





ISAAC FOOT





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THE LIFE  
OF  
JAMES DUKE OF ORMOND;  
CONTAINING AN ACCOUNT OF  
THE MOST REMARKABLE AFFAIRS OF HIS TIME,  
AND PARTICULARLY  
OF IRELAND UNDER HIS GOVERNMENT:  
WITH  
AN APPENDIX  
AND  
A COLLECTION OF LETTERS,  
SERVING TO  
VERIFY THE MOST MATERIAL FACTS IN THE SAID HISTORY.

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A NEW EDITION,  
CAREFULLY COMPARED WITH THE ORIGINAL MSS.

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VOLUME II.

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## CONTENTS OF VOL. II.

### BOOK III CONTINUED.

<p>THE earl of Ormond made lieutenant general of the army . . . . . 192</p> <p>His proposal for suppressing the rebellion . . . . . 194</p> <p>His repartee to sir W. Parsons in the council! . . . . . 195</p> <p>An account of the rebellion sent to the parliament of England . . . . . <i>ibid.</i></p> <p>The prejudice it did the king's affairs . . . . . 196</p> <p>The king endeavours to send succours to Ireland . . . . . 197</p> <p>Proceedings of the parliament of England . . . . . 198</p> <p>His endeavours to asperse the king as favouring the Irish rebellion . . . . . 207</p> <p>The state of the provinces of Ireland at the end of November 1641. 210</p> <p>A character of the earl of Clanricard . . . . . 212</p> <p>His proceedings in the county of Galway . . . . . 213</p> <p>Causes of the general defection of the kingdom . . . . . 216</p> <p>Prorogation of the parliament . . . . . 221</p> <p>Debates about its meeting . . . . . 222</p> <p>Passages in parliament . . . . . 224</p> <p>Measures of the English parliament affecting Ireland . . . . . 233</p> <p>The rebels advance to Drogheda, 238 and defeat 600 men sent to succour the place . . . . . 239</p> <p>Delay of succours from England 241</p> <p>Sir Charles Coote's expedition into Wicklow . . . . . 242</p> <p>He is made governor of Dublin <i>ibid.</i></p>	<p>The defection of the English pale 243</p> <p>Reflections on the occasion of the defection of the pale . . . . . 253</p> <p>A letter of the lords justices, Dec. 14. . . . . 260</p> <p>An insurrection in Munster . . . . . 264</p> <p>The lord Mountgarret's march into Munster . . . . . 270</p> <p>The siege of Drogheda . . . . . 271</p> <p style="text-align: center;">ANNO 1642.</p> <p>The proceedings of the lords justices to convict the rebels . . . . . 275</p> <p>Arrival of succours from England 277</p> <p>The earl of Ormond's expedition to the Naas . . . . . <i>ibid.</i></p> <p>His resentment at sir C. Coote's hanging F. Higgins . . . . . 278</p> <p>His answer to lord Gormanston's message . . . . . 280</p> <p>His vindication from Wishart's and other calumnies . . . . . <i>ibid.</i></p> <p>The distress of the troops about Dublin . . . . . 282</p> <p>The earl of Ormond drives the rebels from Kilsagblan . . . . . 283</p> <p>Debates about raising the siege of Drogheda . . . . . <i>ibid.</i></p> <p>His march into the pale . . . . . 284</p> <p>He is recalled from pursuing the rebels . . . . . 287</p> <p>Treatment of the gentlemen of the pale that submitted upon the king's proclamation . . . . . 291</p> <p>Views of the lords justices in racking prisoners . . . . . 293</p> <p>Hugh Mac Mahon put to the rack, 295, and colonel Read . . . . . <i>ibid.</i></p>
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An offer of the lords of the pale to submit . . . . .	297	The marquis of Ormond's instructions to sir P. Wemyss. . . . .	339
The treatment of the earl of Castlehaven . . . . .	298	An inquiry about the supplies sent by the parliament to Ireland, 339 into Munster. . . . .	ibid.
Mr. Barnwall of Kilbrew racked . . . . .	300	The fort of Limerick taken by the rebels . . . . .	341
An act of parliament for adventurers towards the relief of Ireland . . . . .	301	The lord Forbes refuses to assist lord Inchiquin . . . . .	342
The king's offer of going in person to Ireland against the rebels . . . . .	303	The battle of Liscarrol . . . . .	343
The parliament treat with the Scots to send succours to Ireland . . . . .	308	The state of Connaght, 345. and of Galway . . . . .	ibid.
Proceedings of the Scots' forces in Ulster . . . . .	309	The lord Forbes arrives at Galway, 346. and declines to attempt Slego . . . . .	347
The earl of Ormond's services acknowledged by the parliament of England. . . . .	312	The state of Ulster upon Owen O'Neile's landing . . . . .	348
His expedition to Maryborow . . . . .	313	An account of the supplies sent to Leinster . . . . .	350
The battle of Kilrush . . . . .	314	Particulars of the supplies sent . . . . .	352
Synodical acts of the Romish clergy to encourage the rebellion . . . . .	316	The use made of the Irish rebellion by the parliament of England . . . . .	353
The lord Lisle's expedition into the King's County . . . . .	317	English affairs preparatory to the rebellion in England . . . . .	354
The great caution of the state in giving orders . . . . .	318	The war breaks out in England . . . . .	360
Distress of the army. . . . .	319	The lords justices of Ireland unwilling to obey the king's orders, 362 they obstruct the marquis of Ormond's command of the army . . . . .	364
Supplies arrived from England . . . . .	320	The marquis of Ormond falls sick . . . . .	365
The state of Connaght . . . . .	ibid.	A dispute about the command of the Laggan forces . . . . .	ibid.
The defection of Galway, 321. and submission . . . . .	322	Preston lands supplies for the Irish . . . . .	367
The state disapprove of it, and forbid all submissions . . . . .	323	A general assembly of the rebels at Kilkenny . . . . .	368
The lord Clanricard's endeavours to secure the county of Galway . . . . .	324	They draw up a remonstrance of grievances . . . . .	370
Attempts to break the pacification ib. . . . .		Passages in the Irish parliament in August, 371. in November . . . . .	375
The earl of Ormond's expedition to Athlone . . . . .	325	Proceedings about Jerome . . . . .	377
He takes bail for Mr. Nicholas Plunket . . . . .	326	The rebels' oath of association. . . . .	380
Proceedings of the Irish parliament . . . . .	328	They take Burros, Birr, and fort Falkland . . . . .	381
A declaration for making new penal laws . . . . .	330		ANNO 1643.
The earl of Ormond's dispute with the lord lieutenant, 333. decided in favour of the earl of Ormond, 336. who is created marquis of Ormond . . . . .	337	The condition of the earl of Clanricard and the county of Galway . . . . .	382
An attempt to engage the Irish army in the interest of the parliament . . . . .	338	The lord Ranelagh accused . . . . .	383



Major Woodhouse sent with the complaints of the army to the king . . . . .	384	Sir W. Parsons's imperious manner of treating the council . . . . .	421
A commission sent to the marquis of Ormond to receive the propositions of the Irish recusants . . . . .	390	The king's letter to the council of Ireland not to obey any orders but his own . . . . .	422
The lord Lisle, and Reynolds, and Goodwin admitted by the lords justices into the privy-council	393	Petitions of the prisoners in Dublin castle to be bailed . . . . .	ibid.
The parliament committee leaves Dublin . . . . .	394	The king sends orders to the marquis of Ormond to treat for a cessation . . . . .	424
The marquis of Ormond declines the post of lord lieutenant . . . . .	395	The state of Munster . . . . .	ibid.
The treaty previous to the congress at Trim . . . . .	396	No hopes of relief from the parliament . . . . .	426
The reasons of the expedition to Ross . . . . .	398	The king sends the marquis of Ormond a commission to conclude a cessation . . . . .	427
Custodiams a great detriment to the service . . . . .	400	The success of the rebels in Leinster, 428. in Connaght, 429. and in Munster. . . . .	431
The marquis of Ormond marches to Ross . . . . .	402	Owen O'Neile routed by sir Robert Stewart . . . . .	432
The battle of Ross . . . . .	404	The state solicit the parliament in vain for succours . . . . .	434
The marquis of Ormond returns to Dublin, then in great distress for want of provisions . . . . .	407	The marquis of Ormond's proceedings towards a cessation . . .	ibid.
A remonstrance of the rebels delivered at Trim . . . . .	408	His motions at the council board	437
The king's instructions about the grievances of the recusants . .	409	The treaty begins, <i>ibid.</i> and is broken off . . . . .	439
A letter of the lords justices dissuading a peace. . . . .	410	The marquis of Ormond tries in vain to fight Preston . . . . .	ibid.
The marquis of Ormond's motion to send the king an account of the state of the kingdom rejected by the lords justices . . . . .	413	Sir W. Parsons and others of the council attached to the parliament imprisoned . . . . .	440
Complaints of the officers of the army . . . . .	414	The charge against them . . . . .	441
They petition the house of lords	415	Their letters intercepted . . . . .	442
The parliament prorogued . . . .	416	The Scots declare for the parliament and raise an army against the king . . . . .	443
A letter of the lord chancellor on that subject . . . . .	ibid.	The king repeats his orders for a cessation . . . . .	446
The condition of the forces about Dublin . . . . .	417	Debates at Kilkenny about the cessation . . . . .	447
Sir Henry Tichburne made lord justice in the place of sir W. Parsons . . . . .	420	The strength of the rebels . . . .	448
		Distress of the state . . . . .	449
		The treaty renewed . . . . .	ibid.
		The cessation concluded . . . . .	450

AN HISTORY

# AN HISTORY

OF

THE LIFE OF

JAMES THE FIRST DUKE OF ORMOND,

AND OF

THE AFFAIRS OF IRELAND IN HIS TIME.

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BOOK III. CONTINUED.

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68 **T**HE earl of Ormond was at his house of Carrick upon the Sure in the county of Tipperary when the rebellion broke out. He had resolved to be at Dublin at the meeting of the parliament, which was adjourned to the 9th of November; and the necessity of his presence there was a reason which hindered him from waiting upon his majesty in Scotland. The liberties of the county palatine of Tipperary, which had been granted by king Edward III, and confirmed to the house of Ormond by various succeeding kings of England, had been seized by king James, upon a judgment of the King's Bench of Ireland given on pretence of a default of Walter, the present earl's grandfather, when for refusing to stand to that prince's arbitration of the dispute between him and Richard earl of Desmond, he was clapped up at London a close prisoner in the Fleet, and neither had notice nor liberty of appearing. The seizure was only in the nature of a distress; and the proceedings were so illegal that nothing but that king's extravagant fondness for his Scotch favourites could have drawn him

into so unjust a severity. King Charles was a prince of great justice and humanity, and the earl of Ormond made no question but he was sufficiently disposed to do him right. All the doubt was, whether his majesty would not refer it to his council to judge of the expediency and fitness of leaving such privileges in the hands of a subject; they had never been abused to the prejudice of the crown, and had been exercised with such moderation towards the subject, that the inhabitants of the county found great ease and comfort from them. This was the point at which the matter stuck, when his grandfather petitioned for dissolving the seizure; the council having then been for retrenching some of the franchises, which that nobleman insisted should be restored entire according to right. The proofs of this right were incontestable; and in confidence thereof, the now earl had presented a petition, which was referred at last to the earl of Strafford, then lord lieutenant; but before his report was made, the troubles of Scotland came on, and other more important affairs prevented the determination of this. The earl of Ormond thought it a proper time to revive his suit, and being not able to go in person, sent about the middle of September sir Patrick Wemyss to Scotland, with a petition, which he was instructed to present, if he found the matter of it might be granted by an order of his majesty alone, without being referred at all. He had no reason to think that either of the privy-councils of England or Ireland, as then composed, would be ready to do him justice; his zeal for the king's service, and friendship with the earl of Strafford, having rendered him unacceptable to both; nor did he care, for a matter of mere honour without any profit, to be at the vast expense which would necessarily attend the formalities of proceeding in a tedious circuit of references and certificates. If sir Patrick therefore found a reference absolutely necessary,

he was not to offer the petition, unless it might be referred to the house of lords of Ireland, or (if it was a more regular way) to the parliament there; before which at their meeting was to be laid an act about Tipperary, which had been transmitted by the council of Ireland, and by that of England in the May before referred to the attorney-general, who had made no alteration in it, nor any exception to the saving of the earl of Ormond's rights, which was provided for therein. Sir Patrick Wemyss was at Edinburgh executing this commission, when the king received from the lord Chichester an account of the rebellion in the north of Ireland<sup>u</sup>. His majesty, glad to have so faithful and able a servant in that kingdom in such a time of trial, immediately appointed the earl of Ormond lieutenant-general of his army, and despatched away sir Patrick with a letter, desiring him to accept the charge, as a great renewed testimony of the affection which he bore to his service. The lords justices had wrote to him on Oct. 24, and that letter miscarrying, or being delayed, they sent another on Nov. 2, desiring him to provide for the safety of the country, as well as he could, and to come up to Dublin with his troop, and they sent down soon after a commission for his lordship; and the lord Mountgarret, to govern the county of Kilkenny, and provide for the peace and security thereof. The earl sent to the lords of Ikeryn and Upper Ossory, the principal gentlemen, and the corporations within the county, who readily promised their service. The gentlemen meeting at Kilkenny, undertook to raise two hundred and forty foot, and a troop of fifty horse for the defence of the country; Callan offered to muster and maintain one hundred men for their guard, and other towms made the like offers; but they wanted arms and ammunition, which they were ready to pay for; and the earl, after

<sup>u</sup> See Collection of Letters, No. XXXI.

he got to Dublin at the end of the first week in November, obtained <sup>w</sup> a warrant, on Nov. 9, from the lords justices (who would spare none out of the stores) to buy and import them from England or Holland. Sir Patrick Wemyss arriving on the tenth of that month, and the lords justices having received his majesty's designation <sup>194</sup> of the earl of Ormond to that employment, they (without waiting for the earl of Leicester's orders, who had desired him to accept of the same charge) signed a commission the next day, appointing him lieutenant-general of all the forces within the kingdom, with power to govern them, and punish the rebels according to martial law; but with a *salvo* to the authority of the lord lieutenant.

- 69 The earl of Ormond was of opinion, that the rebels ought to be immediately attacked; and not allowed time to make themselves pikes, or to be supplied with arms from abroad; that being naked and unarmed, (which was one reason why they were beat every where by the small parties, that sir Robert and sir W. Stewart got together in Ulster,) and almost all foot and undisciplined, they could never stand before a body of horse, and of well armed foot; that it would be easier to reduce them then with two thousand men, than with three times that number, if they deferred attacking the rebels till after the arrival of forces from England; and therefore proposed to march against them immediately, with his own and five other troops of horse, and a body of two thousand five hundred foot, (which by filling up the old companies to one hundred might well be spared,) and with a supply of arms for such volunteers as would attend him from Dublin, or join him in his march, and power to take up meat and drink in the country for the sustenance of his forces; and thus provided, he did not doubt of reducing them in the space of three weeks. The lords justices

<sup>w</sup> B. 15.

had before the end of October raised three new regiments of one thousand men each, out of the inhabitants of Dublin, and of those many thousands of despoiled English that had fled thither from the north; one of which regiments they had sent on Nov. 2 with sir Henry Tichburne to secure Drogheda, then by the taking of Atherdee (but seven miles distant from it) become a frontier garrison. They had since received all the companies of the standing army, except three that were left for the guards of as many forts in Munster, lord Clanrickard's and Ranelagh's, sir Charles Coote's and sir Fr. Willoughby's, that were in Connaught; and about six or seven more, that were either surprised by the rebels, or quartered and in service in Ulster; so that they could not have less than one thousand five hundred old well disciplined foot about Dublin. The earl of Ormond, by their directions, as soon as he was made lieutenant-general, granted commissions to lord Lambert, sir Charles Coote, and sir Piers Crosby, to raise three regiments more of one thousand men each, and to others for thirteen independent companies of one hundred each: which were full in a few days. Sir Thomas Lucas, commissary-general of the horse, had lately brought the best part of his troop out of England, and now filled it up; captain Armstrong had a commission for another, which he soon raised; and captain Yarner, sent over by the lord lieutenant to raise another, completed it to one hundred in a few days. There was in the stores of the castle a fine train of field artillery, ammunition of all sorts in great quantities, arms (as hath been said) for above ten thousand men, tents, and necessaries of all sorts for the march and provision of an army; all which had been prepared by the earl of Strafford for the Scotch expedition. Whoever considers these things, with the defeats given to sir Phelim O'Neil's forces in Ulster, and the ill condition in which the rest of the rebels were in the county of Louth, where they

had drawn their greatest strength, and lay at Atherdee with four thousand men under colonel Mac Brian; but so miserably provided and disheartened, that sir H. Tichburne<sup>x</sup> desired leave to surprise them with a party of his garrison of Drogheda, and did not question effecting it with little hazard, will be amazed at the lords justices denying of their consent to the earl of Ormond's proposal. What were their real motives for this denial is hard to <sup>195</sup> say; but the only reason assigned by them for it was the want of arms for the service of the soldiers that were to take the field, as well as of those that were to remain in Dublin; a pretence so notoriously false, that it could only be made use of to cover motives which they were ashamed of confessing. Whether they were so horribly afraid of their own persons, that they thought the old army and all the new raised forces little enough for their security, and durst not send them out of the sight of Dublin, which was sir W. St. Leger's<sup>y</sup> opinion of them; whether by directions from the faction in the English house of commons, or by their own hopes of greater gains from forfeited estates by the spreading of the rebellion, they did not care to have it crushed in the bud, which there is too much reason, from a consideration of all parts of their conduct, to suspect, was the truth of the case; or whether they envied the glory which the earl of Ormond would gain by that success, and were jealous it would be rewarded with the government of Ireland; which the lord Strafford had advised, and the king had been inclined to confer upon him; cannot be affirmed with so much certainty, as it may, that they never in all the time of their government embraced or took one vigorous step to improve any opportunity that was offered of suppressing the rebellion; and that in all their conduct towards the earl of Ormond they shewed an aver-

<sup>x</sup> See his letter to the earl of Ormond, Nov. 16, 1641.

<sup>y</sup> See Collection of Letters, Nos. XXXIV, XXXV, XXXVII—XXXIX.



sion to his person, and did all they could to make his command of the army disagreeable, and shackle him in the exercise of it.

70 I must not on this occasion omit a passage which happened on Dec. 13 next following at the council-table<sup>z</sup>; where, besides the justices, were present the archbishop of Dublin, the lords Valentia and Dillon of Kilkenny West, sir Adam Loftus, sir John Temple, sir Charles Coote, sir Piers Crosby, and sir Robert Meredith. Sir W. Parsons proposed the calling of a court martial about captain Wingfield; the earl of Ormond had seen how dangerous the exercise of martial law had been to the late lord lieutenant, and how highly it had been censured by the English and Irish parliaments; he knew that he did not want enemies to lay hold on any matter that could be made the ground of a complaint and impeachment against him, and<sup>a</sup> had been advised that a commission under the broad seal for the exercise of that and the like powers, in the absence of the lord lieutenant, was either necessary or highly expedient in the present situation of affairs, and therefore said, he had not power, as he conceived, to call a court martial, and knew not but he might be questioned for it. Sir William was of an overbearing temper, and his heat, on sudden and unexpected occasions, often got the better of his cunning; so that in the impatience of having a proposal of his disputed, he told his lordship, that the thing ought to be done for the common safety; and if he did not do it, he should be questioned for greater matters, for no less than losing the kingdom. The earl of Ormond, who never was at a loss in his days for an answer equally decent and poignant, replied, "I believe, sir, you will do as much towards losing the kingdom, as I; and I am sure, I will do as much as you for saving it."

71 The great hopes of the lords justices in Ireland lay in

<sup>z</sup> A. p. 278.

<sup>a</sup> Ibid. p. 137.

the parliament of England. They had on Oct. 25 sent by Owen O'Conally the discoverer, an account of the rebellion to the lord lieutenant, who had, on Nov. 1, communicated the same to the house of commons there; who immediately appointed a select committee of fifty-two of their body in conjunction with twenty-six lords to take into consideration the affairs of Ireland, to provide for the raising and sending of men and ammunition thither to suppress the rebels, and of ships to guard the coast of that kingdom. This committee sat every morning in the painted chamber, and to them the lord lieutenant communicated all the letters he received to be first consulted on there, and from thence reported to the two houses, which were hereby possessed of a large power and dependance; all men (as <sup>b</sup>lord Clarendon observes) "applying themselves to them, that is, to the chief leaders, for their preferments in that war: the mischief whereof, though in the beginning little taken notice of, was afterwards felt by the king very sensibly." Two or three days afterwards a like account was sent them by the king from Scotland, where he had on Oct. 28 received the letters of the lord Chichester on the same subject. 196

72 Never was any intelligence so unwelcome to his majesty as this, which absolutely ruined all his affairs, and defeated all the measures which he had taken to retrieve them. He had come into Scotland purely to settle that kingdom in peace, and resolving to leave them entirely satisfied, had consented to every act that was proposed by that parliament, however contrary to his religious sentiments, or derogatory to his royal prerogative. By giving the Scots this contentment, he flattered himself that he should have only the mutinous and factious spirits in England to struggle with; and these had given so many proofs of their ambition and private interest, which they covered under public pretences, and had thereby lost so

<sup>b</sup> Clarendon, vol. i. book iv. par. 30. edit. 1849.

much of their sway in the house of commons, that he had just reason to expect, that he should, upon his return to London, find his parliament there in such a temper, as might dispose them to concur with him in proper measures, for quieting the distractions of the nation, for suppressing the riots, tumults, and disorders, that had been too much encouraged of late, for establishing the throne on a just foundation, and for the support of the constitution in church and state. But he now saw his hopes deceived, and another of his kingdoms (notwithstanding all his care to prevent an insurrection there, and all his endeavours to remove the discontents of the people by his many gracious concessions for the redress of their grievances) embroiled by a furious rebellion, and in imminent danger of being lost; and (what was still more unhappy) he saw himself in no condition to save it. The parliament had stripped him of the most profitable branches of his legal revenue, with great professions at the same time of improving it; they had made him renounce all claim to tonnage and poundage, which his predecessors had ever enjoyed; under pretence of vesting it in him in a surer and more legal manner, when they could get time to regulate that matter. But that time had never come, and in the meanwhile they caused it to be collected by their own receivers, and applied it not to the support of his majesty's household, but to "such purposes as they were pleased to appoint by special orders of their own; and (what was still more provoking) though the king had received no benefit at all by any tax they had laid, or by any grant which they had made in parliament, nor had any officers of his the receipt of any of the money raised thereby, yet they, with a solemn mockery and a taunting sauciness, (whereof none of the body could in their single capacity have been capable,) recounted from time to time the obligations which they

had laid upon him by such grants, and upbraided him with them, as so many gifts and favours to himself. In this extremity, without money or means of raising it, and impatient to have a rebellion quelled immediately, which he foresaw, if spread and continued, would be the desolation of that kingdom, and perpetuate the distractions of this, and probably prove in the end the overthrow of his government in both, he had recourse to the first, and (as he imagined) the readiest method that offered itself of relief, and took the fatal step of applying for assistance to those, who found their interest in embroiling and distressing him more and more<sup>d</sup>; and sent a message to the 197 two houses of the English parliament; wherein, after acquainting them with the rebellion of Ireland, he adds, that “he recommended to them the care of those affairs, and expected their advice what course was fittest to be taken for the reducing of that kingdom.” Such were the terms of Mr. Secretary Vane’s letter of Oct. 28, which was communicated to the two houses, and upon which they pretended to the sole management of the Irish war, even exclusive of his majesty; who in vain desired their advice in those affairs, if he meant to have nothing to do in them, and who certainly never intended to renounce the right and duty, inseparably incident to a king, of protecting his subjects, and of providing by such means as his power enabled him to use, and the necessities of the times required, for the peace, security, and happiness of his people.

73 The king had no sooner sent away this message, than he repaired to his parliament of Scotland, and the same day communicated to them lord Chichester’s letter, which was publicly read in the house. He naturally expected some return for his late graces to them, upon which they had made him promises as extravagant as his concessions to them had been. They had five thousand men still on

<sup>d</sup> Nalson, vol. ii. p. 599.

<sup>e</sup> Rushworth, vol. iv. p. 407.

foot, and might easily have called together a greater number of those that had been disbanded a little before; but these, if sent away immediately, (the passage to the north of Ireland being so short, and the transportation so very easy,) would have put at once an effectual stop to those commotions. But neither their pretended zeal for religion, nor the bleeding condition of that kingdom, nor the danger of their countrymen in it, nor the entreaties of their natural sovereign, nor the shame of failing in their own promises the very moment they were making them, could prevail with the Scots to afford any succours in this general calamity. They had lately found the sweets of a treaty with the English parliament, and had now an opportunity of making greater gains, and of procuring further advantages to themselves. They resolved to embrace it; and therefore would contribute nothing towards suppressing the Irish insurrection, “without the knowledge and consent of their brethren of England; though if the parliament there thought their aid necessary, as they lay very convenient for the service, they would then be ready to shew their dutiful respects to his majesty’s service, and their affections to his loyal subjects of England and Ireland.”

74 So cold an answer in such a cause, so ungrateful a refusal of immediate supplies, and so destructive a delay in an exigence, wherein every moment was precious, and the loss of time might be supposed to be fatal, as well as irreparable, might well enough surprise the king; but it did not discourage him from trying all other means in his power for the speedy relief of Ireland. There were a good number of brave and experienced officers that had served in the Scotch army, which was actually breaking at this very time; and his majesty knowing well the contagious nature of rebellion, and the mischiefs that would flow from its continuing unrepressed, engaged as many of these as he could to gather their old soldiers, and transport them as fast as was possible to the north

of Ireland, to make up or reinforce the regiments which he directed to be raised there by the lords Clandeboyes, Ardes, and Chichester, sir James Montgomery, sir Robert and sir William Stewart, and others, to whom he sent men, arms, and ammunition, and what money he could get by the assistance of the duke of Lenox. His majesty was so zealous in this affair, and used so much diligence and expedition therein, that he had ordered some away by the first of November; and before he left Scotland, about the middle of it, he had sent away one thousand five hundred men into Ireland, as he acquainted 198 the two houses upon his coming to London at the latter end of that month.

75 † He sent orders at the same time for supplies of men to be sent also out of England; and conceiving that the rebellion of Ireland was fomented from abroad, and that the rebels expected some supply from foreign parts, he directed the earl of Northumberland, the lord high admiral, to send some ships for the guarding of the Irish coasts, and others to keep the narrow seas. The king could possibly do no more, unless he had gone himself into Ireland, which would (as appeared afterwards plainly enough by all circumstances) have effectually prevented at least the spreading of the rebellion, and probably have quenched it at once. But the Scotch parliament denying him their assistance, he could not go like a great king; he wanted money to support those that would follow him voluntarily; and it was a step too dangerous to be taken in the then situation of England, after the commons had expressed so much uneasiness at his journey into Scotland, raised so many jealousies on that occasion, and ‡ pushed to have the earl of Essex appointed *custos regni* during his majesty's absence in that kingdom, with power to pass any acts which they should deem necessary for

† See Collection of Letters, No. XXXII. and Nalson, vol. ii. p. 622.

‡ Nalson, vol. ii. p. 424.

the safety of the kingdom, without loss of time in consulting his majesty; and there were but too good grounds to suppose (what was threatened afterwards) that if he had gone into Ireland, the two houses would have taken upon them immediately to have seized all his forts and magazines, and have disposed of the government of England at their pleasure.

76 The parliament were not so hasty in their preparations for an effectual suppressing of the rebellion, as they were warm in their declarations against it; and whilst both houses expressed the utmost detestation of so enormous a wickedness, the heads of the faction in the lower inwardly rejoiced at an event which would enable them to execute their schemes for the subversion of the monarchy and church of England; and resolved to make use of it for that purpose. When they had no longer any grievances to complain of, they had alarmed the nation with the fears of foreign invasions, with conspiracies in the army to offer violence to the parliament, and with an infinite number of sham plots; which were received and had their influence before the particulars thereof were known; and some of them, senseless and ridiculous as they appeared to every man of common sense, were yet examined into with as much solemnity and gravity as the senate of Rome ever used in the extremest dangers of their commonwealth. The odium of all was thrown upon the papists, because the generality of the nation, in their abhorrence of popery, would readily swallow any thing that was suggested to the prejudice of that sect, without examining either the possibility of the design charged upon them, or the truth of the pretences employed to countenance that charge. Hence arose those many orders of the commons, conferences with the lords, and addresses to the king<sup>b</sup>, for putting the laws in exe-

<sup>g</sup> Clarendon, vol. i. book iii. par. 207. edit. 1849.

<sup>h</sup> Rushworth, vol. iv. p. 157, 158. 188. 299. 301. 277, &c.

cution against popish recusants, and for proceeding not only against the convict, but against such as were not convicted; for the judges in their circuits to press the execution of these laws, and to make report to the parliament; for the execution of popish priests condemned for the exercise of their religion, upon statutes made only *in terrorem*, and never intended to be executed, except on such as should be found dabbling in some secret treasonable conspiracy (the state of England having thought proper at all times before to vindicate themselves from the imputation of enacting sanguinary laws in matters of religion); for prohibiting the resort of papists to the chapels of foreign ambassadors in London for divine wor- 199  
ship; for removing all priests of what country soever from about the queen, and all English ladies that were recusants from about the court; for disarming the papists in all the counties of the kingdom, and for securing their persons; all calculated to create and keep up fears and apprehensions in the people of terrible dangers and designs. But notwithstanding all the arts of the faction, there appeared at last so little foundation for these fears, that considerate men began to suspect some mischievous designs were carrying on by those who were so industrious in raising them on such trifling occasions; and some very unwarrantable proceedings of the committee that sat during the recess, or of Mr. Pym, who presided in the chair of that committee, and who issued out various orders concerning the church in favour of innovations and seditious lecturers, had given so much offence and scandal, that the members were like to meet together with more temper and less inclination to novelties than they had parted with. But the news of a rebellion of Irish papists raised the spirits of the faction which were sunk before, and animated them to resume with

<sup>i</sup> Clarendon, vol. i. book iv. par. 2, 15, &c. edit. 1849.



vigour the designs which they had almost despaired of executing. That fact made the world suspect there was more in the other pretended plots than they had ever imagined before, and laid a foundation of credit for every fiction which should be forged afterwards to frighten people out of their wits, even for that plot which Beal said he overheard two unknown persons talking of in the fields, of one hundred and eight fellows being hired to assassinate as many members of parliament at the rate of forty shillings a man; so that the minds of men being again unsettled and disquieted, and, as <sup>k</sup>lord Clarendon observes, “knowing little; and so doubting much; every day produced a new discovery of some new treason and plot against the kingdom. One day a letter ‘from beyond seas, of great forces prepared to invade England;’ then, ‘some attempt upon the life of Mr. Pym;’ and no occasion omitted to speak of the evil council about the king; when scarce a counsellor durst come near him, or be suspected to hear from him.”

77 This gave encouragement to the faction to bring in, contrary to the laws of parliament, the bill which had been before rejected for taking away the bishops' votes in parliament, and to go on with their impeachment of thirteen of that order for making canons in the convocation of 1640; though the crime of the act was so unknown in the law, that in the debate on that occasion they could not (even with the assistance of their lawyers, whom they sent for out of Westminster-hall for that purpose) find out a name whereby to denominate it; and when Mr. Denzil Hollis was for making it treason, (the common charge at that time for every act of uncommon duty to the king,) the professors of the law said he might as justly call it adultery. This emboldened them to frame, and enabled them to carry <sup>l</sup>that fatal remon-

<sup>k</sup> Clarendon, vol. i. book iv. par. 32. edit. 1849.

<sup>l</sup> *Ib.* par. 49.

strance, wherein, to render the king and his government odious to his people, they loaded him with a volume of reproaches for what others had done amiss, and he himself had already reformed; exalted their own merits, depreciated the king's graces; and, to alarm the whole kingdom, made loud but general complaints of designs to introduce popery, and of the danger that threatened the nation from the influence of evil counsellors, when they could not produce a single instance, nor assign a reason of exception against any that were employed and trusted by his majesty, but that they did not like them. To make the world imagine that the house of commons itself was in danger, they upon this occasion ordered a guard to be set for their security; <sup>m</sup>and to point out whence this and the like dangers came, they renewed <sup>200</sup> their prosecution against the papists; <sup>n</sup>making fresh orders for putting the laws in execution against them, for the seizing of priests, and for executing seven of them at a time, notwithstanding the intercession of foreign ambassadors in their behalf, and the consideration of the ill effect this unreasonable severity might have in Ireland, (which was prudently urged by the French minister,) and without vouchsafing any reasons to the lords, who desired to know them before they would join in an address for so needless a cruelty, and for securing all gentlemen that were recusants in every county of England, actually taking up <sup>o</sup>the principal and most considerable of them, <sup>p</sup>requiring foreign ambassadors to deliver up such priests as were the king's subjects, and lived in their houses, <sup>q</sup>breaking open by violence the doors, and intercepting and opening the letters of such ministers, in violation of the law of nations. I must not on this occasion omit

<sup>m</sup> Nalson, vol. ii. pp. 595, 687, 688, 802, 832, 793.

<sup>n</sup> Ib. pp. 615, 653, 647, 731, 732, 740, 814, 667, 524.

<sup>o</sup> Ib. pp. 662, 667. <sup>p</sup> Ib. pp. 607, 608. <sup>q</sup> Ib. pp. 596, 640, 645.

taking notice of their <sup>r</sup>order of Nov. 8 for tendering the oaths of allegiance and supremacy to all Irish gentlemen suspected to be recusants, that were students, and lived in the inns of court or chancery; for expelling such as were found upon that search, and forbidding the admission of any for the future, upon any pretences whatsoever; because it was of greater consequence than anybody, unacquainted with the situation of Ireland, or the particular sentiments of the Roman catholic lawyers of the Irish committee, sent over to prosecute the earl of Strafford, and solicit the redress of grievances, can readily conceive.

78 The commons had already got the privy council, the great offices of state, and the household, and almost all the lesser posts and commissions through the kingdom, filled with their partisans and creatures; and there was not a civil officer but crouched to their power, and submitted to obey their orders, how unprecedented, arbitrary, or illegal soever. Thus they were entirely masters of the civil power; and now they resolved to lay hold upon the sovereign power of the sword, which the guilt of the heads of the faction had made them think necessary to protect them from their own fears of a future reckoning in calmer times, and without which they could not hope to destroy the monarchy and the church of England. With this view<sup>s</sup>, on Nov. 1, the very day that they were first informed of the Irish rebellion, they began with attempting to take away the government of the Isle of Wight from the earl of Portland, to whom the king had intrusted it, and to sequester it into the hands of a confidant of their own. They next ordered a bill to be brought in for the pressing of men for the particular service of Ireland; which being prepared according to direction, was read in the house on the fourth, the day on

<sup>r</sup> Nalson, p. 613.

<sup>s</sup> *Ib.* p. 655, and Rushworth, vol. iv. p. 415.

which his majesty's desire of their assistance and advice for the reducing of Ireland was communicated to them. 'There was no occasion for such a bill, because there was no scarcity of men, and the northern army having been disbanded not three months before, it was easy to raise as many soldiers as were necessary for the Irish war; but, as lord Clarendon observes, "their business was to get power, not men; and therefore this stratagem was used, to transfer the power of impressing men from the king to themselves; and to get the king, that he might be now able to raise men for Ireland, to disenable himself from pressing upon any other occasion. For, in the preamble of this bill, which they sent up to the lords, (as they had done before in the first act for tonnage and poundage,) they declared, that the king had, in no case, or upon any occasion, but the invasion from a foreign power, authority to press the freeborn subject; which could not consist with the freedom and liberty of his person." This doctrine being new to the lords, contrary to the usage and custom of all times, and seeming to them a great diminution of that regal power which was 201 necessary for the preservation of his own subjects and for the assistance of his allies, which in many cases he was bound to yield, they did not readily concur in the bill. This delay provoked the commons, with an unusual liberty, to tell the lords very plainly, "that they were only so many particular persons, and sat in parliament in a particular capacity, whereas the lower house were the representatives of the whole kingdom; and to declare that, if they would not consent to the passing of this and other bills which they had sent up to them, and deemed necessary for the preservation of the kingdom, they would, in conjunction with such of the lords as were more sensible of the safety of the kingdom, take such measures as were

<sup>t</sup> Clarendon, vol. i. book iv. par. 88. edit. 1849.

<sup>u</sup> Nalson, vol. ii. p. 712.

proper for that end. So early did the commons manifest their design of engrossing the whole power of the government to themselves, exclusive of the peers, as well as of the king; and though the vote pronouncing the upper house useless was not passed in form till some years afterwards, yet it is clear that the foundation of its authority was destroyed by this declaration, (which was tamely digested, if not without private resentment, at least without public complaint,) and that in all the intermediate time the lords were upon their good behaviour, and acted only under the good pleasure of the commons, ready to be cast off and laid aside whenever they should offer to enfranchise themselves from a servile dependance on the latter, and refuse to be subservient to their purposes. In vain did the king offer over and over to raise presently ten thousand volunteers: they would never give any answer to the message he sent for that purpose, nor confer with the lords about it; and when, after waiting some time for their answer, drums were actually beat, and men raised, they appointed a committee to inquire by what warrant this was done, and took up colonel Hill and others as delinquents for doing it, putting thereby an effectual stop to the raising of volunteers in England. Whereupon his majesty, seeing no good to be done there, sent commissions to the north of Ireland for the raising of six thousand foot, and a regiment of six hundred horse, under colonel Hill, in those parts. They had another bill of the same nature for the pressing of seamen, which they had sent up also to the lords, and insisted that they should pass them both speedily, "for without them they conceived Ireland could not be saved; and they went so far as \*to discharge their committee from meeting any more about Irish affairs till this was done; so that the king, out of his earnest desires to relieve his good subjects, and

v Nalson, pp. 789, 793, 794, 801, 874.

w Ib. p. 789.

\* Clarendon, vol. i. book iv. par. 89, 93. edit. 1849.

suppress the rebels in that kingdom, was forced to pass the bills, and for a prospect of immediate supplies, (for it proved little more than a prospect,) to sacrifice to them a considerable branch of his royal authority.

- 79 This however did not satisfy them who aimed at the whole, and resolved to have it by force, if other means failed; and therefore soon after they had sent up the pressing bill to the lords, they ordered another to be brought in to settle the militia, in such hands as they should think fit to appoint; determining not to be satisfied till they had all the military force and all the garrisons and forts of the kingdom in their power. As this was too much to be carried at once and on a sudden, they endeavoured in the mean time to get it by piecemeal, and enable themselves by force to obtain the whole. This was the reason of the <sup>y</sup> bill for making a lord general and lord admiral of their own nomination; this was their view in desiring that sir John Byron (though a person of great worth, and liable to no objection) might be removed from the command of the Tower, and sir John Conyers be put in his stead. This was the end aimed at in their investing the Tower with an armed force, to hinder all provisions from being carried in for the sustenance of the warders, in order to reduce <sup>202</sup> it by famine (as the covenanters in Scotland had starved the castle of Edinburgh) till the king was forced to comply with them in this point, lest they should get it at last by force into their hands, as they had done Hull; and this was their meaning in moving the lords on Nov. 16, that the kingdom might be put into a posture of defence, and that all the forts and castles thereof might be secured; and in their making orders afterwards, that neither Portsmouth, (which was under a favourite governor of theirs,) nor any other castles, forts,

<sup>y</sup> Nalson, vol. ii. pp. 719, 835, 844, 649, 833, 847, 852, 845.

or magazines should be delivered up without his majesty's authority, signified by both houses of parliament, i. e. without an order of their own, exclusive of his majesty; for so they had declared in sir John Byron's case, (when he pleaded the king's command not to stir out of the Tower, in excuse of his not attending at their bar, without first having his majesty's leave,) that the king's command was always supposed to be in an order of the houses.

80 On these and indeed on all other occasions, when any shameful point was to be carried, the Irish rebellion was still brought in. <sup>z</sup> If the lords declined joining with the commons in addressing for the removal of sir Thomas Lunsford from the government of the Tower, it was imputed to the influence of the malignant party, encouraged by the papists' rebellion in Ireland. If the bishops and Roman catholic peers (who were always coupled together in such clamorous complaints) were not turned out of the house of lords, the Irish rebels were said to receive advantages from the delays and interruptions thereby occasioned; if the popish recusants in general, without grounds of suspicion against any one in particular, were to be taken up; or if they wanted to continue guards under the earl of Essex about their house, whilst the king had none for the security of his own person from those tumultuous and seditious assemblies of the rabble, which they encouraged to insult him, the Irish rebellion was still assigned as a cause. In a word, this was the burden of every petition, for the new modelling of religion, for the subverting of episcopacy, for the putting the nation in a state of defence, and for the removing of the dangers arising, either from evil counsellors, or from the papists and their adherents, which (in the sense then fixed upon the last word) com-

<sup>z</sup> Nalson, vol. ii. pp. 778, 654, 687.

prehended all the gentry and clergy that were loyal and orthodox in the kingdom.

81 Whilst the faction was making this use of the Irish rebellion, it was fit that they should make a show at least of doing something towards suppressing it. They therefore, on the first news of it, voted a supply of two hundred thousand pounds, of which fifty thousand pounds was to be borrowed of the city of London, and twenty thousand pounds of that sum to be sent away immediately. They resolved that six thousand (which number was afterwards increased to ten thousand) foot, and two thousand horse, should be raised for that service; and the lord lieutenant<sup>z</sup>, on Nov. 6, was empowered to grant commissions for levying three thousand five hundred foot and six hundred horse, part of these forces; but was first to present a list of such officers as he proposed to employ in that work, to the house for their approbation; and the lord admiral was desired to take care of providing ships at Bristol, Chester, and other ports for transporting the men, with arms, ammunition, and provisions, into Ireland. The two houses were never conceived to have a power of levying men, or of raising forces, or of granting commissions, and had never exercised such power before: it was a thing entirely new; but as it was the most convenient one for their purpose, and what the faction most wished, in order to carry on their schemes to effect, they were very glad to exert it on this occasion, and prepare the nation for their exercise thereof, in opposition to his majesty's authority, by exercising it now without him; for which they had so fair a pretence as the absence of the king, which allowed<sup>203</sup> them to suggest, "that his royal commission could not be so soon obtained, as the necessity of Ireland required the more speedy opposing the wicked and traitorous at-

<sup>z</sup> Nalson, vol. ii. p. 606.



tempts of the rebels there, and his majesty's having especially recommended to them the care of the preservation of that kingdom." These are the reasons assigned by the two houses in the preamble to their ordinance; but it seems they were not such as convinced the earl of Leicester of the legality of so unprecedented an authority as he was directed to exercise. He was afraid that he could not give commissions to levy men for the service of Ireland, without a better warrant; and that the said order was not of sufficient validity without a confirmation from his majesty under the great seal. He <sup>a</sup>communicated, on Nov. 9, these his scruples to the houses, who resolved "that he should go on to raise men upon their order; and on Nov. 16 undertook to be suitors to his majesty to confirm the authority given to his lordship by the king and parliament under the great seal of England, and promised that they would be always ready to avow his proceedings upon the said order in the mean time." This seems to have satisfied the earl of Leicester; for thereupon he presented the form or copy of a commission, such as he intended to give to commanders, which was read and approved. The earl of Northumberland had no reason to be troubled with such scruples; his commission of lord high admiral was a legal and sufficient authority for him to do what was desired, and he had received likewise positive orders from his majesty to send ships for the service of Ireland; so that if he had any scruples, they were of a quite different nature, and related not to the validity, but the exercise of his authority. He had on a former occasion made very mean court to the faction in the house of commons, at the expense of his own gratitude, and by the sacrifice of his brother's honour; and he seems on this to have doubted, whether his executing the king's

<sup>a</sup> Nalson, vol. ii. pp. 614, 652.

orders for sending ships to guard the Irish coasts and the narrow seas, would be agreeable to the two houses. Pursuant to this notion, on <sup>b</sup> Nov. 10, he acquainted the house of lords with these orders of the king, and desired to have the directions of the parliament what to do therein. The lords immediately desired a conference with the commons on this subject, and his lordship was allowed to send away some ships, with such instructions to the commanders as he received from the two houses. But surely the king must be very ill served, and have very little authority left, when a servant, whom he had so constantly and so singularly favoured, and laid such extraordinary obligations upon, as (lord Clarendon shews he had) on the earl of Northumberland, would not execute his orders in a service so very popular, as the relief of the distressed protestants in Ireland, and of no less importance than the saving of a kingdom, without asking leave of the houses, and receiving instructions from persons, who were raising to themselves a reputation by loading his majesty with reproaches, who founded their hopes of power in the distress of his affairs, and who could never attain what they grasped at, but by the ruin of his royal authority. An <sup>c</sup> order was likewise made, empowering the lord lieutenant (though he had not been invested in the formality of his place by the receiving of the sword in Ireland) to give command to the lords justices there, to seize upon the persons of any that were suspected, until they should clear themselves to the satisfaction of the justices; a command very welcome to those gentlemen, who desired nothing more than to execute it in such a manner, as might most recommend them to the favour of that power from whence it was originally derived. A <sup>d</sup> declaration was also made on Nov. 4, and published both in Ireland and England, in

<sup>b</sup> Nulson, vol. ii p. 622.

<sup>c</sup> Ibid. p. 643.

<sup>d</sup> Ibid. p. 601.

the name of both houses, expressing their “detestation<sup>204</sup> of the rebellion raised in Ireland, for the bloody massacre and destruction of all the protestants there, and of others his majesty’s loyal subjects of English blood, though of the Romish religion, being ancient inhabitants in several parts of that realm, who had always in former rebellions given testimony of their fidelity to the crown, and for the utter depriving of his royal majesty and the crown of England from the government of that kingdom; and declaring their intention to serve his majesty with their lives and fortunes for the suppressing thereof, in such a way as should be thought most effectual by the wisdom and authority of parliament; that they had provided for a present supply of money, and for raising the full number of men desired by the lords justices and council, with a resolution to add such further succours as the necessity of those affairs should require; that they had resolved of providing arms, ammunition, stores of victuals, and other necessaries to be transported thither, as there should be occasion, from Bristol, Chester, and a port in Cumberland, where magazines of provisions should be kept for the supply of Ireland; that they would mediate with his majesty to reward such English or Irish as should at their own charges raise any number of horse and foot for his service against the rebels, with lands of inheritance in Ireland according to their merits; concluding with recommending to the lord lieutenant and lords justices, according to their power by his majesty’s commission, to offer pardon to all such rebels as within a convenient time (to be by them declared) should return to their duty; and likewise to bestow such rewards as they should think fit to publish upon all those who should arrest the persons or bring in the heads of such traitors as should be personally named in any proclamation published by the state there.”

82 There was one step very proper, and in truth very

necessary, to be taken on this occasion, I mean the despatching away of the lord lieutenant to his charge in Ireland. The inconveniences attending a division of the military and civil power being very great, and a general of an army being disabled by the strict orders of the latter, from improving many opportunities offered of good service necessarily to be embraced on the instant, but lost whilst recourse is had to the state for fresh orders. The power of government in that kingdom is always greater in the hands of a lord lieutenant than in those of justices, (a sort of temporary governors, all whose authority ceases upon the arrival of the lieutenant, and was at this time daily expected so to terminate,) and exercised with greater despatch. Besides, the very reputation of his coming would have contributed to intimidate the rebels, and might have suspended for a time, if not entirely prevented, the desperate counsels of those, who, in the heat of resentment at the conduct of the lords justices, ran headlong into the rebellion, and spread the contagion of it over the whole kingdom; insomuch <sup>e</sup> that the earl of Ormond, for these and other reasons, which a modest and wise man would rather hint than express, thought himself obliged, by the duty he owed his country, and the zeal he ever had for the king's service, to represent to sir Henry Vane, and to the lord lieutenant himself, the absolute necessity there was of his lordship's coming over, as "what would be of more avail than half an army." But this, however obvious and reasonable a means it appeared to be, was scarce so much as mentioned, the earl of Leicester being unwilling to go, unless he was well supported and able to do service; and the house of commons, to whom he was otherwise very acceptable, not caring, for the sake of his particular honour and reputation, to furnish him with such supplies as would enable him to quell a rebel-

<sup>e</sup> See Collection of Letters, No. XL.

lion, upon which they were building such structures of power and authority for themselves, and upon which their leaders had formed measures, which nothing but the continuance of that rebellion could afford them sufficient means of executing with success.

83 The resolutions of the commons made a tolerable figure in the votes; but were of little use any where else. They knew very well that nothing was so much wanted in Ireland as money, and that the state was reduced to great extremity more by that than any other want; yet they proposed only twenty thousand pounds to be sent away immediately; a sum much too little for the present necessity, and yet even this inconsiderable sum was sent in a manner so slow and disadvantageous, that it will never be imputed to a zeal for the service. It was to be remitted by two merchants (Henley and Hawkridge) in Spanish money, and certificates were to be produced of the landing thereof in Ireland, (where it passed at an higher rate than its value, to the great dissatisfaction and oppression of the army, as will appear hereafter,) but they were not obliged <sup>f</sup>to remit above six thousand pounds of this money till fourteen days after they had received fifteen thousand pounds of it from the chamber of London, which the commons did not so much as order to be paid till <sup>g</sup>Nov. 23, and what time would be spent afterwards in that tempestuous season of the year, before it could be landed in Ireland, if it should escape all accidents at sea, is easier to imagine than ascertain. Wise men are never guilty of great oversights but through the corruption of their heart or the strength of their passions; and yet there could not well be one more gross, than to expose to such uncertainties the fate of a kingdom that was likely in all appearance to be lost by the least delay.

84 By good luck indeed no accident happened, the wind

<sup>f</sup> Nalson, vol. ii. p. 624.

<sup>g</sup> Commons' Journal, Nov. 23.

(which was so continually and so strong in the west all the months of January and February following, that a packet could not get from Holyhead to Dublin in seven weeks) chancing to sit fair to carry ships from England to Ireland all the month of December; so that Mr. Hawkridge made a shift to land at Dublin in the beginning of that month (which sir J. Temple thought little less than a miracle of Providence) with the Spanish money he was allowed to transport thither; which instead of twenty thousand pounds amounted only to <sup>h</sup>sixteen thousand five hundred and ninety pounds sterling; so that whether his expedition in carrying it over so immediately after his receipt of the fifteen thousand pounds was owing to a laudable zeal for the cause, or to the temptation of the exorbitant gain made by the remittance, is a great question.

85 Their backwardness in sending supplies of men has been already mentioned, and will further appear, when I have occasion to speak of the arrival of those forces in Ireland. The other succours, which they professed to send, were of arms, ammunition, and provisions; and the like slowness was observed in the sending of these. They were ready enough in truth to order them, being pleased with an opportunity of taking them out of the king's hands, of weakening his power, and of raising a reputation of merit to themselves at his expense. They ordered them all therefore out of the king's stores to be sent to Chester, or to be delivered to persons of their particuar confidence; and though they were his majesty's private property, bought with his own money, without any aid of parliament, <sup>i</sup>and he called upon them (after his return to Scotland) to replace a like number and quantity in his stores, that he might be in a condition to defend the

<sup>h</sup> Letter of the lords justices to the lord licutenant, Dec. 14, 1641.

<sup>i</sup> Nelson, vol. ii. pp. 799, 877.

kingdom in case of an invasion, they never took care to do it; not thinking it worth their while to restore part of a prince's property whom they intended to strip of the whole. This treatment did not hinder his majesty from doing what he could for the relief of Ireland, though to the weakening of himself and exhausting of his stores in England, which he was in no condition to fill again; and yet had too much reason to fear he should soon have occasion to use. <sup>k</sup>Thus for the service of Munster and Ulster, he gave the earl of Newport warrants for the delivering of one thousand five hundred muskets, with all things thereto belonging, five hundred pikes and corslets, and two thousand swords out of his Tower of London, and arms for five hundred horse out of the magazine of Hull, with a proportionable quantity of ammunition. Yet when the earl would have sent them away, (as he signified to the house of lords on Jan. 15,) he could not, for want of money and ships to convey them, which the commons had not taken care to provide, or thought fit to order. Their business was not so much to send them into Ireland, as to get them into their own power; and therefore (except what the king sent from Scotland) some months passed before any of them arrived in that kingdom. Hence <sup>l</sup>on Nov. 6 they ordered the earl of Leicester, or such persons as he should appoint to receive the same, the full number of arms for one thousand horse and eight thousand foot, with ten last of powder, and such other munition, tents, and provisions of all sorts as should be needful for the service, according to a list annexed. Hence they ordered, first, on Nov. 4, <sup>m</sup>one thousand three hundred arms, which, with a quantity of ammunition and some ordnance, were (when the garrison and sir F. Willoughby's regiment were broke) left in the magazine at Carlisle, to be sent from thence to Carrick-

<sup>k</sup> Nalson, vol. ii. pp. 791, 792, 799, 860, 877.      <sup>l</sup> Ibid. p. 606.

<sup>m</sup> Rushworth, vol. iv. p. 405.

fergus; and afterwards, on the 5th of January following, ordered them to be disposed of as the lord lieutenant should direct. Hence on the same Jan. 5, they ordered for the arming of the regiments of lord Conway and sir John Clotworthy, (officers in whom they had a perfect confidence,) to be sent from the Tower<sup>n</sup> one thousand muskets, with bullet and match proportionable, one thousand five hundred swords, and ten last of powder; with a like quantity of powder, match, and bullet for Munster, to be likewise delivered and disposed of, as the lord lieutenant should think fit. Hence, on Nov. 13, °they ordered the king's magazine of arms and ammunition at Hull (where the arms of sixteen thousand men of the army, which the king had raised in the spring of A.D. 1640, were laid up at their disbanding) to be removed to the Tower of London, whilst it was in the hands of sir W. Balfour; and when he was soon after, to their great surprise, removed from that post, left them to continue where they were at Hull. Hence likewise, when sir John Byron was governor of the Tower, Jan. 17, <sup>p</sup>they ordered captain White, who had brought by order of the house of commons the arms and ammunition that had been left at Berwick, in order to have them placed in the Tower, ready (as was pretended) to be sent to Ireland, (though the king had thought it much the better way to have them carried directly thither from Berwick,) to fall down the river with his ship, beyond the command of the Tower, and to lie there, suffering it so to continue at their expense till sir John was removed, rather than direct the master to carry it with the lading to Ireland, where it was so much wanted. This is the sum of the orders made by the parliament for the providing of arms, ammunition, and warlike stores, (for all other mention thereof in any act or resolution of theirs still refers to, or is in-

<sup>n</sup> Nalson, vol. ii. pp. 642, 824.    ° Ibid. p. 643.    <sup>p</sup> Ibid. p. 893.



cluded in these,) under pretence of the service of Ireland, till Jan. 17, when <sup>q</sup>they took the militia of London out of the hands of the lord mayor and the lieutenancy, and put it under the command of serjeant-major-general Skippon, (who had by their command beleaguered and besieged the Tower in the Scotch fashion,) “with power to defend and offend, in case of violence, to beat up drums; <sup>207</sup> to raise not only the trainbands, but all other forces of the city; and to govern not only these, but all citizens or others that would mount on horseback, and put themselves under his command, the chamber of London being to issue out ammunition of all sorts in such proportion as Skippon should think fit and direct.” From that day, they were so much taken up with preparations for an insurrection (which by that action seemed already commenced) in England, that we cannot expect they should give themselves much trouble about the relief of Ireland; to which country, in the terrible distress that Ulster, Connaught, and Munster were in, for want of arms and ammunition, they had not actually at that time sent any quantity of either. In vain did the king press them by letters out of Scotland, and by repeated and moving messages after his return to London, to use greater care and despatch in sending of supplies to Ireland; in vain did the Irish council by their despatches to the lord lieutenant urge the same thing, and represent the miserable condition, the terrible wants, and the extreme danger of that kingdom; <sup>r</sup>in vain did the Irish lords and gentlemen then in London (by their petition to the house of commons on Dec. 21) make the like representation, and use the same instances for speedy relief; in <sup>s</sup>vain did the Scotch commissioners, who brought proposals of sending over supplies from that kingdom to Ireland, after twenty days attendance in London, and no one of their

<sup>q</sup> Nalson, vol. ii. p. 878.

<sup>r</sup> Ibid. p. 769.

<sup>s</sup> Ibid. pp. 738, 745, 749, 763, 769, 771, 778, 874.

propositions answered, complain (on Dec. 20) of their shameful delays; as the king had done from time to time before, and continued to do afterwards; all signified nothing; the service of Ireland was entirely neglected; the parliament was satisfied with getting the king's arms and ammunition into their possession; things of great use for the game that they had to play in England; which it was in a manner their whole business, as it was their great design to inflame.

86 To this purpose it served much better to make a bluster and noise about the rebellion of Ireland, than to take any effectual means to suppress it; which would have dried up the main source of their pretences of fears and dangers. With this view they endeavoured to persuade the nation, that it had been concerted with the knowledge and consent of the papists in England; and to that end, (as there never wanted in those times a parcel of vile delators and informers, the most detestable pests of the commonwealth, for any purpose,) upon the information of one William Shales, †they took up sir Henry Bedingfield of Oxborough-hall in Norfolk, to whom Shales had been formerly a falconer, but being discharged turned soldier, and got to be a serjeant in sir Arthur Loftus's company of foot in Ireland. It was sir Henry's good fortune, that he had company with him in his garden at the time that he accidentally saw the fellow there, who heard all the discourse which passed between them, (and which related only to hawking in Ireland,) and proved the falsehood of the informer's relation so clearly and undeniably, that sir Henry was immediately dismissed. And yet upon the credit of this information, and of some general vaunting speeches of the Irish rebels, (who had declared they stuck at no lies which they believed would advance their cause,) some late historians, who have wrote of those times, have thrown an unjust aspersion upon the

† Nalson, vol. ii pp. 661, 690.

English Roman catholics, as if they had been privy to the Irish rebellion.

87 With the same view, the English commons caught at another of those rebels' equally false and impious pretences, of being authorized by the king and queen in what they had [done]; and (though the rebels had bragged likewise of authority and assistance from the parliament of England, and the state of Ireland; which the lords justices' proclamation of Oct. 30 was issued to refute) propagated that monstrous calumny with all the industry and art imaginable. Few ages have more abounded, than that we are speaking of, in wickednesses of all sorts; but the most distinguishing iniquity of this was hypocrisy. Never was a more bitter rancour of heart covered with smoother words; never were more disloyal and insulting remonstrances couched in more humble and dutiful expressions; nor more fatal designs against the crown and person of a king attended with stronger professions of loyalty, and finer promises of duty and service, than we see in all the acts and proceedings of the faction in the English commons at this time. In this course of hypocrisy, they first began to spread the vile aspersion against the king, insinuating at the same time, as if there were ill designs on foot to the prejudice of the nation; for this was the meaning of the order of the house of commons on Nov. 30, "That a declaration be drawn for clearing of his majesty's honour from false reports cast upon him by the rebels in Ireland; and a provision to be made, that there be no conclusion of that war to the prejudice of this kingdom;" an order, which, however pretended to be made out of a tenderness for the king's reputation, was undoubtedly intended to divulge the scandal at once to the whole nation. Their declarations, whatever was the occasion or the pretence thereof, ever had some sting or other in them (like the preamble to

<sup>u</sup> Nalson, vol. ii. p. 689.

their grant of tonnage and poundage) to the prejudice of the king; such was that, which under colour of preventing all scandalous reports and apprehensions of her majesty's favouring and encouraging the Irish, they drew up to be made by the queen upon a petition of both houses, for publishing and declaring her abhorrence and detestation of the perfidious and traitorous proceedings of the rebels in Ireland; but this project was spoiled, as far as it could be, by the lords declining to join in the petition.

88 Finding the suggestion work, as they wished, among the populace, exceedingly to the king's prejudice, they soon proceeded to insinuate it in such a manner as might induce the world to believe that the house gave credit thereunto. The lords justices and council of Ireland, to prevent the rebels seducing people to their party under pretence of his majesty's name, and being themselves so generally suspected of abusing it, that their proclamation of Oct. 30 had met with little credit, bethought themselves of an expedient to convince the deluded, by the king's publishing a proclamation in his own name, (which otherwise in Ireland always ran in the name of the lords justices or lieutenant), and (whereas in other cases he used only to sign one, from whence the printed copies were taken) they now on this occasion desired him to sign twenty copies with his own hand, and the privy signet annexed to them, that they might be sent to different parts of the kingdom, to convince every body of the imposture of the rebels by an irrefragable proof under his majesty's own hand and privy signet. This expedient, so different from all former methods practised with regard to proclamations, was suggested by the lords justices in a letter of theirs, of Dec. 14, to the earl of Leicester. The wind was then contrary, and had been so for many days, insomuch that their letters of Dec. 3 were still detained in the port of Dublin; so that the

latter did not arrive at London till about the end of that month; and upon the lord lieutenant's communicating the desire of the justices to his majesty, he immediately ordered twenty copies of the very form of a proclamation, which the lords justices had sent along with their letter (though it might justly have been excepted against) to be printed, and having signed and caused the signet to be put to them on Jan. 1, they were all transmitted to Ireland by the lord lieutenant in his letters of Jan. 4; as I<sup>209</sup> find by the justices' answers to his lordship's letters of that date. Who would think that this proceeding should be made an handle to insinuate any thing to his majesty's prejudice? Yet the house of commons, either having a wrong intimation of the nature of the thing, before the arrival of the lord lieutenant's packet, or being wilfully resolved to mistake it—in the one case, with a rashness unworthy of such an assembly, and in the other, with a malice and injustice to be detested in any body—thought fit to pass a vote on Dec. 29, <sup>w</sup>that “one of the obstructions to the relief of Ireland was the want of a proclamation under the great seal of England, declaring the Irish papists in arms and their adherents to be rebels and traitors; which was the more necessary, because the said Irish had given out as if they had some authority for what they did;” and a committee was appointed to draw up a declaration on this (which signified nothing to the purpose) and the other heads then debated, concerning the obstructions of the relief of that kingdom.

