French blood and features, fince their full Tettlement in the neighbourhood of Gaul; and for that reason might properly enough be diffiguished in Ireland by the name of black Lock Tanders or black Gentiles, from the white conplexioned people above described; and that most of them were really Gentiles or Pagans in the time of Charlemagne, to the middle of the min century, may reasonably be concluded from the having martyrized St. Bonifacius first archbillop of Mentz, and afterwards bishop of Uttech after the middle of the eighth century. By what I have now laid down in this discussion concerning the white Loch-landers and black Loch-landers among either of whom I have not mentioned or comprehended the Danes or Norwegians, I would not be understood as if I meant that not of these people came to Ireland during the ninh and tenth centuries; I an rather of opinion, that fome Danes and Not we gians came and lettled here, especially towards the end of the tenth century, about the time that Swein king of Denmark, and Olave king of Norway invaded England. We find in the account of the battle of Clontarf, A. D. 1014, the Danir or Danes mentioned

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mentioned among those Loch-landers, against whom Brien Boromh fought that bloody battle.

Before I have done with the Let-manni or Letians of Livonia, I shall propose by way of quære, whether the Læti or Lætiani, who are mentioned by Zozimus, Jornandes, and others as inhabitants of Gaul, and mercenary auxiliaries of the empire in the fourth and fifth centuries, may not be originally of these same Letians of Livonia. Zozimus speaking of the tyrant Magnencius who usurped the empire, anno 350, says, that he was by origin a barbarian, and had been bred among the Letians, a tribe of the Gauls, originem generis a barbaris babebat, et vixerat apud Lætos quæ Gallica natio est. Zoz. l. 2. p. 134. Now, that those Læti or Lætiani, (for so they were indifferently called by either name) were not originally Gauls, but rather of a Germanic or Scytho-Germanic origin, appears, I thinks from a passage of Jornandes, who in reciting the different barbarian auxiliaries of the Germanic and Scythian nations, who affifted Actius at the battle he fought against Attila near Orleans anno 451, mentions the Lætiani among those auxiliaries as in the following words, 'his enim adfuere auxiliae res Franci, Sarmatæ, Lætiani, Burgundiones, Saxones, Riparioli, &c. aliæque Celticæ vel Germanicæ nationes.' From an expression of Eumenius in his panegyric on Constantius Chlorus it seems apparent, that those Læti or Lætiani were in the service of the empire, and inhabitants of Gaul before the time of Diocletian and Maximian who began to reign in 304, for it appears from the following words of that orator, that the Lætians

Lætians had been expelled the empire before Maximian's time, and that this emperor recalled and employed them and the Franks, in cultivating the waste lands of the Nervii and Treveri in Gaul: 'fic ut postea tuo, Maximiane Auguste, 'nutu Nervorum et Treverorum arva jacentia Lætus postliminio restitutus, et Francus in leges receptus, excoluit &c. It also seems to appear from the Notitia Imperii, which was drawn up in the reign of Honorius, that these Lætians were the first barbarian mercenaries that had been employed in the Imperial service. For in the same manner as the name of the particular people and troops called Huffars, is given in our days to all fuch military corps of the different nations of Europe, as are armed and mounted in the same manner, and destined for the same kind of service as the first Hussars that appeared in the armies of Europe; so we find in the Notitia Imperii the name of the Lati tacked as a military furname to the barbarian mercenaries of different nations. Thus we read in that valuable monument of Roman antiquity, published by Sirmondus, 'Præfectus Lætorum Teutonicorum, - Præfectus Lætorum Battavorum, - Præfectus Lætorum Gentilium Suevorum, - Præfectus Lætorum • Francorum, &c.

This kind of military language of the Roman armies passed into use even with regard to the military benefices that were assigned to those different barbarian mercenaries; for we find in an edict of the Emperor Honorius, that those benefices, whatever nation their possessors may be of, were all called Terra Latica. This appears from the preamble of that edict, which runs thus,

quia ex multis gentibus sequentes scelicitatem · Romani Imperii, se ad imperium nostrum con-' tulerunt, quibus terræ Læticæ administrandæ ' funt, &c.' Codex Theod. lib. 13. tit. 4. leg. A modern French critic has criticized away from all existence in quality of a people or nation, those Læti or Lætiani of the Roman writers, and thinks these words to be only attributives or adjectives to fignify the beneficed conditions of the barbarian mercenaries; without regarding the authority of Zozimus, who calls the Lati a real nation living among the Gauls, nor that of Jornandes, who mentions them amongst the different Germanic people who were auxiliaries to Aetius against Attila; this he alledges as his chief reason, that no author mentions either the country of their origin, before they came to Gaul, or that wherein they were settled in this part of the empire after engaging in the Imperial service. It seems this writer forgot, that there is fuch a country as Letta or Letia in Livonia, which was possessed by the Æstii of Tacitus, and whereof he might have read in Cluverius as well as in the learned Usher. and if he had known any thing of Irish antiquities, he would have found that the antient name of Low-Brittany before the Brittons fettled in it, was Letba or Armoric-Letba, vid. Colgan. Trias Thaumat. p. 4. col. 2. parag. 2, and p. 8. col. 2. parag. 3. In the life of Gildas Badonicus, the fame country is called Letbania, and in some manuscript copies Letbavia. In the life of St. Mac Clovius the patron of St. Malo, which derives its new name from that faint, we find that the old name of that town was A-letba, which in

the Celto-Ibernian language fignifies vadam seu portus Letborum. Vid. War. de Serip. Hib. part 2. c. 1. n. 8. The Welch always called Low-Brittany by the name of Ledan, or Lidan, as they still do, deriving it from Letba, or Labavia Thus it is, that the antient names of countries are often better preserved by foreigners than by their own inhabitants.

# BRIEN BOROMH.

Before I enter upon the reign of this great and victorious prince according as his actions are recorded in the Irish annals, I shall relate an anecdote of his life before he came to the throne of Munster, such as I find it explained in my old anonimous manuscript with regard to him and his brother Mahon. It imports that Brien, when a woung man at his faid brother's court, impatient of inaction while he saw all parts of the country over-run and spoiled by the Danes, conceived the defign of carrying on a kind of a partifan war against these foreigners. For this end he formed a small corps of only one hundred brave young noblemen, attended by their domesticks, at the head of which he always posted himself at proper passes and defiles to surprise and take all advantages of those cruel enemies, both at their plundering excursions, and in their marches and counter-marches from one post to another. During this little mountain war, Brien in one of his expeditions attacked a Danish officer called Brimus, who commanded a party of 100 men, whom he killed with 50 of his number, at a place called Craig-liath, near the town and regal feat

of Boromh, from which by the bye, this prince. who afterwards enlarged that town, and built Thereat the famous palace of Ceanneora, had the Furname of Boromh. At another rencounter in a part of Thomond called Breantir, he killed ane-Ther Danish officer named Owen, and cut off to a .man his whole party which confifted of 60 men. At a third, he surprised and killed one Bloys with 50 Danes, near the river Forgus; and in a fourth expedition, one Melgy with 100 Danes at a place called Deargret. Thus he continued his little essaying war against the Danes, until his small Party was reduced to fifteen; with these he re-Example to his brother Mahon, whom he then earn-• Rly solicited to redouble his efforts against the vaders of his kingdom; in which undertaking Brien with the greatest ardour always victoriously Seconded his faid royal brother to the day of his death. But the glorious work of the entire reduction and extirpation of the invaders was re-Terved to himself in a latter season.

I shall now pursue and relate the principal actions of this heroe's life, according as they are set down in the annals of Tighernach, those of Innisfallen, and the Chronicon Scotorum, without depending on, or borrowing the least circumstance from any other authority, as no other than well known and authentic annals should ever be depended on with regard to the public actions of kings, and this same rule I shall observe with regard to all the subsequent reigns as far as the said annals will lead me. But as to the genealogical part of this history, which I shall carry on at the end

end of every reign, the reader, I humbly preframe, will find it supported by the best authoraies (whether annals or other records of a genalogical nature) that can be produced in the preferz age, and perhaps the best that have existed for several ages backward. But the well informed reader is to be judge in this case, and will be the better abie to pass a right judgment, if he compares the following genealogical accounts of the O'Brien race with those that have been publashed in the Irish peerages of two different author, in their genealogies of the Earls of Thomond and Inchiquin.

To begin and pursue this prince's history from the time of his brother Mahon's unnatural death; I am to observe to the reader in the first place, that Brien being informed of Donovan's horrid trachery, left no time in preparing to be fully revenged both of that traitor and the base murder. ers of his royal brother. For this end, he marched in the first place against Donovan, whom he purified into the heart of his country, where having engaged him and his Danish auxiliaries commanded by Aulaibh or Aulavius king of the Danes of Munster, he not only cut off and left dead on the field of battle, both that Irish prince and this Danish king, but also made a general carrage of all their forces, whereof scarce a man elcaped the victor's fword, as is particularly remarked in the annals of Innisfallen. Brien's next care was to take the like revenge of Maolmuadh Mac Brain and his brothers, the immediate perpetrators of Mahon's murder. He therefore marched foce afterwards in quest of Maolmusdh, A po being affifted by 1500 Danes, was met by n and his forces at a place called Bealach-Here prince Morrogh, Brien's eldest making the first essay of his military genius, giving the first proof of that martial spirit. ch so signally characterized the rest of his life, ng with his father's consent encountered almuadh hand to hand in the heat of the aca facrificed him to the injured manes of his e Mahon; which gallant action was followed a general flaughter and rout of the enemies Lish and Danes, of whom the far greater were either killed on the spot, or made priers of war. These two actions with which n began his reign as king of Munster, are rred to the years 977 and 978, by the annals nnisfallen, as well as by those of Tighernach the Chronicon Scotorum. In the former of e two years, he gave battle to the Danes of nerick in an island of the river Shannon, called is-catha, where he slew 800 Danes together their commander the fon of Harold and his He afterwards visited all the other fons. nds on that river, which were possessed by those agners, and killed or made prisoners such of mas had been obstinate enough to oppose his torious arms, after which he returned home to palace of Ceanncora confiderably enriched h their spoils.

n the year 979, Daniel & Felan king of the ies, encouraged and assisted by the Danes of sterford, rebelled against Brien, and was rash ugh to risque a battle against him near the town

town of Waterford, where Daniel lost his life, and his troops were cut down together with the flower of the Danish army; those who survived the battle fled to the town for shelter, whither they were purfued by the victor, and put to the fword. After this action, he received homage and holtsges from all the petty princes of Munster, both Irish and Danes. In 981, he invaded the kingdom of Leinster with a powerful army by land, and fent thither at the same time a considerable body of troops by sea from the ports of Ive-Eachach, Corcalnighe and Waterford, by which diversion he obliged the princes and states of Leinster to pay a yearly tribute and deliver him hostages: and the two principal kings of the province came to his camp, and paid him homage.

In 982, Malathy king of Teamhair or Tan invaded Thomond, and by way of bravado and indignity cut down the famous tree of Magh-Adhair, under whose boughs the kings of North-Munster were inaugurated. A. D. 983, the faid Malachy affifted by the Danes of Dublin, under the command of their king Gluniaran who was his half brother, invaded the province of Munster. and committed great flaughter upon the inhabitants of the Desies near Waterford. terwards spoiled all Leinster, and defeated Done Claon king of that province with great loss of his In the same year, Brien to take revenge of those repeated insults, marched without delay against Malachy and his Danish auxiliaries, whom he met at a place called Port-da-Chaomhoz where the king of Tara, not chusing to rifere bettle.

le, delivered up to Brien all the hostages he taken in Leath-Mogh, and solemnly bound self in a formal treaty, never to molest him the future in the possession and sovereignty hat kingdom, which consisted of both the rinces of Munster and Leinster, together with city of Dublin and the Danish territories in invirons.

1 988, the people of Connaught, affisted by e of Meath in open violation of their king's ty with Brien, invaded the west of Munster, killed Dunloing fon of Dubdabhoirean an enian prince in a pitched battle, wherein the atians had likewise suffered a considerable especially by the death of Muirgios son of ior, who was Righdamhna or heir apparent he throne of Connaught. Brien, to revenge infult, marched at the head of a powerful ar-, and failed up the Shannon and to Loughch and then divided his forces into two corps: one he detached to the western parts of Conght which they spoiled and laid waste, and W Muireadhach fon of Connor the principal g of the province, with other princes of distinc-The fecond corps was commanded by en in person, who spoiled the western parts of 2th, Uisneach, Breifne, and on both sides of Shannon, and then returned home with the

in 990, Malachy invaded Musgrytire in Munr, where he committed great ravages, and led Donal son of Lorcan petty king of that intry, at a place called Fordroma. In 991, en to take full revenge of him, spoiled his country

country as far as the lake Naindiu, and brought home great spoils and many prisoners. A.D. 994, Malachy invaded Munster, and burned the place called Aonach-Teide, and carried way considerable spoils. In 995. Brien in teum is vaded Meath and burned the famous Regal hour called Teach-Naoi-Droma-Raithe, after having the ven Malachy a fignal overthrow in a pitched but-After this a peace was concluded between them, according to the tenour of which, both princes were tied down in the most solemn manner to commit no more acts of hostilities on each others territories for the future: but on the contrary, Malachy promised to assist Brien with in troops in suppressing the rebels of Leath-more and Brien offered the like good offices to Malady in reducing the malecontents of his kingdom.

A. D. 998. Malachy and Brien marched with united forces against the Danes of Dublin, whom they obliged to pay tribute and deliver hoftage Soon after this event, they marched to Brien. against the people of Connaught, and obliged the princes and states of that province to pay tribut and deliver hostages to Malachy; in the same year, the Danes of Dublin rebelled against Brien, upon which he and Malachy marched against them, and gave them a total defeat in the valid called Gleann-Mama, where Hartalachus son o Sitricus, Harold son of Aulavius and Cuilens fon of Ectigen, with several other Danes of dif tinction were flain, vid. Tighernach's annals A. D. 999. Sitricus son of Aulavius with the Danes of Dublin ravaged a great part of Leinsticularly Kildare, and carried away prisoner fon of Donald Claon, king of Leinster to of Dublin. As soon as Brien heard of stilities, he marched with a select body of ps to Dublin, delivered his liege-man the Leinster from his confinement, banished with king Sitricus beyond seas, burned a art of the town, and brought away a cone quantity of gold and silver, and a great manufactures and other valuable effects, I annals.

'. The author of Cambrensis eversus, atthe whole honour of this action to Mawith an utter exclusion of Brien, although als of Tighernach expressly mention Brien rengaged in the affair, without attributing ire of it to Malachy. What makes that the more inexcusable in this piece of imposithat he quotes the annals of Tighernach's lator for the now-mentioned fact, who to it by the bye, did not begin his continuation faid annals until the year 1088, when nach ended his annals and died. con Scotorum indeed makes this fact imely subsequent to the defeat of the Danes n-Mama, which that chronicle makes to in oog, and shares the glory of it equally n Malachy and Brien, though Tighernach them two different actions, referred to two it years, and affigns no part of the latter to Malachy; notwithstanding the great ment he always pays him without missing it occasion. I have further reasons to think, M m that . that Brien alone was the author of this piece of service to his country, because the annals of Inniffallen at the same year 999, make express mention of Malachy's committing vast depredations in the province of Leinster, and killing many of the inhabitants. By this means Malachy broke through the articles of peace concluded between him and Brien, and consequently could not be rationally supposed to have interested himself any longer in his favour in the suppressing of the Danish rebels of Dublin. The said annals of Innisfallen mention, that Brien went a second time to that city, and received homage and hostages from the Easterlings there in the same year.

In the year 1000, Brien was earnestly solicited by the princes and states of Connaught to dethroe Malachy for his violation of the solemn treaty in invading Leinster without a just cause, as well as for other particular and national grievance, for which purpose they offered him their own concurrence and the fovereignty of their whole province. In the same year Brien at the head of a confiderable army composed of Momonians, Conatians, Lagenians, the people of Offory and the Danes of Dublin, marched to Tara the regal mansion-house of Malachy, in order to demand satisfaction for the late depredations of that king upon Brien's kingdom of Leinster; but hearing he retired with his troops to the place called Magh-Breagh, Brien detached a squadron of his Danish cavalry to that place, where they were attacked and defeated by Malachy at the expence of much blood; Brien had no sooner come come up to the place of action, than Malachy laid down his arms, and made the most solemn promises of paying him tribute and homage as monarch of Ireland, in case he should not at a certain time be able to try titles with him at the point of the sword. And for this end an entire year was generously granted him by Brien to collect his auxiliaries, and maintain himself if he could in the independent sovereignty of Tara.

In 1001, Brien at the head of the forces of Munster, Connaught, Leinster, and the Danes of Dublin, marched to Tara, where Malachy paid him homage, delivered him hostages and acknowledged him the sovereign king of all Ireland; so that Brien in this year commenced his reign as monarch of Ireland. A. D. 1002, he marched into Connaught, and received hostages from the leveral princes and dynasts of that province. After which he marched into Meath, and received fresh hostages and tribute from Malachy, as well as from all the petty princes of Meath. Then uniting the forces of Meath under the command of Malachy to the main body of his army, he passed the Eastruadh, and brought away hostages from the princes and dynasts of Tirconnel, and Tirone, and from those of Ulidia. And Aidus fon of Donal O Neill king of Aighle, and Eocha fon of Artgal king of Ulidia came to his camp, and paid him homage.

In 1004, he marched into Meath, and received homage from all the petty princes of that kingdom, thence he went to Ardmagh, where he remained an entire week performing acts of devo-

 $M m_2$ 

weight by way of alms or pious offering on the great altar of Ardmagh. After this he marched to the regal house of the kings of Dalnaruidhe, now the county of Antrim, which was distinguished by the name of Rath - Mor - Muight-Lie, where the king of Dalnaruidhe paid him homage. A. D. 1006, he forcibly brought away hostages and tribute from Flaithbhiortach O Neill. After these actions, Brien and his entire monarchy of Ireland, enjoyed the blessing of profound peace for some years, which time he employed in enacting wholesome laws, and establishing a proper police throughout the whole kingdom.

In 1010, he fent his eldest son Morrogh with a select body of troops into Ulster, to put a stop to the rebellion of Flaithbhiortach O Neill whom Morrogh foon reduced, and brought away prifore to the palace of Ceanneora. A. D. 1011, he marched into Tirconnel to the plain called Majb adbair-an-chorainn, where he made Maolruana O Maoldora king of that principality a prisoner of war, and brought him away to Ceanncora. Soon after, he marched to the plain called Magb-Murtheimbne, now in the county of Down, and there received hostages from the several kings and dynasts of Oirgialla, Ulster, and Ulidia. And in the same year, made several pious foundations for churches throughout all Ireland, and annexed competent portions of lands for the sublistence of the respective clergy, who were to occupy them. And in the end of faid year, dethroned and exikd two of the rebellious kings of Ulfter, and effablished

blished two others with full authority in their place.

In 1013, Maolmordha king of Leinster at the head of the troops of his province, and Sitricus king of the Danes of Dublin, made terrible inroads into Meath, plundered and burned the country all before them, and penetrated as far as Termon-feithin and Magh-Breagh. Malachy to sevenge this affront plandered and burned the principality of Fingal as far as Bineadair or the hill of Hoath, where he was met by Sitricus king of the Danes, and Maolmordha king of Leinster, who gave him battle, and defeated his army with the loss of two hundred of his best troops; his eldest fon Flann and his general Lorcan, fon of Eichiaran king of Cineal-meachair and many others of the nobility of Meath were found among the flain in this action. The king of Tara hard pressed by these considerable losses, and fearing that much greater ones would probably follow, repaired without delay to Brien's court at Ceanncora, and complained to him in the most pathetic manner of the unjust depredations committed by the Danes and Lagenians in Meath without the least provocation from him, requesting at the same time, that he would be generous enough to chastise them for their insolence in first spoiling his territories, and disturbing the public tranquillity of the nation.

Brien was prevailed on by these reasons to fly to his assistance; in his march he spoiled the entire country of Ossory; he then sent his son Morrogh with a select corps into the heart of Leinster, which he laid waste by fire and sword as far as Glendalough.

Glendalough, and Tarmon-Caimin in the northern parts of that province, and brought away a great prey to Kilmainham, where his father had ordered he should meet him. At this place Brien pitched his camp, and continued in the plain of Dublin from the month of August until Christmas, making conflant excursions in the mean time upon the Danes and Lagenians, and reducing them to the lowest extremities. While Brien was thus employed in chastising the insolent Danes and Lagenians for their violent acts of hostilities against his liege-man the king of Tara, these took the opportunity to fend a numerous and wellmanned navy to the fouth of Ireland, where they did great damages, and plundered and burned the city of Corke; but before they could re-embark, Cathal fon of Donal fon of Dubhdabhoirean killed Aulavius son of the Danish king of Dublin, and Maghnus fon of Dubhgall fon of Aulavius an officer of distinction with several others.

Soon after Brien came back to his palace of Ceanncora, enriched with the spoils of the Danes and the people of Leinster; during the time of the above blockade of Dublin by Brien, and after his departure, the Danes of that city and the Easterlings dispersed throughout all Ireland, lost no time to send for auxiliaries to Denmark, Norway, and to all the western islands of Scotland, and other parts of the world where that piratic people had obtained the least establishment, in order to be fully revenged of their formidable enemy, and by that means to usurp the sovereignty of the whole nation. The king of Leinster

## ILLUSTRATED.

was as active on his part to unite the forces of the different princes and states of that province, and even used all the artifice in his power to seduce other neighbouring princes into the same rebellion.

In 1014, Brien hearing of the immense preparations of the Danes and Lagenians, and of the landing of very confiderable Danish auxiliaries from Denmark, Norway, Sweden, the Orkney islands, the islands of Shetland, the Hebrides, the Isle of Man, the island of Lewis, the isle of Sky, Cantire and Cathnels, both at and near the city of Dublin; marched at the head of his Momonian forces, joined by the troops of Meath and Connaught under the command of their respective kings, Malachy and Teige son of Cathal, son of Connor, and encamped, as he had done the year before, at Kilmainham within full view of his enemies. Soon after the encampment of his army, he detached into Leinster a select body of troops confisting of the flower of his Dal-Cassians and the third part of the Eugenians under the command of his fon Donogh unperceived by the enemies, charging them to return in two days time, after they had annoyed the Lagenians, and destroyed their country. This expedition, which was defigned for caufing a diversion, had been approved of by Malachy and all the other princes of Brien's council; but in the mean time the treacherous and ungrateful king of Tara loft no time to fend a trusty emissary to the Danish camp to inform those foreigners of what had happened. entreating them in the most pressing manner to attack

attack Brien the following day, and as an additional encouragement to them, he promifed to defert from the monarch in the beginning of the action.

These advantageous offers of the king of Tana were foon accepted of by the Danes and Lagenians, infomuch that they spent the night in preparing for a general action, and presented themselves at the first appearance of day-light before Brien's army on the plain of Clontarf, with colours displayed and formed into three separate corps or divisions. The first was composed of the Danes of Dublin, under the command of their king Sitricus, assisted by the auxiliaries sent from Sweden, Norway, and Denmark, who were commanded by their generals Carrol and Annud, the two fons of Euricus king of Norway, Dolatus and Conmaolus, two famous officers, and Brods general of the troops of Denmark, and what was remarkable in those days, one thousand of these auxiliaries had their bodies covered with entire The fecond division consisted of coats of brass. the infular Danish auxiliaries under the command of Sitricus son of Lodar earl of the Orkney islands, who was an officer of distinguished experience and merit; and the last consisted of the forces of Leinster under the command of Maolmordha Mac Murchada, principal king of that province, Baodan son of Duluing petty king of the western parts of Leinster, Mac Tuathil king of Liffe, Mac Brogarvan king of Ive-Failge, and a thousand Danish troops to support them in the engagement.

Brien

Brien had no sooner reconnoitered the order his enemy's battles, than he divided his own sops into three separate columns. The first was mposed of the tribe of Dal-Cas, under the rticular command of Brien in person, and of fon Morrogh. His four other fons, by name mnor, Flann, Teige, and Donnal, had also a ncipal share in the command of this corps, re other officers of diffinction were Conuing fon Donnchuann fon of Kinnedy: as also Lonara, Ceiliochar, Fingalach, and Jonnrachtach, fide the Dal-Cassians, Malachy king of Tara th the forces of Meath, formed a part of this rision, and was to supply instead of Donogh Brien and his party; and the whole corps was attack the first division of the enemies.

The second division of Brien's forces consisted the Conatians under the command of Teige. n of Cathal, fon of Connor, principal king of onnaught, Maolruana son of Heidhne king of achrach-Aidhne, Kelly king of Ive-Maine, aherty king of the west of Connaught, and mnor fon of Maolruana king of Magh-Luirg. ad these troops were supported by a strong dy of Munster-men under the command of ortagh fon of Corc king of Musgry-Cuire, with fon of Lochlin king of Conuagh, Donogh of Cathal king of Musgry-Aodha, Donal son Dermod king of Corcabhaisgin, and Eichiaran of Donagan king of Ara. This whole corps s to engage the second division of the enemies. afisting of the insular Danish auxiliaries.

