

JOHN. WOOD ESQ.^R
CITIZEN & MUSICIAN.
MEMBER OF THE COURT
OF ASSISTANTS OF THE
HONORABLE THE IRISH
SOCIETY OF LONDON
1845.

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A
CONCISE VIEW
OF THE
ORIGIN,
CONSTITUTION AND PROCEEDINGS
OF
The Honorable Society of
OF THE
Governor & Assistants of London,
OF
THE NEW PLANTATION
IN
ULSTER,
WITHIN THE REALM OF IRELAND,
COMMONLY CALLED
THE IRISH SOCIETY.

COMPILED, PRINCIPALLY, FROM THEIR RECORDS.

1842.

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Irish Society.

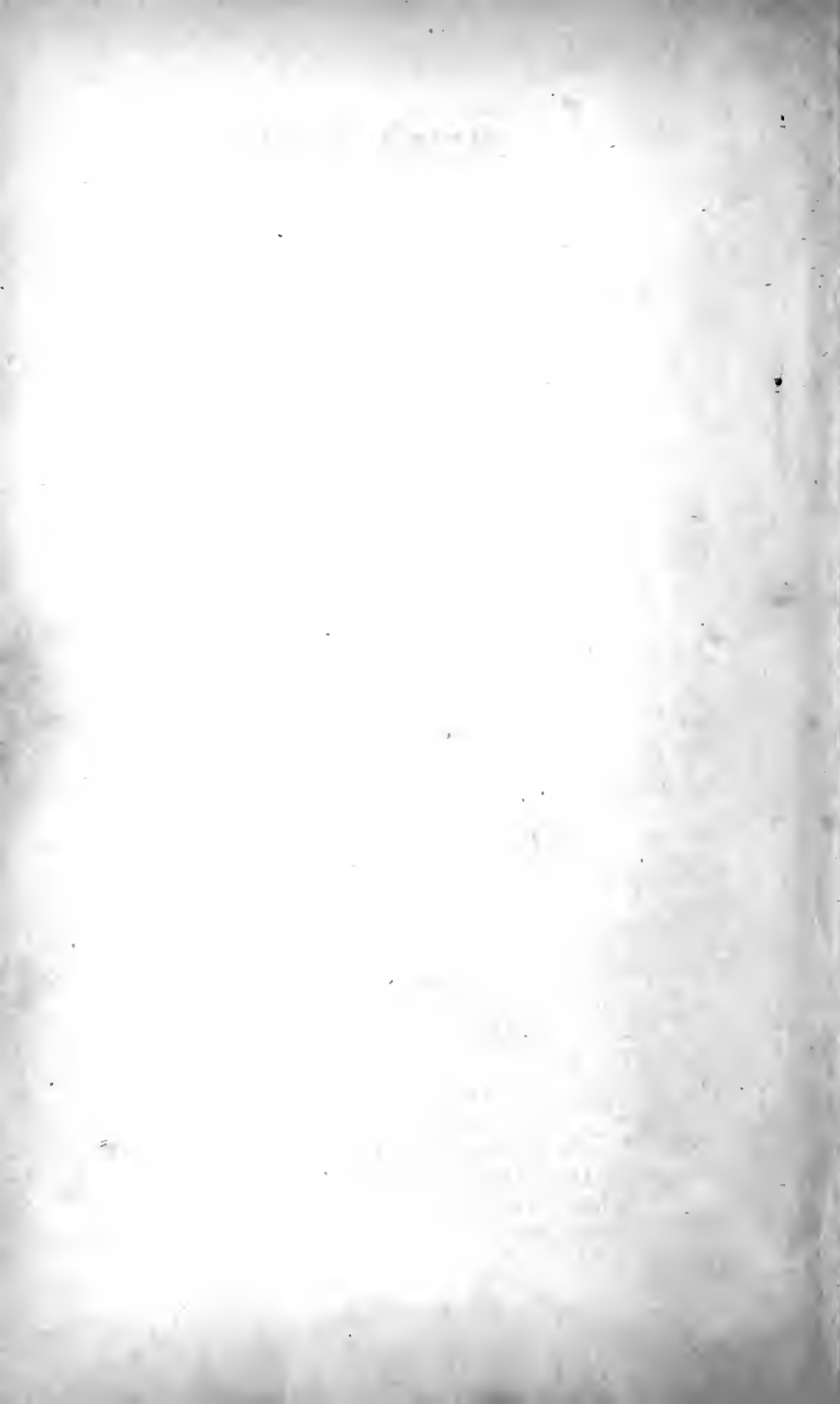
1821.

The Right Hon. JOHN THOMAS THORP, LORD MAYOR,
Governor.

MATTHIAS PRIME LUCAS, Esq. (afterwards Alderman)
Deputy Governor.

SIR JOHN SILVESTER, Bart. RECORDER
SIR RICHARD CARR GLYN, Bart. ALDERMAN
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JOHN WEIR NEWSON, MESSENGER.



TO THE HONORABLE SOCIETY
OF THE
GOVERNOR AND ASSISTANTS OF LONDON,
OF THE
New Plantation in Ulster,
WITHIN THE REALM OF IRELAND.

We of your select Committee, whose names are hereunto subscribed, to whom, by a Resolution of your Court of the 13th day of October last, it was referred to examine and compare an Abridgement of your Society's Records, Journals, and other Documents, and to prepare the same for publication, for the use of the present and future Members of this Society, Do Certify, that we have employed ourselves with unwearied diligence in furtherance of the objects committed to our care; and have great satisfaction in now presenting to you the result of our labours in the following sheets, which we have entitled "A concise View of the Origin, Constitution, and Proceedings of the Honorable Society of the Governor and Assistants of London, of the new Plantation in Ulster, within the Realm of Ireland, commonly called the Irish Society;" wherein you will observe we

have found it convenient to follow the Chronological order, in detailing such of your proceedings as we judged would afford useful information to the Members. To which we have added an Appendix of such documents at large (particularly translations of the original Charters of Incorporation of this Society, of the City of Londonderry, and of the Town of Coleraine) as we conceived it would be desirable that the Members should have always before them, as evidence tending to support the Society's rights, titles, and patronage, whether of a seigniorial, territorial, ecclesiastical, or parliamentary nature, and as holding their possessions privileges, rights, and immunities, in the Province of Ulster, immediately from and under the Crown, and in as full and ample a manner, to all intents and purposes, as the Crown itself heretofore held and enjoyed the same; and we have also added two Inquisitions, relating to the Fisheries and the Church Patronage of the Society, which we consider to be of the highest importance.

All which we humbly and respectfully submit to the consideration of your Honorable Court, hoping it will be accepted as a token of our zeal to accomplish your desires to be furnished with a Manual for the use of the present and future Members of the Irish Society; and we rejoice,

that within our time of service our humble labours in this work are thus brought to a close.

And here we beg permission, as an act of common justice, to add, that its thus speedy completion has been greatly accelerated by the most ardent zeal and able assistance of our worthy and justly respected Secretary, Robert Glade, Esq.; and by the more laborious, but not less essential services of the Assistant Secretary, Mr. Schultes, whose unremitting assiduity and love of research, led to the unravelling the great confusion into which your most valuable Records had fallen by lapse of time, and afforded a clue by which to decipher those parts defaced and mutilated by the Fire which raged at Guildhall in the year 1786.

And it is with additional pleasure we have seen a Resolution of your Court, which promises to provide not only against a recurrence of a similar accident by Fire, but which will enable the Society to have for their own exclusive concerns, a building suitable to their dignity and importance.

IRISH CHAMBER, GUILDHALL,
19th January, 1822.

J. F. VANDERCOM,
TREASURER.

THOMAS SAUNDERS

EDWARD JAMES BOND.



INTRODUCTION.

THE History of England shews the great change produced in the minds of the people, during the sixteenth and preceding century, by the discovery of the art of printing, and also by that memorable event, the reformation of the church. Communication of ideas being thereby rendered more easy, and individuals being relieved from the dread of papal denunciations, they quickly began to feel their own consequence, and obtained more correct views of religion and politics; they also began to set a proper value on their civil and religious rights, and proceeded to adopt such measures as might secure those blessings to their posterity.

At the commencement of the seventeenth century, in the latter end of the reign of Queen Elizabeth, O'Neill, Earl of Tir-Owen, with several other Roman Catholics of eminence in the province of Ulster, in the north of Ireland, rebelled against the Crown of England, but were finally subdued, and attainted of high treason; and their princely possessions, consisting of six counties, were, in the succeeding reign vested in the Crown by act of Parliament, as forfeited property.

As this part of Ireland was notorious for having always afforded shelter to rebellious subjects, King James the First, when he came to the throne, determined, in order to support his power, to make use of the reformed religion, as a means of establishing a settlement on the forfeited lands, composed of such English and Scottish Protestants, as he could induce to settle amongst a people so turbulent as the natives of this part of the country then were; and, with a

view to the formation of such an establishment, applied to the City of London, and offered to grant the citizens a great part of the forfeited estates, as an inducement for them to undertake the proposed plan of settlement. The citizens, accordingly, undertook the Plantation; and King James, on the 29th March, 1613, granted them a charter for carrying the same into effect; and although they encountered great difficulty, by reason of the enormous expense which attended the measure, and the opposition they met with, yet they finally succeeded in accomplishing the intended object.

By this charter, the Irish Society were incorporated; and they acted under it 'till the following reign of Charles the First, when it was revoked, and declared void, by a sentence in the Court of Star Chamber; but in the reign of King Charles the Second, on the 10th April, 1662, a fresh charter was granted, which confirmed the previous charter of King James the First, and restored the Society to their rights; and under this latter grant the Society still act as a Corporation.

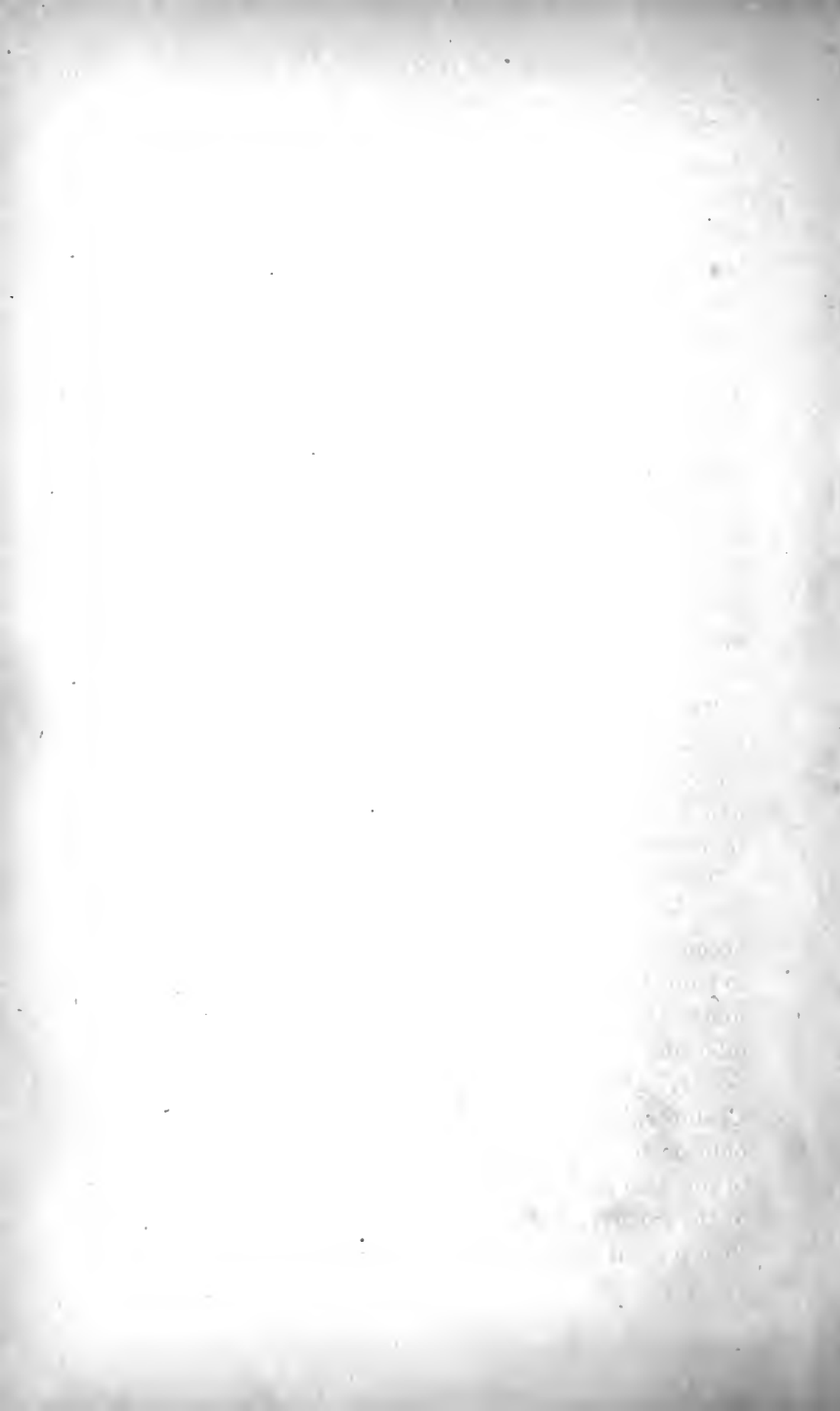
The Revolution of 1688, proved that King James the First had acted with great policy; for although his grandson, King James the Second, a professed Roman Catholic, was actually in Ulster, at the head of his Roman Catholic subjects, the citizens of Londonderry made so noble a resistance to his forces, that all his endeavours to obtain support in that part of Ireland totally failed.

Londonderry had before distinguished itself for the gallantry and perseverance with which it defended itself on two memorable occasions, in defiance of the greatest hardships and discouragements, namely, in the year 1641, when it was held by the English and Scots, in the King's name, against the rebels; and again, eight years afterwards, when it was held for the Parliament by Sir Charles Coote and the celebrated General Monk, who obliged the Lord of Ardes to raise the siege.

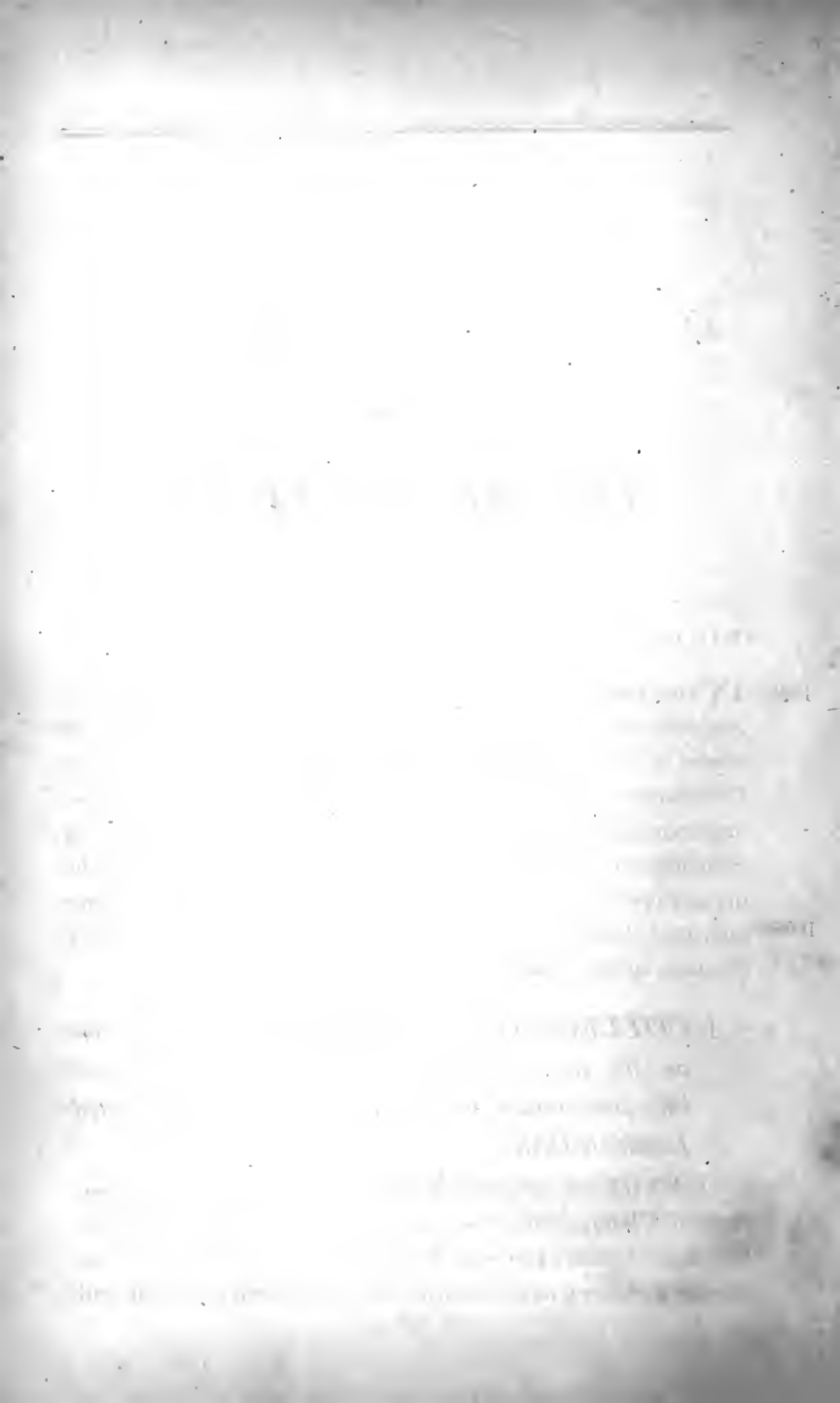
The achievements of the Protestant inhabitants of Londonderry, during the siege of 1689, undoubtedly secured to the subjects of the kingdom at large the possession and exercise of their civil and religious privileges. The inflexible bravery exhibited by them, furnished an example of the powerful energies which might, on similar emergencies, be called into action by opinion founded on the principles of natural justice. At that period, the contest on the part of James was not to become the sovereign of a free and enlightened nation, but to establish despotic rule, as well as popish tyranny, and thus completely to enslave the minds of his subjects; and the point at issue was, whether the arbitrary measures of a prince should supersede and counteract the general opinion, religious freedom, and happiness of the people. The result however, demonstrated the impolicy of attempting to oppose a just public opinion by military force.

The glory which the inhabitants of Londonderry acquired by their exertions in the cause of civil and religious liberty, reflected a lustre on the parent institution, the Irish Society, under whose jurisdiction and auspices they were encouraged to defend themselves.

The object, therefore, of the following Work, is to enable the present and succeeding Members of the Society, who, according to their constitution, are changed every two years, to gain, with little labour, a knowledge of the duties which, under their charter, they are bound to perform; and the following chronological view of the proceedings of the Society, taken from the records now existing in the Irish Chamber, which have been recently recovered from the oblivion in which their mutilated condition, in consequence of fire, had placed them, will detail the original constitution of the Society, the nature of their general operations, and their present manner of conducting their business.



A
CONCISE VIEW
OF THE
ORIGIN, CONSTITUTION, AND PROCEEDINGS,
OF THE
Irish Society.



A CONCISE VIEW
OF THE
IRISH SOCIETY.

1607. IN the beginning of the reign of King James the First, a considerable part of the Province of Ulster, in Ireland, was vested in the crown, by an act of attainder of certain Roman Catholics of distinction, who had rebelled against the state; and soon afterwards a project was suggested by the Earl of Salisbury (Lord High Treasurer) to the King, for establishing a Protestant colony on the forfeited estates, who, having
1608. approved thereof, the same was published by the Privy Council, in the following terms.

“ A COLLECTION of such Orders and Conditions as are to be observed by the Undertakers upon the distribution and plantation of the escheated Lands in Ulster.

“ WHEREAS the greatest part of six counties, in the province of Ulster, within the realm of Ireland, named Armagh, Tyrone, Coleraine, Donegal, Fermanagh, and Cavan, being escheated and come to the crown, hath lately been surveyed, and

the survey thereof transmitted and presented unto his Majesty; upon view whereof, his Majesty, of his princely bounty, not respecting his own profit, but the public peace and welfare of that kingdom, by the civil Plantation of those unreformed and waste countries, is graciously pleased to distribute the said lands to such of his subjects, as well of Great Britain as of Ireland, as being of merit and ability shall seek the same, with a mind not only to benefit themselves, but to do service to the crown and commonwealth: and forasmuch as many persons being ignorant of the conditions whereupon his Majesty is pleased to grant the said lands, are importunate suitors for greater portions than they are able to plant, intending their private profit only, and not the advancement of the public service, it is thought convenient to declare and publish to all his Majesty's subjects, the several quantities of the proportions which shall be distributed, the several sorts of undertakers, the manner of allotment, the estates, the rents, the tenures, with other articles, to be observed, as well on his Majesty's behalf, as on the behalf of the undertakers, in manner and form following :

“ *First.* The proportions of land to be distributed to undertakers, shall be of three different quantities; consisting of sundry parcels or precincts of land, called by Irish names, used and known in the several counties, *viz.* Ballibetagh, Quarters, Balliboes, Tathes, and Polls. The first and least proportion to contain such and so many of the said parcels as shall make up 1000 English acres at the least; and the second, or middle proportion, to contain such or so many of the said parcels as shall make up 1500 English acres at the least; and the last, or greatest proportion, to contain such or so many of the said parcels as shall make up 2000 English acres at the least; to every of which proportion shall be allowed such quantity of bog or wood as the country shall conveniently afford.

“ *Second.* The persons of the undertakers of the several

proportions, shall be of three sorts, *viz.*—1st. English or Scottish, as well servitors as others, who are to plant their portions with English or inland Scottish inhabitants.—2d. Servitors in the Kingdom of Ireland, who may take mere Irish, English, or inland Scottish tenants, at their choice.—3d. Natives of Ireland, who are to be made freeholders.

“*Third.* His Majesty will reserve unto himself the appointment in what county every undertaker shall have his portion. But to avoid emulation and controversy, which would arise among them if every man should choose the place where he would be planted, his Majesty’s pleasure is, that the scites or places of their portions in every county shall be distributed by lot.

“*Lastly.* The several articles ensuing are to be observed, as well on his Majesty’s behalf, as of the several undertakers respectively.”

“*ARTICLES concerning the English and Scottish Undertakers, who are to plant their portions with English and inland Scottish Tenants.*

“*First.* His Majesty is pleased to grant estates in fee farm to them and their heirs.

“*Second.* They shall yearly yield unto his Majesty, for every proportion of 1000 acres, £5. 6s. 8d. English; and so rateably, for the greater proportions, which is after the rate of 6s. 8d. for every sixty English acres. But none of the said undertakers shall pay any rent until the expiration of the first two years, except the natives of Ireland, who are not subject to the charge of transportation.

“*Third.* Every undertaker of so much land as shall amount to the greatest proportion of 2000 acres, or thereabouts, shall hold the same by knight’s service, in *capite*; and every undertaker of so much land as shall amount to the middle proportion of 1500 acres, or thereabouts, shall hold

the same by knight service, as of the castle of Dublin; and every undertaker of so much land as shall amount to the least proportion of 1000 acres, or thereabouts, shall hold the same in common socage, and there shall be no wardship upon the two first descents of that land.

“*Fourth.* Every undertaker of the greatest proportion of 2000 acres, shall, within two years after the date of his letters patent, build thereupon a castle, with a strong court or bawn about it; and every undertaker of the second, or middle proportion of 1500 acres, shall, within the same time, build a stone or brick house thereupon, with a strong court or bawn about it; and every undertaker of the least proportion of 1000 acres, shall, within the same time, make thereupon a strong court or bawn, at least. And all the said undertakers shall draw their tenants to build houses for themselves and their families, near the principal Castle House or Bawn, for their mutual defence and strength; and they shall have sufficient timber, by the assignment of such officers as the Lord Deputy and Council of Ireland shall appoint, out of his Majesty’s woods in that province, for the same buildings, without paying any thing for the same, during the said two years; and to that end there shall be a present inhibition to restrain the felling or destruction of the said woods, in the meantime, for what cause soever.

“*Fifth.* The said undertakers, their heirs and assigns, shall have ready in their houses at all times, a convenient store of arms, wherewith they may furnish a competent number of able men for their defence, which may be viewed and mustered every half year, according to the manner of England.

“*Sixth.* Every of the said undertakers, English or Scottish, before the ensembling of his letters patent, shall take the oath of supremacy, either in the chancery of England or Ireland, or before the commissioners to be appointed for establishing of the Plantation; and shall also conform themselves in religion, according to his Majesty’s laws.

“ *Seventh.* The undertakers, their heirs and assigns, shall not alien or demise their portions or any part thereof, to the mere Irish or to such persons as will not take the oath, which the said undertakers are bound to take by the former article ; and to that end a proviso shall be inserted in their letters patent.

“ *Eighth.* Every undertaker shall, within two years after the date of his letters patent, plant or place a competent number of English or inland Scottish tenants upon his proportion, in such manner, as, by the commissioners to be appointed for the establishment of this plantation, shall be prescribed.

“ *Ninth.* Every of the said undertakers, for the space of five years next after the date of his letters patent, shall be resident in person himself upon his portion, or place some such other person thereupon, as shall be allowed by the state of England or Ireland, who shall be likewise resident there during the said five years, unless, by reason of sickness or other important cause, he be licensed by the lord deputy and council of Ireland to absent himself for a time.

“ *Tenth.* The said undertakers shall not alien their portions during five years next after the date of their letters patent, but in this manner, *viz.* one-third part in fee farm, another third part for 40 years or under, reserving to themselves the other third part without alienation during the said five years ; but after the said five years, they shall be at liberty to alien to all persons, except the mere Irish, and such persons as will not take the oath, which the said undertakers are to take as aforesaid.

“ *Eleventh.* The said undertakers shall have power to erect manors, to hold courts baron twice every year, to create tenures, to hold of themselves upon alienation of any part of their said portions, so as the same do not exceed the moiety thereof.

“ *Twelfth.* The said undertakers shall not demise any

part of their lands at will only, but shall make certain estates for years, for life, in tail, or in fee simple.

“*Thirteenth.* No uncertain rent shall be reserved by the said undertakers; but the same shall be expressly set down without reference to the custom of the country; and a proviso shall be inserted in their letters patent, against cuttings, cosheries, and other Irish exactions upon their tenants.

“*Fourteenth.* The said undertakers, their heirs, and assigns, during the space of seven years next ensuing, shall have power to transport all commodities growing upon their own lands, which they shall hold by those letters patent, without paying any custom or imposition for the same.

“*Fifteenth.* It shall be lawful for the said undertakers for the space of five years next ensuing, to send for and bring into Ireland out of Great Britain, victual and utensils for their household, materials and tools for building and husbandry, and cattle to stock and manure the lands aforesaid, without paying any custom for the same, which shall not extend to any commodities by way of merchandize.”

“*ARTICLES concerning such Servitors in Ireland as shall be Undertakers in this Plantation, and shall have power to inhabit their portions with mere Irish Tenants.*

“*First.* They shall have estates in fee farm.

“*Second.* They shall yield a yearly rent to his Majesty of £8 English, for every proportion of 1000 acres, and so rateably for the greater proportions, which is after the rate of 10s. for 60 English acres or thereabouts, which they shall inhabit with mere Irish tenants; but they shall pay only £5. 6s. 8d. for every proportion of 1000 acres which they shall inhabit with English or Scottish tenants as aforesaid, and so rateably for the other proportions; and they shall pay no rent for the two first years.

“*Third.* They shall hold their several proportions by the same tenures as the former undertakers respectively.

“*Fourth.* They shall build their castles, houses, and bawns, and inhabit their lands within two years; and have a competent store of arms in readiness, as the former undertakers.

“*Fifth.* They shall have power to create manors and tenures, as the former undertakers.

“*Sixth.* They shall make certain estates to their tenants, and reserve certain rents; and forbear Irish exactions, as the former undertakers.

“*Seventh.* They shall be resident for five years, as the former undertakers; and be restrained from alienation within the same time, as the former undertakers.

“*Eighth.* They shall also take the oath of supremacy, and be conformable in religion, as the former undertakers.

“*Ninth.* They shall not alien their portions or any part thereof to the mere Irish, or to any such person or persons as will not take the like oath as the said undertakers are to take, as aforesaid: to that end, a proviso shall be inserted in their letters patent.

“*Tenth.* They shall have power or liberty to transport or bring in commodities, as the former undertakers.”

“*ARTICLES concerning the Irish Natives who shall be admitted to be Freeholders.*

“*First.* They shall have estates in fee-farm.

“*Second.* They shall pay the yearly rent of £10 13s. 4d. for every portion of 1000 acres, and so rateably for the greater proportions, which is after the rate of 13s. 4d. for every sixty acres, or thereabouts; and they shall pay no rent for the first year.

“*Third.* For their tenures, they shall hold as the other undertakers respectively, according to their portions, with a proviso of forfeiture of their estates if they enter into actual rebellion.

“*Fourth.* They shall inhabit their lands, and build their castles, houses, and bawns, within two years, as the former undertakers.

“*Fifth.* They shall make certain estates for years or for lives, to their under-tenants, and they shall take no Irish exactions.

“*Sixth.* They shall use tillage and husbandry after the manner of the English pale.”*

“*CERTAIN general Propositions to be notified to the Undertakers of all sorts.*

“*First.* That there shall be commissioners appointed for the setting forth of the several proportions, and for the ordering and settling of the Plantation, according to such instructions as shall be given unto them by his Majesty in that behalf.

“*Second.* That all the said undertakers shall, by themselves, or by such as the states of England or Ireland shall allow of, attend the said commissioners in Ireland, at or before Midsummer next, to receive such directions, touching their Plantations, as shall be thought fit.

“*Third.* That every undertaker, before the ensealing of his letters patent, shall enter into bond or recognizance, with good sureties to his Majesty’s use, in the office of his Majesty’s chief remembrancer in England or Ireland, or in his Majesty’s exchequer or chancery in Scotland, or else before two of the commissioners to be appointed for the Plantation, to perform the foresaid articles, according to their several distinctions, of building, planting, residence, alienation within five years,

* The limit which divided the possessions of the English settler from those of the native Irish, was called the pale; and the expressions of inhabitants *within the pale* and *without the pale*, were the terms by which the two nations were distinguished.

and making of certain estates to their tenants, in this manner, *viz.* the undertaker of the greatest proportion to become bound in £400, of the middle proportion in £300, and of the least proportion in £200.

“*Fourth.* That in every of the said counties there shall be a convenient number of market-towns and corporations erected, for the habitation and settling of tradesmen and artificers; and that there shall be one free-school at least, appointed in every county, for the education of youth in learning and religion.

“*Fifth.* That there shall be a convenient number of parishes and parish churches, with sufficient incumbents in every county; and that the parishioners shall pay all their tithes in kind to the incumbents of the said parish churches.”

The before-mentioned conditions appear afterwards to have been formed into a general stipulation, entitled, “*Conditions to be observed by the British Undertakers of the escheated Lands in Ulster,*” consisting of three principal points, *viz.* *first*, What the British undertakers shall have of his Majesty’s gift; *second*, What the said undertakers shall, for their parts, perform; and, *third*, In what manner the said performance should be executed.

These conditions do not vary in substance from the former.

It was directed that the lands to be undertaken should be divided into sundry precincts, of different quantity.

Every precinct to be subdivided into proportions of three sorts, great, middle, and small.

The great proportion to contain 2000 English acres at least; the middle, 1500; and the small, 1000 acres at the least. Bog and wood to be allowed to the same, rent free.

The precincts were by name distinguished part for the English and part for the Scottish, as appeared by the table of distributions of the precincts.

Every precinct should be assigned to one principal under-

taker and his consort, as would appear by the table of assignation of the precincts.

The chief undertakers should be allowed two middle proportions, if they desired the same; otherwise, no single undertaker was to be allowed above one great proportion.

They were to hold courts baron twice a year, but not oftener; and they were empowered to create tenures in socage, to be holden of themselves.

Timber to be assigned for building during the space of two years; and after that period, every undertaker to hold to his own use the timber and woods remaining upon his own proportion.

The principal undertaker to have one advowson within his precinct, to him and his heirs.

Every undertaker, within three years, to be accounted from Easter then next, was to plant or place, upon a small proportion, the number of twenty-four able men, of the age of eighteen years or upwards, being English or inland Scottish, and so rateably upon the other proportions; which numbers should be reduced into ten families at least, to be settled upon every small proportion, and rateably upon the other proportions, in the following manner, *viz.* the principal undertaker, and his family, to be settled upon a demesne of three hundred acres; two fee-farmers upon one hundred and twenty acres a piece; three leaseholders for three lives, or twenty-one years, upon one hundred acres a piece; and upon the residue, being one hundred and sixty acres, four families or more, of husbandmen, artificers, or cottagers, whose portions of land were to be assigned by the principal undertaker, at his discretion.

The tenants of the undertakers to build their houses altogether, and contiguous to the principal mansion, and not to be detached and scattered, in order that they might constitute villages and townships, and be conducive to mutual defence.

The undertakers to take the oath of supremacy, and be conformable to the national religion.

The undertakers, either in person, or by such agents as should be allowed by the councils of the estate of Ireland, or Scotland, respectively, should, before Midsummer-day then next, repair unto the realm of Ireland, to offer themselves to the lord deputy and commissioners for the Plantation, who should take order with the said undertakers for the distribution of the proportions within every precinct, either by agreement or lot, so as every undertaker should know his portion, if the same should not happen to be distributed in England before.

The undertakers should take possession before Michaelmas then next.

The time specified for bringing over into Ireland the families of the undertakers, to be all settled before All-Saints'-day, 1611.

The undertakers to take out their letters patent, either in England or Ireland, at their election, before Midsummer then next.

Directions for the buildings to be completed within three years.

21st July, 1609.—A commission was issued by the crown to Sir Arthur Chichester, Knight, Deputy of Ireland; Thomas, Archbishop of Dublin; Henry, Archbishop of Armagh, Primate of all Ireland; George, Bishop of Derry, Clogher, and Raphoe; Robert, Bishop of Kilmore and Ardagh; Sir Thomas Ridgway, Knight, Vice Treasurer; Sir Richard Wingfield, Knight, Marshal of the Army; Sir Humphrey Winche, Knight, Chief Justice; Sir John Denham, Knight, Chief Baron, and Master of the Rolls; Sir Oliver St. John, Knight, Master of the Ordnance: Sir Oliver Lambert, Knight; Sir Henry Power, Knight; Sir Gerald Moore, Knight; Sir Adam Loftus, Knt. Privy Councillors;

Sir Richard Cooke, Knight, Principal Secretary of State; Sir John Davis, Knt. Attorney General; William Parsons, Esq. Surveyor General; and George Sexton, Esq. Escheator of Ulster;—who were directed to inquire into the King's title to the several escheated and forfeited lands in Ulster; to whom were given the following instructions, in the name of the King :

“ *First.* That a general care be taken that such orders, conditions, and articles, as have been lately published in print, or are to be printed, or transmitted, touching the Plantation, be observed and put in execution, as well by the commissioners, as by the undertakers.

“ *Second.* That the said commissioners be ready to begin their journey into our province of Ulster, for the execution of their commission, before the end of July next, or sooner if it may be.

“ *Third.* The omissions and defects in the former survey of the escheated lands in Ulster, either for us or the church, are to be supplied and amended by new inquisitions, and the ecclesiastical lands to be distinguished from the lands belonging to the crown.

“ *Fourth.* The counties being divided into several proportions, every proportion is to be bounded out by the known metes and names, with the particular mention both of the number and name of every balliboe, tath, poll, quarter, or the like Irish precinct of land, that is contained in every portion, and to give each portion a proper name to be known by, and in the proportion lying near to the highways, choice is to be made of the most fit seat for undertakers to build upon, in such sort as may best serve for the safety and succour of passengers; and also to allot and set out by mears and bounds, unto every proportion, so much bog and wood over and above his number of acres, as the place, where the proportion shall lay, may conveniently afford, having respect to the adjacent proportions.

“ *Fifth.* Because the article of casting lots discourageth many that are sufficient, and would be glad to dwell together; that therefore every county be divided into greater precincts, every precinct containing eight, ten, or twelve thousand acres, according to the greatness of the county; and those precincts to contain several proportions lying together, to the end that so many consorts of undertakers may here be appointed, as there are several precincts; which being done, then these consorts may cast lots for the precincts, and afterwards divide every precinct amongst the particular undertakers of that consort, either by agreement or by lot; and this form not to be concluded but upon consideration taken thereof by the commissioners there, who having reported back their opinions, some such course may be resolved, as to us shall be thought most convenient.

“ *Sixth.* To cause plots to be made of every county, and in the said plot to prick out the several precincts, and in the precincts the several proportions by their names.

“ *Seventh.* Such great woods as the commissioners shall make choice of to be preserved for our use, are to be excepted out of the proportions; and to be reserved for the undertakers’ buildings, and for such other purposes as to us shall be thought fit.

“ *Eighth.* That in the surveys, observation be made what proportions by name are fittest to be allotted to the Britons, what to the servitors, and what to the natives; where in this respect is to be had, that the Britons be put in places of best safety, the natives to be dispersed, and the servitors planted in those places which are of greatest importance to serve the rest.

“ *Ninth.* The commissioners are to limit and bound out the precincts of the several parishes, according to their discretion, notwithstanding the limitation of the precinct; wherein they may observe the ancient limits of the old parishes, so as the same breed not a greater inconvenience

to the Plantation ; and to assign to the incumbent of each parish a glebe, after the rate of three score acres for every thousand acres within the parishes, in the most convenient places, or nearest to the churches ; and, for the more certainty, to give such glebe a certain name, whereby it may be known ; and to take order, that there be a proviso in the letters patent for passing the glebes, to restrain the alienations thereof, saving during incumbencies.

“ *Tenth.* It is fit, that certain portions be allotted and laid out for towns in the places mentioned in the project, or in more convenient places, as shall seem best to the commissioners, having regard that the land be laid as near to the towns as may be.

“ *Eleventh.* The parcels of land, which shall be allotted to the college in Dublin, and to the free schools in the several counties, are to be set out and distinguished by mears and bounds, to the end the same may be accordingly passed by several grants from us. The commissioners likewise are to set out the quantity of three great proportions, lying together in the county of Armagh, to be allotted to the said college of Dublin, and six thousand acres to be taken out of the lands omitted in the last survey (if so much shall be found) ; these to be only of our land, and not of the church land.

“ *Twelfth.* That there be set out and reserved twelve thousand acres, either out of the proportions, or otherwise out of the lands omitted in the survey, in such counties and places, as to our deputy and commissioners shall be thought meet, the same to be disposed by us for the endowment of an Hospital, to be erected for maimed and diseased soldiers, in such place and manner as we shall hereafter appoint.

“ *Thirteenth.* The commissioners shall, by the authority given them, hear and determine all titles and controversies, by final order and decree, that shall be brought before them, concerning any lands and possessions ; the church lands only

excepted, which, nevertheless, they shall have also power to order and decree (as aforesaid) so it be done with the consent of the Lord Deputy, the Archbishop of Dublin, and the now Bishop of Derry. They shall also compound for titles between us and our subjects, and between party and party.

“*Fourteenth.* And whereas complaint is made, that the scites of some cathedral churches, the places of the residence of the Bishops, Deans, Chapters, Dignitaries, and Prebends, in Ulster, be passed away to divers in fee-farm, by letters patent, under pretence of monastery lands, to the great detriment of those churches; the commissioners shall have authority to examine the same, and finding the information true, to consider of some course to be taken for restitution to be made to the churches from whence they were formerly taken, with such consideration to those that now hold them as standeth with equity, according to the circumstances considerable. And further we are pleased, that the escheated lands, out of which the Bishops have had heretofore rent, certainty of refectons, or pensions, should be esteemed ecclesiastical, and be annexed to the several sees whereunto they did pay the same, whereof the commissioners are to take particular notice, and to see the same effected accordingly.

“*Fifteenth.* You, our deputy, shall cause our judges and learned counsel to set down our titles to the several lands lately escheated in Ulster, to see the records to be perfitted; and to take care that they may be safely preserved and kept secret, and to transmit the cases hither, under the hands of our judges and learned counsel.

“*Sixteenth.* All acts, orders, and decrees, resolved there, to be recorded into two books, the one to remain there in some court of record, and the other to be transmitted to our counsel here.

“*Seventeenth.* It is also to be considered what portions are fit to be allotted to the mother of the late Earl of Tyrcon-

nel, the mother of Mac-Gwir, Katharine Butler, the late widow of Mulmorie O'Rely, and such others as claim jointures; and that the commissioners do (if they have cause) allow the same unto them during their lives, and the reversion to the natives, with condition that they observe the articles of the Plantation as other undertakers do, or otherwise to assign them recompense in some other place.

“*Eighteenth.* The river fishings in loughs and rivers are to be allotted unto the proportions next adjoining unto the loughs and rivers, wherein the said fishings are, the one moiety to the proportion lying on the one side of the river or lough, and the other moiety to the proportion lying on the other side, unless, by necessity or inconveniency, it shall be found fitting to be allotted to the one side; for which fishing, some increase of rent is to be reserved unto us, as to the commissioners shall be thought fit.

“*Nineteenth.* That return be made of their proceedings and doings by virtue of this commission and instructions, before Hallow-mass next, that we may have convenient time to resolve thereupon this winter, and to signify our pleasure against the next spring.”

By virtue of the aforesaid commission, inquisitions were duly held concerning the several escheated lands in the counties therein mentioned, which were returned into the Rolls-Office, for which see appendix.

After the publication of the foregoing conditions of plantation, his Majesty conceiving the City of London to be the ablest body to undertake so important a work, directed the Earl of Salisbury to write a letter to Sir Clement Edmonds, the City Remembrancer, desiring him to acquaint the Lord Mayor, (Humphrey Weld) that the Earl wished a conference should be had with him on the subject. Accordingly, on or about the 30th of July, 1609, the Lord Mayor

sent to Sir John Jolles and Sir William Cockaine, who were well acquainted with Irish affairs, and thereupon a meeting was appointed to be held at Sir John Jolles's house, where the following propositions, made by his Majesty to the City, were considered."

“ MOTIVES and reasons to induce the City of London to undertake the Plantation in the North of Ireland.

“ The late ruined city of Derry, situated upon the river of Lough Foyle, navigable with good vessels above the Derry, and one other place at or near the castle of Coleraine, situate upon the river of Bann, navigable with small vessels only, by reason of the bar a little above Coleraine, do seem to be the fittest places for the city of London to plant.

“ The situation is such, that with small charge and industry, the aforesaid places, especially the Derry, may be made by land almost impregnable, and so will more easily afford safety and security to those that shall be sent thither to inhabit.

“ These towns his Majesty may be pleased to grant unto, not only Corporations, with such liberties and privileges for their good government, &c. as shall be convenient, but also the whole territory and county betwixt them, which is above twenty miles in length, bounded by the sea on the north, the river Bann on the east, and the river of Derry, or Lough Foyle, on the west; out of which 1000 acres more may be allotted to each of the towns, for their commons, rent free; the rest to be planted with such undertakers as the city of London shall think good for their best profit, paying only for the same the easy rent of the undertakers.

“ His Majesty may be pleased to grant to these towns, the benefit of all the customs of all goods to be imported

thither, or exported thence, as well poundage and tonnage, as the great and small customs, for twenty-one years, paying yearly 6s. 8d. as an acknowledgment.

“ Furthermore, that his Majesty will be pleased to buy from the possessors, the salmon fishing of the rivers of Bann and Lough Foyle; and out of his princely bounty, to bestow the same upon those towns (for their better encouragement) which some years proveth very plentiful and profitable.

“ And likewise to grant them licenses to transport all prohibited wares growing upon their own lands.

“ And likewise the Admiralty in the coasts of Tyrconnell and Coleraine, now, as is supposed, in the Lord Deputy by the Lord Admiral’s grant, may be, by his Majesty’s means, transferred unto them for the term of twenty-one years.”

“ The Land Commodities which the North of Ireland produceth.

“ The country is well watered, generally, by abundance of springs, brooks, and rivers; and plenty of fuel, either by means of wood, or, where that is wanting, of good and wholesome turf.

“ It yieldeth store of all necessary for man’s sustenance, in such measure as may not only maintain itself, but also furnish the city of London, yearly, with manifold provision, especially for their fleets; namely, with beef, pork, fish, rye, bere, peas, and beans, which will also, in some years, help the dearth of the city and country about, and the storehouses appointed for the relief of the poor.

“ As it is fit for all sorts of husbandry, so for breeding of mares and increase of cattle, it doth excel, whence may be expected plenty of butter, cheese, hides, and tallow.

“ English sheep will breed abundantly in Ireland,—the sea coast, and the nature of the soil, being very wholesome for them; and, if need were, wool might be had cheaply and plentifully out of the west parts of Scotland.

“ It is held to be good in many places for madder, hops, and woad.

“ It affordeth fells of all sorts, in great quantity, red deer, foxes, sheep, lamb, rabbits, martins, squirrels, &c.

“ Hemp and flax do more naturally grow there than elsewhere; which, being well regarded, might give great provision for canvas, cable, cording, and such like requisite for shipping, besides thread, linen, cloth, and all stuffs made of linen yarn, which is more fine and plentiful there than in all the rest of the kingdom.

“ Materials for building,—timber, stone of all sorts, limestone, slate, and shingle,—are afforded in most parts of the country; and the soil is good for brick and tile.

“ Materials for building of ships (excepting tar) are there to be had in great plenty; and in the country adjoining, the goodliest and largest timber in the woods of Glanconkene and Killetrough that may be, and may compare with any in his Majesty's dominions, which may easily be brought to the sea by Lough Neagh, and the river of the Bann. The fir masts, of all sorts, may be had out of Lochabar in Scotland, not far distant from the north of Ireland, much more easily than from Norway;—other sorts of wood do afford many services, for pipe staves, hogshead staves, barrel staves, hoop staves, clapboard staves, wainscot, soap and dyeing ashes, glass and iron work, for iron and copper ore, are there plentifully had.

“ The country is very plentiful for honey and wax.

The Sea and River Commodities.

“ *First.* The harbour of the river of Derry is exceeding good; and the road of Portrush and Loughswilly, not far distant from the Derry, tolerable.

“ The sea fishing of that coast very plentiful of all manner of usual sea fish, especially herrings and eels; there being, yearly, after Michaelmas, for taking of herrings, above

seven or eight score sail of his Majesty's subjects and strangers for lading, besides an infinite number of boats for fishing and killing.

“Great and profitable fishing are in the next adjacent isles of Scotland, where many Hollanders do fish all the summer season; and do plentifully vend their fish in Spain, and within the Straits.

“Much train or fish oil, of seal, herrings, &c. may be made upon that coast.

“As the sea yieldeth very great plenty and variety of the sea fish, so doth the coast afford abundance of all manner of sea fowl, and the rivers greater store of fresh fish, than any of the rivers in England.

“There be also some store of good pearls upon this coast; especially within the river of Lough Foyle.

“The coasts be ready for traffic with England and Scotland, and for supply of provision from or to them; and do lie open and convenient for Spain, and the Straits, and fittest and nearest for Newfoundland.

*“The Profits which London shall receive by this
Plantation.*

“If multitudes of men were employed, proportionably to these commodities, which might be there by industry attained, many thousands would be set on work, to the great service of the King, strength of his realm, advancement of several trades, and benefit of particular persons, whom the infinite increasing greatness (that often doth minister occasion of ruin to itself) of this City, might not only conveniently spare, but also reap a singular commodity, by easing themselves of an insupportable burthen, which so surchargeth all the parts of the City, that one tradesman can scarce live by another; which, in all probability, would be a means also, and preserve the City from infection; and,

by consequence, the whole kingdom, which, of necessity, must have recourse thither, which persons pestered or closed up together, can neither otherwise, or very hardly avoid.

“These colonies may be a means to utter infinite commodities from London, to furnish the whole north of Ireland, which may be transported by means of the rivers of Bann, and Lough Foyle, into the counties of Coleraine, Donegal, Tyrone, Armagh, and Antrim.

“The city of Dublin being desolate by the slaughter of the Easterlings, who were the ancient inhabitants thereof, was given by King Henry the Second to the city of Bristol, to be inhabited; which, without any charge to the King, Bristol did undertake and performed it, whose posterity doth there continue unto this day. This Plantation, thus performed, to the perpetual commendation of Bristol was not the least cause of civilizing and securing that part of the country.

“It were to be wished this noble precedent were followed by the city of London, in these times, with so much the more alacrity, as in ability and means they excel them; and so much the rather, for that the commodities which the city of London shall reap thereby, do far surpass the profit that could redound to Bristol by the other.”

After a few days had elapsed, the Lords of the Privy Council, and the corporation of the city of London came to an understanding on the subject; and the latter expressed their willingness to undertake the Plantation, provided the representation of its advantage and practicability, which formed the basis of their determination, should, upon investigation, appear to be correct. Accordingly, to determine this point, a Court of Common Council was convened, when it was agreed, that four wise, grave, and discreet citizens should be immediately sent to view the situation proposed for the new Colony; who should make a report to the Court,

on their return from thence, of their proceedings and opinions. And thereupon, John Broad, Goldsmith; Robert Treswell, Painter Stainer; John Rowley, Draper; and John Munns, Mercer; were appointed as the Deputation: who, being furnished with written instructions, proceeded on their mission to Ireland. On their return, they presented a Report of their various transactions to the court of Common Council, which was openly read. The Court then appointed various of their members a Committee for proceeding in their negotiations with the Privy Council; and prescribed the times and place, at Guildhall, for their meetings. The Committee, soon afterwards, made their Report to the Common Council of the several things intended to be demanded from the Crown, as necessary to the final adjustment of the affairs in question; in which Report they expressed their opinion, that a Company should be constituted in London, of persons to be selected for that purpose, and corporations to be settled in Derry and Coleraine: but, in all things concerning the Plantation, the same to be managed and performed in Ireland, by advice and direction of the Company in London. The Report being approved by the court of Common Council, it was ordered to be presented to the Privy Council; and, after some further negotiation, articles of agreement were, at length, entered into, (on the 28th of January, 1609,) between the Right Honourable the Lords of his Majesty's most honourable Privy Council, on the King's Majesty's behalf of the one part, and the Committees appointed by act of Common Council, on the behalf of the Mayor and Commonalty of the city of London, of the other part; concerning a Plantation in part of the province of Ulster.

“*First.* It was agreed by the City, that the sum of £20,000 should be levied; whereof £15,000 was to be expended on the intended Plantation, and £5,000 for the clearing of private men's interests in the things demanded.

“*Second.* Also, that, at the Derry, two hundred houses

should be built, and room to be left for three hundred more ; and that four thousand acres, lying on the Derry side, next adjacent to the Derry, should be laid thereunto, bog and barren mountain to be no part thereof, but to go as waste for the City: the same to be done by indifferent commissioners.

“ *Third.* Also, that the Bishop and Dean of the Derry should have convenient plots of ground for the scite of their houses at the Derry.

“ *Fourth.* Also, that Coleraine should be situated and built on the abbey side ; and that one hundred houses should be built thereon, and room left for two hundred more ; and that three thousand acres of land should be laid thereunto, *viz.* one thousand acres to be taken on the abbey side, next adjacent to the town : and that, if it should please the King’s Majesty, at his charges, after some good proceeding in the Plantation, to erect and maintain a bridge in perpetuity for a common passage over the river, between the town and county of Coleraine. Then it was agreed the other two thousand acres to be taken on the other side of the river ; otherwise the whole three thousand acres were agreed to be taken on the abbey side, next adjacent to the town of Coleraine.

“ *Fifth.* That the measure and account of land should be after the Balliboes, according to the King’s last survey.

“ *Sixth.* That the rest of the territory and entire county of Coleraine, estimated at 12,000 acres, more or less, undertaken by the City, be cleared from all particular interests, except the Bishop and Dean of Derry’s inheritance ; and except certain portions of land to be assigned unto three or more Irish gentlemen at the most, then dwelling and settled in the county of Coleraine, who were to be freeholders to the City, and to pay them some small rent ; the same portions and rent to be limited by commissioners to be indifferently chosen between his Majesty and the City.

“ *Seventh.* That the woods and the ground, and soil of

Glanconkene and Killetrough, extending from the county of Coleraine to Ballinderry, be wholly to the City in perpetuity; the timber trees of those woods to be converted to the furtherance of plantation, and all necessary uses within Ireland, and none to be made merchandize.

“*Eighth.* That the soil of so much land within, and amongst the woods of Glanconkene and Killetrough, which stood charged as surveyed lands, to be undertaken in like form as the county of Coleraine.

“*Ninth.* That the City should have the patronage of all the churches, as well within the said city of the Derry and town of Coleraine, as in all lands to be undertaken by them.

“*Tenth.* That the 7000 acres laid to the city of Derry and town of Coleraine, should be in fee farm, at the rent of 53s. 4d.

“*Eleventh.* That the city of Derry and town of Coleraine, and 7000 acres of land to them, shall be holden of the King in free burgage.

“*Twelfth.* That the residue of the county lands and woods, and all such lands as were to be undertaken, should be holden of the King in common socage.

“*Thirteenth.* That the customs of all goods imported, or to be exported, poundage, tonnage, the great and small customs, should be enjoyed by the City for the term of 99 years, within the city of the Derry, town and county of Coleraine, and ports and creeks thereof, paying yearly 6s. 8d. to his Majesty as an acknowledgment; and to have the like within the port of Portrush.

“*Fourteenth.* That the salmon and eel fishing of the rivers of Bann and Lough Foyle, and all other kind of fishing in the river of Lough Foyle, so far as the river floweth; and in the Bann to Lough Neagh, should be in perpetuity to the City.

“*Fifteenth.* That the City should have liberty to transport all prohibited wares growing upon their own lands.

“*Sixteenth.* That the City should have the office of admiralty in the coasts of Tyrconnell and Coleraine, and all

the royalties and profits thereunto belonging; and should have their own ships and goods, which should happen to be wrecked at sea in Ballyshannon and Oderfleete, and in all the coasts, ports, and creeks, along and between them, saved and reserved to themselves.

“*Seventeenth.* That the City should have the like liberty of fishing and fowling upon all that coast as other subjects had; and that it should be lawful for them to draw thier nets and pack their fish upon any part of that coast that they fish upon, and carry the same away; and that they have the several fishing and fowling in the city of Derry, and town and county of Coleraine, and all the lands to be undertaken by them; and in the river of Lough Foyle, so far as it floweth, and of the river of Bann unto Lough Neagh.

“*Eighteenth.* That no flax, hemp, or yarn, unwoven, be carried out of the ports of the Derry and Coleraine, without licence from the city officers; and that no hides be transported raw, without licence, out of those ports.

“*Nineteenth.* That as well the cities and towns, as the county of Coleraine, be freed from all patents of privileges theretofore granted to any person; and that thereafter no patent of privilege be granted within the said several cities, towns, and county of Coleraine, and other the undertaken lands; and that the said city of Derry, town and county of Coleraine, should be freed from all compositions and taxes which might be exacted or imposed by the governor or governors of those parts.

“*Twentieth.* That the City should have the castle of Culmore, and the land thereunto, in fee-farm, they maintaining a sufficient ward of officers therein.

“*Twenty-first.* That the liberty of the City of Derry and Coleraine should extend three miles every way.

“*Twenty-second.* That the City should have such further liberties to the Derry and Coleraine, as upon view of the charters of London, the Cinque Ports, and Newcastle-upon-

Tyne, or the City of Dublin, should be found fit for those places.

“*Twenty-third.* That all particular men’s interests in the places about the Derry and county of Coleraine, and in other the undertaken lands be cleared and freed to the city, (except as excepted in the sixth article.)

“*Twenty-fourth.* That sufficient forces should be maintained at the King’s charges, for safety of the undertakers, for a convenient time.

“*Twenty-fifth.* That for settling and securing all things touching the said Plantation, his Majesty would give his royal assent to acts of parliament in England, and the like in Ireland, to pass.

“*Twenty-sixth.* That the City should have time, during the term of seven years, to make such reasonable demands as time should shew to be needful, but could not presently be foreseen.

“*Twenty-seventh.* Lastly, that the City should, with all speed, set forward the said Plantation, in such sort as that there should be sixty houses built in Derry, and forty houses in Coleraine, by the 1st of November then next following, with convenient fortifications, and the rest of the houses, with the fortifications, should be built and perfected by the 1st of November, 1611.”

One part of the said articles was signed by the Right Honourable Thomas, Lord Ellesmere, Lord Chancellor of England; Robert, Earl of Salisbury, Lord high Treasurer of England; Henry, Earl of Northampton, Lord Privy Seal; Thomas, Earl of Suffolk, Lord Chamberlain of his Majesty’s household; Edward, Earl of Worcester, Master of his Majesty’s Horse; George, Earl of Dunbar; Edward, Lord Zouch; William, Lord Knowles; John, Lord Stanhope; Sir John Herbert, Knight, one of his Majesty’s Secretaries; and Sir Julius Cæsar, Knight, Chancellor of his Majesty’s

Exchequer, being all of the Privy Council; and another part was signed by Sir Henry Montague and sixteen other persons, being the committees appointed by act of Common-Council, on the behalf of the Mayor and Commonalty.

This agreement being thus executed by the parties, the Court ordained, that for the purpose of conducting the said Plantation, a Company should be constituted and established within the City of London, which should consist of one Governor, one Deputy to the Governor, and twenty-four Assistants; and that the Governor, and five of the said Assistants, should be Aldermen of the City of London; and Mr. Recorder, of the City, should likewise be one of the same Assistants; and the Deputy, and the rest of the Assistants, should be commoners of the same City; which company thenceforward, in every year, should be elected and chosen at the first Common-Council to be held after the Feast of the Purification of the blessed Virgin Mary; at which time the Deputy, and twelve of the Assistants for the year precedent, might be removed, and one other Deputy, and twelve other Assistants in their steads, should be newly elected, to join with the other twelve Assistants, that were not removed for the year ensuing; and the next year, those that continued the year before might be removed, so that twelve of the Assistants might continue the space of two years.

The Court accordingly appointed the members of the Society, of which William Cockaine, Alderman, and one of the Sheriffs of the City, was Governor, and William Towerson Deputy Governor, and it was ordained, that the said Governor, Deputy Governor, and the Assistants, should continue in their office for one year, beginning at the Feast of the Purification then next ensuing, and that at the next Common Council to be held after the expiration of the said year, the new election of a Governor, Deputy, and Assistants, should be had in form aforesaid, and so from year to year. And the Court further enacted, that the said Company then

elected and appointed, or thereafter from time to time to be elected and appointed, or any nine of them, whereof the Governor or Deputy for the time being, to be one, should have full power and authority to hold and keep a Court, and in the same to treat, debate and determine of all matters and causes concerning the business that to them in their discretions should think fit. And also to direct appoint and command what should be done or performed on the behalf of the City, concerning the said Plantation; and also should give direction in England, either by letters or otherwise sent to Ireland, for the ordering, managing and disposing of all things whatsoever concerning the intended plantation, or any thing belonging to the Citizens of London's undertaking in that part of Ireland called Ulster; as also for the receiving, ordering, disposing, and disbursing of all sums of money that were or should be collected or gathered for that purpose, and generally for any other cause, matter, or thing whatsoever, incident to or belonging to the business and affairs in Ulster; and in the courts so to be holden, should have full power and authority to nominate and appoint their Clerk, Beadle, and such other Officers as they in their discretion should think fit; and that whatsoever should be done, decreed, or resolved by and at any such Court so to be holden, should be firm and stable; and the Court of Common Council thereby declared it ratified and confirmed by them. The wardrobe in Guildhall was appointed to be the place where the Courts of the Company should be held. The times of meeting were to be appointed by the Governor, or Deputy Governor, who were respectively to give orders for summoning the Company together. The City Chamberlain was at the same Court of Common Council appointed the Treasurer of the monies to be raised of the City for the purposes of the said Plantation, who was to pay all monies conformably to warrants to be signed by the Governor, or Deputy Governor, with three of the Assistants of the Company.

The Society being thus established by the Court of Common Council, Tristram Beresford and John Rowley, were appointed general agents for the City, who immediately proceeded to Ireland; and soon afterwards the Society were put in possession of the estates.*

Arrangements were at the same time made in London, for raising and collecting the sum agreed to be raised by the City for the purposes of the Plantation, and in building towns and fortifications; which was, at length, determined to be done according to the assessment of the corn rate, made on the various companies of the City. This sum, however, was found to be insufficient; and other assessments were from time to time, occasionally made, which eventually exceeded the sum of £60,000.

14th April, 1611.—The new settlers, soon after receiving possession of the estates, made an exchange with Sir Thomas Phillips, then governor of the county of Coleraine, of the castle of Lymavaddy, and three thousand acres of ground adjoining it, being part of their division for other lands belonging to him. Sir Thomas Phillips afterwards made himself very obnoxious to the Irish Society, by intermeddling in their concerns with regard to the Plantation; and the Governor and Assistants remonstrated with him, by correspondence, on the occasion.

21st December, 1812.—The King having been informed, that the settlers were negligent in performing the conditions

* About this time the hereditary order of Knighthood, with the title of Baronet was introduced; King James the First devised this species of honour, which was purchaseable; that from the sale of such titles to all those who chose thus to contribute, the charges of maintaining the English power in the remote province of Ulster might in part be defrayed, and hence it is, that the coat of arms borne by Baronets, is the armorial ensign of Ulster. *Vide Sampson's Memoir*, p. 13.

of the Plantation, wrote a letter to Sir Arthur Chichester, then Lord Deputy of Ireland, as follows, viz.—

“By the King.—Right, trusty, and well-beloved we greet you well.

“It is well known unto you how great a revenue we might have raised to our crown, by our escheated lands in the province of Ulster, if we had not preferred the reformation of that disordered country by a civil plantation to be made therein, before the private profit which we might have reaped by it. For the more steady effecting whereof, we made liberal donations of great proportions of those lands, so escheated unto us, to divers British undertakers and servitors, with favourable tenures and reservations for their better encouragement, and enabling them, in their estates, to expedite the work of their Plantation, according to those articles which they voluntarily bound themselves; but, as we are informed, they have made so slow progression therein, hitherto, that neither the safety of that country, nor the planting of religion and civility amongst those rude and barbarous people, which were the principal motives of that project, and which we expected as the only fruits and returns to us of our bounty from them, are any whit, as yet, materially effected by them. We are not ignorant how much the real accomplishment of that Plantation concerns the future peace and safety of that kingdom; but if there were no reason of state to press it forward, yet we would pursue and effect that work, with the same earnestness as we now do, merely for the goodness and morality of it; esteeming the settling of religion, the introducing of civility, order, and government, among a barbarous and unsubjected people, to be the acts of piety and glory, and worthy also a Christian Prince to endeavour. Though we understand, by some of the undertakers and servitors there, with whom we had speech, that there is a general backwardness and slack proceeding in the Plantation, yet the

particulars thereof are either concealed from us, or diversely reported unto us, every man being willing to improve his own merit in that service, and to transfer the faults and omissions therein upon other men; wherefore, we have thought fit, for our particular information, to have a true and exact survey taken, and, with as much speed as conveniently you may, transmitted unto us, of the whole state, as it now stands, of the Plantation; wherein we precisely require you, that respecting only your duty to us, and this commandment of ours, and setting aside all favour, partiality, care, or fear, to please or displease any man, you make a sincere and faithful narration unto us, what every undertaker and servitor is bound to do by the articles of the Plantation, what he hath already done, whether slightly or substantially, and wherein any of them are deficient; and this we would have performed by you, in so particular a manner, that every man may bear his own burthen, and his own reward; and that we being truly certified, by this inquisition, where the obstructions be, may likewise better know the ways hereafter how to open and remove them. And because the Londoners here pretend the expense of great sums of money in that service, and yet (as we are informed) the outward appearance of it, in their works, are very small; we require you to give us a true account of what they have done, and to make, as near as you can, a true valuation of it, that they might discover the ignorance or abuse of their ministers, to whom they have committed that employment; and withal to send us your opinion what course were fittest for them to follow hereafter, both for their own good and advancement of our service, in the management of that business. We have been informed, that some undertakers, who had portions assigned unto them, at the first allotment, have sold them away to men of mean ability, and unfit for that service; and that some other undertakers, which before had more land than they were

able to plant and inhabit, according to the articles of the Plantation, have, notwithstanding, gotten the proportions of other undertakers, by contract with them, into their hands, which we conceive to be an impediment so mischievous to the progression of the Plantation, that we require you to take particular cognition of the several transactions in this kind, and make certificate of them unto us, in that survey which we are to receive from you. We rely on your integrity to discharge this trust which we repose in you; and you will deserve well the favour we bear you, and the dignity of your place wherein you are appointed, and will submit all respects whatsoever to the faithful execution of the trust which we have laid upon you. Given under our signet, at our palace, &c. the 21st December, in the tenth year of our reign of England, France, &c. and of Scotland the forty-sixth.

“We are so desirous to understand from you the true state of the Plantation, that once again we do strictly injoin you to give us a faithful account of this trust which we repose in you, without care or fear to please or displease any of our subjects, English or Scottish, of what quality soever.”

29th December.—A Privy Council was held at Whitehall, at which Sir Henry Montague, Knight, Recorder of the City, and Mr. Alderman Cockaine, Governor of the City's Plantation in Ulster, together with divers other Aldermen and Commoners, Assistants of the Society, attended, and there discussed certain matters relative to the proposed grant of his Majesty, which being then concluded upon, the Society was soon afterwards, (29th March, 1613) incorporated by charter, wherein the Irish Society were styled, “The Society of the Governour and Assistants of London, of the New Plantation in Ulster, within the Realm of Ireland; and on the 28th June following, a charter was granted to the town of Coleraine.”

6th July. — It being considered of great importance that the building of houses and fortifications at Derry and Coleraine should be properly performed, and the intended Plantation speedily carried into effect, which had not only been very expensive to the City of London, but was likely to be productive of a still greater expenditure, and King James having expressed his desire that the Plantation should be proceeded in with vigour, the City thought it advisable, as well for their own satisfaction, as for the satisfaction of the several Companies, to send over Mr. Alderman Smithes and Mr. Matthias Springham, both Assistants on the Society, into Ireland, at the expence of the Society, in order to take an exact survey and account of the various operations and concerns of the said Plantation; and, accordingly, they were invested with full powers to act at their discretions, in the ordering, directing, and controuling the measures of the same Plantation, for which purpose an act of Common Council was made, under seal of the City, and full instructions were also given them in writing by the Society, with which they proceeded to the North of Ireland; and having accomplished the objects of their mission, they, on their return, communicated the result thereof; and, amongst other things, reported, that they had presented two silver gilt communion cups to the church of Derry and Coleraine. At this time, allowances were made to the Burgesses of Derry and Coleraine, for their attendance in parliament, who were stated to have been then elected and appointed by the Society. It appeared that the old charters of Derry and Coleraine were surrendered, and new ones delivered by the Commissioners. The prices of provision in Ulster were, then, for a cow or bullock, 15s. (about one halfpenny per pound;) a sheep from 16*d.* to 2s.; a hog, 2s.; barley, 11*d.* a bushel; oats, 4*d.* a bushel; strong beer 16s. a barrel, but this was represented as being exceeding dear at that price. The fishings were then let at £866 13s. 4*d.* per annum, for three years. The two Com-

missioners stated, in their communication to the Court, that as it was generally desired that a division should be made of all the lands in Ireland, by and amongst the several Companies undertaking the Plantation, they had, with great pains, first viewed the land, and carefully enquired after the true value of every district; and with the assistance and advice of the gentlemen of the county, the City's agents and surveyor proceeded to make an equal division of the lands into twelve parts, the manner of which they presented to the Court. But with respect to the city of Londonderry, and the town of Coleraine, with the territories, ferries, and fishings belonging to the same, they were of opinion that a division could not be fully made of them, but the rents and profits of them might be divided amongst the several Companies.

17th December.—At a Court of Common Council convened soon afterwards, Mr. Alderman Cockaine, the Governor of the Irish Society, represented to the Court, and to the Masters and Wardens of all the several Companies then assembled, that a division of the estates, which was proposed to be made in Ireland, belonging to the Plantation, had been made into twelve parts, which were particularly expressed on twelve several sheets of paper, the same being numbered from one to twelve inclusive; and that, answerable to those proportions, the Committee for the Plantation had prepared twelve pieces of paper, each piece having one of the aforesaid numbers thereon, which were rolled and tied up severally, like lots, each lot referring to some one of the same twelve proportions of land; which twelve lots were brought into the Court by the Governor, in a box by themselves. That the whole monies disbursed already, in and about the said Plantation, amounting in all to £40,000, were, on the other hand, subdivided, and brought into twelve like several equal portions of money, each portion consisting of £3333. 6s. 8d. all which portions being added together, make up the sum of £40,000; and that in the same subdivision, this course had been taken that so many of the Companies of the City,

which had contributed towards the said Plantation, as made up one full portion of £3333. 6s. 8*d.* according to the several sums by them already disbursed, had been added and joined together; and that, in every of the said twelve proportions of money, one of the twelve principal Companies stood as chief, and unto that principal Company, not having of itself expended so much money as amounted to a full proportion, were added and joined so many of the inferior Companies as, according to their several sums by them already disbursed, made up a full proportion of £3333 6s. 8*d.* as near as possibly might be. And where the sum of any Company already disbursed, exceeded the last-mentioned sum, the said Company was joined to some other principal Company for the overplus; and inasmuch as the Companies joined together to make up a proportion of money, and their sums did not altogether make up an even proportion, but some happened to be more, and others less, than a full proportion; in that case, the Companies so joined together were rateably to pay to, or receive from, the Treasurer of the said Plantation, that which should be more or less than a full proportion; which Companies' names that were so joined together, to make up the said twelve proportions of money, were, in like manner, severally written on twelve several pieces of paper, together with the sum of money disbursed by each Company, and were afterwards, in like manner, rolled and tied up together like lots, and were brought likewise, and presented in Court by the Governor, in a box by themselves. And the same particulars were also written together on a sheet of paper, and subscribed with the names of the Committees for the said Plantation.

The arrangement of the aforesaid division was as follows:

The assessment already made upon the several Companies of London towards the Plantation in Ireland, was.....	£40,000	0	0
The said sum being divided into twelve parts, gave for each	£3333	6	8

The lands in Ireland being allotted into twelve parts, it was considered most fitting that the same should be divided under the names of the twelve Companies, and divers of them to have inferior Companies joined unto them, in the following manner:

	£.	s.	d.	£.	s.	d.
MERCERS	2680	0	0			
Innholders	200	0	0			
Cooks	200	0	0			
Embroiderers	153	0	0			
Masons	100	0	0			
				£3333	0	0
GROCERS (in part)	3333	6	8	3333	6	8
DRAPERS	3072	0	0			
Tallow-chandlers	260	0	0			
				£3332	0	0
FISHMONGERS	2260	0	0			
Leathersellers	950	0	0			
Plasterers	40	0	0			
Glaziers	32	0	0			
Basket-makers	32	0	0			
Musicians	20	0	0			
				£3334	0	0
GOLDSMITHS	2999	0	0			
Cordwainers	250	0	0			
Painter-stainers	44	0	0			
Armourers	40	0	0			
				£3333	0	0
SKINNERS	1963	0	0			
Stationers	520	0	0			
White-bakers	480	0	0			
Girdlers	370	0	0			
				£3333	0	0

	£.	s.	d.	£.	s.	d.
MERCHANT TAILORS						
(in part)	3333	6	8	—3333	6	8
HABERDASHERS	3124	0	0			
Wax-chandlers	80	0	0			
Turners	68	0	0			
Founders	60	0	0			
				£3332	0	0
SALTERS						
SALTERS	1954	0	0			
Dyers	580	0	0			
Saddlers	390	0	0			
Cutlers	225	0	0			
Joiners	164	0	0			
Woolmen	20	0	0			
				£3333	0	0
IRONMONGERS						
IRONMONGERS	1514	0	0			
Brewers	500	0	0			
Scourers	370	0	0			
Coopers	280	0	0			
Pewterers	240	0	0			
Barber Surgeons	230	0	0			
Carpenters	200	0	0			
				£3334	0	0
VINTNERS						
VINTNERS	2080	0	0			
Overplus from Grocers . .	540	13	4			
Woodmongers	200	0	0			
Weavers	100	0	0			
Plumbers	80	0	0			
Poulterers	80	0	0			
Tilers and Bricklayers . .	80	0	0			
Blacksmiths	64	0	0			
Fruiterers	64	0	0			
Curriers	44	0	0			
				£3332	13	4

	£.	s.	d.	£.	s.	d.
CLOTHWORKERS	2260	0	0			
Overplus from Merchant						
Tailors	752	13	4			
Butchers	150	0	0			
Brown-bakers	90	0	0			
Upholders	44	0	0			
Bowyers	20	0	0			
Fletchers	20	0	0			
				£3336	13	4
Total	£40,000	0	0			

The following Companies were to pay, *viz.*

	£.	s.	d.	£.	s.	d.
The Mercers	0	6	8			
Drapers	1	6	8			
Goldsmiths	0	6	8			
Skinners	0	6	8			
Haberdashers	1	6	8			
Salters	0	6	8			
Vintners	0	13	4			
				£4	13	4

And the following to receive, *viz.*

The Fishmongers	0	13	4			
Ironmongers	0	13	4			
Clothworkers	3	6	8			
				£4	13	4

The estates in Ireland, (except the city of Londonderry, the town of Coleraine, their contiguous lands, and the woods, ferries, and fisheries,) were immediately consigned to the management of the respective chief Companies and their Associates; and conveyances were made to them by the Society in virtue of their charter of incorporation, where-

by the territories in the province of Ulster were granted to them. The houses in Londonderry and Coleraine, the lands attached thereto, and the woods, ferries, and fisheries, not being susceptible of division, were retained by the Society, who received the rents and profits, and accounted for them to the twelve chief Companies.

Soon after the division of the estate, the several Companies sent over agents to let the lands.*

The whole of the estate so divided, had been estimated to be worth only £1,800 a year.

In letting their lands, the Companies stipulated with the persons proposing to become tenants, that they should perform the original articles and conditions of Plantation.

27th August, 1614.—Mr. Alderman George Smithes was elected Governor.

* From the survey of Captain Pynnar, made between the 1st of December, 1618, and the 28th of March, 1619, it appears that the following were the original undertakers and agents:—

1—Goldsmith's Hall	John Freeman, Esq.
2—Grocers	Edward Rone
3—Fishmongers' Hall	James Higgins
4—Ironmongers' Hall	George Cannynge
5—Mercers' Hall	Mr. Vernon
6—Merchant Tailors' Hall	Valentine Hartopp
7—Haberdashers' Hall	Sir Robert Mc Lellan
8—Clothworkers' Hall	Ditto
9—Skinners' Hall	Lady Dorrington
10—Vintners' Hall	Baptist Jones, Esq.
11—Drapers' Hall	Mr. Russell
12—Salters' Hall	Hugh Sayer

According to the Rev. G. V. Sampson's survey, the county of Londonderry contains three hundred and twenty-one thousand six hundred acres, (Irish) or four hundred and nine thousand three hundred and nine acres, (English).

The population of the county in 1814 was 186,181. The city and liberties of Derry contained 24,056, and the town and liberties of Coleraine contained 8,817.

The number of Catholics may be considered as being about one fifth less than the Protestants.

4th September.—About this time, Sir Josias Bodley was appointed by the Lord Deputy of Ireland, to examine into the progress of the Plantation, and ascertain whether the City had performed their engagements in fulfilling the conditions of Plantation; and having made his survey of the new settler's operations, he made a report to King James, wherein he complained, in strong terms, of the City's negligence in the Plantation. Soon after which, his Majesty required from the Lord Mayor and Court of Aldermen, information of all the particular proceedings of every Company upon their several proportions of land; and the Irish Society were directed to call every Company to an examination of their performances. In consequence whereof, precepts were issued by the Society to the twelve Companies, requiring them, with all expedition, to make a certificate of the state of their Plantation, and to send their Wardens or others before the Society, to answer and explain any questions that might be proposed to them, which was done accordingly.

15th January.—It appears by a letter written at this time by the Wardens of the Goldsmiths' Company, to their tenants in Ireland, that a dividend of the rents was to be made to the twelve chief Companies.

26th March, 1615.—Sir Josias Bodley having made the before-mentioned unfavourable report to King James of the slow progress of the citizens of London, in accomplishing the purposes of the intended Plantation, his Majesty wrote a letter to Sir Arthur Chichester, then Lord Deputy of Ireland, as follows:—

“Right, trusty, and well-beloved, we greet you well.

“We received lately from you, a relation of the present state of the Plantation in Ulster, set down with seeming clearness and order, by the pen of Sir Josias Bodley, according to the exactness of the survey thereof, taken lately by himself by our commandment, that we acknowledge his

care and industry in performance of this service, and do require you to give him thanks in our name for it. We have examined, viewed, and reviewed, with our own eye, every part thereof, and find greatly to our discontentment the slow progression of that Plantation; some few only of our British undertakers, servitors, and natives, having as yet proceeded effectually by the accomplishment of such things in all points as are required of them by the articles of the Plantation, the rest, and by much the greatest part, having either done nothing at all, or so little, or by reason of the slightness thereof, to so little purpose, that the work seems rather to us to be forgotten by them, and to perish under their hand, than any whit to be advanced by them; some having begun to build, and not planted, others begun to plant, and not built, and all of them, in general, retaining the Irish still upon their lands, the avoiding of which, was the fundamental reason of that Plantation. We have made a collection of their names, as we found their endeavours and negligencies noted in the service, which we will retain as a memorial with us, and they shall be sure to feel the effects of our favour and disfavour, as there shall be occasion. It is well known to you that if we had intended only (as it seems most of them over-greedily have done,) our present profit, we might have converted those large territories to our escheated lands, to the great improvement of the revenue of our crown there; but, we chose rather for the safety of that Country, and the civilizing of that people, to depart with the inheritance of them at extreme undervalues, and to make a Plantation of them; and since we were merely induced thereunto out of reason of state, we think we may without any breach of justice make bold with their rights who have neglected their duties, in a service of so much importance unto us, and by the same law and reason of state, resume into our hands their lands, who have failed to perform, according to our original intention, the articles of Plantation, and bestow them

upon some other men more active and worthy of them than themselves : and the time is long since expired, within which they were bound to have finished to all purposes their Plantation, so that we want not just provocation to proceed presently with all rigour against them. Yet we are pleased in grace, and that they may be the more inexcusable if they be deficient in their duties hereafter, to assign them a further time, which shall be to the last day of August come twelve months, which will be in the year of our Lord 1616, which we are determined shall be final and peremptory unto them ; and at which time we are resolved to seize into our hands, the lands of any man whatsoever, without respect of persons, whether he be a British undertaker, servitor, or native, that shall be found defective in performing any of the articles of the Plantation, to which he was enjoined. Our express pleasure therefore is, that as soon as this limited time of favor shall expire, that Sir Josias Bodley shall presently take a particular survey of the Plantation as it then stands, and whomsoever he shall certify to be deficient in any point to which he is bound touching the Plantation, that presently you seize into our hands the proportion or proportions of those lands wherein he hath made his omission ; and that you grant a custodium of them to any such person or persons as you shall think fit, till we signify our further pleasure to you touching the disposing of them ; and as we do let you know, so we require you to give them notice whom it concerns, that we do expect full performance in all points of the articles of the Plantation, by the time above specified, as well from all such as do now hold any lands of the Plantation, by purchase or mesne conveyance, from any of the original grantees or patentees, as we would have done from them whose rights they have required, notwithstanding any former conveyance or toleration granted under any pretext unto any of them heretofore. And because we will have no man to pretend ignorance of that which we expect from him, in performing

the true meaning of the articles of the Plantation, we require Sir Josias Bodley to take a review of the relation of his last survey sent unto us, and thereupon, with as much convenient speed as he may, signify to the Londoners, and every undertaker, servitor, or native, or to their servants or assigns, that dwell upon their lands, their several defects and omissions, either in matter or form, that all things accordingly may be reformed and performed against the next survey, which we have appointed to be taken hereafter of the Plantation there. Given under our signet at the Palace of Westminster, the 25th March, 1615."

To this Letter the King subjoined the following observation, written with his own hand.

"My Lord, in this service I expect that zeal and uprightness from you, that you will spare no flesh, English nor Scottish; for no private man's worth is able to counterbalance the particular safety of a kingdom, which this Plantation, being well accomplished, will procure."

1st May.—A conspiracy was entered into by some of the native Irish, to surprize and destroy Derry and Coleraine, which having been communicated to the Society by the Privy Council, precepts were issued to the twelve Companies to furnish arms and military accoutrements, which were directed to be transmitted by the Hall Keeper of Guildhall to Ireland, for the better defence of the Plantation; which precepts were punctually obeyed, and the arms, ammunition, and warlike stores were sent accordingly; and about the same time, (May 5) the Court of Common Council proposed, that a keep or citadel should be built at Coleraine, by the City; and it was referred to the Society to consider of the matter, and make report thereof to the next Court.

14th July.—Mr. Aldⁿ. Thomas Bennett was elected Governor.

31st October.—The Society issued the following notification to each of the twelve chief Companies, that if the

Company desired to have their proportion made a manor, and to have a court leet and a court baron, for the ease and good of their tenants, they were to consider,—first, what the name of the manor should be,—second, what lands they would appoint for demesnes, and the names of the lands,—third, what lands they would allow for common for their tenants,—fourth, they were to name certain persons to be made freeholders by the Society for the Plantation, of small quantities of land, to hold of that manor for the general service of the country; less than five freeholders upon their proportion could not well be made, and a balliboe, (about sixty acres) a piece to every one would be sufficient. Upon the freehold, double of the King's rent or more might be reserved, and the freeholders bound to the conditions of Plantation, as to build his house, (except it should be otherwise agreed) dwell thereupon with his family, inclose and keep arms in his house. But if the Company should be minded to lose the benefit of a manor, then the Society, for the Plantation, would presently make them their assurance, and they were to dispose of their lands as they pleased; but yet they were to remember, that care was to be had for the service and safety of the country; and therefore, of necessity, they were to make some freeholders upon their proportion.

9th November.—Precepts were issued by the Society to the twelve Companies for certificates of their works and operations, regarding the Plantation of their several proportions, in order that the Society might be able to give an account thereof to the government, when they should be ordered, which they hourly expected; and the Companies made their returns pursuant to the Society's requisition.

A licence was granted by the crown to the twelve chief Companies, to receive and hold in mortmain, any possessions of the gift of the Irish Society, or any other persons or bodies whatsoever; and power was also granted to the Irish Society, and all other persons, bodies politic or

corporate, to alien to such Companies. Power was also granted to the Irish Society to hold possessions in like manner.

The Society sent precepts to all the Companies, requiring each of them to send one or two artisans with their families, into Ulster, to settle there; and directions were also given, in order that Derry might not in future be peopled with Irish; that twelve Christ's Hospital and other poor children, should be sent there as apprentices and servants, and the inhabitants were to be prohibited from taking Irish apprentices. Directions were also given to the Companies, to repair the churches on their several proportions, and furnish the ministers with a Bible, Common Prayer Book, and a communion cup. The trades, which the Society recommended as proper to introduce into Ulster, were, weavers of common cloth, fustians, and new stuffs, felt makers, and trimmers of hats, and hatband makers, locksmiths and farriers, tanners and fellmongers, ironmakers, glass-makers, pewterers, coast fishermen, turners, basket-makers, tallow-chandlers, dyers, and curriers.

21st March.—Mr. Alderman Peter Proby was elected Governor, in the room of Alderman Bennet the late Governor, who on this occasion was elected an assistant to the Society.

The Society represented to the Common Council, the necessity of sending two persons into Ulster, to view and examine the state of the Plantation, and to make a report thereof on their return; accordingly, the Court elected two persons for that service who were not on the Society, but they afterwards declining it, the Court enacted, that the Governor of the Society, Mr. Alderman Proby, and Mr. Matthias Springham, one of the assistants, should proceed to Ireland at the expence of the general fund of the Plantation, with full powers from the Court, to view, examine, and regulate whatever was necessary in regard to the affairs of the Plantation; and an authority in writing, under the common seal of the City, was made out, and instructions were delivered to them.

27th July, 1616.—Communications were made by the Irish

Society to the Goldsmiths' Company, urging them to perform the conditions of Plantation, and execute the necessary works on their proportion, which, as well as the proportions of the other Companies, appeared at this period to proceed with great slowness.

The Commissioners performed their instructions, and stated their various operations in writing, by which it appeared, that they had given satisfaction to the Lord Deputy, in regard to the Plantation in general; that they had examined the fortifications at Coleraine; that the ditch was so contrived as to contain sufficient water for defence; that there were palisadoes from both sides of the fortifications made unto the river Bann, beyond the low water mark. They assembled the town of Coleraine, and offered to allow to any who would build, £20 a piece in money, and a lease for eighty years, at a rent of 6s. 8d. They did not consider Portrush a fit harbour, but they offered to contribute £200 towards building a pier, if the people of the neighbourhood thought it worth while to contribute likewise. They stated that the twelve children sent from Christ's Hospital to be apprenticed, had arrived safe at Derry, and they had caused ten to be apprenticed in Derry, and two in Coleraine. They considered it would be proper, that, in future, a market house and a town house should be erected in Derry, by which the city of London would gain the rent of three houses, then used for a town house there. They were offered £1000 a year for the fishings, by the then present tenants, on a renewal of their lease, which would expire within a year. The Commissioners declared the markets were well supplied with fish, and a very long salmon could be procured for 4d. 6d. or 8d. They assigned forty acres of land to the parson of Coleraine. They stated that the advowsons within the city's undertakings, were bestowed on English ministers, but the churches were represented as uncovered. The two town lands at Coleraine, they agreed to let to Mr. Rowley, for twenty-eight years, from Michaelmas then next, at £20 a year. They found that a

garrison was maintained at the Glynn's. They continued Thos. Raven as surveyor for two years, holding his service necessary for measuring and setting out the fortifications at Derry and Culmore: Sir Randall Mc Donnell promised by writing, under his hand, dated 1st August then last, to deliver to the city's agent, Mr. Beresford, two thousand one hundred and sixty acres of good and measurable land, over and above bogs, moss, and mountain. They stated the allowances made to the Burgesses of Derry and Coleraine by the city of London, for their attendance in parliament. They desired the Corporations of Derry and Coleraine, to consider together, what laws and ordinances were fit to be made for the good government of those places; but they were unwilling to entertain the motion, and were not desirous to have any conference with the Commissioners concerning any public laws and ordinances, but they made several propositions and demands, under pretence of a general good, which the Commissioners answered, and brought over their propositions and answers for inspection and consideration. The Commissioners granted five hundred acres of land, which had formerly belonged to Rory O'Kane, (who had incurred a forfeiture of his land by a criminal conviction,) to Mr. Carey, Recorder of Derry during his life, paying the usual rent of £5 6s. 8d. he having no salary; which they conceived to be the best way of giving him satisfaction, without charge to the city. They caused Mr. Goodwin, Town Clerk of Derry, to be reinstated in his office, he having been suspended therefrom. They examined the fortifications at Derry, and found that the ditch round the fortification was a dry ditch, eight feet deep, and thirty broad, and extended from the Prince's Bulwark, being at the West end of the city, along the South side of that fortification unto the water side, being more than half the circuit of the wall, as would appear by the plan they had made. They found that the quay at Derry was sufficient for the trade of the place, and they thought when the fortifications were finished, the city might either enlarge the same,

or make a new one. They discharged one Humphry Wetherley from his employment as water-bailiff and searcher, at Londonderry, for misconduct. They granted leases of most of the houses at Derry for thirty-one years, and allotted to every house a portion of land according to the rent, and distributed the island (except the bog) for gardens and orchards, as belonging to every house, in ease of the rent; and the bog they leased out to sundry persons for small rent, in hope that the same might be made firm and good meadow, in time to come. And they stated, that whereas the City had nothing for the bog before, they had procured a profit then of £7 yearly for the same. They delivered swords as presents from the City to the several Mayors of Derry and Coleraine. Tristram Beresford, the general agent, about this time, was Mayor of Coleraine. The Commissioners allotted three hundred acres for a free school, when it should be finished, which Mr. Springham promised to erect, at his own expence, the next year. They made estimates of the expence of repairing the churches and fortifications. They represented, that out of the four thousand acres of land to be laid to Derry, three thousand two hundred and seventeen acres had been granted to the Mayor, or otherwise laid to houses; and that, at Coleraine, one thousand eight hundred and twenty-six acres had been allotted to one hundred and twelve houses; and that Sir Randall M'Donnell had engaged to make good to the general agent two thousand one hundred and sixty acres of measurable land.

17th February.—Thomas Raven, the surveyor, was employed to make a survey and map of the proportions of the Several Companies, for their use.

8th September, 1617.—Conveyances were made by the Irish Society, appointing manors and granting demesnes, with manorial rights and privileges, to the twelve chief Companies.

16th September.—Mr. Calvert was Secretary.

A free school was erected this year, at Derry, at the expence of Mr. Springham.

9th September.—A feoffment was made by the Governor and Assistants to a tenant of the Goldsmiths' Company, of certain lands, reserving timber, game, and fishing of all sorts, and other seignoral rights to be held by him of the Society, as lords of the manor of Goldsmiths' Hall. A similar instrument was executed to the other Companies' tenants. Six of these feoffments were made to various tenants of the Goldsmiths' Company, to constitute them freeholders. A grant was made by the Society to the Wardens and Commonalty of the Goldsmiths, of their manor of Goldsmiths' Hall, stating the name of each balliboe, with all manorial rights, to hold to them in fee, in which conveyance is contained the following exception, "except, nevertheless, and out of these presents always reserved, unto the said Society of the Governor and Assistants of the New Plantation in Ulster, within the realm of Ireland, their successors and assigns, all timber trees, growing or being, or that thereafter should grow or be, in or upon the aforesaid premises, or any part thereof, with free liberty to, and for the said Society, their successors and assigns, where, and as often as they should think good, to fell, cut down, and carry away the same, and every or any part thereof. And also except and reserved to the said Society, their successors and assigns, free liberty to hawk, hunt, fish, fowl, come, go, ride, carry and re-carry, over, in, and through the same premises, and every part and parcel thereof, at all times convenient. And also except all the fishing and taking of salmons, eels, and other fishes, in the rivers of Bann and Lough Foyle, within the province of Ulster; and in all creeks and members of the same rivers, and either of them; and all the soil and ground of the same rivers, and every of them. And also free liberty to and for the said Society, their successors and assigns, to dig and search in the premises afore-granted, or any part thereof, (except and other than in the houses, gardens, orchards, meadows, or lands sown with corn) for stone, slate, loam, gravel, sand,

or other necessary materials, and the same to take and carry away, to be employed and converted for, in, and about buildings in the aforesaid county and province.”

A covenant from the Society, to allow timber to be taken from any adjoining premises for the use of the Company.

Similar grants were made to the other Companies.

About this time, the crown being dissatisfied with the City of London, by reason of various representations which had been made, suggesting, that the City had not performed the original conditions of Plantation, appointed Commissioners in Ireland, to inquire into the affairs of the Plantation, to whom the Mayor and Corporation of Derry presented a petition, complaining of many grievances which they suffered by the conduct of the Society.

16th September.—The Goldsmiths’ Company paid Mr. Calvert, the secretary to the Irish Society, £9 for the Company’s assurances, and to his assistant £1.

10th April, 1618.—A commission was sent from the Lord Deputy, to raise an aid on the Plantation to make the Prince a Knight. The tenant of the Goldsmiths’ Company complained of this levy as a grievance. The sum of £7 10s. was exacted of each Company’s proportion.

11th January.—A new officer, Nicholas Pynnar, was appointed in the place of Sir Josias Bodley, to take a general survey of the works of the Companies on their proportions in Ulster.

1622.—The town house of Derry erected by the Society.

The Lord Deputy Chichester granted Lough Neagh to the Irish Society in fee farm, for ever, at £100 a year.

10th October.—Sir Thomas Phillips made a survey of the Plantation.*

1624.—A reference was made by the crown, to the Lords Commissioners appointed by his Majesty, to remedy some defects of the Plantation, who ordered certain things to be

* This survey is extant among the archives in his Grace the Archbishop of Canterbury’s Palace, at Lambeth.

immediately performed, and a sequestration of the City's estates in Ireland, was directed to be made, for the performance of the works required to be done, which sequestration was opposed by the City. The propositions made by the Privy Council, and the answers intended to be given to them, were at the same time determined on.

2^d June.

In the year 1625 his Majesty King Charles the First came to the crown, Lord Wentworth was appointed Lord Lieutenant of Ireland, and Dr. Bramhall, who was afterwards appointed Bishop of Derry, accompanied him as chaplain.

In the beginning of his Majesty's Reign, Sir Thomas Phillips, who appears to have entertained hostile designs against the citizens of London, as British undertakers of the Plantation in Ulster, prepared and sent to his Majesty, a virulent accusation against them, charging them with breach of the original articles, and strongly urging the King to revoke the charter, and seize into his own hands the territories in Ulster; and in addition to this circumstance, various informations were sent from Ireland, at the instigation of Dr. Bramhall, against the Society, charging them with crimes and misdemeanors, in consequence of which, a sequestration was issued, and the county of Londonderry was seized into the King's hands.

24th July, 1631.—The King sent a letter to the Lords Justices of Ireland, as follows :

“CHARLES, REX. Right, trusty, and right well-beloved cousins and councillors, we greet you well.

“Our Father, of blessed memory, in his wisdom and singular care, both to fortify and preserve that country of Ireland, from foreign and inward forces, and also for the better establishment of true religion, justice, civility, and commerce, found it most necessary to erect British Plantations there; and to that end, ordained and published many politic and good orders; and for the encouragement of planters, gave them large proportions and privileges. Above the rest,

his grace and favor was most enlarged to the Londoners, who undertook the Plantation of a considerable part of Ulster, and were specially chosen for their ability and professed zeal to public works; and yet, advertisements have been given from time to time, not only by private men, but by all succeeding Deputies, and by Commissioners sent from hence, and chosen there, and being many of them of our Council, that the Londoners for private lucre, have broken and neglected both their general printed ordinances, and other particular directions, given by us and our Council here, so as if they shall escape unpunished, all others will be heartened to do the like, and in the end, expose that our Kingdom, to former confusions and dangers; for prevention whereof, we have upon mature advice of our Councillors for those causes, caused them to be questioned in our high Court of Star Chamber here, whence commission is now sent to examine witnesses, upon interrogatories, for discovery of the truth; and because, we understand, that the Londoners heretofore prevailed with some, from whom we expected better service, that in the return of the last Commission, many things agreed under the hands of most Commissioners, were not accordingly certified. Now that our service may not suffer by like partiality, we will, and require you, to have an especial eye to this business; and take care that this Commission be faithfully executed; and that no practice or indirect means be used, either to delay the return, or to frustrate the ends of truth, in every interrogatory. For other particulars, we refer you to our Committees for Irish causes, and expect from you, a good account of this business, wherein our government, and the state of that, our Kingdom, are interested very much. Given under our signet, at Oatlands, 24th July, in the seventh year of our reign.”

4th August, 1631.—The Lord Chancellor of England, (Coventry,) sent to the Lords Justices, the following letter:

“ After our very hearty commendations to your Lordships, I

send unto your Lordships, here enclosed, the copy of an order lately made in the high Court of Star Chamber, whereby your Lordships may perceive the care of that honourable Court, for preservation of the woods in the county of Londonderry, in that kingdom, as well for those woods which are already felled there, by the Londoners, or their assigns, as for those that are yet standing, that none of the one sort or the other, be, under colour of employing the same for the Plantations, converted to any other uses, whereof your Lordships are, by that order, to take especial care, and myself, by direction thereof, as from the Court, to require it at your Lordships' hands, which accordingly I recommend unto you, not doubting but your Lordships will be very careful to give the Court all due satisfaction therein, and so do commit your Lordships to God's protection, and remain, &c."

7th August.—The Lords of the Council in England, sent to the Lords Justices of Ireland, the following letter:

"After our hearty commendations to your Lordships, &c. his Majesty's letters, which this bearer will deliver, may best inform you, what care and endeavour his Majesty expecteth in the execution of a commission sent from the Star Chamber here, to examine witnesses in Ireland, in a cause depending betwixt his Majesty and the Londoners, for the breaches of covenants and orders, in their Plantation in Ulster, for your Lordships further instruction; in particular, we send herewith unto you a summary declaration of the state of that business, together with the bill, answer, and proceedings, as they stand in Court, whereby the points appear which require farther proof by witnesses or by record; such records and memorials as may be had from the council-books, or otherwise, your Lordships will cause to be searched, and sent over in authentic form, and generally how much the Londoners have failed in planting with British, and in settling justice, civility, and trade, and what they have done in their buildings

and fortifications, and what spoils they have committed in the woods, and otherwise, your Lordships can best discover; and the declaration we send, containeth the particulars in such manner, as we shall not need to enlarge your directions, save only, in desiring your Lordships to peruse the last commission that was executed in Ireland, about this business, and to consider all the points first agreed upon, by most of the Commissioners, and what return was made, and to cause the whole truth to be certified to the Court; this cause very much concerneth, not only the profit, but the honour of his Majesty, and in consequence, the common welfare, and settling of that kingdom, which is now committed to your Lordships' government and trust; and therefore, we must call upon you to proceed effectually therein, as we doubt not you will. And for the better expediting of this business, we have made choice of Sir Thomas Phillips, Knight, whose diligence, fidelity, and circumspection, we are well assured of, to take upon him the care and solicitation of the execution of this commission; and therefore, we do pray, and require your Lordships, both to give him yourselves your best furtherance and countenance, and likewise to recommend him to the Commissioners, that all fitting respect be given to him, and that he may be present and privy to the proceedings; and so we bid your Lordships very heartily farewell, from Whitehall, 7th August, 1631."

" Postscript.—Where in our letter we mention that your Lordships should peruse the last commission executed in Ireland, and to consider all the points first agreed upon by most of the Commissioners, and to cause the whole truth thereof to be certified to the Court; our meaning therein is, that your Lordships take special care, that in the execution of this commission some witnesses may be examined, to prove what was so conceived and agreed upon by those Commissioners, or the greater part of them, in those points which are now in question, that so the Court of Star-chamber here may be judicially informed thereof."

22^d August.—The King sent the following letter to the Lords Justices:—

“ CHARLES REX.—Right, trusty, and well-beloved cousins and councillors, we greet you well.

“ Whereas we have awarded our commission, under our great seal of England, out of our Court of Star-chamber here, for the examination of witnesses in a cause of great import, much concerning us in point of profit, but more in the safety of our kingdom of Ireland, which we far more tender; wherein our Attorney-general, on our behalf, is plaintiff, and the Lord Mayor of our City of London, and the Aldermen, his brethren, are defendants. And that we are credibly informed, that there being many witnesses to be produced living within the county of Londonderry, under the distress of the defendants, who being men but of mean quality and ability, will be very backward and unwilling to appear in that cause, to be examined against the said defendants, their landlords; and the rather being terrified and dismayed through the hard measure and ill-dealing that have been used towards others, who have heretofore been produced witnesses in the like kind; to the intent, therefore, that the said witnesses may not be afraid to appear, nor daunted when they appear, to deliver the truth of their knowledges, though it be against the defendants, nor receive any blame hereafter for their well-doing therein, but be countenanced and cherished for the same. And that there may be the more fair and indifferent carriage at the said commission, we do will and require you, that ye so agree together, that one of you, or if that cannot be, some of our Privy Council nominated by you, be present at the execution of the said commission and examination of the said witnesses; and that you appoint, and make choice, of one counsel learned in the law, whom you shall think fit, to be likewise there, attending the execution thereof, for the

satisfying and appeasing of any doubts or questions in law that shall or may happen to arise; and for the assisting of our servant, Sir Thomas Phillips, Knight, for the better managing the said commission, and speeding thereof. Given under our signet, at our manor of Woodstoke, the 22^d of August, in the seventh year of our reign.”

1632.—The whole county of Londonderry was sequestered, and the rents levied for the King’s use; and Bishop Bramhall was appointed chief receiver.

1634.—By sentence of the Court of Star Chamber, it was adjudged, that the letters patent of King James the first should be surrendered, and brought into Court to be cancelled.

The Society were alarmed, and made application for redress; but seeing nothing more done, and thinking that the King at his leisure, would grant them remedy, they submitted without impatience to this infringement of their rights. But those who projected these hostile measures, were not inactive to accomplish their designs effectually; and in the first place, Bishop Bramhall procured a letter of King Charles, dated 24th February, 1635, for passing of letters patents of several large quantities of the Society’s lands and others, as termon and arenagh lands, which he kept dormant till a fit opportunity offered for procuring them, which happened on the 4th August, 1637, when the King’s letters patent were passed for the quarter lands, called the fifteen hundred acres; amongst other things, reserving out of part, a rent of £90. 10s. to the Mayor and Commonalty of Londonderry.

These were the premises which had been left as commonage, by the Society, to the Corporation of Derry, for the support of the Magistracy, &c.