89 Another handle of aspersing the king in this respect they took from an order of their own, made Nov. 10, that no Irishman should pass out of England into Ireland without a license from the committees of both houses for Irish affairs, the privy-council, or the lord lieutenant. His majesty being then in Scotland, and knowing nothing of this order, (though if he had, it could not be

<sup>w</sup> Rushworth, vol. iv. p. 466.

supposed to tie up his hands in that particular,) had granted a license to sir George Hamilton, a younger brother of James earl of Abercorne, and brother-in-law to the earl of Ormond; as he had also to the lord Delvin, eldest son to the earl of Westmeath, Mr. Thomas Netterville, a younger son of the lord Netterville's, and colonel John Butler, brother to the lord Mountgarret, (as the house styles him,) and uncle to the earl of Ormond, as the king calls him. This was handle enough for Mr. Pym to say in a speech, which the house ordered to be printed, that "since the stop of the ports against all Irish papists, many of the chief commanders now in the head of the rebels have been suffered to pass by his majesty's immediate warrant." There never was a more groundless and false accusation than this; his majesty required the house to name the persons, or to do justice to his honour by publishing their mistake. They did not care to do either; but being most averse to the last, named the four gentlemen above mentioned, not one of which ever entered into the rebellion or took the oath of association; and who were so far from being actually concerned in it, that they were then in custody in England. Yet these, with the passes to the earl of Clanrickard and his servants, and one Tyrrell, a poor but honest man, were all the passes that the king had granted for above a twelve-month before. They had none of them been in Ireland since the rebellion, nor for a considerable time before; but being seized in their way thither, <sup>x</sup>Mr. Netterville was, by an order of the house of lords of Jan. 17, brought up from Chester, where he was stopped by the mayor; colonel Butler was also brought up (I suppose) by an order of the same house, <sup>y</sup>because his petition is directed to them, and he acknowledgeth their lordships' favour in committing him to so comfortable a place as the lord

<sup>x</sup> Nalson, vol. ii. p. 877.

<sup>y</sup> A. 225. B. 146, and 257.

mayor of London's house, where he enjoyed every thing but the liberty of stirring abroad. He was a very gallant and loyal man; had served with great reputation and honour in the king's troops and in those of foreign princes; where he had been so constantly employed, that he had not been in Ireland for twenty-three years past. He was with his majesty in Scotland when the rebellion broke out, and was afterwards going over into Ireland to the earl of Ormond his nephew (being <sup>z</sup>recommended by sir <sup>210</sup>Henry Vane to the lords justices for an employment suitable to his known merit) to serve against the rebels, and was very capable, as well as confident, of doing considerable services in reclaiming some, and in suppressing the rest. He was kept in this restraint till the latter end of April 1642, when, upon the earl of Ormond's being bound for him that he should go into foreign parts, (which the parliament insisted on,) he was set at liberty, and went accordingly. Sir George Hamilton was brought up by order of the house of commons, who, on April 6 following, admitted him to bail. He had at this time a company in the army; but the king having in the March following ordered that no papist should hold a commission, it was taken from him, and given to the earl of Ormond; yet sir George still continued loyal, and did his majesty afterwards very eminent service, as the earl of Westmeath and lord Delvin did. This will appear more particularly in the course of this history; which will fully shew the falsehood of this aspersion on the king; though I was willing now to take notice of these two particulars, because they could not otherwise be brought in without interrupting the thread of the narration.

90 The weakness as well as falsehood of these pretences (all that the parliament could find out to found their calumny upon) shews the virulence of their spirit, and

<sup>z</sup> B. 17.

the eagerness of their desires to asperse the king, as well as their utter inability to make good the charge; and affords very just grounds for those complaints which his majesty so feelingly makes of this treatment, when he says, that “his enemies did him the honour to think moderate injuries not proportionate to him, nor competent trials, either of his patience under them, or of his pardon of them, and therefore (adds he) with exquisite malice they have mixed the gall and vinegar of falsity and contempt with the cup of my affliction; charging me not only with untruths, but such as wherein I have the greatest share of loss and dishonour by what is committed. Whereas in all policy, reason, and religion, having least cause to give the least consent, and most grounds of utter detestation, I might be represented by them to the world the more inhuman and barbarous, like some Cyclopic monster, whom nothing will serve to eat and drink but the flesh and blood of my own subjects, in whose common welfare my interest lies as much as some men’s doth in their perturbations; who think they cannot do well but in evil times, nor so cunningly as in laying the odium of those sad events on others, wherewith themselves are most pleased, and whereof they have been not the least occasions.”

91 I have been the more particular in giving this account of what passed in England with regard to the rebellion, because it will be useful to account for the progress of it in Ireland, where it spread more than anybody expected, or there was any reason at first to imagine. Though Ulster was up in arms, yet all the other provinces were generally quiet till Nov. 12, when the Byrnes began to stir in the county of Wicklow, and were joined on the 21st by the Tooles and Cavenaghs in that and the adjoining counties of Wexford and Catherlogh. This was no great surprise to the state, because these were sept

<sup>a</sup> Εἰκὼν Βασιλικῆ, cap. 12.



of old Irish, and had suffered much in their estates by the late plantations in those parts; and the first were more particularly exasperated by the remembrance of the terrible persecution of Phelim M'Pheagh and his sons, formerly mentioned; so that they were sufficiently disposed to encourage and join in any insurrection raised within the realm, as their ancestors in all times before them had done, without any such provocation, incited <sup>211</sup> purely by their love of rapine, and by the security which the strength and situation of their country afforded them. They were the rather invited to it now by an opportunity they had of seizing fort Cary, (a fort erected in the time of lord Falkland's government to keep them in awe and subjection,) <sup>b</sup> which was left destitute of a garrison by the lords justices drawing thence the foot company, that used to be there quartered, to Dublin; so that there were left in it only a few English of the neighbourhood, and those naked and unarmed. The state was sending them arms to enable them to make as good a defence as could be expected from such unexperienced men; but these arms (being sent without a convoy) were intercepted in the way by those septs, who immediately invested the place and took it. Animated by this success, they made inroads into the counties of Catherlogh and Kilkenny, making terrible havock in the adjoining parts of both, and up to the very walls of Catherlogh and Kilkenny; and their numbers increasing, they reduced the castle of Archloe, Limerick, lord Esmond's house, and fort Chichester; places of strength and importance, but not provided with garrisons and arms for resistance. Thus they soon possessed themselves of all the castles and houses of the English in the counties of Wexford and Wicklow, (except the castle of Wicklow,) and confiding in their numbers, made excursions, and swept away great droves of cattle, within four miles of Dublin.

<sup>b</sup> See Collection of Letters, No. XXXIX.

- 92 This added much to the fright of the lords justices, who scarce thought themselves safe in that metropolis, with all the forces they had new raised, and with an increase of the old companies of the standing army to one hundred men each, which doubled their number. They proposed nothing to themselves but to secure that city and Drogheda till they received supplies of forces out of England; and their extreme solicitude for the preservation of these places made them leave the rest of the kingdom disfurnished of every thing necessary for its defence. This was temptation enough to idle loose fellows to get together in small parties, and pillage their neighbours, as well Irish as English; yet these having no other design but plunder, the peace of the provinces was well enough preserved till the end of November, the Irish gentlemen in Munster and Connaught continuing firm, and no one man of quality or estate, descended of English blood, in all that month appearing to join and countenance the rebels.
- 93 Munster, upon the suppression of the great rebellion, raised therein by the earl of Desmond and others against queen Elizabeth, (to whom their lands were forfeited upon that occasion,) had been very well planted, and much improved by English undertakers. They were very numerous in that province, and would have got together in a body sufficient to have secured the quiet thereof, and to have deterred all sorts of people from attempting to disturb it; but they were utterly destitute of arms, and all the solicitations and instances of the lord president could not prevail with the lords justices to spare them any. Sir William St. Leger, a gallant old soldier, of good experience and great activity, was the president at this time, and did all that was possible for man to do with a single troop; which was all the guard left for the defence of that large province; and which was scarce sufficient to repress the insolencies and depredations of

common robbers in a time of perfect peace, much less in a season when the distractions, disturbances, and spoils in other parts of the kingdom excited loose and disorderly fellows to commit the like in that country. But all the gentry, as well Irish as English, using their endeavours to keep the peace and prevent disorders, the province still continued generally quiet.

94 The case of the province of Connaught was very dif-<sup>212</sup>ferent in regard of the strength of the English protestants: there were not above one hundred and forty of these in all the county of Sligo, about as many in Mayo, not one thousand in all the large county of Galway, and about a like number in that of Roscommon. This defect was one of the reasons assigned for the intended plantation of that province, the apprehensions of which had kept the gentlemen, and indeed all the inhabitants thereof, in a continual inquietude for twenty-five years past; and these general fears were scarce allayed by his majesty's late promise of laying that design aside, and of confirming all their estates in such a manner as to secure their title for ever from being questioned by act of parliament, when these disturbances happened in the kingdom to revive them. Sir Roger Jones viscount Ranelagh was the lord president and governor of all the province, (except the county of Galway,) having for the defence thereof his own troop of horse and three companies of foot. To ease him in that charge, the county of Mayo was by the state committed to Thomas lord viscount Dillon of Costello, and Miles Bourke viscount Mayo, both of them by profession protestants, who kept it for some months free from all disturbances, without any assistance from the state. Lord Ranelagh's care was hereby confined to the counties of Roscommon, Sligo, and Leitrim; the last of which, being a planted country, was risen in arms, had joined with the Ulster rebels, set up an O'Rourke to be their chieftain, (though Brian

O'Rourke, who had the best title to that honour, was living in England,) had taken all the fortresses in the country, except Mannour Hamilton, Carrick-drumruske, and James Town, which last they had invested with a body of two thousand men, and from the fastnesses of their own, made excursions into the adjoining counties of Sligo and Roscommon, plundering the well-affected natives as well as the British inhabitants. But all the gentlemen, both Irish and English, joining with the lord president to put a stop to these devastations, and prevent further mischiefs, those counties were as yet preserved free from all disturbances within them, and in perfect obedience to the government.

- 95 Ulick Burke, earl of Clanrickard and St. Alban's, was by a peculiar commission governor of the county and town of Galway, a post which was enjoyed by his father before him, in whose lifetime this earl was by a joint patent (dated 7 Nov. 1625) appointed to succeed him. He was descended of a very noble and ancient family of English race, which came over into Ireland at the time of the conquest, in which they had a considerable hand. His ancestors seated themselves in this county, where they had vast possessions, and had been ever loyal to the crown of England, doing, in all insurrections that were made in those parts, great services against the rebels. His father, Richard earl of Clanrickard, had distinguished himself eminently in this respect during Tyrone's rebellion, which had gained him a great reputation in his country, and given him a just title to the favours of the crown. Coming afterwards into England, he married Frances, sole daughter of sir Francis Walsingham, and widow of Robert Devereux earl of Essex, the unhappy favourite of queen Elizabeth, and was by king James created baron of Somerhill (a manor of the earl's near Tunbridge in Kent) and earl of St. Alban's; English honours. By that marriage he had this his only son, and a

daughter Honora, who was second wife to John marquis of Winchester. Ulick his son was bred in England, where he married the lady Anne Compton, daughter of William earl of Northampton. He was a man of great piety and strict virtue, regular in his devotion, exemplary in his life, and considerate in all his actions: his natural parts were very good, and much improved by study, observation, and reflection; but whatever were the accomplishments of his head, the perfections of his heart were still more eminent. He had a greatness of mind, a nobleness of sentiments, and an integrity of heart, that were <sup>213</sup> not to be corrupted by any temptation, or biassed by any selfish, mean, or unworthy views: compassionate in his temper, sincere in his professions, true and constant in his friendships, and delicate (if possible, to an excess) in the point of honour: no man ever loved his country more, or his friend better, than he did, being ready on all occasions to sacrifice himself for either. He was naturally grave, and even thoughtful, yet was very pleasant in conversation; and, with the best good nature, with an affability which flowed towards all persons, and with the most engaging good manners in the world, he had a spirit which nothing could daunt, and a firmness of resolution that was not to be staggered or moved by any arts of persuasion or terror. In a word, he was truly wise, truly good, and truly honourable; and ought to be conveyed down to posterity as one of the most perfect and rarest patterns of integrity, loyalty, constancy, virtue, and honour that the age he lived in or any other has produced. He was, by an hereditary inclination, derived from his ancestors, and animated by their constant example, as well as by his own principles, strongly attached to the crown, and had received particular favours from the king, which he remembered with a gratitude not common in those days, and which adding a warmth to the affection he bore the king's person, added likewise a zeal and

activity to his duty. His majesty had entertained a great opinion of his merit; and the earl having passed many years about his court, had contracted an acquaintance with most of the English nobility, by whom he was generally beloved and esteemed. His living there had been attended with expenses, which made it proper for him (after his return from attending the king in his northern expedition against the Scots in 1640) to think of looking after the management of his estate in Ireland. He arrived there in the summer this year with his family; and going to his seat of Portunna, began to form an acquaintance with the gentlemen of that county, when the rebellion broke out. His presence was very useful on that occasion; for besides the authority which his commission of governor gave him, he was the first man of quality in the county, and the most considerable gentlemen of it were related to him by blood or alliance, and many of the rest held lands under him, and had a dependance on him by their tenure. He had also, as heir of the Mac-Williams and captain of Clanrickard, a great influence upon the Irish, who were fond of those titles, and paid even more deference to them than they did to the royal authority invested in him.

- 96 As soon as he heard of the rising in the north, <sup>c</sup> he took all the measures that prudence could suggest, or his power enable him to take, for the security of the country, which was under a terrible consternation at the first news of the rebellion. The archbishop of Tuam, struck with a panic terror, deserted his castle, though a place of good strength, flying for refuge to the fort of Galway; and most of the gentlemen kept themselves in a terrible state of uncertainty and fear in their own houses, expecting the event, and dreading the worst. <sup>d</sup> They were apprehensive, that this insurrection of others

<sup>c</sup> See his Memoirs.

<sup>d</sup> See Collection of Letters, No. XXXVI.

would be made use of as an handle for stopping the current of the king's graces to themselves, and prevent the performance of those promises which he had made of confirming to them the possession of their estates, and securing their title by an act to be passed in the approaching session of parliament, which the lords justices upon this occasion had prorogued, and thereby deferred, if not quite destroyed, their hopes of a bounty so essential to their quiet. The earl, to remove their apprehensions, gave them all the comfort and assurance he could, that whoever stood firm and discharged his duty in that time of danger, might be confident, not only of obtaining those graces, but to receive them with addition from so <sup>214</sup> just and gracious a prince; and without any delay in so important a matter, and at so critical a juncture, made his application to the court for a declaration to that effect, which he conceived to be of great advantage to the king's service, and which his majesty agreed to with all the readiness that could be desired, and sent accordingly with as much despatch as could be used in transmitting it.

97 To provide for the defence of the county, he sent himself to the principal gentlemen, and ordered Miles Burke the high sheriff to give notice to all that held of the king to be ready at twenty-four hours' warning to attend him for his majesty's service, recommending to them in the mean time to take particular care of the lives and goods of the English; and dividing the several baronies thereof, assigned each to some particular persons, that they might provoke one another to an emulation of distinguishing themselves, and he be the better enabled to observe their respective forwardness and abilities. The fort of Galway was a place of great importance, but indifferently stored with provisions: his lordship, with the assistance of sir Richard Blake, prevailed with the corporation of Galway to supply it with victuals

for two months, and took care that the town also was put into a good posture of defence. There was a ship lay ready in that port, hired to carry a regiment to Spain, under sir Theobald, afterwards lord Taaffe: the men were marching through the country by the directions of major Lucas Taaffe, in order to embark. It was proper to have so many idle fellows out of the way, lest there being no employment for them in the king's service, they should be tempted to seek it among the rebels; and he took his measures so well for their orderly passage and their embarkation, without entering either into the town or fort, that nobody was molested, and no disturbance happened in the country on that occasion. He took the like care to secure officers in foreign service, and arms that should come from abroad. All the standing force he had was his own company of fifty foot quartered at Loghreagh: there was not a troop of horse in the whole county; and though it was absolutely necessary for the defence thereof against any sudden incursion, and he was the only governor of a country that was without one; yet the justices, either out of a groundless jealousy, or for some other reason, did not think fit to gratify him in a motion which he made purely for the advantage of his majesty's service; nor did they even vouchsafe to recommend his request into England. Far from allowing him to raise a troop, they did not for some time so much as empower him to fill up his company to one hundred men, when every other company in the kingdom (pursuant to a vote of the house of commons of England on Nov. 12) was doubled, and they had, by his lordship's canal, sent particular orders for captain Willoughby to fill up his. It was necessary however to have a better standing force always on foot, and in a readiness to repel any enemy that should invade the country or rise up within it, the summoning of the king's tenants requiring too much time to prevent



sudden attempts; he therefore called a meeting of the noblemen, gentlemen, and freeholders of the county at Loghreagh, who all expressed a great detestation of the proceedings of the rebels, and very forward desires of being employed against them, to shew their loyalty and affection to his majesty. They agreed at this meeting to raise eight companies, making four hundred foot, and two troops, amounting to one hundred horse, and to applot the money necessary to maintain them for forty days upon the country; and they continued them afterwards for a longer time. Thomas Bourke viscount Clanmorris and Mr. Richard Burke of Kilcoine commanded the horse; Mr. Francis Bermingham grandson and heir to the lord Athenry, Edmund son of sir Ulick Burke, and six other of the principal gentlemen of the county, were captains of the foot. There were ablebodied men enough for the service, so that the companies were full<sup>215</sup> and mustered in a few days; but there was a great want of arms and ammunition. He applied to the lords justices for a supply of one thousand five hundred arms from Dublin, or for what could be spared out of the magazine at Limerick; but they excused themselves: as to the first, from their own want, till they had received a fresh supply out of England; and as to the second, from the length of time that the coming of arms from Limerick would require, and the danger they would run of being spoiled in the carriage, when they might easily have been brought from thence in a day by water to Portumna, (which lies upon the Shannon,) and been landed at the garden door of his castle. They allowed him to take what arms he could find in the storehouse at Galway, but these were only a hundred calivers and as many pikes; and upon trial, half of both sorts proved unserviceable. In this distress, he was forced to take out of his own store the arms which he had for the necessary defence of his house and family, and set men

at work to make horsemen's lances and pikes; and thus he equipped the troops and companies in the best manner he could, though but very indifferently. He next resolved to make a progress round the county, to visit all the borders, observe the passes, and see the condition of the castles and parts most exposed; and to make some figure in this survey, he formed a party of fifty horse of his servants and tenants, armed some with pistols, and the rest with carbines, to serve him for a guard, and went attended with a train of gentlemen, who with their servants made one hundred more. In all his progress he did not find a gentleman ill-affected; which gave him some satisfaction, whilst he suffered from the apparent distrust and neglect of the state. But he was desirous to be powerful as well as active in the king's service, and proposed not only to preserve a perfect peace and obedience within his own government, but to contribute also to the quiet of the neighbouring counties; and did not question keeping them and the rest of Connaught in order, if he were only assisted with one thousand five hundred arms. These he desired the lords justices would recommend to the lord lieutenant to be sent him from England by sea to Galway: but I cannot find by all their letters that they ever moved it, (even when they pressed from time to time the sending of supplies of arms and ammunition to Munster and Ulster,) and it is certain that they were never sent. Under these disadvantages, and without the least assistance from any other quarter, by his own prudence, diligence, and activity, by the universal and high esteem in which he was held, and by the opinion, rather than the reality, of his power, he preserved his own county in peace and subjection longer than any other in the kingdom, and found means to render considerable services to his neighbours.

98 Those of the King's County, in the beginning of De-

ember, were alarmed by the insurrection of great numbers of the old Irish in those parts of it which had been planted some years before. The hopes of plunder, and a fury for destroying the English plantations in Killcoursy, Fox's and Coghlan's countries, drew them together, and they came in a body of one thousand two hundred before Birr; but retired upon a rumour of lord Clanrickard's advancing against them, and would have been soon entirely dispersed, (being only a tumultuous rabble, and no gentlemen appearing at their head,) had it not been for the general defection which followed soon after all over the kingdom.

99 No one man of quality or gentleman of English race had as yet joined with the rebels; but all in general, and many of the old Irish too, expressed the utmost abhorrence of their cruelties and proceedings. Some of the leading Roman catholics, and who made afterwards a very considerable figure in the supreme council and general assemblies of the confederates, such as Mr. Patrick Darcy, Mr. Geoffrey Browne, and Mr. Richard Martin, men of very good sense, and generally esteemed, wrote from Dublin, after the rebellion broke out, to the <sup>216</sup> earl of Clanrickard, letters expressing their detestation of it, full of zeal for his majesty's service, and of careful advices to him for preserving the county of Galway (which they had known all their lives, it being the place of their constant residence, where their estates lay, and for which they served in parliament) in peace and security, importuning him much to make farther offers of service to the state. There is no manner of reason to suspect the sincerity, either of the professions or the instances of these gentlemen in their letters to a friend, who was capable of doing those services, which they desired of him with so much earnestness, for the peace of the kingdom and the service of his majesty, to whom in all probability they had a mind to recommend them-

selves by the merits of that nobleman, the most considerable for quality, rank, and fortune of any that professed their religion in the kingdom, that they might not be deprived of the benefit of those graces of which they had so lately obtained a promise. They were men eminent for their knowledge and skill in the laws of the land, one of them a member of the committee sent into England for the redress of grievances, and the others leading men in the house of commons, as generally known and esteemed as any in the kingdom, and as well qualified to know and speak, and even to direct, the general sense of the Roman catholics of English descent throughout the kingdom; so that how their sentiments came to change, and what were the causes, occasion, or motives of that general defection, which ensued in a little time after, is a subject that well deserves a particular inquiry.

100 Christopher Plunket earl of Fingall, Nicholas Preston viscount Gormanston, Thomas Fitz-Williams viscount Meryon, Nicholas viscount Netterville of Dowth, and William Fleming, Nicholas St. Lawrence, and Patrick Plunket, barons of Slane, Houth, and Dunsany, all noblemen of the English pale, came to Dublin as soon as they heard of the rebellion, most of them on Oct. 24, and waited on the lords justices, with great professions of their loyalty to his majesty, and their readiness to assist in suppressing it. But they wanted arms; and desiring to be supplied in that particular, the justices, who were in a dreadful fright at this time, and glad to catch at any help that was offered, readily put some into their hands; but in so small a proportion as was barely necessary for the defence of their houses; excusing the not supplying them in a more plentiful manner, by reason of their ignorance whether they had enough in the stores to arm the garrison necessary for the guard of Dublin. The excuse, either through the ill opinion con-

ceived of the lords justices, or because it was well known how large a quantity was in the stores, had not the good fortune to be well received by those lords, who had likewise other occasions of uneasiness. In the proclamation, published immediately upon the discovery of the conspiracy against the rebels, the lords justices had not confined the charge of treason and disaffection to the old Irish, the only persons that had risen in arms; but had involved in it all the Irish papists, without distinction of any. This looked like a charge against their religion, for (except some bragging speeches of the rebels, which equally lay against the state of Ireland and parliament of England, and the threatening confession of colonel Mac Mahon, which sir John Borlase for some reason or other would not sign) they had no reason to suspect those honourable persons; whose religion might not now hinder them, any more than it had their ancestors on the like occasions, from venturing their lives and shedding their blood in the service of the crown of England against the old Irish rebels. This proclamation gave great uneasiness to the Roman catholics in general all over the kingdom, who began to apprehend some terrible mischief designed against them, as lord Clanrickard informed the justices was the case in his county of Galway. The lords of the pale made a like repre-<sup>217</sup>sentation, and as they were none of the old Irish, nor of their faction, but utterly averse to all their designs, insisted that they might be publicly cleared from the imputation of any confederacy with them. The lords justices were unwilling either to confess a blunder, or own their ill-will to them, yet at last issued out, on Oct. 29, another proclamation, explaining their meaning in the former, that “they did not intend thereby any of the old English of the pale, nor of any other parts of the kingdom, being well assured of their fidelities to the crown, and having experience of the good affections and

services of their ancestors in former times of danger and rebellion.” The protestants of Ireland were generally of the puritan stamp, (occasioned by the heat which opposition, hurrying people into extremes, usually creates, and by the dangers which their fears caused them continually to apprehend,) violent in their hatred of the persons as well as religion of the papists, suspecting and judging the worst of both. They were not well pleased with this condescension of the lords justices, much less with the confidence that had been placed in the few Roman catholics who had been furnished with arms; they arraigned this proceeding in their discourses, charging all the papists with being concerned in or wishing well to the conspiracy, not sparing in their censures even the loyalty and honour of the earl of Clanrickard<sup>d</sup>, who having so just reason to complain of those aspersions, few else could hope to escape them. These suspicions and censures made the gentlemen of the pale uneasy; and the second proclamation had not entirely removed the apprehension they had, that the state, which had been so hasty to publish the former, were too much disposed to encourage those suspicions, and represent the sentiments, intentions, and conduct of the Roman catholics in the worst light.

101 I do not find that any of the lords above mentioned were intrusted with arms, except lord Gormanston, who lay most exposed to their fury, as living nearest to the rebels, who, having taken Dundalk and Atherdee, were ready to fall into the county of Meath. For the defence of that county, immediately after the taking of those towns, lord Gormanston was empowered to raise forces, to kill and destroy the rebels, and execute them according to martial law, by a commission<sup>e</sup> (dated Nov. 2) from the lords justices, who furnished him with five hundred

<sup>d</sup> See his letter to the lords justices, Dec. 4.

<sup>e</sup> See sir R. Cox, Appendix, No. VIII.

arms, part muskets, and the rest pikes; a quantity no way proportionate to the greatness of the work, and very unequal to the service expected from him; a failure wherein was very unreasonably objected to him afterwards, by such as wanted a better reason to excuse their own conduct. Sir John Temple<sup>f</sup> says, that commissions for martial law were granted to Mr. Valerian Wesley for the same county, Mr. Henry Talbot for that of Dublin, Mr. John Bellew for Lowth, Mr. Richard Dalton and James Fuite for Westmeath, and Mr. James Talbot in the county of Cavan; that commissions (the same as lord Gormanston's) for raising forces were likewise directed to Mr. Walter Bagnal for that of Catherlogh, to sir James Dillon for Longford, sir Robert Talbot and Garret Byrne for Wicklow, sir Thomas Nugent for Westmeath, sir Christopher Bellew for Lowth, and Mr. Nicholas Barnewell for the county of Dublin; and that three hundred arms were assigned to each of the three counties last named, and as many for that of Kildare, which was put under the command of the earl of that name, who, notwithstanding his zeal and affections to the English name and protestant cause, was not thereby enabled to do better service than the rest. Whatever show of trust in those gentlemen appeareth in this action, (if it were fact as to others, though it was not with regard to sir Robert Talbot,) the lords justices seem to have done it rather<sup>218</sup> out of fear than any real confidence, and repented of it as soon as it was done, resolving to revoke their trust, and get back the arms upon the first opportunity. They had wrote into England for supplies of men, money, arms and ammunition; their letters to the lord lieutenant were read in the house of commons, who had voted the supplies desired, and made a declaration that they would add further succours, as occasion required, and serve his

<sup>f</sup> History of the Irish Rebellion, p. 55 and 60, and p. 9, 21.

majesty with their lives and fortunes for suppressing the rebellion. This resolution and declaration the lords justices received on Nov. 10, <sup>g</sup>and having caused it to be printed the next day, dispersed it all over the kingdom. Elated with expectation of powerful succours out of England, they thought they had no further occasion for any assistance within the kingdom, nor any measures to keep with the Roman catholics of Ireland. In <sup>h</sup>consequence hereof, and of their lordships' apprehensions of the power of the rebels, they sent an order to sir Henry Tichburne to fetch away the five hundred arms lent to lord Gormanston; which was done on the 17th of that month early in the morning, and they were brought under the convoy of two companies of foot from his lordship's house to Drogheda. The three hundred for Lowth, the county most exposed of any, were fetched back at the same time. They recalled likewise the other arms which they had delivered out; but these being more dispersed, could not be so easily recovered out of the hands of private men, into which they had been put; so that (it is said) they got back but nine hundred and fifty of them.

<sup>102</sup> On Nov. 11, the next day after the receipt of the said declaration, they issued out a <sup>i</sup>proclamation, for the immediate removal of all persons from Dublin, and from all places within two miles of the city, that were not constant inhabitants, or had not necessary cause of residence there, (to be approved of by the council of war,) ordering them to quit the place in twenty-four hours, and repair to their respective homes, the inhabitants being obliged, under pain of death, to give in accounts of such as did not remove. The reason assigned for this was, "that by the great concourse of people thither, the country was

<sup>g</sup> Letter of the lords justices to lord Clanrickard, Nov. 24.

<sup>h</sup> See sir H. Tichburne's letter to the earl of Ormond, Nov. 13,

1641, B. 33, and letter of the justices, Nov. 22.

<sup>i</sup> Borlase, Appendix, No. IV.



deprived of defence, and left open to the rapine and depredation of the rebels, and the poor of those parts destitute of succour and relief." This was very inconvenient to abundance of gentlemen, particularly of the pale, who had retired to Dublin as the only place of security for their persons, whilst their houses and cattle were plundered by those very poor, who, taking advantage of the troubles, got together to spoil their richer neighbours, no one gentleman in any of the counties of the pale appearing at their head. These gentlemen were now forced to return to their respective dwellings, without arms or means of defence, exposed to the violence of those robbers, and to the mercy of the rebels, who soon after possessed the country with forces too strong for any thing but an army to oppose. Unable to make good their houses, they were forced to submit, having only the sad choice left them, either of suffering the cruel treatment which the rebels threatened to all that would not join them, or (if they were suffered to live quietly at home within their quarters) of paying them contributions, and having a perpetual intercourse with them, which in the eye of the law is treason.

103 It may not be amiss to illustrate this matter by <sup>k</sup>a particular instance, within the duke of Ormond's particular knowledge, and duly proved by authentic testimonies. As soon as the rebellion broke out in Ulster, the Byrnes, Tooles, and other septs in the county of Wicklow, (a great part of whose territory had been planted some years <sup>219</sup> before,) being the likeliest men to rise and begin a rebellion in Leinster, sir Robert Talbot of castle Talbot in that county, repaired immediately to Dublin, and offered to sir W. Parsons (in the presence of dean Buckeley, who lived to attest it after the restoration) to secure the chief heads of those septs, if he would give him commission to do so; insisting that those septs would not stir, whilst

<sup>k</sup> Ireland, duke of Ormond, 2. p. 288 and 290.

their chieftains were in custody as so many hostages for their fidelity; and that it was the most effectual way to prevent an insurrection in Leinster. Sir William absolutely refused to give him a commission; and those septs presently after breaking out into rebellion, sir Robert Talbot engaged against them in defence of the English in that and the adjoining county of Catherlogh, and convoyed most of them, with their goods and stocks, safe to Dublin. He had the lords justices' thanks for this service, but it cost him dear; for in revenge thereof, two of his best houses (Cartan and Liscartan) were then burnt by the Irish; who increasing daily in power, he found it necessary to bring his lady and family to Dublin, in order to reside there. He then tendered his service to the lords justices, offering to raise men, if they would furnish him with arms, to fight against the rebels; but these were denied him, nor could either his offers or his late service prevail for leave to continue in Dublin. He was forced by the proclamation upon pain of death to leave the city in twenty-four hours, and having no sure place of retreat, he was forced to skulk and live privately for a long time for fear of the Irish, till the breach between the king and the parliament of England, when he entered into the Roman catholic confederacy, doing however, during all the time of the troubles, all the good offices in his power, sometimes with the hazard of his life, to preserve the English, and to dispose the Irish to submit to the cessation first, and afterwards to the peaces of 1646 and 1648, to which he constantly adhered.

<sup>104</sup> The parliament in their declaration had recommended the putting of a price upon the heads of the chief rebels, and the offering of a general pardon to such of the rest as should submit to mercy within a certain time; leaving in the first case the nomination of the persons and sums, and in the other, the limitation of the time, to the discretion of the lords justices, who thought fit to use that

discretion with regard to the whole. Whether it was by secret instructions from others, or in pursuance of their own views, or whether in their judgment upon the particular circumstances in Ireland, they really thought a method, allowed by the wisdom, and confirmed by the experience of all ages and states, as a very prudent and successful step for quelling insurrections in their infancy in all other countries, to be very improper for that in its then situation, they took no notice of either of these points, thus recommended to them, in any of their despatches to the lord lieutenant, which were constantly communicated to the committees of both houses for Irish affairs; nor did they do anything at all therein till the 8th of February following, when the rebellion being in its greatest strength, they by public proclamation offered certain rewards to such as should kill or seize the persons of the principal and most inveterate rebels. When that was done, they in their next despatch (of Feb. 12) excused their not offering a general pardon, by the little effect which their proclamations of Oct. 30 and Nov. 1 had wrought upon the rebels. The former of these was chiefly intended to vindicate the crown, the parliament of England, and the state of Ireland from the rebels' false and seditious reports of being authorized or favoured by them; and for the reclaiming of such as had been deluded thereby, and so had become involved in their guilt, a charge was given them to quit the company of those conspirators, and to submit to his majesty's authority; but without any positive and direct assurance of mercy. The latter indeed did contain a promise of pardon, but confined in respect of place and persons, and limited to certain conditions. It did not extend to Ulster, or to the rebels in any county of the kingdom, except in those of Longford, Lowth, Meath, and Westmeath, in the two last of which no body of the rebels had yet appeared; only a parcel of loose, idle, disorderly, and needy rascals

had committed some depredations, the usual prelude to a more open insurrection. Nor did it extend to all in those four counties; all freeholders, all that had shed blood in the action, and all that were then in prison for any spoil or depredation, being expressly excepted. The time for the submission to be made was stinted to ten days after the publishing of the proclamation, and the goods that had been wrongfully taken away, and in consequence thereof dispersed into various hands, were to be brought back; without the performance of which condition, and this within the time prefixed, no particular person could be entitled to pardon. The lords justices, who had never in any letter mentioned these proclamations, before they transmitted them thus by way of apology for their omission of what was directed by so high an authority, imputed their want of success to the “inveterate malignity of the rebels and their adherents against the British and protestants, and to the hopes they had framed, that at any time, after much more spoil gotten by them to the destruction of all the estates of the British and protestants, they might obtain a general pardon, and so sit down peaceably possessed of the wealth they had wickedly gotten.” The world will judge whether these proclamations were adequate to the evil, and intended to strike at the root of the rebellion, or whether they were a just excuse for not observing the directions of the English parliament. It is at least certain, that offers of mercy published under such an authority were likely to have a greater influence, than any that could be made by the lords justices, whose persons were unacceptable to the nation, and whose designs were generally suspected; and that a general pardon must in all reason be supposed to produce a much better effect, than could be expected from one which was restrained to a few inconsiderable persons, and expressly excluded all men of estates and fortunes who had any interest in their country.

The Irish will ever follow in war the gentlemen on whom they are used to depend in peace; several gentlemen, engaged in the insurrection, heartily detested the cruelties committed and encouraged by sir Phelim O'Neile and others of the rebels, and did all that was in their power to save and relieve the spoiled and imprisoned English; but being once embarked, there was no retreating without hopes of pardon. It is not easy to perceive any inconvenience that could have followed from such a general pardon to all gentlemen that had not been concerned in any massacre, murder, or deliberate act of cruelty, not attended with bloodshed, (for plunder was generally the prey, as it was the bait to the common Irish,) nor does any reason appear, why such a defection of gentlemen from the body of the rebels should not produce that distraction of councils, that jealousy of one another, those thoughts of providing each man for his particular safety, that uncertainty, diffidence, irresolution, and confusion in all their actions and proceedings, among the Irish rebels, (under a ringleader of so little courage and conduct as sir Phelim, and unsupported by those foreign succours, of which he had given them assurance, and on which they had fully but in vain depended,) which have in the histories of all ages been found by constant experience to happen in the like case in all other rebellions.

105 Whatever reasons the lords justices had to dislike this, it could not be improper for them (by whose advice and informations, as best knowing the kingdom, those in England were to regulate their measures) to suggest a better or some other method to suppress the rebellion already raised, or at least to prevent its spreading fur-221  
ther; but they are entirely silent on this head in all their despatches. It was the great misfortune of Ireland at this time, and has been its cruel fate for some ages past, to be generally governed by persons, who, coming

strangers thither, had no natural affection for that country, nor any stake or interest therein. The Irish have suffered so long and so much in this respect, that if any nation upon earth have reason to wish preferments to be confined to the natives, they certainly have; and it is no wonder, that it was in these troubles so strongly insisted on, as necessary to remove the main source of all their grievances. It was an ordinary, and, in truth, a pretty sure way of raising a fortune for an Englishman, who wanted one in his own country, to transplant himself thither, and by some way or other of making interest, to get into some post of authority, (which it was not difficult to do, the salaries of the best not being considerable, and the arts of improving the profit of them not well known in England, or, if they were, not very fit to be matter of choice,) and from thence at last into the privy-council, making in every part of his progress all the advantages which the measure of his power could enable him to take, under pretence of concealed rights of the crown, forfeited recognisances, penal statutes, unperformed conditions, fraudulent grants, and defective titles, in a country where the prerogative was irresistible and unlimited, and in an age when it was even ridiculous to have any scruple about the manner of getting into possession of Irish lands. Too many of the council, constantly resident in Dublin, and thereby having the chief hand in the management of affairs, were of this sort of men, and had this way of thinking; and being now sure of support, and of reducing the whole kingdom, though all the force thereof was united together, were possibly the less concerned at the progress of the rebellion and the increase of forfeitures, in which they at the helm could not fail of having a share, and were likely to make the most advantage.

106 The parliament of Ireland had sat late in the past summer, expecting the transmission of bills, with the

graces promised by the king, from England; and at last, tired out with the tediousness of the delay, and being uncertain of the return of their committees, the two houses had in the beginning of August, with the consent of the lords justices to continue the session till the graces had passed into acts, adjourned to the 9th of November. Parliaments had formerly, on less urgent occasions, and in times of more dangerous rebellions, been often called in Ireland: such rebellions were indeed (as sir John Davys observes) the general cause of holding them, in all ages, especially in the reigns of king Henry VIII and queen Elizabeth, when religion was the constant pretence of insurrections, and the houses were for the most part composed of Roman catholic members. The lords justices now thought it improper for the two houses to meet<sup>k</sup>, “for fear lest a concourse of people on that occasion should afford disaffected persons an opportunity of taking new counsels, when their former were in some part disappointed, and of contriving further danger to the state and people of Ireland:” and therefore by proclamation upon the first breaking out of the rebellion, had, without waiting for his majesty’s directions, prorogued the parliament to the 24th of February next following; a proceeding contrary to the practice and received maxims of England, where rebellions are never conceived to be so dangerous as in the intervals of sessions of parliament; and accordingly, sometimes when the danger hath not been generally evident, extraordinary measures have been taken for the security of the nation against any insurrection at home, or invasion from abroad, in such intervals. This prorogation of the parliament gave a general distaste, particularly to the Roman catholics, who were like 222 to be the greatest sufferers thereby, and to lose the benefit of those graces which were intended for their particular

<sup>k</sup> See their letter of Oct. 25 to the lord lieutenant, Nalson, vol. ii. p. 518.

relief. <sup>1</sup>The legality of it was called in question: some of the members that were lawyers, as Mr. Browne and Mr. Darcy, declared, that unless the two houses met the day to which they were adjourned, the parliament would be dissolved, notwithstanding the said proclamation; and to prevent that evil, it was necessary that at least some small number of both should meet on the day to which the houses stood adjourned; and then they might adjourn to the day fixed by the proclamation. This being a point of law, the lords justices consulted about it with the judges and some of the king's council, who were doubtful in the case; but conceived, that such meeting and adjournment was the safest way to clear all disputes that might arise concerning the continuance of the parliament. Some of the committee of the house of commons that were lately returned out of England with the bills for the graces that had been there approved, and attended in Dublin to solicit the despatch of others which the state was ordered to transmit to be passed in form in the privy council of England, which had agreed to the matter of them, arraigned the expediency of the prorogation, as an obstruction to the graces so much desired by the whole nation, and so necessary for their satisfaction in so distempered a time, and as an injury done to the kingdom, hindering them from expressing their loyal affections to his majesty, and shewing their desires to quell so dangerous a rebellion; and proceeded so far as to say, that the nation ought to resent it, and complain to the king thereof, as a point of high injustice. Mr. Thomas Bourke, son of Mr. Walter Bourke of Turlogh, a gentleman of very good parts and judgment, a lover of his country, and well affected to the king's service, a friend and near relation to the earl of Clanrickard, (whose niece Lettice, daughter of sir Henry Shirley by the lady

<sup>1</sup> See the lords justices' letter of Nov. 25, 1641, to the lord lieutenant, and sir J. Temple, p. 4.



Dorothy, the younger daughter of Robert earl of Essex that was beheaded, he had married,) and who much esteemed him for his great abilities and unquestionable loyalty, and one of the members of that committee, expressed himself very feelingly upon this subject to Robert lord Dillon of Kilkenny-West, son to the earl of Roscommon, a privy-counsellor, who acquainted the board therewith. Mr. Bourke was presently sent for, and expressed himself to the same effect, though with great modesty.

107 The council thereupon fell into a debate what was fit to be done, and how far it might be thought reasonable to condescend to the desires of the members of that committee. The earl of Ormond, the lord Dillon of Costelogh, and some others, were of opinion that it was fit to disannul the proclamation, and to give them leave to sit and continue the parliament according to the adjournment in August. Besides the supplies of money which the commons might give, which would procure credit as soon as they were voted, and might be actually raised and collected (as had been done in the last year) by Dec. 1, much sooner than they could be sure of receiving them from another quarter, they urged the very ill condition of the whole kingdom in regard of the northern rebellion, which had already infected some counties in Leinster, and was spreading into Connaught; that all the nation was in great expectation of the graces, and would be strangely uneasy if they were not confirmed by parliament; that the ill humours afloat made it dangerous to exasperate a people, and this prorogation might peradventure so irritate the pale, and have such an influence upon Munster, as might raise them into arms, and so put the whole kingdom into a general combustion. By which means the rebels would receive a vast addition of strength, the war would be drawn into length, not to be ended without an infinite expense of blood and trea- 223

sure, and time be given for the coming in of foreign supplies to the rebels, who would then be enabled to maintain a war, though they were easily to be suppressed at present, if that work was but attempted. <sup>m</sup>The earl of Ormond was so fully satisfied of the ease with which it might be done, that on this occasion he told the council that he would undertake to reduce them in a month, if they would but supply him with arms for such volunteers as would follow him, and give him power in his march to take up victuals in the country. But the lords justices and their party in the council voted strongly for the holding of the prorogation according to the time prefixed by the proclamation. The reasons which they alleged for this opinion were, that it would highly trench upon the gravity and wisdom of the board to alter a resolution taken there, and made known to the whole kingdom by proclamation; and that it would be of dangerous consequence to bring a number of people to the city in such dangerous times; that several of the protestant members for Ulster were dispersed, or so shut up or employed, that they could not repair to the present meeting; and that therefore the Roman catholics (who peradventure might bring ill affections with them) would be superior in number and voices, and so carry all things according to their own humour. These reasons, founded chiefly upon mere jealousies and fears, for which there did not seem to be any just grounds, when so many Roman catholic members were likewise absent, and there was no danger to be apprehended from such as were present, in a city whence all strangers were banished by proclamation, and in which there was now a garrison of four or five thousand men, did not satisfy the others; but upon a vote, the majority declared themselves for sticking to the prorogation. It was however thought proper that

<sup>m</sup> See Mr. Pat. Darcy's letter to lord Clanrickard, (Memoirs, p. 24,) received Nov. 17, and R. R. p. 198.

some endeavours should be used to make it palatable to those who were most averse to it, that they might be reconciled to it in some measure. And after a long debate of all particular circumstances, it was resolved that the earl of Ormond, sir John Temple, and sir Piers Crosby, all members of the board, should have a meeting with Mr. Darcy, Mr. Bourke, and some others of the most active and powerful members of the house of commons, and let them know from the council, that being informed of their good affections and desires to do something in the house that might tend to the suppression of the present rebellion, they approved very well thereof; and though they could by no means absolutely remove the prorogation, yet they would comply so far for their satisfaction as to limit it to a shorter time; and that at present they would give them leave to sit one whole day, in case they would immediately fall upon the work of making a protestation against the rebels; and that they should have liberty (if they pleased) to depute some members of their own house to treat with the rebels about their laying down of arms; and that the council would be ready to receive whatever grievances those rebels had to complain of, and would transmit them over to his majesty for a speedy redress. Such was the result of this debate, which was finally determined in the interval between Nov. 9, when the two houses met, and the 16th of that month, to which, without entering upon any business, they had adjourned; and was accordingly put in execution. The meeting was in the gallery at Cork-house: those of the house of commons were exceedingly troubled when they found that the council would not alter the prorogation; but seeing no remedy, they were forced to take up with what was offered, since they could not get what they desired. They were not without some hopes that the two houses when met in a body might by a joint address prevail with the state for leave to continue sitting longer, or

at least for shortening the prorogation to a nearer day than was proposed; and that the treaty to be entered<sup>224</sup> into with the rebels, if it produced nothing to necessitate a speedy meeting of the parliament, might yet contribute something to prevent further mischief during the recess. Their hopes, which were faint enough in this respect, were however better founded in another: they thought that a sitting upon business would afford the two houses an opportunity of taking some measures for the satisfaction of the people, the safety of the kingdom, and putting a stop to the progress of the rebellion; and that a representation to his majesty (which by the inflexibility of the lords justices was now the only method left them of redress) in the name of the whole parliament, would have a much greater weight than any that could be made by the members of either or both houses in their single capacity. In prospect of this advantage, they seemed at last to rest indifferently contented, and undertook to make the protestation in as full and ample manner as was desired, and that they would fall upon it immediately, and make it the work of the whole day.

108 On Tuesday, Nov. 16, the lords and commons met in parliament, which was held in the castle of Dublin, the usual place of their assembly in those days. The garrison was put under arms, and the lords justices appointed a guard of musketeers to attend during the time of their meeting, not to infringe the freedom of the houses' debates, but to provide a remedy against their own fears. The houses were the thinner by reason of the proclamation for prorogation, which prevented the Munster and Connaught lords and gentlemen from coming up, and of the rebellion, which intercepted the repair of most of the bishops (except John Lesly, bishop of Rapho) and gentlemen of Ulster. They took immediately into their consideration the state of the nation, and the framing of a protestation against the rebels. Some debates happened

on this occasion: the lords justices were unalterably resolved not to make an offensive war, but to confine themselves purely to the defence of Dublin and Drogheda till the arrival of succours out of England. This resolution exposed all the houses and estates of the lords and gentlemen in the country as a prey to the rebels; and as well for this reason, as because, when they were entering upon a treaty for healing of a breach, the doing of any thing to widen it did not seem very correspondent to the nature of that proceeding, and might raise doubts of the sincerity of their intentions, and so defeat one great end proposed by it, that of gaining time till they were better armed to resist the rebels, and in a condition of suppressing them by open force, it was not thought advisable to irritate them unnecessarily. There was reason on the other side to fear, that if they were not declared rebels, such an omission would be interpreted a seeming approbation of the insurrection. Rejecting therefore some more virulent expressions, that could not possibly do any good, and only served to inflame, (which some persons out of an unadvised heat or worse designs proposed,) they contented themselves with declaring them rebels in such words as the law adopts in indictments of treason, the charge of which, if couched in terms less offensive than some people wished, was yet expressed with as much force and clearness as was needful in the protestation. The two houses declared therein, “their detestation and abhorrence of the disloyal rebellious proceedings and abominable actions of the persons, ill-affected to the peace and tranquillity of the realm, who, contrary to their duty and loyalty to his majesty, and against the laws of God and the fundamental laws of the realm, have traitorously and rebelliously raised arms, and seized upon some of his majesty’s forts and castles, and dispossessed many of his faithful subjects of their houses, lands, and goods, and have slain many of them, and com-

mitted other cruel and inhuman outrages and acts of hostility within this realm; and that they shall and will to their uttermost power maintain the rights of his majesty's crown and government of this realm, and the peace and 225 safety thereof, as well against the persons aforesaid, their abettors and adherents, as also against all foreign princes, potentates, and other persons and attempts whatsoever; and in case the persons aforesaid do not repent of their actions, and lay down arms, and become humble suitors to his majesty for grace and mercy in such convenient time and in such manner and form as by his majesty or the chief governors and council of this realm shall be set down, they further protest and declare, that they will take up arms, and will with their lives and fortunes suppress them and their attempts in such a way, as by the authority of the parliament of this kingdom, with his majesty's or the chief governor's approbation, shall be thought most effectual."

109 The two houses joined likewise in an ordinance (which they ground on the petition of the rebels of the county of Cavan to the lords justices, which hath been before recited) empowering the earls of Antrim and Fingall, the viscounts Gormanston, Moore, and Baltinglas, the lords Slane, Dunsany, and Lambart, with the bishop of Kilmore, sir Charles Coote, sir Piers Crosby, sir Richard Barnewall, sir Luke Fitzgerald, sir Lucas Dillon, sir James Dillon the elder, sir Christopher and John Bellew, Mr. Nicholas Plunket, Mr. Richard Belling, Patrick Barnwall of Killbrue, Hugh Rochford and other commoners, (first receiving directions and authority from his majesty or the chief governors and council,) to confer with the rebels in Ulster and other parts, touching the causes of their taking arms, and such other matters as they should be so directed and authorized to confer about, (the rebels being charged to abstain from all hostilities during the said conference,) to report all matters

to his majesty, the council, or the parliament, and to proceed therein according to the king's pleasure, or the council's directions.

110 These things, so necessary in the then situation of affairs, could not be despatched in one day; so that they continued sitting the next, to the great uneasiness of the justices<sup>n</sup>, whom both houses desired in a very earnest manner to allow them a longer session; but in vain, meeting with a peremptory denial. Failing in this request, they presented another, which the justices had before promised in general to grant; and they urged with much earnestness, that the prorogation might not be to so long a time as Feb. 24. The justices, impatient to get rid of them, seemed to comply a little in this respect, and on the 17th at night prorogued them to Jan. 11, resolving however at the same time that they should not meet at that day; and accordingly in their next despatch (of Nov. 22) they desired to have the opinion of the judges and king's council in England, whether the Irish parliament being once prorogued may not again be prorogued by proclamation before they sat; or whether it was of necessity that they must sit again, and the parliament to be prorogued the houses sitting.

111 The parliament, offended as they were at the conduct of the lords justices, did not yet forget what they owed to their country; and though they had reason to complain that they were debarred from taking effectual measures to suppress the rebels, and in so critical a time not allowed to express, as they wished, their duty to the crown, and their affections to the king's service and the peace of the kingdom; yet wishing the good work to be done at any rate, and by any other hands as well as by their own, their resentment against the justices (of whom they had an ill opinion enough) did not carry them so far as to keep them from contributing what

<sup>n</sup> Lords justices' letter, Nov. 25.

they could, in the hurry of so short a meeting, to enable those their governors to do it. Both houses therefore<sup>226</sup> joined in ordinance empowering the lords justices and council, “to raise the *posse* of what counties they saw fit; to make a speedy levy of forces as well for the defence of his majesty’s crown and dignity, and the persons and estates of his majesty’s faithful subjects, as for the opposing and suppressing of the rebellious disturbers of the general peace and quiet of the land; to continue on foot such a convenient number of armed men of horse and foot, during the present troubles and distempers of the realm, and under such commanders, as the several counties should respectively agree to; and to assess, collect, and levy, as equally as they could, money for providing arms and ammunition, and for such competent maintenance for the support of the said horse and foot, in every of the said counties respectively, and in such manner and form, as every and each of the said counties in their discretions should think fit, whilst they should continue in their proper counties respectively.”

<sup>112</sup> During these two days, the houses not trusting entirely to their protestation and order for a conference, which however they hoped might pacify matters for a time, considered likewise of more effectual methods to quell the rebellion, to prevent its growth, to remove the discontents of the nation, and restore the peace of the kingdom. They drew up their sentiments on this subject, in a representation to his majesty; and in certain instructions given by a committee of their body, to Thomas viscount Dillon of Costelagh; who was charged with presenting it. This nobleman had been one of the lords’ committee sent into England, and was a member of the privy-council of Ireland, a protestant, a man of very good parts, and great activity, generally beloved and esteemed, well affected to the crown, and very acceptable to his majesty, who had lately received and



treated him with great marks of esteem and kindness<sup>o</sup>. When he was chosen to carry this representation, it was proposed in the house, that a request should be added to it in his favour, that he might have the military command of the four counties as yet remaining untainted in Connaught; but the earl of Ormond opposing it, as inconsistent with the patents, which the earl of Clanrickard had for the government of the county of Galway, and the lord Ranelagh for the rest of that province, it was only recommended in general, that he might have some command or other in those parts, where his power and interest were considerable.

113 What was the substance of this representation and of these instructions is not so well known, both instruments being taken and suppressed by the parliament of England. There is no doubt to be made but that they chiefly related to the establishment of the graces, and contained certain advice about the proper methods of quelling the rebellion, which were not agreeable, either to the interest or views of those who presided in the government of Ireland, or who were leaders of the faction that governed in the house of commons of England; though we may be well assured, they were such as could not be excepted against, nor wrested to an ill sense, so as to found thereupon any aspersion against the king, or to raise any clamour against the papists. If this had not been the case, there is no doubt, but when they came into the hands of that faction, they would not have been concealed so carefully as they were; but would rather have been made the subject of debate in the house, and published as usual to the world, with comments proper to foment the jealousies and distractions of the kingdom of England. They probably contained some truths, which it was not for the purpose of

<sup>o</sup> See Mr. Bourke's letter to lord Clanrickard in his Memoirs.

that faction, or the interest and credit of their Irish friends, to have known to his majesty and the public; as certainly they did great complaints against the lords justices, whose removal was strongly recommended. For one particular therein we have undoubted evidence; and if all the other methods proposed were as proper for reducing the rebels as that was, there will be no grounds of objecting to the reasonableness of them. They desired that the government of Ireland might be put into the earl of Ormond's hands, in whose love of their country they were as well satisfied, as his majesty was of his fidelity and affection to the crown; if this step were taken, and the other methods pursued, the fears and uneasiness of the nation would be removed, and the rebellion soon suppressed, for which they would be answerable with their lives and fortunes, even though (as the lords justices say was contained in these instructions) no help was sent them from England for that purpose. There is no doubt but this Irish parliament might have given the king supplies sufficient to reduce the rebels, and they offered it, if they might be allowed to sit; a less force than what they raised before against the Scotch covenanters would have done the work; and as to their inclinations, there did not then appear any reason to suspect them; for the parliament was composed of English families; there had been a great animosity between them and the old Irish ever since the conquest, kept up by acts of hostility in times of war, and not yet extinct; not one gentleman of estate of English race had yet joined the rebels, but all in general expressed an abhorrence of their proceedings; the old Irish were the only persons concerned in the rebellion; their fury fell upon the English plantations and improvements, as well as their persons; and their constant and public declarations were, that they would extirpate all the English (without distinction) out of the nation, and take

the government of it into their own hands. But if this offer had taken place, the lords justices would have lost their power, and been defeated of the gains they proposed by the forfeitures of rebels; the king would have been enabled to restore the peace of one of his realms without a slavish and fatal dependance on the English commons for their assistance; and the faction in that house would have been deprived of all those means of distressing his majesty, and of providing for an insurrection in England, which the Irish rebellion and the management of that war afforded them.

114 To prevent these inconveniences and obstructions to both their schemes, the lords justices had recourse to their friends in the English commons, by an agent sent on purpose to negotiate with them, and in a private despatch under the charge of secrecy to the earl of Leicester, the lord lieutenant, signed by themselves, and those of their junto in the council. There were then in Dublin several other members of the council, who used to join in all the public despatches sent to the lord lieutenant, (which were usually communicated to his majesty, as well as to the committee of the two houses of parliament,) and several of them had signed the despatch of the night before, which was sent away in the same packet, with the private letter dated Nov. 26, of which I am now speaking; but the justices did not think fit to consult with them on this occasion. Those absent members of the council had made a vigorous effort to save their country from ruin, in pressing for the parliament to meet, and continue sitting, to take proper and effectual measures to restore its quiet; and though they were overpowered by numbers, or overruled by power, yet the weight of the reasons which they alleged in the debate had given great trouble and uneasiness to the justices, who resolved for the future to transact all their private affairs and intrigues without

their concurrence or knowledge. As the justices in this letter insinuate things to the prejudice of those noble and honourable persons, (by the reason or justice of which we may see what credit is to be given to their suggestions in other cases,) it will not be improper here to give a list of their names. They were, sir Richard <sup>228</sup> Bolton, the lord chancellor, Lancelot Bulkeley archbishop of Dublin, the earl of Ormond, Anthony Martin bishop of Meath, John Lesly bishop of Rapho, (who passed through Charlemont the very morning that sir Phelim O'Neile surprised that castle in his way to Dublin, and maintained a company, both officers and soldiers, all the war against the rebels at his own charge, till the execrable murder of king Charles,) and Robert lord Dillon of Kilkenny West, afterwards earl of Roscommon, sir Gerard Lowther lord chief justice of the common pleas; names and characters so well known and established, that the reasonable world will be apt to suspect there was some vile design carrying on by those who would not consult them, rather than from such a mean suggestion imagine any thing injurious to the memory of persons, whose virtue, integrity, public spirit, and zeal for the rights of the crown, and the good of the protestant religion, appeared in the whole course of their lives.

- <sup>115</sup> The justices in this letter tell the lord lieutenant, “ that though by their late public despatches, they had given his lordship advertisement of occurrences, yet some other things were needful to be made known to him, which (say they) we could not safely mention in that despatch; whereby you may, in some degree, perceive a part of our misfortune, that we cannot (even at the council-board) open ourselves with that freedom which becomes the duty and loyalty of faithful servants and counsellors to the king our master; which we crave leave to impart to your lordship under that secrecy,

which, from a person of so great honour and wisdom, we have reason to expect, and who (we hope) will so dispose of this private advertisement, as not only to prevent inconvenience to the peace and future safety of the kingdom, being that we aim at, but also prejudice to our persons, who (in our zeal to the future good of the kingdom) expose ourselves to this danger.”

116 They go on to tell him, “they had received information, that the lord viscount Dillon of Costelogh, employed by the lords house of parliament to repair into Scotland to attend his majesty, either carried along with him, or was to have sent after him a writing, signed by many papists of the nobility and gentry of Ireland, importing (as they were informed) a profession of loyalty to his majesty, and offer of themselves by their power to repress the rebellion, without aid of men forth of England, or to some such purpose ; which, if there be any such, his lordship, though a member of the board, had not communicated to them the justices. But if the lord Dillon’s private instructions or his own counsels should tend in any sort to stay the succours intended to be sent out of England, or to possess his majesty with a belief that the lords or others could raise sufficient forces to reduce the kingdom to its former peace and tranquillity, they crave leave to say that those noblemen and gentlemen misunderstand the nature and height of the rebellion, and the proposition would prove unhappy and dangerous to England as well as Ireland ; and declare their opinion, that without forces from England the English in Ireland would quit the kingdom, and the rebels would gain the point which they principally aimed at, namely, the total and final extirpation of all the English and protestants ; and then the sole power and sway in all magistracy must be put into the hands of the Irish, which would enable them at their pleasure to shake off the English government ; and considering like-

wise, that the estates and fortunes of any subjects (how specious soever their undertaking might be) could not (in their judgment) counterbalance the evils that would fall on the kingdom by staying the supplies, they hoped the state of England would not, to save a little charge, expose both kingdoms to the unhappiness which might arise from embracing the proposition. For the charge <sup>229</sup> (far from being lost) would be abundantly recompensed, not only in a firmer peace (which would be for the strength and safety of England) than ever yet was settled there, and in reducing the kingdom to civility and religion; but also in raising a far more considerable revenue to the crown, than formerly, out of the estates of those that were actors in the present mischiefs; and if they had an army of some strength, some of the old English would be fit to be employed, and would doubtless fight well for suppressing the rebellion, though till they were so strengthened they could not judge whom to trust." And then conjuring his lordship again to secrecy, recommend to him the bearer Richard Fitzgerald, esq., whom they desired him to hear at large, as a person who had long experience there, and was able to inform his lordship in many particulars very needful to his knowledge at that time.