The

The last division of the king of Ireland's army was composed of the Eugenians and Desians under the command of Cian fon of Maolmuadh Mac Brain, and Donal son of Dubhdabhoirean the two chief kings of Ive-Eachach; the other officers of note who fought under them were Mothla for of Felan king of the Desies, Mortogh son of Anamchadha king of Ive-Liathain, Scanlan fon of Cathal king of Loch-Leane, Loingstoch son of Duloing king of Connalgabhra, Cathal fon of Donovan king of Carbre-Aodhbha, Mac Beathach king of Kerry-Luachra, Geibhionach son of Dubhgan king of Fermoy, Carrol king of Eile, with some others. This entire corps was supported by a confiderable reinforcement of Ultonian troops under the command of Carrol, principal king of Oirgiall, and Mac Guibhir king of Fearmanach, who were to supply the place of the absent Eugenians; and they were jointly to attack the third division of the enemies army confisting of the forces of Leinster.

While Brien was employed in ranging his army in order of battle, he represented to his troops the indispensable necessity of distinguishing themselves in that action against a foreign enemy who had been for some ages past the perpetual oppressors and murderers of their kings, dynasts and clergy, without shewing the least mercy to sex, character, or age, had so often spoiled and burned or pillaged their churches, and trampled under foot the most sacred reliques of their saints. And, "I am convinced," says he, "that you valour and conduct will this day put an end to

all the sufferings of your dear country, by a total deseat of those sacrilegious and merciless yrants. And what proves providential in our savour is, that we shall take sull revenge of them for their constant acts of treachery, and for the prophanation of so many churches this Friday in Holy week, on which Jesus Christ and suffered an ignominious death for our redemption, who will undoubtedly be present with us as a just avenger of his holy religion and laws." Saying these last words, he shewed in the crucifix, which he held in his left hand, I his sword in his right, intimating thereby that was willing to sacrifice his own life in the ertion of so just, so honourable a cause.

After these words, he ordered the different ps of his army to fall upon the enemies with ord in hand, when to his great surprise, Mahy and the forces of Meath, deferted their post d retired with precipitation from the field of This act of treachery and ingratitude in considerable an ally as Malachy at the first setg out of the action, animated the Danes of : first division to such a degree, that the first acks of their cuiraffiers were almost insupporte; yet Brien and his corps, far from being inted, maintained their ground with great nness and intrepidity, redoubling their coue upon seeing their tribe of Dal-Cas all alone. I without the mixture of any other troops to re in the glory of their exploits: now it was. t a general and obstinate fight began between different corps of both armies, which lasted from

from foon after the rifing of the fun till late in the evening, at the expence of much blood on both fides. The Danes and Lagenians, after the loss of most of their commanders and troops, gave ground and fled for shelter to Dublin and to their ships, but were so closely pursued by the victors, that very few of them arrived at their places of The Irish in this deroute of the Danes refuge. had the woeful misfortune to lofe their famous monarch Brien, who, after having shewn prodigies of valour as well as of military skill in the general command of his army during the whole action, pursued the enemies at the head of his corps, where he was flain by Brodar, general of the auxiliaries from Denmark, by a stroke of a battle-ax; but Brien at the same time gave him: thrust of his sword, of which that Dane immediately expired.

Brien's eldest son Morrogh, at the age of 63 years, did wonders in this action, and flew fewral Danish officers of distinction, among whom were Carrol and Anrud, the two fons of the king of Norway, as also Conmaol another famous commander. He in like manner flew Sitricus fon of Lodar or Lotharius earl of the Orkney islands, and chief commander of the infular Danes, by dividing him into two equal parts through his coat of brass from his head to his rump with a fingle blow of his military ax. For when his father had observed that Danish commander make a great carnage of the Eugenians in the heat of the battle, he commanded his fon Morrogh to hasten and go to meet him, charging him to check hie

proceedings if possible. Morrogh soon obeyed s order, and dispatched the Dane in the now cribed manner \*, and then returned without my to his father's corps, at the head of which performed great exploits, and continued to the enemies with such irresistible fury and mgth, that his right hand was entirely mangfrom the repetition of his blows. After this bility of his hand, the Norwegian prince Anabovementioned, made towards him with med in hand; Murrogh endeavoured to parry passes, and then taking fast hold of him with left hand, he lifted him above ground, and sok him quite out of his coat of brass: then strating him he leaned upon his sword with breast and pierced it through Anrud's body. se Norwegian in the mean time, drew Morzh's knife or scimetar from his belt, and gave n a mortal wound, of which he foon expired. er having made his confession and received the ly communion of the body of Christ. as the point of honour and way of fighting bereen the princes and chief commanders of all gaged armies in those days, as well as in the toic ages of the Romans and Greeks, witness e personal engagement of Æneas and Turnus;

Funz tantum manu & non ambabus securi percutiunt sice desuper manubrium in longum extenso istumque rette, a quo nec galea caput in conum erecta, nec reliant corpus serrea loricæ tricatura tuetur. Unde et in tris contigit temporibus, totam militis coxam serro utaque sideliter vestitam, uno securis istu pracisam susse, tans equi parte coxa cum tibia, ex altera vero, corpore lente moribundo. Sic Giraldus Cambrensis, Topoaph. Hiberniæ, distinct. 3. cap. 10.

they generally encountered each other of both fides hand to hand during the heat of the action. An ill-judged practice, unless it was their efablished discipline and maxim at the same time to have appointed lieutenants, who should supply their place in the general command and direction of the action during those personal engagements with each other.

Besides the Danish commanders slain by Morrogh, there also fell in the first division of the enemies, Dolatus an officer of note, Dubhgall fon of Aulavius, and Giolla Curain fon of Gluniaran. two of the principal Danes of Dublin, together with the greatest part of their troops. genians made a great carnage upon the auxiliaries of the islands, and slew almost all their officers and men. Maolmurdha principal king of Leinster, Mac Tuathal fon of Gaire, a Lagenian prince of great valour, Mac Brogarbhan king of Ive-Failge, and most of the nobility of Leinster by firetched on the plain. And the attention w flaughter alone was so great, that the victors, pursuant to the orders of Brien, did not lose time in making prisoners of war, but put all enemies to the fword without distinction. This account of the battle of Clontarf, which is inserted in my copy of the annals of Innisfallen, makes the number of the slain on the part of the Danes and La. genians to amount to 13,800 men, that is to fay 4000 of the Danes of Dublin and Ireland, 6700 of the auxiliary Danes, and 3100 of the forces of Leinster. The Chronicon Scotorum, which gives but a very short sketch of this battle, still

s us a very good idea of the obstinacy with ch it was fought, by faying, "that the like mattle, or any equal to it, had not been fought Ireland for many ages." But the account t chronicle gives of the number of Danes slain his battle, falls short of the above computation. t positively mentions, "that there were in all put 4000 Danes killed, among whom were 1000 rass-coated combatants, and is quite silent concerning the loss of the Lagenians." Ac-Jing to the account inferted in the Innisen annals there were 4000 of Brien's forces ed during the engagement, and many woundbut the Chronicon Scotorum gives no further ount of it than that the loss of Brien was very Miderable.

Besides our renowned monarch Brien Boromh. I his illustrious fon Morrogh, with his fon arlogh a youth of fifteen years, there were seral other Irish commanders of distinction killed the enemies, of whom the most remarkable re Conuing fon of Donnchuan, Brien's broa's fon, Mothla fon of Donal, fon of Felan ig of Desies, Eocha son of Dunuidhe, Nial of Cuinn, and Cudula son of Cinidhe, who re all three Brien's most intimate favourites 1 his aids de camp in the battle. Teige son of lly king of Ive-Maine, Maolruana fon of idhin king of Aidhne, Geibhionach son of bhgan king of Farmoy-Feine, Mac Beothach of Muireadhach Claon king of Kerry-Luaa, Donal son of Dermod king of Corcabhasgin, Scanian for of Cathal king of Lough-Leant; Donal fon of Eimbin, fon of Caine, with many other princes and heads of tribes, who are too tedious to be canmerated.

After the victory had been thus glorioully obtained by the Momenian and Constian forces. Teigre from of Brien and Cian fon of Maclimuadh conveyed such of the wounded as were not judged incurable to the camp at Kilmainham, and applied medicaments and remedies to their wounds As foon as the monks of Sord had heard of Brien's death, they came directly to the camp. and took the bodies of Brien and his fon to Sord. and afterwards bore them to the religious house of St. Kiaran at Duleek, and those conveyed them to Louth, to which place Maolmuire, or Marianus fon of Eochadh, archbishop of Armagh accompanied by his clergy, came for the bodies. and conveyed them in great folemnity to the cathedral church, where they offered maffes for the repose of their souls, and continued their sacrifices, prayers, and watchings over the bodies for twelve days and nights without intermiffion. After which the body of Brien was folemnly interred in a monument of hewn marble at the north side of the cathedral church, and the bodies of Morrogh and his fon Turlogh, and of Coming fon of Donnchuan, were interred in another tomb at the fouth fide of the same church.

Brien Borumh, whose history I have briefly related out of the annals of Tighernach, those of Innisfallen, and the Chronicon Scotorum, had three wives according to the Leabhar Irse of the Mulconnerys

Mulconnerys. The names of these three wives were, 1. Mor, the daughter of Heidhin son of Cleireach, son of Eadalach, son of Cumusgach king of Ive-siachrach-aidhne in Connaught, and ancestor of the O'Heynes, by whom he had three sons, viz. Morrogh who had a son called Turlogh, killed along with his father at the battle of Clontarf; 2. Connor; 3. Flann, who were also slain in the same battle. These three sons according to all our historical and genealogical accounts left no posterity.

Brien's second wife according to the Mulconnerys, was Eachraid the daughter of Carolus son of Oillil Fionn, king of Ive-Nædha-Odhbha a principality in Meath, by whom he had two fons, viz. 1. Teige, who was coregnant with his brother Donogh in the throne of Leath-mogh from the death of their father to the year 1023, when he was murdered by the people of Eile at the instigation of his said brother; 2. Donal, a prince much celebrated for his valour, who diftinguished himself in the battle of Clontars, and had broughtaway hostages from Mac Maoil Na Mbo king of Leinster, and from the Danes of Dublin, A. D. 1048; he was slain in Thomond by the king of Connaught, whom he had greatly diftreffed, in 1051, when his eldest son Dermod was basely murdered by his own cousin german Morrogh surnamed of the Short Buckler, son of Donogh, according to the annals of Tighernach at that year. Antiquaries are quite filent concerning the lands or estates which the posterity of this branch possessed in Ireland, nor do I find any further mention of them after the above Dermod.

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The third wife of Brien according to the said records, was Gormlaith the daughter of Morrogh Mac Finn king of Leinster, by whom he had an only fon called Donogh, who was coregnant as I have faid with his brother Teige from the death of his father to the year 1023, in which he contrived his death, as abovementioned, and by that means became sole independent sovereign of Leath-mogh and foon after principal king of all Ireland; but he was after great losses and humiliations dethroned by his nephew Turlogh fon of Teige in 1064, according to the annals. The above Gormlaith was also mother of Sitricus son of Aulavius king of the Danes of Dublin, according to the annals of Tighernach and died A.D. 1030. cords of the Mulconnery's add that she was the mother of Connor fon of Malachy king of Tara. The books of the herald's office, and the Earl of Inchiquin's pedigree published by the translator of Keating's history assign no other wife to Brien Borumh but this Gormlaith and make her to be the mother of Teige, which is quite false, according to the above cited authorities, which are the best we have on such a subject as being more antient than either the office of our heralds or their books.

The Chronicon Scotorum at the year 1009, makes mention of Dubhchabla daughter of Cathal fon of Connor king of Connaught, as being wife to Brien Borumh and dying that year, from which it may be inferred that he had four wives. The annals of Innisfallen mention that he had a daughter by name Sadhbh or Sabia, who was married

Mac Brian king of Ive-Eachach, by whom he had a fon ca lled Mahon, from whom descended the O'Mahonys of Ive-Eachach. An old anonymous manuscript which I have lately seen, mentions that a daughter of Brien Borumh monarch of Ireland was married to Malcolm the second, fon of Kinneth king of Scotland.

### TEIGE AND DONOGH.

In the evening of the day after the battle of Clontarf, Donogh son of Brien returned to the mp of Killmainham with a great booty and Doils brought from the enemies country; he fent Leveral rich offerings to the archbishop of Ard-Enagh and to his clergy for the repose of his father's and brother's fouls. The Eugenian troops employed in his late expedition joined their respective kinsmen under the command of Cian son of Maolmuadh, and of Donal fon of Dubhdabhoirean, by which reinforcement they became much more numerous than the tribe of Dal-Cass. Cian fon of Maolmua intending to avail himself of the superiority of his numbers over the two sons of Brien, was upon the point of having himself proclaimed king of Munster, by virtue of his right of seniority in prejudice of Brian's said sons, until Donal son of Dubhdabhoireann (ancestor of the O'Donoghues) a very powerful Eugenian prince opposed his ambitious views, and withdrew the troops under his command from fupporting Cian in his pretentions. After which N n 2 Donogh Donogh marched home through Offory, where he met with some opposition from the petty king of that country; which is particularly remarked by our historians, with circumstances which resent singular honour on the martial tribe of Dal-Casa.

Cian son of Maolmuadh had no sooner arrived and refreshed his troops in Ive-Eachach, than he fent a challenge to Donal fon of Dubhdabhoireann, desiring he would meet him on the plain called Magh-guile and give him satisfaction for having opposed his interest near Dublin. met him at the time and place appointed and gave him battle, in which he slew Cian and his two brothers Cathal and Raghalach, with the most part of his adherents. Mahon the fon of Cian by Sadhb the daughter of Brien, would have shared in the fate of his father, had not his uncles Teige and Donogh O'Brien speedily come to his affistance; Donal however risqued a battle against them, in which he was totally defeated, his eldest son Cathal slain, and was himself obliged to deliver hollages for his future obedience.

In the same year 1014, Teige and Donogh O'Brien broke out into open acts of hostilities against each other and fought a desperate battle, in which the victory savoured Teige's party, and Roderic O'Donagan prince of Ara with several other princes of distinction lost their lives; yet they were soon after reconciled through the mediation of the clergy of Munster. While these two brothers, the natural protectors of their nephew Mahon son of Cian, were thus fighting against each other, Donal son of Dubhdabhoirean seized

d that favourable opportunity to attack the Mahon, whom he killed in a pitched battle. fatisfied with that success, in the beginning ne year 1015, he marched at the head of the enians to Limerick, where his troops were ed and cut in pieces by Teige and Donogh rien, and the unfortunate Donal himself was among the slain.

rom this time forward these two brothers lived affect harmony as coregnants in the throne of h-mogh until the year 1023, when Donogh treacherous and inhuman enough to order nt hands to be laid on his brother by the intants of Eile: of the circumstances of this and horrid act we have no further explicator account.

eige fourth son of Brien Borumh according e Leabhar Irse of the Mulconnerys, married the daughter of Giolla Brighide O'Maoldh. or O'Molloy king of Fearceal and Ci-Fiachrac in Leinster, now comprehending reatest part of the King's county, by whom ad an only son, by name Turlogh. s of the herald's office at Dublin, call Teige's the daughter of Maolmuadha king of Leinsand Keating's unskilful translator calls her aughter of the king of Leinster in his pediof the Earl of Inchiquin, when he ought to called her the daughter of a king in Leinsa Lagenian king, as he knew not how to ibe her in particular. The above Turlogh f Teige, was exiled by Donogh after the ler of his father into the provinces of Connaught

naught and Leinster. Turlogh was not only favourably received by the kings of both these provinces, but also so powerfully affished with troops, that he obliged Donogh to abdicate the crown A. D. 1064, and content himself with a private life.

# DONOGH O'BRIEN.

Donogh by the death of his brother Teige became sole king of Munster, A. D. 1023, and exiled his nephew Turlogh into Connaught in the faid year. In 1026, he obliged the princes and states of that province together with those of Leinster, Offory, and the Danes of Dublin, to pay him homage and deliver hostages, by which submission of these different powers, he became fupreme king of almost all Ireland; he preserved his fovereignty over Leath-mogh and the province of Connaught in an absolute manner, until the years 1053 and 1054, when the Conatians and Lagenians unanimously rebelled against him, and fent powerful bodies of troops under the command of his nephew Turlogh to invade his territories of Munster, by which means his power was greatly reduced. A. D. 1058, he was totally defeated in a pitched battle that was fought against him at the foot of the mountain called Sliabh-Grot by the united forces of Connaught and Leinster under the command of Turlogh O'Brien. In 1059, he was driven to the necessity of making fubmissions to, and disclaiming the homage of his former vassal the king of Connaught; and A. D. 1060.

to60, the king of Leinster forced him to the like terms. A. D. 1063, he received a total overthrow at the foot of Ardagh mountain in Eoganacht-Cashel from his nephew Turlogh, who commanded the united troops of Connaught and Leinster. The consequence of this fatal deseat was that in 1064, Donogh was forced to deliver up the crown of Munster into the hands of his nephew Turlogh O'Brien. After this abdication of the crown, he went to Rome to do penance for the murder of his brother Teigo, and took upon him a religious habit in the monastery of St. Stephen, where he died a penitential death.

Donogh the 6th fon of Brien Borumh, of whole history and reign I have given a succinct and abridged account from the authority of the annals of Tighernach, those of Innisfallen and the Chronicon Scotorum, had twelve fons according to the Mulconnervs and the Mac Brodins, nine of whom died without issue. The three who left posterity were 1. Lorcan, who had two sons, by name Connor and Kinnedy; Connor became king of Tyrone, and was killed in a rebellion of his own subjects, A. D. 1078, according to the annals of Innisfallen. Kinnedy his brother fucceeded him in the same year in that kingdom according to the said annals, as well as those of Tighernach and the Chronicon Scotorum, and was slain in the memorable battle of Moincruin-ne-oige in TO84.

2. Morrogh furnamed of the Short Buckler, king of Thomond, who, A. D. 1065, being exafperated at the dethronement of his father, forced his way at the head of a felect party into the palace

lace of Ceanncora, where he committed a great flaughter upon the houshold of Turlogh O'Brien-He was killed by the men of Teabhtha or West-Meath, who had attacked and forcibly entered his camp, A. D. 1068. He was ancestor of the noble families of Cuonagh and Aharla.

3. Donal Bann, who was a famous warrior, and of whose posterity we have no particular information from our annals or other records.

Donogh had also a daughter by name Dearbhorgal, married to Donogh surnamed Maolnambo. king of Leinster, by whom she had Dermod, otherwise called Mac Maolnambo, king of Leinster; who was one of the most powerful princes of Ireland in his time, and stiled king of Ireland by Sir James Ware. This Dermod had educated Turlogh O'Brien at his own court, and affifted him with his forces, as I have already shewn, to gain the fovereignty of Munster by dethroning his uncle, though he was the said Dermod's grand-A remarkable example indeed of that extraordinary affection and attachment, which proceeded from the foftering or education of young princes among the Irish; an office which by the bye, was not at all dishonourable in those days, and did not denote dependancy or vassalage in those persons who received such young princes under their particular care or tuition.

Morrogh surnamed of the Short Buckler, second son of Donogh according to the Leabhar Irse of the Mulconnerys, married Edina daughter of O'Hara king of Luighne in Connaught, by whom he had a son and a daughter. The son

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was Brien of Gleann-Mire, who was king of Thomond and flain in a battle which he fought at Gleann-Mire near Corke, against Dermod O'Brien king of Munster in 1118, as it appears from the annals of Innisfallen. The daughter's name was Mor, who was married to the celebrated warrior Morrogh O'Maolseachlin king of Meath, by whom she had, besides male issue, the famous Dearbhorgall wife of Tiernan O'Ruark. The above Brien of Gleann-Mire according to the said records, had four fons, viz. 1. Connor, from whom were descended the O'Briens known by the name of Clann Bhriain Duinn Mic Conchubhair, as also the O'Briens called Sliocht Teige Corrsiacluig. 2. Donal Ramhair or Gross, from whom the O'Briens called Clann Donail Ramhair. 3. Kinnedy, who died according to our annals, A. D. 1150, and was ancestor of the O'Briens of Dromy Chrionain near Drom-Nalga in Cuonagh. 4. Donogh, who according to Tighernach's continuator, was flain together with his eldest son Dermod by the forces of Desmond under the command of their prince Cormac Mac Carthy, who surprised them in the camp of Connor O'Brien na Catharach king of Munster, A. D. 1134.

The above Dermod fon of Donogh had three fons, viz. 1. Mahon, 2. Mortogh, who left a numerous posterity, 3. Brien Dall. This Brien Dall had two sons, viz. 1. Kinnedy, who was ancestor of the O'Briens of Aharla, 2. Morrogh surnamed of the Steeds, ancestor of the Mac y Briens of Cuonagh. Morrogh of the Steeds, had five sons, viz. 1. Thomas, 2. Donal Carrach.

mach, who left a numerous posterity, 3. Brien, who was ancestor of the most remarkable branch of the O'Briens descended from Donogh son of Brien Borumh, who distinguished themselves under the specific title of Mac v Brien O'Cuanach, so called from this Brien O'Brien, the grandson of Brien Dall O'Brien. In the same manner, to observe it by the bye, the O'Briens of Ara were called Mac y Brien Ara from Brien O'Brien the grandson of Brien Ruadh O'Brien, who was king of Thomond, and being expelled out of that principality settled in Ara, A. D. 1319. 4. Dermod, 5. Kinnedy, who had also a son called Kinnedy O'Brien whose daughter Fionnduals, or fairhaired, was married to Teige Caoluige O'Brien fon of Connor na Siudaine king of Thomond. My often mentioned copy of the Leabhar Irie or genealogical records of the Mulconnerv's. contains very ample accounts of the lineal descents of the different branches of the Cuonach family; for whose honour and satisfaction I should be very glad they were published to prevent any accident that may happen the faid copy, which begins already to fuffer by its antiquity.

# TURLOGH O'BRIEN.

Turlogh fon of Teige, fon of Brien Borumh, was proclaimed king of Munster, A. D. 1064, in which year his uncle Donogh had been dethroned. In 1072, he marched into the province of Leinster immediately after the death of Dermod Mac Maolnambo, and received hostages from the kings

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kings of Offory and Ive-Cinfiolach; he then marched to Dublin, where he was magnificently entertained, and the Danes of that city gave him hostages and the sovereignty of their state. A. D. 1073, Connor O'Maolseachlin king of Tara, as well as Godfridus king of the Danes of Dublin. and Donal Fitz-Patrick king of Offory paid him homage, put their hands between his hands, promising obedience, and delivering him hostages and the supreme sovereignty of their respective kingdoms and states. In 1075, he also received hostages from Roderic O'Connor king of Connaught and from O'Ruark king of Breifne, but he was unsuccessful in his expedition against the Ultonians in the same year; however upon his return from Ulster with some loss, he was powerful enough to banish Godfridus king of the Danes of Dublin beyond feas, and make his own fon Mortogh king of that people in his stead. A. D. 1076, he made Roderic O'Connor, who was revolting from his jurisdiction, a prisoner of war, but soon after granted him his liberty upon solemn promiles of future obedience.

In 1079, he reinstated Donnsseibhe O'Heochadha king of Uladh or Ulidia in the throne of that kingdom, and defeated the malecontents who had dethroned him in a pitched battle; in the same year he sent a powerful navy into Wales under the command of his son Dermod O'Brien, who spoiled that country and brought away a considerable booty. About the same time Malachy O'Maolseachlin king of Tara came to his palace at Limerick, and obtained his pardon and protec-

pion through the mediation of the archbishop of Ardmagh, who came along with him, presenting him to Turlogh. A. D. 1082, Donnsleibhe king of Undia attended by the nobles of his kingdom came to his court at Limerick paid him homage. and received from Turlogh 1000 cows, 40 ounce of gold, 120 coloured cloaks, and other royal presents to denote his vallalage and dependency. A. D. 1084, being on a regal tour in Leath-Cuinn. be fent his two fons Teige and Mortogh O'Brien to check the rebellion of O'Ruark, which they foon effected by routing his forces and burning his country. O'Ruark by way of reprisal invaded and spoiled North-Munster by fire and sword. burned Killaloe, Tuaim-Greine and Magh-No: after this reinforcing his troops, he burned and ravaged a great part of Fingal, and fought the bloody battle of Moincruinneoige against Mortogh O'Brien, in which O'Ruark together with the most of his forces were slain. In 1086, Turlogh O'Brien died at his palace of Ceanncora, being at the same time indisputable king of Leath-mogh and principal king of all Ireland; his corpse was interred with great solemnity in the church of Killaloe.