28th December, 1637.—The city of London, the Irish Society, the twelve chief Companies by distinct denominations,

and in general all other tenants of lands, &c. in the county of Londonderry, were served with a *scire facias* of eighteen skins of parchment, containing various recitals of the possessions and rights granted originally, to appear in the Court of Chancery, to shew cause why judgment should not pass.

The *scire facias* stated, that the Irish Society was formed as trustees for the City of London, for the use of the companies.

Although the Society surmised what was before determined, and offered an appearance conditionally, that they might have time to send for their agents from Ireland, to answer some of the matters of fact charged in the writ against them, yet it was not accepted, but, on the contrary, in Hilary term following, the Lord Chancellor, with the advice of the Judges, King's Counsel, &c. gave judgment, that the letters patent to the Society for the city and county of Londonderry, and the enrolment thereof, should be revoked, cancelled, and made void, and the said City and County seized into the King's hands.

This decree was enrolled in the Petty Bag Office.

In conformity with the aforesaid judgment, the city of Londonderry was seized into the King's hands.

9th of June, 1638.—The Bishop of Derry (Dr. Bramhall) applied on behalf of himself, the Corporation of Derry, and two others, for a licence to grant leases, which licence was granted as follows:—

“ WENTWORTH, (Lord Lieutenant of Ireland.)

“ Whereas the Rev. Father in God, John Lord Bishop of Derry, and the Mayor and Commonalty of the same, William Latham, Esq. and Nathaniel Houslock, exhibited petition at this Board, which followeth in these words:—To the Right Honourable the Lord Deputy and Council, the humble petition of John Lord Bishop of Derry, and the Mayor and Commonalty of the same, William

Latham, Esq. and Nathaniel Houslock, gentleman, humbly sheweth unto your Lordships, that whereas there is an agreement for certain leases to be made by your supplicant, John Lord Bishop of Derry, unto the rest of your petitioners, *viz.*—To the Mayor and Commonalty of the seven quarters of land, called or known by the names of Moylenan alias Molenan, Ballyougery alias Ballydougery, Termanbackoe, Ballynegowan, Termonderry, Creevagh, and Killeagh, situate in the parish of Templemore alias Derry, within the liberties of the said city of Londonderry, at the yearly rent of £50. To William Latham, Esq. of one parcel of land, called by the name of the Bog or Bottom, containing by estimation, one quarter of an acre, for sixty years, at the yearly rent of 20s. To Nathaniel Houslock, of three parcels or quilllets of meadow ground, containing by estimation, five acres and a half, for sixty years, at the yearly rent of 33s. 4d. All which agreements are for the benefit of that see and succession. May it, therefore, please your Lordships to licence the said Lord Bishop to make leases of the aforesaid lands as is desired, and he shall ever pray. Whereupon it was ordered, 1st May, 1638, that the Master of the Rolls, and his Majesty's principal Secretary, should consider of the petition, and certify. Whereupon the said referees made report to this board, as follows: 7th June, 1638.—May it please your Lordships, we have considered of the leases to be made by the said Bishop of Derry, to the Mayor and Commonalty and Citizens, of the city of Londonderry, of the seven quarters of land, be they more or less, known by the names of Molenan, &c. for sixty years, from the first day of the last Parliament, at the yearly rent of £50, and of the lease to be made by the said Lord Bishop, to Nathaniel Houslock, for the same term, of three parcels of meadow near St. Columbkil's Well, containing five acres and a half, be they more or less, at the yearly rent of £1. 13s. 4d.; and of the lease to be made to William Latham of a parcel of land, containing a quarter

of an acre of land, or thereabouts, in a place called the Bog, with the buildings thereupon, for the same term, at the yearly rent of 20s.; and we conceive all the said agreements to be beneficial to the see of Derry, and according to the late act of parliament. Signed Charles Wandesford, Phillip Mainwaring. Now upon consideration of the said petition and certificate, we think fit at this Board, and according to the statute intituled, "An act for confirmation of leases made by the Lord Primate, and other Bishops of Ulster," do hereby consent and declare our approbation, that the said Lord Bishop of Derry, do make a lease to the Mayor and Commonalty and Citizens, of the city of Londonderry, of the seven quarters of land,* be they more or less, known by the names of Molenan, &c. for sixty years, from the first day of the last parliament, at the yearly rent of £50; and that the said Lord Bishop do also make a lease to Nathaniel Houslock for the same term, of three parcels of meadow near St. Columbkill's Well, containing five acres and a half, be they more or less, at the yearly rent of £1. 13s. 4d. And that his Lordship do also make a lease to William Latham, of a parcel of land, containing a quarter of an acre of land, or thereabouts, in a place called the Bog, with the buildings thereupon, for the

* It appears that upon the original demising of the lands about Derry, four quarters of land adjoining, or near unto the City, were let to the Citizens with their houses, and at the same time, several other quarter lands, known afterwards by the general denomination of the fifteen hundred acres, comprising Molenan, Ballywogry, Termonbacco, Ballynagowan, Crevagh, and Killeagh, were left as a common to the City for its convenience, and as a help to support the charges of the Magistracy; but no grant was made of such lands to the Corporation, they were merely suffered to remain in their possession and use, as a waste or common, appendant or appurtenant to the city of Londonderry; and the Society always considered themselves seized of such wastes, whilst they received the rents of the lands to which they were so appurtenant.

same term, at the yearly rent of 20s. according to the certificate of the said referrees. Given at his Majesty's castle of Dublin, the 9th of June, 1638. Signed by ten of the Council."

The estates of the Irish Society having been seized into the King's hands, as before mentioned, pursuant to the aforesaid judgment and decree, a commission was afterwards issued by the crown, directed to the said Dr. Bramhall, Bishop of Derry, Sir ——— Parsons, Knight, one of the Privy Council, Sir Ralph Whitfield, Knight, Serjeant at law, and Thomas Fotherly, Esq. for the purpose of entering into contract for Leases with the tenants on the Plantation in Ulster.

In pursuance of this commission, the Commissioners, Sir Ralph Whitfield, and Thomas Fotherly, made grants and demises of the manors, lands, and possessions, belonging as well to the twelve chief Companies, as to the Society.*

1641.—It appears by the books at the Herald's office, that when King Charles the first returned from Scotland, and on that occasion was invited to dinner in the city of London, he made a public declaration that he was much troubled at the judgment that had been given for taking away his father's grant to the Society, and his Majesty promised the City it should be restored. He accordingly gave his commands for

* The various grants and agreements were engrossed on vellum, and signed by the respective parties, and were preserved, (bound up,) amongst the records of the Irish Society, till the fire in the Irish Chamber, which happened about the year 1784, when this important document was greatly damaged; the fragments, however, which remain, are valuable and interesting, as they elucidate the titles of the twelve chief Companies to their manorial town lands, which are described by name. And they set forth the estimated quantity of land contained in the respective denominations of town lands, granted or demised by the Commissioners.

restoring to the Society and Companies, all their possessions, but the rebellion afterwards breaking out, his Majesty's intentions were not fulfilled.

26th August.—The Mayor, Commonalty, and Citizens of London, on behalf of themselves, and the Companies, and divers, having lands and tenements in Londonderry, exhibited their petition to Parliament, and upon mature consideration, had and taken of the judgment and sentence against the City, it was voted and resolved in Parliament, (amongst other things,) that the sentence in the Star Chamber was unlawful and unjust; that the Citizens of London, and all those against whom the judgment was so given, in the *scire facias*, should be discharged of that judgment; and that both the Citizens of London, and those of the new Plantation, and all undertenants, and all those put out of possession, should be restored to the same estate, which they were in before the said sentence in the Star Chamber, and it will appear hereafter, that they were restored accordingly.

During the rebellion in Ireland this year, the city of London sent four ships to Londonderry, with all kinds of provision, clothing, and accoutrements, for several companies of foot, and abundance of ammunition. The twelve chief Companies sent each, two pieces of ordnance. There were at that time twenty pieces of artillery in Londonderry, which the Society had many years before provided for the safety of the place; and it was considered that the assistance which was then so given by the city of London, was the principal means of preserving the city of Londonderry, (which was besieged,) from the fury of the rebels.

After the termination of that rebellion in Ireland, the Londoners sent over Commissioners to settle affairs at Londonderry, and other places; the Companies demised their proportions, where leases were expired, and received their rents, where leases were still subsisting. And the Society's Commissioners renewed all the leases in Derry and Coleraine, and

at both places left the commons and wastes as before, for general accomodation and advantage.

1654.—A general survey was taken of the lands in Londonderry, called the civil survey, which was afterwards lodged in the Surveyor-General's-office, in Dublin.

29th August.—The Privy Council made an order, advising the restoration of all rights to the Society.

24th March, 1656.—The protector, Oliver Cromwell, granted letters patent, by which he restored the Society as originally ordained, and conferred on them the same rights as they enjoyed under the charter of James the First.

This last-mentioned charter had been duly enrolled in Westminster, but did not appear ever to have been enrolled in the office of the Rolls, in Ireland.

August, 1658.—The Society having procured fresh letters patent from the Protector, as before stated, about this time made new conveyances to the twelve chief Companies, of their respective proportions of land in Ulster. The original grant to the Ironmongers' Company is preserved amongst the records of the Irish Society, and describes all their town lands, or balliboos, by name.

Upon the restoration of King Charles the Second, the City of London petitioned the crown for a reversal of the judgment given against their first letters patent; but as the proceedings necessary to be adopted in this respect, it was considered, would be tedious, the King proposed to grant a new charter, to embrace all the possessions and rights the City originally possessed. And accordingly, on the 10th of April, 1662, letters patent were made out, which contained, with very little alteration, all the clauses of the first charter of James the First; and of which letters patent of 1662, (being the charter under which the Society now act) the following is an abstract.

10th April,
1662.

“*ABSTRACT* of the Charter of King Charles the Second, incorporating the Irish Society.

“ 10th April, 1662, (14th Charles II.)—Reciting charter of James the First, dated the 29th March, in the twelfth year of his reign, (1613) whereby the county and city of Londonderry were first constituted, and the limits thereof, with those of the town of Coleraine, fixed, and the Irish Society incorporated by the name of, The Society of the Governor and Assistants of London, of the New Plantation in Ulster, in the kingdom of Ireland.

“ And reciting, that the said Society of London, by virtue of a licence from James the First, dated 30th September, in the thirteenth year of his reign, (1615) had granted to the twelve chief Companies of the City of London, (who had taken upon themselves the greatest part of the burthen of the said Plantation) divers great quantities of land, and had retained in their own hands such parts which were not properly divisable for the discharging of the burthen of the general works of the said Plantation.

“ And reciting, that the said charter of James the First had been annulled in the Court of Chancery, by reason of which the said Society of London, and other the aforesaid Companies of the City of London, and their assigns and under-tenants, had been wholly deprived, and the Corporation of Londonderry together with the Society of London had been totally annihilated.

“ And reciting, that King Charles the First, in the year 1641, had declared his will for restoring the aforesaid Society of London, and other Societies aforesaid; but wars and disturbances then suddenly breaking out in Ireland, his intention had no effect.

“ King Charles the Second therefore confirms, and declares, that

“ The city or town of Derry, and the lands and premises

thereafter granted, should thenceforth be united and consolidated as a distinct and entire county, by the name of the County of Londonderry.

“That the City of Derry should be called the City of Londonderry; and the lands and premises within the same, and within the space of three thousand Irish paces, (Englised, three Irish miles) to be measured from the middle of the city, (from every part of the same) should be within the jurisdiction and liberties of the said city.

“That the houses, lands, and premises within the town of Coleraine, and the circuit of three thousand Irish paces, or three Irish miles, from the middle of the town, should be part and parcel of the town of Coleraine, and within the jurisdiction and liberties of the same.

“That the citizens and inhabitants of the city of Londonderry, and their successors, should be incorporated by the name of, The Mayor, and Commonalty, and Citizens of the City of Londonderry, with full powers to possess lands, plead and be impleaded, &c.—and have one Mayor, twelve Aldermen, two Sheriffs, one Chamberlain, and twenty-four capital Burgesses; and the whole forming the Common Council of the said city.

“That the Common Council of Londonderry be empowered to make laws in writing, for the government of the city, so as such laws be certified to the Society of London, within four months after the making of them, and approved and confirmed by the said Society within six months after the delivery of such certificate.

“That for the better order, direction, and government of all, and all manner of matters, for, or concerning, the city and citizens of Londonderry, and the Plantations to be made in the said city and county of Londonderry, and all other businesses pertaining to the same, there should thenceforth, for ever, be twenty-six honest and discreet Citizens of the City of London, to be chosen in form following, who should

be called, The Society of the Governor and Assistants of London, of the New Plantation in Ulster, in the kingdom of Ireland. Which said Society should be, and consist of, one Governor, one Deputy of the same Governor, and twenty-four Assistants; of whom the Governor, and five Assistants, should be Aldermen of the City of London; and also that the Recorder of the City of London, for the time being, should be one of the said Assistants.

“That the Society should be incorporated by the name aforesaid, with full powers to hold lands, plead and be impleaded, have a common seal, &c.

“That the said Society should be elected for ever thereafter, yearly, by the Mayor, Aldermen, and Commonalty of the City of London, at the first Common Council to be held next after the Feast of the Purification of the Blessed Virgin, (2^d of February) at which time the Deputy Governor, and twelve of the said persons who should have been Assistants in the year precedent, shall be removed from their office; and another Deputy, and twelve other Assistants, shall be supplied for the help of the Governor not removed, for one year next to come, and so in the ensuing year, in rotation; so that twelve of the same Assistants shall be continued in their place during the term of two years.

“That as often as it shall happen that any one or more of the said Society should die, depart, or be removed from his or their office or offices, (all, or any of whom, not well demeaning or behaving themselves, to be removable at the pleasure of the Common Council of the City of London, of whom the Mayor for the time being to be one) then as many citizens should be elected by the Common Council at the next Court after the death or removal of such person or persons, into the place or places of him or them respectively, thus happening to be vacant by death or removal, or departure aforesaid, as will be sufficient to supply such vacancies.

“That after the election of the Assistants as aforesaid, the

person or persons so elected, after his or their corporal oath, taken before the Mayor of the City of London, well and faithfully to execute the said office, should and might exercise the same during all the remaining time limited to his or their predecessor or predecessors.

“That the said Society, or any nine of them, (whereof the Governor, or Deputy Governor, should be one) should have full power to convene, assemble, and hold a Court in the Guildhall of the City of London, or some other place within the City of London, as often as it should seem expedient to them; and in the said Court or assembly to do, hear, treat, and determine all, and all manner of matters and things whatsoever, of or for, or concerning the Plantation and government aforesaid, as to them shall seem best and expedient. And to direct, constitute, and ordain, as of the part of the Mayor, and Commonalty, and Citizens of London, all and singular matters which should seem most conducive and expedient for and concerning the plantation, supply, establishment, continuation, and government of the aforesaid city of Londonderry, and all other lands and tenements thereafter mentioned to be granted; and also to send orders and directions from the kingdom of England into the said kingdom of Ireland, by letters or otherwise, for the ordering, direction, and disposition of all, and all manner of things and matters whatsoever, of or concerning the same Plantation, disposition, or government of matters there; and also of the receiving and ordering, disposing and disbursement, of all such sums of money then already collected or received, or thereafter to be collected or received; and generally for any other thing, cause, or matter whatsoever, which, by the true intent of the now reciting Charter, may or ought by them to be done, for the better government and regulation of the city and county of Londonderry aforesaid.

“And in the said Court, to be held in form aforesaid, from time to time, they might and should have power and

authority to nominate and constitute such and so many other officers and ministers of the said Society, for the expediting the business aforesaid, as to them should seem best and most expedient.

“And that the Governor of the said Society, or his Deputy, for the time being, should appoint or constitute days and times to assemble the said Society; and should make or cause to be made summons thereof to the said Society, from time to time.

“Then follow provisions for the Mayor, Aldermen, Sheriffs, and Common Council of the city and county of Londonderry, their mode of election, appointment of Chamberlain, Recorder, and other officers.

“Grants to the said Society of the Governor and Assistants of London, and their successors.

“The city and county of Londonderry, the town of Cole-raine, and divers other large proportions of lands, and other premises therein specified; together with all woods and underwoods; the barony of Loughinshellen; the castle of Culmore; the water and soil of the river Bann, from the sea to Lough Neagh, and the fishery for salmon and eels therein; the water and soil, and fishery of Lough Foyle, from the sea unto the town of Liffér; the right of patronage of the churches; the ferryage over Lough Foyle and the Bann; a fee farm rent out of certain lands, formerly belonging to or in the occupation of Sir Thomas Phillips; all the messuages, mills, commons, lordships, glebes, wastes, woods, tythes, fishings, warrens, mines, quarries, heriots, fines, courts-leet, view of frank pledge, fairs, markets, tolls, customs, advantages, and other hereditaments whatsoever; with certain exceptions.

“To hold the same county, territory, lands, &c. unto and to the use of the said Society of London, and their successors for ever.

“To hold the said city of Londonderry, the four thousand acres of land to the said City, next adjoining upon the Derry

side; and the aforesaid town of Coleraine, and three thousand acres of land to the same town of Coleraine next adjacent, in free burgage, as of the castle of Dublin.

“ And to hold the rest of the said premises as of the castle of Dublin by fealty only, in free and common socage, and not *in capite* nor by knight service.

“ Rendering the rents or yearly sums therein mentioned, to the Exchequer in Ireland, at Lady-day and Michaelmas-day, by equal proportions, yearly, for ever.

“ That the said Society of London and their successors, from thenceforth for ever, at all times, should keep and maintain at their own proper costs and charges, of, in, and upon the aforesaid castle and fort of Culmore, one ward of such and so many men, well and sufficiently armed, and of such expert and sufficient officers, as the King and his successors from time to time should require.

“ Charges and commands that the timber growing upon the lands of Glenkonkene and Killetragh, extending from the late County of Coleraine, now Londonderry, unto Ballinderry, from thenceforth should remain, and be only converted towards the Plantation aforesaid, and the structures and edifices to be made, and other necessary uses of the kingdom of Ireland, and for no other cause to be merchandized or sold.

“Grants to the said Society of London, all customs, subsidies, poundage, tonnage, great and small customs, arising in the city and liberties of Londonderry, the county of Londonderry, and town of Coleraine, and within the ports and creeks of them, the port of Portrush, the river of Lough Foyle, the river Bann, the river of Loughswilly, on goods imported as merchandize from foreign parts, and thereafter exported for fifty years, from the date of the charter.

“ The port of the city of Londonderry to be a free port, for the charge or discharge of all merchandize.

“ Grants to the said Society of London and their successors

for ever, the office of Vice Admiral in all the coasts and shores of Tyrconnell, Coleraine, and the county of Londonderry, to be executed by deputy.

“Grants all wrecks, privilege of fishing, &c. power to erect manors, &c. courts baron, court of record in Londonderry, &c.

“Then follow provisions affecting the trade and commerce, customs, laws and privileges of Londonderry, and their sending two Burgesses to parliament.

“The Governor, Deputy Governor and Assistants, to be sworn before the Mayor of London, faithfully to execute their office, and also to take the oaths of supremacy and allegiance.”*

The customs of tonnage and poundage, of Londonderry, Coleraine, and other ports, having been granted to the Society by the charter, applications were frequently made by the Society to the officers of the crown, for the purpose of being established in the receipt of them, which had not been done, but it having been considered prejudicial to the revenue of the crown, if the customs should be granted, agreeably to the provisions of the charter, his Majesty on the 18th February, 1664, communicated his desire to give the Society an adequate compensation in money for the same; and after some negociation, £6000 were agreed to be paid, of which £2000, part thereof, was soon afterwards received.

About this time Sir Thomas Adams was Governor; John Sprackling, Secretary; John Quick, Assistant Secretary; and Colonel Gorges, General Agent.

* It is the opinion of the most eminent Lawyers, that if a Corporation accept a charter, which alters or abridges their former privileges, this will bind them, especially if by long usage after they submit to it.

From the time of granting this charter, to the present period, the records of the proceedings of the Irish Society, at their Courts and Committees, have been kept in the Irish Chamber, Guildhall.

1668.—Leases were prepared in conformity with the land agents certificates.

April.—Sir John Lawrence was Governor.

In this year, great part of the city of Londonderry was destroyed by fire.

15th September.—The Society required from the Corporation of Londonderry a certificate, under seal, of their by-laws for confirmation of the Society, agreeably to the provisions of the charter, and expressed their unwillingness to receive any communications purporting to be the acts of the Common Council of Londonderry, unless they were under the seal of that Corporation.

1675.—Sir James Rowley was appointed master of the Society's game, which then principally consisted of red deer, and was allowed a salary of twenty marks per annum.

The scite of the citadel at Coleraine was let to improving tenants.

3rd February.—Mr Davis was appointed General Agent.

21st February.—Sir William Turner was Governor.

9th June, 1676.—A dividend was ordered to be made to the twelve Companies, and the Treasurer was directed to receive the rents due from several of the Companies, in respect to their manors. These rents were reserved originally as acknowledgments of the seigniorial right, or paramount jurisdiction of the Society. They were reserved in respect of freeholds, granted at 13s. 4*d.* each in the following manner :

		£.	s.	d.
The Grocers having 32 Freeholds, paid	21	6	8	
Skinners 26	17	6	8	
Haberdashers.. 18	12	0	0	
Ironmongers .. 17	11	6	8	
Mercers 1	0	13	4	

1682. At this time it was ordered by the Society, that the members should be paid for attendances at Courts and Committees.

18th April, 1683.—The Society ordered that a fee should be paid by every Company, on the delivery of their dividend warrants.

24th October.—The Attorney General gave his opinion, that though a judgment had been obtained against the city of London, it did not suspend the Corporation of the Irish Society.

7th March.—The Secretary, Mr. Porter, was appointed, on the recommendation of his Majesty.

April, 1684.—The King confirmed the Society's Charter.

13th June.—The Corporation of Londonderry, by letter to the Society, offered to hold a correspondence with them, and to render a faithful account of their concerns, when desired.

1685.—During this year there was a great decay of trade in Londonderry. The Corporation complained that the government of the place was too expensive for the magistrates to sustain, and they supplicated the Society for abatement of rent; and the Society promised them assistance.

20th March.—Mr. Ballowe was appointed Secretary, though the King recommended Mr. Gwillim.

A quo warranto against the Corporation of Coleraine was issued.

Iron works were erected on the Plantation, to the great destruction of the woods.

The chief Companies were written to by the Society, to introduce clauses into their tenants' leases, to prevent destruction of timber.

1687.—The Bishop of Derry laid claim to the Quarter Lands, which became the subject of a long and very expensive litigation; which, as will hereafter appear, terminated in the rejection of his claim.

A quo warranto was brought against the city of Londonderry.

The Governor, Deputy, and four others, were appointed a Committee to wait upon the Lord Chancellor, and consult with him, on the propriety of petitioning the King, on the

subject of the sessions and assizes being kept at Londonderry, and to obtain an act of state for confirming the same. The petition was afterwards prepared.

25th June.—Sir William Prichard was Governor.

6th July.—The Haberdashers' Company gave the Society an indemnity against the rent running in arrear, for their manor of Freemore, which they had sold to the Beresford family.

6th October.—Sir Peter Daniell was Governor.

1689.—In this year Londonderry was besieged.*

29th January.—The fishings belonging to the Society were directed to be advertized for letting, on the Royal Exchange and in the Gazette.

15th August.—The Society ordered £10 to be paid to Joseph Bennett, for his intrepidity in contriving to pass through King James's army, then besieging Londonderry, and coming over to England to give an account of the situation of the City, to King William and the Society.

16th August.—The King sent the following letter to the Governors of Londonderry.

“WILLIAM, REX.—Trusty and well beloved, we greet you well.

“The eminent and extraordinary service that you have performed unto us, and our kingdoms in general, by your late resolute and unparalleled defence of that our city of Londonderry, as it does oblige us in the first

* The siege of Londonderry was raised, 30th July, 1689, and as it was an event so honourable to its inhabitants and its magnanimous defenders, as well as important to the country at large, and forms such a conspicuous feature in connection with the proceedings of the Irish Society; it is thought proper to insert in the Appendix, the description of the siege, taken from Leland's History of Ireland, as inserted in the printed work, intitled “Derriana,” which description is considered to be the most concise and satisfactory account of that transaction hitherto published.

place, to an humble acknowledgment to Almighty God for his signal mercy, in supporting the hearts and courage of our good subjects, amidst their great and various difficulties and distresses, arising from a furious opposition without, and near pressing necessity within those walls; and sending them at last deliverance, and bringing them by your conduct to triumph over their enemies, which we cannot but attribute to an immediate divine assistance; inspiring them with a zeal for the true religion and love for their country, and an unshaken fidelity towards us, and must ever own it as a continuation of that miraculous providence, which hath hitherto conducted us throughout in our endeavours to re-settle these nations in all their civil and religious rights and liberties;—so in the next place, taking into our serious consideration, as well the importance of this success, as that constancy and bravery by which it hath been brought to pass,—we would not omit signifying unto you, the just sense we have of this whole action, in which, having the greatest opportunity that can be put into the hands of any subjects of obliging their prince, you have in all points acquitted yourselves to our satisfaction, even beyond what could have been expected; insomuch, that it now lies on our part to make such retributions, as well to you, the commanders in chief, who have been the happy instruments, under God, of this deliverance, as others who have signalized their loyalty, courage, and patience, in the time of trial. That all our subjects being encouraged by this example, may be stirred up to the imitation of it, in the like hazardous but honourable enterprize. We will therefore, that you rely on our royal favour towards you; and also in our name, you assure the officers, soldiers, and inhabitants of that our city, that we will take fitting occasions to recompense their services and sufferings in our cause; so that neither they, nor any other of our loving subjects, shall ever have reason to repent them of a faithful discharge of their duty; and so we

bid you farewell. Given at our Court, at Hampton Court, this 16th day of August, in the first year of our reign, 1689.

“ By his Majesty’s command,

“ SHREWSBURY.

“ To our trusty and well beloved GEORGE WALKER,
and JOHN MICHELBORN, Esqrs. Governors of Londonderry.”

20th August.—The Society directed several of their members to wait upon the Rev. George Walker, the late Governor of Londonderry,* and render their thanks for his services in the preservation of the City.

6th September.—Mr. Walker attended the Society, and represented that most of the houses in Derry were demolished by the military operations of the enemy during the late siege, and stated the necessity of some immediate assistance being sent to the inhabitants, whereupon it was thought fit, that the Society should apply to the Lord Mayor, Aldermen, and Common Council of London, to induce the twelve chief Companies to advance £100 a-piece, to be paid to the Society’s

* Mr. George Walker, so justly famous for his defence of Derry, (when Lundy, the Governor, would have surrendered it to King James,) was born of English parents in the County of Tyrone, and educated in the university of Glasgow; he was afterwards Rector of Donoughmore, not many miles from the city of Londonderry. Upon the Revolution, he raised a regiment for the defence of the Protestants; and upon intelligence of King James having a design to besiege Londonderry, retired thither, being at last chosen Governor of it. After the raising of that siege, he came to England, where he was most graciously received by their Majesties, and was appointed Bishop of Derry; and on the 19th of November, 1689, received the thanks of the House of Commons, having just before published an account of the siege, and had a present of £5000. He was created D.D. by the University of Oxford, on the 26th February, 1690, on his return to Ireland, where he was killed the beginning of July, at the passage of the Boyne, having resolved to serve that campaign before he took possession of his Bishoprick. *Vide Derriana*, p. 126.

Treasurer, that thereby the Society might be enabled to send such immediate relief, as might encourage the City's tenants to continue in their habitations, until the season of the year should invite those, who had abandoned the place, to return and build their houses again. A committee was accordingly appointed to wait upon the Lord Mayor, to call a Common Council for that purpose, which was afterwards done, and the required contributions were obtained, and afterwards distributed amongst the sufferers by the siege.

25th March, 1690.—Sir John Lawrence was Governor.

Captain Neville presented to the Society, a survey, taken by himself, of the damages done to the city of Londonderry, and a map of the City, during the late siege.

The Mayor and Recorder of Londonderry appeared before the Society, and proposed, that if his Majesty would please to grant his letters patent for a contribution towards rebuilding of that City; and the Companies of London would raise a fund for the building of the court house, and other accommodations, for the reception of the Judges and Commissioners of assize, it would be a great means to restore that City to its former splendour.

20th March.—Colonel Michelborne solicited the Society to recommend him to his Majesty, as Governor of Culmore Fort,* which thing the Society took into consideration; and finding in the Charter that they were obliged only to maintain such a garrison in the said fort as should be thought necessary by their Majesties, and considering that the said fort was then quite demolished, and not capable of any garrison, the Society were of opinion, that in regard there was no fort, there could be no occasion for a Governor, and, therefore, no obligation upon the Society to pay any stipend or salary.

* This fort was first erected in the year 1600, but in 1690 it was in a ruinous state, and was never rebuilt afterwards.

31st July.—The Mayor and Corporation of Londonderry solicited from the Society further assistance, for the purpose of rebuilding the public structures.

A letter of attorney was granted to Mr. Moggridge, authorizing him to enter upon the lands belonging to the Society, adjacent to the fort of Culmore; and also such town lands and houses, in the city of Londonderry, as should appear to be forfeited by the rebellion in that part of the kingdom.

The Mayor of Derry solicited the Society for certain tolls due to the Society, for one year, for better enabling him to undergo the charge of the Mayoralty of Londonderry, for the ensuing year.

6th May, 1691.—Sir Charles Fielding was appointed by his Majesty Governor of Culmore fort. A warrant was made out, by the Society, for payment of £50 to him.

A warrant was issued to the wood rangers, to supply sixty tons of timber, towards rebuilding the market-house, repairing the gates, and other public buildings in Derry, at the usual rates.

16th May.—The Society sent a letter to Mr. Davis, in which they say, “we have lately received a letter from Mr. Moggridge, giving an account of the very sad and deplorable condition of Londonderry,” and they directed Mr. Davis to give them as particular an account as possible, of the state of that city, and what was fit to be done by the Society, they being extremely importuned by the Corporation to quit all arrears for time past, and also to grant an additional term in their leases, and to make abatement of their rents, as an encouragement for them to rebuild.

4th December.—The fishings were let to Lord Massareene, for two years, at £1050 per annum.

It appears, that one hundred and twenty tons of timber, and forty thousand laths, were allowed for building the town-house of Derry.

Sir Matthew Bridges produced her Majesty's commission

to him, as Governor of Londonderry and Coleraine, and required the usual salary of £200 a year, payable to the Governor of Culmore fort, and the acres belonging thereto, respecting which the Society determined to consult counsel.

During this year, the Society sent over Commissioners to Londonderry, to view the wastes and ruins by the siege, to make abatement of rents, and to augment the terms in leases, and the same was done at Coleraine.

17th March.—Sir Robert Clayton was Governor.

7th April, 1692.—The Society ordered the salary to be paid, and the acres to be enjoyed by the Governor of Culmore fort in future.

9th June.—Robert Rochfort and David Cairnes, were appointed by the Society as Commissioners, to adopt the best measures for rebuilding Londonderry, and granting leases.

22nd September.—£20 a year was allowed to the master of Derry free-school.

John Moggridge, town clerk of Londonderry, was appointed by the Society, collector of rents at Derry, and Richard Lynam collector at Coleraine; each entering into a bond for performance of his trust, in a penalty of £1000.

Seventy officers, who had served in the city of Londonderry during the siege, petitioned the Society for assistance, who recommended their case to the chief Companies.

The Society acceded to the Bishop's proposition, of referring the division of the advowsons, on the Plantation, to his Grace the Archbishop of Canterbury.

The Corporation of Londonderry endeavoured to negotiate with the Bishop of Derry, for a renewal of the lease of the quarter lands, which was now near expiring; and, for that purpose, sent John Moggridge, their town clerk, to treat with his Lordship for the same; but the Bishop refusing to grant the renewal on the terms they wanted, the treaty was broken off; and then the Corporation, being well aware that the Society were the proprietors of those lands, and were

ignorant of the fraud that for many years had been practised on the Society, began to reflect whether it would not operate for the interest of the Corporation to disclose the whole affair to the Society, and oppose the Bishop's pretended right; and, accordingly, they soon afterwards disclosed the whole transaction to the Society, who engaged to allow them £90. 10s. a year* for this piece of service, if they succeeded in establishing their right.

23rd March.—It was ordered, that before any leases be made, there be a survey of all the perches and acres belonging to each house, and that the same be numbered in every lease. It was agreed also, that a certain number of tenants should have freehold life interests created in their leases for years, so that if the freeholders should happen to die before the expiration of the term of years, then the executor or administrator should have the benefit of the lease, for the remainder of that term.

May, 1693,—A letter was sent to the Lord Lieutenant, relative to the election of officers in Londonderry, and the re-building of the place, and re-establishment of that Corporation, of which letter, the following is a copy.

“ Lord Lieutenant,

“ May it please your Excellency, when some of us had the honour of waiting upon you, when you were about to leave this place, you were pleased to command us to mind you of any thing wherein you might be helpful to the poor desolate city of Londonderry; we therefore presume to lay before your Excellency, the hardship of that poor City's case, about the election of their chief officers. Their Charter binds them to choose, when there are vacancies, within three days, and some general regulations since of Corporations, require your Excellency's approbation of those

* This sum is still paid to the Corporation of Londonderry, by the Society.

that are chosen ; and, if by any suggestion the allowance be suspended, the distance of this City from Dublin, makes the election impracticable. We doubt not your Excellency will have a great regard to the approved fidelity and good affections of those citizens, that have survived so much misery for the sake of their religion and country, and will not suffer any to discourage them in the choice of such officers, as shall be most serviceable to the re-building and re-establishing of that Corporation ; and, therefore, we most humbly recommend all their concerns to your Excellency's prudence, care, and kindness, and remain,

“ May it please your Excellency,

“ Your Excellency's most faithful and obedient Servants,

(Signed by) “ ROBERT CLAYTON, Governor,

“ ARTHUR BARON, Deputy Governor,

“ And twelve others.”

22nd June.—Various sums were directed to be paid to officers who had served at the siege of Londonderry.

24th May, 1694.—It was ordered that a letter should be written to the Corporation of the city of Londonderry, to acquaint them, that the Society would assert their right to the fifteen hundred acres, and directed them to retain possession of them ; and Mr. Moggridge was sent for from Ireland to advise the Society how to act thereon ; soon after which, the Committee were directed to prepare a case for the opinion of Counsel on the subject of the right to the fifteen hundred acres, and the following letter was accordingly written (1st June) to the Corporation :

“ Gentlemen,

“ Yours of the 30th of January last, we received, and are sensible with the hardships you are threatened with, about the fifteen hundred acres ; we would hope when your lease expires, the Lord Bishop will see cause to take other measures. And we however have the matter under our consideration, and resolve to adhere to

our right, and in order thereto, have sent to Mr. Moggridge to come over prepared to assist us therein, before Michaelmas Term; and in the mean time we desire you to keep in possession.

“ We are, &c.”

18th July, 1695.—It was ordered, that an ejectment should be brought against the Bishop, for the remainder of the fifteen hundred acres, and other lands, comprised in the Society’s letters patent, then in the possession of the Bishop, or his tenants.

13th August.—The whole history of this suit, and the Bishop’s pretended title to these lands, was set forth at length, in a work composed whilst the suit was depending, by Mr. Moggridge, for the information of the Society.

4th February, 1696.—The Lord Chancellor and Justices of Ireland were invited to dine with the Society, at the Governor’s house.

23rd November.—The Society resumed the possession of the fifteen hundred acres.

1st October, 1697.—The Bishop of Derry appealed to the House of Lords in Ireland, from an order of the Chancellor respecting the fifteen hundred acres.

An order was obtained for re-establishing the Bishop in his possession, which was opposed by the Sheriffs and other inhabitants of Londonderry, in consequence of which, an attachment was issued, and the Sheriffs and others were taken into custody, and carried to Dublin. The Bishop’s conduct on this occasion appears to have been most highly disgraceful.

23rd November.—The Society, not being satisfied with the determination of the Lords in Ireland, in favour of the Bishop’s claim to the fifteen hundred acres, appealed from their decree to the House of Lords in England.

25th February.—It was ordered that a Society should be summoned to attend the Committee of the House of Com-

mons, on the petition presented, relative to the sufferings of the inhabitants of Londonderry.

1700.—Mr Moggridge was appointed solicitor to the Society, by a commission under the Society's seal; and he was allowed a salary of £20 a year, exclusive of his bills of charges for professional services.

18th June, 1702.—Mr. Brace elected secretary.

1703.—The Duke of Ormond, Lord Lieutenant of Ireland, was invited to dine with the Society, and the entertainment cost £234. 17s. 6d.

3^d and 4th Anne.—An Act of Parliament was passed, intitled, “An Act for settling the right of several parcels of Land and other Tenements; and of several Fishings, and Tythes of Fishings, in the Society of the Governor and Assistants, London, of the New Plantation in Ulster, within the Realm of Ireland, and their Successors; and for settling a Rent-charge of £250 per annum upon the Lord Bishop of Derry, and his Successors, for ever.

“WHEREAS several disputes have formerly arisen, between the Bishops of Derry and the Society of the Governor and Assistants, London, of the New Plantation in Ulster, within the realm of Ireland; and the same are still depending between Charles, Lord Bishop of Derry, and the said Society, concerning the right of certain parcels of land, and other tenements; and concerning the right of several fishings, and tythes of fishings, in the rivers of Bann and Loughfoile, in the county of Londonderry, and in the counties of Antrim, Tyrone, and Donegall, in the kingdom of Ireland; which have caused great trouble and charge to the said Bishops and Society, and been the occasion of great heats and animosities among several of the inhabitants of the said counties. Now, for the settling and quieting all differences between the said See and Society, and for remedying the said inconveniences, and for preventing the like for the future, the said Lord Bishop of Derry, and the Governor and Assistants

of the said Society, do most humbly beseech your Majesty, that it may be enacted, and be it enacted, by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and the Commons in this present Parliament assembled, and by the authority of the same, that the said Governor and Assistants, London, of the new Plantation in Ulster, within the realm of Ireland, and their successors, shall and may, for ever hereafter, have, hold, and enjoy, to their own proper use and behoof, all those several quarters or parcels of land, called or known by the names of Termonbacco, Mollenam, Ballygan, alias Ballygowan, Ballywirry, alias Ballyougry, Creevagh, and Killeigh alias Killeagh, and sometimes known by the name of the Fifteen Hundred Acres, and by some called or known by the name of Termonderry, or by what other name or names the same, or any part thereof, be called or known; situate, lying, and being in the county of Londonderry, in the county of the city of Londonderry, or one of them: and, also, all that fishing called the Gull or Gutt, near Ballynass; together with the wear and mill of Ballynass, with the appurtenances, and the small piece of land thereunto adjoining, and heretofore enjoyed with the same, containing, by estimation, two acres and a half, more or less: and, also, all the fishings, and rights of fishing; and, also, all and all manner of tythes of fishing belonging to the said Bishop, or see of Derry, of what nature or kind soever, in the rivers of Bann and Loughfoile, within the county of Londonderry, or of or in any other rivers, waters, or fishing places, within the said county of Londonderry, or in the counties of Antrim, Tyrone, or Donegall, and which have at any time heretofore been claimed or enjoyed by the Bishops of the said see of Derry, for the time being; and that the said lands, tenements, fishings, tythes of fishing, and all other the premises, subject to all former charges, issues, and payments, charged or chargeable upon any of the premises, or upon the said Bishops of Derry, for or in

respect of the same, be, and are hereby vested in the said Governor and Assistants, London, of the new Plantation in Ulster, within the realm of Ireland, and their successors; and shall be held and enjoyed by them, against the said Bishop of Derry, and his successors, and all persons claiming by, from, or under them, or any of them; and for a full and ample compensation to the said Bishop, and his successors, Bishops of Derry, **BE IT ENACTED**, by the authority aforesaid, that the said Bishop and his successors, Bishops of Derry, for ever hereafter, shall have and receive, and shall be seized in the right of their said bishopric, of and in one annuity, or rent-charge, of £250 per annum*, to commence from the feast-day of the Annunciation of the blessed Virgin Mary, 1704, payable quarterly, at the four most usual feasts, or quarterly days of payment in the year: that is to say, the feasts of the Nativity of St. John the Baptist, St. Michael the Archangel, the Birth of our Lord God, and the Annunciation of the blessed Virgin Mary, by even and equal portions, at the Mansion-house belonging to the said Bishop of Derry, situate in Londonderry aforesaid, issuing out of, and chargeable and charged upon, all and every the premises hereinbefore mentioned, and all other the messuages, lands, tenements, fishings, tythes of fishings, and all other the estate whatsoever, of the said Governor and Assistants, London, of the new Plantation in Ulster, within the realm of Ireland, situated, lying, and being in the said province of Ulster, in the said kingdom of Ireland. And be it further enacted, by the authority aforesaid, that when, and as often as, the said yearly rent of £250, or any part thereof, shall be behind and unpaid, by the space of thirty days next over or after any of the said feast days whereon the same ought to be paid as aforesaid, that then it shall and may be lawful to and for the said Lord Bishop, and

* This sum is still paid by the Society to the Bishop of Derry.

his successors, Bishops of Derry, into all, or any of the premises charged or chargeable with the said rent, to enter and distrain, and the distress then and there found, to take and carry away; and in case the arrears then due, together with all the costs and charges of taking and keeping such distress, shall not, within five days after the taking the said distress, be fully paid and satisfied, it shall and may be lawful, to and for the said Lord Bishop of Derry, and his successors, Bishops of Derry, to sell and dispose of the goods and chattels so distrained, and thereout pay all the said arrears then due, and the costs and charges of such distress and sale, for non-payment thereof, rendering the overplus to the owner or owners of the goods and chattels so distrained; and in case no distress, or not sufficient distress shall be found, that then it shall and may be lawful, to and for the said Lord Bishop of Derry, to enter into and upon all and every or any part of the said premises, charged as aforesaid, and to hold the same, and to take and receive the rents, issues, and profits thereof, to his and their own use, until thereout and thereby he and they shall be fully paid and satisfied for all arrears of the said rent, together with all damages, costs, and charges, which he or they shall be put to, by reason of such entry, for non-payment of the same; **AND BE IT FURTHER ENACTED**, by the authority aforesaid, that the fee and inheritance of, and in one large mansion-house, with the scite of the same, commonly called the Bishop's House, with the gardens, orchards, stables, out-houses, and all other the appurtenances thereunto belonging, now enjoyed by the said Charles, Lord Bishop of Derry, under a certain rent, payable to the said Society, and situate in, or near, the said city of Londonderry, or liberties thereof, from and after the determination of a lease thereof, now in being, purchased by the said Charles, now Lord Bishop of Derry, shall be and are hereby vested in the said Lord Bishop of Derry, and his successors, Bishops of Derry, for ever, and shall for ever hereafter be held and

enjoyed during the said term, by him, the said Charles, Lord Bishop of Derry, his executors, administrators, and assigns, and from the determination of the said term, by the said Lord Bishop and his successors, free from all payments to, or claims or demands of or from the said Society and their successors; saving, nevertheless, to the Queen's most excellent Majesty, and to all and every other person and persons, bodies politic and corporative, their heirs and successors respectively, (other than the said Charles, Lord Bishop of Derry, and his successors, and the said Society, and their successors) all such right, title, interest, claim, and demand whatsoever, in, to, or out of the said premises, as they, or any of them, have or hath or might claim, in, to, or out of the said lands, tenements, fishings, and premises, or any part thereof, as if this act had never been made."

5th April, 1705.—The Society resolved to establish a free school in Coleraine.

8th May, 1706.—The Society went in a body to congratulate his Excellency the Earl of Pembroke, Lord Lieutenant of Ireland, on his appointment, and to invite him, as usual on such occasions, to dine.

1707.—It appears by the proceedings of the Society about this time, that when disputes arose between any of the twelve chief Companies, it was usual for the Society to withhold their dividends, and hear the matters of controversy by their clerks before the Society.

During the last twenty years, the fisheries had been let for £1600 a year.

16th April, 1708.—The Corporation of Londonderry sent an address to the Society, to be presented through them to her Majesty, expressing their loyalty to her government. In this address, they stated themselves to be a branch of the city of London. The secretary was ordered to wait upon the Lord Lieutenant of Ireland, with the address, and intreat the

favor of his Lordship's advice, concerning the presenting the same to her Majesty.

27th April.—The Deputy Governor informed the Society, that he, and several other members of the Society, had been introduced to the Queen, and presented the address of the Corporation of Derry, which had been graciously received, and that the secretary had taken care to procure the same to be published in the Gazette.

24th February.—It was ordered, that the Earl of Wharton, Lord Lieutenant, should be congratulated, as usual, on his appointment.

15th September, 1709.—The Corporation of Coleraine solicited the Society to encourage the establishment of a linen manufacture in that town, as a means of increasing the trade and prosperity thereof; but the Society doubted whether such an undertaking was practicable and consistent with the constitution of the Society to encourage.

26th November, 1711.—Counsel were consulted, as to the propriety of applying to parliament to obtain a reversal of the judgment against the Society's first charter, who advised the measure not to be attempted.

13th December.—The Corporation of Coleraine transmitted copies of several acts or orders of their Common Council, attested by their Chamberlain.

7th January.—Alderman Tomkins was appointed receiver of rents in Londonderry.

1712.—At this period it was customary for addresses from Londonderry and Coleraine to the throne to be transmitted to the Society for presentation.

24th July.—A memorial or representation to the twelve chief Companies was made, suggesting the importance of preserving a growth of young timber on their proportions.

16th August.—The Society prepared a statement, setting forth their rights to the woods on the Plantation, and the necessity there was, in order to promote the interests of the

twelve chief Companies, that the growth of timber on the various proportions should be in future kept up, so that staves and other things might be supplied for the fishings, the tenant having been usually allowed thirty thousand every year for casks for the salmon fishery; which statement, with all the reasons set forth, was sent to each of the Companies, except the Haberdashers, who had conveyed their proportion to Lady Beresford.

31st December.—A letter was received from the Corporation of Coleraine, nominating and recommending Richard Jackson and William Jackson, two of their Aldermen, to be chosen Burgesses, to represent the Society's town of Coleraine in parliament; the Society approved of this measure, and accordingly resolved, that the said persons should be recommended by the Society to the said Corporation.

3^d January.—The Society directed letters to be written to the Corporations of Londonderry and Coleraine, requiring them to promote the interest of Mr. Secretary Dawson, to be one of the Knights of the shire, for the Society's county of Londonderry, and to make known such the Society's desire and recommendation in favor of Mr. Dawson to all the freeholders.

29th January.—An address to the Queen was transmitted from the Corporation of Coleraine, to be presented by the Society.

29th April, 1713.—In the Society's letter book of this period, is inserted a letter from Mr. Church of Coleraine, relative to the election of Corporation officers, of which the following is an extract: "These were the particulars for which we thought it necessary that a Court of Common Council should be called; but, finding our Mayor averse thereto, thirteen of our members met according to a former act of Court, *viz.* That upon application of twelve members to the Mayor, desiring a Court of Common Council, and he refusing, it shall be deemed a misdemeanor in the said Mayor; but, notwithstanding, that these thirteen members did write

twice to the Mayor, were refused, and his answer was, that he would call a Court when he pleased. When Captain Hamilton was Mayor, this present Mayor, and Captain Jackson, and myself, were three of the twelve that sent a letter (by virtue of the aforesaid act of Court,) to the Mayor, and he granted us a Court; and yet the same man, that required the observance of that good and necessary act, now commits a violation on it. Will your honor be pleased to take notice of this, and lay out some help for it? The reason I judge for not calling a Court at this time is, that there is a vacant place of a Burgess; for the Mayor and Mr. Tate coming to me, (when I was unable to stir out,) to consider of a fit person to be elected, I found by them, that they were for one of two men that lives ten miles from Coleraine; that is, young Richard Adams, son to Alderman Adams of Killrea, whose elder brother is already a Burgess, and both young men living in their father's house, who is a tenant of Mr. William Jackson; the other person is Charles Church, a tenant also of Mr. Jackson's, who also receives his rents in Mercers' proportion, and is seneschal of his Courts; also, truly this seemed to me, to be a design of putting the whole power and vote of the Corporation into Mr. Jackson's hands; for there is already three of his uncles in the Corporation, and himself and two of his tenants that are all Aldermen, and but himself that is on the spot; there is also five Burgesses his tenants; one of them is seneschal in Clothworkers' proportion, the Mayor and his son are his near kinsmen, the town clerk, whom we are now contesting with for the Court leet fines, opposeth us for his own interest, and Mr. Tate is as firm for Mr. Jackson's interest, as any uncle he has, so that if the present Mayor or any other person whom Mr. Jackson should set up to be Mayor, should commit the highest misdemeanor, and though our Charter directs the removal of the Mayor upon a misdemeanor done, I know not which way we should accomplish that, by reason that there

is but four Aldermen in the town, and the Mayor; and such a thing could not be effected without a court of Aldermen, which is seven. When the Mayor and Mr. Tate named two men to me, (to take a Burgess out of,) that lived ten miles distance, I told them, that our charter directed to choose Burgesses out of the inhabitants of the town, and I desired the Mayor to name any man he pleased, living in the town, and I would vote with him, but that I could not agree to any other choice than a townsman. This is the reason, truly, that the Mayor and I have divided; for, for several years past, till this very time, the Mayor and I went hand in hand."

15th September.—An address from the Corporation of Londonderry to the Queen, was transmitted to the Society, and presented by them.

It was made a standing order, that no leases should be renewed, until within three years of their expiration; and for the due observance thereof, it was ordered, that this resolution should be annually read, at the first Society after every new election.

25th September.—It was ordered, that the Duke of Shrewsbury should be congratulated and invited on his appointment as Lord Lieutenant of Ireland.

18th September.—Violent and tumultuous proceedings took place at the Common Council in the Corporation of Coleraine, at which time, the sword and mace were forcibly seized. The Society reprehended these proceedings.

Great quantities of the Society's timber were stolen out of the woods, and sunk in Lough Neagh; some of the pieces, measuring from 30 to 40 feet long, already squared, were recovered from the bottom of the Lough by means of an engine.

6th October.—In consequence of the dissensions in the Corporation of Coleraine, the matter was brought before the Council Board of Dublin, and a representation was made to the Lord Lieutenant on the subject, by the Society.

20th October.—The Mayor of Coleraine was served with an order from the Privy Council of Ireland, to appear and answer complaints preferred against the Corporation; in consequence of which, a letter was sent from that Corporation to the Society, requesting their speedy interposition with the Government of Ireland, on their behalf, against the complainants, two of the Aldermen, and others; upon which, the Secretary was directed to search for precedents of what had been done on former similar occasions, to support their rights. The matter was afterwards heard before the Privy Council, who determined in favour of the Corporation, (30th October) on whose behalf the Society had interfered.

31st October.—The faction at Coleraine threatened to bring the Mayor before the House of Commons. The Society were extremely anxious to compose their differences, and wrote on the subject to various distinguished personages to assist them in their endeavours; amongst others, they wrote to the Lord Lieutenant.

18th December.—A letter was received by the Society from the Lord Lieutenant, wherein he expressed himself ready to take the first opportunity of employing his best offices to contribute to the peace and quiet of their Corporations, and promote the interest of their Plantations.

21st January.—A case was stated for the opinion of the Attorney General and Common Serjeant, which, with the opinions thereon, is entered in the Letter Book of the Society, relative to the Corporation of Coleraine.

1st February.—The Committee made a full and explicit report relative to the preservation of timber, and the future growth thereof, anticipating great detriment to the Society's fishings, and the welfare of the Plantation, unless the same were preserved; and stated, that forasmuch as the said Society did conceive, and were advised, that by reason they had parted with their interest in the proportions, passed away and conveyed by them, they had not power either to

prevent the waste and destruction of the young woods, growing on the lands belonging to each of the twelve Companies, or to call the persons to account for such waste committed, nor to plant on the said Companies' lands, or enforce the due execution of the act made for planting timber; and in regard that the interest and advantage which each Company would have and receive, by and out of the profits of the fishery, would be lessened and diminished in proportion to the loss and damage happening to the said fishery, for want of timber to supply the same with casks for packing the fish taken therein, as well as the Companies' tenants would suffer for want of timber for their necessary buildings and reparations. The Society therefore earnestly recommended the several matters mentioned in their statement, to the consideration of each Company, that they might provide such timely and suitable remedies, as in their discretions might seem fit and expedient. The statement was accordingly sent to each of the Companies, except the Haberdashers, who had sold their interest.

Thomas Neville applied to the Society for a remuneration for making a coloured map of the perches of Londonderry, with the boundaries, agreeing with the Society's leases.

23^d March.—The Society directed a letter to be written to their general agent, Mr. Tomkins, to acquaint all the Society's tenants and freeholders in Londonderry who have a right to vote, that they do expect that they will forbear to engage themselves to any persons on account of the election, until the Society's mind shall be further made known to them.

Few leases were at this time granted by the Society for a longer term than forty-one years, or lives certain.

29th April, 1714.—Great depredations were committed in the woods; a thousand pounds' worth of timber was represented as having been embezzled away.

Disputes still existing in the Corporation of Coleraine, amongst their members, and informations having been laid

against each other respecting their corporate rights, the Society thought it right to consult counsel thereon.

The Haberdashers' Company having given an indemnification to the Society, they granted a power of attorney to enter and distrain, in the name of the Society, to the said Company or their assigns, on the manor of Freemore, for the arrears of quit-rent due to the Company from Sir Marcus Beresford, the said letter of attorney having been approved by the Common Serjeant.

24th May.—The Committee were ordered to examine into the grounds and reasons of the allowance of £90. 10s. annually to the Corporation of Londonderry.

10th June.—The Corporation of Londonderry proposed to keep a copy of Neville's map of the city and perches for their own use.

27th July.—The Vintners' and Clothworkers' Companies sent an answer by their respective officers to the Society, to express their thanks for the statements sent them relative to the preservation of the growing timber; and acquainted the Society, that those Companies were ready and willing to enter into any measures, which should be thought most advisable by the Society, for the preservation of the said woods, on their respective proportions, and that each of those Companies had appointed a Committee to attend upon and confer with the Society on the subject. The Society appointed a Committee to meet them, and directed their members belonging to the other of the twelve Companies, to communicate these occurrences to their Companies.

The Committee returned their report respecting the allowance of £90. 10s. annually, to the Corporation of Londonderry, in which they faithfully detailed all the circumstances of that transaction.

The Society received a letter from the Corporation of Londonderry, stating, that they had adjusted the boundaries described in the map made by Thomas Neville, in pursuance

of the directions given them by the Society, and expressing their readiness to act in conformity with the Society's wishes; with which assurance, the Society were much satisfied, and informed the Corporation to that effect; and in consequence of the Corporation having so testified their willingness to concur in any measures suggested by the Society, the latter recommended Major General Newton, their present Representatives, to represent them again in a new Parliament, if one should be called.

8th October.—The Society, in a letter to George Tomkins, approved of his and Charles Norman's intention of standing as Members of Parliament for Londonderry, and assured him, that they would write to the Corporation, to recommend him to their choice.

14th October.—The certificate of the Mayor of Londonderry was annexed to agents' accounts as usual.

November.—An address from the City of Londonderry to the throne was transmitted through the Society.

23^d November.—The wood officers were allowed £203 per annum.

2^d December.—It was ordered, that the general agents' yearly allowance should be diminished, in regard that the operations of the Society had become more settled, and were less laborious than formerly.

17th December.—The Society applied to the Corporation of Coleraine for an account of the number of scholars, in the school,—*viz.* how many free scholars, how many town scholars besides the said free scholars, and how many other scholars from without the town, and with whom such scholars boarded; and whether the master diligently and carefully attended and discharged his duty, and whether the school was in a flourishing condition.

On the same day, a letter was sent to the schoolmaster, reprehending him for attending to the advice of other persons in the affairs of the school, and intimating to him, that his

application to any person, touching the management of the Society's free school, without first consulting them thereupon, was contrary to his duty, and impaired the Society's authority.

1st February.—The corporate rights of Coleraine were ordered to be defended, and money was directed to be advanced to maintain any necessary legal measures.

26th February.—A case relative to the election of officers in the Corporation of Coleraine was stated, and the opinions of Counsel taken thereon.

1st April, 1715.—The Society required of the Corporation of Coleraine to be informed, whether their former letter to them, relative to the free-school, had been communicated to them in Common Council; and whether a master had been provided, and constantly encouraged and paid by them, to teach reading, writing, and arithmetic, according to their former engagements with the Society, for the benefit of the said school.

More disturbances arose in the Corporation of Coleraine. The sword and mace were again forcibly seized and taken away.

12th August.—Many saplings and young timber trees were destroyed, on the Skinners' proportion.

The Mercers' Company informed the Society, that their future leases should provide for the preservation of young timber.

9th September.—A communication was made to the Grocers', Fishmongers', Goldsmiths' and Skinners' Companies, that the Society would meet to confer on matters relating to the woods, and requested their Committees would attend, and bring with them copies of leases relating to the woods on their proportions. On the 13th October, the Skinners' Company produced the counterpart of their lease to their tenant.

The sum of £15 was paid to Thomas Neville, for his map and book of descriptions.

13th October.—£6 per annum were allowed to persons for inspecting and taking care of the young woods, on the Skinners', Goldsmiths', Grocers', and Fishmongers' proportions.

Timber was ordered to be supplied for repairing the bridge over the foot of Mayola river.

3^d November.—The wardens of the Goldsmiths' Company attended the Society, and produced the counterpart of the lease from that Company to Mr. Warren, of the manor of Goldsmiths' Hall.

27th March, 1716.—A committee of the Society were appointed to meet a committee of the Drapers' Company, to confer upon, and inspect a book in their possession, containing a particular survey and description of all lands in Londonderry, granted by the crown to the Society.

16th July.—The Corporation of Londonderry solicited the Society, for timber and laths, to repair market-house, gaol, house of correction, and workhouse, and it was ordered that they should be supplied accordingly.

13th December.—The master and wardens of the Merchant Tailors' Company, presented a representation to the Society, respecting the Bishop of Derry having wrongfully presented an incumbent to their advowson of Camos Macosquin, juxta Bann, and solicited the assistance of the Society in recovering the right of the Company.

9th April, 1717.—The Rev. William Cordiner was elected by the Society, as rector of Coleraine, in the place of Mr. Griffith, deceased, and a presentation was ordered to be made out.

20th June.—The Committee, in pursuance of an order from the Society, investigated the charter, relative to their title to the advowsons, and all the former proceedings of the Society, and stated various letters and communications that had passed between them and the Bishop of Derry, and others, up to the year 1686.

November.—A bill was brought before the Irish parliament for vesting the barracks in the crown.

A complaint was made by the garrison of Londonderry, that they were not suffered to pass the ferry free, as customary for soldiers.

6th February.—Timber was supplied for building the market-house at Moneymore.

12th June, 1718.—A report was made, which embraced the proceedings relating to the first building of Coleraine bridge. The Society considered it incumbent on the Corporation to keep it in repair.

30th June.—Timber was supplied for the repair of Magharafelt church.

27th October, 1719.—Timber was allowed for building the new steeple at Coleraine.

6th August, 1720.—The Society advertised their fishings to be let. The allowance to tenants, of housebote, firebote, ploughbote, &c. was considered by the Society not to extend to lop and top of timber felled by the Society.

July.—The Society made it a condition, upon taking the fishings, that one-half year's rent should always be paid in advance; and that the security should be in London.

10th January.—The fishings were let to Henry O'Hara and Tully O'Neill, for forty-one years, at £2000 per annum; half-a-year's rent to be paid in advance, and sufficient security engaged to be procured in Ireland, for the fulfilment of the stipulations in the lease; but they afterwards declined the contract.

23^d December.—The patronage of the ushership of Derry free-school was exercised by the Society.

2^d February.—Mr. Francis Burton was recommended by the Society to the Corporation of Coleraine, as their representative in parliament.

16th March.—Sir Francis Forbes was Governor.

19th May, 1721.—The Society allowed crooked timber for

the use of shipping, to be disposed of as well out of the Plantation as in it.

26th July.—The produce of salmon from the fishery, this year, was one hundred and twenty tons, which, in London, was worth £18 per ton.

4th August.—The Corporation of Londonderry recommended Mr. Henry Gonne, as usher of the free-school, which recommendation was approved of by the Society.

The Corporation were allowed timber for building the charity-schools: timber was also allowed for the repairs of Ballynascreen church.

The Society being unable to let their fishings to their satisfaction, were determined to take the management of the same into their own hands; in consequence of which, they authorized their agent, Mr. George Tomkins, to dispose of the fish, according to his discretion, and render an account to the Society.

23^d January.—The salmon could only be sold for £12 per ton, Irish currency.

4th April, 1722.—Bonds were usually given by the tenants applying for timber, that the same should be properly appropriated.

It was ordered, that timber should be allowed to the Corporation of Derry, for building the charity-schools, without payment of the customary rates.

31st May.—Mr. Deputy Robert Alsop, and Mr. William Unett, two members of the Society, were proposed to be sent as a Deputation to Ireland, to examine into the state of the fisheries and woods.

June.—The Society disposed of all their salmon in London, at the rate of £14. 11s. per ton, by a contract which was entered into.

2^d October.—The charges attending the fishery of Lough Foyle exceeded the value of the fish taken.

10th July, 1723.—The quantity of salmon produced this

year was ninety-seven tons and a half, which the Society sold at £15 per ton.

14th January.—It was resolved by the Society to advertise for proposals for letting the fishery, and to pursue the same course which was adopted by preceding Societies on the like occasions.

17th July, 1724.—The salmon was let to Claude Jammieau, who was the highest bidder, at £16. 5s. per ton: the produce was one hundred and thirty-seven tons, two tierces, and a half.

11th August.—The Society having taken into their serious consideration the great charges attending the fishings, whilst they continued in their hands, the uncertainty of their produce, and their remoteness from the Society, agreed with Mr. William Richardson, to let the same to him, at £1200 a year, for twenty-one years.

16th October.—The Committee reported on the title of Lord Beresford to certain premises in Coleraine, of which no lease was granted; and directions were given to the agent to proceed against his Lordship in the matter.

15th February.—The Speaker of the House of Commons sent an order for the production of the Society's charter, which was complied with, and a Committee were appointed to convey it to the House.

11th March.—Mr. Richardson refused to complete his engagement for renting the fishery.

22^d February, 1725.—A project was contemplated by certain persons, for making the town of Rathmullin, on the river Lough Swilly, a port of import and export, which was opposed by the Corporation of Londonderry, as likely to be prejudicial to their rights and interests.

19th July, 1726.—The Corporation of Coleraine sent a certificate of a by-law, for the Society's approbation, which the Society returned for amendment.

21st October.—The Committee reported, that they had

examined a counterpart of a lease granted by the Vintners' Company to Lord Massareene, dated 22^d May, 1673; and had examined the reservation to the Society of the timber; and they inferred from it, and were of opinion, that the tenants had no right to cut down any saplings, or young trees, whatever.

7th December.—An abstract of the rent-roll of all the Quarter-lands, with the reserved liberty of cutting turf, &c. was entered on the minutes of the Society.

20th December.—The practice of letting lands by auction was introduced into Ireland by some of the chief Companies; the same method was recommended by the general agent to the Society.

7th February.—The Society appointed Thomas Orr, usher of the free-school at Londonderry.

Proposals were offered to the tenants of the Quarter-lands, as conditions for renewal of leases; a new survey of them was ordered to be made, and the lands to be let according to statute, and not Plantation measure.

22^d March.—Archibald Stewart made a survey and map of the four Quarter-lands.

The Society ordered the lettings to be publicly advertised, and three months' notice to be given.

Timber was supplied for the repairs of Coleraine-bridge.

The Society approved of the by-law, made by the Corporation of Coleraine, respecting persons following trades in their town, not having served seven years' apprenticeship therein.

Two hundred and seventy-seven tons of timber were ordered for Coleraine-bridge. The Society afterwards considered it would be best to erect the bridge with stone, and proposed a contribution in money instead of timber.

A new cranagh, or fishing-house, was ordered to be built on the Society's ground, the former one being on one of the Company's proportions.

Letters were sent to the Corporations of Coleraine and Londonderry, on the subject of the expected new Parliament.

14th August, 1727.—The Corporation of Londonderry communicated their proceedings in regard to the choice of members to represent the city in the ensuing Parliament, and desired the Society's approbation. An address to his Majesty was contained in their letter, which was afterwards presented.

Various letters were sent to the Society on the subject of the parliamentary representatives for Londonderry, which were read, and the following question was proposed:—Whether this Court should approve of, and would recommend, any of the persons recommended to them to be representatives of the said city of Londonderry in the ensuing Parliament? Which proposition being carried in the affirmative, they nominated Thomas Upton, Recorder, and George Tomkins, general Agent; and a letter was ordered to be sent to the Corporation of Londonderry, informing them of these proceedings.

19th August.—Robert Alsop, Esq. was Governor.

4th December.—The Corporation of Coleraine returned two members to Parliament, at which the Society expressed themselves greatly dissatisfied.

31st January.—Letters were sent from the Corporation of Coleraine, and from Lord Tyrone, apprising the Society of a vacancy in the representation of the town, by one of their late members having accepted of another borough, and earnestly recommended Mr. Cuffe, brother to his Lordship, to the nomination of the Society; but they preferred nominating Mr. Richardson, (who was afterwards their general agent) and wrote to the Corporation of Coleraine accordingly.

12th March.—A bill was proposed by Mr. Worthington, to be brought into the House of Commons in Ireland, relative to the advowsons on the Society's Plantation.

A letter was received from the Corporation of Coleraine, informing the Society, that they had concurred in their nomination of Mr. Richardson as their representative, and assured the Society, that they might safely rely on the same ready and hearty concurrence from the Corporation on all occasions, when they should think fit to desire it; and that they would always continue to give the utmost proof of their duty to them, and zeal for the interest and good of the Corporation.

19th March.—The Society having become much dissatisfied with the Jackson family, for opposing their wishes in regard to their political interest in Coleraine; a letter was ordered to be sent to Mr. Church, their agent, to return to the Society an account of what estates the Jacksons held, what the revenues of the Corporation were, and what members had been introduced into that body during the last twelve years; with other particulars affecting the Society's interests.

28th May, 1728.—Mr. Church, the Coleraine agent, having sent his account, certified by the Rev. Dr. Squire, rector of Coleraine, instead of the Mayor; it was disapproved by the Society, who required him to have his accounts certified in the usual manner.

28th May.—In a letter to Mr. Church, the Society expressed their surprise, that the Corporation of Coleraine should have been enabled to make grants and dispositions of lands, seeing that it did not appear to them by the Corporation Charter, that any lands were thereby given to them; nor did they find that the Corporation were possessed of any lands or holdings in or about Coleraine, by or under any grant from the Society, except the court-house and gaol, and some wastes in the town and suburbs, with several cabins or cottages erected thereon, which they held by lease, which would expire at Lady-day, 1733. The Society also complained, that neither the Corporation, nor the master of the free-school, had sent the annual return, required to be made,

of the number of scholars, &c. agreeably to the constitutions of that school, since the year 1723, and which ought to be made out on the 25th of March yearly.

13th August.—A very interesting letter was sent by the Society to the Corporation of Coleraine, relative to the rules of the free-school, and requiring an explicit account of the title of the Corporation to their present possessions; the Society conceiving that the dominion of the whole town was vested in themselves by the charter, and that they had a legal control over all the proceedings of that Corporation.

24th September.—The Society took notice that Mr. Church, their agent in Coleraine, appeared to be governed by the wishes of the Corporation, in opposition to the interests of the Society; he having written to them, “that he was discouraged from the *snubs* he met with from the Corporation, to write the Society any thing, but what, in answer to the Society, he was required.” The Society animadverted on this particular passage in his letter; and in consequence of the conduct of the master of Coleraine school towards them, they forbade Mr. Church to pay him his salary till further order. The Corporation appeared to be highly reprehensible with regard to the trusts of the school.

24th October.—The Quarter-lands amounted, according to Archibald Stewart’s survey and admeasurement, to two thousand three hundred and twenty-four acres, one rood, and twenty-four perches, English measure.

12th November.—The Society wrote to Mr. Church, requiring him to inform them, what notice and regard had been paid to their letter by the Mayor and Corporation of Coleraine, and what measures had been adopted by them, in regard to their furnishing the Society with a public answer and return to their demands.

The decay of Coleraine school was ascribed, by the master, to the divisions existing among the inhabitants of the town.

Mr. Church represented, that delays had been occasioned

by the inquiry which the Corporation were making about their right to the Mayor's lands.

19th November.—It was ordered, that the secretary should prepare an abstract or particular, of such settled matters and business of the Society, as annually, or at any certain stated times, should or ought to recur and fall under their special notice and consideration, to be laid before the Court; and that the same be annually laid before them at the first meeting of the Society to be holden after every new election, and at such other times annually, as the nature or occasion of such matters might require.

14th February.—A great scarcity of provisions at this time prevailed in Ulster, and subscriptions were raised for purchasing corn for the poor.

3^d April, 1729.—The town of Ballycastle being projected to be made a port, the Society opposed the measure, as likely to become detrimental to their interests.

17th July.—Mr. Richardson was appointed general agent, and the form of his commission was recorded.

8th August.—The fishings were let to Alderman Richard Jackson, for twenty-one years, at £1200 a year, payable in London.

15th August.—A vacancy in the ushership of the free-school at Londonderry, having been represented to the Society by the Bishop of Derry, they gave permission to Mr. Blackall, the master, to provide one; and required notice of the appointment for their approbation and allowance.

7th October.—The Society appointed Mr. John Torrence, usher of the free-school at Londonderry.

Mr. Benjamin Evory, the master of Coleraine school, was ordered to be dismissed. At this time, the school had fallen into great decay, from the mismanagement and incapacity of the master, and the gross negligence of the Corporation, in the performance of the trusts connected with the establishment.

23^d April, 1730.—It was resolved by the Society, that all future Treasurers should be chosen by ballot.

29th May.—In consequence of endeavours having been lately made in the Irish Parliament, for making Ballycastle a port, the Society exerted their utmost influence, in conjunction with the Corporation of Londonderry and others, to prevent it; and it was proposed by the Society, that as the affair concerned the interest of the several Companies of the City of London, the Governor should be desired to apprise the Court of Lord Mayor and Aldermen of the present situation and circumstances thereof; and it was, therefore, unanimously resolved, that the Governor should make a representation to the Court of Lord Mayor and Aldermen on the subject.

2^d June.—A memorial or representation of the Society relating to Ballycastle, was ordered to be presented by the Governor to the Court of Common Council, which was done accordingly, and the Court of Common Council commended the zeal and prudence of the Society, as well in regard to the measures which they had already pursued, as the application they were pleased to make to that Court for their advice and assistance in the matter.

14th July.—The Society contributed £500 towards building a stone bridge at Coleraine.

31st October.—The master and wardens of the Goldsmiths' Company represented to the Society, that they had agreed to sell their manor of Goldsmiths' Hall, to the Right Honourable Henry, Earl of Shelburne, for £14,100, but being advised that they could not make a proper conveyance without the concurrence of the Society, they requested the Society to join with them in making a title to the said Earl, which they consented to do upon being indemnified.

13th May, 1731.—Joshua Readshaw was elected messenger to the Society.

• 12th November.—A letter was sent to Mr. Richardson,

which involved matters of very considerable interest, relating to the presentation and right of patronage to advowsons, supposed to belong to the Society under their charter; and it particularly referred to a report of the Committee of 20th June, 1717, whereby it appeared, that Mr. Davis, the Society's agent, by a letter written on or about the year 1685, supposed the Society were entitled to nine livings, and recommended their making choice of of Coleraine, Tomlatfinligan, Camos, Bannocher, Desert-toughill, and Tanlaghtard; and that the Bishop should have the choice of three others, towards effecting the compromise of a dispute on the subject, then existing between the Bishop and the Society; and the Committee concluded their report in the words following, *viz.* "The troubles in Ireland happening soon after, in the year 1688, and the suit and controversy between the Society and the Lord Bishop of Derry soon following, were the reasons, as we conceive, that nothing further was done towards the intended compromise or agreement, between the see of Derry and the Society, touching the advowsons, for that nothing appears in the books of the Society from that time, relating thereunto."*

17th March.—Timber was ordered for the chapel at Artrea.

4th April, 1732.—the Society opposed the design of making Rathmullin a port.

1st August.—A remonstrance was made from the Society,

* From this period, the Society, and those deriving title from them appear to have lost sight of an extensive and important right of patronage and presentation to advowsons, granted by the crown, exceeding the present yearly value of £6000, which patronage is now exercised by the Bishop of Derry in right of his see, although it is evident, by the inquisitions taken before the Bishop's predecessors and others, in the reign of King James the First, and also by the charter of King Charles the Second, set forth in the Appendix to this Work, that the Society were entitled to such advowsons.

relative to wears and encroachments on the fisheries at Loughin Island, and other places.

10th November.—Timber was ordered to be supplied for the repairs of the Ship Quay, Londonderry.

12th December.—The Society examined Archibald Stewart's maps and surveys.

14th December.—The Society prepared a memorial, stating the injurious effects of Ballycastle and Rathmullin being made ports to discharge goods; which memorial they presented to the Lord Lieutenant of Ireland.

19th January.—The payment of rent in English money for the Quarter-lands was found inconvenient.

7th March.—A letter was written by the Governor, in the name of the Society, to the Lord Lieutenant of Ireland, recommending the Rev. John Richardson, Dean of Killmack-dnagh, to succeed to the Bishopric of Derry, when vacant.

11th May, 1733.—A deed of compromise between Lord Tyrone, the Society, and the Company of Haberdashers, dated 24th March last, relative to the quit-rent of the manor of Freemore, was executed by the Society.

23^d June.—Orders were given for instituting an inquiry into the cause of the free-school at Coleraine declining; and what disabilities neighbouring schoolmasters might be under, to keep schools in Coleraine district.

3^d August.—Mr. Richardson, the Society's agent, was recommended by them, to the Corporation of Londonderry, as their representative in Parliament.

12th October.—The Society resolved not to grant any leases for a longer period than forty-one years, or three lives certain; except in cases of new building, and then for sixty-one years.

22^d March.—A particular survey of the woods was ordered to be made.

The Society, at this period, did not consider themselves

bound to respect any tenant's right to renewal, and in many cases accepted the proposals of strangers.

19th July, 1734.—Maps of Londonderry and Coleraine were ordered to be made by the surveyor Archibald Stewart, with books of references.

25th July.—The Corporation of Coleraine returned a list to the Society of all their holdings in Coleraine, held under the Society, and the rents and profits thereof, sworn to by the Chamberlain; and at the bottom of such list was subjoined a note or observation, importing that they had not included the quay, the citadel, and some small cabins, and two small parks taken in from their commons, by reason they held them to belong to the Corporation, of right. The Society, however, would not admit such right, but insisted on their sending a proposal for the premises, if they intended to have them.

3^d October.—The government of Ireland appointed a master of the diocesan school at Derry. The Bishop of Derry recommended to the Society an usher in his place.

15th November.—An usher of Derry school was appointed by the Society.

28th January.—The Society agreed to a proposition for assisting to erect a market-house in Coleraine, and subscribed £200 towards it; and also ordered timber to be supplied.

11th February.—It was ordered, that no commissions of bankrupt should be allowed to sit, or any other public business to be transacted in future, in the Irish Chamber; but that the same should be kept for the sole use of the Society.

21st February.—Alderman Barber was Governor.

4th June, 1735.—The Society consented to respite the payment of the half-year's rents, due Lady-day last, till after harvest, in consequence of the distress prevalent at Coleraine, by the great scarcity of provisions.

18th June.—The Corporation of Londonderry transmitted a by-law lately made by them, relative to the election of their

members, which the Society approved and confirmed, and a certificate thereof was made out for the Society's seal, as prescribed by the charter.

22^d July.—The Society enjoined the Corporation of Coleraine to conform to their charter, in the election of such members of the Corporation as were resident in the town; and required that they should transmit to the Society, under seal of the Corporation, a transcript of such by-laws as had been made for the better government of the town, in order that if they approved thereof they might sanction the same with their approbation.

5^h August.—The Society appeared at this time to be greatly embarrassed in what manner to dispose of their salmon, not being able to obtain any satisfactory proposals; propositions were made to the Society for exporting the same to Venice and Leghorn, which were acceded to. The Society accordingly became merchants of their fish, and the casks containing the salmon were ordered to be marked with the City dagger, and the name of the Irish Society.

13th May.—The Society very fully considered the propriety of disclaiming all their right to the future timber growing on the whole Plantation, and a report on the subject was made and confirmed.

3^l February.—The secretary, James Brace, was requested by the Society to sit for his portrait, which was afterwards painted, and hung up in the Irish Chamber. It cost thirty-five guineas.

7th May, 1736.—It appeared that no regulations of the Society could prevent depredation and plunder of timber, in the woods on the Plantation.

22^d June.—The Society were determined to enforce due obedience to the by-laws lately confirmed by them, relative to the election of members of the Corporation of Londonderry; and in a letter to the Corporation intimated, that they had given full directions to their general agent not to suffer

any invasion of their authority therein, or any methods to be practised, which might tend to elude, or in any manner prevent, the full effect and execution of the said by-laws.

8th July.—The Society were determined to assert their right to the fishings of Lough Foyle, against the Earl of Abercorn, or any other persons trespassing therein.

6th October.—The Corporation of Londonderry having manifested a reluctance to conform to the wishes of the Society, in regard to their by-laws, the Society gave directions to their agent to suspend the Society's voluntary allowance to the Corporation, of £90. 10s. annually, until they should conform to the provisions of the by-laws lately ratified by the Society, relative to the election of the members of that Corporation; the Society feeling themselves bound by their charter resolutely to maintain their right and jurisdiction by all possible means.

21st October.—The Society wrote a letter to the Corporation of Londonderry, whereby they required, that the Corporation should send the Society, forthwith, a transcript, or transcripts, of all their by-laws, statutes, ordinances, and constitutions, which had not theretofore been certified under their common seal, to the end that they might receive the allowance or disapprobation of the Society, as the charter directed; and, until that was done, the Society declared that they should be considered invalid, and of no use, force, or effect; and that no person or persons should be obliged, or ought to pay, any obedience or conformity to them, or submit to any pains or penalties to be inflicted by virtue, or under colour of them.

23^d December.—The wastes, transgressions, and mismanagement in the Society's woods, prevailed to such a degree, that it was found necessary to have the same inquired into by a commission of Justices.

24th March.—The Society's salmon, as had been anticipated, sold for a small price abroad. It produced £622. 19s. 6d.

Some remained unsold, which afterwards produced about £400.

8th July, 1737.—Archibald Stewart was directed to make a new set of maps, his former ones being all incorrect, and unserviceable to the Society.

29th September.—The wood-rangers were dismissed for misconduct, and a new arrangement was made for supervision of the woods.

21st October.—The Vintners' Company applied to the Society to assist them in making a conveyance to a purchaser of their proportion.

30th November.—A representation was made from the master of Coleraine school, of its total declension, and proposing its restoration.

6th January.—The Privy Council of Ireland determined that the late election of officers in the Corporation of Londonderry was illegal and void, as being contrary to the by-law.

At this time, the Company of Vintners sold their proportion to Mr. Conolly for £15,000, and a deed of indemnity was given to the Society, dated 27th January, 1737.

3^d February.—The portrait of the Governor was directed to be painted and placed in the Irish Chamber. It was done by Dandridge, and cost £40.

21st June, 1738.—Archibald Stewart made out new maps, and a book of references, and transmitted the same to the Society, which are preserved among the records. This book of references particularly describes all the holdings, as numbered in Stewart's maps, with their respective admeasurements, &c.

19th July, 1739.—Advices were received from Venice, that the vessel containing the Society's cargo had appeared off the bar of the harbour of Venice, but it being very tempestuous weather, it had been driven on shore and wrecked, with the loss of all the crew, except the captain. The cargo had been previously insured at £1000. Advices were after-

wards received, that three hundred and thirty-five barrels had been recovered, but that the fish was in bad condition.

26th January.—A new by-law for Londonderry was proposed to be made.

The Society resolved, that no greater number than four honorary, or ticket freemen, should be elected for the future in any one year in Londonderry.

13th April.—The Rev. Richard Lloyd, finding there was no encouragement given by the Corporation and town of Coleraine to the free-school, he having only six scholars, and neither of them on the foundation, and perceiving there were no hopes of recovering the credit and reputation of the school, and that it did not answer the ends intended by the Society's benefaction; he, therefore, resigned the school into the Society's hands, which resignation was accepted; and it was ordered that the usual allowance should cease.

17th April.—A piece of plate was granted to Alderman Lecky for his services to the Society.

30th May.—The living of Coleraine being vacant, several persons applied for the presentation; and many recommendations were sent to the Society, in favour of particular individuals, and amongst the rest, one was received from Doctor Jonathan Swift, Dean of St. Patrick, in favour of William Dunkin, his former curate.

31st May.—A bridge was ordered to be made over Ballysally Brook.

The Rev. George Cuppage was elected rector of Coleraine, who was enjoined to reside on the living.

3^d August.—The Committee drew out a statement relative to their fishings, by which it appeared that rents were paid by the Society for several fish-houses, *viz.* the Cranagh at Coleraine, £15; Gribbin, £10; Lord Donegal for privilege, &c. £4. 14s. 6d. per annum. They represented the extent of the Bann fishings to be from the sea to the leap, a mile above Coleraine, being about five miles; in the whole extent

of Lough Foyle fishings, from the main ocean up the river, about twenty-five miles. The average number of tons of fish taken at the several fishings, one year with another, was estimated at about one hundred and twenty, or one hundred and thirty tons.

29th September.—A vacancy having occurred in the representation of the city of Londonderry, by the death of one of the representatives, letters were sent to the Society by the Mayor of Derry and others, recommending various persons; and it was resolved by the Society, that they would not interfere at all in the election of a representative for the City.

11th October.—It was judged proper, that a letter should be sent to the rector of Coleraine, signifying to him the Society's disinclination to restore the grammar school in Coleraine, having fully experienced that it had in no degree answered the ends of its institution, and that in case the Society should be disposed to grant a reasonable allowance for a certain number of poor children to be taught to read, write, and understand accounts, to give his sentiments in what manner the same might be best effected; whether by setting up a school for those purposes in Coleraine, or by bestowing such allowance, by way of addition and improvement, to some settlement of the incorporated Society for promoting English Protestant Schools in Ireland, erected nearest thereto.

29th January.—A statement relative to promoting the growth of young timber, was ordered to be laid before Counsel. It was afterwards submitted for the opinion of the Solicitor General, who was the Recorder of London.

8th February.—The case and opinion were considered by the Society, when it was determined, that a representation should be prepared and sent to each of the twelve chief Companies, except the Haberdashers, who had sold their proportion; signifying the disposition and resolution of the Society, to give all possible encouragement to the Companies,

their lessees, or tenants, or other persons deriving from or under them, for the planting young trees, and preserving them on their respective lands and proportions, by the Society's renouncing and disclaiming all manner of right thereto; and to desire the said Companies to testify, respectively, their consent and approbation, that each Company should have, and be entitled to the benefit of, the trees, so planted or to be planted; and that the same should be applied and disposed of to the uses and occasions of their own lands and estates only; to the end, that so good and beneficial a design might be forthwith proceeded on, and carried effectually into execution; and it was recommended to the several members of the Society, to further the same with their respective Companies.

The Companies afterwards made their returns to the Society, signifying their concurrence in the proposed measure.

26th February.—Alderman Lambert was Governor.

The Society granted £100 for the relief of the poor of Londonderry and Coleraine.

12th June, 1740.—The Society made a resolution, that, for the future, every Treasurer should, within a month at furthest after his going out of office, and another being chosen in his room, make up and pass his accounts with the Society; and pay the balance, if any should be remaining due from him thereon, within that time, to the succeeding Treasurer.

3^d July.—The Lord Chief Justice Singleton, (late prime Serjeant) undertook to settle all the differences existing in the Corporation of Londonderry, respecting their by-law as to the election of members, and other matters; and he afterwards transmitted to the Society a by-law which he had prepared.

8th August.—The Corporation of Londonderry passed an act of Common Council, repealing the former by-law; and sent a transcript, under their common seal, to the Society, which was accordingly approved and ratified, and a certificate thereof returned to the Corporation.

31st September.—The Corporation shortly afterwards made certain by-laws, in conformity with the directions of the Lord Chief Justice, which they sent to the Society, who approved the same, under their common seal.

14th November.—A school was established by the Society in Coleraine, for teaching poor children, gratis, to read, write, and comprehend accounts; and Mr. Joseph Young was appointed master, with a salary of £20 per annum.

6th January.—A piece of plate of the value of one hundred guineas, was ordered to be presented to the Lord Chief Justice Singleton for his late services on the Society's behalf; but the Society could not, by any means, prevail upon him to accept it, although they made, repeatedly, the most earnest solicitations to him for that purpose, and had procured it to be made, being a silver cup and cover.

29th January.—A letter was sent from the Corporation of Londonderry, signed by the Mayor and twenty-six Aldermen and Burgesses, signifying, that as they were disposed to conform to what they should understand would be agreeable to the Society, they had filled the two places of Aldermen, and two places of Burgesses that remained vacant, in the manner that the Society and the Lord Chief Justice Singleton had been pleased to recommend; and they prayed the Society to renew the payment of the £90. 10s. per annum, which formerly had been allowed by the Society to the Corporation, together with the arrears from the year 1736.

17th March.—All the timber on the Society's plantation was ordered to be cut down this season.

4th June, 1741.—The Society agreed to execute a disclaimer to the chief Companies, of all their right to the timber.

4th August.—It appears that twelve parts were prepared and sealed by the Society; and an order was given, that the same should be delivered to the respective Companies, who had made returns to the statements transmitted to them by the Society. It does not appear that any application was made

to the Haberdashers' Company, they having sold their proportion. The following is a copy of the instrument :

“The Society of the Governor and Assistants London, of the new Plantation in Ulster, within the realm of Ireland, being sensible, not only of the great decay, but almost total consumption of the timber and woods, formerly standing and growing on the several proportions of land belonging to the respective twelve chief Companies of London, &c. in Ireland; and that there hath been a very great and almost general neglect and disregard, for many years past, to the planting of young trees, either by the said Companies or their tenants, or other persons deriving from or under them, for the raising and providing a further supply and stock of timber, for the uses and occasions of the Plantation; and having cause to believe, that the chief hindrance and discouragement to the planting of young trees, hath arisen and been occasioned by the said Companies or their tenants, or other persons having or claiming a right to the said lands, being apprehensive that such young trees, if planted, when they should grow to and become timber, might be claimed by the said Society, and disposed of by them in such manner as they shall think fit, to the prejudice of those by whose care and labour such trees shall have been planted and preserved; in order, therefore, to the removing such distrusts, apprehensions, or discouragements, and giving all possible encouragement to so useful and beneficial a work, as the planting of trees on the said lands, which will manifestly conduce not only to the good of the Plantation in particular, but to the benefit of the said kingdom in general, as well as to shew the strict regard the Society have to justice and equity; and in pursuance of, and for the perfecting their said good intentions therein, conformably to a representation lately made by the said Society to the said Companies, and their several returns, testifying their consent and approval thereof; the said Society do hereby declare and agree, that all young trees or saplings, which

have been planted within the space of fifteen years, and are now growing, or that shall hereafter be planted and grow, on any of the said lands or proportions of the said respective Companies as aforesaid, shall not at any time or times hereafter be claimed by the said Society or their successors, either when the same shall be, or become timber, or otherwise, nor shall be disposed of by them, to or for the benefit of any of the estates or proportions of any other of the said Companies, their tenants, or other persons, deriving or claiming any estate or interest under them; nor be taken or assigned by the said Society, to or for any other use or uses whatsoever; but the same shall and may, from time to time, and at all times hereafter, be cut down, had, and taken, by the said respective Companies, and their several grantees or assigns only; so as the same be applied and disposed of, in the first place, for and towards the building and reparations, or other necessary use or uses of their respective estates, holden or derived from the said Society, any exceptions or reservations contained in any grants or conveyances heretofore made by the said Society to the said respective Companies, or any of them, in respect to timber, &c. notwithstanding. In testimony whereof, the said Society have caused their common seal to be hereunto affixed, the 4th day of August, in the year of our Lord, 1741."

17th November.—The Chief Justice Singleton, being inflexibly determined not to accept the present of plate intended for him, it was given to the city of London, for the use of the Mayor for the time being, with an appropriate inscription.

14th January.—The Committee proposed, that the Quay at Coleraine should be entirely enclosed, at the charge of the Society, for the benefit of the traders and inhabitants. All goods and merchandize imported, to be free from any duties or impositions for quayage or otherwise.

28th January.—A most important report was made, relative to the market-house, freedom from tolls, and various other

matters in Coleraine. In which report are contained the following words: "And we are of opinion, that in case the said intended market-house, &c. shall be built and completed, at the charge and contribution of this Society, the said Corporation shall be obliged to maintain and keep the same, from time to time, in good and sufficient repair; and as sheds or stalls may be proper to be in and erected, chiefly for the vending and exposing to sale, flesh provisions, we recommend such to be provided, as are used and found convenient in divers market towns in this kingdom, *viz.* moveable ones, which may be taken down and replaced on every market day; and ought to be taken care of and preserved by those to whose use and benefit they shall be appropriated. And it is our opinion, that no new or additional fee, toll, or duty whatsoever, shall be exacted, demanded, or taken of any person or persons resorting to, and vending their goods and commodities at the said market, either for the use of the said market-house, or such stalls, sheds, or other conveniences, to be provided as aforesaid; it being the chief view and intent of this Society, to promote thereby the good and benefit of the said town, and the inhabitants thereof."

2^d February.—The Society granted £700, and thirty-five tons of timber, for building a market-house at Coleraine. The plan was designed by Mr. Dance, the architect.

9th February.—Appointment of Mr. William Bedell, secretary assistant.

18th February.—It was ordered, that the treasurer should give security, by bond, for £1000, or transfer stock.

July.—Inquiry was directed to be made, whether the Society had the power of making general benevolent contributions.

23^d September, 1742.—An additional £10 a year was granted to Londonderry school-master; but provided, that the Corporation made a like additional advance, to be continued so long only as theirs did.

The general agent was ordered to deliver the tenants their leases, without demanding a fee for himself.

10th June, 1743.—The Corporation of Londonderry augmented the salary of the master of the Grammer-school £10 a year, agreeably to the wishes of the Society.

14th July.—Rev. Mr. Burke Cuppage was elected rector of Coleraine.

27th January.—Mr. William Bedell was elected secretary.

8th March.—The Right Honourable Sir Robert Westley, Knt. Lord Mayor, was Governor.

28th November, 1745.—Alderman Alsop was Governor.

The Society contributed £2050 towards building Coleraine bridge.

11th November, 1746.—It appeared that the late by-law made in Londonderry, restrained the election of members to persons resident in the city.

It was ordered, that the journals of the Society should be always regularly entered up, and kept in the Irish Chamber.

December.—It was ordered, that letters addressed to the secretary should be delivered to the Governor or Deputy-Governor, unopened; and that such letters should be marked when received.

16th December.—The Corporation of Londonderry recommended the Rev. Mr. Torrens to succeed Mr Giffard, as master of the Society's free-school at Derry.

The secretary was suspended from his employment on account of his bankruptcy.

20th January.—Mr. Sparrow was elected secretary.

23^d April, 1747.—The Corporation of Coleraine solicited for a lease of the market-house, but the Committee thought it would be improper for the Society to grant it; but thought it expedient that the Corporation should, by some public act, engage to keep the market-house in repair.

25th September.—Mr. Henry Hamilton was recommended

by the Society to the Corporation of Londonderry, as a representative for their city in Parliament.

17th November.—It was resolved, that no leases should be granted, unless a memorial be first presented to the Society, signed by the party, or some agent on his behalf.

27th January.—A petition was presented to the crown by the Society, against an act relative to the election of officers in Corporations in Ireland.

29th June, 1748.—The Society did not consider themselves warranted in making a grant of money for building a meeting-house; but they afterwards contributed £50.

3^d July, 1749.—The Society granted the general agent a sum of money, for attending the Society during several months.

7th July.—The fishings were let to Mr. Richardson, at £620 a year, for twenty-one years, determinable at the end of seven or fourteen years.

March.—The Corporation of Londonderry recommended an usher to the free-school, whom the Society approved.

7th June, 1751.—The inhabitants of Coleraine, by letter, assured the Society, that they would support the interest of the gentleman recommended to them as their representative in Parliament, to the utmost of their power.

12th December, 1752.—The Society directed that all lands and houses then out of lease, should be advertised, in order to ascertain their true value.

20th June, 1755.—Henry Hamilton, Esq. was appointed general agent.

27th January, 1756.—Letters and communications were sent to the Society, relative to a project for making the river Bann navigable.

28th February.—The fishings were let to Henry Hamilton, Esq. for £910, English currency, per annum, payable in London, for twenty-one years.

March, 1757.—£50 were directed to be paid to the Mayor

of Coleraine, to be distributed for the relief of the poor; and the like sum was sent to the Mayor of Londonderry.

7th November, 1758.—The general agent was directed to engage a solicitor, to transact the Society's law business in Dublin.

9th May, 1759.—Mr. Redmond Kane was the Society's solicitor.

30th May.—Alexander Stewart, Esq. was recommended by the Society to the Corporation of Londonderry, as a representative for their city in Parliament in the event of a vacancy. The Corporation sent letters of excuse for not promoting his interest, as recommended by the Society.

3^d July.—A letter was received by the Society from various citizens of Londonderry, requesting the Society to patronize them, in their endeavours to get Alderman William Hamilton returned as their representative.

30th April, 1760.—A by-law was sent by the Corporation of Londonderry for the confirmation of the Society, relative to the rents received by the Corporation of their tenants holding premises granted by the Society to the Corporation, under their late leases, and to enable the Corporation to let the same by public auction to the highest bidder. A copy of this by-law was laid before the Recorder, some alterations were made therein, and afterwards the same by-law was confirmed under seal of the Society.

25th November.—Mr. John Paterson was elected secretary.

10th December.—The Society recommended their general agent, Henry Hamilton, Esq. to the Corporation of Londonderry, as their representative in Parliament.

19th May, 1762.—An assistant of the Court was chosen, in the room of one deceased.

30th September.—The fisheries were granted, by lease for twenty-three years, to Henry Hamilton, Esq. at £912 a year.

23^d November, 1763.—A piece of plate was voted to the Governor. The following is a copy of the resolution:

“Resolved that a piece of plate, of the value of one hundred guineas, be, with all due respect, presented to our worthy Governor, the Worshipful Robert Alsop, Esq. one of the Aldermen of London, in testimony of our entire approbation of his diligent attendance upon, and faithful and disinterested discharge of the duties of that high trust, during an uninterrupted course of eighteen years, and as a grateful acknowledgment of his affability and impartial conduct towards the several members of this Court, who have successively been elected during his government; and of his constant readiness to communicate to them all those necessary lights which his long experience in, and perfect knowledge of, the Society’s rights, interests, and affairs, fully qualified him to give, and which have greatly contributed to facilitate the business of the Society here, and to establish and secure a prudent and faithful management of their property in Ireland.”

18th January, 1764.—A list was made out of all the records and papers of the Society; and amongst others, a copy of the original charter to Coleraine, in the time of James the First, a translation of which will appear in the Appendix.

July, 1765.—The Governor, about this time, went to Ireland, and surveyed and made regulations relative to the Society’s estates and fisheries.

A petition was sent from the Corporation of Londonderry to the Society, praying the Society’s recommendation to the Lord Lieutenant of Ireland, for parliamentary assistance, towards the reparation of the quays of that City, which was complied with.

11th October.—A piece of plate was voted by the Society to the Mayor of Londonderry.

27th November.—A report was made by the Committee as to the original establishment of Culmore Fort, whereby they stated, that his late Majesty King Charles the Second, by his letters patent, bearing date 10th day of April, in the fourteenth

year of his reign, granted to the Society of the Governor and Assistants, London, of the New Plantation in Ulster, within the realm of Ireland, and to their successors, the castle and fort of Culmore, in the county of Donegall, and all the lands, containing, by estimation, three hundred acres, with the said castle and fort, then or then late occupied or used, or to the same belonging, or assigned or to be assigned, with the appurtenances, to the said castle and fort and conveniently adjoining; and they found that the said Society, by the said letters patent, for themselves and their successors, did covenant with the crown, to keep and maintain, at their own costs and charges, in the said castle and fort, a ward of so many men well and sufficiently armed, and expert officers, as should be necessary for the defence thereof: they further found, that the said Society having surrendered, or agreed to surrender to the crown, certain customs to them granted by the said former letters patent, his said Majesty was pleased by his letters patent, bearing date the 19th day of May, in the seventeenth year of his reign, in consequence of the said surrender, to re-lease the said covenants on the part of the Society; and to declare, that, for the future, the said Society, over and above the repairs of the said castle and fort, to be charged only with the yearly sum of £200* for the Governor of the said castle and fort, towards maintaining a garrison therein, and providing them with arms and ammunition; and also with the said three hundred acres of land, and the profits thereof: so that, upon the whole state of the case, it appeared, that the legal estate of and in the said three hundred acres of land was properly vested in the Society, in trust, for the Governor of the said castle and fort, for the time being.

16th July, 1766.—It was ordered, that the Recorder's opinion should be taken, whether it would be legal for the

* This sum is still paid, half yearly, by the Society, to the Governor of Culmore Fort.

Society to let the houses in Londonderry and Coleraine, with the acres and perches, in perpetuity.

£30 were granted for the relief of the poor of Coleraine.

5th August.—The Recorder was of opinion, that the Society had the power to let leases in perpetuity. The following is a copy of the case and opinion :

“ By letters patent, reciting, that King James the First, by his charter, had incorporated a certain number of Citizens of London, by the name of the Society of the Governor and Assistants, London, of the new Plantation in Ulster, within the realm of Ireland, and had granted to the said Society several lands, &c. in that kingdom, parts of which lands the said Society had by lease and re-lease granted to the twelve Companies of London, who had engaged to undergo the greatest part of the charge of the said Plantation, according to their several disbursements, retaining in their hands such other parts as were not properly dividable, and defraying the charge of the general work of the said Plantation. That this charter being afterwards repealed in Chancery, and cancelled, King Charles the First, of his goodness to the Mayor, and Commonalty, and Citizens of London, intended to have restored the said Society, &c. but was prevented by the troubles of 1641. And, lastly, that it appeared the said Society and Companies had expended great sums in building and planting Londonderry and Coleraine; therefore, and for settling and planting the said places with trade and inhabitants, the King constitutes a new Society by the former name, with full capacity to purchase, give, grant, demise, or assign, any lands, &c. in England or Ireland; the said Society to consist of twenty-six Citizens of London, (eligible by the Common Council,) with the Recorder and the said Assistants, to be sworn by the said Mayor.

“The King then grants to the said Society, several lands, &c. with a reservation of certain quit-rents, and under certain covenants on their part.

“The Society’s estate, now held under this grant, consists of all the houses and grounds in Derry and Coleraine, of certain adjacent lands, called the acres and perches, of certain lands, called the quarter-lands, and of the fisheries of the rivers Bann and Lough Foyle.

“There is no express mention in the letters patent of any trust for the twelve Companies; and, indeed, the Society, have always acted independently of them, nor have they ever admitted themselves to be accountable, yet, from time to time, as money has been in hand, they have made dividends to the twelve Companies.

“They have also, from time to time, granted leases for three lives, and a concurrent term of years, of the houses and adjacent lands, called the acres and perches which lands have always been considered as an appendage of, and essentially necessary to be held with, the said houses.

“The lessees in Derry presented a memorial to the Society, wherein they set forth, that the granting and leasing to them a more permanent interest, would incite them to lay out large sums of money in building and repairs, whereby the said City would be improved, and the population, trade, and manufactures thereof increased; that having built and repaired their houses, they have paid, at least, twenty-five years purchase for the same, which they think entitles them to the favour of a Society, constituted (as they conceive,) trustees, for the benefit of the said City, as well as for the twelve chief Companies.

“That if they might obtain leases for three lives, renewable for ever, they would covenant to pay a fine upon the fall of every life, so that the scheme would prove beneficial to all parties.

“The city of London having granted such perpetual renewable leases of their houses, upon Conduit Mead, the Society have referred the said memorial to a committee, to examine how far the proposal made to them, might be made advan-

tageous to the Society, and (through them) to the twelve Companies.

“In order to this inquiry, the Society previously desire your opinion, whether they have sufficient power to adopt the proposition of perpetual renewable leases, in case they should think it for their advantage to grant the same?”

“I am of opinion, that the Society have sufficient power to adopt the proposition of perpetual renewable leases, in case they should think it a benefit to the estate committed to their care, to grant such leases.

(Signed)

“JAMES EYRE.”

“*Serjeant's Inn, 30th July, 1766.*”

27th August.—The Committee made a report, setting forth their reasons for the propriety of granting leases renewable for ever.