- 117 This Mr. Fitzgerald had been one of the committee sent over by the Irish commons, to assist the faction in the house of commons of England in their prosecution of the earl of Strafford; and being there acquainted with the leaders, was now sent to negotiate and settle measures in concert between them and the lords justices; for which purpose he resided after this constantly in London, attending the committee for Irish affairs, receiving from them, and communicating to the justices, such secret advices and directions, as were not proper for a public despatch, nor fit to be imparted to the whole council. This letter was signed by the lords justices, and by the

lord Lambart, sir Adam Loftus, sir George Shurley, sir John Temple, sir Francis Willoughby, sir James Ware, and sir Robert Meredith; all either of the cabal with the lords justices, or depending upon them by their offices, which, their estates being wasted or seized by the rebels, was all that they had to subsist on in these times. The justices were the more solicitous to prevent any credit being given to the notion that there was force enough within Ireland to reduce the rebels, not only because it was the judgment of the earl of Ormond, and the best and most experienced officers in the army, as sir William St. Leger and sir Henry Tichburne, (which was a great countenance to what they imagined lord Costelogh was charged to represent on that head,) but also because they found by advertisements out of England that it was the opinion of many there. To guard against it, they in all their letters insist on the deference that ought to be paid to their own judgment, who were intrusted with the state, and knew best the circumstances of the kingdom; and urge the necessity of sending over, not only ten thousand foot and two thousand horse from England, but (what was still more odious to the Irish nation) ten thousand men also from Scotland; a necessity which they do not support by any fact or reason, but merely by their fears of future possibilities.

118 After the letter above cited, and Mr. Fitzgerald's being sent to make it by his solicitations the more effectual, nobody will be surprised at lord Dillon's fate. He embarked (says sir John Temple) a few days after the prorogation, in order to go for England; but being driven by a storm as far as Scotland, landed there, and making all the haste he could to London, was (with lord Taaffe who accompanied him) seized on the road at Ware by order of the house of commons, all his papers taken away, and the persons of the two lords secured. They remained in custody several months, till it was of no consequence

to keep them longer in restraint; and then being negligently guarded, they made their escape, and went to the king, who was then at York, too late to offer a remedy, when the rebels were strengthened with foreign supplies, and the rebellion was become in a manner universal.

119 Of all the causes which concurred to make it so, no-<sup>230</sup> thing contributed so much to it, as this prorogation of the parliament, and the obstinate resolution of the lords justices not to allow the two houses to sit. They were in all times the natural resource in all the difficulties and distresses of the nation, and the likeliest power to take proper measures for the good of a kingdom, in whose welfare their own was involved, and to find out ways for removing discontents, pacifying disturbances, and restoring the peace and tranquillity of the country. The members which composed the houses were persons of the most considerable estates and the greatest credit in their several counties, that never could propose to make a fortune by the rebellion, (as the lords justices and many of the council might,) and in truth did not need it: but as they had all much to lose, and a great part of them (being under the lash of penal laws, and subject to every hardship, which the suspicions, or views of those in power could put upon them) had much to fear from a rebellion and the consequences thereof, they could not in reason be deemed improper persons to be advised with about the means of suppressing one. The very appearance and credit of their declaring against it, attended with resolutions and measures to suppress it, would have been of great use: at least the supplies of money, which they might have given, would have done great service; and according to the methods of applotting and raising them then practised in Ireland, might have been depended on with more certainty, and collected with greater expedition than any that were expected, or to be remitted, out of England. There were scarce five members, and those



only of the old Irish, concerned in the rebellion: there was no reasonable ground to suspect the rest, or to imagine that they would not, to clear themselves from such suspicion, exert their power on this occasion with a zeal, which, whether real or feigned, would have equally contributed to relieve the great necessity of the state, which was want of money. Every body knows, and experience has sufficiently shewed, the great advantage and power which the discovery of a conspiracy gives a government; and as the two parties of Roman catholics and puritans were before pretty equally balanced in the house of commons, the servants and officers of the crown being able to turn the scale, there is no doubt but the justices might with ease have carried in parliament every thing that was really for the service of the crown, and proper to extinguish a rebellion, when none (if there were peradventure any that secretly favoured it) durst openly oppose any motion that was made for those ends. Nothing is so easy at all times, and nothing was a more common cover for ill designs in that age, than to pretend fears and jealousies: but surely these were never alleged with a worse grace, than by the justices in the case of the sitting of a parliament, under a guard of their own appointment, and in a garrison, where the persons of the members were as so many hostages, for their own good behaviour, for the peace of the country, and for the obedience of their relations and dependants.

120 There never could be stronger and more pressing reasons for the sitting of a parliament than there were at this time. For to say nothing of the rebellion, the graces lately granted by the king, and so much desired by the nation, which arrived in Ireland too late to be passed in the last session, were to be enacted in this, and were expected with great impatience, by the merchants, who were to be eased in the rates of customs and licenses of exportation; by the gentlemen, for the security of their

estates against the avarice and rapine of needy ministers and projectors (by which they had been plagued and harassed for forty years past); and indeed by all sorts of men throughout the nation, who were in one respect or other to find relief, convenience, and advantage thereby. The late clamours about grievances had quickened every body's sense of them; they were uneasy every moment till they were redressed, and to disappoint them in the <sup>231</sup> height of their eager expectations was enough to make them furious and desperate, and could not fail of producing more mischiefs and real dangers than their fears could suggest of imaginary ones to arise from any other cause. The justices, if they knew the state of the nation, (as they insisted in all their despatches that they did better than any body else, or even than the parliament itself,) could not but know this; and if they had any regard to the service of the prince by whom they were intrusted, or to the welfare of the kingdom over which they presided, they would have taken some care to prevent the ill consequences which must otherwise necessarily follow from a prorogation, so contrary to the desires of parliament and the sense of the nation, and from a disappointment of the body of a people in matters of great importance and general concern, at a time when the fire of rebellion was broken out, and there was so much pre-disposed matter in all parts to catch and spread the flame. Instead of taking this care, they dismissed the parliament without saying a word about the graces, or giving them the least comfortable assurance, to keep up some faint and distant hopes in the nation of their being passed in another session. Such an assurance, though they never intended to make it good, might have answered the end for which they proposed a conference with the rebels, and was in truth the more likely means of the two to gain them time till the arrival of succours out of England. The graces, those especially which limited the

king's title to sixty years, and confirmed the gentry in the possession of their estates, could never be agreeable to any selfish minister, because they prevented those pretences of defective titles, by which such ministers had generally amassed wealth and obtained grants of estates in Ireland; but the justices (though in their letters to the king they had actually remonstrated against them) might have given some such assurance or hopes of passing them in another session, without a greater breach of sincerity than they were guilty of in agreeing to a shorter prorogation, and fixing it to <sup>p</sup>Jan. 11, when, on the night before this was done, they had brought them, by sir Thomas Lucas, the king's directions (pursuant to their own advice) for proroguing the parliament to the latter end of February or the beginning of March; which they forbore to impart to the two houses.

121 The breaking up of the parliament in such a manner, and the strange aversion which the lords justices had shewn to its sitting at all, threw a great part of the nation into despair. The Roman catholics, with too much reason, gave over all expectation of the graces, nobody doubting but that the present rebellion would be made a pretence to defeat them of the benefit thereof, and probably to lay them under further pressures. This worked and stirred up ill humours to the farthest part of the kingdom: it required all the earl of Clanrickard's prudence and credit to keep his own county of Galway quiet. He saw the mischief likely to ensue, and, like a faithful servant of the king's, assured the gentlemen that they might depend on his majesty's goodness for extending the benefit of the graces to all that continued loyal, and kept free from the guilt of rebellion. He applied to the king by the canal of Mr. Secretary Vane, and the mediation of other friends; and his majesty readily transmitted

<sup>p</sup> Lords justices' letter, Nov. 22.

the desired assurance under his own hand, to be published in the country. Had the justices taken the same method, or given the like assurance at their prorogation of the parliament, much of the evils which followed so soon after might have been prevented. But their neglect in this respect, and their other proceedings, hurried people into desperate courses, before his majesty's declaration on this head, (dated Dec. 18,) occasioned, not by the advice of the justices, but by this information of lord Clan-<sup>232</sup>rickard, could reach Ireland; for, by the slowness of the conveyance, his lordship did not receive it till the 10th of January. The justices received it likewise, together with his majesty's positive orders to publish it; which (whether they disapproved the thing, or thought such a grace improper to proceed out of their own mouth, or for some other reason) they caused to be done by sir Maurice Eustace, speaker of the house of commons, at the prorogation of the houses on Jan. 11 following.

<sup>122</sup> The rebels, who were <sup>a</sup>before disheartened, resumed new courage upon this conduct of the justices: Roger More, who was with colonel Brian Mac Mahon, at the head of a body of about two thousand five hundred, (not the third part of them armed,) about Atherdee and Dundalk, saw very well the advantages thereby offered them, and no longer questioned the success of their affair. To these, as the most advanced of any party of the rebels, the deputies of parliament, appointed by a commission under the great seal, were sent to enter upon a treaty: but they, grown insolent by the prospect of those advantages, received the commissioners very coldly, tore the order of parliament and the letter sent them in a contemptuous manner, and returned a scornful answer, refusing all overtures towards an accommodation. The justices had likewise employed some Roman catholic priests to a like

<sup>a</sup> Sir H. Tichburne's letter, Nov. 11, to the earl of Ormond.

purpose, but with as little effect, the rebels now not doubting but that, in the universal discontent given by the late proceedings, they should carry the whole kingdom before them.

123 To make all possible use of this circumstance of the nation, and to curry favour with the discontented, Roger More (much the wisest man of his party, and the chief director of their counsels) persuaded the Irish to refrain from their declarations against the English, and put the whole merits of their cause upon the subject of religion, which was in danger of being extirpated, and the pretence of which was the likeliest means, as well of gaining the Roman catholics of English race, as of procuring them succours from foreign princes, whose catholic zeal might prompt them to send assistances for the defence of it in Ireland, at a time when they had no interest of their own to induce them to encourage insurrections in the dominions of a prince in amity with them. For this purpose, he framed an oath of association, to be first taken by all his followers, and sent over the kingdom to draw in others by the inoffensive appearance of the motives upon which they acted, and of the ends proposed in that combination; which was to be followed by an insurrection, for the preservation of their religion, and defence of his majesty's rights and prerogatives, and the just liberties of the subject. This, with a specious declaration, published about the same time, and assigning the like motives for their taking arms, had a wonderful effect in conciliating the minds of the Roman catholics of English race, whose rooted aversion to the old Irish was in a good measure diverted by their resentment of the manifest jealousy expressed of them by the state, the recent provocations they had received, and the greater hardships they dreaded from that quarter, and was at last quite got over by the common danger of their religion; which

<sup>r</sup> Clan. Mem. pp. 88, 89. Nalson, vol. ii. p. 901.

(they thought) as in a sinking vessel, called upon all hands for their assistance to preserve it.

124 Lord Clanrickard had early foreseen, and earnestly laboured to prevent, these inconveniences. He had, on Nov. 14, wrote to this purpose into England, and had solicited his brother, the earl of Essex, to use his care, power, and interest with the parliament to prevent or redress any sudden declaration, grounded upon reports, that might cast an aspersion or imputation upon the 233 loyalties or consciences of any of his majesty's faithful subjects in Ireland, in a time of general service; the first proclamation of the state at Dublin having struck a deep and sad impression in the minds of men, and nothing being like to prove so fatal, as the doing any thing to countenance the notion of this being a war of religion.

125 This wise and honest advice did not suit with the schemes of the faction in the English parliament; it was their interest to have it thought in England a war of religion, and to have it kept up till they had inflamed their own nation, and put themselves in a condition of raising an insurrection there. With this view, and upon occasion of the rebellion of the old Irish, they fell with new fury upon the English Roman catholics, as if they had been confederated therein; making the orders, and executing the severities, which, having been mentioned already, need not, for the most part, be recounted here. Yet it cannot be improper to take particular notice of one or two of them, which had a more immediate relation to the situation and affairs of Ireland.

126 There was not in that kingdom a more powerful body of men than the Roman catholic lawyers. The noblemen and principal gentry of that religion, not being capable of offices of trust and power in the state, generally bred up their younger sons in that profession; who thereby were enabled to raise considerable estates to themselves, and being, in proportion to their eminency in the pro-

fession, consulted by all the noblemen and gentlemen of their religion, had a general acquaintance and a great interest with them; to which the dignity of their families, the mutual relations between the great houses of that country, and the opinion conceived of their knowledge, experience, and wisdom much contributed. These gentlemen of the law had for many years been passionately desirous of two things; the one, a liberty of pleading at the bar without taking the oath of supremacy; the other, the having of some inns of court erected at Dublin for the education and instruction of young gentlemen in that profession, that they might not be at the expense of passing some years in England to learn the knowledge and practice of it. The whole nation in a manner joined with them in a desire of these privileges; and the king, among his late graces, had indulged them in the first point; and when they were full of hopes to see that grace established by law, the late prorogation and the proceedings of the lords justices made them utterly despair of it. Instead of having any hopes of the other, they found themselves entirely debarred of any education at all in the way of the law, even in England, by the late order of the English parliament for tendering the oath of supremacy to all Irishmen in the inns of court and chancery at London, for expelling all that refused it, and admitting none for the future that would not take it. This order affected all the considerable families in Ireland, and deprived them of the only means hitherto allowed them of providing for younger children in their own country, as well as of the best advisers, whom they could consult for defending the titles of their estates against the flaws which rapacious ministers and projectors were perpetually finding therein. The lawyers themselves, though naturally averse to war, yet not being allowed to exert themselves in parliament for the speedy suppression of it, seeing now no other way of obtaining

the graces for which they had contended in the house of commons, and which they had solicited at court with some effect, as they once thought; and despairing of what they so much wished, did not exert their power and credit to keep the gentlemen from having recourse to (what they imagined was) the only method of redress now left them in the way of arms; but some of them earlier, others later, engaged in the rebellion; and though they did not take upon them military commands, or enter into action in the field, were very serviceable to the rebels in forming the model of their government, and became the leading members of their supreme council and general assemblies, still retaining their inclinations to peace, and promoting it as opportunities offered.

- <sup>127</sup> Their power lay chiefly among the gentry of the kingdom; the common people were more under the influence of the Roman catholic clergy; and these the English house of commons had given reason to apprehend every thing that is dreadful to human nature. They had caused the laws against recusants to be put in execution all over England; and though what was done in other parts might be little known, yet what passed in London could not fail of being public. Eight Roman catholic priests had been there taken up for saying mass, and the proof failing as to one, the other seven were condemned. The king, averse to the putting of any man to death merely for religion, had reprieved them. The commons were offended at it, and made loud clamours upon this subject against his majesty, whom they pressed to sign the warrant to have all the eight executed, not knowing that one of them was acquitted at his trial. The French ambassador interceded in their behalf, and desired they might be only banished; which at this time he conceived to be good policy, considering the commotions of Ireland, and the desperate courses such a terrible severity might occasion there. But neither that, nor the consideration of



foreign protestants, who were alike at the mercy of the laws in several popish countries abroad, could stop the fury of the commons, who, after a debate upon the request of the ambassador, passed a vote (in which they desired the concurrence of the lords) that execution should be done upon five of them, whom they particularly named. <sup>f</sup>The lords thereupon desired a conference, to know the reasons that induced the commons to be of opinion that five should be executed and two saved. The commons, in a strange sort of fury at the lords' hesitation in the matter, instead of giving them reasons, desired them to join in a petition to his majesty that all the seven might be executed; and insisted so strongly on it, that the lords complied; and nothing would satisfy them till the king had left them to their mercy, to order the execution whenever they saw fit. If the persecution of Romish priests was pushed on with so much fury, and proceeded to such cruel extremities in England, where the Roman catholics were universally quiet, and too weak to be dangerous, where no disturbances had happened from them, nor was there the least pretence (but what mere imagination or wicked policy suggested) to fear any, what treatment less than extirpation could the Irish Roman catholic priests expect, in a country where they had an absolute power over almost nine parts in ten of the people, and where a bloody rebellion was broken out, and already imputed to them, though not above two or three of their number appeared to know any thing of the conspiracy? When men have every thing to dread in peace, and much to hope from a war, it is natural for them to choose the latter, and use their utmost endeavours to make it successful: nor is it any wonder that those priests, in such a situation of affairs, should have recourse to arms for the safety of their lives, and despairing of an indul-

<sup>s</sup> Nalson, vol. ii. pp. 731, 736, 740.

gence in quiet times, should seek in troublesome ones for an establishment, never to be obtained but by the prevailing force of an insurrection.

<sup>128</sup> They could not want arguments to persuade their flocks to engage in it; the English commons had by their violent proceedings against the papists in England furnished them very plentifully in that respect; and as if all that hath been already mentioned on that subject was not enough, †they now took occasion from the Longford letter (which, as hath been said, was presented to the council <sup>235</sup> of Ireland on Nov. 10, and transmitted to the lord lieutenant) to pass a vote that no toleration of the Romish religion should be allowed in Ireland; and to get the house of lords to join with them in an address to the king that he would make a public declaration to that effect. However convenient such a declaration might be for their purposes in England, it was certainly very unseasonable with regard to Ireland, where it could serve to no other end than to inflame matters, to countenance the new pretences which the rebels had taken up to put a gloss on a rebellion, begun by the descendants and remains of the old rebels of the mere Irish to recover the forfeited estates of their ancestors, and rendered detestable to all the world by a thousand acts of inhumanity and horror; to make it, in a word, be thought (what all good men, who did not wish the desolation of their country, would fain have avoided) a war of religion; which notion, however odious the rebellion had been in its beginning, would hallow it so in its progress, that catholic princes might deem it not unworthy of their encouragement, and the bulk of the Irish nation be drawn in to support it as a common cause, wherein the conscience of every man was concerned.

<sup>129</sup> These violent proceedings of the English parliament

† Nalson, vol. ii. p. 737.

caused the Roman catholics generally to apprehend a formed design of extirpating them, unless they would renounce their religion. It was an age of fears and jealousies, credulous passions, which readily swallow all reports that flatter them without examination, and are kept up by the force of imagination, rather than by the light of reason. An infinite number of reports were continually flying about, and alarming the Roman catholics with the danger of their religion, and the design of an extirpation; which the more easily found credit, by reason of those undoubted facts already mentioned, which gave too much countenance to that notion, and were too public to be either unknown or denied. Letters, in consequence of these reports, were written and sent, of a like tenor, either suggested by the fears of the writer, or invented out of artifice, to drive people to the extremest counsels and desperate methods of defence and relief. Speeches were thrown out by persons of figure and power in public assemblies, either insinuating or expressing the like terrible design; all which, whether arising from a furious zeal, violent passion, or wicked policy, could not, in the circumstances of the Irish nation at that time, but work powerfully upon the minds of the Roman catholic gentlemen, and, when they saw no other present means of safety and redress left, move them to take that which was already offered of an insurrection.

130   <sup>u</sup> Thus a letter was intercepted, coming from Scotland to one Freeman of Antrim, giving an account, “that a covenanting army was ready to come for Ireland, under the command of general Lesly, to extirpate the Roman catholics of Ulster, and leave the Scots sole possessors of that province; and that to this end a resolution had been taken in their private meetings and councils to lay heavy fines upon such as would not appear at their kirk for the

<sup>u</sup> Ireland, vol. i. p. 453.

first and second Sunday, and on failure the third, to hang without mercy all such as were obstinate at their own doors." This notion (as appears from a multitude of depositions taken before Dr. H. Jones and other commissioners) prevailed universally among the rebels, and was chiefly insisted on by them as one of the principal reasons of their taking arms. <sup>v</sup>It was confidently averred that sir John Clotworthy, who well knew the designs of the faction that governed in the house of commons of England, had declared there in a speech, "that the conversion of the papists in Ireland was only to be effected by the Bible in one hand and the sword in the other;" <sup>236</sup> and Mr. Pym gave out, "that they would not leave a priest in Ireland." To the like effect <sup>w</sup>sir William Parsons, out of a strange weakness or detestable policy, positively asserted before many witnesses, at a public entertainment in Dublin, "that within a twelvemonth no catholic should be seen in Ireland." He had sense enough to know the consequences which would naturally arise from such a declaration, which, however it might contribute to his own selfish views, he would hardly have ventured to make so openly and without disguise, if it had not been agreeable to the politics and measures of the English faction whose party he espoused, and whose directions were the general rule of his conduct.

<sup>131</sup> From that quarter (and probably with a design of making the insurrection general) came originally those suggestions of extirpation, which I have seen expressed in pamphlets printed at that time in England, stuffed with falsehoods to serve the parliament cause, and in which, by a villany ordinary in those days, the names of men of quality and reputation were impudently made use of, without their knowledge, to gain credit to the relations. Of this sort was the pretended letter of Richard

<sup>v</sup> Nalson, vol. ii. p. 536.

<sup>w</sup> *Ib.* p. 557.

lord Dungarvan, afterwards earl of Cork and Burlington, (a nobleman of great merit and irreproachable conduct, and very far from any cruel or oppressive counsels,) to sir Arthur Magenis in London, but wrote by one utterly ignorant of the affairs of Ireland, and published by John Hammond, in which it is affirmed, “that perpetual war was to be expected in Ireland, and that country would never be free from insurrections, except all papists were banished the land, and that kingdom inhabited by other British subjects, that were protestants.” To the same source does the king ascribe them, when he says in his excellent book, in the chapter upon this subject, that “certainly it was thought by many wise men, that the preposterous rigour and unreasonable severity which some men carried before them in England, was not the least incentive that kindled, and blew up into those horrid flames, the sparks of discontent which wanted not pre-disposed fuel for rebellion in Ireland; where despair being added to their former discontents, and the fears of utter extirpation to their wonted oppressions, it was easy to provoke to an open rebellion a people prone enough to break out to all exorbitant violence, both by some principles of their religion, and the natural desires of liberty, both to exempt themselves from their present restraints, and to prevent those after-rigours, wherewith they saw themselves apparently threatened by the covetous zeal and uncharitable fury of some men, who think it a great argument of the truth of their religion to endure no other but their own.”

132 Having thus seen what the Irish Roman catholics had to fear if they remained peaceable, it is proper to consider what they had to hope from an insurrection. In this point nothing struck their imagination so much, or filled it so constantly, as the late example of Scotland, where the covenanters had gained all their desires by a rebellion; and the king, notwithstanding his real zeal

for religion, and his known affection to the constitution of the church of England, had been forced to consent, not only to the abolishing of the liturgy, but to the subversion of episcopacy itself; they had observed<sup>x</sup> that this compliance of his majesty had raised such an expectation in England, that he intended at his return to alter the government of that church, and reduce it to the Scotch form, that he was forced by his letter of Oct. 18 to assure his own servants that he would be constant to the discipline and doctrine of the church of England, and resolved to die in the maintenance thereof. They had seen all the cruel outrages and newfangled reformation<sup>237</sup> of the covenanters so well approved by the house of commons in England, that with an inhumanity, not usual in that nation, they had made<sup>y</sup> an order, that none of the episcopal clergymen so divested of their livings, plundered, and in other respects barbarously treated in Scotland, should be admitted to any benefice either in England or Ireland. They knew the Scots' design to labour with all their might the establishment of their covenant and presbyterian constitution in both those kingdoms, and that, however averse the king might be to such an innovation, the English faction were obstinately resolved to introduce it; and a petition, after the late Scotch fashion, full of bitter, but general invectives, unsupported by any particular fact, against bishops, had been presented to the English commons, received and printed in the name of some thousands of the protestant inhabitants of the counties of Antrim, Down, Tyrone, and other parts of Ulster in the kingdom, praying in express terms the utter extirpation of episcopacy; to which, for rendering it the more odious, the popish prelacy and hierarchy was joined. When the church of England was to be destroyed, they thought they had as fair pretences for getting an esta-

<sup>x</sup> Nalson, vol. ii. p. 683.

<sup>y</sup> Rushworth, vol. iv. p. 153.

blishment in Ireland as the covenanters had in Scotland; and as the king had already sacrificed Scotland, to be the better able to oppose his enemies, and support the church in England, they vainly hoped he might be forced to sacrifice Ireland too for the same reason; and that the parliament, in order to carry their schemes (on which they were violently set) in the former kingdom, might be the more indifferent as to what was done in the latter. Hence they fancied, that by following the Scots' example, they had reason to expect, if not an establishment which those had obtained, yet at least a repeal of the penal laws, 2 Eliz., which inflicted fines upon such as did not conform to the liturgy, and disqualified all persons from preferments that would not take the oath of supremacy; the former of which affected the Roman catholics of all degrees, as the latter was the great grievance of such men of quality and estates as were recusants.

133 They had seen the king, in his late visit to Scotland<sup>z</sup>, confirm all that the covenanters had done against his authority; make the lord Loudon, the principal manager of the rebellion, chancellor of that kingdom; confer honours on their generals and others who had fought against him in the field; dispose of preferments and dignities on persons, not according to their merit, but the capacity and ability they had in doing him mischief, and (whilst his faithful servants and subjects were barely suffered to live, upon the condition of not coming near his presence) give all the lands of the church, which had devolved to him by its ruin, to those rebels who had most contributed to that ruin; to whom he had made, as it were, a deed of gift of that kingdom, and left the disposal of the chief offices and places of trust and honour. This encouraged the Irish Roman catholic gentlemen to hope, that by a like rebellion, they might obtain the like

<sup>z</sup> Clarendon, vol. i. book iv. par. 46. edit. 1849.

advantages, and if they did not get the government of the nation so absolutely into their hands, they might at least prevail for a capacity of being admitted to offices of trust and honour, to which their quality and fortunes in the kingdom entitled them, and which they so passionately wished, that they thought no grievance so insupportable, as their present legal disqualification for those offices, and the being reduced to the necessity of living always in a private condition, liable to be taken up at the will, and subject to the control and dominion of others, who were naturally their inferiors.

134 These hopes, which were much strengthened by the distracted condition of the kingdom of England at this time, by the extremity of the weather in a season of the 238 year which seemed scarce to allow the sending of any forces or supplies from thence till the spring, (by which time they might well expect succours from abroad,) by the shameful backwardness which the Scotch parliament had openly shewed, when so earnestly pressed by the king to lend their assistance for the immediate suppression of the rebellion, and by the resolution, which that body had formally taken, to do nothing therein without the concurrence of their brethren in the parliament of England, who were carrying on matters with so much violence and to such extremity against the king, that all the reasonable world already apprehended it would end at last (as soon after proved to be the case) in an open rupture and rebellion there, were great encouragements to the body of the Roman catholics of Ireland to embark in the insurrection<sup>2</sup>. The rebels confidently gave out, that no succours would be sent from either of those kingdoms to the state of Ireland, and the strange delay in sending them did but too much countenance that notion. This, with the manifest signs of fear shewn in

<sup>2</sup> Lords justices' letter to the earl of Leicester, Dec. 14, 1641.



the proceedings of the lords justices, in their not allowing either the earl of Ormond to raise an army, and take the field against them, or sir H. Tichburne<sup>a</sup> to attack an advanced party of Irish, that lay secure and half armed at Atherdee, though he urged it as an enterprise attended with little or no hazard in the attempt, and very easy in the execution; in letting<sup>b</sup> a company of the common, loose, naked Irish, spoil and waste the country under their very nose and in the neighbourhood of Dublin, where all the strength of his majesty's army was, without so much as attempting any thing against them; in their obstinately resolving not to make an offensive war, and confining all their care and views solely to the defence of Drogheda and Dublin, gave such spirits to the rebels, that though they were not able to maintain their ground in the north, against the small bodies that were got together under colonel Chichester, lord Montgomery, sir W. Cole, sir Ralph Gore, sir William and sir Robert Stewart, they yet drew down a considerable force towards the south in order to form the siege of Drogheda. Their numbers struck terror into all parts whither they advanced, and the country, being forced to submit to them wherever they came, still added to those numbers. The county of Lowth was the most exposed of any to their fury, and the three hundred arms assigned to Mr. John Bellew, high sheriff and knight of the shire, for the defence of it, had been recalled by the state before they were delivered to him, so that it lay entirely at the mercy of the rebels who overflowed it. The gentlemen thereof, banished Dublin by three successive proclamations, on pain of death, and ordered to repair to their own houses, unable to make resistance, and seeing not any even the least prospect of relief or succour, opened their defenceless habitations to the enemy; which gave the lords

<sup>a</sup> Sir H. Tichburne's letter to the earl of Ormond, Nov. 11.

<sup>b</sup> See Collection of Letters, No. XXXVIII.

justices ‘occasion to complain, “that the rebels were harboured and lodged in the gentlemen’s houses of that county, as freely as if they were good subjects.” This correspondence, however necessitated it was at first, involving them in the guilt of rebellion, according to the rigour of law, which they had no reason to think would be relaxed on account of their unhappy situation by any favour or tenderness they might hope from the then government, made the gentlemen in general, and the high sheriff in particular, to join with the rebels, and put the fate of their persons and fortunes upon the issue of the rebellion.

135 This detached body of the northern rebels appeared on Nov. 21 in sight of the town of Drogheda, within four miles of it, presuming (as was imagined) upon some party<sup>239</sup> within the place. Sir H. Tichburne<sup>d</sup>, governor of Drogheda, had the week before sent a party of fifteen horse and twenty-two foot to Mellefont, (formerly an abbey of Bernardine monks, founded by Donagh O’Carrol, prince of Ergall about A. D. 1142, but then an house of the lord viscount Moore’s, three miles from the town,) as well to secure that place from the incursions of roving parties, as to keep abroad continual centinels and scouts, that might inform him of the rebels’ motions. His orders were not well observed, nor this party so vigilant as they ought to have been; for on the 21st the rebels on a sudden encompassed the house, and (after the soldiers’ powder was spent) took it with the loss of some one hundred and twenty of their own number, (among which were Owen Mac Mahon and another captain,) and eleven of the soldiers, with most of the arms. As the Irish were breaking into the house on all sides, the troopers, causing the great gate to be opened, sallied out, and opening themselves a way through the body of the rebels, got

<sup>c</sup> In their letter to the earl of Leicester, Nov. 22, 1641.

<sup>d</sup> See his letters to the earl of Ormond, Nov. 22 and 23.

safe with the rest of the foot soldiers sore wounded to Drogheda.

<sup>136</sup> The lords justices had on the 20th given orders for sir Charles Coote to march with a small party to Navan, for the safety of those parts; but having the next day from sir H. Tichburne advice of the rebels' approach to Drogheda, they assigned him his own regiment and two troops of horse for that service; and ordered commissions to be given out for making a new levy of four regiments (consisting each of one thousand men under the command of the lord Lambart, sir Charles Coote, sir Piers Crosby, and the earl of Ormond) and four independent companies of foot. Sir Henry<sup>e</sup>, in case he was to wait a siege, desired orders for burning all the corn and houses on the north side of the town, in order to deprive the enemy of so much food, and the conveniency of warm lodging, imagining that their being exposed to the bare fields, without tents to cover them, would be a great abatement of their courage; but conceived it still more advisable to join all the forces together in one army, and to fight the rebels in the field. The justices did not care to run the hazard of a battle; but ordered a body of six hundred foot under major Roper, and fifty horse of the earl of Ormond's troop, commanded by sir Patrick Wemyss, to reinforce the garrison of the place<sup>f</sup>. The foot were raw men, lately raised, for the most part out of the despoiled English, and undisciplined; but however were as well trained as the enemy, and much better armed. The earl of Ormond, taking a view of them before they marched, did not like their countenances, nor think them a fit convoy for the ammunition and provisions sent for supply of the town; but the justices would not revoke or alter their order.

<sup>137</sup> They began their march on Nov. 27, the same day on

<sup>e</sup> See his letters of Nov. 23 and 25.  
Nos. XL. and XLI.

<sup>f</sup> See Collection of Letters,

which Philip Rely, having joined the rebels with four thousand men from the county of Cavan, passed the Boyne with his forces; of which the governor of Drogheda sent immediate intelligence. They were ordered to be at Drogheda the next night, and sir Henry Tichburne<sup>g</sup> sent to them to hasten their march, assuring them that he would be ready to meet them with other succours, if need required. Accordingly on Sunday the 28th, in the afternoon, he drew out a party, and advanced to meet them; but failing thereof, returned to his place and charge, having received intelligence that the enemy intended to assault the town, either that night or by break of day in the morning. The officers who commanded the succours could not prevail with their men, by any entreaties and promises of reward, to march any further that night than Balrudery, (a village seven or eight miles short of Drogheda,) being there informed that the enemy<sup>240</sup> lay in their way and intended to fall upon them that night. In their march the next morning, the lord Gormanston sent sir P. Wemyss word, that the rebels were with a body of two thousand foot and five hundred horse at St. Julian's town-bridge, three miles from Drogheda. Upon this advice sir Patrick despatched several scouts towards the bridge, who all returning with an account that there was no enemy at all there, the party continued their march with great security to the bridge, no enemy appearing to disturb it. But they were scarce got a quarter of a mile beyond it, when they discovered first ten of the rebels' horse, and soon after their whole body marching towards them in very good order, seeming to make about three thousand horse and foot. Their horse consisted of five troops, three armed with lances and two with pistols; they had also two fieldpieces with them. Major Christopher Roper, a brother of lord Balt-

<sup>g</sup> Sir H. T.'s letters of Nov. 27, 28, 29, and sir Pat. Wemyss to the earl of Ormond, Nov. 29.

inglas, commanded the party of recruits; who, when they first discovered the rebels, were marching in a dirty lane, with a deep ditch on each side of them; but neither he nor the other captains of foot had ever been in any former command, or had any experience of war. Sir P. Wemyss advised them to draw their men out of that inconvenient place into a field adjoining, where they might fight with advantage; which they did, and disposed them in pretty good order. Sir Patrick drew up his troop in their front, and undertook to begin the charge, in which they promised faithfully to second him. The rebels marching towards him in five large bodies of foot, supported with horse on each wing, he caused his trumpet to sound a charge, and advanced to meet them; but the foot, without firing a shot or striking a stroke, quitted their officers, threw down their arms, and betook themselves to their heels. Sir Patrick did not observe this, till his troopers, who were old soldiers and gallant men, called out to him to take notice of the flight of the party which he expected to support him. In this situation he had nothing to do but to wheel off, and make good his retreat to Drogheda; which, all the country thereabouts being enclosed ground, was not to be done without great difficulty. He made it however in good order, and brought all his troop safe thither in a body, except two men, whose horses falling lame, they could not keep pace with the rest, but came in afterwards. The loss of the foot was not great, there being scarce an hundred of them missing, their flight being favoured by a fog, in which major Roper and the captains W. Cadogan and Charles Townsley made a shift to get to Drogheda; but the rebels took more arms than they had before among all their forces, and a considerable quantity of powder and other ammunition, of which they were in great want.

138 Sir Henry Tichburne having waited in vain for the attack which he was advised would be made upon the

town that morning, as soon as the scouts which he had sent out for intelligence returned, and brought him word that the enemy were marching in a strong body athwart the country, drew immediately out of Drogheda with a party of six hundred foot and the greatest part of his horse, in order to meet the reinforcement designed him. But he was scarce got a mile from the town, when he met several of the scattered soldiers, that had escaped from the rebels, and gave him an account of the defeat they had met with about two miles farther. Sir Henry understood that the rebels' forces much exceeded his own in number, yet presuming he should find them secure and careless after their victory, he still advanced towards them, seeking them up and down in the thick mist, which as it had helped the enemy to come on a sudden, and almost undiscovered, upon the other companies, so it now served them for a shelter and means of retreat from his. Not able to find the rebels, he returned with his party to Drogheda, to provide for the defence of the place, which was the next day invested on all sides.

139 The reputation which this success gave the rebels was <sup>241</sup> of wonderful advantage to them, and added prodigiously to their numbers. The Irish no longer doubted of their being able to take Drogheda, and to march down with all their forces united to the siege of Dublin. A company of foot, consisting of one hundred men, one of the three which had been raised in Kildare for the defence of that county, and armed at the request of the country out of the stores at Dublin, took occasion a day or two after the news to revolt to the rebels, and carried all their arms with them; their captain, Mr. Nicholas White, son of sir Nicholas White of Leixlip, being the only person left to carry the unwelcome advice of it to the state. This example was followed by others of those companies, and by an infinite number of particulars, who upon the rebels assuming to themselves the style of the catholic

army, and pretending that they had taken arms purely for the defence of their religion, which was in imminent danger of being extirpated, deluded by those pretences, embarked with them to the number of several thousands in the cause; though (as the lords justices imagined) “many of these joined with them for no other reason but because they saw succours expected out of Great Britain deferred, rightly judging, that without those succours the state was neither able to defend itself or protect them.” Great numbers of the ordinary Irish in the counties of Westmeath, Meath, and Kildare, taking advantage of the troubles to gratify their natural passion for rapine and plunder, had already got together in small scattered parties, and pillaged their neighbours, making incursions even within six miles of Dublin, without any opposition from the state, who never sent out a party of forces to repress their insolence and stop their depredations; and, encouraged by this impunity, the meaner people of the county of Dublin began now to stir, to fall upon their neighbours, and enrich themselves by their plunder.

140 The lords justices<sup>h</sup> had resolved to keep themselves entirely on the defensive, and to attempt no enterprise till their succours arrived out of England. Every letter which they wrote, either to their lord lieutenant or to the parliament of England, was full of terrible accounts of the extremity to which they were reduced, and of the strongest instances for the hastening over of immediate supplies, without which it would be impossible for them to subsist; and that those supplies might be at least one hundred thousand pounds in money, and in men ten thousand foot and one thousand horse, which were absolutely necessary, unless they had a mind to protract the war, which would be attended with an infinite expense of blood and treasure. These representations had

<sup>h</sup> Lords justices' letters to the earl of Leicester, Dec. 3 and 14, 1641.

little effect upon the English commons, whose views it answered better to make a mighty bluster in their votes of what they resolved to do, than to send them actually any real and effectual assistance. They had indeed on Nov. 11 resolved<sup>i</sup> “to send ten thousand foot and two thousand horse out of England for the relief of Ireland, and to desire likewise the assistance of their brethren of Scotland for ten thousand men in the same service, whereof one thousand only to be sent presently, and the rest at such times and in such manner as should be agreed upon by articles and conditions of both parliaments, according to future occasions.” But they were in no haste to execute what they had thus resolved with regard to the largeness of the supplies, or indeed to send over any at all; though they had been told over and over, that the least delay would give such encouragement to the rebels, and those who secretly favoured them, that the rebellion would necessarily spread, and become at last universal. The earl of Ormond, who had nominally the command of the army, but could do nothing without leave from the lords justices (who made use of him only as a canal to convey their orders to inferior officers) see-<sup>242</sup>ing how matters went, earnestly pressed the lord lieutenant to come over without delay; and taking occasion from the vote here mentioned, recommended to him some officers (who had served in the late army which had been broke in Ireland) to be employed in that body of forces, which, at that distance, he really imagined were raising in England pursuant to that vote. The earl of Leicester (in his answer<sup>h</sup> of Dec. 4) informs him of his mistake, and tells him, “that though he had no doubt of the worthiness of those persons whose names his lordship had sent him, yet he did not see how it was possible for him to accommodate any of them with employments fit

<sup>i</sup> Nalson, vol. ii. p. 626.

<sup>k</sup> B. p. 78.



for them, unless the state of England should think fit to make more levies; for as yet (says he) there are but two regiments to be raised here, one for sir Simon Harcourt, and the other for myself, the officers and captains of which are all taken out of the king's late army; whereof many more offered themselves, and could not have been refused, being recommended by their own abilities and by the king's good opinion of them, if there had been room for them. He adds, that this was in a manner all the force that was to be raised at that time in England, except another regiment, which was as yet only intended to be raised under the command of sir Charles Vavasour for the service of Munster; but all the officers of those troops had been chosen and resolved on there a good while before."

141 <sup>1</sup>The lords justices, after having sat still too long in a vain expectation of supplies from the English parliament, and having borne, with a patience that had too much the air of fear, the continual insults offered to their authority by the ravages of a tumultuary rabble in the very neighbourhood of Dublin, were at last necessitated to make use of the army assembled there; and on the same day that the six hundred men began their march to Drogheda, they ordered sir Charles Coote to march from thence with a body of troops for the relief of the castle of Wicklow, which was besieged by the rebels, and in danger of being taken without present supplies. This he executed with success, the rebels upon his approach retiring to the mountains; and the town being left at his mercy, he in revenge of the spoils committed upon the English in those parts, put, without distinction of sex, several persons to death, whom the Irish pretended to be innocent, but he alleged to be actually guilty of those spoils.

<sup>1</sup> Sir J. Temple, p. 17. Letter of lords justices to the lord lieutenant, Nov. 27, 1641.

<sup>142</sup> In the meantime the news of the rout of St. Julian's town-bridge arriving at Dublin, caused a general consternation and great disorders in the city; the English inhabitants were so strangely dismayed, and the disaffected party so highly raised in spirit and courage, that it was apprehended by men of good sense, if the commanders of the rebels had followed their blow, and instead of amusing themselves and employing their army in the siege of Drogheda, had drawn all their forces together, and marched straight to Dublin, they would, by means of the present distractions in the place, and of the forward affections which they would have found there, have in all probability made themselves masters of the city, and been able in a short time to force the castle to surrender. In this distress, the justices sent for sir Charles Coote back with his forces, who immediately returned, having in the way routed Luke Toole, who attacked him with one thousand Irish in his march, and was made governor of Dublin, which he applied himself very carefully to secure.

<sup>143</sup> The place was but sorrily fortified, for the suburbs, which were large, had no walls about them; and the city-wall, having been built above four hundred years, was now very much decayed, and had no flankers on it, nor places whereon the garrison might stand to fight. Sir Charles was a soldier of fortune, had served when he was very <sup>243</sup> young in the wars of Ireland against Tyrone, and by various projects wherein he engaged, and by grants of wardships and of concealed lands in the province of Connaught, &c., had raised to himself an estate of four thousand pounds a year. He was a man of courage and experience, but very rough and sour in his temper; and these qualities of his nature being heightened by a recent sense of the very great damages he had sustained from the rebels in his forges and estate, put him upon acts of revenge, violence, and cruelty, which he exercised on all occasions with too little distinction between the innocent

and the guilty, and which, however acceptable to the lords justices and terrible to his enemies they rendered him, were generally distasteful to all wise and good men, that wished the welfare and peace of the kingdom, and furnished the Irish too just an occasion of complaint against him.

144 It hath been already observed, that no one nobleman of the kingdom, or any estated gentleman of English race, engaged in the rebellion, or joined with the rebels in action, till the month of December; for as to those gentlemen of the county of Lowth who submitted to them before, being unable to defend themselves, or to make resistance, they had not yet appeared in action. The rebellion till then had been carried on by the mere Irish, and confined to Ulster, to some few counties in Leinster, and that of Leytrim in Connaught: but the beginning of that month opened another scene, and laid the foundation of a more general insurrection, in which a great part of the nobility, and almost all the Roman catholic gentlemen of English race throughout the kingdom, first or last, were involved. The steps by which this was brought about, and the manner in which the lords and gentlemen of the pale (who made the first defection) came to be engaged in the affair, is a proper subject of inquiry, and well deserves a particular relation.

145 The rebels, after their victory on Nov. 29, increased exceedingly in their numbers, so that in a very few days their forces about Drogheda, and between that place and Dublin, amounted to twenty thousand men. The lords and gentry of the pale, unable to resist so vast a body, that were entirely masters of the field, kept themselves quiet in their own houses, to which they had been ordered by the lords justices to retire, not thinking it prudent by a weak and fruitless opposition, and acts of hostility, to provoke an enemy that could destroy them in a moment, and take ample vengeance on their persons as well

as estates, since they were on pain of death forbid a retreat in Dublin. In this condition they remained, when the lords justices on Dec. 3 directed their letters to divers of the nobility who were nearest to them, (most of the English pale,) acquainting them that they had immediate occasion to confer with them concerning the present estate of the kingdom and the safety thereof in those times of danger, and requiring them to be at Dublin for that end on the eighth day of the same month.

146 This summons alarmed several of those noblemen, who lying most exposed to the enemy, could not hinder the rebels entrance into their houses, or the paying of them contributions, and had thereby been guilty of a correspondence which in the eye of the law was criminal, (though unavoidable,) and exposed them to the penalties of high treason, if they were to be judged with rigour. The reason assigned for convening them at that time appeared very suspicious, because of the jealousy which the justices had always expressed of them; and there was no reason to imagine that their jealousy could be less, when their fears and danger were greater; or that they were now ready to take their advice, when they had rejected it before, though given in concurrence with others of unexceptionable characters, and warranted by the authority of parliament. It appeared very strange and unaccountable, that those very persons who had about a fortnight before thought the abode of these lords 244 in Dublin dangerous and incompatible with the safety of the state, and in consequence thereof had banished them from thence, should now, by a sudden turn of sentiments and conduct, invite them thither to be consulted with for the safety of that state. Hence it was easily imagined that the summons was only an artifice to draw those noblemen to Dublin, and when they were there, to seize on their persons, confine them in an irksome prison, and perhaps prosecute them at law with a severity which

might end in the forfeiture of their estates, the ruin of their families, and the taking away of their lives by an ignominious execution. These apprehensions were much heightened by the ill opinion they had entertained of the lords justices, who (they firmly believed) hated their persons as well as religion, and had designs upon their estates; which, having power in their hands to do what they pleased, and being restrained by no scruple about the means of doing it, they might very easily execute. Thus the fears and jealousies of these noblemen, upon occasion of this summons, drove them into such extremities, as despair of mercy is wont to produce in those who have transgressed the strict bounds of duty, and know their lives and estates without it to be forfeited to the rigour of law. They resolved therefore not to appear on the day appointed, when only the earl of Kildare, the viscount Fitz-Williams, and baron of Howth coming in, the justices thought fit to put off the conference.

147 The other lords met most of them on the 7th, and drew up a letter to the state, signifying “that they had heretofore presented themselves before their lordships, and freely offered their advice and furtherance towards the safety of the kingdom, which being neglected, gave them cause to conceive that their loyalty was suspected by their lordships; and that they had received certain advertisement, that sir Charles Coote, at the council board, had uttered some speeches tending to a purpose and resolution to execute upon those of their religion a general massacre, by which they were all deterred from waiting on their lordships, not having any security for their safety from those threatened evils, or the safety of their lives; and rather thought it fit to stand upon their best guard, until they heard from their lordships how they should be secured from those perils; protesting however, that they were, and would continue, both faithful advisers and resolute furtherers of his majesty’s

service, concerning the present state of the kingdom and the safety thereof, to their best abilities." This letter was signed by the earl of Fingall, and the lords Gormanston, Slane, Dunsany, Netterville, Louth, and Trimblestone, and sent to the lords justices, who received it on the 11th of December, and thence suspected that the writers of it would rather join with the rebels than assist in suppressing them. The unhappy resolution taken of standing on their guard was a reasonable ground of such suspicions, because it must necessarily end in some treaty or other with the rebels, at least for their assistance, in case they were attacked by the state, or sent for by an armed force.

148 In the meantime, (on Tuesday, Dec. 7,) a party of foot, being sent out into the neighbourhood of Dublin in quest of some robbers that had plundered an house at Buskin, came to the village of Santry, and murdered some innocent husbandmen, (whose heads they brought into the city in triumph, and among which were one or two protestants,) under pretence that they had harboured and relieved the rebels, who had made inroads and committed depredations in those parts. Hard was the case of the country people at this time, when not being able to hinder parties of robbers and rebels breaking into their houses, and taking refreshments there, this should be deemed a treasonable act, and sufficient to authorize a massacre. This following so soon after the executions which sir Charles Coote (who, in revenge of his own losses, and the 245 barbarities of the Ulster Irish, certainly carried matters to such extremities as nobody can excuse) had ordered in the county of Wicklow, among which, when a soldier was carrying about a poor babe on the end of his pike, he was charged with saying, that *he liked such frolics*, made it presently be imagined, that it was determined to proceed against all suspected persons in the same undistinguishing way of cruelty; and it served either for an

occasion or pretence to some Roman catholic gentlemen of the county of Dublin, (among which were Luke Netterville second son of the lord viscount Netterville, George Blackney of Rickenhore, and George King of Clontarf,) to assemble together at Swords, six miles from Dublin, and put themselves with their followers in a posture of defence.

149 This rendezvous was on the 9th of December; and the lords justices and council having advertisement thereof, and apprehending some mischievous consequences might thence ensue, immediately issued out their warrant, “commanding all persons there assembled, upon their duties of allegiance to his majesty, immediately upon sight thereof to separate, and not to unite any more in that manner without direction from the state; and that nine of the principal persons so assembled should appear by ten of the clock the next morning at the board to shew the cause of their assembling in that manner.” This warrant was delivered on the 10th, and the gentlemen, instead of obedience to their lawful superiors, returned an answer the same day to this effect; “that they were constrained to meet there together for the safety of their lives, (which they conceived to be in no small danger,) being forced to forsake their houses, on the last Tuesday at night, by the rising out of some horse troops and foot companies from Dublin, who on the said night killed four catholics for no other reason than that they bore the name of that religion; an act, as they conceived, no way justifiable, and of itself apt to strike fear and terror into all of that profession; a treaty being then entertained by the army beneath, which, they expected, might have produced an happy conclusion; during which treaty they imagined no act of that nature, nor any such cause of distraction ought to have been given; and having been before daily put into many fears by certain intelligence given them of unexpected attempts against their lives;

and therefore thought fit to signify thus much unto their lordships, desiring ardently to be some certain way assured by their lordships of the safety of their lives before they ran the hazard thereof; which was the only motive that hindered them from manifesting that obedience which they acknowledged to be due unto their lordships' commands." The treaty here referred to was that which is mentioned in the lords justices' letter to the lord lieutenant of Dec. 14, pursuant to the offer of some popish priests, and was carried on by sir Thomas Carey, and Dr. Cahel, a doctor of the Sorbonne; which came to nothing by the rebels insisting upon unreasonable preliminaries, in confidence of the success which the present situation of their affairs encouraged them to expect.

150 Hereupon the council on the 13th published a manifesto vindicating the innocency of the state, declaring "that the four, who they alleged were killed as papists, (one of which was a protestant,) were such as had been actually guilty of rebellious courses, and commanding them again to separate upon sight of their warrant; and that the three before mentioned by name, and some others of the gentlemen assembled with them, should appear before the board on the 18th of the said month, that they might be fully heard by the lords justices and council; to which end their lordships thereby gave them and every of them the word of the state, that they might then securely and safely repair thither without danger of any trouble or stay whatsoever."

151 It happened about this time that some fishermen of 246  
Kilbarrock, Raheny, and Clontarf, (villages lying upon the bay of Dublin, and inhabited chiefly by Roman catholics,) took the opportunity of low-water to seize and plunder a bark come from England, and lying in the bay, and carried off all the commodities they found in her to several places where they could best secure them. No account of this affair takes the least notice of any men



on board the bark, or of any ill treatment that they met with, which, had there been any, would have been unavoidable, and could not have failed of being mentioned by those who relate it; so that it seems to have been a vessel deserted or wrecked; in which case people that live on the sea-coasts, influenced by a common but barbarous notion, are apt to deem and treat the goods on board as lawful plunder. Whether this was the case or no, the lords justices considered it as an high insult on the government; and plunder being the general prelude to rebellion in the Irish, they thought it behoved them to take immediate vengeance upon the persons concerned in that action, and to do this in such a manner as might strike a terror into others, and deter everybody from daring to commit the like. They took therefore a quick (too quick indeed to allow any examination into the matter, or a proper distinction to be made between the innocent and guilty inhabitants) as well as severe resolution on this occasion; and on Dec. 14 ordered the earl of Ormond “to send out forthwith a party of soldiers, of horse and foot, to fall upon those rebels at Clontarf and thereabouts, to cut them off, as well for punishment as terror to others, and to burn and spoil the rebels’ houses and goods; and to bring up to Dublin such of the boats and vessels lying there as they could on the sudden; and to burn, spoil, sink, and make unserviceable the rest.” By this warrant the earl of Ormond was at liberty to send out what party or officers he saw fit; but by the special designation of the lords justices, sir Charles Coote was appointed to go upon this expedition, being the fittest person to execute their orders, and he who best knew their minds. Accordingly the next day (Dec. 15) he went out with a party of soldiers, and entirely neglecting Kilbarrock and Raheny, fell upon Clontarf, (which village belonged to Mr. King, who was all this while absent from thence at Swords,) and burnt his

tenants' houses and goods, not sparing even his mansion house, under pretence that some of the goods, taken by robbery out of the bark, had been carried thither in his absence, and found there before it was set on fire.

152 This action, it is easy to imagine, would naturally exasperate Mr. King and the other gentlemen assembled at Swords, and might possibly provoke them to treat the messenger who brought the manifest so harshly, and the lords justices with so little ceremony and duty as not to vouchsafe them an answer in writing, and to break out into those rebellious courses which are mentioned in the letter of the state to the lord lieutenant on Dec. 28, which (as also their former of the 14th, printed at the latter end of sir John Temple's history of the Irish rebellion) is a great part of it an apology for their own conduct towards the lords and gentlemen of the pale. They say in that letter, "It is observable that by the printed manifest the said King and the rest were again required upon their allegiance to separate; and although in that public instrument it was declared, that if they failed therein, the state would take such a course with them to reduce them to obedience as might prove penal to them; yet the said King and the rest were so far from yielding obedience to the order, that they kept the messenger sent to them with that manifest a day and a night in restraint; and [the letter adds] they have not yet separated: but instead of separating, sent us word by our messenger that we should hear of them within a day or two, as indeed we did, when within two or three days after they advanced nearer to Santry, within three miles<sup>247</sup> of this city, with banners displayed to outface us. Where increasing daily in their numbers, they advanced yet nearer within two miles of this city, robbing and spoiling the English and protestants round about them, even to the suburbs of this city; and settling themselves in garrison at Finglass and Santry, fortified themselves there

to affront this state, insomuch that we were necessitated on the 22nd of this month to send out one thousand men, who put those rebels to flight, and burnt those parts of those two towns which relieved the rebels.”

153 There are some things mysterious in this account (as there are in some others) of the lords justices. They indeed expressly affirm, that the body which advanced to Santry and Finglass was the same that had assembled at Swords; but they speak of their passing some days at Santry, and there increasing every day in their numbers, which seems inconsistent with the order given in council on Dec. 20 to the earl of Ormond to send out a party against them; in which there is no mention at all made of Santry, but he is directed to fall upon them and their relievers and harbourers at Swords, and other places thereabouts, and to burn, spoil, and destroy the houses, corn, and all other goods of the said relievers. It is not very usual for soldiers, elated with success, to distinguish nicely what parts of towns in the power of garrisons did actually relieve them; nor doth it appear whether those garrisons lived upon provisions voluntarily offered them or taken by violence; for if they used force in the case, this in all reason must be supposed to fall upon those inhabitants who were most averse to their measures, and whose fate was certainly very hard, if the being oppressed and plundered by rebels were made a reason or pretence for the government to order their houses to be burnt, and all their effects to be destroyed. The case, as it appears to me, seems to be this: The gentlemen who had stood on their guard at Swords, and formed themselves into regular companies, and who resolving never to venture themselves in the power of the lords justices, had determined likewise to proceed further, did not yet care to be the first aggressors; and therefore sent those detached parties to Santry and Finglass, within two miles of Dublin, to provoke the state by such an insult, and by

hindering free access to the markets, to send forces to dislodge them. And probably they came thither on the 21st, the day before their quarters were beaten up, and they forced to a greater distance from the city.

154 Dr. Nalson has something particular in his <sup>m</sup>relation of this affair, which I am the more inclined to insert, because I am persuaded he had it from the duke of Ormond himself, from whom (he <sup>n</sup>says) he derived many informations; which indeed appears very evidently to me in many passages, particularly in that <sup>o</sup>which mentions several instances of Irish gentlemen who shewed humanity to the protestants, relieved and preserved them, and wherein there are some remarks on the historians that have wrote of the Irish rebellion; which passage is transcribed in his grace's own words from a paper<sup>p</sup> which I have before me in his own handwriting. The doctor says, that Luke Netterville sent two strong parties, the one to possess Finglass, and the other to Santry, where they lay till those at Finglass were dislodged from thence by colonel Crawford, lately arrived out of England, with a recommendation from the prince elector palatine, under whom he had served in the wars of Germany. The dislodging of the rebels from Finglass happened by a pretty odd adventure; for Crawford having raised a regiment of the stripped and despoiled English, who came to Dublin for sanctuary, he daily exercised them; and being a <sup>248</sup> person of a good competency of confidence and forwardness, he requested the earl of Ormond to take a view of them, and see how well in so short a time he had improved and disciplined his men. The next morning his grace, with about twenty horse of his servants, and some persons of quality, went into the field to see them exercise; yet when he came there he found no men upon the place. But presently after, hearing some shooting,

<sup>m</sup> Vol. ii. p. 917.    <sup>n</sup> *Ib.* pref. p. 9.    <sup>o</sup> Vol. ii. p. 634. line 12, &c.

<sup>p</sup> In B. p. 137.

and conceiving they might be marched to some more convenient spot of ground, he advanced to the place where by the shooting he judged they were. When he came near, he saw there was a man brought off wounded, which easily convinced him it was no matter of jest. Crawford, it seems, resolving to signalize himself, had made an attempt upon the rebels at Finglass; but his men, who had scarcely recovered their fright upon the late dangers they had escaped, were not so well improved, either in courage or discipline, but that they had shewed the rebels their backs, if his grace, by the seasonable appearance of this small body of horse, had not reinforced them. The rebels having no horse, and not knowing what strength or numbers were coming upon them, immediately retired, and drew off from the place. The other party at Santry, hearing of the approach of sir C. Coote, consulted with their heels for the security of the rest of their bodies, and quitted the place with so much fear and haste, that they left behind them the best part of their equipage and provisions.

155 Whilst these things were transacting about Dublin, the seven noblemen of the pale were consulting in the county of Meath what measures to take in their present situation. The lords justices, upon receipt of their letter of the 7th, had published a proclamation<sup>q</sup>, wherein they declared to them, and all other Roman catholics, that they never heard sir Cha. Coote, or any other, utter at the board, or elsewhere, any such speeches tending to a purpose or resolution to execute upon those of their profession, or upon any other, a general massacre, or any massacre at all; and that they never intended so to dishonour his majesty and the state, or wound their own consciences, as to entertain the least thought of acting so odious, impious, and detestable a thing upon any persons whatsoever; and that if any proof could be made

<sup>q</sup> 2 Temple, p. 24.

of any such words spoken by any person whatsoever, he should be severely punished; and therefore they required the said noblemen to attend them at the board on Dec. 17, that they might confer with them. And for the security of their repair unto them, they thereby gave to all and every of those noblemen the word and assurance of the state, that they might then securely and safely come unto them without danger of any trouble or stay whatsoever from them, who neither had nor have any intention to wrong or hurt them.

156 This proclamation was sent and delivered to lord Gormanston on the 15th by F. Cahell, whom the justices had lately employed in a treaty with the Ulster rebels. The seven lords had thereupon a meeting with a great number of the gentry of Meath at the hill of Crofty, where, after having conferred for two or three hours, there came towards them colonel Mac Mahon, Philip O'Rely, Roger More, and others, attended by a guard of musketeers. As soon as these drew near the hill, the lords and gentry of the pale rode towards them; and lord Gormanston, being one of the first, demanded of them why and for what reason they came armed into the pale. To which Roger More made answer, that the ground of their coming thither and taking up arms was for the freedom and liberty of their consciences; the maintenance of his majesty's prerogative, in which they understood he was abridged; and the making the subjects in Ireland as free as those in England were. Where-  
249 upon the said lord desired to understand from them truly and faithfully, whether these were not mere pretences, rather than the true grounds of their so doing; and likewise whether they had not some other private ends of their own; which being denied by all, upon profession of their sincerity, his lordship then told them, that since these were their true ends, they would likewise join with

r 2 Temple, p. 19, 20.

them therein. To this course (says Mr. Edward Dowdall, from whose examination the account is taken) they all agreed, and it was thereupon publicly and generally declared, that whosoever should deny to join with them, or refuse to assist them therein, they would account him as an enemy, and to the utmost of their power labour his destruction. After this agreement, a warrant was issued to the sheriff of Meath to summon all the lords and gentry of the county to meet the next week at the hill of Taragh.

157 Before the day appointed for that general assembly came, some of the chief met on Sunday, Dec. 19, at Mr. Nicholas Darcy's house of Plattin; and there drew up a <sup>s</sup>letter to the queen, in which they acquaint her majesty, that they had presumed, both in their own names and in the names of the nobility and gentry of the English, to send a petition to his majesty, thereby to make known a part of the causes and motives of their taking arms, and for the rest his majesty was to be informed thereof by the gentleman the bearer of their letter, whom they had intrusted to make them likewise known to her majesty; and in case the king should mistake their intentions, they humbly begged of her majesty to mediate for them, and set them right in his majesty's good opinion, seeing what they had done was only for defence of his royal prerogative, the enjoying of the free and public exercise of their religion, which (as they were informed) they were totally to be debarred of, and the reformation of the abuses and grievances of that poor kingdom. They likewise implored her assistance to procure them from his majesty the grant of what they humbly desired in their petition, which was no more than his majesty had been pleased to grant to his subjects in other of his dominions, who should not on any occasion be more ready and forward than they were to spend their lives

<sup>s</sup> B. 103.

and fortunes for their majesty's service, which they should be ready to seal with their blood. This letter is signed by the earl of Fingall, the lords Gormanston, Netterville, and Slane, sir Richard Barnewall, Nicholas Darcy, and James Bathe of Acharn.