Turlogh O'Brien, according to the Leabhar Irie of the Mulconnerys, married Sadhbh or Sabia the daughter of Teige eldest son of Carrthach, (from whom the name Mac Carthy) king of Desmond, and ancestor of the Mac Auliss, by whom he had sour sons, viz. 1. Teige who was king of Thomond and died at Ceanncora soon after his father, A. D. 1086. This Teige had

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two fons, viz. Mortogh of whom or his posterity we have no further mention, and Donal who, according to the annals of Innisfallen, was made king of Man and the Hebrides, A. D. 1105, but was dethroned and expelled for his male-administration, A. D. 1108. By the power of Turlogh O'Connor king of Connaught, A. D. 1115, he was fet up in the throne of Thomond, but in the end of the same year he was put to death by the faid king. 2. Mortogh Mor, of whose reign and family I shall speak hereafter. 3. Dermod. who was king of Munster, and shall be also spoken of in the due place. 4 Donogh who was killed in a skirmish of a detached party from the camp of Magh-Coba in the county of Antrim, A. D. 1103, according to the annals of Tighernach's continuator, but our Leabhar Irse calls him Donal.

Turlogh had a daughter by name Mor, who was wife of Roderic O'Connor and mother of Turlogh O'Connor kings of Connaught, she died A. D. 1088. The books of the herald's office assign two wives to Turlogh O'Brien both different from the abovementioned wife given him by the Brodines and Mulconnerys; the first, they fay, was daughter to O'Heyne; the second by name Dufraulia was daughter to Teige Fitz-Patrick, a prince of Ive-Cinfiolach in Lein-Keating makes Mor, the daughter of iter. O'Heyne his only wife and mother of Dermod. The annals of Tighernach mention the death of the daughter of O'Fogarty king of Eile, and wife of Turlogh O'Brien, A. D. 1077; and the annals.

annals of Tighernach's continuator, as we Chronicon Scotorum make mention con the death of Dearborgall (who doubtless Dufraulia of the herald's books) daug Teige Mac Giolla Patrick king of Osse mother of Mortogh Mor O'Brien, and quently wife to his father Turlogh O'E that according to our different accounts have had four wives.

## MORTOGH MOR O'BR

Mortogh Mor O'Brien, soon after the his father, and immediately after that of brother Teige, A. D. 1086, was proclain of Munster; his first care was to have e brother Dermod into Connaught; in 108 feated the forces of Leinster: A. D. was put to flight in a battle fought Ardacha against his brother Dermod and O'Connor. In the end of the same v Dermod prevailed with Donal Mac L. Neill king of Ulfter, to whom Roderic ( had paid homage, to join his troops to Connaught and invade Munster. consented and committed great hostiliti province, burned the country all before most demolished Limerick and Ceanne made 120 of Mortogh's houshold pri war; among these was the son of Mahe nedy, Congalach O'Hogan, and the fon O'Lynch, who were all ransomed by M the expence of a large quantity of

wer and other valuable effects. An. 1089, Derand O'Brien failed with a Constian fleet to the eath of Munster, plundered the town of Clovete d took away the reliques of St. Fionn-bar out the church of Cill-na-Gleireach near Corke. ex before he could re-embark 300 of his party ere killed by the O'Mahonys. Mortogh at the me time made Eanna king of Leinster a prisoner war, and was afterwards elected to the fove-Enty of Leinster and Dublin by their respective ites. After which he failed with a numerous but up the Shannon, where his boats were all rounded and taken by O'Connor and O Maol-Chlin: the troops of Connaught and Meath imediately embarked on board this fleet, and one Padron of them under the command of O mor and Dermod O'Brien sailed towards bomond and burned Killaloe and the states of al-Cass; the second squadron commanded by Maolfeachlin spoiled Owny and Ormond, and the forces returned on board the same fleet Len with spoils to their several countries.

In 1090, Mortogh marched into Meath, laid afte the country by fire and fword, defeated Maolseachlin in a pitched battle, in which he was many of his nobility and brought away an mense booty. After this glorious expedition reduced the malecontents of Leinster. A. D. 191, he spoiled the western parts of Meath, ren invading Connaught, he spoiled Nuadhbheanach upon the Shannon, and encamped at Loughsme. A. D. 1092, he marched to Tara, where Maolseachlin paid him homage and delivered hostages.

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bolizees. Roderic O'Connor king of Connaught dving the same year, Mortogh was proclaimed king of Connaught and Dermod O'Brien was exied into Ulifter. After this, he made Aodh for of Cathal O'Connor a prisoner of war, and bestowed the sovereignty of Siol-Muiridh, which was O'Connor's country, upon Giolla na Naomh O'Hevne. A. D. 1093, Dermod O Brien obtained perdon for all his past offences from his brother Mortogh, through the mediation of the archbishop of Ardmagh and several others of the degy and nobility of Ireland, and solemnly swore by all the bely reliques of Ireland, and by the crofer of St. Patrick, commonly called the flaff of Jefus, to thew him all future obedience. Mortogh obaged himself by a like voluntary oath, never to take revenge of his brother for his past offence either public or particular. A. D. 1004. Mortogi flew Donai O'Maolfeachlin king of Tara, banifled Godfrides king of the Danes from Dublin, make O'Conner Failge prisoner, and bestowed the forereignty of Meath upon Donogh O'Maolseach In. After this he divided that province into two equal parts, one moiety of which he gave Conner O'Maolfeachlin and the other to Donogh O'Maolseachlin whose conduct he begin to dislike, and then received hostages from them both.

In 1095 he encamped in the centre of Conraught from the 12th of January to the lattered of March, and had a powerful fleet of boats at the fame time cruifing on Lough-Ree. By the means he subjected to his jurisdiction the couof Conmaione and all the tribes called Sioliridh. After which Donogh O Maolseachlin e to his palace of Limerick, paid him rage, and received twenty ounces of gold as uarasdal or wages to signify his dependancy vassalage. Soon after he slew Cathal O Conheir apparent to the crown of Connaught, and eral other Conatian nobles of the first rank, in tched battle, and then marched against O Fla-:y, whom he foon reduced, fpoiled his counas well as that of O Hara called Luighne. returned with the spoils into Munster. Not g after that expedition he remained encamped the plain of Ive-Fiachrach from the middle of month of June to the end of September, ing which time he entirely reduced Conmaicne I Siol Muiridh and routed all the malecontents the plains called Magh-Hy and Magh-Luirg. then crossed the Shannon and encamped in territories of Breifne, where O Ruark paid n homage and delivered hostages. In consiation of this fubmission, Mortogh gave him feodal fovereignty of all the states of Conight, excluding at the same time from his juiction the territories of O Heyne and O Kelly, own by the diffinctive names of Ive-Fiachrach-Ihne and Maine. At the end of the same ir. O Ruark came to his palace at Limerick, delivered up to him the hostages of the noty of Conmaicne and Siol-Muiridh. In 1000 he marched to the plain called Maghairtheimhne, now in the county of Down, where was met with by Donal Mac Loghlin O Neill,

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king of Ulster, at the head of his Ultonians, but they were hindered from coming to an engagement by the seasonable interposition and mediation of the archbishop of Ardmagh, and Mortogh returned to his own country. A. D. 1101, he made a pious and solemn grant and dedication of the town of Cashel to God and to St. Patrick, to be possessed for ever in virtue of his right by the archbishops of that see. This act was perfected in presence of the clergy and nobility of almost all Ireland, whom he had convened thither for that purpose. Not long after this dedication of the town of Cashel and its environs, he invaded the province of Ulster, and spoiled Tyrone and Tyrconnel, and demolished the royal palace of Aighle, by way of reprifal for the demolifiment of the palace at Ceanncora and Culrathan by O Neill and his Ultonians. In 1103, he marched his forces into the province of Ulster as far as Magh-Choba, where prefuming too much on his strength and courage, he divided and weakened his army, not only by detaching two different parties to spoil and reduce the country of Dalnaruidhe, now the county of Antrim, but also by licensing the Eugenians to return home to Munster, according to the Innisfallenses. In the absence of his detachments, and while one of them was very roughly handled by the Dalnaradians in a brisk attack, wherein Donal O Brien Mortogh's youngest brother lost his life, the king of Ulster seized that favourable opportunity to attack with all his forces the main body of the Momonian army, which he pressed so hard

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as to oblige Mortogh to make an honourable retreat, and betake himself to a more advantageous post where he might wait the junction of his detached parties. A. D. 1106, Mortogh slew Donogh O Maolseachlin king of Meath who was forming parties against him, and brought away hostages from O Ruark.

In 1111, he convened almost all the clergy and nobility of Ireland, at a place called Fiodh-Aonguía, or the Grove of Aongus, situate in the plain called Magh-Breaffail according to the annals of Innisfallen, where a council was held under the direction of the pope's legate Maolmuire, or Marianus O Dunain, archbishop of Cashel, and of Ceallach or Celfus, fon of Aodh fon of Maoliosa, archbishop of Ardmagh. The number of clergy in this celebrated council, according to the Chronicon Scotorum, was fifty eight bishops, three hundred and seventeen priests, one hundred and fixty deacons, and a vast number of the inferior clergy. In the same year, a particular council was held by the clergy and nobility of Meath, at a place called Uifneach, at which presided Giolla Criosd, or Christianus O Maoillean, abbot of Clonmacnoiss. In this council all the petty dioceses of that province were reduced to two, Clonmacnois and Clonirard, and their boundaries cut out, so that the diocese of Clonmacnoiss consisted of that part of Meath which was westward of the place called Clochan an Dimrin, and that of Clonirard of all the rest of the province eastward of the same place.

Keating could have had no other foundation than this particular transaction of the clergy

### THE LAW OF TANISTRY

and nobility of Meath, for his long and inconfiftent story of the boundaries of the several dioceses of Ireland, which he says were all fixed and determined by a national council in this year. When a Christian country hath been once entirely divided into dioceses, as Ireland had been for many centuries before this year, their limits coeval with their first formation, are afterwards legally unalterable, as they are not subject to proscription by any length of time. They are even naturally unalterable, if we suppose an uninterrupted fuccession of bishops and pastors in each diocese, because the knowledge of them being always handed down from generation to generation, every succeeding bishop and his passon must therefore be well instructed of the utmost extent of their jurisdiction, that is to say, of the primitive limits of their diocefe. And hence m new modeling or altering the limits of diocels could have happened, but in fuch a case as that above described, when several fingle dioceses at reduced to a leffer number by the authority of a pope or council, or a part of too large a diocelt added to a small one by a like authority. But the absurdity of Keating's story is otherwise very palpable by the erroneous account ht gives of these pretended new limits of diocels fixed at the above council. Those he assigns to the diocese of Emly may alone suffice to convince every reader that has the least knowledge of its fituation, of the innumerable gross errors this writer must have committed with regard to the limits of all the rest of the dioceses of the kingdom, kingdom, fince he so widely erred from the truth concerning those of Emly, a diocese which bounded on that which he lived in. He makes it extend to the Black Water and to Avan-Alla; the latter of which rivers is at least twenty miles distant from its real limits, and the former not less than ten. The limits he cuts out for the diocese of Corke, Limerick, and Kerry, are likewise grossly erroneous and ill fixed.

In 1114, Mortogh was attacked with a violent indisposition of health, whereupon the states of Connaught, Leinster, and Meath renounced their obedience to him, and under the command of Donal Mac Loghlin O Neill, spoiled a great part of Thomond. After which, Dermod O Brien had himself proclaimed king of Munster. A D. 1115, Dermod was taken by stratagem and delivered up to his brother Mortogh by the Danes of Limerick. But Mortogh soon after granted him his pardon and liberty, and received him into his former favour and rank. A. D. 1116. his indisposition still continuing, and being retolved to lead a devout and private life for the rest of his days, he resigned the government into the hands of his brother Dermod O Brien. A. D. 1119, he died a penitential death at Lismore, and was folemnly interred in the church of Killaloe. He was a prince of great valour and wife conduct, and at the same time one of the most pious and clement of all the kings of the O Brien race.

Mortogh O Brien, surnamed the great, second fon of Turlogh O Brien, whose reign I have now briefly related out of different annals, had three

three fons according to the Leabhar Irse, viz. 1. Donal Gearrlamhach, or short-handed, who was king of the Danes of Dublin, and a very great warrior. A. D. 1115, he gave battle to the united troops of all Leinster, in which he slew Donogh Mac Murcha, king of that province, O Connor king of Ive-Failge, and several other Lagenian nobles of distinction. In 1118, he resigned the sovereignty of Dublin; after which he retired to lead a devout and private life, and died in an ecclesiastical state, A. D. 1135, according to the Chronicon Scotorum. 2. Mahon, who was ancestor of the Mac Mahons of Corcabhasgin in Thomond. 3. Kennedy Oghar, of whom we have no further mention.

The above Donal Gearrlamhach had two fons, viz. 1. Connor, who was a prince of great power, and is inserted in the Reim Riogra of the Dal-Cassian princes as king of Thomond. He was made prisoner by Turlogh O Brien, but he recovered his liberty by the concurring power of Turlogh O Connor, king of Connaught, and of Dermod Mac Murcha, king of Leinster, A. D. 1155. Nevertheless, he had his eyes put out by said Turlogh O Brien, A. D. 1158. 2. Luidhig O Brien, who was killed at the memorable battle of Moin-Mor, fought A. D. 1151.

# DERMOD O BRIEN.

Dermod O Brien, the third fon of Turlogh, immediately after the refignation of his brother Mortogh, was proclaimed king of all Munster, A. D.

#### ILLUSTRATED.

A. D. 1116. I need not relate the history of his life before this epoch, as it has been already sufficiently set forth, and connected with the life and reign of his brother Mortogh. A. D. 1117, he marched into Connaught at the head of the Momonian troops, spoiled and burned the country of Ive-Fiachrach, and laid waste the territory of Ive-Briuin. A. D. 1120, he finished his life after a reign of only four years duration, during which we have no further account of his particular actions.

He married according to the Leabhar Irse of the Mulconnerys, Mor the daughter of Roderic O Connor, king of Connaught, by whom he had fix fons. The books of the herald's office at Dublin, and the earl of Inchiquin's pedigree published by Keating's translator, assign him as wife Sadhbh, or Sabia, daughter of Teige Mac Carthy, and make her the mother of his fon Turlogh O Brien. Whether this be true or not, it is natural to think the authors of the Leabhar Irse were not mistaken in giving him as wife the daughter of Roderic O Connor, as he was high best friend upon all occasions, according to our different annals above cited. He had fix fons as abovementioned, according to the faid authors. viz. 1. Connor na Catharach, surnamed Slaparsalach or Spattered Robe, king of Thomond, who succeeded his father in the throne of Munster. A. D. 1120, and whose reign and family are treated of in the next title. 2. Turlogh, who was king of Munster after the death of his brother Connor, A. D. 1142, and from whom are descended

descended the O Briens of Thomond. 3. Teige Gle, who by the interest of O Connor of Connaught, became king of Thomond in prejudice of his elder brother Turlogh, A. D. 1122. As the military and state transactions of this prince are severally pointed out in the reigns of his brothers Connor na Catharach and Turlogh, I refer the reader to the histories of those princes.

In the mean time as to what regards this Teige in the genealogical way, I shall observe that he is the ancestor of a noble family of the O Briens who were the antient possessors of the isles of Arran near Galway, and of Tromraith with feveral other landed properties in the county of And we find in John Magrath's Influ History of the Revolutions of Thomond, called Caithreim Thoirdhealbhaig, written by the author, A. D. 1459, that Donal son of Teige, surnamed Aluinn, or Comely, otherwise called Sean Teige was in actual possession of the estate of Tromraith and held his residence at that place in the year The same history mentions, that said 1277. Donal O Brien fent his two fons, by name Mahon and Donal Oge O Brien, to affift Turlogh O Brien son of Teige Dalouisge against the earl Thomas de Clare, who came that year to the affiftance of Brien Ruadh, faid Turlogh's uncle. The above Teige Aluin O Brien was the fixth direct descendant from this Teige Gle, or Nest, according to all the genealogies that I have feen of this family. The chief and direct reprefentative of this noble branch of the O Briens descended from TeigeGle, was John OBrien, lately living

z at his own estate of Moyvainine and Clus in the county of Limerick; who had a alled Thady O Brien, an officer of known vain the queen of Hungary's service. I have y possession an authentic copy of a public innent figned by the mayor and bailiffs of the of Galway the 30th of March 1588, (John e being then mayor and Walter Martin and nony Kirrivan bailiffs) and counterfigued by cander Dermot notary public; whereby they by to queen Elizabeth in favour of Morrogh : Turlogh O Brien then living, "That the 1ac Teiges of Arran, his ancestors, were uner her majest y and her predecessors, the temoral captains or lords of the islands of Arran nd their territories and hereditaments elsewhere, under the names of Mac Teige O Brien of Arran, time out of man's memory; and that hey had feen the faid Morrogh Mac Turlogh ) Brien authorised by all his sept, as chief of hat name and in possession of the premisses s his own lawful inheritance, as more at large. ay they, doth appear in our books of records. wherein he continued until of late he was by the usurping power of the O Flaherty's expulled, from whom it is taken by some inquest found in her majesty's favour. We say, moreover, add they, that the fept of Mac Teige O Brien of Arran, fince the foundation of this city and town, were aiding and affifting to ourselves and our predecessors against her majesty's and her predecessors enemies in all times and places, whereunto they were called as true, " faithful, faithful, and liege people to the crown of Engfaithful, and liege people to the crown of Engfaithful, to maintain, succour, and assist this town.

Thus that public instrument. The above John 0

Brien is the fixth direct descendant from the sid Morrogh son of Turlogh O Brien, mentioned is the preceding abstract, as appears by his genelogy, wherein I find it mentioned by way of a maginal note, that Dermod Mor O Brien, granding of the above Sean Teige or Teige-Aluinn, received twelve tuns of wine as a yearly tribute from the town of Galway, in consideration of protecting the harbour and trade of that city, from a pirates and privateers, by entertaining a suitable maritime force for that purpose.

N. B. A modern compiler of the genealous of the peers of Ireland calls Teige Gle by the name of Teige-a-line (aiming doubtless at his fixth descendant Teige Aluinn) and makes him the fecond fon of Dermod O Brien, and only brother of Turlogh the ancestor of the Thomasi branch, whom he stiles the heir of his said father Dermod, and referves Connor na Catharach, who was his true heir and eldest son, to make a kind of Pythagorean appearance in the world as fecond brother of Donal Mor, and third fon of his own younger brother the said Turlogh. But a foreigner and perfect stranger to Irish annals must be excused in these blunders, gross and inexcusables they otherwise should be deemed.

4. Dermod Fionn, who was a prince of a violent and sanguinary disposition; for, A. D. 1154, he put out the eyes of his own elder brother Teige Gle; and in 1168, by the assistance of Malachy alachy O Felan king of the Desies, aged as he is, he murdered the grandson of his eldest bro-The Connor of the Connor O catharach by name Connor O ien, and soon after dispossessed said Connor's mily of their principality in Ive-Bloid which imprehended Ara and lower Ormond, being werfully supported for that end by his nephew anal Mor O Brien. His family from that time re chief princes of Ive-Bloid till the settlement the children of Donal Mor O Brien in that intry, nevertheless they remained in great andor and held the second rank there, until were entirely dispossessed by the family called c y Brien Ara, and the descendants of Donal anachtach O Brien; which shall be particularly ted in its due place. 5. Dermod Donn, of ofe family we have no account.

5. Donogh, who was a virtuous prince and left After the death of his wife he became an lesiastic, was elected to the vacant see of Kile, confecrated bishop of that diocese, A. D. is; according to the annals of Tighernach's itinuator, and died in four years after that sch according to the faid annals. His dendants and family, highly valuing themselves on this circumstance, and desirous to preserve memory of so virtuous, so honourable an reftor, always distinguished themselves by the ticular title of Clann mic an Easbuig. nily was very powerful, and enjoyed large ites even solate as the reign of queen Elizabeth. e present direct representative of that branch the O Briens, is said to be Francis O

Brien

Brien son of William O Brien, who lately enjoy a small part of the large possessions of his and tors, upon which he resided at a place of Castle Brien, otherwise called Caislean-Rolls Firbhearnain in the county of Clare.

### CONNOR NA CATHARACH O BREE

Connor na Catharach king of Thomond a Slaparsalach or Spattered-robe, the eldest fü Dermod O Brien, was proclaimed king of Ma immediately after the death of his father. A 1120: upon which his brother Turlogh b the second son succeeded him in the soverei of Thomond. A. D. 1121, Connor O Brien Hugh O Heyne king of Ive-Fiachrach-Ai O Flaherty king of the west of Connaught, Lorcan a prince of great valour, with man others of the Conatian nobility, in a battle man Ardfinan; by which means he took revenge the Conatian army for having burned Call Lismore, and other places in Munster that ye under the command of Turlogh O Connor. The king of Connaught returned the same year is Munster with all the forces of Leath-cuinn, remained encamped at Birr in Ormond from first of November to the end of January with committing much hostilities. In the mean he fet all his political engines to work for will drawing the Eugenian princes from their alle ance to the king of Munster; in this project fucceeded so well, that Donogh Mac Carthy other Eugenian princes came to his camp,

I him homage; his next scheme for reducing mor O Brien's power was to fow the feeds of ord amongst the O Brien princes, which he soon ched, by fetting up Teige Gle O Brien in oppoin to his brother Turlogh, whom he by that ans easily dethroned from the sovereignty of formond and made him a prisoner of war; then claiming Teige Gle king of Thomond in his the he decamped with his troops for Connaught Ulster in the month of February of the year ia, according to the annals of Innisfallen and thernach's continuator; according to the latter bese annals. Teige son of Cairthach king of mond, died at Cashel, A. D. 1123; and his hew Cormac son of Muireadhach, son of thach, fucceeded him in that principality. 3. The author of Cambrensis Eversus is guilof a great error and anachronism of no less than years, concerning this Teige Mac Carthy, om he supposes to begin his reign as king of mond, after the death of Connor na Catharagh Brien, who died, A. D. 1142, according to the curring testimonies of all different annals. n 1127, Turlogh O Connor at the head of the ces of Leath-cuinn, marched into Munster, I halted at Corke, where Donogh Mac Darthy 1 a great body of the Eugenians joined him: er which he dethroned Cormac Mac Carthy. er brother of the said Donogh and king of fmond, who thereupon turned to lead a devout : at Lismore, and had Donogh Mac Carthy sugurated and proclaimed king of Desmond in place; he then undertook to make an equal division

division of all Munster between him and Connar O Brien, the reigning king of that entire province. In the same year Connor O Brien, to defeat the projects of O Connor, tending to create a division among the princes of his family. effected a perfect reconciliation between his two brothers Turlogh and Teige Gle, by restoring the former to the feodal fovereignty of Thomond, and the latter to that of Ormond. Then bidding defiance to the usurped authority of Turlogh O Connor in his province, and condemning the unnatural usurpation of Donogh Mac Carthy in Desmond, he repaired to Lismore, where having found Cormac Mac Carthy in a cell, he took him by the hand, brought him back into the world again, and acknowledged him the only king of Desmond: consequent to which he dethroned Donogh Mac Carthy and exiled him into Connaught. In this act of public justice, he had the concurrence of O Sulivan, O Donoghue, 0 Mahony, O Keeffe, O Moriarty, O Felan, mi almost all the Eugenian nobility. This fact is recorded not only in the annals of Innisfallen, but is also mentioned by St. Bernard, in his life of Malachy, archbishop of Ardmagh, cap. 3, in their words, " Conchobharus O Brien vidéns que fact " funt, repletus est zelo, et hinc quidem indigna 66 prædonum libertati et infolentiæ superbonn. 46 inde miseratus regni desolationem et regis de " jectionem descendit ad cellulam pauperis; ci 44 Cormacus, accedente mandato episcopi e " Malachize confilio, vix tandem acquient: " pullis prædonibus, reductitur in fua cum en-" tations

atione suorum, regnoque restituitur suo." In end of the same year, 1127, Turlogh O Contresolving to take full revenge of the king of inster for these proceedings, invaded his proceeding to the annals of Tighernach's continuation of the annals of Tighernach's continuation called Sliabh-Caoin, Ardpadrig, and inallo in the country of Limerick; but being red that Connor O Brien was marching at the inferior of the Momonian forces to give him battle, made a precipitate retreat and arrived in inaught without suffering much loss.