30th August.—Propositions, on the subject of granting leases in perpetuity, were transmitted to the general agent, to be communicated to the tenantry.

In consequence of these proposals to the tenantry, many memorials were transmitted to the Society, accepting the terms offered.

23^d December.—A representation was directed to be made out and transmitted to the Lord Lieutenant of Ireland, on the subject of Rathmullin being intended to be made a port of discharge.

25th February, 1767.—Certain premises were granted to the Dean and Curates of Londonderry in perpetuity, for charitable purposes, at £14. 19s. 3d. per annum, under Stanley's Will.

24th September.—The Governor was requested to sit for his portrait, to be executed by Mr. Dance the artist.

26th January, 1768.—The Corporation of Londonderry petitioned the Society for leave to quarry stones on Termonbacco for repairing the quay of the City.

3^d February, and 18th January, 1769.—A report was made thereon, explaining the Society's right to the quarries.

16th February.—It was ordered, that all future Treasurers should give security in £2000.

13th April.—A letter was sent to the Corporation of Londonderry, recommending a representative for their City in Parliament.

19th April.—A lease was granted to Lord Tyrone, of various holdings in Coleraine, particularly specified, on the same terms as all the other tenants of the Society, namely, twenty-one years and three lives, renewable for ever.

22^d April.—The Corporation of Londonderry having sent a memorial to the Society for their consent to the making a bridge over Lough Foyle, the Committee made a report thereon, recommending such consent.

8th June.—A letter was received from the Right Honourable Francis Andrews, one of the representatives of Londonderry, on the subject of the bridge, and securing the Society the present rent of £20 a year for the ferry.

14th September.—A license was granted to the Corporation of Londonderry, to dig for lime and stone on Termonbacco.

6th December.—The Rev. Mr. Heyland was elected, by ballot, to the living of Coleraine.

8th March, 1769.—Lord Donegal filed a bill in the Exchequer against the Society, on the subject of the fisheries.*

31st May.—The Corporation of Londonderry sent a memorial to the Society, offering to send an engineer, and submit plans for the new bridge.

1st November.—The fisheries were let to Henry Hamilton, Esq. for thirty-four years, at the old rent.

11th April, 1770.—A lease was granted to the Corporation of Coleraine, for fifty years, to expire at the same time with the Londonderry Corporation leases. Reasons were assigned

* The proceedings in most of the suits, instituted at various times in respect of the fisheries, are to be found by reference to the abridgment of the Society's records, kept in the Irish Chamber.

why the Society granted the premises at low rents, disproportionate to the actual value of the property.

27th March, 1771.—The Society contributed £300 for the repair of Coleraine church.

8th October.—The heads of the special verdict in Lord Donegal's fishery cause were entered at length on the minutes, in which were set forth the rights of the Society.

11th December.—A letter was written, relative to the encroachments made by Lord Tyrone, or his tenants, in Coleraine.

18th December.—Memorials were sent to the Society from the Corporations of Londonderry and Coleraine, requesting their interposition to prevent Loughswilly being made a port.

3^d June, 1772.—The general agent made an award between two tenants, pursuant to a power for that purpose contained in the leases, in cases of dispute; which award is recorded at length, and relates to the boundaries and lights of a house in Derry.

19th November.—Another attempt was made to get a port of discharge established at Loughswilly; in consequence of which, a fresh application was made by the Corporation of Londonderry to the Society, urging them to oppose the measure, which they did accordingly.

10th March, 1773.—£30 were contributed towards the relief of poor weavers in Coleraine.

5th November.—Letters were received from various distinguished statesmen, on the subject of an opposition to a tax proposed to be laid on Irish absentees, and communications were made to the twelve chief Companies on the subject.

1st April, 1774.—A petition was sent by the Society to the King, respecting a bill to be passed, regulating the fishings in Ireland.

18th May.—The Attorney and Solicitor General made a report on the Irish Fishery Bill.

25th July.—A donation was granted by the Society, of £200, to the orphans of the Rev. Burke Cuppage, deceased.

4th November.*—It was resolved, that an application for renewals must be made by the tenants, within three months after the expiration of the first seven years; the fines and fees not to be excepted after that period: the endorsement of a receipt by the general agent, was to be considered equivalent to a renewal.

1776.—A correspondence took place between the Society and Mr. Jackson and Mr Thompson, on the subject of the Coleraine Corporation holdings, citadel, wastes, &c. which were particularly described, and the value estimated.

28th January, 1778.—Mr. Thomas Tomkins made a transcript of the Society's charter, for the use of the Society, who paid him two hundred and fifty guineas for the work.

1781.—A correspondence took place in regard to a proposition made to the Society, for enclosing part of the strand at Derry. A memorial, and several letters, were sent by the Corporation of Derry on the subject; a plan of the strand proposed to be embanked was delineated. A report was made on the memorial of the Corporation, wherein the Committee reprehended them for making encroachments at the Ship Quay.

* The Court and Minute Books from this period, for ten successive years, appear to be lost to the Society by fire. The proceedings of the Society, however, during this interval, are capable of illustration from the loose miscellaneous papers, consisting of agents' correspondence, law proceedings, and bills; treasurers' accounts, orders of Common Council, appointing Societies, &c. and the book of treasurer's accounts, which is regularly entered up. This is the only chasm in the Society's journals since the last charter of incorporation; and from a minute investigation of the various documents, the Society do not appear to have sustained any considerable injury by the loss of such journals, no circumstances having arisen which involved or affected any of their rights, but what are capable of explanation.

4th June.—The Londonderry Association was established for the defence of the country, and for which they received the approbation of the legislature. The following is a copy of the communication they received on the subject.

“To the Volunteer Corps in the City and County of Londonderry.

“*Castletown, 6th November, 1779.*

“GENTLEMEN,

“The late distress in my family prevented me from doing my duty to the volunteers of the city and county of Londonderry, in transmitting them sooner the thanks of the House of Lords, which I now do; and hope that they will think that I should have particular pleasure in doing it in person, if my duty in Parliament did not prevent me; and likewise, in communicating to them the thanks and approbation of the House of Commons, for their spirited exertions in defence of their country at this period.

“I am, Gentlemen, &c.

“THOMAS CONOLLY.

“*Die Jovis, 14^o Octobris, 1779.*

“Resolved, by the Lords spiritual and temporal, in Parliament assembled, that the thanks of this House be given to the different Volunteer Corps in this kingdom, for their spirited and (at this time) necessary exertions in its defence.

“W. W. GAYER, } Clerks of Parliament.
“EDWARD GAYER, }

“*15th November, 1779.*

“SIR,

“Above, you have the thanks of the Houses of Lords and Commons, which we have a particular pleasure in forwarding to you.

“We have the honour to be, &c.

“DAVID ROSS, } Sheriffs.”
“WILLIAM SWETTENHAM, }

24th April, 1780.—A letter was received from the Secretary of the Association, of which the following is a copy :

“ *Londonderry, 24th April, 1780.*

“ SIR,

“ By an order of the Committee for managing the affairs of the Londonderry Association, I am desired to request that you will be so kind as to lay the inclosed address before the Society, proprietors of this place, in hopes that they will contribute to the Association; and am, also, desired to request, that you will please to transmit, as soon as possible, their answer to your’s, &c.

“ WILLIAM PATTERSON.

“ Resolved, That the following Address of this Committee to the public shall be printed.

“ At a time of national danger and national calamity, the volunteers of Ireland, in the virtuous and manly character of citizen and soldier, stepped forth to preserve their country. They have, we behold, with heartfelt pleasure, been, in a great degree, crowned with that success which their laudable and judicious exertions merit. Their truly patriotic associations, cherished by the legislature of the kingdom, have prevented foreign invasion, stifled domestic tumult, and made no small progress in the acquirement of civil liberty. A state ardently to be wished for, on account of its natural attendants, affluence and happiness.

“ Among these associations, the volunteer corps of Derry hold a high and conspicuous situation. They early perceived the wants of their country, and, like their volunteer brethen, generously and liberally assisted her with their persons and their purses. To this salutary assistance, every neighbouring individual and proprietor are particularly indebted, for the enjoyment of their possessions in peace and security. It seems, therefore, agreeable to the dictates of reason, justice, and equity, to conclude that every non-associated person,

thus protected, ought to contribute, as much as in his power, to so useful and glorious an undertaking. Influenced by those just principles, the Committee of the Londonderry Battalion declare it to be a duty which they owe to their country, to solicit personal and pecuniary assistance from every residenter in the city and liberties of Derry, and from every non-residenter who has property therein, who have not yet contributed to the Associations. To this solicitation, the Committee are the more strongly urged, by perceiving that much still remains to be done; that now is the moment for doing it; and that a considerable expense must be unavoidably incurred in the performance.

“ For these cogent reasons, it is hoped and intreated, that every friend to his country will no longer hesitate to bestow his services or contributions.

“ Signed by order,

“ WILLIAM PATTERSON, Secretary.”

23^d May, 1781.—The Society contributed £100 towards the Association.

22^d March, 1782.—A memorial was sent to the Society by the Corporation of Coleraine, for removing obstructions on the river Bann, and improving the navigation. Letters and proposals were received relative thereto.

23^d November, 1784.—A report was made by the Committee, on a memorial presented by the rector of Coleraine, relative to dilapidations, repairs, and an increase of glebe land.

30th December.—The Committee recommended a lease to be granted to the Corporation of Londonderry, for twenty-one years, renewable septennially, of part of the strand of Lough Foyle, proposed to be embanked, from the Old Wharf and Quay, and the road or street from Inishowen to Butcher's Gate.

14th January, 1785.*—It was declared to be the invariable

* About this time, a fire happened at Guildhall, by which part of the Irish Chamber was consumed, and many of the records burnt and damaged.

rule and practice of the Society, not to grant any new leases, till the old ones were surrendered up.

17th January.—Alderman Alsop, the Governor, resigned.

18th February.—Brass Crosby, Esq. was Governor.

7th December.—The Society applied to the Committee of City lands, for leave to repair the Irish Chamber. The plan was submitted to the Common Council.

20th December.—The muniments and records of the Society were removed to the Chamberlain's office, in the presence of several members, to remain there during the repairs.

22^d February, 1786.—The Right Honourable Thomas Harley, Lord Mayor, was on the Society.

4th April, and 29th June.—The books and papers rescued from the late fire, were ordered to be examined and arranged, and a list to be made.*

8th June.—The Society assented to the proposition for erecting a bridge at Londonderry, over the river Lough Foyle.

26th January, 1787.—The Governor was requested to sit for his portrait, to be executed by Mr. Thomas Hardy, and placed in the Irish Chamber.

7th February.—The Commissioners of the Lottery applied for the use of the Irish Chamber, during the drawing, but were refused.

18th May.—Counsel were consulted, on the steps necessary to be taken, to defend the right of the Society to their fishery in the river Bann.

9th April, 1788.—The Committee made a report as to what

* This important work was very negligently performed. No care was taken to investigate the burnt fragments. They were pronounced useless, and thrown together in a mass, and deposited in that state under more than half a ton of rubbish, consisting of City records burnt to crusts, still remaining in the recesses of the Irish Chamber. Both the lists made of the records in 1774 before the fire, and in 1786 after it, are inaccurate.

by-laws had been transmitted to the Society, from the Corporations of Derry and Coleraine, for confirmation. The General Agent was directed to enquire whether any, and what by-laws had been lately made.

The Haberdashers' Company voted thanks to the Society, for their zeal and ability in the management of that Company's proportion of the rents in Ireland.

19th November.—The Society contributed £50, to celebrate the centenary of 7th December, 1688, at Londonderry; and they agreed to dine together on that day of the ensuing month.

Some of the loose papers, being parts of the journals of the Society, saved from the late fire, were ordered to be copied into a book.

17th December.—The Corporation of Londonderry solicited the Society, to concur with them, in erecting a triumphal arch to the memory of William the Third.

23^d December.—A report was made relative to repairing the market-house at Coleraine, and to the proprietorship thereof.

21st January, 1789.—A report was made, stating, that the loose sheets of the Society's journals had been copied, compared, and bound up.

The Society received £40 from the Treasurer of Londonderry, for a piece of ground to build the new gaol on, as authorized by Act of Parliament.

30th January.—The Committee recommended £200 to be granted, for repairing the market-house at Coleraine.

The General Agent was directed to take into his own possession, the keys of the market house, unless the Corporation of Coleraine would undertake to keep the same in repair.

29th April.—The proposed timber-bridge at Londonderry, was estimated to cost £10,000. A memorial was sent by the Corporation to the Society on the subject, and to obtain a lease of the tolls in perpetuity.

15th July.—The Committee made a report on the said memorial, which the Society confirmed, granting their request; for which the Corporation afterwards returned their acknowledgments.

10th September.—Robert Slade, Esq. was appointed Secretary.

30th September.—A piece of plate was voted to the late Secretary.

21st October.—It was directed, that the Secretary should be sworn before the Mayor, at a Court of Aldermen, as usual.

11th November.—Security was given by the Secretary.

11th December.—The Committee made a report, shewing the total amount of the rent roll and disbursements, and stating the quit rents.

It was ordered, that such report should be always laid upon the table, at every future election of the Society, and read after the charter, for the information of the Members.

The Society granted to the Corporation of Londonderry, a lease of the tolls of the Ferry in perpetuity, to enable the Corporation to build a bridge, and borrow money on the security of the tolls.

17th December.—It was resolved, that in future, the general agent should be subject to a penalty of £10 per cent. out of his salary, in case he should neglect to account regularly for his receipts.

John Claudius Beresford, Esq. was elected General Agent.

14th May, 1790.—The Society voted one hundred guineas to the Benevolent Society of St. Patrick.

11th November. In consequence of a memorial presented by the rector of Coleraine, the Society granted £80 towards the repairs of the parsonage house.

It was resolved, that the officers of the Society should be elected annually.

20th December, 1791.—Lord Donegal made objections to the validity of the Society's charter, relative to the fishings.

The Society resolved to consult the Attorney and Solicitor General on the subject.

11th January, 1792.—£100 were granted for rebuilding the church of Ballyelly.

The Right Honourable John Hopkins, Lord Mayor, was on the Society.

20th April.—The Corporation of Londonderry sent a memorial to the Society, in regard to a project for making Strabane a port of entry and discharge; and solicited the Society to oppose the measure. In consequence of which, the Society prepared a remonstrance, and sent it to the Lord Lieutenant.

14th December.—Lord Donegal obtained judgment in his fishery cause.

30th January, 1793.—The Society were determined to bring a writ of error, and assigned their reasons for such determination.

Alderman Harley was Governor.

5th December.—A bond of indemnity was required from tenants, on granting a renewal, where a former lease could not be obtained to be surrendered up.

21st March, 1794.—The Governor was requested to sit for his portrait, to be painted by Mr. Hardy.

5th June.—A report was made on the memorial of the Rev. George Vaughan Sampson, schoolmaster of Derry, who applied for an increase of salary, which the Society refused to grant. The report stated, that the school was originally erected by the Bishop and Clergy of Londonderry, in pursuance of a statute of the twelfth year of Queen Elizabeth, and therefore not under the exclusive control of the Society. The allowances were stated to be £40 a year from the Society, £20 from the Corporation, and £12 from the Bishop, making £72 annually.

27th January, 1795.—Lady Hamilton complained to the Society of great depredations having been committed on the fishery.

William Church complained to the Society of injury done to his mill, by the erection and working of a mill in his neighbourhood, and requested the interference of the Society to protect his rights. It having appeared that the fines of four renewals had run in arrear, his memorial was deferred till he should discharge them.

1st December.—The Society resolved to defend Lady Hamilton, in the suit commenced against her by Lord Donegal, on account of the fishery.

27th April, 1796.—An assistant was chosen in the room of a member deceased.

6th July, 1797.—One hundred guineas were given by the Society towards the relief of the poor manufacturers of Dublin.

18th July.—Arthur Skeere Loftie was appointed messenger.

31st October.—Lady Hamilton agreed to assign her interest in the fishery lease to Sir G. F. Hill and Mr. Beresford.

26th November.—The Governor notified his wish to resign.

7th February, 1798.—Thanks were voted to the Governor. Alderman Le Mesurier was appointed Governor.

27th July, 1798.—The Society contributed £100 towards suppressing the rebellion in Ireland.

19th October.—It was ordered, that all correspondence in future should be dated from the Irish Chamber.

11th December.—The Governor's portrait was ordered to be painted, by Hardy.

9th January, 1799.—The Society directed the law agent to prosecute an appeal to the House of Lords in the fishery cause.

29th January, 1800.—Leases were granted of the fishery to Sir G. F. Hill and Mr. Beresford.

21st July.—£50 were contributed by the Society towards the relief of the distressed poor at Derry.

4th August.—A waste tenement was granted to the elders of the dissenting congregation in Coleraine, for twenty-one years, at one shilling per annum.

A stained glass window was ordered to be placed in the Irish Chamber, as emblematical of the union.

29th April, 1801.—£50 were granted for the relief of the Coleraine poor.

14th May, 1802.—The Committee made a report on the indenture of release granted to the Salters' Company, of the manor of Sal, dated 5th June, 1663, in which was contained a reservation of the timber. The Society thence concluded, that the right to timber still remained in them, and directed the General Agent to make inquiry into the state of all the timber growing on all the lands granted by the charter.

15th June.—£200 were contributed towards re-building the cathedral spire at Londonderry.

12th November.—The Rev. Edward Harvey was elected to the rectory of Coleraine.

4th February, 1803.—In consequence of a memorial presented by Mr. Dunlap Adams, Master of Coleraine school, the Society allowed him a gratuity of £20 a year, and directed, that in future, the taxes charged on his dwelling-house should be allowed him.

8th February.—The Secretary composed a narrative of his journey to the North of Ireland, replete with valuable information, relative to the Society's property in Ulster; which was ordered to be printed for the use of the present and all future members of the Society. The thanks of the Society and a piece of plate were voted to him on this occasion.

The General Agent made a statement of the timber growing on the proportions of the twelve chief Companies, with the estimated value thereof, on which the Committee made a report.

9th February, 1803.—Thanks and a piece of plate were voted to the Governor.

22^d June, 1804.—On the memorial of the dissenting congregation in Londonderry, the Society agreed to remit their arrears of fines and fees for renewals.

19th April, 1805.—Mr. Babington, the law agent, transmitted to the Society his narrative of the fishery cause, from its commencement to its termination in favor of the Society, (*vide Appendix,*) on which the Committee made a report, recommending a copy to be sent to each of the twelve Companies, and the original to be preserved among their own records. Thanks, and a piece of plate, were voted to Mr. Babington on this occasion.

10th September.—The Society ordered the General Agent to appoint a bog bailiff.

A piece of plate, with a suitable inscription, was voted to the General Agent, John Claudius Beresford, Esq. for the assistance given by him in forming a report relative to the Society's property, in order to testify the opinion which the Committee entertained of his services, and the integrity of his character.

February, 1806.—Alderman Harvey Christian Combe was Governor.

22^d April, and 31st October.—The Governor and Secretary's portraits painted by Opie.

7th April, 1807.—The Committee made a full report in regard to the establishment of Derry free school on an enlarged plan.

10th June, 1808.—A donation of £50 was granted to the poor of Derry.

24th June.—The Society's seal was affixed to a copy of a Bill before Parliament, for vesting Derry free school in trustees, to be sold, and the proceeds of such sale to be applied in part discharge of the expense of erecting a more extensive school, on a better and more convenient scite.

9th July.—The Committee made a report on the memorial of Sir G. F. Hill, on the subject of the fishery, and an extension of term in his lease.

16th June, 1809.—Lady Elizabeth Ferguson presented a memorial, praying for leave to inclose and plant an island in

the river Foyle, which was complied with, and it was ordered, that she should pay 20s. yearly for the same, as an acknowledgment of the right of the Society, but to have no lease.

The rights of fishery were invaded by Mr. Carey and others.

22^d September.—It was made a regulation, that no members of the Society should be security for the treasurer.

18th May, 1810.—A prospectus of a survey of the county of Londonderry, by Mr. Sampson, was presented to the Society. The Society patronized the work, and subscribed thereto.

5th February, 1811.—It was made a standing order, that all resolutions of former Courts, respecting granting leases, not carried into effect, be read at the first Court after the swearing in of a new Society.

29th March.—A report was made on the subject of incroachments on the race course bog, and the fishings.

7th June.—A report was made on the expenditure made by Sir G. F. Hill on the mill and fishery, amounting to £5422. 15s. 11*d*. The Committee recommended a new lease to be granted to him, to expire in 1847, at the rent of £1250 a year.

21st June.—A plate of the value of 50 guineas was voted for the races at Derry.

5th July.—The Secretary was directed to write to the Bishop of Derry, stating, that it would be gratifying to the Society to receive annually, an account of the state of the school at Derry from the trustees, or their proper officer, and that the Society wished to know the particulars of the state of the building.

21st April, 1812.—A report was made on the proposition of Sir G. F. Hill, for building a new court house at Londonderry, and for obtaining an Act of Parliament for that purpose. The Society agreed to the proposition, and to a Bill being brought into Parliament to carry the measure into effect.

2^d October.—A lease was granted to Sir G. F. Hill, of the fishery, pursuant to the order of Court, 7th June, 1811.

8th February, 1813.—A report was made on the memorial of Robert M'Intyre, involving questions of law relative to the soil of the river Foyle.

A report was made as to the extent of the Society's lands, and probable means of future improvement, which was ordered to be copied fair into a book, and laid on the table to be read after the charter, in like manner as the report of 11th December, 1789.

16th November.—The rector of Coleraine applied for a sum of money for repairing the rectory house, which the Society declined granting.

10th June, 1814.—It was referred to the committee to consider the propriety of establishing a school at Muff, on the Grocers' proportion; and the Society granted £50 towards the undertaking.

6th July.—It was recommended that Sir G. Hill's fishery lease should be altered, pursuant to Mr. Saurin's opinion, for the sake of introducing the words "water and soil" therein, with a view to protect the Society's rights in the fisheries against all future attempts to controvert them.

22^d July.—A report was prepared, and a schedule made out of such lands as were not held in perpetuity.

The Deputy Governor and Treasurer had an interview with Sir George Hill, on the subject of the Bill before the House of Commons, for rebuilding the bridge; when it was arranged, that foot pasengers should not pay toll for bundles under thirty pounds weight; and that the rights of the Society should be saved.

12th August.—The propriety of a Deputation to Ireland was suggested.

29th August.—A report was made, wherein such Deputation was recommended, and the objects of it pointed out.

In this year a deputation, consisting of Mr. Nathaniel Saunders, the Deputy Governor; Mr. John Thomas Thorp, (now Mr. Alderman Thorp, the Governor;) Mr. Charles Foster, Mr. Thomas Wiltshire, and Mr. Robert Slade, the Secretary, went to Ireland, where they surveyed the property of the Society, and made such an inquiry into their rights, as subsequently produced very important and beneficial results. The principal matters to which their attention was directed were, the establishment of schools; the right of the Society to control the proceedings of the Corporations of Londonderry and Coleraine; the right to the slob or strand inclosed from the river Foyle and Bann; the right of the Society to the cut out and reclaimed bogs; the right to the Sheriff's Mountain, and other properties claimed by the Corporation of Londonderry, to be held by them independent of the Society, &c. &c.

2^d February, 1815.—£30 were granted in aid of clothing poor children at the charity school at Derry; and £10 for clothing the poor children at the Presbyterian school yearly.

A copy of Mr. Sampson's chart was furnished to each member of the Society.

7th February.—A report was made, on the application of Mr. Whiteside, on behalf of the dissenting congregation at Coleraine; whereby it appeared, that the Society objected to grant a piece of ground, formerly a waste, in perpetuity.

A report was made on the charter, and several questions, arising thereon, were put to the law agent, who gave his answers thereto. Two hundred and fifty copies were ordered to be printed.

8th February.—It was resolved, that a piece of plate, of the value of fifty guineas, be presented to Nathaniel Saunders, Esq. as a small token of the great respect this Court bears him, and an acknowledgment of the important services he has rendered the Irish Society, during his holding the situation of Deputy Governor.

That a piece of plate, of the value of twenty-five guineas be presented to John Thomas Thorp, Esq. Thomas Wiltshire, Esq. Charles Foster, Esq. and Robert Slade, Esq. the gentlemen composing the Deputation, as a testimony of the respect and gratitude of this Court.

The Deputation afterwards made and published a report of their proceedings.

Mr. Bickersteth's opinion was taken as to the necessity of renewing the general agent's securities.

Plate was voted to the law agent.

The Society granted the Rev. Mr. Sampson two hundred guineas for his Memoir and Chart of Londonderry.

23^d June.—Various cases were stated, and opinions taken, on the various rights of the Society.

28th July.—A report was made respecting the slob of Lough Foyle, and the right of the Society thereto.

A report was made respecting the rectory house at Coleraine. The Society refused to advance any money for rebuilding the same.

By a report made on the subject of the fishery rent, it appeared, that the lease to Sir G. F. Hill commenced from the 12th November, 1811, for thirty-six years, at £1250 a year; and that it was customary for the Court to allow one year's rent to stand in arrear, in order to give the tenant an opportunity of raising a fund by a previous disposal of the fish.

8th December.—A final donation of one hundred guineas, was granted to Mr. Sampson, for his memoir and chart of Londonderry.

9th April, 1816.—A report was made relative to the rebuilding the rectorial house at Coleraine; and Mr. Babington's plan was recommended to be adopted.

Mr. Thomas Waugh was appointed bog bailiff.

8th July.—A report was made as to the building of Coleraine school.

15th October.—A notice of motion was given in the Court of Common Council, that the Irish Society do, annually, lay before that Court a brief state of their accounts, which was afterwards withdrawn; but previous to which, a case was stated for the opinion of counsel, and the following is a copy of the opinions of Mr. Serjeant Joy, and Sir John Silvester, the Recorder.

“Of one thing I am perfectly clear; if the Common Council have no right to call the Society to account for the disposal of their revenues, the Society ought not to comply with their requisition, from motives of courtesy,—such compliance would be an act of acquiescence, and long succession of such acts would, in process of time, generate right. Besides, every compliance with such a wish would render a refusal still more and more ungracious. It is infinitely better, and will be less offensive to the Common Council, to say at once, “We will not comply with your demand, lest we should make a precedent,” than after having made a succession of precedents to depart from them, from (as it will be said) motives of caprice, or hostility to the existing Council. I am, therefore, of opinion, that unless the Council shall be considered to have a right to an account, this novel claim of theirs ought to be resisted *in limine*. The next question is, have the Common Council a right to call the Society to an account? I cannot discover the slightest foundation for such a claim. The Society superintends the general concerns of the Plantation, and is a trustee for the twelve companies, who are absolute owners of their estates, which are not clothed with any trust, either for individuals, for any other public body, or for a charity. There is clearly, I think, no trust for the Common Council *as a body*; I cannot therefore conceive why they should demand an account of the disposal of revenues, in which they have no interest. I am of opinion, that they are not entitled to such an account, and that the Society ought not to give it. The refusal will,

of course, be couched in terms expressive of that high respect to which such a body as the Common Council of London is so justly entitled.

“H. JOY.”

“*Temple-Street, Dublin, 21st Nov. 1817.*”

“I perfectly agree with Mr. Serjeant Joy in his opinion; that the Society ought not to comply with the requisition made by the Common Council; who, as a body, can have no interest. The Society superintends the general concern, and is a trustee for the twelve companies, who are absolute owners of their estates; to them, and to them alone, is the Society accountable. I do not understand such an application has been made before, and therefore am most decidedly of opinion that the Society ought to refuse it.

“JOHN SILVESTER.”

“*Bloomsbury-Square, 12th Jan. 1818.*”

17th December.—The land and law agents were requested by the Society to come over to England, for the purpose of consultation on the affairs of the Society.

January, 1817.—Mr. John Weir Newson was appointed messenger, on the resignation of Mr. Loftie, who retired on an annuity of £40, granted him by the Society, in conformity with a resolution declaring his superannuation.

The land and law agents having come over to London, made statements relative to the affairs of the Society, in which they detailed all the circumstances necessary to be acted upon by the Society.

18th February.—The Society granted fifty guineas to the poor of Derry.

The maps were ordered to be handed to the general agent, to enable him to procure fresh surveys.

The rectorial house and school at Coleraine were proposed to be rebuilt.

6th March.—The general agent was directed to collect the rent of the fisheries and Cranagh, which had usually been remitted to London.

14th March.—A report was made in regard to the right of the Society to the growing timber on the Fishmongers' and several other Companies' proportions in Ulster; wherein the law agent was instructed to take legal steps for establishing the Society's right thereto.

21st March.—The law and land agents prepared a statement as the basis of a report, wherein the following subjects were recommended to the consideration of the Society, *viz.* the right to the land called the Sheriffs' Mountain. The space of ground surrounding the city walls. The letting the strand and soil of the river Lough Foyle. Usurpations of the fishings, by the Marquis of Donegal, and others. The reclaiming and letting the bogs. An inquiry as to the scite of the old school-house, the blue school, clergymen's widows' houses, the house of correction, the weigh-house, cow-market, and other premises usurped by the Corporation of Derry. Proposition for making new streets. The bridge of Derry, and the application of £1000 a year to accumulate for the erection of a stone bridge. The projected removal of the Bishop's palace. A suggestion to call upon the Corporation to state by what right they claimed the annual allowance made them by the Society. Culmore Fort, and the land belonging thereto. The Recorder's field. Government barracks. The late motion in the Common Council, for laying annually a brief state of accounts before that Court. Incroachments made by the Corporation of Coleraine. The by-laws. Glebe house, and school at Coleraine.

An authority, under seal of the Society, was given by them to the law agent, to apply to the Board of First Fruits, for aid in building the rectorial house at Coleraine.

24th March.—Thanks were voted to the law and general agents.

23^d May.—The Right Honourable Sir G. F. Hill, in his official character, as Recorder of Derry, attended the Court, and entered into a long discussion of the matters in controversy, between the Society and the Corporation of Derry, concerning the right to the Sheriffs' Mountain, and certain other lands and premises; and, after much discussion, Sir George proposed, that questions in writing should be submitted through him to the Mayor, who might lay the same before a Common Council.

2^d July.—A case was prepared relative to the value of a lease, extended from ninety-nine years to a perpetuity, and Mr. Morgan's opinion was taken thereon. The following is a copy of the case and opinion :

Case.

“ The Honourable Irish Society, London, of the new Plantation in Ulster, within the realm of Ireland, having certain parts of their estates in that country to let on lease, proposed to their tenantry there to make demises of such parts of their said estates, for terms of ninety-nine years, at reasonable rents, on condition that the lessees should make considerable expenditure of money in buildings, and other lasting improvements.

“ It not being the custom in that country to make such expensive improvements on such determinable tenure, and the Society having heretofore, about, in, and since the year 1767, in various other instances, made leases in perpetuity at certain rents, with the addition of one year's rent, as a fine payable every seven years, as for a renewal, the tenantry refused to accept of demises of any less permanent description; but it is expected that they would all willingly accept of leases similar to those last described, and pay such sums now in money, as the difference between that tenure and a lease for ninety-nine years should be found to be worth.

“ You will therefore please to say how many years of the annual rent, or what other portion of purchase or fine, the

tenants should pay down in money now, besides the reservation of an annual rent, similar to that at which the Society were willing to demise for ninety-nine years; and with the further advantage to the Society, beyond what was to have been comprised in the ninety-nine years' lease, of a fine of one year's rent, to be payable for ever hereafter, at the expiration of every seven years, for and on obtaining such perpetual interest on the terms stated.

“ Please to observe, in making this calculation, that the fee-simple, in lands of inheritance of the best description, would only bring twenty years' purchase in Ireland, if to be sold; and that no septennial fines were intended to be reserved on such ninety-nine years' leases as were so proposed to be made by the Society, but rejected by the tenantry.

pinion.

“ If the tenants are to pay the difference between the value of a perpetuity, and the value of a lease for ninety-nine years, then should they pay *one sixth* of a year's purchase of the annual produce of the estate, supposing the fee-simple of the estate to be worth twenty years' purchase. If they are also to pay the value in ready money, of all the septennial fines for ever, the sum which they should now pay for the same, should be three and a half of such fines; supposing, in this and the former case, that no alteration is to be made in the reserved rent.

“ WILLIAM MORGAN.”

“ *Equitable Assurance Office, 16th June, 1817.*”

The Governor having expressed his wish to resign, Mr. Alderman Thorp was recommended as his successor.

7th July.—A report was made respecting the parsonage house at Coleraine, and the jury presentments, and Mr. Babington, the son of the law agent, was recommended to take out his commission as a magistrate for Derry, and a

letter was directed to be written by the secretary to him thereon, as follows :

“ SIR,

“ The late discussion in both houses of Parliament, of the important subject of the taxes imposed upon the land-holders in Ireland, at the different assizes, having arrested the attention of the Society, they, in their conservative capacity, feel that a fit discharge of their duty calls upon them to watch over the interests of their tenantry in Ireland ; and as the Society, from their nature and residence, cannot be present there, they have directed me to request, that you will be pleased to take the trouble of seeing that their tenantry may receive an equal measure of justice, and a fair expenditure of the public money in their vicinage, proportionate to their contingent ; and that you, as far your own ideas of propriety may admit, will also have the goodness to give such their tenantry your countenance and protection, on all occasions in which they may come before the jury ; and that when you may not be able to give your own personal attendance, that you will put them under the like care and protection of your son, beyond which you must well know, from your long and intimate connexion with the Society, they could never mean to solicit you or him.

“ I am, &c.”

15th July.—Mr. Alderman Thorp was Governor.

A report was made relative to the Dubby holes.

A memorial was received from the inhabitants of Coleraine, concerning the school, which led to a report, wherein the Society determined, that under all the existing circumstances and inasmuch as the scite of the old school-house had sold so advantageously, that it would be more dignified on the part of the Court, and more consonant with the spirit of the charter of incorporation, that the Society should erect a school-house for the education of the poor, at their own

16th Oct.

expense, and continue to keep the exclusive control thereof in themselves.

A letter was received from the general agent, relative to Coleraine slob, in which he recommended the sum of £50 to be expended in levelling and filling up part of the slob or shore of the Bann, the doing of which would be highly beneficial to the interests of the Society, as tending to improve their estates.

1st August.—Memorials were received from the Bishop of Down and Connor, respecting portions of the cut out bog near the Race Course, and lower liberties of Londonderry, which the law agent was directed to take with him to Ireland, and consult thereon with the land agent.

16th October.—A report was made, relative to the school at Coleraine; the letting of the strand and shore of the Bann. The sum of £50 was allowed for filling up the slob.

Various leases were recommended to be granted of the ramparts of Coleraine.

20th December.—The Governor was requested to sit for his portrait.

19th January, 1818.—A report was made relative to the erection of the school and parsonage house at Coleraine, by the Society.

27th January.—The opinions of Mr. Serjeant Joy, and the Recorder of London having been taken on the liability of the Society to render accounts to the Common Council, (as before stated,) the subject was debated in Common Council, and the Secretary reported to the Society the discussion which took place.

5th February.—The Governor relinquished all participation in the dividends for members' attendances.

27th February.—Mr. Henry Schultes was assistant secretary.

7th March.—£30 were granted to the indigent room keepers at Derry.

16th July.—Mr. Babington stated, that the court-house at Coleraine had been usurped, by or under the direction of the Marquis of Waterford; and it was resolved, that steps should be taken for regaining the possession and free use thereof.

23^d October.—The general agent was ordered to transmit plans and estimates, made of the shore of the river Foyle, and the buildings and encroachments thereon.

An advertisement was inserted in the Londonderry paper, relative to the letting the slob.

The Society granted fifty guineas towards the erection of a monument for the late General Ponsonby.

January, 1819.—A statement respecting the Corporation leases, and a full report thereon, was made; a copy of which was sent to the law agent for him to consult thereon with the land agent, and advise the Society.

It was ordered that search should be made among the records and papers of the Society, for the purpose of ascertaining what had taken place in regard to the bridge at Derry; the Act of Parliament, obtained by the Corporation for building and repairing the same, with the grounds on which that Act was obtained; and also in regard to the claim set up by that Corporation to the Sheriffs' Mountain, as stated in the Deputation report.

13th January.—It was ordered that all papers and documents, relating to the affairs of the Society, should be examined and arranged, and an epitome of the contents of each prepared.

1st February.—A report was made by the Committee of their having inspected the records and papers, of which they considered it would be desirable to have an abridgement made; and it was accordingly resolved and ordered, that the assistant secretary, Mr. Henry Schultes, being conversant with the nature and arrangement of indices to public

records, should forthwith prepare an abridgement of all the principal matters contained in the books and papers belonging to the Society.

4th February.—A report was made as to the Society's right to the Sheriffs' Mountain; and also respecting the ferry at Londonderry.

20th February.—It was resolved that the Committee should be composed of the whole Society.

17th March.—It was resolved, that on all future Societies, the treasurer should make up his accounts, and pay the balance to his successor in office, on or before the 31st March, in every year.

27th March.—Sir G. F. Hill applied for permission to assign his interest in the fishery lease, which was referred to the Committee to report thereon.

21st April.—The Dean of Derry applied for a contribution towards embellishing Derry cathedral.

15th May.—A report was made respecting the deanery house at Derry.

22^d June.—The Society contributed a sum of money for the embellishment of Derry cathedral.

17th July.—It was determined by the Society to grant leases of the cut-out bogs for thirty-one years and one life.

24th July.—The Society granted £50 towards a charitable institution for the distressed poor of Derry.

The Society resolved to give license to the tenant of the fishery to assign his interest in the lease, on security being given for the regular payment of the rents in London.

The Court feeling the importance of bringing to a conclusion all matters in dispute between the Society and the Corporation of Londonderry; and the subject having been fully discussed, it was resolved, that a Deputation, consisting of John Thomas Thorp, Esq. Governor, Samuel Favell, Esq. and James Williams, Esq. members of the Court, accom-

panied by Robert Slade, Esq. the secretary, and Mr. Henry Schultes, the assistant secretary, should proceed forthwith to Londonderry, with full instructions to be previously given them by the Court. The following instructions were accordingly soon afterwards prepared and delivered to them.

First. That the Deputation should require permission from the Corporations of Londonderry and Coleraine, to inspect such of their records, accounts, and corporate muniments, as in any way relate to or affect the civil government of their respective Corporations, or the rights of this Society.

Second. That the Deputation do finally settle with the Corporation of Londonderry the boundaries of their present holdings under this Society, by leases dated the 24th day of January, 1759, and preparatory to the renewal of such leases, to except therefrom such parts as have been granted by the Corporation, under *toties quoties* leases, to the Lecky and Torrens' families.

Third. That the Deputation do seek interviews with the representatives of the Lecky and Torrens' families; and after explaining to them the determination of the Society to resume its right to such holdings, to ascertain, as far as they are able, the wishes and views of the parties interested therein.

Fourth. To endeavour to obtain information, whether any, and what houses, lands, tenements, &c. are held by the Corporations of Londonderry and Coleraine, or any other persons, without lease from this Society; and if any, what is the yearly value thereof, and in what manner the same are so held.

Fifth. That the Deputation do insist upon the immediate resumption of the Society's right, as granted

to them by their charter, and heretofore exercised by them, of confirming, or not, the by-laws of the Corporations of Londonderry and Coleraine.

Sixth. That they do view the various charitable and other institutions in the city and county of Londonderry, and town of Coleraine, to which the Court do now subscribe, or have heretofore subscribed in aid, in order to ascertain whether their bounty is or has been properly applied.

Seventh. That the Deputation do promote, as much as possible, the immediate leasing of such parts of the different bogs at Derry and Coleraine as have been cut out, according to the principle agreed upon by this Court in a Report of the 17th July last.

Eighth. That they do view the property at Coleraine, and ascertain the progress which has been made in resuming the Society's right to various parts thereof, which have been from time to time wrested from the Society.

Ninth. That they do view the Rectorial and School Houses at Coleraine, now building by the Society's aid, and to report thereon.

Tenth. That the Deputation do enter into agreements with persons desirous of taking leases of any parts of the Slob, wastes, or other undemised property, for such terms, and under such rents as to the Deputation shall seem expedient.

Eleventh. That they do adopt some plan, in conjunction with the Corporations of Londonderry and Coleraine respectively, for placing boundary stones or posts at the extremities of the lands and premises about to be demised to them, in order, as much as possible, to prevent future encroachments and disputes.

Twelfth. That they do survey and report generally upon the state of the lands, tenements, and hereditaments, belonging to the Irish Society in Londonderry and Coleraine, their opinions as to any improvements which can be made thereon, and any other matters which they may consider as conducive to the interest and dignity of this Society, and the welfare and prosperity of the plantation.

Thirteenth. That they do consult with Mr. Babington respecting the Flowerfield Estate, which has been recommended by him as a fit object of attention by this Society, should the same be now for sale.

Fourteenth. That they do advise, generally, with the law and general agents, if necessary; and do draw upon the latter, or the Treasurer in London, for any sums of money which may be necessary.

Fifteenth. That they be empowered to take any maps plans, papers, or documents, in furtherance of their mission, a list being first made of the same, and signed by the Deputation.

11th August.—The assistant secretary delivered into Court an abridgement of the records of the Society, which he had prepared in obedience to an order of the Court, held 1st February last.

13th August.—The Deputation proceeded by the way of Port Patrick to Londonderry, where they arrived on the 23^d, and were immediately waited upon by the Mayor, William Scott, Esq. who intimated that the Corporation of Londonderry having deputed him, and several others of their body, to hold conferences with the Deputation on the subject of their mission from the Irish Society, they requested to be admitted to audience on the following day which was agreed to.

24th August.—The Deputation, attended by the land and

law agents, commenced the execution of their duties, and the instructions having been read by the Secretary, the Right Honourable Sir G. Fitzgerald Hill, the Recorder, accompanied by the Mayor, and several other gentlemen, composing a committee from the Corporation of Londonderry, were admitted to conference; and thereupon Sir George apprised the Deputation that he and the rest of the Committee then present, had been appointed to confer with the Deputation on all subjects requiring explanation relative to the Society and the Corporation of Londonderry, for the purpose of bringing them to an amicable conclusion; and he observed it was the wish and intention of the Committee to refer to nothing that might operate as an obstacle to such a desirable object. But in order to facilitate the discussion of the several matters in contention between the Society and the Corporation, he suggested, that the Deputation should communicate their propositions, and that they should be debated on in succession. The Committee then withdrew, and the Deputation afterwards proceeded to inspect the Ship Quay premises, perambulated the fortifications of the City, and minutely investigated the bridge, the slob of the river, the ancient cow bog, and the various encroachments made on the Society's property, as pointed out and explained by the land and law agents. On their return home, the Deputation consulted together on the proposition they should first make to the Corporation; and on the following morning, the subject being again resumed, it was determined that the following letter should be addressed to the Committee.

“Londonderry, 25th August, 1819.

“GENTLEMEN,

“We are directed by the Society to require from your Corporation an inspection of such of your records, accounts, and corporate muniments, as in any way relate

to, or affect, the civil government of your Corporation, or the rights of the Society in reference thereto.

“ We are, &c.

(Signed) “ J. T. THORP, Governor.

“ SAMUEL FAVELL.

“ JAMES WILLIAMS.”

“ To the Mayor and Deputation from the Corporation of Londonderry.”

Upon the arrival of the Committee, the letter was delivered to them and read, upon which Sir G. Hill entered into an elaborate argument, tending to shew that the Corporation were precluded from granting the inspection required, by reason of certain oaths, which every member in his corporate capacity was obliged to take; but that, as far as it could consistently be done, the Corporation were disposed to give any information that might be required. The Deputation, however, still insisting on an unequivocal compliance with their requisition, the Committee retired to consider the matter, and in the mean time the following letter was prepared and addressed to the Mayor of Coleraine.

“ *Londonderry, 25th August, 1819.*

“ SIR,

“ Being appointed by the Honorable the Irish Society of London as a Deputation to this country, we are, among other objects in our commission, instructed to require from the Corporation of Coleraine an inspection of such of their records, accounts, and corporate muniments, as in any way relate to, or affect, the civil government of their Corporation, or the rights of the Society in reference thereto, and to communicate with them in regard to the expiring leases held under the Society.

“ We request you will lay this letter before the Corporation, and procure us as speedy an answer as convenient.

When we shall have learned from you the period of their meeting, we will appoint a day for conference with them, or any Committee they may think proper to nominate.

“We are, &c.

“ (Signed by the Deputation.)”

This letter was inclosed in the following from the Secretary.

“ *Londonderry, 25th August, 1819.*

“ SIR,

“ I beg leave to inclose you a letter from a Deputation appointed by the Honorable the Irish Society of London, and to request that you will favor me with your answer, addressed, under cover, to J. T. Thorp, Esq. M.P. Londonderry.

“ I have the honor to be, &c.

“ R. SLADE, Secretary.”

“ To the Mayor of the Town of Coleraine.”

The Committee appointed by the Corporation of Londonderry soon afterwards returned, and delivered the following letter, and copies of oaths to the Deputation.

“ *Londonderry, 25th August, 1819.*

“ GENTLEMEN,

“ We have considered the requisition which you have this day handed to us, demanding an inspection of such of our records, accounts, and corporate muniments, as in any way relate to, or affect, the civil government of the Corporation of Londonderry, or the rights of the Society in reference thereto; and we beg leave to observe, that we will cheerfully permit you to inspect any record, account, or corporate muniment, which may be in our possession, and relating to the civil government of Londonderry, or the rights of the Society in reference thereto, as we feel

confident that you will not require of us to do any act inconsistent with our duty, or our obligations as corporators under charter. We inclose, for your information, copies of the oaths of a burgess and chamberlain; and we sincerely assure you, that we are actuated by every disposition of respect and due deference to the Irish Society.

“ We have the honor to be, &c.

(Signed)

“ WILLIAM SCOTT, Mayor.

“ G. F. HILL, Recorder.

“ THOMAS SCOTT.

“ JOHN CURRY.

“ M. S. HILL.”

“ To the Governor and Deputation
of the Irish Society.”

“ OATH OF A BURGESS.

“ You shall swear, that well and truly you shall serve our Sovereign Lord the King, and his lawful successors, and the Mayor and Commonalty and Citizens of the City of Londonderry, as one of the Burgesses thereof; and, also, you shall truly observe, perform, and keep all such good ordinances as shall be made and established by the Common Council of this said City, to the good government thereof in all things to you appertaining. You shall not utter or disclose any counsel, secret thing, or matter touching the incorporation of this said City, whereby any prejudice, loss, hindrance, or slander shall or may arise, grow, or be to the same; but you shall, in all things belonging to the incorporation of said City, faithfully, honestly, and indifferently behave yourself for the most benefit, worship, and honor of the same, after the best of your cunning, wit, and power. So help you God.”

“ OATH OF THE CHAMBERLAIN.

“ You shall swear, that you shall well and faithfully serve the City of Londonderry in the office of Chamberlain;

and all that you have in ward, touching the City, safely you shall keep, and the counsels of the City you shall not discover, and the rights of orphans you shall save and maintain as to you appertaineth; and no record, nor none other muniment, by the which this City might be harmed, you shall shew nor deliver; and no record that containeth the right of any person you shall of malice conceal nor deny, nor no person you shall accept to the franchises of the City otherwise than it is ordained; and the lands, tenements, and rent appertaining to the chamber duly you shall sustain, and the profits of the City in all that you can by reason you shall increase, and the harm of the City you shall not suffer, but after your power you shall let it, either else to the Mayor and Council of this City that for the time shall be you shall give knowledge thereof; and in all other things to your office appertaining well and lawfully you shall behave you. So help you God."

The foregoing letter, and copies of oaths, having been read, a long debate ensued between the Deputation and the Committee, on the subject of the restrictions contained in the oaths; after which the Committee departed, leaving the same to the further consideration of the Deputation.

Mr. Babington the Society's law agent, who was in attendance upon your Deputation, then entered into an explanation of a suggestion he had previously made to the Society for the purchase by them of an estate, called the Flowerfield Estate, then for sale, because he considered the acquisition thereof highly advantageous to the Society in reference to the better and more profitable enjoyment of the fishings of the Society in the river Bann; but Mr. Babington and the Deputation conceiving that many obstacles would arise to the acquisition of the property, agreed to let the matter rest for the present.

The subject of the Slob was next taken into consideration by the Deputation; and the land and law Agents were

directed to give publicity to the disposition of the Deputation to receive proposals from persons desirous of taking any parts of the Slob, or reclaimed shore of the Foyle.

26th August.—Mr. Beresford, the land agent, produced a form of a circular letter, addressed to persons possessing any part of the reclaimed slob of the Foyle, calling upon them to shew their respective claims, and present memorials for leases of the same, which was approved by the Deputation.

The letter, and copies of oaths delivered yesterday by the Committee of the Londonderry Corporation, having been maturely considered by the Deputation, and commented on by the law agent, it was determined that the following letter should be sent to them.

“Londonderry, 26th August, 1819.

“GENTLEMEN,

“The Deputation acknowledge the receipt of the reply from the Mayor and Deputation from the Corporation of Londonderry, acceding to their requirements for inspecting their records, &c. accompanied with the copies of oaths which are taken by the Chamberlain and Burgesses. As they conceive they have made no requirements but what were founded upon their charter, and as they have no other object but the discharge of their duty, and the prosperity of the plantation, they trust that nothing need be apprehended which can involve any infringement of their Corporation oaths. They think it will now facilitate the object of both Deputations to proceed in the inspection of those records.

“ (Signed by the Deputation.)”

“To the Mayor and Deputation of the
Corporation of Londonderry.”

In the course of the morning, the Londonderry Committee waited upon the Deputation, and the letter was read to

them, upon which they consented that the records should be inspected; and, accordingly, as the Governor was then confined by serious indisposition, and unable to accompany them, Mr. Favell and Mr. Williams, attended by the Secretary and Assistant Secretary, proceeded to the Chamberlain's house, where the records of the Corporation were produced to them and examined.

The whole of the following days, (27th, 28th, and 30th of August,) was occupied in the investigation of, and making extracts from the records. On their return home on the 30th of August, the Deputation received the following letter from the Mayor of Coleraine.

“ Coleraine, 28th August, 1819.

“ SIR,

“ I had the honor of receiving your letter of the 25th Instant, covering one from the Deputation of the Honourable the Irish Society; in reply to which I beg leave to say, that it is not in my power to convene a meeting of a majority of the Corporation of Coleraine sooner than the 1st of October next; on which day a Common-Council will be held.

“ I have the honor, &c.

“ ROBERT HEZLETT.”

“ TO R. SLADE, Esq. &c. &c.

“ Londonderry.”

This letter being taken into consideration on the next morning, it was agreed that the following reply should be sent to it.

“ Londonderry, 31st August, 1819.

“ SIR,

“ We have the honor to acknowledge the receipt of your letter of the 28th instant, addressed to our Secretary, and beg leave to inform you that, as we do not intend to re-

main in this country till the 1st of October next, we propose to wait upon you on Tuesday, the 14th of September next, to require an inspection of your records, accounts, and corporate muniments, conformably to our former letter of the 25th Instant.

“ We have the honor, &c.

“ (Signed by the Deputation.)”

“ To the MAYOR of COLERAINE.”

Which letter was inclosed in a note written by the Secretary, and sent accordingly.

The extracts made by Messrs. Favell and Williams, from the records of the Corporation of Londonderry were read, and deliberately considered; and at length it was agreed that the following letter should be sent to the Committee.

“ *Londonderry, 31st August, 1819.*

“ GENTLEMEN,

“ In furtherance of the inquiries intrusted to our care, we request you will furnish us with a copy of all your by-laws, the surveyor’s report referred to in your minutes of the 3^d of November, 1813, and also a statement of your present annual receipt and expenditure.

“ We are, &c.

“ (Signed by the Deputation.)”

“ To the Mayor and Deputation of the Corporation of Londonderry.”

Messrs. Favell and Williams, accompanied by the general agent, secretary, and assistant secretary, afterwards surveyed part of the buildings and inclosures erected and made on the shore and slob of the river Foyle. The next morning, 1st September, they surveyed the remainder of the premises reclaimed from the shore, and afterwards inspected the Alms Houses built for the habitation of clergymen’s

widows. They next visited the premises originally intended for a charity-school, called the Blue-School; but they found this school had been long discontinued, and the premises were used as an ordinary dwelling. They afterwards inspected various other charitable institutions in the City.

Upon their return, Sir George Fitzgerald Hill attended the Deputation, and presented to them the following letter.

“ Londonderry, 1st September, 1819.

“ GENTLEMEN,

“ We have received your request of yesterday’s date, to be furnished by us with a copy of all our by-laws, the surveyor’s report referred to in our minutes of the 3^d of November, 1813, and also a statement of our present annual receipt and expenditure. After a diligent search through the records in the Chamberlain’s office, we find only two documents which appear to be by-laws, the one dated the 30th of August, 1709, for remedying inconveniences arising from slaughtering houses, thatched houses, and rendering houses; and for the enrolling of apprentices, and for the regulating of carmen; the other dated 2^d of January, 1760, which being termed a by-law, we submit to your inspection, although we do not conceive it properly bears that character; to avoid the delay of copying, we shall have the honor of submitting the originals to you. With the like view of avoiding delay, we shall lay before you the original valuation of the Committee appointed by the Corporation, relative to the holdings within the City and suburbs; together with the maps of reference thereof. With respect to the maps of Pennyburn Mill Farm, Town Parks, and Sheriff’s Mountain, they not being in the Chamberlain’s office, and we, supposing that they were handed to Alderman Murray, our law agent, for the purpose of enabling him to describe them in making out leases to the tenants thereof, have sent an express to his residence, fifteen miles distant, requiring

him to furnish them forthwith; and we have ordered an account of our annual receipt and expenditure to be made which, when prepared, we will have the honor of furnishing you with.

“ We have the honor, &c.

“ (Signed by the Londonderry Committee.)”

“ To the Governor and the Gentlemen
of the Deputation, from the Honour-
able the Irish Society ”

Sir George then laid before the Deputation all the documents referred to in such letter.

The Deputation then took into consideration the subject of the *toties quoties* leases, granted by the Corporation to Alexander Lecky and Alderman Thomas Lecky, of part of the Pennyburn Mill Estate; and gave the land agent directions to inform them that they were ready to receive proposals from them in regard thereto.

2^d September.—Messrs. Favell and Williams, accompanied by the Land Agent, went to view the Race-Course Bog; and, on their return, Sir George Hill, Mr. Alderman Thomas Scott, and Mr. Curry, waited upon the Deputation, and delivered to them several documents relative to the Corporation expenditure, and the valuation of the properties in possession of the Corporation. The examination of these documents produced a long discussion on their several contents, and on the claims made by the Corporation to various holdings; and the above-mentioned gentlemen being called upon to shew by what title they were so possessed, Sir George adverted to the charter and the long possession of the Corporation, as furnishing a right for their retention. Upon which it was agreed, that the parties should meet on the following morning, in order fully to discuss the subject.

Early the next morning, 3^d September, Sir George Hill presented to the Deputation the following letter.

“ Londonderry, 28th August, 1819.

“ GENTLEMEN,

“ I have the honor of acquainting you, that I communicated to the Grand Jury of the city and county of Londonderry, assembled at these last assizes, on the 12th of this Month, the proposition which your Society made to me at their chamber in London, relative to the county house in Pump-Street; and to which I told the Grand Jury I had, on their part, acceded. The terms of the proposition (which I trust I state correctly) were, that the Irish Society would accept of a surrender of the present lease of the county house, and grant a new one of the entire of the premises, (including that part, the lease of which has expired) renewable for ever, reserving to the Society the present rent and fines; and on the condition that no alienation of the property should take place, by sale or otherwise, for purposes of profit to the Corporation. But that they, the Corporation, should, as trustees for the Grand Jury, be bound in the new lease, to use and apply the county house for the purposes originally intended,—as a place of accommodation for the Judges, Grand Jurors, and gentry, of the city and county.

“ The Grand Jury received this communication with much satisfaction; and immediately directed me, as their foreman, to express to the Irish Society their unanimous thanks and warm gratitude, for the liberal conduct of the Society towards themselves; and for their kind consideration towards the comfort and accommodation of the gentry of the city and county; and to announce their full confirmation of my acceptance of the terms offered by the Society.

“ I beg leave further to state, that it will be very gratifying, if the Deputation of the Irish Society will take the trouble of suggesting what improvements, in their opinion, might be usefully made to the premises in question; and more particularly with a view of securing to every future

Deputation of the Society, fit and proper accommodation therein. I shall be happy to have the honor of a conference with you on this subject ; and remain, &c.

“ G. F. HILL,

“ *Foreman of the City and County of Londonderry
Grand Jury,—Summer Assizes, 1819.*”

“ To Alderman Thorp, Governor of the
Irish Society, Samuel Favell, Esq. and
James Williams, Esq.”

In the course of the morning, Mr. Williams, attended by the Land Agent, viewed the ground outside the City Walls, anciently a fosse, being part of the premises claimed by the Corporation ; and afterwards the Londonderry Committee waited upon the Deputation with various books and papers belonging to the Corporation, and a full discussion took place, between the Deputation, the Land and Law Agents, and the Committee, in regard to the claims made by the Corporation to the buildings near the Quay, the Wastes, City Walls, Fosse, Sheriff’s Mountain, and other properties, for which no leases had been granted or tenancy recognized by them.

The Deputation being anxious to obtain all the information necessary to form a correct judgment on the various matters discussed by them, the Committee, Messrs. Favell and Williams, accompanied by some Members of the Committee, and the Land Agent, went the next day, 4th of September, with the maps, and took a minute survey of the Ship Quay premises, with their boundaries, and having satisfied themselves on that point, they returned, and the subject of the scite of the House of Correction, held by the Corporation from the Society under an old lease, was discussed ; and the original lease, old rentals, and description books, were examined. A consultation was afterwards had with Mr. Torrens, relative to the tenure of the Cow-Bog premises, held by him under a lease granted by the Corporation, From the investigation thus made, the Deputation having

fully satisfied themselves that the scite of the Correction House and the Cow-Bog premises ought to be resumed by the Society, they determined to insist on its resumption accordingly, for the purpose of re-letting the same; and they instructed their Land Agent to survey the tenements on the Cow-Bog, and furnish them with a valuation thereof, which he performed the following day, 6th of September; on which day, Messrs. Favell and Williams, Sir George Hill, Mr. Curry, and Mr. Scott, went and viewed the scite of the Correction House premises, which had been converted by the Corporation into a fish market; after which, they examined other properties claimed by the Corporation; and on the following day, 7th of September, the claims of the Corporation were deliberately considered and decided upon. In the course of the day, the following address was presented, on behalf of the citizens and inhabitants of Londonderry, to the Deputation :

“To the Governor and Gentlemen of the Deputation of the Honorable Irish Society.”

Londonderry, 7th September, 1819.

“GENTLEMEN,

“We, the merchants and citizens of Londonderry, who have this day the honor of entertaining you, beg leave to congratulate you on your arrival in this city; and to express to you how gratifying it is to our feelings to have the opportunity afforded us of testifying, through you, our respect for the Honorable Society.

“We contemplate, with pleasure, every circumstance which tends to unite more closely the connexion between this and the parent city; a connexion which now has subsisted for more than two hundred years, and been productive of those happy results which the first planters of the colony intended.

“ Under the fostering protection of the Society, it will appear, that in our public works, the citizens, together with the inhabitants of the county, have not been less attentive to the comforts and advantage of the community,—of this the Infirmary, the Court-house, and the School, bear testimony; and we cannot omit this opportunity of expressing the grateful sense we entertain of the beneficial grants made to the latter, as well by the Society as by the different Companies, which has enabled this valuable establishment to be conducted upon an extensive and improved scale, and to hold out the promise of being of the utmost advantage to the rising generation.

“ We beg leave further to state, that within these few years a most valuable and extensive library has been established by the private subscription of the citizens, which is conducted upon a liberal scale, and promises to be highly useful to the community. But the funds of the establishment, we are sorry to say, are totally inadequate to the erection of a suitable building; we, therefore, look forward with a confident hope, from the encouraging declaration of this Deputation, that this Honorable Society will lend their assistance in such manner as they may think best calculated to enable the subscribers to that institution to procure more suitable and respectable accommodation than they at present possess.

“ The Charitable institutions of this city, namely,—the Charitable Loan, the Penny Society, and that for the relief of Indigent Room-keepers, together with a School for the Education of poor Children, are subjects which, we understand, have already occupied your consideration.

“ You, Gentlemen, have, during your stay here, had so many opportunities of personally inspecting the improvements of the numerous tenantry of the Honorable Society in this city and liberties, that we think it unnecessary to call more particularly your attention thereto: but we cannot

withhold the expression of our hope, that you will not overlook the interest of those individuals at whose private expense the improvements have been made.

(Signed)

“ G. F. HILL.

“ JOHN A. SMYTH.

“ WILLIAM MARSHALL.

“ W. MILLER.

“ THOMAS DAVENPORT.

“ W. M'CLINTOCK.

“ JAMES SHAW WILSON.

“ WILLIAM DYSART.”

A liberal entertainment was afterwards provided, and the Deputation returned the following answer to the address.

Londonderry, 7th September, 1819.

“ GENTLEMEN,

“ We, the Governor and Deputation from the Irish Society, fully sensible of the honour conferred on us by our present appointment, have received, with great satisfaction, the congratulatory address of the merchants and citizens of Londonderry.

“ We are aware of the importance of the duties undertaken by this Deputation, and which consideration has induced us to examine with minute attention and care every public institution and private interest requiring our investigation.

“ We are anxious to fulfil our commission with liberality to the merchants and inhabitants at large, keeping in view our bounden duty to the Society we represent; and we assure the gentlemen who have honoured us with this communication, that it will not be conformable to the desires of the Society, or our own wishes, unless our labours shall tend to unite more closely the city of Londonderry and the parent Society. It is, therefore, highly gratifying to receive from such a respectable body of gentlemen an acknowledgment

of those substantial benefits which the liberality of the Irish Society has been able to confer upon this city; and it will further afford us great pleasure to report to the Society the objects to which you specially call our attention, namely, the building a public library, and a school for the liberal education of all classes of the poor inhabitants of Derry and its liberties, as well as to promote generally any other benevolent institutions.

“ We cannot conclude without assuring the respectable body of merchants, whom we have now the honour to address, that this Deputation are fully sensible of the kind attentions already received during their abode in this city; they feel very much obliged by the handsome entertainment to which we have been this day invited, and hope ever to appreciate that generous hospitality experienced by us during this visit.

“ With the greatest consideration, and best wishes for the prosperity of the city of Londonderry,

“ We remain, &c.

“ (Signed by the Deputation.)”

“ To the Merchants and Citizens
of Londonderry.”

8th September.—Various memorials, from persons holding parts of the reclaimed slob, were read and considered; and Mr. Babington, the law agent, entered into a full explanation as to the rights of the Society to that description of property; after which several persons, who had presented memorials, were admitted to conference on the subject of their claims. The Bishop of Derry had an interview with the Deputation, and gave them a full explanation with regard to the charitable institutions in Londonderry. A deputation from the Presbyterian congregation also waited upon the Deputation, and suggested their disposition to subscribe to a general school, to be established in the Upper

Liberties. The Dean of Derry also conferred with the Deputation on the subject of the parsonage house.

The principal part of the following day, 9th of September, was occupied in discussing the memorials for parts of the Slob, hearing various tenants thereon, viewing parts claimed, in order to estimate the amount of rent to be demanded, and making proposals to the tenants thereof. After which the Deputation took into consideration the measures which it would be necessary to adopt, with regard to the property formerly leased to the Corporation, called the Larisks, Pennyburn Mill, Spring Town, and Coglast, held by tenants under *toties quoties* leases, and also with regard to part of the town land of Termonbacco, just out of lease.

The Governour being now sufficiently recovered from his late serious indisposition, occupied himself in an examination of the records of the Corporation of Londonderry, from which he had been hitherto prevented.

10th September.—The former part of this day was occupied in considering the cases of the under-tenants on the lands of the Larisks, Springtown and Coglast, and the various tenants were admitted to conferences thereon. Several memorials from other tenants were read and discussed; after which the Deputation went to view the infirmary, Bishop's school, the shore of the River Foyle, and proceeded next to take a survey of Pennyburn Mill, the Larisks, Springtown, and Coglast.

On this day the following address was presented to the Deputation from the Mayor and Corporation of Londonderry.

“ To Alderman Thorp, Samuel Favell, and
James Williams, Esqrs.

“ The Mayor, Commonalty, and Citizens of the City of Londonderry, in Common Council assembled, this 7th day

of September, 1819, bid you welcome to the city of Londonderry, as a Deputation from the Governor and Assistants in London of the new Plantation in Ulster, within the realm of Ireland. They beg leave, through you, to renew to that body their assurances of sincere respect, and of their anxiety and determination to co-operate, to the full extent of their subordinate means and power, with the Irish Society, in promoting the welfare and prosperity of the city and liberties of Londonderry.

“ They feel confident of the liberal intentions of the Society towards this community, and receive the appointment of this Deputation as a decided proof of their parental kindness.

(Signed by order)

“ WILLIAM SCOTT, Mayor.”

The freedom of the city of Londonderry was presented to Mr. Favell and Mr. Williams, the Governor being previously one of the freemen of that Corporation.

11th September.—The Deputation were engaged all the morning in conferences with the Deputation from the Presbyterian congregation, and in making final arrangements with tenants of parts of the reclaimed Slob; after which they proceeded to Coleraine.

14th September.—A Deputation, consisting of the Mayor, and other members of the Corporation of Coleraine, waited upon the Deputation of the Irish Society; and the Mayor presented a letter, which he stated he had received from Mr. Meara, the chamberlain, as follows :

“ *Raphoe, 11th September, 1819.*

“ MY DEAR SIR,

“ I have been favoured with your letter, and regret, very much, that the present state of my health prevents me from going to Coleraine to state, in person, to the Deputa-

tion, the Honorable the Irish Society has been pleased to send to this country, that I am not possessed of any records and corporate muniments of the Corporation of Coleraine, save only a copy of the charter; and that I never had in my possession any other. This answer you will be pleased to give in my name.

“ I am, &c.

“ JAMES MEARA.”

“ To the Rev. ROBERT HEZLETT.”

This answer not being satisfactory to the Deputation, they interrogated the Mayor as to any knowledge he might have of the accounts of the Corporation; but he appeared to be ignorant of any being kept.

The Deputation were engaged at Coleraine till the 17th September, in viewing the bogs in the neighbourhood, and also the various tenements lately held by the Corporation; and having determined not to grant any renewal of the Corporation lease, they made agreements with the occupying tenants for determinable leases. They also examined the gaol of the town, which they found in a dilapidated condition, and very unfit for the safe custody or accommodation of prisoners. The Deputation also viewed the Rectory-house and School then erecting, which they found in a state of forwardness, so as to justify the expectation that the building would be completed by the following summer. After a very laborious investigation into the rights of the Society, relative to the Ramparts, the Citadel, the Bowling Green, the Market-house, Commons, the Bogs in the vicinity of the town, and the Slob of the river Bann and the wastes; and having considered the memorials of, and given audiences to the respective tenants, the Deputation returned to Derry, but in their way surveyed the salmon-leap and mill in the tenure of Messrs. Little, as under-tenants to Sir G. F. Hill.

17th September.—The Deputation resumed their consideration of the memorials made by various persons for parts of the reclaimed slob of the river Foyle, and determined on their final proposition to be made to Mr. Torrens, for the tenements erected on the Cow-Bog. After which, they examined the valuation made in their absence by the surveyor of the lands proposed to be let to the occupying tenants of Springtown and Coglast. In the course of the day, the Governor viewed all the holdings in Londonderry under consideration for demising.

18th September.—Conferences were held with several tenants proposing for parts of the reclaimed slob.

19th September.—The Deputation attended divine service at Glendermot, at which were present the Bishop of Derry, Sir G. and Lady Hill, and most of the gentry of the neighbourhood; when an appropriate lecture was delivered for the benefit of the charitable loan established in Londonderry, and a handsome subscription was made on the occasion.

20th September.—The Governor again inspected the Correction-house premises, the Clergymen's Widows Alms Houses, the Blue School, the Ship Quay, City Walls, and various other premises; and Mr. Williams and the land agent surveyed and made a valuation of the lands at Springtown and Coglast. Mr. Alderman John Curry afterwards attended the Deputation on the behalf of Mr. Torrens, and expressed his (Mr Torrens's) acceptance of the terms offered him for a lease of the Cow-Bog premises.

21st September.—The Deputation returned the following answer to the address delivered by the Corporation of Londonderry on the 10th instant.

“ To the Mayor, Commonalty, and Citizens of
the City of Londonderry.

“ We, the Deputation from the Honourable the

Society of the governor and assistants, London, of the New Plantation in Ulster, within the realm of Ireland, receive with great satisfaction the welcome congratulations of the Mayor, commonalty, and citizens of Londonderry upon our arrival in this city.

We are particularly satisfied with their assurances of respect, and determination to co-operate with the Irish Society in doing every thing towards promoting, to the utmost of their power, the welfare and prosperity of the city and liberties of Londonderry.

We can assure the Corporation of Londonderry, that we shall have great pleasure in reporting to the Irish Society their honourable conduct towards us, and we sincerely hope our mission will tend to promote and secure that confidence between them and the Irish Society which is so essential to the interest of all parties, and the general welfare of the Plantation under their respective charters.

“(Signed by the Deputation)”

“*Londonderry, 10th Sept. 1819.*”

Further conferences were had with persons on the subject of the Slob. The valuation of the lands of Springtown and Coglast, made by Mr. Williams and the land agent, were taken into consideration.

The Corporation Committee having consented, on behalf of the Corporation, to admit, unequivocally, the legal title of the Society, and to accede to the terms offered by the Deputation for leases of the various properties proposed to be demised to them, the form of an agreement for leases was prepared and taken into consideration.

22^d September.—The occupying tenants of Springtown and Coglast were admitted to conference with the Deputation, and severally agreed to accept the terms proposed to them; and it was signified to them that leases should be recommended to be granted them accordingly. The

proposals of tenants for parts of the Race-Course Bog were considered. The Deputation made a final survey of all the buildings within forty feet of the city walls, and afterwards admitted the Corporation Committee to conference, when the agreement for leases, embracing the final terms of letting, was read; and at length it was agreed, that the memorandum should be signed by all parties; and leases, embracing the Ship Quay, Pennyburn Mill, Larisks, City Walls, and surrounding houses, House of Correction premises, part of the Cow-Bog, the Sheriff's Mountain, and part of the Slob, were agreed to be granted for 61 years.

23^d September.—Many memorials were read, and the applicants heard on various claims and proposals. The subject of the intruders on the Race-Course Bog was considered, when at length it was agreed to let the same to Sir G. F. Hill. The Governor this day finished his inspection of the Corporation records. Mr. Williams and Mr. Favell again viewed and examined into the circumstances of the charitable institutions in Derry; after which the Deputation considered the subject, and admitted Sir G. Hill, Rev. Mr. Hay, the presbyterian minister, and Mr. Moore, to conference, on the subject of establishing a general school.

24th September.—Mr. Williams surveyed that part of the town-land of Termonbacco lately held by Mr. Stewart, and falling out of lease. The agreement with the Corporation of Londonderry was signed. The cases of Alexander Lecky and Alderman Thomas Lecky were considered, and agreed to be particularly reported on to the Society. The Deputation then finally departed from Derry, on their way to Dublin, and arrived at Coleraine in the evening.

25th September.—The Deputation were occupied with reading memorials, settling with tenants for leases, investigating the local and political rights of the Corporation, hearing the claims and representations of tenants, and making minutes for their future guidance, in making their report

of their proceedings to the Society; and having performed the trust committed to them, according to the utmost of their ability, they, on the following day, (26th of September,) left Coleraine, and arrived at Monymore, in the Drapers' proportion, where they were very liberally entertained by a Deputation from the Drapers' Company, who chanced to be then there, having been sent to visit their estate.

27th September.—The Deputation were much gratified with viewing the various improvements made by the Drapers' Company in the town of Monymore, on a scale of general utility, deserving of the highest panegyric.

On the 28th of September, the Deputation arrived at Dublin; the next day they paid their respects to the Lord Lieutenant, and were invited to dine on the following day with his Excellency and the Corporation of Dublin.

On the 3^d of October, the Deputation proceeded by the packet to Holyhead, on their way to London, and arrived at Guildhall on the 7th of October.

Soon after their return, the Deputation made several reports of their transactions in detail, for the information of the Society, accompanied by such recommendations as appeared to them necessary.

The first report, dated 23^d October, contained a recommendation to the Society to grant the leases proposed to be granted to the Corporation of Londonderry, pursuant to the agreement entered into by the Deputation. It also represented that the Deputation had requested and obtained permission to inspect such of the Corporation records, accounts, and muniments, as in any way related to or affected their civil government, or the rights of the Society; and had moreover received from the Corporation an unequivocal acknowledgment of the right of the Society to confirm their by-laws, and exercise paramount jurisdiction. The report also recommended leases to be respectively granted to Robert Torrens, Esq. of the premises situate in or near the

Cow-bog market in Londonderry, which had been let by the Corporation on a *toties quoties* lease; and also to the several occupying tenants of the lands of Springtown and Coglast, also formerly held by the Corporation. And the Deputation recommended in the same report, in consideration of the tenure by which the Lecky family held the lands of Springtown and Coglast, under the Corporation of Londonderry, by a *toties quoties* lease, which they had considered and relied on would be perpetually renewed to them; and as the Deputation had considered it most conducive to the benefit and improvement of the Society's estate, to recommend leases to be granted to the tenants in possession, to the exclusion of the Lecky family, they resolved that a gratuity of £50 a year be given to Alexander Lecky, during his life, and £25 a year to Alderman Thomas Lecky, which report was confirmed at a Court held on the same day; and the Court afterwards resolved to augment Alderman Thomas Lecky's allowance to £40 a year instead of £25.

The second report of the Deputation, dated 6th November, contained a detailed statement of various holdings, having been formerly part of the Slob, or shore of the river Foyle, and reclaimed therefrom; the agreements entered into with various occupiers for leases, and the general measures which the Deputation had adopted with regard to the Slob; and the Deputation concluded their report by the following observations:—"Having thus minutely stated our proceedings on this very important part of our instructions, we trust the Society, when they consider the difficulties with which the Deputation had to contend, will be of opinion that we have done all in our power to bring the various persons concerned to acknowledge the rights of the Society, and to declare themselves ready to become tenants for the various holdings on the reclaimed part of the Slob. These difficulties, in the first place, were owing to reviving claims to territory which had long lain dormant, and which former

Societies had considered as of little or no value, and which the parties who had made improvements thereon had long calculated upon as their own freeholds; in the next place, from the tenure which the Deputation thought right to offer, being leases for sixty-one years, and which the Deputation had reason to think were not accepted, from a belief that the Society would be disposed to grant the same in perpetuity, according to the tenure of the perches to which they are adjoining; the Deputation, however, did not feel themselves warranted in offering those lots in perpetuity, from a conviction that such tenure was injurious to the real interest of the Society. Your Deputation, moreover, beg leave to observe, that they considered it right to demand only such rents as they would have required for the bare and uncovered Slob, without any buildings erected on the same. And if, by so doing, they have materially increased the rent-roll of the Society, they trust they may take the liberty of observing, that such increase bears no proportion to the real value, and consequently to the advance that will hereafter be experienced, when the leases now recommended to be granted shall expire. After this detail of our proceedings, and the grounds thereof, it will remain for the Society to determine what steps they will adopt, either by further conciliatory measures, or by legal means to enforce their rights."

The third report of the Deputation, dated 20th November, sets forth, that they had consulted David Babington, Esq. their law agent, on the expediency of making a purchase of the Flowerfield estate, mentioned in their instructions, who had advised, that in consequence of some recent occurrences which had come to his knowledge, for the present the measure should be suspended. They recommended a lease to be granted of a piece of ground in Ballynagowan, called the Recorder's park, to the Right Hon. Sir George F. Hill, Bart. for so long time as he should continue Recorder

of Derry, at five shillings a year. They also recommended that Sir George F. Hill should hold the Race-Course Bog under the Society during its pleasure, for the preservation of the Race Ground and Turbary; the former as a trustee for the public, and the latter for the benefit of such of the Society's tenants as were entitled to cut therefrom, he paying an acknowledgment to the Society of twenty shillings a year, but to cut no turbary himself. Also, they recommended fifty copies of a proposed work, entitled "Derriana," to be taken for the use of the members of the Society. The Deputation detailed the particulars before stated, with regard to the application made to the Corporation of Coleraine for an inspection of their records; and they recommended the Society should not renew the lease of premises which the Corporation held under the Society. The report embraces the various applications made by persons in Coleraine, for holdings in the town under the Corporation, and for parts of the reclaimed bog in the neighbourhood; recommends leases to be granted to the persons respectively requiring them, and recommends donations of £10 to be respectively given towards the repair of the Catholic chapels of Derry and Coleraine, and towards the funds of Coleraine Infirmary, and takes notice of some general measures necessary to be adopted with regard to a holding in Coleraine, used as a gaol; and concludes with some directions to the law agent and land agent, with regard to preparing separate leases of holdings in perpetuity. This report was confirmed, with the exception of that part recommending donations to the Catholic chapels.

The fourth report of the Deputation, dated the 4th of December, fully explained all the proceedings had with the Corporation of Londonderry, with reference to their records, and the paramount jurisdiction of the Society, which having been heretofore detailed, it is unnecessary that the same should be here repeated.

The report further stated, that a part of the town lands of Termonbacco was out of lease, and the Deputation recommended leases to be granted to the several occupying tenants.

The Deputation then reported, that, in accordance to the instructions given them to visit the various charitable institutions, they visited the Infirmary, which appeared to be a very useful Institution, and properly conducted; that the Flax Fund, or Penny Society, lately established in Derry for the purpose of giving employment to the poor, was deserving of the consideration of future members of the Society, as an object worthy of aid, and to which they had already contributed the sum of £50; that they had found a subscription still on foot for the relief of indigent room-keepers, to whom the Society had also already contributed £30. Respecting schools in general in Londonderry, the Deputation reported, in regard to the Free Grammar School, that the circumstances relative to that school, and the annual subscriptions of the Society thereto, were to be found at large in the records of the Society, to which they begged leave to refer; and the present particulars of the funds of the school would be found in a printed statement annexed to their report; but they regretted to observe, that the Corporation of Londonderry had, since the year 1810, thought proper to withdraw their customary donation to the said school, by reason, as they alledged, of their funds being about to be diminished by the increased rent proposed to be reserved by your Society upon the renewal of their leases. They also reported that a Sunday school, lately established in Londonderry, under the patronage of the Bishop and Dean of Derry, wherein children of all religious denominations are permitted to receive instruction, was, in the opinion of the Deputation, deserving of encouragement by the Society; and they therefore recommended an annual contribution of ten guineas to be granted thereto. They reported, that

they had been applied to for the purpose of establishing a school in the Upper Liberties of Londonderry, but expressed reluctance to recommend the Society to incur the expence without an adequate co-operation of the inhabitants with regard to pecuniary assistance.

That they found a school conducted under the patronage of Mrs. Knox, in the house formerly appropriated for the Blue School in Londonderry, the Blue School having been long discontinued.

That they also visited the Bishop's School, founded on Erasmus Smith's plan, which had been noticed in the report of the Deputation of 1814, and found it still under the same desirable regulations.

That they visited the Sunday School at Glendermot, and they recommended an annual donation of five guineas thereto.

That a fund, called the Charitable Loan, had been established at Londonderry, which the Deputation considered as deserving the attention of the Society, and laid before the Society a printed statement of their funds.

That they had also visited the houses built for the reception of clergymen's widows, and laid before the Society a printed statement of their funds.

They recommended a donation of £10 to be granted to the Wesleyan Methodists in Londonderry; and also a donation of £10 each to the Catholic Bishop of Derry, and the Catholic Minister of Coleraine, to be respectively applied for charitable purposes.

That they had directed the old names of various streets in Londonderry to be restored, the same having been lately improperly altered.

They recommended an enquiry to be made with regard to the Red Bog, marked in the Society's map of Londonderry Acres, N^o 46; at present occupied by Sir G. Hill, and for which no rent was paid.

That they applied for, and obtained from the Corporation of Londonderry, a statement of their income and expenditure for the years 1816, 1817, and 1818, but could not obtain a particular statement of their debt, which was represented to be about £60,000.

That with regard to the free school at Coleraine, which the Deputation had examined, they referred the Society to the general report made by the land agent.

That they regretted to state, that they found the fish-market and meat-market in Londonderry in very bad condition; and that the premises comprised under the general denomination of the house of correction, required considerable improvement. That they also found the houses erected on the space surrounding the walls, called Wapping, were for the most part in a very dilapidated state, and the street in a very dirty condition; and they, therefore, suggested that the Society should call upon the Corporation of Londonderry to make some improvement therein, accordingly,

That they recommended the erection of cottages in Coleraine, for the accommodation of the poorer classes, and the better improvement of the town.

And they, lastly, recommended the Society to appoint a Committee for considering and reporting on various subjects, relative to the internal regulation of the Society; and particularly recommended a strong room to be made for the safety of the Society's records and papers.

11th December.—Pieces of plate were severally voted to the members of the Deputation.

8th January, 1820.—The Committee made a report relative to the internal regulation of the Society, and, among other things, they recommended that a strong room, or repository, for the safeguard of the Society's records, muniments, books, and papers, should be forthwith made.

17th February.—A donation of £20 was given to the dissenting congregation at Derry.

13th March.—The Committee presented a report, relative, chiefly, to improving the town of Coleraine, by making a public sewer, widening streets, repairing gaol, keeping open the bowling-green, removing the pound, augmenting the glebe of the rectory, building cottages, making a road on the shore of the Bann, for a public walk or mall; and removing nuisances.

8th July.—The Committee presented a copious report on the several leases proposed to be granted to the Corporation of Londonderry, with ample descriptions of the premises, which was confirmed, and the leases sealed.

22^d July.—They also recommended, that a lease should be granted to the Presbyterian congregation at Coleraine of their meeting-house, for the term of twenty-one years from Lady-day last, at the yearly rent of 13s. 4d. provided the same be always used for a meeting-house or place of public worship.

28th October.—It was determined by the Society, on the motion of Mr. Thomas Saunders, that an abstract of the nature and constitution of the Society, its present state and the property under its control, should be prepared.

15th January, 1821.—The school erected at Coleraine, by the Society, being completed, the Society appointed Mr. Thomas Topham and his wife, who had been recommended by the principals of the British and Foreign School, as proper persons to act as master and mistress of the Society's establishment, who were soon afterwards sent to Ireland, to conduct the same on the system pursued by the British and Foreign School.*

24th January.—The general agent stated to the Court, that

* This institution, according to communications since received, appears likely to ensure the most lasting benefits to the rising generation of Coleraine, and to reflect the highest honour on the Irish Society, as the founders and patrons thereof.

a large quantity of earth had been lately removed in making the excavation for the new gaol at Derry, now building, which, he suggested, would afford a favourable opportunity of making a water-wall, so as to prevent the tide from encroaching on the shore, and using the materials in forming a public road, extending about two hundred and sixteen perches along the strand of the Foyle, from the Horse-barrack to Cowan's-lane, and from thence to the corner of Mr. Davenport's rope-walk, whereby a very desirable communication would be opened towards the upper liberties; and the public convenience of the measure having been satisfactorily explained to the Court by the general agent, it was resolved and ordered, that he should be authorised to contribute a sum not exceeding £50, towards the making of such improvement, and charge the same in his half-yearly account.

It was resolved, that the general agent do furnish, for the use of this Society, a specification and elevation of all future houses proposed to be built in Coleraine, in order that this Society may determine on the class of houses to be built, distinguishing them by numbers or other marks, for easy reference.

It was resolved, that the general agent be empowered to erect the pound at the foot of the lane, leading from the commons in Coleraine, by the spring well, to the Bann, as proposed by him.

3^d February.—The recommendation of the Committee, of a subscription of ten guineas to the Hibernian Society, was approved, and it was resolved that a warrant be made out for the same.

25th June.—The Committee recommended the following inscription to be placed over the door-way of Coleraine school: "This school founded in the year 1705, by the Honourable the Irish Society of London, was rebuilt at

their sole cost in the year 1821. The Right Honourable John Thomas Thorp, Lord Mayor of London, Governor."

24th July.—Mr. Thomas Saunders laid before the Court a printed paper respecting the establishment of an Agricultural Society in the North West of Ireland, and moved, that it should be referred to the Committee for them to examine and report on the propriety of this Society patronizing the same.

6th September.—The Society granted the sum of twenty guineas as a present donation to the funds of the establishment at Londonderry, called the North West of Ireland Society, for the encouragement of agriculture, arts, manufactures, and fisheries ; and, in future, an annual sum of ten guineas, during the pleasure of the Society, to be respectively paid by the general agent, and to be charged in his half-yearly accounts.

5th October.—The Committee reported, that having, in the course of their investigation of the proceedings of the Society, observed the great benefit resulting from the deputation sent from the Society in the years 1814 and 1819 to Ireland, to inspect and report upon the state of the Society's property, and the best means of its improvement, and the advantage of the tenantry and population, strongly recommended to the Court, and to the future members of the Society, the propriety of frequent similar deputations to Ireland, for the like desirable purposes, and that this recommendation be read at the first meeting of newly appointed members in every year.

13th October.—It was resolved, that a select Committee, consisting of the Lord Mayor, Governor, the Treasurer, Mr. Bond, and Mr. Thomas Saunders, should meet to compare the abstract of the Society's proceedings with the records of the Society, and to make such additions and improvements therein, as they should think necessary, previous to the same being printed for the use of the Society.

17th November.—It was resolved, that the following vote of thanks be given to the Governor :

“To the Right Worshipful John Thomas Thorp, Esq. Alderman, Governor of the Irish Society, and late Lord Mayor of the city of London.

“We, the Deputy Governor, and Court of Assistants, of the Irish Society, beg leave to congratulate you, Sir, upon your retirement from the arduous duties of Chief Magistrate of this great City, which you have performed with honour and credit to yourself, and great advantage to your fellow citizens.

“We cannot refrain, Sir, from offering to you, and placing upon our records, our testimony of the benefit, not only derived to the City of London, by your late Chief Magistracy, but also our cordial thanks for your great and continued attention to the interests of this Society, and kind courtesy to its members, during the year of your mayoralty, notwithstanding the important duties you had otherwise to perform, whereby you have given an unequivocal proof of your unremitting zeal for the welfare of the Society, and of your personal regard for the members who compose it; and, we ardently hope, that your life may be long spared with health and happiness, to dignify the important station of Governor of this Society, and for the general benefit of your fellow citizens.”

Resolved, that a copy of this resolution be transcribed, signed by the Secretary, and presented to the Governor.

Resolved, also, that it is expedient for this Society to apply to the Improvement Committee of the City of London, for the purchase of a plot of ground now vacant, fronting Guildhall Yard, and on the South side of the new Street formed from Guildhall Yard into Basinghall Street, containing a frontage to the yard, of about twenty-eight feet in width, and an average depth of about thirty-five feet, for the purpose of erecting thereon a building for the use of the Irish Society, and to contain its records and muniments.

Resolved, also, that the Governor, Deputy Governor, and Treasurer, be requested to wait upon the Improvement Committee, at their next meeting, and treat with them for the purchase of the said plot of ground.

24th November.—The members of the Court, who had been deputed to wait upon the Improvement Committee, on the subject of purchasing the piece of ground in Guildhall Yard for the erection of a building, for the purpose of conducting the affairs of the Society therein, informed the Court, that the Committee of Improvement had expressed their willingness to agree to the proposal made to them for the purchase of the said piece of ground, and that the Deputation had accordingly concluded the terms of purchase with them; whereupon it was resolved, that the secretary should take the necessary steps to carry the said agreement into effect on behalf of the Society.



CONCLUSION.

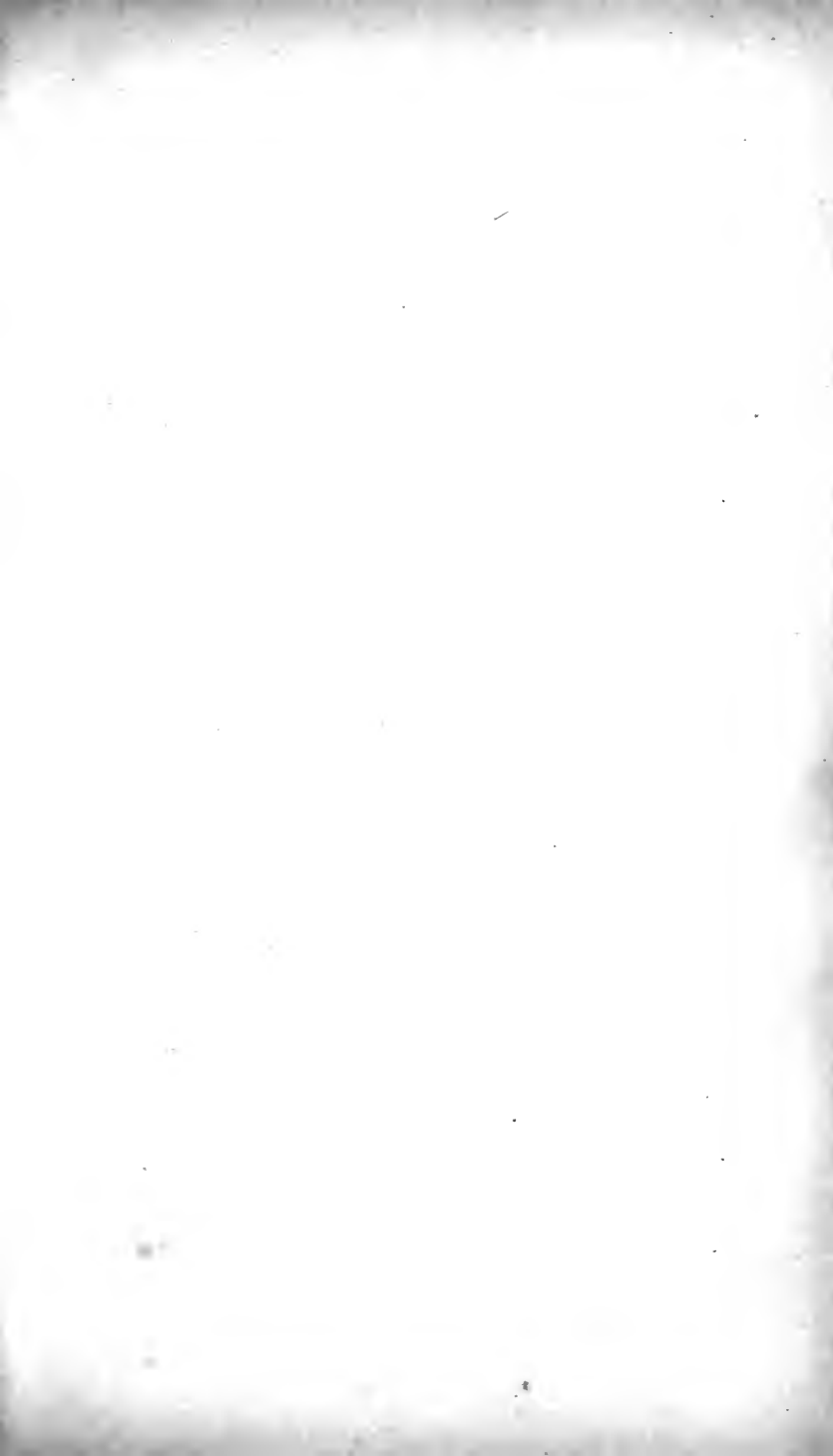
It will, no doubt, be obvious to the reader of the preceding pages, that a main object for incorporating the Irish Society, independently of the pecuniary benefit to arise to the original planters and their successors, was to ameliorate the condition of the inhabitants on their Plantation, by enabling the Society to exercise their discretion, in adopting such measures as might appear to them most conducive to the happiness and prosperity of the community under their jurisdiction. The powers of the Irish Society were, therefore, necessarily co-extensive with the possession of the entire estate, and such powers could neither be alienated nor discontinued.

The Crown invested the Society with the most ample authority to enforce their own regulations for the general objects of the Plantation; and notwithstanding the division

of the estates amongst the twelve chief Companies, such estates are to be considered still under the paramount jurisdiction of the Irish Society, and liable to contributions, if necessary, in common with the indivisible estates in the Society's hands, towards the general expense of maintaining public works and edifices; supporting the civil government of the city of Derry and town of Coleraine; repairing Protestant churches and chapels; establishing schools throughout the whole Plantation; and, generally, for the execution of such measures as tend to promote and improve the civil and religious interests of the tenantry.







THE HISTORY OF THE

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A P P E N D I X.

AN ACCOUNT OF THE SIEGE OF DERRY,

FROM

LELAND'S HISTORY OF IRELAND.

IRELAND now (1688) exhibited a gloomy scene of opposition and dejection, of insolence and despair, of power exercised without decency, and injuries sustained without redress. That English interest which princes and statesmen had wisely laboured to establish in this country, was discouraged, depressed, and threatened with final extirpation. But new changes and new commotions were at hand. The pride, the obstinacy, and the bigotry of the King (James), his headstrong and insidious counsellors, his foreign enemies, the spirit of the old republicans not yet extinguished, the just and general indignation of subjects whose rights had been trampled down with scorn, their well-grounded fears for the constitution, their solicitude for religion, all conspired to produce a revolution, the most glorious and important of those events which dignify the annals of the British empire.

The Irish Catholics affected to despise the Prince of Orange and his attempt. They exclaimed that the States of Holland were weary of him, and therefore were sending him on a desperate enterprise, to end his days on a scaffold like the Duke of Monmouth. Nugent, the Lord Chief Justice, delivered these sentiments from the bench, and spoke with delight of English rebels hung up every where in clusters: but advices were soon received that the Prince had landed, that James was deserted by his subjects, that the Prince advanced, that he every day gained new adherents. The Irish and their Chief Governor forgot their pride, and sunk at once into consternation. Tyrconnel descended to flatter the Protestants, to boast of his equal and impartial government, and to court them to make the most favourable representations of his conduct. The English Protestants, on the other hand, were roused from their dejection; and no sooner had they received intelli-

gence of commissioners being sent by the King, and a treaty opened with the Prince of Orange, than the most spirited among them proposed to seize the castle of Dublin; but the uncertainty of events in England, the well-known severity of James, should he once be extricated from his present distress, and some hopes that Tyrconnel would of himself abandon the government, operated on the more cautious, and defeated this design. In the mean time new commissions were issued by Tyrconnel for levying forces. They were granted to all who would accept them, without paying even the fees of office. The Popish clergy enjoined their people to take arms in this time of danger. In every quarter of the kingdom an armed rabble suddenly started up, who called themselves the King's soldiers, and, unpaid and unrestrained by government, supported themselves by open depredations. The English inhabitants endeavoured to defend themselves against these marauders, and the whole country seemed gradually to decline from the order and security of social and civil life.

A letter addressed by an unknown person to Lord Mount-Alexander, in the county of Down, warned him of a general massacre intended by the Irish. The style was mean and vulgar: nor was the information on that account less plausible: it was confident and circumstantial, and pointed out Sunday the 9th day of December, as the precise time when this bloody design was to be executed, without distinction of sex, age, or condition. The like intelligence was conveyed to some other gentlemen of the northern province; and whether these letters were the contrivance of artifice, or the effect of credulity, their influence was wonderful. Men habitually possessed with horror of Irish barbarity, who in the very scene of all the sufferings of their fathers, had listened from their infancy to hideous narratives of the insurrection in the year 1641, who were now exposed to the insolence and violence of the Irish, and ready to catch the alarm at the least appearance of commotion, could not hesitate a moment to give credit to these informations. They were confirmed by some suspicious circumstances. Popish priests had announced to their congregations what they called "a secret intention," and enjoined them to stand ready armed to obey their orders. It was remembered that a friar of Derry had preached with unusual energy on the subject of Saul's destroying the Amalekites, and the iniquity of sparing those whom divine vengeance had devoted to destruction. Lord Mount-Alexander's letter was instantly sent to Dublin; copies multiplied; the intelligence was conveyed through all orders of men. In a moment the capital became a scene of uproar and confusion; the guards of the Lord-Deputy stood astonished; the castle bridge was drawn up, while a tumultuous crowd of men, women, and children, ran precipitately to the shore, imploring to be conveyed away from the daggers of the Irish. In vain did Tyrconnel dispatch two lords to assure them of security and protection; their remonstrances were drowned in clamour, shrieking and wailing. An unusual number of vessels lay in the harbour; the people crowded them in an ecstasy of terror and impatience, leaving their less successful friends stupified with expectation of the fatal blow.

The dreadful intelligence was soon conveyed to every part of Ire-

land. In some places it was received on the very day assigned for the massacre. The people started suddenly from their devotions, fled astonished, propagated the panic, and thus swelled the crowds of fugitives; some gained the coast and were transported to England, others sought shelter in walled towns and Protestant settlements, leaving their effects and habitations to the mercy of Irish plunderers. In the northern counties, where the Protestants were most numerous, they collected the arms still left among them, resolving to defend themselves, and already meditating the design of rising against the present government.

Of all the northern cities, Derry, or London-Derry (as it is called), afforded principal shelter to the fugitive Protestants. Seated on the west side of the Lake Foyle, it maintained a communication by a ferry, with the county called by the same name with the capital: it was surrounded by a firm wall, strengthened by bastions, but was by no means sufficient to sustain the siege of a regular army. On the first alarm of an invasion of England by the Prince of Orange, Tyrconnel had recalled the garrison of this city to Dublin. It consisted of a regiment well disciplined and appointed; it was under the command of Lord Mountjoy, son of Primate Boyle; and being for the most part composed of Protestants, was acceptable to the inhabitants. Tyrconnel soon perceived the error of leaving this city to the government of the townsmen, and detached the Earl of Antrim's regiment, consisting entirely of Papists, Irish and Highlanders, to take their quarters in Derry. A body of twelve hundred men, tall and terrible in their aspect, followed by a crowd of women and children, arrived at a village called Limavady, within twelve miles of Derry, at the very moment when the inhabitants received the information of an intended massacre, and were deliberating on this important intelligence. The proprietor of this village was terrified at the disorder and turbulence of a body, which, in this time of suspicion, seemed rather the instruments of slaughter and barbarity than the regular forces of government. He instantly dispatched the most alarming accounts to Derry of the number, appearance, and destination of his guests, conjuring the citizens to shut their gates against the barbarous crew. His letter found them already alarmed by the general reports of danger. They were collected in their streets, conferring earnestly, some resolute, some wavering, some wishing to exclude the Popish forces without appearing to take part in the attempt. Tomkins and Norman, two aldermen, consulted the bishop; the bishop, cautious from years, and, by his principles, an enemy to resistance, preached peace and submission. Some graver citizens concurred with him; others affected to concur. The troops approached, two of their officers were already in the town to provide quarters; and an advanced party appeared within three hundred yards of the ferry-gate. In this critical moment, nine young men of the populace, with an enthusiastic ardour, drew their swords, snatched up the keys of the city, raised the draw-bridge, locked the ferry-gate, were instantly joined by numbers of their own rank, secured the other gates, assembled in the great square, deaf to all timid counsels and remonstrances, seized the magazine, and were soon countenanced and applauded by men of better condition. The

body of the inhabitants caught the same spirit, and declared for a brave defence. Their numbers were quickly increased by a conflux from the neighbouring districts; the magazine afforded them some few arms, and a small quantity of ammunition. Philips of Limavady, the man who first encouraged them to this enterprise, was chosen their governor. They threatened to fire on the King's soldiers, and conjured their neighbours to concur with them in defence of their lives, their properties, and religion.

To the society of London they immediately transmitted an account of their dangers and proceedings; and Cairnes, the most considerable of their party, was commissioned to solicit succours from the Prince of Orange. At the same time, their magistrates and graver citizens, anxious for the event of an enterprise commenced under every disadvantage, addressed themselves to Lord Mountjoy, and, by his mediation, to Tyrconnel. They set forth their utter inability to restrain the populace, terrified by the rumours of a massacre, and the outrages of the new raised regiment; ascribing their insurrection to Providence, who had stirred them up for their own safety and the public peace, against the wild attempts of the northern Irish. They declared their resolution to confine themselves entirely to self-defence, without violating their allegiance; at the same time, they represented the vast number of northern Protestants who had been driven to take arms from the same fears, and for the same purposes.

Tyrconnel, too late, perceived his error in withdrawing his garrison from Derry, and endeavoured to correct it. Lord Mountjoy, and Lundy, his lieutenant-colonel, were instantly remanded to Ulster with six companies, and ordered to reduce this city. Mountjoy, a Protestant lord, was highly acceptable to the inhabitants; his Popish forces they detested. They disclaimed all mutinous and seditious purposes, but still expressed their firm purpose to defend themselves. After various conferences, Mountjoy was admitted upon conditions. It was particularly stipulated that a free pardon should be granted within fifteen days; that, in the mean time, two companies only should be quartered in the city; that the forces afterwards admitted should be formed one half of Protestants at least; that until the pardon were received, the citizens should keep the guards, and that all should be left at liberty who desired to remove. Tyrconnel had now the mortification of finding the people of Derry assuming the power of purging and modelling his forces, and dismissing and disarming his Popish soldiers. Mountjoy assumed the command of their city, and was obeyed as a friend and associate. By his advice the arms were repaired, money cheerfully subscribed, ammunition purchased in Scotland, and Cairnes, the agent, earnestly solicited to procure supplies.