158 They drew up at the same time a petition, and an "apology for their taking arms, both addressed to his majesty. In the former, they begged leave to lay before his majesty the motives that constrained them to take up arms, and join with the forces of Ulster, fearing lest he should be misinformed by others, and consequently have a worse opinion of them than they deserved; for if they had conceived, by the declaration published in that kingdom [by the Ulster rebels] of the causes and motives of the general commotion in it, that there had been any thing expressed therein to persuade or withdraw them from the duty or allegiance they owed to his sacred majesty, they would rather all of them have laid down their heads to the block than ever have done it. But finding nothing contained therein but the continuance of their allegiance to his majesty, the maintaining and defending his royal prerogative, the free and public exercise of their religion, and the reformation of the grievances of the kingdom, this made them presume that his majesty would make no worse construction of them for what they had done than their loyalties and affections to his majesty deserved; and no worse than his majesty had made of others of his subjects, who upon 250 less or the same occasions had done the like; and though they were ready upon his majesty's command to them to lay down their arms, yet they hoped and humbly prayed, that, seeing their own loyalty and affections to his majesty were as great as theirs, and their grievances full as great, if not greater than theirs, his majesty would there-

<sup>t</sup> See Collection of Letters, No. XLVI.

<sup>n</sup> *Ib.* No. XLVII.



fore be graciously pleased to give them the like redress as he had given to the others, by a free parliament, in which they should certainly make appear to him how much they had been wronged and oppressed; and to grant his royal assent to such things as that great court should conceive to be most for his majesty's advantage, the increase of his revenue, and the ease of his poor oppressed subjects; which they humbly conceived would be the most powerful remedy to reduce the present distempers into peace and quietness; and in the interim to command the cessation of any hostile act on either side.

159 In their apology they insist on their petition, at the beginning of the Ulster insurrection, to the lords justices for arms out of the store at Dublin, (where there was sufficient provision for arming more than twenty thousand men,) their undertaking, if supplied therewith in a competent manner, to appease the present troubles with little expense to his majesty; the conduct of the lords justices in rejecting this petition of theirs out of an injurious suspicion of their loyalty, though ample testimony had been given thereof by many descents, and the blood of their ancestors shed in abundance in former ages for the defence of the crown of England; in denying them even arms for the necessary defence of their houses and persons, thereby exposing them to the mercy of the enemy, and in disarming all the Roman catholics of Dublin that had arms, at the same time that all the English and protestants of those parts had arms and weapons given them for their defence; and many of these, though of mean condition, were employed, as commanders of companies, for suppressing the commotion in Ulster; whilst gentlemen of good quality, of the old English of the pale, who sued for the same favour or the like commands, were rejected, because Roman catholics; the murdering of sundry loyal subjects, and even of sick persons,

in their beds near Dublin and elsewhere, and the hanging of many by martial law without cause by sir C. Coote and others, under colour of paper warrants of the said justices, contrary to the fundamental laws of the realm; the resolution of the state to waste all the country, without excepting any, especially near Dublin; the justices' orders to their forces, to burn, pillage, and destroy the lands and goods of the best subjects, and their proclamation to burn all the corn within ten miles of Dublin, if not brought thither for supply of the army within ten days, a work impossible to be accomplished in so short a time; the taking away of the corn of such as obeyed the said proclamation, and brought it to Dublin, upon the justices promising to pay them the market price, and paying them nothing for the same; the said justices' violation of the public faith given by proclamation to gentlemen assembled for their own defence, in sending, on the very day the proclamation was published, sir C. Coote to pillage and burn one of the said gentlemen's principal towns, houses, corn, and other goods, to the value of more than four thousand pounds, which, with the disarming of the Roman catholics of Dublin the day before the lords of the pale were to attend there according to the proclamation, gave them such cause of jealousy, that they did not think it safe for them to observe its contents, but continued to stand upon their guard, upon which sir C. Coote attempted to surprise them, (though they contained themselves within the bounds of the laws,) and burnt divers towns where they were quartered near Dublin; the protestation lately passed in parliament to <sup>251</sup> incense the Ulster Irish against them, and the resolution (if it had not passed in such terms) taken (as they were credibly informed) by the state to massacre such as opposed it, or at least to seize on their persons, and make them perpetual prisoners; the Ulster forces threatening to take away their lives and estates if they did not take

arms with them; their own inability, being destitute of weapons, to resist them; and finally their being now convinced by the late remonstrance, which the Ulster men had prepared to be presented to his highness, that they had taken arms as well for the defence and advancement of his royal crown, just prerogatives and rights, as for the general safeguard and preservation of the liberties, religion, possessions, estates, and persons of his faithful subjects the catholics of Ireland; desiring his majesty not to take offence at their rising in arms; but to vouchsafe them his protection from the cruel attempts and designs of the lords justices and the state against them, and to afford them just cause of laying them down, by applying present and effectual remedies to their just grievances, and security to their estates and persons, whereby they might be enabled to perform that acceptable service to his highness and his crown, which their own duty and the many precedents of their ancestors bound them unto.

160 The gentleman by whom these instruments were to be sent, and who was to support them with a representation of further grievances, was sir John Reade, a lieutenant colonel in the late army, and sent over in 1639, (being an officer of good experience, and well acquainted with the state of Scotland,) with sir H. Bruce to assist the earl of Antrim in the diversion which he had undertaken at that time to make in Scotland, the vanity of whose pretences, and unfitness for the enterprise, he was then very serviceable in detecting. About the time of the action at the bridge of St. Julian's town, he had, out of regard to his wife's fears, (she being big with child,) retired with her to Plattin, the strongest castle in the country, leaving three children, with nine or ten more of his family, behind him in Drogheda. He would gladly have returned thither himself, but the Irish troops, which had encompassed the place round, would not suffer it. His being at Plattin, though he had never been a

musket shot without the gates since he came thither, gave occasion to some of his ill-wishers within Drogheda to suggest that he was with the Irish army, and to move that his effects might be seized. To vindicate himself from this calumny, to desire a protection for his goods, that they might not suffer in his absence, and leave, either to bring his children and servants out of the town, or to send them in provisions if they stayed there, he sent a vindication of himself to sir H. Tichburne, and wrote to the earl of Ormond on Dec. 20, telling him as a reason for his desire to remove his family thence, that the town was in great necessity for want of victuals, that it was blocked up both by sea and land; that he did not conceive it to be tenable, and had heard by some, who conversed with the Irish, that they swore, if they took it by storm, they would spare none either in body or goods, and would put all the garrison to the sword; recommending it likewise to his lordship's consideration how far it was fit to expose such a number of gallant men, and particularly sir H. Tichburne, who had carried himself so well and nobly in all his actions, to so imminent a danger. This is the purport of a letter which the lords justices made use of afterwards to apologize for an extraordinary point of their conduct, and their barbarous treatment of that gentleman.

161 On the Wednesday following, (Dec. 22,) the lords and gentry of the county of Meath, pursuant to the aforementioned summons of the sheriff, <sup>v</sup>met at the hill of 252 Taragh. Their first work was to make answer to the proclamation of the state, summoning the lords to appear in Dublin. This answer was brought ready drawn by the lord Gormanston, and having been presented by his lordship, and perused by some lawyers that were present, was signed by the seven lords. It was addressed to the lords justices and council; and after taking notice of the

<sup>v</sup> 2 Temple, p. 20.

proclamation which concerned themselves, the other, which related to the gentlemen at Swords, and the vindication of sir Ch. Coote from uttering in their hearing any words tending to a massacre, the subscribers of it say (with greater politeness perhaps than sincerity) “that they sincerely believed their lordships did not hear the said sir Charles speak any such words; that they never entertained a thought to the dishonour of the authority where-with their lordships were intrusted; yet the bitter effects which followed were a clear proof of sir Charles his intentions against the professors of their religion, and a further motive to confirm them in the assurance that such words did issue from him; that they beheld with no small terror the inhuman acts perpetrated upon the inhabitants of the county of Wicklow, (some whereof were dependants of their lordships,) the late massacre at Santry, and also Mr. King’s house, and whole substance burnt by sir C. Coote on the 15th of the present, though by the proclamation he was required, with the like assurance given to themselves of his safety, to appear the 18th; that indeed they believed this an act independent of their lordships’ commands, and therefore prayed them to consider how just grounds they had to fear the power of such a person, commanding the city wherein they were to appear, since he presumed to venture under their eyes, and without their directions, on such hostile acts against a gentleman who (for ought they knew) had obeyed their commands; and that this made them unwilling to lay their lives at his mercy, who preferred the execution of his own designs before the public faith. They further humbly entreated their lordships, that no sinister constructions might be made of their stay, being ready to attend such commissioners as their lordships should appoint, at such time as their lordships would prefix, and at such place, in convenient distance from the command and power of the said sir C. Coote, as their honours would

be pleased to direct, whereby they might stand assured not to be made by him further examples of the breach of their lordships' words; and that the commissioners to be named might be such of the lords of the council as were best estated and interested in the commonwealth of the kingdom, with whom, when they should meet, they would be ready to contribute the uttermost of their endeavours, and the best of their advices for the advancement of his majesty's service, and the common peace of the kingdom; assuring their lordships further, that their lives and estates were not so dear unto them as their loyalty and faith to his majesty, the least breach whereof was never harboured in their thoughts.

162 Such was the purport of the letter which the lords of the pale sent to the lords justices, who (in their next despatch to the lord lieutenant, on Dec. 28, say they) declined sending any commissioners, as thinking it below the king's dignity to descend to the sending commissioners to meet them without first receiving his majesty's directions therein; and the rather because the high terms on which those lords insisted did not proceed from any true sense of public grief, or just occasion given them by the state, but from some other secret cause, and to bring about some end, which, whether matter of religion, or any thing else, they would make them know they should be disappointed of, and bitterly repent their high presumption against the king's authority, if the succours, so long expected from England and Scotland, were but arrived.

163 The lords and gentlemen of Meath having returned 253 the aforesaid answer, proceeded to raise forces to support themselves in the measures wherein they had engaged; lord Gormanston was declared their general in chief, Hugh Byrne lieutenant-general, the earl of Fingall general of the horse; their army was to be raised out of the several baronies of that county, viz. eight soldiers out of

a ploughland, which was also to maintain them when raised. That of Dueleck was assigned to lord Gormanston, Skreene and Deece to the earl of Fingall, Slane to the lord of that name, Navan to lord Trimbleston, Kells to lord Dunsany, Ratoogh and Dunboyn to sir Richard Barnwall of Crickestown, and Patrick Barnewall of Killbrew. These had the appointment of captains under them in each district, and applotments were made of the proportions of corn and numbers of cattle to be furnished out of every part for the general provision of the army; for the better supplying of which, all the ways to Dublin were blocked up, and the country people forbid to carry their corn thither. When they first began to take these regular methods for raising forces and supplying them is not mentioned by any writers of the time, who are seldom particular enough to specify the days on which very material transactions passed; but when lord Gormanston's papers were taken in 1643, and delivered by lieutenant Hatcher to the board, it appeared that his commission of general for Meath was dated Jan. 9, 1641, and that for the county of Dublin on the 25th of the same month. Thus was the pale gradually drawn in to join with the Ulster Irish, who had in all ages before been deemed their mortal enemies; and to whom, notwithstanding all their fair pretences, several of the gentlemen who met at Taragh could not be so far reconciled as to join them; but either quitted the country, or retired to their own houses, as lord Dunsany and others did.

164 I have been thus particular in relating all the circumstances of this defection of the lords and gentlemen of the pale, (which was attended with a general defection throughout the kingdom,) as far as I have been able to discover them, in order to examine how far their pretences, or those of the lords justices, in the course of this affair, were founded upon fact, and to make some reflections on the conduct of both. The reasons which the

lords justices thought fit to assign for theirs are contained in their letters of Dec. 14 and 28 to the lord lieutenant, in which they excuse the inhumanities complained of, as committed by sir C. Coote in Wicklow, by alleging, that it was always a disaffected part of the kingdom; that the Irish septa there had joined in all former rebellions, and the Byrnes were engaged in this, and wasted the country about Dublin; but own the fact of the execution of several persons by sir Charles's order; of which they charge the woman as guilty upon whom the clothes of some of the plundered English were found, but say nothing particular of the guilt of any of the rest; and it is with too much reason to be feared that sir Charles was not very scrupulous in distinguishing between the innocent and the guilty. They own the fact relating to Santry, but deny that sir Charles was concerned in it; and indeed he was not there. They urge likewise that it was but a small matter, for only four persons were killed; whereas many more would have been murdered, if a massacre had been intended; the thoughts of which they detested, and conceived that the gentlemen of the pale might much more reasonably dread it from the northern rebels, who had been actually concerned in massacres, than from the state, who had always treated them with lenity.

165 As to the burning of Mr. King's house and town of Clontarf, they say it was done for the safety of the harbour of Dublin, the fishermen upon the coast being all Roman catholics, disaffected, and concerned in depredations both by sea and land. But to say nothing of the <sup>254</sup> charge being a little too general, the reason here assigned related as well to Raheny, Kilbarrock, and other villages thereabouts, as it did to Clontarf, and yet none of those were touched; and though the securing of all barks upon the coast, and the bringing them to Dublin, might be necessary for the safety of the harbour, yet it is not easy to see how the burning of houses at land could be



serviceable for that end; especially that of Mr. King, who was invited to come to Dublin by a printed proclamation dated the day before this expedition, was ordered, and probably published that very day, with assurance that he might safely “repair thither without danger of any trouble or stay whatsoever.” I never could meet with this proclamation or manifest, as it is called; but the justices alleged the safe-conduct to be couched in these terms; and that it related purely to the persons of the gentlemen, and was no protection to their or their tenants’ houses and goods; whereas the gentlemen either really understood it, or were willing to interpret it, in a larger sense, so as to comprehend their estates and goods as well as persons. But surely the faith of a state is too important and sacred a thing to be left subject to dispute, or to depend upon niceties and ambiguities of expression; and in case any difficulty arises about these in instruments of safe-conduct, they ought (as in all acts of grace) to be taken in the most favourable sense that the words will admit of, for the benefit of the well-meaning acceptor thereof. The words *any trouble whatsoever* carry with them a very extensive signification; and if taken in a loose sense, the safeguard may be extended to contain in it an exemption from all molestation whatever, either in person or fortunes; if the terms, in which the safe-conduct is expressed, be taken in a strict sense, they provided only for Mr. King’s repair to Dublin, but gave no security for his return; and even in his repair thither he might be robbed and stripped by the way, provided his person were safe; but in this case the safe-conduct was deficient, and must be deemed ineffectual to the very purpose for which it was pretended to be designed. Such defects rarely happen but by design; for men of sense know how to express themselves properly, if they please; and as the business was to remove the jealousies entertained by Mr. King and others, the safeguard could not

be expressed in too explicit and determinate words, neither capable of doubt nor liable to mistake. Whether the justices intended to take advantage of those defects is out of the power of any body to determine; but it seems natural enough to think, that the justices did not wish the gentlemen should come in upon a safeguard, which was not calculated to remove their fears. Agreeable to this view, at the time of their sending the manifest, or pretended safe-conduct, to the gentlemen, they ordered sir C. Coote upon the expedition to Clontarf, where Mr. King suffered such vast damages by the burning of his house and goods; which was but a sorry encouragement to him to accept of their invitation to Dublin, and gave him just grounds of apprehending at least some *danger of trouble*, from which danger the manifest pretended to secure him, as well as the rest that were assembled, and stood upon their guard at Swords. But what confirms me fully in this opinion, is, that the justices at the very time of ordering that expedition were sensible that it would have this consequence; the words of their letter of Dec. 14 are, And “if to revenge this villany on the fishermen at Clontarf and thereabouts so near us, we send forth a party of soldiers to burn and spoil those rebels’ houses and corn, the gentlemen of the pale will immediately take new offence; but that we will adventure upon; for now there is no dalliance with them, who so far declare themselves against the state, not caring what scorns are put upon the government; wherein it is observable that the landlord of Clontarf is one of the gentlemen risen in arms at Swords.”

<sup>166</sup> The chief part of the lords justices’ apology lies in their <sup>255</sup> insinuating things to the prejudice of the gentlemen of the pale (which is done in almost all their letters from the beginning of the rebellion); in censuring their affections, inactivity, and behaviour; in charging them with rebellious designs, and consulting with rebels; in mag-

nifying their own confidence expressed towards them in furnishing them with one thousand seven hundred arms, and in denying that they ever had any advice from them. But when upon the first news of the rebellion the lords of the pale came to Dublin, and made a tender of their service to the state; when, soon after, they applied to the justices by a remonstrance against the proclamation, which seemed to involve all the Roman catholics of the kingdom in the guilt of a rebellion, wherein only the mere Irish were concerned, representing the ill effects that would thence follow, it was morally impossible but they must offer some advice on those occasions. When, afterwards, they pressed so earnestly the meeting, and the continuance of the sessions of parliament, in order to provide means to suppress the rebellion in the north, and to take measures to preserve the rest of the kingdom in peace, this was not less advice for being done in the way of instance or petition, or less weighty for having the concurrence of parliament.

167 I have already mentioned the affair of the one thousand seven hundred arms, which was far from expressing so great a confidence as was now pretended. Five hundred of these, half pikes, and the rest muskets, were delivered to lord Gormanston; but they had scarce been a week in his possession, when during his lordship's attendance in parliament, and before the enemy had advanced into Meath, they were fetched away from his house on Nov. 17 by sir Henry Tichburne, upon an order of the lords justices. The three hundred intended for the defence of the county of Lowth, at the request of Mr. Bellew the high sheriff, were stopped in their passage by the <sup>w</sup>lord Moore, either out of his own suspicions, or by private order of the lords justices; and thus those two counties, the most exposed of any, were left entirely defence-

<sup>w</sup> Dean Barnard's relation of the siege of Drogheda, p. 11.

less. The three hundred for Kildare were probably delivered to the earl, a protestant, who was on this occasion made governor of that county; and though it is said, that the like number was assigned for each of the counties of Westmeath and Dublin, yet it is not said to whom they were given; and if they had been delivered to Roman catholics, it is very probable they would have been called in or stopped at the same time with the rest, the state having conceived so great a jealousy of that body of men.

168 The grounds of this jealousy at that time were only the evil opinion which the lords justices entertained of all the professors of that religion; some vaunting speeches of the rebels to magnify their strength, which equally lay against all the English Roman catholics, and the very parliament of England; and what Hugh Mac Mahon (an officer just come from abroad, and not acquainted with any of the pale) had on his examination said he was told by captain Brian O'Neile, another foreign officer, that the whole kingdom was concerned in the conspiracy, and that twenty men were to come out of every county for surprising the castle of Dublin; a matter which evidently appeared to be false in the fact. I have already given several reasons why I am persuaded that the lords of the pale were not concerned in that conspiracy, and had no thoughts of making an insurrection. I am much confirmed in that opinion by the accounts which the Roman catholic writers give of it, all of which agree to clear them from that imputation; even the most violent of the nuncio's faction, (who hated them as being of English race, and following different counsels from their own, and censure them for not embarking at first in the cause,) as well as P. Walsh and others of the supreme council's<sup>256</sup> party. Owen O'Neile's secretary, in his "Aphorismical Discovery of Treasonable Faction<sup>x</sup>," ascribeth the con-

<sup>x</sup> Bishop of Clogher's MSS. No. VIII. p. 2.

junction which they made at last with the Ulster army to pure force and necessity, and represents it merely as the consequence of the distresses put upon them by the state, and their inability to defend themselves against two powers between which they lay, without either trusting themselves to the one or uniting with the other. The compiler of the nuncio's memoirs (a fair writer, whatever his principles were, and who on all occasions seems to be well acquainted with his subject, and to write what he believes to be true) says<sup>y</sup>, that the English Irish of four hundred years standing, especially the English pale, were extremely averse to the rebellion, and offered their service very sincerely to the state against the rebels, remembering their own origin, and choosing to adhere to the English government, which they were apprehensive would be thrown off by the natives; to which reasons he adds another, drawn from the nature of their estates, a considerable part of which was church lands, which (he says) they were afraid of losing, if the old Irish got the power of the nation into their hands.

169 It is certain that the Ulster Irish hated them mortally, and they in return had as inveterate an antipathy to those Irish; their ancestors had been in perpetual wars with one another, harassing each other's countries and estates with continual incursions and depredations for four hundred years past, from the time of the conquest of Ireland to the plantation of Ulster. The animosity thence contracted was not yet buried, and the palemen had still good reason to fear that, when the old Irish had expelled the lately planted English, they would next drive out those who had been settled there in old times, and who were still considered by them as invaders of their country and usurpers of their estates. This was generally deemed to be the design of the old Irish, till the distresses and fears of the lords of the pale disposed them

<sup>y</sup> P. 392.

to hearken to the fair pretences, which Roger More made in the others' names, and which they were rather willing to believe real, than convinced that they were so; but which however served for a colour to the union that was made between them. This union was never hearty; they differed in their views and measures during the whole course of the troubles, and the old animosity between them broke out, and shewed itself almost as soon as the union was made. This is evident from the depositions of men of the best sense and characters that were prisoners among the rebels, by which it appeareth, that as soon as the pale was drawn into the rebellion the old Irish could not help expressing their satisfaction in it, by giving out openly<sup>z</sup>, that now they had put a trick on the old English of the pale for all the old tricks they had put upon them. George Creighton, rector of the church of Virginia in the county of Cavan, who was preserved long among the rebels, and a witness of their actions and discourses, deposeth, that the Reilies upon their return from Drogheda were very suspicious that the earl of Fingall and the gentry of the pale had some purpose of drawing the Ulster people into a snare, to revenge their pillaging of Meath; that the Reilies and the gentlemen of the pale were quarrelling every day, and reproaching each other's conduct, and (he firmly believed) hated one another as mortally as any two nations in the world; that the pale gentry, in their discourse with him, would often lament their misfortune in being joined to such people as had ever been their enemies, who were proud without any thing that was honourable, covetous without industry, and bragging without valour; calling them a company of thieves, a charge which the deponent<sup>257</sup> knew to be true, it being the continual practice of the Irish to steal the horses and cattle of those of the pale,

<sup>z</sup> See the deposition of Andrew Adair of Magoonagh in the county of Mayo, esq.

bringing them back upon money being offered for the finding them, and then stealing them again the next day. The northern Irish, on the other side, would call the palemen cowards, were continually laying heavy taxes and cessing soldiers upon them, and treated them worse than the very Turks would have done; and the Irish priests carried this aversion so far against those of their own order in the pale, that they would not let any of them say mass in their churches, nor believe a word that they said. The Irish were always contriving something to mortify and vex the palemen, who were still praying for peace, and cursing the Irish that began the war; and say in the bitterness of their affliction, that the parliament of England was the cause of all their harms, by the severe laws they were about to make against their religion. To the like purpose is the deposition of Mr. Ambrose Bedel, son to the excellent bishop of Killmore, that whilst he was prisoner among the rebels, he often heard the mere Irish express themselves to those of the pale in these words; i. e. “You churls with the great breeches, do you think, if we were rid of the English, that we would spare you? No, we would cut all your throats also; for you are all of one race with the other English, though we make use of you for the present.”

170 This rooted aversion between those two bodies of men was well enough known to have encouraged the lords justices to have treated the lords of the pale with less jealousy than they did, and even to have employed them against the rebels. The earl of Castlehaven, the lord Dunsany, sir Robert Talbot, and many others of the chief families of the old English, offered their service, and desired to be employed; but were constantly refused. This put a stop to the offers of the like nature which others of them were disposed to make; and being banished from Dublin, and ordered to their seats in the country, they retired thither, resolved to keep them-

selves quiet, and uneasy about the future fate which was to attend them, as well on one hand from the strength and fury of the Ulster rebels, as on the other from the violence of the English parliament, which was likely to take advantage of that rebellion for the involving therein every body that they pleased upon any pretence to suspect, and for enacting laws for the extirpation of their religion. They knew themselves to be odious to the lords justices, who were creatures of that parliament, and to be suspected by them; they were highly discontented at the rejecting of the offers of that service, by which alone they could fully vindicate themselves from the suspicions entertained to the prejudice of their loyalty; and therefore, either in a sullen humour, naturally following such a refusal, or because any motions of theirs without warrant from authority might prove dangerous to them, and increase those suspicions, or perhaps because they wanted arms, and were not in a condition, or had not time to put themselves in a posture to oppose the sudden incursions of robbers into the country, (which, though all the outcry was made about the protestants, fell heavily on the popish inhabitants as well as them,) they still kept themselves quiet (pursuant to the directions of the state in the literal sense) during those depredations of loose disorderly people without an head, which infested the neighbourhood where they dwelt. Their houses were a sufficient security against those plunderers, but not against the force of an army; and consequently, when the rebels had invested Drogheda, and after their success at St. Julian's town bridge were masters of the whole country, they were forced to pay contributions, and open the gates of their houses to the victorious, to afford refreshments to every party, and admit visits from every commander of the rebels that pleased to demand them. This was the case of such lords and gentlemen as lived near Drogheda, 258



and however unavoidable in their circumstances, it was sufficient in the eye of the state and in the rigour of the law to involve them in the guilt of treason.

171 In this situation the lords justices summoned the nobility of the pale to Dublin, under pretence of conferring with them about the present state of the kingdom, and of having their advice about measures to be taken for the security thereof. All the reason which in their letters to the lord lieutenant they assign for this summons was, to gain time, which they thought necessary, when they found the power of the rebels increasing and coming nearer, the protestants robbed within two miles of Dublin, themselves unable to repel the incursions of robbers, and become so contemptible, that they were in danger of being attacked every moment, and observed withal the retarding of the long expected succours, and imagined that by the help of the nobility of the pale they might gain that time which they wanted till the succours came. The treaty, which the state was at this time carrying on with the rebels in arms, by the intervention of Dr. Cahel and others, was indeed proper enough to gain time; but how the conferring with a few noblemen that lived quiet in their own houses, and whose advice and offers of service they had before refused, could contribute to that end, is not so easy to be comprehended. Nobody that considers the fears and jealousies of that time, and the unfavourable notions which the lords justices had entertained and expressed in all their letters of the affections and designs of those gentlemen, can ever harbour the least thought that they intended to trust and employ them. The most natural thought which ariseth upon this occasion is, that they designed upon their arrival at Dublin to secure their persons, and by that step to prevent their joining with the rebels: but this was not a proper means of gaining time, since the imprisoning of so many inoffen-

sive noblemen, upon bare suspicion, without any apparent cause, after strong professions of duty and offers of service, must in all probability alarm all the Roman catholics in the nation, confirm all their fears of extirpation, put them upon desperate courses, and perhaps hurry them on to join as one man with the rebels. Besides, the justices did not think the seizing of these noblemen to be a matter of great importance, because (as will appear presently) they did not think their very joining in the rebellion to be of any consequence, or likely to give any considerable accession of strength to the rebels. Indeed, if they had thought otherwise, it must have been censured as an intolerable blunder in politics, in such a juncture, when a numerous and successful army was in the neighbourhood, and no visible force to make head against it in the field, to send to these noblemen, after many testimonies of their distrust, a summons of such a nature, as must necessarily raise their suspicions, and awaken their apprehensions of terrible designs against them; and at the same time that they sent it, to take other measures to heighten those suspicions and apprehensions; since far from gaining time, the natural consequence of this proceeding would be, to force noblemen into action who perhaps never intended it, or, if they did, to force them before their time to have recourse to the rebels' army for their security.

172 Men of sense and experience rarely commit blunders but from some unworthy end, some self-interest or violent passion, which biasses their judgment and overrules their duty. It is not always difficult to trace it, let the art of concealing it be never so exquisite; and some have not scrupled on this occasion to impute the conduct of the lords justices to their avarice, and to surmise, that they never expected those noblemen would comply with their summons, and that all the measures they took at the same time were taken expressly with a design

to terrify them from trusting themselves in Dublin, and <sup>259</sup> from thence to take some advantage for the forfeiture of their estates. It answered this end very well, that sir C. Coote, immediately after his inhuman executions and promiscuous murders of people in Wicklow, was made governor of Dublin, at the very time of sending out the summons to the lords of the pale; and this, in neglect of sir Frances Willoughby, an older and more experienced officer, who had been serjeant major general of the army under the duke of Buckingham in 1627, and under the earl of Lindsey in 1628, a man of judgment, temper, and humanity, a very good engineer, and well skilled, not only in fortifications, but in all parts of the art military, upon which account he was (though a puritan in his principles) chosen by the earl of Strafford to erect the fort of Galway, and to command the detachment which he sent to the king's assistance against the Scots in England, where he was made governor of Carlisle. The murders at Santry, and the firing of Mr. King's house and town of Clontarf, served conveniently for the same purpose, though they were by no means necessary towards it. For the noblemen had a very ill opinion of the lords justices, who were generally odious to the nation. They had joined in a remonstrance sent by the lord viscount Dillon to the king, complaining of their administration, and petitioning for their removal from the government; they were satisfied that the justices knew of that step, and could not tell to what extremities so high a provocation, added to their other prejudices and jealousies, might carry them, but thought they had reason to dread the worst, in such a season of distractions, when every arbitrary illegal act in the way of government would be justified by the pretence of reason of state, and the justices themselves, in the first letter which they wrote to the lord lieutenant after the breaking out of the rebellion, and which was

read publicly in both houses of parliament, had declared, that they should vary from ordinary proceedings, not only in executing martial law, as they saw cause, but also in putting some to the rack, to find out the bottom of this treason, and the contrivers thereof, which they foresaw would not otherwise be done.

173 The lords of the pale thought no man's innocency could protect him, when the rack should be called in to support the suspicions, and confirm the jealousies of men in power, of whose malevolence to them they could not doubt, and who might possibly find their own interest in their destruction.

174 They had some grounds for these apprehensions: the cruel prosecution of the Byrnes in a time of peace and quiet was not so long past, but it was still remembered to the prejudice of sir W. Parsons, who enjoyed part of the spoils of that family. The chiefs of the rebels hitherto engaged were descended of the old chieftains of the Irish septs, but were generally men of broken fortunes, and had small estates; so that little was to be got by their forfeitures. It was the unhappiness of the lords of the pale to have much larger estates, such as it would be fit for a chief governor to beg a grant of in reward of his services, in case they came to be forfeited. Whether any expectation of this nature, or (as they express <sup>a</sup> themselves) "a desire of improving an opportunity, which the rebellion had justly made way for, towards reducing the kingdom of Ireland, as well in point of religion and civility, as also in point of honour, and establish profit to the king, and perpetual security to all his dominions against foreign invasion and intestine rebellion, and towards bringing the kingdom to a more happy condition in all things else than ever heretofore;" whether either of these, or whatever other mo-

<sup>a</sup> Their letter to the lord lieutenant, 2 Jan. 1641.

tives influenced their conduct, it is certain, <sup>b</sup> that the lords justices, not only by their words and actions, expressed their unwillingness to stop the further growth <sup>260</sup> of the rebellion, (as appeareth undeniably in their refusing the offers which both the earl of Ormond and the parliament of Ireland made to suppress it,) but shewed also a desire to increase the distempers of the nation, and were often heard to wish, that the number were greater of such as became criminal. With these sentiments they could not have a fitter minister to help them in their designs than their favourite sir Charles Coote. Dr. Nalson <sup>c</sup> telling us, that he had seen some minutes of the council-board of Ireland, which aver, that sir C. Coote said there, that when sir Luke Fitzgerald misdemeaned himself before the board, by uncivil words towards a member of the board, he let him have the line, and would not reprehend him, in hopes he would go into rebellion; for he saw he would do so; and that the more there were in rebellion, it was the better.

175 And to shew by an unexceptionable testimony, which renders all others unnecessary, that the lords justices were no way averse to the lords of the pale being embarked in the rebellion, I shall here insert one of their letters upon that subject, curious enough to be read entire, and well worthy of observation in every respect. It is dated on Dec. 14, the very day that sir C. Coote was ordered on the expedition to Clontarf, and the long public despatch printed at the latter end of sir J. Temple's history, was wrote and signed by the earl of Ormond, Robert lord Dillon earl of Roscommon, lord Lambart, and others of the privy-council; but this, being doubtless designed, not for public view, but for the private use of their particular friends and directors in the English parliament, was drawn up without the concur-

<sup>b</sup> R. R. p. 198.

<sup>c</sup> Vol. ii. p. 538.

rence of the three noblemen before named, and was signed by that part of the council which were acted by the spirit of the lords justices, or were dependent upon them by reason of their places in the government. It is directed to the earl of Leicester, the lord lieutenant, and is expressed in these words :

“ *May it please your lordship,*

- 176 “ The despatch now sent you from this board shews you in what degree of defection seven of the lords of the pale stand ; which may perhaps make the rebels the more considerable in the estimation of those that know not those lords.
- 177 “ We confess, indeed, it may seem to add some reputation to them ; but we, who know those lords, and the power they are able to make, and their abilities in the conduct of important affairs, do well know that it adds no more strength in truth to the rebels than what they had before. For all the tenants and followers of those lords, that could be seduced, were before either declared for the rebels or secretly joined with them ; so as the strength gained to the rebels by the defection of those lords is now in truth no more than the addition of those seven men to their number ; and what an inconsiderable addition of strength that is, we should quickly make apparent, if our long expected succours from England and Scotland were come. Which we mention, lest, under the specious countenance of the addition of the strength and power of so many lords with the rebels, his majesty or the state there might be induced the rather to conditions of disadvantage to his majesty ; which now there is no more cause for, than was before those lords declaring of themselves so far.
- 178 “ Nay, their discovering of themselves now will render advantage to his majesty and this state, who otherwise perhaps might suffer while they held underhand correspondence with them ; which now we see might turn to the extreme prejudice 261 of this state and government ; and those great counties of Leinster, Ulster, and the pale, now lie the more open to his majesty’s free disposal, and to a general settlement of peace and religion by introducing of English.
- 179 “ And although it be now most manifest to us here, who see

with grief, and observe the courses and practice of the rebels, that their main end and drift is (if it be possible) to wrest from his majesty his royal crown and sovereignty of this his kingdom; and either to set over them some of themselves, to whom they desire to transfer his royal dignity, if they can hold it; or otherwise to cast themselves into the hands of some foreign prince, and so shake off the English government; concerning which, we are assured, there have been deep and serious consultations amongst them, with their Jesuits, friars, and priests. Yet such and so great is their subtilty, as, to deceive the world, and to work themselves the more easily into those means which must lead in order to the attaining their ungodly ends, they add to their other wickedness the disloyalty to traduce his sacred majesty; and so, to cover their treachery, pretend audaciously, that what they do is for his service.

180 “ And seeing the defection appears now to be general, both in the gentry and commonalty, whereby their numbers are very great; so as it may be conceived that many thousands (who, it seems, are as ignorant as the priests and other principal rebels are malicious) are, under countenance of his majesty’s name, seduced to their party, we, in hopes to place a right understanding with those people that are so seduced, have thought of a proclamation to be immediately published by his majesty, and sealed with his privy signet, if in his high wisdom he shall so think fit. For our publishing it in our names, by his majesty’s authority, will not be sufficient to satisfy them, that it is the king’s act; unless they see his own hand and privy signet at it. And in case his majesty shall think fit to sign and seal the proclamation, it will be necessary that there be twenty several copies thereof so signed and sealed, that they may be dispersed several ways.

181 “ The <sup>d</sup> proclamation is so framed, that their laying down of arms shall not wipe away all their former offences; in regard we humbly conceive it were a dangerous example, if after their robbing and spoiling of so many of his majesty’s faithful subjects, the whole kingdom over, of their goods and estates, to the value of a million at least, (no age having produced in this

<sup>d</sup> N. B. The form of the proclamation sent enclosed in this letter had no date put to it, but otherwise was the same *verbatim* as that signed by

the king on Jan. 1, sent over on the 3d to be published in Ireland, and printed in the Collection of Letters, No. LIII.

kingdom so much mischief and so great calamity in so short a time,) they should, for laying down arms, have those their grievous and unexampled tyrannies over those of the English nation remitted. Which if it should so fall out, it might not only give encouragement to those rebels and others, to rise in arms at every two or three years end, and enrich themselves by the spoil and destruction of the English; but might also again and often renew the miserable calamities of this kingdom and the English nation therein, if ever hereafter any of them shall venture to come hither, upon any malignant instigation or perverse insolence in this people. And so we remain, from his majesty's castle of Dublin, this 14th of December 1641,

“ Your lordship's to be commanded,

W. PARSONS.

J. BORLASE.

AD. LOFTUS.

J. TEMPLE.

CHA. COOTE.

FR. WILLOUGHBY.

ROB. MEREDITH.

182 I leave the world to make their own remarks upon the <sup>262</sup> contents of this letter; I shall only observe further, that the lords justices must be either very weak in their judgment or very strong in their passions, if they really thought that the seven lords of the pale were so perfectly insignificant as they are here represented, or that their defection was so inconsiderable a thing as to add no strength, but that of their own persons, to the party of the rebels. It certainly proved far otherwise in the event; and the very next letters of the justices are filled with accounts of new bodies of rebels rising up in various parts of the kingdom, the natural consequence of this treatment and defection of the lords of the pale. The parts which lay next them first declared; Piers Fitzgerald, commonly called Mac-Thomas, seized Castle-Dermot, and marched with a party to the siege of Drogheda. The gentlemen of the county of Kildare took up arms, and formed a considerable body, making themselves masters of all the towns in their neighbourhood. Most of those of Westmeath followed their ex-



ample; only the earl of that name stood firm, and did all the services he could to the distressed English; and sir James Dillon and some others did not yet declare. Sir James indeed some time afterwards raised a regiment, but never joined heartily with the Irish, affecting to act a neutral part, and to keep himself on his guard in his own country. The lords of the pale were, even after their joining with the Irish, so little satisfied with them, and so far from desiring to increase their power, that they employed agents to the gentlemen in these counties, which had newly taken arms, to keep them from putting themselves under the command of Roger More, or any of the old Irish, and to prevail with them to acknowledge the lord Gormanston for their general. To strengthen their party as much as was possible, by drawing in all the old English Roman catholics, they sent <sup>c</sup> manifests and declarations of the motives and reasons of their conduct into Munster and Connaught, and to all the rich trading towns and seaports throughout the kingdom, which were chiefly inhabited by the English. Nor did they find any great difficulty in engaging them, they being ready enough to consider it as a common cause, and to imagine that the same suares which, they were persuaded, had been laid for the lives and estates of the lords of the pale, would be made use of to destroy them by piecemeal one after another; and that the only way to prevent the destruction of each particular, was to unite all together as one man, to make a general association for their defence, and to depend upon the fate of war to make the best terms they could for themselves.

183 It is certainly very unhappy for a nation at any time to be governed by strangers, who cannot be supposed to have any natural love for the country, and whose particular advantage doth not depend on the general good of

<sup>c</sup> See Collection of Letters, No. LII.

the nation; but in a time of jealousies and distractions, when a mutual confidence between the governors and the people committed to their charge is absolutely necessary, the consequences flowing from such a circumstance must be very fatal. This was the very case of Ireland at that time; the governors were the likeliest persons in it to get by the troubles of the kingdom, and to raise their own fortunes by the ruin of those of private gentlemen. Had the earl of Ormond, who had no interest of his own separate from that of the country, where his great estate and whole fortune lay, and whose abilities, integrity, and nobleness of mind every body esteemed, been at the head of the government when the rebellion first broke out, it had in all human probability been suppressed as soon as it was raised. But he was not in any condition of doing service in this juncture; his opposition in council to the measures which the lords justices, influenced by the power and directions of a turbulent and prevailing <sup>263</sup> faction in England, were determined to observe, had rendered him disagreeable to them; so that he was very unwillingly and rarely employed by them in his military capacity, and had met with such discouragements in the way of giving his advice about ordering the affairs of the nation, and composing the differences that had inflamed it, <sup>d</sup>that it looked like arrogance and impertinence in him to offer any; and he had no party left him to take, but to sit down and lament those miseries of his country which he could not prevent or redress. Both the lords justices were by affection and interest attached to that party in the English parliament which pushed matters with so outrageous a violence against the Roman catholics, that there was too much ground for their fears of a total extirpation. Sir W. Parsons, who in effect governed all at his own pleasure, had in the cruel prosecution of the Byrnes shewed that he had no scruple about the

<sup>d</sup> See Collection of Letters, No. LI.

means of getting an estate, whatever infamy might arise thence; and both of them were so very odious to the nation in general, that whatever was alleged by the nobility and gentry of the pale in their own vindication, met everywhere with a ready belief. Indeed there is too much reason to think, that as the lords justices really wished the rebellion to spread, and more gentlemen of estates to be involved in it, that the forfeitures might be the greater, and a general plantation be carried on by a new set of English protestants all over the kingdom, to the ruin and expulsion of all the old English and natives that were Roman catholics; so to promote what they wished, they gave out speeches upon occasions, insinuating such a design, and that in a short time there would not be a Roman catholic left in the kingdom. It is no small confirmation of this notion, that the earl of Ormond, in his letters of Jan. 27 and Feb. 25, 1641, to sir W. St. Leger, imputes the general revolt of the nation, then far advanced, to the publishing of such a design; and when a person of his great modesty and temper, the most averse in his nature to speak his sentiments of what he could not but condemn in others, and who, when obliged to do so, does it always in the gentlest expressions, is drawn to express such an opinion, the case must be very notorious. I do not find that the copies of those letters are preserved; but the original<sup>e</sup> of sir W. St. Leger's in answer to them sufficiently shews it to be his lordship's opinion; for, after acknowledging the receipt of those two letters, he useth these words: "The undue promulgation of that severe determination to extirpate the Irish and papacy out of this kingdom your lordship rightly apprehends to be too unseasonably published; albeit I cannot conceive that any such rigorous way of forcing conscience and men's religion would ever have been

<sup>e</sup> Sir W. St. Leger's letter to the earl of Ormond, March 30, 1642. C. 17.

attempted or enterprised, but upon such an occasion of a general revolt in the Irish.”

184 Hence the magistrates and inhabitants of New Rosse, a rich trading town, seated on the Barrow<sup>f</sup>, who a little before had unanimously refused to give the rebels admittance, and swore to lose their blood and lives rather than admit them there, and had on Nov. 29 obliged them to retire from before their walls, now readily opened their gates to them, and joined in the rebellion. Hence it was that the commotions spread farther into every part of the province of Connaught, except the county of Galway, which was as yet kept in order by the credit and power of the earl of Clanrickard. Hence the O'Bryans in Clare, deserting their governor and the chief of their family, the earl of Thomonde, took up arms, and reduced all the castles in the county, scarce leaving him in possession of any place, except his castle of Bunratty; and the rebellion, like a torrent, overspread at once all Munster with 264 so irresistible a violence, that almost all the relations of the earl of Ormond himself (who upon the first news of the rebellion had declared loudly their abhorrence thereof, and had exerted themselves to oppose it) now engaged in it, and made up as mighty a force as the rebels united had been able to bring before Drogheda; an event of such consequence that it deserves to be particularly related.

185 That province (as hath been observed) continued quiet all the month of November, unmolested by any disturbance within it, except by some petty robberies committed by loose fellows in some Irish parishes. The borders of it indeed were wasted sometimes by the rebels of the county of Wexford, who had risen in arms on the 21st of that month; and from thence the Cavenaghs and Brenans made frequent incursions into the county of Kilkenny, (where they laid waste three thousand pounds a

<sup>f</sup> Letter of the sovereign to the lords justices, 2 Dec. 1641.

year of the earl of Ormond's estate, and made terrible ravages up to the very gates of the city,) and into those of Waterford and Tipperary, even under the walls of Waterford and Carrick, taking away cattle out of the park of the latter place. To prevent these incursions into their neighbourhood, the magistrates of Waterford<sup>g</sup> had seized and brought thither all the boats of the Great Island and other parts thereabouts on that side of the river; but the rebels finding means to get some small boats which they could not lay hands on, and with the help of those having taken others that were coming up the river, especially one large boat of Wexford bound for Rosse, ferried themselves over to Faithley, near Passage, and ranged over the Gualtire, carrying off the goods and cattle of all the English in those parts, and pursuing such as fled for shelter to Waterford almost within musket-shot of the gates. Sir W. St. Leger, president of Munster, marched with the little force he could muster to fall upon them, and recover the spoil. His strength consisted in his own troop and about one hundred horse brought to his assistance by sir Richard Everard, sir John Browne, sir Arthur Hyde, Mr. Boggatt, Mr. Jephson, and others, at their own charges. After a tedious march over the mountains of Waterford, in craggy roads and terrible weather, it being a very sharp frost, and a great snow lying on the ground, he overtook a small party of them at a town of lord Power's called Mohill, took nineteen of them, and recovered the prey. There he understood that the main body of them were six miles further, and ready to carry their spoil cross the water; he hasted thither with lord Inchiquin, Mr. Redmonde Roche, (brother to the lord Roche,) Mr. W. Fenton, Mr. W. Hyde, and Mr. Jephson, (who there gave great testimony of their courage and zeal for his majesty's service,) and a few of his servants, leaving his troop to follow with all

<sup>g</sup> B. 74, 81.

speed, and fell upon the remainder of the party, who were as yet on shore, killed about one hundred and forty of them, and brought away fifty others prisoners to Waterford, where he caused both them and those which he had taken at Mohill to be all executed by martial law. Thus he cleared the province for a time, and did not question but if the residue of those rascals were as effectually prosecuted and as closely pursued, they would melt away as snow before the sun. He was a brave, gallant, and honest man, but somewhat too rough and fiery in his temper; and he did not give greater terror to the rebels by his activity in pursuing, his intrepidity in attacking, or his severity in executing them without mercy, when they fell into his hands, than he did offence to the gentlemen of the country by his hasty and rough manner of treating them.

186 It was the middle of December before any one gentleman in the province of Munster appeared to favour the rebellion; many of them had shewn themselves zealous to oppose it, and had tendered their service for that end. Lord Muskerry, who had married a sister of the earl of Ormond's<sup>h</sup>, offered to raise a thousand men at his own charge, and if the state could not supply them with arms, he was ready to raise money by a mortgage of his estate to buy them, if, when the service was ended, he might either keep the arms or be reimbursed what they cost him. <sup>i</sup>Nor did any signs of uneasiness or disaffection appear among the gentry till sir W. St. Leger came to Clonmel, which was on the first of that month, three days before the action I have just now related. There had been a few days before some robberies committed in the county of Tipperary by a rabble of the common sort and

<sup>h</sup> See his letter of Dec. 17. to the earl of Ormond, B. 99.

<sup>i</sup> See the relation of the insurrection of Tipperary given to the duke of Ormond by his steward Mr. Kearney, B. 38, and Ireland, vol. i. p. 432, 433, &c.

a parcel of idle young fellows of the baronies of Eliogurty, Killemanna, Clanwilliam, and Middlethyrde, who as soon as they had got their prey, divided it, and retired to their several parishes. Among other English who suffered, a great number of cows and sheep were taken away from Mr. W. Kingsmill of Ballyowen, brother-in-law to the lord president. Sir W. St. Leger, upon notice thereof, came in two or three days after with two troops of horse in great fury to Ballyowen; and being informed the cattle were driven into Eliogurty, he marched that way. As he set forth, he killed three persons at Ballyowen, who were said to have taken up some mares of Mr. Kingsmill's; and not far off, at Grange, he killed or hanged four innocent labourers; at Bally O'Murrin, six; and at Ballygalburt, eight, and burnt several houses. Nor was it without great importunity and intercession that he spared the life of Mr. Morris Magrath, (grandson to Milerus archbishop of Cashel in queen Elizabeth's time,) a civil well-bred gentleman, it being plainly proved that he had no hand in the prey, notwithstanding which proof he still kept that gentleman in prison. From thence captain Peisley, marching to Armaile, killed there seven or eight poor men and women whom he found standing abroad in the streets, near their own doors, inoffensively; and passing over the river Ewyer early in the morning, marched to Clonoulta, where meeting Philip Ryan, the chief farmer of the place, a very honest and able man, not at all concerned in any of the robberies, going with his plough-iron in a peaceable manner to the forge where he used to have it mended, he, without any inquiry, either gave orders for, or connived at, his being killed, as appeared by his cherishing the murderer. From thence he went to Goellyn bridge, where he killed and hanged seven or eight of Dr. Gerald Fennel's tenants, honest inhabitants of the place, and burned several houses in the town; the cattle of the country people, which he met in his

march, being all taken up by him, and sent in great numbers into the county of Cork.

187 The captain went from thence to meet the lord president, where several of the chief nobility and gentry of the country, being surprised at these rash and cruel proceedings, waited upon his lordship with their complaints, which were rejected, and the captain applauded for what he had done. Among these gentlemen were James Butler lord baron of Dunboync, Thomas Butler of Killconel, James Butler of Killveylagher, Theobald Butler of Ardmaile, Richard Butler of Ballynekill, Philip O'Dwyer, and divers others of good quality. They observed to the president how generally the people were exasperated by those inconsiderate cruelties, running distractedly from house to house; and that they were on the point of gathering together in great numbers, not knowing what they had to trust to, and what was likely to be their fate; they told him that they waited upon his lordship to be informed how affairs stood, and that they coveted nothing more than to serve his majesty, and preserve the peace; and desired that he would be pleased to qualify them for it with authority and arms, in which case they <sup>266</sup> would not fail to suppress the rabble, and secure the peace of the country. The president did not receive their representation and offer in the manner they expected; but in an hasty furious manner answered them, that they were all rebels, and he would not trust one soul of them; but thought it more prudent to hang the best of them; and in this extraordinary passion he continued all the while these and other persons of quality, their neighbours, were waiting upon him. This made them all withdraw and return to their houses, much resenting his rudeness and severity, as well as very uncertain about their own safety; some of them imagining, that this distrusting of their loyalty and destroying of their reputations was the preface to a design of taking away their



lives. From Clonmel sir W. St. Leger marched into the county of Waterford, and his soldiers in the way, as they went and returned from the rout of the Wexford rebels, killed several harmless poor people, not at all concerned in the rebellion or in the plunder of the country; which also incensed the gentlemen of that county, and made them prepare for standing on their defence.

188 This furious manner of proceeding seems to have been the effect of his particular resentment at his brother Kingsmill's losses; for Piers Butler viscount Ikerrin, having pursued some of the Tipperary rabble, who had plundered Brereton, Gunner, and others of his English tenants at Gragah, and islands near Lismalyn, and having rescued the prey, taken some of the robbers prisoners to Callan, brought the cattle home to his tenants, and at their request conveyed them, their families, goods and stock, safe to Ballynekill, when he waited on the president, after his return from Waterford, at Clonmel, and tendered his service to preserve the peace of the country, the president in great wrath called him traitor, and said he might have preserved Mr. Kingsmill's cattle and goods if he had pleased. Lord Ikerrin brought witnesses to prove that he was at the very same time in pursuit of his own English tenants' cattle; yet sir W. St. Leger was in too great an heat to hear, or afford him any countenance, but parted with him in that passion.

189 After the president's return into the county of Cork, the gentry of Tipperary, considering the violence of his proceedings, and the aptness of the vulgar sort (under colour thereof) to plunder their English neighbours, laboured all they could within their respective districts and neighbourhoods for a while to correct their insolence. But, notwithstanding all their care, the common sort were so addicted to plunder, that about the 6th of December they assembled about five hundred of them together, and marched in a body towards Cashel, in order

to take the city and pillage the English; but several gentlemen of quality in the county, and some of the Roman catholic clergy of Cashel, hearing of their resolutions, met them in their march, and by fair words and sermons diverted them from that wicked attempt, and prevailed with them to return, without offering violence to any body. The country people however were still in a great ferment, and pretended that they could not sleep safely in their own houses whilst Cashel was a receptacle for the president's troops to come thither, and from thence to rush in among them and destroy them. Yet this broke out into no new outrage or attempt till after the defection of the pale, when Philip O'Dwyer of Dundrom, (one of the gentlemen so ill treated by the president at Clonmel,) taking advantage of this general resentment, gathered a body of them together on the last day of December, and marched to Cashel. He took the place, and endeavoured (as is said) to secure the goods of all the English inhabitants there, and put them together into a storehouse; but whatever he and some of the gentlemen that were with him could do to prevent bloodshed, some of the rabble, that were kinsmen and friends of Philip Ryan and others that had been lately murdered, finding 267 out some of the English there, killed thirteen of them, whose names are particularly mentioned. But all the rest of the English were saved by the inhabitants of the place in their houses, and had the goods which they confided to them safely restored. Dr. Samuel Pullen, chancellor of Cashel and dean of Clonfert, with his wife and children, was preserved by F. James Saul, a Jesuit. Several other Romish priests distinguished themselves on this occasion by their endeavours to save the English; particularly F. Joseph Everard and Redmond English, both Franciscan friars, who hid some of them in their chapel, and even under the altar; which was proved by some of those so preserved at the trial of the latter at

Clonmel assizes in 1652; upon which he was acquitted, and had a privilege granted him of living in the country, the like offer being made to F. Joseph Everard. And soon after, the English, who had been thus preserved, were, according to their desire, safely conveyed into the county of Cork by a guard of the Irish inhabitants of Cashel; who acted with so much good faith in the affair, that several of the convoy were wounded in defending them from the violence of a rabble that waylaid and attacked them upon the mountains in their passage.

190 This enterprise of Cashel I have mentioned the first of any in Munster, because it was the first attempted merely by the fury of the populace, occasioned by impolitic acts of cruelty, exercised without a just distinction between the innocent and the guilty; a practice attended with very unhappy consequences in the course of the troubles of Ireland, and which continued to keep up that ferocity and barbarous manner of making war, which the massacres committed in Ulster by the Irish tempted some of the English to practise, and fancy they could justify it by the right of retaliation or revenge: but the place was not actually taken till after the surprise of Kilkenny. Richard Butler viscount Mountgarret was joined in commission with the earl of Ormond for the government of the county of Kilkenny; and upon the earl's removal to Dublin, to take on him the command of the army, had solely in him the supreme authority of ordering the forces raised by the county, and of providing for the security thereof. He was a man of years and experience; he had been too enterprising in his youth, but was now grown too old for action. But alarmed by the designs which (it was confidently said and generally believed) had been formed against the lords of the pale, and for extirpating the Roman catholic religion, and the professors of it out of the nation, he resolved to take arms, and embark himself and his family in the cause.

Most of the gentlemen of the county were some way or other related to him, and being generally Roman catholics like himself, they readily joined with him, and attended him with a numerous train of followers to the city of Kilkenny, into which he was admitted, and there declared the reasons of his taking possession of it, and entering into arms. By public proclamation he strictly enjoined all his followers not to pillage or hurt any of the English inhabitants either in body or goods; and succeeded so far in his design for their preservation, that there was not the least act of bloodshed committed. But it was impossible for him to prevent the vulgar sort, which flocked after him in hopes of booty, from plundering both English and Irish, papist and protestant, without distinction. He used his authority, but in vain, to put a stop to this violence, till seeing one of the rank of a gentleman, Mr. Richard Cantwell, (descended of Mr. Richard Cantwell of Paynestown in the barony of Slyewardagh, a gentleman much esteemed in his country,) transgressing his inhibition, and plundering in his presence, he was so provoked, that he shot him dead with his pistol, having no respect of persons or regard to friendship and dependency in an affair of public concernment; for otherwise there were few of his followers and dependants that he cared less to lose than the person whom he thus killed; he being not only an able and very active young man, but a brother also of John Cantwell, superior of the abbey of Holy Cross, whom his lordship for sundry respects much favoured and respected. This seasonable act of severity stopped at once the fury which the vulgar had for plundering.

191 Kilkenny being thus seized by lord Mountgarret, he detached parties different ways to secure other towns in those parts. His eldest son Edmond Roe Butler advanced with a body to Waterford, where the magistrates and citizens, who a month before had appeared zealous

in opposing the progress of the Wexford rebels, received him with open arms, and delivered into his hands that *maiden city*, as it was called, because it had never yet been taken by force. The inhabitants, being for the most part of English race, suffered no injury to be done their countrymen, so that nobody of any country or profession was either killed or pillaged, and such of the British protestants as had a mind to leave the place were allowed to carry off their goods wherever they pleased. Callan and Gowran were seized at the same time by persons thereunto designed by his lordship without any bloodshed. Some plunder however was there committed, though with the less violence, for fear of complaints, it being confined to cattle of English breed, which were stolen as well from the Irish, who had any of that sort, as from the English. The towns of Clonmel and Carrick Macgriffyd in Tipperary, and Dungarvan in the county of Waterford, were severally surprised by Mr. Richard Butler of Killeash, second brother of the earl of Ormond; and he had such an influence over his followers, that he kept them not only from murder, but even from plunder, his great care and noble disposition being acknowledged even by his enemies. Theobald Butler, commonly called the baron of Ardmaile, caused great numbers of the common people of the barony of Middlethyrd to assemble in small parties under persons of his particular confidence, and then advanced with a few of his followers and some gentlemen of the neighbourhood on the first of January to Fethard, where being admitted without suspicion by Martin Hacket, then sovereign of the town, he took his opportunity, seized him in his own house, forced from him the keys of the gates, and let in a throng of his adherents, about one thousand men armed, some with swords and skeans, but most with clubs and pikes. There were but nine English in the place; these were immediately secured and imprisoned, and such of their

goods, as they had not before placed by way of trust in the custody of their neighbours, were seized upon and carried to an old castle that was in the town. James lord Dunboyne hearing of the surprise of Fethard, and being chief commander of the barony of Middlethyrd by special grants made to some of his ancestors for services performed to the crown of England, repaired thither the next day, and took on him the command of the town, dispersing the rabble, and placing in it a garrison, which he formed of the most substantial inhabitants of the place and neighbourhood. He immediately set the English at liberty, restored them their goods, and sent them away in safety to Youghall, and other places which they chose for their retreat. Two of these were clergymen, of which Mr. Hamilton was at his request sent with his family to the countess of Ormond, who took them into her house of Carriek; and when she went to Dublin, carried them and several other English families with her thither; where she subsisted them and great numbers of other despoiled English for a long time during the troubles. But Mr. Lowe, vicar of Clonyne, unhappily making it his choice to be left with his family at his landlord Mr. Geffrey Mockler's house at Mocklerstowne,<sup>269</sup> in hope that the times would grow calmer; and coming some time after to Fethard in company with Mr. Mockler, who, having some business that called him to Clonmel, left him (as he thought) in safe hands, one James Mac Hugh, a carpenter, with some accomplices, attacked him in his bed in the night time, and barbarously murdered him in the house of Mr. Robert Byffort, and carrying off his body, wrapped up in a coverlet, to Crompe's bridge, threw it there into the river. Great search was made after the murderers by Mr. Mockler and Mr. Byffort, and Mac Hugh being suspected, they gave information against him to lord Ikerrin. His lordship committed him to prison, whence Mac Hugh making an escape, fled the

country for some time, but returning, was seized again, confessed the fact, and was executed for it with two of his accomplices.

192 The gentlemen indeed in this part of the kingdom were exceeding careful to prevent bloodshed, and to preserve the English from being plundered; several instances might be given thereof; but few deserve better to be particularized than sir Rich. Everard, baronet, who having before the rebellion planted the greatest part of his estate with English tenants, and at the beginning thereof observing the force and violence which the rabble were disposed to use against all of that nation, and fearing that he should not be able to protect them all from their insolence and rapine, soon sent the richest of them away with their stock and goods into the English quarters. But there was still left a number of families that were poor and unable to remove, consisting of eighty-eight persons; these he kept and maintained at his own charge till the middle of June 1642, when finding that in the heat of the war he should not be able to protect them longer from violence, he conveyed them and their goods safely to the English garrison of Mitchelstown. When that place was afterwards taken by the Irish, he sent to some of those families, which were very poor, to come to him, maintaining them for a long time, till at last he sent them away safe to the place they desired. As soon as the cessation was made, some of these poor tenants came back to him, and he settled and protected them on his lands till Cromwell came into the country. All this was fully proved by several of the said persons before the court which sat at Athlone for the trial of qualifications; where in sir Richard Everard's case it appeared that he was a constant harbourer not only of these, but of other poor English in their distress; that he never was in action, but kept himself neuter during the first two years of the war; that several of his houses were rifled and burnt; and that for opposing the Irish they took away

from him one hundred and sixty cows, thirty-three stud mares, and two thousand sheep, besides other damages which he sustained. There are so many acts of horror, cruelty, and inhumanity necessary to be recounted in the history of these times, that I fancy the reader will be somewhat relieved by the relation of so remarkable an instance of compassion, tenderness, and generosity to the distressed.

193 Thus in the space of a week were all the towns and forts in the counties of Kilkenny, Waterford, and Tipperary reduced into the power of the rebels; except the castles of Goellyn and Ballyowen, which were blocked up; and the former being in the beginning of February following deserted in the night time by the garrison for want of provisions, some weak persons, men, women, and children, that were left behind, as unable to travel, were inhumanly murdered by the common soldiers employed in the blockade, for which four of their officers, who did not take proper care to prevent it, nor express their resentment in punishing the actors, who were well enough known, were afterwards hanged. But this was the only act of barbarity perpetrated in those parts, besides that which was committed on the English families employed by sir George Hamilton, (brother-in-law to the earl of Ormond,) to work the silver mines at Doonally in the 270 barony of Upper Ormond, where sixteen persons were soon after cruelly murdered by John O'Kennedy and his brothers, who though they escaped human punishment for the same, were overtaken by the just judgment of God, and came to miserable ends.