L. D. 1130, Connor O Brien, apprehended La Caomhdhain for stealing several valuable cas out of the church of Clonmacnoiss at the igation of the Danes of Limerick; after which ent the facred pledges and the chief under a ing guard to that place, where he was publication executed. A. D. 1132, he invaded Connaught. iled Maonmhuighe near Thomond, burned mian and brought away a confiderable booty; n after, being affifted by the troops of Conaicne and Meath, he made a second descent n that province, and fought a battle against king of Connaught at Athlone, wherehe gained ignal victory, flew Connor O Flaherty with two the family of Mugron, and burned that town. then destroyed the islands of Buinne and ithe upon the Shannon with fire and sword. owards the end of this year, he fent a flout body troops, chiefly Eugenians, under the command Cormac Mac Carthy, by fea to that province;

in which expedition they battered and broke down the castle of Buna-Gaillimhe, put the garrison to the fword, and made the like hostile descents in several parts of the west of Connaught. 1133, he marched at the head of the forces of Munster and Meathinto Connaught, laid wastethe places called Ruadhbheitheach and Bealatha, and flew Cathald O Connor Rioghdamhna or heir apparent to the throne of Connaught, and Giolla na Naomh O Floinn a chieftain of great note. After which he burned the fortresses called Don-Moghdhairne, Dun-Mor and other places of strength; he then defeated the tribe called Siol Muiridhig in a pitched battle, flew Auliff O Radain chief of the fept called Clann Tumultaig, with feveral others of the Conatian nobility, and made the for of Ineifdir O Handly prisoner of war.

In 1134, he marched against Mac Murchaking of Leinster and the Danes of Dublin, who had revolted against him, and slew Marianus son d Allgort a Danish commander of great reputation, and Aulavius another Danish officer: after which he routed and defeated Mac Murcha in a pitched battle, where the best part of the Lagenian troops and those of Ive-Cinsiolach were left dead on the plain; foon after, he marched at the head of the united forces of Munster, Leinster, the Danes of Dublin, Wexford, Waterford and Corke, into the province of Connaught, with a full resolution reduce that entire kingdom, and receive hoftage from the principal nobility. Turlogh O Conna in this great emergency of his affairs, convinced as he was of his own incapacity to risque a battle with

with O'Brien, and well knowing that prince's piety and obedience to the church of God, sent Muireadhach O'Dubhthaig archbishop of Tuam, whom Tighernach's continuator stiles the pope's legate in Ireland, attended by Hugh O'Hoisin, who afterwards became Muireadhach's successor in that See, with full powers from him to offer the invader any conditions that might fecure his person and states from the danger and desolation which so nearly threatened both the one and the other: the commission however was so well discharged by the archbishop of Tuam, that he perfuaded the Momonian king to grant O'Connor reasonable terms of peace: thus far the annals of Innisfallen; but those of Tighernach's continuator at the same year mention, that they returned without obtaining fuch conditions as they expected from O'Brien; from this circumstance we may reasonably infer, that O'Connor was then obliged to promise obedience and deliver hostages as pledges of his fidelity; which was always practifed by the princes of Ireland, upon the like This circumstance of Turlogh advantages. More's reduction and humiliation by the power of Connor O'Brien, has not been exposed to light by any of the late writers, notwithstanding it's being so well grounded on Irish annals.

In the same year 1134, he marched at the head of the united forces of the provinces of Munster, Leinster and the Danes of Dublin into the province of Ulster, where he destroyed the country with fire and sword, and brought away with him the treasures of Tyrone, out of the cathedral church

of Derry, and three other churches of that principality, in which they had been deposited for the greater fafety. He then spoiled Tirconnel and found immense wealth sheltered in the churches of Raphoe and Rathluirg; after which he marched through the heart of the province into Meath, spoiled that entire principality and brought away the riches of the province out of the cathedral of Clonirard; then croffing the Shannon, he began the like hostilities in Cornaught, and brought away the vast treasures of the province, which he found deposited in the churches of Conga, Eithne, Roscommon, Rosmor, and several other churches of note; after this last expedition he returned triumphant into his own province, enriched with immense treasure of gold, filver, and other valuable effects of all the different provinces of Ireland.

Immediately after this grand expedition Cormac Mac Carthy king of Desmond, and the Eugenian nobility revolted and proceeded to open acts of hostility against Connor O'Brien, so as to penetrate into his camp in the night time with fword in hand, where they committed a great flaughter, in which Donogh O'Brien fon of Brien O'Brien of Glanmire, and his eldest son Dermod were flain, before the king's forces could get themselves in readiness to oppose and repulse the rebellious party. All annalists who mention this fudden mif-understanding between Cormac Mac Carthy and the king of Munster, to whose friendship said Cormac owed his rank as king of Defmond, by having dethroned the usurper Donogh Mac

cause; but as the annals of Innisfallen mention, at Cormac Mac Carthy forcibly took away on the king's camp at this time a part of the sils brought home from Ulster, &c. it may reanably be inferred from this fact, that the rupte took its rise from a jealousy of the Eugenians neering the distribution of those spoils.

In 1135, Cormac Mac Carthy at the head of the igenian tribe marched into Thomond, where did great damages, and killed Cumheadh Mor, king of Ive-Caisin. Connor O'Brien suddenpursued him and gave his forces a total overow, in which Cian O'Mahony king of Raithn or east Ive-Eachach, Mahon O'Donog-and Roderic O'Donoghue kings of Ive-Eachwest, Fiongain O'Keefe king of Gleannamn, O'Felan king of the Desies, O'Connor king Corcomruadh, O'Loghlin king of Burren, hich two last mentioned princes favoured the genian interest) and many other princes of tinction were all put to the sword.

A. D. 1137, Turlogh O'Brien was made a prier by his brother; here the annalists are quite int about this brother's name; yet we may afidently advance, that Teige Gle was the broin there pointed at for that fact, as he had been author of his imprisonment, A. D. 1122, as the been explained at that year. The Eugenian inces in their present rupture and rebellion ainst the king of Munster, must in all appearace have followed the example of Turlogh Connor in availing themselves, as he did, of P p 2

the ambitious disposition of Teige Gle, and his particular pique against his brother Turlogh, to disturb the union and good understanding that sublisted at that time between the princes of the Dal-cassian race. This conjecture feems to be the better grounded, as we understand from the concurring testimonies of the annals of Tighernach's continuator, those of Innisfallen, and the Chronicon Scotorum at the year following, that Cormac Mac Carthy was murdered by Dermod O'Connor king of Kerry-Luachra at the instance of Turlogh O'Brien, whom Tighernach's continuator stiles the son-in-law, gossip, and fosterchild of said Cormac Mac Carthy; besides the probability which arises from this last circumstance to confirm the present conjecture, the said annals furnish us with other strong proofs as shall hereafter appear in its own place, where the like reprisals are made upon Teige Gle by his brother Turlogh, when he obtained the ascendant in Munster upon the death of his brother Connor Nor can we at all suppose the brother who I mentioned to be Connor O'Brien, with whom Turlogh never had the least dispute or mif-understanding before or after this time, that I can learn from any of the annals.

In 1139, Connor O'Brien, at the head of the united forces of the fouth half of Ireland, marched into the territories of Oirgial in Ulfter, where Donogh fon of Cucashel O'Carrol chief king of that extensive principality came to his camp, paid him homage and delivered him two hostages. After which he reduced Conmaicne and brought

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heir hostages. A. D. 1142, Connor O'Brien, the king of all Leath-mogha without contion, and the most powerful prince of the Irish nation very piously and penitentially d his days at Killaloe. His corpse was the interred in the cathedral church in the vault of the O'Brien kings.

continuator of Tighernach's annals, after Connor avowed king of Leath-moghs. to fay, both the provinces of Munster and Leinster, with the capital city of Dublin, these words, Jonnsaightheach Eirionn uile, literally import, that he had invaded, reand required obedience and hostages from other provinces of Ireland, which indeed ufficiently appears from the preceding exf the annals concerning his reign; it is very it to all those who read the Irish annals, ith the princes of Meath of the Niellian race. mbitioned to be stiled kings of Ireland, it standing maxim, as soon as they could have l or reduced to some submission, were it out temporary and of the shortest duration. vo of their neighbouring provinces together hat of Meath, they thought it quite sufficir them to assume the title of monarchs of land; and the same maxim was constantly red by those of the same Niellian race in who never failed to arrogate to themselves me title and dignity of monarch, as foon y had found means to force fome submission the princes of Connaught and those of h jointly with their own Ultonian tribes.

In the mean time nothing appears plainer or more abundantly proved through the whole course of all the Irish annals, than that those provinces from whom the nominal or pretended monarche had, by starts of force and high hand, exterted some fort of exterior submission, always seized upon the first opportunity not only to reneunce fuch a submission, but also to bid open defiance to those high monarchs who had started over them by the chances of war. So that, notwithflanding the offence it gives Roderic O'Flaherty, that those kings of the Saxon Heptarchy, who from time to time were distinguished by the title of monarchs, should have been compared or put upon a par with Irish monarchs, it must be fairly confessed by all unprejudiced persons who have read the annals and histories of both nations, that that high title has been often assumed in Ireland. upon weaker grounds than it was generally attributed to the most powerful kings of the hepter. chy: where it was both natural and necessary. that one or other of the seven kings of that nation should be veiled with a general commanding power, as often as a war with the old Britons or Albanian Scots became unavoidable. But on the whole matter it is a real fact, that the general [v[tem of government among the Irish kings and princes of the Scotic nation, was very nearly if not exactly of the same nature with that of the Saxon heptarchy. Those who would form their judgment rather upon real historical facts, glaringly appearing throughout all the annals of this country, than upon such an Utopian system of Irith

## ILLUSTRATED.

Irish government as hath been imagined and published some years since, would I dare say, make no difficulty, after the first reading of the annals, to acknowledge the reality and truth of what I have here represented concerning the manner of government and exertion of regal power among the princes of the Scoto-Ibernian race.

I shall therefore conclude without hesitation. that according to the annals, Connor na Catharach O'Brien had as good a right to be stiled king or monarch of Ireland, as any other prince that had assumed that title, his great ancestor Brien Borumh alone excepted; who either from the free will of the people or by fuperior power. maintained himself in full possession of the perfect fubmission and obedience of all the princes and states of the whole kingdom. And that foreign writers regarded and stiled said Connor king of all Ireland, the reader will find attested in the following extracts out of the antient records of the abbey of Ratisbon, as they were communicated to the author of Cambrensis Eversus, by Stephanus Vitus, of whom the great Usher makes honourable mention in his British and Irish antiquities. From these concurring testimonies of domestic and foreign writers it evidently appears, that I have not exceeded the real truth in what I have advanced concerning the supremacy of Connor O'Brien over all the other kings of Ireland, during a confiderable part of his reign, a supremacy which was rather encreasing than declining towards the end of his life: what was not common to all his predecessors of the same race; and that

he furpassed all the descendants of the great monarch Brien Borumh, in piety and zeal for the public good of the church and state, may clearly be inferred both from the said extracts of records and from the very literal meaning of his furnames. He was called Connor na Catharach or rather us Geathrach, from his having built feveral cities, caftles and royal feats, of which Cahir-Dun-lafe, the present seat of Lord Cahir in the county of Tipperary was one, and Cahir-Conchubhair in an island of the Shannon in Lower-Ormond, so called from his Christian name, was another; he was · likewise nicknamed Slaparsalach or Spattered-Robe, from his piety and zeal in building churche and monasteries, to which work he was so attentive, that he often mounted the scaffolds to inspect the masonry, on which occasion his robe were unavoidably bespattered with the mortar.

His piety and munificence in founding and repairing the Irish abbey of St. Peter at Ratisbon in particular, are conspicuous in the annexed records, as quoted in the margin. They import in the first place (a) that Isaacus and Gervasius,

(a) Isaacus et Gervasius qui nati erant in Hibernia ex stirse nobiliore, atque egregie a pietate, litteris, eloquentia instructi, quibus conjuncti sunt alii duo Scotigenz Hiberni, Conradus Carpentarius et Guilielmus, ad Hiberniam pervenerunt, et salutato Hiberniz Rege Conchur O'Brien cognomento Slaparsalach, causam ei adventus sui exposurunt; qui cos humaniter excepit; atque post aliquot dis in Germaniam honorisce remisit onustos ingenti vi auri, argenti, et pretiosorum aliorum donorum. Alii Principes Hiberniz amplissima in Germaniam revertentibus munera varii generis contulerunt. Isaacus autem, Gervasius mist

ho were natives of Ireland and of noble exaction, as well as of fingular piety, learning, ad eloquence, to whom were joined Conradus arpentarius and Guilielmus both of Scotic orin and natives of Ireland, after having paid seir respects to Connor O'Brien surnamed laparsalach king of Ireland, explained to him ne nature and cause of their expedition into is kingdom; upon which he received them 10st graciously; and within a few days sent nem back to Germany, laden with an imsense treasure of gold, filver, and other valuable refents. Some other Irish princes made them t their departure very confiderable donations f various kinds: they had been fent to Ireland. continue the records) as legates from Dionyius the abbot of St. Peter's abbey at Ratisbon, who was a native of Ireland, to beg for supolies and alms from the princes of his country: by the help of these pecuniary supplies sent him from Ireland, the abbot purchased a piece of ground in the city of Ratisbon, sufficient for building a new abbey at the east side of the town. And that this abbey was an excellent d finished structure, may be very sufficiently ferred from the following words of the extract. nich import, that ' the erecting so spacious a syster of such famous workmanship, abound-

ant in Hiberniam tanquam Legati a Dionysio Scoto conrrati Petri Ratisbonæ abbate, petituri subsidium et eleemonam a Regibus et Principibus sui soli natalis: his pecuis ex Hibernia submissis emit abbas aream novo monasrio extruendo commodam ad occidentalem partem Rabonæ. ing with Rately turrets, walls, pillars and vault,

with such wonderful expedition, must be whole by attributed to the immense sums of money

and riches furnished for that pious end by the

\* king of Ireland, and by other princes of the

<sup>4</sup> nation (b).

And that Connor O'Brien was the very founder of this abbey is expressly attested in the following passage of its records which imports, 'that Christianus, abbot of the Irish abbey of St. James at Ratisbon, who was a man of noble extraction, being descended from the illustrious family of 4 the Mac Carthys, after the treasures which had been fent by the king of Ireland to Ratisbon were exhausted, and that his religious family were in extreme want of subfishence, at the so- licitations and request of his necessitous brethren, he came to his native country of Ireland, to beg for fome eleemofynary supplies for his poor family, from the most Christian and devout Irish king Donal, and from the other princes of that nation, fince the above mentioned king of Ireland, Connor O'Brien, who was the founder of the said abbey of St. · Peter and St. James at Ratisbon, had been dead for some space of time before (c). The magnificence

(c) Christianus abbas monasterii Scotorum S. Jacobi Ratisbonz, vir nobilis, ex stirpe primaria familiz Macarthy ia Hiberaia,

<sup>(</sup>b) Sciendum est quod nec ante nec post tam magam claustrum tam nobili structura in turribus, parietibus, columnis, testudinibus tam cito erectum et paratum ad pknum sicut illud claustrum, quia abundantia divitiarum et pecunise Regis Hibernize et aliorum principum erat sue mensura.

## ILLUSTR ATED.

well as his correspondence and altiance with the foreign powers of his time, appear with equal evidence from another passage of those records of Ratisbon, where it is mentioned, (d) 'That by a number of Counts and Knights of great power and nobility, and all wearing the holy badges of the cross, whom he dispatched away to fight against the infidels in the Holy-land, he sent an immense quantity of rich presents to Lotharius the Roman Emperor.'

# MORTOGH O'BRIEN, fon of Connor na Catharach.

Connor na Catharach O'Brien, married Sadhb or Sabla the daughter of Connor O'Mulseachlin king of Meath, by whom he had Mortogh O Brien the only son of whom we find any mention in the annals. This prince upon the promotion of his uncle Turlogh king of Thomond to the throne of all Munster by the death of said Mortogh's father Connor na Catharach, A. D. 1142, succeeded his said uncle in the sovereignty

Hibernia, jam exhaustis thesauris olim Ratisbonæ submissis a Rege Hiberniæ, videns suos inopia laborare subsidii humani rogatu fratrum suorum ut novum repeteret levamen ægestatis concessit in patriam suam Hiberniam, ut a Rege Christianissimo ac devoto Donato O'Brien dicto (jam enim vita sunctus sundator consecrati Petri et monasterii S. Jacobi Scotorum Rex Conchur O'Brien) ab aliis Hiberniæ magnatibus impetraret eleemosynas.

(d) Per magnæ nobilitatis ac potentiæ Comites cruce signatos, et Hierosolymam petituros, ad Lotharium Regem

Romanorum ingentia munera misit.

He alway entertained god of Thomond. friendship and harmony with the said Turlor and strongly supported his interest to the day of his death, not only against his uncle Teige Gle king of Ormond, who was generally at variance with his brother Turlogh, but also against the united powers of Turlogh O'Connor and is Conatians on the one side, and of Dermod Max

Carthy, and the Eugenians on the other.

The following sketch of Mortogh's military skill and martial exploits, taken from the concurring testimonies of the Chronicon Scotorum, Tighernach's continuator, and the annals of lanisfallen of the fingle year 1150, will serve to the reader as a specimen of the rest of his actions; for in that year he reduced the king of Offer, and obliged him to deliver hostages; he then laid waste the country of Meath with fire and fword, and brought home very confiderable spoil; after which he invaded Connaught, and brought from thence a great prey and many prisoners of war. Not long after that expedition he marched into the province of Leinster, which suffered the like hostile rigour from his victorious arms; it is to be observed that all these princes and state were his and his uncle Turlogh's declared enemia Turlogh O'Connor and Tiarnan O'Ruark at the head of their respective forces invaded Munster, being fully determined to take ample revenge of the king of Thomond, for having spoiled ther country; in this expedition they were fortunately joined by the Eugenians under the command of Dermod fon of Cormac Mac Carthy, at the foot

ne mountain ealled Sliabh-Mis, where Turlogh Mortogh O'Brien gave them battle; in which Conatians, after a great carnage of their best ps, gave ground and retreated precipitately their own country. Dermod Mac Carthy after iving strong reinforcements from his tribe, ned a second battle with these two O'Brien ices in the territory of Ive-Connal-gabhra. re the Eugenians received a fignal overthrow. were obliged to fly for refuge to the fastnesses [ve-Eachach. The Dal-Cassian princes makgood use of these favourable circumstances. led and laid waste the entire principality of mond, that is to say, from the Black-water to ke, and from the town of Lismore to Brandonin the west of Ireland. Mortogh D'Brien in mean time closely pursued Dermod Mac thy through the defiles of Musgry, and thence Cinneich near Bandon, which place he also led and committed to the flames.

The king of Desmond and the other princes are tribe being driven to these great extremisent repeated embassies into Connaught to begardoph O'Connor's assistance once more against rand his enemies; upon which he sent his Roderic O'Connor in the beginning of the raisin, with a stout body of troops into omond, where they did great damages, and ned down the samous palace of Ceanneora, ich the continuator of Tighernach's annals as the best and the most celebrated regal seat all Ireland. Soon after the return of these nation troops, Turlogh O'Connor at the head of



and reduced the Eugenian familie repose that same night at Corke; a morning marched through Moin-Me unapprehensive of the least dange were suddenly met with and and at united armies of almost all Irelas fought the bloody battle of Moin-N the celebrated Mortogh O'Brien I mond, together with the slower Cassan nobility, were slain, very sew sept either crying for quarter, or field of battle; a circumstance, how able, that did wonderfully weaken the Munster for some years after this bloom to the same and the sa

This Mortogh O'Brien fon of Catharach and king of Thomond, viz. 1. Connor O'Brien, who after his father, A. D. 1151, as now relafucceed him in the principality, as T of Ormond, by his right of senior Mortogh in that sovereignty, and a pality of Ormond to said Connor O small kingdom he peaceably enjoyed

r's death, to the year 1168, when immediafter the death of Turlogh O'Brien, he ned his title to the fovereignty of all Munas heir of Connor na Catharach, and direct of all the O'Brien race. This right he y contended for against said Turlogh's eldest Mortogh O'Brien, whom Connor flew with wn hand; but he was foon after treacheroufly dered by his own grand uncle Dermod Fionn ien, fourth son of Dermod O'Brien and brother onnor na Catharach, as above remarked affiftby Malachy O'Felan king of the Desies. ough this unhappy catastrophe, this prince was ast of the descendants of Connor na Catha-, who enjoyed either the fovereignty of Thod, or that of Ormond. Such of his family et remained chief rulers in the territory called Blaid, which comprehended Ara and Lowernond, being foon dispossessed by the children he above Dermod Fionn O'Brien, who were erfully and effectually affifted by Donal Mor rien to extirpate that principal branch. nor O'Brien left a fon by name Mortogh rien, who was unhappily stifled in a heap of v. A. D. 1181. 2. Turlogh O'Brien, who a fon called Mahon O'Brien, a young prince treat hopes; his eyes were inhumanly put by Donal Mor O'Brien (the constant and ared enemy of this family) at his own house Castle-conuing, A. D. 1175, as were also the s of Dermod O'Brien fon of Teige Gle, at the This fact is particularly recorded in the annals of Innisfallen, and by Tighernach's

nach's continuator at that year. This Mahon also left male issue of which I shall likewise give some general accounts.

## TURLOGH O'BRIEN.

Turlogh O'Brien the second son of Demod became king of Munster, immediately after the death of Connor na Catharach his eldest brother. A. D. 1142; in the year following, he demolified the fortress called Ruadhbheathach in Connaught where he flew a great many Conatians, together with their general Giolla Breanain O'Murcha. whom Tighernach's continuator stiles the governor and superintendant of Turlogh O'Connor's houshold, and the most famous champion of the province of Connaught. In 1144, Donogh Mac Carthy marched with hostile arms to Droithidi-Brien upon the Shannon, where he flew Donorh the fon of Kinnedy O'Brien; after which he marched into the Desies, when he was betrayd by O'Flanagan, and given up into the hands of Turlogh O'Brien, who fent him loaded with chains to Lough-Goir, at which place he soon after expired. A. D. 1145, the Momonian forces under Turlogh O'Brien made great depredations in Connaught, flew Roderic O'Flaherty, and made Teige O'Kelly prisoner of war. Soon after Morrogh O'Maolseachlin and the people of Meath, Teabhtha and Conmaicne renounceded withdrew their obedience from Turlogh O'Boxnor, and proclaimed Turlogh O'Brien supreme king of their states, according to the Chronical Scotorum

rum. In the end of this year, Teige Gle ien was put into close confinement by his ier Turlogh, notwithstanding the mediation ie archbishop of Ardmagh, and the greatest of the prelates of Ireland; however he was t liberty, and restored to the kingdom of ond, A. D. 1146, after a solemn oath of his e obedience, and the engagements of the y in his favour.

D. 1150, Turlogh O Brien, affifted by ogh O Brien son of Connor na Catharach, y defeated and reduced the Eugenians, as been already mentioned in treating of the ndants of Connor na Catharach. A. D. , he escaped by flight out of the bloody e of Moin Mor as above described, in which togh O Brien fon of Connor na Catharach of Thomond, whom the continuator of nernach's annals stiles the second in worth dignity of the Dal-Cassian princes, together the principal chieftains of that martial tribe, lain. After the battle he fled for refuge to own of Limerick, whither he was closely led by the victors and obliged to ransom elf by paying down two hundred ounces of and fixty valuable presents, and then deli-I hostages to Turlogh O Connor. , Teige Gle O Brien in open contempt of slemn oath, and of the facred engagements e clergy, broke out into public hostilities ift his brother Turlogh, whom he dethroned vanished into Tirone, being supported by the d powers of Turlogh O Connor king of Q a Connaught.

Connaught, Dermod Mac Murchadha king of Leinster, and Dermod Mor Mac Carthy king of Desmond; by these princes he was inaugurated and proclaimed king in the room of Turlogh O Brien, and the sovereignty of Munster equally divided between Teige Gle O Brien and Dermod Mac Carthy; in the mean time, Turlogh O Brien was received with great respect by Mortogh O Neil the king of Tirone and principal king of all Ulster, who promised to assist him with his Ultonians in the recovery of his kingdom; here the political and ambitious king of Connaught having now no longer a Connor na Catharach to deal with, refumes the practice of his old maxim divide et impera, in which he effectually finds his account; and the O Briens at the same time are made woefully fensible, that the glory, the dignity of their name has expired with that great prince, who was as successful in baffling his adversary in the cabinet, as in beating him in the field.

In 1152, Mortogh O Neil, Donogh O Carrol, and Turlogh O Brien at the head of all the forces of Tirconnel, Tirone, Oirgial, and Ive-Briuin-Breifne marched into the west of Meath to a place called Ath-Maighne, where being met by Turlogh O Connor, and Teige O Brien, a bloody battle was fought between them, in which the forces of Connaught received a total overthrow, and nine princes of that kingdom were sain, together with nine hundred of their best troops; after which Turlogh O Brien was reinstated in his kingdom with full authority, and Teige Gle had his eyes put out by one of his brothers called Dermod

Fionn O Brien, as above hinted. A. D. 4, Teige Gle piously finished his life at Lise. In 1156, Turlogh O Brien delivered hosts to Turlogh O Connor king of Connaught, ureties of his obedience. A. D. 1157, the es of Limerick renounced the sovereignty of logh O Brien, and acknowledged Mortogh Jeil the king of Tirone, who was then enped at Limerick, as their supreme king.

a 1165, Turlogh O Brien retired to Killaloe and a private and devout life, and refigned the sof government into the hands of his eldeft

Mortogh O Brien. This prince during his ency flew Auliff-mor O Donoghue, furnamed Duimfinighe, at Brughrigh in the county of merick. A. D. 1166, Turlogh returned in his pilgrimage and refumed his authority. D. 1167, Turlogh O Brien king of all Municuntil the fatal event of Moin-Mor, but afwards reduced to the fovereignty of Northunster, departed this life in a penitential and emplary manner.