The northern Protestants beheld the spirit of the men of Derry with a generous emulation. Enniskilling, the only borough-town in the county of Fermanagh, situated on an island in the narrow part of Lake Erne, and inhabited by a few resolute Protestants, refused admittance to two companies of Tyrconnel's Popish army. In Downe, Donegal, Tyrone, Armagh, Monaghan, parties arose under the direction of Mount-Alexander, Blaney, Rawdon, Skeffington, and other leaders. Their associations were published in the several counties, de-

claring, that they had united for self-defence and the Protestant religion; that they resolved to act in subordination to the government of England, and to promote a free Parliament. County councils were nominated, and a general council, to meet at Hillsborough, which appointed officers, and directed the operations of the associated body.

The deputy (Tyrconnel) had too long suffered the Northern Associates to proceed unmolested, awed by Lord Inchiquin in Munster, who appeared in arms with more zeal than strength; in Connaught by Lord Kingston, who stood at the head of the Protestants in this province, and preserved a communication with their brethren of Ulster. The Northerners had attempted to reduce Carrickfergus, but without success; and, though their powers were greatly magnified, yet the men were inexperienced, their officers unskilful, their ammunition utterly insufficient, their arms such as they had secreted on the general order for disarming Protestants. These defects were supplied by zeal and ardour. On assurances of supplies from England, they boldly proclaimed William and Mary in the North-eastern towns. But their exultation was speedily allayed. A proclamation by the deputy commanded them to lay down their arms and to dissolve their assemblies; and they had the mortification to find it subscribed by Lord Granard, and some other Protestant councillors. General Hamilton marched against them with a formidable body of troops. They abandoned Newry; they retired gradually to Dromore; here they were overtaken by the enemy; they fled before their superior numbers, and were pursued with slaughter; they gained Hillsborough, but quickly abandoned this town, resigned the castle, and continued their flight. They seemed entirely broken; several fled to Britain, others accepted protection from the Irish army. But by the spirit and authority of Mount-Alexander, Rawdon, and other leaders, about 4000 were still kept embodied, and took their station at Coleraine, in order to prevent the enemy from passing the river Bann; at the same time, those of the North-West poured into Enniskilling as their place of refuge.

The Irish army were so totally engaged in riot and plundering, that the confederates had time to collect, and to fortify Coleraine. Hither Lord Blaney found it necessary to lead his party from Armagh. The garrisons of Charlemont and Mountjoy were informed of his motions, and attempted to intercept him, by seizing the bridge at a place named Artrea. He was more alert, and secured the pass just at the moment of their approach. They advanced; he drew up his men and marched to attack them; they fled, were pursued and slaughtered; and this inconsiderable advantage served to animate the Northerners. Coleraine was attacked, and the enemy bravely repulsed; but the place was not long found tenable. The Irish, after a successful skirmish, passed the Bann in boats, and the Northerners hasted by various routes to Derry, before the enemy should cut them off from this their last refuge.

From the time of Lord Mountjoy's departure, the government of this city, and the principal direction of the North-eastern counties had been resigned to Lundy, a man who flattered the Protestants by declarations of attachment to their cause, and resolution of fighting

bravely, at least against the tyrannical and illegal government of Tyrconnel. Notwithstanding these public professions, he was suspected of retaining a regard to James and his service. He had frequently disappointed the expectations of the associate Protestants, obliged them to abandon posts thought sufficiently tenable, and by an inactive and irresolute conduct, which was not attributed to any defect of courage, became generally suspected. William in his embarrassments was obliged to trust and to employ him; and when an officer of the name of Hamilton was sent to Derry with arms, ammunition, and money, a commission from the new King was delivered to Lundy to command in the town, and to administer the oaths to all officers, civil and military. Some refused the oaths; Lundy would not consent to take them publicly, alleging, that he had already sworn on board Hamilton's vessel. Murmurings and discontents were thus excited among the people; some prepared to abandon a city ready to be betrayed, when Cairnes, their agent, happily arrived from London, with assurances from King William, that troops and supplies were prepared for their relief, and the general service of Ireland. He conjured them by no means to desert a cause so glorious, and which must speedily prove so triumphant. They forget their suspicions; they declared for a brave defence; the garrison was regulated; provisions distributed; Lundy seemed to have caught the spirit of the people, and announced his resolution of marching to engage the enemy.

In such circumstances, the garrison received a new alarm, and the enemy became still more formidable. James had cast himself into the arms of the French king. Louis commiserated his fallen state, and hated William, who had just declared war against him. Preparations were made for the service of the royal exile; and James, after a mortifying attendance on the ministers, and after various difficulties and obstacles raised by their intrigues, at length effected his embarkation. He sailed from Brest, and on the 12th day of March landed at Kinsale, resolving, contrary to the sentiments of some of his adherents, to make Ireland the scene of his operations, where his party was numerous, and where he might support a brilliant appearance of royalty. At Cork, Tyrconnel appeared to congratulate his master, and expressed his zeal by ordering a magistrate to execution, who had declared for the Prince of Orange. James instantly created him a duke. In a stately progress he arrived at the capital; and on the 24th day of the same month made his triumphal entry, followed by a splendid train of French, British, and Irish, attended by the Count d'Avaux in the character of ambassador of France, met by the magistrates, and the whole body of Popish ecclesiastics, secular and regular, in their proper habits, with the Host borne in solemn procession, and adored devoutly by the King, amidst the acclamations of those who favoured his cause, and those who could not resist his power.

Addresses were instantly poured upon him from all orders of people. That of the Protestant established clergy touched gently on the distraction of the times, and the grievances they had experienced. He assured them of protection and redress. To the university he was still more gracious; he promised to defend, and even to enlarge their privileges. But his fairest declarations were received with coldness and

suspicion, when all the remaining Protestants of the Privy Council were removed, and their places supplied by d'Avaux, Powis, Berwick, the Bishop of Chester, and others of his zealous adherents. He now issued five several proclamations; by the first, he ordered all Protestants, who had lately abandoned the kingdom, to return and accept his protection, under the severest penalties, and that his subjects of every persuasion should unite against the Prince of Orange; the second was calculated to suppress robberies, commanding all Catholics, not of his army, to lay up their arms in their several abodes: a third invited the country to carry provisions to his troops: by the fourth he raised the value of money: and the last summoned a parliament to meet at Dublin on the 7th day of May.

After these first formal acts of sovereignty, James naturally deemed the reduction of the Northerns a peculiar object of his attention. With respect to Derry, the great seat of what in his court was called rebellion, we are told that different counsels were proposed. Some declared for sending an irresistible force, which should at once take the city by storm; others were for blocking it up, and reducing it by famine; others again for pressing it by a slow siege, so as to inure the Irish forces to fatigue and discipline, and to teach them the arts of war. Fatally for the interests of James, this last measure was adopted; but to encourage the besiegers, and to confound the stubborn insurgents, he resolved to appear in person, and lead his forces to the walls.

Among these resolute and active Northerns who took arms against Tyrconnel and his master, was George Walker, a clergyman of a Yorkshire family, and rector of a parish in the County of Tyrone. The danger and turbulence of the time, when the assistance of every man became necessary, called him forth in defence of law, liberty, and religion; and in a cause the most glorious that a citizen can espouse, he was zealous and indefatigable. He raised a regiment, and commanded it. He flew from post to post, conferred with the leaders, and animated the people, who were the more convinced of their danger, when a man of his peaceable profession appeared in arms. As the enemy grew more formidable by the arrival of James, he felt an increasing ardour. He hastened to Derry; he informed Lundy of the approach of this king, reminded him of his former declarations, entreated him to give the enemy battle before their whole strength was collected, and his garrison diminished. Lundy still affected vigour: as the Irish had passed the Bann, he was now to prevent them from crossing the Finn-water: he stationed his forces for this purpose; but, in the hour of danger, he refused to support them, shamefully abandoned his own post, and hid himself within the walls of Derry, shutting the gates against many of those who sought the same refuge.

In the mean time, two English colonels, Cunningham and Richards, arrived in Lake Foyle with two English regiments. They notified their arrival to Lundy, whose orders they were to obey, advising him to secure the passes he had already abandoned, that, if a battle should be necessary, he might engage to more advantage with their reinforcement to support him. On his return to Derry he received their letter; his written answer directed them to land; his messenger

delivered his orders, that they should leave their men on board, and come to the city with some of their officers to consult on the measures necessary in the present juncture, when there were not provisions for ten days, though all unnecessary persons should be removed. Eleven officers from the ships and five of the town formed a council of war, in which it was readily agreed, in consequence of Lundy's representation, that the place was by no means tenable; that the English regiments should not land; that the principal officers should privately withdraw from the town, and leave the inhabitants to make the best conditions in their power with the enemy. These resolutions were communicated to the Town Council, where it was resolved to offer terms of capitulation to James, who now advanced slowly towards the city.

These proceedings were not long a secret to the people: they saw their leaders flying, the English regiments preparing to return to England with all the provisions intended for their relief, although Lundy assured them they should land. They exclaimed against the Governor, the Council, and every suspected officer; they roared for vengeance against their betrayers. In the phrensy of rage and terror, they slew one officer as he was hastening to escape from the city, another they wounded. In this moment of distraction, Murray, a brave and popular captain, arrived at the head of a reinforcement, and, although Lundy commanded him to retire, insisted on entering the town, and was received with acclamations. To the soldiers, who eagerly crowded around him, he inveighed against the base purpose of surrendering to a cruel and perfidious enemy, and was heard with rapture. While he expostulated with Lundy, they rushed to the walls, pointed their cannon, and fired upon James and his advanced party, who approached to take possession of the city. While the more cautious and timid sent a deputation to apologize for this violence of a headstrong populace, they with one voice declared for defence. Governor, councils, magistrates, at once lost all authority. Lundy resigned all care of the city, and concealed himself in his own house. The garrison chose for themselves two new Governors, Walker, the gallant ecclesiastic, and one Major Baker, that if either should fall they might not be left without command. By direction of these men they were formed into eight regiments, amounting to seven-thousand and twenty men, and three hundred and forty-one officers.

When the first sudden agitation had subsided, their resolution grew composed and deliberate. They suffered the timid to depart unmolested. Lundy, by connivance of the new Governors, escaped to the ships in a disguise suited to his meanness, bending under a load of match. The stores were viewed, orders issued, and obeyed with regularity; each regiment had its own ground, each company knew its own bastion; they repaired each to their post without any military parade, but without confusion or disorder. Eighteen Clergymen of the established church and seven Non-conformist teachers cheerfully shared the labours and dangers of the siege; and, in their turns, every day collected the people in the Cathedral church, and by the fervour of their devotions, and those strains of eloquence which their circumstances inspired, animated and inflamed their hearers.

Some jealousies, however, broke out from these different religious parties, even in the hour of their common danger ; and one dissenting teacher pronounced those unworthy to fight for the protestant cause, who should refuse to take the covenant !—But the discreet and pious of both parties prevailed, preached obedience and mutual union, and laboured to elevate the people to the utmost pitch of that devotional spirit which renders courage irresistible.

And here one might dwell with astonishment on this desperate attempt of a garrison, in a town meanly fortified and miserably supplied ; and yet encumbered with 30,000 fugitives who could give them no assistance, and assailed with 20,000 besiegers. But the plain, unstudied, unadorned effusions of their brave Governor Walker rise above all elaborate description : “ It did beget (saith he) some disorder among us and confusion, when we looked about us and saw what we were doing, our enemies all about us, and our friends running away from us. A garrison we had, composed of a number of poor people frightened from their own homes, and who seemed more fit to hide themselves than to face an enemy. When we considered, that we had no persons of any experience in war among us, and those very persons, that were sent to assist us, had so little confidence in the place, that they no sooner saw it but they thought fit to leave it ; that we had but few horse to sally out with, and no forage ; no engineers to instruct us in our works ; no fire-works, not so much as a hand grenade to annoy the enemy ; not a gun well mounted in the whole town ; that we had so many mouths to feed, and not above ten days provision for them in the opinion of our former Governors ; that every day several left us, and gave constant intelligence to the enemy ; that they had so many opportunities to divide us, and so often endeavoured it, and to betray the Governors ; that they were so numerous, so powerful, and well appointed an army, that in all human probability we could not think ourselves in less danger than the Israelites at the Red Sea ; when we considered all this, it was obvious enough, what a dangerous undertaking we had ventured upon. But the resolution and courage of our people, and the necessity we were under, and the great confidence and dependence among us on God Almighty, that he would take care of us and preserve us, made us overlook all those difficulties.”

With minds thus possessed, they resisted both the persuasions and the assaults of their besiegers. They made their sallies in a manner unauthorized by military rules. Any officer that could be spared engaged in the adventure, and any soldiers who pleased followed his standard. Such were the repeated successes of this irregular war, that when the besiegers battered the walls, the garrison had the hardiness to advise them to spare their labour and expense, as their gates were ever open, and wider than any breach they could make. Eleven days James continued his assaults with repeated mortifications, and without any prospect of success. Impatient of his disappointments, he left the camp and returned to Dublin, peevishly exclaiming, that if his army had been English they would have brought him the town piece-meal. The only exploit performed in his Northern expedition

was that of reducing the fort of Culmore, and this he was suspected to have achieved by the help of money.

The garrison of Derry still continued to defeat all the attempts of their besiegers, and to harrass them by successful sallies. But they were soon threatened with more terrible enemies, disease and famine. The heats of summer proved even pestilential to men fatigued and confined, and their scanty and unwholesome diet inflamed their disorders. In the heaviness of their affliction, and their melancholy forebodings, they discovered in Lake Foyle thirty ships, which they doubted not had been sent to their relief from England. These indeed contained troops, arms, ammunition, and provisions, under the command of Kirk; but Kirk was too much hardened against the distresses of his fellow creatures to make any hazardous attempt in favour of the garrison. He was alarmed at magnificent accounts of the force and dispositions of an enemy, who were cast into consternation at his appearance. He hesitated, and returned no cheerful answer to the signals of the besieged. The enemy, encouraged by this irresolution, prepared to oppose his passage. Their batteries were planted, and their forces ranged on each side of the lake where it grew narrow towards the city, and from two opposite forts they stretched a boom across the water, formed of strong timber, joined by iron chains, and strengthened by thick cables.

The fleet, to which the garrison looked for relief, set sail and disappeared. With great difficulty, and after repeated disappointments, they at length received the afflicting intelligence from Kirk, that, as he found it impossible to force a passage by the river for his stores and victuals, he had sailed round to Lake Swilly, if by any means he might give some diversion to the enemy, and send supplies to the Protestant forces collected at Enniskillen. He comforted them, at the same time, with an assurance that he would still relieve them; that more forces were hourly expected from England; that both there and in Scotland, affairs were entirely favourable to the new government; that, by the intelligence he had gained, the besiegers could not long continue to invest them; advising them, at the same time, "to be good husbands of their provisions." From this advice they drew a melancholy presage of all their future sufferings.

Every day the garrison was lessened by disease, and the wretched survivors more and more enfeebled by fatigue and hunger. Baker, one of their Governors, died; they chose an officer of the name of Mitchelburn, to succeed him. When numbers of them were scarcely able to support their arms, they threatened death to any one who should mention a surrender. General Hamilton endeavoured to move them by persuasion; they reproached him with his own treachery. Rosen, who was sent to command the siege, and conducted it with vigour and address, thundered out dreadful menaces against them; and thus, by convincing them that no mercy was to be expected, confirmed their resolution. Outrageous at this obstinacy, he declared, that if the town were not surrendered by the 1st day of July, all of their faction through the whole country to Ballyshannon, Charlemont, Belfast, Ennishowen, protected and unprotected alike, should be given

up to plunder, and driven under their walls, there to perish, unless relieved by a surrender of the town. The appointed day arrived, but the garrison continued their defence. On the next morning a confused multitude was seen hurrying towards the walls. At a distance they were mistaken for enemies; the garrison fired on them, but happily without any damage to the thousands of miserable Protestants, of all ages and conditions, infirm, old, young, women, infants, goaded on by soldiers whose ears were tortured with their shrieks, and who executed their hideous orders with tears. The afflicting spectacle transported the garrison to fury. Numbers of the wretched sufferers thus driven to perish beneath their walls, conjured them with bended knees, and lifted hands, by no means to consider their distress, but to defend their lives bravely against an enemy who sought to involve them all in one common slaughter. A gallows was now erected in view of the besiegers; they were assured, that all the prisoners taken by the garrison should be instantly executed, unless their friends were allowed to depart. Confessors were even admitted to prepare them for death; but Rosen was still unmoved. Happily the intelligence of his barbarous intentions flew to Dublin. The Protestant Bishop of Meath remonstrated to James; he answered, that he had already ordered these captives to be released, observing that such severities were usual in foreign service, however shocking to his subjects. Those, who survived a confinement of almost three days without sustenance or shelter, were thus permitted to return to their habitations, where the ravages of the soldiery had left them no means of comfort. Some of their ablest men were stolen into the town, and five hundred useless people crowded among them, and passed undiscovered, notwithstanding the vigilance of the enemy.

The garrison, with a confirmed horror of the besiegers, continued their obstinate defence, and even made desperate and successful sallies when they were too much weakened by hunger to pursue their advantage. The flesh of horses, dogs and vermin, hides, tallow and other nauseous substances, were purchased at extravagant prices, and eagerly devoured. Even such miserable resources began to fail, and no means of sustenance could be found for more than two days. Still the languid and ghastly crowds listened to the exhortations of Walker; still he assured them from the pulpit that the Almighty would grant them a deliverance. While their minds were yet warm with his harangue, delivered with all the eagerness of a man inspired, they discovered three ships in the lake making way to the town. Kirk, who had abandoned them from the 13th day of June to the 30th of July, at length thought fit, in their extreme distress, to make an hazardous attempt to relieve them; an attempt which he might have made with less danger at the moment of his arrival, and which possibly might still have been deferred, had he not received some intimations of a treaty for surrendering. Two ships laden with provisions, and convoyed by the Dartmouth frigate, advanced in view both of the garrison and the besiegers. On this interesting object they fixed their eyes in all the earnestness of suspense and expectation. The enemy, from their batteries, from their musketry, thundered furiously on the ships, which returned their fire with spirit. The foremost of the victuallers struck

rapidly against the boom and broke it, but, rebounding with violence, ran aground. The enemy burst instantly into shouts of joy, and prepared to board her ; on the crowded walls the garrison stood stupefied by despair. The vessel fired her guns, was extricated by the shock, and floated. She passed the boom, and was followed by her companions. The town was relieved, and the enemy retired.

Of seven thousand five hundred men regimented in Derry, four thousand three hundred only remained to be witnesses of this deliverance ; and of these more than one thousand were incapable of service. The wretched spectres had scarcely tasted food, when they had the hardiness to march in quest of the enemy ; and some few men were lost by adventuring too boldly on their rear-guard. They retired in vexation to Strabane, having lost eight thousand men by the sword and by various disorders, in a seige of one hundred and five days.

TRANSLATION
OF
THE CHARTER
OF
KING CHARLES THE SECOND
TO
THE HONOURABLE THE IRISH SOCIETY, AND
THE CITIZENS OF LONDONDERRY.

CHARLES THE SECOND, by the grace of God of England, Scotland, France and Ireland King, Defender of the Faith, &c. To all to whom these our present letters shall come, greeting. (We have inspected the inrolment of our letters patent bearing date at Westminster the 10th day of April in the fourteenth year of our reign, inrolled before us in our Court of Chancery, and in the rolls of the same court remaining of record in these words: Charles the 2d, by the grace of God of England, Scotland, France and Ireland King, Defender of the Faith, &c. To all to whom these our present letters shall come, greeting.) Whereas our illustrious grandfather James late King of England (of blessed memory), by his letters patent under his great seal of England, bearing date at Westminster the nine-and twentieth day of March in the eleventh year of his reign over England, France and Ireland, and over Scotland the six-and-fortieth, for the considerations therein expressed, of his especial grace, certain knowledge and mere motion, for him, his heirs and successors, did ordain, constitute and declare, that the city or town of Derry in the province of Ulster in our realm of Ireland, and all and singular castles, lordships, manors, towns, villages, hamlets, lands, tenements and hereditaments in the said letters patent mentioned, should be united and consolidated, and for ever thereafter be one entire and distinct county of itself, and be called by the name of The County of Londonderry, and that all lands situate within three miles compass of the town of Coleraine should be within the liberties of the said town of Coleraine, and the said city or town of Derry did incorporate by the name of the mayor and commonalty and citizens of the city of Londonderry, and also by the said letters patent did ordain and con-

Letters patent of Charles the Second.

King James's Charter recited.

stitute a certain number of citizens of our city of London to be one body corporate and politic, who should be called by the name of the society of The governer and assistants London of the new plantation in Ulster, within the realm of Ireland, and did give and grant unto the said society, and their successors, the city, fort, and town of Derry, and the whole island of Derry, town of Coleraine, and divers other towns, villages, hamlets, baronies, lordships, manors, territories, castles, messuages, lands, tenements, and hereditaments, royalties, franchises, privileges and immunities, in such manner and form, and with such exceptions, and for and under such several rents, services, tenures, reservations, covenants, conditions and other articles, clauses and agreements, as in the said letters patent are mentioned and comprised, as by the same letters patent more fully appeareth.

Grants by
the Society
recited.

And whereas the said society of the Governor and assistants of London of the new plantation in Ulster within the realm of Ireland, by virtue of a certain license from our said illustrious grandfather under the great seal of England, bearing date at Westminster the thirtieth day of September in the thirteenth year of his reign over England, France and Ireland, and over Scotland the nine-and-fortieth, did grant unto the twelve chief companies of our city of London (which had taken upon themselves the greater part of the burthen of the said plantation) divers great quantities, parcels and proportions of the said lands, tenements and hereditaments, according to their several disbursements, and did retain in his own hands such part of the tenements and hereditaments as were not properly devisable for defraying of the charge of the general operation of the said plantation.

Repeal of
the said
charter
recited.

And whereas the said letters patent were afterwards annulled, repealed, and cancelled in the Court of Chancery, by reason whereof the said society of the new plantation, and the said companies of our city of London, and their respective assigns and undertenants of all and singular the lands, tenements, and hereditaments, royalties, privileges, franchises, and immunities, in the said letters patent mentioned, were wholly deprived, and the said corporation of Londonderry, with the society of the said new plantation, became wholly annulled and invalidated.

King
Charles
the First's
promise of
restitution
recited.

And whereas afterwards our dearest father Charles King of England (of blessed memory), in the year of our Lord one thousand six hundred and forty-one, of his royal goodness to the mayor and commonalty, and citizens of our city of London, declared his royal will for restoring to the said society of the new plantation, and the said other companies, all and singular the lands, royalties, and privileges in the said letters patent mentioned; and gave his royal command and directions for the execution thereof; but (the wars and troubles in our said kingdom of Ireland breaking out soon after) his royal intention did not take effect.

Reasons of
the present
grant.

And for that it doth manifestly appear to us that the said society of the new plantation, and other companies of our city of

London, have expended very great sums of money in building and planting of the said county of Londonderry and Coleraine. To the intent thereof, that the said society of the new plantation or some other such society, by these our letters patent, to be created and made. And the said companies of our city of London, and their respective assigns and undertenants may, according to their former several rights and interests therein, be restored to all and singular the said county, cities, towns, castles, territories, lands, tenements, royalties, franchises, privileges and immunities whatsoever, with their and every of their appurtenances so vested in them by force and virtue of the said letters patent, and the said several grants by the said society of the new plantation, and other companies respectively, thentofore made as fully and beneficially to all intents and purposes as they might have had and enjoyed the same if no repeal of the said letters patent had ever been had or made. And to the intent that there may be a new society made of the new plantation in Ulster aforesaid, consisting of the like number of honest and discreet citizens of our city of London, as the other and former society heretofore consisted of; and that a new incorporation of the said city or town of Derry be constituted, and for the further and better settling and planting of the said county, towns, and places with trade and inhabitants.

We of our especial grace, certain knowledge and mere motion, for us, our heirs and successors, Do will, constitute, ordain, confirm and declare, That the city or town of Derry, in the province of Ulster, in our realm of Ireland, and also all and singular castles, lordships, manors, towns, villages, hamlets, lands, tenements, waters, streams, ports, sea-ports, and other territories and hereditaments whatsoever hereunder in or by these presents given or granted, and all and singular other castles, lordships, manors, towns, villages, lands, tenements, waters, and water-courses, streams, ports, and other territories situate, lying or being within the precinct, compass or circuit of the said castles, lordships, manors, towns, villages, and other the premises in or by these presents given and granted, be, and hereafter shall be united, consolidated, and henceforth for ever one entire county of itself, distinct and separate from all other counties whatsoever within our realm of Ireland, to all intents and purposes, and in as ample manner and form as any other county whatsoever within our kingdoms of England or Ireland; and for ever hereafter shall be named and called The county of Londonderry, and them all into one entire free and distinct county of itself we do erect, constitute, ordain, confirm, and create by these presents.

And further of our especial grace, certain knowledge and mere motion, for us, our heirs and successors, We will, ordain, constitute, confirm and declare, That the said city or town of Derry for ever hereafter be, and shall be named and called the city of Londonderry, and that all and singular houses, edifices, lands, tenements, water and water-courses, and the ground and soil situate, lying and being within the said city of Derry, and within and by

The city of Derry and other granted premises to be the County of Londonderry.

The city to be called Londonderry. Extent of the liberties thereof.

the space and circuit of three Irish miles to be measured and limited from the middle of the said city of Derry, on each and every side of the same city, from henceforth be and shall be within the jurisdiction and liberties of the said city. And that the said city of Londonderry and the circuits, precincts, limits, bounds, compass, liberties, franchises and jurisdiction of the same shall for ever hereafter extend and spread itself, and may extend and spread itself within and through the space and circuit of three Irish miles, to be measured and limited from all and every part of the said city as aforesaid, from henceforth for ever, and that the mayor and commonalty and citizens of the said city of Londonderry and their successors beneath in these presents mentioned and named may execute and exercise all rights and jurisdictions hereinafter mentioned within the aforesaid circuit, precinct, limits, bounds and compass aforesaid.

Extent of the liberties of Coleraine.

And further we will, ordain, constitute, confirm and declare, that all and singular houses, edifices, lands, tenements, waters, and water-courses, ground and soil situate, lying and being within the town of Coleraine, in the said province of Ulster, and within and by the space and circuit of three Irish miles to be measured and limited from the middle of the said town of Coleraine, on each, all, and every side of the same from henceforth for ever be, and shall be, part and parcel of the said town of Coleraine, and within the jurisdiction and liberties of the said town of Coleraine. And that the said town of Coleraine and the circuit, precincts, limits, bounds, compass, liberties, franchises and jurisdiction of the said town, from henceforth for ever shall extend and spread, and may extend and spread, within and by the space and circuit of three Irish miles to be measured and limited on all and every side of the said town of Coleraine as aforesaid, henceforth for ever.

Inhabitants of Londonderry incorporated.

And we will, grant, establish, ordain, appoint, confirm, and create, that all citizens and inhabitants of the city of Londonderry aforesaid, and they who hereafter shall be citizens and inhabitants of the said city, and their successors for ever hereafter, be and shall be by force of these presents a new body corporate and politic, in deed, fact and name, by the name of The mayor and commonalty and citizens of the city of Londonderry; and them by the name of the mayor and commonalty and citizens of the city of Londonderry, a new body corporate and politic in deed, fact, and name, really and fully, for us, our heirs and successors, we do erect, make, ordain, constitute, create, confirm and declare, by these presents. And that, by the said name, they shall have perpetual succession; and that they and their successors for ever, by the name of the mayor and commonalty and citizens of the city of Londonderry, be and shall be in all future times persons able and in law capable to have, purchase, receive and possess lands, tenements, goods, chattels, rents, reversions, possessions, liberties, privileges, rights, jurisdictions, franchises, and hereditaments of what sort, kind, nature, or quality soever, to them and their successors in fee and perpetuity, or in any

And made capable to purchase grant, demise, &c.

other manner howsoever, and also to give, grant, demise and assign such lands, tenements, and other hereditaments, goods, and chattels, and to do and execute all and singular other acts and things by the name aforesaid. And that they and their successors for ever, by the name of the mayor and commonalty and citizens of the city of Londonderry, may plead and be impleaded, answer and be answered, defend and be defended, in any courts, pleas, and places, and before any judges, justices and other persons and officers of us, our heirs and successors, in all complaints, suits, pleas, causes, matters and demands, of what kind, nature or form soever, in the same and like manner and form as our other lieges of our kingdoms of England or Ireland (being persons able and in law capable) may plead and be impleaded, answer and be answered, defend and be defended, and may have, purchase, receive, possess, give, grant, and demise. And that the said mayor and commonalty and citizens of the said city of Londonderry, and their successors, may for ever hereafter have a common seal for transacting all business whatsoever of them and their successors. and that it may be lawful to the same mayor and commonalty and citizens of the city aforesaid, and their successors, at their pleasure, from time to time, to break, change, and new make the said seal as to them shall seem best.

To have a
common
seal ;

And further, we will, and by these presents for us our heirs and successors do grant and ordain, that for ever hereafter there be and shall be within the city of Londonderry aforesaid one of the more honest and discreet citizens of the said city, or of the more honest and discreet inhabitants within the liberty of the same, in form hereafter in these presents mentioned, from time to time to be elected, who shall be and be called the mayor of the said city.

to have a
mayor ;

And that in like manner for ever there be and shall be within the same city twelve of the more honest and discreet citizens of the said city of Londonderry, or other inhabitants of the said city or liberty of the same, agreeable to the ordinance hereunder in these presents specified, from time to time to be elected, who shall be and shall be called the aldermen of the said city, and shall be of the common council of the same city, and that the said aldermen shall from time to time be assisting and aiding to the mayor of the said city of Londonderry for the time being, in all matters and business touching or concerning the same city.

twelve
aldermen,

And that in like manner for ever there be and shall be within the said city of Londonderry two of the more honest and discreet inhabitants within the liberty of the same, in form hereunder in these presents mentioned, from time to time to be elected, who shall be and be called the sheriffs of the said city of Londonderry and of the said county of Londonderry.

two
sheriffs,

And that there be and shall be for ever within the said city one of the discreetest citizens of the said city, or of the inhabitants within the liberty of the same city, from time to time in like man-

one cham-
berlain,

ner to be elected, who shall be and shall be called the chamberlain of the said city.

and twenty
four bur-
gesses.

And that in like manner there be and shall be for ever within the same city of Londonderry twenty-four of the more honest and discreet citizens of the said city, or of the inhabitants within the liberty of the same in form hereafter in these presents mentioned, from time to time to be elected, who shall be and shall be called chief burgesses of the said city, which chief burgesses shall be from time to time in like manner assisting and aiding to the mayor and aldermen of the same city in all things and matters touching or concerning the said city and liberty of the same, and shall be of the common council of the same city.

The mayor
and com-
mon coun-
cil em-
powered to
make bye
laws,

And further we will, and by these presents for us our heirs and successors do grant and confirm unto the said mayor and commonalty and citizens of the said city of Londonderry and their successors, that the mayor and common council of the city of Londonderry aforesaid for the time being, and their successors, or the greater part of them (whereof we will the mayor for the time being to be one), upon public summons by the mayor of the said city for the time being, or by his precept thereupon to be made, being thereunto assembled, may and shall have full power, ability and authority, to establish, constitute, ordain and make from time to time for ever, all reasonable and convenient laws, statutes, constitutions, orders and ordinances whatsoever in writing, which to them according to their wise discretions shall seem good, wholesome, honest, profitable, necessary, and requisite, for the rule and government of the said city. And of all and singular the officers, ministers, citizens, artificers, inhabitants, residents and dwellers whatsoever of the said city and the liberty of the same for the time being. And also for the rule and government of the markets and fairs within the said city of Londonderry, and the liberty and limits of the same, and of the people coming or resorting to the said markets and fairs or any of them. And for declaring in what manner and order the same mayor and citizens and all and singular the officers, artificers, and residents of the said city and liberty thereof, and their factors, servants, and ministers in their offices, functions, services, mysteries, arts and businesses within the said city and liberty thereof for the time being, shall hold, carry and behave themselves most for the public good, common profit and good government of the same city and liberty, and of the victuallers of the same. And for regulating the things, matters and businesses of the said city, or touching or any ways concerning the citizens or inhabitants of the same, or the arts, handicrafts, or mysteries, in the same city and liberty. And that the mayor and common council of the said city for the time being, or the greater part of them (whereof we will the mayor for the time being to be one), as often as they shall appoint, make, ordain or establish such laws, statutes, regulations, ordinances and constitutions in form aforesaid, shall and may make, ordain, limit, provide and inflict such and the like pains, pu-

with
penalties.

nishments and penalties, by imprisonment of the body or by fines and amerçiements, or by either of them, against and upon all delinquents offending against such laws, regulations, ordinances and constitutions, or any of them, as to the same mayor and common council of the said city for the time being, or the greater part of them (whereof we will the mayor of the said city for the time being to be one), shall seem necessary, fit, convenient, reasonable and requisite, for the better observance of the same laws, ordinances and constitutions. And the same fines and amerçiements shall and may levy and have to the use and behoof of the mayor and commonalty and citizens of the city aforesaid and their successors without hindrance of us, our heirs and successors, or any of the officers or ministers of us, our heirs and successors, and without any account to be rendered to us, our heirs or successors for the same.

to their own use.

All and singular which laws, ordinances, regulations, and constitutions so made or to be made, we will to be observed under the pains in them to be contained, so nevertheless that all and singular such laws, statutes, ordinances, regulations, constitutions, pains, punishments, penalties, imprisonments, fines and amerçiements be consonant and not repugnant or contrary to the laws, statutes, regulations or customs of our said realm of Ireland.

Their ordinances not to be repugnant to the laws of Ireland ;

And so that such laws, ordinances, regulations, and constitutions be certified by the mayor and common council of the said city of Londonderry for the time being under the common seal of the same city, to the Society of the governor and assistants London of the new plantation in Ulster, hereafter in these presents mentioned and named, within four months next after the making of such laws, ordinances, regulations and constitutions.

and to be certified to the society within four months ;

To the intent that the said Society of the governor and assistants London of the new plantation in Ulster, or their successors, or the greater part of them, may, under the common seal of the said society, ratify, approve and confirm such laws, ordinances, regulations and constitutions so as aforesaid made, or any of them, within six months next after the delivery of such certificate to the governor of the said society for the time being, or his deputy in our kingdom of England, or else within the same time under the common seal of the same society, shall adjudge and declare such laws, ordinances, regulations or constitutions so as aforesaid made or to be made, or any of them, to be difficult, useless, or improper to be observed in the said city of Londonderry and liberty thereof.—And we will that immediately after such laws, statutes, regulations, ordinances and constitutions, or any of them, shall be approved and confirmed under the common seal of the said society, the same laws, ordinances, statutes, regulations and constitutions so allowed shall thereafter be of full force and effect, and from thenceforth for ever inviolably observed under the pains in the same contained,—so nevertheless that all such laws, ordinances, statutes, regulations and constitutions be consonant and not repugnant or contrary to the laws, statutes, regulations or customs of our said realm of Ireland.

and to be approved or disapproved by them within six months ;

and to be enforced if approved,

or else void. We will also, that immediately after declaration under the common seal of the said society, that such laws, ordinances, regulations or constitutions, so made or to be made, or any of them, are difficult, useless, or improper to be observed in the said city and liberty, the same laws, ordinances, regulations and constitutions so declared under the common seal of the said society to be difficult, useless or improper, shall be held and reputed and from thenceforth shall be repealed and wholly void and of no force or effect, to all intents and purposes, as if the same laws, statutes, ordinances and constitutions had never been ordained or made.

The first mayor named, and how long to continue. And for the better execution of our will and grant in this behalf, we have assigned, nominated and made, and by these presents for us our heirs and successors do assign, nominate, constitute and make our beloved William Gardner, esq. to become and be the present mayor of the said city of Londonderry, it being our pleasure that the said William Gardner be and shall continue in the office of mayor of the said city, from the making of these presents until the second day of January next after the date of these presents, and from thence until one other of the citizens of the same city shall be appointed and sworn to the office of mayor of the said city, according to the ordinance and constitution in these presents hereafter expressed and declared.

The first 12 aldermen named. We have also assigned, constituted, nominated and made, and by these presents for us our heirs and successors do assign, nominate, constitute and make, our beloved Charles Earl of Montroth, Symon Pitt, Henry Finch, Ralph King, John Hanford, John Elvin, John Gorges, esquires, William Gardner, Henry Osbourne, George Carey, Thomas Moncreiffe and Hugh Edward, to become and be the present aldermen of the said city of Londonderry, to continue in the same office during their natural lives, unless in the mean time they or any of them shall for any reasonable cause be removed from their offices or places aforesaid, whom for such reasonable cause we will to be removable. We

The 2 first sheriffs named, and how long to continue. We have also assigned, constituted and made, and by these presents for us our heirs and successors do assign, nominate, constitute and make, our beloved Gervais Squire and Richard Graham to be the present sheriffs of the said city and of the said county of Londonderry, to continue in the same office of sheriffs of the said city and county of Londonderry until the said second day of January next ensuing the date of these presents; and from thenceforth until two others of the citizens of the said city shall be elected, appointed and sworn into the said office of sheriffs of the city and county of Londonderry aforesaid, according to the ordinance and constitution hereunder in these presents expressed and declared. We have also assigned, constituted and made,

The first chamberlain named and how long to continue. and by these presents for us our heirs and successors do assign, nominate, constitute and make, our beloved Henry Osbourne to become and be the present chamberlain of the said city, to continue in the same office of chamberlain until the said second day of January next ensuing the date of these presents, and from

thenceforth until one other of the citizens of the said city shall be elected and admitted into the said office of chamberlain of the said city, according to the ordinance and constitution hereunder in these presents expressed and declared.

We have also assigned, constituted and made, and by these presents for us our heirs and successors do assign, nominate and make, our beloved Robert Lawson, Thomes Skipton, John Plunkett, Tristram Fowler, James Hobson, Robert Morrison, Henry Simpkins, William Quakey, Samuel Hill, Thomas Cole, Henry Vaughan, John Gifford, Thomas Phillips, John Craige, Peter Benson, James Sutton, John Kempsey, William Hepburne, Alexander Tompkins, Ralph Smith, Gervais Squire, Richard Graham, Henry Osbourne and Thomas Bourke, to become and be chief burgesses of the said city, to continue in the same office of chief burgesses of the city aforesaid during their natural lives, unless in the mean time they or any of them shall for some reasonable cause be removed from that office, which for some reasonable cause we will shall be removable.

The first 24
burgesses
named
quamdiu,
&c.

And for the better ordering, directing and governing all and all manner of things for and concerning the said city and citizens of Londonderry and the said county of Londonderry, and the plantation to be made within the said city and county of Londonderry, and other businesses belonging to the same, We will and grant, and by these presents for us our heirs and successors do ordain and constitute, that for ever hereafter there be and shall be six-and-twenty honest and discreet citizens of our city of London, within our kingdom of England (in form following to be chosen and appointed), who shall be and shall be called The Society of the governor and assistants London of the new plantation in Ulster within the realm of Ireland.

The Irish
Society cre-
ated.

Which said society in our city of London shall be and consist of one governor, one deputy of the said governor, and four-and twenty assistants, of whom we will that the governor and five assistants thereof be and shall be aldermen of our said city of London, and also that the recorder of our city of London for the time being be and shall be one of the assistants besides the aforesaid five aldermen ; but that the deputy of the said governor and the rest of the same assistants be and shall be of the commonalty of our city of London. We will also, and by these presents for us our heirs and successors do grant, that all and singular the citizens of our said city of London in our kingdom of England, as well those hereunder in these our letters patent specially and particularly by us nominated, constituted and appointed to be the said Society of the governor, deputy and assistants London of the new plantation in Ulster within the realm of Ireland, as those who hereafter (according to the ordinances and provisions hereunder in these presents expressed and limited) shall be chosen and admitted into the same society, and their successors for ever, be and by force of these presents shall be one new body corporate and politic, in deed, fact and name, by the name of the Society of the governor and assistants London of the new plantation in Ulster within the realm of Ireland.

Of whom
the same
shall consist.

The society
incorporatd
and by what
name ;

And them by the name of The Society of the governor and assistants London of the new plantation in Ulster within the realm of Ireland, one new body corporate and politic in deed fact and name, really and fully for us our heirs and successors, we do erect, make, ordain, create, constitute and declare by these presents, And that by the same name they may have perpetual succession.

made capable to purchase,

And that they and their successors for ever, by the name of The Society of the governor and assistants London of the new plantation in Ulster within the realm of Ireland, be and shall be at all future times persons able and in law capable to have, purchase, receive and possess lands, tenements, goods, chattels, possessions, liberties, privileges, rights, jurisdictions, franchises, and other hereditaments whatsoever, of what kind, nature or form soever they shall be, in our kingdom of England or in our realm of Ireland, or in either of them, to them and their successors in fee and perpetuity or otherwise, And also to give, grant, demise and assign lands, tenements and other hereditaments, goods and chattels—And to do and execute all and singular other deeds and things by the said name.—And that they and their successors for ever, by the name of The Society of the governor and assistants London of the new plantation in Ulster within the realm of Ireland, may plead and be impleaded, answer and be answered, defend and be defended, in what courts or places soever, and before whatsoever judges, justices and other persons and officers of us our heirs and successors, in all plaints, suits, pleas, matters and demands whatsoever, of what kind, nature or form soever, in the same manner and form as other of our lieges of our kingdom of England, or in our realm of Ireland, (being persons able and in law capable,) may plead and be impleaded, defend and be defended, answer and be answered, and have, purchase, receive, possess, give, grant and demise.

and to sue and to be sued ;

to have a common seal ;

And that the said Society of the governor and assistants London of the new plantation in Ulster within the realm of Ireland and their successors, for ever hereafter may have a common seal to serve for transacting of the causes and business whatsoever of them and their successors. And that it shall and may well be lawful to the said Society of the governor and assistants London of the new plantation in Ulster within the realm of Ireland, and their successors, from time to time to break, change and new make the said seal as to them shall seem best.

to be yearly elected, when, by whom, and in what manner.

We will also, and by these presents for us our heirs and successors do grant, constitute and ordain, that the said Society of the governor and assistants London of the new plantation in Ulster within the realm of Ireland, for ever hereafter shall be yearly elected and appointed by the mayor, aldermen and commonalty of the said city of London, at the first common-council to be holden in the said city of London next after the feast of the purification of the blessed Virgin Mary, at which time the deputy of the governor and twelve of the same per-

sons who shall have been assistants for the year preceeding, shall be removed from the said office, and one other deputy and twelve other assistants shall be new nominated, supplied and appointed into the places of the same deputy and assistants so as aforesaid to be removed, for the aid of the governor and assistants not removed, for one year next following; and that at the end of that year then next following such former assistants who shall have continued in the same office in the said then preceding year shall be in like manner removed, and others in like manner new nominated, supplied, elected and appointed into their places, and so by an interchangeable course that twelve of the same assistants shall be and continue in their places during the term of two years.

And for the better execution of our will in this behalf, we will and by these presents for us our heirs and successors do constitute, ordain and make our well-beloved Thomas Adams, knight and baronet, citizen and alderman of our said city of London, to be the first and present governor of the same society, to continue in the same office until the feast of the purification of the blessed Virgin Mary next following after the date of these presents, and from thence until another shall be elected and admitted into the said office of governor of the same society, according to the form and intent aforesaid.

The first governor, deputy-governor, and 24 assistants named.

We also will, that John Sanders, citizen and grocer, of London, be and shall be the deputy of the same governor, to continue in the same office until the feast of the purification of the blessed Virgin Mary next following after the date of these presents, and from thence until one other shall, in form aforesaid, be elected and appointed in the room of the said John Sanders into the place or office of deputy of the governor of the same.

We also will, and by these presents for us our heirs and successors do grant, constitute, ordain and make, our beloved Thomas Aleyn, knight and baronet, citizen and alderman of London; William Wilde, knight and baronet, one of our serjeants-at-law, and recorder of our city of London aforesaid; John Robinson, knight and baronet, citizen and alderman of London; Anthony Bateman, knight, citizen and alderman of London; John Lawrence, knight, citizen and alderman of London; Richard Ford, knight and alderman of London; Thomas Chamberlaine, knight; Samuel Micoe, esq.; Erasmus Smith, esq.; Theophilus Biddolph, knight; Charles Lloyd, baronet; Francis Knight, esq.; John Haine, Francis Hall, George Snell, William Bateman, knight; Roger Drayton, Maurice Gathin, John Smart, John Petteward, esq.; Giles Dent, esq.; John Lewis, knight and baronet; William Wormell, esq.; and Henry Banbrigg, esq., citizens of our city of London aforesaid, to be the first and present twenty-four assistants of the said society, to continue in the said office until the feast of the purification of the blessed Virgin Mary next following the date of these presents, and from thence until they, or some of them, shall re-

spectively be removed from that office, according to the ordinance in these presents declared.

And further we do will, ordain and constitute, for us our heirs and successors, that at a common council in the said city of London next after the feast of the purification of the blessed Virgin Mary next after the date of these presents, the nomination and election of the said governor, deputy, and assistants, be and shall be made in form aforesaid, and so from thenceforth yearly, from time to time for ever.

And if, and as often as it shall happen, any one or more of the said Society of the governor and assistants London of the new plantation in Ulster, within the realm of Ireland, shall die, or be removed or depart from his or their office or offices, all which, and every or any of them respectively, not well behaving him or themselves in their offices, we will to be removable and removed at the pleasure of the mayor and aldermen, and of the rest of the common-council of our said city of London, or the greater part of them (whereof we will the mayor of the said city for the time being to be one): Then and so often in supply thereof, one or more, or so many other like citizens of our said city of London, as shall be removed from the said Society of the governor and assistants London of the new plantation in Ulster within the realm of Ireland, shall be elected and appointed by the mayor, aldermen and commonalty of the said city of London, at a common-council to be holden in the same city of London, next, or as soon as conveniently may be after the death, departure or removal of such person or persons from the said society, or from his office or place in the said society, into the place or places of him or them respectively happening so to die, depart or be removed.

We do also will and grant, that after the election of the assistants so as aforesaid made, the person or persons so nominated and elected (after having severally taken their corporal oaths before the mayor of the said city of London for the time being, well and faithfully in and by all things to execute the said office or place, shall and may have, execute and exercise that office, or place or places, during the residue of the time respectively limited to his or their predecessor or predecessors, to remain in that office or place, and from thenceforth until one or more other or others shall in due manner be chosen, appointed, and sworn into that office in form above declared, and so as often as the case shall happen; to which mayor for the time being we do by these presents give and grant power and authority to give and administer the said oath.

And further of our more ample grace, certain knowledge and mere motion, we do will, and by these presents for us our heirs and successors grant, that the said persons above in these presents nominated, elected or appointed to be of the said Society of the new plantation in Ulster, and their successors, from time to time hereafter to be nominated and elected of the same So-

When the first election shall be.

The governor and assistants removable, and how to be supplied in case of death or removal.

The assistants to take the oath of office, and before whom.

The Society, or any nine (the governor or his deputy being one), to hold courts.

ciety, or any nine of them (whereof we will the governor of the said Society, or the deputy of the same governor for the time being, to be one) shall and may have full power and authority of convening, assembling and holding a court in the Guildhall of our city of London, or in any other place within the said city of London, as often as to them in that behalf shall seem expedient; and in the same court or meeting to do, hear, transact and determine all and all manner of matters and things whatsoever of, for or concerning the plantation or government aforesaid, as to them shall seem best and most expedient.

And also in the same court or meeting shall and may have full power and authority to direct, appoint and ordain (for and on the part of the mayor and commonalty and citizens of our city of London in our kingdom of England) all and singular things which for or concerning the plantation, supply, establishment, continuation and government of the said city of Londonderry, and of all other the lands and tenements hereunder in these presents mentioned, to be granted, shall seem to be most profitable and expedient.

And also to send orders and directions from this kingdom of England into the said realm of Ireland, by letters or otherwise, for the ordering, directing and disposing of all and all manner of matters and things whatsoever of or concerning the same plantation, or the disposition or government thereof. And also for the receipt, ordering, disposing and laying out of all sums of money now collected and received, or hereafter to be collected and received; and generally any other cause, matter or thing whatsoever concerning the direction or ordering of the said plantation, or concerning any other things whatsoever, which by the true intent of these our letters-patent can or ought to be done by them, for the better government and rule of the said city of Londonderry and county of Londonderry.

And also in the same courts in form aforesaid to be holden from time to time, may and shall have power and authority to nominate and constitute such and so many other officers and ministers of the said society, or for the dispatching of the said businesses, as to them shall seem best and most convenient.

The Society to appoint their officers.

We will also, that the governor of the said society, or his deputy for the time being, shall appoint or fix days and times for assembling of the said society, and shall make, or cause to be made, summons thereof from time to time to the same society.

The governor or deputy to appoint times of meeting.

We also will, and by these presents for us our heirs and successors do grant and confirm, that the mayor of the said city of Londonderry for the time being, and also the aldermen, sheriffs, chamberlain, and chief burgesses of the same city of Londonderry for the time being, be and shall be called The common council of the same city of Londonderry; and every of them, so long as he shall continue in that office or place, be and shall be of the common council of the same city of Londonderry.

Whom the common council of Londonderry shall consist of.

By whom
the mayor
shall be
chosen, and
when.

And we do further will, and by these presents for us our heirs and successors grant and confirm to the said mayor and commonalty and citizens of the said city of Londonderry, and their successors, that the mayor and aldermen, and the rest of the common council of the said city of Londonderry for the time being, or the greater part of them, shall and may, from time to time for ever after the date of these presents, have power and authority, yearly and every year, on the second day of January (if it be not Sunday, and if it be Sunday, then on the day next following) in our said city of Londonderry, to elect and nominate, and they shall and may elect and nominate, such and the same person who then at the time of that election shall be mayor of the same city of Londonderry, or one other of the aldermen of the same city of Londonderry, to be mayor of the same city for one whole year then next following, in form hereunder by these presents limited.

Oaths to
be taken by
him, and
when.

And that the person so as aforesaid nominated and elected for the mayor of the said city of Londonderry shall on the feast day of the purification of the blessed Virgin Mary then next following such nomination and election, before the last mayor his predecessor, in the presence of such aldermen and others of the common council of the same city of Londonderry as shall be then present, take as well the corporal oaths commonly called the oaths of allegiance and supremacy, as his corporal oath to execute the said office of the mayor of the said city well and faithfully, in and by all things touching that office, to which last mayor, in the presence of such aldermen and others of the common council of the same city of Londonderry, as shall be then present, we do by these presents give and grant power and authority to give and administer the said oaths.

How long
he shall
continue ;

And that after such oaths so taken, he may execute the office of mayor of the city aforesaid for one whole year then next following, and from thence until one other of the aldermen of the same city of Londonderry aforesaid, for the time being, shall be in due manner elected, appointed and sworn to the said office of mayor of the same city of Londonderry, according to the ordinance in these presents expressed and declared.

but to be
removable,
and by
whom ;

And further we will, and by these presents for us our heirs and successors do grant to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that if the mayor of the said city of Londonderry shall happen at any time within one year after he shall have been appointed and sworn to the office of mayor of that city, to die, or to be removed from his office (which mayor not well behaving himself in that office, we will to be removable at the pleasure of the aldermen and the rest of the common council of the same city of Londonderry for the time being, or the greater part of them, which shall be then present, so that the greater part of the aldermen of the same city be or shall be then present); or if at any time after the date of these presents the per-

son so as aforesaid nominated and elected to be mayor of the said city of Londonderry shall happen to die before oath made and taken, That then and so often it shall and may be lawful for the said aldermen and the rest of the common council of the same city of Londonderry for the time being, in case such mayor shall die, and for the mayor and aldermen and the rest of the common council of the same city, in case such person so nominated and elected to be mayor of the said city shall die before oath made and taken, to assemble themselves, or the greater part of them, within three days next following such death or removal, in the common hall or other convenient place within the city of Londonderry aforesaid, and there to elect and nominate one other honest and fit man of the aldermen of the said city for mayor, and to be mayor of the said city of Londonderry, in the place of the mayor so dying or removed from his office.

and how to be supplied in case of death or removal.

And that every one so nominated and elected for mayor of the said city of Londonderry shall in convenient time take as well the said corporal oaths commonly called the oaths of allegiance and supremacy, as also his corporal oath, well and faithfully to execute that office, in and by all things touching the same, before such aldermen, or before the mayor and such aldermen, as the case shall be and require, and before others of the common council of the same city of Londonderry who shall be then present (to which said aldermen, or the mayor and others of the common council of the same city of Londonderry who shall then be present, we give full power and authority to give and administer the said oaths).

New mayor or to be sworn, and before whom.

And that after the taking of such oaths, the person so nominated and elected shall and may execute the said office of mayor of the said city of Londonderry, in the place of the said mayor so deceased, or removed from his office, or of the person or persons so nominated and elected and dead, during the residue of the same year, and from thenceforth until one other of the aldermen of the same city of Londonderry for the time being shall be in due manner elected, appointed and sworn to the office of mayor of the same city of Londonderry, according to the ordinance and constitution above in these presents declared.

And further we will, and by these presents for us our heirs and successors do grant and confirm to the mayor and commonalty and citizens of the said city of Londonderry and their successors, that the mayor, aldermen and common council of the said city of Londonderry for the time being, or the greater part of them, from time to time for ever after the date of these presents, may and shall have power and authority yearly, and every year, on the second day of January, (if it be not Sunday, and if it be Sunday, then on the next day following,) in our city of Londonderry aforesaid to elect and nominate, and that they shall and may elect and nominate, two of the more honest and discreet citizens of the said city, or of the inhabitants within the liberty of the same, to become and be sheriffs of the same city,

When the sheriffs shall be chosen,

and by whom;

and of the said county of Londonderry, for one whole year then next following.

And that they so as aforesaid elected and nominated to be sheriffs of the said city of Londonderry, and of the said county of Londonderry, shall take their corporal oaths, in a convenient time after such nomination and election, before the mayor of the city of Londonderry aforesaid for the time being, truly, well and faithfully to execute that office in and by all things touching the same (to which mayor of the said city of Londonderry for the time being we do by these presents give and grant power and authority to give and administer the said oaths); and each of them shall and may execute the office of sheriff of the said city of Londonderry, and of the said county of Londonderry, for one whole year then next following, and from thenceforth until two others of the citizens of the said city of Londonderry, or of the other inhabitants within the liberty of the same, shall be in due manner elected, appointed and sworn to the said office, according to the ordinance in these presents declared.

We will also, and by these presents for us our heirs and successors do grant and confirm to the said mayor and commonalty and citizens of our city of Londonderry aforesaid, and their successors, that if at any time it shall happen the sheriffs of the said city of Londonderry and county of Londonderry aforesaid, or either of them, to die within one year next after they shall have been appointed and sworn to the said office of sheriffs, or to be removed from that office (which sheriffs, and either of them, not well behaving themselves, or himself, in the said office we will to be removable at the pleasure of the mayor and aldermen and the rest of the common council of the same city of Londonderry for the time being, or the greater part of them, who shall be then present, so that the major part of the aldermen of the same city be, or shall be, then present); And if at any time it shall happen, that any persons, nominated and elected, or to be nominated or elected, to be sheriffs of the said city and county of Londonderry aforesaid, die before oath taken, that then, and so often, it shall and may be lawful for the said mayor and the rest of the common council of the said city of Londonderry, or the greater part of them, within the space of three days next after such death, or removal, to assemble themselves, or the greater part of them, in the said city of Londonderry, and there to elect one or two of the citizens of the same city, or of the inhabitants within the liberty of the same, for sheriff or sheriffs of the said city and county of Londonderry aforesaid, in the place, or places, of him, or them, so deceased or removed from his or their office; and that he or they so nominated and elected for sheriff or sheriffs of the same city and county of Londonderry aforesaid, shall take his or their corporal oath, in a convenient time after such election, before the mayor and such aldermen and others of the common council of the same city of Londonderry, as shall be then present, truly, well and faithfully to

but to be removable, and by whom.

In case of death or removal, how to be supplied.

execute that office (to which mayor, aldermen, and others of the common council of the same city of Londonderry, who shall be then present, we give and grant power and authority to give and administer the said oath).

And such oath being taken, shall and may execute the said office of sheriff or sheriffs of the same city and county of Londonderry, in the place or places of him or them so deceased or removed from that office, during the residue of the same year, and from thenceforth until one or two others of the citizens of the same city of Londonderry, or of the inhabitants within the liberty of the same, shall be in due manner elected, appointed and sworn to the office of sheriff or sheriffs of the same city and county of Londonderry, according to the ordinance in these presents expressed and declared, and so as often as the case shall happen.

How long the new sheriffs shall continue.

And further we will, and by these presents for us our heirs and successors do grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that the said aldermen and chief burgesses in these presents nominated and elected, and every of them respectively, shall take their corporal oath before the mayor of our city of Londonderry aforesaid for the time being, truly, well and faithfully to execute their respective offices in all things, and that after such oath so taken they and every of them may have and exercise the office and offices of aldermen and burgesses of that city during their natural lives respectively (to which mayor for the time being we do by these presents give and grant power and authority to give and administer the said oath).

Aldermen and burgesses to be sworn, and before whom.

And if it shall happen that one or more of the aldermen of Londonderry aforesaid shall die or be removed or depart from that office (which aldermen and every of them not well behaving himself and themselves in that office we will shall be removable at the pleasure of the mayor and aldermen and the rest of the common council of the same city, or the greater part of them, for the time being), then we will and grant that the mayor and aldermen and the rest of the common council of the city of Londonderry aforesaid, or the greater part of them, (of whom we will the mayor for the time being to be one), may from time to time elect and appoint in our said city of Londonderry, within three days next after the death, departure or removal of such alderman or aldermen, one or so many as shall be wanting of the said number of twelve aldermen, out of the chief burgesses of the same city of Londonderry, in the place or places of the alderman or aldermen so dead, departed or removed, to continue in the same office during their natural lives (if so long he or they shall well behave in that office).

Aldermen removable, and by whom.

In case of death or removal, how to be supplied.

And that he or they, after they shall have been so as aforesaid nominated and elected to be an alderman or aldermen of the said city, shall take their corporal oaths before the mayor of the same city of Londonderry for the time being, well and faithfully to execute that office in and by all things touching the same, and shall

Aldermen to continue quamdiu, &c.

and may have and exercise that office during their natural lives respectively, (if so long they and every of them respectively shall continue and well behave himself or themselves in the said office,) to which mayor for the time being we do by these presents give and grant power and authority to give and administer the said oath.

We will also, and by these presents for us our heirs and successors do give, grant and confirm to the said mayor and commonalty and citizens of the said city of Londonderry, and their successors, that if any person who shall be so elected to the office of mayor or of an alderman within the said city of Londonderry shall refuse to take upon him the burthen and execution of the said office, and to undergo the said office to which he shall have been so elected, then, and so often as the persons so elected and appointed shall refuse, the mayor and the rest of the common council of the said city of Londonderry for the time being, or the greater part of them, from time to time, shall and may have by these presents, for ever hereafter, full power and authority to assess, tax and impose any reasonable pain, penalty, or sum of money upon such person so elected and appointed, and to be elected and appointed, and so refusing or declining to take upon him the office of mayor, or the office of an alderman of the said city of Londonderry, and to undergo the burthen and execution thereof respectively, so that such pain, penalty, or sum of money do not exceed the sum of 200*l.* of lawful money of England.

And if, and when, and as often as any such person upon whom any such pain, penalty or sum of money, in form and for the cause aforesaid, shall be imposed, taxed or assessed, shall not pay and satisfy, or shall deny or refuse to pay and satisfy, the same pain, penalty or sum of money at such time or times as the mayor and the rest of the common council of the said city of Londonderry for the time being, or the greater part of them, (whereof we will the mayor and four aldermen of the said city to be five,) shall direct or appoint, that then and so often the said mayor and commonalty and citizens of the said city of Londonderry for the time being, and their successors, shall and may by virtue of these presents have full power and authority to levy, collect and recover every such pain, penalty and sum of money by distress or action of debt, or upon the case, in any court of us our heirs and successors, in the name of the mayor and commonalty and citizens of the said city of Londonderry, against any such person not paying, or refusing to pay such pain, penalty or sum of money in form aforesaid upon him imposed, or to be imposed, his executors and administrators respectively, or by any other usual and lawful ways or means whatsoever, from time to time, and retain and dispose thereof to the use and behoof of the said mayor and commonalty and citizens of the said city for the time being, and their successors.

We will also, and by these presents for us our heirs and successors do give, grant and confirm to the said mayor and com-

The common council to fine such as refuse the office of mayor or alderman, and to what extent.

How the fines shall be recovered.

Sheriffs refusing to

monalty and citizens of the said city of Londonderry, and their successors, that if any person who shall be so elected and appointed to the office of sheriff of the said city and county of Londonderry shall refuse or decline to take upon him the burthen and execution of the same office, and to execute the office of sheriff of the said city and county of Londonderry, to which he shall have been so elected and appointed, then and so often as the case shall so happen, the mayor and the rest of the common council of the said city of Londonderry, and their successors for the time being, or the greater part of them (whereof we will the mayor and four aldermen of the said city to be five), shall and may, from time to time, and at all times for ever hereafter, have full power and authority to assess and impose any reasonable fine, pain, penalty or sum of money upon such person so to be elected or appointed for sheriff of the said city and county of Londonderry, and so refusing or declining to take upon him the said office of sheriff, and the burthen and execution thereof, so that the said fine, pain, penalty and sum of money do not exceed the sum of two hundred marks of lawful money of England.

serve to be fined, and to what extent.

And if when and as often as any such person so elected or appointed, or to be elected or appointed, for sheriff of the said city and county of Londonderry aforesaid, and so as aforesaid refusing or declining the said office, and the burthen and execution thereof, shall decline or refuse to pay, satisfy or discharge the said fine, pain, penalty or sum of money so upon him imposed or assessed, or to be imposed, taxed or assessed, at such time or times as the said mayor and the rest of the common council of the said city of Londonderry for the time being, or the greater part of them, (whereof we will the mayor and four aldermen of the said city to be five,) shall have directed or appointed, that then and so often the said mayor and commonalty and citizens of the said city of Londonderry, and their successors for the time being, shall and may, and shall have full power and authority, by virtue of these presents, to levy, collect, recover, retain and dispose of, from time to time, in form and to the use aforesaid, every such fine, pain, penalty or sum of money. All which fines, pains, penalties and sums of money so as aforesaid to be imposed, taxed or assessed for us our heirs and successors, we do give and grant unto the said mayor and commonalty and citizens of the city aforesaid, and their successors, by these presents; and that it shall and may be lawful for the said mayor and commonalty and citizens of the said city, and their successors, all such fines, pains, penalties and sums of money to receive, have and retain to their own proper use and behoof, without any molestation, hindrance or disturbance of us, our heirs or successors, or of any officers or ministers of us, our heirs or successors, and without any account or any other thing to be therefore rendered, paid or made to us, our heirs or successors.

How their fines shall be levied.

All the said fines granted to the corporation.

And further, for us our heirs and successors, we will and firmly charge and command all such persons as shall be hereafter elected and appointed to the office of mayor of the said city of Londonderry, or to the office of sheriff of the said city and county of

The mayor and sheriffs to be resident in the city.

Londonderry, or either of them, that they and every of them so long as they shall bear and exercise those offices, or either of them, shall abide and inhabit within our said city of Londonderry, and not elsewhere out of the same city.

And if any of the chief burgesses nominated in these presents, or any of the chief burgesses of the said city of Londonderry hereafter to be elected, shall die or be removed from his office (which chief burgesses and every of them respectively, not well behaving in his or their office, we will to be removable at the pleasure of the mayor and aldermen and the rest of the common council of the same city, or the greater part of them for the time being, of whom we will the mayor of the same city always to be one,) then we will and grant, that the mayor and aldermen and the rest of the common council of the said city of Londonderry, being assembled in any convenient place to be limited or assigned within the same city, according to their sound discretions, or the greater part of them so assembled, (whereof we will the mayor of the same city to be one,) from time to time for ever (as often as the case shall so happen) shall and may elect and appoint one or so many as shall be wanting of the said number of four-and-twenty chief burgesses, of the better and more honest citizens of the said city, or of the inhabitants within the liberty of the same, in the place or places of the chief burges or chief burgesses so deceased or removed from his or their office, from time to time for ever, as often as the case shall happen; and that he or they so elected and appointed may have and exercise the said office, to which he or they shall have been so elected and appointed, so long as he or they shall well behave themselves in the said office, having first taken their corporal oaths respectively before the mayor of our said city of Londonderry, well and faithfully to execute the said office, and this as often as the case shall so happen (to which mayor we do by these presents give and grant power and authority to give and administer the said oath.)

And if it shall happen that the chamberlain of our city of Londonderry aforesaid shall die or be removed from his office, (which chamberlain not well behaving himself in that office, we will to be removable at the pleasure of the mayor and the greater part of the common council of the city aforesaid for the time being,) then we will and grant, that the mayor, aldermen, and the rest of the common council of the city of Londonderry aforesaid, or the greater part of them, (whereof the mayor of the said city for the time being we will to be one,) being thereto assembled in our said city of Londonderry, may from time to time, as often as the case shall so happen, elect and appoint one other of the chief burgesses of the city aforesaid, and not of the aldermen of the same, in the place of the chamberlain so happening to die or be removed, and that he so elected and appointed may have and exercise that office as long and in the same manner and form as before in these presents is declared, having first taken his corporal oath well and faithfully to execute that office, before the mayor of the same city, and so as often as the case shall happen,

Chief bur-
gesses to
be remov-
able, and
by whom;

and how
to be sup-
plied in
case of
death or
removal;

to be
sworn, and
before
whom.

Chamber-
lain remov-
able, and
by whom,

and to be
sworn, and
before
whom.

(to which mayor for the time being we do by these presents give and grant power and authority to give and administer the said oath).

And further, we will, and by these presents for us our heirs and successors do grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that they and their successors may for ever have in the said city of Londonderry one honest and discreet man learned as well in the laws of our kingdom of England as in the laws of our realm of Ireland, in form hereafter in these presents expressed to be named and appointed, who shall be and be called the Recorder of the same city. That there shall be a recorder;

And we have assigned, constituted, nominated and made, and by these presents for us our heirs and successors do ordain, nominate, constitute and make, our beloved John Godbold, Esq. to be the present recorder of the said city of Londonderry, who before he shall proceed to the execution of his office shall take as well the corporal oaths commonly called the oaths of allegiance and supremacy as his corporal oath upon God's holy gospel, faithfully to execute that office of recorder of the same city in and by all things touching that office, before the mayor of the said city of Londonderry for the time being, and that after he shall have taken those oaths, he the said John Godbold shall be and continue recorder of that city for and during his natural life, unless in the mean time for his ill behaviour in that office, or for any other reasonable cause, he shall be from thence removed by the mayor, aldermen, and the rest of the common council of the city of Londonderry aforesaid for the time being, or the greater part of them; to which mayor, aldermen, and the rest of the common council of the same city for the time being, and the greater part of them, in such and the like case and cases, we do by these presents give and grant full power and authority as well the said John Godbold as any other recorder of the same city for the time being hereafter, by force of these presents or according to the tenor thereof to be named and appointed, from the office of recorder of that city totally to remove and expel. the first recorder named;

And further, we will, and by these presents for us our heirs and successors do grant and declare, that we our heirs and successors from time to time, when and as often as the place or office of recorder of the city of Londonderry aforesaid shall happen (by the death or due removal of the said John Godbold or any other recorder of the same city hereafter to be named and constituted, or otherwise in whatsoever manner,) to be void, then and so often, upon the humble petition of the mayor and commonalty and citizens of the city of Londonderry aforesaid, or their successors for the time being, in that behalf to be exhibited to us our heirs and successors, we will, assign, nominate and constitute one other discreet man, learned in the laws of England and Ireland, to be recorder of that city, which learned man so nominated and constituted, and from time to time so to be nominated and constituted in that office, shall take the afore- but to be removable, and by whom.

The king to nominate future recorders.

said several oaths upon God's holy gospels before the mayor of the same city for the time being in form aforesaid; and that after those oaths so taken, every such learned man so nominated and constituted, or to be nominated and constituted, in that office, shall be and continue recorder of that city for and during his natural life respectively, unless in the interim for his ill behaviour in that office, or any other reasonable cause, he shall be from thence removed.

And further, we do give and grant to the said mayor of the city of Londonderry aforesaid for the time being, full power and authority by these presents from time to time to give and administer such oaths, as well to the aforesaid John Godbold as to all and every other recorder and recorders of the same city for the time being hereafter in form aforesaid to be nominated and constituted.

And further, we will, and by these presents for us our heirs and successors do grant and confirm to the said mayor and citizens of the city of Londonderry aforesaid, and their successors, that they and their successors for ever hereafter shall and may have within the city of Londonderry aforesaid one sword-bearer, who shall be and shall be named the Sword-bearer of the city aforesaid, which said officer, called the sword-bearer of the city aforesaid, shall be named, elected and appointed by the mayor and aldermen of the city aforesaid for the time being, and from time to time shall be attendant upon the mayor of the city aforesaid for the time being, which said officer called the sword-bearer shall and may carry and bear every where within the city aforesaid, the limits, liberties and precincts of the same, one sword sheathed, before the mayor of the said city.

And that in like manner there be and shall be in the said city six officers at the least, and so many and such other officers as from time to time shall seem necessary and expedient to the mayor and aldermen of the said city of Londonderry, who shall be and be called the Serjeants-at-mace within the city aforesaid and the liberty of the same, and shall serve in the courts in the said city, and for proclamations, arrests and executions, processes, mandates and other businesses belonging to the office of serjeants-at-mace in the said city to be executed and performed from time to time, at the will and pleasure of the mayor and aldermen of the city aforesaid; which serjeants-at-mace shall be appointed, nominated and chosen by the mayor and aldermen of the city aforesaid, when and as often as it shall seem to the said mayor convenient and necessary, and shall be attendant from time to time upon the mayor and sheriffs of the city aforesaid for the time being.

And that the said serjeants-at-mace so as aforesaid to be chosen and nominated be and shall be in due manner sworn before the mayor of the city aforesaid for the time being well and faithfully to execute their office aforesaid, and that after such oath so taken they may and ought to execute and perform that office so long as he or they shall well behave him and themselves therein: which

Sword-bearer, and by whom to be chosen.

Six serjeants-at-mace, and by whom to be chosen;

to be attendant on the mayor and sheriffs;

to be sworn before the mayor,

serjeants-at-mace deputed to carry maces in the city aforesaid, and may carry maces, &c. may at their will carry those maces gilded or of silver, and ornamented with the sign of our arms, or of others, every where within the city aforesaid and the suburbs of the same and other places belonging to the liberty of the city aforesaid, in meeting us our heirs or successors, or the lieutenant-deputy or other governor of Ireland, when we or they shall come or go to or from the same city of Londonderry; and also to proceed with us or any of ours, or with the said lieutenant general deputy or governor of Ireland, in our or their return from the said city, and in the presence of us our heirs or successors, and of the said lieutenant general deputy or other governor of Ireland, when the said mayor, sheriffs and aldermen of the same city, or any of them, shall come to us our heirs or successors, or to the said lieutenant general deputy or other governor of Ireland, upon or without command or warning of us, or any of us; and as often as it shall happen any of the said serjeants-at-mace to be sent to foreign places out of the same city to execute their offices by command of us our heirs and successors, or of the mayor or sheriffs aforesaid going and returning publicly as our own serjeants-at-arms attending our person, shall or may at their pleasure lawfully and with impunity carry their maces, any ordinance or command made to the contrary notwithstanding.

And further, for us our heirs and successors, we do firmly charge and command the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that they, and every of them, do from time to time for ever, well, firmly and inviolably observe and fulfil these our ordinances and grants according to the true intention of the same; and that all persons offending or acting contrary to the form and effect of the same ordinances and grants, shall incur and undergo such pains, penalties, forfeitures and imprisonments, as by any laws or statutes of our kingdom of England, or realm of Ireland, or by our prerogative royal, may be inflicted and imposed against the contemners and neglecters of our royal commandment in that behalf.

We also will, and by these presents for us our heirs and successors do give, grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster, within the realm of Ireland, and their successors,

All that the city, fort and town of Derry, and all edifices and structures thereof, with the appurtenances, in the county of the city of Derry aforesaid, in the province of Ulster, in our realm of Ireland; and also the whole island of Derry, with the appurtenances, and all lands and the whole ground within the island of Derry aforesaid, in the said county of the city of Derry, otherwise Londonderry, within the province of Ulster, in our aforesaid realm of Ireland:

And also all those lands next adjacent to the said city and town of Derry, lying and being on or towards the west part of the river of Loughfoyle, containing, by estimation, four thousand acres, besides bog and barren mountains, which said bog

and barren mountains may be had and used as waste to the same city belonging.

And also all that late abbey, monastery, or religious house of Coleraine, with the appurtenances, in our county of Antrim, now Londonderry, within the province of Ulster aforesaid, in the said realm of Ireland; and the site, circuit, compass and precinct of the said late abbey, monastery, or religious house; and also all lands, tenements, edifices, structures, and other hereditaments, lying or being in or within the said site, circuit, compass and precinct of the said late abbey, with the appurtenances; and all the other lands, tenements and other hereditaments in our aforesaid county of Antrim, now Londonderry, to the said late abbey or monastery, or to the abbot and convent of the same, lately belonging.

And also the town and lands of Coleraine, and all edifices, structures and curtilages of the same, with the appurtenances, in the said county of Antrim, now Londonderry:

And also all that portion and proportion of land, by the general survey of all the lands in the aforesaid late county of Coleraine, now Londonderry, heretofore taken, called The great proportion of Boughbegg, lying and being in the barony or precinct of Coleraine, now Londonderry, within the province of Ulster aforesaid, in our said realm of Ireland; that is to say, all lands, tenements, and other hereditaments, called and known by the names, and situate, lying, and being in or within the several towns, villages, hamlets, places, balliboes, or parcels of land following; that is to say, Hacketbegg being two balliboes of land, Aglakightagh being two balliboes of land, Altybryan being one balliboe of land, Bratbooly being one balliboe of land, Hackmoore being one balliboe of land, Tirecurrin being one balliboe of land, Edermole being one balliboe of land, Lennagorran being one balliboe of land, Knockmult being one balliboe of land, Boughtmore being one balliboe of land, Boughtbegg being one balliboe of land, Finghmolan being one balliboe of land, Farmoilie being three balliboes of land, Ballyn Skie being two balliboes of land, Gortecanan one balliboe of land, Balsinoverick being two balliboes of land, Carneti being one balliboe of land, Ardsernam being two balliboes of land, Abegg one balliboe of land, Ardcleave being one balliboe of land, Derdrimore being one balliboe of land, Berdabegg being one balliboe of land, Bownally being two balliboes of land, Baluesona being two balliboes, Kiltyny being one balliboe of land, Kenaghan being one balliboe of land, and one third part of the balliboe of Crooghan, in three parts, to be divided, with all and singular their and every of their members and appurtenances, all and singular which premises last together mentioned do amount, by estimation, to two thousand acres, either more or less, besides the glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above all charges and reprises, of ten pounds thirteen shillings and fourpence.

All that portion and proportion of land called The middle pro-

portion of Forntimile, lying in the barony or precinct of Coleraine, in the said late county of Coleraine, now Londonderry, within the said province of Ulster, that is to say, all the lands, tenements, and other hereditaments, known or called by the names and lying or being of in or within the several towns, villages, hamlets, places, balliboes or parcels of land following, that is to say, Lenamore being one balliboe of land, Ballinickallin being one balliboe of land, Askemdarouff being one balliboe of land, Lisnestreaghage being one balliboe of land, Coolecosscreagh being one balliboe of land, Cuisenegavasah being one balliboe of land, Boonavasy being one balliboe of land, Laugh-tavertie being one balliboe of land, Boontolasty being one balliboe of land, Tirekerrin being one balliboe of land, Ferrentinule being two balliboes of land, Ganvaghly being one balliboe of land, Carrowriny being one balliboe of land, Ballyhagen being one balliboe of land, Inistkleen being one balliboe of land, Cah being one balliboe of land, Moyettian being one balliboe of land, Tawnemore being one balliboe of land, Listabill being one balliboe of land, Talduff, being one balliboe of land, Balliorgan being one balliboe of land, Currahandalike being one balliboe of land, Ballyirin being one balliboe of land, Bealeral being one balliboe of land, and the half of the balliboe of land Coolebane, with all and singular their and every of their members and appurtenances, which premises last together mentioned do amount to one thousand and five hundred acres of land by estimation, either more or less, besides the glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value of eight pounds above all charges and reprises :

And also all that portion and proportion of land, by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Lisetrim, lying in the said barony or precinct of Coleraine, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid, that is to say, all the lands, tenements and other hereditaments known or called by the name or names, and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following, that is to say,

Gorcloghan being one balliboe of land, Ballintubber being one balliboe of land, Ballylenish being one balliboe of land, Bunaghy being one balliboe of land, Creggagole and Crosseclote being two balliboes of land, Laraagh being one balliboe of land, Tawnatrangoge being one balliboe of land, Ballineanaugh being one balliboe of land, Lisetrim being one balliboe of land, Lismoile being one balliboe of land, Moiletragh being one balliboe of land, Billagh being one balliboe of land, Boffide being one balliboe of land, Aghar being one balliboe of land, Dromsary being one balliboe of land, Trienaltenagh being one balliboe of land, Teadanbane being one balliboe of land, Ballynory being one balliboe of land, and the one half of the balliboe of Colebane aforesaid, with all and singular their and every of their members

and appurtenances, all which premises last together mentioned do contain one thousand one hundred and twenty acres by estimation, either more or less, besides the glebe lands, and by the particular thereof mentioned to be of the yearly rent or value, above all charges and reprises, of five pounds nineteen shillings and five pence:

And also all that portion and proportion of land by the said general survey of all lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Claggin, lying in the barony or precinct of land of Coleraine aforesaid, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid, that is to say, all the lands, tenements and other hereditaments called or known by the name or names, and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following, (that is to say) Moyeny being one balliboe of land, Coolerawer being one balliboe of land, Maydaghy being one balliboe of land, Cooleneman being one balliboe of land, Corneroe being one balliboe of land, Dromdrivah being one balliboe of land, Cokenah being one balliboe of land, Moyun Kilmore being one balliboe of land, Moyhill being one balliboe of land, Bovegh being one balliboe of land and one third part of one balliboe of land, Claggin being one balliboe of land, Mully-Inch being one balliboe of land, Lissedeerymoile being one balliboe, Gortsada being one balliboe of land, Rousky being one balliboe of land, Dromstale being one balliboe of land, Curali being one balliboe of land and one third part of a balliboe of land into three parts divided in Knockduffe, with all and singular their and every of their members and appurtenances, which said premises last together mentioned contain by estimation one thousand acres of land more or less (besides glebe lands), and by the particular thereof are mentioned to be of the yearly rent or value above all charges and reprises of five pounds six shillings and five pence:

And also all that portion and proportion of our land, by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Magherriboy, lying in the said barony or precinct of Coleraine, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid, that is to say, all the lands, tenements and other hereditaments, known or called by the names, lying of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following, that is to say, Ballymory being one balliboe of land, Killarnye being one balliboe of land, Ballycharne being one balliboe of land, Dromencoyle being one balliboe of land, Tullamanaghan being one balliboe of land, Maghieboy being two balliboes of land, Creaghan being one balliboe of land, Tonduffe being one balliboe of land, Tawnamayan being one balliboe of land, Clonliry being one balliboe of land, Dromore being one balliboe of land, Quillan being one balliboe of land, Coolenonny being one balliboe of land, Ballytaggart being one balliboe of land, Coolepregh being one balliboe

of land, Logan being one balliboe of land and two third parts of the balliboe of Knockduffe aforesaid, with all and singular their and every of their members and appurtenances; Which said premises last together mentioned amount to one thousand acres of land by estimation more or less (besides glebe lands), and by the particular thereof amount to the yearly rent or value (above all charges and reprises) of five pounds six shillings and eight pence :

And also all that portion and proportion of our land, by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Cam, lying in the barony or precinct of Coleraine aforesaid, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid, that is to say, all lands, tenements and other hereditaments, known or called by the names and lying and being of, in or within the several towns, villages, hamlets, places, balliboes or parcels of land following, that is to say, Coolelegan being one balliboe of land, Kiltasse being one balliboe of land, Tirecreaghugh being one balliboe of land, Tabarren being one balliboe of land, Coolnesillagh being one balliboe of land, Moymaconogher being one balliboe of land, Cregileon being one balliboe of land, Ballineclough being one balliboe of land, Ballibrack being one balliboe of land, Ballinenootagh being one balliboe of land, Dromidineagh being one balliboe of land, Kinconogher being one balliboe of land, Bally Illiam being one balliboe of land, Coolenglasse being one balliboe of land, Balmechane being one balliboe of land, Cam being one balliboe of land, Leckassastren being one balliboe of land, and two third parts of the balliboe of Crooghan in three equal parts divided, with all and singular their and every of their members and appurtenances, which said premises last together mentioned amount to one thousand acres of land by estimation, either more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value of five pounds six shillings and eight pence :

And also all that abbey, monastery, or religious house of Moycosquin, with all their appurtenances, situate and being in the said barony of Coleraine, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid, and the site, circuit, compass and precinct of the same late abbey; and also all lands, tenements, edifices, structures and other hereditaments lying and being in or within the said site, circuit, compass and precinct of the said late abbey :

And also the several towns, villages, hamlets, balliboes and parcels of land following; that is to say, Rinenas being two balliboes of land, Ballenege being two balliboes of land, Mardvarne being one balliboe of land, Kinadaghy being one balliboe of land, Solenemanagh being one balliboe of land, Lisimemoragh being one balliboe of land, Ballyntire being two balliboes of land, lying and being in the said barony of Coleraine, in the said late county of Coleraine, now Londonderry, with their rights,

members and appurtenances; which said premises last together mentioned contain, by estimation, six hundred acres of land, either more or less, and are parcel of the possessions of the said late abbey or religious house:

And also all other lands, tenements and other hereditaments to the said late abbey, monastery or religious house of Moycosquin, now or late belonging or appertaining, or at any time heretofore had, occupied, used or accepted as parcel of the possessions thereof, with the appurtenances; which said abbey, monastery or religious house of Moycosquin aforesaid, and the rest of the premises to the same belonging, by the particular thereof are mentioned to be of the yearly rent or value of three pounds four shillings:

And also all that portion and proportion of our land, by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The great proportion of Dowline, lying in the barony or precinct of Kennaught, in our said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid; that is to say, all lands, tenements and other hereditaments, known or called by the name, and lying or being of, in, or within the several towns, villages, hamlets, places, balliboes, or parcels of land following; that is to say, Bally Ingollslony being one balliboe of land, Bally Ichutan being one balliboe of land, Bally Vickvachy being one balliboe of land, Bally Ivery being one balliboe of land, Ballychastan being one balliboe of land, Shanlego being one balliboe of land, Listonan being one balliboe of land, Crott being one balliboe of land, Tircharran being one balliboe of land, Currowe Illan being one balliboe of land, Dowlin being one balliboe of land, Dram Idderry being one balliboe of land, Ballymore being one balliboe of land, Ballyvrassell being one balliboe of land, Grannagh being one balliboe of land, Gortnamony being one balliboe of land, Maghermaskeah being one balliboe of land, Ballyvonan being one balliboe of land, Maninanin being one balliboe of land, Clone being one balliboe of land, Tollyhernbegg being one balliboe of land, Tollyhernmore being one balliboe of land, Lissovalgarill being one balliboe of land, Tetnadurkah being one balliboe of land, Tradreagh being one balliboe of land, Derry being one balliboe of land, Tagallowe being one balliboe of land, Ardchell being one balliboe of land, Dromline being one balliboe of land, Kiltruddy being one balliboe of land, Largartain being one balliboe of land, Bolliagh being one balliboe of land, Derry Owtragh being one balliboe of land, Garrydaw being one balliboe of land, Derry Itragh being one balliboe of land, Gartrarbry being one balliboe of land, and the half of the balliboe of Ballyeskmore, with all and singular their and every of their members and appurtenances, all which premises last together mentioned amount to two thousand and sixty acres by estimation, either more or less (besides glebe lands), and by the particular thereof are mentioned to be of the yearly rent or value, beyond all charges and reprises, of eleven pounds:

And also all that portion and proportion of our land, by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The middle-proportion of Culemore, lying in the said barony or precinct of Kennaght, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid; that is to say, all lands, tenements, and other hereditaments, known or called by the name, and lying or being of, in, or within the several towns, villages, hamlets, balliboes or parcels of land following; that is to say, Glasseneky being one balliboe of land, Magherycarghy being one balliboe of land, Nadd being one balliboe of land, Tonbrocke being one balliboe of land, Oghill being one balliboe of land, Tomor being one balliboe of land, Sessiaghheile being one balliboe of land, Glorke being one balliboe of land, Tollmakelly being one balliboe of land, Bally Icheane being one balliboe of land, Cloggan being one balliboe of land, Culemore being one balliboe of land, Dromheighlin being one balliboe of land, Drommore being one balliboe of land, Carlarhagh being one balliboe of land, Soscarragan being one balliboe of land, Magherimore being one balliboe of land, Morage being one balliboe of land, Moybegg being one balliboe of land, and one seventh part of one balliboe of the land of Moymore being one balliboe of land, Tollegrome being one balliboe of land, Nanaroge being one balliboe of land, Lergie being one balliboe of land, Ballykellye being one balliboe of land, Ananane being one balliboe of land, Coolasson being one balliboe of land, and one third part of the balliboe of Dromen in three parts divided, with all and singular their and every of their members and appurtenances, all and singular which premises last together mentioned amount to one thousand and five hundred acres of land by estimation, either more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, besides all charges and reprises, of eight pounds:

And also all that portion and proportion of our land, by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The middle proportion of Cammes, lying within the barony or precinct of Kenaght aforesaid, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid; that is to say, all lands, tenements, and other hereditaments, known or called by the names and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes, or parcels of land following; that is to say, Finachar being one balliboe of land, Tolleyoney being one balliboe of land, Gallavaghy being one balliboe of land, Moygrine being one balliboe of land, Reliagh being one balliboe of land, Knockean being one balliboe of land, Ballywony being one balliboe of land, Meldony being one balliboe of land, Charagan, being one balliboe of land, Droma being one balliboe of land, Derryard being one balliboe of land, Bunkenley being one balliboe of land, Derretahy being one balliboe of land, Strugmy being one balliboe of land, Commes being one balliboe of land, Inish-

gonohor being one balliboe of land, Dromnesse being one balliboe of land, Ballynassa being one balliboe of land, Gortaclorre being one balliboe of land, Ballyvickatt being one balliboe of land, Gortgarn being one balliboe of land, Leanemore being one balliboe of land, Derry Jorke being one balliboe of land, Gortnagrosse being one balliboe of land, Tiregonlan being one balliboe of land, Brissine being one balliboe of land, and the half of the balliboe of Ballivickiltuff, with all and singular their and every of their members and appurtenances, all which premises last together mentioned amount to one thousand and five hundred acres by estimation, either more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value of eight pounds :

And also all that portion and proportion of our land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Barcagh, lying in the barony or precinct of Kenaght, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid ; that is to say, all lands, tenements, and other hereditaments called or known by the names, and lying and being of, in, or within the several towns, villages, hamlets, places, balliboos or parcels of land following ; that is to say, Carrowvanagh being one balliboe of land, Crinell being one balliboe of land, Carhowreagh being one balliboe of land, Carhowclare being one balliboe of land, Ballyvickrona being one balliboe of land, Barchagh being one balliboe of land, Culmore being one balliboe of land, Lomon being one balliboe of land, Breg-Ichter being one balliboe of land, Broghglasscarth being one balliboe of land, Faharlegh being one balliboe of land, Barnally being one balliboe of land, Tollyholly being one balliboe of land, Corveel being one balliboe of land, Bragirstin being one balliboe of land, Ballyspellan being one balliboe of land, Nacarnan being one balliboe of land, and two parts of the balliboe of Droman aforesaid, with all and singular their and every of their members and appurtenances, which said premises last together mentioned contain by estimation one thousand acres of land by estimation, either more or less, besides glebe land, and by the particular thereof are mentioned to be of the annual rent or value of five pounds six shillings and eight pence :

And also all that proportion of our land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Rousky, lying in the said barony or precinct of Kenaght, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid ; that is to say, all lands, tenements, and other hereditaments, lying or being of, in, or within the several towns, villages, hamlets, places, balliboos or parcels of land following ; that is to say, Ballyrestbegg being one balliboe of land, Largareah being one balliboe of land, Gortnagaren being one balliboe of land, Nahibine being one balliboe of land, Clonkine being one balliboe of land, Rusky being one balliboe of land, Torverquin being one

balliboe of land, Lacke being one balliboe of land, Dromerawer being one balliboe of land, Ballyneheedy being one balliboe of land, Ballyawla being one balliboe of land, Ballichronne being one balliboe of land, Feadanmore being one balliboe of land, Tiradowe being one balliboe of land, Carnan being one balliboe of land, Derry being one balliboe of land, and all those five-sixth parts of the balliboe of Aghasellah in six parts divided, with all and singular their and every of their members and appurtenances, which said premises last together mentioned contain by estimation one thousand acres of land, more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, beyond reprises, of five pounds six shillings and eightpence :

And also all that portion and proportion of our land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Mackan, lying in the barony or precinct of Kenaght aforesaid, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid ; (that is to say,) all lands, tenements, and other hereditaments, called or known by the names, or lying or being of, in, or within the towns, villages, places, balliboes or parcels of land following ; (that is to say,) Templemoyle otherwise Ballivicklosky being one balliboe of land, Carrigdoanry being one balliboe of land, Carrigballyshein being one balliboe of land, Bally lleghy being one balliboe of land, Dromnogosker being one balliboe of land, Tirodremon being one balliboe of land, Cloghan being one balliboe of land, Lislan being one balliboe of land, Dromardrien being one balliboe of land, Mackan being one balliboe of land, Lisgallan being one balliboe of land, Dromsoren being one balliboe of land, Gortinary being one balliboe of land, Bolnille being one balliboe of land, Dromganna being one balliboe of land, Damgovehor being one balliboe of land, Sanlegadan being one balliboe of land, Leig being one balliboe of land, Glanconwy being one balliboe of land, and the half of the balliboe of Ballyveillguff, and one sixth part of the balliboe of Aghasallah in six parts divided or to be divided, with all and singular their and every of their members and appurtenances, which said premises last together mentioned contain one thousand acres of land by estimation, more or less, besides glebe lands, and by the particular thereof are mentioned to be the yearly rent or value, besides reprises, of five pounds six shillings and eightpence :

And also all that portion and proportion of land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore called The great proportion of Lisghasse, lying in the barony or precinct of Annaght in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid ; (that is to say,) all lands, tenements, and other hereditaments known or called by the names, and lying or being of, in, or within the several towns, villages, hamlets, places, balliboes, or parcels of land following ; (that is to say,) Lehess-

agmore being one balliboe of land, Brehime being one balliboe of land, Doonehugh being one balliboe of land, Kedibaine being one balliboe of land, Dromagtagh being one balliboe of land, Ballyoyre being one balliboe of land, Magheriekenan being one balliboe of land, Gortenure being one balliboe of land, Tawnamore being one balliboe of land, Ballintemple being one balliboe of land, Cromchill being one balliboe of land, Ballivaddigan being one balliboe of land, Urbleshawry being one balliboe of land, Gortnegrowsha being one balliboe of land, Tullealenowtra being one balliboe of land, Family being one balliboe of land Killamriseoch being one balliboe of land, Tullyalenyeghtra being one balliboe of land, Maghierenesteagh being one balliboe of land, Lisghase being one balliboe of land, Carrowneferney being one balliboe of land, Coolerefry being one balliboe of land, Dromgort-feighnaw being one balliboe of land, Liseadeolan being one balliboe of land, Shian being one balliboe of land, Tardmore being one balliboe of land, Killamrisneglogh being one balliboe of land, Lismckiriellbegg being one balliboe of land, Cloukem being one balliboe of land, Dromnegoy being one balliboe of land, Disor Cowan being one balliboe of land, Gortin being one balliboe of land, Dromcoran being one balliboe of land, Tully-yeightra being one balliboe of land, Tully-yowtra being one balliboe of land, and one third part of the balliboe of Gobnieskrald, with all and singular their and every of their members and appurtenances, which said premises last together mentioned contain by estimation two thousand acres of land, more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, besides reprises, of ten pounds thirteen shillings and fourpence :

And also all that portion and proportion of our land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The middle proportion of Loyer, lying in the said barony or precinct of Annagh in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid ; (that is to say,) all lands, tenements, and other hereditaments, known or called by the names, and lying or being of, in, or within the several towns, villages, hamlets, balliboes, or parcels of land following ; (that is to say) Dromcongoose being the half of one balliboe of land, Lisbore being one balliboe of land, Loonge being one balliboe of land, Dromkarkan being one balliboe of land, Killesorra being one balliboe of land, Moyledirge being one balliboe of land, Boylisallagh being one balliboe of land, Kemkoyle being one balliboe of land, Tireglasse being one balliboe of land, Ballaghe Cudan being one balliboe of land, Sallaboby being one balliboe of land, Downedie being one balliboe of land, Tinagh being one balliboe of land, Gorescreghan being one balliboe of land, Doongrenny being one balliboe of land, Laghteelab being one balliboe of land, Turedrien being one balliboe of land, Loyer being one balliboe of land, Mony-Ihan being one balliboe of land, Tunercon being one balliboe of land, Dromcomead being one

balliboe of land, Tueneighter being one balliboe of land, Coolemonyn being one balliboe of land, Drien being one balliboe of land, Ballidonegan being one balliboe of land, Tullygoan being one balliboe of land, Maghliske being one balliboe of land, with all and singular their and every of their members and appurtenances; all of which premises last mentioned contain by estimation one thousand and five hundred acres, either more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of eight pounds:

And also all that other portion and proportion of our land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Monaghbegg, lying in the said barony or precinct of Annagh, in the said late county of Coleraine, now Londonderry, within the province of Ulster, aforesaid; (that is to say,) all lands, tenements, and other hereditaments, known or called by the names, and lying or being of, in, or within the several towns, villages, hamlets, places, balliboes, or parcels of land following; (that is to say,) Gleaghshagmore being one balliboe of land, Altcongalluan being one balliboe of land, Shragtroristin being one balliboe of land, Leagh being one balliboe of land, Dromnehewnagh being one balliboe of land, Fincharne being one balliboe of land, Lismckerillmore being one balliboe of land and the half of one balliboe of land, Gortcha being one balliboe of land, Monaghbegg being one balliboe of land, Monaghin being one balliboe of land and half of one balliboe of land, Corowneshragh being one balliboe of land, Gortrie being one balliboe of land, Gortanegrosse being one balliboe of land, Dragbracken being one balliboe of land, Gortenasse being one balliboe of land, Treadonreough being one balliboe of land, and all those two-third parts of the balliboe of Gobeneskale aforesaid, with all and singular their and every of their members and appurtenances; all which premises last mentioned contain by estimation one thousand acres, more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence:

And also all that portion and proportion of our land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Moyegboy lying in the said barony or precinct of Annagh in the said late county of Coleraine, now Londonderry, in the province of Ulster aforesaid; (that is to say,) all lands, tenements, and other hereditaments, known or called by the names, and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes, or parcels of land following; (that is to say,) Tawnalloge being one balliboe of land, Moyegboy being one balliboe of land, Bealad being one balliboe of land, Daghum being one balliboe of land, Aghecarny being one balliboe of land, Moydowny being one balliboe of land, Lisriemagall being one balliboe of land and one-third part of one balliboe of land, Edengillyhoppy being one balliboe of land, Leick

being one balliboe of land, Lisnebrear being one balliboe of land, Caveniedony being two balliboes of land, Laghmagillegan being one balliboe of land, Mullaroe being one balliboe of land and one third part of one balliboe of land, Carrick-Igroogie being one balliboe of land, Carrowkilly being one balliboe of land, Carricketenentin being one balliboe of land, with all and singular their and every of their members and appurtenances, all which premises last together mentioned contain one thousand acres of land by estimation, either more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence :

And also all that portion and proportion of our land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Carnemoyagh lying in the said barony or precinct of Annagh in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid ; (that is to say,) all lands, tenements, and other hereditaments known or called by the names, and lying and being of, in, or within the several towns, villages, hamlets, balliboes, or parcels of land following ; or (that is to say,) Cloghtell being one balliboe of land, Doovenarren being one balliboe of land, Tully being one balliboe of land, Camsan being one balliboe of land, Doonkrooner being one balliboe of land, Lawchill being one balliboe of land, Killy Illan being one balliboe of land, Croggan being one balliboe of land, Doongolyn being one balliboe of land, Glassedeely being one balliboe of land, Correygarry being one balliboe of land Doonelahad being one balliboe of land, Dirrin being the half of one balliboe of land, Carickhugh being one balliboe of land, Caraymoyegh being one balliboe of land, Ballinekilly being one balliboe of land, Lisneale being one balliboe of land, Tirenckoghy being one balliboe of land, and all that one third part of the balliboe of Moyegh, with all and singular their and every of their members and appurtenances, all which premises last mentioned contain by estimation one thousand acres, either more or less, besides glebe lands, and by the particular thereof are mentioned to be of the annual rent or value, above reprises, of five pounds six shillings and eightpence :

And also all that portion and proportion of our land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Brackmoy, lying in the said barony or precinct of Annagh in the said county of Coleraine, now Londonderry, within the province of Ulster, aforesaid ; (that is to say,) all lands, tenements, and other hereditaments, known or called by the names, and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land, following ; (that is to say,) Ard-killy being one balliboe of land, Kilnehumrhy being one balliboe of land, Shragduffburrin being one balliboe of land, Laskah being one balliboe of land, Cooledoogie being one balliboe of land, Ballykillagan being one balliboe of land, Tulla being one balliboe

of land, Tawnamore being one balliboe of land, Clonelagh being one balliboe of land, Taiduff being one balliboe of land, Brackmoy being one balliboe of land, Killkattyn being one balliboe of land, Liskillaleigh being one balliboe of land. Laghtmanns being one balliboe of land, Ballartan being one balliboe of land, Lettermuicke being one balliboe of land, Gortebegh being one balliboe of land, and all that half of the balliboe of Dromecangoose, with all and singular their and every of their members and appurtenances; which said premises last mentioned contain by estimation one thousand acres of land, more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence :

And also all that other portion and proportion of our land by the general survey of all the lands in the said late county of Coleraine, now Londonderry, heretofore taken, called The small proportion of Kildonan, lying in the said barony or precinct of Annagh in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid ; (that is to say,) all the lands, tenements and other hereditaments known or called by the names and lying and being of, in, or within the towns, villages, hamlets, balliboes or parcels of land, following ; (that is to say,) Nefawncy being one balliboe of land, Ballenemoyre being one balliboe of land, Kilonan being one balliboe of land, Irreneh being one balliboe of land, Lisserass being one balliboe of land, Mullaboy being one balliboe of land, Oghill being one balliboe of land, Doongillen being one balliboe of land, Brackagh being one balliboe of land, Gortendrohide being one balliboe of land, Templemoile being one balliboe of land, Gortyertie being one balliboe of land, Dirryarkan being one balliboe of land, Gortmury being one balliboe of land, Carrownekilly being one balliboe of land, Cashill being one balliboe of land, Tulinrie being one balliboe of land, and two third parts of the balliboe of Moyegh, with all and singular their and every of their members and appurtenances ; all which premises last mentioned contain by estimation one thousand acres of land more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence :

And also all those several towns, villages, hamlets, lands, tenements, balliboes or parcels of land following, lying and being in the said barony of Annagh in the said late county of Coleraine, now Londonderry ; (that is to say,) all that castle and town of Gortanuania, otherwise Lemmavaddi, being one balliboe of land, Ranrodyhogg being one balliboe of land, Rawridmore being one balliboe of land, Kill-Jan being one balliboe of land, Dromballydonoghy being one balliboe of land, Lissachellin being one balliboe of land, Arneregilt being one balliboe of land, with all and singular their and every of their rights, members and appurtenances whatsoever :

And all other lands, tenements, and other hereditaments, of, in, or within the same towns, villages, hamlets, places, balliboes,

or parcels of land last mentioned, which contain by estimation four hundred and twenty acres of land more or less :

And also all those several towns, villages, hamlets, tenements, balliboes and parcels of land following, lying in the said barony of Annagh, in the said late county of Coleraine, now Londonderry, within the province of Ulster aforesaid ; (that is to say,) Tarnarnan being one balliboe of land, Clontager being one balliboe of land, Carne being one balliboe of land, Borsill being one balliboe of land, Crenbarigh being one balliboe of land, with all and singular their and every of their members and appurtenances whatsoever :

And also all other lands, tenements, and other hereditaments, of, in, or within the same towns, villages, hamlets, places, balliboes or parcels of land, which contain by estimation three hundred acres of land more or less, and by the particular thereof are mentioned to be of the yearly rent or value of thirty two shillings :

And also all that our abbey, monastery, or religious house of Dungevin, with its appurtenances, lying in the barony of Kennaught aforesaid, in the said late county of Coleraine, now Londonderry, and all the site, circuit, compass and precinct of the same late abbey, and also all lands, tenements, edifices, structures and other hereditaments lying and being of, in, or within the said site, circuit, compass and precinct of the said late abbey, and also the several towns, villages, hamlets, balliboes, or parcels of land following ; (that is to say,) the castle, town and lands of Dungevin, otherwise Magheriboy, being one balliboe of land, Machericknockagune being one balliboe of land, Ballyvelly being one balliboe of land, Amountege being one balliboe of land, Ovill being one balliboe of land, Tirville being one balliboe of land, Lisidahelloge being one balliboe of land, Inishmore being one balliboe of land in the said barony of Kennaught, in the said late county of Coleraine, now Londonderry ; with all and singular their and every of their members and appurtenances whatsoever : and also all other lands, tenements and other hereditaments to the said late abbey, monastery or religious house, now or late belonging or appertaining, or at any time had, occupied, used or taken as parcel of the possessions thereof, with the appurtenances ; all which premises last mentioned contain by estimation three hundred and eighty acres of land, and by the particular thereof are mentioned to be of the yearly rent or value of forty shillings and sixpence :

And also all that lordship, territory and country of the county or precinct of land lately called the county of Coleraine, otherwise O'Cane's country, and now Londonderry, in our province of Ulster aforesaid, and the whole ground and soil and all and singular territories, tenements and hereditaments of, in, or within the limits, meets and bounds of the same lordship, territory, country, of the county or precinct of land lately called the county of Coleraine, otherwise O'Cane's country, now Londonderry, or being members or parcels thereof, or of any of them, or heretofore taken or reputed as members, parts, or parcels of the same.