194 The country being reduced, the gentlemen of Tipperary had several meetings in the beginning of January, to agree upon methods of raising forces, and money to maintain them in a regular way. Those of the barony of Middlethyrd were to raise eleven companies of foot under the command of the lord Dunboyne; but all the rest of the county and the forces therein to be raised,



were put under the government of the lord Ikerrin, a nobleman of great activity, spirit, and bravery. Every gentleman was likewise to raise, as volunteers, all the horsemen, and in the best equipage that possibly they could, which were afterwards to be formed into regular troops, when money could be provided for their subsistence. But though there was no pay promised at present, there was little difficulty in raising men, every body being ready enough for the service, till they had tasted the perils and hardships of war. The gentlemen in each barony were appointed to command the companies there raised; the lord Ikerrin was chose lieutenant-general, and the lord Mountgarret (who, they heard, had a commission from the state to raise men) was invited to be their general-in-chief, and to take on him the command of all their forces. His lordship accordingly raised all the forces he could in the county of Kilkenny, and being reinforced by others from that of Catherlogh, advanced into Tipperary, soon after the holidays, quartering the first night at Greystowne; and from thence marched to Cashel, where he rested for two days, and was joined by lord Ikerrin and other gentlemen of the county, making up a body of seven or eight thousand men. He was there strengthened by parties that flocked to him out of the county of Limerick, which was raised in arms by the lords Bourke of Brittas and Castle-Connel; and having appointed a general rendezvous for all the forces of Tipperary at Moine Inierla in Clanwilliam, he mustered there a very considerable army, not half armed indeed and very sorrily accoutred, but their vast numbers made amends for all other defects. He marched from thence, having only one piece of cannon for battery, to the castle of Knockarding, which after two days' resistance was surrendered to him, the defendants being to march out with their arms according to the capitulation, which was honourably observed. He then advanced into the county of Cork, where he took the castle of Mallock, and was

joined by Mac Donogh, with a party of his followers and others of that county. He continued still advancing further, till he came to Ballyghowry in the Red Roche his country, where sir W. St. Leger from the top of an adjoining mountain viewed his army, and seeing their number, though raw, and ill furnished with arms, did not think it proper to attack them, but desired a parley with lord Mountgarret. This was agreed to, and whilst the conference was carrying on by select persons, sir William got time to convey away from Donneraile and Mallo such arms, ammunition, and goods as he was most desirous to preserve.

195 The president of Munster, upon repeated complaints to the state of the nakedness of the province, which they had left destitute of all forces but his own troop for its defence, had obtained a commission to levy a regiment of foot and two troops of horse; but wanting arms for these men, and the parliament of England, to which he had also applied for them, being so slow in sending those supplies, that he had not yet received any, he was in no condition to make head against the enemy. Lord Mountgarret had the field open before him, and saw nothing to hinder his advancing up to Kinsale, Cork, and Youghall, which, with the other forts in the county, were at that time so indifferently provided with arms, munition, and provisions for defence, that it appeared a work of no <sup>271</sup> great difficulty to reduce them. Lord Mountgarret was desirous to make the attempt; but Maurice Roche viscount Roche and Fermoy, who was very powerful in those parts, and had got together a great body of his neighbours and dependants, disputed his authority, and refused to serve under him. He was the principal nobleman that had as yet taken arms in the county of Cork, and it was generally conceived that he expected himself to have the command of the forces of that county conferred upon him. But whatever his motive was, he was supported in his refusal by the other gentlemen

who had rose in arms with him, who insisted on having the same right of electing a general in that of Cork as had been exerted in the neighbouring counties. When this election came into debate, several competitors appeared; there was no adjusting the point of command between them, nor could any expedient reconcile the differences which arose on this occasion. The heats were carried to such an height, that the army separated, and lord Mountgarret, who thought himself to be principally affronted in the matter, retired in great discontent with his forces into the county of Kilkenny, leaving Munster to shift for itself.

196 The nobility of that province being left to their own management did nothing of any consequence, for as they could not agree among themselves, they would not join with one another for attempting any feasible enterprise that was proposed in due time; and those disunions which were now begun, continued among the great ones a long time after, to the great detriment of their undertaking. For the English, seeing the Irish broken and divided, began to recover their spirits, and being, before they were too hard pressed, gradually inured to watching, marches, cold, and other hardships, became in a little time able to bear, what at first, having been long used to ease, they either would not venture to endure or were not able to bear like the Irish. It was generally thought, that if the Irish had proceeded unanimously, and without loss of time with the forces of lord Mountgarret, those of the viscount Roche, and others which were daily flocking to them from all parts, they might have been able to have cleared and secured all Munster, with its cities and forts, (considering the condition they were in at that time,

<sup>i</sup> See his letter to the earl of Ormond, Dec. 18, 1641. B. 102, and the earl of Cork's, Jan. 6 and 12. B. 155 and 169, and representa-

tion of the Munster officers to the house of commons in England, Feb. 5, 1641.

without either powder or match or money to pay the soldiers, who were ready to throw down their arms for want, so that the lord president gave the province for lost unless he had speedy relief,) in the space of a month or two at most; and then have employed this army for the reduction of the rest of the kingdom. But this division saved the province, and allowed sir W. St. Leger time enough to receive those supplies, which otherwise had come too slow out of England, to arm and discipline the regiments which he had formed out of the English, who had retired from their country habitations to Cork, and other towns for security, (who<sup>k</sup> were not only raw men but ill armed, scarce a sword amongst them, so that he could not expect much at their hands,) and to draw out early in the spring such a body of them as was able to oppose and beat the Irish in the open field.

197 Whilst these things were acted in Munster, the Ulster and Leinster rebels were taken up with the siege of Drogheda, upon the fate of which place, that of the kingdom seemed in a great measure to depend. The town, which is seated upon the river Boyne about two miles from the sea, was surrounded with a wall, but had scarce any other fortification. Sir Faithful Fortescue was governor of it, when the rebellion broke out, having two companies of the standing army in garrison. Upon <sup>1</sup>the 27<sup>2</sup> first news of that affair Charles viscount Moore threw himself with his troop of sixty-six horse into the place, and, to provide for the defence of it, caused some old pieces of cannon to be scoured, and planted at the gates which looked towards Ulster. Four other pieces, with a quantity of powder, he got out of a merchant ship that lay at the mouth of the harbour, made up the north gate, and strengthened some weak parts of the wall. This not sufficing for its security, he posted to Dublin, represented

<sup>k</sup> Letter of sir W. St. Leger to the earl of Ormond, Jan. 1, 1641.

<sup>1</sup> See Dr. Barnard's relation of this siege.

to the lords justices the importance and weakness of the place, offered to make up his own troop a full hundred, and to raise an hundred foot at his own expense. The offer was applauded, but not accepted; and all that he could obtain was a commission for captain Seafowle Gibson to raise a company of the townsmen, with some arms and ammunition, which were sent with him the next day. There were volunteers enough ready for the service, so that in two hours' time he completed a company of six score men, who were mustered, and mounted the guard that very night. Sir Faithful Fortescue still did not think the place tenable with so small a force, and therefore upon the news of the taking of Dundalk, not having received from the state the further supplies of men and provisions promised him, he went to Dublin and threw up his government, writing word to some of the townsmen, that he was ready to sacrifice his life in defence of the town, but did not care to sacrifice his reputation, or to starve in it. Sir Henry Tichburne was thereupon sent down governor, with one hundred horse, and a regiment of one thousand foot, newly raised, but above seven hundred of them English and protestants, who appeared very courageous and zealous for the service; three troops of horse were afterwards sent for a further reinforcement of the garrison, and four other companies were raised in the town. These, with fifty horse of the earl of Ormond's troop commanded by sir P. Wemyss, and three companies of Roper's, Sownley's, Cadogan's, and others, which escaped from the action near St. Julian's town bridge, were all the defendants of the place, when the rebels invested it on all sides at the end of November. Lord Moore<sup>m</sup>, thinking they were not sufficient, had offered to raise six hundred men more at his own charge, to clothe and pay them, till a supply of money should be sent out of Eng-

<sup>m</sup> See his letter to the earl of Ormond, Jan. 7, 1641. B. 158.

land, upon condition they should, with the four companies raised in the town, be afterwards incorporated into a regiment of one thousand men under his command; but this proposal, though seconded by the earl of Ormond, was rejected by the justices. The Meath side of the town was the weakest part of the walls, and sir H. Tichburne conceiving the Mill-mount to be a defensible place, and a proper guard for the other, fortified it as well as he could, and planted four pieces of cannon thereon; breast-works were made before every gate, and platforms where the walls were defective.

198 It was very late in the year to begin a siege when the northern rebels came before Drogheda. The common Irish are an hardy people, and used to fatigues; but no bodies of men are able to undergo the hardships of a regular siege in the extremity of a winter season. This perhaps was one of the reasons why they did not besiege the town in form, and why we hear of no lines of circumvallation made, no batteries erected, no mines carried on, no trenches run, nor any approaches made in this, as is usual in other sieges. They wanted cannon, arms, ammunition and instruments of war to proceed in that manner; and having no tents to cover their men and guard them from the cold of the nights and the inclemency of the weather, they were forced, instead of making an encampment, to quarter them in the neighbouring villages, scarce any of which were nearer than a mile to the town. 273 They lay however near enough to embrace every opportunity which their correspondence within, or any accident, might afford them of surprising the place. Their army, which is said to amount to eighteen or twenty thousand men, was numerous enough to block up all the avenues of a town seated on a river and of a considerable extent, so closely, as to cut off all its communication with the country, and hinder the throwing in of supplies. The garrison was in great want of firing, clothes, and victuals to

qualify them for the hardships of their duty; and the governor was more apprehensive of famine, and more afraid of treachery within the place, than of any force that could attack him from without.

199 The rebels first tried the way of surprise, and in the night, between Dec. 20 and 21, gave a general assault to the place, but were repulsed with great loss; which ill success discouraging them from attempting another, they lay quiet for three weeks, expecting to reduce the town by famine. They knew very well that it laboured under a great scarcity of provisions for the men, and of hay and oats for the horses; and that the garrison suffered so much from their wants, and were so uneasy under them, that not only the Irish, but great numbers of the English soldiers, leaped over the walls, and made their escape out of the town, not with any intent of joining the rebels, but purely to avoid the hardships that were endured within; where they were kept to very hard duty by the false alarms given them every night by the enemy, and were much enfeebled by their diet of salt-herrings, to which they had been never used, and which threw them into diseases that rendered them unfit for service. The very officers of the garrison, seeing no attempt made for their relief, thought themselves neglected by the state, and complained very feelingly by letters to the earl of Ormond, (whose instances in their behalf they acknowledged with gratitude,) of the little regard shewn either to their own preservation, or the safety of so important a place, then reduced to the utmost extremity. At last, on Jan. 11, the lords justices sent them by sea a small supply of biscuit, powder, and other ammunition, being loath (as they said) to adventure any great proportion till a trial was made how a passage thither might be forced. The entrance of the harbour was very narrow, and at the mouth of it there was a bar of sand which was unpassable at low water. To stop up the passage, the Irish had sunk

a bark in the channel, but a great fresh and strong west wind had not long before drove her out to sea. They had also planted two vessels on each side, and fixed an iron chain with a cable between them cross the channel; but this proved no impediment to the pinnace and shallows, which brought the supply, and which passed the bar even at a low ebb tide, and skimmed over the chain almost without touching it, arriving safely at the key of Drogheda on Jan. 12.

200 The transports of joy which the garrison felt, and indulged too freely on this occasion, had like to have brought upon them that destruction from which they now fancied themselves to be secure. The vigilant governor, to prevent any fatal effects of that security, had caused all the watches to be twice or thrice rounded that night: but his care could not hinder the treachery of some of the inhabitants, who let the rebels into the place through an old blind door that was broke open for them on the town side. About five hundred men, picked out of their choicest companies, got in this way; and had they either cut off the guard at the gate near which they entered, who were most of them asleep, and so opened the gate to the numerous body of troops that was attending without, or made up to the Millmount, where there were four or five pieces of artillery which commanded the whole town, or marched but to the bridge, and with the two drakes that were there planted entered into the body of the town, and fallen upon the main guard, Drogheda had been irrecoverably lost, and the garrison cut in pieces. This party continued half an hour in the town <sup>274</sup> undiscovered, till having marched as far as the key, they, either to give notice to their friends in the place, or in confidence of their victory, set up a great shout, which gave the first alarm, and was the means of preserving the town. Sir H. Tichburne hearing the noise, ran down immediately unarmed, only with his pistols in his hand,



and was the first that caused a drum to beat. He found the watches so thin, that he was forced to take the main guard, (which chanced to be his own company,) and caused his ensign to draw them down to the bridge, whilst he could get a body together to support them. The advantage of good arms appeared evidently in this exigence; the rebels' pikes, made hastily out of such poles as they could meet with in the woods, were a yard less in length than those of the garrison soldiers, who by that advantage stopped their progress, and, charging home, forced them to a retreat. The governor coming up at the same time with a party of musketeers, which he had drawn together, and pouring in a volley of shot upon the enemy, they immediately took to their heels, flying different ways. About two hundred of them got out again at the breach made in the wall for their entrance, which was in so obscure a place, (in an orchard between St. James's gate and the water,) that it would not easily have been found by the pursuers, if the enemy had not directed them to it by their flight. Some of the rest found shelter and were concealed in the houses of the townsmen: about two hundred more were hunted up and down the streets, and either killed or taken prisoners. There were but three soldiers of the garrison killed in fight with the enemy, but more perished in the confusion and errors of the night and surprise. The rebels, more encouraged by the favourable beginning, than disheartened by the ill success of the enterprise, made an attempt the night following upon another old door, which they were undermining; but being discovered, were beaten off with loss. The pinnace, which brought the relief, after two days' stay, and landing the provisions, among which there was no flesh meat, attempting to return, through want of water, or some mistake, ran aground, and was attacked by hundreds of the rebels, who, taking the advantage of low water when it was not more than knee deep, waded

to her. In their approach they were much annoyed by the guns on board, yet they came up to her very sides, and, as she lay dry, endeavoured with pickaxes and iron crows to bulge her. The vessel was now in great danger of being taken, for they were under her, and safe from her shot: but captain Stuteville, who commanded her, throwing down a parcel of granadoes among them, some of their number were killed, and the rest fled for their lives, losing many in their flight by the fire of the ship, and leaving the captain upon the return of the tide to prosecute his voyage to Dublin.

201 The supply sent was not at all proportioned to the necessities of the garrison; and the rebels, to prevent their receiving any other, sunk another ship in the channel, and strengthened the boom which they had laid across it. The biscuit and meal sent with the pinnace was all spent in a fortnight; the garrison was reduced to a worse condition than ever, and much weakened by famine, fluxes, and other diseases: horseflesh, dogs, and cats were the best food they had for their sustenance. Sir Phelim O'Neile, fancying he had now an opportunity of taking the town by force, hurried away to the north, promising to return in a few days with eight pieces of ordnance, and such a body of forces as should be able to carry the town in a general storm without any great hazard. Sir H. Tichburne sent captain Cadogan to Dublin to represent the necessities of the place, and to solicit a further and speedy supply of provisions, as well as a recruit of four or five hundred protestants to complete the companies. He was a man of great resolution, and determined to wait the arrival of the succours till the last bit of horseflesh was spent; and then, to prevent 275 the advantage which the enemy might receive from the arms and ammunition within the place, he resolved not

<sup>d</sup> Sir H. Tichburne's letters to the earl of Ormond, Jan. 29, Feb. 2 and 25.

to leave the broken barrel of a musket, nor a grain of powder behind him, and to fight his way through the rebels, giving notice to the earl of Ormond of the time, that his lordship might march out of Dublin to favour his retreat thither.

202 To defer that day as long as was possible, and to inure his men to action, he sent parties out from time to time to fetch in provisions from the country. Scarce a day passed without some skirmish or other on this occasion with the rebels, who were always beat; which daunted them to such a degree that they durst not attack a party of the garrison with three or four times their number. The governor at first sent out these parties to such places as lay nearest, not above a mile from the town, into which they brought a good quantity of hay and oats for the horses. But seeing the weak opposition made by the enemy, he at last sent captain Trevor to a place four miles off, where there was a prey of eighty cows, and two hundred and sixty sheep, all which he brought into Drogheda, without the loss of a man, to the great relief of the soldiers, who had not tasted a bit of wholesome meat in many weeks. This enabled him to hold out till Feb. 20, when a fresh supply of bread for seven weeks, and four companies of foot, arrived for their supply; the ships which brought it having entered the harbour, and come up to the key of Drogheda, with the loss only of two men killed by the shot of a fieldpiece from the shore, and about fourteen hurt. It happened providentially, that the boom which the rebels had made of a great many shipmasts, with other timber, bound together with a very massy strong chain, and supported by seven or eight great boats, was the day before carried away by a violent storm, which broke the chain and scattered the boats, (so that there was no occasion to make use of the engine which had been prepared to cut the chain,) and the ship that had been sunk in the channel was likewise

by the wind and tide carried out into the sea. The wind, which for a long time before had been contrary and very tempestuous, turned at this time on a sudden just to fit the spring-tide, (without which it would have been of little service,) and blew a fair gale at south-east; every thing conspiring to afford an easy passage to the ships, and bring them all up at one tide to the key.

203 That very morning, about four o'clock, sir Phelim O'Neile, being returned out of the north with two pieces of canon and seven hundred men, instead of the much greater number which he had vainly promised, made an attempt upon the town by scalado with all the strength he could make; but was repulsed with considerable loss. This was the last assault made upon it by the rebels, whose great army was now grown contemptible. A proclamation of the state, dated Feb. 8, offering sums of money for the heads of particular rebels therein named, had been sent in the ships that brought the supply, and was fixed upon the market-place of the town. Sir H. Tichburne being recruited, resolved in his turn to harass the enemy, sallied out every day in much stronger parties than before, beat up their quarters in villages three or four miles distant from the town, and being successful in all his enterprises, forced them to raise the blockade and retire with their army in the beginning of March.

204 In the mean while the lords justices, as soon as they were satisfied that the lords of the pale would not comply with the order for their repair to Dublin, took measures in order to convict them of treason, and forfeit their estates. For this purpose, on Dec. 23, (the very next day after the date of the letter in which those lords 276 declared their peremptory resolution of not trusting themselves in that city in the hands of sir C. Coote, though they were ready to treat with commissioners sent from thence to any place out of his power,) they issued out a commission under the great seal, directed to Dr. Henry

Jones, dean of Killmore, and others, empowering them to inquire into the losses sustained by the English and protestants, and to examine witnesses towards the conviction of such as had been concerned in the depredations lately committed, or had been any way engaged in the rebellion, either by any hostile act of their own, or by corresponding with or relieving the rebels that were in action; and this commission was renewed on Jan. 18 following. Two days afterwards they acquainted the lord lieutenant with the reasons thereof, and mention some difficulties which they met with in the execution of their design. Their reasons are expressed in these words<sup>o</sup>: “There are more persons of quality and estate in this rebellion than have been in any former rebellion here; and considering that in this parliament, a little before these distempers broke out, it became questioned in parliament whether or no persons being slain in rebellion did forfeit their estates to his majesty, although until that time it was never doubted here, his majesty and his tenants being actually possessed of great quantities of land upon that title: yet in the papists’ debates in parliament they endeavoured to have it declared that men killed in rebellion did not forfeit their estates; which if it should stand for law, his majesty and his crown must of necessity, for the time past, receive very great prejudice, and for the future the forfeitures of such of those men’s estates as may happen to be slain in this rebellion will be lost utterly. In prevention whereof, we caused many of the principal of them to be indicted, and will take order that the ordinary process run out against them, so to take from them that pretence, which otherwise might be made, touching their estates, to his majesty’s disadvantage.”

205 What is here mentioned in reference to the law of

<sup>o</sup> See the letter of the lords justices to the earl of Leicester, Jan. 20, 1641.

treason in Ireland relates to the first of the queries put by the house of commons there to the judges in the summer session of parliament in 1641, and there seems to me some mistake or want of exactness in this account of that matter. <sup>p</sup>The question was very general, viz. “Whether the subjects of Ireland were a free people, and to be governed only by the common law of England, and statutes in force in Ireland.” The judges in their answer thereunto say, “That the subjects of Ireland were for the general to be so governed; but as in England several statutes were grown obsolete, and some particular ancient laws had been changed by interpretation of the judges; so their predecessors, the judges of Ireland, as the necessity of the times moved them, did declare the law in some particular cases otherwise than the same is practised in England; which the present judges could not alter without diminution of his majesty’s revenue, and opening a gap for questioning the estates of the subject, and for the overthrowing of several judgments, orders, and decrees depending thereupon. For example; if it be found by office of record sufficient for form, that a man was killed in actual rebellion, and at the time of his death he was seized of lands, hereditaments, goods, or chattels, by the constant declaration of law and practice in former times in Ireland, the crown was entitled to such lands, goods, and chattels, and many men’s estates depend thereupon; and yet the law is not so in England.” The judges produce several other instances of the different interpretations and judgments of law in the two kingdoms, <sup>277</sup> and might have spared this if they had so pleased. But however unnecessarily it was brought by them upon the stage, it doth not appear by the journals, or any other account that I have seen, to have been made the matter of a formal or particular debate in the house of commons; and it is certain there is not the least notice taken of it

<sup>p</sup> Nalson, vol. ii. pp. 573, 576, and 584.

in their declaration upon this, or indeed upon any other of the queries. Another difficulty in the conviction of estated persons was, that there could be no sessions held in any county but that of Dublin, where however indictments had been found for such acts as were committed within the county, though the persons indicted were resident in other counties. Whatever difficulties there were in the case, the lords justices were equal to them all, and carried on the prosecution against them with great vigour, causing indictments to be preferred, not only against open and declared rebels, but also against others which were barely suspected; and as there was nobody to make defence, nor any great delicacy used, either in the choice of the jury, or as to the character and credit of the witnesses, and one witness sufficed, such indictments were readily found.

206 There was not the same vigour exerted in the prosecution of the war; for, whether their fears or their weakness was the cause, they kept themselves entirely on the defensive, till sir Simon Harcourt, an old officer, who had served under sir Horatio Vere in the wars of Flanders, arrived at Dublin with a regiment of one thousand one hundred foot, and the news of three hundred unarmed men more being at sea, ready to come into the harbour. These additional forces animated the lords justices to send out parties to clear the neighbourhood of Dublin from the rebels. Thus on Jan. 11, sir C. Coote was sent with two thousand foot and two hundred horse to attack one thousand four hundred rebels assembled at Swords, who were routed, and the town of Swords burnt, together with some villages adjoining; some of these belonging to some of the chief of the rebels, and the rest serving as receptacles to relieve them. Sir Lorenzo Cary, a younger son of the late lord viscount Falkland, formerly lord deputy of Ireland, was killed in this action. This desolation was made in the country pursuant to the

orders of the lords justices, who justified their conduct therein by unavoidable necessity, alleging<sup>q</sup>, that the pillaging and burning of these villages was intended chiefly for the disappointment of the rebels, and the punishment of such as willingly harboured and relieved them; yet it sometimes so fell out, that, amongst the multitude, some honest men (much against their minds) did suffer in the common mischief; it being difficult, if not impossible, at those times, and in such hasty and confused actions, (especially where whole villages were to be burnt,) to enter into examination of particulars so far as to preserve such as had not offended, the protestants' houses being mixed with the papists' in those villages; and in some cases whole villages belonging to protestants were of necessity burnt, because the Irish had seized them for harbour and lodging. This had been a better reason before their army had been so increased as to put them out of all fear of being attacked in Dublin, than it was at a time when they were daily expecting such supplies of forces as would enable them to be masters of the field. Captain Armstrong was sent soon after with a party of two hundred horse to drive the rebels from Tassagard and Rathcoole, which he easily effected, and burnt those villages.

<sup>207</sup> The borough<sup>r</sup> of Newcastle within seven miles of Dublin, the adjoining castle and village of Lyons, and the town of Naas, serving also for receptacles to the rebels, the last especially, being the principal place of meeting, and holding councils of war, composed of the prime gentlemen of the county of Kildare, for applotting their levies<sup>278</sup> of men, money, and victuals upon the country for the strengthening and relieving of the rebels' forces, and for issuing out their other orders, it was thought necessary to dislodge them thence. The earl of Ormond was appointed to go upon that expedition, attended by the lord

<sup>q</sup> Letter of Jan. 20 to the lord lieutenant.

<sup>r</sup> *Ibid.* Feb. 12.



Lambert, sir C. Coote, and sir Simon Harcourt. The earl on Monday, Jan. 31, marched out of Dublin towards Newcastle with two thousand foot, three hundred horse, and five small fieldpieces, hoping for an opportunity of encountering the rebels, who seemed to presume much on their numbers. He quartered that night at Newcastle, and the next morning having, pursuant to his orders, burnt that town and Lyons, marched to the Naas, where the rebels had held a council of war the very day before; but upon news of the lieutenant-general's approach, thought fit to abandon the place. His lordship kept his quarters there all that day and the next; during which time he sent out parties to burn Castle Martin, Kilcullen-bridge, and several other villages within a few miles of the place. The inhabitants of the Naas had appeared very forward in receiving and relieving the rebels, and in pillaging and expelling the protestant inhabitants; his lordship therefore, as well to punish them in their goods (since their persons were fled with the rebels) for their disloyalty, as to encourage his soldiers, (who were in arrears for their pay, and suffered much for want of clothing and shoes, none of which were to be got in Dublin,) gave them up the town for plunder. He dispensed with his orders in the point of setting fire to it, finding it capable of being fortified, and considering the distance of it, being a day's march from Dublin, the convenience of lodging to be there had for the army upon all occasions of marching that way, and the fitness of the place for a garrison to keep that part of the country quiet, when by the arrival of more succours from England the state might venture to send forces abroad. For these reasons he took care that the town was not burnt, and returned on Feb. 3 to Dublin.

208 The prisons<sup>s</sup> of that city were now filled with prisoners;

<sup>s</sup> Letter of Feb. 12 to the lord lieutenant.

and, as the government increased in strength, were likely to be more crowded every day. It was troublesome, chargeable, and inconvenient to keep them, because of the consumption which it occasioned of victuals, which were already grown very scarce, and their numbers might soon prove dangerous; for which reasons the lords justices resolved to thin them. It was difficult, or rather impossible<sup>s</sup>, for want of freeholders, to find juries of the proper counties where the crimes were acted; so that there was no bringing these prisoners to a legal trial: in this necessity it was determined to cause a considerable number of them to be executed by martial law. Men of estates were exempted from the rigour of that law, in order to preserve the king's escheats upon legal attainders; so that these executions fell entirely upon the poorer sort, and such as had no freeholds, particularly upon the Romish priests, who were all in general charged as the chief excitors of the rebellion, and whose execution would exasperate the Irish to the highest degree. There happened upon this occasion an affair, which gave the earl of Ormond a good deal of concern, and which he considered (as it probably was meant) to be an indignity offered to himself. †There was one father Higgins, a Franciscan, a very quiet, inoffensive pious man, much respected by those who knew him, who officiated as a Roman catholic priest at the Naas, and in the neighbourhood. He had distinguished himself in saving the Eng-

<sup>s</sup> This they assign as a reason for proceeding by martial law; and yet in the postscript of this very letter, they say, they had juries to find indictments for the counties of Meath, Wicklow, and Kildare. For the two first of which, as well as for that of Dublin, within two days afterwards, bills of high treason were found against all the lords and prime gentlemen, as also

against three hundred persons of quality and estate in the county of Kildare; among which were the old countess of Kildare, sir Nich. White, his son captain Nich. White, &c., who had never joined the rebels: so much expedition was used in this affair.

† Annotations in Pontium, p. 139.

lish in those parts from slaughter and plunder, and had<sup>279</sup> relieved several that had been stripped and robbed. The earl of Ormond found him at the Naas, took him under his protection, (he having never been concerned in any act of rebellion, nor guilty of any crime, nor liable to any objection but the matter of his religion,) and brought him along with him to Dublin. About six weeks afterwards, when upon the earl of Ormond's return from his expedition to Drogheda it was thought politic to discourage the submissions which the gentry of the pale, and others who had been drawn in or forced to submit to the prevailing force of the rebels, were generally disposed to make, and to exasperate them by new cruelties; and when these executions by martial law were carrying on in Dublin, whereof sir Charles Coote was still governor, (the lords justices having in his favour declined executing the order sent for putting sir S. Harcourt into that post,) this man was seized on March 24, and, without any formality or delay, immediately hanged. The earl of Ormond hearing of it after the execution, too late to prevent the cruelty, expostulated with the lords justices about it in council. They pretended to be surprised at it, and excused themselves from having had any hand in the fact, by their having given sir Charles Coote a general authority to do such things without consulting them. The earl told them, that he did not expect such usage from them, as that they should either order or suffer a person so well recommended to him, and so justly taken into his protection, to be put to so ignominious a death; and insisted that Coote should be tried for what he had done, as having offended the laws, and put, not only an innocent, but a deserving subject to death, without examination, without a legal trial, and without a particular or lawful warrant to authorize him therein. The dispute was sharp on both sides, and the earl of Ormond threatened to throw up his commission unless he had satisfac-

tion given him. The justices pleaded hard for sir Charles, and, whether he had acted by private instructions from them in this particular case, or because he was their confident, and very serviceable to their purposes on all occasions, could not be brought to proceed against him. The earl highly resented this proceeding; but considering, that he had received his commission of lieutenant-general from the king, as a mark of his special confidence; that it was not easy to find another subject in the kingdom whom his majesty could so properly intrust with a charge of such importance; that by continuing in it he might probably have an opportunity, some time or other, of doing acceptable service to his prince, and perhaps be instrumental in preventing some of that desolation, which, he saw, was threatening his country; that if he quitted the command of the army, it must necessarily fall into ill hands, and be entirely at the devotion of his majesty's enemies, since the parliament of England would be sure to intermeddle in that case, and the lord lieutenant would put in none but whom they approved; and that possibly this very affront was offered him for no other end but to provoke him to throw up his commission, he resolved therefore to keep it, rather than expose his king and country to the inconveniences and mischiefs which would necessarily follow his laying it down. "It was certainly a miserable spectacle (as <sup>t</sup>lord Castlehaven observes), to see every day numbers of persons executed by martial law, at the discretion, or rather caprice of sir C. Coote, an hotheaded and bloody man, and as such accounted even by the English and protestants. Yet this was the man whom the lords justices picked out to intrust with a commission of martial law, to put to death rebels or traitors, i. e. all such as he should deem to be so; which he performed with delight, and a wanton kind of cruelty. And yet all this while the justices sat frequently in council, 280

<sup>t</sup> Vindication of his Memoirs in MS. p. 12.

and the judges in their usual seasons sat in their respective courts, spectators of, and countenancing, so extravagant a tribunal as sir C. Coote's, and so illegal an execution of justice."

209 There is something so very extraordinary in this proceeding of sir C. Coote and the lords justices, that one is afraid of guessing at the motives thereof. The hanging of a man of character, deserving in many respects, and exceptionable in none but that of his religion, looked as if they had a mind to countenance the notion (which they pretended in their letters to guard against) of this being a war of religion. The hanging him in such a manner, by martial law, by sir Cha. Coote's authority, without a particular warrant from the state, seems so perfectly well calculated to justify the fears which the lords of the pale pretended to have of trusting themselves in a place whereof that gentleman was governor, that whatever the motives were, they certainly must be very strong in their influence to overbalance these considerations and the respect due to the earl of Ormond's merit and dignity, though probably not very honourable in their nature, when the effects which they produced were so inconsistent with law, justice, and humanity.

210 The earl of Ormond suffered, for a long time after, a good deal of odium on account of this execution of Father Higgins, through a false representation made of it by some of the partisans of the nuncio. And as if it was to be his constant fate to suffer for the actions of others, done without his knowledge and against his will, he had about this time a message sent him from lord Gormanston<sup>a</sup>, complaining of his burning the country, and hanging some people in the late expedition to the Naas, and threatening him, that his wife and children should answer it, if he did the like for the future. The earl would not receive a message from a rebel in a way that might be

<sup>a</sup> See Collection of Letters, No. LVIII.

interpreted a correspondence; and therefore caused Mr. Henry Dillon, who brought the message, to be examined about it before the council board. By their direction or permission he wrote an answer to lord Gormanston, in which he represents to that lord his disloyalty and ingratitude to the crown, his degenerating from the example of his worthy ancestors, and his joining with the Irish, instead of repressing (as he ought) their inhuman cruelties. He afterwards vindicates himself from the matter of the charge, nobody having been hanged by his authority in that expedition; and declares his firm resolution to venture his life and all that was dear to him in prosecution of the rebels, and never to disavow any thing that he should do in pursuance of his majesty's commands, for fear of what might befall him and his; and that if his wife and children, who were in their power, should receive injury from men, he would never revenge it upon women and children; which, as it would be base and unchristian, would be likewise infinitely below the value which he set upon his wife and children.

211 Whilst the rebels were accusing the earl of Ormond of too much severity in his prosecution of them, others of a different stamp at the same time could not forbear aspersing him of too close a correspondence with them, and of sending intelligence from time to time to the rebels<sup>v</sup>. James Wishart, son of sir John Wishart, a Scotch gentleman settled in the north of Ireland, was the author of this calumny. He had been a prisoner among the rebels, and left their camp after the 12th of January. In his way from Dublin to London he met lord Blayney and captain Perkins at Chester, as they were going to Carrickfergus, and in their hearing was not ashamed to aver, that he was assured of the fact by the lord Gormanston and other lords of the pale, and that he himself had seen

<sup>v</sup> Sir Philip Percival's letters to the earl of Ormond, Jan. 25, Feb. 5, and March 22, 1641.

it under the earl of Ormond's own hand. Sir Philip Percival was in Chester at the same time, and was assured, by the noble lord and officer here mentioned, of what Wishart had advanced. He was the more concerned at the aspersion, because it was broached at a time, when some reports about the private instructions given to the lord Dillon of Costellogh, (in one of which it was proposed that his majesty should be moved to make the earl of Ormond governor of Ireland,) had caused the puritans to entertain great jealousies of his lordship's integrity. This was no part of those instructions given to lord Dillon by the house of lords, in which the earl had concurred; but an article in those which were drawn up for him after the parliament was prorogued, by a number of the Roman catholic nobility and gentry<sup>w</sup>, without the earl of Ormond's knowledge. Sir Philip had an infinite esteem for the earl, and was fully persuaded, that both the report and the proposition came from those who wished him ill, because his zeal for the king's service, and for the peace of the distressed kingdom of Ireland, was the greatest impediment in the way of the enemies of both. In a just concern therefore for the good of his prince and country, and a true zeal for the honour of his friend, he not only sent the earl of Ormond notice of the attempt made to wound his reputation, but wrote also to his best friends in London to vindicate his lordship from the aspersion, and to give them instances of other points, in which Wishart had falsified himself at Chester. The earl, as soon as he received sir Philip Percival's letters, laid the matter before the privy council of Ireland, who did not fail to express their indignation at so groundless a scandal, and wrote to the lord lieutenant<sup>x</sup>, giving an ample testimony of the earl of Ormond's zeal and for-

<sup>w</sup> See the letter of the lords justices to the earl of Leicester, Nov. 27, 1641, and Collection of Letters, No. LXXXI.

<sup>x</sup> See Collection of Letters, No. LIX.

wardness in his majesty's service, and entreating his lordship, as well to use his best endeavours to prevent any impression of jealousy or misconstruction, which that scandal might have left with any in England, as to get Wishart secured there, that he might be forthcoming to answer his misdemeanor in so high a scandal against so eminent a person. Wishart absconded at first, but was at last discovered by sir P. Percival, taken up, and brought before the house of lords at Westminster, where he absolutely denied that he had ever spoke any words to that purpose to the lord Blayney or any other person whatsoever. He owned indeed that he had said to lord Blayney and others at Chester, that the rebels always had notice of the earl of Ormond's and sir C. Coote's marches with the army; but that his lordship was the means of advertising the enemy, was the mere invention of some persons that maligned the earl's honour and his own reputation. He protested solemnly that he never harboured the least dishonourable thought of his lordship; and declared before the committee of lords, and in the presence of sir Philip Percival and other honourable gentlemen, that the imputation as to himself was absolutely false, and he was ready with his sword to maintain his just defence against any that should dare to affirm such scandalous words concerning his lordship, or aver that they were ever vented by him. He expressed himself to the same purpose in a letter to the earl himself, disavowing the words, and entreating his lordship not to entertain any hard opinion of a person who did not deserve it, and who, though a mere stranger to his person, was yet entirely devoted to his virtues. But this was not the only attack on his lordship's reputation at this time; the design of aspersing him seems to have been more general, and was carried on as well by private letters from Dub-



lin, as by public papers printed in London<sup>z</sup>. The state took up one Chapple, the author of some of those letters, and complained of the English pamphlets to the lord lieutenant, who appeared very zealous to vindicate the earl's character and conduct, which by being examined<sup>282</sup> became the more universally esteemed. The house of lords<sup>a</sup>, very sensible of the injury done him, exerted themselves to give him satisfaction, and even the house of commons, on March 8, passed a censure on a pamphlet, entitled, "A Declaration of sir Phelim O'Neile to the High Court of Parliament," recommending to the committee of printing (whereof Mr. White had the chair) to take some speedy course for repairing the honour of the lord of Ormond much wounded by that pamphlet, and for the corporal punishment of the printer and the contriver; of which they were to make a speedy report.

<sup>212</sup> After long expectation, a further supply of forces arrived from England; and on Feb. 20 and 21, sir Richard Grenville with a body of four hundred horse, and lieutenant-colonel George Moncke with the lord lieutenant's regiment of one thousand five hundred foot, arrived in the port of Dublin. These forces were not so considerable for their number as the lords justices expected, or as the necessities of the kingdom required. But what was still a greater disappointment to the state, there came neither money nor provisions with them, at a time when they were in the greatest distress for want of both, and that distress was likely still to increase, as their numbers of men increased. <sup>b</sup>The garrison of Drogheda was seventeen weeks behind in their pay; the rest of the army, both old and new, had received nothing for two months past; and no part of the arrears of the old army had yet been paid. The soldiers would never have been

<sup>z</sup> Letter of March 4, 1641, and B. 281.

<sup>a</sup> Letter of the earl of Leicester to the earl of Ormond, March 13.

<sup>b</sup> Letters of lords justices, Feb. 12 and 27, March 4, &c.

able to subsist so long, if the state had not compelled the inhabitants of Dublin, on whom they were billeted for their lodging, to give them credit for their diet, on promise of repayment within a few days. And now those inhabitants, being most of them lamentably poor, and their trade and all access to the town failing, could not possibly bear the burden many days longer; and the rather, because of the great scarcity of victuals. This scarcity was owing to the havock made all over the country about Dublin. The rebels used to make incursions from time to time and pillage in those parts; the state in revenge, or to prevent their getting any share of the provisions it afforded, burnt the villages, and wasted the country, which between both was utterly ruined. This was a consequence naturally to be expected from such a method of making war, which wise generals always avoid, taking care to preserve the country about them, that it may be able to afford sustenance, comfort, and accommodation to the soldier. But the lords justices, full of expectations of being supplied with provisions from England, had so entirely destroyed the little circuit that was in their power about the city, that it could neither furnish corn or food for the men, nor hay and oats for the horses. To keep the soldiers from starving, they had not only ransacked the stores of the citizens, but had been forced also to break into those which they had laid up in the castle of Dublin, to enable themselves to hold out some time of a siege, in case of extremity; and his majesty's store was so exhausted, that there was not corn enough left in it to victual the army for fourteen days in any exigence whatever. Hence many inconveniences ensued; such of the soldiers as could get off for England deserted the service; the rest, who were by a proclamation deprived of the means of transportation, feeding on unwholesome diet, (what they had consisting chiefly of salt herrings,) fell most of them into diseases, and died

in so great numbers, that there was danger of a contagion; whilst others, necessitated by mere want, robbed and plundered the inhabitants of the city and places adjacent, and were emboldened in so doing by impunity; the state thinking it shameful to punish men for what they did out of pure necessity, to prevent starving, when they had no money to pay them, nor any convenient diet to give them. They would gladly have dispersed some of their troops into garrisons in the neighbourhood, but were disabled from doing so for want of victuals to send with them; and the men having neither clothes to guard them from the cold, nor shoes to enable them to march, were very ill qualified to shift for themselves. In these circumstances, the state was in continual danger of a mutiny, which they had reason to apprehend from the discontent of the soldiers, and which would have overwhelmed them in a sudden destruction.

<sup>213</sup> Such was their situation at Dublin, when the new recruit of forces arrived; which whatever accession of strength they brought them, did yet increase the scarcity of provisions, and the dangers arising from the want of pay to the army. It was necessary to employ the troops. A party of three thousand rebels under Hugh Byrne and Mac Thomas posted themselves within seven miles of Dublin<sup>c</sup>, at a castle called Killsalghen, a place of very great strength, in regard of woods and many high ditches and strong enclosures and barricades there made, and other fastnesses. The lieutenant-general therefore himself, attended by the lord Lambart, sir C. Coote, sir S. Harcourt, and sir Thomas Lucas, went out with a body of two thousand five hundred foot and three hundred horse, with four fieldpieces, to dislodge them. The <sup>d</sup>orders given him by the lords justices on Feb. 23 were not only to kill and destroy the rebels, their adherents and reliev-

<sup>c</sup> Letter of lords justices, March 4.  
No. LX.

<sup>d</sup> See Collection of Letters,

ers, and to burn, waste, consume, and demolish all the places, towns, and houses where they had been relieved and harboured, and all the corn and hay there, but also to kill and destroy all the men there inhabiting able to bear arms. The earl of Ormond did not like this terrible way of making war; but thought the liberty left to a general in the execution of such orders was better in his hands than in those of some others, who would probably make use of them to destroy a multitude of harmless countrymen. He advanced against the rebels, and contented himself with burning some villages and houses thereabouts, in order to draw them out of their fastnesses; but they still keeping themselves within their intrenchments, he attacked them there, drove them out of the wood and enclosures where they were posted, and put them to flight, not without some small loss of men on his own side, who behaved themselves with great bravery and resolution.

<sup>214</sup> The army was now by the military men thought strong enough to raise the blockade of Drogheda; but reasons of state were proper to be considered as well as those of war; and the lords justices were not satisfied that in the present condition of the kingdom it was fit to make the attempt. It <sup>e</sup>was urged, in favour of the attempt, that it would be a great dishonour to the army to lie still in Dublin whilst Drogheda was taken; that, the season beginning to allow of a regular siege, it might be taken by force, and as it was to be feared the enemy would give no quarter, the cutting off such a number of gallant men as composed the garrison would be an inexpressible loss; that by gaining the town in any manner, (as they would certainly disarm the garrison soldiers, which they had done in all other places,) they would gain store of arms and ammunition, which was their greatest want, and the mischief thence arising would be irretrievable;

<sup>e</sup> B. 127.

that they would thereby become masters of a town of very great importance in regard as well of the harbour and river, as of its situation in the way between Dublin and the north, and by the advantage thereof would be enabled to hinder the conjunction of his majesty's forces in those different parts of the kingdom; that the taking of it would give such credit to their party, that all who<sup>284</sup> were at present neutrals would thereupon declare themselves for the rebels; and in fine, that if Drogheda was taken, and the garrison thereof lost, Dublin could not possibly hold out long against the united forces of the rebels, which would be drawn down against it from all parts of the kingdom; for being masters of the field, and the markets being entirely taken away, the army and inhabitants would soon spend all the provision within, and no city could hold out longer than its provision lasted. It was represented further, that if the siege were raised, the rebellion would be as good as half suppressed; that the good subjects would recover their spirits, and the rebels be exceedingly disheartened in all parts of the kingdom; that Dublin would be absolutely secured, and the whole kingdom rescued from the imminent danger with which it was at present threatened. To these reasons were opposed the danger of an attempt, and the mischiefs of a miscarriage; it was alleged, that the army of the enemy, employed in the siege, was not composed of ordinary and mercenary men, but of noblemen, gentlemen, their tenants and dependants, who were all volunteers, and had risen as one man in the quarrel, who having engaged in it past a retreat, and looking upon it as the cause of religion, had no way left them to take, but to fight it out to the last man; that in case of any slaughter of men, the rebels knew where to have present supplies of more, but the state must wait a long time for the like supplies out of England; that the enemy, if they were worsted, had places enough of retreat, but the Eng-

lish army had none between Dublin and Drogheda, the whole country between them being on the side of the rebels; that as soon as it was known the forces had left the city upon such a design, the rebels in Wicklow and the adjoining counties would draw all their forces together, to fall upon Dublin or come upon the back of the army sent to Drogheda; and that if the attempt failed, Drogheda would be given up immediately, Dublin would be lost without a siege, that part of the nation, which was as yet entire, would revolt, and the English would hardly find a landing place in the kingdom. These different considerations puzzled the affair, and the justices, always very sensible of the force of arguments drawn from possible dangers, were a good while unresolved what to do; but at last took a middle way, the general party taken by those who know not how to determine between two contrary opinions. They resolved not to make a formal attempt for raising the siege, but to try what effect a diversion might produce. There was an absolute necessity for sending some of the army out of Dublin, because it could not subsist there; the danger of their contracting more diseases, and the fears of a mutiny, made the justices think of adventuring to send a considerable party of them abroad into the country, partly to keep them in action, and partly in hopes of keeping them in heart with pillage among the rebels. For these reasons (they<sup>f</sup> say), they had resolved to send three thousand foot and five hundred horse into the pale, to burn, spoil, and destroy the rebels there, and perhaps to beat off the rebels from Drogheda; and they were in great hopes, that the waste which would be made in the pale would deter many of their party, and force the rebels into the north.

215 Orders were accordingly given on <sup>g</sup>March 3 to the

<sup>f</sup> In their letter of March 4.  
No. LXII.

<sup>g</sup> See Collection of Letters,

earl of Ormond to march with the said body towards the river Boyne, to prosecute with fire and sword all rebels, their adherents and abettors, in the counties of Dublin and Meath, and to burn and destroy, as he should think fit, the places, towns, and houses, where the said rebels, their adherents or abettors, are, or have been relieved and harboured, and now or lately resided. In these orders there is expressly given to the earl a liberty in the execution of them, which he had presumed before to exercise <sup>285</sup> in virtue of the powers incident to the authority of a general. He desired a further explanation in another particular, which was not in the former orders, and related to the places of the rebels and their abettors' residence; whereupon the order was restrained to places, where such persons "now or lately usually resided;" the word *usually* being interlined, in sir W. Parsons's handwriting, in <sup>h</sup>the original order signed by the council. They had found the inconveniences of wasting the parts which lay near the city; and therefore directed the earl to take care that no corn, hay, or houses should be burnt within five miles of Dublin. He was allowed to march in such places as he saw fit, between the sea and the Boyne, but was in no case to pass that river, nor to stay out longer than eight days without further orders.

<sup>216</sup> Whether the alteration, insisted on by the earl of Ormond, and made in these orders, gave offence to the lords justices, or what other motive soever influenced them, they did not care that he should go upon this expedition. He had prepared every thing for it, when sir W. Parsons wrote to him, that they had considered of the expedition and some consequences thereof concerning his lordship; and thereupon they had resolved earnestly to entreat him to stay at home, and let them send away the army now prepared under the conduct of sir Simon Harcourt; wherein they desired his lordship's approbation.

<sup>h</sup> B. 233.

The earl of Ormond did not care to be made a cipher in his post of lieutenant general, or to lose any opportunity of distinguishing himself in the service of his prince and in opposition to the rebels: he refused to let the army, which the king had so particularly intrusted to his command, to march, on an expedition of so much consequence, under anybody's conduct but his own.

<sup>217</sup> He accordingly marched out of Dublin on March 5, in the evening, with the forces then in readiness; and being advanced to a convenient distance from the city, he began, on Monday, March 7, to burn villages, and to waste the country, sending out parties on all sides, who plundered with great security, meeting with no enemy to make resistance. This was matter of wonder to him, till lieutenant colonel Reade and Mr. Barnwall of Killbrew came to him on the 9th with confident assurances that the town of Drogheda was clear of the rebels on both sides the Boyne. The news of his march, and the losses which the rebels daily sustained by sir H. Tichburne's beating up their quarters, made them raise the blockade on the 5th; when 'sir Phelim O'Neile, having sent away his cannon towards Dundalk, and withdrawn his companies from Beaully, and colonel Mac Brian being beaten out of his quarters at Turholland, with the loss of many killed, and Art Roe Mac Mahon taken prisoner, the whole force of the rebels quitted the neighbourhood of the town, and dispersing themselves, fled towards the north. Upon this advice, he consulted with sir S. Harcourt, sir T. Lucas, and sir Robert Farrer, all of them old and experienced officers, who were unanimously of opinion, that it was of absolute necessity, for the advancement of the king's service, and the speedy as well as prosperous ending of the war, that with such forces as could be spared out of Drogheda, they should prosecute the victory and rebels as far as the Newry. The governor of Drogheda was

<sup>1</sup> Sir H. Tichburne's letter, March 8.



able to spare one thousand foot and one hundred horse, which, with the army, would have made a force of four thousand foot and six hundred horse; a force sufficient, in the distraction of the rebels at this time, to have reduced all the north into obedience. The earl of Ormond sent the lords justices<sup>k</sup> advice of this state of affairs, and of the result of the council of war thereupon; desiring an enlargement of his authority for the execution of that design, and to receive such further instructions from them as they should think fit. He had received from <sup>286</sup> them no directions at all as to his conduct in case of any lords and gentlemen that should come in and offer themselves to him; for which there was now a general disposition in those of the pale. The lords justices likewise, when they issued a proclamation on Feb. 8, declaring a number of gentlemen by name to be rebels, and setting a price on their heads, had forbore therein to mention the names of any peers, till they received from England particular directions on that subject, which they desired might be sent them, but which were not yet arrived. He desired therefore some directions on the first head, and more particular instructions on the latter, conceiving himself warranted in that desire by their own example, and not knowing whether it were their intention that he should pay the same deference to the seats, as they had shewn to the persons of the lords. He sent this letter by an officer, whom he detached with a small party of horse, to convoy colonel Reade and Mr. Birford (who had come in the day before) to Dublin.

<sup>218</sup> The lords justices were in a terrible fume at the receipt of this letter; the council was assembled and an answer drawn up that very night. The proposition of going to the Newry was disliked by all; some resented it sharply, and thought his lordship might well have for-

<sup>k</sup> See Collection of Letters, No. LXIII.

<sup>1</sup> *Ib.* No. LXIV.

borne the making of that overture, as well as the other about the receiving the submissions of the nobility and gentry of the pale, which was far from being agreeable to them. In the answer, they allow his lordship to continue abroad (if he saw fit, and found it necessary for the service) two or three days more than the eight allowed him by their order of the third; but absolutely forbid him to pass the Boyne. They order him to make no distinction between noblemen and others that were rebels, but to burn the houses and goods of both; and to receive such as offered to come in only as prisoners taken by the power of the army, recommending it to his lordship to have them seized by the soldiers before they had access to his person, and afterwards not to admit them to his presence. As a ground of this order about the houses of peers, they allege their last despatch into England, wherein they had signified his lordship's being to go on this expedition to burn, spoil, and destroy the rebels of the pale without exception of any. But they do not vouchsafe to offer any reason for adhering to their former order of not passing the Boyne, though the wonderful alteration of affairs, so different from what they appeared when the army marched out of Dublin, might reasonably have been expected to produce an alteration of orders. Only they seem to lay a stress upon the earl's omitting to mention his having consulted with sir R. Grenville and other commanders on this occasion; which does not so much express their deference to the judgment of these commanders, as it shews their inclination to give a reason for their resolution, if they had any to offer. This answer was sent away early on the 10th, but a party of fifteen horse that was sent with it, observing in their road a body of rebels about Clony, returned to Dublin for a reinforcement; by which means it was not delivered to the earl of Ormond till the 11th at night.

<sup>219</sup> His lordship in the mean time continued his march

towards Drogheda, and taking with him the three officers mentioned in his letter, went with a party of horse into the town (which he found so weakly fortified, that he was amazed at its defence) to consult with sir H. Tichburne and lord Moore, who were best acquainted with the force, and the likeliest to guess at the intentions of the rebels. They were entirely of opinion that the rebels, who had fled further northward out of those parts, ought to be forthwith pursued, without giving them any breath or recollection. They all joined in a letter<sup>m</sup> to the lords justices, pressing an enlargement of their commission, as<sup>287</sup> well to pursue the rebels beyond the Boyne, as to stay a longer time from Dublin; and signifying to them, that as the resolution taken in the councils of war for pursuing the enemy ought to be put in immediate execution, and as they presumed their lordships concurred with them in judgment for the same reasons which determined their own, (especially not having received a countermand upon the earl of Ormond's late letter to the like purpose,) they had therefore resolved to march forthwith to Atherdee and Dundalk, and either to burn or garrison those places as they should be directed by their lordships; whom they desired to send with all convenient speed some ammunition, meal, and biscuit by sea to Drogheda, the fittest place to serve for a magazine to supply the army. This letter was sent from Drogheda on the 11th; but all the measures concerted for pursuing the rebels were broke by the letter which the earl of Ormond received that night from the lords justices, requiring their former orders to be observed.

220 The earl could not but resent the being thus controlled in the command of the army; and therefore, in a <sup>n</sup>despatch which he sent the next morning to the justices, he could not forbear telling them, that there was

<sup>m</sup> See Collection of Letters, No. LXVII.

<sup>n</sup> Ib. No. LXXI.

usually such a confidence reposed in the judgment and faithfulness of those that are honoured with the command of an army, as that it is left to them when and where to prosecute and fall upon an enemy; that he took this to be his due, though he was content to depart from it, because he would not confidently depend upon his own judgment; that they might see lord Moore's and sir H. Tichburne's judgment by a letter signed by them and the rest of the chief officers, except the lord Lambert and sir R. Grenville, who were left in their quarters for the security thereof, and keeping the soldiers from disorder, but were as far consenting to the execution of that design as himself who proposed it, or any of the rest that approved of it and signed the letter; that, however, he was applying himself to perform their last commands, and for that end had sent forth horse to destroy the dwellings of traitors for six miles about, and would quarter the night following at Balruddery, and thence continue his march to Dublin; want of bread causing him not to make use of the short enlargement of time granted in their letter of the 9th, which they could have been furnished with from Drogheda if they had pursued their design towards the Newry. He added, that with regard to the gentlemen who came in, his method was to put them in safe keeping, and either to send them before, or to bring them along with him to Dublin, without any manner of promise or condition, but that they submit to his majesty's justice; nor did he dispute by what power they came in, leaving it to their lordships to determine that point when they had them in their hands, and he had given them an account of the manner of their coming.

221 The earl of Ormond had been made a general almost before he had been a soldier, and had seen as yet but little service; that good sense however which makes a man master of all professions and employments, served

him instead of experience. He found the army of the rebels dissolved and crumbled to nothing; the common soldiers dispersed and fled to their own homes; their chiefs separated in confusion, and distracted with their fears. He judged that it would be no easy matter for the leaders to assemble their men again, who had run away to their cabins with what arms they had, and, as they had as yet received no supplies from abroad, that it would be impossible for them to arm any other body. He saw a general disposition in the gentlemen of the English pale to return to their obedience, which, with a little encouragement, would in all appearance have proved universal; <sup>288</sup> and their submission must necessarily increase the consternation of the rest of the rebels. He saw clearly the advantages to be made of both of these by a warm prosecution of the northern rebels, without loss of time, and in the height of their terrors, for a speedy suppression of the rebellion in those parts, and the influence it would have for the same purpose in all the rest of the kingdom. For these reasons he first proposed the immediate prosecution of them to the other officers, and being by their sentiments confirmed in his own, had resolved to march on with his army to the north; but knowing what enemies he had, watching every advantage that could be taken from his conduct to attack him, what a clamour would be made if he disobeyed the express orders of the state, and that if it were made the pretence of an accusation to remove him from the post he filled, the king in his present circumstances could neither protect him nor put anybody else in whom he could confide into the command of the army, by which means all the kingdom of Ireland, and all the forces in it, would be lost to him, and remain entirely in the power of his enemies, he altered his resolution, and prepared to return to Dublin.

<sup>222</sup> He had given the lord Moore and sir H. Tichburne notice of the positive orders he had received to return,

and of his intention to obey them. They °could not possibly conceive what motives could induce the lords justices to send such orders; they saw no signs of any important affairs about Dublin, or of any necessity that could call his lordship thither in such haste; but they evidently saw a fair opportunity lost of reducing the whole county of Lowth into obedience, and of possessing Atherdee and Dundalk with garrisons to curb the northern rebels, which they could not but lament. They had sent one of lord Moore's servants to Dundalk for intelligence, and had by him received advice, that sir Phelim O'Neile and colonel Plunket had been the day before at that place, and had got together about five hundred men; that they would fain have led them out towards Drogheda, but the men did not care to march; that with great difficulty, and after hanging two of the number, they at last got them out of the town; but as soon as the men found themselves out of the place, and at liberty, they threw down their arms and ran all away; that towards night sir Phelim himself went away with Plunket, and left three field pieces behind him; and that there were not three gentlemen of quality left in the whole county of Lowth.

223 This intelligence, with a request that he would send them six hundred or one thousand foot, another troop of horse, and two pieces of battery, for taking in the strong houses about Drogheda, was the substance of the letters which the earl received from the lord Moore and sir H. Tichburne on the 12th, after he had despatched his own of that date to Dublin. He thought the advice important enough to encourage him to make another essay to prevail with the lords justices to revoke their order for his return; and for that purpose held another council of war, at which the lord Lambert, sir S. Harcourt, sir T. Lucas, sir Robert Farrer, and sir R. Grenville assisted.

° See Collection of Letters, Nos. LXIX and LXX.

It was there unanimously resolved<sup>p</sup> to send the lord Moore's and sir H. Tichburne's letters to the lords justices, to let them see in what present affrights the fled and disanimated rebels were, and how much it might conduce to their total overthrow not to let slip an opportunity, which, once lost, might never be recalled without extreme expense of blood and treasure; to acquaint them, that they could not, consistent with their faith to his majesty's service, or their due respects to the state, pursue their intentions of returning, (any further than<sup>289</sup> Balruddery, which was equally distant with their present quarters from Drogheda,) without following the rebels to Atherdee and Dundalk, before they had clearly acquainted their lordships with the enclosed, and received their directions thereupon; and that, considering the great benefit and little hazard, (as the case stood,) not only of returning vengeance and destruction to the same persons that began the rebellion, and in the same parts where they began it, but also of freeing all the country as far as Dundalk from being the seat of the war with any of the northern rebels, they unanimously besought their lordships to give way thereunto, to transmit them orders to proceed accordingly, and to send a supply of victual and ammunition, with some shoes and stockings, to Drogheda, where they proposed to take part of those men, who had been so seasoned and encouraged by their late service and success, leaving others less experienced and worse provided in their stead. This letter was signed by all the officers above mentioned, except sir R. Grenville, whose quarters lying at a considerable distance, and it growing late, he could not conveniently stay the drawing of it, so as to sign it, but he had been consulted with, and was entirely of the same opinion in the case.

224 This letter, which was delivered<sup>q</sup> the next day to the

<sup>p</sup> See Collection of Letters, No. LXVIII.      <sup>q</sup> *Ib.* No. LXXII.

lords justices, did not alter their resolution; it only served to furnish them with an excuse, that they could not send to Drogheda either shoes or stockings, nor so full a provision of victuals as such an occasion required; which however lord Moore undertook to supply from his own lands, and was abundantly provided for by <sup>r</sup>the prodigious glut of provisions of all sorts, and incredibly cheap, brought by the country people to Drogheda, as soon as the siege was raised, and which were sufficient for several months. They adhered to their first order, and the earl was forced to keep on his march to Dublin, after having sent five hundred foot and a troop of horse, with a battering piece, to sir H. Tichburne; for which they vouchsafed to give him permission, if he could conveniently spare them. On this occasion they repeated their orders for burning all the houses of the rebels and their adherents in the country as he passed; which he was obliged to observe<sup>s</sup>, except in two instances, wherein he prevailed with them to relax something of their severity; the one, relating to the fishermen's houses on the coast, the destroying of which, he conceived, would hurt the markets at Dublin; the other, concerning Malahide, which he found to be an house of good situation and strength, and therefore proposed to preserve and secure it with a garrison of two hundred men, the house affording good accommodation for them, and they being a strength sufficient to keep the place. This being done, he returned with his army to Dublin on the 17th, having spent eleven days in the expedition.

225 It is very evident from this affair that the lords justices were much more solicitous for the devastation of the country, though it was now coming to be under their power, and to serve for the nourishment of the king's army, than they were for the speedy suppression of the

<sup>r</sup> Dean Barnard's relation of the siege, p. 72.    <sup>s</sup> B. 272 and 274.



rebellion. What business of importance there was about Dublin to induce them to recall the army does not appear; the rebels in those parts had made no motion to alarm them: but it is very plain from their own letters, that they could not subsist the troops there upon their return; that they could not send detachments of them to garrison the neighbouring towns for want of victuals to send with them; that for want of clothes the soldiers were exposed to extreme cold, and in such nakedness, that it was a shame and dishonour to the state; that by reason of the unwholesomeness of their diet, and the cold and hurts which they got for want of clothes and shoes, they daily contracted diseases, there being in some companies thirty, in others more, in some less, but in every company very many sick, who died daily before their faces for want of means to relieve them; and of the lord lieutenant's own regiment, (one of the last that came over,) there were no less than two hundred sick for want of money to buy wholesome food and to give them drink; so as by reason of death and sickness their strength was daily weakening, and the soldiers from such extremities taking up apprehensions of grief and great discouragement. These evils might have been prevented, if instead of recalling that body of forces to starve in Dublin, they had allowed them to pursue the flying rebels into a plentiful country not yet wasted, to live upon the spoil and contributions, and to supply themselves with all necessaries out of the goods, stock, provisions, and plunder of the enemy.

<sup>226</sup> What their reasons were for not allowing the earl of Ormond to pursue the rebels does not appear: it was natural to expect them in their next despatch to the lord lieutenant; but all the account there given of this expedition is, that his lordship went with an army, ac-

<sup>t</sup> To the lord lieutenant, March 19, 1641, and March 31, 1642.