Turlogh O Brien, according to the Leabhar e of the Mulconnerys, married Raghnait, the ughter of O Fogurty, by whom he had five ns, viz. 1 Murtogh, surnamed na Dun na jiath, who was a prince of great valour, and ed without issue. He was king of Thomond, D. 1165, during the pilgrimage of his father, above explained. He had himself proclaimed ng of North-Munster immediately after his farer's death, in which he was opposed and killed. Connor O Brien, the grandson of Connor na Qq2

Catharach and king of Ormond, A.D. 1168. This Connor was killed foon after by Dermod Fionn O Brien, his own grand uncle, affisted by O Felan, as above related. 2. Donal Mor, who succeeded his brother Mortogh in the sovereignty of Thomond, A. D. 1168; in which year he put out the eyes of his younger brother Teige, surnamed of the Mountain, who was king of Ormond upon the death of the above Connor O Brien; and by that means became absolute king of North-Munster. He soon after became the most powerful king of all Munster; he is the ancestor of the Thomond branch. 3. Brien an Sleibh, or of the Mountain, who became king of Ormond by the deat h of Connor O Brien grand fon of Connor na Catharach, but was unhappily disqualified from governing by having had his eyes pat out by his elder brother Donal Mor in the same year 1168. 4. Dermod, of whom we have no further mention. 5. Confadin, who was ancestor of the family called Clann Constantine, now Consadins: after the death of his wife, he became bishop of Killaloe, and was present at the council of Lateran held A. D. 1179. The books of the herald's office and Keating agree with the above account of the Mulconnerys and Mac Brodins, concerning the wife of Turlogh O Brien; but Tighernach's continuator gives us to understand that he also married the daughter of Cormac Mac Carthy king of Desmond, by stiling the said Cormac father-in-law to Turlogh O Brien, A. D. 1138.

DONAL

## DONAL MOR OBRIEN.

In 1168, Donal Mor O Brien, the second son of Turlogh, was proclaimed king of Thomond immediately after the death of his elder brother Mortogh dun na Sgiath, and his brother Brien an Sleibhe at the same time king of Ormond, but Donal foon dethroned him, by which means he became fole fovereign of Thomond and Ormond both together, that is to fay, of all North-Munster, as above explained. A. D. 1170, he had feveral engagements with Roderic O Connor at the expence of much blood on both fides, in all which he was assisted by a strong party of the English adventurers under the command of Robert Fitz-Stephens, who were fent him by his father-inlaw Dermod Mac Murcha the king of Leinster. By this expedition the English gained their first footing in Munster. A. D. 1171, he paid homage and delivered hostages of obedience to Roderic O Connor, notwithstanding his alliance with the English, and their base encourager the king of Leinster; and in the same year he swore homage and allegiance to Henry the second, king of England foon after his landing at Waterford.

A. D. 1173, Donal O Brien at the head of the troops of North-Munster, retracting it feems his homage to king Henry, broke down the castle of Kilkenny, and destroyed all the English settlements in that part of the country. A. D. 1174, he committed great depredations upon the people. of the country called Ebganacht-Lough-Leane. and greatly spoiled the entire country of Kerry. A.D. 1175, Donal Cavanagh fon of Dermod Mac

Murcha

Murcha the king of Leinster, assisted by a body of the English under the command of Redmond le Gross, and by Fitz-Patrick of Osfory, took the town of Limerick by storm and plundered it. Soon after they returned a fecond time, but the Dal Cassians set the town on fire and then gave them battle, in which the Lagenians and English gained the victory. In the mean time the Conatians spoiled and burned a great part of Thomond. After this Donal O Brien put out the eyes of Mahon fon of Turlogh, fon of Mortogh, fon of Connor na Catharach O Brien, and of Dermod son of Teige Gle O Brien at Castle-Conuing, as above related. Towards the end of this year, Donal was dethroned from the sovereignty of Thomond by Roderic O Connor, who banished him into Ormond, and fet up in his place the son of Morrogh O Brien who was half brother to himself the said Roderic. What likelihood or possibility, that a nation of such a conduct thus divided in itself could long subfift? As Dr. Le-LAND justly observes, "In the midst of intestine " contests and commotions, Ireland seemed ready " to be subdued by the first foreign invader who 66 should attempt the conquest of an inviting 46 country."

A. D. 1176, he made peace with Roderic O Connor, after having paid him homage and delivered hostages of obedience. A. D. 1177, Mortogh O Brien, Donal's eldest son, made an alliance with Miles Cogan and several other knights who joined him with their troops; after which they marched to Corke, and plundered the town. Soon after, Donal O Brien, with Miles Cogan, Philip Braos

Braos and other English knights, committed feveral acts of hostilities against the Eugenian families burned many churches in Desmond. A. D. ■ 178, Donal O Brien at the head of the entire Dal-Cassian tribe, greatly distressed and reduced the Eugenians, laid waste their country with fire and sword, and obliged the dispersed Eugenians Ceek for shelter in the woods and fastnesses **Of** Ive-Eachach on the fouth fide of the Lee In this expedition they routed the O Donovans of Ive-Piginte or Cairbre Aodhbha in the county of Limerick, and the O Collins of Ive-Connaill-Gabhra or Lower-Connallo in the faid county, beyond the mountain of Mangartan to the western parts of the county of Corke; here these two exiled Eugenian families being powerfully Affisted by the O Mahonys, made new settlements For themselves in the antient properties of the O Donoghues, O Learies, and O Driscols, to which three families the O Mahonys were always declared enemies; after which the O Donoghues transplanted themselves to the borders of Loughleane, where Auliff Mor O Donoghue surnamed Cuimfinach had made some settlements before this epoch.

In 1184, a battle was fought between Donal Mor and Dermod Mor Mac Carthy king of Defmond, wherein a great number of Momonians were killed on both fides; after which a peace was concluded between them and their respective tribes. A. D. 1185, he marched into Connaught to assist Roderic O Connor in recovering his kingdom from the unnatural usurpation of his own

own fon Connor Maonmuighe O Connor, whom they foon reduced. Roderic was by this means re-established in his kingdom, and his son pardoned and received into savour once more. A.D. 1188, Donal Mor and the said Connor Maonmuighe O Connor gained a signal victory over the English under the command of John de Courcy. A.D. 1190, a peace was concluded between him and the Eugenian nobility. A.D. 1192, he gave the English a total overthrow at Thurles in O Fogurty's country, and slew many knights. A.D. 1194, Donal Mor O Brien king of North-Munster and principal king of the whole province departed this life, and was solemnly interred in the church of Killaloe.

Donal Mor O Brien, according to the Leabhar Irie, (or book of genealogy) of the Mulconnerys, with whom the books of the herald's office and the Earl of Inchiquin's pedigree agree in this point, married Urlacam, or Curled Hair, the daughter of Dermod Mac Murcha king of Leinster, by whom he had nine fons, viz. 1. Mortogh Dall, who was his father's chief general in all his wars; he was the first that introduced the English into Munster, A. D. 1177, to act with hostile arms against the Eugenians; not withstanding which, the annals fay, he was made prisoner by the English at the commencement of his reign after the death of his father, A. D. 1194, and had his eyes put out by them; he was ancestor of a family of the O Briens, distinguished by the name of Clann Mortogh Dall, his children were obliged to leave the principality of Thomond, during ng the wars of their uncles for the supreme mand, and settled in the county of Ive-d.

Connor Ruadh, who claimed his title to overeignty of Thomond and Ormond, immely after the captivity and misfortune of his brother Mortogh Dall, and had himself proned king of North-Munster; in this he was fed by his younger brother Donogh Cairch, whole factions were more powerful and erous; though we find in our annals that he e said Donogh a prisoner, A. D. 1196, and ted him his liberty foon after in the same ; after which being overpowered, he applied se English for their assistance, who came along him to Thomond, where they did great rages and flew many Dal-Cassian nobles of inction, A. D. 1197; by the help of these cours he recovered the sovereignty of Thond, but was dethroned, A. D. 1198, by his nger brother Mortogh Fionn. In 1200, he perfectly reconciled with his brothers, and D. 1201, he was killed by his nephew Mortogh brien fon of Mortogh Dall, who was also asng to the throne. We have no further acnt of him or of his posterity.

3. Donogh Cairbreach, who contended for the ereignty with his brother Connor Ruadh, as we explained, from the time of his father's th till the year 1198, at which time they were hobliged to lay aside their pretensions, and mit themselves to their younger brother proph Fionn. But Donogh getting into favour

with the English, and paying homage to king John of England at his first landing in Waterford, A. D. 1211, purchased from the said king the lands of Carrigoginniol, together with its lordship, for himself and his heirs for ever, at the yearly rent of fixty marks; he had also the kingdom of Thomond granted him at the same time, and all his other brothers who claimed any title to it, were declared usurpers and enemies to the said king as supreme lord of Ireland. By this political flep, Donogh Cairbreach foon reduced his brother Mortogh Fionn, who was always the declared enemy of the English, and made him a prisoner; but after solemn promises of suture obedience he granted him his liberty in the same year. For the truth of all these facts, see the annals of Innisfallen at the year 1211. In 1214, he united his troops of North-Munster with the combined English forces of the provinces of Munster and Leinster, to spoil and lay waste the territories of Defmond, and reduce the Eugenian families under the English yoke; in this project he did not succeed to his satisfaction, for the Eugenians under the command of their principal king Dermod Mac Carthy surnamed Dungdroighnin, supported the war against them with great resolution and firmness. But towards the latter end of the same year, by the intestine quarrels of the faid Dermod Mac Carthy, and his younger brother Cormac Fionn, contending with each other for the fovereignty of Defmond, the English, under pretence of assisting either the one or the other, but determined to ruin both, flocked into

Desmond, and planted themselves in the west he county of Corke, by building a vast numof castles in different parts of the country: names of these castles as well as of the Enwho built them, are to be feen at large in the als of Innisfallen at the year 1214, 1215, &c. ppears there was some misunderstanding ben faid Donogh Cairbreach and the English ome time after; for, A. D. 1236, Maurice -Gerald, lord justice of Ireland, and Fitzlliam committed great hostilities in Thomond. D. 1242, Donogh Cairbreach O Brien died. was folemnly interred in the church of Kil-This third fon of Donal Mor O Brien is ancestor of the Thomond branch. It is to blerved, that this Donogh's alliance with the lish, which he first entered into for the better porting his quarrels against his brothers, bee very fatal to himself and his family. It the English an opportunity of disposseshim of the town of Limerick and its terris, by which reverse of his fortune, he was red to fix his residence at Cluainramhad near is in the country of Thomond; the success. in the fovereignty or chief command of that itry continued however for some generations s direct descendants to the prejudice of Mor-Dall's posterity; in the same manner, that gan with his ancestor Turlogh son of Der-, and continued in his family to the prejudice hose of Connor na Catharach.

4 . Mortogh

4. Mortogh Eionn, who was a warlike prince and always a professed enemy to the English adventurers. We do not find in our annals what party he joined during the civil wars of his elder brothers Connor Ruadh, and Donogh Cairbreach. but A. D. 1198, he dethroned his brother Connor Ruadh, who then had the ascendant, and had himself proclaimed king of North-Munsters He obliged all his brothers to give their affect to that proclamation and acknowledge him the fovereign. A. D. 1200, he marched at the head of the Dal-Cassians, his brothers Connor Ruadh and Donogh Cairbreach serving as officers under him, against the Eugenians, whom he greatly harraffed, and flew Auliff O Donovan chief of that family with many others of the Eugenian nobility. After which a peace was concluded between him and Donal Mor Mac Carthy, surnamed na Curadh. king of Deimond, by the mediation of Mahon O Heney archbishop of Cashel, who was the pope's legate in Ireland at that time. In 1211. he was dethroned and made prisoner by his brother Donogh Cairbreach, affifted by king John's forces, as above explained, and foon after fet at liberty upon conditions of being obedient to the faid Donogh. Not long after, he became ver powerful and commenced hostilities upon the English, spoiled their settlements and slew many knights; infomuch that they were obliged to apply to Connor O Heney bishop of Killaloe, to make peace with him; by the interest and mediation of this prelate, they even obtained liberty to build the strong castle of Roscres to ferve

e as a barrier against him A D. 1213. year following he was again obliged to humble felf to his brother Donogh Cairbreach, who powerfully affifted by the English against his We have no information from the als concerning the rest of his life; whether he de any efforts for refuming the fovereignty, or per contented himself with a private rank; certain it is according to the faid annals t he died, A. D 1239. This fourth fon of nal Mor O Brien is the ancestor of a family the O Briens known under the name of Clann rtogh Fionn; they made settlements for themres in Ive-Bloid, as did the children of the est son of Donal Mor, as also those of his h fon of whom I shall now begin to give some orical account.

5. Turlogh Fionn, of whom the annals give history; but he left posterity who were distinshed by the name of Clann Turlogh Fionn. erwise called Fionn Bloidig. They had their elements in conjunction with the children of ir above mentioned brothers Mortogh Dal and ortogh Fionn, as also with those of Dermod nn fon of Dermod king of Munster of whom ore, to the east of the river Shannon in the intry then called Ive-Bloid, now comprehending and Lower-Ormond. Of this entire country descendants of Turlogh Fionn were the prinal lords and proprietors, those of Dermod nn being the next to them in power of all those Brien families now mentioned. They were chief supporters next to the Earl Thomas de Clare

Clare and his fon Sir Robert, of the children of Brien Ruadh, in their tedious and bloody war against the children of Teige Caoluisge for the fovereignty of Thomond; but when the victory favoured the latter, A. D. 1318, by the untimely end of Sir Robert de Clare and his fon, they were unnaturally and most ungratefully usurped upon and turned out of their fettlements in Ive-Bloid both by Brien son of Donal, son of Brien Ruadh. and by Mahon fon of Brien, fon of Donal Cannachtach's children, who jointly made a conquest of the most of that country for their own posterity. This historical sketch will, I hope, very abundantly account to the reader for the vaft number of O Briens now living in different parts of Ireland, who think themselves derived from the branch of the above Brien O Brien, called Mac i Brien Ara: not knowing in the mean time, that this country was the common receptacle and place of refuge for all those families of the O Brien name, that had been out of favour with the reigning princes or had any just title to disturb their own often ulurped reigns, or to dispute the sovereignty with their children; which had been often the case. Nor should those dispersed 0 Brien families value themselves the less for not having deduced their origin from the above Brien O Brien, fince they had been more antient possessor of the country of Ara, than the said Brien, and consequently entitled in all justice to a rank superior to those latter possessors of An. But we should be the less surprised at this revolution in prejudice of the united descendants of Dermod

od Fionn O Brien, and the now mentioned f Donal Mor O Brien, as the children of ermod Fionn were guilty of a like usurpapon the descendants of Connor na Cathaas hath been explained in its proper place. ese different revolutions are very plainly to iderstood from the often cited annals of rnach's continuator, those of Innisfallen. ecords of the Mulconnerys, and John th's history called Caithreim Thoirdhelbhaig e exploits of Turlogh O Brien and his en, written, A. D. 1459, concerning the of Thomond, from the year 1267 to 1318. ind in the said history of Magrath, that the onnegans, who, according to antiquaries, of what they called Earnian descent and the t kings of Ara, were deeply engaged in wars of Thomond in favour of Brien h's family; at which time they still retained considerable landed properties and were held rank of dynasts or lords in Ive-Bloid; yet ar no more of them or their possessions in after the time those they were fighting for ttled themselves in that country.

Donal Conachtach, so called from his having sursed and educated in Connaught; he left serous posterity known by the name of Clann I Chonnachtaig; their first possessions were north-west parts of the county of Clare, sich Brien the son of Donal Conachtach ossession of the county of Clare, sich Brien the son of Donal Conachtach offessed, A. D. 1267, when he and his broassisted O Lochlin against Connor O Brien ned na Siudaine, king of Thomond, of which here-

hereafter. At the first arrival of Earl Thomas de Clare in Thomond, to affift Brien Ruadhin the year 1277, Mahon O Brien son of said Brien and grandson of Donal Conachtach, joined that Earl's party in the wars, and thought proper to pass patents from his son Sir Robert de Clare of the estate of Inchiquin with its appurtenances. holding his principal mansion-house at the same time in that island. He possessed a large tract of land in quality of said Clare's fiefee, which extended from the place called Leim Concullin in the west of the county of Clare all the way to Cill-Mac-Duagh. This Mahon had a fon called Donal O Brien, surnamed An Bhearla from his speaking the English language. But after the untimely end of his benefactor Sir Robert de Clare and his son, as also of said Mahon's two fonsat the battle of Disirt-O-Dea, A. D. 1318. he and the rest of his family transplanted themselves into Ara, as hath been explained in the preceding paragraph. In a genealogical Insh manuscript copied in the year 1714. I find that John O Brien was then the direct representative of this branch, and still enjoyed a part of the family estate which is called Cluain-i-Brien in Ara, where he resided. And I am informed, that one Kendal O Brien now living is the grandson and heir of the said John O Brien; his descent from Donal Conachtach is set down in the same manuscript according to the following series: John fon of Teige, fon of Morrogh, fon of Mahon, fon of Teige, fon of Donogh, fon of Donal Duff, son of Donogh an Ghleanna, son of Morrogh

Morrogh Riabhach, son of Donal Glas, son of Turlogh, son of Brien, son of Mahon, son of Brien, son of Donal Conachtach.

7. Brien furnamed Boirneach, from his having been educated at Burren; from whom descended the samily called Clann Brien Boirnig. 8. Connor Guasanach, from whom the O'Briens called Clann Conchubhair Guasanaig. 9. Dermod Fiodhnuighe, ancestor of the O'Brien family distinguished by the name of Clann Dermod Fiodhnuigh. The annals of Innisfallen inform us, that Donal Mor O'Brien had a daughter by name Mor, who was married to Cathal Croibhdearg king of Connaught, she died according to the said annals, A. D. 1217.

## DONOGH CAIRBREACH O'BRIEN.

Donogh the third fon of Donal Mor O'Brien had the furname Cairbreach, from his having been educated in the diffrict of Cairbre-Aodhbha now Kenry in the county of Limerick. According to the Leabhar Irse of the Mulconnerys, with which the books of the herald's office, and lord Inchiquin's pedigree agree in this point, he married Sadhbh or Sabia daughter to Donogh O'Kinnedy of Ormond, surnamed na Fithchille from his skill in playing at chess. By her he had five sons, viz. 1. Connor na Siudaine, who commenced his reign immediately after the death of his father Donogh Cairbreach, A. D. 1242. The annals do not furnish us with any material events transacted by him during his reign, except that of obliging the states of Ive-Bloid and Ormond to pay Rr him

him homage and deliver hoftages for their future obedience, A. D. 1266. In the year following he marched into Burren at the head of the trike called Cineal Fearmaic, whose chiefs were the O'Deas and the O'Haichirs, to check the diffuse dience of the people of Burren, who hearing of the small body of troops he commanded in order to reduce them, joined themselves to the children of Donal Conachtach under the command of Connor Carrach O'Loghlin king of Burren, and gaye him battle at a place called Sindsin, when he was killed, A. D. 1267; from which place of his death posterity gave him the surname of a Siudaine; his body was folemnly interred in the abbey of Corcam-Ruadh, wherein a grand more ment was raised to his honour, the remains of which are to be seen to this day. 2. Turkey, who died without issue, A. D. 1242. 3. Mortogh, 4. Dermod, 5. Teige Dall; of all whose postrity we find no mention.

The annals of Innisfallen give us to understand, that Donogh Cairbreach had a daughter called Sadhbh or Sabia married to Jessery O'Donoghue prince of Lough-Lein: and that they were both burned together with some of their children and friends by Fighnin Mac Carthy surnamed Rams Rion, son of Donal Got Mac Carthy, prince of Carbury, who set the house on sire about them, A. D. 1253. See the annals of Innisfallen at that year. This last mentioned Eugenian prince, to remark it by the bye, was the most formidable enemy the English ever met with in Munster; for besides deseating and killing great numbers of

of them in different rencounters, he demolished all the castles they had built in the south west part of Munster since their first establishment in those parts to his time.

# CONNOR NA SIUDAINE O'BRIEN.

Connor na Siudaine the eldest son of Donogh Cairbreach O'Brien, according to the concurring testimonies of all our often cited genealogical records, married Mor the daughter of Mac Con prince of Ive-caisin in Thomond and ancestor of the Mac Namara; by her, according to the Mulconnerys, he had three fons, viz. 1. Teige Caoluisge, who was an active and warlike prince: he fignalized his courage in a pitched battle fought against the English at Limerick, A. D. 1252; in which hegained a compleat victory and flew many knights; after he was called Caoluige from his rejecting the wages or subsidy offered him by O'Neil as an earnest of the subordination and obedience which that prince pretended a right to from this Teige and other Irish nobles, convoked by way of a national affembly to appoint a chief king against the English, at a place called Caoluisge in Ulster. He died before his father, A. D. 1255.

2. Brien Ruadh, who was solemnly inaugurated and proclaimed king of Thomond immediately after the death of his father, A. D. 1267, which he enjoyed without the least controul, or discontent on the part of his subjects until the year 1276; at which time he was dethroned by his ne-

Rr2 phew

phew Turlogh fon of Teige Caoluige affifted by the two powerful factions of Clann Cuilean whole chiefs were the Mac Namaras, and of Cincil Fearmaic whole chiefs were the O'Deas. After his dethronement he fled to Corke, and there bestowed upon the Earl Thomas de Clare, commander of the English forces in Munster, and upon his heirs by a folemn act, all that part of Thomond which extends from Limerick to the place called Ath-Solais, in confideration of his coming at the head of his English troops to reinflate him in his kingdom. A. D. 1277, Thomas de Clare marched to his affistance, and having re-established Brien in his kingdom of Thomord, he built a strong castle at Bunratty, and then spoiled the country. Turlogh O'Brien assisted by his own friends in Thomond and by the Burks, the O'Kellys, and the O'Madagans from Connaught, gave them both battle on the plain called Magh-Gresain, where Clare and Brien Ruadh were defeated after a great flaughter of the English, among whom Clare's own brother-in-law, the fon of Fitz-Maurice of Kerry, lost his life. The Earl's wife and father-in-law provoked at this lofs, obliged Clare to put Brien Ruadh to death for his having been the occasion of the battle. This treacherous and ungrateful act was instantly perpetrated by the Earl, at his own castle of Bunratty, A. D. 1277. 3. Mortogh of whole posterity we have no account.

## BRIEN RUADH O'BRIEN.

Brien Ruadh the second son of Connor na Siudaine, according to the Mulconnerys, had five Tons, viz. 1. Donogh who disputed the sovereignty of Thomond after the murder of his father, A. D. 1277, against Turlogh O'Brien; but he was foon after driven to the necessity of applying To Donal Mor Mac Carthy king of Desmond to **become mediator in his favour.** Donal complied. with his request, came with him in person to Thomond, and obtained for him the west half of that whole country, while his colleague Turlogh chose the east moiety, A. D. 1280. He was notwithstanding obliged to take refuge in Connaught, A. D. 1282; but returning the same year, he furprized Turlogh's forces in their camp at Sliabh-Eibhle, where he flew many of his nobles and men, by which action he recovered his division of the country of Thomond, as before. A. D. 1283, he was surprized in his turn by Turlogh and his party, and while he was bravely fighting against numbers, his horse being killed under him on the banks of the Forgus, by this fatal accident he was plunged into that river and drowned. Mortogh, 3 Donal, who was ancestor of the family of Mac i Brien Ara, 4. Teige Ruadh, 5. Turlogh who was banished from Ennis by the fons of Teige Caoluifge, A. D. 1284, and died in 1305. Magrath's history mentions, that Brien Ruadh had another fon called Brian, who greatly harrassed the adverse party, A. D. 1311, and brought

brought away confiderable spoils from Tearmon Cronain eastward of Inchiquin in the same year.