And also all that portion and proportion of our land, by the general survey of all the lands in the county of Tirone heretofore taken, called The middle proportion of Ballinenanagh, being in Killetragh, lying in the barony of Loughumsholini in our said county of Tirone, within our province of Ulster, in our said realm of Ireland; (that is to say,) all the lands, tenements, and other hereditaments known or called by the name, and lying and being of, in, or within the several towns, villages, places, balliboes or parcels of land following; that is to say, Loughry being one balliboe of land, Aghiwillie being one balliboe of land, Moyagadon being one balliboe of land, Ballyogroby being one balliboe of land, Ballyogourke being one balliboe of land, Tallagh-dowan being one balliboe of land, Ballmenavagh being one balliboe of land, Gortgelly being one balliboe of land, Anaghfuttu being one balliboe of land, Moyruck Igillnory being one balliboe of land, Douneconan being one balliboe of land, Ballyomigan being one balliboe of land, Ballyomillagan being one balliboe of land, Ballinealebegg being one balliboe of land, Ballyfire being one balliboe of land, Killnamuck being one balliboe of land, Ballydonnell being one balliboe of land, Bally-Innilty being one balliboe of land, Ballyaghorke being one balliboe of land and one sixth part of a balliboe of land, Ballyorey being one balliboe of land, Ballivickgilligirke being two balliboes of land, Ballealmore being one balliboe of land, Balleoronan being two balliboes of land, and all that one third part of the balliboe of Lisconnare, with all and singular their and every of their members and appurtenances, which said premises last mentioned contain by estimation one thousand five hundred acres of land more or less (besides glebe lands), and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of eight pounds:

And also all that portion and proportion of our land, by the general survey of all the lands in the said county of Tirone heretofore taken, called The small proportion of Dromrott, being in Killetra, otherwise Killetragh, aforesaid, in the barony or precinct of Loughinsholm, in the said county of Tirone, within the province of Ulster aforesaid, that is to say, all the lands, tenements, and other hereditaments, known or called by the names, and lying and being in or within the several towns, villages, hamlets, places, balliboes, or parcels of land following; that is to say, Tallowghy being one balliboe of land, Ballneverleigh being one balliboe of land, Monyotorkon being one balliboe of land, Caghedy being one balliboe of land, Dromdrem being one balliboe of land, Balliolaghan being one balliboe of land, Dromroff being one balliboe of land, Monyhagh being one balliboe of land, Monymore being one balliboe of land, Carneny being one balliboe of land, Dolosky being one balliboe of land, Tanaghvore being one balliboe of land, Anoghaula being one balliboe of land, Dromellan and Garavagh being one balliboe of land, the two Ballioghonais being one balliboe of land, Crosveig being one balliboe of land, and all those two-third parts of a balliboe of land in Ballydally in three parts divided, or to be divided, with

all and singular their and every of their appurtenances ; all which premises last mentioned contain together by estimation one thousand acres of land more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence :

And also all that portion and proportion of our land, by the general survey of all the lands in the said county of Tirone heretofore taken, called the small proportion of Tirnafessy, being in the territory of Killetra ; also Killetragh, in the barony or precinct of land of Loughinsholm, in the said county of Tirone, within the province of Ulster ; that is to say, all the lands, tenements, and other hereditaments known or called by the names, and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following ; that is to say, Tollmogarne being one balliboe of land, Tollimire being one balliboe of land, Caines, otherwise Cainus, being one balliboe of land, Rosinnaula being one balliboe of land, Keile-Ibasky being one balliboe of land, Donnoranghy being one balliboe of land, Tirehanny being one balliboe of land, Tirenafessy being one balliboe of land, Knockadne being one balliboe of land, Nadentagh being one balliboe of land, Moyreskenan being one balliboe of land, Carrowganah being one balliboe of land, Tollitaskan being one balliboe of land, Cultrane being one balliboe of land, Tirenrackan being one balliboe of land, Nunne being one balliboe of land, Crossvarrey being one balliboe of land, Tullavine being one balliboe of land, with all and singular their and every of their members and appurtenances ; which premises last mentioned contain together, by estimation one thousand acres, more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence :

And also all that portion and proportion of land, by the general survey of all the lands in the said county of Tirone, heretofore taken, called The great proportion of Gortconra, being in the territory of Clandonell, in the barony or precinct of Loughinsholm in the said county of Tirone, within the province of Ulster aforesaid ; that is to say, all the lands, tenements and other hereditaments, called or known by the names, and lying and being of, in, or within the several towns, villages, hamlets, balliboes or parcels of land following ; that is to say, Knocknell being one balliboe of land, Corlacky being one balliboe of land, Dirla being one balliboe of land, Slackmele being one balliboe of land, Gronchan being one balliboe of land, Ballitotry being one balliboe of land, Cowlnagnow being one balliboe of land, Liskatvill being one balliboe of land, Balmeneaw being one balliboe of land, Balmebeghy being one balliboe of land, Moniservan being one balliboe of land, Gortmarey, being one balliboe of land, Mahanegrellah being one balliboe of land, Balememackry being one balliboe of land, Gortconra being one balliboe of land, Ballynekedine being one balliboe of land, Taghvickanvey being one balliboe of land, Killogolib being one balliboe of land, Kil-

namuck being one balliboe of land, Aghfortlany being one balliboe of land, Tirgaraly being one balliboe of land, Ballinckilly-corrow being one balliboe of land, Culenady being one balliboe of land, Tirnagerah being one balliboe of land, Dungaladdy being one balliboe of land, Dromunick being one balliboe of land, Derman being one balliboe of land, Teadaw being one balliboe of land, Lissegrott being one balliboe of land, Monysellan being one balliboe of land, Moyegny being one balliboe of land, Moyekneck being one balliboe of land, Lislea being one balliboe of land, Monisteaghna being one balliboe of land, Ballivickeeketrach being one balliboe of land, and all that one third part of the balliboe of Moygallo in three parts divided, with all and singular their and every of their members and appurtenances; which said premises last mentioned contain together two thousand acres of land more or less (besides glebe lands), and by the particular thereof are mentioned to be of the yearly rent or value of ten pounds thirteen shillings and fourpence :

And also all that portion and proportion of our lands, by the general survey of all the lands in the said county of Tirone heretofore taken, called The small proportion of Balmacrassi, being in the territory of Clandonnell, in the barony or precinct of Loughinsholm aforesaid, in the said county of Tirone, within the province of Ulster aforesaid; that is to say, all lands tenements and other hereditaments, called or known by the names and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following: that is to say, Dromlagha being one balliboe of land, Tiscarta being one balliboe of land, Ballmahoun being one balliboe of land, Laugh-tanogolan being one balliboe of land, Galladowe being one balliboe of land, Coulsie being one balliboe of land, Ballmecrassie being one balliboe of land, Ballmadoregin being one balliboe of land, Caragnagouse being one balliboe of land, Monaghtolea being one balliboe of land, Currin being one balliboe of land, Taberhidy being one balliboe of land, Ballmecabry being one balliboe of land, Ballmaghorihi being one balliboe of land, Tiracarnam being one balliboe of land, Dromard being one balliboe of land, Leimmeighry being one balliboe of land, and all those two third parts of the balliboe of Moyagalle, with all and singular their and every of their members and appurtenances; all which said premises last mentioned contain together by estimation one thousand acres of land more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence :

And also all that other portion and proportion of our land, by the general survey of all the lands in the said late county of Tirone heretofore taken, called The small proportion of Moysaden, being in the territory of Clankonkein, lying in the barony or precinct of Loughinsholm aforesaid, in the said county of Tirone, within the province of Ulster; that is to say, all the lands, tenements and other hereditaments known or called by the names, and lying and being of, in, and within the several towns,

villages, hamlets, places, balliboes, or parcels of land following ; that is to say, Tonnaghvore being one balliboe and the half of one balliboe of land, Donnagravan being one balliboe of land, Balmeclom being one balliboe of land, Tobarmore being one balliboe of land, Dromore being one balliboe of land, Lawny being one balliboe of land, Dromaraghy being one balliboe of land, Coulaire being one balliboe of land, Gortitanry being one balliboe of land, Dromsanna being one balliboe of land, Moyasserden being one balliboe of land, Culemoire being one balliboe of land, Killitomny being one balliboe of land, Cowlanamone being one balliboe of land, Kilnacrinny being one balliboe of land, Cloghóm being one balliboe of land and the half of one balliboe of land, and the half of the balliboe of Drombally, with all and singular their and every of their members and appurtenances ; all which premises last mentioned contain together by estimation one thousand acres of land more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence :

And all that portion and proportion of our land, by the general survey of all the lands in the said county of Tirone heretofore taken, called The small proportion of Cynah, being in Clankonkeine, lying in the barony or precinct of Loughinsholm in the said county of Tirone, within the province of Ulster aforesaid, that is to say, all the lands, tenements and other hereditaments called or known by the names and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes and parcels of land following ; that is to say, Gorthorky being one balliboe of land, Consaran being one balliboe of land, Ballmegallan being one balliboe of land, Langhell being one balliboe of land and half of one balliboe, Cynagh being one balliboe of land, Momisholm being one balliboe of land, Lysanny being one balliboe of land, Ballyngam being one balliboe of land, Rosiare being one balliboe of land, Ballytannyloure being one balliboe of land, Gortmeren being one balliboe of land, Torrigan being one balliboe of land, Crannagh being one balliboe of land, Lickmahary being one balliboe of land, Vrackah being one balliboe of land, Derryneskeellan being one balliboe of land, and all those two third parts of the balliboe of Lislea, in three parts divided, and one half of the balliboe of land of Drombally, with all and singular their and every of their members and appurtenances ; all which premises last mentioned contain together one thousand acres of land by estimation, more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence.

And also all that portion or proportion of our land by the general survey of all the lands in the said county of Tirone heretofore taken, called The small proportion of Cohoire, being in the territory of Clankonkeine lying in the barony or precinct of Loughinsholm aforesaid, in the said county of Tirone, within the province of Ulster aforesaid ; that is to say, all the lands, tenements, and other hereditaments, called or known by the names,

and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following; that is to say, Moylehaghi being one balliboe of land, Ballmelhounbighy being one balliboe of land, Banchran being one balliboe of land, Donagilleduff being one balliboe of land, Laghtmesky being one balliboe of land, Ballemelappagh being one balliboe of land, Tonnagh being one balliboe of land, Cohoire being one balliboe of land, Dromohderigg being one balliboe of land, Ballymadanlaght being one balliboe of land, Dromegane being one balliboe of land, Moychellan being one balliboe of land, Rahmeigh being one balliboe of land, Monygrovan being one balliboe of land, Ballydomedam being one balliboe of land, Ballmebracky being one balliboe of land, and one third part of the balliboe of Lislea in three parts divided, Ballyroghan being one third part of one balliboe of land in three parts divided, Moycherrin being one third part of one balliboe in three parts divided, Dromealegan being one third part of one balliboe of land in three parts divided, Tristernan being one third part of one balliboe of land in three parts divided, with all and singular their and every of their members and appurtenances; all which premises last mentioned contain together by estimation one thousand acres of land more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence:

And all that portion and proportion of our land, by the general survey of all the lands in the said county of Tirone heretofore taken, called The small proportion of Carramony, being in the territory of Clankonkeine and Clondonnell lying in the said barony or precinct of Loughinsholm in the said county of Tirone within the province of Ulster aforesaid; that is to say, all the lands, tenements and other hereditaments known or called by the names and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following; that is to say, Ballyknock Icleny being one balliboe of land, Fillaley being one balliboe and half of one balliboe of land, Culnesellah being one balliboe of land, Falaglona being one balliboe of land, Namroah being one balliboe of land, Balmabracky being one balliboe of land, Carely being one balliboe of land, Dromballyagan being one balliboe of land, Mollyshanare being two balliboes of land, Domaitubrian being one balliboe of land, Moybegg being one balliboe of land, Corramony being one balliboe of land, Clony being one balliboe of land, Derrynard being one balliboe of land, Balmenoure being one balliboe and half of one balliboe of land, Dromard being one third part of one balliboe of land in three parts divided, Monagogy being one third part of one balliboe of land in three parts divided, with all and singular their and every of their members and appurtenances; which said premises last mentioned contain together by estimation one thousand acres of land more or less, besides glebe lands, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of five pounds six shillings and eightpence:

And all that parcel, portion and proportion of our land, by the general survey of all the lands in the said county of Tirone heretofore taken, called The small proportion of Tyrassan lying in the barony or precinct of Loughinsholm aforesaid, in the said county of Tirone within the province of Ulster aforesaid; that is to say, all the lands, tenements and other hereditaments known or called by the names and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following; that is to say, Moyonihim being one balliboe of land, Tyraffan being one balliboe of land, Keibarna being one balliboe of land, Lismony being one balliboe of land, Tonnaghmore being one balliboe of land, Derrichrome being one balliboe of land, Donnemaine being one balliboe of land, with all their and every of their members and appurtenances, which said premises last mentioned contain together by estimation four hundred and twenty acres of land more or less, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of forty-four shillings and ninepence :

And all those lands and tenements lying in Killetra, otherwise Killetragh, in the precinct or barony of Loughinsholm aforesaid, in the said county of Tirone within the province of Ulster aforesaid; that is to say, all the several towns, villages, lands, tenements, balliboes and parcels of land following; that is to say, Cowbuffman being one balliboe of land, Tollinogihy being one balliboe of land, Cully being one balliboe of land, Moyasada being one balliboe of land, Laraghcaraminick being one balliboe of land, Tannagough being one balliboe of land, Tallagharaff being one balliboe of land, with all and singular their and every of their members and appurtenances; which said premises last mentioned contain together by estimation four hundred and twenty acres of land more or less, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of forty-four shillings and ninepence :

And also all those lands and tenements lying in Killetra, otherwise Killetragh, aforesaid in the barony or precinct of Loughinsholm aforesaid, in the said county of Tirone within the province of Ulster aforesaid; that is to say, all those several towns, villages, hamlets, lands, tenements, balliboes and parcels of land following; that is to say, Ballyvolly being one balliboe of land, Ballydroma being one balliboe of land, Moynollin being one balliboe of land, Ballyonough being one balliboe of land, Dromonare being one balliboe of land, Ballioregle being one balliboe of land, two Ballyoyellans being two balliboes of land, Ballicomile being one balliboe of land, Ballyronsky being one balliboe of land, and one third part of the balliboe of Ballydally in three parts divided, with all and singular their and every of their members and appurtenances; which said premises last mentioned contain together by estimation five hundred and sixty acres of land more or less, and by the particular thereof are mentioned to be of the yearly rent or value, above reprises, of fifty-nine shillings and eightpence :

And also all that portion and proportion of our land, by the

general survey of all the lands in the said county of Tirone heretofore taken, called The great proportion of Balletrim being in the territory of Tollagh in the barony or precinct of Loughinsholm aforesaid, in the said county of Tirone within the province of Ulster aforesaid; that is to say, all the lands, tenements, and other hereditaments called or known by the names and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following; that is to say, Cloneroine being one balliboe of land, Monistean being one balliboe of land, Ballemoew being two balliboes of land, Ballyvickpeeke being two balliboes of land, Ballygillthony being one balliboe of land, Bally-Inallewey being one balliboe of land, Ballyaghy being one balliboe of land, Ballydromenew being one balliboe of land, Ballyhowlught-Igane being one balliboe of land, Keil-Ibary being one balliboe of land, Ballydermody being one balliboe of land, Balletrim being one balliboe of land, Nedanreagh being one balliboe of land, Shanrallogh being one balliboe of land, Tannagarharan being one balliboe of land, Ballygonohar being one balliboe of land, Tagmoraghy being one balliboe of land, Anaghmore being one balliboe of land, Ballykelis being one balliboe of land, Aghageskan being one balliboe of land, Ballyheneire being one balliboe of land, Magherifesty being one balliboe of land, Donnemony being one balliboe of land, Tirmchisse being one balliboe of land, Aghrine being one balliboe of land, with all and singular their and every of their members and appurtenances; which said premises last mentioned contain together one thousand and five hundred acres of land by estimation more or less (besides glebe lands):

And also all that portion and proportion of our land, by the general survey of all the lands in the aforesaid county of Tirone heretofore taken, called The small proportion of Lackah, being in the territory of Killetra otherwise Killetragh and Tomlagh in the barony or precinct of Loughinsholm in the said county of Tirone within the province of Ulster aforesaid; that is to say, all the lands, tenements, and other hereditaments known or called by the names and lying and being of, in, or within the several towns, villages, hamlets, places, balliboes or parcels of land following; that is to say, Ballycamekin being one balliboe of land, Ballinckgillchony being one balliboe of land, Killyfeddy being one balliboe of land, Ballymogarigy being one balliboe of land, Ballycussiny being one balliboe of land, Lurgagullanamen being one balliboe of land, Bally Itany Isart-Donan being one balliboe of land, Mollagbay being two balliboes of land, Lockagh being one balliboe of land, Ballyterelon being one balliboe of land, and the half of the balliboe of Liscomare, Drommagh being one balliboe of land, Ballymagachew being one balliboe of land, Ballyvickgingin being one balliboe of land, Derrygarraff being one balliboe of land, Moyelagh being two balliboes of land, with all and singular their and every of their members and appurtenances, which said premises last mentioned contain together one thousand acres of land by estimation more or less, besides glebe lands:

And also all and singlar other the lands, tenements, woods, un-

derwoods, trees and hereditaments, with the appurtenances in the said county of Tirone now Londonderry, extending from the late county of Coleraine now Londonderry unto the river of Ballinderry, in all and singular the territories or precincts of land of Killetra otherwise Killetragh, Clankonkeine, Clandonnel and Tomlagles, and the whole ground and soil and all and singular the lands, tenements, and other hereditaments of, in, or within the limits, meets and bounds of the same territories last mentioned, or being member or parcel thereof, or as parts or parcels thereof, or of any of them heretofore accepted, known or reputed.

And further we have given, granted and confirmed, and by these presents for us our heirs and successors of our especial grace, certain knowledge and mere motion do give, grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, all that our barony of Loughlinsholm in the said county of Tirone, with all and singular its rights, members, liberties and appurtenances whatsoever, and all lands, tenements, rents, services and hereditaments to the same barony belonging and appertaining.

And also all that our castle and fort of Culmore, otherwise Culmore, with the appurtenances, in our county of Donagall within the province of Ulster aforesaid, and all those lands, tenements and hereditaments containing by estimation three hundred acres of land with the said castle and fort, now or late occupied, used, or to the same belonging or assigned, or to be assigned, with the appurtenances to the said castle conveniently adjoining.

And also all that water, creek, river, stream or rivulet of Bann from the high sea unto the pool called Lougheah and the ground and soil of the same, and also the rocks and salmon leap there, with the appurtenances and the whole piscary fishing and taking of fishes, as well salmon and eels as all other kind of fishes whatsoever, of, in, or within the said water, creek, river, stream or rivulet of Bann and the salmon leap aforesaid, as well with nets of what kind soever as otherwise howsoever from the high sea unto Lougheah aforesaid, and in, through and within the whole course of the water within the limits aforesaid being in the said counties of Antrim Coleraine and Tirone, now Londonderry, or every or any of them.

And the whole water, bay, river, stream, or rivulet, of Loughfoile within the limits aforesaid, and the whole ground and soil thereof, and also the whole piscary fishing and taking of fishes, as well salmon and eels as of all other kinds of fishes whatsoever, of, in, or within the water, bay, creek, river of Loughfoile, as well with nets of what kind soever as otherwise howsoever from the high sea to the town of Liffer and to the utmost flux and reflux of the river of Loughfoile aforesaid, and in, through and within the whole course of the water within the limits aforesaid, being in the county of the city of Derry, otherwise Londonderry, and in the counties of Coleraine, Tirone and Donagall otherwise Londonderry aforesaid, or in any or some of them within the said province of Ulster.

And further of our more ample and especial grace, certain

knowledge and mere motion, we have given, granted, and confirmed, and by these presents for us our heirs and successors do give, grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, the advowsons, donations, free disposition and rights of patronage of all and singular churches, vicarages, and chapels of and in the city of Londonderry aforesaid, and of all and singular churches, vicarages, and chapels of and in the village or town of Coleraine aforesaid.

And further of our more ample special grace, certain knowledge and mere motion, we have given, granted, and confirmed, and by these presents for us our heirs and successors do give, grant, and confirm to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, the advowsons, donations, free dispositions, and rights of patronage of all and singular the rectories and churches of Towlaght Finleggan, Tawlaghtare, Anlowe, Bonacher, Boyvanney, and Boydafeigh in the barony of Kennaght aforesaid, in our said late county of Coleraine, now Londonderry. And also the advowsons, donations, free dispositions, and rights of patronage of all and singular the rectories and churches of Dunboe, Temple Eregle, Temple Desart, Itowshill, Cames, and Killowan in the barony of Coleraine, in the said late county of Coleraine, now Londonderry, and the advowsons, donations, free disposition, and right of patronage of the rectory and church of Faighen Vale, in the said barony of Annaght, in the said late county of Coleraine, now Londonderry.

We have also given and confirmed, and by these presents of our especial grace, certain knowledge and mere motion do give, grant, and confirm to the said Society of the governor and assistants London of the new plantation in Ulster and their successors, all and singular our ferriages and passages over, upon and beyond the said rivers and waters of Loughfoile and Bann, and each and either of them, with all the profits to the same belonging.

And further of our more especial and ample grace, and of our certain knowledge and mere motion, we have given, granted, and confirmed, and by these presents for us our heirs and successors do give, grant, and confirm to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors for ever,

All that our yearly rent or fee-farm of sixpence of lawful money of England, issuing or reserved out of and for all those several balliboos, quarters, and lands called town land, lying and being in our said county of Tirone, now Londonderry, in the said province of Ulster, in our said realm of Ireland; that is to say, out of or for all those two balliboos of land, or other lands, called Town lands, called Moyola, Canarrain, Leitram, Deroy, Garran, Ballyginggin, Shammullagh, and Arlaghmore, otherwise Dunroscome, or by whatsoever other name or names the same premises, or any of them, are known, reputed, taken, or

called, or may be known, taken, reputed, or called, with their and every of their rights, members, and appurtenances whatsoever, late in the tenure, occupation or possession of Thomas Phillips, knight, deceased, or his assigns :

And also of or for all that castle of Lymavede, with the rights, members, and appurtenances, situate lying and being in our said county of Coleraine, now Londonderry, late in the tenure, occupation or possession of the said Thomas Phillips, knight, or his assigns :

And also out of or for all those several ballebetaghes, quarter balliboes or lands called town lands following; that is to say, Gortney, Hanemagh, Caulassan, Raathbiggebegg, Raaghbridmore, Killebane, Derrymore, Derrymoile, Balline, Chiose, being one third part of a balliboe of land, or by whatsoever other names, or by whatsoever other name, the same or any of them are or may be known, called, reputed or taken, with all and singular their and every of their rights, members, and appurtenances, lying and being within the ballibetagh or precinct of Raathbride, within the said late county of Coleraine, now Londonderry, late in the tenure, occupation or possession of the said Thomas Phillips, knight, or his assigns :

And also of or for the whole precinct or quarter of land called Mallegen Crosse, containing all those balliboes or land called town lands following; that is to say, Ballymore, Ballimaenagh, Boshea, with Mullagh, otherwise Cavanmore, with the chapel thereupon erected, or by whatsoever other name or names the same or any of them are known, called, reputed, or taken, or may be known, called, reputed, or taken, with their and every of their rights, members, and appurtenances whatsoever, situate, lying, and being in the said late county of Coleraine, now Londonderry, late in the tenure, occupation or possession of the said Thomas Phillips, knight, or his assigns :

And also of or for all that precinct or quarter of land of Ballyquin, lying and being in the ballibetagh of Ballesvercula, containing all those balliboes or lands called town land following; that is to say, Ballyquin-Claggin, otherwise Ballinekilly, Carick, Tyreo Dremon, or by whatsoever other name or names the same or any of them are known, called, reputed or taken, or may be known, called, reputed or taken, with all and singular their and every of their rights, members, and appurtenances, situate, lying, and being in the said late county of Coleraine, now Londonderry, late in the tenure, occupation or possession of the said Thomas Phillips, knight, and his assigns :

And also of or for all that ballibetagh of Ballenicmoragh, otherwise Moyrowe, containing all those balliboes or parcels of land called town land following; that is to say, Lomondroman, Ballydonoghy, otherwise Ballenemrare, Ardverigale, Cornedra, Barnealleighe, Backah, Vickin, otherwise Ballenit, Rannaghe-Carne, Clara-Carne, Raugh-Carne, Varnaght, otherwise Menagh-Carne, Nemoudoule, Ballehinery, Crumell, Ballanough Cross, otherwise Culemore, or by whatsoever other name or

names the same or any of them are known, called, reputed or taken, or may be known, called reputed or taken, with their and every of their rights, members and appurtenances whatsoever, situate, lying and being in the said county of Coleraine, now Londonderry, late in the tenure, occupation or possession of the said Thomas Phillips, knight, or his assigns :

And also of or for all that ballibetagh or precinct of Ballefalagan, containing all those balliboes or lands called town land, following ; that is to say, Ballemaghermore, Ballemenaroye, other wise Menaray, Larginroe, Tawligrone, Corbarragh, Suskraggen, Dromore, Dromgiklan, Coolemore Claggin otherwise Clighan, Tatnessellagh otherwise Tatnekillie, Moighmore and Moighmegge, or by whatsoever other name or names the same premises or any of them are or may be known, called, reputed or taken, with all and singular their and every of their members and appurtenances whatsoever, situate, lying and being in the said county of Coleraine, now Londonderry, late in the tenure, occupation or possession of the said Thomas Phillips, knight, or his assigns, and out of or through the same premises or any parcel thereof, and other lands, tenements and hereditaments, chargeable with the said yearly rent of sixpence, contained in certain letters patent of our illustrious grandfather, under his great seal of England, bearing date the 30th day of December last past, before the date of the said letters patent, made to the same Thomas Phillips, knight, his heirs and assigns :

And also all and all manner of fealty and services of socage reserved out of or for the same premises last mentioned, or any parcel thereof, or out of or by any of the said premises, or any parcel thereof, and other lands, tenements, and hereditaments, chargeable with the said annual rent of sixpence in the said letters patent of our said late grandfather contained, or by the same letters patent mentioned so to be :

We have also given, granted and confirmed, and by these presents for us our heirs and successors, do give, grant, and confirm to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, all and singular our messuages, mills, houses, edifices, lands, stables, dove-houses, structures, barns, orchards, gardens, lands, tenements, meadows, feedings, pastures, demesne lands, glebe lands, wastes, furze, heaths, moors, marshes, woods, underwoods, and trees, and all land, ground and soil of the same woods and trees, tythes of corn grain whatsoever, hay, wool, flax, hemp and lambs, and all other tythes whatsoever, as well great as small, and all oblations, obventions, produce, profits, waters, rivers, rivulets, water courses, fishings, fisheries, suits, mulctures, warrens, mines, quarries, rents, reversions and services, rent charges, rent seck, and rents services, and labour, as well of free as customary tenants, fee farms, annuities, knight-fees, wards, marriages, escheats, relief, heriots, fines, amerancements, courts leet, courts of view of frankpledge, perquisites and profits of courts leet, and all that to courts leet and view of frankpledge doth appertain,

chattels, waifs and estrayed bondmen and bondwomen, and villains with their sequel and common of estovers, fairs, markets, tolls, customs, rights, jurisdictions, franchises, liberties, privileges, profits, commodities, advantages, emoluments and hereditaments whatsoever, with all their appurtenances of what kind or nature soever they be, or by whatsoever names they are known, reputed, taken or called, situate, lying and being, growing, running, renewing, increasing, emerging or arising within the counties, territories, towns, villages, hamlets, places, rivers, precincts, limits, compass, and circuit aforesaid, or in, by, or within any of them, or elsewhere soever, to the said manors, castles, lands, tenements, rivulets and rivers, and the rest of the premises above, by these presents granted, or to some or any of them, or to any part or parcel thereof, in any manner belonging, incident, appendant or incumbent, or as members, parts or parcels of the same castles, manor, fort, lands, tenements and hereditaments, and of the rest of the premises above by these presents mentioned to be granted, or of any of them at any time heretofore had, acknowledged, accepted, occupied, used, or reputed :

And also the remainder and remainders, reversion and reversions whatsoever of all and singular the premises above by these presents before granted, or mentioned to be granted, and of every parcel thereof dependant or expectant of, in, or upon any demise or grant, demises or grants, for a term or terms of life, lives or years, or otherwise, of the premises above by these presents aforegranted, or of any parcel thereof, in any manner made, being of record or not of record :

And also all and singular rents and yearly profits whatsoever reserved upon whatsoever demise and grant made of or upon the premises by these presents before granted, or of and upon any parcel thereof, being of record or not of record, and the rents and yearly profits of all and singular the same premises above by these presents before granted, and every parcel thereof.

We have also given, granted, and confirmed, and by these presents for us our heirs and successors do give, grant, and confirm unto the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, that they and their successors for ever hereafter shall have hold and enjoy, and shall and may have, hold and enjoy within the premises above by these presents mentioned to be granted, and within every parcel thereof, so many such and the like courts leet, view of frankpledge, law days, courts barons, hundred courts, county courts, courts of survey, and other courts of assize, and assay of bread, wine, beer, and ale, chattels, waifs, goods confiscated, estreats, chattels of felons and fugitives, felons of themselves, and of those put in exigent, deodands, knights fees, escheats, reliefs, heriots, free-warrens, and all other rights, jurisdictions, liberties, franchises, customs, privileges, profits, commodities, advantages, emoluments, and hereditaments whatsoever, which, and as many and such, and as fully,

freely, and wholly, and in as ample manner and form as any abbot, prior, abbess or prioress of any late monastery, abbey or priory, or any other or others the aforesaid manors, castles, towns, villages, hamlets, waters, rivers, fishings, lands, tenements, and the rest of the premises, with all their appurtenances, or any of them, or any parcel thereof heretofore ever had, possessing or being thereof seized, as to the same manors, castles, towns, villages, hamlets, rivers, waters, fishings, lands, tenements, and other the premises aforesaid, or any of them, or any of them of right belonging or appertaining, ever had, used, or enjoyed, or ought to have, hold, use, or enjoy, or might or could hold the same, or any part thereof, by reason or pretence of any charter, gift, grant, or confirmation, by us or any of our progenitors or ancestors, late kings or queens of England and Ireland, heretofore had, made, granted, or confirmed, or by reason or pretence of any act or acts of parliament, or by reason or pretence of any lawful prescription, use or custom heretofore had or used, or otherwise by any manner of lawful right or title whatsoever, and as fully, freely, and wholly, and in as ample manner and form as we, or any of our progenitors or ancestors, late kings and queens of England and Ireland, or kings and queens, or lords or ladies of Ireland, the aforesaid manors, lands, tenements, and hereditaments, and the rest of the premises above by these presents before granted, or any part or parcel thereof, have had, used or enjoyed, or might or ought to have had and enjoyed.

Further we also give, and by these presents for us our heirs and successors do grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, all and singular the premises above by these presents before granted or mentioned to be granted, with all their appurtenances, as fully, freely, and wholly, and in as ample manner and form as all and singular the said premises, or any parcel thereof, did come or ought to have come to our hands, or to the hands of any of our progenitors or ancestors late kings or queens of England and Ireland, or kings or queens or lords or ladies of Ireland, by reason or pretence of any attainder or forfeiture, or by reason or pretence of any dissolution, surrender or quitting of any late monastery, abbey, priory, or hospital, or by reason or pretence of any act of parliament made in our kingdom of England or in our realm of Ireland, or by reason of any exchange or purchase, or any gift, grant or surrender, or by reason of any escheat, or whatsoever other lawful manner, right or title, have come or ought to have come, and now be or ought to be in our hands, and as fully, freely, and wholly, and in as ample manner and form as all and singular the said premises, or any parcel thereof were granted to the said Society of the governor and assistants London of the new plantation in Ulster, by our illustrious grandfather, by the said letters-patent under the great seal of England, bearing date at Westminster the said 29th day of March, in the year of

his reign over England, &c. the eleventh, and over Scotland the sixth-and-fortieth.

ptions. Except always notwithstanding, and out of this our grant always reserved, all and singular advowsons, donations, free dispositions and rights of patronage of all and singular the churches of Dromehose, in the aforesaid barony of Kennaght Aghadowey in the barony of Coleraine and Comber in the said barony of Annagh, and all and singular churches, vicarages, chapels, and other benefices whatsoever, (saving the advowsons, donations, free-dispositions and rights of patronage above by these presents mentioned to be granted,) to the premises by these presents mentioned to be granted, or any parcel thereof in any manner belonging, appertaining, incident, appendant or incumbent.

Except also always, and out of this our present grant altogether reserved, all lands, tenements and hereditaments belonging to the dean of Derry, and all lands and tenements commonly called Termon and Erenagh Land, and all the demesne lands of the bishops found in a certain inquisition bearing date at Limavaddy, in the said late county of Coleraine, now Londonderry, the 30th day of August, which was in the year of our Lord 1609 :

And also except all lands and tenements lately granted to the archbishop of Ardmagh and bishop of Derry, or to either of them, that is to say, all lands and tenements commonly called Termon and Erenagh land, and all demesne lands of the bishops found in a certain inquisition bearing date at Dungannon, in the said county of Tirone, the 23d day of August, in the said year of our Lord 1609 :

And also except, and out of this our present grant always reserved, all that piscary belonging to the bishop of Derry, in the said river of Bann, found by the said inquisition at Coleraine, in the said late county of Coleraine, now Londonderry :

And also all that piscary in the aforesaid bay and river of Loughfoile, belonging to the bishop and dean of Derry, found in the said inquisition at Dungannon, in the said county of Tirone.

Except also always, and out of this our present grant and these our letters patent always reserved, all those several balliboes, quarters, and lands, called town land, lying and being in our county of Tyrone, now Londonderry, in the province of Ulster aforesaid ; that is to say, all those two balliboes of land called town land, called Moyola, Tannarran, Lyetrum, Derry, Garran, Ballem, Quiggin, Shamullagh, and Armaghmore other wise Dromroscome, or by whatsoever other name or names the same premises, or any of them, are known, reputed, called or taken, or may be known, called, reputed or taken ; with all and singular their and every of their rights, members, and appurtenances late in the tenure, occupation, or possession of Thomas Phillips, knight, deceased, and his assigns :

And also except all that castle of Limavaddy, with all its rights, members, and appurtenances whatsoever, situate, lying,

and being in our said county of Coleraine, now Londonderry, in the said realm of Ireland, late in the tenure, possession or occupation of the said Thomas Phillips, knight, or his assigns :

And also except all the said town of Limavaddy, with its rights, members, and appurtenances, whatsoever in our said county of Coleraine, now Londonderry, late in the tenure, occupation or possession of the said sir Thomas Phillips, knight, and his assigns :

And also except all those several ballibetags, quarters, balliboes or lands, called town land, following ; that is to say, Gortney, Hanemaght, Coulassen, Raghbridebegg, Raghbridemore, Killebane, Derrymore, Derrymoile and Balline Clouse, being one third part of one balliboe of land, or by whatsoever other name or names the same or any of them are known, called or reputed, or may be known, called, or reputed, with all and singular their and every of their rights, members, and appurtenances lying and being within the ballibetagh or precinct of the land of Rathbridge, within the said late county of Coleraine, now Londonderry, late in the tenure, occupation, or possession of the aforesaid sir Thomas Phillips, knight, and his assigns :

And also except the whole precinct or quarter of land, called Mallegene Crosse, containing all those balliboes or lands called town land following ; that is to say, Ballymore, Ballymaenagh, Bochea, with Mullagh otherwise Canonmore, with the chapel thereupon erected, or by whatsoever other name or names the same or any of them are known, called, or reputed, or may be known, called, or reputed, with their and every of their rights, members, and appurtenances whatsoever, situate, lying and being in the said late county of Coleraine now Londonderry, late in the tenure, occupation or possession of the said sir Thomas Phillips, knight, or his assigns :

And also except all that precinct or quarter of land of Ballequin, lying and being in the ballibetagh of Ballefoercula, containing all those balliboes or lands called town land, following ; that is to say, Ballequin Claggin otherwise Ballekilly Carick Tyreo Droman, or by whatsoever other name or names the same or either or any of them are known, called, reputed or taken, or may be known, called, reputed, or taken, with all and singular their and every of their rights, members and appurtenances situate, lying, and being in the said late county of Coleraine, now Londonderry, late also in the tenure, occupation or possession of the said sir Thomas Phillips, knight, and his assigns :

And also except all that ballibetagh of Ballem Morough, otherwise Moyrowe, containing all those balliboes or parcels of land called town land, following ; that is to say, Lomondrom Balledonoughy otherwise Ballenemrare, Ardveregall Carne, Deale, Barne, Alleigh, Backach, Vickin otherwise Ballene Ramagh, Carne, Clara Carne, Reagh, Carne, Vamoghte otherwise Menagh Carne ne Modoule, Ballehmerey, Crinnel, Ballanagh Crosse otherwise Culmore, or by whatsoever other name or names the same or any of them are known, accepted, reputed or taken, or may be known, called, reputed, or taken, with their and every

of their rights, members and appurtenances whatsoever, situate, lying, and being in the said late county of Coleraine, now Londonderry, late in the tenure, occupation, or possession of the said sir Thomas Phillips, knight, or his assigns :

And also except all that ballibetagh or precinct of land of Ballefallaghan, containing all those balliboes or lands called town land, following, Ballemaghormore, Ballemeeneeroy otherwise Menarag, Largin Roe, Tawleygrove, Carbarragh, Suskraglin, Drommore, Dromgighlan, Coolmore, Claggin otherwise Clighan, Tattnessellagh, otherwise Tatnekelly, Moighmore and Moighbegg, or by whatsoever other name or names the same premises or any of them are known, called, reputed or taken, or may be known, called, reputed or taken, with all and singular their and every of their rights, members and appurtenances whatsoever, situate, lying, and being in the said late county of Coleraine, now Londonderry, late in the tenure, occupation, or possession of the said Thomas Phillips, knight, or his assigns ; all which premises by these presents before excepted and mentioned to be late in the tenure, occupation or possession of the said Thomas Phillips, knight, or his assigns by letters patent of our said illustrious grandfather, under his great seal of England, bearing date the thirtieth day of December then last past before the date of the same letters patent were given and granted, or at least were mentioned to be given and granted, to the same Thomas Phillips, knight, his heirs and assigns :

And also except all and singular other lands, tenements, courts leet, liberties, franchises, pre-eminences, jurisdictions, hereditaments and other things whatsoever to the same Thomas Phillips, knight, his heirs and assigns by the said letters patent last mentioned granted, or mentioned to be granted.

Habendum.

To have, hold and enjoy the said counties, territories, castles, forts, lordships, manors, towns, hamlets, lands, tenements, meadows, feedings, pastures, woods, underwoods, piscaries, fishings, rivulets and rivers, courts leet, views of frankpledge, courts baron, hundred courts, county courts, advowsons, profits, commodities, advantages, emoluments and hereditaments, and all and singular other the premises above by these presents granted or mentioned to be granted, with their rights, members, and appurtenances whatsoever (except before excepted), to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, to the only proper use and behoof of the said Society of the governor and assistants London of the new plantation in Ulster, and their successors for ever.

Tenendum.

To hold the said city of Londonderry and the four thousand acres to the same city next adjoining upon the Derry Roll, and the said town of Coleraine, and the three thousand acres of land to the same town of Coleraine next adjoining, of us our heirs and successors in free burgage as of our castle of Dublin in our realm of Ireland, and not otherwise.

And to hold the rest of the said castles, lordships, manors, lands, tenements, and all and singular other the premises above by these presents afore granted, besides the said city of Londonderry, and the said town of Coleraine, and the said four

thousand acres to the same city of Londonderry as aforesaid adjoining, and the said three thousand acres of land to the same town of Coleraine as aforesaid adjoining, of us our heirs and successors, as of our castle of Dublin in our realm of Ireland, by fealty only, in free and common socage, and not in capite or by knights' service.

And yielding yearly to us, our heirs and successors, of and for the aforesaid city, fort and town of Londonderry, and all edifices and structures thereof, with the appurtenances, in the said late county of the city of Derry, now Londonderry; And for the said whole island of Derry, now Londonderry, with the appurtenances; and all the lands within the island of Derry, now Londonderry aforesaid, within the said late county of the city of Derry, now Londonderry, within the province of Ulster aforesaid, and for the said four thousand acres of land next adjoining to the said city or town of Londonderry, lying and being on the west part of the river of Loughfoile aforesaid. And of and for the said bog and barren mountain to the said land belonging as waste to the same city belonging. And of and for the said late abbey, monastery or religious house of Coleraine aforesaid, in the said late county of Antrim, now Londonderry, and the said scite, circuit, compass and precinct of the same late abbey, monastery, or religious house, and all lands, tenements, edifices, structures and other hereditaments, lying and being in or within the said scite, circuit, compass and precinct of the said late abbey, with the appurtenances, and all other lands, tenements and other hereditaments in the said county of Antrim, now Londonderry, to the said late abbey or to the abbot and convent of the same lately belonging, and for the town and lands of Coleraine aforesaid, and all edifices, structures and curtillages for the same, with the appurtenances, and three thousand acres of land to the same town assigned and adjoining, fifty-three shillings and fourpence :

And of and for the said proportion of land, called The great proportion of Boughtbegg, lying in the said barony or precinct of Coleraine, in the said county of Coleraine, now Londonderry, ten pounds thirteen shillings and fourpence :

And of and for the said proportion of land, called The middle proportion of Ferentymile, lying in the said barony or precinct of Coleraine, in the said late county of Coleraine, now Londonderry, eight pounds :

And of and for the said proportion of land, called The small proportion of Lisetrim, lying in the said barony or precinct of Coleraine, in the said county of Coleraine, now Londonderry, five pounds nineteen shillings and fivepence :

And of and for the said proportion of land, called The small proportion of Claggin, lying in the said barony or precinct of Coleraine, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Magheryboy, lying in the said barony or precinct

of Coleraine, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Cam, lying in the said barony or precinct of Coleraine, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said abbey, monastery or religious house of Moycosquin, with the appurtenances, in the said barony of Coleraine, in the said late county of Coleraine, now Londonderry, and the scite, circuit, compass and precinct of the same late abbey, and all lands, tenements and other hereditaments above by these presents afore granted, and to the same late abbey, monastery or religious house of Moycosquin belonging or appertaining, three pounds and four shillings :

And of and for the said proportion of land, called The great proportion of Dowline, lying in the said barony or precinct of Kennaught, in the said late county of Coleraine, now Londonderry, eleven pounds :

And of and for the said proportion of land, called The middle proportion of Culmore, lying in the said barony or precinct of Kennaught, in the said late county of Coleraine, now Londonderry, eight pounds :

And of and for the said proportion of land, called The middle proportion of Canimes, lying in the said barony or precinct of Kennaught in the said late county of Coleraine, now Londonderry, eight pounds :

And of and for the said proportion of land, called The small proportion of Barchagh, lying in the said barony or precinct of Kennaught, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Rousky, lying in the said barony or precinct of Kennaught, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Mackan, lying in the said barony or precinct of Kennaught, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The great proportion of Lisghasse, lying in the said barony or precinct of Annagh, in the said late county of Coleraine, now Londonderry, ten pounds thirteen shillings and fourpence :

And of and for the said proportion of land, called The middle proportion of Loyer, lying in the said barony or precinct of Annagh, in the said late county of Coleraine, now Londonderry, eight pounds :

And of and for the said proportion of land, called The small proportion of Monaghbegg, lying in the said barony or precinct of Annagh, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land called The small proportion of Moyegboy, lying in the said barony or precinct of Annagh, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Carnemoiegh, lying in the said barony or precinct of Annagh, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Brackmoy, lying in said barony or precinct of Annaught in the aforesaid late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Killdonan, lying in the barony or precinct of Annaught aforesaid, in the said late county of Coleraine, now Londonderry, five pounds six shillings and eightpence :

And of and for the said towns, villages, hamlets, balliboes or parcels of land, lying in the said barony of Annagh, in the said late county of Coleraine, now Londonderry ; that is to say, the castle and town of Gortmana otherwise Lemavaddy, Rawrodebegg, Rawredimore, Kill Jan Drombally, Donaghy, Lysachellan, Arneregall, with their rights, members, and appurtenances, containing together by estimation four hundred and twenty acres of land more or less, sixpence :

And of and for the said several towns, villages, hamlets, balliboes or parcels of land, lying in the same barony of Annagh, in the said late county of Coleraine, now Londonderry ; that is to say, Tanvarrim, Clontager, Carne, Boniff, Crenbarigh, with their members and appurtenances, containing together by estimation three hundred acres of land more or less, thirty-two shillings :

And of and for the aforesaid abbey, monastery or religious house of Dungevin aforesaid, with the appurtenances, and the scite, circuit, compass and precinct of the said late abbey, and all lands, tenements, edifices, structures and other hereditaments lying and being in or within the said scite, circuit, compass and precinct of the said late abbey, and all the several towns, villages, hamlets, balliboes or parcels of land, and other premises above, by these presents before granted, and to the said late abbey, monastery, or religious house of Dungevin aforesaid belonging or appertaining, containing together by estimation three hundred and eighty acres, forty shillings and sixpence :

And of and for the said proportion of land, called The middle proportion of Ballimenavagh, being in Killetra otherwise Killetragh, lying in the said barony of Loughinsholin, in the said late county of Tyrone, now Londonderry, eight pounds :

And of and for the said proportion of land, called The small proportion of Dromrott, being in Killetra otherwise Killetragh, in the said barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Tirnafessy, being in the territory of Killetra otherwise Killetragh, in the said barony or precinct of land of Loughinsholin, in the said late county of Tyrone, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The great proportion of Gortronra, being in the territory of Clandonnell, in the said barony or precinct of Loughinsholin, in the said county of Tyrone, now Londonderry, ten pounds thirteen shillings and fourpence :

And of and for the said proportion of land, called The small proportion of Ballenecrassi, being in the territory of Clandonnell, in the said barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Moyasadden, being in the territory of Clankonkeine, in the said barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Cynagh, being in Clankonkeine, in the said barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Coheire, being in the territory of Clankonkeine, lying in the barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, five pounds six shillings and eightpence :

And of and for the said proportion of land, called The small proportion of Caramony, being in the territory of Clankonkeine and Clandonnell, lying in the barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, five pounds six shillings and eightpence :

And of and for the said parcel or proportion of land, called The small proportion of Tirassan, lying in the said barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, forty-four shillings and ninepence :

And of and for the said towns, villages, hamlets, balliboes or parcels of land, lying in Killetra otherwise Killetragh, in the said barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, that is to say, Cowbuffchinan, Talmoghi, Calli, Moyasadda, Lara, Coramock, Tanaghgouch, and Tallagaroaffe, with their appurtenances and members, containing together by estimation four hundred and twenty acres of land more or less, forty-four shillings and ninepence :

And of and for the said towns, villages, hamlets, balliboes or parcels of land, lying in Killetra otherwise Killetragh, in the said barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, that is to say, Ballyvally, Bal-

Indroma, Moynollin, Ballyonough, Dromonare, Ballyoregly, Ballyoyellans, Ballyomile, Ballyrousky, and the third part of the balliboe of Ballydally, with all and singular their and every of their members and appurtenances, containing by estimation five hundred and sixty acres of land, more or less, fifty-nine shillings and eightpence :

And of and for the said proportion of land, called The great proportion of Ballyletrim, being in the territory of Tanlagh, in the said barony or precinct of Loughinsholin, in the said late county of Tyrone, now Londonderry, and the said proportion of land called The small proportion of Lackagh, being in the territory of Killetra, otherwise Killetragh, and Tanlagh, in the said barony and precinct of Loughinsholin, in the same late county of Tyrone, now Londonderry, forty-four shillings and ninepence of lawful money of England, at the receipt of the exchequer of us, our heirs and successors, of our realm of Ireland aforesaid, that is to say, to the hands of the treasurer, undertreasurer or receiver-general of us our heirs or successors of our said realm of Ireland for the time being, at the feast of the Annunciation of the Blessed Virgin Mary and St. Michael the Archangel, by equal portions yearly to be paid for ever, for all other rents, services, exactions and demands whatsoever, therefore to be yielded, paid or made to us, our heirs, or successors.

And further we will and declare, and the said Society of the governor and assistants London of the new plantation in Ulster for themselves and their successors, do covenant and grant to and with us our heirs and successors, by these presents, that the same society and their successors for ever hereafter, at their own proper costs and charges, will keep and maintain, of, in and upon the said castle and fort of Culmore, one ward of such and so many men, well and sufficiently armed, and such expert and sufficient officers, in that behalf requisite for the time, by us our heirs and successors from time to time to be named, constituted, removed, and of new appointed, as shall from time to time be requisite and necessary, and may be sufficient for the maintenance, defence and safe keeping of the same castle and fort, and thereof shall acquit, exonerate, indemnify, and keep harmless, us, our heirs and successors for ever.

The Society's covenant to maintain and garrison the castle of Culmore,

And for that there will be need that great abundance of timber be had and provided for the planting of the premises, and the rebuilding of houses and edifices within the same, and therefore great care is to be had that the timber trees growing, and which may conveniently and fitly serve towards the plantation of the premises, be not carried out of the said kingdom, or otherwise wasted or spoiled there :

We have therefore ordained, and by these presents firmly charge and command the said Society of the governor and assistants London of the new plantation in Ulster, and the same Society for themselves and their successors do covenant and grant to and with us our heirs and successors, by these presents, that all and all manner of trees being timber, growing and being of, in

and to employ all the timber towards the plantation.

and upon the lands of Glankonkeiney and Killetragh, extending from the said late county of Coleraine, now Londonderry, unto Ballin Derry, shall be and for ever hereafter remain and only be converted towards the plantation aforesaid, and the building of houses and edifices, so as aforesaid to, be made and to be spent towards other necessary uses of our said realm of Ireland in the same kingdom, and not for any other cause to be merchandized or sold, any thing in these presents to the contrary notwithstanding.

The king's covenant to indemnify the Society against all arrears to the crown.

And further, of our abundant grace and of our certain knowledge and mere motion, we will, and by these presents, for us our heirs and successors, do grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, that we our heirs and successors, for ever hereafter, yearly, and from time to time, shall acquit, exonerate, save harmless and indemnify, as well the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, as the said county, territories, castles, forts, lands, tenements, and all and singular other the premises above by these presents granted or mentioned to be granted, and every parcel thereof (except before excepted) of and from all and all manner of corrodies, rents, fees, services, annuities, pensions, portions, arrearages, and sums of money and charges whatsoever, issuing and to be paid out of or for the premises, or out of or for any parcel thereof to us our heirs or successors, or thereupon charged or to be charged against us our heirs and successors (saving the rents, tenures, and services above in these presents to us our heirs and successors reserved). And saving all arrearages of rent of all and singular the same premises, if any be due or payable to us by the said Society only.

We will also, and by these presents for us our heirs and successors firmly enjoin and command, as well the treasurer, chancellor and barons of our exchequer of England and Ireland, and of our heirs and successors whatsoever for the time being, as all and singular receivers, auditors, and other officers and ministers of us our heirs and successors whatsoever for the time being, that they and every of them, upon the only showing of these our letters patent, or the inrollment thereof, without any other writ or warrant from us our heirs and successors, in any manner of wise to be obtained or prosecuted, shall make, and from time to time cause to be made, to the said Society of the governor and assistants London of the new plantation in Ulster, and to their successors, full, whole and due allowance and manifest discharge of and from all and all manner of such corrodies, rents, fees, annuities, pensions, portions, and sums of money and other charges whatsoever, saving the rents, services, tenures, and arrearages of rents aforesaid, and other the said premises, in these presents so as aforesaid reserved, and by the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, payable to be made or to be performed for

the premises by these presents before granted, or any part or parcel thereof, to us or our successors, or issuing or charged thereupon towards us our heirs and successors; and these our letters patent, or the inrollment of the same, shall be yearly and from time to time sufficient warrant and discharge in that behalf, as well to the said treasurer, chancellor, and barons of our exchequer, and of our heirs and successors for the time being, as to all and every receiver, auditor, and other officers and ministers of us our heirs and successors whatsoever for the time being.

And further, of our more ample and especial grace, and our certain knowledge and mere motion, we have demised, granted, confirmed, and to farm letten, and by these presents, for us our heirs and successors, do demise, grant, confirm and to farm let unto the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, all and all manner of customs, subsidies, tonnages, poundages, and great and small customs, coming, growing and arising within the city of Londonderry aforesaid, and the liberty of the same, and the said county of Londonderry, and within the town of Coleraine aforesaid, and within the ports and creeks of the same, and every of them, and also within the port of Portrushe and within the said water of Loughfoile, and within the said river or water of Bann, and within the water or river of Loughswilly, and within the creeks and ports of the same, and every of them, for and in respect of all and all manner of goods and merchandize brought to the said city of Londonderry and to the said county of Londonderry, and to the said town of Coleraine, and ports and creeks of the same, and to and in the said port of Portrushe, and to and in the said river or water of Loughfoile, and to and in the aforesaid river or water of Bann, and to and in the said water or river of Loughswilly, and within the creeks and ports of the same, and every of them, from foreign parts beyond the seas, for cause of merchandize imported or out of the same city of Londonderry, or the said town of Coleraine and ports and creeks of the same, or the said port of Portrushe, or out of the said water of Loughfoile, or out of the said river or water of Bann, or out of the said water or river of Loughswilly, or out of the creeks and ports of the same, and every of them, thereafter exported into foreign parts beyond the seas for the purpose of trade:

To hold to the said Society of the governor and assistants London of the new plantation in Ulster and their successors, from the date of these presents, for and during and unto the end and term of fifty years from thence next ensuing and fully to be complete and ended, without impeachment or molestation, or any thing whatsoever to be given, or any account to be yielded and made for the same:

Yielding therefore yearly to us our heirs and successors, thirteen shillings and fourpence of lawful money of England at the receipt of the exchequer of us our heirs and successors of our realm of Ireland, or to the hands of the bailiff or other receiver

Lease of the
customs of
Londonderry.

of the premises for the time being, at the feast of the Annunciation of the Blessed Virgin Mary and Saint Michael the Archangel, by equal portions yearly to be paid during the said term of fifty years.

London-
derry made
a port of
entry.

And also we will, and for us our heirs and successors do ordain and constitute, that for ever hereafter there be and shall be within the said water or river of Loughfoile at the said city of Londonderry, and through and within the liberty of the same city, a sea-port, and a port for the application and arrival of ships, boats and other vessels, and for the loading and unloading of all and all manner of things, wares and merchandizes whatsoever, with all and all manner of rights, jurisdictions, free-customs, customs, duties and privileges, belonging, due or to be due to such a port, and that the same port be and shall be named and called The port of the city of Londonderry aforesaid.

And further, of our more abundant grace, for us our heirs and successors we do grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid and to their successors, and by these presents we will, command, and firmly ordain, and enjoining do command, that all and singular merchants, mariners, and all other persons whatsoever, bringing any things, wares or merchandizes into or within the said water or river of Loughfoile, or into or within the said water or river of Loughswilly, or into or within any port, creek, or member of them, or either of them, in any ship, boat, or other vessel whatsoever, from parts beyond the seas on account of trade; and that every ship, boat, and other vessel whatsoever, loading or carrying in any things, merchandizes or wares, and coming and entering into or within the said water or river of Loughfoile, or into or within the said water or river of Loughswilly, or into or within any port, creek, or member of them, or either of them, during the said term of fifty years, from parts beyond the seas on account of trade, shall not discharge and unload the same goods, merchandizes and wares, or any of them, at any port or ports, place or places, creek or creeks, within the said water or river of Loughfoile, or within the said water or river of Loughswilly, save only at the said port of the city of Londonderry, without the licence of the said Society or their officers in that behalf sufficiently authorised; and in the said port of the city of Londonderry aforesaid, or in other ports upon such licence aforesaid, shall pay and satisfy to the said Society of the governor and assistants London of the new plantation in Ulster, and to their successors, or to their officers, deputies and ministers in that behalf lawfully authorised and constituted, all and all manner of customs, duties and payments payable for such ships, boats, and other vessels whatsoever, and for such goods, merchandizes or wares so brought and discharged or unladen in or within the said water or river of Loughfoile, or in or within any port, creek or member of the same, or into or within the said water or river of Loughswilly, or into or within any port, creek or member of the same,

before they shall go or depart from or out of the said water or river of Loughfoile, or from or out of the said water or river of Loughswilly, or from or out of any port, creek or member of the same, or either of them, upon pain of contempt of our royal command, and of the pains due for such contempt, and upon pain of the forfeiturre of all such goods, merchandizes and wares exported out of the said water of Loughfoile, or out of the said river or water of Loughswilly, or out of any port, creek or member of them or either of them, or the value thereof, to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, during the said term of fifty years as aforesaid.

We have also given, granted and confirmed, and by these presents for us, our heirs and successors, do give, grant and confirm, to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors for ever, the office or place of vice-admiralty of us, our heirs and successors, and all things which to the said office or place belong or ought to appertain, on all our coasts or shores of Tirconnel, Coleraine, and county of Londonderry aforesaid, together with all and singular rights, liberties, privileges, profits, and hereditaments to the same office in anywise belonging or appertaining, incident or appendant, to be exercised by the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, or by their sufficient deputy or deputies, in the absence of the admiral of us, our heirs and successors for the time being, any of our letters-patent in that behalf heretofore made or granted in anywise notwithstanding.

Grant of the office of vice admiralty.

We have also given, granted and confirmed, and by these presents for us our heirs and successors do give, grant and confirm, to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, all and all manner of wrecks of the sea, of all ships, goods, and merchandizes properly belonging to the same Society or their successors, or to the mayor, aldermen or citizens of the city of Londonderry aforesaid, or their successors, or to any person or persons being citizens or inhabitants within the city of Londonderry aforesaid, or the liberties thereof, from time to time hereafter happening to be wrecked in Ballishannon and Oderfleete, and in the shores, coasts, ports, and creeks through and between the same places, and also Flotson, Jetson, Laggon, and shares, in the places and shores aforesaid, without any forfeiture or any sum of money, payment, or any other thing therefore to be yielded, paid or made to us, our heirs, successors and assigns. To the intent, nevertheless, that every proprietor of the said ships, boats, or other vessels, or of the said merchandizes, wares or other things so wrecked respectively, shall have and enjoy whatsoever to himself belongeth of such wrecks. We have also granted and confirmed, and by these presents for us our heirs and successors, do give, grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, full licence,

Exclusive liberty granted to the Society and their

tenants to
export their
own
growths.

power, faculty, liberty and authority, that they and their successors, and also all the citizens inhabiting the city of Londonderry aforesaid, and the rest of the inhabitants and residents within the said county of Londonderry, and within the towns, places and limits before mentioned to be granted, and every of them, for ever hereafter from time to time, at their will and pleasures, may export and transport all and all manner of goods, wares and merchandizes, which by the laws and statutes of the said realm of Ireland are prohibited to be exported, coming, growing, increasing and renewing, of, in and upon the lands, tenements and other hereditaments above by these presents mentioned to be granted, without the contradiction or impediment of us, our heirs or successors, or of any of our officers or ministers whatsoever, (except wool and wool fels) any statute, law, ordinance, prohibition, restraint or any other thing to the contrary notwithstanding.

We do also command, and by these presents for us our heirs and successors, do prohibit all and singular other persons whatsoever, that they or any of them do not export or transport, or cause to be exported or transported, any such goods, wares and merchandizes, which by the laws and statutes of the said realm of Ireland are prohibited to be exported, and coming, growing and arising, of, in and upon the premises by these presents before granted, or any of them, into any foreign parts and beyond the seas out of the said kingdom of Ireland, upon pain of contempt of our royal command, and under such pains, punishments and forfeitures as by the laws and statutes in that behalf made and to be made may be inflicted, imposed and assessed upon such offenders.

Grant of
fishing,
fowling,
hawking
and hunt-
ing.

We will also, and by these presents, for us our heirs and successors do grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, that they and their successors, and also all their assigns, deputies, ministers and servants, shall and may have full liberty of fishing, hawking and fowling, in all the places, tenements, shores and coasts aforesaid, at their will and pleasure.

Liberty to
pack their
fish on any
shore.

And that it shall and may be lawful to and for them and every of them, to draw and dry their nets, and pack the fishes there taken upon any part of the shores and coasts aforesaid where they shall fish; and the salmons and other fishes there taken to take thence and carry away without any impediment, contradiction or molestation, of us or others whomsoever, wheresoever it shall happen to be done.

And that in like manner they may have the several fishings and fowlings within the city of Londonderry aforesaid, and in all lands and tenements before mentioned, to be granted and confirmed to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, and in the river or water of Loughfoile, to the ebb of the sea, and in the river or water of Bann to Loughneagh.

And further, of our more ample and special grace, and of our

certain knowledge and mere motion, we will, and by these presents for us, our heirs and successors, do grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and to their successors, that no flax, hemp or wool, nor any linen yarn unwoven, hereafter at any time be or shall be exported by any person or persons out of the port of the city of Londonderry aforesaid, or out of any port or creek being within any of the premises before mentioned, to be granted and confirmed, into any foreign parts beyond the seas, without the special licence of the said Society or their successors, or of their officers in that behalf, first had and obtained.

No raw flax, hemp, wool, yarn, or hides, to be exported without the Society's licence.

And that in like manner, no raw hides be or shall be transported at any time hereafter from the said city of Londonderry, or the port thereof, or from the said port of Coleraine, or from any port or creek within any of the lands, tenements, towns, places and limits before mentioned to be granted, into any parts beyond the seas, by any person or persons whatsoever, without the special licence of the said Society or their successors, in like manner first had and obtained, upon pain of contempt of our royal command, and upon pain of forfeiture of the value of the same goods and merchandizes so as aforesaid without licence transported, to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors.

And further, we will, and by these presents for us, our heirs and successors, do covenant and grant to and with the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, that we, our heirs and successors for ever hereafter, will exonerate, acquit, indemnify, and keep harmless, as well the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, as the said city of Londonderry, and the whole territory and county of Londonderry aforesaid, and the towns, places and limits above mentioned by these presents to be granted, of and from all and all manner, of rights, titles, interest, claims and demands whatsoever, of all and whatsoever persons having or of right claiming any thing by, from or under us, our heirs or successors, of or in the said city of Londonderry, or in any parcel thereof, or of and in the said city territory and county of Londonderry or in any parcel thereof, or of or in any the lands, tenements, and other the premises above-mentioned by these presents to be granted and confirmed; saving the interest and title of the bishop and dean of Derry, and their successors respectively for the time; and saving of certain proportions of land heretofore by the appointment of our illustrious grandfather given and assigned, and by the late Society of the governor and assistants London of the new plantation in Ulster, heretofore incorporated, given and assigned by virtue of the said letters-patent of our said grandfather to certain Irish gentlemen in the said county of Londonderry heretofore inhabiting and residing, and who were heretofore made freeholders by the said Society

The King's covenant to indemnify the Society against all other titles under the crown.

Exception.

of the governor and assistants London of the new plantation in Ulster, and their successors, under a small yearly rent, which said yearly rent we will shall be paid to the said Society and their successors for ever.

And for quiet enjoyment.

And that the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, may peaceably and quietly have, hold and enjoy the said city of Londonderry, and the said whole territory and county of Londonderry, and the towns, places, and other the premises above by these presents mentioned to be granted, without any trouble, molestation, expulsion, impediment, or contradiction of us our heirs or successors, or of any other person or persons (except before excepted) any thing having or of right claiming, or who may have or of right claim under us, our heirs or successors, of or in the aforesaid city of Londonderry, or of or in the said territory and county of Londonderry, or any part thereof, or of or in all and singular other the towns, places and limits before mentioned to be granted, or any parcel of the same.

London-derry and Coleraine freed from patents of privilege :

And that in like manner, as well the said city of Londonderry and town of Coleraine, as the said county of Londonderry, and the towns, places and limits before mentioned to be granted, shall be for ever hereafter exonerated or kept indemnified of and from all and all manner of letters-patent of privilege heretofore made or granted to any person or persons :

And that none shall be granted in future.

And that we, our heirs or successors hereafter will not give or grant to any, any such letters-patent of privilege, to be exercised or used within the said city of Londonderry, or within the said county of Londonderry, or within the said town of Coleraine, or within the other territories, lands, tenements and hereditaments above in these presents before granted, or in any parcel thereof ; and that the same city of Londonderry, and the said town of Coleraine, and all and singular other the lands, tenements and hereditaments before granted, and all the men inhabiting and residing within the lands, tenements, and other the premises before-mentioned to be granted, for ever hereafter be and shall be free and quit for and in respect of the premises before granted, of and from all compositions, impositions and taxations which now are or hereafter shall be imposed, taxed or assessed by any governor or governors for the time being of those parts, or of the province of Ulster aforesaid, or any parcel thereof.

And that the premises shall not be taxed by the Government.

The King's covenant for further privileges.

And further, we will, and by these presents for us, our heirs and successors, do covenant and grant to and with the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, that we, our heirs and successors, will grant to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, other letters-patent, grants or donations, to them and their successors, under our great seal of England, or under the great seal used in our said realm of Ireland, severally and respectively to be made, of such further and more ample privileges, liberties, franchises, immunities and pre-eminences, as upon consideration of the charters of London, the Cinque-Ports, and

Newcastle-upon-Tyne, in our kingdom of England, or of the charter of the city of Dublin, in the realm of Ireland, or any of them, shall seem to us, our heirs and successors, and shall be found from time to time profitable, convenient, and fit to be used in these parts :

And further, of our more abundant special grace and certain knowledge and mere motion, we do covenant and grant to and with the said Society of the governor and assistants London of the new plantation in Ulster, and their successors ; and for us, our heirs and successors, do give and grant full power and liberty to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, that they and their successors shall have liberty and time during the space of seven years next following after the date of these presents, of asking, finding and having from us, our heirs and successors, such, so many, and any other things and demands reasonable and convenient, as when, and which, in time to come respectively, shall seem to us, our heirs and successors, profitable and convenient respectively for the same Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, and for the mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, and for every of them.

And that we, our heirs and successors, shall and will severally and respectively give and grant to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, and to the said mayor, commonalty and citizens of the city of Londonderry aforesaid, and their successors, such, so many, and the same rights, liberties, franchises and other reasonable things as shall seem profitable and convenient respectively for the same Society of the governor and assistants London of the new plantation in Ulster, and their successors ; and for the aforesaid mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors.

And further, we will, and by these presents, of our especial grace, certain knowledge and mere motion, for us, our heirs and successors, do covenant and grant to and with the aforesaid Society of the governor and assistants London of the new plantation in Ulster, and their successors, that at any parliament or session of parliament of us, our heirs and successors, to be holden within this our kingdom of England, and also at any parliament or session of parliament of us, our heirs and successors, to be holden within our realm of Ireland, when it shall be desired by the Society of the governor and assistants London of the new plantation in Ulster aforesaid, we, our heirs and successors, will give and grant, and will vouchsafe to give and grant our royal and free assent and consent to any act, bill or petition to be exhibited or preferred by the same Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, or by any or some of them, in

And to assent to any acts of parliament for that purpose.

the same parliament or session, or either of them, and to be approved and allowed by the lords spiritual and temporal and commons in such parliament assembled, which may conduce and tend to the establishing, confirmation and securing, enjoying, conveying and granting, of all and every or any of the premises to the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, and to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors respectively; and that they and their successors respectively may have and hold all and singular the premises above by these presents before granted and confirmed, according to the true meaning of these our letters patent.

The Society empowered to create manors.

And further, we will, and of our more abundant and special grace and certain knowledge and mere motion, for us, our heirs and successors, do give, grant and confirm to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, full, free and lawful power, faculty and authority to make, erect and ordain, out of and upon the said lands and tenements above by these presents before granted, or any of them, such and so many several manors of such tenements as are hereafter limited, as from time to time shall seem convenient to the same Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, that is to say:

That they may make, erect and ordain one manor of every thousand acres of land by these presents before granted, or of any number exceeding the number of one thousand acres of land, and so according to such rate so many several manors as they will; so that they make not any manor of a lesser number of acres of land than of the number of one thousand acres:

And may appoint and limit to the said several manors such and so many acres of land distinct and several for demesne lands of the said several manors, and of every of them, as shall seem necessary and convenient to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors:

And to name and call the same manors by such names as the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, shall will.

And to grant by copy of court roll.

And further, we grant and confirm, and give licence to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, that they and their successors shall and may freely, and without impediment of us, our heirs or successors, grant, by copy of court roll, or otherwise let to farm, so much of the lands, tenements and hereditaments belonging to such manors, to any person and their assigns, to and for such term and terms of years, estate or estates, and for such services and yearly rents, to be reserved for and upon the same lands, tenements and hereditaments, as shall

seen best and expedient to the same Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors for the time being :

To hold of the said Society of the governor and assistants London of the new plantation in Ulster, and their successors, and of their same manor and manors respectively, to which the same lands, tenements and hereditaments so to be granted or demised, do or shall severally and respectively belong or appertain, by suit of court of the said manors respectively to be holden twice by the year or oftener, from three weeks to three weeks, at the will and pleasure of the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors.

Yielding, therefore, such and the like rents, sums of money, and other lawful reservations, as shall seem best and expedient to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid and their successors. The statute made in the parliament of our Lord Edward the First, late king of England, our ancestor, in the eighteenth year of his reign, or any law, statute, act, ordinance, or provision whatsoever to the contrary thereof in any wise notwithstanding.

And further, we will, and by these presents, for us, our heirs and successors, do grant and give licence to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, that they and their successors may have and hold, and shall and may have and hold, in and within the precincts of the said manors, and every of them respectively, one leet and view of frankpledge, of all the tenements of such manors respectively, to be holden twice in the year; and all that to a leet or view of frankpledge doth belong or appertain.

And to
create
courts
leet, &c.

And also shall and may have, in and within the bounds of the manors aforesaid, and every of them respectively, one court baron, or one court in the nature of court baron, to inquire, hear, determine, and do all and singular matters and things, and in the same manner and form as in any court baron within our aforesaid kingdom of England, or within our said realm of Ireland, ought to be inquired, heard, determined, and done, to be holden before the steward or stewards to be from time to time nominated and constituted by the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, and before the suitors of the said manors respectively; and in the same courts to hold pleas of all and singular actions, trespasses, covenants, accounts, contracts, detainers, debts, and demands whatsoever, which in debt or damages shall not exceed the sum of forty shillings sterling, happening or arising in or within the premises before granted, and the limits and bounds of the same.

And that the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, shall and may from time to time have and take

And to en-
joy the pro-
fits thereof.

all and singular the profits, amerciaments, fines, commodities, advantages and emoluments whatsoever belonging or appertaining to such a court, or by any manner coming or arising therefrom, without account or any other thing therefore in any manner to be yielded, paid, or made to us, our heirs or successors.

We do also give, grant and confirm, for us, our heirs and successors, to the said Society of the governor and assistants London of the new plantation in Ulster aforesaid, and their successors, all and all manner of goods, waifs, estrays, deodands, and goods confiscated within the same city and county of Londonderry, or within the towns, places and limits above by these presents mentioned, to be granted, found, or to be found.

And further being willing to show our more ample grace to the said mayor and commonalty and citizens of the said city of Londonderry aforesaid, of our certain knowledge and mere motion have granted and confirmed, and by the tenor of these presents, for us our heirs and successors, do grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry, and their successors, that the same mayor and commonalty and citizens of the city of Londonderry, and their successors, shall and may for ever have and hold one court of record in any convenient place within the city of Londonderry aforesaid, before the mayor of the same city for the time being, or the recorder of the said city for the time being, learned in the laws of Ireland, every day in every week yearly (the Lord's-day only excepted, and saving in the several weeks in which the Nativity of our Lord, the feast of Easter and the feast of Pentecost, with their festivals to them respectively annexed, shall happen, and saving on the feast or days of the Purification of the Blessed Virgin Mary, the Ascension of our Lord, All Saints', and all Souls',) And also to hear and determine all and all manner of actions, real personal and mixt, and other actions and suits whatsoever, of what nature, kind or form soever they shall be, any manner of wise arising or happening within the city aforesaid, and liberties and precincts of the same, to be levied, affirmed, obtained, commenced and prosecuted, and due execution to demand in the same, in such the like and in as ample manner and form, and so fully, freely and wholly, and by such and the like process, as are respectively used in our court before the mayor and aldermen of our city of London in our kingdom of England, and in our court before the sheriffs of the same city, or either of them, or in our court in our hustings in the same city or in any of the said courts.

And that the citizens of the city of Londonderry aforesaid, and liberties and precincts of the same, and all other persons, may be impleaded and plead of and for all causes, matters and pleas whatsoever, arising or happening within the said city of Londonderry, and the liberties and precincts of the same in our city of Londonderry in our court aforesaid.

Grant of waifs, strays, deodands, and goods confiscated.

Londonderry to have a court of record; and before whom and for what purposes.

And that the same mayor, commonalty and citizens of the city of Londonderry aforesaid may form and henceforth for ever have cognizance of all pleas as well real as personal and mixt, and of other pleas whatsoever, of lands and tenements, and concerning lands and tenements being within the city of Londonderry aforesaid, and the liberties and precincts of the same, brought and to be brought or moved in whatsoever of our courts within our realm of Ireland, be it before us our heirs and successors, or before the justices of us our heirs or successors of the bench, or before the itinerant justices of us our heirs or successors, assigned or to be assigned to take assizes, juries and certificates whatsoever, or before the barons of the exchequer of us our heirs or successors, or before other justices or other officers of us our heirs and successors whatsoever, to be moved in the court aforesaid, before the said mayor for the time being or the aforesaid recorder, within the said city of Londonderry as aforesaid, to be holden upon the only shewing of these our present letters patent, or the inrollment thereof, without any writ or writs of allowance thereupon to be prosecuted.

And further, we grant confirm and give licence by these presents, for us our heirs and successors, to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, that the mayor of the same city of Londonderry aforesaid, for the time being, or his successors, and the recorder of our city aforesaid, in our court aforesaid to be holden before the said mayor or recorder, may have power to correct and punish all and singular officers, clerks and ministers of that court, and also all other persons whatsoever offending in or towards our court aforesaid, for their contempt, default, neglect or other offences whatsoever committed in our said court, by reasonable fine and imprisonment of his or their body or bodies, or by any other lawful ways and means whatsoever.

The said court empowered to punish for contempts.

And if men impannelled and summoned for juries for the trial of issues shall not appear before the said mayor of the city of Londonderry aforesaid, or the recorder in the court aforesaid, that then such men impannelled and summoned and making default shall forfeit such issues upon them returned or to be returned, in the same and in the like manner and form as those impannelled and summoned in the city of London aforesaid in our kingdom of England, for the trial of the like issues in the courts of that city, heretofore have forfeited or have been accused or ought to forfeit.

Jurors making default, to forfeit, as in London, to the use of the corporation.

And also such issues so forfeited and to be forfeited may be levied by the ministers of the city of Londonderry aforesaid, to the use of the mayor and commonalty and citizens of the same city of Londonderry and their successors.

And further of our more ample especial grace, certain knowledge and mere motion, for us our heirs and successors, we do ordain and constitute that there be, and for ever shall be, a clerk and a prothonotary of the court aforesaid, within the city of Londonderry aforesaid, to write, do, enter and inrol, all and singular

A prothonotary of the said court to be appointed.

pleas, complaints, writs and returns of writs, or bails, bills, declarations, answers, rejoinders, sur-rejoinders, issues, warrants of attorney, verdicts, judgments and executions thereof, and all records, processes and businesses of the same court, and for keeping the writs, rolls and records of the same court; and that for this the same clerk may and shall for ever have and take for his labour, industry and attendance in the execution and exercise of the premises, all and singular such wages, fees, rewards and profits, as by such clerk and officer in our city of Dublin in our realm of Ireland, for and in respect of such businesses, offices or services there executed, are taken and received, and not otherwise.

And a town clerk; who shall be clerk of the peace for the city and county, and prothonotary.

And also of our especial grace, certain knowledge and mere motion, for us our heirs and successors, we do ordain and constitute that there be, and for ever shall be, a town-clerk for the said city of Londonderry, and that the same town clerk may and shall exercise and execute the same office in as ample manner and form, and may and shall have and take such so many the same and the like privileges, rights, pre-eminences, wages, rewards, fees, profits, commodities and advantages, as the town clerk for our city of London in our kingdom of England doth exercise his office, by and for or in respect or by reason of the same office, doth hold, receive and enjoy, or ought to have, hold, receive and enjoy.

And further, for us our heirs and successors, we do ordain and constitute, that the town clerk of the city of Londonderry aforesaid for the time being, be and always shall be from time to time clerk of the peace of our crown, in the said county of Londonderry (except in the town and liberties of Coleraine aforesaid), and may have and shall have and receive such so many the same and the like fees, rewards, profits and advantages as other clerks of the peace of our crown in our counties in our kingdom of England do or ought to receive or enjoy; which said office of clerk and prothonotary of the court aforesaid, together with the wages, fees, profits and emoluments above appointed thereto, to the said office of town clerk of the city of Londonderry aforesaid, by this our present charter, for us our heirs and successors, we do annex, join and unite to the same office of town clerk of the said city of Londonderry, for ever to remain, so that the same office of clerk and prothonotary of the court aforesaid be not by any means withdrawn, divided or separated from the same office of town clerk of the said city of Londonderry.

And further we will, and by these presents for us our heirs and successors do ordain and constitute the town clerk of the city aforesaid for the time being, and none other, from time to time to be the said clerk and prothonotary of the court aforesaid, and the same office of clerk and prothonotary of the court aforesaid, and the wages, fees and profits thereof to have, receive, perceive and enjoy by himself or his deputy.

And of our more abundant grace and mere motion, we do by these presents nominate, ordain, appoint and constitute Thomas Bourke, gentleman, to be the present clerk and prothonotary of

The first town clerk named.

the court aforesaid, and the present town-clerk for the said city of Londonderry, and also the present clerk of our peace and crown of us our heirs and successors within our said county of Londonderry, to hold, occupy, and exercise the offices or places aforesaid, to the said Thomas Bourke, by himself or his sufficient deputy or deputies; and to have, receive and take of, in and for executing the said offices or places aforesaid, the several wages, fees, rewards, emoluments, profits, and advantages severally in these presents above mentioned and appointed, for and during his natural life, unless in the mean time for his misbehaviour in the office or occupations aforesaid, or any of them, or for any other reasonable cause or causes, he shall be from thence amoved by the mayor, aldermen, and the rest of the common council of the city of Londonderry for the time being, or the major part of them.

To which said mayor, aldermen, and the rest of the common council of the same city for the time being, and the major part of them, in such and the like case and cases, we do by these presents give and grant full power and authority wholly to amove and expel as well the said Thomas Bourke as any other clerk and prothonotary of the court aforesaid, and town-clerk for the city aforesaid, and clerk of the peace and crown of us our heirs and successors in the said county of Londonderry, for the time being, hereafter according to the tenour of these presents to be named or appointed, from the offices or employments aforesaid.

To be removable; and by whom.

And further we will, and by these presents for us our heirs and successors, do grant and declare, that we our heirs and successors, from time to time, when and as often as the said offices or employments of clerk and prothonotary of the court aforesaid, and town-clerk for the city aforesaid, as clerk of the peace and crown of us, our heirs and successors, shall happen to be void by the death or due removal of the said Thomas Bourke, or any other such like officer hereafter to be named and constituted, or by any other means, then and so often, upon the humble petition of the mayor and commonalty and citizens of the city of Londonderry aforesaid, or their successors for the time being, in that behalf to be exhibited to us, our heirs and successors, we will assign, name, and constitute one other good and discreet man to be clerk and prothonotary of the said court, and town-clerk for the city aforesaid, and clerk of the peace and crown of us, our heirs and successors, in our said county of Londonderry, to continue in those offices or employments, and the same to occupy and exercise by himself, or his or their sufficient deputy or deputies; and to have, receive, and take the wages, fees, rewards, profits and advantages thereof, for and during the natural life of every such discreet man respectively so in those offices or employments named and constituted, or from time to time to be named or constituted respectively, unless in the mean time they, or any of them, shall be amoved from the same in due manner as aforesaid.

To continue for life, unless removed.

And we will, that as well the said Thomas Bourke as all and

To be sworn; and before whom.

every other person and persons to or in those offices or employments, in form aforesaid named and constituted, or to be named or constituted, and every of their deputies for the time being, shall take as well the said corporal oaths of allegiance and supremacy, as also his corporal oath upon the holy gospels, before the mayor of the said city of Londonderry aforesaid for the time being, well and faithfully to execute the said offices or employments in all things, according to the duty of those offices or employments, before they or any of them be admitted to the exercise of the said offices and employments respectively; to which mayor of the said city for the time being we do by these presents give and grant full power and authority to give and administer the said several oaths, as well to the said Thomas Bourke as to all and every other person and persons in or to those offices or employments hereafter in form aforesaid named and constituted, or to be named and constituted, and every of their deputy and deputies for the time being, notwithstanding any statute, law, ordinance, provision, prohibition or restraint, in our kingdom of England or Ireland made or enacted, or any other cause, matter or thing whatsoever.

Citizens of Derry to be toll free all over Ireland.

And further we will, and by these presents, for us our heirs and successors, do grant and confirm to the said mayor and commonalty and citizens of our city of Londonderry aforesaid, that all citizens of the said city of Londonderry and liberty of the same (as much as in us is) be for ever quit and free, and all their goods throughout all Ireland, of all tolls, wharfage, murage, anchorage, beaconage, pavage, pontage, piccage, stallage, passage, and lestage, and of all other tolls and duties whatsoever.

Acquittal of murder within the said city and liberties granted to the corporation. Grant of the sheriffwick of the city and county to the corporation.

We do also, for us our heirs and successors, grant and confirm to the same mayor and commonalty and citizens of the city of Londonderry aforesaid, acquittal of murder within the city of Londonderry and the liberties and suburbs of the same.

And further know ye, that we, for us, our heirs and successors, have given and granted, and by this our present charter confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, the sheriffwick of the aforesaid city and of the said county of Londonderry, with all things and customs which do, may or ought to belong to the aforesaid sheriffwick within the city and county of Londonderry aforesaid, and within the towns, places, and limits before mentioned to be granted, by land or water: To have and to hold to them and their successors for ever, and ultimately of us our heirs and successors; yielding therefore to us our heirs and successors ten shillings of lawful money of England, at the receipt of the exchequer of us our heirs and successors of Ireland, to be paid at the feast of St. Michael the Archangel every year for ever.

Sheriffs of the city to be sheriffs of the county.

And we will, and by these presents, for us, our heirs and successors, do grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that the sheriffs of the said city of Londonderry afore-

said, and their successors, shall be from time to time, and at all times from henceforth for ever, sheriffs as well of the said city as of the said county of Londonderry.

Wherefore we will, and firmly command, that the said mayor and commonalty and citizens of the city of Londonderry, and their successors, may for ever, ultimately, hereditarily, freely, quietly, honourably and wholly, have and hold the said sheriffwick of the said city and county of Londonderry, and other the premises mentioned to be granted, with all things to the said sheriffwick belonging, of us, our heirs and successors, by the said fee farm.

And further we will, and by these presents, for us, our heirs and successors, do grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that no merchant or others may go to meet merchants or other persons coming by land or by water with their merchandizes or victuals towards the city of Londonderry aforesaid, to buy or sell again the same wares or victuals, until they shall come to the same city, and have there exposed their wares and victuals to sale, upon pain of such forfeitures and punishments and imprisonments as by the laws and statutes of the said kingdoms of England or Ireland may or ought to be imposed upon such offenders.

Forestallers
to be pu-
nished.

And that every year, in the city of Londonderry aforesaid, as often as need shall be, inquisition shall be made, if any within the liberties of the same city shall use merchandizing in that city with the goods of others which are not or shall not be of the same liberty, avowing the same goods to be their goods, against their oath and contrary to the liberty of the city aforesaid; and they who shall be thereof lawfully convicted as aforesaid within the liberty of the same city, shall be punished at the will of the mayor and aldermen of the city aforesaid.

Colourers
of foreign
goods to be
disfranchised.

And that all and singular persons being free of the city aforesaid, and willing to enjoy the liberties and free customs of the same, be in lot and scot, and partake of all charges for the maintaining the state of the same city and liberties of the same, according to their oaths which they shall make when they shall be admitted to that freedom; and he which will not do this shall lose the freedom of the same.

Freemen to
bear scot
and lot.

And that all and every person being free of that city, and remaining out of the same city, and by himself or others using merchandizing within the said city of Londonderry, and the liberties thereof, or that hereafter shall remain and exercise, be in lot and scot with the commonalty of the same city for their merchandize aforesaid, or otherwise be removed from their freedom.

And that the common seal of the city of Londonderry aforesaid, shall remain in the custody of two aldermen, and two others of the commonalty of the same city, by the mayor, aldermen and common council of that city to be chosen.

Who to
have the
custody of
the com-
mon seal;
and of the

And that the weights and beams concerning merchandizes to

weights and
beams.

be weighed between merchants shall remain in the custody of good and sufficient men of the same city expert in that office, and to be chosen thereto by the mayor, aldermen and common council of the city aforesaid, to be kept at the pleasure of the mayor and aldermen and common council of the city of Londonderry aforesaid, and that they be not at all committed to others but such as shall be so chosen.

Foreigners
to pay toll;

And that the sheriffs of the said city and of the county of Londonderry aforesaid (who for the time shall be) shall and may by themselves, their officers and ministers, have, take, receive and enjoy reasonable tolls, customs and duties to the use of the mayor and commonalty and citizens of the city of Londonderry aforesaid, for all wares, merchandizes and other goods brought or imported to the same city of Londonderry, or the liberties of the same, by any person or persons not being citizens and freemen of the same, by water or by land; and for all wares, merchandizes and other goods exported or carried out of the said city of Londonderry and liberties of the same, by any person or persons not being citizens and freemen of the city aforesaid, by land or by water, to and towards the building and erecting of gates and walls for the same city of Londonderry, and for the reparation and maintenance of the same gates and walls of the said city.

and not to
sell by re-
tail,

And that merchants and others which are not of the freedom of the city of Londonderry aforesaid shall not sell by retail any wines or other wares whatsoever within the same city of Londonderry, the suburbs, liberties or franchises of the same, upon pain of forfeiture of the things so bought or the value thereof to the use of the mayor and commonalty and citizens of the city of Londonderry aforesaid.

or use any
mystery or
manual oc-
cupation.

And also that no person being a foreigner from the freedom of the city aforesaid, shall use or exercise within the same city, liberties or suburbs of the same, any art, mystery or manual occupation whatsoever, to make his gain and profit thereof, upon pain of forfeiture of forty shillings for every time wherein such person shall use or exercise within the said city of Londonderry, liberties and suburbs of the same, any art, mystery or manual occupation as aforesaid.

All forfeit-
ures grant-
ed to the
corporation
and how to
be recover-
ed.

And that the same forfeitures be, and shall be for ever, to the mayor and commonalty and citizens of the said city of Londonderry and their successors, without any account or other thing therefore to be yielded or made to us, our heirs or successors; and that all the said forfeitures be from time to time for ever recovered in the said court within the city of Londonderry aforesaid, for and in the name of the chamberlain of the same city for the time being, to the use of the said mayor and commonalty and citizens of the city aforesaid.

Abrocers to
be chosen
and sworn,

And that brokers of merchandizes in the city of Londonderry aforesaid, and liberties of the same, shall be from time to time elected by the mayor and aldermen of the city of Londonderry aforesaid, and thereupon shall take their oaths before the mayor

and aldermen of the city aforesaid, well and faithfully to execute their offices. To which said mayor and aldermen of the city aforesaid, we do by these presents give and grant power and authority to give and administer such oaths.

And that all common hosts and other persons resident in the said city of Londonderry, and suburbs of the same, although they be not free of the city aforesaid, shall be partakers of all public charges for paving of the places and streets and cleansing of the city aforesaid as long as they shall be so common hosts and residents or commorants in the same city, liberties or suburbs of the same, as other such hosts in the city and suburbs aforesaid by reason of their hostlery shall partake.

Common hosts (though not free) to partake of certain charges.

And that the goods of the aldermen of the city of Londonderry aforesaid shall in all aids, tallages and other contributions happening within the said city, be taxed by men of the said city of Londonderry, being thereto lawfully chosen and deputed, as the goods of other citizens of the same city.

Aldermen to be taxed as other citizens.

Moreover we grant, for us our heirs and successors, to the mayor and commonalty and citizens of Londonderry aforesaid, and their successors, that the mayor of the city aforesaid who for the time shall be appointed and named one of the justices of gaol delivery of the said city, liberties and suburbs thereof in every commission to be made to any justices of gaol delivery to be assigned for the same city, and in every commission therefore to be made shall be first named.

The mayor to be first in the commission of gaol delivery.

And that the said mayor and commonalty and citizens of the city of Londonderry aforesaid may have infangthef, outfangthef, and felons' goods, of all those that shall be adjudged before them within the liberties of the city of Londonderry aforesaid.

Infangthef, outfangthef, and felons' goods granted to the corporation.

And also we will and grant, for us our heirs and successors, to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that the clerk of the market of our household, or of our heirs, or any other officer or minister of us, our heirs or successors hereafter, may not sit within the liberties of the city aforesaid, nor within any town, place or limits before mentioned to be granted, nor may therein exercise any office, nor by any means draw any of the citizens of the city aforesaid, nor other inhabitants nor residents in the other towns, places and limits before mentioned to be granted, into plea out of the liberties of the city of Londonderry aforesaid, for any things arising within the liberty of the same city of Londonderry, or within the towns, places and limits before mentioned to be granted (the town and liberties of Coleraine excepted).

No clerk of the market or other officer of the crown to interfere.

And that no escheator or other minister hereafter may exercise the office of escheator within the liberty of the city of Londonderry aforesaid, or within the said county of Londonderry aforesaid, or within the towns, places and limits before mentioned to be granted (the town, liberties and franchises of Coleraine aforesaid excepted), but that the mayor of the city aforesaid for the time being may execute the office of escheator within the liberty of the city of Londonderry aforesaid, and within the afore-

The mayor to be sole escheator except in Coleraine.

said county of Londonderry, and the towns, places and limits before mentioned to be granted, (except within the town, liberties and franchises of Coleraine aforesaid,) so that he take his oath faithfully to exercise that office, and therefore answer to us and our heirs and successors as he ought.

No process to be executed in the county but by the sheriffs.

And that no summons, attachment, arrest, distress or execution whatsoever be made by any of the ministers of us, our heirs or successors whatsoever by writ, or without writ, within the liberty of the city aforesaid, or within the said county of Londonderry, or within any town, place and limits before mentioned to be granted, unless by the sheriffs of the county of Londonderry aforesaid, and by the ministers of the city of Londonderry aforesaid.

No purveyor or to take goods from the inhabitants against their will.

And that no purveyor, taker, officer or other minister of us, our heirs or successors, or of any other, may make any prise in the city of Londonderry aforesaid of the goods of the citizens of the said city, and of other the inhabitants and residents within the same city of Londonderry, against their will, unless he shall forthwith make due payment for the same, or have respite, at the good will of the vender.

No market to be within 7 miles of the city.

And that no market hereafter be granted by us, our heirs or successors, to any within seven miles compass of the city of Londonderry aforesaid.

Foreigners not to buy from, or sell to, foreigners.

And we will, grant, and by this our present charter do confirm, for us, our heirs and successors, to the said mayor and commonalty and citizens of the city aforesaid, and their successors, that hereafter no merchant stranger or foreigner from the liberties of the city of Londonderry aforesaid, may sell any merchandize within the liberties or suburbs of the said city of Londonderry aforesaid, to any other stranger or foreign merchant, nor any merchant stranger or foreigner may buy any merchandizes of any other merchant stranger or foreigner within the liberty or suburbs of the said city; upon forfeiture of the same merchandizes, or value thereof, to the mayor and commonalty and citizens of the city of Londonderry aforesaid.

Victuallers to be under the rule of the mayor and aldermen.

Further we will, and by this our charter do in like manner grant and confirm, for us our heirs and successors, that all manner of wines to be sold in the said city, and also all victuallers as well fishmongers as others dwelling in the said city, suburbs or franchises of the same, and those who shall hereafter come to the said city with victuals, shall be from henceforth under the government and rule of the mayor and aldermen of the city aforesaid for the time being.

The custody of the gates granted to the corporation:

And moreover of our more abundant grace we have granted, for us, our heirs and successors (as much as in us is), to the same mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that they may have the custody of all the gates and posterns of the city aforesaid now erected and built, or hereafter to be erected and built:

and the tronage of sundry merchandizes.

And also tronage, (that is to say) the weighing of lead, wax, pepper, alum, madder, and such other wares within the city of Londonderry aforesaid, and the liberties of the same for ever, by themselves or their sufficient deputies.

And further of our more abundant special grace, and of our certain knowledge and mere motion, we have given, granted, and confirmed, and by these presents, for us our heirs and successors, do give, grant and confirm, to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and to their successors, the liberties, freedoms and franchises hereunder written; (that is to say) that the mayor and recorder of the city of Londonderry aforesaid who now are, and their successors mayors and recorders of the city of Londonderry aforesaid for ever, and that those aldermen who hereafter shall bear the charge of the mayoralty of that city, after they shall leave their mayoralty and be thereof discharged, as long as they shall remain aldermen there, and four of the senior aldermen of the city aforesaid which next after the date of these presents shall bear and exercise the charge of aldermanship, and have not borne the office of mayoralty in the city aforesaid, and from henceforth as often as it shall happen that there shall not be living four aldermen of the same city which have not borne the charge of mayoralty in the same city, then and so often so many of the senior aldermen of the city aforesaid as together with the mayor, recorder and aldermen, which have borne the office of mayoralty of the city aforesaid, may supply the number of six justices of the peace of the city aforesaid, be conservators of the peace of us our heirs and successors, to be conserved and kept within our city aforesaid, and the liberties and suburbs of the same, and to keep and cause to be kept all statutes and ordinances made and to be made for the good of our peace, and for the conservation of the same, and for the quiet rule and government of the people of us our heirs and successors, in all their articles, as well within the city aforesaid as the liberty and suburbs of the same, according to the force, form and effect thereof; and to chastise and punish all those whom they shall find offending in the city aforesaid, and liberties and precincts of the same, contrary to the form and effect of the same ordinances and statutes, or any of them, as according to the form of those ordinances and statutes shall seem meet to be done; and to cause all those that shall use any threats to any of the people of us our heirs and successors, concerning their body, or burning their houses, to find sufficient security for their peace and good behaviour towards us, our heirs and successors, and all the people of us, our heirs and successors; and if they shall refuse to find such security, then to cause them to be kept safely in the gaol of us, our heirs and successors, of the same city of Londonderry, until they shall find such security.

Also we will, and by these presents, for us our heirs and successors, do grant and confirm that the now mayor and recorder, and their successors aforesaid, and such aldermen as aforesaid, or three of the same mayor, recorder, and aldermen, (whereof the mayor and recorder and their successors aforesaid we will to be two) be justices of us, our heirs and successors, to inquire, by the oaths of good and lawful men, as well of the city

The mayor, recorder, and certain aldermen, to be justices of the peace within the city.

The Quorum:

their
power.

aforesaid as of the liberties and suburbs of the same, by whom the truth of the fact may be best known, of all manner of murders, felonies, witchcrafts, enchantments, sorceries, art magick, trespasses, forestallings, regratings, ingrossings, and extortions whatsoever, and of all and singular other misdeeds and offences of which justices of peace of us our heirs and successors may lawfully, or ought to inquire, by whomsoever or howsoever within the city of Londonderry aforesaid, or the liberties or suburbs of the same, heretofore done or committed, or which hereafter shall happen to be done or committed; and also of all those which in the city aforesaid, or the liberties or suburbs of the same, shall go or ride, or from henceforth shall presume to go or ride, in conventicles, against the peace of us, our heirs and successors, in disturbance of the people of us, our heirs or successors, with armed force:

And also of all those that shall there lye in wait, or hereafter shall presume to lye in wait, to maim or kill the people of us our heirs or successors; and also of hostlers, and all and singular other persons which have offended, or attempted, or hereafter shall presume to offend, or attempt, in the city aforesaid, and liberties or suburbs of the same, in the abuse of measures and weights, or in the sale of victuals, contrary to the form of the ordinances and statutes, or any of them, therefore made for the common profit of our realm of Ireland, and of the people of us, our heirs and successors:

And also all sheriffs, constables, keepers of gaols, and other officers whatsoever, which in the execution of their offices about the premises, or any of them, have unduly behaved themselves, or hereafter shall presume unduly to behave themselves, or have been slack, remiss, or negligent, or hereafter shall happen to be slack, remiss, or negligent within the city aforesaid, liberties and suburbs of the same, and of all and singular articles, circumstances, and other things whatsoever, by whomsoever or howsoever within the city aforesaid, liberties or suburbs of the same, done or committed, or which from henceforth shall happen to be done or attempted howsoever, concerning the premises or any of them.

And to view all indictments whatsoever which hereafter shall be taken before the mayor and recorder, and their successors aforesaid, and such aldermen as aforesaid, or three of the same mayor, recorder, and aldermen (whereof the said mayor and recorder, and their successors aforesaid we will to be two); and to make and continue the process thereof, against all and every person so indicted, or which hereafter shall happen to be so indicted, until they be taken, or yield themselves, or be outlawed; and to hear and determine all and singular murders, felonies, witchcrafts, enchantments, sorceries, art magick, trespasses, forestallings, regratings, ingrossings, extortions, conventicles and indictments aforesaid, and all and singular other the premises, according to the laws and statutes of our realm of Ireland, as in such case hath been accustomed or ought to be done: and to

chastise and punish the same delinquents and every of them for their offences, by fines, redemptions, amerciaments, forfeitures, or other means, as according to the law and custom of our realm of Ireland, and form of the same ordinances and statutes hath been accustomed or ought to be done; giving strictly in charge to the sheriffs of the said city and of the said county of Londonderry, which now are or shall be hereafter, by the tenor of these presents, that they be attendant, assisting and aiding to the aforesaid now mayor and recorder, and to their successors and such aldermen as aforesaid, in all and every thing which to the office of conservators of the peace and such justices within the aforesaid city and liberties of the same do or may belong.

Sheriffs to attend them.