<sup>u</sup> Letter to the lord lieutenant, March 19, 1641.

ording to their letters of March 4, into the pale (their intent being that he should not be at any time above a day's journey from Dublin, which was their principal care); that finding the rebels gone, he made a visit to sir H. Tichburne at Drogheda to observe how all things there stood, and returned after having burnt several villages and lords' houses, without having seen an enemy, the lords and gentry having removed. And then, after praising God for their deliverance, instead of representing the true state of the affairs of the northern rebels, they go on to say, that these will rally again, and that the rebels are still very numerous in all parts of the kingdom. So barren an account of such important affairs, in so critical and improvable a juncture, is enough to make one suspect, if not the sincerity, yet at least the fullness, of those informations of the state of Irish affairs, which they sent from time to time into England. Whatever their reasons were, it is past dispute, that they defeated by their obstinacy the fairest opportunity that could be offered for putting an end to the rebellion in the north; as appeared plainly by the consequences of their orders. <sup>v</sup> For as the terror of the earl of Ormond's being advanced near Drogheda caused the rebels to forsake Atherdee and Dundalk; so they no sooner heard of his lordship's return, but they took possession of those places again, and endeavoured to draw to an head. Sir H. Tichburne, after the earl's return, spent the first week in reducing Plactin and other strong houses in the neighbourhood of Drogheda; and then, accompanied by lord Moore, marched with one thousand foot and two hundred horse into the barony of Slane; and having burnt all the country thereabouts, advanced on the 23rd of the month to Atherdee. <sup>w</sup> He was met about a mile from the place by a party of Irish, to the number of one thou-

<sup>v</sup> Sir H. Tichburne's letter to the earl of Ormond, March 17.

<sup>w</sup> *Ib.* March 25 and 26.

sand one hundred foot and one hundred horse: some make their foot to be two thousand; but whatever was their number, they were soon routed, and sir Henry took possession of the town. He found it a place of some importance, but so waste and ruinous, as not to be repaired without a great charge; so that he thought it more advisable to take and garrison some strong castle near it with one hundred foot, and forty or fifty horse, to keep the county of Lowth in subjection, and to waste the neighbouring counties.

227 From thence he marched, on March 26, to Dundalk, where about eight hundred of the enemy were in garrison. The town is naturally strong by its situation, having <sup>291</sup> a bog on one side and the sea on the other; and the rebels had fortified it with a double wall and double ditch. Sir Henry assaulted the place, and with the loss of eighteen men killed or mortally wounded, carried it by storm: an hundred of the enemy were killed in the town, the rest, with sir Phelim O'Neile their commander, escaping in the dark of the evening. He took there three pieces of cannon, two of them brass, and better than any he had with him. He considered this as a place of very great importance, and requiring a garrison of at least eight hundred men; a greater number than he could well spare: however he resolved to maintain it, till he received either a reinforcement of troops, or some orders about it from the lords justices<sup>x</sup>, who were so strangely slow in sending him either the one or the other, that it looked as if they had no sense of the consequence of the town, or no manner of satisfaction in his success. <sup>y</sup>They did indeed own that it was a place of mighty importance for the general service, but as they alleged that they had not forces enough to supply him with such numbers as might enable him to secure both that place

<sup>x</sup> Sir H. Tichburne's letter to the earl of Ormond, Apr. 6, 1642.

<sup>y</sup> Their letter to the lord lieutenant, March 31, 1642.

and Drogheda, they thought he would be forced to desert Dundalk. He maintained it however against all the forces of the rebels, who being left unpursued, had time to recover their spirits, and to gather again into a body. If sir H. Tichburne, after the loss of a fortnight's time, could with so small a force reduce the whole county of Lowth, what might not the earl of Ormond have done towards ending the war, if, with an army of four times the number of that party, he had been suffered to pursue the rebels in the instant of their confusion and height of their terrors, without allowing them time either to recollect their spirits, when they were so miserably sunk, or to reassemble their forces, when so entirely dispersed?

228 The earl of Ormond had, during his late expedition, received the submission of several gentlemen of the pale, who had come in to him, depending upon the encouragement given them to expect pardon by his majesty's proclamation of Jan. 1, which, having been long stopped by contrary winds, arrived at Dublin on Feb. 26, and had been since published by the lords justices, and sent into all parts of the kingdom. He had sent several of these before him to Dublin, particularly sir John Netterville, Garret Aylmer of Ballrath, James Bathe of Acharn, W. Malone of Lismullen, Nic. Dowdall of Brownstown, Stephen Dowdall of Galstown, Edward Dowdall and his son Lawrence of Munektown, none of which had been in any action with the rebels, and some of them had been plundered by the Irish. Patrick Pluncket baron of Dunsany, the eleventh lord of his family, which had been ever loyal, four of his noble ancestors having been killed, and five more wounded, in the service of the crown, and himself an Englishman by descent, alliance, and affection to the English interest in Ireland, had wrote to the earl to desire his protection. He had retired out of the pale when the gentlemen had joined with the Irish, and lived quietly in his own house, doing

all manner of acts of humanity to the English, even at the hazard of his life, till he came with his son to Dublin on March 19, having the king's proclamation in his pocket, and surrendered himself to the lords justices. Sir Andrew Aylmer, John Talbot of Robertstown, and George Devenish had done the same. The lords Netterville and Slane, and many others of the principal gentry of the pale, had offered the like submissions; and this practice was growing so very general, that the lords justices thought it high time to put an effectual stop to it.

229 Some of these gentlemen had been indicted of high treason for having been seen to converse with some of the rebels, whilst the latter were masters of the country, and the bills had been found by the grand juries, who (as hath been observed) in the space of about two days 292 found so many hundreds of indictments. These they resolved<sup>z</sup> to have tried in a legal course for a terror to others, and to lead towards a full resumption of his majesty's just and regal power and authority in Ireland. It was proper for them to prepossess the court and parliament of England in favour of this proceeding, and it will be but justice to them to hear the reasons which they alleged for it in their despatch of March 19, 1641.

230 In that letter they signify to the lord lieutenant, that some gentlemen had rendered themselves to the king's justice; that many others had desired protections, and that very many, even of the best rank, had endeavoured to make submissions; but they thought it necessary to observe, that the state of England had been too indulgent to the Irish in former ages since the conquest of the kingdom, and had too easily received submissions, and granted pardon to rebels, whereas if the governors of Ireland had been careful to improve the frequent oppor-

<sup>z</sup> Their letter to the lord lieutenant, March 19, 1641.

tunities offered them by those rebellions, they might have made such a full reformation in the kingdom as would have prevented the present general destruction fallen upon the British there; that none of the former rebellions could parallel the present, either in the dangerous original thereof, or in the unexampled cruelty and extreme hatred to the British nation shewed in the progress thereof, or in the fearful and terrible consequences finally aimed at therein, being no less than to wrest out of his majesty's hands his royal sceptre and sovereignty there, to destroy and root out all the British and protestants and every species of English out of the kingdom, to suppress for ever God's truth and true religion there, and instead thereof to set up the idolatries of the church of Rome, and finally to pour in forces into England to disturb that blessed peace which by the mercy of God that kingdom then enjoyed; that some, to extenuate the rebellion, had said, that England had never conquered Ireland, but only received it by submission; that the rebels presumed upon forcing his majesty to entertain their submissions, and to give them dishonourable conditions; that these submissions were purely the consequence of their disappointments, to work their own present ease, and prevent the sending over further supplies from England; that if, after such a series of rapine, cruelty, and bloodshed, to the enriching of themselves, and the ruin and destruction of the British protestants, the rebels could wipe out their crimes by making submissions, they would be emboldened to attempt the like again, to the continual unsettlement, if not destruction, of the kingdom, the English would be discouraged from coming over to settle there, and the few British yet left undestroyed would remove thence, and so the settlement of religion and civility there would be prevented; and the natives continuing without the mixture of English, would be unserviceable either to the king or themselves, having

no trades among them, being generally idle, and for the most part barbarous; and upon considering these particulars, they hoped his majesty would have the glory of perfecting the great work which his father had begun, and make the like settlement and reformation all over the kingdom, as king James had done in Ulster.

<sup>231</sup> These arguments, which are an appeal to the passions of men rather than to their reason, are chiefly drawn from the practice and notions of the old Irish, and could not, consistent with justice or equity, be applied to the gentlemen of the pale, who had been concerned in none of those barbarities, and who, being of English race, were well affected to the English interest, by which they were first settled, and still subsisted, in Ireland. They involve all in one general accusation, imputing to every one of the rebels what the worst of them had done, without <sup>293</sup> making a distinction, which all wise and good men wished, between the first authors and ringleaders of the rebellion, and those who had been misled by their specious pretences, or forced by their prevailing power to join them; between those who had been concerned in rapines and cruelties, and such as had been guilty of neither; between such as had been engaged in hostile actions, and such as had, in the jealousy of the times, only stood upon their guard; between those that had appeared in the field, and such as had only paid contributions to the rebels, and conversed with them, when their houses, and all that they had, and the whole country thereabouts, was in the power of their forces. Of this latter sort were those gentlemen who had now made their submissions, against whom the lords justices were now meditating, and indeed using those illegal and barbarous severities, for which they had prepared an apology by these arguments; in which no consideration is had either of the faith of the king's royal word and his mercy promised in the late proclamation to such as should im-

mediately lay down their arms, and forbear all further acts of hostility; or of the blood that must be spilt and the treasure that must be spent in reducing the whole nation by force; or of the desolation of the kingdom that would have been prevented, and the peace which would have been restored, if these submissions had in fact become, what a little seasonable lenity in that juncture was likely to make them, general. But such considerations as these were not agreeable to the views of the lords justices, who had set their hearts on the extirpation, not only of the mere Irish, but likewise of all the old English families that were Roman catholics, and the making of a new plantation all over the kingdom; in which as they could not fail to have a principal share, so all their reasonings upon all occasions were calculated and intended to promote that their favourite scheme.

232 This scheme would have been destroyed, if the rebels in general had submitted upon the late proclamation; there was a general disposition in those of the pale, and offers made by the chief of them, to submit; and nothing was so likely to stop the effects of that disposition, as to treat those who had actually submitted in such a manner as to shew the rest that they should receive no favour upon such submission, nor any benefit by his majesty's proclamation. Hence all the gentlemen that surrendered themselves were, without being admitted to the presence of the justices, committed prisoners to the castle of Dublin: preparations were made for their trial, and designs published of their being prosecuted with the utmost severity. But as the prisoners had never appeared in the field, nor been concerned in any warlike action, there was a want of proper facts wherewith to charge them, and of sufficient witnesses to prove those facts. To supply both these defects, the lords justices had recourse to the rack; a detestable expedient, invented to extort from unhappy prisoners, in the anguish of their pain, or in the terror of



the tortures prepared for them, such confessions, as those, who have the management of that accursed instrument of tyranny, have a mind to put into their mouths, and therefore justly abhorred by all lovers of liberty, and forbidden by the laws of England.

<sup>233</sup> The two points which the lords justices aimed at in their examinations of persons on the rack were, to force from them some confession which might enable them to charge all the Roman catholic gentlemen in the kingdom, and particularly those of the pale, with being originally concerned in the conspiracy; and to find out some pretence to asperse the king with authorizing or countenancing the rebellion. It appears clearly from what hath been said, how serviceable the first of these would be to justify their conduct towards the lords and gentry of the pale, to put a stop to the submission of those noble persons, and to forward their own scheme of extirpation; and the latter point seems to be suggested to them on <sup>294</sup> this occasion: The house of commons of England had in the month of January raised a body of several thousand men in London under colonel Skippon, who publicly beat up for volunteers, and blocked up the Tower, in order to reduce the place by famine. They had seized Hull and Portsmouth, and endeavoured to get the other forts of the kingdom into their hands. The king had been forced to quit London, and in the beginning of February to retire northward, for the greater security of his person. The parliament had gone on to strip him of the small remainder of power which was left him, and to take the militia out of his hands: they had arrogated the power of it to themselves, and vested it in commissioners of their own appointment; they had published a declaration for putting the kingdom of England into a posture of defence, and made preparations for an open war. Nothing in that case was so likely to increase their own strength, and to lessen the king's, as the alienating

from him the affections of his people ; and nothing so proper to produce that effect, as the aspersing of his majesty with authorizing, encouraging, or favouring the Irish rebellion, in which so many acts of cruelty and inhumanity had been committed, that the accounts published thereof, fortified by the shocking sight of multitudes of the despoiled protestants coming over daily into all parts of England, had justly raised the greatest horror of that affair in the minds of all the people in that nation. With this view, they had on Feb. 9 taken advantage from four passes granted by the king to four gentlemen never concerned in that rebellion, to insinuate to the nation, that he had granted passes to such as were at the head of the rebels ; a scandalous falsehood which hath been already refuted, and which they were so little able to support, that they thought it behoved them to use their endeavours for getting other informations to make out the charge. The king, in an utter detestation of that rebellion, and out of his earnest desire to suppress that, which he saw was the ruin of his affairs in this, and would, if suffered to continue, prove the desolation of that kingdom, had by frequent messages pressed the house of commons to hasten their supplies for the relief of that distressed country, had offered to raise immediately ten thousand volunteers for the service, if the commons would but promise to pay them when raised, and even to go himself, and venture his royal person.

234 To these messages, to those particularly of Feb. 14 and 24, which contained his offers of going in person for the redemption of his poor protestant subjects in Ireland, he refers in his answer to the declaration of both houses presented to him on March 9, at Newmarket : and when he delivered this answer the next day to the earl of Holland and the rest of the committee, he expressed himself

in such strong terms with regard to that offer, that they were very apprehensive he had taken a resolution thereupon, and was going to put it in execution. He told them, that the business of Ireland would never be done in the way they were in; the work was put into too many hands, and must be done by one; and if he were trusted with it, he would pawn his head to end that work; and though he was a beggar himself, yet (speaking with a strong asseveration) he would find money for that. The king's appearing in the head of an army against the Irish rebels, and prosecuting the war with vigour, would have undeniably refuted that aspersion of the parliament, and soon have put an end to the rebellion. His presence in Ireland would have determined the power of the lords justices, and, together with the ready submission of the rebels, would have put an end to their scheme of an extirpation. It was therefore the common interest both of the faction and parliament of England, and of the lords justices in Ireland, to prevent the king's intended journey to this latter country; which nothing could so effectually prevent as the rendering of him suspected of favouring and holding a secret intelligence with the rebels; a notion which, if it once prevailed in England, would make it too dangerous for the king to attempt the expedition, or at least defeat him in a great measure of those advantages which he might otherwise derive thence. Whether therefore the lords justices acted in this affair by direction from the faction in England, (with whom they held a close correspondence by means of their agent Fitzgerald,) or out of their own motion for promoting their design of a new plantation upon a general forfeiture of all the Roman catholics of the kingdom, it is certain that to this point of aspersing his majesty, and the other of involving all the Roman catholics throughout the nation in the guilt of the original conspiracy, the questions which

they put to prisoners upon the rack at this time plainly tended.

235 The first that was so treated was Hugh Mac Mahon, a gentleman who had been in foreign service, and had joined in the design of surprising the castle of Dublin. To engage him in that affair, captain Brian O'Neile had told him, that he should be assisted in it by twenty prime men out of every county in Ireland, who were to be at Dublin the night before the execution of that enterprise, He was taken up on Oct. 23, and being then examined<sup>z</sup>, had confessed thus much, in a threatening manner, to intimidate the state from proceeding rigorously against him for fear of revenge. It was now thought proper to force him upon the rack to say something more for their purpose, and particularly for countenancing the horrible aspersion upon the king. The tortured wretch had nothing to offer, but hearsay, to gratify them; and in answer to their questions, acquainted them, that he <sup>a</sup>was told by Philip O'Reily, that the Irish committee were to solicit the king for a commission to authorize the papists of Ireland to proceed in their rebellious courses, and that colonel Mac Bryan Mac Mahon had assured him he should see it at his coming to Dublin; in confidence of which he had engaged in that affair, but had never seen *any such commission*; though he had been deluded, as others of the Irish had been, by that false pretence advanced by the profligate ringleaders of the rebellion, to draw weak and credulous people into their measures, and to gain credit in their cause. The lords justices knew very well the falsehood of that pretence, and consequently that nothing could be brought to propagate that calumny against the king, but the rebels having out of political views made such a pretence: yet this, in an age of jea-

<sup>z</sup> Nalson, vol. ii. p. 521.  
article the 2nd.

<sup>a</sup> Bishop of Clogher's MSS. No. III.

lousies and distractions, when the people of England believed every thing that they heard on one side, and nothing that they saw on the other, was sufficient for their purpose.

<sup>236</sup> Mac Mahon was racked on March 22, sir John Read was the next day put to the same torture, and questioned upon the like interrogatories. He was a sworn servant of his majesty, as gentleman of the privy-chamber, and had been a lieutenant-colonel in the late army against the Scots. He had gone, with his wife, to Plattin, the strongest castle in those parts, to convoy her thither; and his return to his house at Drogheda was intercepted by the rebels' sudden investing of that town on all sides. Whilst he continued at Plattin, the nobility and gentry of the pale prevailed with him to carry their remonstrance and letters to the king, and to represent to his majesty by word of mouth some particulars of their grievances and sad situation, which were not so proper for the perusal of the lords justices, who would probably be curious enough to see those papers before they allowed them to <sup>296</sup> be carried over. For sir John resolved to make no secret of his message, and thereupon sent a servant of his own, with a letter to sir W. Parsons, to desire a pass for his going over into England to wait upon the king. His journey was undertaken upon condition of having the expenses of it, as well as of his solicitation at court in that affair, defrayed, and some provision made for the subsistence of his wife, children, and family, during his absence, and in case of any accident attending him. There was, as I find by the letters<sup>b</sup> of the lords Fingall, Gormanston, Netterville, and Slane, some difficulty in the raising of this money, which caused his journey to be retarded. This being at last removed, and the lords justices and council having, in answer to his letter for a pass, desired him to repair to Dublin that they might

<sup>b</sup> B. 1 13, 159, and 160.

confer with him before his departure, he resolved to go thither, conscious that he had neither done nor undertaken any thing contrary to his allegiance and duty to his majesty. When the earl of Ormond's advance with his army into the pale had cleared that part of the country of the rebels, he took the opportunity of getting to his lordship, and brought him the first account of the enemy's having raised the siege of Drogheda. He obtained from his lordship a convoy to carry him to Dublin, and upon his arrival there, was committed close prisoner to the castle, notwithstanding that they had invited and ordered him to come thither, and that he told them he had brought letters for his majesty; and that he had also brought them another letter from the lord viscount Netterville, to desire a safe conduct for himself, and two or three more to come and see a proclamation of his majesty's, (whereof they had a rumour,) which commanded them to lay down their arms, and submit to his mercy, that, if true, they might render obedience thereunto. The proclamation here referred to was that of Jan. 1, which the justices had received on Feb. 26, and ought to have published in such a manner that it might be seen by every body in the nation, if the reasons they alleged for desiring the king to sign with his own hand and privy signet an extraordinary number of the copies thereof were the true motives of that request. Their secreting them to such a degree, that the lords and gentlemen of the pale, who lay nearest Dublin, could not see one of those copies, was the likeliest way to prevent their effect, and could never arise from any of the motives pretended for a request, which, from their proceedings afterwards, appears to have been made upon different, however mysterious views.

<sup>237</sup> The lords justices seized the letters addressed to his majesty, and never transmitted them to him. They put sir John upon the rack, interrogated him upon questions

calculated to entitle the king to the iniquity of the rebellion, and drew up what they thought fit of his answers, and what they made him say, in the form of a confession, which they sent, along with that of Mac Mahon, to the house of commons in England, on the 23d of April following. They sent at the same time their letter of that date, (directed to Mr. Secretary Nicholas,) stuffed with motives to dissuade the king's coming into that kingdom; a circumstance which shews clearly enough that the lords justices moved in all this affair, either by the express direction, or at least with the concurrence of that faction which at that time governed in the English parliament. Their endeavours were indeed so well accepted by that body, that they thought themselves entitled to some recompense; and accordingly soon after, (May 11, 1642,) in a private letter of their own (without the rest of the council) to the speaker, besought the commons to assist them with a *grant of some competent proportions of the rebels' lands.*

238 The king was all this while a stranger to these proceed-<sup>297</sup>ings, the examinations having been taken privately, and the justices having never acquainted him with any of these particulars. <sup>b</sup>He had heard indeed of them by various reports, which agreed in saying that there was something in those examinations which reflected on his majesty's honour; and had caused sir Edward Nicholas to write for copies of them to the lords justices; but they, conscious of their own iniquity in that affair, and being determined to make their future application to the parliament of England, and to carry on a correspondence with the prevailing party in that body, rather than with the king, forbore to send his majesty any account of that business, though they had sent copies thereof to their friends in the parliament. The king thereupon commanded the secretary to write to the earl of Ormond, and

<sup>b</sup> See Collection of Letters, No. LXXV.

desire his lordship to send him a copy of the said examinations; but this was more than his lordship could do, so carefully was this matter secreted from him, though a member of the council. And it was between two or three years afterwards that sir John Read, after a close imprisonment for some time at London, there being no evidence of any crime against him, got his liberty; and after serving some time in the parliament army repaired to the king at Oxford, and informed him of the particulars of these transactions.

239 The severity of the lords justices did not stop here; they caused sir John to be indicted, and (whilst he was absent and a prisoner in England) to be outlawed for high treason; and that every thing belonging to him might feel the effects of their displeasure, his wife and goods were seized upon, before he was either indicted or outlawed, and his children and family thrust out of doors. His wife presented a petition to the lords justices, that they would assign her some part of her own goods, to maintain herself and her small children; but they absolutely refused to allow her any, though the barons of the exchequer, to whom her petition was referred, certified, that it did not appear unto them what sir John Read's offence was, nor how, or for what cause, the crown was or might be entitled to his goods or other estate. Whoever reads this account will scarce have any advantageous opinion, either of the lords justices' fidelity to his majesty, who intrusted them with so important a charge, or of their humanity to others, who upon their invitation put themselves into their hands.

240 The reader perhaps may be curious to inquire, what answer the justices returned to lord Netterville's letter here mentioned, and may be assured that they sent none at all. For on March 22 the earl of Castlehaven sent them a letter, with one inclosed from the lords Gorman-

<sup>c</sup> Bishop of Clogher's MSS. No. III. p. 45.



ston, Slane, and Netterville, addressed to himself, and expressed in these terms :

241 “*Right honourable and our very good lord,*

“Understanding of a proclamation (which we could never come to the sight of) set forth by his majesty, commanding us to lay down our arms, in obedience thereunto, we performed accordingly; and thereupon employed lieutenant-colonel Read unto the lords justices, that cessation of arms might be of all sides, until we were informed upon what grounds and conditions we should be received. Since which the army came forth from Dublin, pillaged and burned both our own houses and our tenants’, not having once received answer. Wherefore our humble request unto your lordship is, (so it may be without inconvenience to your person,) that you will be pleased to move unto the state, in behalf of us the united lords, to be licensed to meet by a certain time in some convenient place, where we may draw up our grievances to be presented to his majesty, and in the 298 mean time a cessation of arms to be continued, and no hostile act perpetrated; which by these presents we fully authorize your lordship to do, and do undertake, that the united lords will approve the same; for which favour you will oblige us to be

“Your lordships most humble servants,

*March 16, 1641.*

“GORMANSTON. SLANE. NETTERVILLE.”

242 James Touchet earl of Castlehaven was descended of a very ancient and noble family, who had been barons of England from the time of Edward I, by the style of lord Audley of Heleigh. Those honours, as well as a very large estate in England, had been forfeited by his father; the king had in the 9th year of his reign by a new creation put him in possession of both honours, but the estate had been granted away to lord Cottington and others. He was a nobleman of good parts, great honour, and of a very active spirit. His <sup>d</sup>genius led him to war, and

<sup>d</sup> See his memoirs, and vindication of them in MS., and O. O. p. 292.

this inclination, with some hopes of recommending himself to an employment in foreign service, which might enable him to live more suitably to his quality than the small remains which he enjoyed of the family estate would otherwise allow him to do, had carried him to the siege of Turin in Piedmont. He had afterwards attended the king in his northern expedition, till the first pacification with the Scots, and then went over to Flanders, where he made the campaign, in which Arras was besieged and taken by the French. Resolving to enter into the service of some foreign prince, he settled his estate in England, and went over into Ireland to do the like there, with regard to what he had still left of his grandfather's lands in the counties of Cork and Kerry. He was at the house of the lord Kerry (whose brother Gerald Fitz Maurice had married his eldest sister Lucy) when the rebellion first broke out. As soon as he received the news thereof, he hastened to Dublin, and offered his service to the lords justices against the rebels. They told him that his religion (he being a Roman catholic) was an invincible obstacle against his having any command. He then desired their permission and passport to go into England, where there was a parliament sitting, whereof he was a peer. This was likewise unjustifiably refused him; he having attended in the Irish parliament the two days they were permitted to sit. His lordship next desired that they would furnish him with something to support him in Dublin, in regard it might not be safe for him to live in a little, lonely, weak hunting seat which he had about twenty miles from Dublin; but rather than give his lordship leave to pass into England, or means of supporting him in Dublin, they advised him to retire to that house, and, if need were, to make fair weather. This advice his lordship took, not of choice, but necessity, and retired to Maddinstown in the county of Kildare, the only place where he could possibly subsist

in Ireland, and thither the earl of Antrim and his lady the duchess of Buckingham followed him. Whilst he continued there he was very serviceable in saving and relieving the English that were robbed and stripped in those parts, and from thence sent from time to time to the lords justices, and the troops quartered at the Naas, such intelligence as he was able to get of the rebels' proceedings. His humanity to the English occasioned some losses to himself, great part of his stock having been drove away one night by the Irish rabble to a neighbouring village, where his brother colonel Mervyn Touchet recovered most of it with the help of his lordship's servants by force, bringing away two or three of the ring-leaders prisoners; but for this action was threatened by <sup>299</sup> the Irish, and forced to retire for his security to Dublin, whither he got with great difficulty, being attacked on the road, and only saved by the goodness of his horse; as his servant and company, after being taken, were by Mr. Walter (son of sir John) Dongan, who, sallying out of his father's house with a party of his servants, rescued them, and convoyed them safe to Dublin. The earl of Castlehaven continued still at his house of Maddinstown, and being an English peer, the lords of the pale judged that an application through his means might be treated with less contempt than their address by colonel Read had been, and might possibly procure them some answer. They accordingly wrote him the letter recited above, which he transmitted to the lords justices, with another of his own to them, dated "the 22nd of the same month; in which, if their lordships thought fit to send an answer, he desired they would be pleased to give him particular instructions, which, he assured them, he would punctually observe. He made use of this occasion to renew his request for a pass to go for England; a letter which he had

<sup>e</sup> MSS. of the bishop of Clogher, No. III. p. 43.

sent ten days before with the same request having been intercepted by the Irish.

- 243 The lords justices received it the next day, and on the 25th returned him an answer, in which, with regard to a pass, they positively refused to grant him any, and ordered him expressly not to depart the kingdom without special license. With regard to the request of the lords of the pale, instead of making any answer, they reprimanded his lordship severely for not securing the messenger who brought their letters, and bid him beware how he held any correspondence with them, or joined either in their counsels or actions, lest thereby further inconveniences arose to his lordship. This reprimand, with colonel Read's being put to the rack at the same time for the like offence, were sufficient to terrify every body from intermeddling for the future in the conveyance or recommending of any offers which the rebels might make of submission; and his lordship soon after felt the effects of the displeasure of the lords justices. He continued, pursuant to their advice, still at Maddinstown, though he was either alarmed or attacked almost every night by the Irish. There, on the 15th of April following, after the victory gained that day between Killrush and Rathmore in sight of his house, the earl of Ormond with his chief officers made him a visit after dinner, and was entertained by him as well as he could on so sudden an occasion. A passage being about that time by the taking of the Newry opened into the north, the earl of Antrim and his duchess presently after left him, her grace going for England, and the earl to his castle of Dunluce in the county of Antrim. The earl of Castlehaven, upon the wretched pretence of a boy (that was blind and lame, and kept in his lordship's house out of charity, and employed to whip away the pigs) his hav-

<sup>f</sup> MSS. of the Bishop of Clogher. No. III. p. 43.

ing been instrumental to the lord Antrim's saddler being taken by the rebels, and his lordship being made accountable for the actions of this boy, who was represented as his servant, was towards the latter end of May indicted of high treason at Dublin, where indictments of that kind were at this time readily found upon any pretence whatever. Upon this, colonel Touchet, who was then at Dublin, complained to the lords justices that they had not kept their word with him in allowing this clandestine proceeding against his brother, and desired that they would let him have a party of horse to fetch him to Dublin. They refused him a convoy, but the colonel, getting a small party of his particular friends together for that purpose, made his way to Maddinstown, and the earl of Castlehaven, upon information of the proceeding against him, came to Dublin to justify himself. His lordship there addressed himself to the earl of Ormond, and sent his brother to notify to the lords justices that he was<sup>300</sup> come. They replied, that they could say nothing to it till he appeared before them; which he did the next day, and then they ordered him to come the day following. He did so, but then, without being called in, they committed him prisoner to Mr. Woodcock's house, one of the sheriffs of Dublin. Colonel Mervyn, seeing his brother thus rigorously treated, desired a pass for himself to go to England, and being refused by the lords justices, made a shift to get away in a small boat. He went directly to the king at York, and petitioned him that his brother might be sent for over to be tried in England by his peers. His majesty's answer was, that he had left all the affairs of Ireland to the parliament. Upon this he went to London, and petitioned the parliament to the same effect. Their answer was, that they could do nothing without the king. The colonel, seeing nothing could be done, remained in England, where he served in the king's

army; and the earl of Castlehaven all this while continued in custody; till the lords justices finding he was not likely to be taken out of their hands, resolved to proceed further against his lordship, and ordered him to be removed to the castle of Dublin. He had been now twenty weeks under a confinement very uneasy to a person who had always been used to an active life. He had seen and daily heard of executions by martial law; he considered that innocency was a scurvy plea in a time of jealousy and violence, when such encouragement was given to informers and delators, that there could be no want of rascals to attest any falsehood; and apprehending all manner of extremities from the lords justices, so closely linked with the parliament which had engaged in an open war against the king, he thought it advisable to make his escape. There was one George Lidwidge a trooper, who had after the battle of Killrush been left in his house, and was there cured of his wounds. The man out of gratitude for his good treatment often visited his lordship in his confinement, and now in his distress, being furnished with money, bought horses for his escape; which he made in the beginning of October following, slipping in the dusk of the evening on Sept. 27 out of the sheriff's house into the street, and carrying the trooper's saddle, as his servant, till they got out of town to the place where the horses were ready for them. As soon as it was known that he was gone, a party of horse was sent out on the road to Maddinstown to retake him; but he had made the best of his way by Temple Oge towards the mountains of Wicklow; and thence went to Kilkenny. His lordship's intention was to get a passage for England; but being pressed by the supreme council of the confederated Roman catholics, then sitting in that place, and taking measures for their mutual defence, to accept of a command in their army; and not knowing

well how to subsist elsewhere, he accepted their offer, and was made general of the Leinster horse, under Preston, who was commander-in-chief.

244 Soon after sir John Read had been racked, Mr. Patrick Barnewall of Kilbrew in the county of Meath was put to the same torture. He was one of the most considerable gentry of the pale, a venerable old man of sixty-six years of age, delighting in husbandry, a lover of quiet, and highly respected in his country. He had sent the state intelligence of the motions of the northern rebels in the month of November, but had met (pursuant to the sheriff's summons) at Crofty-hill, when lord Gormanston declared to the Ulster rebels that the gentry of the pale were ready to join them for the ends which those rebels pretended to have in view. But he does not seem to have liked that union; for though he was appointed chief commander, in conjunction with sir Richard Barnewall, of the baronies of Ratoogh and Dunboyne, he does not appear to have acted in that capacity, or to have actually joined the rebels on any occasion; and his name is not to the commission, signed by other gentlemen, and <sup>301</sup> constituting lord Gormanston general of the forces of Meath. The rack extorted so little from him, and there was such a total defect of evidence against him, that the severity of his prosecution made his innocency the clearer; he was suffered to continue in Dublin, and when <sup>8</sup>sir Fr. Willoughby was in the summer following sent with a party to gather the harvest about Kilbrew, and take in Sidan and other castles in Meath, he had particular instructions to take care of Mr. Barnewall's stock, goods, and effects. The principal question put to him was, whether the king was privy to or had encouraged the rebellion. It is hard to say whether his majesty or the old gentleman so tortured were treated by the lords jus-

<sup>d</sup> See his letters to the earl of Ormond, Aug. 2, 5, 8, and 10, 1642, and D. 133.

tices in the more barbarous manner. They understood law well enough to know that no accusation or evidence extorted after that manner could be of force against any man ; but still any thing would help to countenance the scandal raised against the king by the parliament party, now ready for an open breach with his majesty. The lords justices, devoted to that party, to whose disposition the government of Ireland was entirely left, endeavoured in this detestable way to serve their ends by the calumniating of his majesty ; at the same time that they served their own scheme of an extirpation by the racking of these gentlemen, whose treatment could not fail of deterring every body from venturing themselves into their power for the future.

245 This, with an act lately passed in England, put an effectual stop to those submissions which the Roman catholics, of English race, that had taken arms, were so generally disposed to make. The lords justices had in several letters taken notice of the great advantages that would accrue to the crown by the forfeitures of the rebels and the disposal of their lands. The parliament of England resolved to deprive the king of those advantages, and to engross them to themselves. The king by those forfeitures had it in his power to reward such as would serve him in the reducing of the rebels ; and now that the insurrection was become general, those forfeitures were grown so vastly great, that they were a sufficient fund of credit for an immense sum, if there were occasion to borrow it ; and his majesty, by making grants thereof, might easily in any exigence of his affairs raise what money would be necessary for his service. It was therefore thought good policy to take away his prerogative in this respect ; and at the same time to deprive his majesty of another branch of power—the last certainly in which any prince should be abridged—I mean the power of shewing mercy. The experience of all ages and the



histories of all nations shew, in numberless instances, the mighty effects which a pardon offered in season to a body of people in arms, even exclusive of the ringleaders, have produced towards quelling commotions and insurrections; and whilst his majesty retained the prerogative of pardoning, and might extend it to such as had not been originally concerned in the rebellion, or in the murders and rapines which distinguished it above all others in cruelty and horror, to such as had been unwarily drawn or forcibly driven in to join the rebels, or stand upon their guard, he had always a great deal in his power, whenever he should think fit to exert it, towards restoring the peace of Ireland, and putting an end to a war, the continuance of which was absolutely necessary for the success of those schemes which the heads of the parliament party had formed for raising the like war and rebellion in England. With these views, a bill was brought in for raising by subscription a million of money, upon the security of two millions and a half of forfeited acres in Ireland, which were to be assigned by lot to the subscribers, to be enjoyed by them and their heirs as soon as it was declared that the rebellion was ended; <sup>302</sup> and this declaration was reserved to the two houses of parliament. All the forfeited lands were for this end nominally vested in the king, but he was by a particular clause inhibited to dispose of any of them, even of such as exceeded the number of acres assigned by this bill for the security of adventurers; and all grants made or to be made by the crown of any goods or lands of rebels since Oct. 23, 1641, were declared null and void; and all pardons which should be granted after the said day to any of the rebels before attainder (without the assent of both houses) to be adjudged void and of none effect. The survey and admeasurement of forfeited lands, after the rebellion was declared to be ended, and the allotment of them afterwards to subscribers, was placed in

the power of commissioners to be appointed by the lords and commons in parliament; who were likewise invested with authority to regulate plantations, to create corporations, to erect churches, and maintain preaching ministers within the limits and precincts of the land so to be divided, in such manner as they should see fit; and all sums of money subscribed were to be paid to four of their confidants, appointed by them to attend at the chamber of London to receive them. Thus having arrogated to themselves in a great measure the power of which they deprived the king, they ensured the continuance of the war of Ireland as long as they pleased, and having before, by getting the management of that war into their hands, been enabled to raise an army, under the command of officers appointed by themselves, and entirely devoted to or dependent on them, they by this act got a sum of money into their disposal; ready for purposes which they had more at heart than the suppressing of the Irish rebellion. For though it was provided in the act, that no part of the money which should be paid in according to the said act should be applied to any other purpose than to the reducing of the said rebels; yet they made no scruple of violating the public faith in that point, and soon after, neglecting the relief of the protestants of Ireland, employed it for carrying on their rebellion in England.

<sup>246</sup> This act, which had the royal assent on March 19, the treatment which the gentlemen that surrendered themselves had met with from the lords justices, and the rejecting of all offers of submission, put an end to all thoughts of that nature, and convinced all the gentlemen of English race who had engaged in the insurrection that there was no longer room to hope for pardon, nor any means of safety left them but in the sword. It was not an age of such abstracted principles of loyalty as might engage men to sacrifice themselves, their families,

and estates, rather than swerve from the strict rules of their duty. The lords of the pale, out of a strong jealousy of the designs which the state had formed against them, and out of a dread of such a treatment as sir J. Read (who had a like invitation to confer with them) afterwards found from the lords justices, had put themselves into arms, and stood upon their guard. They had soon found themselves drawn in to go further lengths, and to make a formal declaration of their conjunction with the Ulster rebels. This union was far from being hearty, neither party having forgot their reciprocal prejudices and animosities. Hence the lords of the pale, when they applied themselves to raise an army, used all possible endeavours to keep their forces from falling under the command of any of the old Irish, and to engage the neighbouring counties to acknowledge the lord Gormanston for their general. They seemed so much afraid of the success of those Irish, that, after a particular inquiry into their conduct at this time, I cannot, in all the relations I have met with, find any account of any gentleman of the pale's carrying any party of forces to the siege of Drogheda, except Piers Fitzgerald, called Mac Thomas, may be said to be of the pale, who, after seizing Castle-Dermot, carried his men to that siege, and <sup>303</sup> commanded (as the Irish writers say) in conjunction with Hugh Byrne that detachment of the Irish army which was attacked by the earl of Ormond at KILLSAGHLAN. It appears from the letters of the state, that the lords Fingall, Gormanston, and Slane, and probably some others of the chiefs, made visits to the Ulster commanders in their quarters about Drogheda, but it does not appear, either from dean Barnard's particular account of that siege, or from any other that I have read, that they continued there, or were engaged in any attempt upon the place, or indeed in any other action during the siege. This looks very surprising, and is not easy to be ac-

counted for from any other notion, than that they flattered themselves with vain hopes, that by standing barely on their guard they should not be embarked in the affair past a possibility of retreat. They had taken possession of several towns, and put garrisons therein; but when the earl of Ormond approached with his majesty's army, they quitted the towns of Newcastle and the Naas; and when his lordship, pursuant to the positive orders given him by the lords justices, at a time when reports were spread and jealousies entertained to his prejudice in England, sent out parties everywhere into the pale, burning all the country for seventeen miles in length and twenty-five in breadth, they made not the least opposition to any of those parties that were detached to make that general devastation. They now saw the vanity of those hopes; they saw themselves and their posterity unavoidably exposed to utter ruin, and that their conduct, far from preventing, had only ensured that utter eradication which was threatened them, and hung over their heads. This affected the lord Gormanston, the principal mover in the union with the Irish, so much, that he died not long after of grief; and the rest, grown desperate, laid aside all thoughts of pardon or treaty, and joined all their forces for the support of the common cause, in which many others, who had yet stood out, soon joined, fearing that they should at last be involved in the others' fate, since a total extirpation was intended, and reposing for the future all their hopes in the success of their arms.

<sup>247</sup> When extirpation is the declared design of a war, it cannot fail of being very bloody, and obstinately fought out almost to the last man; and whatever the event procured, it could not be carried on without the loss of an infinite number of subjects, and a terrible desolation all over the kingdom. There was not at this time, in all human appearance, any method that could possibly pre-

vent these lamentable consequences, but the king's going over in person into Ireland. He had made repeated offers of this sort to the parliament, who treated them with neglect; but now, having observed the shameful backwardness of that body, who had undertaken the affair, in sending supplies to Ireland, the resolution of the lords justices to receive no submissions of repenting rebels, and the designs of both for the extirpation of the old English, the perpetuating of the war, and the desolation of the realm, (by which, whoever was a gainer, his majesty was sure to be a loser,) he declared his fixed resolution of going thither. This he did by a message delivered to the two houses on April 8; <sup>g</sup>wherein, having expressed the most moving grief for the calamities of his good subjects of Ireland, and how tenderly sensible he was of the false and scandalous reports dispersed among the people concerning the rebellion there, which not only wounded his majesty in honour, but likewise greatly retarded the reducing of that unhappy kingdom, and multiplied the distractions at home, by weakening the mutual confidence betwixt him and his people, he declares, that, out of zeal to the honour of God, in establishing the true protestant religion in that kingdom, and his princely care for the good of all his dominions, he had firmly re-<sup>304</sup>solved, with all convenient speed, to go into Ireland to chastise those detestable rebels, thereby to settle the peace of that kingdom and the security of this; that towards this work, he intended to raise forthwith, by his commissions in the counties near Chester, a guard for his own person, (when he should come into Ireland,) consisting of two thousand foot and two hundred horse, which should be armed at Chester from his magazine at Hull, at which time all the officers and soldiers should take the oaths of supremacy and allegiance; the charge of raising and paying whereof he desired his parliament to

<sup>g</sup> Husbands' Collection, p. 133.

add to their former undertakings for that war; which his majesty would not only well accept, but if their pay were found too great a burden to his good subjects, he was willing (by the advice of his parliament) to sell or pawn any of his parks, lands, or houses, towards supplying the service of Ireland; that with the addition of these levies to the former of English and Scots agreed upon in parliament, he hoped that kingdom might in a short time be wholly reduced, and restored to peace, and to some measure of happiness, whereby he might cheerfully return, to be welcomed home with the affections and blessings of all his good English people; that towards this good work he had lately made despatches unto Scotland to quicken the levies there for Ulster, and desired his parliament to give all possible expedition to those which they had resolved for Munster and Connaught; that he should be always very careful of the adventurers' interest, and hoped they would receive such encouragement by his thus venturing his person, (and by the commission for the affairs of Ireland, which he had lately signed, to such persons as were recommended to him by both houses of parliament,) that they would raise the full sums of money for the doing thereof.

<sup>248</sup> This resolution of his majesty alarmed the parliament of England and the lords justices of Ireland. It was likely to defeat the measures of both, and therefore both set themselves in their different methods to prevent its being executed, the former, by declaring expressly against it, the latter, in the humbler and more artful way of dissuasion. The king had notified his intentions to the lords justices by a letter of the 13th, which they had received on the 18th of April. They had a little before (in their letter of March 31 to the speaker<sup>h</sup>) signified to the house of commons, that considering the parliament of Eng-

<sup>h</sup> See their letter to Mr. Secretary Nicholas, April 23, 1642.

land had with great wisdom and piety interposed towards their deliverance from the bloody hands of the rebels, they thought it necessary in that respect for themselves so to order their counsels, that their proceedings in that great work might consist with the parliament's purposes and resolutions for his majesty and his kingdom of Ireland; and now on this occasion they proceeded uniformly in stopping his majesty's intended expedition. They represented to him, that the rebels were exceeding strong, their forces very numerous, and masters of the field; that the army to oppose them contained in list but nine thousand foot, (whereof only three thousand four hundred had been sent out of England,) one thousand two hundred horse, and three hundred dragoons, besides the small forces which were employed in Munster, Connaught, and Ulster; that through the hardness of the winter, the want of clothes, shoes, medicaments, and surgeons, but more especially of victuals to feed and of money to pay the soldiers, and enable them to buy provisions for themselves, multitudes were sick, and the number of the forces so reduced, that they did not make effectively above six thousand fighting men; that a great part of these were dispersed in garrisons, necessary to be kept for annoying the rebels, so that it was not practicable to draw above two thousand men together, and <sup>305</sup> those not fully armed, into the field; that they had not a quantity of victuals sufficient to supply these two thousand for a month, nor, if they had, could they send those victuals to the army for want of draught horses and carriages; that from the 23rd of October they had (notwithstanding all their solicitations and distresses) received out of England but thirty-seven thousand pounds, which had not defrayed the sixth part of the charge; that the want of pay had destroyed the discipline of the army, and, joined with their other wants, had reduced the soldiers to great extremity about Dublin, and to much

greater in remote parts, which had not been supplied with a penny of money since the beginning of the troubles, except one thousand pounds sent to Carrickfergus, and were in terrible distress for want of clothes and victuals; that all the country about Dublin was so miserably wasted, that there were no accommodations for his majesty and his retinue, and the provisions left in it were scarce able to subsist the poor inhabitants of that city, and were both unfit for his majesty's table, and insufficient for his train of followers and servants; and that if provisions should be sent out of England to supply the market, they had no money to purchase them, his majesty's revenue being taken away by the rebellion, and no money left in the treasury to answer the charge. For which reasons they humbly recommended to his majesty, that by his great wisdom a course might be taken to supply all those defects, and to apply remedies to every particular, whereby he might appear in Ireland with that majesty which was agreeable to his greatness, and with that power which might render safety to his own person, comfort and contentment to his good and faithful subjects, and might beget terror and astonishment to his enemies.

- <sup>249</sup> The lords justices knew very well that those wants could not be supplied without the assistance of parliament; and how far that body was from assisting his majesty for making this expedition in a princely manner appears evidently in their answer to his message. They declare themselves therein absolutely against it<sup>i</sup>, as what would subject his royal person not only to the casualty of war, but to secret practices and conspiracies; as what would encourage the rebels, who declared that his majesty favoured and allowed their proceedings, and they had acted by his commission, and who expected ad-

<sup>k</sup> Husbands' Collection, p. 141.



vantages by his majesty's absence from England, in a time of distractions there, which might disable the parliament from supplying the Irish war, especially when the late successes against the rebels made his majesty's journey less necessary; as increasing the charge of the war, and impairing the means of supplying it, many of the adventurers refusing to pay their money, and others declining to subscribe, upon the knowledge of his majesty's intention, as interrupting the proceedings of parliament in England, and depriving his subjects there of many acts of grace and justice which they expected from him, as increasing the fears and jealousies in his people, of some force intended against the parliament, and bereaving them of that advantage, whereby they were induced to undertake that war, upon his majesty's promise that it should be managed by their advice, which could not be done, if his majesty, contrary to their counsels, should undertake to order and govern it in his own person. For which reasons they had resolved not to consent to any levies to be made by his majesty for the said intended expedition into Ireland, or to the payment of any army or soldiers there, but such as should be employed and governed according to their own advice and direction; and if such levies should be made by any commission of his majesty, (not agreed to by both houses of parliament,) they should interpret the same to be <sup>306</sup> raised to the terror of his people, and the disturbance of the public peace, and hold themselves bound by the laws of the kingdom to apply the authority of parliament to suppress the same; declaring further, that if his majesty should go contrary to this advice of his parliament, they should not in that case hold themselves bound to submit to any commissioners which he should choose, but were resolved to govern the kingdom by the advice of parliament for his majesty and his posterity; and did not

question but, under their management of the war, the Irish rebels would be soon reduced.

250 This menacing and insulting answer gave the king<sup>k</sup> great disturbance, and just reason to doubt whether it were in his power to say or do any thing which should not fall under the like misinterpretation. He had made the same offer frequently before, if the two houses should advise it, and they had done nothing to shew they disapproved of that inclination. He considered, the great calamities his protestant subjects in Ireland had suffered for six months past, the growth of the rebels' strength, and the evident probability of foreign supplies, if they were not speedily suppressed; the very slow succours hitherto sent thither from England; that the officers of several regiments, who had for a long time been allowed entertainment by them for that service, had not yet raised any supply or succour for that kingdom; that many troops of horse had long lain near Chester untransported; that the lord lieutenant of Ireland was still in England, notwithstanding the earnestness which his majesty had expressed that he should repair to his command, and that many and great scandals had been raised against himself, by report of the rebels, and not sufficiently discountenanced, as they ought to have been, in England. These he thought sufficient to justify his taking the resolution of engaging his own person in the expedition, as many of his royal progenitors had done, even in foreign parts, upon causes of less importance and piety, with great honour to themselves, and advantage to the kingdom. Nor did he think their reasons of weight enough to alter it; for whatever danger might attend his person, he thought it worthy of a king to adventure his life to preserve his kingdom; nor did he value his own so much as he did

<sup>i</sup> The king's answer, *Husbands' Collection*, p. 143.

the relief of his protestant subjects, and the governing and preserving his people with honour and justice. He thought nothing could give the rebels a greater terror than the presence of their lawful king in the head of an army to chastise them; which being the most probable way for a speedy conquest of the rebels, was evidently for the interest of the adventurers, whose lands were fully secured by act of parliament, and who were to be put in immediate possession thereof, as soon as that conquest was made. He conceived it to be unkind usage that they should refuse him the addition of so few men (for a guard of his person in Ireland) to their levies, especially when he had used so many cautions in that message; in the smallness of their number; in having raised none till their answer; in their being to be raised only near the place of shipping; in their being there to be armed; and that not till they were ready to be shipped; and in the provision, by the oaths, that none of them should be papists; cautions sufficient in all reason to prevent any jealousy or suspicion in that affair. He thought, that by recommending the managing of that war to them, it could never be understood that he intended to exclude himself, or not to be concerned in their counsels; or that if he found any expedient necessary for that work, he should be debarred from putting it in practice; for though he considered the parliament as his great council, yet he looked upon himself as neither deprived of his<sup>307</sup> understanding, nor divested of his right of judging, or the liberty of dissenting from their opinion, whenever he was convinced in reason that he ought to do so for the general good.

<sup>251</sup> The king was far from being satisfied with their pretended reasons, nor did he think the reducing of the rebels (which the lords justices had represented as a work of the greatest difficulty) to be so easy a matter as the two houses would insinuate. But he saw them re-

solved to proceed to such extremities, that if he went to recover one kingdom he should in the mean time run the hazard of losing another, and that it was more easy, in the situation England was then in, to work it up into a flame, than it was to quench that which had been kindled in Ireland. Thus forced by the necessity of his affairs, he told the committee of the parliament, that though he would never decline to venture his person for the good and safety of his people, yet he was not so weary of his life as to hazard it impertinently; that as they thought the work of Ireland so easy, and seemed to have received advertisements of some late and great successes in that kingdom, he would wait for the event, and not pursue his resolution till he had given them a second notice. But if the miserable condition of his poor subjects there was not speedily relieved, he would visit them with such succours as he could raise upon his private credit and interest, if the two houses should refuse to join with him; and in the mean time he hoped that his forwardness so remarkable to that service would be notorious to all the world, and that all the scandals laid upon him in that business would be clearly wiped away.

252 Thus was the king constrained to abandon a resolution, which if he had put in execution at that time would in all probability have put a speedy end to the rebellion, and restored the peace of Ireland. For it would then have been no difficult matter to have satisfied the adventurers for what money they had advanced, without a general forfeiture of lands; and the king might have been at liberty to exercise his prerogative of pardoning such as had not been concerned in the rapines, murders, and outrages of the rebellion. The jealousy conceived of the lords justices would have been of no weight when those persons were removed from the government; the submissions, to which the old English of the pale and the rest of that race were disposed, might

have been dutifully made and graciously accepted; and even if these submissions had not proved so general, (as the earl of Clanrickard and other wise and good men, who knew the nation, imagined they would,) yet the pretences of the rebels would have been taken away, their strength must have been lessened daily by the defection of some or other of their party, and they could not, when vigorously attacked, have held out till the arrival of succours from abroad. For the Ulster rebels, who, after their numberless barbarities, could not have hoped for mercy, and therefore could not be expected to submit, were now miserably broken to pieces, and reduced to the last extremities, by their disappointment at Drogheda, the taking of the Newry by the lord Conway, and by the landing of the Scotch forces in the north of Ireland. They had as yet been assisted by no officers and soldiers, nor received any arms or ammunition from abroad: they were so destitute in this last respect, having spent it in the siege of Drogheda, that (as lord Slane tells lord Gormanston in his letter of April 16, 1642) sir Phelim O'Neile had but one firkin and an half of powder left: insomuch that they all considered themselves as ruined and undone, unless the government would receive them to that mercy for which they sued; and such of their chiefs as despaired thereof were actually preparing, and must, if pushed, have been forced to fly into foreign parts for the safety of their lives.

253 The parliament of England had, soon after the break-308  
ing out of the Irish rebellion, resolved to send ten thousand foot out of Scotland to be employed in Ireland against the rebels, thinking themselves absolutely sure of the affections and service of a body of troops of that covenanted nation on any other occasion. A treaty was set on foot for this purpose with commissioners sent by the parliament of Scotland to London to settle the terms upon which this army should be sent into Ireland; and

it hath been already observed with what a strange slowness the English house of commons proceeded in that treaty, and what were the reasons of that slowness. But the rebellion having at last spread itself over the whole nation, so that there seemed to be no longer any danger of its being quelled too soon, the Scotch propositions for the immediate sending over of two thousand five hundred men into Ulster were agreed<sup>1</sup> to on Jan. 24. When these propositions were on the 26th presented to the king, he excepted to the third article, by which the town and castle of Carrickfergus were to be put into the hands of the Scotch, who might also enlarge their quarters, and go abroad in the country, as their commanders should see fit; and if any other forces in that province should join with them for any service, they were to receive orders from the Scotch commanders. His majesty wished the house of commons to take that article again into consideration, as a business of very great importance, which he doubted might be prejudicial to the crown of England and the service intended. The Scotch commissioners, immediately upon this message, applied themselves to his majesty, remonstrating that, as his opinion was only grounded upon a notion that the trust implied in that article was too great to be reposed in auxiliary forces, they hoped that his majesty, being their native king, would not shew less trust in them than their neighbour nation had done. The question being merely upon a matter of trust, and both houses of parliament having thought fit to grant it, the king, though he wished the article had been drawn more for the advantage of the crown of England, thought it proper to admit of their advice in this particular, especially when he perceived that insisting upon his own opinion would breed a great delay in the necessary supply of the kingdom of Ireland. When the rest of the ten thousand men were to be sent

<sup>1</sup> Husband's Collection, pp. 57, 58.

over, which was settled on July 7 following, the town and castle of Colerain were likewise to be delivered to them, ten troops of the English horse in the same province were to be joined to them, and subject to the orders of the Scotch general, who was, with the other Scotch officers, to be accountable for their proceedings to the king and the two houses of parliament of England only; and in case the Scotch army should on any occasion join with the lord lieutenant and his army for the good of the service, in that case the Scotch general was only to cede to the lord lieutenant or chief governor himself, and to receive instructions from him in a free and honourable way, but was to precede all others, and should alone give orders to the officers of his own army, who, if they marched, or were sent out on parties in conjunction with any of the English forces, were to have the right and left hand, van and rear, charge and retreat, successively, and to command by turns. In the mean time these two thousand five hundred men were thought sufficient, with the two regiments which they had caused to be raised under the lord Conway and sir J. Clotworthy, to give the parliament a footing in Ulster, till, by the coming over of the rest of the Scots, they should become masters of the whole province. The pay of these two thousand five hundred men was to commence from Dec. 8; two months' pay was to be immediately advanced, and provisions to be sent to Carrickfergus, to supply them as well with ammunition as victuals. They were much better provided in this respect than the British forces raised by 309 sir Ralph Gore, sir W. Cole, sir W. and sir Robert Stewart, in the county of Donegal, the lords Chichester, Ardes, Claneboy, sir James Montgomery, sir Arthur Tyringham, colonel Chichester, colonel Hill, and others in those northern parts, in virtue of his majesty's commissions, who, though they had borne the brunt of the war, in the height of the rebels' fury and power, had endured all the

hardships of a winter campaign, and had done eminent services<sup>1</sup>, had not yet been put on the establishment, nor received any pay, nor been supplied by the parliament with any provisions, ammunitiion, or clothes, though their extreme wants in all these respects had been frequently represented to the two houses, and relief solicited by agents sent expressly for that purpose.

<sup>254</sup> About the middle of April general major Robert Monroe landed with two thousand five hundred Scotch at Carrickfergus; and being joined on the 28th and 29th of that month by lord Conway and colonel Chichester and others, with one thousand eight hundred foot, five troops of horse and two of dragoons, advanced on the first of May to the Newry, which sir H. Tichburne would have taken in before, could he but have spared men to garrison the place. Upon the army's approach, the rebels quitted the town, and the castle surrendered on the 3rd, in which were found only half a barrel of powder and sixty muskets, not above a dozen of them fixed; so utterly unable were the rebels to provide for the defence of that important place. Carlingford castle was probably as ill furnished; for sir H. Tichburne coming before it the next day with a small party, had it delivered to him without the least resistance. He left sir Charles Pointes (who with sir Edward Trevor and other prisoners had been released by the taking of the Newry) with a few men to garrison it; and advanced the day following to the Newry, to confer with Monroe, and inform him of the state of the province and the condition of the enemy. The rebels were in a terrible consternation, and destitute of every thing necessary for their defence. <sup>m</sup>The lord Iveagh, colonel Con O'Neile, and the Maccartans had quitted their seats and territories in the county of Down, and fled the country. Sir Phelim O'Neile, dreading the farther advance of the

<sup>1</sup> Letters of lords justices, April 4 and June 7.

<sup>m</sup> Lord Conway's letter to the earl of Ormond, May 25.



army, had burnt and deserted Ardmagh, quitted Dunganon, and retired to Charlemont, which was not to be defended at that time for want of powder; and his followers had dispersed themselves, and fled into the fastnesses of Tyrone for safety. There was then in Ulster an army of twelve thousand foot, (now or shortly to be made up, "as the lords justices say, nineteen thousand men, a force as great as was in all the rest of the kingdom,) besides a considerable body of horse; °a strength fit for a greater employment, and of more importance, than the clearing of Ulster was likely to be, if the benefit of time were speedily embraced. There was now a fair opportunity offered of reducing that whole province, and of employing part of the forces in some other part of the kingdom, where the rebels were better armed and ordered than they were in the north. This was sir Henry's opinion, and he pressed that the opportunity might not be lost, and that the rebels might be vigorously pursued, without allowing them time to recover their spirits, or to be supplied with ammunition from foreign parts. But this did not suit with Monroe's views or instructions; who after putting sixty men, eighteen women, and two priests to death at the Newry, and leaving a garrison of three hundred men under lieutenant colonel Sinclair in the place, resolved to return with the army to Carrickfergus. He set out on the 7th, and in his retreat thither wasted lord Iveagh's and Maccartan's country, the army taking a prey of four thousand cattle, besides other goods, which being to be divided on the 12th, the Scots carried them<sup>310</sup> off the night before, so that the English troops got nothing, began to mutiny, and never cared to march out with the Scots afterwards.

<sup>255</sup> Monroe, after a short stay at Carrickfergus, drew out his Scotch forces, and marched into the county of Antrim,

<sup>n</sup> In their letter of June 7.

<sup>o</sup> Letter of Sir H. Tichburne to the earl of Ormond, May 16, 1642.

where he made a prey of about five thousand cows, burnt Glenarme, a town belonging to the earl of Antrim, and wasted that nobleman's lands. He was there joined by a body of the marquis of Argyle's regiment, which now came over and took the Raghlin, but did not meet an enemy in all his progress; Alexander Macdonnell, called Colkittagh, having retired with the Irish that joined him over the Bann. The earl of Antrim had come at the latter end of April from Maddinston to his seat of Dunluce, a strong castle by the seaside in the county of Antrim: and after his arrival there, had found means to supply Colerain, which had been blocked up by the Irish, and was reduced to extremity, with one hundred beeves, sixty loads of corn, and other provisions, at his own expense. He had offered Monroe his service and assistance for securing of the country, in the peace of which he was greatly interested, by reason of his great estate, the rents whereof he could not otherwise receive. The major-general made him a visit at Dunluce, where the earl received him with many expressions of gladness, and had provided for him a great entertainment; but it was no sooner over, than Monroe made him a prisoner, and seized the castle, leaving his lieutenant-colonel there with a garrison for the guard of both, and putting the rest of the earl's houses into the hands of the marquis of Argyle's men. In these parts Monroe continued for two months without attempting any thing against the rebels, who had thereby leisure given them to gather together again in a body; and <sup>p</sup> sir Phelim O'Neile, with Colkittagh, and all the forces that had retired out of Down and Antrim, or could be raised in the counties of Ardmagh, Tyrone, Fermanagh, and Donegal, marched on June 16 against sir W. and sir Robert Stewart. After the sharpest action that had been fought in the north, the rebels were routed,

<sup>p</sup> Sir Robert Stewart's letter to the earl of Ormond, June 21, 1642.

with the loss of five hundred slain on the spot, besides others taken prisoners, and a much greater number that were wounded. The two victorious commanders would fain have followed their blow, and have driven the enemy out of their lurking holes in those parts; they saw and represented the necessity of doing so; but as their forces had no pay, and were in danger of being starved for want of provisions, they could not lead them on any service but what was absolutely necessary.