The above Donogh eldest son of Brien Rusch had four fons, viz. 1. Dermod who was king of Thomond, A.D. 1311; in the year before that epoch being affished by Sir Robert de Clare, le had reduced the O'Deas and the O'Gradys, and obliged them and their respective states to stift him against his antagonist Donogh eldest sond Turlogh O'Brien then reigning king of The mond. In 1311, he and Sir Robert de Clare fought a bloody battle against said Donogh O'Brien and Richard de Burk of Connaught, next the castle of Bunratty, where said Richard de Burk was made a prisoner and a complete victor gained over his party. After this, Dermod burned the residence of Donogh O'Brien a Cluanramhad, and after the murder of faid Donogh in that year, he was inaugurated and proclaimed king of Thomond. He then benished Mortogh O'Brien said Donogh's brother in Conpaught, who made several bold attempts to retrieve his affairs in Thomond, but was always repulsed with great loss by this prince. Dermod O'Brien died in the year 13:2, being then fok king of all Thomond; 2. Mahon Donn, 3. Teige: these two princes were made prisoners of war by Mac Con Mara, and confined in one of Richard de Burk's castles in Connaught, A. D. 1311; 4. Connor an Fhasaig, who was treacheroully killed by the English, A. D. 1309, 5. Mortogh Mortogh Garbh, who was slain together with his brother the above Teige at the battle of the ab-

bey of Corcamruadh, A. D. 1317.

Donal the third, son of Brien Ruadh, had whree fons, according to the Mac Brodins and the Mulconnerys; viz. 1. Donogh, a brave and warlike prince, who immediately after the death of his cousin german, the above Dermod king of Thomond, fought the battle of Tulagh-O-Dea, A. D. 1312, against the forces of Mortogh O'Brien, affisted by the Burks, the O'Kellys, and the O'Madagans of Connaught, together with the Butlers and Cummins of the province of But being unprovided against that Munster. battle, he was foon routed, together with his brother Brien, to Bunratty. Not long after he gained the ascendant in Thomond, and banished Mortogh O'Brien and his brother and all their party a fecond time into Connaught. which he was solemnly inaugurated king of Thomond on the plain called Magh-Adhair, A. D. 1212. In the year following, by the powerful mediation of the Burks and Butlers, as well as the - O'Kellys and other Irish Conatian princes, he divided the kingdom of Thomond into two equal parts, whereof he ceded the east division to Mortogh O'Brien. In the end of the year 1315, asfifted by Sir Robert de Clare, he banished Mortogh a third time into Connaught, so that Donogh became again fole and supreme king of Thomond. But being for saken soon after by Sir Robert and some of his best Irish friends, he was in his turn banished out of Thomond. In this diffress of his affairs towards the end of the same year,

year, he went into the province of Ulfter to defire the affistance of Edward Bruce, brother to the king of Scotland, who was then committing yiolent acts of hostilities at the head of a numerous army in Ulster. That Scotch invader did not think proper to come with Donogh this year, but upon his second descent, A. D. 1316, the said Donogh conducted him to Cashel, and thence to Aonach, and after that to Castle-Conuing. New this place the troops of Mortogh O'Brien, affilial by the English, hindered their passage over the This check joined with other circumstances determined Edward Bruce to return to Ulster, leaving Donogh O'Brien and his friends to thift for themselves. A. D. 1316, Donogh was taken into fayour again by Sir Robert de Clare for political reasons, and by that means restored to his western moiety of the sovereignty of Thomond. He was flain at the bloody battle of the abbey of Corcamruadh, fought against him by Dermod O'Brien, the brother of Mortogh, together with his ion Brien Bearra, and almost all the descendants of Brien Ruadh, A. D. 1317. It is particularly remarked in Magrath's hitlory, out of which I have taken all the above accounts of Brien Ruadh and his family, that this prince fell by the hands of Feidhlim an Oinig O'Conner prince of Corcamruadh, who joined the party of Mortogh O'Brien and his brother Dermod against him, notwithstanding his quality of subject or tributary dynast to said Donogh O'Brien, as his country was comprehended in the west division of Thomond.

2. Brien

2. Brien king of Thomond, who was colleague and co-partner with his brother in all the different revolutions and changes of his fortune, as hath been now explained. But he very happily furvived the battle of the abbey, wherein he performed great exploits. In 1318, being affifted by O'Carrol king of Eile, he gave battle to the united forces of Mortogh O'Brien, Sir William Burke of Connaught and the Butlers of Ormond, whom he put to flight, and gained a complete victory. After this battle he gained ground in Thomond, and commanded the Irish troops at the battle of Disirt-O-Dea, in which Sir Robert de Clare was killed by the hands of Connor O'Dea prince of that country, and said Sir Robert's son by the above Feidhlim an Oinig O'Connor, and the victory favoured Mortogh O'Brien and his party. In the same year this Brien O'Brien and Mahon' the grandson of Donal Ponnactach O'Brien made a conquest and settlement for themselves and their children in the country of Ara, and expelled the O'Briens called Fionn Bloidig, who had been their constant friends and supporters during these tedious wars, as above explained. In which undertaking they were favoured and affifted by Mortogh O'Brien, with a view to remove his most formidable enemies to that distance from his own quarters. The chiefs of the family of this Brien, second son of Conal third son of Brien Ruadh, have ever fince been stiled Mac i Brien Ara, from the name of that prince.

The Mulconnerys give us the following genealogical account of this Brien and his chief descendants dants and their wives, viz. Margaret the daughter of Turlogh Duff Mac Mahon was the wife of Donal O'Brien and mother of the now mentioned Brien O'Brien. Brien's wife was the daughter of Henry Burk, by whom he had Morrogh Na Reithinidhe. Morrogh married Mar the daughter of O'Kinnedy, by whom he had Turlogh. Turlogh married Onora the daughter of Barry Oge, by whom he had Teige. wife is not mentioned, his son's name was Donal Mor, whose son by name Mortogh Caoch had a fon called Turlogh, who was distinguished by the title of Mac i Brien Ara, and chief of that branch. He married Mor an Uabhair O'Carrol daughter of Donogh fon of John O'Carrol of Muiriartegh, by whom he had five fons, among whom he made the following gavel of his lands of Ara according to the Mulconnerys, viz. 1. Donogh who died before his father and left no male iffue having but one daughter, had no share in the gavel.

and chief of that branch. He possessed sevens and chief of that branch. He possessed sevens castles, among which was that of Castletown whereat the chiefs of the family always resided, as also the castle of Cahir Conchdbhair, formerly one of the Regal seats of Connor Na Catharach as above mentioned, and the castle of Moinruadhand the castle of Palace, together with all their lands and appurtenances. The Mulconnerys stile this Mortogh bishop of Killaloe; and in effect we find that his temporal power and influence engaged queen Elizabeth to attach him to her own interest.

rest, by naming him protestant bishop of Killaloe. whose revenues he enjoyed according to Sir James Ware from the year 1570 to 1613. Mr. Lodge gives the following further account of this first protestant bishop of Killaloe and his descendants; That he married Slaine daughter to Lord Inchiquin and left Sir Turlogh his heir, John who died childless, and three daughters. Sir Turlogh Mac i Brien Ara was advanced to the dignity of a baronet by patent from king James the first, 28th February, 1623, and died without issue in 1626. His wife was fister to Daniel O'Brien of Annagh. He left three fifters his coheirs, viz. Onora married to Lewis Walsh, Esq; Margaret to Thomas Tyrell, Gent. and Mor Ny Brien to Butler, to all whom a special livery was granted of their inheritance 22d May, 1629. Mr. Lodge gives no account of this bishop's ancestors, nor of the succeeding chiefs of the family of Ara to the present time.

3. Turlogh Carrach, who possessed the castle of Bealanatha and that of Cnocan-an-Einfinn together with their appurtenances. 4. Teige Na Buile who possessed the castle of Cill-Colmain and it's appurtenances. 5. Morrogh an Tuagh, who possessed the castle of Tuath-Easagreine and it's appurtenances. These three last mentioned brothers were bound to pay all kind of homage and obedience to Mortogh their elder brother, and depend on him for protection of their rights against their enemies. The same records of the Mulconnerys take notice, that this was the third gavel or division that had been made of the princi-

pality

pality of Ara from the first conquest of that country by the above Brien O'Brien, grandson of Brien Ruadh to the time of this Turlogh O'Brien and his children now mentioned.

#### TURLOGH O'BRIEN.

The father of this prince, who was Teige Caoluifge the eldest fon of Connor Na Siudaine, according to the Mulconnerys, married Fionnduala, or Fairhaired, daughter to Kinnedy O'Brien fourth fon of Kinnedy, who was the fifth son of Morrogh surnamed of the Steeds, of whom above in the reign of Donogh O'Brien. The earl of Inchiquin's pedigree makes her Fionnuala the daughter of Kinnedy, without mentioning his surname, which would lead one into the error of thinking him an O'Kinnedy. The books of the Herald's office justly call her Fionnwola daughter to Kinnedy son of Kinnedy son of Morrogh an Iona (rather Na Neach) O'Brien.

This Fionnduala O'Brien, according to our Leabhar Irse of the Mulconnerys, bore two sons for Teige Caoluisge O'Brien, viz. 1. Turlogh from whom the history of John Magrath, entitled Caithreim Thoirdhealbhaig, or the exploits of Turlogh, takes it's name, as already signified. A. D. 1276, being encouraged and assisted by his friends and softerers, he dethroned his own uncle Brien Ruadh king of Thomond, which circumstance gave the first sooting to the English in that principality, as appears from the preceding account. After the unhappy death of his campetitor

## ILLUSTRATED.

competitor Donogh son of Brien Ruadh, A. D. 1283, he became sole prince and sovereign of Thomond; banished said Donogh's brother Turlogh Oge out of his seat at Innis-An-Laoi, and built a castle in the same place, A. D. 1284. In the year following he spoiled and laid waste the entire district of Tradaruighe with fire and sword from the river Shannon to the sea shore and from Tiobraid-Na-Huinsion to the very walls of Bunratty; that is to fay, through the whole extent of the possessions of the English in Thomond in those days. A. D. 1287, he gave battle to the earl Thomas de Clare commander in chief of all the English of the province of Munster, whom he slew together with Gerald Fitz-Maurice, Sir Richard Taaffe, Sir Richard Deceiter, Sir Nicholas Feling, after a general flaughter and deroute of the English subaltern officers and common foldiers. A. D. 1304, he received hostages from the different Irish princes of all North-Munster, and broke down the English castles of Cathair-Cinnlis, Inis-Aulisse, Fiodh-Mogain, Magh-Nailbh, Bealach-Eachaille, and Galbally, and put the different garrisons to the fword. A. D. 1305, he laid a close blockade to Bunratty, drew lines of circumvallation round the castle, and erected a bridge of timber, which extended over a neck of the sea for the commodious battering of the said castle, and would have soon obliged Sir Robert de Clare said earl's son to surrender, had he not offered him his own conditions of peace. A. D. 1306, he died at his caftle of Innis-An-Laoi and was folemnly interred in the the abbey of that place, which he had built not long before.

2. Donal, who was a prince of great valour and well skilled in the art of war. A. D. 1276. he fought the battle of the Abbey of Clare against Mahon O'Brien the grandson of Donal Connachtach and the tribe called Cineal-Dongaik whose chief was O'Grady, and defeated them very fignally. In the year following he surprised and defeated the English auxiliaries who were coming to the aid of the Earl Thomas de Chre for whom he waited a considerable time at the entrance of a wood called Coill-Druinge, by which means he baffled the schemes of that Early and obliged him for his own fecurity to renounce the interest of his favourite Donogh, son of Done third fon of Brien Ruadh, and even to banift that prince into Desmond. He was villanously stabled with a poignard in time of peace by an English soldier belonging to the garrison of the castle of Quinhie, A. D. 1280. The history of Magrath mentions that he had a fon who diffinguished himself in these wars. We have no further accounts concerning him or his posterity.

DONOGH O'BRIEN, MORTOGH O'BRIEN, and DERMOD O'BRIEN, kings of Thomond.

The above Turlogh O'Brien the eldest son of Teige Caoluisge and father of these princes, manied Sadhbh or Sabia the daughter of Philip son of Giolla Caoimhgin O'Kinnedy, according to the Leabhar

ibhar Irse of the Mulconnerys. The books the herald's office call her Sadhbh or Sabina ighter of Giolla Caoimngin, son of Kinnedy The Earl of Inchiquin's pedigree ikes Orlaith daughter of Donal Mor Mag rthy his wife, and the mother of the above artogh: and I have feen another pedigree writin Irish, which assigns him as wife and mother the faid Mortogh, the daughter of Cumheadha r Mac Namara. The Mulconnerys mention. t Turlogh O'Brien had five fons by the above ned daughter of O'Kinnedy, viz. 1. Donogh o was inaugurated king of Thomond, at Maghhair soon after the death of his father. A. D. 36. In 1309, he defeated the forces of Derd son of Donogh, son of Brien Ruadh and se of the O'Briens of Ive-Bloid or Ara, and w Donal O'Grady chief of the tribe called acal-Dongaile, with some other nobles of dis-Stion: after which he marched to the affiftance Sir Richard de Burk in Connaught, and renderhim great services in reducing the Clann-Muirrtaigs and Fianachtys, and spoiling their In 1311, after his defeat near the castle Bunratty, and the taking of his good ally chard de Burk prisoner at the same battle, he on after rallied his troops, and marching to take renge of his enemy the above Dermod for this feat and burning his palace of Clonramhad, he is inhumanly murdered at a place called Gleannoin by Morrogh O'Brien furnamed Mainchin 1 of Mahon, son of Brien, son of Donal nachtach who was one of his own generals, and

in whose fidelity he mostly confided. Leabhar Irse informs us, that he had bestowed the revenues of his principality for one year towards the support of the poor friars of the abbey of Ennis and for enlarging and adorning the faid abbev.

This Donogh O'Brien the eldest son of Twlogh, had a fon called Brien O'Brien, who was not powerful enough to vindicate his right to the fovereignty of Thomond, either for himfelf or his children, after the long reigns of his two uncles Mortogh and Dermod O'Brien, hereafter to be accounted for. He was ancestor of the O'Brien families, diftinguished by the name of Siol Briain na Gceall, and Glean na Caoin; their two branches of Donogh's posterity I find are still fublishing, though in an obscure and indigent manner, having long fince been deprived of their restates by the general missortune of the times. As these O'Briens constitute the direct line of the Thomond branch descending from Teige Cacluisge, I therefore have caused particular enquires to be made in the county of Clare concerning the O'Briens of this line, and whether any reputed representative or chief of the whole family may still exist. After the strictest researches, I have lately received the following information from a person of undoubted veracity and credit, as well as knowledge in genealogical affairs, viz. that Mortogh O'Brien whom my informant personally knew, and had lately spoken to at Gleann-Caoin in the county of Clare, is the undoubted and true representative of the O'Briens of Gleann-Caoin; and **.:**.

and that he has a fon by name Donogh O Brien, who now or lately lived in Dublin, in rather a low than an opulent condition; that the said Mortogh's father was Connor O Brien the son of Donogh, whose father was Brien son of Connor O Brien, who was the last possessor of the family estate of Gleann-Caoin, and whose genealogy is recorded in several old manuscripts now in my possession; wherefore the whole pedigree of the above Mortogh and his fon Donogh traced up to Teige Caoluifge proceeds according to the following feries. Donogh O Brien fon of Mortogh (both now living) fon of Connor, fon of Donogh, fon of Brien, fon of Connor, fon of Brien, fon of Connor, son of Brien, son of Mortogh, son of Turlogh, fon of Brien, fon of Donogh king of Thomond, eldelt fon of Turlogh fon of Teige Caoluifge. I am also well informed, that several particular persons of that other branch of Donogh's posterity which were called the O Briens of Deall, do still exist in the said county of Clare.

2. The above Mortogh, ancestor of the last Princes and Earls of Thomond, who after the unhappy death of his elder brother Donogh O Brien, was supported by Fitz-William de Burk in the fuccession to that principality, and inaugurated at Magh-Adhair, A. D. 1311, but not being able to withstand the power of Dermod, grandson of Brien Ruadh, he fled for refuge into Burk's country, as has been before explained. A. D. 1312, he obtained an equal division of the country of Thomond from faid Dermod by the interest of his said allies, and after the demise of his

his colleague in the same year, he became very powerful. A. D. 1313, he defeated the forces of Donogh and Brien O Brien the grandsons of Brien Ruadh at Tulach-O-Dea, where Morrogh Maincin O Brien the assassin of his brother Donogh was flain by the O Kellys of Connaught his auxiliaries. Notwithstanding this victory he was soon after forced to quit Thomond. 1314, he was greatly harraffed in several skirmishes by the English of Ormond; after which he was generously entertained by the Burks and the O Kellys of Connaught, and returning, A.D. 1314, he burned the English town of Bunratty to the ground except the castle; but by the desertion of O Shannaghan and his tribe called Cineal-Rongaile, he was obliged to refuge himself in Connaught as before. A. D. 1315, he made peace with Sir Robert de Clare, by which means he foon routed Donogh O Brien his chief adverfary into Connaught and obliged Brien O Brien his brother to take refuge in the island of Innis-Cealtragh upon the Shannon.

In 1316, he was chosen by all the English of Munster convened at Limerick to command the English and Irish troops which were designed to attack Edward Bruce and his Albanian Scots. In the latter end of the same year, being encouraged and accompanied by the chief Butler of Ireland, he went to the parliament of Dublin to complain of Sir Robert de Clare for always affisting Donogh O Brien the grandson of Brien Ruadh, who had been the guide and conductor of Edward Bruce into Munster, and who consequently ought

ought not to be affifted by any of the king of England's forces against his own interest, who at the head of the forces of Thomond had opposed the passage of that invader over the Shannon, and had afterwards joined his subjects to the English of Munster, assembled with a view of giving battle to the faid Edward Bruce. He returned from the parliament in company with the fame lord Butler, A. D. 1317, during which year he enjoyed great tranquillity in consequence of a glorious victory gained by his brother Dermod in his absence over the descendants of Brien Ruadh at the abbey of Corcamruadh. A. D. 1318, he narrowly escaped being made a prisoner of war by Brien O Brien assisted by O Carrol prince of Eile. He soon after disposfessed Mahon O Brien grandson of Donal Conachtach of his principal residence in the island of Inchiquin, and Ipoiled his entire country which extended from Leim-Conchulan to Kill-Mac-Duach. In the same year he was present at the battle of Disirt-O-Dea, where Sir Robert de Clare was flain by Connor O Dea the warlike prince of Cineal-Fearmaic, and faid Clare's son Feidhlim O Connor prince of Corcamruadh. furnamed An Oinig or the Hospitable, before Mortogh had time to join them; after which he entirely defeated all those that remained of Sir Robert's party; foon after the battle he possessed the castle of Bunratty and expelled Brien O Brien the grandson of Brien Ruadh, and the above Mahon grandson of Donal Conachtach, together with their children and friends to Ara beyond  $S f_2$ the the Shannon as above related; he afterwards enjoyed the sovereignty of Thomond in great tranquillity, and died A. D. 1333, according to John Magrath's history.

a. Dermod, who was a brave and military Prince. The first mention made of his military exploits in Caithreim Thoirdhealbhaig is at the battle of Tulach-O-Des, A. D. 1313, where he wounded Mahon O Brien above-mentioned in a personal engagement: upon which Mahon and his troops retreated with precipitation from the field of battle, and Brien Ruadh's descendants following their example, a general deroute en-Tued. A. D. 1314, he rendered great fervices to his brother Mortogh in Corcamruadh. And in the year 1317, being appointed regent of Thomond by his faid brother during his ablence at the parliament of Dublin, he commanded the troops of his moiety of Thomond at the oftenmentioned battle of the Abbey of Corcammadh, where he gained a compleat victory over all the descendants of Brien Ruadh. By which single act of his valour and military conduct he secured the fovereignty of Thomond in possession of the posterity of Teige Caoluisge. He became king of Thomond, A. D. 1333, after the death of his brother Mortogh and died in the year 1355. according to the above chronological history of John Magrath, out of which I have taken the above ample account of the wars between the two families of Teige Caoluige and Brien Ruadh which began A. D. 1276, and ended in 1218, as above mentioned. I find no account of this Dermod's

# ILLUSTRATED.

Dermod's posterity. 4. Connor. 5. Donal furnamed Unithneach, from his having been nursed at Owny in the county of Limerick. Of whom I have found no further mention.

# MORTOGH O BRIEN.

Mortogh O Brien the second son of Turlogh, married Edsoin daughter of Mac Gorman, who it is said, was originally of Lagenian descent. The books of the Herald's-office agree with the Mulconnerys, in calling his wife Edina daughter of Mac Gorman, and mother of Mahon Menevy: But the Earl of Inchiquin's pedigree gives him as wife Sadhbh or Sarah the daughter of O Kinnedy. and makes her the mother of said Mahon. Leabhar Irse mentions, that he had three sons by his above-mentioned wife Edgoin, viz. 1. Mahon furnamed Maonmuighe from his having been born and educated in that country adjoining Thomond in the province of Connaught during the time of his father's exile. He succeeded his uncle Dermod O Brien in the fovereignty of Thor mond. A. D. 1355, notwithstanding the seniority and prior rank of his cousin german Brien, son of Donogh, ancestor of the above family of Gleanacaoin. &c. It is recorded of this prince in the faid Leabhar Irse, that he obliged the English of the county of Limerick to pay him the kind of tribute which the Irish called Dubb Cios, or Black Rent. He reigned as king of Thomond for the space of twelve years, according to the Mulconnervs and the chronological poem of Eugene Magrath.

of Inchigain's pedigree published by Keating's translator mentions, that his wife was the denotines of a prince of Leinster descended from Daire Barrach, an antient king of that province But this writer does not feem to know who he was or of what family descended from the above king. The person pointed at by him without doubt was the above mentioned Edina daughter of Mac Gorman, whom that translator should gather have flied the mother of Mahon Menery give his wife. A rate English writer who was a periect firanger to the idioms of the Irish langrage, imisses him in that affection, but with this great difference between them that our Fnglish gentleman calls Mahon's wife the daughter of Daire Barrach, who was king of Leinster, according to all our Irah writers, at least eleven hundred years before his daughter is supprifed to marry Mahon Menevy O Brien; a very pleasant piece of chronology! The Mulconnerys aftign feven fors to Mabon by his wife Una O Conner, viz.

1. Brien furnamed Catha an Aonaig, who immediately after the dethronement and expulsion of his uncle Turlogh as abovementioned, got himself proclaimed king of Thomond, A.D. 1370. In the fame year he fought an obstinate battle at Aonach a town in Lower-Ormond against his said uncle, suffied by the English forces under the command of the Earl of Deimond, whom he entirely defeated and routed after a great slaughter of their officers and men, and made pritoners of war in the heat of the action Garret or Gerald Fra-Maurice, Fitz-Thomas, Fitz-Gerald Earl of Desmond.

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Desmond, and the Lord John Fitz-Richard, and the Lord John Fitz-John with many other English nobles of the first rank. From this victory at the batthe of Aonach, the furname of Catha an Aonaig has been given to the faid Brien. In the annals of Augraftin Magradoigh, of which I have an old copy by way of supplement to Tighernach and his continuator, I find it mentioned, that king Richard the second of England, being arrived in Ireland, A. D. 1394, this Brien Catha an Aonaig then made his addresses to that king in the town of Dundalk. where he paid him homage for his principality of Thomond; a step he doubtless judged necessary for maintaining himself in the possession of that estate against all future attempts of the Earls of Desmond in favour of the above expelled family. He was prince of Thomond for thirty-fix years, according to the Mulconnerys and the chronological poem of Eugene Magrath. He died, A. D. 2406, and is the ancestor of the Earl of Thomond's family.

2. Connor, who immediately after the death of his elder brother the above Brien, was solemnly inaugurated and proclaimed king of Thomond, A. D. 1406, and reigned according to the Mulconnerys for the space of eight years; after which, in 1414, according to the said antiquaries, he judged proper to resign his sovereignty of Thomond into the hands of his nephew Teige na Gleadh Moire, his brother Brien's eldest son. A rare example of a peaceable disposition and disinterestedness in a sovereign prince of those days, when the Tanistic-law and the example of his predecessors

predecessors gave him a full constitutional right to that principality. This prince is ancestor of the O Briens of Carrigoginniol or the country called Pobal-Brien in the county of Limerick. married Mary O Brien the daughter of Teige O Brien chief of the Counagh family, by whom according to the Mulconnerys he had three fons, viz. 1. Dermod who died without male issue, 2. Brien Duff ancestor of the princes of Carrigoginniol, 3. Donal, who was bishop of Limerick according to the Mulconnerys; though Sir James Ware does not mention him in his catalogue of the bishops of that see; which by the bye, does not invalidate the testimony of those antiquaries: it being well known, that his said catalogue is defective in several places. In my copy of the Leabhar Irse of the Mulconnerys, the transplantation of this family to Carrigoginniol is referred to the year 1449. According to this chronology it would feem, as if Brien Duff was the first possessor of that estate, although the Mulconnerys as well as Eugene Magrath in his chronological poem give us to understand, that his father Connor retired to Carrigoginniol with his family in the above mentioned year, that is to fay, thirty-five years after his relignation of the fovereignty of Thomond. I have observed above from the annals of Innisfallen at the year 1211, that Donogh Cairbreach O Brien king of Thomond, received patents from king John of England for the estate of Carrigoginniol and the country of Pobal-Brien, at the yearly fee or rent of fixty marks. But I understand by other records, that

Earls of Defmond afterwards became chief ds of the faid country: and from this I conde, that they favoured Connor O Brien and fons, in fettling themselves at Carrigoginniol, the same manner as they had behaved in favour the O Briens of Cumeragh; for it was a notant maxim with the Desmond family to enurage the injured branches of the Thomond Briens, in order to divide and weaken that hole tribe of which they were always very alous.