Also we will, and by these presents for us our heirs and successors do grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, that the said William Gardner above in these letters patent named and appointed to be mayor of the said city of Londonderry, before he be admitted to the said office of justice of peace shall take as well the oaths of allegiance and supremacy as his corporal oath to the office of mayor of the city aforesaid, and of a justice of peace, well and faithfully to execute his office respectively in all things, together with such other oaths (if any shall be) provided by the laws of this our realm of England in that part shall be requisite to be taken by every justice of peace, to be taken before the bishop of Derry for the time being. And that the bishop of Derry for the time being have and shall have, by virtue of these our letters patent, full power and authority to give and administer the several oaths aforesaid to the said William Gardner, without any other warrant or commission to be obtained or prosecuted of us our heirs and successors. And that every mayor of our city of Londonderry hereafter for the time being, and the present recorder of that city, and every other recorder of the same city hereafter according to the tenor of these presents to be named and constituted, and also all such aldermen of the same city now named and constituted, or hereafter by virtue of these presents to be named or elected, which according to the tenor and true intention of these presents now be, or hereafter shall be justices of the peace of the city aforesaid, and every of them, shall take as well the oaths of allegiance and supremacy as their said corporal oaths, rightly and faithfully to execute the office of a justice of peace, together with such other oaths (if any shall be) provided in that behalf by the laws and statutes of our realms of England and Ireland, or either of them, requisite to be taken of a justice of peace before the mayor of the city of Londonderry aforesaid, for the time being, or his last predecessor then late mayor of the said city for the time being. And that the mayor of the said city for the time being, and his last predecessor aforesaid for the time being, have and shall have, and every of them have and shall have, full power and authority, by virtue of these our letters patent, to give and administer the several oaths aforesaid to all and every such justices of the peace, or any of

Oath to be taken by the mayor; and before whom:

and by the recorder and other justices; and before whom.

them, without any other warrant or commission from us our heirs or successors, in any manner to be obtained or prosecuted.

Justices at large not to interfere in the city.

Also we do prohibit, for us our heirs and successors, by these presents, that no justice of the peace of us our heirs or successors of the said county of Londonderry aforesaid, but such justices of the peace of the said county which are or shall be also justices of the peace of the said city of Londonderry, may at any times enter, or presume to enter, into the said city, liberties or precincts of the same, to do or execute any thing there that justices of the peace of the same city by virtue of these our letters patent may or ought to do.

The mayor, recorder, and certain aldermen, to be justices of the peace in the county.

And further we will, and by these presents for us our heirs and successors, do firmly charge and command, the chancellor or keeper of our great seal of Ireland for the time being, that in all commissions of us our heirs and successors hereafter to be made for the conservation of our peace in the said county of Londonderry, and for the executing of such things in the county aforesaid as do belong to the office of justice of peace, the mayor, recorder, and any four aldermen of the said city of Londonderry for the time being, shall be appointed and constituted to be justices for conservation of the peace of us our heirs and successors within the said county of Londonderry.

And we will that the said chancellor or keeper of the seal, when and as often as in that behalf it shall seem requisite to him, shall in every such commission also appoint such and so many other persons of the said city or county of Londonderry to be justices of the peace for the said county only, and not of the said city of Londonderry, liberties or suburbs of the same, together with the mayor, recorder, and aldermen as to the said chancellor or keeper of the seal shall seem in that behalf to be necessary.

The sessions and assizes to be held in the city.

And we will, and by these presents for us, our heirs and successors do grant, ordain and confirm, that the justices of us, our heirs, and successors assigned or to be assigned for taking of assizes and nisi prius, in the said county of Londonderry, the justices of us our heirs and successors, assigned or to be assigned for the gaol delivery of the said city of Londonderry from time to time, the justices of us, our heirs and successors, assigned and to be assigned, for oyer and terminer within the same county of Londonderry, and also the justices of peace of us, our heirs and successors of the said county of Londonderry, and every of them severally and respectively, from time to time shall hold and keep all and every of their several sessions, as well for assizes and nisi prius to be taken in the said county of Londonderry, as for the gaol delivery of the said county of Londonderry, and for oyer and terminer in the said county of Londonderry, and for the execution of such things and business which do belong or appertain to the office of a justice of peace of the said county of Londonderry, within the said city of Londonderry and not elsewhere, or in any other place out of the same city; unless by reason of the

plague raging in the same city, or for any other grievous cause they be forced to hold the same sessions in some other place more convenient, until the said city shall recover her former estate and health and may conveniently receive the said sessions, and not longer.

And further, of our more abundant grace we have given, granted and confirmed, and by these presents for us, our heirs and successors do give, grant and confirm unto the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and to their successors, all and all manner of fines, issues and amerciaments whatsoever, in all and every sessions of the peace to be holden within the said city of Londonderry, liberties and precincts of the same, before the justices assigned and to be assigned to keep the peace of us, our heirs and successors in the same city, of and for all and singular things, causes and matters whatsoever in any manner hereafter arising or happening within the said city, liberties or precincts of the same, to hold to the said mayor and commonalty and citizens, and their successors, as of our gift, without any accmpt or any other thing in any manner therefore to be yielded, paid or made to us, our heirs or successors.

All fines and felons' goods granted to the corporation ;

We have also given, granted and confirmed, and by these presents for us, our heirs and successors do give, grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and to their successors, all goods and chattels of all and singular felons and fugitives, felons of themselves and of those put in exigent for felony, growing happening arising or chancing within the same city, liberties and suburbs of the same ; and that the same mayor and commonalty and citizens, and their successors, may have in the city aforesaid, and in the county of Londonderry aforesaid, and the towns, limits and places before mentioned to be granted (except in the town and liberties of Coleraine aforesaid), assize and assay of bread, wine, beer and ale, and of all other victuals and things whatsoever in the city aforesaid, and other the said premises (except before excepted), to be sold.

and the assize and assay of bread and beer ;

And also the office of clerk of the market within the said city of Londonderry, and the liberties of the same, and within the said county of Londonderry, and within the said towns, places and limits before mentioned to be granted, and all and whatsoever doth belong to the office of clerk of the market, together with the correcting and punishing of all persons there selling bread, wine, beer, and other victuals, with the forfeitures, fines, and amerciaments to be forfeited, and in all other things which there do and may hereafter there belong to us, our heirs or successors, to have and exercise the same office by their sufficient deputies.

and the office of the clerk of the markets in the city and liberties ;

And that they may in the city aforesaid and in the said county of Londonderry, and in the towns, places and limits before mentioned to be granted (except in the town and liberty of Coleraine aforesaid), the full execution of all writs whatsoever of us, our

and the execution of writs, except Coleraine.

heirs and successors, and of all other writs, mandates, precepts, estreats and warrants, with the return of the same, by their minister or deputy or by their ministers or deputies whom they shall choose thereto, so that for ever the clerk of the market or household of us, our heirs or successors, or any sheriff, escheator or any other officer or minister of us our heirs or successors, may by no means enter or intermeddle to do any thing which doth or may there belong to his, or their, or any of their, office or offices, for us our heirs or successors.

And the appointment of under-sheriffs, clerks, &c.

We have also granted and confirmed, and by these presents, for us, our heirs and successors do grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and to their successors, that they may choose all such under sheriffs, clerks and bailiffs to the said sheriffs of the said city and county of Londonderry aforesaid, and of the towns, places and limits above mentioned to be granted (except the town and liberties of Coleraine aforesaid), for which they will answer as often and when it shall seem meet unto them, to be made, elected and chosen, to have exercise and occupy those offices so long as it shall please them, any statutes or ordinances made to the contrary in any wise notwithstanding.

Aldermen not to be put in assizes, juries, &c. out of the city.

Furthermore, seeing it is sufficiently notorious and manifest that they of the city of Londonderry aforesaid which are called, elected and taken to the degree of aldermanship, (their manners and merits requiring it,) having undergone great charges, costs, and labour for the time that they make their abode in the same city, diligently attending the public good, and rule and government of the same, and for that cause in the mean time often leaving their possessions and places in the country, therefore they all and every of them (these things being worthily weighed and considered) may recreate, solace and divert themselves, and quietly remain and stay in such their houses, places and possessions, without all fear of inquietude, trouble or grievance, when after so great charges and labour for cause of recreation and solace they shall betake themselves thither.

And moreover, of our especial grace we have granted for us, our heirs and successors to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that all they and every of them which now are aldermen of the said city and their successors there to be aldermen for the term of their lives, may have this liberty; (that is to say) that as long as they shall remain aldermen there, and shall bear the charge of aldermanship, they be not put nor any of them be put in any assizes, juries, attaints, recognizances or inquisitions whatsoever out of the city of Londonderry aforesaid.

A market granted to the corporation; and when to be held.

Also, we have granted and confirmed to the same mayor and commonalty and citizens of the city aforesaid, and to their successors for ever, that they may for ever have, hold and keep within the city of Londonderry, liberties and suburbs of the same, a common market, to be holden on the Mondays, Wednesdays, Fridays and Saturdays in every week throughout the year; and

also one fair in the city of Londonderry aforesaid, suburbs and liberties of the same, yearly for ever; (that is to say) on the feast of St. Bartholomew the Apostle, and to continue and endure all the said feast and by eight days next following; together with a court of piepowder, and with all liberties and free customs belonging to such a fair; and that they may there have and hold at the said court before their minister or deputy by the said several days, from day to day, from hour to hour, and from time to time, all actions, plaints and pleas of a court of piepowder, together with all summonses, attachments, arrests, issues, fines, redemptions, commodities and other rights whatsoever to the same court of piepowder in any manner belonging or appertaining, without any impeachment, impediment or trouble, of us our heirs or successors, or of any of our officers or ministers whatsoever.

and a yearly fair;

And also, that the same mayor, and commonalty and citizens of the city of Londonderry may have in that city and liberties thereof, the view of frankpledge, and all and whatsoever doth belong to view of frankpledge, together with all summonses, attachments, arrests, issues, amerciaments, fines, redemptions, profits, commodities, and other things whatsoever, which may or ought thereof to belong in any manner to us, our heirs or successors.

and view of frankpledge:

And for the improvement of our said city of Londonderry, we do ordain and constitute that for ever hereafter there be, and shall be, within the same city, a great beam and common balance, for weighing between foreign merchants and the freemen of the city of Londonderry aforesaid, and between foreign merchants; and that for ever hereafter there be, and shall be within the same city, the office of keeper of the said great beam and common balance:

and the offices of keepers of the great beam and great balance, by them or their deputies.

And also, that for ever hereafter there be, and shall be a great balance or weight within the said city of Londonderry, for the weighing of all merchandizes of avoirdupois, and of all weights whatsoever within the said city, liberties, and suburbs of them, and of all spices, wares, and things ponderable, to be weighed in our city of Londonderry aforesaid, liberties and suburbs of the same; and the said offices of keeper of the great beam and great balance aforesaid, with all reasonable fees and profits belonging to such office, we do, for us our heirs and successors, give and grant to the said mayor and commonalty and citizens of Londonderry aforesaid and their successors, by these presents.

And also, we do give and grant to the same mayor and commonalty and citizens of the city of Londonderry, and to their successors, authority and power to make and name from time to time, all and all manner of clerks, porters, servants, and ministers of the great beam and balance, and of the iron beams and weights aforesaid; and to remove the same clerks, porters, servants, and ministers, and every of them, and other or others in his or their place or places to place, put, and constitute, as often

as it shall seem expedient to them, to have, occupy, and exercise the offices aforesaid, together with the authority and power aforesaid, to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and to their successors, by themselves, or by their sufficient deputy or deputies for ever, to their proper use and behoof, together with all fees, duties, wages, and profits reasonable for the doing of the same offices and services, without any accompt or other thing to be yielded therefore to us our heirs or successors.

The offices
of packer
and porter
established;

And also for us, our heirs and successors, we do ordain and constitute, that for ever hereafter there be and shall be within our said city of Londonderry, the offices or occupations of packing all woollen cloth, sheeps' and calves' skins, vessels of pewter, and all merchandizes whatsoever, to be packed, toned, piped, barrelled or howsoever included, with the survey of numbering, measuring and weighing of the merchandizes aforesaid; and also the oversight of the opening of what merchandizes soever customable arriving to the port of safety and going out of the same port, as well by land as by water, within the liberties and franchises of our said city of Londonderry aforesaid, and the liberties of the same, as well of the goods of strangers as of denizens, wheresoever they have been customed.

And that for ever hereafter there be and shall be within the said city of Londonderry, one office of packing woollen cloths, sheeps', lambs', and calves' skins, with kipping and powdering of the same skins, and of vessels of pewter and other merchandizes which in the city of Londonderry aforesaid, liberties and suburbs of the same, shall be to be packed, kipped or powdered, or by land to be carried customed as well the goods of strangers as of denizens; and also of the carriage and portage of all wool, skins, tin, bales, and all other merchandize whatsoever in the city of Londonderry aforesaid, liberties and suburbs of the same, from the river of Loughfoile aforesaid unto the houses of strangers, and contrarywise to the same water of Loughfoile aforesaid to be carried, or other merchandizes being in any house, which ought to be carried.

and that of
garbler;

And that for ever hereafter there be and shall be in the city aforesaid, and in the said county of Londonderry (except within the aforesaid town and liberties of Coleraine), the office of garbling of what spices soever and other merchandizes coming to that city of Londonderry, liberties or suburbs of the same, or within the said county of Londonderry.

and that of
gauger.

And that for ever there be and shall be within the said city and county of Londonderry aforesaid (except within the town and liberties of Coleraine aforesaid) the office of gauger of all and all manner of vessels of all wines whatsoever, and of all other vessels of vinegar, oil, honey, and of all other merchandizes of what nature, kind, or form soever gaugeable, coming to the said city and within the said county of Londonderry (except within the said town and liberties of Coleraine).

The said
offices

And of our more abundant grace, certain knowledge and mere

motion, we do for us our heirs and successors, by these presents give, grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, the offices or occupations of packing of all woollen cloths, sheep-skins, calves'-skins, vessels of pewter, and of all merchandizes whatsoever to be packed, delivered, piped, barrellled or otherwise included, with the oversight of measuring, numbering, and weighing of merchandizes, and the oversight of opening whatsoever merchandizes customable arriving at the port of safety, and going out of the said port, as well by land as by water, within the liberties and franchises of our city of Londonderry aforesaid, and the suburbs of the same, as well of the goods of strangers as of denizens, wheresoever they shall be customed, and the said office of packing of all woollen cloths, sheep-skins, lambs'-skins and calves'-skins, with the kipping and powdering of the same skins and of vessels of pewter and other merchandizes, which in the city of Londonderry aforesaid, the liberties and suburbs of the same shall be customed, packed, kipped or powdered, or by land carried (as well the goods of strangers as of denizens), and also of the carriage and portorage of all wool, skins, tin, bales, and of all other merchandizes whatsoever which in the city of Londonderry aforesaid, liberties and suburbs of the same, shall be carried from the water of Loughfoile aforesaid to the houses of strangers, and contrarywise to the same water of Loughfoile, and of other merchandizes being in any house which ought to be carried.

granted to the corporation to be executed by themselves or deputies.

And also the aforesaid office of garbler of what spices soever and of other merchandizes coming to our city of Londonderry aforesaid, liberties and suburbs of the same, or within the said county of Londonderry (except within the said town and liberties of Coleraine aforesaid); and also the office of gauger of all and all manner of vessels of all wine whatsoever, and of all other vessels of vinegar, oil, honey, and all merchandizes of what kind nature or quality soever they shall be coming to the said city, and within the said county of Londonderry (except within the aforesaid town and limits of Coleraine aforesaid).

To have the offices aforesaid, and the said occupations and every of them, and the disposing, ordering, oversight and correction of them and every of them; together with the fees, duties, wages and profits to such offices and every of them incident belonging or appertaining, to the said mayor and commonalty and citizens of our city of Londonderry aforesaid, and to their successors, to their own proper use and behoof for ever.

And also to exercise and occupy those offices and every of them by themselves or their sufficient deputies.

We have also given, granted and confirmed, and by these presents of our more ample special grace, and of our certain knowledge and mere motion, for us our heirs and successors, do give, grant and confirm to the same mayor and commonalty and citizens of the city aforesaid, and to their successors, that they and their successors may have authority from time to time to choose

The corporation to choose a coroner.

such and so many fit persons to be coroners of the city of Londonderry aforesaid, and of the said county of Londonderry, and towns, places and limits before mentioned to be granted, (except the office of coroner of the town, liberty and franchises of Coleraine aforesaid,) as it shall please the said mayor, commonalty and citizens and their successors. And that every person and persons so as aforesaid to be named and elected, be and shall be coroner and coroners of us our heirs and successors of the said city of Londonderry, and the liberties of the same, and of the said county of Londonderry respectively (except the aforesaid town and liberties of Coleraine aforesaid), and from thenceforth from time to time may have and exercise, use and enjoy that office or offices of coroners to which they shall be so elected and appointed, during the pleasure of the said mayor and commonalty and citizens of the city aforesaid for the time being, having first taken their corporal oaths before the mayor of the said city of Londonderry for the time being, rightly well and faithfully to execute that office; and that the mayor of that city for the time being, by virtue of these presents, may have and shall have, by virtue of these presents, full power, faculty and authority, to give and administer such corporal oaths to such person or persons so as aforesaid respectively to be nominated and chosen unto the office of coroner of the said city and of the said county of Londonderry, truly well and faithfully to exercise and execute that office, in and by all things to which he or they shall be so chosen and nominated, without any other commission or warrant to be therefore obtained or procured of us our heirs or successors; so that no other coroner of us our heirs or successors may by any means intermeddle within that city and suburbs of the same, or the said county of Londonderry, and the towns, places and limits before mentioned to be granted (except within the said town and liberties of Coleraine aforesaid).

Before whom to be sworn.

No other coroner to interfere.

The corporation to arrest malefactors.

And further, that the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, may take and arrest felons, thieves and other malefactors found in the same city of Londonderry, by themselves or by their sufficient ministers or deputies constituted in the city aforesaid, and in other the said premises, and to bring them to our goal in the said city of Londonderry, there to be safely kept until by due process of law they be delivered.

The corporation to send two burgesses to parliament.

And further of our more abundant grace, certain knowledge, and mere motion, we will and by these presents for us our heirs and successors, do grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid and their successors:

And also by these presents we do ordain and establish for ever, that there be and shall be in the said city of Londonderry, two burgesses of the parliament of us, our heirs and successors; and that the mayor and commonalty, and citizens of the city of Londonderry aforesaid, and their successors, by virtue of any precept, mandate, or process, upon the writ of us

our heirs and successors, for the election of the burgesses of the parliament, in that behalf duly directed, may and shall have power, authority, and faculty to choose and nominate two of the most discreet and sufficient citizens and freemen of the said city for the time being, to be burgesses for the parliament of us, our heirs and successors, for the same city, and the same burgesses so selected at the costs and charges of the said mayor and commonalty, and citizens of the city of Londonderry aforesaid, and their successors for the time being, to send to our parliament, and of our heirs and successors, wheresoever it shall be then holden, in the same manner and form as in other places, cities, boroughs, or towns of our realm of Ireland is used and accustomed; which burgesses so elected and nominated we will to be present and to make their stay at the parliament of us our heirs and successors, at the costs and charges of the said mayor and commonalty, and citizens for the time being, during the time that such parliament shall happen to be holden, in the like manner and form as other burgesses for the parliament for any other places, cities, boroughs, or towns within our realm of Ireland do or have accustomed or ought to do; and which burgesses in the parliament of us, our heirs and successors, may as well have their affirmative as negative voices, and the same may make and execute, and all and singular other things do as other burgesses of the parliament of us, and of our heirs and successors, for whatsoever other places, cities, boroughs or towns, or other place, city, borough or town whatsoever, have had, done and executed, or may have, do or execute, or may enjoy, by any reason or means whatsoever.

And further we have given, granted, and confirmed, and by these presents, for us, our heirs and successors, do give, grant, and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, and also we do charge, and firmly for us, our heirs and successors, do command all sheriffs' officers and ministers whatsoever, of us, our heirs and successors of our said city of Londonderry for the time being, to whom any writ or writs for the election of burgesses for the parliament within our said city of Londonderry, at any time hereafter shall be directed, that every such sheriffs' officer, or minister to whom any such writ so as aforesaid hereafter shall be directed, do make his precept to the mayor and commonalty and citizens of the city of Londonderry aforesaid for the time being, for the election and return of the same two burgesses of the said citizens and freemen of the said city of Londonderry, according to the form and effect of the same writ or writs; and these our letters-patent, or the inrollment of the same, shall be in that behalf a sufficient warrant and discharge, as well to the said mayor and commonalty, and citizens of the city of Londonderry aforesaid, and to their successors, as to all and singular sheriffs' officers and ministers of us our heirs and successors.

The sheriffs to issue precepts for that purpose.

And further, of our abundant especial grace, certain knowledge, and mere motion, for us, our heirs and successors, we do

The corporation em-

powered to
erect guilds
and fratern-
ities ;

grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that for the better increase of all and all manner of arts, mysteries and manual occupations whatsoever within the said city and suburbs thereof, and for reducing the same into better order and perfection, such and so many of the mayor, commonalty and citizens of the city of Londonderry aforesaid, and their successors, as do now use and exercise, or hereafter shall use and exercise any art, mystery, or manual occupation, be from time to time for ever hereafter separated and divided by the mayor and commonalty and citizens of the city of Londonderry aforesaid for the time being, or the greater part of them, into companies, guilds, or fraternities of the same art.

And that by virtue of these presents, the mayor and aldermen of the city of Londonderry aforesaid for the time being, or the major part of them, may from time to time for ever, ordain and constitute of such persons as is aforesaid, such and so many several guilds or fraternities within the city and liberties of Londonderry aforesaid ; and the same respectively to call and name by such names as shall seem expedient and necessary to the same mayor and aldermen of the city aforesaid for the time being, or the major part of them ; and that from thenceforth every such company, guild, or fraternity so ordained or constituted from time to time, shall and may make and erect respectively for themselves, a common hall, or other convenient place within the said city of Londonderry, and themselves there respectively lawfully to assemble, and may and shall have full power and authority to ordain, constitute, appoint and make laws, orders and ordinances for the good order, government and direction of such company, guild or fraternity, in his proper art, mystery or manual occupation, and in all things touching or concerning the said art, mystery or manual occupation, and for the better correction and reformation of the abuses, defects, deceits or corruptions in such art, mystery or manual occupation ; and also power and authority to make, ordain, provide, impose, assess and inflict reasonable and fit pains, punishments, and penalties, for the better observation of such laws, orders and ordinances, by imprisonment of body, or by fines or amerciaments, or by either of them, upon the persons offending against any such laws, orders and ordinances, and by the distress of the goods and chattels of such offenders and delinquents for the fines and amerciaments aforesaid, and the same to retain until the fines and amerciaments aforesaid shall be satisfied ; all and singular which laws, orders and ordinances so as aforesaid to be made by every person and persons of such company, guild, or fraternity, we will to be observed, under the pains in the same to be contained ; so always, and upon condition that such laws, ordinances, orders, pains, penalties, imprisonments, fines and amerciaments be reasonable, and not repugnant nor contrary to the laws and statutes of our kingdom of England or Ireland, and so that such laws, orders and ordinances so made, ordained and constituted,

be from time to time ratified, confirmed and approved by the mayor and aldermen of the city aforesaid for the time being (whereof the mayor of the city aforesaid for the time being we will always to be one), before that the same laws, orders and ordinances be published to be observed or put in execution; all which fines, americiaments and forfeitures so from time to time to be imposed, assessed and forfeited, for us our heirs and successors we do give and grant to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and to their successors for ever.

And further of our more abundant especial grace, and of our certain knowledge and mere motion, we will, and by these presents, for us, our heirs and successors, do grant and confirm to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that they and their successors for ever hereafter may have one gaol in any convenient place within the said city of Londonderry, to be chosen by the mayor and the greater part of the common council of the same city for the time being, for what person soever to be arrested or attached for whatsoever felonies, trespasses, misdemeanours, and other matters and causes whatsoever within the said city and county of Londonderry, or to the same gaol to be committed, to be there safely kept and remain until, according to the laws of our realm of Ireland, they be in due manner from thence delivered.

and to have
a common
gaol for the
city and
county.

And we being willing that as well the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, as the said Society of the governor and assistants of London of the new plantation in Ulster aforesaid, and their successors, and every of them respectively, may have, hold, use and enjoy all and singular the castles, manors, lordships, lands, tenements, liberties, franchises, and all and singular other the premises above by these presents respectively before granted or confirmed, with all their appurtenances, according to the true intention in these presents declared, notwithstanding any ambiguities, defects or misprisions whatsoever slipped into these our letters patent.

Of our especial grace, certain knowledge and mere motion, we will and do signify, and by these presents, for us, our heirs and successors, do covenant and grant to and with the said mayor and commonalty and citizens of the city of Londonderry, and their successors, that if and whensoever it shall happen, any ambiguity or defect, or any ambiguities or defects shall arise or be found in these our letters patent at any time hereafter, for or by reason that the said liberties, franchises and privileges, and other the premises by these presents mentioned or intended to be granted and confirmed to the same mayor and commonalty and citizens of the city aforesaid, or any of them, are not plainly expressed or granted, by words sufficient and ample enough, or for any other cause or matter whatsoever, that the said mayor, and commonalty and citizens of the city of Londonderry aforesaid cannot use and enjoy the same premises by virtue and force

The king's
covenant to
explain and
amend this
Charter.

of these presents, according to the intent and plain signification of the words contained in these our letters patent :

Then, and so often, upon the humble petition of the same mayor and commonalty and citizens of the said city of Londonderry aforesaid, and their successors, to be in that behalf exhibited and preferred to us, our heirs or successors, and upon due examination and certificate of such ambiguities and defects in that behalf to be made by the attorney-general of us, our heirs or successors of our kingdom of England for the time being, we, our heirs and successors, will make and cause to be made, to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, other letters patent, to be sealed with the great seal of England, or with the great seal of Ireland, with the explanation, amendment and supply of all such doubts, ambiguities and defects as in that behalf it shall seem to be reasonable and requisite to us our heirs and successors.

And for the better giving, granting, securing, and confirmation of the same premises to the same mayor and commonalty and citizens of the said city of Londonderry, and their successors, according to our true intent, and according to the intent and plain signification of the words in these our letters patent contained, any thing in these presents to the contrary notwithstanding.

Also we will, and by these presents, for us, our heirs and successors, do covenant and grant to and with the said Society of the governor and assistants of London of the new plantation in Ulster aforesaid, and their successors, that if, and as often as it shall happen, any doubt, question, ambiguity or defect, or any doubts, questions, ambiguities, or defects in these our letters patent at any time hereafter shall arise or be found, for or by reason that the said castles, lordships, manors, lands, tenements, liberties and hereditaments, and other the premises mentioned, or intended by these presents to be granted and confirmed to the same Society, or any of them, are not plainly expressed or granted with words sufficient and ample enough, or for or in respect of the misnaming or misreciting, or not true mentioning or describing of the same premises, or any of them, or the places, territories or countries in which the same, or any of them, are situate, lying or being, or for any other cause or matter whatsoever, so that the said Society and their successors shall be prevented from using and enjoying the same premises, or some or any of them, according to the true intent of these our letters patent : then and so often, upon the humble petition of the same Society or their successors, to us, our heirs or successors, in that behalf to be exhibited and preferred, and upon due examination and certificate of such doubts or defects in that behalf to be made by the attorney-general of us our heirs or successors of our realm of England for the time being, we, our heirs and successors, will make and grant, or cause to be made and granted to the said Society and their successors, other letters patent, to be sealed with the great seal of England, or with the great seal

And for
further as-
surance.

of Ireland, with the explanation, amendment and supply of the same doubts and defects as it shall seem to be requisite and reasonable in that behalf to us, our heirs and successors.

And for the better giving, granting, securing and confirming the same premises to the same Society and their successors, according to the true intention of these letters patent, and the plain signification of the words in these our letters-patent contained, any thing in these presents to the contrary notwithstanding.

And further we will, and by these presents for us, our heirs and successors, do ordain and firmly enjoining do command, that the present governor of the Society aforesaid, and his deputy above named, and all the assistants of the said Society by these our letters patent above named and constituted, and all governors and assistants of the Society aforesaid, and every of them hereafter by virtue of these presents to be named and elected, and all and every deputy of any such governor for the time being, before they or any of them be admitted to the exercise or execution of such office or offices, place or places respectively, shall take their corporal oath upon the holy evangelists, before the mayor of the city of London aforesaid for the time being, well and faithfully to execute such office and offices, place and places respectively; to which said mayor of the city of London aforesaid for the time being, we do by these presents, give and grant full power and authority from time to time to give and administer the same oaths.

The members of the Society to take the oath of office; and before whom.

And further we will, and by these presents, for us our heirs and successors, do ordain and firmly enjoining do command, that the aldermen, chief burgesses, sheriffs, chamberlain, and all other officers and ministers of the said city of Londonderry, and every of them, in or by these our letters patent now named, appointed, or constituted, or by virtue or according to the tenor of the same our letters patent hereafter to be named, elected, or constituted, before they or any of them be admitted or do otherwise in that behalf enter upon the execution or exercise of the office or offices, place or places, to which so as aforesaid they are now respectively named, appointed, or constituted, or hereafter in form aforesaid to be named, elected, or constituted, shall take, and every of them shall take the oaths of allegiance and supremacy upon the holy evangelists, before the mayor or recorder of the city of Londonderry aforesaid for the time being, in the presence of the aldermen of the same city for the time being, or the major part of them; to which mayor and recorder of the city of Londonderry aforesaid for the time being, and either and every of them, we do, by these presents, give and grant full power and authority, from time to time, in form aforesaid to give and administer the said several oaths.

The aldermen, burgesses, sheriffs, &c. to take certain oaths; and before whom.

And further we will, and by these presents for us our heirs and successors do ordain and firmly enjoining do command, that the governor and assistants of the said Society of the governor and assistants of London of the new plantation in Ulster within the realm of Ireland aforesaid, and the deputy of the same governor, and

The members of the Society to take the like oaths.

all other officers and ministers of the same Society and every of them, in or by these our letters patent now named, appointed or constituted, or by virtue or according to the tenor of the same our letters patent hereafter to be named, elected or constituted, before they or any of them be admitted or do otherwise in that behalf enter upon the execution or exercise of the office or offices, place or places to which they are so aforesaid now named, elected or constituted respectively, or hereafter in form aforesaid to be named, elected or constituted, they and every of them shall take the oaths of allegiance and supremacy upon the holy evangelists, before such person or persons which by the laws and statutes of this our realm of England are appointed and designed or hereafter shall be appointed and designed to give and administer such oaths.

These letters patent, or the inrollment thereof, to be effectual.

And further, we will, and by these presents for us, our heirs and successors do grant to the said Society of the governor and assistants of London of the new plantation in Ulster aforesaid and their successors, and to the said mayor and commonalty and citizens of the city of Londonderry aforesaid, and their successors, that these our letters patent, or the inrollment of the same, shall be in and by all things for ever firm, strong, good, sufficient and effectual in the law, against us our heirs and successors, as well in all our courts as elsewhere within our kingdoms of England and Ireland, without any confirmations, licences or toleration, in any manner hereafter to be procured or obtained of us our heirs or successors.

Non-obstante clause.

And notwithstanding the ill naming or ill reciting or not reciting the said territories, lands, tenements, advowsons, waters, rivers, fishings, piscaries, and other the premises by these presents before granted and confirmed, or any of them or any parcel thereof.

And notwithstanding the not finding of any office or inquisition of the premises, or any parcel thereof, by which our title ought to be found before the making of these our letters patent.

And notwithstanding the misreciting or not reciting of any demise or grant made of the premises or any parcel thereof, being of record or not of record.

And notwithstanding the misnaming, or not naming, or not truly naming any town, hamlet, parish, place or county in which the premises or any part thereof are or is.

And notwithstanding that of the names of the tenants, farmers or occupiers of the premises or any parcel thereof, full true and certain mention is not made.

And notwithstanding any defect of or in the certainty or computation or declaration or omission of, the true yearly value of the premises or of any parcel thereof, or of the yearly rent reserved of and upon the premises or of and upon any parcel thereof, expressed and contained in these our letters patent.

And notwithstanding any other defects in not naming or not truly naming any tenant, farmer or occupier of the premises or any parcel thereof.

And notwithstanding the statute made in the parliament of the lord Henry the Sixth, late king of England our predecessor, in the eighteenth year of his reign.

And notwithstanding any other defects in the not truly and rightly naming of the nature, kind, form, quantity or quality of the premises or any parcel thereof.

And notwithstanding any law, statute, provision, ordinance, direction, restraint, or any other thing cause or matter whatsoever.

And we of our further special grace, certain knowledge and mere motion, for us our heirs and successors, do pardon, remise, release, and for ever quit claim, to the mayor and commonalty and citizens of our city of London, and to all and singular companies and bodies politic of the same city which heretofore purchased any part of the premises in these our letters patent mentioned and granted, or heretofore granted by the said letters patent of our said grandfather, and all and every of them, and all and every of their successors whomsoever, and every member of them, and every of them, and every other person whomsoever, all and singular sums of money which they or any of them have received by pretence or colour of the said letters patent of our grandfather aforesaid, or otherwise howsoever since the death of our illustrious father; or for the honours, manors, lands, tenements and hereditaments, customs, fishings, and other things whatsoever in the same letters patent expressed and contained; and all rents, duties, customs, covenants, conditions, accompts, claims, and demands whatsoever, which we, our heirs or successors, have or may have, or challenge for or concerning the premises, or any parcel of the same.

The King releases all sums received since the death of Charles the First for the purchase of any of the premises.

Also we will, and by these presents, for us, our heirs and successors, do grant to the said Society of the governor and assistants of London of the new plantation in Ulster aforesaid, that they may and shall have these our letters patent, in due manner made and sealed under our great seal of England, without fine or fee great or small, in any manner therefore to be yielded, paid, or made to us in our hanaper, or elsewhere to our use.

These letters patent to be sealed without fine to the crown,

Provided that the governor and assistants of London of the new plantation in Ulster aforesaid do inroll, or cause to be inrolled, these our letters patent in the office of the remembrancer of the treasurer of our exchequer in England, within six months after the date hereof, to the end the same may there remain of record to our use.

if inrolled in six months.

Witness the king at Westminster the tenth day of April in the fourteenth year of his reign.

Teste.

We have caused the tenor of our said letters patent to be exemplified by these presents, at the request of the said Society of the governor and assistants of London of the new plantation in Ulster aforesaid.

In witness whereof, we have caused these our letters to be made patent.

Witness myself at Westminster, the eleventh day of January, in the eighteenth year of our reign.

GRIMSTON and PINDAR.

Examined by us, { THOMAS ESTCOURT, } Masters of
 { JO. COELL, } Chancery.

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TRANSLATION
OF
THE CHARTER
OF
KING JAMES THE FIRST
TO
THE TOWN OF COLERAINE.

JAMES, by the grace of God, of England, Scotland, France, and Ireland King, Defender of the Faith, &c., To all to whom these present Letters shall come, greeting: Whereas there can be nothing more worthy of a King to perform, than to establish the true religion of Christ among men hitherto depraved and almost lost in superstition, to improve and cultivate by art and industry countries and lands uncultivated and almost desert; and not only to stock them with honest citizens and inhabitants, but also to strengthen them with good institutions and ordinances, whereby they might be more safely defended, not only from the corruption of their morals, but from their intestine and domestic plots and conspiracies, and also from foreign violence: and whereas the province of Ulster in our realm of Ireland, for many years past, hath grossly erred from the true religion of Christ and divine grace, and hath abounded with superstition, insomuch that for a long time it hath not only been harassed, torn, and wasted by private and domestic broils, but also by foreign arms: We therefore, deeply and heartily commiserating the wretched state of the said province, have esteemed it to be a work worthy of a Christian prince, and of our royal office, to stir up and recal the same province from superstition, rebellion, calamity and poverty, which heretofore have horribly raged therein, to religion, obedience, strength, and prosperity: And whereas our beloved and faithful subjects, the mayor and commonalty and citizens of our city of London, burning with a flagrant zeal to promote such our pious intention in this behalf, have undertaken a considerable part of the said plantation in Ulster, and are making progress therein:

Reasons
for grant-
ing this
Charter.

Coleraine
constituted
a free town.

Jurisdic-
tion and ex-
tent.

We therefore, of our special grace, certain knowledge, and mere motion, do will, constitute, declare and grant, that the town of Coleraine, in the aforesaid province of Ulster in our aforesaid realm of Ireland, may and shall be a free town of itself, and that all and singular houses, edifices, lands, tenements, waters and watercourses, ground and soil, situate lying and being within the town of Coleraine aforesaid, in the aforesaid province of Ulster, and within and throughout the space and circuit of three thousand Irish paces (three Irish miles) to be measured and limited from the middle of the said town of Coleraine, from all and every part of the same proceeding, from henceforth may and shall be part and parcel of the aforesaid town of Coleraine, and within the jurisdiction and liberty of the same town of Coleraine; and that the said town of Coleraine, and the circuit, precincts, limits, and jurisdiction of the same town, from henceforth for ever shall and may extend and spread themselves within, in and throughout the space and circuit of three thousand Irish paces, to be measured and limited from the middle of the said town, and from every part of the said town of Coleraine proceeding as aforesaid, for ever.

Coleraine
incorporated.

Name and
stile.

Made ca-
pable to
purchase
and hold
lands, &c.

And we do will, grant, appoint, ordain and create, that all inhabitants of the aforesaid town of Coleraine, and all inhabitants within the jurisdiction and liberty of the same town of Coleraine, and those who hereafter shall be inhabitants of the town aforesaid, or inhabitants within the jurisdiction and liberty of the same town of Coleraine, and their successors from henceforth for ever, shall and may be, by force of these presents, a new body corporate and politic in deed, fact and name, by the name of The mayor and aldermen and burgesses of the town of Coleraine, within the province of Ulster, in the kingdom of Ireland, and them by the name of the mayor, aldermen and burgesses of the town of Coleraine, within the province of Ulster, in the kingdom of Ireland, a new body-corporate and politic, in deed, fact and name, really and fully, for us, our heirs and successors, do erect, make, ordain, constitute, create, and declare by these presents, and that by the same name they shall have perpetual succession; and that they and their successors for ever, by the name of the mayor, aldermen and burgesses of the town of Coleraine, within the province of Ulster, in the realm of Ireland, may and shall be perpetually in future times, persons able and capable in law to have, purchase, receive, and possess lands, tenements, goods, chattels, rents, revenues, possessions, liberties, privileges, rights, jurisdictions, franchises and hereditaments whatsoever, and of what kind, nature or species soever they may be, to themselves and their successors, in fee and perpetuity, or otherwise howsoever; and also to give, grant, demise, and assign lands, tenements, hereditaments, goods and chattels, and to do and execute all and singular other acts and things to be made and executed, by the name aforesaid; and that they and their successors for ever, by the name of the mayor, aldermen and burgesses of the town of Coleraine, within the province of

Ulster, in the realm of Ireland, shall and may be able to plead, and be impleaded, answer and be answered, defend and be defended, in any courts, pleas and places whatsoever, and before any judges, justices, and other persons and officers soever, of us our heirs and successors, in all complaints, suits, pleas, causes, matters and demands whatsoever, and of what kind, nature or species soever the same may be, and in like manner and form as other liege subjects of our kingdoms of England or Ireland, being persons able and in law capable, shall and may plead and be impleaded, answer and be answered, defend and be defended, and shall and may be able to have, purchase, receive, possess, give, grant and demise.

to plead
and be im-
pleaded,
&c.

And that the aforesaid mayor, aldermen and burgesses of the town aforesaid, and their successors, from henceforth for ever shall have a common seal, to serve for all the affairs and business whatsoever of them and their successors; and that it may and shall be lawful for the same mayor, aldermen and burgesses of the town aforesaid, and their successors, the same seal at their pleasure from time to time to break, change, and make anew, as to them shall seem fit.

to have a
common
seal;

And further we will, and by these presents, for us our heirs and successors, do grant and ordain, that from henceforth for ever hereafter there may and shall be within the town of Coleraine aforesaid, one of the more honest and discreet freemen of the the town aforesaid, or of the more honest and discreet inhabitants within the liberty of the same, in form below in these presents mentioned from time to time to be elected, who shall be and shall be called the mayor of the town aforesaid; and that in like manner there shall and may be within the same town, twelve of the more honest and discreet freemen, or other inhabitants of the said town, or liberty of the same, according to the ordinance in these presents below specified from time to time to be elected, who shall be and shall be called aldermen of the town aforesaid, and shall be of the common council of the same town; and that the aforesaid aldermen shall be from time to time assisting and aiding to the mayor of the said town of Coleraine for the time being, in all causes and matters touching or concerning the said town.

to have a
mayor,

twelve
aldermen,

And that there shall and may be for ever, within the town, aforesaid, one of the more discreet inhabitants of the same town, or liberty of the same, from time to time in like manner to be elected, who shall be and shall be called the chamberlain of the said town of Coleraine.

chamber-
lain,

And that in like manner for ever there shall and may be within the town of Coleraine aforesaid, and liberty of the same, twenty-four of the more honest and discreet inhabitants within the liberty of the same, in form below in these presents mentioned, from time to time to be elected, who shall be and shall be called burgesses of the town aforesaid; which said burgesses shall be from time to time in like manner assisting and aiding to the mayor and aldermen of the same town, in all things and matters touching or concerning the said town, and liberty of

twenty-four
burgesses.

the same, and they shall be of the common council of the same town.

Empower-
ed to make
by-laws;

And further we will, and by these presents, for us our heirs and successors, do grant to the aforesaid mayor, aldermen and burgesses of the town aforesaid, and their successors, that the mayor and common council of the aforesaid town of Coleraine for the time being, and their successors, or the major part of them (whereof we will the mayor for the time being to be one,) upon public summons by the mayor of the town aforesaid for the time being, or by his precept therefore to be made, being assembled together for this purpose, may and shall have full power, faculty and authority, to frame, constitute, ordain and make, from time to time for ever, all reasonable and fit laws, statutes, constitutions, decrees and ordinances whatsoever, in writing, as shall appear to them to be good, wholesome, honest, useful, necessary and requisite, according to their sound discretions, for the good rule and government of the town aforesaid, and of all and singular the officers, ministers, artificers, inhabitants, residents, and dwellers whomsoever of the town aforesaid, and the liberty of the same, for the time being; and also for the rule and government of markets and fairs within the town aforesaid, and the liberties and bounds of the same, and of the people coming and resorting to the said markets and fairs, or any of them, and for declaring in what manner and order the same mayor, aldermen and burgesses, and all and singular the officers, ministers, artificers, and residents of the town aforesaid, and the liberty of the same, and their factors, servants, and ministers, in their offices, functions, ministries, arts and businesses, within the town aforesaid, and the liberty of the same, for the time being, shall hold, carry, and use themselves for the public good, common profit, and good government of the town aforesaid, and the liberty of the same, and the victualling of the same, and also for the well ordering the matters, causes, and affairs of the town aforesaid, touching or concerning the inhabitants of the same, or the arts, handicrafts or mysteries, in the same town and liberty of the same, in any manner soever; and that the mayor and common council of the town aforesaid for the time being, or the major part of them, (whereof we will the mayor for the time being to be one,) as often soever as they shall frame, make, ordain and establish such laws, statutes, regulations, ordinances and constitutions, in form aforesaid, so also they shall and may make, ordain, limit, provide and inflict such and the same pains, punishments and penalties, by imprisonment of the body or by fines and amerciaments, or by either of them, against and upon all delinquents offending against such laws, regulations, ordinances and constitutions, or any of them or any part thereof, as to the same mayor and common council of the town aforesaid for the time being, or the major part of them, (whereof we will the mayor of the town aforesaid for the time being to be one,) shall seem necessary, fit, convenient, reasonable, and requisite, for the better observance of

to inflict
penalties.

the same laws, ordinances and constitutions, and the same fines and amerciaments shall and may levy and have, for the use and behoof of the mayor and aldermen and burgesses of the town aforesaid and their successors, without hinderance of us our heirs or successors, or of any of the officers or ministers of us our heirs or successors, and without any account to be rendered therefore to us our heirs or successors; all and singular which laws, ordinances, regulations and constitutions so as aforesaid made, or to be made, we will to be observed, under the penalties therein contained. So nevertheless that the aforesaid laws, statutes, ordinances, regulations, constitutions, pains, punishments, penalties, imprisonments, fines, and amerciaments, be reasonable, and not repugnant or contrary to the laws and statutes of our aforesaid realm of Ireland and so that such laws, ordinances, regulations and constitutions, shall be certified in our kingdom of England, by the mayor and common council of the town aforesaid for the time being, under the common seal of the same town, to the Society of the governor and assistants of London of the new plantation in Ulster within the realm of Ireland, within six months next after the making of such laws, ordinances, regulations and constitutions, to the intent that the said Society of the governor and assistants of London of the new plantation in Ulster aforesaid, or their successors, or the major part of them, shall, under seal of the said Society, ratify, approve and confirm such laws, ordinances, regulations and constitutions so as aforesaid made, or any of them, within six months next after the delivery of such certificate to the governor of the said Society for the time being, or to his deputy in our realm of England, or else within the same time under the common seal of the same Society, shall adjudge and declare such laws, ordinances, regulations or constitutions so as aforesaid made or to be made, or any of them, to be difficult, unprofitable or unfit to be observed in the said town of Coleraine, and the liberty of the same.

Fines to be for the use of the corporation.

By-laws not to be repugnant to the general laws of Ireland;

to be certified to, and confirmed, by the Irish Society of London.

And we will, that immediately after the aforesaid laws, statutes, regulations, ordinances and constitutions, or any of them, shall be approved and confirmed under the common seal of the said Society, the same laws, ordinances, statutes, regulations and constitutions, so approved, shall from thenceforth be good, forcible, and effectual, and the same shall be afterwards inviolably observed for ever, under the pains contained in the same.

By-laws to be in force after approval by the Irish Society.

We will also, that immediately after declaration under the common seal of the said Society, that such laws, ordinances, regulations or constitutions, so made, or to be made, or any of them, are difficult, useless, or unfit to be observed in the said town and liberty of the same, the same laws, ordinances, regulations, and constitutions so declared under seal of the said Society, to be difficult, useless, or unfit, shall be held and reputed, and shall be afterwards repealed, and wholly void, and of no force or effect, to all intents and purposes as if the same laws, statutes, ordinances and constitutions had never been ordained or made.

By-laws to be void if considered by the Irish Society to be inconvenient.

First mayor
named, and
how long to
continue.

And for the better execution of our will and grant in this behalf, we have assigned, nominated, and made, and by these presents for us our heirs and successors, do assign, nominate, constitute and make, our beloved Tristram Beresford, gentleman, to become and be the first and present mayor of the town of Coleraine aforesaid, it being our will that the same Tristram Beresford be and shall continue in the office of mayor of the said town, from the making of these presents until the second day of January next after the date thereof, and thenceforth until one other of the inhabitants of the town aforesaid, or the liberty of the same town, shall be appointed and sworn to the office of mayor of that town, according to the ordinance and constitution in these presents below expressed and declared.

First aldermen
named, and how
long to
continue.

Also we have assigned, constituted, nominated and made, and by these presents for us our heirs and successors, do assign, nominate, constitute and make, our beloved Randolph Macdonnell, knight, Francis Cooke, knight, John Tanner, clerk, Edward Doddington, Tristram Beresford, Samuel Calvert, Joshua Crew, Thomas Walton, Thomas Hillman, Thomas Rervon, Robert Newton, and Elias Gerinam, gentlemen, to become and be the first and present aldermen of the same town of Coleraine, to continue in the same office during their natural lives, unless in the mean time, for any reasonable cause, they or any of them shall be removed from their offices or places, whom for such reasonable cause we will to be removable.

First chamberlain
named, and
how long to
continue.

Also we have assigned, constituted and made, and by these presents for us our heirs and successors do assign, nominate, constitute and make, our beloved Thomas Casey, gentleman, to become and be the first and present chamberlain of the town aforesaid, to continue in the same office until and unto the aforesaid second day of January next ensuing the date of these presents, and from thenceforth until one of the inhabitants of the town aforesaid shall be elected and admitted into the said office of chamberlain of the town aforesaid, according to the ordinance and constitution hereunder in these presents expressed and declared.

First burgesses
named, and
how long to
continue.

Also we have assigned, constituted and made, and by these presents for us our heirs and successors, do assign, nominate and make, our beloved Nathaniel Rowley, Patrick Braiser, Henry Lovell, William Atkins, Thomas Harvest, Thomas Moor, Thomas Plumsteede, John Gooth, Richard Glover, Christopher Cosbie, Richard Stone, Edward Nurse, Henry Myles, Henry Wigmore, William Brooker, William Whitwell, Richard Blockley, Edmund Midhop, Richard Middleton, Richard Jenney, Francis Southworth, William Raven, David Bramson, and Clement Mosse, to become and be the first and present burgesses of the town of Coleraine aforesaid, to continue in the same office of burgesses of the town aforesaid during their natural lives, unless in the mean time, for any reasonable cause, they or any of them shall be removed from that office, whom for such reasonable cause we will to be removeable.

Also we will, and by these presents for us our heirs and suc-

cessors, do grant, that the mayor of the town of Coleraine aforesaid for the time being, and also the aldermen, chamberlain, and burgesses of the same town of Coleraine for the time being, may be and shall be called the common council of the same town of Coleraine, and every of them so long as he shall continue in such office or place, may and shall be of the common council of the same town of Coleraine.

Constitu-
tion of com-
mon coun-
cil of Cole-
raine.

And further we will, and by these presents for us our heirs and successors, do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that the mayor, aldermen, and the rest of the common council of the town of Coleraine aforesaid for the time being, or the major part of them, from time to time during the term of ten years next ensuing the date of these presents, may and shall have power and authority annually in every year, on the sixth day of January, if it be not the Lord's day, and if it be the Lord's day, then on the day next following, in our town of Coleraine aforesaid to elect and nominate, and that they may and shall be able to elect and nominate, such and the same person who at the time of such election shall be mayor of the same town of Coleraine, or one other of the aldermen of the same town of Coleraine aforesaid, to become and be the mayor of the same town for one whole year, in the form by these presents limited, next following; and that the name of the aforesaid person, so from time to time within the aforesaid space of ten years next ensuing the date of these presents, to be nominated and elected mayor of the said town of Coleraine aforesaid, shall be certified and presented from time to time, by the mayor and the rest of the common council of the said town of Coleraine, under seal of the mayoralty there, within two months next ensuing the aforesaid nomination and election, to the aforesaid Society of the governor and assistants of London of the new plantation in Ulster for the time being, to the intent that the same Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them, (whereof the governor of the same Society or his deputy for the time being we will to be one,) from time to time shall approve, ratify and confirm the election and nomination aforesaid, within one month next after the receipt of the certificate aforesaid, if the same Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them, (whereof the aforesaid governor or the deputy of the said governor for the time being we will to be one,) shall seem fit, or the same election at the will and pleasure of them, or the major part of them as aforesaid, within one month as aforesaid, shall reject, annul and frustrate; and that every one so as aforesaid elected and nominated mayor of the town of Coleraine aforesaid, and by the aforesaid Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them (whereof the governor of the same Society or his deputy for the time being we will always to be one), in writing under the common seal of the said Society, from time

Election of
mayor :

to be cer-
tified to the
Irish So-
ciety ;

To be ap-
proved or
rejected by
them.

to time during the said term of ten years next ensuing the date of these presents approved and confirmed, shall on the feast of the Nativity of St. John the Baptist then next following such election and nomination and approbation, before the last mayor or his predecessor, in the presence of such aldermen and others of the common council of the same town of Coleraine aforesaid who shall be then present, take as well the corporal oath commonly called the oath of allegiance as his corporal oath, to execute the office of mayor of the town aforesaid well and faithfully, in and by all things touching that office, after such oath so taken shall and may execute the office of mayor of the town aforesaid for one whole year then next following, and from thenceforth until another of the aldermen of the same town of Coleraine aforesaid for the time being shall be duly elected, appointed and sworn into the office of mayor of the same town of Coleraine, according to the ordinance in these presents expressed and declared.

Mayor to
take oaths.

If within
ten years
the cor-
poration do
not elect a
mayor,

or not cer-
tify to the
Irish So-
ciety,

Also we will, and by these presents for us our heirs and successors, do grant, that if and so often as it shall happen during the said term of ten years next ensuing the date of these presents, the aforesaid mayor, aldermen and the rest of the common council of the town aforesaid, at the time and place aforesaid, shall not nominate and elect one of the aldermen of the same town for the office of mayor of the same town of Coleraine in manner and form aforesaid, or such nomination and election in form aforesaid specified, from time to time during the said term of ten years next ensuing the date of these presents, shall not be certified and presented to the Society and governor of the assistants of London of the new plantation in Ulster, or the major part of them, (whereof the governor of the Society aforesaid or his deputy for the time being we will to be one,) for their approbation of the same election, according to the ordinance in these presents above declared, that then and so often, and within four months then next following, it shall and may be lawful for the aforesaid Society of the governor and assistants of London of the new plantation in Ulster within the realm of Ireland aforesaid, or the major part of them, (whereof the governor or deputy of the same governor we will to be one,) during the aforesaid term of ten years next ensuing the date of these presents, to nominate and elect such and the same person who at the time of such election shall be mayor of the town of Coleraine, or one other of the aldermen of the said town of Coleraine, to be and become the mayor of the same town of Coleraine, to continue in the same office until the sixth day of January then next following, and thenceforth until one other of the aldermen of the same town, according to the ordinance and proviso in these presents declared, shall be in due manner elected, appointed and sworn, and so as often as the case shall happen during the said term of ten years next ensuing the date of these presents; and that he who shall be so appointed, elected and nominated mayor of the same town of Coleraine, before he shall come to or be admitted to execute

the Society
may elect
a mayor.

that office, shall take as well the oath commonaly called the oath of allegiance as his corporal oath, before the last mayor his predecessor, in all and singular matters well and faithfully to execute the office of mayor, and that after such oath shall be so taken, he shall hold and exercise that office until the sixth day of January then next following, and thenceforth until another in form aforesaid shall be elected, appointed and sworn in the office of mayor of the same town.

To take the oaths of office and supremacy.

And further we will, and by these presents, for us our heirs and successors, do grant unto the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid and their successors, that if within the space of ten years next ensuing the date of these presents, the mayor of the town of Coleraine aforesaid, at any time within one year after he shall have been elected, appointed and sworn to the office of mayor of the town aforesaid shall happen to die or be removed from his office, which said mayor not well behaving himself in that office we will to be removeable at the pleasure of the aldermen and the rest of the common council of the same town of Coleraine for the time being, or the major part of them who shall be then present, so that the major part of the aldermen of the same town may or shall be then present; or if within the said space of ten years next ensuing the date of these presents, the person so as aforesaid nominated or elected to be mayor of the aforesaid town of Coleraine, shall happen before approbation or rejection, or before his oath made or taken, to die, that then and so often it shall and may be lawful for the aforesaid aldermen and the rest of the common council of the same town of Coleraine for the time being, in case such person so nominated and elected to be mayor of the said town shall die before approbation or rejection, or before oath made and taken, to assemble all together, or the major part of them, within three days next following such death or removal, in the common hall or in any other convenient place within the town of Coleraine aforesaid, and there to elect and nominate one other honest and fit person of the aldermen of the town aforesaid for mayor, and to be mayor of the town of Coleraine aforesaid, in the place of him so dying or removed from his office; and that the name of the aforesaid person so from time to time during the said term of ten years next following the date of these presents to be nominated and elected mayor of the said town of Coleraine, shall within thirty days next ensuing such election be certified and presented, from time to time, by the aldermen and the rest of the common council of the said town of Coleraine, to the aforesaid Society of the governor and assistants of London of the new plantation in Ulster for the time being, to the intent that the same Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them (whereof the governor of the same Society for the time being or his deputy for the time being we will to be one), from time to time during the said term of ten years next ensuing the date of these presents, shall approve, ratify and confirm the election

In case of death or removal,

the aldermen and common council to elect another.

To be certified to the Irish Society.

Confirmed
by Irish
Society.

Oath to be
taken.

and nomination aforesaid, or otherwise shall reject and annul the same election and nomination within seven days next after the receipt of such certificate, if to the same Society of the governor and assistants of London of the new plantation in Ulster aforesaid, or the major part of them as aforesaid, it shall seem necessary; and that every one so as aforesaid, elected and nominated for mayor of the town of Coleraine aforesaid, and by the aforesaid Society of the governor and assistants of London of the new plantation in Ulster aforesaid, or the major part of them (whereof the governor of the same Society or the deputy of the same governor, for the time being from time to time, we will to be one), approved, shall take a corporal oath within sixty days then next ensuing such approbation, before such aldermen, or before the mayor and such aldermen, according as the case shall happen and require, and before others of the common council of the same town of Coleraine who shall be then present, rightly, truly and faithfully to execute that office in and by all things touching the same office, shall and may execute the office of mayor of the said town of Coleraine aforesaid, in the place of the same mayor so dead or removed from his office, or the person so nominated or elected and dying, during the residue of the same year, and thenceforth until another of the aldermen of the same town of Coleraine for the time being to the office of mayor of the same town of Coleraine shall be in due manner elected, appointed and sworn, after and according to the ordinance in these presents expressed and declared; and if during the said term of ten years next ensuing the date of these presents the aforesaid aldermen and the rest of the common council of the same town of Coleraine, in form aforesaid, shall not happen to nominate and elect one of the aldermen of the same town into the office of mayor of the same town of Coleraine, in the place of the said mayor or of the person nominated and elected to be mayor so dying or removed from his office, or the name of the aforesaid person so nominated and elected in form aforesaid shall not be certified and presented, or the aforesaid Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them, (whereof the governor of the Society aforesaid or his deputy for the time being we will to be one), shall not approve of the same election according to the ordinance in these presents above declared, that then and so often it shall and may be lawful for the aforesaid Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them (whereof the governor of the Society aforesaid or his deputy for the time being we will to be one), during the aforesaid term of ten years next ensuing the date of these presents, for this purpose met and assembled, within six months next after such defect of election or nomination or certificate, or after such rejection or non-approbation, or after such death of the person so nominated or elected to be mayor of the said town, to nominate and elect one of the aldermen of the town of Coleraine to become and be mayor of the

The Irish
Society to
elect a
mayor in
default of
nomination
and certifi-
cate by the
corpora-
tion.

same town, in the place of the mayor of the same town so dying or removed from his office, or of the person so nominated and elected to be mayor of the said town, to continue in the same office during the remainder of the same year, and thenceforth until one other of the aldermen of the same town of Coleraine shall be in due manner elected, appointed and sworn for mayor of the same town, according to the ordinance and proviso above declared, and so as often as the case shall so happen during the aforesaid term of ten years next ensuing the date of these presents, and that he who shall be so nominated and elected shall take as well the corporal oath called the oath of allegiance, as his corporal oath before the aldermen and the rest of the common council of the same town of Coleraine who shall be then present, in case when such mayor shall die, and before the mayor and aldermen and the rest of the common council of the same town who shall be then present, in case when such person so nominated or elected to be mayor of the said town shall die before approbation or rejection, or before oath made and taken, well and faithfully in and by all things to execute that office, and after such oath so taken shall have and exercise that office during the remainder of the same year, and thenceforth until one other in form aforesaid, shall be elected appointed and sworn into the office of mayor of the said town of Coleraine.

Also we will, and it is our intention, and by these presents for us our heirs and successors, we do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that the mayor, aldermen, and the rest of the common council of the same town for the time being, or the major part of them, from time to time for ever after the expiration of ten years next ensuing the date of these presents, shall and may yearly and every year have power and authority on the sixth day of January if it be not the Lord's day, and if it be the Lord's day then on the day next following, in our town of Coleraine aforesaid to nominate and elect, and that they shall and may elect and nominate such and the same person who at the time of such election shall then be mayor of the same town of Coleraine, or one other of the aldermen of the same town, to become and be mayor of the same town for one whole year, in form hereunder by these presents limited; and that every person so as aforesaid after the expiration of ten years next ensuing the date of these presents elected and nominated for mayor of the town of Coleraine aforesaid, shall on the feast of the Annunciation of the Blessed Virgin then next following such nomination and election, before the last mayor his predecessor, in the presence of such aldermen and others of the common council of the town aforesaid who shall be then present, take as well the corporal oath commonly called the oath of allegiance, as his corporal oath, rightly, truly, and faithfully to execute that office of mayor of the town aforesaid, in and by all things touching that office, and that after such oath so taken, he shall and may execute the

Election of mayor after the expiration of ten years.

Oaths to be taken by the mayor,

office of mayor of the town aforesaid for one whole year then next following, and from thenceforth until another of the aldermen of the same town of Coleraine for the time being shall be in due manner elected and sworn to the office of mayor of the same town of Coleraine, according to the ordinance in these presents expressed and declared.

Death or
removal of
mayor.

Also we will, and by these presents for us our heirs and successors, do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that if at any time after the expiration of ten years next ensuing the date of these presents, the mayor of the town of Coleraine aforesaid, within one year after he shall have been appointed and sworn to the office of mayor of the town aforesaid, shall happen to die or be removed from his office, which said mayor not behaving himself well in that office we will to be removeable at the pleasure of the aldermen and the rest of the common council of the same town for the time being, or the major part of them who shall be then present, so that the major part of the aldermen of the same town may or shall be then present; or if at any time after the expiration of ten years next ensuing the date of these presents, the person so as aforesaid nominated or elected to be mayor of the said town of Coleraine, shall happen to die before oath taken as aforesaid, that then and so often it shall and may be lawful for the aforesaid aldermen and the rest of the common council of the same town of Coleraine aforesaid for the time being, in case such mayor shall die, for the mayor and aldermen and the rest of the common council of the same town, in case such person so nominated and elected to be mayor of the said town shall die before oath taken as aforesaid, to assemble altogether, or the major part of them, within three days next following such death or removal, in the common hall or other convenient place within the town of Coleraine aforesaid, and there to elect and nominate one other honest and fit man out of the aldermen of the town aforesaid as and for the mayor of the town of Coleraine aforesaid, in the place of him so dying or removed from his office; and that every one so as aforesaid nominated and elected for mayor of the town of Coleraine aforesaid, shall in convenient time take as well the corporal oath commonly called the oath of allegiance, as the corporal oath, well, rightly and faithfully to execute that office, in and by all things touching the said office, before such aldermen or before the mayor and such aldermen as the case shall happen and require, and before others of the common council of the same town of Coleraine who shall be then present, and that after such oath so taken he shall and may execute the said office of mayor of the town of Coleraine aforesaid, in the place of the same mayor so deceased or removed from his office, or of the persons so nominated and elected and dead, during the residue of the same year, and from thenceforth until another of the aldermen of the same town of Coleraine aforesaid for the time being shall be in due manner elected, appointed and sworn to the office of mayor

Another to
be elected.

Oaths to
be taken.

of the same town of Coleraine, according to the ordinance and constitution in these presents above declared.

And further we will, and by these presents, for us our heirs and successors, do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that the aforesaid aldermen and burgesses of the town aforesaid in these presents nominated and elected, and every of them, shall respectively take the corporal oath before the mayor of the town aforesaid, well and faithfully to execute their offices in all things; and that after such oath so taken, that they and every of them may have and exercise the office and offices of aldermen and burgesses of the town aforesaid during their natural lives and the life of either of them; and if within the space of ten years next ensuing the date of these presents it shall happen that one or more of the aldermen of the town of Coleraine aforesaid shall die or be removed, or depart from that office, which said aldermen, and every of them, not well behaving himself or themselves in that office, we will to be removed and removeable at the pleasure of the mayor and aldermen and the rest of the common council of the same town, or the major part of them for the time being; then we will, and do grant, that the mayor and aldermen and the rest of the common council of the town of Coleraine aforesaid, or the major part of them (of whom we will the mayor for the time being to be one,) shall and may from time to time elect and appoint in the aforesaid town of Coleraine, within three days next after the death, departure, or removal of such alderman or aldermen, one or so many as shall be wanting of the aforesaid number of twelve aldermen, out of the burgesses of the same town of Coleraine, in the place or places of the same alderman or aldermen so dead, departed, or removed; and that during the said term of ten years next ensuing the date of these presents, the name or names of the aforesaid person or persons so from time to time to be nominated and elected for alderman or aldermen of the said town of Coleraine, shall be presented by the mayor and the rest of the common council of the said town of Coleraine, within two months, to the aforesaid Society of the governor and assistants of London of the new plantation in Ulster, for the time being, to the intent that the same Society, or the major part of them (whereof the governor of the same Society for the time being, or his deputy, we will to be one,) from time to time, during the said term of ten years next ensuing the date of these presents, shall approve, ratify and confirm the election and nomination aforesaid, within one month next after the receipt of such certificate, or otherwise within the same time shall reject and frustrate the same election and nomination, if the same Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them (whereof the governor of the same Society, or his deputy, for the time being we will to be one), shall seem meet; and that every one so as aforesaid elected and nominated for alderman of the town aforesaid, and approved by the aforesaid

Oath of office to be taken by aldermen and burgesses.

Death or removal of aldermen.

Others to be elected

To be certified to the Irish Society

for their approbation, &c.

Oath to be taken by aldermen.

Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them (of whom the governor of the Society aforesaid, or the deputy of the same governor, for the time being we will to be one), shall take a corporal oath within sixty days then next following such approbation, before the mayor of the town of Coleraine aforesaid, well and faithfully to execute that office, in and by all things touching the same office, and he and they shall and may have and exercise the office of alderman or aldermen of the town of Coleraine aforesaid, in the place or places of the alderman or aldermen so dead, departed, or removed from his office, for so long time as he or they shall behave well in his or their office; and if during the said term of ten years next ensuing, it shall happen that the aforesaid mayor and aldermen, and the rest of the common council of the town of Coleraine aforesaid, within the space of three days after the place or places, office or offices of such alderman or aldermen of the town aforesaid, by death, removal, or otherwise, shall or may be vacant, shall not nominate and elect in form aforesaid one or more of the burgesses of the same town, in the office of alderman or aldermen of the town of Coleraine aforesaid, in the place or places of the same alderman or aldermen so dead, departed, or removed from that office, or such nomination and election in form before specified, shall not be certified and presented, or that the Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them (whereof the governor of the same Society, or his deputy, we will to be always one), at any time during the said term of ten years next ensuing the date of these presents, shall reject, disallow, or not approve of the same election, according to the ordinance in these presents above declared, then and so often during the said term of ten years next ensuing the date of these presents, it shall and may be lawful for the Society of the governor and assistants of London of the new plantation in Ulster for the time being, or the major part of them (whereof the governor or his deputy for the time being we will to be one), for this purpose met and assembled, within six months next after such defect of election, or nomination, or certificate, or after such rejection or non-approbation, to nominate and elect one or more of the burgesses of the town of Coleraine aforesaid, to become and be the alderman or aldermen of the same town of Coleraine, in the place or places of the same alderman or aldermen so as aforesaid dead, departed, or removed from that office, to continue in the same office during their natural lives, if he or they shall so long behave himself or themselves well in that office, and so often as the case shall happen during the said term of ten years next ensuing the date of these presents; and that he or they, after that he shall have been so nominated and elected as aforesaid for alderman or aldermen of the aforesaid town of Coleraine, taking a corporal oath before the mayor of the said town of Coleraine, well and faithfully to execute that office, in and by all things touching that office, shall and may

In default
of such
election
and certifi-
cate, &c.

the Irish
Society to
elect, &c.

have and exercise that office during their respective natural lives, if so long they and any of them respectively shall remain and behave themselves well in their office respectively.

But we will, and our intention is, and by these presents for us our heirs and successors, we do grant to the aforesaid mayor, aldermen and burgesses of the town aforesaid, and their successors, that if after the expiration of ten years next ensuing the date of these presents, any of the aldermen of the town of Coleraine aforesaid shall happen to die, or depart or be removed from that office, which said aldermen and any of them not behaving well in that office we will to be removeable at the pleasure of the mayor and aldermen and the rest of the common council of the same town, or the major part of them, for the time being then we will and do grant, that after the expiration of ten years next ensuing the date of these presents, the mayor and aldermen and the rest of the common council of the town aforesaid, or the major part of them (of whom the mayor for the time being we will to be one), in the aforesaid town of Coleraine, within fourteen days next after such death or removal of such alderman or aldermen, shall and may elect and appoint one or so many as shall be wanting of the aforesaid number of twelve aldermen, out of the burgesses of the same town of Coleraine, in the place or places of the same alderman or aldermen so dead, departed, or removed, from time to time for ever, to continue in the same office during their natural lives, if he or they shall so long behave well in that office; and that he or they, after being so nominated and elected for alderman or aldermen of the town aforesaid, taking a corporal oath before the mayor of the same town, well and faithfully to execute that office, in and by all things touching that office, shall and may have and exercise that office during their respective natural lives, if they and every of them respectively shall so long continue and behave well in that office.

Also we will, and by these presents for us our heirs and successors, do give and grant to the said mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that if any person who shall be so as aforesaid elected to the office of mayor and alderman within the town of Coleraine aforesaid, according to the intention of these our letters patent being eligible to the office aforesaid, shall decline and refuse to take upon himself the burthen and execution of the office aforesaid, and to undergo the said office to which he shall have been so elected or appointed, then and so often as such persons so elected and appointed shall so decline and refuse, the mayor and the rest of the common council of the town aforesaid for the time being, or the major part of them, from time to time shall and may have, by these presents for ever hereafter, full power and authority to assess, tax, and impose any reasonable pain, penalty, or sum of money upon such person so elected and appointed and to be elected and appointed, and so refusing or declining to take upon him the office of mayor, or the office of alderman of the town of Coleraine aforesaid, and the burthen and execution thereof, so

Death or removal of aldermen after ten years.

Common council to elect aldermen. How long to continue in office. Oath.

Fine for not serving.

that the said pain, fine and penalty, or sum of money, do not exceed the sum of two hundred pounds of lawful money of England; to be levied of the goods and chattels of the person so elected and appointed and to be elected and appointed to the office aforesaid, or either of them, and declining and refusing the burthen and execution thereof as aforesaid, or either of them, for the use and behoof of the said mayor, aldermen and burgesses of the town aforesaid; and if such person so elected and appointed, and to be elected or appointed, to the office of mayor or alderman of the town of Coleraine aforesaid, so as aforesaid declining or refusing the burthen and execution thereof, shall deny or refuse to pay, satisfy, or discharge the said fine, penalty or sum of money so imposed or assessed upon him or them, or to be imposed, taxed or assessed, at such time or times as the said mayor and the rest of the common council of the town of Coleraine aforesaid, for the time being, or the major part of them, shall have established or appointed, that then and so often as the case shall happen the said mayor and the rest of the common council of the town of Coleraine aforesaid for the time being, and their successors, or the major part of them, from time to time shall and may have full power and authority to commit such persons so elected and appointed, and to be elected and appointed to the office of mayor or alderman of the said town of Coleraine, and so as aforesaid declining or refusing the burthen and execution of the said office, to the prison or gaol within the same town, there to remain until he shall satisfy or pay the said fine, pain, penalty or sum of money, so as aforesaid imposed, taxed or to be imposed, taxed or assessed upon him or them; which said fines, pains, penalties, and sums of money so as aforesaid to be imposed, taxed, or assessed, we do for us our heirs and successors give and grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors by these presents; and that it shall and may be lawful for the same mayor aldermen and burgesses of the town aforesaid, and their successors, all and such fines, pains and penalties, and sums of money to receive and have and retain to their own proper use and behoof, without any molestation, hinderance or disturbance of us our heirs or successors, and without any account or any other thing to be therefore rendered, paid or made to us our heirs or successors; and further for us our heirs and successors we do will, and firmly charge and command, all such persons as shall be hereafter elected and appointed to the office of mayor of the town of Coleraine aforesaid, that they and every of them, so long as they shall bear and exercise the office of mayor of the town aforesaid, shall abide and inhabit within the aforesaid town of Coleraine and not elsewhere out of the same town.

And if the chamberlain of the aforesaid town of Coleraine shall happen to die, or be removed from his office, which chamberlain not behaving himself well in that office we will to be removeable at the pleasure of the mayor and the major part of the common council of the town aforesaid for the time being, then we will and

How to be levied.

Fines to go to the corporation.

Power to commit to prison for non-payment of fines.

Fines given to the corporation.

Residence of mayor in the town.

Death or removal of chamberlain.

do grant that the mayor, aldermen and the rest of the common council of the aforesaid town of Coleraine, or the major part of them, (of whom we will the mayor of the town aforesaid for the time being to be one,) for this purpose in like manner to be assembled, in the aforesaid town of Coleraine, shall and may elect and appoint one other out of the burgesses of the town aforesaid, and not out of the aldermen of the same, into the place of the same chamberlain so happening to die or be removed, from time to time as often as the case shall so happen; and that he so elected and appointed, first taking a corporal oath before the mayor of the same town well and faithfully to execute that office, shall have and exercise that office for so long time, and in the same manner and form according as in these presents is above declared, and so and as often as the case shall happen.

Another to be elected out of the burgesses.

And if any one or more of the burgesses in these presents nominated, or any one or more of the burgesses of the aforesaid town of Coleraine hereafter to be elected, shall die or be removed from their office, which said burgesses and either of them respectively not behaving themselves well in their office we will to be removeable at the pleasure of the mayor and aldermen and the rest of the common council of the same town, or the major part of them for the time being, (of whom the mayor of the same town we will to be always one,) then we will and do grant that the mayor and aldermen and the rest of the common council of the town of Coleraine aforesaid, being assembled in any convenient place within the same town according to their sound discretions to be limited and assigned, or the major part of them so assembled, (of whom the mayor of the same town we will to be one,) from time to time for ever as often as the case shall so happen, shall and may elect and appoint one or so many as shall be wanting of the aforesaid number of twenty-four burgesses, of the better and more honest freemen of the town aforesaid, or of the inhabitants within the liberty of the same, in the place or places of the same burges or burgesses so deceased, or removed from his or their office, and that he or they so elected and appointed may have and exercise the said office to which he or they shall have been so elected, so long as he or they shall behave well in the said office, first taking their corporal oaths respectively before the mayor of our town of Coleraine, well and faithfully to execute that office, and this as often as the case shall so happen.

Burgesses to be removeable; and by whom;

and how to be supplied in case of death or removal. To be sworn; and before whom.

And further we will, and by these presents for us our heirs and successors, do grant to the aforesaid mayor, aldermen, and burgesses of the town of Coleraine aforesaid and their successors, that they and their successors shall have in the aforesaid town of Coleraine for ever, one honest and discreet person learned in the laws of this kingdom of England, in form hereunder expressed, to be elected and nominated, who shall be and shall be called the recorder of the town aforesaid, and we have assigned, constituted, nominated and made, and by these presents for us our heirs and successors do assign, constitute, nominate and make, our beloved John Wilkinson, esquire, to be and become the first

Recorder.

The first recorder named.

and present recorder of the town of Coleraine aforesaid, to continue in that office during the pleasure of the Society of the governor and assistants of London of the new plantation in Ulster aforesaid, and their successors; and the same John Wilkinson, before he shall proceed to the execution of his office aforesaid, shall take as well the corporal oath, commonly called the oath of allegiance, as the corporal oath upon the Holy Evangelists of God, before the mayor of the town of Coleraine aforesaid, well and faithfully to execute that office in and by all things touching that office, and that after the death or removal of the aforesaid John Wilkinson, which same John Wilkinson from the office of recorder of that town we will to be removeable at the pleasure of the Society of the governor and assistants of London of the new plantation in Ulster aforesaid, and their successors, or the major part of them, the mayor, aldermen, and the rest of the common council of the aforesaid town of Coleraine, for the time being, or the major part of them, within six months next after such death or removal, shall and may elect, nominate, and appoint, one honest and discreet man learned in the laws of England, being an Englishman born, from time to time as often as it shall seem necessary to them, for recorder of the town aforesaid; and that during the term of ten years next ensuing the date of these presents the name of the aforesaid person, so from time to time to be nominated and elected for recorder of the said town of Coleraine, shall be certified and presented by the mayor and aldermen, and the rest of the common council of the said town of Coleraine, within forty days next ensuing such election, to the Society of the governor and assistants of London of the new plantation in Ulster for the time being, to the intent that the said Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them, (whereof the governor of the same Society or his deputy for the time being we will to be one), from time to time during the said term of ten years next ensuing the date of these presents, shall approve, ratify, and confirm the election and nomination aforesaid within thirty days next after the receipt of such certificate, or otherwise within the same time, shall reject and annul the election and nomination, if to the same Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them (whereof the governor of the same Society or his deputy we will to be always one), shall seem fit; and that such person so elected and nominated for recorder of the town of Coleraine aforesaid, and by the aforesaid Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them (whereof the governor of the same Society or his deputy we will to be always one), during the said term of ten years next ensuing the date of these presents, approved, shall take as well the corporal oath, commonly called the oath of allegiance, as the corporal oath, rightly, truly and faithfully to execute that office within three months then next ensuing such approbation, before the mayor and such aldermen and others of

Oath to be taken; and before whom:

but to be removeable; and by whom.

Recorder to be an Englishman. Within ten years the election of recorder to be certified to the Irish Society for approbation.

To take oaths.

the common council of the same town of Coleraine who shall be then present, and that after the oath aforesaid so taken, he shall and may execute the office of recorder of the same town of Coleraine, in the place of the same recorder so deceased, departed, or removed from that office, so long as he shall behave himself well in that office; and that if during the said term of ten years next ensuing the date of these presents, it shall happen, that the aforesaid mayor and aldermen and the rest of the common council of the same town of Coleraine, in form aforesaid, shall not nominate and elect one honest and discreet man learned in the laws of England, being English born, into the office of recorder of the same town of Coleraine, in the place of the same recorder so deceased, departed, or removed from his office, or shall not in form aforesaid certify and present the name of the person so nominated and elected, or the aforesaid Society of the governor and assistants of London of the new plantation in Ulster aforesaid, or the major part of them (whereof the governor of the Society aforesaid, or his deputy for the time being, we will to be one), shall not approve the same election, according to the ordinance in these presents above declared, that then and so often it shall and may be lawful for the governor and assistants of London of the new plantation in Ulster for the time being, or the major part of them (whereof the governor or his deputy for the time being we will to be one), during the said term of ten years next ensuing the date of these presents, for this purpose met and assembled, within four months next after such defect of election or nomination, or after such defect of certificate, or after such rejection or non-approbation, to nominate and elect one other honest and discreet man, learned in the laws of England, to become and be recorder of the town of Coleraine aforesaid, in the place of the aforesaid recorder so deceased, departed, or removed from that office, to continue in the same office of recorder during the pleasure of the aforesaid Society, and their successors, first taking the oath aforesaid before the mayor and aldermen and the rest of the common council aforesaid of the town of Coleraine who shall be then there present.

But we will, and it is our intention and by these presents for us our heirs and successors we do grant to the aforesaid mayor, aldermen and burgesses of the town aforesaid and their successors, that so and as often after the expiration of ten years next ensuing the date of these presents, as it shall happen that the recorder of the same town of Coleraine for the time being shall die, or depart or be removed from his office, which said recorder from the office of recorder of the said town of Coleraine aforesaid, at the pleasure of the mayor, aldermen, and the rest of the common council of the town aforesaid, or the major part of them, we will to be removeable, the mayor, aldermen, and the rest of the common council of the same town of Coleraine, or the major part of them for the time being, after the decease, departure, or removal of such recorder, shall and may in convenient time elect, nominate.

If the corporation do not within ten years elect recorder, and certify the election to the Irish Society, &c.

the Society may elect one.

After ten years, the corporation to elect future recorder; who must be an Englishman.

and appoint one honest and discreet man learned in the laws of England, being an Englishman born, from time to time for ever after the expiration of ten years next ensuing the date of these presents, as often as it shall appear to be necessary to them as aforesaid, for recorder of the town aforesaid in the place of the aforesaid recorder so deceased, departed, or removed from his office, to continue in the same office of recorder during the pleasure of the mayor, aldermen, and the rest of the common council of the town of Coleraine aforesaid, or the major part of them, first taking as well the corporal oath commonly called the oath of allegiance, as the corporal oath well and faithfully in and by all things to execute the same office of recorder of the said town of Coleraine, before the mayor and aldermen, and the rest of the common council of the aforesaid town of Coleraine who shall be then present.

Within ten years, the mayor, aldermen and common council refusing to administer oaths, to be fined by the Irish Society.

And also we will, and by these presents for us our heirs and successors do grant, that if the mayor of the aforesaid town of Coleraine or his successors, or the aldermen and common council of the same town and their successors, or any of them, at any time afterwards during the aforesaid term of ten years next ensuing the date of these presents, shall deny and refuse to give or administer to any person or persons by the aforesaid Society of the governor and assistants of London of the new plantation in Ulster aforesaid, or the major part of them, in form in these presents mentioned, elected and to be elected to become mayor, aldermen, or other officers as above mentioned respectively, as well the oath commonly called the oath of allegiance, as the oath aforesaid well and faithfully to execute such his office, before he or they shall be admitted to that office, that then and so often as such denial and refusal shall so happen, the aforesaid Society of the governor and assistants of London of the new plantation in Ulster and their successors, or the major part of them, (whereof the governor of the said Society, or his deputy for the time being we will to be one), from time to time during the term of ten years next ensuing the date of these presents, shall and may have by these presents full power and authority to assess, tax, and impose whatsoever reasonable fine, pain, penalty, or sum of money, upon such mayor, aldermen, and the men of the common council of the town aforesaid, and any of them so refusing and denying to give and administer the oath aforesaid to such person or persons by the aforesaid Society of the governor and assistants of London of the new plantation in Ulster, or the major part of them, by virtue of these letters patent elected to become mayor, aldermen, or other officers as above said, so that such fines, pains, penalties, or sums of money, shall not exceed the sum of two hundred pounds, and that the same Society of the governor and assistants of London of the new plantation in Ulster aforesaid, and their successors, by their ministers and servants, afterwards for such fines and sums of money so imposed shall and may distrain the goods and chattels of such person or persons upon whom such fines shall be imposed, where-

soever they may be found within our kingdom of England and Ireland, and the same goods and chattels so distrained shall and may retain in their hands, until the same Society of the governor and assistants of London of the new plantation in Ulster aforesaid, shall be fully satisfied for all such fines and sums of money so taxed or imposed; and if such person or persons upon whom such fines, pains, penalties, or sums of money, shall have been taxed and imposed, shall not pay, discharge, or satisfy to the same Society of the governor and assistants of London of the new plantation in Ulster aforesaid, the same fines and sums of money upon him or them to be assessed or imposed, within two months next after such goods and chattels shall have been taken and distrained, that then afterwards it shall and may be lawful for the said Society of the governor and assistants of London of the new plantation in Ulster aforesaid, and their successors, to sell such goods and chattels so taken and distrained at their pleasure, and that the same Society of the governor and assistants of London of the new plantation in Ulster aforesaid, and their successors, out of the money arising therefrom shall and may satisfy and discharge the fines and sums of money, and pay, give and restore the residue or surplus of such money arising from such goods and chattels so taken and distrained, if any there shall be, to such person or persons as shall be the owner or owners of the same goods and chattels so taken and distrained, so that the said Society of the governor and assistants of London of the new plantation in Ulster aforesaid, and their successors, shall and may have and use any other lawful remedy, by imprisonment or otherwise, for the recovery of such fines and sums of money so taxed and imposed, or to be taxed and imposed, as to them shall seem meet.

And further we will, and by these presents for us our heirs and successors do grant to the aforesaid mayor, aldermen and burghesses of the aforesaid town of Coleraine, and their successors, that they and their successors from henceforth for ever shall and may have within the town aforesaid one sword-bearer, who shall be and shall be named the sword-bearer of the town aforesaid, which said officer called the sword-bearer of the town aforesaid shall be named, elected and appointed by the mayor and aldermen of the town aforesaid for the time being, and from time to time shall be attendant upon the mayor of the town aforesaid for the time being; and which said officer called the sword-bearer shall and may carry and bear, every where within the town aforesaid, and the limits, liberty and precincts of the same, one sword sheathed before the mayor of the said town.

Sword-bearer; and by whom to be chosen

And that in like manner there be and shall be in the town aforesaid, two officers at the least, and so many and such other officers as from time to time shall seem necessary and expedient to the mayor and aldermen of the aforesaid town of Coleraine, who shall be and be called the serjeants-at-mace within the town aforesaid, and the liberty of the same, and shall serve in the courts in the town aforesaid, and for proclamation, arrest, and execution of process, mandate and other business belonging to the office of ser-

Serjeants-at-mace, and by whom to be chosen;

jeants-at-mace, in the town aforesaid, to be executed and performed from time to time at the will and pleasure of the mayor and aldermen of the town aforesaid; which said serjeants-at-mace shall be appointed, nominated and chosen by the mayor and aldermen of the town aforesaid, when and as often as it shall seem to the aforesaid mayor convenient and necessary; and shall be attendant from time to time upon the mayor of the town aforesaid for the time being.

And that the aforesaid serjeants-at-mace so as aforesaid to be chosen and nominated to their office, be and shall be in due manner sworn before the mayor of the town aforesaid for the time being, well and faithfully to execute their office aforesaid, and that after such oath so taken they may and ought to execute and perform that office so long as he or they shall well behave therein; which said serjeants-at-mace in the town aforesaid shall be deputed to carry maces, gilded or of silver, and ornamented with the sign of our arms or otherwise, every where within the town aforesaid, and the liberty of the same, and other places within the liberty of the town aforesaid, in meeting us our heirs or successors, or the lieutenant deputy general, or other governor of our realm of Ireland, when we or they shall approach the same town of Coleraine; and also to proceed with us or any of us, or with the aforesaid lieutenant deputy general, or other governor of Ireland, when we or they shall return from the same town, and also in the presence of us our heirs and successors, and of the said lieutenant deputy general or other governor of Ireland, when the said mayor and aldermen of the same town, or any of them, shall come to us our heirs or successors, or to the said lieutenant deputy general, or other governor of Ireland, upon or without command or premonition of us or any of us. And as often as any of the said serjeants-at-mace shall happen to be sent to foreign places out of the same town, to execute their offices by command of us our heirs and successors, or of the mayor of the town aforesaid, going and returning publicly as our proper serjeants-at-arms attending our person, may at their pleasure lawfully and with impunity carry their maces. any ordinance or command made to the contrary notwithstanding.

And further for us our heirs and successors we do firmly charge and command the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that he and every of them shall from time to time for ever well, firmly and inviolably observe and fulfil these our grants and ordinances, according to the true intention of the same. And that all persons offending and misdoing against the form and effect of the same ordinances and grants, shall incur and undergo such pains, penalties, forfeitures and imprisonments, as by any laws or statutes of our kingdom of England, or Ireland, or by our royal prerogative, may be inflicted and imposed against the contemners and neglecters of our royal commandment in that behalf.

And further being willing to exhibit our favour more fully to the aforesaid mayor, aldermen and burgesses of the town of Cole-

to be attendant on the mayor;

to be sworn before the mayor;

and may carry maces.

Mayor and burgesses to observe the ordinances of their charter;

to have a court of record,

raine aforesaid, of our certain knowledge and mere motion, we have granted, and by the tenor of these presents for us our heirs and successors do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that they the same mayor, aldermen and burgesses of the town aforesaid, and their successors, for ever shall and may have and hold one court of record in any convenient place within the town of Coleraine aforesaid, before the mayor of the same town for the time being, or the recorder of the said town for the time being learned in the laws of England and Ireland, every day in every week yearly, the Lord's day only excepted, and except the several weeks in which the feast of the nativity of our Lord, the feast of Easter, the feast of Pentecost, with their festivals to them respectively annexed, shall happen, and except on the feast or days of the Purification of the Virgin Mary, the Ascension of our Lord, All Saints' and All Souls'; and also to hear and determine all and all manner of actions real personal and mixed, and other actions and suits whatsoever, and of what nature, kind or species soever they shall be, within the town aforesaid and the liberty and precincts of the same, in any manner whatsoever arising or happening in the court aforesaid to be levied, affirmed, obtained, commenced and prosecuted, and execution to be duly demanded for the same; in such like and in as ample manner and form, and as fully, freely and wholly, and by such and the like process as are respectively used in our court before the mayor and aldermen of our city of London in our kingdom of England, in our court before the sheriffs of the same city or either of them, or in our court in our hustings in the same city, and in any or either of our courts.

And that the men and inhabitants within the town of Coleraine aforesaid, the liberty and precincts of the same, may plead and be impleaded in the town of Coleraine aforesaid in the court aforesaid, of and for whatsoever causes, matters and pleas arising or happening within the said town of Coleraine and the precincts of the same.

to plead
and be im-
pleaded in
their court
of record;

And that the same mayor, aldermen and burgesses of the town aforesaid, may from henceforth for ever have cognizance of all pleas as well real as personal and mixed, and other pleas whatsoever of lands and tenements being within the town of Coleraine, the liberty and precincts of the same, arising, or to arise, or to be brought, in whatsoever of our courts within our realm of Ireland, whether it be before us our heirs or successors, or before the justices of us our heirs or successors of the bench, or before the itinerant justices of us, our heirs and successors, assigned and to be assigned to take any assizes, juries, and certificates, or before the barons of the exchequer of us our heirs and successors, or before other justices or other officers of us our heirs and successors whatsoever, to be moved in the court aforesaid, before the said mayor for the time being, or the aforesaid recorder within the aforesaid town of Coleraine as aforesaid, to be holden upon the sole showing of these our present letters patent or the enrolment

to have
cognizance
of all suits,
&c.

Fines for
contempts,
&c.

of the same, without any writ or writs of allowance thereupon to be prosecuted.

And further, by these presents for us our heirs and successors, we do grant and give license to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, that the mayor of the same town of Coleraine for the time being and his successors, and the recorder of the same town, in the court aforesaid to be holden before the said mayor or recorder, may have power to punish and correct all and singular officers and ministers of that court, and also all other persons whatsoever offending in or towards our court aforesaid, for their contempt, default, neglect or other offences whatsoever to be committed in our said court, by reasonable fine, or imprisonment of his or their body or bodies, or by any other lawful ways and means whatsoever.

Juries.

And if the men impanelled and summoned for juries for the trial of issues shall not appear before the aforesaid mayor of the aforesaid town of Coleraine, or the recorder, in the court aforesaid, that then such men impanelled and summoned, and making default, shall forfeit such issues upon them returned or to be returned, in the same and the like manner and form as those impanelled and summoned in the city of London aforesaid in our kingdom of England for the trial of the like issues in the courts of that city heretofore have forfeited and have been accustomed or ought to forfeit; and also such issues so forfeited and to be forfeited, may be levied by the minister of the town of Coleraine aforesaid, to the use of the mayor, aldermen and burgesses of the same town and their successors.

Clerk and
prothono-
tary to be
appointed;

And further of our especial favour, certain knowledge and mere motion, for us our heirs and successors, we do ordain and constitute, that there be and for ever in future times shall be a clerk and prothonotary of the court aforesaid within the town of Coleraine aforesaid, to write, make, enter and inrol all and singular pleas, plaints, writs, and returns of writs, arrests or bails, bills, declarations, answers, replications, rejoinders, sur-rejoinders, issues, warrants of attorney, verdicts, judgements, and copies of the same and other records, processes and businesses of the same court, and for keeping the writs, rolls and records of the same court; and that for this the same clerk may and shall for ever in future times have and receive for his labour, industry and attendance in the exercise and execution of the premises, all and singular such wages, fees, rewards and profits, as by such clerk or officers in our city of Dublin in our realm of Ireland, for and in respect of such businesses, offices or services there executed are taken and received.

and a
town clerk;
who shall be
clerk of the
peace for
the town of
Coleraine.

And also of our especial grace, certain knowledge and mere motion, for us our heirs and successors, we do ordain and constitute that there be and for ever shall be in future times a common clerk called a town-clerk for the aforesaid town of Coleraine, and that the same common clerk may and shall exercise and execute the same office in as ample manner and form, and shall and may have and receive such, so many, the same, and like privi-

leges, rights, pre-eminences, wages, rewards, fees, profits, emoluments and advantages, as the common clerk called the town-clerk for our city of London in our kingdom of England doth exercise his office in the same city, and for or in respect or by reason of the same office, doth have, receive and enjoy, or ought to have, exercise, receive and enjoy.

And further, for us our heirs and successors, we do ordain and constitute, that the common clerk of the town of Coleraine aforesaid for the time being, be and always shall be from time to time the clerk of the peace and of our crown in the aforesaid town of Coleraine and the liberty of the same, and may and shall have and receive so many, the same, and the like fees, rewards, profits and advantages as other clerks of the peace of our crown in our counties in our kingdom of England do receive, or ought to have, receive or enjoy; which said office of the clerk and prothonotary of the court aforesaid, together with the fees, wages, profits and emoluments above appointed thereto, to the aforesaid office of common clerk of the town of Coleraine aforesaid, by this our present charter, for us our heirs and successors we do annex, allot, join and unite to the same office of common clerk of the aforesaid town of Coleraine for ever to remain; so that the said office of clerk and prothonotary of the court aforesaid be not by any means withdrawn, divided, or separated from the same office of common clerk of the said town Coleraine.

And further we will, and by these presents for us our heirs and successors do ordain and constitute the common clerk of the town aforesaid for the time being, and none other, from time to time to be the aforesaid clerk and prothonotary of the court aforesaid, and the same office of clerk and prothonotary of the court aforesaid; and the wages, fees and profits thereof to have, receive, perceive and enjoy by himself or by his deputy.

And of our more abundant grace, and mere motion, we do by these presents nominate, ordain, appoint and constitute our beloved Thomas Casey, gentleman, to be the present clerk and prothonotary of the court aforesaid, and the present common clerk for the aforesaid town of Coleraine, and also the present clerk of the peace and of our crown in the aforesaid town of Coleraine, and the liberty of the same, to hold, occupy and exercise the office or place aforesaid, to the aforesaid Thomas Casey by himself or his sufficient deputy or deputies, during the pleasure of the aforesaid Society of the governor and assistants of London of the new plantation in Ulster aforesaid and their successors; and to have, receive, and take of, in and for executing the said office or places aforesaid, the wages, fees, rewards, emoluments, profits and advantages herein before mentioned and appointed.

The first town-clerk named.

Clerk of the peace.

And further of our especial grace, certain knowledge and mere motion, for us our heirs and successors, we do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that the mayor and aldermen of the same town for the time being, or the major part of them (whereof we will the mayor of the same town for the time being to be always one), shall and may immediately after the death or

Death or removal of town-clerk, &c. another to be appointed.

lawful or judicial removal from the same office of every such common clerk for the aforesaid town of Coleraine for the time being, shall and may have full power to nominate, ordain, constitute and admit one other fit person from time to time for the term of his life or otherwise as to the same mayor and aldermen shall seem meet, to become the common clerk for the town of Coleraine aforesaid, and clerk and prothonotary of the court aforesaid, and also clerk of the peace and of our crown within the aforesaid town of Coleraine and the liberty of the same.

And that after such nomination, ordination, constitution, or grant and admission, by the mayor and aldermen of the town aforesaid for the time being, or the major part of them. (whereof we will the mayor of the town aforesaid for the time being to be always one,) such person so nominated, ordained, constituted and admitted, shall exercise the aforesaid office of common clerk of the said town of Coleraine, clerk and prothonotary of the court aforesaid, and clerk of the peace and of our crown in the aforesaid town of Coleraine and the liberty of the same; and shall have and receive of and for executing that office the wages, rewards, fees, profits and emoluments above by these presents appointed and ordained, any statute, law or ordinance, proviso, prohibition or restriction in our kingdom of England or Ireland made or enacted, or any other thing, cause or matter whatsoever notwithstanding.

And also we will, and for us our heirs and successors do ordain and constitute, that from henceforth for ever there be and shall be within the water or river of Bann, at or near the aforesaid town of Coleraine, and in and throughout the liberty of the same town, a sea-port, and a port for the application and arrival of ships, boats, and other vessels, and for the loading and unloading of all and all manner of things, wares and merchandizes whatsoever, with all and all manner of rights, jurisdictions, liberties, free customs, customs, duties and privileges belonging, due or to be due to such a port, and that the same port be and shall be named, called and denominated, the port of the town of Coleraine aforesaid.

And further, of our more abundant grace for us our heirs and successors, we do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, and by these presents do will, command and firmly ordain, and enjoining do command, that all and singular merchants, mariners, and all other persons whatsoever, carrying or bringing any things, wares or merchandizes into or within the aforesaid water of Bann, in any ship, boat or other vessel whatsoever on account of trade, and that any ship, boat or other vessel whatsoever loading or carrying any things, merchandizes, or wares, and coming and entering into or within the aforesaid water or river of Bann, from parts beyond seas, for the purpose of trade, shall not discharge and unload the same goods, merchandizes and wares, or any of them, at any port, creek, place or places whatsoever, save only at the aforesaid port of Coleraine.

To continue for life unless removed.

After appointment to exercise his office, and receive the fees belonging thereto.

Coleraine to be a sea-port;

And further we will, and by these presents for us our heirs and successors do as much as in us lies grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, that all freemen of the aforesaid town of Coleraine and the liberty of the same may be for ever quit and free for themselves and their goods through all Ireland, from all toll, wharfage, anchorage, beaonage, package, pontage, piccage and lestage, and from all further tolls and packages whatsoever; also we do grant for us our heirs and successors to the same mayor, aldermen and burgesses of the town aforesaid, and their successors to be quit of murder within the town of Coleraine aforesaid, the liberty and precincts of the same.

to be free
of toll
throughout
Ireland.

And further we will, and by these presents for us our heirs and successors, do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that no merchant or others may go to meet merchants, or other persons coming by land or by water with their merchandizes or victuals towards the town of Coleraine aforesaid, to buy or sell again the same wares or victuals until they come to the said town of Coleraine, and have there exposed their wares and victuals to sale, upon pain of such forfeiture and punishments and imprisonments as by the laws and statutes of the said kingdom of Ireland or otherwise may or ought to be imposed upon such offenders.

Forestallers
to be
punished.

And that every year in the town of Coleraine aforesaid, as often as need shall be, it shall be inquired if any within the liberty of the same town shall use merchandizing in that town with the goods of others, which are not or shall not be of the same liberty, avowing the same goods to be their own, against their oath and contrary to the liberty of the town aforesaid; and they who shall be thereof lawfully convicted, shall be deprived of the liberty of the same town, at the will of the mayor and aidermen of the town aforesaid.

None to
trade who
are not free
of the town.

And that all and singular persons being free of the town aforesaid, and willing to enjoy the liberties and free customs of the same, shall be in lot and scot, and partake of all charges for the maintaining the state of the same town, and for the liberty of the same, according to the oaths which they made when they were admitted to their freedom; and he who will not do this shall lose his freedom of the same town.

Freemen to
bear scot
and lot.

And that all and every person being free of that town, who shall remain out of the same town, and by himself or others shall use merchandizing within the said town of Coleraine and the liberty of the same, or that hereafter shall remain and exercise trades, shall be in lot and scot with the commonalty of the same town for their merchandize aforesaid; or otherwise be removed from their freedom.

And that the common seal of the town of Coleraine aforesaid shall remain in the custody of two aldermen, and two others of the commonalty, by the mayor and aldermen and common council of that town to be chosen for that purpose.

Who shall
keep the
common
seal.

Who shall keep the weights and balances. And that the weights and balances concerning merchandizes to be weighed between merchants, shall remain in the custody of honest and sufficient men of the same town, and for this purpose to be chosen by the mayor and aldermen and common council of the town aforesaid, to be kept at the pleasure of the mayor and aldermen and common council of the town of Coleraine aforesaid, and that they be not at all committed to others but such as are so chosen.

Non-free-men not to sell wares, on pain of forfeiture ; And merchants and others who shall not be of the freedom of the town of Coleraine, shall not sell by retail any wines or other wares whatsoever within the same town of Coleraine, the liberty or franchises of the same, upon pain of forfeiture of the thing so bought, or the value thereof, to the use of the mayor, aldermen and burgesses of the aforesaid town of Coleraine.

or use trade. And also that no person being a foreigner from the freedom of the town aforesaid, shall use and exercise within the same town, liberty or franchises, any art, mystery or manual occupation whatsoever, to make his gain and profit thereof, upon pain of forfeiture of forty shillings for every time wherein such person shall use or exercise within the said town of Coleraine, the liberty or precincts of the same, any art, mystery or manual occupation as aforesaid.

To whom fines to be paid. And that the same forfeitures be for ever to the aforesaid mayor, aldermen and burgesses of the town aforesaid, and their successors aforesaid, without any account or otherwise therefore to be yielded or made to us our heirs or successors ; and all the aforesaid forfeitures shall from time to time be recovered in the aforesaid court within the aforesaid town of Coleraine, for and in the name of the chamberlain of the same town for the time being, to the use of the aforesaid mayor, aldermen and burgesses of the town aforesaid.

Brokers to be chosen and sworn. And that brokers of merchandizes in the town of Coleraine aforesaid, and the liberty of the same, shall be from time to time elected by the mayor and aldermen of the town aforesaid ; and thereupon shall take their oaths before the mayor and aldermen of the same town well and faithfully to execute their offices.