256 About the same time the lord Montgomery, with seven hundred foot of his own regiment, and three troops of horse, joined general Monroe, as he quartered near Lisnegarvy in his way to Maccartan's country, where he intended to make a second ravage, and being followed by others of lord Claneboy's and lord Conway's men, pressed the general to pursue the rebels into the county of Ardmagh. Monroe positively refused to cross the Bann; however the lord Montgomery resolved to advance thither with the small force he had, and on June 20 entered Ardmagh, took and burnt Kinerd, and the next day forced the town of Charlemont. The same night sir W. Brownlowe surprised the fort of Dungannon, where a brass piece of ordnance being found, the lord Montgomery was in hopes of terrifying the garrison of the castle of Charlemont (the only place of strength left the rebels in those parts) into a surrender; but wanting ammunition, was forced to quit the enterprize and return home. He prepared however, in conjunction with lord Conway, to make a second attempt upon that castle, which being unprovided, was easy to be taken; and had made such provision for the enterprize, that their forces<sup>311</sup> were able to march through Tyrone and all Ulster, <sup>9</sup>but the Scots would not suffer them to march, pretending that they only were to make the war in Ulster. They

<sup>9</sup> Lord Conway's letter to the earl of Ormond, July 7, 1642.

carried this point so far, that Alexander Lesly, earl of Levin, sent positive orders from Scotland, that no man should besiege any place, nor place a garrison in any town of Ulster, but by the permission of the Scotch commanders; and thus that design was broken. Had Monroe but taken the same fancy for the cattle of Tyrone, Ardmagh, Monaghan, and Fermanagh, as he shewed for the spoil of other parts; had he only wasted those counties, drove away the flocks and herds of the inhabitants, and destroyed all the corn upon the ground, which might have been done, almost without opposition, the rebels there could never have been able to subsist the following winter, and the war had been ended in the north. But he did not think fit to stir till about the middle of July, when the news of his assembling his forces had such an effect upon the Irish chieftains, that <sup>r</sup>having met together to consider what they should do in their present circumstances, they agreed that it was not possible for them to make a defence, and that every one should shift for himself, some intending for France, some to Spain or Flanders, others to the highlands of Scotland. They were about executing this resolution, when an express arrived from colonel Owen O'Neile, with an account, that after a long passage by sea from Dunkirk round the north of Scotland, he was at last landed in the county of Donegal with a number of old officers and soldiers of his own regiment, and a good quantity of arms and ammunition; that he had sent another ship (the Saint Francis) with a further supply of both to Wexford; that since his landing he had taken possession of Castle Doe, and would there wait till they sent a body of forces to convoy him into their quarters. This account gave them new courage, and making a shift to assemble a sufficient number of men, they brought that experienced commander and

<sup>r</sup> The Nuncio's Memoirs, p. 481. Owen O'Neile's Journal, p. 3.

his supplies safe to Charlemont; which Monroe might easily have <sup>s</sup>taken before his arrival, if he had pleased. He had indeed, at lord Conway's instance, who attended him in the expedition, advanced thither with three thousand six hundred foot, three troops of horse, and four fieldpieces; but after taking a view of the place on July 15, seeing some parties of the enemy, who had no powder to fire, making a prey of cattle, and killing seven hundred country people, men, women, and children, who were driving away their cattle, he returned the next day to the Newry.

257 The Scotch forces were all this while taken up with spoiling the counties of Down and Antrim, (which they wasted more than the rebels had done,) and driving continually vast herds of cattle to the seacoast, from whence they sent them over into Scotland. They exported these in such prodigious numbers out of the kingdom, that the lords <sup>†</sup>justices were forced to send complaints thereof to the commissioners for Irish affairs appointed by the parliament of England, apprehending that this practice of the Scots would in a short time totally exhaust the province of Ulster of all the cattle, the inconvenience whereof, were it to light upon the rebels only, and not on the king's army and the British inhabitants, they should be glad to see; but in this case they feared the king's army and the British would suddenly become distressed, and the charge of England in victualling the soldier become heavier by much than otherwise it would be. For which reason they prayed the commissioners to give some directions on that head, not thinking it fit for themselves, without some directions to do so, or to press any restraint upon the Scots, lest [say they] we should give them such offence as may not stand with the resolutions in England, and lest it might any way cross the <sup>312</sup>

<sup>s</sup> Lord Conway's letter to the earl of Ormond, July 18, 1642.

<sup>†</sup> In their letter of June 7, 1642.

agreement made with the commissioners of Scotland; wherein we are very ignorant, to the great hazard of his majesty's affairs here, as well in this particu- lar, as in directing them for prosecution of the war in that province, which we expect to be done by them, and where we yet hear of very little done.

258 The parliament of England, after putting Ulster into the hands and management of the Scots, and forming the officers of the new forces sent into Ireland according to their own mind, thought it not altogether prudent to neglect entirely the old army in that kingdom. They suspected the officers thereof, as having most of them been put in by the earl of Strafford, and were not inclined to do them any real service. Agreeably hereto they had made no provision for their arrears before the rebellion, nor for their pay afterwards, till upon the passing of the adventurers' act they formed the establishment for Ireland: but they thought it would not be amiss to make them a compliment, which might possibly engage them in their interest by hopes of future favour. The earl of Ormond, by his quality and capacity, by his command of the army, and the affection of the military men, stood distinguished above the rest. His reputation was not a little increased by the late expedition which he had made into the pale, which was attended with the raising of the siege of Drogheda; an event which the Irish writers ascribe unanimously to that march, and to the rebels thinking their forces, divided by the Boyne, too weak to oppose his army, and at the same time to beleaguer the place. The house of commons taking occasion from that success, ordered the speaker, on April 9, to write him a "letter in their name, acknowledging his wise and prudent conduct of the army, expressing their great satisfaction in his services, and assuring him of their ready desires

<sup>u</sup> See Collection of Letters, No. LXXIII, LXXVII.

and affections to shew their further sense, when occasion should offer, in such a way as might be suitable to the great esteem the house had conceived of his lordship, and the loyal and faithful endeavours he had shewn in a service wherein the crown and state of England were so highly concerned. They desired his lordship in the same letter to signify to the chief officers under his command the particular notice which the house took of their good service, and how desirous they should be to give all fit encouragement to persons of their merit and profession.

259 They had an occasion soon offered of carrying this compliment to a greater height. Sir Thomas Wharton, brother to Philip lord Wharton, (one of the principal leaders of the republican party in the house of lords,) was a particular friend of the earl of Ormond, and when the independent companies were formed into regiments in Ireland, and one of these assigned to the earl as lieutenant-general of the army, he had been named by the lord lieutenant for lieutenant colonel of the regiment, as being acceptable to his lordship, and equally agreeable to the parliament. He was a member of the house of commons, and the earl of Ormond hearing of some reports spread in England to his disadvantage, had wrote to him a letter of complaint on that subject. Sir Thomas Wharton, on May 4, acquainted the house with those reports, and the letter being read, <sup>v</sup>an order was made, that in a letter appointed to be sent to the earl of Ormond notice should be taken of the apprehension he lay under of those misreports, and assurance given him of the clearness of esteem wherein he stood with that house; that five hundred pounds should be laid out in a jewel to be bestowed on his lordship, and the house of lords be moved to join with their house in beseeching his majesty to make the earl of Ormond knight of the garter. This did not put an

<sup>v</sup> See Collection of Letters, No. LXXVI.

entire stop to those misreports; envy and jealousy raised others, and put difficulties in the way of the intended<sup>313</sup> present; it was once a doubt whether it would be sent at all. But <sup>w</sup> sir Francis Annesley viscount Valentia, Mr. Denzil Hollis, and others, exerting themselves to refute those misrepresentations which were maliciously whispered underhand to the earl of Ormond's prejudice, the <sup>x</sup> letter, which was drawn up by Mr. Hollis, was at last, on July 20, read and approved in the house, though much fainter in its expressions of respect and acknowledgment than when it was first penned, and was the next day transmitted to his lordship with the jewel; which cost one hundred and twenty pounds more than the value expressed in the order, and <sup>y</sup> was received by the earl with that sense of the honour done him, and with those expressions of acknowledgment, which such an extraordinary mark of the esteem of that house deserved.

260 The victory which the earl of Ormond had lately gained over the rebels at Killrush, in the county of Kildare, contributed not a little to put the house upon making him so extraordinary a compliment. Sergeant-major Berry, in the last week of March, arriving from England with four hundred firelocks, the lords justices resolved to send out a body of forces to burn and destroy the houses and goods of the rebels, who had deserted the county of Kildare. The earl of Ormond accordingly on April 2 marched out of Dublin with three thousand foot, five hundred horse, and five fieldpieces, and quartered that night at Rathcoole. The next day he advanced to the Naas, which, having before saved it from burning for this purpose, he secured with a garrison under lieutenant-colonel Gibson, and placed a new sovereign, with eight burgesses and fifty families of despoiled protestants, in the town. The same day the countess of Ormond, with her children,

<sup>w</sup> See Collection of Letters, No. XCII, CIII.

<sup>x</sup> Ibid. No. XCIII.

<sup>y</sup> Ibid. No. CVI.



and about an hundred protestants that had been plundered, and afterwards had taken refuge at her house of Carrick, (having been escorted from thence by Edmond Butler, son and heir of the lord Mountgarret, to Waterford, and thence to the fort of Duncannon,) arrived, after a favourable passage by sea, safe at Dublin. The justices immediately sent the earl an account of her arrival, with leave for him to return, that he might have the contentment of seeing his family after so long a separation<sup>z</sup>. His lordship acknowledged the favour offered him, but begged their pardon for not accepting it, his affections to the public service being always stronger in him than any other that could point at his private contentment or advantage.

261 On the 4th he marched to Killcullen, and the next day to Athy, being visited on the road by the earls of Castlehaven and Antrim, and burning that part of the country. From Athy he detached a party for the relief of Cloghgrenan and the castle of Catherlogh; which was easily effected, the rebels, which had blocked them up, flying away at the approach of the troops. On the 7th, the lieutenant-general advanced to Stradbally, and from thence the day following to Maryborough, having relieved Ballynekill and other castles by the way, and supplied them with a quantity of ammunition and provisions. From Maryborough he sent sir Thomas Lucas commissary-general of the horse, sir Charles Coote, sir R. Grenville, and captain Yarner, with six troops of horse and dragoons to relieve the castles of Burris, Knockmenease, and Birr, then reduced to great distress, by want of ammunition. The enterprise was both difficult and dangerous, by reason of the distance of those places, the length of the march, the badness of the roads through woods, bogs, and defiles, and the great multitude of the enemy's troops,

<sup>z</sup> His letter of April 4 to the lords justices. C. 26.

which lay dispersed in those parts, and which united might intercept that detachment, if not in their march, at least in their retreat to the army. Expedition was the<sup>314</sup> life and soul of the enterprise, and the only point which could secure success. This small party of horse took their way through the woods of Mountrath, performed the service for which they were sent, and returning through O'Dun's country by the way of Portneinch, whither the earl of Ormond sent a body of five hundred foot and a troop of horse, under colonel Monek, to favour their passage over the Barrow, they, after surmounting incredible difficulties, and a march of forty-eight hours without the intermission of more than three hours rest, came back safe to the army, without any loss, but that of some horses, which were rendered unserviceable by the greatness of the fatigue.

<sup>262</sup> On<sup>a</sup> the 13th the earl of Ormond, having executed all that was intended by the expedition, returned with his army to Athy; about four miles from which place, at the bridge of Mageny, lord Mountgarret, attended by the lords Ikerrin and Dunboyne, the baron of Loughma, sir Morgan Cavenagh, Hugh Byrne, Roger More, and most of the principal rebels of Queen's County, Kilkenny, Wexford, Wicklow, Catherlogh, and Kildare, had posted himself with an army of eight thousand foot and three or four troops of horse, drawn out of those counties. The earl of Ormond, attended by sir Thomas Lucas and other commanders, went with a party of two hundred horse to take a view of their forces, to observe their strength, and the manner of their encampment. Upon his return, he called a council of war to consider what resolution was fittest to be taken. It was considered that the horses of the army were exceedingly harassed in their late long

<sup>a</sup> See captain Yarner's relation of the battle of Killrush, and the relation read in the house of commons, May 2, 1642.

and troublesome marches for relief of the several places beforementioned; that many of the soldiers were sick; that their victuals were almost spent; that their store of ammunition was much exhausted, in furnishing the several places that had been relieved; that they had not heard from Dublin since they left the Naas, (all the ways being shut up by the rebels,) and consequently knew not but there might be cause for hastening thither, to prevent any inconvenience there; that they were much encumbered with the multitude of their carriages, which were necessarily increased for the carrying, as well of the ammunition sent for relief of so many castles, and the provision of bread for the army, lest the want thereof should distress them abroad, where they were not sure to be sufficiently provided, as of the sick soldiers and many poor unserviceable English, who had been brought away from the castles relieved; that the army of the rebels was posted at a great advantage; that they might at their pleasure get from them into a bog or wood, both which lay very near them, and might easily break down the bridge of Mageny, which lay between their forces. For these reasons it was resolved in council not to attack the enemy, especially being so very numerous, in their advantageous post, but rather to bend their course towards Dublin; and if the enemy offered to hinder their march, not to suffer such an insult from them, but to force a passage in despite of the rebels, at any hazard whatsoever.

263 In pursuit of this resolution, the lieutenant-general, leaving three companies, with all necessaries for their defence in Athy, marched from thence on the 15th about six in the morning. He had disposed of so many of his men in several needful garrisons, and there was such a number sick, that his whole army did not in able fighting men exceed above two thousand four hundred foot and four hundred horse, which marched in this order: First,

cornet Pollard with thirty horse, as avantcouriers to see the passages free from ambushes, supported by about one hundred firelocks, which were followed by the baggage belonging to the horse. Next marched six troops of<sup>315</sup> horse led by sir T. Lucas in two divisions, followed by the baggage of the foot, and the bread and ammunition waggons. Then came the earl of Ormond with a troop of volunteers, wherein were the lord Dillon (eldest son to the earl of Roscommon), the lord Brabazon, sir Robert Farrer, colonel John Barry, sergeant-major John Ogle, and divers other gentlemen of good quality. After him marched four divisions of foot, of about three hundred each, followed by the artillery, and the ammunition belonging to the train. After them, four other divisions of foot, making about the same number. Then three troops of horse under sir R. Grenville, and the rear of the foot commanded by sir C. Coote. The train and baggage were a great hinderance to them in this march, and unavoidably weakened the strength of the army by interposing between the van and the rear.

264 They had scarce marched a mile in this order, when they discovered the rebels on their right, on the other side of a bog by a castle called Killika, about three miles distant, but marching with all possible haste either to overtake them, or to seize a passage near Ballysonan, through which the army was necessarily to pass in their way to Connell, where it was resolved to quarter. The lieutenant-general thereupon caused the pioneers to make ways into the enclosed grounds, that the foot might march in the flank of the baggage, as well for its security as to avoid the cumber thereof, in case the light-armed rebels should fall suddenly upon them, ordering cornet Magrath with thirty horse carefully to observe their march, and sending out other scouts to bring him continual notice of the motions and approach of the enemy. As the rebels, being not encumbered with any baggage, marched faster

than his men, and the aforesaid pass was of great importance, he gave orders to sir T. Lucas to advance with all the troops of horse in the van (except his lordship's own troop and the volunteers) with all expedition, to secure it, and to make it good till the rest of the troops could come up. By the time the army had marched about two miles further, the scouts brought intelligence that the rebels were on the other side of an hill, which had for a good while covered them from their sight, and made extraordinary haste to possess themselves of the pass. Sir T. Lucas had already seized it, and facing their van, brought their whole army to a stand; upon which the lieutenant-general caused the carriages and baggage to draw off behind him under the guard of the avantcouriers, and sent orders to sir C. Coote and sir R. Grenville to advance as fast as they could with the rear, and to sir T. Lucas to join him with his horse.

265 In the meantime, the earl of Ormond having discovered divers of the rebels' colours drawn up on an hill on the right hand, instantly made a stand with the first four divisions of foot, drew them up in an handsome order of battle, adapted to the place on which he stood, and faced the enemy within two musket shot of them, leaving room for the other troops of horse and foot when they should come up, according to the nature of the ground, and the order in which he designed they should fight. In this order, and in expectation of the other troops, he stood for a while; the rebels in the meantime drawing up, and ordering their troops. As soon as sir T. Lucas and the rest came up, the earl advanced against the enemy, who were drawn up in two divisions; till by the interposition of an hedge and hollow way, some of the troops were forced to go about, and then draw up again in the same order, on the other side of the hedge, almost within musket shot of the rebels; parties of firelocks and musketeers being sent out to begin the fight, and some shot

being made by the artillery, with more terror than damage to the enemy. This firing at a distance lasted but a short while, for sir T. Lucas espying a breach in the hedge, where four horses could march abreast, passed through it,<sup>316</sup> and advanced with three troops on a round trot against their left wing, which was flanked with a troop of horse on each side. They could not stand his charge, but broke immediately, flying towards a bog, and leaving behind them divers of their colours and arms. Sir R. Grenville then, with three other troops, charging the party of horse on the left of that division, soon made them betake themselves to flight, as the foot in that division also did, being broke by sir T. Lucas's three troops, and warmly pursued by the others. All this time the right wing of the army of the rebels stood firm, without moving. There were in it the lord Mountgarret, Hugh Byrne, and several others of the principal rebels. Against this body, in which the enemy reposed their greatest confidence, the earl of Ormond advanced with his troop of volunteers, and three hundred foot commanded by sir John Sherlock, lieutenant-colonel of the lord Lambert's regiment. The rebels stood the exchanging of several volleys of shot, and then retreated in some order, till they got to the top of an hill near them, when they broke at once, and ran for their lives to a bog not far from thence, whither all the rest of the party before routed had betaken themselves for safety. In this battle there were twenty English slain, and about forty wounded; but the rebels lost above seven hundred killed outright, among which were several colonels and gentlemen of distinction; and had not the bog been so near, the execution had been much greater. The <sup>b</sup>chiefs of the routed army fled different ways; the lords Mountgarret and Ikerrin got that night to Tullogh, Roger More and his brother Lisagh to his own house near the Boyne,

<sup>b</sup> Letter of sir C. Coote to the earl of Ormond, April 23. B. 52.

and Hugh Byrne with the Wicklow men to the fastness of Glangaran, all in no little distraction, and their forces entirely dispersed. The relation of this victory published by order of the house of commons celebrates the earl of Ormond's conduct on this occasion, and the important service which he did in his own person, ordering the battle and manner of fight in all the parts of it, and doing it with very great judgment, laying hold quickly and seasonably on all opportunities of advantage that could be gained, and sparing not resolutely to expose his own person to hazard, equally with any other commander. The day after this victory, which for want of victuals and ammunition he could not improve, the earl marched to the Naas, and leaving sir C. Coote with his regiment and three hundred horse there in garrison, returned on the 17th to Dublin.

266 The Romish clergy, who (as the lords justices<sup>e</sup> say) had hitherto walked somewhat invisibly in all these works of darkness, now began openly to justify that rebellion which they were before supposed underhand to promote. Hugh O'Neile, titular primate of Ardmagh, summoned the bishops and clergy of his province to a synod at Kells. <sup>d</sup>They met on March 22, and after making some constitutions against murderers, plunderers, and the usurpers of other people's estates, they declared the war (so they called the rebellion) of the Irish to be lawful and pious, and exhorted all persons to join in support of the cause. Thomas Diaz, or Desse, titular bishop of Meath, had been summoned to this synod; but neither came in person nor sent a proxy to appear for him. He had not sent so much as an excuse for his absence, nor admonished any of the dignitaries of his church to go thither. He had laboured earnestly to keep the nobility and gentry of his diocese from embarking in the war, which he maintained

<sup>e</sup> Their letter of March 19, 1641.

<sup>d</sup> The Nuncio's Memoirs, fol. 461.

to be groundless and unjust; and had succeeded so well, particularly with the earl of Westmeath, (in whose house he lived,) and several gentlemen of the Nugent family,<sup>317</sup> that they had not stirred. This the rebels thought so much to their prejudice, that they imputed to it their miscarriage at Drogheda, affirming, that if they had but been assisted with the thousand men which they expected from the county of Westmeath, they should certainly have taken the place. It was necessary in policy to censure a prelate that had done them so much mischief, and to destroy the credit which he had with his flock. They ordered him to recant an opinion so contradictory to their own, to subscribe the acts of the synod, and to submit himself in three weeks, under pain of incurring suspicion of heresy, and of being informed against to the pope; and in case he did not submit within that time they declared him suspended *ab officio*.

<sup>267</sup> To the authority of a provincial synod, it was thought proper to add that of a general synod of all the bishops and clergy of Ireland, which met on May 10<sup>e</sup> at Kilkenny. The three titular archbishops of Ardmagh, Cashel, and Tuam, with six other bishops, and the proxies of five more, besides vicars general and other dignitaries, were there present, and declared the war to be just and lawful. Among other constitutions, they ordered an exact register to be kept in each province of the burnings, murders, and cruelties committed by the protestant forces, and passed censures on such of their own people as were guilty of the like outrages. They provided, that no distinction should be made of old and new Irish, and that all who had taken arms should be united by a common oath of association; that all who should refuse to take the oath, or were neuters, or who assisted the enemy with victuals, arms, advice, or intelligence, should be ex-

<sup>e</sup> The Nuncio's Memoirs, fol. 468.



communicated, and deemed enemies of the cause and betrayers of their country. They directed all ecclesiastical revenues to be received by particular collectors, and after a competency being allowed to the proprietor, the rest to be applied for the service of the war. For the better exercise and support of their confederacy, they made several regulations with regard to the provinces, appointing provincial councils, composed of clergy and laity together, to be settled in each, and a general council of the nation to be formed at Kilkenny, to which the others were to be subordinate. They resolved also to apply to foreign potentates, and ordered that in the next general assembly a prelate, a nobleman, and a lawyer should be deputed to the pope, the emperor, and the king of France, to solicit for assistance. These were acts purely of the clergy, but the nobility and gentry then at Kilkenny joined in forming the oath of association, in naming the members of the supreme council, of which lord Mountgarret was chosen president, and in appointing a general assembly of the whole nation to meet in that city in the October following.

268 Soon after the earl of Ormond's return to Dublin, Philip lord Lisle landed there from England, with his own regiment of six hundred horse carabineers, and another of three hundred dragoons. The latter of these was immediately sent northward, and divided between Drogheda and Dundalk; but lord Lisle's was kept about Dublin, ready to go upon service in those parts, for which, as that young nobleman impatiently longed, there was soon offered an occasion. Lettice lady of Offaly had been besieged for some months in her seat of Castle-Geasell in the King's County, and was now reduced to great extremity. She found means to send to sir C. Coote, who was then at the Naas, an account of the miserable condition of the place, as sir John Giffard did at the same time of his distress in Castle-Jordan. Sir

Charles wrote to the earl of Ormond for orders to undertake the relief of those places, and for a troop of horse, carabineers or dragoons, to enable him to execute that enterprise with success. Lord Lisle would needs be of the party, and a compliment being made him of the chief<sup>318</sup> command, he set out from the Naas with Robert lord Digby, son to the lady Offaly, sir C. Coote, sir G. Wentworth, and a body of three hundred and fifty horse or dragoons, and one hundred and fifty foot; and marched to Philips-Town without any encounter with the enemy. They found that town abandoned, and having carried the fort by storm, advanced to Castle-Geasell, which they supplied so plentifully with all necessaries, that the noble lady, though far distant from any friendly garrison, resolved still to abide in her castle. In their return they rendered the same service to sir John Giffard in Castle-Jordan, and burning the country all the way as they marched, took by force the town of Trim, which the lords Fingall, Gormanston, Slane, and Trimbleston had quitted at their approach, leaving a party of three or four hundred men to defend it. The place was of consequence by reason of its situation on the Boyne, in a country the best in all Ireland for horse service, at about twenty miles distance from Dublin, and very convenient for annoying the rebels in the counties of Cavan and Westmeath. Sir R. Grenville, who had the principal share in the taking of it, was of opinion that it should be held by a garrison, and might be made one of the strongest towns in the kingdom. The other officers agreed in the same sentiment, and lord Lisle wrote to the lords justices to send him three troops of horse and one thousand two hundred foot to push his conquests on that side.

269 They were much afraid of his youthful ardour, and were unwilling to send them. A great debate arose in the council upon this occasion; some were for recalling

the troops lately sent, instead of sending more; but at last it was resolved to send lieutenant colonel Gibson with one thousand two hundred foot and a troop of horse to reinforce the party at Trim. They were to begin their march on May 7, but before they set out, lord Lisle, having left that place on the 6th, arrived at Dublin to press the hastening of the succours, the troops which were possessed of Trim being in continual expectation of an attack from the enemy. His lordship was prevailed with to stay behind, which he the rather submitted to, because the justices at the same time that they sent away the recruit, sent orders to sir C. Coote not to adventure the making of any inroad into the county of Cavan or that way<sup>f</sup>. They delivered to lord Lisle their letter containing these orders, but whether their unconquerable aversion to the running of any hazard, or any other reason, were the ground of their suspicion, they afterwards entertained a notion that his lordship had not sent away their letter. Anxious about the event, they desired the earl of Ormond to write to sir C. Coote to make what haste he could back to the Naas, and not to stir northward till he received directions from the state. They were not long in pain on that head, advice coming soon after from sir R. Grenville<sup>g</sup> that the rebels, taking advantage of the weakness of the garrison, which, by lord Lisle's and another convoy sent to Dublin, and by safeguards put into two strong houses in the country, was reduced to fifty horse, eighty dragoons, thirty firelocks, and one hundred musketeers, had attacked Trim on the 7th, about daybreak in the morning, with a body of three thousand men, but had been beaten off with loss, the garrison being prepared to receive them; and that sir C. Coote, sallying out with a party of horse and dragoons to improve the success, had been shot dead in the field.

<sup>f</sup> Letter of sir W. Parsons to the earl of Ormond, May 9.

<sup>g</sup> Letter to the earl of Ormond, May 8.

The manner of his death was variously reported, and it remained uncertain whether the fatal shot came from the enemy or from one of his own troopers. His corpse was sent the next day under a convoy towards Dublin. The death of this gentleman did not quiet all the fears of the lords justices: sir R. Grenville, who now commanded in Trim, had the like enterprising genius, and<sup>319</sup> they were apprehensive he would make some attempt upon the rebels in the county of Cavan. They sent him<sup>h</sup> orders to spoil and kill all the rebels on this side the Boyne first, and after on the other side, as far as he could go for a day and night; but not to place men in Athboy, nor to attempt Kells, unless upon a sudden and certain surprise, and in that case not to leave any garrison in the place.

270 This timorous way of proceeding against an unprovided and ever-beaten enemy might possibly arise from an extreme caution, natural enough to old men, who are seldom enterprising in matters of war, which depend as to the event so much upon unforeseen accidents that they are scarce to be reduced to a certainty. But their apprehensions of terrible consequences that would follow any ill success were certainly much increased by the temper and condition of the forces. The English lately sent over did not well agree with the old or new raised forces in Ireland; and though these latter were all protestants, and generally English, the former, out of a malapert kind of vanity in respect of their own country, and too great a contempt for that into which the others had been transplanted, (an humour too much indulged by the English at all times,) were continually upbraiding them with reproachful language, calling them Irish rebels; which produced frequent quarrels among the soldiers, whom for want of pay it was impossible to keep in discipline<sup>i</sup>. The

<sup>h</sup> C. 130.

<sup>i</sup> Letter of the lords justices to the lord lieutenant, May 9, 1642.

distress of the army was such, that the lords justices were every moment uneasy and distracted in their minds for fear of a mutiny. When they were met in council, on May 6, several captains, who with their soldiers were appointed to march to Trim, came to the council chamber and desired an audience. Being immediately admitted, they plainly told the board, in a strange and unusual manner, that they themselves were not able to march for want of money, and that their men absolutely refused to move or stir from Dublin without their pay, and withal for want of shoes and stockings. Many of the soldiers indeed in their late marches had been forced to go bare-footed, and by the hardness and cragginess of the ways their feet had been so hurt that they bled most of the way that they marched, and abundance, unable longer to walk, had been driven to be carried in cars, by which and other hardships, as well as by unwholesome diet, all arising from want of money, they had fallen sick, and died in great numbers.

<sup>271</sup> If this had been the resolution of only a few of the soldiers, the state would have proceeded against them with some severity, for a terror to others; but they found that all the common soldiers in general were of the same mind; perhaps by underhand encouragement therein from some inferior officers, whose case was really very hard, being reduced to very great extremity for want of their pay. In this case they durst not adventure upon punishing, for fear the event might prove fatal, and therefore used all possible means to get a little money to supply them. They neither had nor could borrow any; but a thousand pounds collected in England for relief of the despoiled protestants having been lately remitted over, and a small part of it yet unissued, they were necessitated to make use of that money to content the officers, who were at last with much difficulty persuaded to march. The common soldiers still refused, and one of

them contested his refusal in so high a manner, and with such seditious and insolent words, that the justices were forced to give order he should be hanged in the head of the troops, as they were all drawn out to march in the morning to Trim. This had like to have occasioned a general mutiny; the soldiers began all to exclaim, calling aloud for their pay, and were going to rescue the man from the gallows; nor was it without great difficulty and some force that the officers restrained them from that<sup>320</sup> action, respiting the execution till they could send to the lords justices, and know their pleasure. They, upon mature deliberation of the case, thought fit, for their own preservation, and for the preventing of worse evils, to relieve the man; and then the forces marched away.

<sup>272</sup> They were not in less pain with regard to those left in Dublin, who were in such miserable distress for want of money that they were hardly kept from plundering the city. To keep these men from starving, they had been forced to advance them victuals towards their pay, which had in a manner exhausted their stores; nor could they possibly have subsisted so long but by the help of provisions which had been brought by some ships from France<sup>k</sup>, whilst in all their extremity, for six months after the rebellion, they were relieved with none from England. The wants of the soldiery were not confined only to their pay, clothes, and provisions; but extended to ammunition and match, both which began to fail; and there were four hundred of them rendered unserviceable for want of arms, they having either been sent over without any, or having spent them in service.

<sup>273</sup> In these circumstances, when the soldiers were mutinying even in garrison, there was no drawing them out into the field, or undertaking any expedition. At last, in the beginning of June, captain Butler brought over a

<sup>k</sup> Letter of the lords justices to the lord lieutenant, July 8, 1642.

supply of eleven thousand five hundred pounds<sup>1</sup>, a sum so unanswerable to the long expectation of the soldiers, and so far short of enabling the state to give them any reasonable satisfaction, or to contain them from breaking out into disorder and violence, that the lords justices still lay open to the danger of a mutiny, their persons and proceedings were arraigned with terrible exclamations, their authority treated with disesteem and neglect. The regiments of lord Ranelagh and sir Michael Emle arriving soon after, and two other regiments lying at Chester ready to embark, the lords justices thought themselves strong enough to send two thousand foot and two troops of horse to the assistance of the president of Connaught, who had been a long time blocked up by the rebels in his castle of Athlone. They had in their letters to England declared more than once their opinion that three thousand foot and four hundred horse were absolutely necessary for the relief of that province; but the force above mentioned was all that they durst venture as yet to spare from Dublin.

274 Sir Roger Jones viscount Ranelagh was president of Connaught, and commanded the whole province, except the county of Galway, of which the earl of Clanrickard was governor. They had kept all those parts reasonably quiet, by their prudence rather than by their power, till after the defection of the lords of the pale, which occasioned a great revolution in the inclinations and sentiments of gentlemen who had appeared very well affected before<sup>m</sup>. Those of Mayo then rose in arms, seized on lord Dillon of Costello's house and estate, and pillaged all the English within the county. Miles Bourke viscount Mayo had raised some companies for the security of the country, but as he wanted arms to put into their

<sup>1</sup> Letter of the lords justices to the lord lieutenant, June 7.

<sup>m</sup> Lord Clanrickard's Memoirs.

hands, he was too weak to make head against their numbers, which were such as gave them confidence to threaten the county of Galway. That of Roscommon had been at first infested only with the incursions of the rebels of Leytrim, but insurrections now arising within it, the president, who had only a troop of horse and four companies of foot for the defence of his whole government, was reduced to great difficulties and distress. Morogh Nadoe O'Flaherty surprised the castle of Aghenenewre in Irreconnaght, a wild mountainous tract of country in the west of the county of Galway, and got together a body of the <sup>321</sup> savage people which inhabit it, ready upon any opportunity to join with the Mayo rebels, and fall into the other parts of the county, which yet continued in their duty and allegiance. The earl of Clanrickard was desirous to recover that castle, but it was dangerous to march with the small number of men he had into that remote corner of the county. All the force he had at first for the defence of the whole was one old standing company of fifty men, which he now had leave to make up an hundred. He had prevailed with the gentlemen to raise two troops of horse and eight companies of foot, and to maintain them at their common charge: but they were sordidly armed, and, considering the extent of the county, too few for its defence. To march with them into Irreconnaght would have exposed all the rest of it to the ravages of the enemy, for which reason that expedition was laid aside. He rather applied himself to fortify the avenues and passages upon the borders of the county towards Sligo and Roscommon, to prevent any incursions from thence, and to take order for repressing the insolence of robbers, and other disorders within the country, which are ever sure to happen when means and power are wanting to support authority. His care was so effectual in this respect, that the county was preserved free from any



ravage or commotion, till an unhappy difference between the town and the fort of Galway had like to have put the whole in a flame.

275 Captain Anthony Willoughby, son to sir Francis Willoughby, commanded the fort with two companies, which he filled up to two hundred men in garrison. He was young, and without experience, hot and violent in his nature, and treated the townsmen, who were proud and haughty, with too little management, imprisoning some of them, and clapping guards of musketeers on their goods in ships. Hence arose jealousies and quarrels between them; and the town having freely supplied the fort with four months' provision at the beginning of the troubles, refused to furnish any more without ready money. The earl of Clanrickard interposing in the affair, prevailed with the town to continue their supplies to the fort, and pieced up their quarrels, till, about March 19, they broke out more violently than ever. There was an English ship in the port, which had on board twelve pieces of ordnance, about a dozen muskets, and seven or eight barrels of powder. Whilst the master of it, one Clarke, was in the fort, and several of his men were employed in fetching stones for ballast, Dominick Kirouan, some other merchants, and young men of the town, disguised among boatmen that used to come for salt, attacked the crew, killed the mate and one more, wounded two or three, and made themselves masters of the ship. As soon as they returned into the town, they disarmed all the English that were there, and entered into an oath of confederacy, which sir Valentine Blake, Francis Blake, Walter Lynch, titular warden of Galway, and some friars, were very zealous in promoting. Captain Willoughby hereupon burnt the east suburbs, and the townsmen set to work upon fortifying the place, raised a battery against the fort, and blocked up all passages to it, in order to reduce it by famine. Some few

gentlemen joined them out of the country, and about thirteen or fourteen hundred men from Irreonnaght, and a great force was expected from the county of Mayo for their assistance.

276 The earl of Clanrickard got together about one hundred and forty carriages of provisions, which were scarce in the fort, and sent them under a convoy to his castle of Oranmore, from whence they were safely conveyed to captain Willoughby. He raised the whole force he could muster in the county to the number of seven hundred foot and near two hundred horse; and as he found it dangerous to attack the besiegers, who were intrenched in a craggy place, where his horse could be of no service, he resolved to distress them by cutting off their supplies of provisions, whereof they had no great plenty. With this view he placed strong garrisons in his castles of Oran-<sup>322</sup>more, Clare, and Tirellan, which lay about the town, and the last of which was seated upon a neck of land which commanded the river of Galway. The rest of his foot he quartered upon the tenants and estates of the townsmen and their friends in the barony of Clare, and with his horse scoured the plains, hindering all resort to the market, and interrupting the coming of provisions to the relief of the besiegers. This soon produced discontents among them, and the better sort of people in the town being very averse to these violent proceedings, the earl found means to sow divisions in the minds of the unsettled multitude, and to break their measures.

277 When by this means they were brought to a disposition of hearkening to a pacification, he entered into a treaty with them for a cessation of arms to the end of May, thinking it the best expedient in his present circumstances to gain time, till either his majesty came over in person into Ireland, (which was expected at that time,) or the state could send him such supplies as would enable him to reduce them by force. He had not strength suf-

ficient to raise the siege, and had no present prospect of timely succours. It was impossible for him to maintain his own followers in the field, and the gentlemen who assisted him had been exhausted by maintaining the companies for eight months at their own charge, without the least supply of any nature from the state; so that he could not continue much longer at the siege, and the deserting of it would have been such an invitation to all ill-disposed persons to flock thither in multitudes, that the town would have been confirmed in their rebellious courses; which, considering the ticklish temper and dangerous situation in which not only the county but the whole province were at that time, would have drawn after it the loss of all Connaught. Being thus hopeless of gaining the town of Galway by force, and dreading the consequences of departing thence without some settlement, he began a treaty of cessation with the town, but before it was settled, captain Ashley coming with the *Employment*, a ship of thirty guns, four hundred ton, and one hundred and thirty men, with a succour of two pieces of cannon, forty barrels of powder, thirty thousand weight of biscuit, and other provisions for the fort, he would accept of nothing but an absolute submission. By the terms of it, the town was to dismiss their garrison of rebels; to send away the army from the camp before the fort; to lay down their own arms; to restore all the goods stolen from the English; to dismount the ordnance pointed against the fort, and demolish the new fortifications and bulwarks of the town, as the governor of the fort saw fit; to sell or issue out no powder, ammunition, or arms, but by warrant from his lordship, and to deliver all the powder and ammunition which was then in town into the hands of special commissioners appointed by him. The earl of Clanrickard insisted further, that for the future no powder nor arms should be admitted to land in the town, but be brought directly into

the fort, and the owners thereof paid by his majesty. This condition was at first rejected, but their camp before the fort being greatly distressed, and breaking up at last, and the earl having taken possession of their trenches, saluted them with thirty-three great shot into the town, and summoning them by a trumpet to surrender, it was agreed to by the townsmen. Upon the performance of these conditions, and the giving hostages for their future obedience, his lordship received the town of Galway into the king's protection, till his majesty's pleasure concerning them was known. This submission was made on the 13th of May, much to the surprise of the world and the honour of the earl of Clanrickard, who by his own strength, credit, and interest, without the least aid or supply, and almost without any countenance from the state, had found means to quell so dangerous an insurrection, to reduce one of the strongest and most im-<sup>323</sup>portant towns in the kingdom, almost without bloodshed, and to perform a work attended with such difficulties, that nobody else could have surmounted them with much greater forces.

<sup>278</sup> This service was the greater, and the success the more wonderful, because one Francis Darcy, with a ship loaden with corn, arms, and ammunition, had two or three days before the submission put into a creek in Ireconnaght, and carried the powder to Galway; and by this means ten pieces of ordnance, sixty muskets, and two thousand seven hundred pound weight of powder were put into the earl of Clanrickard's hands, (which enabled him to supply the lord president, sir C. Coote, and sir Arthur Blondel with a sufficient quantity to supply the wants of their several garrisons, and enable them to hold out till further relief was sent,) and the provisions were delivered for the use of the fort. The bishops of Tuam and Killylala, with about four hundred English that were in the town, and would probably have felt the fury of the po-

pulace if matters had been carried to higher extremities, were by this means preserved, and had liberty to depart thence with their effects; the great care taken for the security thereof, as well as of their persons, by the chief inhabitants of Galway, being acknowledged by them in a certificate which they drew up and signed for that purpose. Some considerable gentlemen of the county, who had been drawn in to join the townsmen, now submitted, and many others who were wavering upon the defection of the town, were confirmed in their obedience, none standing out but the Flaherties in Irreonnaght. The submission of so considerable a place, for its trade, riches, strength, and situation, scarce inferior to any in the kingdom, and from whence all the adjoining parts might be supplied with arms and ammunition, was not only a great disheartening to the rebels of Connaught, and a means of gaining time for the English to subsist till succours were sent them, but had an effect on those that were in action in other parts, and either disposed or confirmed them in the disposition of desiring a cessation of arms, till his majesty's pleasure should be declared upon their humble supplications. This the lord Clanrickard took the liberty of recommending to the state, as what would make those gentlemen soon feel the ease and comfort of peace, and discern the former miseries into which they had been plunged, and as a step much for the advancement of the king's service, and necessary to preserve the lives of thousands of his subjects, to prevent the desolation and to restore the peace of the kingdom.

279 The lords justices, as they were acted by different views, were of different sentiments on this occasion. They would not hear of any cessation or treaty with the rebels; they absolutely disliked his lordship's receiving the submission, and granting his protection to the town of Galway; and sent him express orders to receive no more submissions from any persons whatever, but to pro-

scute the rebels and all their adherents, harbourers and relievers, with fire and sword. To prevent the like submissions and protections in other places, they issued out a general order to the commanders of all garrisons, not to presume to hold any correspondence, treaty, intelligence, or intercourse with any of the Irish and papists dwelling or residing in any place near or about their garrisons, or to give protection, immunity, or dispensation from spoil, burning, or other prosecution of war to any of them; but to prosecute all such rebels, harbourers, or relievers of rebels, from place to place, with fire and sword, according to former commands and proclamations in that behalf. Such was the constant tenor of their orders, though they knew that the soldiers in executing them murdered all persons promiscuously, not sparing (as they tell the commissioners for Irish affairs) the women, and sometimes not children.

280 The earl of Clanrickard dreaded with reason, and saw<sup>324</sup> with grief, the ill effects of these orders, given at a time when there was not a sufficient power to back them, calculated for the destruction of the nation by sword and famine, and tending as well to make the rebels in arms desperate, as to persuade others that an utter extirpation was resolved on as well as designed. Unassisted with supplies, and unprovided for war, he could not make use of force: persuasion was the only means he had in his power to preserve the town of Galway in subjection and the county in peace; and in this way he did all he could. Sir Richard Blake, sir Robucke Lynch, Patrick Darcy, Richard Martin, Patrick Kirovan, the recorder, and others, had laboured, the first with the frequent hazard of his life, and to a vast damage in his estate, to prevent the commotion in the town, and when it broke out, had retired from thence to avoid the fury of persecution. He

<sup>n</sup> See the order of May 28, 1642. C. 125.

<sup>o</sup> See their letter of June 7, 1642.

now engaged them to return thither, and to use their endeavours to curb or banish turbulent spirits, and to quiet the ill humours which were too rife in the place. He summoned all the gentlemen of the county, and persuaded them to agree to a regular supply of the fort with provisions, applotting upon the several baronies the proportion which each was to contribute, and causing it to be delivered accordingly. He hoped that hereby the peace of the town and county would be secured, but he soon found himself traversed in his measures, and fresh occasions given to revive animosities by the governor of the fort, and the captain of the ship that lay in the harbour of Galway.

281 Captain Thomas Ashley, hot, positive, and covetous in his temper, and a violent parliamentarian in his principles, either out of avarice, or to raise disturbances to the prejudice of the king's affairs, made it his business to violate the late pacification. Francis Darcy had delivered his powder and arms, brought his ship under the fort, and performed all the stipulations upon which protection had been given him: yet Ashley seized his ship as she lay there, and pretended to make her a prize. Not content with this, he landed his men on the sea-coast, made preys of cattle, and plundered houses and goods without distinction of persons. Sir R. Blake, who had so strenuously opposed the late commotion, and suffered so much by it, had his house pillaged by this captain, his goods and cattle, and those of his tenants at Ardfoyl in Meary, carried away. Richard Morrice, an old tenant of lord Clanrickard's, coming in a boat to Galway with some goods to discharge his arrears of rent, had his boat and goods seized by Ashley's ship, and no satisfaction could be got for any of these outrages. Captain Willoughby's soldiers endeavoured to hinder free access to the town, and took away the money of people by violence. The town had performed their articles, the powder had been

generally delivered into safe hands, and great diligence had been used by the recorder in searching for and seizing some firkins thereof which had been secreted. Yet the governor of the fort, to raise the jealousy of the townsmen, or to express his own, had placed a garrison at a large stone house near the great east gate, and another at Castle Gore on the Irreconnaght side, had threatened to shoot his ordnance into the town, and placed disorderly sentinels at every gate, who abused such as attempted to go out, offering to take them prisoners to the fort, and to exercise martial law upon them, killing and robbing the poor people that came to market, burning their fisher-boats, and not suffering them to go out; all which actions, though they expressed as much neglect of the king's honour that was engaged, and as great disrespect to the earl of Clanrickard, who had given them his protection, as they did injury to the sufferers, yet passed with impunity, and without a check from captain Willoughby. ¶ Not satisfied with the regular and competent<sup>325</sup> quantity of provisions brought in from the country, he made excursions into the neighbourhood, out of his own and within that noble lord's command, with captain Ashley and parties of soldiers, a troop of horse and trumpet, for which he had no commission, burning and breaking open houses, taking away goods, making prey of the cattle, with ruin and spoil, rather than supply to themselves, not only upon such as were protected, but upon those that were most forward to relieve and assist them, and not sparing even those of his lordship, frequently upon fancy or rumour, without examining the occasion. These outrages, which only served to exasperate the country, and break the late pacification, recommended those gentlemen to the lords justices, whose orders authorized, and whose favour was particularly extended to

¶ See Collection of Letters, No. XCIX.



such as used this undistinguishing way of rapine and devastation. The lord Ranelagh, president of Connaught, liked it as little as the earl of Clanrickard, seeing the fatal consequences that must necessarily attend it. ¶ He had taken the liberty, when the state had sent him instructions against the receiving of submissions and the granting of protections, to represent the evil effects thereof, and had presumed to crave their leave to swerve from those orders, which had, for the same reason, been opposed in council by the earl of Ormond, though they were carried there by the particular power of the lords justices.

282 These ill consequences soon appeared, upon captain Willoughby's †advancing in one of his sallies to a town of the lord Clanrickard's, seizing a man, and carrying him prisoner to the fort. The man was an experienced soldier, and an officer of those forces which his lordship had raised for his majesty's service, being sergeant of a company under the command of lord Clanmorris, a person of quality, a friend and neighbour, who had a great interest in the county, and had acted with great zeal in the king's service against the rebels. Lord Clanmorris wrote in the man's behalf a respectful letter to captain Willoughby, but he, having a commission for martial law from the lords justices, instead of delivering him to his proper officer to be punished, if he had committed any offence, immediately hanged the sergeant, and never vouchsafed his lordship an answer. This rash and violent proceeding, so disrespectful to that nobleman, and so affronting to the lord Clanrickard, whose government it infringed, was highly resented by both; and lord Clanmorris was in the height of his resentment hurried into those unhappy courses which he presently after took. The man being also well allied in the country, it caused a general

¶ See Collection of Letters, No. LXXXVII. † See No. LXXXVIII.

disaffection, and was a great occasion of those commotions which afterwards ensued.

283 This happened at a time when the rebels were very powerful in the adjoining county of Mayo, and lay watching a favourable opportunity of invading that of Galway. The lord of Mayo had assembled all his dependants to oppose them, and sir Thomas Burke, of Loghmaske, a valiant soldier, who had served in Tyrone's war, in which he had lost two brothers in the service, and had his own body all marked with scars, was raising more forces to keep them employed within their own county: but they had already taken most of the castles and fortresses of it, and threatened to fall into that of Galway with a body of four thousand men. The county of Sligo was now entirely possessed by the rebels, who were likewise masters of the field in that of Roscommon, where only some castles held out, and those generally blocked up by the enemy.

284 Such was the state of Connaught, when the earl of Ormond marched on Tuesday, June 14, from Dublin, with four thousand five hundred foot and six hundred horse to carry the succours intended for that province. The next day he sent a party with three pieces of cannon to take in the castle of Knock-linch, which was carried by storm that evening. Continuing his march, he passed through Athboy, and quartered on Friday night at the earl of Westmeath's. The next day he forced his passage through a small strait at Ballynecowr, where five hundred of the rebels had intrenched themselves, and came to Mullingar, which was deserted and burnt at his approach. The day following, the army advanced to Ballimore, a town belonging to lord Netterville, and at that time the place of his residence. His lordship had fortified the place, intending at first to defend it, but hearing of the lieutenant-general's march, thought fit to abandon his house and fortification, and burnt the town. 326

Sir James Dillon the elder, uncle to the lord Dillon of Costello, had lain before Athlone with his forces from Christmas till that day; but then, seized with the like terror, he raised the siege and retired. This gave the lord president liberty to march from thence on the Monday morning with a small party to meet the earl of Ormond at Kilkenny, and to receive from him his own and sir Michael Ernele's regiment, making two thousand foot and two troops of horse. The lieutenant-general having delivered to him that reinforcement, and thus performed the service on which he was sent, marched back with the remainder of the forces without opposition to Dublin.

285 In this expedition happened the affair which was so misrepresented by those who bore a secret malignity against the earl of Ormond, that it had like to have prevented the English house of commons from making him the present of a jewel aforementioned. <sup>s</sup>A gentleman of the name of Pluncket came to wait on his lordship at Clonyn, the earl of Westmeath's seat, and was dismissed by him, after taking large bonds of that nobleman (whose sister he had married) and others for his appearance at Dublin upon his lordship's return. This person was either ignorantly or maliciously mistaken for colonel Richard Pluncket, who had so great an hand in the conspiracy for the surprise of Dublin Castle, and in debauching the gentlemen of the pale; and in consequence of this mistake, the earl of Ormond was charged as being guilty of a great indiscretion or misdemeanor in letting him escape. Sir Maurice Eustace, speaker of the house of commons of Ireland, as soon as he heard of this charge, wrote to the viscount Valentia, to inform him of the mistake, and assure him that it was a very different person, guilty of no such crime, and one who, though he was not at that time come to Dublin, he had reason to believe

<sup>s</sup> See Collection of Letters, No. XCII.

would come in, as soon as he could with any safety. The gentleman indeed was Nicholas Pluncket the lawyer<sup>t</sup>, third son of Christopher lord baron of Killeen, and Jane Dillon sister of the first earl of Roscommon. He had a great reputation for prudence, and an eminent skill in his profession; had at twenty-two years of age been chose knight of the shire for Meath with Patriek Hussey of Galtrim in the parliament of 1634, and in the present he served with sir Richard Barnewall for the same county. He had been appointed one of the committee sent into England, whence he returned with several gracious concessions from his majesty at the latter end of August 1641. The parliament being adjourned to November, he attended at the short sessions which was then held to give an account of his commission. But the houses being soon prorogued, and the term put off, so that he had no business in Dublin, he was obliged to retire into the country, in obedience to the proclamation which the state had published, enjoining, under pain of death, all persons who were not fixed inhabitants, or had not necessary cause of abode in that city, to depart thence, and repair to their country houses. He continued there at his own seat till after the defection of the lords of the pale, when he found it necessary for him to repair to Dublin, to avoid <sup>327</sup> being engaged in arms, to which he was very averse. For this end he sent his wife thither to solicit the affair, and procure from the lords justices a pass and protection for his repair thither. She applied for it in vain, and was told by a person of quality, that it was by no means safe for Mr. Pluncket to come thither, all the Roman catholics that had been employed as agents into England being suspected of having had an hand in contriving and raising the rebellion; and that if he did come thither, he would certainly be racked to discover what grounds there were for that suspicion.

<sup>t</sup> Pluncket's Memoirs, p. 189, &c.

286 This passed in February 1641-2, and Mr. Pluncket continued still in his own house, in a very uneasy situation, uncertain what to do, divided between his desire of getting to Dublin, and the terror of the rack with which he was threatened. There was no going thither without some assurance of the protection of the state, and that he still resolved to use his endeavours to obtain. <sup>u</sup>For this purpose he applied himself to the earl of Clanrickard to intercede in his behalf, hoping that, his lordship's loyalty being unquestionable, and his merits exceeding great, he might be able to prevail with the lords justices to grant him the protection he desired. That noble lord, persuaded of Mr. Pluncket's affections to the king's service, of his aversion to the rebellious proceedings of the Irish, and of his innocency from any crime, readily applied to the state in his favour, but without effect. His lordship was so well satisfied in this respect, that in consideration of the inoffensiveness of his conduct, and of his never having been engaged in any action or confederacy with the rebels, that when lord Gormanston, by his <sup>x</sup>letter of March 5, had desired the earl of Clanrickard to move the state for a cessation of all hostilities, till his majesty had been pleased to give audience to the desires of his people, as expressed in their remonstrance, the earl recommended to him Mr. Nicholas Pluncket, as the fittest person, in conjunction with sir William Hill, to treat and settle the conditions of that cessation. Lord Gormanston, in his <sup>y</sup>answer of April 14, allows the reason why those gentlemen should be employed in that affair to be a good one, though his words express discontent enough at their conduct, that it should be agitated (says he) by the gentlemen your lordship names is held convenient, they having hitherto been more cautious of their own than careful of the public safety. As lord Gor-

<sup>u</sup> See Collection of Letters, No. LXXXVIII.

<sup>x</sup> In lord Clan-

rickard's Memoirs.

<sup>y</sup> Letter to lord Clanrickard. Ibid.

manston, being general of the forces of the pale, and master of all the country about Mr. Pluncket's house, could not but know his behaviour, there cannot be desired a better testimony of that gentleman's innocence.

287 But this was no security in those times, and it was but common prudence to obtain, if possible, a protection. To try all ways for that end, he applied himself to the earl of Ormond at Clone, hoping that the unexceptionableness of his own conduct and his brother the earl of Westmeath's interest might procure him one. The earl of Ormond had been before sharply reprimanded by the lords justices for receiving persons that submitted; and since their late order against all submissions and protections, he, though commander-in-chief of the army, had it not in his power to grant any. It behoved his lordship to be very cautious in what he did, having enemies enough on the watch to take advantage of any wrong step he should make. He would not therefore let Mr. Pluncket go without the earl of Westmeath and others giving security for his coming to Dublin, upon his lordship's return from the expedition he was then making to Athlone. Bonds with great penalties were accordingly given, and Mr. Pluncket intended to appear: but a new scene of affairs altered his resolution.

288 The earl of Ormond was not returned, when sir Andrew 328 Aylmer, who had married his sister, the earl of Castlehaven, sir Nicholas White, and his two sons, with others who had lived quietly in their own houses, and had been engaged in no action, were, on June 17 and 18, arraigned at the king's bench bar in Dublin, and remanded to prison. The parliament had met on June 21, and the same day the house of commons had expelled all the members that were engaged in actual rebellion, or that stood indicted of treason, which took in a considerable number

<sup>z</sup> Letter of the lords justices to the Irish commissioners, July 8.

of gentlemen against whom indictments had been found upon very slight pretences. The next day they made another order, that no person should sit in that house, either in the present or in any future parliament, till he had first taken the oath of supremacy. This was immediately taken by all the members then present, and as by the former order forty-six were expelled, so a much greater number of Roman catholics, that were unexceptionable in all other respects, were by this vote disqualified to sit in the house. There were so many members cut off by these orders, and so many others absent, either in England, or else hindered by reason of the rebellion from repairing thither, or employed abroad in the army upon service, that the house was very thin.

289 The kings of England had of old by their writs of summons fixed the qualifications of members, and were very jealous of this point of their prerogative. It was a new thing in Ireland for the commons to take upon them to make such general qualifications, and to appoint tests for the exclusion of persons whom neither the original constitution of parliaments nor the law of the land had excluded; and it was the more extraordinary to do it in so thin an house. They were sensible that they had need of a particular law to countenance and warrant what they had thus arbitrarily done; and accordingly they immediately drew up a bill to the effect of their order, and appointed a committee to present the draught to the council board. A bill trenching upon the royal prerogative, of which the council had ever thought it their duty to be careful guardians, and which had in all ages been found so useful and necessary for the good government of Ireland, deserved certainly their serious consideration. It was not a very decent part in the ministers of a prince, at a time when there was a general conspiracy in his other kingdoms to strip the crown of its ancient and most

essential rights, to encourage any invasion of their master's prerogative in that which was particularly committed to their charge. It was a cruel treatment of the king (who had too much reason to be jealous of the increase of the popular power, and was suffering every day from the exorbitant claims and illegal abuses made of it by another house of commons) to force him in the unhappy situation of his affairs at that juncture, either to consent to and authorize this encroachment on his prerogative, or by his refusal to afford his enemies an handle, which they would not fail to make use of for corroborating their infamous calumny of his favouring the Irish rebels. Those who were for plunging his majesty into this difficulty could hardly be thought to mean his service. There was no manner of necessity for the bill, forty-six members having been expelled, either because they were actually rebels, or because they had been accused of corresponding with them; and there was no danger of any Roman catholic's resorting to the house, and putting himself in the power of the lords justices, unless he was perfectly assured of his own innocency, and that he could not be accused of suspicious, any more than of overt, actions in favour of the rebels. It were even to be wished that some wise and good men of this sort might have sat in the house, where they might have been useful to moderate the fury of others, which on such occasions is apt to hurry them into rash and unwarrantable excesses, to prevent violent, but impolitic resolutions, and to suggest the fittest and most reasonable counsels for putting an end to the rebellion, and restoring the peace of the nation. This, in the circumstances of the kingdom at that time, was a very proper subject for the consideration of a parliament, and a few such Roman catholics, by their presence at the debates, their concurrence in the resolutions taken, and their service in executing the measures re-



solved on by the house, might have contributed much to the effect thereof, and have wonderfully facilitated the arduous affair.

290 If there was no necessity, there is very little to be said for the expediency of the bill. It could not fail of irritating all the Roman catholics, who had hitherto continued firm in their loyalty; those especially, of the most weight and consideration in their several counties, who were thereby disqualified from sitting in the house. It was evidently designed to get rid of all who professed that religion, and were exceptionable on no other account, and seemed a proper introduction to the utter extirpation of their religion itself. It added a new grievance to those which they complained of before; a grievance of greater consequence and less supportable than any of the rest, and (what was still worse) less capable of a remedy. They had lately in this very parliament attempted a relief from several hardships; the house of commons had joined in the representation thereof; their agents had been heard on the subject; and the king in consequence thereof had declared his pleasure to remove them, and ordered bills to be transmitted for enacting the graces desired into laws. The fear lest the rebellion should be made a pretence to deny them the benefit of those gracious concessions, had made abundance of gentlemen wavering in their duty, and disposed them (especially in Galway and other counties intended to be planted) to take up arms, and engage in the rebellion. To prevent those ill effects, the king, upon the representation of the earl of Clanrickard, had ordered the lords justices to publish his intention of not departing in any sort or measure from any thing he had formerly promised to grant for the establishing of the estates of such of his subjects as should continue loyal and faithful to the crown; and when the parliament met on Jan. 11, in order to a further prorogation, the speaker of the house

of lords made a declaration in his majesty's name to that purpose. This had hitherto kept up in them some faint, though uncertain hopes of relief; but this bill was calculated to turn their anxiety into despair, to make them for the future lay aside all thoughts of applying to parliament for remedy of their pressures, and to bid adieu to the graces for ever. It was in vain any longer to expect redress of former grievances from a body of men, that were laying new and heavier upon them, and shutting up at the same time the only channel through which it might naturally be expected that any redress should be conveyed. This must inevitably make all the Roman catholics desperate, and by a natural consequence, drive them into the extremest courses, make them look upon arms as their only resource, and to depend upon the success of an insurrection for a redress, of which they had no longer any prospect in a legal way.

291 The lords justices saw very well these consequences of the bill, and knew that it was liable to other objections, which they had some months before communicated to the house of commons in England<sup>a</sup>, in order to receive their directions on a subject of so high and weighty importance. They seemed then to be in great pain, how to debar the members that were in rebellion from coming to the house; by which it cannot well be supposed they 330 meant the rebels actually in the field, of whose coming thither there could not be any manner of danger; but rather such as secretly favoured the rebels, under which charge they involved all the Roman catholics in the kingdom. Their own severity in seizing, indicting, and prosecuting such gentlemen as kept themselves quiet in their own houses, had effectually removed that difficulty; but withal had strengthened another which they offered to the consideration of that body, by whose determination

<sup>a</sup> See their letter to the speaker, March 31, 1642, and the paper enclosed.

they professed to be guided. They were in doubt what number of members would be requisite, by the course of parliament, to continue the parliament, and seemed very apprehensive, whether, the number being so few as it was to be feared it would be, (considering how many would be excluded or absent,) the acts which should be passed in the ensuing sessions would be valid; and in case they should, whether the passing of bills in that manner with so few, and such bills as affected the lives or estates of the other party, being so numerous in the house as they were, might not raise such a clamour in foreign parts, and scruples at home in succeeding times, as might produce dangerous effects. They could not have more convenient casuists in this point than some gentlemen in that assembly which came afterwards to be distinguished by the name of the Rump; according to whose maxims, thinning an house was an admirable method of policy, and it signified nothing how inconsiderable the number was which composed it, provided it bore a name that would command the veneration of the world.

292 There was another difficulty in the case. By Poyning's act, which was always considered as the foundation of the English interest in Ireland, all bills that were to be proposed and passed in any parliament of that kingdom were first to be certified to the king by the privy-council of Ireland, and if affirmed by his majesty and his council of England as good and expedient, they might then be proposed and passed in an Irish parliament. This bill had never been so certified, as one of such a nature, so nearly touching the king, and affecting the very constitution of the parliament of Ireland, ought certainly to have been. But these difficulties and considerations were of little weight with the lords justices, who having got a thin house of commons to their mind, of persons devoted to their interests and measures, resolved to improve the opportunity offered, and to get such acts passed as might

distress the king, exasperate the bulk of the nation, spread the rebellion, and so promote their darling scheme of extirpating the old proprietors, and making a new plantation of the kingdom. Hence the disqualifying bill (their own creature originally) was readily received and transmitted by them into England.