The above Brien Duff married Mary the aughter of Teige Mac Mahon prince of Corhasken in the county of Clare, by whom he an only fon called Donogh O Brien. This snogh married Margaret the daughter of Kinnedy prince of Ormond, by whom he had even fons according to the Leabhar Irle; beween these sons he made an equal gavel of the nds of Carrigoginniol, according to the faid Mulnnerys, who expreisly mention and describe the Everal divisions assigned to each of them. The me antiquaries add, that none of these eleven Tons left male posterity of any duration except Donogh's fourth fon by name Mahon O Brien. This Mahon had two fons according to the Mulconnerys, viz. 1. Donogh ancestor of the direct line of this family, of whose present chief and representative I shall speak by and by. 2. Morrogh or Mortogh (for in all our Irish writings in the abbreviated way, these two names which equally fignify bold and expert at sea, are written in the same manner and with the same letters) who as I find

and in my Irish manuscripts had a son called Turlogh; in that part of the Leabhar Irie of the Mulconnerys, which treats of the Earls of Defmond and their genealogy, I find it recorded that John Fitz-Thomas Earl of Defmond, who died. A. D. 1536, and was the fourth fon of Earl Thomas, who had been beheaded at Drogheds in 1476, married Mor O Brien daughter of the chief O Brien of Carrigoginniol, whose name is not otherwise mentioned. By comparing the time of the faid Earl John Fitz-Thomas with that in which Mahon O Brien must have lived according to the above chronology, it is evident enough, that the faid Mor O Brien was the daughter of the faid Mahon O Brien of Carrigoginniol; and this appears the more evidently well grounded, as I find in one of my old manuscripts, that the above Morrogh O Brien and his fon Turlogh O Brien, obtained a landed fettlement in the barony of Kneatallun and county of Cork by way of a feodal property deriving under the faid Defmond family; which fettlement it is natural to think. Mor O Brien interested herself in procuring for that younger branch of her family; the above barony of Kneatallun had been given as a marriage portion by the Lord Barrymore with his daughter the wife of the Earl Thomas, and mother of Earl John the hufband of Maura O Brien, according to the Mulconnerys.

The present chief of the direct line of Carrigoginniol descended from Donogh the son of Mahon above mentioned, I am well informed is Daniel O Brien, a youth who lives at Glin in the county

## ILLUSTRATED.

county of Limerick, whose father was Morrogh O Brien son of Daniel O Brien, whose father was also Daniel the son of Donogh, whose genealogy we find in several old manuscripts, according to the following series of lineal descent from Connor O Brien king of Thomond and ancestor of the Carrigoginniol family, viz. Donogh son of Brien Duff, son of Donogh, son of Donogh, son of Donogh, son of Brien Duff, son of Connor king of Thomond.

3 Mahon Menevy's third fon was Turlogh. 4. Mortogh, 5. Dermod, 6. Teige-Bacach, from whom are descended the O Briens of Bally-gerriden, according to the Mulconnerys.

# BRIEN CATHA AN AONAIG.

Brien Catha an Aonaig the eldest son of Mahon Menevy married Slany the daughter of Lochlin Laidir Mac Namara, prince of Ibh-Caisin in Thorrond, according to the Mulconnerys, with whom Lord Inchiquin's pedigree agrees in calling her Slany ni Mac Namara; the faid Mulconnerys mention, that he had three sons by the said Slany, viz. 1. Teige na Glaodh Moire, who immediately after the refignation of his uncle Connor O Brien ancestor of the Carrigoginniol family, was inaugurated king of Thomond, A. D. 1414; he fought the battle of Beal-atha-lighe, against O Kelly at the head of a powerful body of Conatians, whom he fignally defeated. After a reign of twenty three years according to the Mulconnery's and Magrath's poem, he was dispossessed and dethroned throned by his younger brother Mahon Dall, A. D. 1437. This prince according to all our accounts died without issue.

- 2. Mahon Dall, who after he had dethroned his elder brother as now mentioned, was inaugurated king of Thomond, A. D. 1437. He reigned according to the faid records for five years and fix months; at the end of which he was dispossed in his turn by the factions and clans of his younger brother Turlogh Bog. This prince left a for called Donogh O Brien, of whom hereafter.
- 3. Turlogh Bog, who after he had dispossessed his elder brother Mahon Dall of the sovereignty, got himself solemnly inaugurated king of Thomond, according to the Mulconnerys, A. D. 1442. The said antiquaries inform us, that this prince gave a signal defeat to James son of Garret Fitz-Gerald the above-mentioned earl of Desmond in two pitched battles, the one happening at Gleann-Fogurta and the other at Bally-an-soyl. He reigned in Thomond for the space of eighten years, and died in 1460. He is the ancestor of the Earls of Thomond.

The Leabhar Irse mentions, that Brien Cathan Aonaig had a fourth son called Brien, who was only half brother to the above mentioned kings of Thomond, his mother being the daughter of one of the Earls of Desmond. The same records mention that he was ancestor of the family of Eachdroma.

#### DONOGH OBRIEN.

Donogh O Brien the fon of the above Mahon

Dall fecond fon of Brien Catha an Aonaig immediately

liately after the death of his uncle Turlogh , was inaugurated and proclaimed king of amond, A. D. 1459, according to our faid. bhar Irse: these records mention in like nner that he reigned in Thomond only for two es; at the end of which, though then (respecely to his opponents) the only rightful heir h by the natural and Tanistic law, and a most us benefactor to the church, he was dispossesand routed away by dint of faction and achery. A truth which Eugene Magrath exesses in these pathetic terms, 'Gur sgrios sala gus feall an mac: Caradh na Gceall an Grìobh hlat;' words which are as strong a proof of poet's fincerity and love of truth, while he was iting under the power of a prince, of whom he pended for his bread, and upon whose branch now cited verses threw a very sharp and well bunded censure. This Donogh was the imdiate stock of the family stiled Siol Mbriain Siortha or the expelled O Briens, so called. ause their father Donogh and they were forced By for refuge and new settlements beyond the This prince died in 1462, foon ≥r Shannon. r his expulsion.

Note, that in the genealogies of the Earls of tomond and Inchiquin, published by Keating's inflator, as also in later pedigrees of the Thomond family, I find Brien Catha an Aonaig asted to be the stock of the O Briens of Cumegh: what might have given occasion to that istake in my opinion is this, that those generalists being traditionally informed, that the Briens of Cumeragh were forcibly expelled out

of Thomond, and having otherwise known, that a family of the O Briens descending from Brien Catha an Aonaig by his son Mahon and grandlen Decogh were expelled their country after the said Brien's death, this gave occasion of their confounding those expelled families one with another, so as to mistake the former for the latter; nor is it natural to think, that he should have expelled his own son Mahon and grandson Donogh, who both enjoyed the principality long after said Brien's death; but on the other hand, that Brien Catha an Aonaig should have undertaken and effected the expulsion of his uncle Turlogh and his children, is very natural to think, they having a Tamistic right to dispute the possession with his children.

# TURLOGH BOG O BRIEN

Turlogh Bog the third fon of Brien Catha an Aonaig, and ancestor of the Thornond family, married Catherine Burk the daughter of Ulick Fitz-Walter of Tuath-O Luigheach, according to the Mulconnerys. The Earl of Inchiquin's pedigree affigns him Slany the daughter of Lod-En Laidir Mac Namara, who was his motheraccording to the Mulconnerys; what tecms very remarkable in the publisher of that Earl's pedigree, is that he affigues the same woman as wife and mother to this Turlogh Bog, and would fain make us believe they were two different women by filling his wife Slany ni Mac Namara the daughter of Lochlin Laidir, and calling ha mother Slany ni Mac Namara, without telling is her father's name.

Turlogh

Turlogh Bog had by the above Catherine Burk nine sons, according to the Mulconnerys, viz. Teige an Chomhaid, so called from his having built a castle at that place situated in Burren. This prince assisted by his brothers and friends dethroned his cousin german Donogh son of Mahon Dall, and expelled him and his family beyond the Shannon eastward as above hinted, after which, according to the said antiquaries, he was inaugurated king of Thomond, A. D. 1462: his chief residence was at Inchiquin, that being the seat of the eldest son; he died after a reign of six years according to our accounts in 1468; he is the ancestor of the Thomond branch.

- 2. Donogh, whose residence was at Cahir-Kelly, this prince was bishop of Killaloe according to the Mulconnerys; he is the same bishop of Killaloe, whom Sir James Ware in his catalogue calls Terence O'Brien murdered at Innisclusinravada in the year 1460, for which he quotes the Ulster annals.
- 3. Connor Mor ha Sron, who immediately after the death of his brother Teige an Chomhaid was inaugurated king of Thomond according to the Mulconnerys, A. D. 1468. In the last year of this prince's reign, which was in 1496, he fought an obtinate battle against Gerald Fitz-Gerald Earl of Kildare, then lord lieutenant of Ireland, near the castle of Bally-Hicky, which that Earl took soon after by assault together with the castle of Fiadh-Beg and other castles in Thomond, belonging to Florence Mac Namara. See the annals of Sir James Ware at this year.

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This prince died in the same year 1496, and lest posterity who were called the O'Briens of Saluidhe in the county of Clare. The chief representative of that family, as I am credibly informed, is Morrogh O'Brien who now lives near Emis in the said county.

4. Turlogh Oge, furnamed Giolla Duff, who immediately after the death of his brother Council Mor na Sron, was inaugurated king of Thomosd, A. D. 1496, according to the Mulconnerys and Sir James Ware's annals; he reigned for the space of two years and three months, according to the said antiquaries and Eugene Magrath. His family had their estate at a place called Bally-mic Dubhda, according to the said Leabhar Irse. He died in the year 1498.

5. Mahon, whose family resided at a place, called Kill-clanoy, and possessed the lands annexed to that place. 6. Morrogh whose samily enjoyed the lands of Bally-Grioffa. 7. Kinnedy, 8. Brien Geancach which two last mentioned some died without issue. 9. Mortogh Beag.

#### TEIGE AN CHOMHAID O'BRIEN.

Teige an Chomhaid the eldest son of Turlogh Bog, married Anabella Burk dat gh er of Ulick Fitz-Ulick an Fiona usually tuted the Mac Uilliam of Clanrickard, according to the Mulconnerys, with whom the Earl of Inchiquin's pedigree agrees in this place. He had six sons by his said wife, according to the Leabhar Irse, viz. 1. Turlogh Donn, who immediately after the death of his uncle the above Turlogh Oge, surnamed

named Giolla Duff, was inaugurated King of Thomond, A. D. 1498. In the year following, according to our faid accounts, and Sir James Ware's Annals, he fought a bloody battle at the place called Muighe-Ailbhe in Ormond, against Pierce Butler, Earl of Ormond, whom he fignally defeated. Sir James Ware further says, that the magistrate of Kilkenny was killed therein, and that the dissension took its first rise about certain lands and limits which each of them claimed to The same Leabhar Irse adds, that he foon after defeated the same Earl at a place called Knuck-tuagh. The annals of Sir James Ware at the year 1510, expressly mention, that being affisted by James eldest son of Maurice Earl of Desmond, and Mac William Burk, he deseated the Earl of Kildare then lord lieutenant deputy, at a place called Mointrarr, and took away the spoils which that Earl got in Desmond. He was king of Thomond for twenty nine years according to the Leabhar Irse and Magrath, with whose computation Sir James Ware perfectly agrees by assigning said Turlogh's death to the year 1528.

- 2. Donal, who possessed the lands and estates called Tir-Mac Brien Ceathrumha Duss, and Dunn-Hogan, according to the Leabhar Irse, these lands he gavelled among his four sons, viz. 1. Brien, 2. Teige, 3. Connor, 4. Mortogh.
- 3. Donogh whose principal residence was at Drom-Fionnaglaise; he had sour sons, viz. Mortogh, Teige, Dermod, and Brien na Corcaidhe. This Brien's estate according to the Mulconnerys, was called Cahir-Corcarain and Castletown, which he divided between his six sons, viz. Mahon, Tt 2 Morrogh,

Morrogh, Dermod, Connor, Mortogh, Teige an Phonaire.

4. Mortogh Garbh. 5. Morrogh, both which princes died without iffue; 6. Dermod Cleireach, who possessed the lands called Ceathrumham-Madruidhe, according to the said records, which mention that he had six sons, viz. Donal magnetic description of the said records, which mention that he had six sons, viz. Donal magnetic description of the said records, which mention describes the said of the said records and said of the said records and said reco

#### TURLOGH DONN O'BRIEN.

Turlogh Donn the eldest son of Teige an Chomaid, married Raghnait the daughter of John fon of Sioda, son of Mac Con, son of Lock lin, son of Commheadha Mac Namara chief of that family, according to the Leabhar Irie. The Earl of Inchiquin's pedigree affigns him as with Ioan Fitz-Maurice daughter to lord Fitz-Maurice vulgo Balbus, Lord Baron of Kerry and Lixnaw and mother of the faid Earl's ancestor Morrogh; hence we may infer, that he had two wives. The Mulconnerys mention that he had five fons, viz. 1. Connor, who immediately after the death of his father, was inaugurated king of Thomond, according to the said antiquaries, A. D. 1528; after which he reigned for twelve years and died, according to the Leabhar Irse and Eugene Ma-The annals of Sir James Ware grath in 1540. fix his death at the year 1539.

2. Donogh, who is stilled Tanist of Thornond by the said Mulconnerys, and of whom they make no further mention.

3. Morrogh,

# MORROGH O'BRIEN.

3. Morrogh, who was folemnly inaugurated ad proclaimed king of Thomond, A. D. 1540, on after the death of his eldest brother Connor; this year according to Sir James Ware, he atered into a league with O'Neill, O'Donnel, and O'Connor to meet together at a place called oure, and then to maintain their liberties with nited forces against the English. But that the and justice Brereton at the head of eight thousand inglish forces having intelligence of it, soon revented the measures those princes had taken. The same annals add, that in 1541, the deputy ir Anthony Saintleger proposed certain conditions t for that time in Limerick, at the request of forrogh O'Brien. In this year Henry the VIII. as declared king of Ireland, a title never before iven to any of the kings of England, they being itherto stiled lords of Ireland. A. O. 1543. ais Morrogh O'Brien following the example of 'on O'Neil king of Tirone who had the year efore renounced his title of O'NEIL or king of firone, and received that of Earl of Tirone in s place, he in like manner submitted himself to ne lord deputy and then fetting fail for England, e disclaimed his name of O'BRIEN and with his title of king or prince of Thomond, and cansferred all he possessed to king Henry then esiding at Greenwich. Here Morrogh was reeived as tenant deriving under the king by letters atent dated the first of July, and solemnly reated Earl of Thomond during his life; he alfo

also procured for himself and his heirs male, the title of Baron of Inchiquin. Ulick Burk received letters patent at the same time of the Earldon of Clanrickard, after having first disclaimed his name of Mac UILLIAM. And the king also gave to Donogh O'Brien the son of Connor (said Morrogh's eldest brother) by his wife Honora daughter of the above Ulick Burk, the title of Earl of Thomond for life, after his uncle's death, together with the dignity of Baron of Ibracken to himself and his heirs male. The Mulconnerys and Magrath give this Morroghi reign of twelve years, and Sir James Ware place his death at the year 1552. From him descended in a right line the present Earl of Inchiquin by his eldest son Dermod; and from his second so Donogh is descended Sir Lucius O'Brien, Baronet, of the county of Clare.

4. Teige, who was killed by a shot at a place called Ath-an-Chambuis, upon the river. Suite, by Pierce Butler Earl of Ormond, after he had spoiled and laid waste the country of that East with fire and sword; his troops not with standing carried his corps together with the spoils, into Thomond, where he was solemnly interred at Ennis according to the said Mulconnerys.

5. Dermod, who died without issue.

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# BREHON LAWS

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LAND.

# PREFACE.

 ${f T}_{f O}$  this Number we have added part of the Laws of the antient Irish, commonly known at this day by the name of Brethon, or Brehon Laws. The most part of the Fragments which have come to our hands, were collected by the learned Mr. Lhwyd; who, in a letter to the Royal Society, published in the Philos. Trans. No. 386. Baddam's Abr. Vol. 5. p. 492. informs us, 'That he had procured in divers oparts of Ireland about 20 or 30 MSS, in ' parchment; and tho' he consulted O'Flaherty, author of the Ogygia, one of the chief Irish critics, and several others. they could fcarce interpret one page. What is most valuable among them (adds ' Mr. Lhwyd) is their old Laws, which ' might give fome light to the curious, as ' to their national Customs.' These MSS. were part of the Chandois Library, and are now the property of Sir John Seabright, Bt. Two volumes of this collection we have been favoured with, which were evidently of Mr. Lhwyd's collecting, his name being written

# PREFACE

written in the first folio; and these contain about forty pages of the Laws. Another Fragment of these Laws, is in the Library of Trinity College, Dublin; a third was discovered in the British Museum; and a south Fragment we have been obliged with by the Rev. Archdeacon Mahon, one of these sewed this country who think its Antiquities deferving attention. Of all these we have been permitted to obtain copies.

THE word Breith, the root of Breithe omhan, or Brehon, has, with many other antient Gaulic words, been wonderfully preserved in the Iberno-Celtic. From head the Romans formed Vergobretus, the name of the Brehon, or chief judge of the Gaulh which, in its primitive orthography, was written Feargabreith. Bochart, contrary to his usual manner of treating etymologia, expresses himself dubiously of the word Vergobretus: vox videtur composita ex Syris פרואם farga, et ברחום partum, quarum ille mutationem, hæc summum præfectum & me deratorem sonat; inde Galli Vergobretus wcant præfectum.—de Colon. Phæn. lib. 1. c. 42. Fearg, in the Iberno-Celtic, and Fergen, in the Teutonic, signify Præfectus, and are certainly derived from the Syrian or Phœnician Farga, which by a natural commutation of letters, was written Vergo

## PREFACE.

by the Romans: thus Fearg Feine in Irish signifies the chief of the regular troops; and Fearg flann ruadh, the blood covered leader of the army. Etiamnum hodiè Vierg dicitur supremus magistratus Augustoduni (i. e. Autun in Burgundy) Du Cange. The latter part of the compound bretus, is from the Celtic breith, which signifies either the Judge, or the Sentence.

THESE Laws were entitled by the antient Irish, Neimead, Feanacas, and Seanacas; and by the moderns Breith-neimead: which last, O'Flaherty and Lynch have rendered in Latin by Judicia Celestia. The Hebrew root nam or neum, and the Chaldaic namos (a) signify a Law or Decree; which is written nimos in the Arabic, and nomos in the Greek. (b)

THE Grecian name of Mercury was Nomius, from the Laws of Eloquence which he founded. The Lacedemonians named their Laws Nome (nomoi) not because the promulgation

<sup>(</sup>a) (a) nam. Heb, constitutum. a nam fit nemousa Syr. Lex, inde Nipos. nimb Irelandice ad nam pertinet. Thomassin. Gloss Hebr.

<sup>(</sup>b) Nizas. Lex Arist.—nipus; etiam cantilena, ut Latini dicunt modum, modos, modulos, legesque metricas. Plin.—Nomeria, consuetudines & jura Monasterii de, Regula in Aquitania. Labbeus, tom. 2.—Nomisma, Demostheni, coeterisque scriptoribus Græcis sumitur pro consuetudine, more & lege non scripta. Du Cange.

promulgation of them was by finging, but from the Hebrew root nam. These Laws were fung by the Bards and Legislaton. and probably in verse; hence nomoi came to fignify a Poem: thus neimead, in Irish (the Celtic termination ad being postfixed) is a Poem, or any learned Composition. (c) The word is indifferently written in Irish naim naidhm, nimh, naomh, and neimead. (d) In the dialects of the northern nations, nemed, naemed, nembda, nempda, nemdæ, signified the Judge, Jury, or Sentence; (e) and this is undoubtedly the true meaning of the Irish neimead. Feanacas, or Seanacas, another name of these Laws, literally signifies, the cause, mode, or manners of the Tribes or Antients. Breith also implies the judgement, mulct or fine; and Breith-neimead, literally means the Sentence of the Law:

11

(c) Neimead. Lex. Poema. Lhwyd.

(d) Neimead. i. e. gach dan, no gach ealadhan. i. e. any poem or learned composition. Mc Naughton, MSS.

tinet. Bochart. Chan. lib. 2. cap. 7.

(e) Nembda, in jure Sueonum vetusto Judicem significat. Stiernhook. p. 31. 52.—Nembda, nempda vet nemda, non judicem, sed coetum duodecim proborum seu legalium hominum significat, Hudolph. c. 11. See also Olaus Verelius.—Nemda idem est duodecim juratorum numerus seu jurata apud Angles, quod nemda apud Danos, Suecos & Norvegos, a quibus per Normannos in Angliam investum. Hicke's, Ep. p. 37.

nust be observed, that the running Title he old parchments, from whence these ws were copied, was written simply nead. In the course of this work we ll also find naomh, or neimead, so far from plying celestis, that it signifies a noble, or of dignity, either in Church or State; example, brath naomh cathadhbha codl, the remnant of noble Champions: neover, it is often annexed to inanimate ngs, as crann neimead, a noble Tree, &c.

THE Irish antiquaries have treated this ject of their Laws very superficially: y have enumerated several codes, enact-by different princes, but have not ught proper to publish the Laws, though ny acknowledge they had seen them. us they have presented to us a number dark and obscure shadows, without uging us to converse with real men.

THE Welsh attribute their oldest Code written Laws to Hoel-dha, or Hoel rus, who reigned early in the 10th ceny; (f) and the Scots ascribe the Regiam viestatem, the oldest institute of their ws, to David II. who lived in the bening of the 13th century (g). At what period

f) Leges Wallicz. Wotton, przefatio.

g) Home's Introduction of the Feudal Law into land.

period our Irish Brehon Laws were enacled, we do not pretend to determine. Some of them are prefaced with a declaration, that they were the Pagan Laws, revised and corrected by Patrick: some are evidently of more modern date; and others, apparently the most antient, inflict the fine on the Pagan culprit, to be double that on the Christian in similar cases: yet this does not prove they were older than the establishment of Christianity in this kingdom; for historians gave the opprobrious name of Gentile or Pagan to the northern invaden of the 9th and 10th centuries. that they will be well received by the Publick, without further historical remarks, a plain and literal translation is attempted.

Wr shall concude this Preface with an account of the law Books of the antient Irish, which Duald Mc Firbis, an antiquary of the last century, informs Mr. Lynch were in his possession. (h)

1. BREITHE-NIMHE, compiled from the antient Fileas, by the three brothers Faranan, Baethgal, and Maeltuile, in the 8th century. 2. Meill-breatha, a book written for the unlearned, by Modan son of Tolban, about

<sup>(</sup>b) Cambrensis eversus. c. 20. p. 157. O'Conner's Differt. p. 125.

ut the year 177. 3. Fiondsuith, written Fiatach, in the reign of Cormac O'Cuin, ut the year 260. 4. An Teacht-breath, 5. An Fuighealiscellany of Laws. th, a supplement to the Laws; to which ubjoined a tract, intituled Fotha-moir, ing forth the true office of a Judge, and errors which subject him to a privation 6. Fotha-beag, on the is Jurisdiction. ws of Partition. 7. Taid-bhreatha, on 8. Corasfinne, rules for the reguon of the Tanast Districhts. g. The k of Cain, or Mulcts, faid to be pered at Cashel by prince Feidlim, anno : to this work is added Eidgheadh. iting of crimes against the Laws, written he 3d century by Cormac O'Cuin and fon Cairbre Liffecair. 10. Dula, by rbre Liffecair, said to be taken from mey Rofgadach, who is supposed to e flourished 300 years before the Chris-11. Cain Fuitribhe, of prescripıÆra. and long possessions, written in the 8th tury. 12. Fonn Seancas-mor; after the eption of Christianity, St. Patrick, is to have affisted in this great work ged from Druidical Superstition: it is ntioned in the annals of the four masters, Mr. O'Conner, and the loss of it is irreparable.

irreparable. (i) 13. Cain Drubhartaigh Bearra, treated of maritime and commercial affairs: this Code, it is said, came forth about the same time with the Seancas mor. 14. Cain Lanamhna mor, shewed the several relations of Society. 15. Faidh Feneachas, a Miscellany. 16. Cain Borochta, relating to property in Herbage, Herds and Flocks.