Innholders. And that all common hosts and other persons, resident in the town of Coleraine aforesaid and the liberty of the same, although they shall not be free of the town aforesaid, shall be partakers of all public charges for paving of the places and streets, and cleaning of the town aforesaid, as long as they shall be such common hosts and residents and commorants in the same town, liberty or precincts of the same, as other such hosts in the town, liberty and precincts aforesaid, by reason of their hostlery shall partake.

Aldermen to be taxed. And that the goods of the aldermen of the town aforesaid, shall in all aids, talliages, and other contributions happening within the same town, be taxed by men of the said town of Coleraine for this purpose lawfully chosen and deputed, as the goods of other men of the same town.

Mayorto be justice of Moreover we grant, for us our heirs and successors, to the aforesaid mayor, aldermen and burgesses of the town of Cole-

raine aforesaid, and their successors, that the mayor of the same town for the time shall be appointed and named one of the justices of gaol delivery of the said town, the liberty and precincts of the same, to be assigned in every commission to be made to any justices of gaol delivery in the same town to be assigned.

gaol delivery.

And that the said mayor and aldermen and burgesses of the town of Coleraine aforesaid shall have infangthef, outfangthef, and chattels of felons of all those that shall be adjudged before them within the liberty of the town of Coleraine aforesaid.

Infangthef, outfangthef and felons' goods granted to the corporation.

And also we will, and do grant for us our heirs and successors to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that the clerk of the market of our household, or of our heirs, or any other officer or minister of us our heirs or successors, from henceforth shall not sit within the liberty of the town aforesaid, nor shall exercise any office there, nor by any means draw any freemen of the town aforesaid, or other inhabitants or residents within the town aforesaid, the liberty or precincts of the same, into pleas out of the liberty of the same town of Coleraine, from any others within the liberty of the said town of Coleraine.

None of the king's officers to intermeddle in the affairs of Coleraine.

And that no escheator or minister from henceforth shall exercise the office of escheator within the liberty of the town of Coleraine aforesaid, but that the mayor of the town aforesaid for the time being shall execute the office of escheator within the liberty of the town of Coleraine aforesaid; so that he take his oath faithfully to execute that office, and therefore answer to us and our heirs as he ought.

The mayor to be sole escheator.

And that no summons, attachment, arrest, distress or execution whatsoever, be made by any of the ministers of us our heirs or successors whatsoever, by writ or without writ, within the liberty or precincts of the aforesaid town of Coleraine, unless by the mayor of the same town of Coleraine and by the ministers of the same town.

No process to be executed in the town but by the mayor.

And that no purveyor, taker, officer, or other minister of us our heirs or successors, or of any other, may make any prise in the town of Coleraine aforesaid of the goods of the freemen of the town aforesaid, and of other inhabitants and residents within the same town of Coleraine, against their will, unless he shall forthwith make due payment for the same, or have a respite, at the voluntary gift of the vendor.

No purveyor to take goods from the inhabitants against their will.

And that no market hereafter be granted by us our heirs or successors to any within seven miles compass of the town of Coleraine aforesaid.

No market to be within seven miles of the town.

And also we will and grant, and by this our present charter have confirmed, for us our heirs or successors, to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that hereafter no merchant, stranger or foreigner to the freedom of the town of Coleraine aforesaid, shall sell any merchandize within the liberty or precincts of the said town of Coleraine, to any other stranger or foreign merchant; nor any merchant, stranger or foreigner, shall buy any merchandizes

Foreigners not to buy from, or sell to, foreigners.

of any other merchant, stranger or foreigner within the town aforesaid, or liberty or precincts of the said town, upon pain of forfeiture of the same merchandizes, or the value thereof, to the mayor, aldermen and burgesses of the town of Coleraine aforesaid.

Victuallers to be under the rule of the mayor and aldermen. Further we will, and by this our charter do in like manner grant, that all manner of wines to be sold in the town aforesaid, and also victuallers as well fishmongers as others, dwelling in the same town, liberty and precincts of the same, and others who shall hereafter come to the town aforesaid with victuals, shall be from henceforth under the rule and government of the mayor and aldermen of the town aforesaid for the time being.

The custody of the gates granted to the corporation; And moreover of our more abundant grace we have granted, for us our heirs and successors (as much as in us is), to the same mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that they may have the custody of all the gates and posterns of the town aforesaid, now erected and built and hereafter to be erected and built.

and the tronage of sundry merchandizes. And also tronage; (that is to say) weighing of lead, wax, pepper, alum, madder, and other wares, within the town of Coleraine aforesaid, and the liberty of the same for ever, by themselves or their sufficient deputies.

The mayor, recorder, and certain aldermen, to be justices of the peace within the town. And further of our more abundant special grace, and of our certain knowledge and mere motion, we have given and granted, and by these presents for us our heirs and successors do give and grant to the mayor, aldermen and burgesses of the town of Coleraine aforesaid, and to their successors, the liberty, freedoms and franchises hereunder written; (that is to say) that the mayor and recorder of the same town of Coleraine aforesaid who now are, and their successors, mayors and recorders of the same town of Coleraine aforesaid for ever, and those aldermen who hereafter shall bear the charge of the mayoralty of that town, after they shall leave their mayoralty and be thereof discharged, as long as they shall remain aldermen there, and four of the senior aldermen of the town aforesaid which next after the date of these presents shall bear and exercise the charge of aldermanship, and have not borne the burthen of mayoralty in the town aforesaid, and afterwards as often as it shall happen that there shall not be living four aldermen of the same town which have not borne the charge of mayoralty in the same town, then and so often so many of the senior aldermen of the town aforesaid, as together with the mayor, recorder and aldermen which have borne the office of mayoralty of the town aforesaid, may supply the number of six justices of the peace of the town aforesaid, and shall be conservators of the peace of us our heirs and successors, to be conserved and kept within our town aforesaid, and the liberty and precincts of the same; and to keep or cause to be kept all statutes and ordinances made and to be made for the good of our peace, and for the conservation of the same, and for the quiet rule and government of our people of us our heirs and successors, in all their articles, as

well within the town of Coleraine aforesaid as the liberty and precincts of the same, according to the force, form and effect of their ordinances and statutes, or any of them; and to chastise and punish all those whom they shall find offending in the town aforesaid and the liberty and precincts of the same, as according to the form of those ordinances and statutes ought to be done; and to cause all those that shall use any threats to any of our people of us our heirs and successors, concerning their body or burning their houses, to find sufficient security for their peace and good behaviour towards us our heirs and successors, and all the people of us our heirs and successors; and if they shall refuse to find such security, then to cause them to be kept safely in the gaol of us our heirs and successors of the same town of Coleraine until they shall find such security.

Also we will, and do grant, that the now mayor and recorder, and their successors aforesaid, and such aldermen as aforesaid, or three of the same mayor, recorder and aldermen, (whereof the said mayor and recorder, and their successors aforesaid, we will to be two,) be justices of us our heirs and successors, to inquire by the oaths of good and lawful men, as well of the town aforesaid as of the liberty and precincts of the same, by whom the truth may be best known, concerning all murders, felonies, bloodsheddings, enchantments, sorceries, art magick, forestallings, regratings, ingrossings and extortions whatsoever, and of all and singular other misdeeds and offences of which justices of peace of us our heirs and successors may lawfully or ought to inquire, by whomsoever or howsoever within the town aforesaid or the liberty and precincts of the same heretofore done or committed, or which hereafter shall happen to be attempted or committed there; and also concerning all those in the town aforesaid, the liberty and precincts of the same, who shall conventicle together against the peace of us our heirs and successors, in disturbance of the people of us our heirs and successors; or shall lie in wait, or hereafter shall presume to lie in wait to maim or kill the people; and also concerning hostlers, and all and singular other persons which have offended or attempted, or hereafter shall presume to offend, or attempt, in the town aforesaid, or the liberty and precincts of the same, in the abuse of weights and measures, or in the sale of victuals, contrary to the form, ordinance and statutes, or any of them therefore made for the common profit of our realm of Ireland and of the people of us our heirs and successors.

And also concerning sheriffs, constables, keepers of gaols, and other officers whatsoever, which in the execution of their offices about the premises, or any of them, have unduly behaved themselves, or hereafter shall presume unduly to behave themselves, or have been slack, remiss or negligent, or hereafter shall happen to be slack, remiss or negligent, within the town aforesaid, the liberty and precincts of the same; and concerning all and singular articles, circumstances and other things

whatsoever, by whomsoever or howsoever within the town aforesaid, liberty and precincts of the same, done or committed, or which from henceforth shall happen to be done or committed howsoever concerning the premises, or any of them :

And to inspect all indictments whatsoever which hereafter shall be taken before the mayor and recorder, and their successors aforesaid, and such aldermen as aforesaid, or three of the same mayor, recorder, and aldermen, (whereof the said mayor and recorder, and their successors aforesaid, we will to be two,) and to make and continue the process thereof against all and every person so indicted, or which hereafter shall happen to be so indicted, until they be taken, or surrender themselves, or be outlawed; and to hear and determine all and singular murders, felonies, bloodsheds, enchantments, sorceries, arts magick, trespasses, forestallings, regratings, ingrossings, extortions, unlawful assemblings, and indictments aforesaid; and all and singular other the premises, according to the laws and statutes of our realm of Ireland, as in such case hath been accustomed or ought to be done; and to chastise and punish the same delinquents and every of them for their offences, by fines, redemptions, amer-ciaments, forfeitures, or other means, as according to the law and custom of our realm of Ireland, and form of the ordinances and statutes of the same, hath been accustomed or ought to be done.

First mayor appointed.

Also we will, and by these presents for us our heirs and successors do grant to the aforesaid mayor and aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that Tristram Beresford, above in these letters patent named and appointed to become and be mayor of the said town of Coleraine, before he be admitted to the execution of the aforesaid office of justice of peace aforesaid, shall take as well the corporal oath commonly called the oath of supremacy, as the corporal oath well and faithfully to execute the office of justice of peace, and the oaths provided by the laws of this our realm of England in that behalf, as shall be requisite to be taken by justices of the peace before the bishop of Derry for the time being; and that the aforesaid bishop of Derry for the time being may and shall have, by virtue of these our letters patent, full power and authority to give and administer the oaths aforesaid to the aforesaid Tristram Beresford, without any other warrant or commission to be obtained or prosecuted of us our heirs or successors :

Oath to be taken, and before whom.

And that the mayor of the said town of Coleraine hereafter for the time being, and also all such aldermen of the same town, which, according to the true intent of these presents, shall hereafter be justices of the peace of the town aforesaid, and every of them, shall take as well the aforesaid corporal oath, commonly called the oath of supremacy, as the aforesaid corporal oath rightly and faithfully to execute the office of a justice of peace, and the oaths provided in that behalf by the laws and

statutes of this our realm of England and Ireland, requisite to be taken of a justice of peace, before the mayor of the said town for the time being, he first taking his own oath aforesaid, shall and may have full power and authority by virtue of these our letters patent to give and administer the oaths aforesaid, as well to his own successor the mayor of the same town in future, as to such other justices of the peace, and any of them, without any other warrant or commission from us our heirs or successors, in any manner to be obtained or prosecuted.

Also we do prohibit for us our heirs and successors by these presents, that no justice of the peace of us our heirs or successors of our county of Londonderry, in the aforesaid kingdom of Ireland, shall presume to enter the said town, liberty or precincts of the same, in any wise to perform or execute any thing there, by virtue of these our letters patent which the justices of the peace of the same town may and ought to do.

Justices at large not to interfere in the city.

And further of our more abundant grace we have given and granted, and by these presents for us our heirs and successors do give and grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and to their successors, all and all manner of fines, issues and amerciaments whatsoever, in all and singular sessions of the peace to be holden within the said town of Coleraine, the liberty and precincts of the same, before the justices assigned and to be assigned to keep the peace of us our heirs and successors in the same town, of and for all and singular things, causes and matters whatsoever, in any manner hereafter arising or happening within the said town, the limits or precincts of the same, to hold to the said mayor, aldermen and burgesses and their successors, as of our gift, without any account or any other thing in any manner therefore to be yielded, paid or made to us our heirs or successors.

Fines &c. granted to the corporation.

We have also given and granted, and of our more abundant especial grace, certain knowledge and mere motion, by these presents do give and grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid and to their successors, all goods and chattels of all and singular felons, fugitives, felons of themselves, and of those put in exigent for felony, happening, arising or accruing within the same town, liberty and precincts of the same :

Felons' goods given to the corporation ;

And that the same mayor, aldermen and burgesses, and their successors, may have in the town aforesaid, and in the liberty and precincts of the same, the assize and assay of bread, wine, and all and of all other victuals and things whatsoever in the town aforesaid to be sold :

and the assize and assay of bread, wine, &c.

And also the office of clerk of the market within the aforesaid town of Coleraine and the liberty of the same, and all and whatsoever doth belong to the office of clerk of the market ; together with the correcting and punishing of all persons selling bread, wine, beer, and other victuals, with the forfeitures, fines and amerciaments to be forfeited ; and in all other things which there do and may hereafter there belong and appertain to us our

and the office of the clerk of the market in the town and liberty ;

heirs or successors, to have and exercise the same office by their sufficient deputies :

and the execution of writs.

And that they may in the town of Coleraine aforesaid, the liberty and precincts of the same, have the full execution of all writs whatsoever of us our heirs and successors, and of all other writs, mandates, precepts, estreats and warrants with the return of the same, by their minister or deputy or by their ministers or deputies, whom they shall choose for that purpose; so that always the clerk of the market or household of us our heirs or successors, or any sheriff, escheator or any other officer or minister of us our heirs or successors, may by no means enter or intermeddle to do any thing which doth or may there belong to his or their or any of their office or offices, for us our heirs or successors.

Aldermen not to be put on assizes, juries, &c. out of the town.

Furthermore, seeing it is sufficiently notorious and manifest that they of the town of Coleraine aforesaid which are called, elected and taken to the degree of aldermanship, (their manners and merits requiring it,) having undergone great charges, cost and labour, for the time that they make their abode in the same town, diligently attending the public good and rule and government of the same, and for that cause in the mean time often leaving their possessions and places in the country, therefore they all and every of them (these things being worthily weighed and considered) may recreate, solace, and divert themselves, and quietly remain and stay in such their houses, places and possessions, without all fear of molestation or grievance, when after so great charges and labour for cause of recreation and solace they shall betake themselves thither; and of our especial grace we have granted for us our heirs and successors to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid and their successors, that all and every of them who now are aldermen of the town aforesaid and their successors the future aldermen there for the term of their lives may have this liberty, (that is to say) that as long as they shall remain aldermen there and shall bear the charge of aldermanship, they or any of them be not put on any assizes, juries, attaints, recognizances or inquisitions whatsoever out of the town of Coleraine aforesaid.

A market granted to the corporation, and when to be held;

Also we have granted to the same mayor, aldermen and burgesses of the town aforesaid and to their successors for ever, that they may for ever have, hold and keep within the town of Coleraine aforesaid, the liberty and precincts of the same, a common market to be holden on the Tuesdays, Thursdays and Saturdays in every week throughout the year :

and a yearly fair.

And also one fair in the town of Coleraine aforesaid, the liberty and precincts of the same, yearly for ever, (that is to say) on the feast of St. Philip and Jacob, and to continue and endure all that day or feast, and for eight days next following the same feast, together with a court of piepowder, and with all liberties and free customs belonging to such a fair; and that they may there have and hold at the said court before their minister or

deputy on the said several days, from day to day, from hour to hour, from time to time, all actions, plaints and pleas of a court of piepowder, together with all summons, attachments, arrests, issues, fines, redemptions and commodities, and other rights whatsoever, to the same court of piepowder in any manner belonging or appertaining, without any impeachment, impediment or trouble, of us our heirs or successors, or of any of our officers or ministers whatsoever.

And also that the same mayor, aldermen and burgesses of the town of Coleraine aforesaid, may have in the said town and liberty of the same, a view of frankpledge, and all and whatsoever doth belong to view of frankpledge, together with all summons, attachments, arrests, issues, amerciaments, fines, redemptions, profits, commodities and other things whatsoever, which may or ought thereof there to belong in any manner to us our heirs or successors.

and view of
frank-
pledge;

And for the improvement of the said town of Coleraine, we do ordain and constitute that for ever hereafter there be and shall be within the same town a great beam and common balance for weighing between foreign merchants and the freemen of the town of Coleraine aforesaid, and between foreign merchants, and that for ever hereafter there be and shall be within the same town the office of keeper of the same great beam and common balance.

and the of-
fice of
keeper of
the great
beam and
common
balance.

And also that from henceforth for ever there shall and may be a great balance or weight within the aforesaid town of Coleraine, for the weighing of all merchandizes of avoirdupois, and also of all weights whatsoever within the same town, liberty and precincts of the same, and of all spices, wares and things weighable to be weighed in the town of Coleraine aforesaid, the liberty and precincts of the same, and the said office of keeper of the great beam and great balance aforesaid, with all reasonable fees and profits belonging to such office, we do for us our heirs and successors give and grant to the aforesaid mayor, aldermen and burgesses and their successors by these presents.

Balance
and
weights.

And also we do give and grant to the same mayor, aldermen, and burgesses of the town aforesaid, and to their successors, authority and power to make and name from time to time, all and all manner of clerks, porters, servants; and ministers of the great beam and balance, and of the iron beams and weights aforesaid, and to remove the same clerks, porters, servants and ministers, and every of them, and other or others in his or their place or places, to place, put and constitute, as often as it shall seem expedient to them, to have, occupy and exercise the office aforesaid, together with the authority and power aforesaid, to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid and to their successors, by themselves or by their sufficient deputy or deputies for ever to their proper use and behoof, together with all fees, dues, wages and profits reasonable for the doing of the same offices and services, without any account or other thing to be yielded therefore to us our heirs and successors.

Power to
appoint
clerks,
porters,
servants, &c
of the great
beam and
balance.

The offices
of packer
and porter
established;

And also for us our heirs and successors we do ordain and constitute, that for ever hereafter there be and shall be within the aforesaid town of Coleraine, the offices or occupations of packing all woollen cloth, sheep and calves' skins, vessels of amber (*de electro*), and all merchandizes whatsoever to be packed, tunned, piped, barrellid, or in any manner soever included, with the survey of measuring, numbering and weighing of the merchandizes aforesaid; and also the supervision of the opening of what merchandizes soever customable arriving at the port of safety, and going out of port as well by land as by water, within the liberty and franchises of the town of Coleraine aforesaid, as well of the goods of strangers as of denizens, wheresoever they have been customed. And that for ever hereafter there shall and may be within the said town of Coleraine aforesaid, an office for packing of all woollen cloths, sheep-, lambs' and calves'-skins, with kipping and powdering of the same skins, and of vessels *de electro* and other merchandizes which in the town of Coleraine aforesaid, the liberty and precincts of the same, shall be to be packed, kipped or powdered, upon land to be carried to be customed as well of the goods of strangers as of denizens, and also of the carriage and portorage of all wool, skins, tin, bales, and of all other merchandizes whatsoever in the town of Coleraine aforesaid, liberty or precincts of the same, from the water of Bann unto the houses of strangers, and contrarywise to the same water of Bann aforesaid, to be carried, or other merchandizes being in any house which ought to be carried.

garbler.

And that for ever hereafter there be and shall be in the town aforesaid, the liberties and precincts of the same, the office of garbelling of what spices soever, and other merchandizes, coming to the town aforesaid, the liberty and precincts of the same.

gauger.

And that for ever there shall and may be within the said town the officer of gauger of all and all manner of vessels of all wines whatsoever, and of all other merchandizes of what kind, nature or species whatsoever gaugeable, coming to the aforesaid town, the liberty and precincts of the same.

The said
offices
granted to
the corpo-
ration.

And of our more abundant grace, certain knowledge and mere motion, we do for us our heirs and successors by these presents give and grant to the aforesaid mayor, aldermen, and burgesses of the town of Coleraine aforesaid, and their successors, the aforesaid offices or occupations of packing of all woollen cloths, sheep-skins, calves'-skins, vessels *de electro*, and of all merchandizes whatsoever to be packed, tunned, piped, barrellid or otherwise inclosed, with the supervision of measuring, numbering, and weighing of merchandizes, and the oversight of opening of whatsoever merchandizes customable, arriving at the port of safety, and going out of port, as well by land as by water, within the liberty and franchises of the aforesaid town of Coleraine, as well of the goods of strangers as of denizens, wheresoever they shall be customed, and the aforesaid office of packing of all woollen cloths, sheep-skins, lamb-skins, and calves'-skins, with the kipping and powdering of the same skins, and vessels *de electro*,

and other merchandizes, which in the town of Coleraine aforesaid, the liberty or precincts of the same, shall be customed, packed, kipped, or powdered, or by land carried (as well the goods of strangers as of denizens), and also of the carriage and portorage of all wool, skins, tin, bales, and of all other merchandizes whatsoever, which in the town of Coleraine aforesaid, the liberty or precincts of the same, shall be carried from the water of Bann aforesaid to the houses of strangers, and contrarywise to the same water of Bann, or of other merchandizes being in any house which ought to be carried.

And also the aforesaid office of garbeller of what spices soever, and of other merchandizes coming to the town of Coleraine aforesaid, the liberty and precincts of the same, and also the office of gauger of all and all manner of vessels of all wines whatsoever, and of all other vessels of vinegar, oil, honey, and all other merchandizes of what kind, nature or quality soever, coming to the aforesaid town of Coleraine, to have the offices aforesaid, and the occupations aforesaid, and every of them, and the disposing, ordering, oversight, and correction of them and every of them, together with such fees, dues, wages and profits, to such offices and every of them incident, belonging, or appertaining, to the aforesaid mayor, aldermen, and burgesses of the town aforesaid and to their successors, to their own proper use and behoof for ever, and also to exercise and occupy those offices and every of them by themselves or their sufficient deputies.

We have also given and granted, and by these presents of our more ample special grace, and of our certain knowledge and mere motion, for us our heirs and successors, do give and grant to the same mayor, aldermen and burgesses of the town aforesaid, and to their successors that they and their successors may have authority from time to time to choose such and so many fit persons to be coroners of the town of Coleraine aforesaid, as it shall please the aforesaid mayor, aldermen and burgesses and their successors; and that every person and persons so as aforesaid to be named and elected, may and shall be coroner and coroners of us our heirs and successors of the aforesaid town of Coleraine, and the liberty of the same, and afterwards from time to time may have and exercise, use and enjoy the office or offices of coroners to which they shall be so elected and appointed, during the pleasure of the aforesaid mayor, aldermen and burgesses of the town aforesaid for the time being, having first taken a corporal oath before the mayor of the aforesaid town for the time being, rightly, well and faithfully to execute that office, and that the mayor of the town aforesaid for the time being, by virtue of these presents, shall and may have full power, faculty and authority to give and administer a corporal oath to such person or persons so as aforesaid to be nominated and chosen into the office of coroner of the said town, rightly, truly, well and faithfully to exercise and execute that office, in and by all things to which he or they shall be so chosen and nominated, without any

The corporation to choose a coroner.

Before whom to be sworn.

other commission or warrant to be therefore obtained or procured of us our heirs or successors.

No other coroner to interfere.

So that no other coroner of us our heirs or successors may by any means intermeddle within the town of Coleraine aforesaid, the liberty and precincts of the same.

The corporation to arrest malefactors.

And further, that the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, may take and arrest felons, thieves, and other malefactors, found within the aforesaid town, by themselves or by their ministers or deputies constituted in the town aforesaid, and to bring them to our gaol in the town of Coleraine aforesaid, there to be safely kept until by due process of law they be delivered.

The corporation to send two burgesses to parliament.

And further, of our more abundant special grace, certain knowledge and mere motion, we will, and by these presents for us our heirs and successors, do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, and also by these presents we do ordain and establish for ever in future times, that there be and shall be in the said town of Coleraine, two burgesses of the parliament of us our heirs and successors, and that the mayor, aldermen and burgesses of the town aforesaid, and their successors, by virtue of any precept, mandate or process upon the writ of us our heirs and successors, for the election of the burgesses of the parliament in that behalf duly directed, may and shall have power, authority and faculty, to choose and nominate two of the more discreet and sufficient freemen of the said town of Coleraine, for the time being, to become burgesses of the parliament of us our heirs and successors for the same town and liberty of the same, and the same burgesses so elected at the costs and charges of the said mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors for the time being, to send to the parliament of us our heirs and successors, wheresoever it shall be then holden, in the same manner and form as in other places, cities, boroughs or towns of our realm of Ireland is used and accustomed; which said burgesses so elected and nominated, we will to be present and continue at the parliament of us our heirs and successors, at the costs and charges of the said mayor, aldermen and burgesses of the town aforesaid, for the time being, during the time that such parliament shall happen to be holden, in the like manner and form as other burgesses for the parliament for any other places, cities, boroughs or towns within our realm of Ireland, do or have accustomed or ought to do, and which said burgesses in such parliament of us our heirs and successors, shall have as well their affirmative as negative voices, and the same make and execute, and all and singular other things do as other burgesses of the parliament of us our heirs and successors, for whatsoever other places, cities, boroughs or towns, or other place, city, borough or town whatsoever, have had, done and executed, or may have, do or execute, or may enjoy by any reason or means whatsoever.

The sheriffs to issue pre-

And further we have given and granted, and by these presents

for us our heirs and successors, do give and grant, to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, and also we do charge and firmly for us our heirs and successors, do command all sheriffs, officers, and ministers whatsoever of us our heirs and successors, of our aforesaid county of Londonderry, for the time being, to whom any writ or writs for the election of burgesses for the parliament within the aforesaid town of Coleraine at any time hereafter shall be directed, that every such sheriff, officer or minister, to whom any such writ so as aforesaid hereafter shall be directed, do make his precept to the mayor, aldermen and burgesses of the town of Coleraine aforesaid for the time being, for the election and return of the same two burgesses out of the freemen of the said town of Coleraine, according to the form and effect of the same writ or writs, and these our letters patent, or the inrolment of the same, shall be in that behalf a sufficient warrant and discharge, as well to the said mayor, aldermen and burgesses of the town of Coleraine aforesaid, and to their successors, as to all and singular sheriffs, officers and ministers of us our heirs and successors.

cepts for that purpose.

Inrolment of present charter to be sufficient authority.

And further of our abundant special grace, certain knowledge, and mere motion, for us our heirs and successors, we do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that for the greater increase of all and all manner of arts, mysteries and manual occupations whatsoever, within the aforesaid town of Coleraine, the liberty and precincts of the same, and for reducing the same into better order and perfection, such and so many of the mayor, aldermen and burgesses and other freemen of the same town, and their successors, as do now use or exercise, or shall hereafter use or exercise, any one art, mystery, or manual occupation, be from time to time for ever hereafter separated and divided by the mayor and aldermen of the town aforesaid, for the time being, or the greater part of them, into separate companies, guilds or fraternities of the same art.

The corporation empowered to erect guilds and fraternities.

And that by virtue of these presents the mayor and aldermen of the town of Coleraine aforesaid, for the time being, or the major part of them, may from time to time for ever ordain and constitute, out of such persons as aforesaid, such and so many several companies, guilds, or fraternities, within the town and liberty of Coleraine aforesaid, and the same respectively to call and name, by such name or names, as shall seem expedient and necessary to the same mayor and aldermen of the town aforesaid, for the time being, or the major part of them, and that from thenceforth every such company, guild or fraternity, so ordained or constituted, from time to time shall and may make and erect respectively for themselves a common hall or other convenient place within the said town of Coleraine, and themselves there respectively lawfully to assemble, and may and shall have full power and authority to ordain, constitute and make laws, orders and ordinances, for the good order and govern-

Companies to make by-laws,

ment and direction of such company, guild or fraternity, in his own proper art, mystery or manual occupation, and in all things touching the same art, mystery or manual occupation, and for the better correction and reformation of the abuses, defects, deceits, falsities or corruptions in such art, mystery or manual occupation :

and impose
fines, &c

And also power and authority to make, ordain, provide, impose, assess and inflict, reasonable and fit pains, punishments and penalties, for the better observation of such laws, orders and ordinances, by the imprisonment of the body, or by fines or americiaments, or by either of them, upon the persons offending and misdoing against any such laws, orders and ordinances, and by the distress of the goods and chattels of such offenders and delinquents for the fines and americiaments aforesaid, and the same to retain, until the fines and americiaments aforesaid shall be satisfied, all and singular which laws, orders and ordinances, so as aforesaid to be made by every person and persons of such company, guild or fraternity, we will to be observed, under the pains in the same to be contained, so always and upon this condition, that such laws, ordinances, orders, pains, penalties, imprisonments, fines and americiaments, be reasonable and not repugnant or contrary to the laws or statutes of our kingdom of England or Ireland, and so that such laws, orders and ordinances, so made, ordained and constituted, be from time to time ratified, confirmed and approved by the mayor and aldermen of the town aforesaid, for the time being (whereof the mayor of the town aforesaid for the time being, we will to be always one,) before the same laws, orders and ordinances be published to be observed or put in execution, all which said fines, americiaments and forfeitures, so from time to time to be imposed, assessed and forfeited, for us our heirs and successors, we do give and grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and to their successors for ever.

Common
gaol for the
town of
Coleraine.

And further of our more abundant especial grace, certain knowledge, and mere motion, we will and by these presents for us our heirs and successors, do grant and confirm to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, that they and their successors for ever hereafter may have one gaol, in any convenient place within the aforesaid town of Coleraine, to be chosen by the mayor and the greater part of the common council of the same town for the time being, for what persons soever to be arrested or attached for felonies, trespasses, misdemeanours, and other matters and causes whatsoever, within the aforesaid town of Coleraine, to be arrested or attached or to the same gaol to be committed, to be safely kept, there to remain until they shall thenceforth in due manner be delivered according to the laws of our realm of Ireland.

The king's
covenant's
to grant
more ample
liberties.

And further we will, and by these presents for us our heirs and successors, do covenant and grant, to and with the aforesaid mayor, aldermen and burgesses of the town of Coleraine afore-

said, and their successors, that we our heirs and successors do grant to the aforesaid mayor, aldermen, and burgesses of the town of Coleraine aforesaid and their successors, other letters patent, grants or donations, to them and their successors to be made under our great seal of England, or under the great seal used in our realm of Ireland, of such further and more ample privileges, liberties, franchises, immunities, and pre-eminences, as upon consideration of the charters of London, the Cinque ports, and Newcastle-upon-Tyne, in our realm of England, or of the charters of the city of Dublin in the realm of Ireland, or any of them for those parts, from time to time shall be found, and shall seem to us our heirs and successors useful, convenient and fit.

And further of our more abundant special grace, and of our certain knowledge and mere motion, we do covenant and grant, to and with the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid and their successors, and for us our heirs and successors, do give and grant full power and liberty to the aforesaid mayor, aldermen and burgesses of the town aforesaid, and their successors, that they and their successors shall have liberty and time during the space of seven years next ensuing the date of these presents, to apply for, find out, and have from us our heirs and successors, so many such and any other things and grants reasonable and convenient, as in future times shall appear to us our heirs and successors useful and convenient for the same mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, and that we our heirs and successors, so many such and the same rights, liberties, franchises, and other reasonable things, will give and grant to the aforesaid mayor, aldermen and burgesses of the town aforesaid, and their successors, as shall appear useful and convenient for the same mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors.

And further we will, and by these presents for us our heirs and successors do covenant and grant, to and with the aforesaid mayor, aldermen, and burgesses of the town of Coleraine aforesaid, and their successors, that at any parliament or session of parliament of us our heirs or successors to be held within this our kingdom of England, and also at any parliament or session of parliament of us our heirs or successors to be held within our aforesaid realm of Ireland, when it shall be desired by the said mayor, aldermen and burgesses of the town aforesaid for the time being, we our heirs or successors will give and grant our royal and free assent and consent, to any act, bill or petition by the aforesaid mayor, aldermen and burgesses of the said town of Coleraine or their successors, or by any or either of them, to be exhibited or preferred in the same parliaments, or session of parliament, and either of them, and to be approved and allowed by the lords spiritual and temporal and commons of such parliament, which shall conduce and tend to establish, confirm, and secure the enjoyment and conveyance of all and singular liberties,

privileges, and other grants, and of all and every other things whatsoever in these presents mentioned to be granted to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid and their successors, and that they and their successors shall have and hold all and singular the matters in these presents mentioned to be granted, according to the true intent of these our letters patent.

The king's covenant to explain and amend this charter.

And further we, being willing that the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, may have, hold, use, and enjoy, all and singular the liberties, franchises, privileges, and other the premises, above by these presents before granted, according to our true intention in these presents declared, notwithstanding any ambiguities, defects, or misprisions whatsoever, in these our letters patent, erroneously introduced, and of our especial grace, certain knowledge, and mere motion, we will and do signify our intention and pleasure to be, and by these presents for us our heirs and successors, do grant and covenant to and with the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid and their successors, that if and whensoever any ambiguity or defect or any ambiguities or defects shall happen to arise or be found in these our letters patent at any time hereafter for or in respect that the aforesaid liberties, franchises, and privileges, and other the premises by these presents mentioned or intended to be granted to the same mayor, aldermen and burgesses or any of them, are not plainly expressed or granted by words sufficient, fit, and ample enough, or for any other cause or matter whatsoever, so that the same mayor, aldermen and burgesses of the town of Coleraine aforesaid and their successors, cannot use, enjoy, and benefit from the same premises, by virtue and force of these presents according to the intent and plain signification of the words contained in these our letters patent, that then and so often, upon the like petition of the same mayor, aldermen, and burgesses of the aforesaid town of Coleraine, or their successors, to be in that behalf exhibited and preferred to us our heirs or successors, and upon due examination and certificate of such ambiguity or defect in that behalf to be made by the attorney-general of us our heirs or successors of our kingdom of England for the time being, we our heirs and successors will make, and cause to be made, to the aforesaid mayor, aldermen and burgesses of the aforesaid town of Coleraine and their successors, other letters patent to be sealed with the great seal of England, or with the great seal of Ireland, with the explanation, amendment and supply of all such doubts, ambiguities, and defects, as to us our heirs and successors in that behalf shall seem to be requisite and reasonable, and for the better giving, granting, securing, and confirming, of the same premises to the same mayor, aldermen and burgesses of the town of Coleraine aforesaid, and their successors, according to our true intent and according to the intent and plain signification of the words in these letters patent contained, any thing in these presents to the contrary notwithstanding.

Lastly we will, and by these presents for us our heirs and successors, do grant to the aforesaid mayor, aldermen and burgesses of the town of Coleraine aforesaid and their successors, that we our heirs and successors, at any time hereafter, when it shall be considered by the said mayor, aldermen and burgesses of the town of Coleraine aforesaid or their successors, for the time being, will give, grant and confirm to the same mayor, aldermen, and burgesses and their successors, by other our letters patent in due manner to be made and sealed under the great seal used in our realm of Ireland, all and singular things whatsoever in these presents above mentioned to be granted, any statute, act, ordinance, or proviso heretofore made, established, ordained or provided, or any other thing, cause or matter whatsoever, to the contrary notwithstanding, so that express mention of the true annual value or of the certainty of the premises or any of them, or of other gifts or grants by us, or by any of our progenitors or predecessors made to the aforesaid mayor, aldermen and burgesses of the town of Coleraine before this time be set forth in these presents, any statute, act, ordinance, proviso, proclamation or restriction therefore to the contrary thereof heretofore had, made, established, ordained, or provided, or any other thing, cause, or matter whatsoever, in any wise notwithstanding. In testimony whereof we have caused these our letters to be made patent. Witness ourself at Westminster the 28th day of June, in the year of our reign of England, France, and Ireland the eleventh, and of Scotland the forty-sixth.

By Writ of Privy Seal, &c.

CARTWRIGHT.

Translated from a Latin copy in the Irish chamber by me,
HENRY SCHULTES.

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INQUISITIONS.

AN INQUISITION indented taken at Lymmavady, in the county of Coleraine, the 30th day of August, anno dom. 1609, and in the year of the reign of our sovereign lord James, by the grace of God king of England, Scotland, France and Ireland, defender of the faith, &c. viz. of England, France and Ireland the seventh, and of Scotland the three-and-fortieth, before sir Arthur Chichester, knight, lord deputy general of the said realm of Ireland; Henry lord archbishop of Armagh and primate of all Ireland; George lord bishop of Derry; sir Thomas Ridgway, knight, vice treasurer and treasurer at warrs in the said realm of Ireland; sir Humphrey Winch, knight, chief justice of his highness's chief place in the said realm, sir Oliver St. John, knight, master of the ordnance of the said realm; sir Oliver Lambert, knight, one of his highness's privy council in the said realm; sir Garrett Moore, knight, one other of his highness's privy council in the said realm; and sir John Davys, knight, his majesty's attorney general in the said realm of Ireland; and William Parsons, esq., his majesty's surveyor general of the said realm, commissioners assigned and lawfully authorized by virtue of his majesty's commission, with certain articles of instructions thereunto annexed under the great seal of Ireland, bearing date the 21st of July last past, to them and others directed, amongst other things to distinguish the ecclesiastical lands from the lands belonging to the crown within the said county of Coleraine, and further, to inquire of divers other things contained in the said commission and articles of instruction thereunto annexed as aforesaid by the oaths of good and lawful men of the said county of Coleraine, whose names ensue: (viz.) Manus M'Evally, John O'Henny, Farderragh O'Mullane, Richard M'Owen O'Cahan, Owen M'Carroll, Patrick M'Redy, Rory M'aValle, Owen Growe M'Gilligane Gulduffe oge O'Mullan, Dermott O'Cahan, James O'Mullan Gilduffe, M'Herenagh, M'Gloskie, William M'aTagairt, Patrick oge M'aTagert and Maurice M'Cowell, jurors, who, being duly sworn upon the holy evangelists, do say and present upon their oaths, that the late lord bishop of Derry, both before and until the making of the statute of the attainder of Shane O'Neale, in the 11th year of the reign of the late queen Elizabeth, was seized in his demesne as of fee in right of bishoprick of Derry, of and in the balliboe of land of Lisiemucke, in the parish of Aghadowe, in the barony of Coleraine, and of and in two tide-water fishings at the fishing place of the river of the Bann, on the Monday next after Mid-

summer day, yearly. And the said jurors do upon their oaths further say and present, that the said late bishop of Derry and his successor both before and until the making of the said statute of the attainder of Shane O'Neale, made in the said 11th year of the said late Queen Elizabeth, was seized in fee in right of the said bishoprick of Derry, of and in several yearly rents, customs and refections issuing out of certain herenagh lands within the said barony of Coleraine, in manner and form following, viz. out of the herenagh land of Dunboe near the parish church of Dunboe, containing three balliboes over and besides the two balliboes of herenagh land of Haburcey, and one balliboe of herenagh land of Ballymaddy, which the herenagh of that place had three shillings sterling per annum and a yearly refection, if the said bishop did visit and not else; and also five shillings sterling per annum out of the herenagh's third part of the tithes of the said parish of Dunboe; and also out of the herenagh lands of Grangemore, containing twelve balliboes, viz. Patoge, Mullone, Farenlege, Serice, Masserigeny, Ballyene, Guilly, Ballymullackaglibegg, the two balliboes of Ballymullackmore and the two balliboes of Grangemore in the parish of Dunboe, forty shillings sterling per annum and a yearly refection as before and not otherwise, which lands the now lord bishop of Derry doth set and dispose at his pleasure, but by what right the said jurors know not. But they say, that the said bishop's predecessors never enjoyed nor ought to have the said lands itself, but only the rents and refection aforesaid. And also out of the half balliboes of herenagh land of Ballymasse and the little Wear near Ballymasse to the said lands belonging, in the parish of Camos, six shillings and eight pence per annum; and also out of the herenagh lands of Camos, containing one quarter near the parish church of Camos, and out of the herenagh's third part of the tithes of the parish of Camos, thirteen shillings and four pence sterling per annum, and a yearly refection as before and not otherwise. And also out of the termon of Aghadowy, containing one ballybetagh and the herenagh's third part of the tithes of Aghadowy, forty shillings sterling per annum, and a yearly refection as before and not otherwise; and also out of the herenagh land of Dissert O'Twohill, containing one quarter, ten shillings sterling per annum. And out of the herenagh's third part of the tithes of the parish of Dissert O'Twohill, ten shillings sterling per annum, and a yearly refection, in manner aforesaid and not otherwise; and also out of the herenagh land of Arregall, containing one quarter, ten shillings per annum; and out of the herenagh's third part of the tithes of the parish of Arregall, ten shillings sterling per annum, with a yearly refection as before and not otherwise. And further, the said jurors do upon their oaths find and present, that in the said barony of Coleraine are the several parishes ensuing: viz. the parish of Dunboe, wherein is both a parson and a vicar, and that the tithes of the said parish church are paid in specie, whereof one third part is paid to the parson, another third part to the vicar, and the other third part to the herenagh: and that they the said parson, vicar, and herenagh,

are equally to pay the charge of repairing and maintaining the parish church of Dunboe, and that the parson and vicar of this parish paid twelve pence apiece to the bishops of Derry; and that in the said parish there is also one garden of glebe belonging to the said vicar. And also the parish of Killowen, wherein is only a parson, to whom all the tithes of the said parish are paid in kind, there being no herenagh in the said parish; and that the said parson paid yearly twelve pence proxies and a refection yearly in the said lord bishop's visitations and not else, and did also bear the whole charge of repairing and maintaining the parish church of Killowen; and hath also a garden of glebe in right of his said church. And also the parish of Camos, wherein is both a parson and vicar; and that the tithes of the said parish are paid in kind, whereof one third part is paid to the said parson, another third part is paid to the vicar, and the other third part to the herenagh of Camos; and that they are equally to bear the charge of repairing and maintaining the parish church of Camos; and that in this parish are two gardens of glebe, the one belonging to the said vicar, and the other to a curate to be kept there; and that the said parson and vicar paid twelve pence apiece proxies to the lord bishop of Derry. And also the parish of Agahadowy, wherein is both a parson and a vicar, and that the tithes of the said parish are paid in kind, one third part thereof to the parson, another third part to the vicar, and the other third part to the herenagh; and that they are to bear the charge of repairing and maintaining the parish church of Aghadowy equally, and that there is one garden of glebe land belonging to the vicar; and that the parson and vicar paid twelve pence a piece proxies to the said bishop of Derry. And also the parish of Dissert O'Twohill, wherein is both a parson and vicar, and the tithes of the said parish are paid in kind, one third part whereof is paid to the parson, another third part to the vicar, and the other third part to the herenagh, which said parson, vicar, and herenagh, are to bear the charge of repairing and maintaining the parish church there; and that the said parson and vicar paid twelve pence a piece proxies unto the said bishop of Derry, and also the parish of Arregall, wherein is both a parson and vicar, that the tithes of the said parish are paid also in kind, and one third part whereof is paid to the parson, another third part to the vicar, and the other third part to the herenagh of Arregall; and that the said parson, vicar, and herenagh, are to bear the charges of repairing and maintaining the parish church there equally; and that to the said vicar there belongeth one garden of glebe land; and that the said parson and vicar then paid twelve pence apiece proxies to the said bishop of Derry.

And further, the said jurors do upon their oaths find and present that the late dissolved abbey or monastery of monks of Moykoskin, was both before and at the making of the said statute of dissolution of monasteries lawfully seized in his demesne as of fee in right of his house, of and in the said abbey or monastery, and of and in eleven balliboes of demesne lands, together

with a free loope fishing at the salmon leap of the river of the Bann, in the said county of Coleraine; and that the said monastery or abbey, with the said lands and fishings, lately came to his majesty's hands and possession by force of the said statute of dissolution of monasteries; and that the late abbot of the late abbey or monastery or house of canons of St. Peter and Paul of Ardmagh, was before and at the making of the said statute of dissolution of monasteries seized in his demesne, as of fee in right of the said abbey, of and in four balliboes of Ath Giwe, with the tythes thereof and other the appurtenances, in the said barony of Coleraine, and the said four balliboes of land also came lately to his majesty's hands and possession by force of the said act or statute of dissolution. And further, the said jurors do upon their oaths say and present, that the late bishop of Derry, both before and at the making of the said statute of the attainder of Shane O'Neale, in the 11th year of the late queen Elizabeth, seized in fee in right of his bishoprick of Derry, of and in several rents, customs, and refections issuing out of several herenagh lands and tythes within the barony of Conaght, in the said county of Coleraine, in form following: viz. out of the balliboe of herenagh land belonging to the parish church of Tawlaghtard ten shillings sterling per annum, and out of another balliboe of herenagh land belonging to a chapel called Donovoron, in the said parish of Tawlaghtard, ten shillings sterling per annum; which said two balliboes of herenagh land are parcel of the two ballybetaghs of herenagh land of Tawlaghtard, and that the herenagh holdeth the rest free; and out of the herenagh's third part of the tithes of the said parish of Tawlaghtard twenty shillings sterling per annum, and one refection yearly upon the said two balliboes, and upon the said third part of the tithes in the said bishop's visitation, and not otherwise; and also out of the herenagh land of Allowa, containing three balliboes, one yearly refection only in the said bishop's visitation, but no other rent; and out of the herenagh's third part of the tithes of the parish of Allowa, six shillings and eightpence sterling per annum; and also out of the herenagh land of Domchoes, containing two quarters and two balliboes, viz. Drumore and Utulane in the parish of Domchoes, eight shillings and eightpence per annum; and out of the herenagh's third part of the tithes of the said parish, six shillings and eightpence sterling per annum; and also for one yearly refection, and a refection yearly as before; and also out of the herenagh land of Boydaf Leigh, containing one quarter, five shillings sterling per annum; and out of the herenagh's third part of the tithes of the parish of Boydaf Leigh six shillings and eightpence per annum refection yearly upon the whole in the said bishop's visitation, and not otherwise; and also out of the herenagh land of Towlaghtfinleggan, containing two quarters, twenty shillings sterling per annum, and one yearly refection as before; and out of the herenagh's third part of the tythes of the parish of Towlaghtfinleggan, and also out of the herenagh land of Boyneboe containing half a quarter, five shillings

sterling per annum; and out of the herenagh's third part of the tythes of the parish of Boyneboe, five shillings sterling per annum, and a refection; and also out of the herenagh land of Bannocher, containing two quarters; and out of the herenagh's third part of the tithes of the parish of Bannocher, thirteen shillings and fourpence sterling per annum, and a refection as aforesaid. And further the said jurors do upon their oaths find and present, that in the said barony of Kenaght are the several parishes underwritten: viz. the parish of Tawlaghtard, wherein is both a parson and a vicar, and the tithes of the said parish are all paid in kind, whereof one third part is paid to the said parson, one other third part to the said vicar, and the other third part to the herenagh of Tawlaghtard as aforesaid; and that they, the said parson, vicar, and herenagh, are to bear the charge of repairing and maintaining the parish church there as before; and that the parson and vicar paid twelvecence a piece proxies to the said lord bishop of Derry; and there is likewise one garden of glebe belonging to the said vicar, and also the parish of Allowa, wherein is both a parson and vicar, and that the tithes of this parish are paid in kind, one third part whereof to the parson, another third part to the vicar and the other third part to the herenagh; and that the said parson, vicar, and herenagh, are to maintain and repair the parish church at their own charges equally to be borne; and that in the said parish are two gardens of glebe belonging to the vicar, there, and that the parson and vicar paid twelvecence a piece proxies to the bishop of Derry; and also the parish of Dromchoes, whereof there is a parson and vicar, and that the tithes of the said parish are paid in kind, one third part whereof is paid to the parson, another third part to the vicar, and the other third part to the herenagh, who are to bear the charge of repairing and maintaining the parish church equally as before; and that the parson and vicar of this parish, paid unto the bishops of Derry two shillings a piece proxies; and also the parish of Boydafeigh, in which parish is both a parson and a vicar, and that the tithes of the said parish are also paid in kind, to the parson, vicar, and herenagh as before; and that they the said parson, vicar, and herenagh are to bear the charge of repairing and maintaining the parish church equally; and that the said parson and vicar paid twelvecence a piece proxies to the bishop of Derry; which said three parishes last recited are called by the name of Termonconny; and also the parish of Towlaghtinleggan, whereof there is both a parson and a vicar, and that the tithes of the said parish are paid in kind, one third part to the parson, another third part to the vicar, and the other third part to the herenagh, who likewise are to bear the charge in repairing and maintaining the parish church there equally, and that the parson and vicar paid twelvecence a piece proxies to the lord bishop of Derry; and that in this parish there is one garden of glebe belonging to the vicarage there; and also the parish of Boymaboe, whereof there is both a parson and a vicar, and that all the tithes

of the said parish are paid in kind, one third part whereof to the parson, and another third part to the vicar, and the other third part to the herenagh, who are likewise to bear the charge of repairing and maintaining the parish church equally; and that the parson and vicar paid twelvecence a piece proxies to the bishop of Derry, and that there belongeth to the vicarage of the said parish one garden of glebe land; and also the parish of Bannocher, whereof there is both a parson and a vicar, and that the tithes of the said parish are paid in kind, one third part to the parson, another third part to the vicar, and the other third part to the herenagh, who are to bear the charge of repairing and maintaining the parish church equally as before; and that the parson and vicar paid twelvecence a piece proxies to the bishop of Derry, in which parish also is one garden of glebe land belonging to the vicar there. And further the said jurors do upon their oaths find and present, that the late abbot of the late abbey or priory of Dungevin was both before and at the making of the said act of the dissolution of monasteries, seized in his demesne as of fee in right of his house, of and in the said abbey or priory of Dungevin, and eight balliboes of land with the tithes thereof, and of the whole parish to the said abbey or priory belonging, which said abbey or priory, together with the said lands and tithes lately came to his majesty's hands and possession, by force of the said statute or act of dissolution of monasteries. And further the said jurors do upon their oaths find and present, that the lord archbishop of Armagh is seized in fee, in right of his archbishoprick, of and in the yearly rent of two marks sterling, per annum issuing out of the herenagh land Clonie, containing one quarter; and there is also the fishing of two small pools to the said land belonging, all lying and being in the barony of Annagh: and further, they say, that the said herenagh land, and fishing of Clonie, now is and hath been in the possession of the bishop of Derry, ever since the wars of Shane O'Neill. And further the said jurors do upon their oaths find and present, that the dean of Derry, both before and after the making of the said statute of the attainder of Shane O'Neill, in the 11th year of the reign of the said late queen Elizabeth, was seized in his demesne as of fee, in right of his deanery, of and in the two quarters of land called Ballyowen in the parish of Annagh within the barony of Annagh: and further the said jurors do upon their oaths find and present, that the lord bishop of Derry, both before and until the making of the said statute of 11th Elizabeth, was seized in fee in right of the said bishopric, of and in several rents and customs and duties issuing out of certain lands and portions of tithes within the said barony of Annagh, as followeth: viz. out of the herenagh land of Faughenvally, containing two quarters, known by these four names, viz. Killewilly, Tulleveny, Cullowe, and Killeitra, the rent of ten shillings sterling per annum, and also thirteen shillings and fourpence sterling in his visitation and not else, in lieu of a refection, which refection or sum of money in lieu thereof, was equally borne by the parson and

vicar, and herenagh, of the parish of Faughenvally; and also out of the herenagh's third part of the tithes of the said parish ten shillings sterling per annum; and also out of the herenagh land of Camer, containing one quarter, the yearly rent of ten shillings sterling per annum: and out of the herenagh's third part of the tithes of the said parish of Camer, ten shillings sterling per annum a refection in the said bishop's visitation, and not else: and they also say, that in the parish of Annagh there is a quarter of herenagh land, out of which the bishop of Derry had no rent or refection issuing. And further the said jurors do upon their oaths find and present, that in the said barony of Annagh are the several parishes ensuing, viz. the parish of Faughenvally, whereof there is both a parson and a vicar, who paid unto the bishop of Derry twelvepence a piece proxies; and that the tithes of the said parish are paid in kind, one third part thereof to the parson, one other third part thereof to the vicar, and the other third part to the herenagh, who are to repair and maintain the parish church equally at their own charge. And that before and until the said statute of 11th of Elizabeth, the dean of the cathedral church of Derry was parson here, in right of his deanery, and also the parish of Camer, whereof there is both a parson and a vicar, and the tithes of the said parish are paid in kind, one third part whereof to the parson, another third part thereof to the vicar, and the other third part to the herenagh, who are to bear the charges of repairing and maintaining the parish church; and that in the said parish is one garden of glebe belonging to the vicarage there: and also the parish of Annagh, whereof there is both a parson and a vicar, and that the tithes of this parish are paid now to sir Thomas Phillips, but by what right the jurors know not: and also the parish of Clandermott, whereof the dean of Derry was parson, and received the whole tithes in kind in right of his said deanery, and that there is not any vicarage; and further the said jurors do upon their oaths say and present, that the late abbot of the late dissolved abbey or monastery of Columkill of Derry, both before and at the making of the said statute of dissolution of monasteries, was seized in his demesne as of fee, in right of the said abbey, of and in the two balliboes of Grangeagh in the barony of Annagh, with the appurtenances, and that the said lands came lately to his majesty's hands by force of the statute of dissolution of monasteries. And further the said jurors do upon their oaths find and say, that all presentations in right of patronage and advowsons of churches within the said county of Coleraine, do of right belong and appertain to the king's majesty in right of his imperial crown: but they also say, that the bishop of Derry might, and did until the said statute of 11th Elizabeth, place a clerk in any parsonage or vicarage being void, until the king either presented or bestowed the advowson upon the bishop or some other person soever. And further the said jurors do upon their oaths present and say, that the temporal lords never received any rents or duties, out of the termon or herenagh lands of the said county of Cole-

raine, but that Shane O'Neill in the beginning of his rebellion compelled the tenants of the said termon and herenagh lands to give him sundry uncertain rents and customs, which the said jurors find to have been extorted wrongfully and *de facto* as an unlawful exaction, and not *de jure* or as a lawful rent. And further touching the original of corbs and herenaghs, and of the termon lands of the said county of Coleraine, the said jurors do upon their said oaths find and say, that Donnell Mac Hugh O'Neill, king of Ireland, did long before any bishops were made in the said kingdom of Ireland, give unto certain holy men, whom they called *sancti patres*, several portions of land and a third part of all the tithes, to the end they should say prayers, and bear a third part of the charge for repairing and maintaining the parish church, the other two third parts being borne by the parson and vicar, to whom the rest of the tithes is yearly paid, and also for their own honour and sustentation; and that afterwards the said holy men did give unto several septs, several proportions of the said lands, and placed one or more of them in every parish, and withal gave unto him a third part of the tithes of that parish, to hold both the said land and the third part of the tithes for ever, according to the course of tanistre, free from all exactions, and that for that cause the land was called termon or free, and the tenants thereof some since were called corbe, and some since herenagh, and that the said corbe or herenagh was to bear a third part of the charge in repairing and maintaining the parish church, and that the said portion of land and the third part of the tithes so continued free unto the corbe or herenagh for many years, until the church of Rome established bishops in this kingdom, and declared that every corbe and herenagh should give unto the bishop within whose diocese he lived, a yearly pension, more or less, according to his proportion, out of his entire herenaghie, consisting of the said land and the said third part of the tithes, and that thereunto the said corbe and herenaghs submitted themselves, but held their herenaghie free for ever, and could not be removed by any of the temporal or spiritual lords, or other persons whatsoever. And further the said jurors do upon their oaths find and present, that the difference of termon corbe or herenagh consisteth only in this; that the termon is the name of the land, and all termon land is herenagh land, and hath all the privileges of herenagh land, but herenagh land, hath not always as ample privileges of the termon land; and also the said jurors do upon their oaths find and present, that all castles, manors, lands, tenements, and hereditaments whatsoever, the rents and duties belonging to the lord archbishop of Armagh, and all and singular abbies, monasteries, priories, and religious houses, and the lands above mentioned to belong thereunto only excepted, are now or lately come into the act or possession of his majesty by the said act of attainder of Shane O'Neill and others, made in the 11th year of the reign of the late queen Elizabeth. Lastly, the said jurors do upon their oaths find and present, that the said king's majesty that now is, being seized

in his demesne as of fee, of and in the whole fishing of the river of the Bann above the Salmon Leap, and of and in the whole ground, earth, and soil of the said river, Did, by his letters patents under the great seal of Ireland, bearing date give and grant the said fishing, with the said ground, earth, and soil thereof, unto James Hamilton, assignee of Thomas Ireland, and to his heirs for ever, as by the said letters patents appeareth; by force whereof the said James Hamilton was thereof seized in his demesne as of fee; and being so seized, did by his deed under his hand and seal duly executed, assign and convey all that the said fishing, with the said ground, soil, and earth thereof, and all his the said James's estate and interest therein, unto the right honourable sir Arthur Chichester, knight, lord deputy-general of the realm of Ireland, and to his heirs for ever, as by the said conveyance more at large appeareth; by force whereof the said sir Arthur Chichester, knight, is now thereof seized in his demesne as of fee; for further certainty of all which matters the said jurors do refer themselves to the letters patents and conveyance above-mentioned. In witness whereof the said commissioners, and also the said jurors, have to this part of this inquisition remaining with the said commissioners, put their seals; the day and year first above written.

ARTHUR CHICHESTER,
HEN. ARMAGH,
GEORGE DERENS, &c.
THOS. RIDGEWAY,
H. WINCH,
JO. DAVYS,
WILLIAM PARSONS.

Delivered into the Chancery of Ireland, the 6th day of
January, the 7th of James.

AN Inquisition indented, taken at the city and county of Derry, the 1st day of September, Anno Domini 1609, in the year of the reign of our sovereign Lord James, by the grace of God king of England, Scotland, France and Ireland, &c. viz. of England, France and Ireland the seventh, and of Scotland the three and fortieth, before sir Arthur Chichester, knight, lord deputy-general of the said realm of Ireland; Henry lord archbishop of Armagh, primate of all Ireland; George lord bishop of Derry; sir Thomas Ridgeway, knight, vice-treasurer and treasurer at warrs in the said realm; sir Humphry Winch, knight, chief justice of his highness's chief place in the said realm; sir Oliver St. John, knight, master of his Majesty's ordnance and munition in the said realm of Ireland; sir Oliver Lambert, knight, one of his majesty's privy council in the said realm; sir Garrett Moore, knight, one other of his majesty's privy council in the said realm; and sir Jno. Davis, knight, his majesty's attorney-general of the said realm; and

William Parsons, esq. his majesty's surveyor general of the said realm, commissioners assigned, and lawfully authorized by virtue of his majesty's commission, with certain articles of instruction thereunto annexed under the great seal of Ireland, bearing date the 21st day of July now last past, to them and others directed amongst other things, to distinguish the ecclesiastical lands from the lands belonging to the crown, within the said county of the city of Derry; and further to inquire of divers other things contained in the said commission and articles of instructions thereunto annexed as aforesaid, by the oaths of good and lawful men of the said county, whose names ensue; viz. Anthony Reynolds, Jessey Smith, Richard Griffen, Humphrey Vaile, Richard Birns, William Colesmore, Anthony Matthew, Richard Appleton, Andrew Dykes, Hugh Thompson, Edmond Oag Chegarty, Manus M'Roarty, Walter Jullan, Donogh O'Derry jurors; who being duly sworn upon the holy evangelists, do say and present upon their oaths, that the lord bishop of Derry is seized, and his predecessors time out of mind have been seized in his demesne, as of fee in right of the bishoprick of Derry, of and in one house or castle, with a garden plot thereunto adjoining, situate on the south side of the cathedral church near the long tower in the island of Derry; and that he the said lord bishop of Derry is, and his predecessors have, time out of mind, been possessed of one orchard or park lying on the east side of the great fort in the said island of Derry, paying thereout yearly unto the errenagh Laghlin, ten white groats per annum; and that the dean of the cathedral church of Derry is seized in his demesne as of fee in right of his deanery, of and in a small plot or parcel of land within the said island; and the said jurors do upon their oaths further present and say, that within the said island there were two herenaghs belonging to the late abbot of Collumkill, the one called Laghlin, within the diocese of Derry, and the other called O'Derry, within the diocese of Rapho; but that neither of the said herenaghs paid any thing either to the bishop of Derry or of Rapho: and further the said jurors do upon their oaths say and present, that all cuttings, fines for bloodshed, and the like, did appertain to the abbot of Columkill, and were collected to his use by one of the herenaghs; and the said jurors do further find and present upon their oaths, that the said herenaghs could not be removed by the bishop or any other person whatsoever: and the said jurors do further find and present upon their oaths, that the said bishop of Derry is seized in right of his bishoprick of Derry, of and in the quarter land called Craggen and Druminwong, and of and in the half quarter of land called Craggen and Druminwony, and of and in the half quarter of land called Carnegloch, all lying and being on the north side of the bog near the said island: and further the said jurors do upon their oaths find and present, that the said dean of Derry is also seized in right of his deanery, of four acres of land, or thereabouts, adjoining to the north side of the said bog, and lying between the said lord bishop's lands and the lands of sir George Paulett: and further the said jurors do upon

their oaths say and present, that the said dean of Derry is also seized in his demesne as of fee in his right of his said deanery of Derry, of and in the two quarters of land called Ballyowan, lying on the foughen side, within the county of the city of Londonderry aforesaid, and of and in the two other quarters of land near adjoining; the one called Templequarter and Clonkey, and the other called Cooleronnogh, which the said jurors find to have been in the possession of the two former deans of Derry. And whereas the said lands are now in the possession of William M'Heggart, who was the last dean of Derry by the pope's authority, the said jurors do find upon their oaths that the said lands do not belong to him the said William as his inheritance, but that he continues the possession which he had formerly gotten in right of the said deanery: and further the said jurors do upon their oaths say, that the lord archbishop of Armagh, and his predecessors, in right of the said archbishoprick of Armagh, have, time out of mind, received and levied yearly out of the four balliboos of land of Clonie, and out of the fishings thereunto belonging, two marks per annum; and that the said lands and fishings were until fifty years since, or thereabouts, enjoyed by the sept of Neill Dorkloney, as inheritors or dowsagors of the said lands; but the said jurors do further present and say upon their oaths, that for the space of fifty years now last past, the said lands and fishings have been and yet are in the possession of the lord bishop of Derry for the time being, but by what right or title the said jurors do not know; moreover the said jurors do upon their oaths say and present, that the abbey or monastery of Columkill is situated in the said island of Derry, and that the parcels or quarters of land ensuing were parcels of the possessions of the said abbey; viz. one quarter of land called Corneshalgah, one other quarter of land called Gransholgilagh, now in the occupation of Walter Tallon; and one quarter of land called Lerusk, now in the occupation of captain John Vaughan; and one quarter of land called Ballynegardie, now in the possession of captain Henry Hart; and the half-quarters of Clonemore, now in the possession of Gillchrist O'Hegarty; and also one half-quarter of land called the Grange of Dirgebroe, in the foughan side, now in the possession of Patrick Read; and also one quarter of the land called Termonbacco, in the possession of sir Thomas Phillips; and also one half-quarter of land called Ballygam, in the occupation of George Norman; and also half-a-quarter of land called Ardnanshill, in the occupation of sir Ralf Bingly, knight, being parcel of the quarter-land of Cargan; and also one other quarter of land called Altoderry, parcel of the said Cargan; and also one quarter of land called Creeval, in the occupation of Dennis O'Derry; and also one other quarter of land called Ballywerry, in the occupation of Jno. Hetton; and also one other quarter called Mullenan, in the occupation of Jno. Woods; and also in half-a-quarter called Killeagh, in the occupation of Francis White: and that all and singular the said quarters and parcels of land lately came to his majety's crown by the said act of dissolution

of monasteries. And further the said jurors do upon their oaths present and find, that on the north side of the said bog, near the island of Derry, are the ruins of the priorie or religious house of Begging Friars of St. Francis, late dissolved, with a church-yard containing three acres or thereabouts, to the said priorie or religious house appertaining and adjoining; and that the said priorie and church-yard, with the said three acres of land, came lately to the crown by the said statute of dissolution of monasteries. And further the said jurors do upon their oaths say and present, that there was a nunnery on the south side of the said city in the island of Derry, with a small garden or plot of ground, called Garnegallegah, and a quarter of land called Ballygalliegh, to the said nunnery belonging; and that the half-quarter of land called Rossnegalliah, lying on fouhanside, is parcel of the possessions of the said nunnery; and that the said nunnery, with the said garden and lands, came lately to the crown by the said act or statute of dissolution of monasteries. And further the said jurors do find and present upon their oaths, that in the said county of the city of Derry are the two several parishes, viz. the parish of Derry, wherein the said bishop of Derry is parson in right of his said bishoprick of Derry, and the dean of Derry is vicar in right of the deanery; and that all the tithes are paid in kind except the tithes of cows and calves, for which there is paid eightpence for a cow and calf; and that the one third part of the tithes here was always paid to the said lord bishop of Derry as parson, and one other third part to the said dean as vicar, and the other third part to the herenagh, out of which third he paid unto the bishop of Derry a yearly pension, and could not be put out of the said part of the said tithes for so long as he paid the said pension, but what the said pension was the said jurors know not; but now the lord bishop of Derry taketh up his own third part, and the herenagh's third part also. And that the charge of repairing and maintaining the parish church was borne by the said parson, vicar and herenagh equally, and also the parish of Glendermont, whereof the said dean of Derry is both parson and vicar in right of his deanery, who receiveth the tythes of the said parish, one third part of the tythes of Annaghony excepted, viz. eightpence for a cow and calf, and the rest in the specie as before; and that the said dean is to keep here a curate, to whom and here belongeth a small garden-plot of glebe. And the said jurors do further say and present upon their oaths, that the Annagh, wherein is a chappell of ease, is within the said parish of Glendermont, and not a parish of itself, but the third part of the tythes of Annagh belonged to the bishoprick of Derry. And further the said jurors do upon their oaths say and present, that sir .Ino. O'Dogherty, knight, was about ten years since seized of the several parcels of land ensuing, viz. the half-quarter of Mashmellon, the half-quarter of Costgueyne, the half-quarter of Bonymaine, the quarter of Elaghmore, and the castle standing thereon, the quarter of Donervie, the quarter of Cregg, the quarter of Ballyarnett, the quarter of Ballymagortie, and the half-

quarter of Lulliarden, with the fishing of Culmore, by virtue of letters patent thereof made unto him, and that the said sir John Dogherty being so seized, did then enter into actual rebellion against the late queen Elizabeth, contrary to the conditions and provisoes contained in the said letters patents, and that by reason thereof, the said letters patents became void; and the said castle lands and fishings thereupon came and were invested in real and actual possession of the crown. And further the said jurors do upon their oaths say and present, that sir Cahir Dogherty, knight, was about the nineteenth day of April, anno dom. one thousand six hundred and eight, seized of the said castle lands and fishings, with the appurtenances, the said quarter of Ballyarnett, the half quarter of Laghardin on which the castle of Culmore is built, together with three hundred acres of land to the said castle allotted and appertaining, only excepted by virtue of letters patents thereof made to the said sir Cahir O'Dogherty and to the heirs males of his body, and that the said sir Cahir O'Dogherty being so seized, did in and upon the twentieth day of April, in the year of our Lord 1608, enter into open and actual rebellion against his majesty, contrary to the conditions and provisions contained in his letters patents made unto him as aforesaid; and that by reason thereof the said letters patents became and are void, and the lands and fishings therein contained were and yet are invested in the real and actual possession of the crown, for the further certainty of all which matters the said jurors refer themselves to the said several letters patents: and further the said jurors do upon their oaths say and present, that the said sir Cahir O'Dogherty was at the time of the said entering into rebellion, seized in his demesne as of fee, of and in the quarter of land called Ballyarnett, with the appurtenances, by conveyance from captain William Sidney, and that by force thereof the said quarter of land called Ballyarnett is now in the actual and real possession of his majesty: and further the said jurors do upon their oaths find and present, that the ancient and known mears of the country of Inishowen, alias O'Dogherty's country, to the south and south-west, are and have been time out of mind as followeth, viz. from the port or branch of Loughswilly, on the west and south-west part of Birt, through the middle of a bog which extendeth to Loghlappan, and so through the midst of the lough, and so along the midst of a small river falling into Loughlappan from a well or spring upon Mullaghknockemona, and from the top of that mountain the mear extendeth through a small bog which runneth along the top of the hill of Ardnomo-hill, and so to the top of the hill of Knockenagh, upon the east part of which hill ariseth the stream of Alt Ballymac Rowertie, which runneth a mear between Ballymac Rowertie Enishowen, and part of the lands of Derry and Garrowgart, to the cawsy under Elagh, and so down through the bog to Loughswilly, and from the aforesaid cawsy the mear of Enishowen aforesaid, is through the midst of the bog to Loughfoyle: and further the said jurors do upon their oaths find and present, that the ground and

land whereon the old castle called O'Donnall's castle was built, within the lower part of the city of Derry, was formerly bought by O'Donell of the herenagh Laghlinagh, as being parcel of his herenagh land for twenty cows; and the said castle was built thereupon by O'Dogherty for O'Donnall's use, in consideration whereof O'Donnall forgave O'Dogherty certain duties; and that the said castle and ground thereof is now come to his majesty's hands and possession by the attainder of treason of Hugh Ro O'Donnall: and further the said jurors do upon their oaths find and present, that Nicholas Weston, of Dublin, alderman, is and for the space of four years last past or thereabouts, hath been in possession of the several parcels of lands and fishings ensuing; viz. the four quarters of land of Dowle, one quarter of land called Medowne, and one quarter of land called Koolekeragh, with the fishing of the fouchan, and other small fishings thereunto belonging; and that the said Nicholas claims the said lands and fishings by conveyance from sir Donogh O'Cahan, unto which conveyance the said jurors do herein refer themselves; but whether it be good in law or no the said jurors know not: and further the said jurors do upon their oaths present and say, that all the lands, tenements, and hereditaments, lying within the county of the city of Derry, on the south-east side of the river of Loughfoyle, the land and hereditaments above mentioned to belong to any abbot, monasteries, or religious houses excepted, are lately come to his majesty's possession by force of the attainder of Shane O'Neale, made in the eleventh year of the reign of the late queen Elizabeth: and lastly, touching the several names of herenagh, termon and corbe, the said jurors do upon their oaths find and present, that all termon and herenagh lands within the said county, was at the first given by Collumkill and the succeeding abbots unto the several septs, before any bishops were known in this country, and the said lands were free, and had the privileges of sanctuary and other liberties, and were enjoyed by the sept in course of gavelkind. In witness whereof, as well the said commissioners as also the said jurors, have unto this part of this inquisition remaining with the said commissioners, set to their seals the day and year first above written. Arthur Chichester, H. Armaghanus, Geo. Deriens, Thomas Ridgway, H. Winch, Jno. Davis, William Parsons.

Ex^e. by me, JOHAN DENNING,
10 die Feb. 1703.

Delivered into the Chancery of Ireland, the 6th Jan. 7 James.

Note.—Copies of five inquisitions in Latin, taken in or about the year 1610, and of one in English taken in 1620, relating to ecclesiastical property, and the fishings, &c. appear among the records of the Irish Society, but they are much damaged by fire.

NARRATIVE
OF
THE FISHERY CAUSE

LATELY DEPENDING BETWEEN THE SOCIETY AND THE MARQUIS
OF DONEGAL, AND STATEMENT OF THE SOCIETY'S TITLE TO
THEIR FISHERIES; WITH THE OPINION OF THE LATE SIR
SAMUEL ROMILLY.

BY DAVID BABINGTON, Esq.

LAW AGENT TO THE SOCIETY.

SIR,

I HAVE had the honour of receiving a letter from you, as Secretary to the Honorable the Irish Society, mentioning their wish that I should furnish them with a statement of the case, and of the proceedings that have been had, and the steps that have been taken, from time to time, to protect their rights in the fishery of the river Bann, against the different attacks made upon them by the family of Lord Donegal, as the owners of another fishery in the same river, and in Loughneagh; a task which I undertake with very great pleasure indeed; for although the prospect was frequently gloomy, the business has at length been brought to a state so gratifying and pleasant to my feelings, that I am happy in an opportunity of doing what they require of me.

Loughneagh, which is one of the largest fresh water lakes in Europe, is situate in the province of Ulster in Ireland, and is bounded by the counties of Antrim, Armagh, Downe, Tyrone, and Londonderry, and it empties itself into the sea about three miles below the town of Coleraine in the county of Londonderry: the river by which it so empties itself is called the Bann, which in many parts is very deep and navigable, in others shallow and rocky, particularly near Coleraine, where the rocks are known by the name of the Fall, or Salmon Leap.

The whole distance from the lake to the sea, is about twenty-five Irish, and something more than thirty-one English miles.

Various grants appear to have been made, at different periods, of certain fishings in different parts of the lake and river, but I do not deem it necessary at present to go back above two centuries, as no prior grant has been acted upon or accompanied with possession, and of course no question will be likely to arise hereafter on any grant not followed by possession, or acted upon within that period; and although it might be most methodic to state the

grants which I shall mention, as they run in order, according to their dates, yet with a view to be more clear and satisfactory, I shall state those on which the Society and Lord Donegal found their respective rights separately, and begin with those relating to the Society.

On the 20th of July, in the year 1605, a grant appears to have been made by patent to James Hamilton, esq. of one free fishing in the river Bann, every Monday next after St. John Baptist's day; on which day all fish taken in the river belonged to the dissolved priory of Coleraine; and a salmon every day yearly from every fisherman fishing in that river during the season; being part of the possession of the said priory.

In the same month and year, another grant was made to Mr. Hamilton, of the entire fishing of the Lough and the Bann, to the Rock and the Salmon Leap, with some old eel weirs upon the Bann near Castle Toome, and all the islands of the Lough and river.

On the 2d of March 1605, a grant was made to John Wakeman, of Beckford in the county of Gloucester, esquire, of the entire river, from the Salmon Leap to the sea, and the fishings thereof, with the Salmon Leap.

On the 3d of March, in the same year, Wakeman conveyed all that had been granted to him, to Hamilton; so Hamilton being then possessed under his own grants of the Lough and river to the Salmon Leap and under his purchase from Wakeman, of the Salmon Leap, and river to the sea, he in fact had the entire of the Lough and river, with the soils thereof and every thing appertaining thereto down to the main sea.

On the 10th of April, 1606, Hamilton sold to Sir Arthur Chichester, the fishing of the river between the Lough and the Salmon Leap that had been granted to him in the month of July, 1605,

On the 14th of May, 1606, Hamilton sold to Chichester one moiety of the fishery from the rock to the sea.

On the 3d of April 1611, Chichester sold and surrendered all his interest to king James the First; and his majesty made compensation to Hamilton, and got a surrender from him also; and then the entire of the Lough, river, and Salmon Leap, became vested again in the crown.

On the 29th of May, 1613, the same king, by his letters patent under the *great seal of England*, constituted and created a certain number of citizens of London a corporation, by the name of The governor and assistants London of the new plantation in Ulster in Ireland; which corporation has been since commonly styled the London Society, when spoken of or treated upon in Ireland, and is generally styled The Irish Society when spoken of in England.

By the said letters patent a large track of country, comprising numerous denominations of land, to be thenceforward called the city and county of Londonderry, and the fishery of the river Bann, from the sea to Loughneagh, and the soil thereof, and the

rock or Salmon Leap in the said river were amongst a great variety of other things granted to the said society.

The parts of the grant that relate to said fishery are extremely full, and give as extensive power of taking fish in every way possible as could be expressed by the Latin language, in which the grant was written.

These letters patent were duly enrolled in the proper offices in England and Ireland; and from their date until the present time the Society and their successors, and those deriving under them, have uniformly possessed and enjoyed the rock or Salmon Leap, and that part of the river which lies between the rock and the sea: but it does not appear from any research I have been able to make, that they ever availed themselves of the grant of that part of the river which lies between the rock and the Lough, or ever were in possession thereof, and the reason why they did not will fully appear hereafter.

Some years previous to the breaking out of the Irish rebellion of 1641, King Charles the First, among many acts of a similar kind, as the history of that day fully tells us, caused informations to be filed by his attorney-general against the mayor, commons, and citizens of London, and against the Society, governor and assistants of the new plantation in Ulster, complaining, amongst other charges, of irregularity and misrepresentation in the manner of obtaining the letters patent of the 29th of March, 1613, alledging that King James was deceived therein.

Upon hearing these informations in the star chamber, about the tenth year of the reign of the same King Charles, the mayor, Society, &c. were sentenced to pay a fine of £70,000; and a *scire facias* issued in pursuance of said sentence to repeal the grant and charter, on which judgement was had in the court of chancery of England, and a decree pronounced, whereby the letters patent and the enrollment thereof were declared void, and ordered to be cancelled, and possession was ordered to be taken from the Society and companies of London, and the enrollment of said letters patent in England was vacated accordingly: but the enrollment in Ireland never was vacated, nor does it clearly appear that the possession was changed; on the contrary I believe it was not, but that the Society was mulcted in a sum of money under the name of composition: a practice very familiar at that time.

The city of London conceiving the proceedings in the star chamber and chancery grievous, petitioned the house of commons, and on the 26th of August, 1641, it was voted and resolved, that the sentence and order of the star chamber were unlawful, as well against the mayor and commonalty of the city of London as against the Society of the governor and assistants London of the new plantation of Ulster in Ireland.

That the king was not deceived in the grant, or in creating the corporation called the Society of the governor and assistants London of the new plantation of Ulster in Ireland, and that the king had not granted more lands by the said patent than he intended

to grant thereby. The house then proceeded to assign reasons, and amongst others gave the following :

“ That breach of covenant (if any such had been) is not sufficient cause to forfeit lands; breach of covenant being no crime, but tryable in ordinary courts of justice.

“ That the star chamber had no power to examine freehold, or to determine breach of covenants or trusts.

“ That the sentence against the two corporations aggregate, no particular person being guilty, was contrary to law, and every other article was in like manner illegal.

“ That the sentence of the star chamber was unlawful and unjust; and the composition with the city made on such terms, in time of extremity, ought not to bind it.

“ That when the king repaid the monies received on the composition, and such rents as he received by colour of the sentence, that then he should be restored to the same state he was in, and the patent surrendered.

“ That the citizens of London, and all against whom the judgement in *scire facias* was given, should be discharged of that judgement.

“ And that the citizens of London, those of the new plantation, all their under tenants, and all those put out of possession by the sequestration, or king's commissioners, should be restored to the same state they were in before the sentence in the star-chamber.”

In the fourteenth year of the reign of the same king, a special patent passed under the *great seal of England*, whereby, after reciting the proceedings aforesaid, his majesty pardoned, forgave and exonerated, and released the said mayor, &c. and their successors, from the said fine of £70,000.

On the 24th of March, 1656, the Society of the governor and assistants were restored to the said river, Salmon Leap, &c. by letters patent, dated at Westminster; but it does not appear that the Society ever availed themselves of this grant, owing, most probably, to the circumstance of its having been made by Cromwell, their being previously in quiet possession, and the Restoration following soon after.

On the 10th of April, 1662, by letters patent under *the great seal of England*, after reciting the patent of 1613, and that the Society by virtue of a licence under *the same seal*, dated the 30th of September, in the thirteenth year of the reign of the late king, had granted to the twelve companies of London several parcels of the estates that had been granted to the said Society, who had retained other parts not properly deviseable in their own hands; and also reciting that the said letters patent had been repealed in the court of chancery, and that King Charles the First had agreed to restore the premises to the said Society, which intention was prevented by the troubles (but without taking any notice whatever of the patent of the 24th of March, 1656), King Charles the Second reincorporated the said Society by their former name, and granted and confirmed to them and their successors all that had been given to them by the former

grant of 1613 ; and amongst the rest the river Bann, *from the sea to Loughneagh, and the rock or Salmon Leap, and the whole fishing and taking of fishes, as well salmon and eels as all other kind of fishes whatever within the said river and Salmon Leap, as well with nets of what kind soever, as otherwise howsoever, excepting only thereout the piscary belonging to the bishop of Derry, found by inquisition bearing date the 30th of August 1609.*

These letters were enrolled in the proper offices, both in England and Ireland ; but it appears to me that the Society and their successors rather considered them as a confirmation of the former grant than as a new grant, and I think I am fortified in this opinion by the following circumstances: The then bishop of Derry having claimed several parts of the fishery, and having brought ejectments for the recovery of them in the year 1670, the Society took defence thereto and nonsuited the said bishop, founding their title *solely upon the patent of 1613* ; the Society apprehending further trouble from the bishops of Derry, afterwards, on the 22d of April, 1684, filed a bill for perpetuating the testimony of their witnesses, in which bill they made title under the charter of 1613 as the original foundation, and charge the grant by Charles the Second to have been in confirmation of it.

By this bill they claimed all the fishery from the sea to the Lough ; although, as I have already observed, it does not appear that they ever possessed more than from the sea to the rock or Salmon Leap inclusive.

Witnesses were examined in this cause, and a compromise was afterwards made between the Society and Dr. King, then bishop of Derry, whereby a yearly sum was agreed to be paid by the Society to the bishop and his successors, and the agreement was afterwards ratified by act of parliament.

Thus stands the title of the Society, brought down to the latest period that any grant appears to have been made to or to have been accepted of by them from the crown : and I shall now proceed to state the title under which the Marquis of Donegal claims the right of fishing in Loughneagh, and the part of the river Bann which lies between it and the rock ; but it is right to premise, that in doing so some little inconsistency will appear, that part of the river that lies between the rock and the Lough having been granted both to the Society and the Donegal family at many different periods, several of them not very remote from each other.

On the 20th of November, 1621, a grant was made by patent to sir Arthur lord Chichester, ancestor of the marquis of Donegal, of Loughneagh, the soil and fishing thereof, the eel weirs and eel fishings about Toome, and in the river Bann, as far as the rock called the Salmon Leap.

On the 1st of July, 1640, Edward viscount Chichester, the descendant of Arthur, and Arthur the son of Edward, surrendered the premises comprised in the patent of the 20th of November, 1621, to King Charles the First, in pursuance of an or-

der of composition made on the 19th of September 1639, between them and the commissioners for the remedy of defective titles; and it was then agreed that his lordship and son should have a sufficient estate granted to them of all the premises granted by a former order of composition, bearing date the 7th of December 1638, and a patent accordingly passed on the 22d of September 1640, granting to them all the estates, except the Lough and river so surrendered, which were specifically excluded and left out of the said last-mentioned grant.

On the 14th of August 1656, a lease was made of said surrendered premises, by Oliver Cromwell to sir Arthur John Clotworthy, knight, afterwards viscount Massareen, for ninety-nine years, from the 13th of May 1656, at a small rent.

This lease comprised the Lough and Toome, with the fishings and soil thereof, the islands and the river Bann, as far as the Salmon Leap.

On the 15th of November 1660, King Charles the Second confirmed the lease to the Massareen family.

On the 3d of July 1661, the same king, by letters patent *under the great seal of Ireland*, granted and confirmed to Arthur Chichester, then earl Donegal, and his heirs, all the fishings in Loughneagh and the river Bann, from the Lough to the rock or fall called the Salmon Leap, to hold the same as they had been granted by King James the First, on the 20th of November 1621; and also the rents reserved upon any lease or leases, the premises comprised therein to go to the said earl of Donegal and his heirs; and under this grant it is, that the Donegal family have since enjoyed, and still continue to enjoy, the premises comprised therein; and amongst the rest the lake and river, from the lake to the rock or Salmon Leap.

Having now gone entirely through the matter of title, I next come to that which has given cause to so long and expensive litigation; but before I enter upon it, I beg shortly to observe a little upon salmon and eel-fisheries generally. The time for taking salmon as regulated by law, and that in which they are in best season and fittest for use, is immediately on their leaving the sea, and making their way into the fresh-water rivers, for the purpose, as is generally supposed, of depositing their spawn.

The spawn is generally lodged in shallow streams, or creeks in small rivers, in the harvest season; is lightly covered with gravel by the mother-fish, as they are called, and continue there until the months of March, April, and May following, when it vivifies sooner or later according to the heat or coolness of the season, and to the quantity of covering that may have been upon it, and which is frequently increased or diminished by the winter floods. And almost as soon as they are able to swim, the young brood begin to make their way to the sea; where their growth is so wonderfully rapid, that although when they pass to the sea they may not weigh more than one or two ounces, they are found to return in July and August into the fresh water, grown to the enormous weight of from four to ten pounds; and

it is equally remarkable of this species of fish, that it always endeavours to return into the same river it was spawned in, which facts of growth and propensity to return to their native rivers, are ascertained beyond doubt by a practice that I have frequently assisted in, of taking up the fry on its passage to the sea, in different rivers, remote from each other, weighing and marking them by the introduction of threads of silk into the fins, cutting the fins in different ways and the like, and entering down the respective weights and particular marks of each in a book made for the purpose, and afterwards catching and weighing them on their return, and no instance was ever found of the fry taken up and marked in one river being caught in another.

The eel tribe perform their functions in the very contrary way, and their history is not so perfectly well understood.

They spawn in the sea; and the fry, when not more than from an eighth to one fourth of an inch long, nor thicker than the hair of a horse's mane, make their way into the fresh waters in the summer months, and return to the sea full grown the following year, from whence it is conceived they never come back.

Salmon are uniformly taken in their passage from the sea to the fresh water, and eels on their passage from the fresh water to the sea, and of course wherever there are two salmon-fisheries on the same river, that next the sea must have the benefit of preception, and *vice versa* with respect to eel-fisheries.

To resume, or rather proceed, in the matter of controversy, it appears to me, from the best information I have been able to collect, that before the time of the grant to the Society in 1613, those who were entitled to the fishery of the rock, and of the river from the rock to the sea, caught all the salmon they could with nets in a particular part of the river, between the rock and the sea, called the Cranagh, which happened to be best adapted to net fishing; but as fish were then comparatively extremely plentiful (which, with the causes of its diminution, will be more fully explained hereafter), and as many fish escaped the industry of the net-fishers, men were employed to stand upon the rocks at the Salmon Leap, who were called loopers, and they used to catch some fish, especially when the river was not in a favourable state for the net fishing; still the number taken in this way was comparatively small, and it was at best precarious, as may well be conceived, when described to have been performed by watching the fish in the water until they attempted to ascend the rock, and while in the act of leaping, catching or receiving them in a small net fixed to the end of a pole; and so few were skilled and expert in this art, that the expense nearly equalled the gain, fish being then very cheap.

The river at the Salmon Leap is between three and four hundred feet wide; and the rock, which is about four hundred and fifty feet in length, extended in breadth entirely across the river, and rendered it so shallow and rapid, as to preclude all possibility of navigation while it continued in that state; wherefore the Society, shortly after the passing of the patent in 1613, as tradi-

tion informs me, made a cut through the rock almost close to the shore on the west or Derry side of the river, for the purpose of conveying timber down the river to build their town of Coleraine; but it is certain that the passage was converted into a trap for the taking of fish, very many years ago, and has been uniformly employed in that way, if not before, at least since the year 1620; and it is material to observe, as bearing very much on the case in controversy between the parties, that it was, and is, constructed of wood, lime and stones, and built in a most permanent manner.

From the time their rights first accrued, the Society, by their under-tenants, uniformly fished on the rock, and in the river from thence to the sea, with nets and loops in the ways already described, and also used the cut or trap from the time it was converted into an engine for the taking of fish, without molestation, hinderance, or even claim by the Donegal family, or those deriving under them; and in like manner, the Donegal family and their tenants fished without interruption in the lake, and in the river Bann, from the lake to the rock. But it is an important fact, that the sole profit of the Society's fishery consisted in the taking of salmon, and that of the Donegal family principally, if not entirely, in taking eel, as more fully mentioned hereafter; and that the Society's tenants uniformly defrayed all expenses attending the preservation of the salmon spawn and fry in the breeding rivers, as did the tenants of the Donegal family that which attended the preservation of the eel fry on their passage from the sea up the river: that being the only part of the eel-fishery that required attention.

The Society from time to time were in the habit of making leases of their fishery; and amongst others, one was made to a gentleman of the name of Williams, who first thought of the practicability of erecting traps upon the rock, instead of incurring the excessive expense of cutting the rock in the manner hereinbefore described with respect to the old cut, as it is called; and he caused a second trap to be erected in this way on the surface in the year 1744; and finding it useful, he erected another in the year 1745.

In the year 1755, a third was added.

In 1756, a fourth.

And the last in 1759 or 1760, by the late sir Henry Hamilton, then tenant to the Society; and no objection whatever was made to the erecting of any of those works at the times they were going forward; nor for eleven years after the erection of the last of them, although the tenants of the Donegal family were eyewitnesses of their progress, being themselves daily employed in fishing in that part of the river that lies immediately above, and adjoining to the rock. And all those works were composed of materials similar to those of which the cut made in or before the year 1620 was constructed, and bear complete resemblance to it in form and mechanism.

At length, however, but not until the year 1771, it occurred

to Arthur, then earl of Donegal, to contest the right of employing the traps I have mentioned, and to make the experiment of an action at law, for the purpose of contesting that right; and he accordingly brought an action in the Court of Exchequer against sir Henry Hamilton, for erecting a certain work on the rock or Salmon Leap, and for the recovery of damages for the injury his fishery was alleged to have suffered in consequence thereof; and he laid his venue in the county of Armagh; but on application to the court, and a statement by affidavit that questions of title were likely to arise that would require the production of various patents, a trial at bar was granted.

In this action he did not complain of any of the cuts, or traps specially, but of the whole, as if they had been of a single compact work, and had formed one general obstruction to the passage of fish across the entire course of the stream; and he claimed to be seized in fee of the soil of a free passage over the rock; although the whole soil thereof, as already mentioned, had been granted and belonged to the Society, and possession had followed the grant from the year 1613 (or at least from 1662) uniformly down to the present time.

A trial of this action was had at the bar of the Court of Exchequer in the year 1771, and a very long special verdict was found, embracing an immense variety of matter, which was set down for argument in the Court of Exchequer.

In this stage of the business when the cause was in the court-list for argument on the special verdict, I entered upon my apprenticeship with the late Messrs. Kane and King, who were then, and had been for above half a century before the law-agents of the Society; and as I chanced to have been born within less than a mile of the river Bann, about half way between the Lough and the sea, and had a tolerably good notion of the nature of the fisheries, my attention was more particularly directed to the subject in dispute than it might otherwise have been; and from thence until now the case has had my best consideration, especially for the last twenty years, during which time, or rather, as much of it as he lived, I was in partnership with Mr. King, who survived Mr. Kane, and since his death I have had the honour of being myself concerned for the Society in the defence of the cause, and such other general business as they have had in Ireland.

The special verdict having continued in the list for a considerable time, was found by those concerned for the plaintiff, to be so confused and informal, as to be utterly untenable; and being at last called on, immediately on opening the cause, the counsel for the plaintiff admitted its insufficiency, and the first of its many imperfections was decisive; namely, that it did not find that the plaintiff in the action was the heir at law of the original grantee, and the court was pleased to order a *venire facias de novo* to issue; but lord Donegal, or those concerned for him, did not think fit to issue the *venire*, nor was any other step ever taken by them afterwards, either to revive or proceed in that cause, or to commence a new one, during the remainder of the life of sir Henry Hamilton;

and he and his people continued to fish exactly in the ways they had theretofore done.

The interest that sir Henry Hamilton then had in the premises, was for a residue of a term of years; and he, being so possessed, on the 16th of January 1775, made his will, and thereby bequeathed his lease of the fishery to his wife Mariamne.

On the 12th of November 1778, he obtained a new lease of the fishery from the Society for the life of his wife the said Mariamne, and for twenty four years, being the number of years then to come of his original lease, and thereby acquired a freehold interest in the premises; and he afterwards died on the 26th of June 1782, without republishing the former, or making any new will.

Shortly before the death of sir Henry, heads of a bill were laid before the privy council, which was the practice then in Ireland, the object of which bill was to oblige the proprietors of salmon-fisheries, where permanent works were made of wood, lime, and stones for the taking of fish, to leave the traps open from Saturday night until Monday morning, in every week of the fishing season; but as I well knew that the complying with such a statute would be ruinous to the Society's works, as from the rapidity of the stream, and other causes, it would be morally impossible to erect the traps in the rest of the week, and that of course they might as well be left open altogether; I attended with counsel on the part of the Society at the privy council chamber, and shewed so clearly by my own testimony and that of others, that at Coleraine there was at all times a large portion of the river quite free and open for fish to pass, that I had this fishery exempted from the operation of the act; and from thence forward the act instead of a mischief has been a great benefit to the Society; for it fully, and in terms, recognizes cuts and traps as legitimate modes of taking fish.

In the year 1783, the same earl of Donegal, or those concerned for him, brought a new action against lady Hamilton, not as the former brought against sir Henry in 1771, for erecting a certain work generally as already stated, but for maintaining and continuing the four last made cuts only; and gave up entirely the claim of a seizin in fee of the soil of any part of the rock; and the venue as before was laid in the county Armagh.

In this case also a trial at bar was granted, and the cause was heard in the year 1784; when, as before, a special verdict was found, and in like manner it fell to the ground without determining any thing whatever on the question of right between the parties, as from the way the plaintiff made up the verdict, it appeared on the face of it, and such indeed was the fact, that the last lease to sir Henry was executed after the publishing his will, and of course the freehold descended to his heir at law; and lady Hamilton, the defendant, appeared to have no interest therein.

After judgment was given by the court on this special verdict, a report was propagated with much industry that Lord Donegal had finally succeeded in totally defeating the London Society

and their tenant, lady Hamilton, in the great fishery cause ; which greatly alarmed lady Hamilton (who had then got a conveyance from the heir at law of sir Henry, conformably to his intentions), and for her satisfaction a case was laid before Mr. Boyd, then recorder of Londonderry, and afterwards second Justice of the Court of King's Bench, stating the circumstances exactly as they occurred on the trial ; and he gave an opinion on the 17th of April 1787, " That the question of law between the parties was one that " never had been decided ; that he ever was, and then was of " opinion, that lord Donegal ought not to have judgment on any " action that might tend to prostrate the works ; and that he knew " the prostration of them would totally destroy the Society's " fishery in the river Bann."

Down to this period then, I may truly say, that all the attempts made on the part of lord Donegal were a mere nullity ; indeed, this is so unequivocally admitted in the subsequent proceedings, as to preclude him for ever resorting to, or making use of them in any way to the prejudice of the Society hereafter.

While the actions already mentioned, founded on the alledged illegality of the works on the Salmon Leap, were in progress, it may surprise the Society to be informed, yet it is not the less true, that lord Donegal and his tenants began themselves to erect, and actually completed a work on the river, a few miles above the Salmon Leap, at a place called Movanagher, composed of materials exactly similar to those of which the traps on the Salmon Leap are constructed, for the express purpose of taking salmon.

And what is still more extraordinary after all this, his lordship, with the same spirit of litigation, determined on trying another action, grounded on the very same allegations of illegality ; and accordingly, in the year 1787, he brought a new action against lady Hamilton in the same court, the language of which also differed from that of 1777 ; and to it, under the opinion of counsel of the first eminence in Ireland, assisted by the advice of others resorted to by the Society in England, the general issue, not guilty, was pleaded, and a trial at bar applied for, which however was refused, and in the month of March 1788, the cause was tried by Nisi Prius in the county of Armagh (where as before, the venue was laid).

For this trial every preparation was made by both parties, who thought from the light thrown on the subject in the former stages, that they perfectly saw their way to the real merits, as well on the questions of law as the matters of fact ; but I am free to confess that for one I was mistaken, and that scarcely half an hour had passed in the course of the trial, which lasted from eight in the morning until ten at night, that something new did not occur, and then it was, that I had the full advantage of the abilities of Mr. Attorney-General Fitzgibbon (very soon afterwards appointed Lord Chancellor), who knowing me to be at that time under the severest weight of family affliction, and that the trial at that assizes was pressed most painfully upon me at short

notice, the right of doing so resting solely with the plaintiff, broke through a rule he had laid down against going specially to any assizes, and not only attended the trial at Armagh, but took the entire burthen, responsibility and management of it upon himself, scarcely sitting down from the beginning to the end of the business; and that too on the same fee that any other gentleman of the bar would have thought himself only compensated by.

On the trial many points of nonsuit were made and several bills of exceptions taken and tendered on both sides, especially one on our side, grounded on the act called the Act of Settlement in Ireland, taken by Mr. Attorney-General Fitzgibbon, and an exception of an apparently serious nature by Mr. Solicitor-General (Wolf) for the plaintiff, that the grants to the Society in 1613 and 1662 were both under the great seal of England, instead of being, as they should have been, under the great seal of Ireland; but at last it was agreed to turn the whole into a special verdict, as that would come more immediately to a final decision, and be of course much less expensive to the parties; and a dominical of a special verdict was prepared accordingly, in which Mr. Fitzgibbon contrived to have included as much as he thought necessary to ensure the defendant ultimate success, and the matters of fact were given to and found by the jury on separate issues.

The special verdict was afterwards made up from the dominical under the direction of Mr. Fitzgibbon.

The case was afterwards set down for argument in the usual way in the Court of Exchequer, and was argued accordingly for several days; and the principal, or almost only ground, taken by the plaintiff's counsel was, the unconscionable use defendant made of the cuts, which as they expressed it, wrought night and day: and on the 28th of November 1792, the court gave judgment, in which two of the judges, lord Avonmore and Mr. Baron Hamilton, were in favour of the plaintiff, and one, Mr. Baron Power, in favour of the defendant; the fourth judge, who had been conducting-counsel for the defendant when at the bar, was indisposed and unable to attend the court, and Mr. Baron Power took that opportunity of declaring in his place, as being then the only one of the judges that composed the bench when the first trial was had in 1771, that it was the unanimous opinion of the court at that time, and their determination to pronounce judgment in favour of the defendant if they could have done so, which they were prevented from doing by the circumstance of the plaintiff having made up his special verdict in such way as to put it out of their power to do so, although they were perfectly satisfied of the law and the merits being both with the defendant. And he was pleased to add, by way of observation, that Mr. Baron Hamilton was shortly after made a judge of that court; and in conversation appeared to hold a different opinion from the information he had got, as having been conducting-counsel for lord Donegal.

In the course of giving this judgment the Lord Chief Baron said he was glad it was not necessary for him to give any opinion whether a grant under the seal of England would pass lands in

Ireland,—that it was a weighty question; and that if he was obliged to give such an opinion, it would be that such a grant would not pass lands in Ireland: which appeared to me to be a most important subject of consideration for the Society, and all those deriving under them, the whole county of Londonderry and its dependencies resting upon it.

I may safely say that this judgment had not the general approbation of the bar; I mean of those not employed on either side; and therefore, and under the sanction of the gentlemen concerned for the defendant, and knowing as I did what the opinion of Mr. Attorney General Fitzgibbon (then earl of Clare and Lord Chancellor) always had been on the subject; I conceived it to be my due to the Society to endeavour to reverse the judgment of the court, and for that end brought a writ of error returnable into the Exchequer Chamber, which at that time was composed, as in England, of the Lord Chancellor, assisted by the two Chief Justices.

In the Exchequer Chamber the case was most ably argued on the part of lady Hamilton, especially by Mr. Chamberlaine, afterwards a judge of the King's Bench (for it was always my study to retain men of the first abilities, and of the greatest professional weight and character, and that I succeeded in doing so, only requires the mention of the names of those I from time to time employed); and such was the effect of his argument alone, and so thoroughly did he establish that, in point of law, lady Hamilton had a right, as tenant to the Society, to intercept every fish that came from the sea while floating in her fishery, provided such interruption was for the purpose of, and ended in, the taking of the fish; that coupled with questions put, and observations made, by lord Clare from time to time in the course of the argument, the counsel of lord Donegal were obliged to abandon totally the line of argument they had pursued in the inferior court; and to take entire new ground, as if the action sought only to be reprized in damages for the loss incurred by interrupting and turning back fish not taken at all by her ladyship: which must be admitted to have been a poor subterfuge, no way justified by the fact, or by the original intention and object of the suit, but which must ever be decisive for the Society as long as the law stands as then laid down and acquiesced in by the plaintiff's counsel; "That the Society had a right to take all they could, but not to intercept those not taken."

When the argument closed on both sides, the cause stood over for judgment, a day was appointed, and when it arrived, such was the opinion of the gentlemen concerned for lord Donegal, from what they observed in the course of the cause, and so completely had they given up every idea of succeeding, that they actually declined coming into court, imagining that we only wished to exult in their defeat. Yet most unexpectedly, indeed, the two assessors gave their advice to the Lord Chancellor to decide in favour of lord Donegal; and on the 31st of January 1794, his lordship pronounced his judgment, in which, although he directed the judgment of the court below to be affirmed, knowing

that the case would receive the ultimate decision of the final tribunal, he went so fully into the merits, and to the entire conviction of the bystanders,—that in justice to that great man, and in order to give a more complete view of the case, I beg leave to annex a copy of the note I took of the judgment, at the time it was pronounced, and only add an observation, that there seemed to be but one opinion upon the law as laid down by his lordship in pronouncing judgment; and that it was then admitted on all hands that the Society and their tenantry had a clear and legal right to take all the fish they could while in their fishery, provided that in doing so they did not interrupt, turn back, or prevent those they did not take from going into lord Donegal's fishery: and that a single fish is not so turned back or interrupted except those taken, nor has any been so turned back in the last century, is a fact as generally believed, as that the lake empties itself into the sea, through the medium of the river Bann.

About this time a bill was proposed in Parliament, and I had the satisfaction of assisting and carrying it into a law, whereby it was enacted, That it should not be lawful for any person to take salmon in the sea, at the mouth of any river, or within one mile thereof, during the seasons that the taking of salmon was forbidden in such rivers, under certain penalties mentioned in the act: which was most materially serviceable to the Bann fishery, the fishery at the mouth of the river belonging to another person not friendly to the Society.

It is scarcely necessary to say, after what was thrown out by lord Clare in giving judgment, that I proceeded to bring the matter before the House of Lords, and the case was removed and argued there accordingly, where I thought his lordship's name and influence would have insured a majority of votes; but being matter of law, the peers at large declined taking any part in the question, and of course the judgment was affirmed, the only persons who voted being in fact, the two justices, and the Chief Baron, who had been of opinion with the plaintiff in the court below, they being peers of parliament. This affirmation took place on the 2nd day of March 1795; and lord Clare, notwithstanding the reasoning of the other law lords, continued to be still of his former opinion, and gave his reasons at large nearly in the same language and quite to the same effect of that which he had done in the Exchequer Chamber.

Here again the circumstance of the grants to the Society being under the great seal of England only, was greatly talked of, and revived the alarm already mentioned; and being much impressed with the importance of the matter to the Society, and having then a seat in the House of Commons, I had the satisfaction of contributing to the passing of an Act of Parliament, whereby all grants under the great seal of England of lands in Ireland, were enacted to be equally valid with those under the great seal of Ireland. This act will be found in the Irish statutes of the 35th Geo. III. cap. 3rd, vol. 17, p. 640.

On the 16th of June 1795, a notice was served on lady Ha-

milton, by lord Donegal, requiring her forthwith to abate and remove four of the cuts ; to wit, those called Williams's, Alexander's, Murphy's and Moffet's Cuts, on or before the first day of July then next ; and that in case of refusal, further proceedings at law or in equity would be taken for removing them, and for obtaining full redress and satisfaction.

On receiving this notice, a copy thereof, with a statement of the case, as it then stood, was laid before sir John Stewart, afterwards Attorney-General, Mr. Plunkett, now Solicitor-General of Ireland, both retained as counsel for the Society, Mr. serjeant Duquery, and others most eminent of the counsel formerly employed, for their advice and opinion ; and they desired that no answer should be given to the notice, and gave an opinion that as the law then stood, there was quite sufficient to defend and protect the Society and their tenants against any new attack that might be made.

On the 12th of September, 1795, lord Donegal filed a bill in the equity side of the Court of Exchequer against lady Hamilton *only*, in which he stated the titles of the parties, pretty much in the same way they are hereinmentioned, the judgment at law and the notice to remove the cuts, and he prayed that four of the cuts *only* might be demolished.

On the 29th day of February, 1796, lady Hamilton put in an answer to the said bill, and I risk nothing in saying, that a fairer or fuller answer never was given into a court of justice.

In this answer, amongst other things, she says, that no fish were obstructed from coming into the plaintiff's fishery, but those that were taken by her in engines known to and recognized by the law of the land, one of which had stood since the year 1620, and that all the rest, constructed of similar materials, were made before the year 1760 ;

That plaintiff made considerably more by his fishing now than he had before the erection of the four cuts complained of ;

That she did no more than she had a right to do, in taking in the cheapest manner the greatest quantity she could in her own fishery, that the traps were not prohibited by law, and that the fish were taken by legal means ;

That plaintiff's fishery was of great value, and the most valuable part consisted in taking of eels in their passage towards the sea ; that her's was a salmon-fishery, and the salmon taken in their passage from the sea ;

That plaintiff, by late improvements in weirs and other engines, had stopped more eels from coming down the river than were accustomed to come, and thereby rendered his profit more considerable, and her's less ;

That she had done the like, and that by additional diligence and increased expense, as many salmon could be taken with nets and other engines as were taken by the traps ; that each party had taken the natural advantage of their respective situations with respect to the species of fish that must pass through their fisheries ; that she expended considerable sums merely for the protection of the salmon ; and that plaintiff did the like in protect-

ing the eel, each taking care of that from which their profit was principally derived; and that at all times plaintiff's fishery was principally considered an eel and her's a salmon fishery;

That the decrease of salmon in plaintiff's fishery was in a great measure owing to the increase of the machinery for carrying on the linen-manufacture;

That the decision in 1792 was in part influenced by a finding, that by the continuing the traps the current was so increased as to prevent as many fish as formerly used to pass; and that the declaration not being pointed to any such mode of obstruction, she was not prepared, nor could she be called upon, or expected, to produce evidence relative thereto, which she otherwise would have been easily able to have done;

That plaintiff himself varied his case in his different declarations; that it could not be said, that the only judgment plaintiff had, was founded upon such clear grounds as to close for ever all questions between the parties; that by his declaration in 1771, he only complained of one cut, erected in 1762, which probably was the last erected cut, and thereby acquiesced in the other three; and that it did not, and could not appear, if one cut was removed, whether the jury would have considered the rapidity of the stream to have been so increased by the remaining three, as to warrant them in finding, even upon the *ex parte* evidence already mentioned, that fish were stopped;

That plaintiff was not warranted to come into a court of equity to procure an order to prostrate the four cuts for catching fish, having remedy, if any, at common law;

That so far from the cuts being an illegal mode of fishing, the twelve judges had said they were not; and if her right to maintain them should ever again be questioned, she was advised that she could show that the law was clearly with her;

That in other parts of the river, the rapidity of the stream had ever been much greater than where the traps were erected; that they opposed little or no obstruction; the parts which crossed the river being constructed of thin and slender rails of wood; whereas on the verdict they appeared as solid obstructions, and were so erroneously supposed to be by the jury; that no fish were obstructed but what were taken, and the only loss to plaintiff arose from her diligence; and that he, by the very same means he complained of, greatly increased his own fishery; that the first cut, built of the same materials with those complained of, was used as a mode of fishing before any of the grants the plaintiff claimed under, so that at the time of the grants, fishing by traps was a known and practised mode of fishing; and that on the rock there were free passages, amounting in all to one hundred and thirty feet;

That by the common law she had a right to fish with traps constructed as the four complained of were, and that the statute-law acted as a confirmation of that right, requiring only a passage of twenty-one feet, even in navigable rivers, where traps

so constructed were erected ; and that by the express grant, under which the London Society derived title, she, as their lessee, was entitled to fish upon the rock, and from thence to the sea, by all means in her power, and of course by means of such traps as were used before and at the time of the grant.

She disclaimed all intention of harassing plaintiff by a variety of suits, or of availing herself of the circumstance charged in the bill of the fishery claimed by plaintiff lying in five different counties ; and she offered to leave plaintiff at full liberty to conduct himself in ascertaining his rights as if the whole fishery lay in a single county, her sincere desire being to have the question brought to a solemn and deliberate decision, and that she was ready to have the matters in controversy settled by the trial of an issue to be directed by the court ; and she relied on the justice of the court, that in a case, new and complicated, her rights might not be concluded by a single verdict in a species of action, where, as the declaration was framed, the judgment of the court could not ascertain the limits of right between the parties with a satisfactory precision ; and the more especially, as the plaintiff had put on record, by his last declaration, a case differing materially from the one he attempted by his declaration in the year 1771. In this equity cause issue was joined, commissions issued, and a great variety of witnesses were examined by both parties in different parts of the kingdom ; and I had the satisfaction of fully proving in the clearest manner, by numerous and respectable witnesses, every particular of the honest case that had been put on record by her ladyship's answer.

Amongst a great variety of other matter, I proved, and in many instances corroborated, by the cross-examination of the plaintiff's own witnesses, that the plaintiff's fishery was always considered by the whole country as being an eel and the defendant's a salmon fishery, and that the plaintiff's was by much the more valuable and productive ; that he had no less than twenty-eight weirs for the taking of eels on different parts of the river between the lake and the rock, in one of which only, and not the best, but with respect to which I was best able to procure proof, the enormous quantity of eighty thousand eels were caught in one single night, and which were worth 5l. a thousand ; that besides covering the river completely in three different places from side to side with these eel traps, the plaintiff himself, during the very tendency of his first action of 1771, which complained of the illegality of the works on the rock, but which afterwards fell to the ground, as before mentioned, erected a work entirely across the river at Movanagher, a few miles above the Salmon Leap, constructed of the very same materials of these complained of, for the taking of salmon, as will appear by reference to maps of these works now in the Society's possession in London, and worth their turning to ; that more fish could be taken by the tenants of the Society with nets than by

the traps, but at greater expence; that none were ever obstructed except those taken; on the contrary, that they had a free passage up the river;

That fish passed with ease at Ballyshannon and other places (from whence I brought witnesses), where the ascent was twice as great as at Coleraine, and that the true cause of plaintiff's taking fewer fish than formerly, was the rapid increase of the linen-manufacture in the breeding rivers, and the recent improvement in the agriculture of the country (the former, to wit), the linen-manufacture having multiplied to such a degree, that there were forty mills for every one there had been forty years ago, every one of which produced an obstruction to the passage of the mother-fish up the breeding rivers, and the certain destruction of the fry, which were dashed to pieces on the mill-wheels and other mechanism, on their endeavouring to get to the sea, and by the steeping of flax in the small rivers, which rendered these waters so noxious as to kill the fry directly; and the latter, agriculture having so opened the drains in the mountain and swampy countries, that after every heavy rain the floods came down in such torrents, and carried with them so much gravel and earth, as to smother the fry, or cover them so deeply that they never could extricate themselves.

I also proved that there were not near the number of fish taken that used to be taken before the erection of the cuts and of the bleaching-mills, and that the plaintiff then took as many in proportion to the number that came into the river as he used to do before the cuts were erected, it having been very common formerly to take forty hundredweight of salmon in one draught of one net, in that part of the river called the Cranagh; but that then it would be a rarity to take one hundredweight at a draught; that all the cuts are similar in their construction to that which was made in 1620; and that they were all left entirely open from the 12th of August in every year, for the purpose of letting the breeding-fish pass freely up the river, &c. &c. &c. : in fine, there never was a cause that the counsel for the defendant looked upon with more certainty of success, if proofs could be applied to, and in support of the defence set up by the answer; and I am proud to say, there never was a case more completely proved in every point that counsel thought in the slightest degree necessary, as indeed appeared by certificate under their hands, when they advised the appeal hereafter mentioned.

When the examination of witnesses closed on both sides, publication of the depositions of the witnesses, as it is called, passed, and the cause was set down to be heard on pleadings and proofs; and it may well be supposed from the encouragement given me by the counsel, and the fullness and extent of our proofs, that I had formed pretty sanguine hopes of the result; but to our mutual astonishment, when the cause came on to be heard, the court at once decided that they would not go into any case, or hear any evidence, however strong, that might tend to contradict or militate against the verdict at common law, and at once

refused to grant a new trial; although we offered, by counsel at the bar, to take an issue or issues to try whether a single fish was ever obstructed, save those taken, or any other issue or issues the court thought fit to be framed or directed by themselves, and that too at the peril of full costs in case of a verdict against us, and not to seek any costs if the verdict should be found for us; and on the 22d of November 1798, the court decreed "That
" an injunction should issue, directed to the sheriffs of Derry,
" requiring them to prostrate, demolish, and remove four of the
" cuts; and that the defendant, lady Hamilton, should be re-
" strained from rebuilding them, or any of them; and that the
" defendant should pay the plaintiff the costs expended by him
" in the prosecution of the cause; and that the plaintiff might
" make up and enroll a decree accordingly against the defendant,
" *with costs.*"

Knowing as I did the consequences that would follow to the Society if this decree should be carried into effect, and as it had struck my own judgment so powerfully many years ago, that the Society, as the inheritors and owners of the soil, should not either in law or conscience be bound by decisions to which they were not parties, as to induce me to leave the idea in writing sealed up amongst the papers in the cause, lest any accident should befall me before it was fit to bring it into action: the same thought never having occurred to any one else concerned for the Society, I resolved to prevent or retard the operation of the decree by every possible means; and the inducements for doing so were strengthened by the decree being merely personal against lady Hamilton, then in so bad health, that there was a reasonable prospect of the lease granted to sir Henry, and which depended on her life, soon falling in; and the moment it did so, the entire effect and operation of the decree would fall to the ground, and become perfectly inoperative, being personal against her ladyship, as already mentioned; and the cuts if not destroyed, would give us the advantage of their being ancient erections, the most modern having been erected forty-five years ago: whereas, if pulled down in Lady Hamilton's lifetime, the Society might find difficulty in rebuilding them, from the opposition to be expected from lord Donegal's tenants; and even if not opposed, they would still be but recent erections, instead of ancient ones; and I accordingly turned my ideas into a case for counsel, and laid it before the most eminent of the gentlemen then retained in the cause; and they were unanimously of opinion, that the decree of the Court of Exchequer was erroneous and ought to be reversed: that it was a fit subject of appeal, and that they were perfectly willing and ready to sign a petition of appeal for the purpose, and had little doubt that the decree would be reversed *in toto*: but that in all events it would be, so far as related to granting a new issue, to try whether fish were obstructed in their passage in any way, save by taking, while in the Society's own fishery. The result of which issue, may easily be gathered from what has already been said and proved on that subject; and with

respect to that part of the case which related to the Society's never having been made a party to any suit whatever, either in law or equity, from the beginning, and that it appeared unjust and unlawful to do any act which would so materially affect the inheritance, behind the backs of the inheritors, and without calling upon them in a legal manner to defend themselves, they were clearly, distinctly, and unanimously of opinion, that a bill should be immediately filed in the court of Chancery, in the name of the Society, stating, that their property was about to be injured by a decision hastily obtained in a cause to which they, as the inheritors, were not even parties, and praying an injunction to restrain lord Donegal from demolishing the works, &c., &c.; and were pleased to add, that the proofs in the exchequer cause had been so carefully collected, and were so full and satisfactory, that they presumed they could be easily made again in the Society's cause, if lord Donegal's agent should object to consenting to have these already made read upon the hearing.

Under the sanction of these opinions, I prepared a petition of appeal to the House of Lords of Ireland, in the name of lady Hamilton, praying a reversal of the decree of the Court of Exchequer, or such other order as their lordships might think fit to make, which was afterwards perused and signed by the counsel in the cause, and lodged with the clerk of the parliament, when the cause abated by the death of the plaintiff, lord Donegal; and as delay was with us a most desirable thing, on account of the declining state of health of lady Hamilton, the advantage to result from her death having been already stated, I of course rested and lay by until the cause was revived by his son, the present Marquis.

On the 25th day of November 1799, the present Marquis filed a bill of revivor, praying that all the proceedings had in the life time of his father, should be revived and stand in the same plight and condition they were at the death of his father, and that he might have the full benefit of the former decree, and that it might be carried into execution. As in this interval the decision was very much talked of and frequently quoted as an authority in other cases somewhat similar, and as often denied to be any authority, as not having been yet ultimately decided, I deemed it prudent again to consult not only the gentlemen formerly resorted to, but to take in others of those that had been employed in the cause, to be advised whether any defence could be made against reviving; and they in consultation thought that a bill of revivor was almost matter of course after a decree pronounced, and that no defence could consistently be made in that particular stage of the business; but that after the further decree on the bill of revivor, the directions formerly given should be followed; and that both causes, to wit, the appeal cause, and that directed to be commenced in Chancery, would most probably receive favourable determinations, as they saw no reason for changing the opinions formerly given by them respecting them.

The revived cause was afterwards set down for hearing as of

course, and on the 17th day of July 1800 it was heard, and the former decree ordered to be carried into effect.

Immediately on the pronouncing of this decree, I prepared and lodged a new petition of appeal to the Lords in the new cause of the present Marquis against lady Hamilton, and also prepared and filed a bill in the name of the Society, stating such parts of the matter aforesaid as were thought material; and in addition, that if the decree in the Court of Exchequer, in which they, though the owners of the inheritance were not parties, should be carried into effect in the way it then stood, that others of their cuts and traps never even complained of must be demolished, for that those complained of and those not complained of, were erected on the same party walls, a thing I always prepared to bring forward when occasion required, and praying an injunction to restrain lord Donegal from abating the works until some opportunity should be given to the Society of defending their rights. It turned out a most fortunate circumstance, that I filed this bill and raised the injunction upon it, for want of an answer, as on account of some defect in the Union Act, or for want of some explanation respecting it, the appeals sent from Ireland were not sufficient, and new petitions addressed to the United Parliament were ordered to be prepared; and before that could be completed, the cuts would most inevitably have been pulled down under the Exchequer decree; but I afterwards prepared a new petition of appeal to the United Parliament, and it of course operated as a further injunction against the demolition of the works.

Pending this appeal (which as we were in possession and full enjoyment), and for the other reasons already assigned, respecting lady Hamilton's state of health, I did not press to an early hearing; lord Donegal put in what was called a demurrer to the bill, filed in the name of the Society in Chancery, the event of which, if he had succeeded in it, would have been a total end to the suit and all its objects, and after a hearing of many days (and the case was argued by nearly twenty lawyers), I had the mortification to see the demurrer allowed by the Master of the Rolls, on the following grounds; that if he should overrule the demurrer, retain the cause, and grant an injunction, it would operate as a contradiction or suspension of the decree of the Court of Exchequer; and that he thought it wrong to set up the orders of one court against those of another court of equal jurisdiction, Discouraging and unexpected as this determination was, I resolved to follow the matter up, from the thorough conviction I felt, that what was then allowed on all hands to be the real merits, had never been fairly discussed in any stage of the business; and accordingly I preferred a petition to the Lord Chancellor, praying that the cause might be reheard by himself, which was granted; and in less than half an hour's hearing, I had the unspeakable satisfaction of obtaining his lordship's decision in our favour, with costs, and that, too, to the thorough conviction, as it should appear, of lord Donegal's own counsel. The Chancellor having offered to indulge

them in as much time to prepare for a reply as they pleased to ask, for if they thought they could offer any new argument, or could find any authorities of cases where demurrers were ever allowed under such circumstances; which they declined availing themselves of, and admitted that they had already on the cause being set down for re-hearing made every research in their power without effect. It was on the 12th day of November, 1801, that this demurrer was overruled by his lordship; and the injunction I had before obtained until Lord Donegal should answer the allegations in the bill was continued; and from thence until the present time, he never has attempted to give in any answer, nor is there any great probability of his speedily doing so, as when he does he must admit the matter aforesaid, and the necessity he was under of making such admissions if he had answered, was his inducement to put in the demurrer, and thereby preclude all further enquiry into the merits: neither has he paid one shilling of the costs awarded by the Lord Chancellor against him.

Shortly after this demurrer was overruled, the other occurrence which I had looked to as material took place, in the death of Lady Hamilton, on whose demise the lease granted by the Society to Sir Henry Hamilton determined, and thereby the decree of the court of exchequer became totally inoperative, as much as if it never had existed: and as the costs awarded by the decree were like the decree itself, completely personal as against Lady Hamilton, I had the additional satisfaction of saving all these costs by the appeal which suspended the operation of the decree until her death: and when that event took place, the whole fell to the ground, so that at this day I have the comfort, and I hope I may add the credit, of having so wound up the matter, that things stand now as between the Society and Lord Donegal exactly as if there never had been any litigation whatever; with this additional advantage to the Society, that if any new attempt should ever be made by the Donegal family hereafter, the antiquity of the cuts can with every propriety be urged, the latest of them having now stood above forty-five years.

And as the law has been so settled as not to bear new argument, as to the right of taking all the fish that come into the Society's fishery, if thereby no obstruction be given to the passage of those not taken, and as the fact is so universally known, and of course so perfectly capable of proof, that no fish are obstructed by the works except those that are taken, I may fairly say, that nothing but the extreme of stupidity, or the grossest neglect in those that may have the honor of conducting the affairs of the Society hereafter, can subject them to a defeat in any action that may hereafter be brought against them, if any such should ever be brought: which under all the circumstances I deem highly improbable.

I regret that this Report has run to such a length, but I thought it better to trespass a little on the patience of the Society than to omit any thing at all material, my object being to give such a view of the subject, as should serve not only to convey

the information the Society seems to wish for at present, but also as a key by which all documents from the beginning of the title down to this present time can easily be discovered, and resorted to as occasion may hereafter require. And if I have been so fortunate as to accomplish these ends, I shall not regret the labour it has cost me.

It had nearly escaped my recollection, that pending the appeal to the Lords, I consulted Mr. Romilly, a gentleman well known in your city, and that he gave a very satisfactory opinion on the subject, a copy of which you will find subjoined; but it was not necessary to act upon it, our purposes having been so completely answered by the decision of the Lord Chancellor.

I am, Sir, your most obedient humble servant,
DAVID BABINGTON,

Rutland Square, Dublin, Dec. 11th, 1804.

To ROBERT SLADE, Esq.

Secretary to the Hon. Irish Society, London.

COPY OF NOTE TAKEN OF THE REASONS ASSIGNED
BY LORD CLARE, ON PRONOUNCING JUDGMENT
IN THE COURT OF EXCHEQUER CHAMBER, ON
THE 31st DAY OF JANUARY, 1794.

“ THIS is an action of trespass for a consequential injury sus-
“ tained by the plaintiff in a salmon fishery, from erecting certain
“ mounds and weirs upon a rock found to be the soil and freehold
“ of the defendant; and the single question here in my mind is,
“ whether such an injury to the plaintiff’s fishery in the county of
“ Armagh has been alledged by the plaintiff and found by the jury
“ as will avail the plaintiff upon general principles to maintain this
“ action, or give jurisdiction to the jury of Armagh to assess da-
“ mages for the injury complained of. To come to this question it
“ is necessary in the first instance to consider what the ground of
“ this action is, and to distinguish the cases wherein an action *vi*
“ *et armis* generally will lie, from the cases where an action of
“ trespass on the case is a proper remedy; and I take it that the
“ clear legal distinction is, that where the immediate act itself oc-
“ casions a prejudice or injury to the plaintiff’s house, land or other
“ property, there trespass *vi et armis* generally is the proper re-
“ medy, but where the act itself is not the injury, but a consequence
“ resulting from it is prejudicial, there an action of trespass gene-
“ rally will not lie, but trespass on the case: and in my judgment
“ upon every question made upon actions of trespass on the case,
“ the first point to be kept clear and determinate is, the single dif-
“ ference between actions of trespass generally, and actions for a
“ consequential injury. In the first instance, the ground of the action
“ is that the act complained of constitutes the injury; in trespass
“ on the case the act itself never is complained of, the legality or

“ illegality of it never comes in question, the single point will be,
 “ whether the injury alledged by the plaintiff, and found by the
 “ jury, followed from any act by the defendant. The distinction is
 “ founded in plain and common reason, but it is stated very accu-
 “ rately in Reynolds v. Clarke, 2 Lord Raym. 1399; Howard v.
 “ Banks, 2 Burr. 1113; Harker v. Berkbeck, 3 Burr. 1556. In il-
 “ lustrating the principle in Reynolds v. Clarke, a variety of cases on
 “ the subject are stated. If A in his ground stops the current of a
 “ watercourse to the benefit of which B is entitled, and thereby
 “ hinders the water from coming to B’s ground, trespass will not lie
 “ but case will; because stopping of the water is no wrong to B
 “ but the consequence of it is: so, where a man in Davis’s close dug
 “ two trenches, whereby he diverted the water from the plaintiff’s
 “ river, *per quod*, &c. and after a verdict for plaintiff it was objected,
 “ that the plaintiff ought to have brought an action of trespass, and
 “ that this action on the case was not a proper action. Holt held
 “ that trespass would not lie, because it did not appear that Davis’s
 “ close, where the trenches were dug, was the plaintiff’s land, and
 “ that the digging the trenches was not a trespass to the plaintiff,
 “ but the damage he sustained was, by diverting the water, which
 “ was the consequence of digging the trenches; and therefore it
 “ was properly an action on the case. In every action therefore on
 “ the case for consequential damage (save in actions founded
 “ upon a particular injury done to an individual from a common
 “ nuisance), the legality of the act by itself abstracted, must be
 “ admitted by the plaintiff, because if the act itself be an injury,
 “ trespass generally is the remedy; and the subsequent ground of
 “ injury for which case lies, must be an injury sustained in his
 “ person or property; the injury, and that only is the ground
 “ and foundation of the action; an imaginary injury which may
 “ arise from the act of another will not support the action, but
 “ a solid and substantial injury alleged and found to the person
 “ and property of the plaintiff, can alone enable him to maintain
 “ this action.

“ The next question is, what species of injury it is which the
 “ law allows to be sufficient to maintain an action on the case
 “ for consequential damages resulting from an act not in itself
 “ injurious or unlawful: this point is as explicitly determined as
 “ any in the law. First, it is clear and admitted on all hands,
 “ that a *damnum absque injuria* will not maintain this action.
 “ This is best explained by recurring to the case 11th Henry
 “ 4th chap. 47, the Grammar School, &c.

“ In my judgment, therefore, and this case and every other on
 “ the subject has made this impression on my mind, that a mere
 “ alteration in the mode of enjoying any property, the exercise
 “ of which is in itself not illegal, will not maintain this action;
 “ so, if I have a mill, and another erects one, I cannot maintain
 “ an action for that, but it is otherwise if by the direction of the
 “ mill the water is prevented from coming to me. Bro. Abr.
 “ Action on the case, p. 42. If a man be prevented from exer-
 “ cising a right to the same extent as before, that will not sup-

“ port an action ; but if the water be prevented, and I had a pro-
“ perty in that water, no man has a right to alter or diminish the
“ property I had in that water : so is the case 2d Henry 6th, 14. If
“ I had one hundred acres of pasture, and no man had pasture in it,
“ it would be lawful for me to make the best advantage of it, &c.
“ &c. so an action does not lie merely for an inconvenience arising
“ to another, 9 Co 58. c. 1. Kebb. 577. An action does not lie for
“ breaking a wall in which the plaintiff had no property, &c. It is
“ not a ground in this action that a man is disturbed in his profits,
“ &c. without a partial damage : here again is an authority which
“ in my judgment combats the principle, that a mere alteration
“ of the mode, or extent, in which any man enjoyed a particular
“ property would maintain this action ; he must allege a substan-
“ tial injury sustained by him in his property. If an highway
“ be so stopped that a man is delayed, it is not such a special
“ damage as will maintain an action on the case, but the damage
“ must be direct, as the loss of his horse, corporal hurt, &c.
“ Carth. 194 : so, if a man use water in his own land out of a
“ watercourse running through his lands to the pond of B,
“ whereby B’s pond is not so full, an action lies, *Smart v. Hested*
“ 1st Com. Dig. 125. This again combats that pinciple, that a
“ mere alteration in the mode of enjoyment, or mere potential
“ or possible enjoyment will maintain the action ; there must be
“ positive injury. The single question then remaining to be en-
“ quired into, is, ‘ Has the plaintiff stated such an injury in his
“ declaration, and has the jury found it ? and here without tra-
“ velling minutely into the record, it will be sufficient to state
“ facts shortly. The plaintiff is the proprietor of a fishery in
“ the river Bann ; the defendant has a fishery in the same river
“ below the plaintiff, both derive from the crown, the plaintiff’s
“ grant is prior to defendant’s : a variety of points were made in
“ the argument as well with regard to the validity of these pa-
“ tents in themselves as in respect to other matters, but now no
“ question arises with regard to them. It appears that the
“ parties claiming under them have been in uninterrupted pos-
“ session more than a century each of their respective fisheries,
“ and therefore upon that possession alone the question at issue
“ does fairly arise, What is the injury then of which the plaintiff
“ complains as done to his fishery ? It is clear, and I agree with
“ my lords the chief judges, that the plaintiff by the grant has
“ a clear and undoubted right to the possession of the water of
“ his fishery, in the same plight, state and condition in which it
“ was at the time of the grant made to the corporation of London,
“ I agree with them that any alteration made by defendant,
“ or those under whom she derives, in the state and condition of
“ that from that in which he enjoyed it, if that alteration re-
“ dounded to his injury, would give a right of action, so he had a
“ right of passage for every fish which escaped the industry of the
“ proprietor of the lower fishery but no more, so he had a clear
“ right to catch every fish he could, which found its way from the
“ defendant’s fishery, or escaped the ingenuity, industry or act of

“ defendant, but defendant under her grant has the same right ;
“ she has a right to enjoy the water of her fishery in the same plight
“ and condition in which it was at the time of the grant, a right
“ of passage for fish, *and a right to catch every fish that found its*
“ *way into her fishery, and a right to intercept every fish for the*
“ *purpose of taking, provided that by so doing she does not injure*
“ *lord Donegal's fishing by intercepting those not taken.* These
“ being the clear obvious rights of the parties, see what the injury
“ complained of is, and what is found. If lord Donegal had declared
“ that by the erection of these weirs the rapidity of the stream
“ had been so increased as to obstruct the passage of fish which
“ escaped the efforts of the defendant; that she altered the state,
“ plight and condition, so as to injure his property,—I should not
“ hesitate to say the action would lie. So, if in the erection of
“ these works a passage was denied to fish which defendant did
“ not catch, I should not hesitate to say that would be a ground of
“ action, because of the subsequent injury done to his property,
“ not by the exercise of a clear existing right. But what is the in-
“ jury here? that divers large quantities of salmon which otherwise
“ would have gone up have been obstructed. Let me suppose for
“ a moment that these works never were erected, and that defend-
“ ant employed five hundred men with boats and nets, night and
“ day, would not that have obstructed divers quantities of fish
“ from going up, which otherwise would have gone up? The act
“ of erecting these works I take not to be the ground of this
“ action; the question whether they are legal or not cannot arise
“ in this form of action. It is not pretended they were a common
“ nuisance. It is admitted that the rock was granted to the So-
“ ciety: it is their soil and freehold, and therefore the act itself
“ is not complained of, the injury as resulting from it can alone
“ be the foundation of the action, so, as the case of *Clarke v.*
“ *Reynolds*, and those others I have stated, so in every case for
“ consequential damage: see then if what this verdict has found
“ is held to be a foundation for this action, whether we must not
“ determine that the same identical injury alledged to flow from
“ one act in itself illegal will found an action, and the same iden-
“ tical injury from another act not in itself illegal will not found
“ an action; for, if it be found that divers large quantities of fish
“ have been prevented, by boats, nets, loops, &c. &c. that, it is ad-
“ mitted, would not found an action; but it is asserted, that because
“ the injury arose from the erection of permanent works, it shall
“ maintain the action, although the self same injury arising from
“ another act will not maintain an action. In my judgment, the law
“ is clear that the act itself does not at all constitute the ground of
“ the action, but the injury, and that alone; and in my judgment,
“ if we determine this action maintainable in this form, it will
“ involve the absurdity, that the self save injury arising from
“ one act in itself illegal will maintain the action, and the self
“ same injury arising from another act not illegal will not main-
“ tain the action; and surely if the relief sought by the plaintiff
“ was granted to him, the very same description of injury would

“ follow to the defendant; as she must evidently lose in profit
“ whatever he might gain. In every such case it has been de-
“ termined that the injury alone is the foundation of the action.
“ But when we look at this verdict, see how infinitely stronger it is.
“ It is true the plaintiff alledged, he loses the profits by this in-
“ jury. In my judgment, if the jury had even found that fact, the
“ injury alledged would not maintain the action, because the self
“ same injury from another mode of fishing with the legal ex-
“ ercise of a right, resulted to the proprietor of the fishery. But
“ the jury find, that by the obstructions divers large quantities
“ of fish were prevented, &c. but not a word finding that by these
“ obstructions his fishery has been injured, not any inference
“ arises that lord Donegal has not caught the self same number
“ of fish as before, or that he sustained any loss. And when we
“ look at this case, in my judgment, this want of finding shews a
“ want of jurisdiction in the Armagh jury. The plaintiff declares
“ for a fishing lying in several counties, Tyrone, &c. lastly in
“ Armagh: What can give jurisdiction to the Armagh jury to
“ assess damages, unless they found the injury to have been done
“ to the fishery in Armagh especially? I have looked through the
“ verdict, and there is not a word to shew, that any injury to the
“ Armagh fishery has been done, although an injury there must
“ be alledged, because if not, the venue being there, it would be
“ a mix-trial: therefore, in my judgment, here is, from defect of
“ finding an injury in the fishery of Armagh, a plain want of juris-
“ diction in the Armagh jury to assess damages, because it is the
“ locality of the injury that can give jurisdiction to them, and
“ there is not any thing like allegation or insinuation that any
“ injury has been sustained. Supposed they found an injury in
“ Londonderry, would not that be a mix-trial? Is it not equally
“ necessary that the jury, to give themselves jurisdiction, should
“ find a specific injury in the county of Armagh, where the party
“ has laid the injury for the very purpose of giving them jurisdic-
“ tion? Therefore on the very face of the verdict there is no in-
“ jury found, no injury shewn to sustain the action. I have turned
“ the case over and over again in my mind; I have looked through
“ all the cases that bear on the question, the injury as alledged, the
“ verdict not finding any injury at all; and considering the locality
“ of the injury, and the jury omitting to find any injury in Ar-
“ magh, it is a plain and palpable want of jurisdiction. They had
“ no manner of jurisdiction to assess damages. The case of lord
“ Lonsdale does not apply to this: I have made enquiry from a
“ gentleman of long experience in Westminster-hall: he thought
“ a new trial was awarded, but did not recollect it was more a
“ trial of force than of law. But see what the case was: the plain-
“ tiff there declares against the defendant for having drawn a net
“ entirely across the river, fixed upon poles from one side to the
“ other, by which great quantities of fish were prevented from pass-
“ ing, by which he lost the profits, &c.; and the jury found, &c.

“ By 2d Henry 6th, c. 15. Eng. it is expressly prohibited
“ to any man to erect nets across rivers; and therefore this erect-

“ing of this net by lord Lonsdale was under this act of parliament
 “a clear nuisance presentable. I believe the law is clear, that
 “any man who alleges a substantial injury arising from a com-
 “mon nuisance, will have a ground of action; therefore it is
 “no authority in this case. Again, it is stated in the declaration
 “and found by the jury, that the plaintiff lost the profits: which is
 “not the case here.

“I have turned the case again and again in my mind; it is new
 “certainly, and there is no decided authority. It must therefore
 “go by principle; and I cannot satisfy my judgment that the
 “injury alledged is sufficient to maintain the action. But when
 “the majority of the judges in the exchequer and the assessors
 “here now agree, I shall not upon this occasion set up my own
 “opinion, because I suppose the case will go further. And
 “therefore I shall here direct the judgment of the inferior court
 “to be affirmed.”

COPY OF MR. ROMILLY'S OPINION.

“It appears to me, that the decree of the court of exchequer
 “is erroneous: That decree orders, that works, all of which had
 “been erected a great number of years ago, and long before the
 “interest of tenant for the life (who was the only defendant in
 “the cause) commenced, should be prostrated; it is manifest that
 “this must materially affect the rights of those who are entitled
 “to the inheritance, and yet the persons entitled to the inherit-
 “ance were not parties to the suit, and had no opportunity of
 “being heard, even if there had been proper parties to the suit.
 “I think that the court ought not to have made the decree which
 “it has done, at least not without first giving the corporation an
 “opportunity of trying their right at law; the objection however
 “on the ground of the proper parties to warrant such a decree
 “not having been before the court, seems to me to be unan-
 “swerable, and I should think on that ground alone the decree
 “would be reversed by the House of Lords; in the mean time
 “however and before the appeal can be heard, irreparable injury
 “may be done to the corporation by the execution of the decree.
 “The only means that occur to me for preventing this, is an
 “application to the court of exchequer; and for that purpose I
 “think the corporation ought immediately to file in that court
 “an original bill, in the nature of a bill of review, against lord
 “Donegal and lady Hamilton, stating the former proceedings, and
 “that the plaintiffs were not made parties to the suit and had no
 “opportunity of being heard upon it, and that their interests
 “are essentially affected by the decree, and praying that the
 “decree may be reversed; and that in the mean time, and till the
 “cause can be heard, all proceedings under the decree may be
 “suspended. And I think that as soon as the bill is filed and the
 “defendants have appeared to it, a motion should be made to
 “stay the execution of the decree. A bill of the nature which

“ I have mentioned I apprehend the only proceeding by which a person, whose rights are affected by a decree made in a suit to which he was not a party, can be relieved. See Mitford’s Pleadings, 83.

“ I am of opinion that the decree of the court of exchequer is binding only during the life of lady Hamilton, and that if the decree was executed, the corporation would upon lady Hamilton’s death have a right, notwithstanding the decree, to re-erect traps, similar to those which are now existing. It is however I think very important for them to prevent, if they can, the decree being carried into execution.

“ SAMUEL ROMILLY.

“ Lincoln’s Inn, Nov. 6th, 1801.”

NARRATIVE
OF A
Journey to the North of Ireland,
IN THE YEAR 1802,

BY ROBERT SLADE, Esq.

SECRETARY TO THE IRISH SOCIETY.

TO THE HONORABLE SOCIETY OF THE GOVERNOR
AND ASSISTANTS OF LONDON OF THE NEW PLANTA-
TION IN ULSTER, WITHIN THE REALM OF IRELAND;

GENTLEMEN,

YOU have been pleased to signify a wish to receive the communication of any observations I may have made during my late journey into that part of the north of Ireland, in which the Society's lands, or those belonging to the twelve London companies, are situated. I consider myself highly honoured by such an intimation, and feel mortified that I visited the country without having provided myself with such documents relating to the Society as might have assisted me in the few cursory enquiries I was able to make. This happened from the circumstance of my visiting the country merely to gratify the curiosity of myself and two sons, to whom I had promised a sight of that great and extraordinary feature of nature, the Giants' Causeway; and feeling a kind of relation with the country in consequence of the situation I have the honour to hold under your auspices, I omitted the precaution of procuring any letters of introduction. Thus circumstanced, the few enquiries I made were mostly confined to the following points; viz.

1. The general state and appearance of the country through which I travelled; particularly in regard to any plantations, either upon the Society's lands, or those belonging to the twelve chief companies.

2. The state of the fisheries, in regard to which the Society has had so many expensive law suits with lord Donegal, and of which a lease was granted a few years since to sir George Hill and Mr. Beresford.

3. The actual state of the rector of Coleraine, whose death has happened, and whose living has been presented to by the Society since my return.

4. The situation of the lands near Londonderry, which are called "Quarterlands" in the report of the 11th December, 1789; and therein stated to be lett on determinable leases, at the sum of £990 0 6; and as being capable of considerable improvement when the said leases shall expire.

5. The state of the lands called "Grandsagh," which are also situated near Londonderry; and which in the year 1794, the Society, after advertising to let them by a lease for 41 or 61 years, were induced to leave in the hands of the occupying tenants, for the sake of trying the experiment of their capacity to improve them by laying out a sum of money, in which case leases were to be granted to them.

6. The state of the spire of the cathedral at Londonderry, towards the rebuilding of which the sum of £200 has been voted by the Society.

Finding, on my arrival at Londonderry, that the gentleman who acts as deputy to Mr. Beresford, the Society's general agent in collecting the Society's rents, resided many miles from the city, I deemed it improper for the Society's Secretary to be on the spot without making himself known, and therefore paid a visit to Mr. Hill, the mayor, though an entire stranger to him.

He being absent at Strabane, attending the assizes, I proceeded to the public coffee-room, where I was recognized by captain Lecky, a tenant of the Society, who had seen me in London on renewing some leases, and who introduced me to his brother, alderman Lecky, and afterwards accompanied me to Brook Hall, the residence of sir G. Hill, who is member for the city. These visits, and one I paid to Mr. Cunningham, brother of Mr. Cunningham, a respectable merchant in London with whom I was acquainted, proved the sources of an introduction to the members of the corporation in general, from many of whom I received those hospitalities for which the Irish are so justly celebrated; and I am persuaded that if I had remained at Londonderry for some weeks, instead of a few days, I should have felt no relaxation in their civilities.

Mr. Hill, the mayor, did me the honor to call upon me on his return from the assizes, and within a day or two afterwards, invited myself and my two sons, who were with me, to a dinner given by the corporation, at which I was informed that they had voted the freedom of the city to be presented to us, and that as a token of their respect for the London Society, in the person of their Secretary, they had resolved mine should be contained in a gold box. I should not presume, gentlemen, to say so much of myself, unless I felt it connected with the Society, as having led to a conclusion in my own mind, that the corporation of Londonderry, notwithstanding my assurances to the contrary, considered my journey as having some object of inquiry with the concur-

rence of the Society; on which account they determined on the marks of respect I have already stated.

The passage from Port Patrick in Scotland to Donaghadee in Ireland is about equal to that between Dover and Calais, and it is only two easy days' journey from Donaghadee to Londonderry; in the course of which you pass Belfast, one of the most trading towns in Ireland, and Shane's Castle, the seat of lord O'Neil, situated on the edge of Lough Neagh, one of the largest lakes in Europe, as it is said to cover more than 100,000 acres of land; which Lough is rendered more interesting to the Society, from the circumstance of the river Bann passing through it, and afterwards discharging itself into the sea at Coleraine, but a few miles below the Salmon Leap and fishery belonging to the Society.

I mention the facility of the passage and what is interesting on the route, with a view to convince the Society, that if it should hereafter prove expedient to hold a deputation of the committee within the limits of the Society's property, the thing is by no means impracticable.

In the course of the journey from Donaghadee to Londonderry, you meet with no timber of any consequence, except a few ornamental plantations belonging to the merchants near Belfast, and lord O'Neil's woods near Shane's Castle.

The first notice I received of my arrival on lands belonging to the Londoners (as they are there called) was at Kilrea, a market town situated on an eminence near the river Bann, which I learnt from the landlord of my inn was held by Mr. Stewart, uncle of lord Castlereagh, under the Mercers' Company, and that it extended for more than six miles along the road over which I was to pass in my way to Londonderry. Inquiring into the reason of the want of accommodation and the apparent poverty of the place, the master of the inn observed, "that it could not well be otherwise in a part of the country where they never saw the face of the owner of the soil, or even his under-tenant;" and he mentioned this circumstance as a grievance which greatly prevails in Ireland, but particularly in all those parts situated in the north of the island which belong to any of the city companies. I felt the force of the observation, which impressed me with a greater degree of indulgence for the poverty, ignorance and laziness of the lower order of the people, who toil for a miserable subsistence, and see the fruits of their labour carried off from time to time by an agent of their landlord, to be spent in a foreign country; while the very same description of people in England, are cheered by a hospitable reception in the hall of their landlord when they wait upon him to pay their rent,—derive benefit from his expenditure and example,—and in case of petty disputes, find an honest magistrate, a kind landlord, and a well-informed neighbour to reconcile their differences, and prevent little misunderstandings from growing into rancour and the desire of revenge. This want of example, assistance and consolation from the resident land owners, deprives the inhabitants of all inducement to union, so that each family lives by itself, in a little

cabin without a chimney, with a clay floor, and bed of straw or rags. A group of nearly naked figures are often seen at the doors, consisting of the wife and children. The husband finds the means, by working at his loom, to pay an extravagant price for four or five acres of land, on which a cow is kept for the family, and some potatoes and flax are grown. This, with a turf fire, kindled in the corner of their cabin, round which the family crouch, with some oatmeal for stir-about, constitutes all the wants, and whiskey the luxury, of the Irish peasant; who never looking beyond it, has no temptation to enterprize or exertion.

I was assured, that it was no uncommon thing for a man and his family, after planting their potatoe ground in the spring, to turn the key of their door, and after employing the summer in begging, to return again to their habitation in order to gather their crop of potatoes, collect a little stock of turf, and thus provide themselves for the winter. If the mere propagation and increase of the human species were to be considered as a proof of the prosperity of a country, the north of Ireland would be the richest in Europe. The cabins swarm with children, and a late ingenious author, (the manner of whose death has left an indelible disgrace on those concerned in it)* is said to have made a calculation, by which he ascertained the population of this part of Ireland far to exceed that of any part of England or even Holland. Such is the general state of the northern part of Ireland; and as the late rebellion was checked in an early stage by the exertions of the yeomanry, the face of the country affords but few marks of its effects.

The lands belonging to the Mercers' Company extend from the left bank of the Bann near Kilrea, for the space of about six miles towards Boyd's mountain, and are lett, as I was informed, in small parcels, from five to thirty acres, (which is considered as a large farm,) at an average of about *17. 3s.* an acre. There are no timber trees on the property, but I learnt from the conversation I had with the landlord of the inn, that about fourteen years since, Mr. Stewart the tenant had cut down a great many trees, chiefly ash and sycamore, in the neighbourhood of the town. Mr. Orr, a linen-merchant of Londonderry, has a handsome house near the high road, and is now building some cotton or linen works towards the foot of the mountain, which notwithstanding its dreary aspect and unprofitable soil, is interspersed with cabins; in many of which whiskey is distilled, and afterwards sold at a price below what can be afforded by the fair trader. The stills used on this occasion are constructed on so small a scale, that it is no uncommon thing for the proprietors of them, on seeing from their cabins on the mountain side the ap-

* Dr. Hamilton is said to have computed, that one square mile in this part of Ireland contained 575 persons. He was assassinated when on a visit at the house of a friend, by a body of United Irishmen, and his death was attended with circumstances of cruelty too shocking to relate;—all the parties concerned in the murder are said to have since left the country.

proach of an excise-officer, to remove their whole apparatus and conceal it in the bog before the arrival of the exciseman.

The approach to Newtown Limmavaddy (which means the own of the dog's leap) on the other side of the mountain, affords a more cheering prospect. Its environs, which are fertile and well cultivated, are ornamented with many well-built houses and plantations. The town itself has always been important in history, as affording a pass, by means of its bridge over the Roe, to Londonderry, and the extensive territory of Innishowen which belongs to the marquis of Donegal, consisting, as it is said, of between three and four hundred thousand acres of land. It was by this bridge that King James passed with his army under the command of marshal de Rosene and the duke de Berwick, to lay siege to Londonderry, in the year 1689; and it was near the same spot in the late rebellion, that an inconsiderable body of the Irish yeomanry under the command of sir G. Hill the present member for Londonderry, checked the progress of five thousand united men, who came from Belfast, and were marching in three columns towards Londonderry and Innishowen, under pretence of digging potatoes, but in fact with a view to fraternize with all that part of the country; which had it taken place, would have been attended with the most fatal consequences, whereas their being compelled to disband, gave a death-blow to the cause of fraternization in the populous town of Belfast, from whence they chiefly came.

The next place of any note after passing this river, is Walworth, the proportion of the Fishmongers' Company, where the right hon. John Beresford, their tenant, has built a handsome house on the banks of Lough Foyle, and planted a considerable number of oak, ash, and other timber trees, extending near a mile along the road; and which is, I believe, the only instance of any thing of the kind on any part of the property in which the Society or any of the city companies have an interest. The road runs on the banks of Lough Foyle till you arrive at Londonderry, which shews itself on an eminence to great advantage, particularly the spire of the cathedral church. You approach the city by a wooden bridge over the lake, which is built on piles, is quite level, and in length about three hundred and sixty-five yards. It was built about twelve years since by an American mechanic, who procured the timber from that country. The access to the city is steep on all sides, and the appearance of its fortifications or rather walls, is such as to make one admire the patriotic spirit of its inhabitants, in supporting a siege of one hundred and five days, against an army of twenty thousand men, commanded by king James in person, and assisted by two skilful generals, in the persons of the marshall de Rosene and marshall de Berwick. This is still more admirable when it is considered, that the governor of the city (Lundy) had betrayed his trust, and that its defence was committed to a clergyman, the Rev. Mr. Walker, assisted by its undisciplined inhabitants, in number about seven thousand. This gallant defence of Londonderry contributed in

an essential degree to support the Protestant cause and confirm the Revolution. It may be considered as a prelude to the battle of the Boyne and that of Aughrim; by which latter, and the flight of king James into France, the fate of Ireland was ultimately decided. As this digression arises out of the circumstances of the narration, I hope it will be pardoned, the more especially as it points to what I conceive to be the spirit of the charter granted to the Society, and a matter of great national importance, namely, *the duty and necessity of completely planting the Protestant Religion in the North of Ireland.*

I shall now return to Londonderry by observing that the cathedral, when I first saw it, appeared to be in a very ruinous state; the weight of the steeple, which is a great ornament to the surrounding country, having cracked the tower and walls which support it almost to the foundation. Mr. Hill, the mayor, informed me that relying on the £200 voted by the Society, the corporation had given directions for taking down and rebuilding the spire, and that he had paid money in advance out of his private purse. The expence, which had been estimated at £2600 was to be paid by a subscription of the Inhabitants of Londonderry and its environs; and on my return to that city a second time, after having visited Coleraine, I found the scaffolding for taking down the steeple completely erected, which must have occasioned an expence of several hundred pounds.

The linen-market of Londonderry forms an object of great curiosity; it is held twice in every week, and lasts for two hours only, within which short period of time I was assured linens were purchased in single webs of the manufacturers, to the amount of £5000 and upwards in ready money. These manufacturers do not reside in the city, but are dispersed in cabins round its neighbourhood, where they have each of them a few acres of land for the sake of keeping a cow and raising some potatoes and flax, and for which, by means of their looms, they are enabled to pay a heavy rent: it is this circumstance of the linen manufactory that makes the Society's land so valuable. Each man brings his web or piece of cloth, and is eager to lay it before the factor; the bargain is made or rejected in a few seconds, almost in a whisper, and the linens thus purchased are conveyed to the bleaching grounds, which stamp great additional value on the land.

There is but one inn of any note in Londonderry, and as this city is situated almost at the extremity of the island, so as to be a passage to no other place, it is often very difficult to get a conveyance from it.

The grounds described "perches" in the leases, were originally of the nature of gardens attached to the houses, but are now mostly built upon. The "Quarterlands" are all situated, save one, on the left bank of the river Foyle, towards its source, and are now let on determinable leases for lives and years; captain Lecky, one of the tenants, has built a handsome house and made some ornamental plantations on the land he holds, within about two miles of Londonderry; and Mr. Scott, another tenant,

has made a plantation on the part he holds, with a view to building when he gets a new lease. Most of the rest of this determinable property is let off by the immediate tenants of the Society, in small parcels, at improved rents; and as each under-tenant acquires or claims a right to cut turf for fuel on the adjacent bog, it occasions frequent disputes and misunderstandings among them, as well as a great waste of the bog-ground, which is destroyed by being improperly cut; and if some speedy remedy is not applied, the article of fuel will shortly become very scarce. This might be prevented if the Society would authorize their general agent to apportion the bog among the different tenants according to the land they hold, and appoint a bog-keeper, at a trifling salary: a precaution which would secure fuel for a great many years to come, and be the means in process of time of regaining the soil for cultivation.

These bogs furnish an unquestionable proof that there was a time (probably many ages since) when this part of Ireland was covered with forests, as in cutting the turf, large fir-trees are constantly met with from ten to fifteen feet under the surface, and some feet lower large oak-trees are often found. This bog-wood constitutes very valuable fuel, especially the fir, as it affords a strong heat, and so bright a blaze as to answer the purpose of candle.

Several of the tenants of these lands intimated an intention of applying to the Society for new leases; in which case I should recommend a survey to be taken, and encouragement given to such of them as have built or will undertake to build houses, by granting a sufficient term of years and three lives for that part which they will engage to enclose for building and planting, and a term of twenty-one years and one life for that part which is to be employed as a farm. This mode is practised, as I have been informed, by gentlemen of landed estate, and has been found to answer; the property invested in building always proving a security for payment of the rent, and operating as an inducement with the tenant to apply from time to time for a further lease of the farm lands, according to their improved value: this plan of proceeding would moreover lead to encourage men of property to reside upon the lands and to take upon themselves the offices of magistrates and grand jurors, a description of persons much wanted, by which as well as by their general example the people would become by degrees more civilized.

These lands, thus held on determinable leases, extend for many miles through a very wild part of the country, as far as the Sheriff's Mountain, which serves as a boundary to the Society's property. I was induced to visit this place at the instance of two brothers named Steel, who are under-tenants, and who mean hereafter to apply for a lease of some of the lands in their own names, in consequence of having an assignment from their landlord, the immediate tenant of the Society, and his having left the country. I must do them the justice to say that they appear to have brought into cultivation the skirts of a dreary

mountain, which offers no temptation to industry; and as they bear good characters and are manufacturers, with wives and families, the Society will, I make no doubt, feel disposed to give any proposal they may hereafter make a favourable hearing.

There being no map of these upper liberties or lands held on determinable leases, it appears to me that the Society would do well to give directions to their general agent to cause a correct map to be forthwith made; and therein to lay down some roads of communication towards the bog and old road to Strabane on one side, and the lower liberties on the other: also to report whether by erecting a fountain, after the manner practised in Switzerland, and which might serve as a monument to perpetuate the Union, it would not greatly tend to draw the people into a state of society, and ultimately lead to some plan for supplying Londonderry with water, which is much wanted, and has been often in contemplation.

There are no turnpikes on the public roads in the north of Ireland, the roads being made in consequence of presentments at the sessions, which if they are proposed by the Society's agent, and supported by their respectable tenants, such as sir George Hill the member for Londonderry, sir Andrew Fergusson, captain Lecky, alderman Lecky, and others, cannot fail of being carried into effect; whereby the Society's estate would become infinitely more valuable, their tenants more civilized, and the next generation would probably see fences and inclosures take place in a tract which now appears like a barren waste, hardly accessible even in the summer months, as I found a guide necessary to avoid the bogs when I visited it in September.

These suggestions may appear rather speculative, and so are most improvements in their outset, as every man must acknowledge when he looks back to what has taken place in and about the metropolis of the empire within these last fifty years; but if the measures recommended are likely to promote the original object of the charter, *that of encouraging a Protestant Colony in the North of Ireland*, the nation at large has a right to demand, and the Protestant tenants a right to expect, from the Society's justice, that every endeavour will be exerted to improve their condition, and make them participate in the benefits of the Union which has recently taken place between the two countries. If such an impression as this could once be made on the minds of the Irish, it would put a stop to that emigration which a contrary conduct, particularly an excessive rise of rent, has frequently occasioned. This leads me to question the policy, I might say the justice, of the city companies in letting their lands on payment of heavy fines, without stipulating for the performance of the relative duties between landlord and tenant. In the instance of the company to which I myself belong, the Ironmongers', I have discovered, on enquiry since my return, that in the year 1767, they let their estate for sixty-one years and three lives, on payment of a fine of £21,000, to a gentleman who had acquired a large fortune in India; but who, as far as I could learn, has

never seen any part of the company's estate. The Irishman who cultivates the soil might with justice observe that he derives no protection by such a line of conduct; and if he were informed that the sum subscribed by all the companies together, in the reign of King James, amounted only to £40,000 and the Iron-mongers' and their associates' proportion of that sum only to £3,334, he could not be charged with ingratitude if he appeared to feel no obligation to his landlords, in subjecting him to a rent far beyond what can possibly be derived from the product of the soil, and which can only be paid out of the profits of his loom.

Having thus noticed the state of the upper liberties, or lands above the city held on determinable leases, I shall proceed to give an account of those below the city, which have all been granted in perpetuity. You approach them by means of a spacious causeway or carriage-road, extending about a mile on the left bank of the river Foyle, which has been made at a considerable expense by the corporation of the city.

The first object that strikes the eye is a handsome house, built by sir Andrew Fergusson, bart. on a plot of ground surrounded by a plantation; the next is Boom Hall, built by the late Mr. Alexander, afterwards Lord Caledon, and so denominated from its contiguity to the spot where King James, when he besieged Londonderry, caused a boom to be thrown across the river to prevent its relief by King William's fleet. A little further is Brook Hall, the residence of sir George Hill, bart. member for the city, who has recently built a house, and converted the adjoining grounds from an unprofitable bog into pasture: he is said to have expended upwards of £12,000. Beyond this is Mr. Hart's residence, who has likewise expended a considerable sum of money in buildings and improvements. These grounds all lie between Londonderry and the Fort of Culmore, which is at present in a state of ruin, and may be considered as a mere sinecure to General Hale, the person enjoying the appointment of governor.

The cause which has led to these improvements is too obvious to require being pointed out; they have grown out of the certainty of the tenure as the possessors grew in prosperity; and in this, as in every other instance of the kind, a landlord must do something to excite the interest of his tenant, before he will embark any considerable part of his property in buildings and plantations. The lower order of the Society's tenantry are in general unable to cultivate their lands according to what is considered to be good husbandry, much less do they possess the means of expending any sum of consequence in planting and building.

The lands of Grandsagh, on the opposite side of the river, furnish an unequivocal proof of the truth of this assertion. They were publicly advertised in the year 1794, and in consequence let to the occupying tenants, with a view to try an experiment how far they were capable of improving and planting them; and if they had fulfilled the promises they made to the Society, this

farm, consisting of 178 plantation (or about 284 English) acres*, and advantageously situated on the right bank of the river, in sight of Londonderry, at the distance of about two miles† from it, and opposite to the lands of sir Andrew Fergusson, Boom Hall, and Brook Hall, would at this time have offered a pleasing object, and the Society would have felt gratified in receiving information of a contrary nature to that which I am about to communicate; and having myself contributed, as far as was consistent with my situation, to encourage the attempt made in favour of the under-tenants, I should have felt a considerable degree of pleasure in seeing my individual expectations realized.

On visiting these lands in August last, I found them divided into 13 small farms, the largest consisting of 44 acres, and the smallest of $7\frac{1}{2}$ acres. I saw most of the tenants, and took down in writing from their own mouths, an account of their families, stock of cattle, and mode of husbandry. The number of persons amounts to 97; the cattle consisted of 38 cows, 22 horses, and 82 sheep. They all expressed themselves desirous of having, and willing to pay for separate leases; and on my calling upon them to point out the plantations, fences, &c. which they had promised to make, some of them took me into little enclosures behind their huts, containing a few stunted sycamores and willows. As to fences, or as they call them, meerings, there are none of any consequence; whence many bickerings and disputes arise, and so tenacious are they of rights which appear hardly worth preserving, that the horses, cows, sheep, and even their fowls, are seen tethered to prevent their trespassing.

Their mode of cultivation is as follows: viz.

1st year (after well manuring)	.	.	.	Potatoes,
2d ditto	.	.	.	Barley,
3d ditto	.	.	.	Oats,
4th ditto	.	.	.	Flax,
5th ditto	.	.	.	Oats,

after thus exhausting all the strength of the soil, by an incessant cultivation of five years together, it is suffered to lie lee (as it is called) without ploughing or manure for three or four years, in order to recover itself. The tenants appear most of them to be in a state of poverty, some nearly naked, and their distress is greatly increased by a total want of turf, the great consolation of Irishmen.

These lands lie detached from every other part of the Society's property, are tithe free, and capable of great improvement, if they could be put into the hands of some resident gentlemen of property and enterprise, who would undertake to improve them, and extend a fostering hand to the tenants. On mentioning this to sir George Hill, and recommending it to his consideration, as tending to convert a dreary prospect opposite his residence to

* Irish acre to English, as 5 to 8, arising from the rod consisting of 21 feet, which in England is only $16\frac{1}{2}$ feet.

† Irish mile to English, as 11 to 14.

a farm well cultivated and planted, he authorized me to inform the Society, that if it met their approbation, he felt disposed to make an offer to the following effect; viz. To take a lease at the rent now paid by the tenants, for the term of 41 years and three lives, as proposed by the advertisement published in the public papers; with a covenant to extend the same to 61 years, in consideration of his planting two hundred thousand timber-trees at least, which would become a royalty to the Society, unless under the laws now in force in Ireland he were to register the same, which he would waive, under a full reliance of the Society's liberality towards him hereafter.—To divide the lands in a fair and equitable manner among the occupying tenants, and grant them leases for 21 years and one life, at their present rent.—To build a wharf by the river side, for the purpose of landing turf from the distant bogs, and which he will engage to supply the tenants with free of expense, reserving to himself a few acres only, for the purpose of a paddock to the wharf. Such a plan would, in my humble opinion, tend to improve the condition of the tenants, and offer an example in regard to planting, which would bid fair to excite the emulation of others, as well as tend to the immediate and certain improvement of this very conspicuous part of the Society's property.

The Skinners' proportion is situated near Londonderry, and has lately been let to Mr. Ogilvie, a linen-factor in Dublin, who is said to have paid the company a fine of £25,000 for his lease. The former tenant was Mr. Carey, of Dungiven, who perhaps may not have come forward as he ought with the company; but this change of tenant for a person who lives in Dublin, has no residence in the county of Londonderry, and of course bears no lot there either as a magistrate or juryman, is seen with an evil eye by the resident inhabitants, and appeared to me to have rather done away the sort of confidence which had theretofore existed between landlord and tenant. There are several bleaching-grounds upon and near this property; the principal one is that of Messrs. Atcheson and Lyle, who having used many fruitless endeavours to renew their lease with Mr. Ogilvie, have purchased freehold lands on the opposite side of the river, where the former has built a handsome residence, and made every preparation for removing his bleaching-grounds to the spot. Mr. Ogilvie will naturally look to set all the lands at the highest possible price, and the tenant, being of necessity compelled not to lose a square yard of that for which he pays so dear, can neither afford to plant or cultivate a tree of any kind; so that if any thing of a plantation is seen, it turns out on inquiry to belong to some freeholder, or person having a lease in perpetuity; and these little plantations are raised and maintained at no inconsiderable expense, on account of the great temptations they offer to the poor tenantry, whose lands do not produce wherewithal to make a handle for a pitchfork, or any common instrument of husbandry. It is hardly necessary to add, that I discovered no timber-trees of any consequence on the Skinners' proportion.

My next object was to visit Coleraine, in doing which I passed again through the Fishmongers' proportion at Walworth, and visited the church built there by the right hon. John Beresford, whose ancestors have been the occupying tenants under the company, for upwards of one hundred and fifty years past. This is by far the handsomest building of the kind in the north of Ireland. The windows are ornamented with the arms of the Society, and those of the Fishmongers' Company and Mr. Beresford's family, on stained glass, painted by Mr. Egginton, of Birmingham. The house, which was built by the present Mr. Beresford, is on a large scale, situated near the margin of Lough Foyle. I have already noticed the plantation on each side of the road, which is still more useful than ornamental, as it supplies the tenants with timber for agricultural purposes whenever it is wanted.

From Newtown Limmavaddy you have an extensive view of the bold range of mountains beginning at the Magelligan, and extending in view about fifteen miles. This is the estate of the Marquis of Waterford, which he holds in perpetuity of the Haberdashers' Company. It is lett upon leases for twenty-one years and one life, and it is supposed to bring in about £8,000 a year. There are two roads from Newtown Limmavaddy to Coleraine; one by the low lands bordering on Lough Foyle, the other over the Cady Mountain, which is the shortest; but having made a visit to Mr. Dominick M'Causland, at Daisy Hill, near Newtown, and rode with him over a great part of the Fishmongers' proportion, I shall not quit this property till I have stated that by far the greatest part of it is mountainous and boggy, to a degree that would almost frighten a member of the company who had been used to see the fertile fields in the county of Surrey, in which the English Walworth is situated. I met with one tenant under Mr. Beresford, who held one thousand five hundred acres of land for £30 a year; at which rent a preceding tenant had relinquished the same land.

The plain adjoining the river Roe belongs to Mr. Connelly, who offers it for sale at twenty-one years purchase, on rents which were granted in perpetuity by his ancestors, at the rate of two shillings and sixpence an acre. This property, as well as that of Newtown Limmavaddy, formed the proportion of forfeited lands obtained by sir Thomas Phillips, the agent of Government in making the division; and it will be readily anticipated that the agent did not forget the old proverb, as to where charity begins, in the option he made. The fact is, that he chose the most fertile land of the neighbourhood. This road along the borders of the Lough belongs chiefly to the bishop of Derry, who has procured leases for twenty-one years to be granted to trustees for his own benefit; and as these leases are constantly kept full by yearly renewals, his lordship is said to have realized an income of £5000 a year, independent of the profits of the see, which are computed at £10,000 a year. I wish his lordship's conduct authorized me to say that equal attention had been paid to his spiritual duties: but here again the hardship of

absence excites still greater cause of dissatisfaction, the whole of this enormous income having been expended in Italy and France for these last twenty years, during the whole of which time his lordship has resided in those countries, chiefly in Italy, where he now lives, absent from the duties of his pastoral office, I must, however, except a sum, amounting perhaps to seventy or eighty thousand pounds, employed by his lordship in erecting and ornamenting two mansion-houses, one at Down-hill, in the neighbourhood of Coleraine, and the other at Ballyskullen, not far from the Salters' proportion at Maraghfelt, which, from having been both of them left in an unfinished state, may be considered as two monuments of modern ruins. I passed the former in my way to Coleraine. It is built on a rock, within a few paces of the sea; and the mind is struck with awe in reflecting that the broad expanse of water, which in tempestuous weather dashes its spray into the chambers of the house, is continued for the space of more than three thousand miles, and that no land interferes between the spot on which you stand and the coast of Labrador in North America. The mouth of the Bann is plainly discerned from this eminence, and the building is equally visible from the sea-shore near Coleraine, where it appears an object of Roman magnificence. His lordship is said to have planted more than a million of trees and shrubs in the adjoining grounds, hardly any of which have thriven.

The road from Down Hill to Coleraine, goes through the best part of the Clothworkers' proportion, which was held by the right hon. Richard Jackson, who was the Society's general agent. It is commonly reported in the country, that having been obliged to raise the rents of his tenants very considerably in consequence of the large fine he paid, it produced an almost total emigration among them to America, and that they formed a principal part of that undisciplined body which brought about the surrender of the British army at Saratoga. I think it right to add, that Mr. Jackson was considered as a man of the greatest honour and integrity, and that his memory is highly respected by all who knew him.

Coleraine is situated on both sides of the Bann, over which is a handsome bridge, and this place would, in my opinion, be preferred by strangers to Londonderry. The town-hall stands in a kind of square, near the centre of the high street, which is broad and spacious. The parsonage-house is situated opposite the churchyard, and is a sightly building as well as the church itself; but you pass through the town without noticing the Society's free-school, for want of a more conspicuous tablet or inscription over the door. The rock or salmon leap, where the traps are erected, is about a mile above the town. The cranagh or fish-house, where the fish are taken with nets, is about two miles below the town. I visited the former, and sir George Hill had the complaisance, although the season for taking fish was over, to man his boats and cast the nets, in order to show me the manner of fishing the river at the cranagh. The net ex-

tends nearly across the river, and it requires two boats and upwards of thirty persons to manage the draft. We caught a few salmon, some mullets, and a great many trout; I was tempted by the men to kill one of the salmon by giving it a blow on the head, for which a fine was imposed upon me, in execution of the law against killing fish out of season. Sir George Hill has been obliged to purchase additional land near the cranagh, which was found too small to accommodate the fishermen and dealers who frequent the fishery. There is no house of residence for the fishermen at the cuts; which is a matter of serious regret, as the property deposited there in the fishing season is much exposed to depredation for want of it. The cut next adjoining the shore has a constant supply of water, and is, as I was informed, of little use for taking fish, so that a mill might be erected upon a large scale, either for grinding corn or cutting timber, or even applicable to both purposes, if the Society should be induced at any time hereafter, either to build a mill, or grant a term in the fishery that might encourage the tenants to lay out a large sum of money in the erection. The leap and cranagh form the chief part of the fishery lett to sir George Hill and Mr. Beresford. This embraces all the right they have on the river Bann; the eel-fishery above the rock or salmon leap, belonging to lord Donegal. That part of the fishery which is carried on in the river Foyle, is lett to an under-tenant at Londonderry for £300 a year, but the salmon caught are inferior, both in size and quality, to those of the Bann. I was informed at Londonderry, that the under-tenants had applied to sir George Hill and Mr. Beresford to accept a surrender of their lease in consequence of their having had several bad seasons.

It is, perhaps, a singular circumstance in the natural history of the salmon and eel, that the former are caught in perfection as they proceed from the sea up the river to cast their spawn, and that having performed this office they go back to the sea, and the young fish bred in the river are known to return to the same waters again, and leave a family where they themselves have experienced safety and protection. The eel, on the contrary, proceeds from the sea in a state smaller than the smallest blood-worm, so weak that the fishermen at the rock make a practice of placing straws along the sides of the river to enable them to encounter the stream; and having once got above it, they proceed to the deep waters of Lough Neagh, where they grow to an enormous size and then go back to sea, from whence they never return again to fresh water. The salmon fishery must require considerable labour and expense both to practise and protect it; as, independent of clerks, fishermen, boats and boatmen, in the fishing season there must be a number of persons employed as guards and watchmen, in the neighbourhood of all the little rivers communicating with the Bann, and into which the mother-fish resort in the breeding season; so that the increased cultivation of flax, and the establishment of additional bleaching-grounds, which tend to enhance the value of the Society's pro-

perty in one respect, contribute on the other hand to injure the fishery, by poisoning the waters and producing additional stoppages in their course; to say nothing of the workmen themselves, who, if not properly managed by douceurs and indulgences, become poachers, capable of doing much mischief. I cannot leave Coleraine without saying a word or two of the entrance of the river Bann, which, owing to a bar, is very dangerous for vessels of any size; in fact, it is hardly accessible above four months in the year, and the inhabitants have it in contemplation to make a navigable canal from the town to the sea, a distance not exceeding five miles. I think such a measure, if adopted, would deserve encouragement from the Society; and having this opinion, I promised to become a subscriber to it.

On the left bank of the Bann, and near the rock or Salmon Leap, is Somerset, the Merchant Taylors' proportion, which is held in perpetuity. On this property there is a good house, and a considerable plantation; the present proprietor, Mr. Richardson, who holds some lands on the opposite side of the river, called the Sandbank, belonging to the Society, has made a plantation there, which is beginning to thrive. Mr. Richardson informed me he had it in contemplation to apply to the Society for a new lease of this ground, which being situated on the right bank of the river, is more exposed to the spray of the sea-shore than the opposite side, and of course less calculated for planting; I think Mr. Richardson has some claim on the Society for having overcome these difficulties, in improving a spot which was before unsightly and unprofitable soil.

I shall say nothing of my excursion to the Giants' Causeway, as the subject is not immediately connected with the Society's property and has been often described, but shall return again to Newtown Limmavaddy, by the upper road, over the remaining part of the Clothworkers' proportion, the whole of which consists either of bogs or lands but little cultivated. Much having been said in the Society of timber on the Salters' proportion, my curiosity led me to visit that district; in doing this, I passed through a part of the Ironmongers' proportion, which is desirably situated near the Bann, and through Garvah, the estate of Mr. Canning, In this excursion I visited Bally-Skullen, the other seat of the bishop of Derry, which commands an extensive view of Lough Neagh, and the surrounding country; but the house, though inhabited and partly furnished, and ornamented in a style of eastern magnificence, is left unfinished, and the new-built offices are falling to decay.

I passed through Maghera to Maraghfelt, which latter is the chief place of the Clothworkers' proportion, but saw nothing in the nature of timber-trees, nor indeed any plantations, except a few ornamental trees adjoining the residence of Mr. Paterson the agent for lord Londonderry, and Mr. Bateson, the company's tenants; there are however more trees to be seen on this proportion than any of the others, Mr. Beresford's woods at Walworth excepted.

I had a distant view of the Drapers' proportion at Monymore, adjoining that of the Salters', but have no reason to believe it better wooded than the other proportions; the same may be said of that part of the Grocers' proportion at Muff, which I touched upon in my way from Londonderry to Walworth, and in my excursion to Dungiven, already mentioned;—I have since learnt from Mr. Beresford, that there is a small plantation belonging to Mr. Connelly, at a place called "the Glen of the Ness."

The Goldsmiths' proportion is situated near Londonderry, and is lett, in perpetuity, to Mr. Ponsonby; there are small *native freeholds** and bleaching-grounds near and upon it, with ornamental plantations belonging to them.

The Vintners' proportion at Ballaghy, is likewise lett in perpetuity to Mr. Connelly, but not having visited it, I am not competent to speak of its present state.

My original intention was to have returned to England again by the way of Port Patrick, but the temptation of exploring a little of the western part of the island and visiting its capital, which I had seen about twenty-four years ago, prevailed, and I took my route accordingly to Strabane, Newtown-Stewart, Omagh, M'Guire's Bridge, the borders of Lough Erne, Newtown-Butler, Cavan, Kels, Cavan, and Dunshaughlin to Dublin.

I shall not trespass on the Society's patience by communicating any observations made in this tour, except remarking, that the face of the country is very bare of any thing like timber-trees, if you except Lord Mountjoy's woods at Omagh, the plantation near the banks of Lough Erne, and those of Lord Bective, near Kels; but I cannot close my observations without expressing the pleasure I felt in seeing the astonishing improvements made in the city of Dublin, which bids fair to become the handsomest city, of the second rate, in Europe. On enquiring, I learnt that one general act had been obtained for the improvement of the city, by making wide and convenient passages through the same, and for regulating the coal trade thereof; under which, and three others passed in explanation of it, these great and useful works have been effected:—I have procured printed copies of these acts, and shall at all times be ready to communicate them to any member of the corporation, who will take upon himself to promote a general improvement in the first commercial city in the world; which is thought by many competent judges with whom I have conversed, a measure as practicable as it is desirable, both for the honor and interest of the corporation by which it is governed, and the nation at large.

ROBERT SLADE, Secretary.

Doctors' Commons,
4th Feb. 1803.

* So called from their having been created at the time of the original formation of the settlement; with a view to have proper persons to fill the office of grand jurors, &c. for the administration of public justice.

R E P O R T

OF

JOHN CLAUDIUS BERESFORD, Esq.

GENERAL AGENT TO THE SOCIETY,

ON THE FOREGOING NARRATIVE.

TO THE HONORABLE SOCIETY OF THE GOVERNOR AND ASSISTANTS OF LONDON, OF THE NEW PLANTATION IN ULSTER, WITHIN THE REALM OF IRELAND.

GENTLEMEN,

MR. SLADE'S report has been so full, and his description of those parts of the country he has passed through, so accurate and correct, that it would be vanity in me to attempt to add any thing to it, except where a local knowledge of the country enabled me to subjoin any reflections that might either strengthen his observations or guide the Society in such resolutions as they might be pleased to adopt, prior to their letting "the Quarterlands," or such other lands as are likely to fall out of lease. My observations will therefore be confined to the fourth head, under which he has classed his report; viz.—"The situation of the lands called the Quarterlands, which are now lett at £990 0s. 6d. and which are, (as he states,) capable of considerable improvement."

I lay it down as an incontestable point, that it is the great object of the Irish Society, both for the benefit of the colony established by them (the prosperity of which will at all times redound to their honor, and the decay of which will be equally disgraceful to them) and for the purpose of increasing their own rents in the most fair and equitable manner, to procure by every means in their power, not only *resident* tenants, but resident tenants of wealth and respectability: for if the tenants are not resident, it is impossible the value of the land should increase in the proportion it ought to do; and if the land is lett to tenants who are not able to expend the money necessary to reclaim, drain, and improve it, the expiration of the lease will find the ground in the same situation it was at its commencement: this has been

strongly exemplified in the lands of “*Grandsagh*,” as appears by your Secretary’s report:—for notwithstanding the Society did give them half-a-year’s rent, to enable them to commence their improvements, yet after nine years that they have been in possession of it, no improvement has been made, but the land remains in its original unimproved and barren state.

Taking it then for granted, that our object (I say *our* object, as I feel myself highly interested, both as an Irishman and as your agent, in the prosperity of the colony,)—conceiving then, I will say, that our object is to procure a wealthy and resident tenantry, whenever it can be done without injury to the *industrious*, I should follow Mr. Slade’s plan as one of the best that could be adopted for that purpose;—I mean that of giving the tenant a perpetuity in a part of the ground he holds, whereon he would cheerfully lay out his money, and a lease for one life and a certain number of years of a larger proportion. The consequence would be, that every shilling that was laid out on the part he got the perpetuity in, would tend to increase the value of the surrounding ground, and when the lease of the terminable part expired, it would become much more valuable; inasmuch as all lands adjoining to towns or inhabited places rise in proportion to the money expended in their neighbourhood. This scheme has been fully proved by Lord Northland, who has a considerable property in the county of Tyrone, and has tried the experiment, which has answered so well with him that many gentlemen are following the example. I would not, however, trust entirely to the liberality of my tenant in such cases; but on making the lease, I would bind him to lay out a sum of money in building, and to plant a certain number of trees: the sum to be laid out by the party, and the number of trees to be planted, must depend in a great degree on the nature of the farm granted, and how far it is fit for plantation or tillage, and it will not be possible for the Society or me to form any estimate of the proportion, till the *survey* of “the Quarterlands” which is now making by your order is completely finished, and I hope to be able to lay some of the detached maps or farms before you prior to my leaving town. I must however observe in general, that the lands called “the Quarterlands,” differ very much in value; some of them being nearly barren, whilst others of them are very good. Great care therefore should be taken when we are sub-dividing the farms into the parts that the Society should lett in perpetuity, and those they should lett in terminable leases; that it should be so done, as to induce the tenant to improve the barren parts as well as the arable ones; otherwise he might be inclined to confine his expenditure to the better part of the land, leaving the other part in its former situation. On this subject I shall be able to explain more fully when the map is finished; as likewise, on the management of the bogs, the system of managing which is very bad at present, as none of the tenants pay that attention to it that they would if it was their interest, from their having a property of any kind in those bogs.

At the time of establishing the colony, it is probable, the bogs were kept for the use of the inhabitants of the town of Londonderry, and for the purpose of supplying them with fuel, for which reason the Society very judiciously reserved them in their own hands; but now, what with incroachments on the bogs which have been made by the tenants, (some of them so long since that it is impossible to trace their date, nor owing to the want of a map of "the Quarterlands," can we trace their extent,) and what with the bog being cut and wasted by the undertenants, there is no turf for the supply of Londonderry, which is all supplied by boats that come from a distance, and the tenants on "the Quarterlands" only considering the supply of the moment, cut the bog in the most wasteful manner, without any regard to those that come after them. I would therefore advise the Society in the new leases they make, by all means to set a proportion of the bog to the tenant with each farm. He will then find some interest, not only in cutting with care and advantage, but in improving the surface, and rendering productive that which is now a complete *caput mortuum*, equally barren and unsightly.

The interest the tenants have now in their leases, is, for the most part, very small, as their tenures are only for a few years, and generally one or two existing lives; and as they do not think it prudent on such short terms, to lay out money either in building or improving on a liberal scale, the more wealthy part of them would very willingly surrender their present leases and commence immediately on an increased rent,—and I am very certain, they would give as much for a lease at this moment, as at the expiration of the term which they hold; for such a lease would give them an immediate and full enjoyment of their farms, and enable them to lay out their money on the same with advantage,—few of them for want of such expenditure getting the value out of their ground; and it would evidently be the interest of the Society, for the following reasons: In the first place, it would expedite the improvement of that part of their property, which is now, from its barrenness and unimproved state, a disgrace to the city of Londonderry and a discredit to the Society:—In the next place, it is much to be feared lest the people of Londonderry, who are increasing daily in wealth, and seek the relaxation of a country retirement from the fatigues of business, should be induced to establish themselves and build their villas on the other side of the water, (which since the building of the bridge, has an easy communication with Londonderry,) and which being all of it freehold property, belonging to individuals, they could easily obtain long tenures of; and such establishment, if once formed, would be an almost perpetual bar to the improvement of that part of the Society's property. I cannot help here adverting to two or three gentlemen, whose reliance on the Society's generosity has induced them to lay out large sums of money on their holdings; I mean Mr. Alexander Lecky, Mr. Harvey, and Mr. Scott. The two former gentlemen have built

very handsome dwelling-houses on their farms, and greatly improved the places; and Mr. Scott has planted, drained and improved at a considerable expence a farm, which from a waste hill he has made a beautiful spot of, and on which he intends immediately, if he gets a renewal, to build a handsome house. These gentlemen undoubtedly have a strong claim on the Society, having with very short tenures expended their money, in a full reliance that the object of the Society was, to encourage the colony, and those who expended their money in the improvement of it.

The erecting of a public fountain, such as your Secretary recommends, would be an excellent idea; and though the subject he proposes to perpetuate be one not generally relished by Irishmen, yet would be very appropriate to a colony established by the city of London, and would do them very high honour: if such a thing should be resolved on, it might not be amiss to put some of the expense on the tenants who procure such renewals.

I hope these few general observations will be satisfactory to the Society, and when the *map* is finished, I shall be enabled to make such further remarks on the particular farms, as will more fully guide them in their future proceedings concerning these grounds. I must however say, that the Society would understand the nature of their estates better by sending to Ireland a deputation of their own body to visit them, than by explanations from any person whatever; and if they should come to such a laudable resolution, I shall feel it a duty I owe the Society to attend them, and point out any thing to them worthy of notice on their estates.

I have the honour to be, Gentlemen,
Your most obedient Servant,
J. C. BERESFORD.

R E P O R T

OF

JOHN CLAUDIUS BERESFORD, Esq.

AS TO

THE TIMBER GROWING ON THE COMPANIES'
PROPORTIONS.

TO THE HONORABLE SOCIETY OF THE GOVERNOR AND
ASSISTANTS OF LONDON, OF THE NEW PLANTATION IN
ULSTER, WITHIN THE REALM OF IRELAND:

GENTLEMEN,

HAVING, by your direction, made as accurate an inquiry into the state of the timber growing on the several proportions in the county of Londonderry, as I could do without putting the Society to expense, I beg leave to annex the following statement, which is as accurate as I could make it under the circumstances:—

On the Skinners' proportion, to which Mr. Ogilby is tenant, there is no wood whatever, except a few scattered trees; altogether, as well as I can estimate, not worth £500.

On the Fishmongers' proportion there is a wood of some magnitude; it is divided into two parts by the road leading from Newtown-Limmavaddy to Londonderry. The part which is above the road is a growth of about thirty years, during which time it has been fenced and preserved by the tenant, Mr. Beresford; the lower part between the road and Lough Foyle, is an old wood of oak, fir, beech, ash, and lime; the oak is natural wood, the rest planted by the tenant and his ancestors.

On the Drapers' proportion, which is held by Mr. Rowley, there is no timber whatever.

On the Salters', which is held by Lord Londonderry and Mr. Bateson, there are some trees in hedge-rows about the town of Magherafelt, but very little timber of any value besides; I suppose in the whole there may be from £500 to £800 worth of trees.

On the Haberdashers' estate, which is held by Lord Waterford, there is no timber whatever, except here and there an odd tree or two to shelter the houses of the peasants.

The Ironmongers', of which Mr. Dupree is the tenant, has very little timber, except a small wood of ten or twelve acres on one of the native freeholds.

On the Merchant Taylors' estate there is not a tree, except at Mr. Richardson's demesne, which is just adjoining to the Coleraine fishery, and which has been entirely planted by the tenant, the late Mr. Richardson.

The Clothworkers' is equally destitute of timber, except immediately about the demesne of Mr. Jackson, which is at the entrance of the town of Coleraine, where there are a good many old ash-trees of some value, and some ornamental plantations.

On the Grocers' proportion, Mr. Connelly has a wood of about thirty or forty acres, called the Glen of the Ness, but the trees are young and small, and of no value except for the bark, being oak,—that may be worth from £500 to £1000.

On the Vintners' proportion, the demesne of Castle Dawson has a considerable quantity of new plantation and some old trees; and about the neighbourhood of Bellaghy there is a good deal of scattered timber, but no regular wood or plantation.

On the Goldsmiths' proportion, tenanted by Mr. Ponsonby, there is no wood, except the demesne of Hamilton Ash, Esq. which is small, but well planted; I should think the timber on it worth from £1200 to £1400.

On the Mercers' proportion, tenanted by Mr. Stewart, brother to Lord Londonderry, there is very little timber of any kind. On the whole I may venture to say, that the county of Londonderry is perhaps the worst wooded county in the king's dominions.

I am,

Your most obedient servant,

J. C. BERESFORD.

London, 27th January, 1803.

Report on Coleraine School.

THE FIRST REPORT FROM THE HONORABLE
THE IRISH SOCIETY'S INSTITUTION, COLE-
RAINE, PROVINCE OF ULSTER, IRELAND, AD-
DRESSED TO THE BRITISH AND FOREIGN
SCHOOL SOCIETY, BOROUGH-ROAD, LONDON.

THE importance of the trust, the onus of responsibility properly attached to the honorable the Irish Society's Superintendant in this place, dictate the necessity, that in this first report of his proceedings, the Society should receive a full and faithful statement of the progress and present state of the institution here.

In all communications of the Superintendant with the honorable the Irish Society, he received the strongest impression of the lively and intense interest for the instruction of the neglected youth of this place by which the Society was animated; the Superintendant can safely affirm that he has felt, and continues to feel, a congenial ardour in the pursuit of the same great object. He, on his arrival in Coleraine in the month of March last, regretted to find that much remained to be done, and various necessary alterations were required to be made in the rooms of the institution: he immediately took the necessary steps to prepare the institution for the reception of the children, but notwithstanding his most strenuous exertions, it was not until July that they could be admitted and the work of instruction commenced. During this long interval of preparation the Superintendant availed himself of the best information to be obtained here relative to the seminary termed the "Free School," established by the honorable Society about the year 1741: he ascertained that it was not at any period of its existence in any degree competent to the instruction of that numerous class to which instruction was most essentially necessary. Besides the very limited size of that school-room, which could not receive more than about fifty scholars, and those selected on sectarian principles; while the numbers requiring admission were generally not less than from four to five hundred. The duties of the teacher were frequently executed with so lax a feeling, as to produce little, if any, improvement to the pupils.

The Superintendant, soon after his arrival here, became thoroughly sensible of the urgent necessity for instruction among the children of the lower ranks.

With a view to discover the disposition among the parents of the children who were to become the objects of the honorable Society's benevolence, with respect to education, the Superintendent issued printed circulars, inviting them to come forward and have their children's names entered, in order to their being received as scholars at the opening of the institution; such was the ardent avidity with which the institution was met by their parents and friends, that in a few days the Superintendent's list contained the names of six hundred children, all eager for admission, (in fact he was obliged, from the extreme and dangerous pressure, to have the assistance of the town's officer to check its ardour). This strong exhibition of feeling in the lower classes afforded the Superintendent a high degree of pleasure; accompanied with the painful reflection that upwards of four hundred children, all in the most urgent want of instruction, must, from want of room for their accommodation, be denied admittance to the honorable Society's new institution.

Could this circumstance have been foreseen, the Superintendent feels convinced that the liberal and enlightened philanthropy by which their operations are so much distinguished, would have furnished a building in Coleraine of so ample an extent as to have afforded admission to every applicant.

After having completed his preparations, the Superintendent opened the institution to the limited number of one hundred and thirty girls and one hundred and thirty boys. Since that period, the operations of the institution have proceeded with a degree of spirit and success most gratifying to the Superintendent.

Amidst the obstacles and difficulties inseparable from the commencement of such establishments, he has been sustained and animated by the cheering prospect of contributing to the formation of a new and superior character in the numerous youth of this place; he has been cheered by the most abundant proofs of capacity and intelligence in his pupils, of an eager thirst for instruction, and great facility in imbibing it.

Already the high importance and utility of the institution begin to be properly appreciated by most of the principal persons resident here. In order to afford those persons an opportunity of witnessing an outline of the mode of instruction, and of the proficiency of the children during the short period which has elapsed since the opening of the institution, an examination of the children was held in the institution on the 7th instant. The strong expression of approbation from the visitors on that occasion yielded to the Superintendent the most heartfelt gratification. To the future he looks with earnest hope, that the value of useful knowledge will become more deeply impressed on the understandings and hearts of all, but especially on those of the poor of this place, than at any former period; and that the highest, and the best of all knowledge, viz. that of genuine and pure religion, may pervade and regulate all their pursuits, and dignify and exalt the whole of their future conduct.

In consequence of the wretchedness of the children in point of

habiliments, great numbers being unable to appear on Sabbath-days at any place of worship, the Superintendent hath at the suggestion of his own mind established in the honorable Society's institution-room, Sabbath-evening readings, connected with singing (to make them perfect in which, he has engaged a master at his own expense), to which not only the children of the institution, but hundreds of others, flock with the most exemplary ardour, in connection with their parents, many of whom are equally wretched in point of accommodation as to dress. Here they can appear with comparative comfort, a small portion of the room being lighted on one side for the use of the singers and the respectable part of the inhabitants, who associate in great numbers, with a pleasure unequalled in any instance witnessed before: so that on the other side, which is comparatively dark, the poor creatures can have the advantage of hearing the Word of God read, without any exposure of person or feeling.

The Superintendent hath great pleasure in saying, that already there appears much good to have resulted from this appropriation of the Sabbath evening; and as a proof of its general manifestation, the most respectable inhabitants attend: the numbers altogether are from four to five hundred each evening. The Superintendent trusts that this additional effort to ameliorate (though at considerable personal expense) the condition of those more immediately under his care, will meet the approbation of the Society; resting with every degree of conscious innocence on the purity of his intentions, and the blessing of Providence for any good that may result to them in their present and future existence.

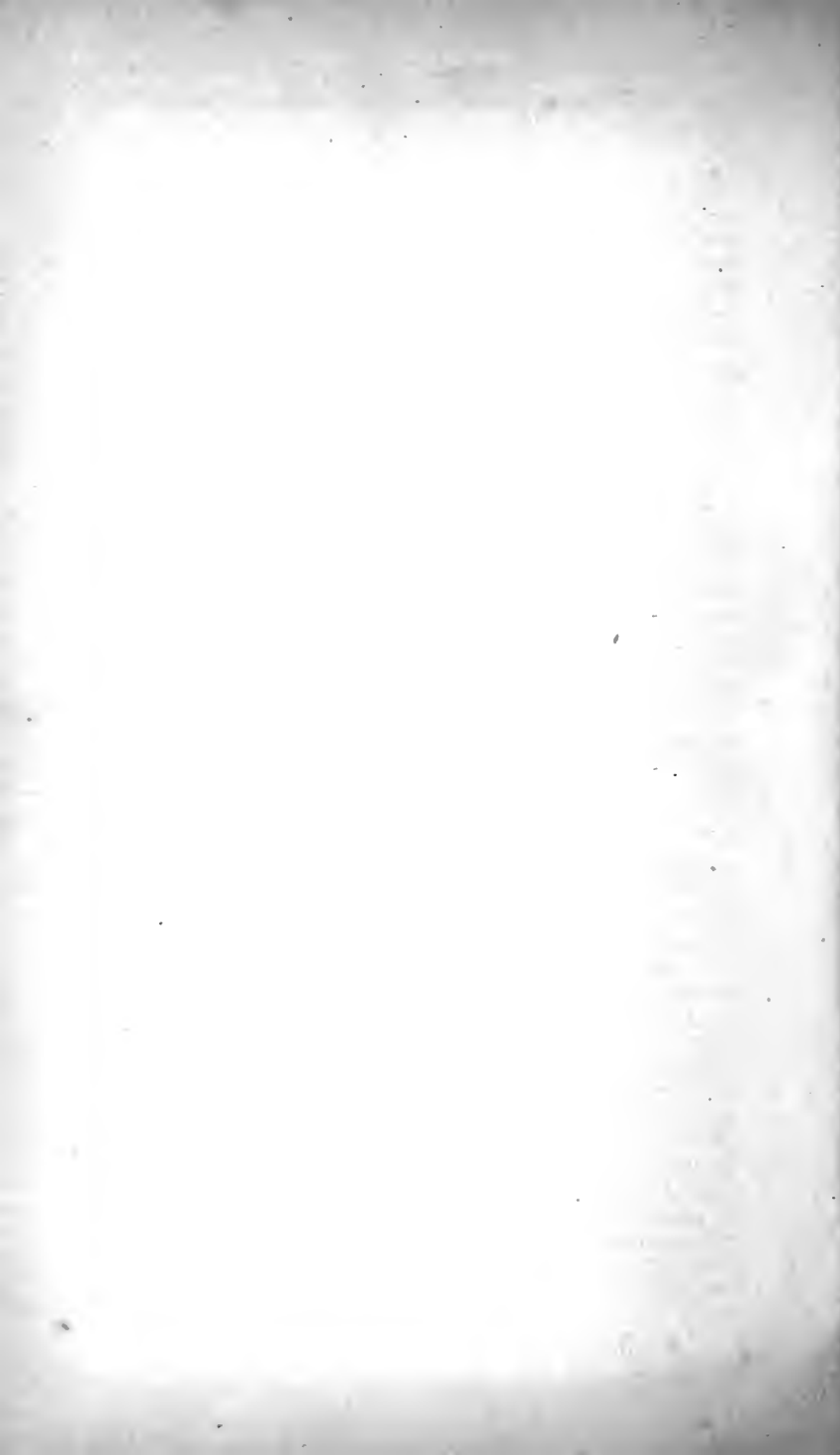
GENERAL AGENT'S REPORT ON THE FOREGOING STATEMENT.

HAVING attended the Public Examination of the boys at the honorable Irish Society's Institution for the Education of the Poor of Coleraine, and having repeatedly visited it since its opening in the month of July last, I have great pleasure in being enabled to certify the rapid progress of the boys; which is almost incredible, considering their former state of ignorance, and the short time they have had an opportunity of learning. Their reading and writing was not only surprising, but they had attained a degree of decorum in their manners, and decency and cleanliness in their persons that did great credit to the Superintendent, and shewed the great attention he must have paid to them in every respect. Many of the chief inhabitants of the town attended the Examination, and universally expressed their great satisfaction.

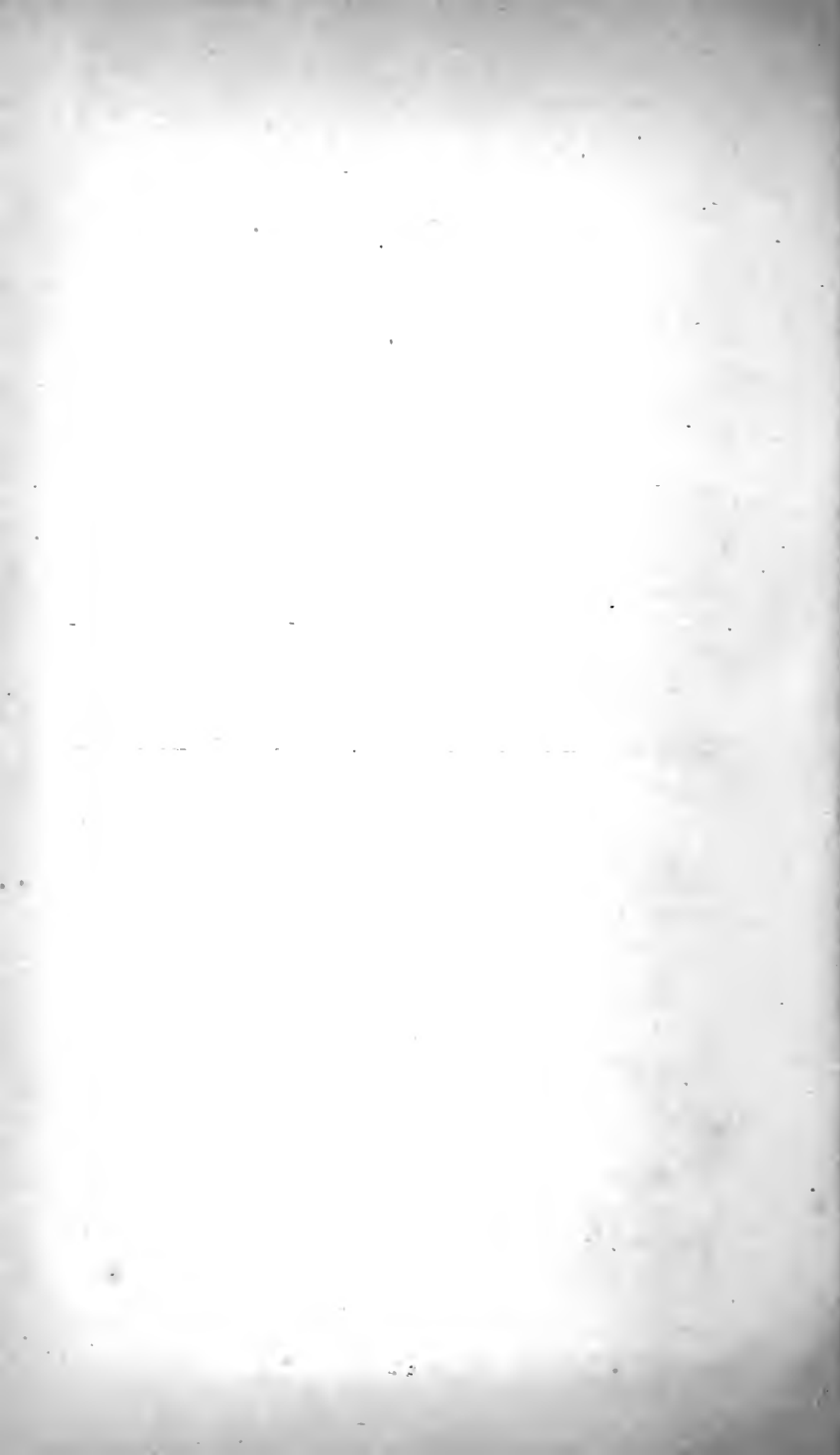
J. C. BERESFORD,

General Agent to the Hon. Irish Society.

January 5th, 1822.



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GENERAL INDEX.

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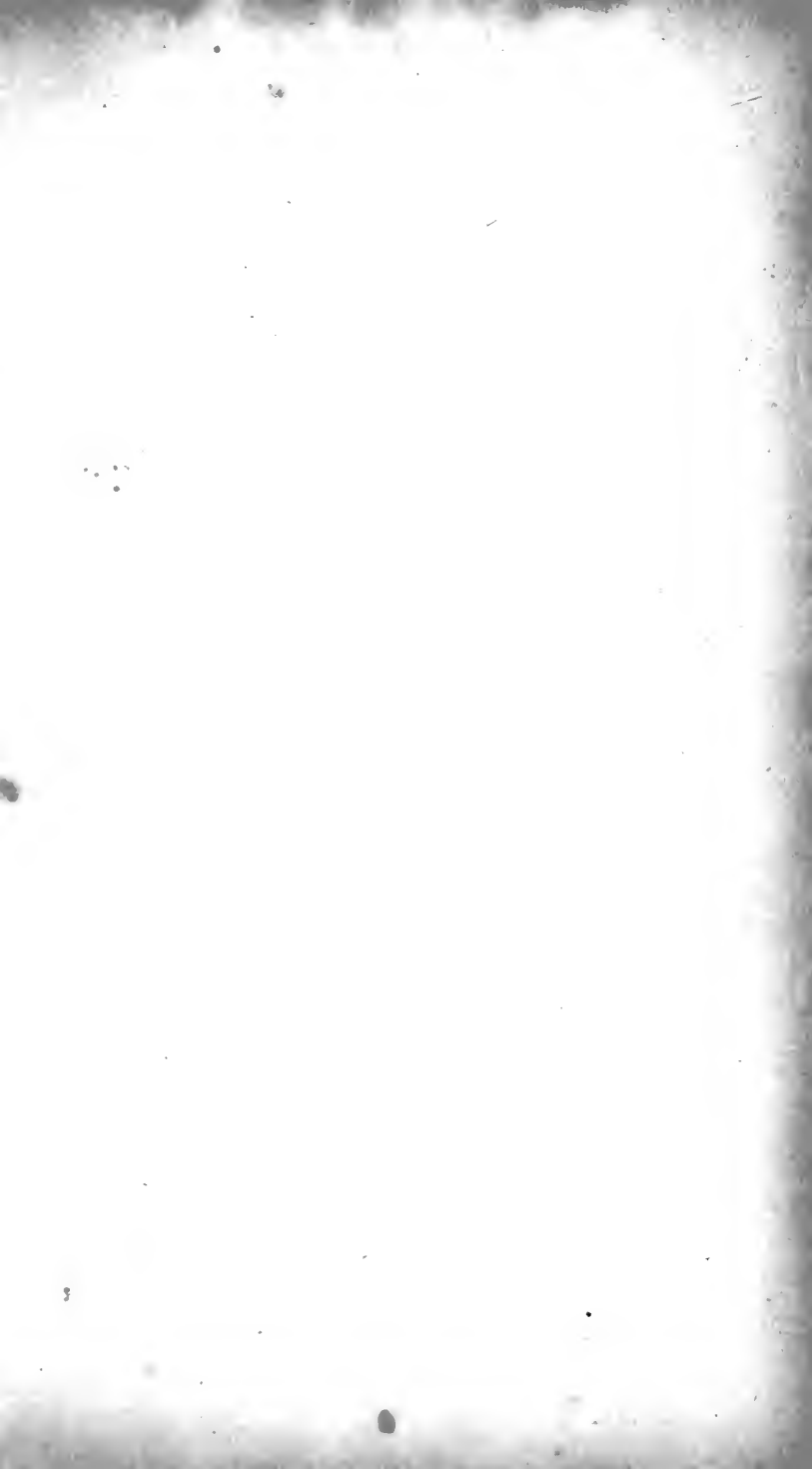
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