In this pompous catalogue, not a word is said of the sumptuary Laws, we now offer to the Publick, which appear to be as antient as any of the above Codes; and are the more curious, as they detail the several classes of the antient Irish people. The remainder of our Fragments are miscellaneous, and relate to every subject mentioned by Mc. Firbis.

(i) This Code is now in the British Museum, No. 432. Bibl. Harl. it begins thus: Is a Seancas mor commus of nor nethal maith doule, agus ole di maith. i. e. This is the Seancas mor distinguishing good from evil, and evil from good. It is written on parchment, on 30 pages in solio, and was copied for the Editor of this Collectanea; but the copiest understanding neither the Language or the Character, has rendered many parts illegible.—Several of the Laws contained in our Fragments, are to be sound in this Code; but as they are not placed in the same order, it appears probable, that they were enacted a different times. O'Flaherty says, that this Code we composed by Sean, son of Aigid, anno mundi 3922. Ogyg. p. 218. Tantum antiquitatis curseque majoribes pro Hibernica gente suit!

# ANTIENT LAWS

O F

# IRELAND.

# FRAGMENT I.

In the Possession of Sir John Shabright, Bart. being Part of the Collection made by Mr. Edw. Lhwyd for the Chandois Library.

#### ORIGINAL.

TRANSLATION.

MESTA Mugdorn ingen Mogha fri cum: nuinge no boin noda criad no con frith ara ruicctha ainmes tairse nochissi cetna cum: cetaragaib broin inna laim la firu Erenn. Mugdorn ingen Moga ni condichet meis Moga \* \* \*

Mugdorn daughter of Mogha (a) estimated the following articles to be paid by the men of Ireland, by cumals (b) of cows, or by ounces in lieu of them. And what Mugdorn did was confirmed by Mogha

MSS. defaced.

TT .

2. Teachta

(a) If this be Mogha nuadhad, he was killed at the battle of Maghleana, or Moylean, in the King's county, A. D. 192. according to the Irish annals. See Collect. p. 426. where his daughters names are said to be Caoimhniall and Sgoithniamh. Mugdorn, i. e. masculine hand, might also have been the sirname of one of these; but that we leave to be cleared up by the Irish historians.

(b) A cumal is three cows, or two cows and a heifer, as explained in some parts of these Laws; but here it seems to signify a gross number of horned cattle, and used as a

verb. See Law 2. A royal cumal was 6 cows.

#### ÓRIGINAL.

- 2. Teachta fuillime gell (d) aiccde airgit, dir: comdire fri bes comailtuir aris for dartib ro fuidiged fuill: a dire.
- 3. T. f. g. aiccde airgit Oc-airech dir teora dartib.
- 4. T. f. g. aicede airgit each Bo-airech for cuic dartib direanar.
- 5. T. f. g. aiccde airgit cach Airechota fuide coruicce Airigh-forgill direnar deic dartib la aithgin.

#### TRANSLATION.

- 2. The lawful value of a filver bodkin (c) is by custom to be paid in cumals of heifers.
- 3. The lawful value of a filver bodkin to an Oc-airech is 3 heifers.
- 4. The lawful value of a filver bodkin to a Bo-airech is 5 heifers.
- 5. The lawful value of a filver bodkin to every Airech (or noble) up to an Airech-forgill is 10 heifers.

6. T. f. g.

(c) We are not told whether this be a bodkin for the cloathing or for the hair, for it appears that the antient Britons wore them in their head dress. See Whitaker's Manchester, Vol. 1. b. 1. sect. 7. See also plate 1 of 2d number of this Collect. which tho' too large for the head, has some resemblance of those on Whitaker's Coins.

(3) Aiccde, 1. dealg. commentator.

We have here the feveral Ranks or Degrees of the antient Irish. The fifth Law includes every degree of Nobles, from the Bo-airech to the Airech-forgill. These are particularized in a subsequent Law, relating to the seasof Burial; and as it is necessary the Reader should be made acquainted with them, before we proceed, we shall her insert it, viz. Pees to be paid for Hymns sung at the burials of the people, from the Rustic to the King. 1st, Imma Oc-airech 3 seoit. 2d, Imma Bo-airech 5 seoit. 3d, Imma Airech-des

#### OFIRELAND.

#### ORIGINAL.

#### TRANSLATION.

6. T. f. g. aicede airgit cach Airig-forgill dosli cuic dairte dec a fuillem lainrac naithgin.

6. The lawful value of a filver bodkin to an Airech-forgill, of the lowest rank, is 15 heifers.

7. T. f. g.

Airech-desa 10 seoit. 4th, Imna Airech-ard 15 seoit. 5th, Imna Airech-tressiu 20 seoit. 6th, Imna Airech-forgill 30 seoit. 7th, Imna Righ, seacht cumula, i. e. for singing Hymns for an Oc-airech 3 cows,—for a Bo-airech 5 cows; -for an Airech-desa 10 cows; -for an Airechard 15 cows;—for an Airech-tressiu 20 cows;—for an Airech sorgill 30 cows;—for a King 7 cumals, or 42 cows.—Here are 7 degrees or classes of people exclusive of the King, viz. 1st, The Airech-forgill, i. e. whose defcent and genealogy was known and established. 2d, Airecb-treffiu, i. e. one who had ennobled himself by conquest. 3d, Airech-ard, i.e. a Chief or Warrior. 4th, Airech-defa, i. e. one possessed of landed property. 5th, Be-airech, i.e. one whose wealth consisted in Cattle. 6th, Oc-airech, i. e. one who had obtained rank by skill in Poetry, Eloquence, &c. and 7th, the Ruftic, or Peasant. This divifion exactly corresponds with the ranks or classes of the people, according to the antient Ægyptians, as we are informed by Herodotus. Airech is compounded of two Phænician words, ari and Rach, the first signifying a Lion, and the latter a King, from the Hebrew Rachas or Ruchfe, fignifying the exaltations or proud liftings up of the people: hence Aryus, Dux Solymorum; & Ari-el, i. e. leo dei; virorum fortium cognomen apud Moabitas Bochart. Chan. lib. 1. c. 1. & 14. From the Celtic Airech is derived the Greek A'exis, i. e. magistratus, principatus, and A'exergitai, reges, apud Spartas; to which, prefixing the Celtic mein, i. e. magnus, is formed the Greek compound μο αρχης a Monarch, and not from μότο, folus, as most etymologists have devised.

Erech, fays Mr. Byrant (in his Mythology of the Antients) was the most antient title of the supreme, and hence Erechthoth, vel Erec-Oeus. So the temple built at Argolis was called Arach yes, in honour of Arach Noah. Aire and Rach are often view in the Irish separately, as in many other Languages; the Arimandia is a noble War-

Uu 2

#### TRANSLATION.

- 7. T. F. g. aiccde airgitt Rig no Suad (1 OlL: file) ro suidigedh for tricait dairte adire la aitgin airget mbruithe.
- 8. Ma teccmai lith laithe no Dail nothocomrace tuaithe manitoire a gell do noset besid fiu dossi lan logaenech do cach fomiad la eraice do neoch do ruirmesem dismachtaibh agus aithgenaib.
- 7. The lawful value of a filver bodkin to a King, or Professor (a bard, or Ollamh) is 30 heifers, if the same be made of refined filver.
- 8. If any one imprifons, lets or detains another for debt on festival days, or on those days the states are convened, he shall make full satisfaction to the Noble and Warriors; which sine shall be equal to the Eric of the assistant.

9. T. f.g.

rior in the Basque or Biscayan tongue. Ara-chana (Hibernicè Aire Cean) is a King in the Tartarian dialect. Arr rabbee (Hibernicè Ari-rach vel righ) is the title of King among the Otaheites. See Cook's Voyages. Hence the Saxon Are, i. e. honor, reverentia, decus, gloria, respectus, Somner. And also the land are of the Saxons, corresponding to the Celtic Aire-dessa. Hence, also, the solution proper names of Kings and Princes: Arassin, Longobardus Beneventi Dux. ab Antiq. Sax. Are. i. e. Honor & Teut. Geits, aviditas, Argobastus, Francus, Comes Occidentis. Archebo'd. Pranomen Scotis samilian Ard aricus, (airech-ard) Astro Gothorum Italorum Res. Ari-balish, Longobardorum Italorum Rex. Ari-balish, Longobardorum Italorum Rex. Ari-balish, Longobardorum Italorum Rex. Ari-balish, Longobardorum Dux. See Skinner's Etymologica Onomasticon. Aire-toga, or togu, frequently occurs in these Laws, literally signifying the chosen Chief of a Tribe, to lead them forth when called on by the prince:

#### OF IRELAND.

#### IGINAL. TRANSLATION.

- . f. g. etaig fogcaich do melar a direnar comairechaib feibe ndairte ifuillem etach besid fiu n la aithgin.
- 9. The lawful price of fervants cloaths is alike to all degrees of (e) Airech feibhes, and 7 heifers is the price of each fervants cloathing.
- T. f. g. etach lith dir: comdire da ibh febe alid namuin besid siu iteoraib tresib iide dia teccmai no dail na thoacc tuaithe nos n nadratha dosli for fer darsancenn diren:
- ro. The lawful price of cloaths for holydays is alike to all Airech febes, and they are to pay for the fame in 3 gales: but if any skirmish or dispute shall happen on this payment on the Convention days of the States or holydays of the Ollamhs, the perfon found guilty of such a fray shall forfeit his Eric. (f)

11. T. f. g.

hirech feib, says the Commentator, includes all de-Nobles, from the Bo-aire to the King: Na gradh ile is Aire febe o Boaire gu Righ. ric signifies the fine, which by the Laws is enactbe paid for murder. This will be fully explained equel.

leretoga in the old Saxon, is a Conductor of an arlertogb in the Netherlands, and Hertzog with the 1s, means a Duke, (dux) all which are derived from tic Aire-toga. Togu is not a corruption of Taois-Chief, or Prince, as Mr. Whitaker has afferted in mology of Tascio and togu, discovered on the coins, busines; togadh, in the Celtic, is to elect or chuse.

TRANSLATION.

- 11. T.f. g. etach fognama cach Rig domelar cach dia direnar comdiritt fri etach lithlaithe na nAirech feibe.
- of the cloathing of a King's fervant is equal to that of the holyday cloathing of an Airch febe.
- 12. T. f. g. etach lithlaithe Righ ailidíon iar mbaidib dlig: tre chicht innamuin ferthairfan iteora dechmadaib iarninbaidib dlig: otha fiudiu ma tecemai lithlaithe nothocomrace tuaithe dosli lan logenech for fer lasanndith at an gell daradithat cenn direnar dia dechmaide iar cuimlechtaib fene.
- 12. The lawful price of a King's holydry cloathing, out of grain tude and love to his person shall be valued at three common suits, to be paid at three gales. If any person shall require payment or a pledge on this account on the holydrys afortmentioned, he shall forseit the value of two gales.
- 13. T. f. g. etach fognama Ogairech no Boairech do melar cach dia direnar teora dairtib hifuillem a dire la etach besid siu ina muin araile.
- 13. The lawful price of the cloathing of the fervants of the Ogairech and Boairech is 3 heifer each, to be paid out of their stock.

14. T.f.g

and togu fignifies elected: for example, togh and dhuinn daoine, elect or chuse us out men; hence toghguth, is a suffrage. This may probably assist that learned Author in his Explanation of Togu and Togudumnus. See Hist. of Manchester, Vol. 2. b. 1. c. 9. p. 10. Toga, in the old Saxon, also signified a leader, (dux) Somner and Signer at the word Heretog.

TRANSLATION.

14. T. f. g. etach lithlaithe Boairech no Ogairech ailed etach ina min besid siu, otha siudiu ma teccmai lithlaithe no thocomracc tuaithe dosli leth log doib iar ninbuidib dlig.

15. Anfom ifuillemail gell la: bai briugad na airemad nech acht nech fo da rochethar dagair illiud alliud acetoithim. bo brigad cumal noig ninndib innamuin nochis for cum: deich set conamas in cum: re seancas mor. Leth cum: immuin in tanaisi teora bae imuin na trissi bo. bo immuin cacha bo otha fiudiu ciapa lin cia ba nuaite fertair co lainn aithgena cach ae dia trise coboin inna muin ferthair acetdire dia xde. ferthair amedonach dia mis, ferthair an dedhinach dia trissi for mis.

14. The lawful price of holyday cloathing to the Boiairec and Ogairec is already mentioned; but if demanded on the aforesaid holydays, the fine by the indulgence of the Law is but half an Eric.

15. These are the prices according to the old Code of Laws: it is to be observed, that the cattle have been citimated as if paid on demand. Moreover, if young cattle are rated in cumals. there must be ten such to make up a cumal. and 5 to half a cumal, to be paid in three gales, be the value more or less; one third to be given on the delivery of the goods, one third at the expiration of the fecond month, and the remaining third at the end of the third month.

This, and the fix following, appear to be observations of the Commentators, although written like the rest of the text.

C. V. 16. T. f. g.

TRANSLATION.

16. T. f. g. Cairech caich ro fuidig: icomdire do cech recht fria cethrai olcena. 16. Sheep, according to all Laws, are allowed as lawful payment, and may be given in proportion in lieu of cows.

17. Is dicemachtaib gell la: mucea ar ni tuilletside acht muice imuin araile. 1. cach muicee la aithgin corruicee teora mucea othe suidieu isaithgin namma do sliat cia ba lin ci ba nuaite armuinegetar mucea ce ambos no allog air sni lugu do foglaib so fechat olldas dithorbu dogniat cona urlund an dithma.

17. Swine are forbidden in payment by the old Law; yet one may be given in each payment with other caute in each gale, provided that in the payment of the whole, no more than three fwines be given; and this must be observed, let the number of cows to be given in payment be more or less.

18. An indle ech agus fiscelabra dia do rotsat la nech ni tuillet acht set na muin la aithgin.

18. Horfes and mars are not to be given in payment, but in proportion to their value of cows.

The Commentator addi, they must be double in number to make this value.

19. T. f.g.

## OFIRELAND.

## GINAL. TRANSLATION.

- f. g. Capuill s here, ro fuimdiriu do cach id triech inaaithgin acollna ch ae dia cuiciliu.
- 19. By every law, a horse for draft and a horse for burthen, are esteemed of equal value; from three to five may be given in payment for cloaths or ornaments of the body.
- . f. g. echaige e do cach recht ht heeh besid in mani teccich lugh naala taurchomthe matecmaislan log enech hech beissid amamu la diagena.
- 20. Young horses or colts have their value; but aged horses only being allowed in payment, if the payment should be made at the fair of Lughnasad; (Tailten) or Convention days of the State, and the person should be in possession of colts only, he must pay double in quantity instead of horses.

#### TRANSLATION.

21. Cid forso ro suidiged techta fuillema gill seoit athrebe cach fodlai trebe cia da rotfat dar cenn neich ni ailet acht fet immuin cach ae besid fiu tairice ar trife amal raghab lann agus lainnene, airmed agus sithal, losat agus criathar, mias agus gaimen agus cuad. cherchuill agus fidleastra fo gnama olchena.

21. It is ordained that in small occurrences between one private family and another, where the payment dos not arise to the value of cows or horfes, &c. to any household staff may be bartered, fuch as gridles and washing boards, measures and drinking bowls, loss and sieves, dishes and cups, hides and other of wax, and all kinds of wooden vellels.

# FRAGMENT II.

From the Collection of Sir John Seabright, Br.

22. T. f. g. dob. ben cach Briugad la: cipe aisse ciape a huaisse ni aile acht set inanmiun besid siu laithg: aris rechtaid dilge da ben cach Briugad.

22. The lawful price to be given, according to the old Law for the clothing of a (g) Bruights wife, be the Bruigh no ble or plebeian, is but one cow; for every wife of a Bruigh, shall by the Law be exonerated.

23. N

<sup>(</sup>g) The Bruigh was a person endowed with land as stock by the Prince of each Territory: he was obliged?

#### GINAL.

#### TRANSLATION.

i nach ba 7 7 nach airged tug bean in ingeall uair da fin rabadh da adh dan Briuuilliumh da mnai, no gon eithbh: 23. Neither cows, steeds, filver or gold, is to be given for the payment of the cloathing of a Bruigh's wife: two thirds, or even half of the value, may be paid in provisions or victuals.

N. B. This Number is the interlineation of some Commentator.

f. g. dob. ben 7 Ogairech bert side acht tra ro suidiged 2 fri teora dar-3 ce dimboech24. By the old Law, the lawful price of the cloathing of a wife of a Boairech, or of an Ogairec, shall be repaid by grazing: their surety for the same shall be 3 heifers, until they have fulfilled the grazing of cows agreed on.

N. B. They have liberty of paying two thirds of the value in calves. Commentator. 25. T.f.g.

beds and open table for all travellers. And or petty Prince was compelled, by the Laws to establish a Bruigh in every District belong-

He was obliged to supply all Airechs with s and back-gammon tables, and all mariners s will be more fully explained in the course of

25. T. f. g. cacha mna rindas. 1. in bhanbhard, la: ma do roth is diles dosui diu aige fine caich da randichet cenn a gell do rinnad. coro fuigle dia inchuib tre gabla set, imtha da techta f. g. cacha fir rinnas ro fuidiged iccomdire otha tigern bardd coruice dris cona is innunn fuillem diana gellaib.

26. T.f. g. suad. 1. in tOllomh filedh. no tanaise. 1. in tAnradh filedh. ciapa met ciaba laiget ro suidiged for cuic setaib. 1. samhaisce acobiur la aithgin.

27. T. f. g. fnataite la: dairt direnar inna fuillemafide mad brat-fnat is colbtach inna fuillemfid nochis comdire di cech recht achtit mna ata coriu dia tabairt in gell.

#### TRANSLATION.

25. The lawful value of cloathing to a poeters or to the wife of a Bard according to the old If he be of long standing in the Tribe it is proper he should be made free. Three milch cows is the value of a free poet's cloathing and of his wife's: it is the same from the chief Bard of a Flaith (petty prince) to the Ollamh. or Poet Laureat; and the value of their wives cloathing is the same.

26. The lawful price of the cloathing of an Ollamh, or Poet Laureat, and of the Anra, or fecond Poet, is five milchcows.

27. The value of needle work, according to old Law. A young bullock or steer is the payment for a mantle wrought with the needle, or an heifer is equal payment. It is therefore enacted, that every woman shall pay this reward for such work.

#### OFIRELAND.

#### GINAL. TRANSLATION.

C. f. g. fnaite la: imdenrenar corruicce igi argit air is dothorbu dosli bes druinech cidrigna. 28. The value of embroidery according to old Law; for work of this kind, properly done and completely finished, the reward is an ounce of filver: more is to be paid for extraordinary work in proportion.

N. B. Divers colours on fcarlet filk is to be paid for according to its merit. Commentator.

f. f. g. iad aige

g ma beith cona

faib techtaib ro

or fe fetaib ac
Tuillimaib a dire

nibet atothcufa

nde ni aile acht

fiu innaile im
ch fet bes inde

beas immuine.

Caille eudache

oir 7 lann oir 7

rid, &c.

29. The lawful price of a Queen's cloathing, if she brought a legal dowry, is six cows; but if she brought no dowry the payment to be made is in proportion to the value of the cloathing.

N. B. This cloathing may confist of body cloaths, a golden head dress in form of a crown, a golden veil, or a filver chain for the neck; provided the chain does not weigh more than 3 ounces: the value of the chain less than 3 ounces is only 3 cows. Commentator.

TRANSLATION

30. T. f. g. etaig mna caich cideroth ni aile acht etach besid siu mna muini inatbai no eich no or no airget no humha no iarann. do rata insin gell do intaiter nichair sin diamcen athcomarce dia ceiliu ineoch mad rodma in celi is do direnar afuillem.

30. The lawful pixe of the cloathing of every other woman (oraments excepted,) whether to be paid in comporties, gold, filver, copper, or iron, when sure ties are given, the huband must pay the said value, whether the wike remains withhim or not

N. B. If foe is drown for adultery, this Lan is reversed, and the wooman must pay me thirds of the said where. Commentator.

31. Nochoisse fuillemgill trenig la : da trian aloge do berar mna fuillem la aithgin ni tuilli ni bes mo acht ro ben dorata in gell. 31. I do not apprort of the last Law, the one of the old Laws. To thirds of the value only shall, in that case, so on the husband, and wife shall give sure for the remaining third

N. B. This appears are to be the observed tion of a Commentor, although writts in the great Text but in the MSS. like it rest of the Laws.

C. T

32. T. f.

#### INAL. TRANSLATION.

g. do beir irech feibe Flatha.) or trib fetaib na fuillem. ni piadach chos.) conea rata, no ni connduala. ni aile acht s fed innate beisid fiu.

32. The lawful price of the cloathing of every we man of the degree of an Airech's wife is three cows; and for any extraordinary work, the price must be proportionable: but if she brought no dowry, she is forbid to wear any thing exceeding the value of 6 cows.

the Corporation Book of IRISHTOWN, IN NY, it appears, that the Irishwomen extraordinary Cap or Head Dress, as late

on of Inishtown, 15th December 1557.

fthe court made by the portreeve, burgesses, ins of Irishtown, 7th Jan. 1537, it was orthe following prices should be paid within poration for making the underneath particu-

dubblet, with a new fashioned Bellire to be de for 1s. sterling.

f gally-enishes to be made for 8d.
f new fashioned close hose 6d.
an's Irish coat double seamed, being not 1 filk, 7d.
te of filk to be wrought upon a woman's coat

er to forfeit two shillings.

This year happened the great flood, when and women were drowned, and St. John's aftle fell down.

Anno

Anno 1565. Bye-law in the corporation of Irishtow: that no inhabitant dwelling within the mitre land, being a freeman or woman, wear no apparel but after the English fashion; nor no woman wear Caps upon pain of forseiture; and that every burgess shall go in his cloak, and so every freeman, upon pain of forseiture, excepting W. Dullany, Teig Lowry, R. Wale.

The following Law, extracted from the same Book, is inserted for the curious, tho' relating to another subject.

At a Doer hundred, held 8th Jan. 1579.

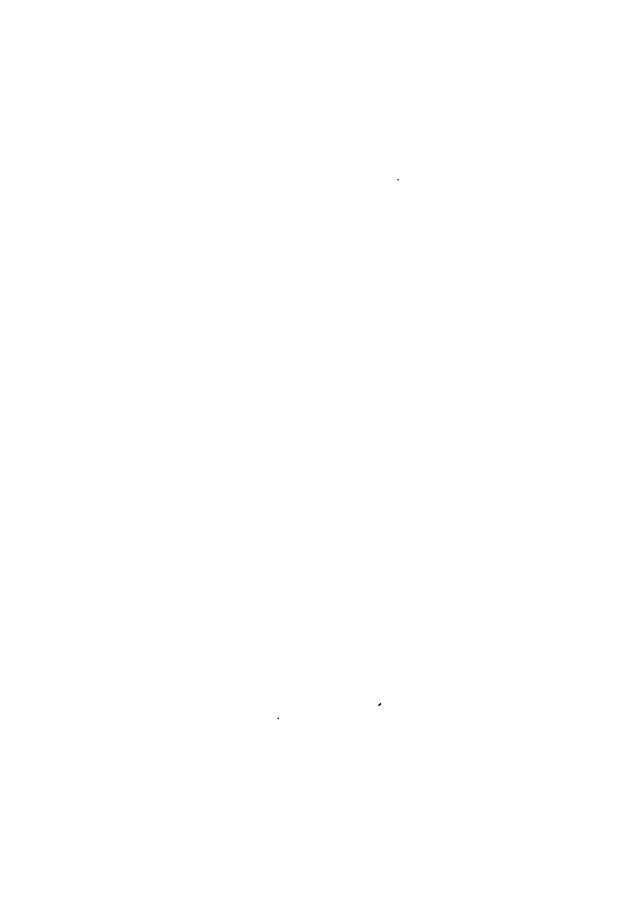
IT is enacted, by the affent of the portrieve, burgeiles and commons, that where great inconveniencies have happened, and waste and scarcity of vittles, to the great impoverishing of many of the inhabitants of this corporation; who tho' their ability could not afford the like charge, yet pride and comparison, who should make the greatest cheer at churching of women after child-birth, hath been the utter undoing of many, as daily we see: for to avoid the like gross enormity and harm, be it enacted, that no man or woman thall come hereafter to any christening of children, or churching of women brought to bed, but the gossobs for the time being, fathers and mothers, brothers and sisters, upon pain of 40s. Irish, to be levied and taken of the owner of the house so making the feast toties quaties, to be divided, the one half to the portrieve and spie: and that it shall be lawful for eany that spieth such men or women coming from the feast, to take away their has or rolls, and mantles, and the same to forfeit; and to take away the midwife's roll and mantle, that goeth to warn the people. And the parish priest shall have none in his company but his clerke.

Serjeants appointed to execute this Statute.

Thomas Poore.
Rory Dowly.

(To be Continued.)

END OF VOL. I.





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