293 They had a little while before proposed<sup>b</sup> to the commissioners named by parliament for the affairs of Ireland, that all Romish priests and friars should be banished the kingdom by proclamation, and all persons be forbidden to harbour or relieve them; and that bills should be prepared in Ireland for establishing there all the laws that were in force in England against all papists whatsoever. They had it under consultation likewise to expel all Roman catholics out of the city and suburbs in Dublin, as a precaution very necessary, as well for the security of the place and garrison, and for the satisfaction of the protestant party, as to prevent all intelligence being sent from thence to the rebels. Two difficulties arose in that affair; one was, that if they were expelled the city (as the state would allow none of them to go for England) they must needs go to the rebels, for they could not be two miles any way out of it but they must meet and live with the rebels; and in that case they would say for themselves, that the state had enforced them to go to<sup>331</sup> the rebels, and would be ready to object it as a strain of hardness, if not injustice in the government, (when hereafter any of those so expelled should be found with the rebels,) to punish them, who had before lived in the repute of subjects, for doing that which they were necessitated to do by the act of the state itself for their expulsion. The other was, that if the popish inhabitants were forced to depart from Dublin in that manner, since no particular crimes could be objected to them, nor they be charged with any thing but bare suspicion, it would

<sup>b</sup> In their letter of June 7, 1642.

be hard to take from them their bedding, householdstuff, and other goods, wherein they had a property; and yet, if they were permitted to carry all these things with them, the greatest part of those needful accommodations which the soldiers there garrisoned at present enjoyed would be taken away; which would be a great disappointment to the soldier in his lodging and other necessaries; Dublin being the place where all the forces, and all the provisions for the armies of Leinster and Connaught, arrived from England, and consequently requiring as many inhabitants as might be for entertainment.

294 The sitting of parliament furnished them with an expedient to remove the greatest part of these difficulties. Terror might possibly produce the same effects as a proclamation of banishment; and if the Roman catholic inhabitants quitted their houses and goods in a fright, and fled into the country to save their lives and liberties, or perhaps to enjoy the exercise of their religion, their flight would not be ascribed to any compulsion from the state, but be deemed a voluntary act of their own; the confiscation of their goods would be accounted a just punishment on them for deserting their habitations, and taking refuge with the rebels; and the state be exempted from all reproach in seizing the forfeitures that were made. For this purpose a declaration, in the manner of a petition addressed to the king and parliament of England, was drawn up and agreed to by both houses, praying that a present and effectual course might be taken for putting in execution the penal laws of force in Ireland against recusants and all others of the popish pretended religion in all parts of the kingdom; and particularly in the city of Dublin, the city of refuge for most of the distressed and despoiled protestants, who yet were not without just fears of imminent dangers by reason of the multitude of popish inhabitants; that it might be given in charge to all officers, faithfully and without delay to pro-

ceed therein ; and that monthly sessions be held for that purpose in the said city ; that bills might be forthwith transmitted into England, containing all such laws as were of force there against all the popish pretended clergy and their relievers, and against recusants and other papists, to be enacted into laws for Ireland ; that such further laws as should be needful in that behalf, and that such necessary expressions and provisions might be therein made, as would be agreeable to the constitution of that kingdom, and might give hopeful and comfortable assurance to the petitioners and their posterity, and to all others of the protestant religion, who were already or should hereafter be in Ireland ; and that it might not be in the power of any governor or governors of the kingdom to suspend, inhibit, or connive at the execution of the said laws or any of them.

295 This declaration was presented by a committee to the board, and the lords justices sent it into England to the commissioners for the affairs of Ireland, declaring their resolution to put in execution the penal laws already in force within the city of Dublin, and wherever else they had it in their power, and would lose no time in transmitting the other bills which they were preparing against the papists, pursuant to the prayer of the said petition. 332  
The world will judge whether this was a seasonable declaration in the situation of the nation at that time, or whether it was likely to convince any body that it was not the design of the state to have the insurrection thought a war of religion, or to cure the Roman catholics of their fears that an utter extirpation of them and their religion was intended. It is certain that all wise and good men dreaded the consequences of these proceedings, and of pushing matters to such extremity<sup>c</sup>, that they were sure, if the effect of this petition were granted, it

<sup>c</sup> Sir Maurice Eustace's letter, June 24, 1642.

must either reduce both nations into one, or it would be an everlasting wall of separation between them.

296 The two houses represented at the same time their great want of powerful and speedy succours of men, money, victuals, clothes, arms, ammunition, and other requisites of war necessary to be sent out of England, and pressed the immediate sending of those succours, which had hitherto been retarded, longer (they feared) than could well consist with the safety of the kingdom. As to other methods of quenching the flame of rebellion, of quieting the minds of people which were in the utmost distraction, and of restoring the peace of the kingdom, they never entered into a debate upon that subject; but broke up on the third day of their sitting, making a recess for some weeks, to allow time for the return of the bills which were to be transmitted into England.

297 The parliament was adjourned before the earl of Ormond returned from his expedition to Athlone. Mr. Pluncket was now to render himself at Dublin, to save his friends from the penalty of their bonds, and (as he once thought) to take his place in the house of commons, and offer his sentiments for quieting the troubles and preventing the desolation of his country. But finding that he should have no benefit of parliamentary privilege; and seeing how the earl of Castlehaven, who had lived inoffensively (as he was ordered) in his own house, and had corresponded constantly with the state and with the king's garrison in his neighbourhood, was treated, though a peer of England as well as Ireland; and observing the violent measures which the lords justices were determined to take, and in which the very few members of parliament which met, so warmly concurred, he judged that there was no safety for him at Dublin; nor any means of serving his country in parliament. His friends could not advise him to sacrifice his liberty and endanger his life in those furious times for the sake of their money,

so he retired, for the security of both, to a small island in a lough, where he made a sorry shift to subsist, his house being burnt, his harvest and all that he had in the country for his livelihood being taken away by the English and Irish; till hearing of a general meeting of the confederated part of the nation at Kilkenny, in order to employ agents to his majesty, he went thither with his family about the latter end of October following. He was there chose chairman of the general assembly, and at the conclusion of it was named one of the supreme council, by which post he enjoyed a revenue, without which he could not have subsisted. <sup>d</sup>The old earl of Westmeath soon after, dreading the power of the rebels, quitted his house of Clonyn, the earl of Ormond having according to his promise ordered sir R. Grenville to send him a convoy for security of his person, family, and goods, in their way from thence to Trim, and so to Dublin. A party of forty horse was sent, but did not prove strong enough, being attacked near Athboy by a thousand rebels, who took all his lordship's plate and money to the value of one thousand pound, stripped the countess and her gentlewoman in a shameful manner, massacred his servants, burnt and demolished his house to the ground, preyed on all he had, to the damage of above twenty thousand pounds; and the earl himself died soon after of the fatigue he suffered on that occasion.

298 At the same time that the misrepresentation was made 333 of the bailing of Mr. N. Pluncket, the earl of Ormond found himself engaged in a dispute with the lord lieutenant. When he returned, after his victory at Kilrush, to Dublin, he despatched captain Francis Butler, who had distinguished himself in that battle, to give an account of it to the king, who was so well pleased with that gentleman's service that he knighted him, and made

<sup>d</sup> Letter of sir R. Grenville to the earl of Ormond, July 14, 1642, and D. 151.



him major of sir H. Tichburne's regiment. The earl of Ormond had other matters of importance to communicate, relating to the conduct of the lords justices and the condition of his majesty's affairs in Ireland; and the king having directed him to make use of sir P. Wemyss on every such occasion, he sent him likewise to his majesty. The king had great reason to be satisfied with the services of a nobleman<sup>e</sup>, the only one of all his subjects that had, with so much honour to his prince, so great hazard to his own person, and (what might be esteemed dearest to his lordship) against his own nearest kindred and countrymen, being active and immutably resolute in his loyalty to the crown and fidelity to his majesty's person. The king found by experience, that, whilst others pretended service, and to render him a glorious king, his lordship had put it into act, as far as was possible for him; and had received so much satisfaction therein, that his confidence in the earl of Ormond's firmness, and the success of his arms, was the greatest comfort he had to support him amidst the vast distractions wherewith he was almost overwhelmed.

299 The king had it not in his power to express the esteem he entertained of the earl's person, and the sense he had of his services, in such a manner as he could wish; but he endeavoured to do it as well as he could. The earl of Ormond had a very great arrear of pay due to him before the breaking out of the rebellion, for discharge of which no provision was made, all the entertainments settled by the parliament of England not commencing till after that time. His lordship's estate was, the greatest part of it, in the hands of the rebels, and his charge was greatly increased by the coming of all his family to Dublin; so that the payment of these arrears was very necessary for his subsistence. <sup>f</sup>The king had two thousand

<sup>e</sup> See Collection of Letters, No. LXXIX.

<sup>f</sup> D. 129.

two hundred pounds due to him upon a stated account from the clerks of the hanaper in Ireland, and sent a warrant to the lord lieutenant to cause that money to be paid with all speed to the earl of Ormond, in part of his arrears, (which amounted to a much greater sum,) the residue whereof was to be discharged out of the customs of that kingdom. But I do not find any order from the earl of Leicester for paying it, the strangeness which arose at this time between these noblemen probably occasioning a difficulty in that affair.

300 The lord lieutenant was devoted to the parliament party, and followed their directions in all his conduct, particularly in his disposal of commands in the Irish forces. No sooner was a post vacant, but a person from England was appointed to fill it, to the great discouragement of the troops<sup>g</sup>; the colonels complained that they had no opportunity of recommending deserving persons to commands in their own regiments; the subaltern officers, that they were not preferred in their order and according to the value of their services, whilst others who had never been in actual service were put over their heads, and received the honour and profits of their labours. This was represented as contrary to the general custom in war, and attended with great inconveniences to the army; for if those who knew the men that distinguished themselves in action had no power to do them good, it would soon dissolve the love which ought to be between the colonel, the officers, and the soldiers, and take away<sup>334</sup> all respect from the superior commanders. <sup>h</sup>Officers too were daily killed, and it was inconvenient in times of service to wait a considerable time before their posts were filled. For these reasons, and because it had been the constant practice and custom of former times that the chief commander of the army for the time being should

<sup>g</sup> See lord Conway's letter to the earl of Ormond. C. p. 296.

<sup>h</sup> See Collection of Letters, No. LXXXII.

bestow all commands that became vacant, whilst the army continued in the field in actual service, the king, by a warrant under his signet, dated May 11, empowered the earl of Ormond (during the absence of the lord lieutenant, and as long as the rebellion lasted) to appoint all such subordinate officers as were requisite to be supplied in the room of any that should from that time happen to become vacant upon service, both in the old standing army and in the new forces employed against the rebels. This power was the more necessary, because great endeavours were using to corrupt the army, and all posts in it were disposed of to persons that it was presumed would adhere to the parliament in opposition to his majesty; and the earl of Ormond was the only person upon whom the king could absolutely depend for preserving him an interest in the forces, or indeed in the kingdom of Ireland. The earl was at that time well enough with the lord lieutenant, and was much courted by the parliament, in order to engage him in their party, (for which purpose their agents<sup>i</sup> represented it as the way to greater honours and dignities than any of his family ever enjoyed,) but the king, entirely satisfied of his lordship's fidelity and affections, thought fit to give him this mark of his confidence; though, either for fear of giving discontent to the earl of Leicester or jealousy to the parliament, or for some other reason, it was thought proper<sup>k</sup> to keep this commission secret for a time.

301 It was not long before an occasion offered of making it more public. The earl of Ormond, upon the death of sir C. Coote, by whose death several posts became vacant, (three of which were disposed of to his children, his eldest son being made provost marshal of Connaught, and his third and fourth, captains of the old and new foot company which had belonged to their father,) had <sup>l</sup>recom-

<sup>i</sup> C. 283, 298, &c.      <sup>k</sup> See Collection of Letters, No. LXXXIII.

<sup>l</sup> See his letter to the earl of Leicester. B. 127.

mended the lord Dillon, son to the earl of Roscommon, to succeed him in the command of his troop of horse. The merits of the earl were very great, having always served the king with great integrity and affection, for fifteen years, as a privy counsellor, and been twice lord justice of the kingdom. The son was a young nobleman of great worth, zealous for the service, and had attended the earl of Ormond as a volunteer, and behaved himself with great bravery, to the no small hazard of his life, in all the expeditions which he had made against the rebels. He was bred a protestant, zealous in his religion, had been captain of a company in the last army, and the family estate being in the power of the rebels, he was unprovided of any means of subsistence. On these accounts the lieutenant general had recommended him to the lord lieutenant for that troop, adding, that the disposal of it to lord Dillon would be a great encouragement to all the natives of Ireland who remained in their due obedience, and were ready to hazard their lives against the rebels. This last consideration, relating to the public service, was a motive to the earl of Leicester to deny, rather than to grant, the request in lord Dillon's behalf. He gave sir C. Coote's troop, and soon after, that which fell vacant by Robert lord Digby's death, to other persons. The earl of Ormond, seeing the neglect with which his friend was treated, upon the death of captain Palmes, disposed of his troop to lord Dillon; only signifying his intention of doing so, but without waiting 335 the earl of Leicester's pleasure. The lord lieutenant hearing of this disposal, and knowing nothing of the power which the lieutenant general had lately received from the king in that point<sup>m</sup>, complained heavily to the lords justices of the earl of Ormond's abusing the commission which he had lately given him, in pretending to dispose

<sup>m</sup> D. 92. and Collection of Letters, No. XCVIII.

of commands without leave of the person from whom it was derived. The earl of Leicester had before conceived some prejudice against the earl of Ormond for making sir P. Wemyss major of his regiment. The lord lieutenant, when he filled up the other commissions in it, had left it to the lieutenant general to name his own major. When sir Patrick was named, the earl of Leicester excepted to his country, though he had no objection to his person; and insisted that another should be appointed in his stead, because the king would have no Scotchman put into command in those regiments; desiring his lordship to say nothing of this his majesty's order. The earl of Ormond wrote him word that he had named sir P. Wemyss, because he knew it would not be displeasing to his majesty. This having something of an air of contradiction to what the earl of Leicester had averred of the king's general directions, was highly resented, and particularly insisted on by him in his letter to the lords justices, desiring them to put major Willis in possession of the troop which had been given to lord Dillon. As a reason for refusing the latter, he alleged, that a resolution had been taken in England, that the new troops sent from thence, and the old ones raised in Ireland, both horse and foot, should not be given to any but to persons of the English nation, which should be approved of by parliament, so long as the parliament should continue to pay them; and he believed the parliament would not like lord Dillon should command any of those troops which were sent from thence. The earl of Ormond thought it a little extraordinary that a national distinction should be made where there was no personal exception; he had never heard of the resolution, pretended in order to exclude lord Dillon, though of English extraction, and had seen an English troop lately conferred upon lord Inchiquin, who was not only born in Ireland, but descended of an Irish race. Lord Dillon had, ever

since he received his commission, served in the head of his troop, and was now actually abroad in service, in a part of the army sent towards the King's County under the command of sir Fulk Huncks. He could not be turned out without a great indignity, the sense of which would strike the deeper if it was done for a reason which would exclude him for ever from a command. The earl of Ormond in his turn complained to the commissioners for Irish affairs of the lord lieutenant's neglectful treatment of him, and insisted on the nomination which he had made of lord Dillon, by virtue of his commission of lieutenant general, and of the particular authority given him by the king, in the exercise of which he had been hitherto very sparing; and yet the earl of Leicester seemed fond of controlling him whenever he offered to exert his authority.

302 The public service in those times made it necessary to keep several out-garrisons in convenient places, and many of those garrisons requiring supplies of victuals by land from Dublin, divers inconveniences were found in sending them. The want of convoys to be got ready on a sudden, privately and without noise, for guarding the provisions sent, proved a great prejudice to the service; which suffered likewise by the great difficulty of ordering it when commanded men out of several companies were appointed for those convoys. By a continuance of that method, not only the service might be retarded, but the designs were unavoidably in danger of being published, and consequently disappointed. The want of care also 336 in those commanded men of different companies in looking to their charge, and in returning speedily, often hindered other services, added much to his majesty's charge, and was sometimes the occasion of other losses<sup>n</sup>. For the prevention of these and other inconveniences, and in

<sup>n</sup> Letter of lords justices to the lord lieutenant, Aug. 2, 1642. C. 221.

imitation of the like practice used by other countries in war, the earl of Ormond conferred the command of a company of firelocks (which of all others were the most proper for convoys) upon sir Philip Percival, commissary general of the victuals for the army. Sir Philip had been some time in possession of the company, and had been at a great expense as well in supplying it with new men, as in fixing their arms, which were very defective, at his own charge, and in supplying the wants of the soldiers, when the state had no money to pay them. The company had been found exceeding useful for the public service. It could not have been conferred upon a more proper person than the commissary of the victuals, nor on one of greater merit than sir Philip Percival. Yet this gave occasion to the earl of Leicester to complain<sup>o</sup>, that the lieutenant general had not given him so much as the respect due to a private colonel, who in most places have the naming of their own officers; but had disposed of the command of the firelocks; which he conceived was in a manner in his own regiment, though not in all respects so armed. He was too full of resentment to vouchsafe a letter to the earl of Ormond on this occasion; but sent over to his son the lord Lisle a commission for one captain Denn (who had already a foot company) to command likewise the company of firelocks; and in the same letter which conveyed his commands in relation to lord Dillon required the lords justices to dispossess sir Philip Percival of his post, and put captain Denn in his stead. These were the occasions of the earl of Leicester's displeasure, and the only instances which he thought fit to produce of the earl of Ormond's encroachment on his authority.

303 The lords justices and council were pleased to interpose in the behalf of sir Philip Percival, who was uni-

<sup>o</sup> D. p. 92.

versally esteemed; and prevailed with lord Lisle to keep captain Denn's commission in his hands till they had represented to the lord lieutenant the great inconveniences which would happen by the change, and understood his lordship's further pleasure. The earl of Ormond would not sign the letter wrote on that subject to the earl of Leicester, but resolved to apply himself directly to his majesty, and expect his protection from the same source from whence he derived his authority. Pursuant to this resolution he despatched Sir P. Wemyss into England, on Aug. 2, to acquaint the king with these and other affairs that were passing in the kingdom. His majesty was at York when sir Patrick waited upon him to execute his commission. The earl of Leicester was there too, being come thither, as he pretended, in his way to Ireland, but in reality to complain of what he called an invasion of his rights, and to get the lieutenant general removed. There was too much of passion in his letters and conduct to allow him reasonably to hope that the dispute would end to his honour. The earl of Ormond never engaged in one but with judgment; and few persons could dispute a matter with him before the king on any occasion but upon great disadvantage. He had on this exerted his authority very properly, and conferred the vacant posts upon two persons eminent for their quality and merits, so well affected to the king, and fitted to advance his service, that it seemed to be the sole motive of their promotion. The earl of Leicester would needs turn these out, to put in two men that being unknown could not be judged so well qualified as the others; and had, in<sup>337</sup> order to justify himself, insisted, with the worst grace in nature, that nobody should be admitted to any command but who was first approved of by the parliament. The king knew the value of such a servant as the earl of Ormond too well to fail him on this occasion; in which likewise



his own interest and authority were concerned. <sup>p</sup>Some gentlemen of Warwickshire had appeared for him with good success in executing his commission of array for that county; and as the party which was left in the parliament were sending forces against them, he was going to march thither with his troops to support those gentlemen. He took up his headquarters at Stoneleigh Abbey, the house of sir Thomas Leigh, and from thence he wrote, on 9 Aug. 20, to the lords justices and council, signifying to them, that it was by his own special command and authority under his hand that the earl of Ormond had, in the absence of the lord lieutenant, conferred upon divers persons several places in the army; that he had given him this authority to encourage the soldiers to exert themselves with greater readiness and vigour in obeying and executing his commands in the important services wherein they were employed against the rebels there; for which it was necessary that the commander in chief should have a power to prefer them; and that it was his will and command, that all such persons as had been already, or should hereafter be, so preferred by the said lieutenant general of the army, in the absence of the lord lieutenant, should be continued in their places and commands.

304 The earl of Ormond commanded the army in Ireland by virtue of two commissions from the lord lieutenant, the one bearing date Nov. 17, 1641, the other, May 16, 1642. The powers granted by the former were entirely to cease upon the earl of Leicester's presence in Ireland, and those of the latter were then to be limited by his instructions, and were liable to be taken away at his pleasure. He was going thither (as he said) within a fortnight, (which looked the more likely, because the castle of Dublin was actually fitted up for his reception,

<sup>p</sup> Lord Grandison's letter to the earl of Ormond, Aug. 14, 1642. C. 248.

<sup>q</sup> See Collection of Letters, No. CI.

and the lords justices, in expectation of his coming, had removed thence to their own houses,) and in so ill an humour in regard of the earl of Ormond, that it was reasonable to provide against any oppression which the latter might suffer from the lord lieutenant, and any detriment which by vacating his commission might arise to the king's service. To this end, the king at the same time gave the earl of Ormond<sup>r</sup> a license to repair into England whenever he saw fit, without any prejudice to his entertainments, offices, and places in Ireland; and signed a <sup>s</sup>warrant for a commission to be passed under the great seal of that kingdom, appointing him lieutenant general of the army there, and to hold that charge by immediate authority from his majesty, in as full and ample manner and words, as he at present held the said office by authority from the lord lieutenant. This commission was accordingly passed in due form under the great seal on the 16th of September following. His majesty thought it not enough to fortify so good a servant with powers which might enable him to continue his services to the crown; but resolving to grace him further in the eye of the world, by a public mark of his favour, he of his own motion created him at the same time marquis of Ormond.

305 The lieutenant general's power to dispose of commands was now absolutely confirmed past a possibility of dispute, to which in some cases it was liable before. He was authorized indeed to dispose of posts that became vacant upon service; but these last words left a doubt, whether if the officers were not lost in service he could dispose of their commands, or had authority to 338 bestow such as became otherwise vacant by death or surrender. This ambiguity was now removed; the lord Dillon enjoyed his troop, till, upon the death of the earl of Roscommon, which happened soon after, he changed

<sup>r</sup> C. 254.<sup>s</sup> C. 252.

it for that which his father had commanded, and which was part of the old army; and the marquis of Ormond was now possessed of an absolute power in the disposal of all military offices during the absence of the lord lieutenant. He derived some advantages from the very dispute, being thereby freed from that deference and complaisance which he had hitherto shewed to the lord lieutenant in the exercise of this authority; and carrying his point in opposition to so potent an adversary, it pointed out clearly to all the officers and soldiers of the army where they ought to apply for preferment. It was in truth high time to invest the marquis with such a power, considering the late attempts that had been made, and the further endeavours that would be used, to engage the Irish army to declare for the parliament of England.

306 †Sir Thomas Wharton and sir Robert King had, by particular instructions from England in the precedent month of July, taken some pains for that end, and had drawn up a petition in the name of the officers of that army, beseeching his majesty to comply with his parliament. There was no engaging the officers to sign it without drawing in the lieutenant general; for which reason the draught was brought to him by those two gentlemen. He refused to sign it, as prejudicial to his majesty's service: but to make an essay, whether the persons moving him thereunto did really mean the public good, without any private ends or party views, he proposed to them that two petitions should be drawn, the one addressed to the king, the other to the parliament, in terms respectively belonging to him as sovereign, and to them as his great council. They brought him two draughts, but not agreeable to his sentiments; so that he took time to think of the amendment of both. Accordingly he extracted out of those petitions, and added

† The earl of Ormond's instructions to sir Patrick Wemyss. C. 216.

thereto, what he thought might become him upon such a subject, and what was likely to conduce to a fair settlement of peace, without derogation to his majesty's honour therein. <sup>u</sup>The alterations however were but few; the ends which the petitioners professed to aim at being still preserved in the amended draughts, and expressed to be for preventing the eminent danger that religion, the king, and all his dominions must fall into by a civil war in England, the unavoidable calamities whereof they daily saw in the miserable country where they were, that so effectual supplies might be sent for the speedy reducing of the Irish rebels to their due obedience, which was now in great forwardness. This forwardness was in the original draught ascribed to the blessing which God had given to *the counsels taken in Ireland, and executed by the industry and forwardness of the soldiers.* The marquis of Ormond, who detested the violent and destructive counsels and measures of the lords justices, which had spread the rebellion, were ruinous to his majesty's affairs, and likely to effect the utter desolation of his country, was for leaving out the words which related to their counsels, and for imputing the progress made towards reducing the rebels solely to God's blessing on the industry and forwardness of the soldiers. In the petition, profession was to be made by the subscribers that they had no aim but *the public good*, for which they were ready to lay down their lives: to this an addition was made, expressing, that they had no aim but *his majesty's honour and service, the maintenance of the true protestant religion*, and the public good of *all his dominions*, for which, &c. The substance of the prayer of the petition was, in the one draught, that his majesty *by a timely compliance with his parliament*, and in the other, that the parliament, *upon his majesty's timely compliance*, would <sup>339</sup> prevent the eminent danger, &c. The alterations were,

<sup>u</sup> C. 218, 219.

in the former, that his majesty, *by a gracious and timely accord with his parliament*, and in the latter, that the parliament, *by their timely compliance with his majesty*, would prevent, &c. These were all the alterations made in the draughts, which, thus amended, the marquis of Ormond gave to sir T. Wharton and sir R. King to be considered of at their leisure. After a day's respite, they returned him the petitions again, not approving of what he had done, so as, neither side yielding to the other, the business continued at a stand, the marquis being determined never to assent to any thing that in his best judgment should any way seem to lessen his majesty.

307 These several draughts he transmitted over for his majesty's view by sir P. Wemyss; who was likewise to make known to the king the good affections of the army, the valour they had shewn in all their enterprises, and the great wants which they endured of all kind of necessaries, through the slowness of the supplies sent out of England; no money being arrived for the provinces of Leinster and Connaught for some months past, and that which last came being in so small a proportion, as upon the dividend thereof there could be no considerable sum advanced towards the satisfaction of either officer or soldier; which abated much of their accustomed vigour, and disposed them to mutiny and pillaging the good subject, from which they were hardly restrained. He was further to represent the inability that the marquis of Ormond lay under, till he was better supplied, to undertake some services of high consequence, which he had designed; particularly the taking of Wexford, Ross, and Kilkenny, (which were very fit to be attempted,) before the rebels received the succours which they expected from abroad; there being, as was pretended, not so much money in the exchequer as would furnish carriages for the artillery and an army requisite for those purposes; and all that could be done at present, (and this by exacting loans from the

city of Dublin,) being no more than to enable the state to give twelvence a week to the soldier, to keep him from drinking water, and to send small parties abroad into the country to make what destruction they could upon the rebels in their march; these wants, and the ill provision for the army in their expeditions having occasioned a great mortality among them, so that the companies were generally much weakened. He was moreover to complain of the interposition of the lords justices and council in the management of the war; many services being retarded by their assuming to themselves the whole guiding thereof, and tying the lieutenant general down to their instructions, when he went upon any expedition; by means whereof several advantageous opportunities against the rebels had been lost; of which there was a remarkable instance in the expedition to Drogheda, when the council of war being unanimously of opinion that the army should advance to the Newry, he was peremptorily forbidden by the lords justices, and by their order limited both as to time and place.

308 Such were the marquis of Ormond's instructions to sir P. Wemyss; and such being the condition of the army under his command in the beginning of August, it will not be improper to inquire what supplies the parliament of England, who with such a pretended zeal had undertaken the management of the Irish war, had actually sent to Ireland from the rise of the rebellion to the end of that month; for afterwards they may be supposed too much employed in making war upon the king in England to spare any to send thither, and in fact they openly diverted that way the money and troops that had been raised for the service of Ireland.

309 With regard to Munster, it hath been already observed, that upon the breaking out of the rebellion sir W. St. Leger the lord president had only one troop of 340 horse and four companies of foot in garrisons left him

for the security of that province. It was some time before he was empowered by the lords justices to raise two troops of horse more and a regiment of one thousand foot; but he wanted arms to put into their hands, money to pay, and victuals to feed them; and after all, it was too weak a force for the defence of so large a province. Through these wants he was reduced to the last extremity; and had it not been for the disagreement between the lord Mountgarret and the other chiefs of rebels, when after Christmas they advanced into the county of Cork with a numerous army, the few towns that then held out against them would in all probability have been taken, and the whole province reduced. No instances that the president used with the parliament could prevail to have any supplies either of men, (except lord Dungarvan's troop,) money, ammunition or provisions sent him, till about the beginning of March, when sir Charles Vavasour, with one thousand foot, and lord Inchiquin and Mr. W. Jephson with horses and arms for two troops of horse, arrived at Cork. This succour came in one respect very seasonable, because lord Muskery soon after joined the rebels, and matters being compromised between the rival lords, Garret Barry was declared their general, and they joined all their forces to subdue the rest of the country. \*The whole province and all the towns in it would have been utterly lost, and the lord president forced to quit all, or expose himself to an unavoidable ruin, if it had not been for a small proportion of powder (taken from the king's store in the Tower of London) which was sent him by lord Inchiquin and Mr. Jephson, whilst they were in England. He had been ordered to raise men, but never had a penny sent him, either for raising or maintaining them; and now that these forces came over, they brought him neither money,

\* Sir W. St. Leger's letter to the earl of Ormond, March 30, 1642. C. 17.

arms, nor ammunition, of all which he stood in the extremest need; so that, after putting the tenable places into the best posture of defence he could, he was forced to shut himself [up] in Cork, sorrily provided to sustain a siege, and surrounded by an infinite multitude of enemies, who resolved to starve him, if they could not take the place by assault or treachery. The troops now sent over did not so much as bring money for their own pay and subsistence, <sup>y</sup>the parliament intending that they should be maintained by the province of Munster, when almost the whole of it was in rebellion, and the English there were so totally deprived of all their estates, that great numbers of them had not bread to eat, and the rest were unable to undergo the charge. The house of commons indeed were once pleased to allow one thousand pounds towards the payment of these new troops, till more might conveniently be sent: but a day or two before their coming, upon a motion of sir John Hippesley, who told the house that he had money in the earl of Cork's hands, that order was revoked, and they were directed to receive the thousand pounds of that nobleman, who was by the rebellion disabled from advancing it. Hence those troops were entirely destitute of money for their subsistence, and their commanders were forced to give tickets, as well to the masters of the ships which transported their horses and arms, as to the inhabitants of the towns where they quartered for their billets.

310 Sir W. St. Leger<sup>z</sup> had been besieged for near five weeks in Cork, on the north side of the city, by the lord Muskery and the forces of Cork and Kerry, when he received advice that the Tipperary forces were assembling, and intended, in conjunction with lord Roche's men, to beleaguer him on the south. He thereupon despatched away lord Inchiquin and Mr. Jephson with their troops

<sup>y</sup> Mr. Jephson's letter to the speaker, March 25, 1642. C. 6.

<sup>z</sup> See his letter of April 20 and May 9. C. 40. 74.



to make a diversion in lord Roche's country: but the lord of Ormond's march to Maryborough saved him from <sup>341</sup> that storm, and those forces were entirely broke at the battle of Killrush. The two troops being returned to Cork, sallied out, on April 13, with three hundred musketeers, against a party of the enemy who had advanced near the walls, routed them, and, following their blow, broke the whole army, not above two hundred of the number retiring in order. The <sup>a</sup>president would have improved this victory if he had been in any condition to take the field, but he wanted every thing, and, had he not borrowed four thousand pounds, and seized by force a like sum belonging to sir Robert Tynte, and going to be shipped for England, (which never was paid till after the restoration,) all his forces would have disbanded. In this distress he continued till June, when sir W. Ogle and sir John Powlet arrived with their regiments and six thousand pounds in money, the first supply of that sort which had been sent him, and much too little for his necessities. He had no artillery, and but one cannoneer; he wanted victuals, none having been sent out of England since the beginning of the troubles; the soldiers were almost naked for want of clothes, and ready to mutiny for their pay. Oppressed with these difficulties, he was not able to take the field, nor relieve the fort of Limerick, which had been for some time besieged by the rebels.

<sup>311</sup> When that town revolted, <sup>b</sup>captain George Courtenay, a younger son of sir William Courtenay, was in the castle with sixty of his own company, twenty-eight warders, and others to the number of two hundred men; but they were scanty of provisions, and could get none from the town, unless by stealth. They had arms of one sort or

<sup>a</sup> See his letter of May 18, and sir Hard. Waller's, May 19, to the earl of Ormond, and the Munster officers to the speaker, June 14, 1642.

<sup>b</sup> Bishop of Clogher's MSS. No. III. p. 316.

other for all the men, but not above sixty muskets or calivers that were serviceable: the rest were petronels, pistols, carabines, brown-bills, and fowlingpieces. There were three demi-canon, two sakers, and one minion; but not above five or six firkins of powder in the place. The first work which the Irish set about in order to take the fort, was the making of a boom cross the river over against a place called Moek Beggar Mear, within musket shot of the castle. It was made of long aspen trees fastened with iron links on the Thomond side to two millstones, and at the other end to the tower of the key. The garrison fired from the castle to stop the work, and interrupted it for a time; but at last it was completed, and served to hinder sir Henry Stradling from relieving the fort by water. The Irish plied the garrison with their shot from St. Mary's church, so that none could stir in the castle-yard. They were continually in expectation of the fort's being surrendered for want of ammunition and provisions; but that hope being deferred longer than they expected, they resolved to undermine it. The first mine was begun near the churehyard of St. Nicholas, and when it was finished, and a sufficient quantity of earth carried out, they set fire to the timber which propped up the top of the cavern they had made, and a great part of a bulwark sunk down. They made two other mines, but with less success; however they still continued working in that manner till June 21, when captain Courtenay capitulated, and part of the wall fell down; and the lord Muskery, Garret Barry, and other Irish commanders took possession of it the next day. Thus was the most important place in the kingdom reduced by the rebels for want of timely and sufficient supplies being sent to sir W. St. Leger to raise the siege. He had fallen sick of a lingering illness arising from grief and vexation at seeing himself deserted, as it were, by the parliament of England, and in no condition to oppose

the enemy for want of those necessary supplies, which he had so often and earnestly solicited for six months together in vain. He lived to hear of the loss of Limerick, and died the second of July following.

312 Upon the death of the lord president, the lords justices 342 conferred the military command of Munster upon Moragh O'Bryan baron of Inchiquin, vice-president of the province, and joined David Barry earl of Barrimore in commission with him to take care of the civil government, which by the latter's death on the Michaelmas day following became also solely vested in lord Inchiquin. <sup>c</sup>His lordship sent sir Hardress Waller first, and afterwards sir W. Ogle, to solicit the parliament for supplies of all sorts: they voted five thousand foot and five hundred horse for a farther succour to Munster; but not a man of them was sent, nor indeed any other supply, except ten thousand pounds, which served just to keep the forces alive, but not to enable them to take the field; they being exceedingly weakened by fluxes, fevers, fatiguing marches, and other hardships; so that Vavasour's, Ogle's, and Powlet's regiments were reduced to one thousand two hundred fighting men, and all their other wants still continuing.

313 Alexander lord Forbes, made by the parliament, without his majesty's concurrence, lieutenant general of the additional forces, raised by the adventurers to waste the coasts of Ireland in a privateering way, came indeed into the province with a body of one thousand two hundred men, but was of no advantage to the service. <sup>d</sup>He landed at Kinsale in the beginning of July, and without vouchsafing so much civil respect to the lord Inchiquin, then governor of Munster, as to acquaint him either with his design, commission, or intention, he marched with

<sup>c</sup> Lord Inchiquin's letter, Aug. 2, and the earl of Cork's, Aug. 25, 1642. C. 229 and 262.

<sup>d</sup> See Collection of Letters, No. XCV.

eight hundred men into the country, where at Cloughnikilty, he lost captain Weldon, who with almost all his company was cut off, and his colours and some arms taken by the rebels; a greater loss than any the English had before sustained in that kind. Lord Inchiquin, waving to insist on the privileges of his government, considered how to make those forces of advantage to the service, and sent a gentleman to lord Forbes, desiring him to bring or send part of them to his assistance in an expedition which he was going to undertake. The county of Limerick, the soil of it being very rich, was the greatest granary of the province, and if the rebels, who were masters of it, had liberty to get in their corn, it would greatly enable them to subsist the next winter, and so lengthen the war and vastly increase the charge of the kingdom. To prevent this mischief, lord Inchiquin was desirous to destroy their harvest, but was of himself too weak, with his diminished troops, to adventure into the fastnesses of that county, and into the midst of all the strength of the enemy. The reputation and countenance of lord Forbes's forces would have enabled him to execute this design, and to disperse the force which the rebels had gathered in those parts; and his lordship was only to march through the country from Cork to the county of Limerick and the Shannon, where his shipping might have been commanded to attend him. Lord Forbes returned a flat denial to this request, as he did likewise to sir Edward Denny's, whose castle of Tralley lying on the coast of Kerry, a very strong and important place, was in great distress for want of provisions, being besieged by the rebels, and not to be relieved but by sea. Lord Forbes might easily have that way supplied it with victuals, through defect whereof that castle soon after surrendered: but he chose rather to make preys in the country; and after besieging the castle of sir Roger Sheghmussey, (who was then actually serving the king

against the rebels about Galway,) burning his town of Timolegue, wasting his estate, and committing other ravages in the county of Cork, reimarked, and set sail with his fleet for the river of Limerick, proceeding thence to the bay of Galway to interrupt the service in those parts.

314 Lord Inchiquin thus left alone to struggle with all the difficulties, which oppressed him to such a degree, that it 343 was a sort of miracle that he was able to subsist, could do nothing more than make incursions out of his garrisons into the country, to bring in provisions from time to time for the sustenance of his men. The rebels, by the surrender of the castle of Limerick, had got some pieces of cannon, (one of which carried a ball of thirty-two pounds,) and by the terror thereof had reduced all the castles in that county, except Asketten, which they had likewise besieged, and took in a little time. They were preparing to reduce those in the county of Cork, when lord Inchiquin, apprehending that he should be destroyed by piecemeal, and, by the taking of the houses and little forts which still held out in the country, be quite blocked up, and inevitably starved in Cork, whilst the enemy gathered in the harvest, resolved to make a bold push, and put the fate of the province upon the hazard of a battle.

315 Besides the regiments and troops already mentioned, the earl of Cork had at his own expense raised two troops of horse, commanded by his sons the lords Kynalmeaky and Broghill, and four hundred foot; as the earl of Barrimore had likewise another troop, and two companies of foot. These noblemen had done this, and maintained them entirely at their own charge, till a little while before, that they were, at the instances of the lords justices, put upon the establishment; but no pay had yet been sent for any of them. <sup>e</sup>They were however very ready to do service, and being joined with lord Inchiquin, made up

<sup>e</sup> Bishop of Clogher's MSS. No. III. p. 338.

a body of one thousand six hundred musketeers, two hundred and fifty pikes, and four hundred horse, having thereby so drained the garrisons that there were not above four hundred men left in all the towns of Cork, Youghall, and Kinsale. The Irish advanced into the county of Cork with seven thousand foot and five hundred horse, drawing along with them their battering piece (which weighed six thousand eight hundred and ninety-two pounds) in a piece of timber hewn hollow, in which the piece lay, with twenty-five yoke of oxen, over bogs, where wheels would have sunk, and where no carriage with wheels had ever been known to pass. On Tuesday, Aug. 30, they sat down before Lisscarrol, a castle of sir Philip Percival's, and strong both by art and nature. On the south and west side of it lay plain and fruitful grounds, environed with a pleasant hill looking into the county of Cork, but on the north and east it was bounded with woods, bogs, and barren ground. Sergeant Thomas Ryeman commanded in it with thirty men, and a competent quantity of victuals and ammunition. The enemy planted their cannon on a little round rocky hill within musket-shot of the castle, and Ryeman surrendered it on Friday, Sept. 2, in the afternoon, though he was promised relief the next morning.

316 Lord Inchiquin had, with the lords Barrimore, Dungarvan, Kynalmeaky, and Broghill, come that day to Mallock, and resolving to fight, marched that night to Ballybeg, leaving sir C. Vavasour and the lords to follow the next morning, when being joined, they advanced towards Lisscarrol. The enemy had intended to march to Doneaille, but hearing of lord Inchiquin's resolution to fight, they drew up near the castle of Lisscarrol in the order wherein they were resolved to expect an attack. They divided their foot into three equal bodies; the right wing was posted on the top of a little rising ground, near a fortification they had made, which was well manned with

store of shot; their left wing was placed near the castle, within half musket-shot of another work, wherein their artillery was planted as a guard to that wing: between these, a little behind them, stood their main body, consisting most of pikes: their horse were all drawn up in one body, near their right wing on the brow of the hill. The advantage which they had in the ground troubled the lord Inchiquin more than what they had in their numbers. To draw them from it, he advanced with a party of horse, against which they drew out a party of 344 musketeers to line the hedges, and playing upon the English from thence, whilst with a body of horse they advanced against that party, which retreating by order, they returned back to their post. In this retreat, lord Kynalmeaky was killed by a shot from the musketeers, who fired from the bushes and ditches, but his horse was brought off by his younger brother, Francis Boyle, afterwards viscount Shannon. Lord Inchiquin, seeing the rebels were not to be drawn from their post, determined to attack them in it, and advanced towards them with all his army, the foot being divided into three bodies, and his horse all in one body, opposite to theirs. The enemy endeavoured to incommode him with their artillery, but it was planted too high, and did little mischief. His foot were weak with the hardships they had long endured, and some of them fainting in their march, had been forced to be carried behind the troopers; so that his great dependance was on his horse. With these he began the attack, which the enemies received very bravely, and which had like to have proved fatal to lord Inchiquin. For the first, second, and third ranks of his troop having given fire, as directed, wheeled off to the rear, which the hindermost ranks mistaking for a retreat, began to fall off, and a great confusion followed. His lordship was by this accident left engaged among the enemy, of whom he killed captain Oliver Stephenson, but had fol-

lowed his fate, being hurt in the head and hand, if he had not been seasonably relieved by captain Jephson. The enemy's right wing of foot, seeing their advantage, advanced against the foot that were led by lieutenant-colonel Mynns, but were gallantly received, and driven back. The horse in the meantime being by captain Bridges and other officers reduced into order, (which was much favoured by a party of three hundred musketeers under captain Cooper, which galled the enemy's horse, and hindered their advance,) a second attack was made upon the whole body of their horse. The enemy stood firm for a good while, but at last fell back, and began to fly; upon which all their right wing of foot took to their heels. Sir Charles Vavasour with six hundred foot attacked the left wing of the rebels, and a sharp action ensued, till they, seeing their artillery of no service, and their left wing routed, quitted the fort, and retired to a neighbouring bog; wherein their example was immediately followed by the third division of their foot, which had hitherto remained out of gunshot, and now fled for safety to the same bog, which was half a mile distant from the place of battle. Lord Inchiquin having pursued the enemy's horse till they were all dispersed, was now on the farthest part of the bog, where the rebels lay; and were, by the foot marching towards it in good order, encompassed on all sides, without any apparent means of escape. But his lordship returning, and not knowing that the rebels' right wing was fled, unfortunately mistook his own men for enemies, and caused a retreat to be made for almost a mile before the error was discovered; in which time they had fled to sir W. Power's bog near Killbolan, where it was impossible to follow them; otherwise very few of their number would have escaped. Lord Inchiquin had only twelve men killed in this action, and about twenty wounded, most of them horse, but of the Irish about seven hundred were slain. There were taken



three pieces of artillery, thirteen colours, three hundred muskets, and three barrels of powder; but as no quarter was given but to colonel Richard Butler, son to the lord Ikerrin, (who was the last man of the Irish army that retired,) and two or three other officers, very few prisoners were made. This defeat threw the Irish into a terrible consternation; but the lord Inchiquin, through the want of pay and victuals for his soldiers, was not able to pursue his victory; and finding no sustenance in a wasted country, was forced the next day to march back to Mallow, and disperse his army into garrisons. There he made a miserable shift to subsist, but no supplies arriving out of England, he was not in a condition to <sup>345</sup> make any attempt against the enemy for all the rest of the year.

<sup>317</sup> Connaught was not in a better condition, nor more plentifully supplied than Munster. Neither the earl of Clanrickard, nor the lord Ranelagh, president of the province, had received any assistance from the state of Ireland, or out of England, till the earl of Ormond, on June 20, delivered two thousand foot and two troops of horse to the president near Athlone. A small quantity of ammunition came with them; but no victuals, nor any money for the subsistence of these new forces, or the pay of those which were in the province before. They came to a country wasted to such a degree, that the garrisons of the county of Roscommon, which were all that held out in those parts, could never have subsisted so long, if they had not been relieved by the lord Clanrickard with provisions from the county of Galway. The president had been blocked up for six months in Athlone, till the day before sir Michael Ernle joined him with the new forces, and being well nigh starved himself, had nothing wherewith to supply them. †The soldiers had not a

† Sir M. Ernle's letter to the marquis of Ormond, Sept. 9, 1642, and lord Clanrickard's Memoirs, and cornet Povey's letter to the earl of Ormond, Aug. 22, 1642, and lords justices' letters, Sept. 23 and Oct. 28, 1642.

morsel of bread in three whole days after they came to that town, and for fifteen days afterwards they had but three pounds of bread for a man; so that they took up their arms, and were marching back for Dublin in a mutiny. It was with great difficulty that sir Michael and his officers stopped them from executing that design; and the earl of Clanrickard sending them some bread from Loghreagh, and supplying the president with four hundred pounds, (which he borrowed upon his own and the president's bond,) they were therewith appeased for a time. The president led them into the field, took the castle of Ballagh, burnt that of Tully, defeated a body of the rebels near the latter place, routed Charles O'Conner Roe's forces, and afterwards those of sir Lucas Dillon, near Ballintobber. But that small sum being soon spent, the soldiers were reduced to a more miserable condition than words could express; half of them dying of mere want, and the rest eaten up with lice, having scarce clothes to cover their backs, or food to put into their mouths. In this distress the president was forced to make a three months' cessation for the counties of Westmeath and Longford, and endeavoured to do the like for Roscommon; but not succeeding therein, was again besieged in Athlone, till sir Richard Grenville on the 20th of January following, forced the rebels to raise their siege, and relieved the place with a quantity of provisions. This succour of men, which added to the scarcity of victuals, and so increased the miseries of his forces, was all the supply that the president received this year for supporting the war in that part of Connaught which was under his government.

318 The county of Galway, the largest and the richest of all that province, was indeed preserved (except two baronies of it in that wild tract of country to the west of Galway called Irconnaught) all this year in peace and obedience by the earl of Clanrickard; but it was purely by his own credit, interest, and expense, without any, even the least

assistance, either of men, money, arms, provisions, or ammunition, from the parliament of England or the lords justices of Ireland. These, far from supplying his wants, were glad of any occasion to traverse the wise measures which he had taken with a surprising success for the king's service and the quiet of the country. They both declared their dislike of the pacification which that lord had made with the town of Galway; and captain Willoughby, governor of the fort, having broke it by his burning and laying waste all the villages for some miles<sup>346</sup> about that place<sup>g</sup>, the lords justices sent him a new commission, by which he pretended to have a power over the town and county at large, and to justify all the ravages that he made. Lord Clanrickard was, by patent under the great seal, governor of the county as well as the town of Galway; so that this commission, pretending to empower another to interfere with him in that government, was probably illegal; at least it was an high indignity offered to a nobleman of his merit and services, after he had so justly complained of captain Willoughby's rash and violent proceedings. It served however to encourage a hot young man, addicted to the parliament party, to go on with his depredations in the country, (which exasperated all the gentlemen, and disposed them to the most desperate courses,) and to proceed to open hostilities against the town. Thus, without any provocation, he<sup>h</sup> burnt all the suburbs of the place, the houses whereof were set for a thousand pounds a year rent; and fired his ordnance into the town for a whole day together, though it produced no other effect than a vast expense of powder, a discovery of the small prejudice that the ordnance could do to the town, the quitting and retreating back into the fort of all his guards and sentries that had been long placed near the gates of the place, and

<sup>g</sup> Earl of Clanrickard's letter to the president of Connaught, July 4, 1642.

<sup>h</sup> *Ibid.* to sir H. Stradling, July 27.

the causing so universal a discontent and resentment, that all the earl of Clanrickard's credit, with the assistance of his friends, could scarce prevent an open insurrection. And so extravagant were the proceedings of the governor of the fort, that they were perfectly unaccountable, unless he was troubled with fits of frenzy, or (which was the general opinion) that he had private instructions for what he did, in order to break the pacification.

319 In this situation were affairs about Galway when lord Forbes arrived, on Aug. 7, in the bay with his fleet, which had been fitted out by the London adventurers, and manned with a body of land forces, that were to be employed, not for the advancement of any settled service, but to make spoil and havock on the coast. He had refused the assistance of his forces in Munster, where they were wanted, and brought them to a country where nothing but peace and quiet was desired. As soon as he got into the bay of Galway, he landed some men on the Thomond side, burnt the houses and wasted the lands of Daniel and Torlagh O'Bryan, the only two gentlemen in the county that had not joined in the rebellion, who had preserved and relieved the English to the best of their power, and had assisted, with their long boats and provisions, for the relief of the fort when it was besieged. Lord Forbes declared openly against the pacification, which had been disapproved by the house of commons of England, and that though it was made by the king's authority vested in the governor of the county, yet he, who was independent of any other command whatever in Ireland, did not think himself bound thereby. Agreeable to this declaration he required the town of Galway to receive a garrison of his men, and to make a submission, of which he sent them a form couched in very extraordinary terms. They were by that form to confess themselves to have been rebels, to express their grief for

what they had done, *to beseech his majesty to intercede with the parliament of England for their pardon*, and to declare they would admit such governors as the king and state of England (the common phrase, when the parliament only was meant) should appoint, and put themselves under the protection of lord Forbes. The town declined to receive a garrison, or make the submission required, insisted on the pacification which they had made and observed, and applied to their governor for<sup>347</sup> protection. Lord Clanrickard desired to know of lord Forbes, whether he had any directions from the state of Ireland for his proceedings at Galway, or any commission from the king to take on him the government of that county; in which case he was ready to surrender that authority which he enjoyed by patent, and could not therefore quit or resign to another, till it was legally superseded. He represented to him at the same time the fatal consequences that would attend a breach of the pacification, and the committing of hostilities against the town; which could not fail of raising an insurrection within the county, making it the seat of war, and drawing down upon it all the forces of the rebels in Thomond, Mayo, and other adjoining counties, which he was in no condition to oppose. Lord Forbes had brought along with him the famous Hugh Peters for his chaplain, and was much governed by his advice. Hence no moderate counsels would please him; he landed his men on the west side of Galway, took possession of St. Mary's church, planted two pieces of ordnance against the town, and burnt all the villages near it, by which the lord Clanrickard suffered more than any body else. Lord Ranelagh president of Connaught had directions to give what assistance he could to the earl of Clanrickard in any occasion; and came on this occasion to persuade lord Forbes to withdraw his forces, and to leave the town and county in quiet. He was by this time in a better disposition to

hear advice on that subject, having found that his battery had done little mischief to the town, and that he was not able to take the place; his men too, who had no pay, did not like the service, and were impatient to return home.

320 But whatever inclination he had to break the pacification, and to raise disturbances in that county, he was in no disposition to do any real service towards suppressing the rebels in another. The lord president proposed to him to remove with his fleet and forces to the bay of Sligo, which was but a short passage, an excellent harbour, a town easy to be gained as well as to be strongly fortified, and a place the fittest for a magazine of any in those parts. He pressed the attempt, as what, if it succeeded, would conduce the most of any thing to a speedy settlement of the whole province; and the pacification being preserved, and a good agreement restored between the fort, the town, and county of Galway, the lord Clanrickard would be able to supply his fleet and army with provisions, and countenance his proceedings by drawing down some forces to the borders of the counties of Mayo and Roscommon. Lord Forbes declined this expedition; and being unable to execute his designs against Galway, he quitted the bay on Sept. 4, after having defaced St. Mary's church, dug up the graves, and burnt the coffins and bones of those that lay there buried; a senseless kind of fury, fit only to make his own memory detested, and afford occasion for seditious spirits to inflame the people. He left a pinnace behind him, which soon after took a Galway merchant ship worth six thousand pounds, as she came into the bay, and made her a prize. Lord Forbes took another as rich in the river of Limerick, whither he bent his course, and landing his men took the castle of Glin, the ancient seat of Thomas Fitzgerald, commonly known by the name of the Knight of the Valley, a gentleman who had always assisted the English, and never had appeared in the rebellion. Other officers

often plundered all promiscuously, but this commander seems to have picked out such as continued in their duty to be the objects of his fury and avarice. It was indeed no impolitic course, if his view was to make the rebellion universal; since a distinction of persons was certainly necessary to shew that an utter extirpation (which was the tabletalk of the puritan party) was not really intended. Lord Clanrickard, as soon as he was rid of this troublesome visitant, supplied the fort with three months' provision, at the rate of twelve beeves and forty sheep a<sup>348</sup> week, which he had engaged the country to contribute, and in which lord Clannorris (whose resentment for the hanging of his sergeant had transported him so far as to make him retaliate the affront on some of captain Willoughby's men, whom he caught preying in the country, and hanged) gave him his assistance. He continued the like supplies from time to time, and notwithstanding the difficulties with which he was surrounded, preserved the county of Galway in its duty, till the end of the year, without the least succour of any sort from any quarter whatever.

<sup>321</sup> Mention hath been already made of the affairs of Ulster, till the time of Owen O'Neile's landing in the middle of July with one hundred officers and old soldiers, and a supply of arms and ammunition. He was a man of great experience and consummate skill in military affairs; quick in spying and diligent in improving any advantage offered him by his enemy, and infinitely careful to give the enemy no advantage over himself. He was rather too circumspect in this last point, abhorring so much to leave any thing to chance, that he could hardly be deemed an enterprising general; but he was excellent at protracting a war, and carrying on a defensive one; and considered in all respects, he was undoubtedly the best soldier of his time in Ireland<sup>i</sup>. The great reputation he had gained in

<sup>i</sup> The Nuncio's Memoirs, fol. 485, &c.

service abroad, and the seasonable supplies he brought to the northern rebels, when they were reduced to the last extremity, made them readily submit to him as their general, and put the management of the war into his hands. He had served in the imperial and Spanish armies, and passing through all military posts had rose gradually to that of a colonel, and was made governor of Arras, to defend it against the French, who, in 1640, besieged that place. He surrendered it at last upon honourable terms, yet his conduct in the defence was such as gave him a great reputation, and procured him extraordinary respect even from the enemy, so that his return into Ireland raised a jealousy in those of his own family, who aimed at the headship of it; he having some pretensions to the title of O'Neile. Con O'Neile, called the *Lame*, the undoubted head of that sept, created by Henry VIII earl of Tyrone, had two sons; the one legitimate, named John, and surnamed the *Proud*; the other illegitimate, called by the Irish *Feardoc*, by the English *Matthew*. Con prevailed with the king to create this last baron of *Dungannon*, and declared him his successor. *Feardoc* dying, and his son *Hugh* being excluded from the succession, John slighted the title of earl as being an English honour, and took on him that of O'Neile. But being killed by the followers of *Maedonnel* of the isles in a quarrel, (arising upon occasion of his keeping the latter's sister, who was at this time married to O'Donnel, and some insolent expressions, as if it were more honourable for her to be O'Neile's whore than either the sister of the one or the wife of the other,) queen Elizabeth set his sons aside, and declared *Hugh* son of *Feardoc* head of the family and earl of Tyrone. She imagined that such a favour, and the support he might promise himself from her assistance against the true heir, would have tied him to the interests of the crown, with which his own seemed to be united. But he rebelled against her, and



died afterwards at Rome, as his son did at San Fleu in Catalonia on Jan. 27, 1641, leaving no lawful issue. He left however a natural son named Hugh, to whom Philip IV king of Spain gave his father's regiment, and granted him letters of legitimation; but when on May 20, 1642, the pope's confirmation of those letters was desired, the congregation thought such legitimations, in order to create successions to persons dying intestate, a very important affair, and came to no resolution in the matter. Hugh 349 too was very inactive in his nature, and loitered in Spain during all the Irish war; not troubling himself about the succession; and leaving the disputes it would occasion to other competitors. John the Proud had sons then living, who had evidently the best pretensions; but being men of no consideration or merit, they could not assert their claim. Feardoc had left other sons, besides Hugh; but they were illegitimate. One of these had another natural son, named Art, who was father to Owen O'Neile, but had several sons elder than him, whose children were living. Owen however claimed the inheritance and the title of O'Neile, but was rivalled in that pretension by sir Phelim O'Neile, who was descended legitimately from another Owen O'Neile, grandfather by the father's side to Con the Lame. Such was the descent of these candidates, and whatever advantage sir Phelim had in point of legitimacy, Owen was much superior in point of merit. He was a man of a clear head and good judgment, sober, moderate, silent, excellent in disguising his sentiments, and well versed in the arts and intrigues of courts; in all which respects, as well as in military virtues, his rival was very defective. Sir Phelim was forced to drop the title he had assumed, and having been unfortunate in all his conduct, the Ulster gentlemen, in a meeting at Kinard, unanimously chose Owen their commander-in-chief; but neither of them were declared *the O'Neile*, the defect of merit in the one, and of birth in the other, preventing

a decision of that dispute. Owen affected always to shew a deference to his rival, but was troubled all his life by the emulation of sir Phelim and his other relations.

322 The <sup>k</sup>first thing that the new general did was to express his abhorrence of the cruelties that had been committed upon the English, and to send the few prisoners that were left of them safe to Dundalk. He told sir Phelim that he deserved to be treated in the same cruel manner; in detestation of their actions, he burnt some of the murderers' houses at Kinnard; and said, with a warmth unusual to him, that he would join with the English, rather than not burn the rest. He next applied himself to discipline his forces, and to provide Charlemont for a siege; which was soon expected. Alexander Lesly, earl of Levin, landed on the 4th of August, attended with a body of troops, which made the Scotch forces in Ulster amount to ten thousand foot. He had the supreme ordering of the war in those parts, and had an army equal to the greatest undertaking, there being then twenty thousand foot and one thousand horse and dragoons under his direction; but he did nothing that deserves notice. He <sup>l</sup>passed over the lower Bann into the county of Derry, and thence advancing into Tyrone, wrote a letter to Owen O'Neile, telling him he was sorry that a man of his reputation and experience abroad should come to Ireland for the maintaining of so bad a cause, and advising him to return to his former service. Owen, in his answer, replied, that he had more reason to come to relieve the deplorable state of his country, than the other had to march in the head of an army into England against his king, to force his majesty to grant unreasonable conditions to him and his countrymen, at a time when they were already masters of all Scotland. Lesly, during the short stay he made in Tyrone, attempted no-

<sup>k</sup> Deposition of Elizabeth wife of captain Price of Ardmagh.

<sup>l</sup> Owen O'Neile's Journal.

thing; but retiring back to the Claneboyes, he delivered the forces to Monroe, telling him that he would certainly be worsted if O'Neile once got an army together. He would not stay himself to prevent that mischief, but went away for Scotland. <sup>m</sup>Before he went, he refused to let the clerk of the store at Carrickfergus send to the lords justices the powder, match, and other stores, which they had there before his arrival, though they had ex-<sup>350</sup>pressly ordered them to be sent to Dublin, and were under the greatest distress for want thereof, the Irish confidently gave out that they had no hostilities to fear from the Scots; and Monroe made no attempt upon the enemy till the spring following, thereby allowing O'Neile time enough to form his forces to his mind.

<sup>323</sup> During all that inactive time, the Scotch forces in Ulster were very ill paid and supplied by the parliament of England, <sup>n</sup>Mr. Primrose, after three months' continual solicitation, complaining, on Dec. 24, that he could not get from them forty thousand pounds of the brotherly assistance long since, (?) and that the Scotch forces in Ulster were in a desperate condition, occasioned by the want of their pay and all provision of victuals for full five months past; and the other forces in that province were shamefully neglected, and could not do any thing of themselves by reason of their want of all necessaries for war. Lord Conway's and sir J. Clotworthy's regiments had been raised by the directions of parliament, and the officers appointed with their approbation, and one thousand pounds had been remitted for the relief of these. But as for the regiments of colonel Chichester, sir Arthur Tyringham, the lords Claneboy and Ardes, colonel Hill, sir W. and sir Robert Stewart, sir Ralph Gore, sir William Cole, the companies of captain Dudley and Thomas Phillips, and those of Derry and Colerain, amounting to

<sup>m</sup> Mr. Ter. Coghlan's letter to lord Clanrickard, Sept. 6, and the lords justices to the Irish commons, Sept. 29, 1642.      <sup>n</sup> D. 83, 84.

above thirteen thousand men, which had been raised by the king's commission, upon the first breaking out of the rebellion, without waiting till the parliament had named the officers, they were left to shift for themselves. They had borne the brunt of the war in all the extremities of the winter season; their services and sufferings had been eminently great; °yet they were left out of the establishment for Ireland, and six months after they had been raised, and maintained, and in a great part armed, (for the king had sent them some arms from Scotland,) at the expense of their officers, who were all gentlemen of the country, and had exhausted all their fortunes in that service, the lords justices were forced to solicit hard that some provision might be made for their pay, and that some supplies might be sent for their subsistence; they being reduced to such misery by the want of money, clothes, ammunition, and victuals, that it was a wonder how they kept from disbanding<sup>p</sup>. The state repeated their solicitations from time to time; the parliament at last ordered that they should be allowed pay from July 1, 1642, but sent no relief to those distressed troops, till, on Oct. 5, they ordered a supply to the value of fourteen thousand pounds in money, ammunition, and provisions to be sent to Carrickfergus, to be applied for the use of eight of those regiments, and of nine <sup>q</sup>troops of horse; but it does not appear that this supply was ever sent; and it is certain from lord Montgomery's <sup>r</sup>letters of Nov. 4 and Jan. 5, 1642, that it was not then received, and that those forces were then in the greatest distress imaginable, so that above a year passed without the least supply of any sort whatever being sent for the relief of those other regiments.

° Letters of the lords justices to the lord lieutenant, April 4, 1642.

<sup>p</sup> Ibid. June 7. and July 8. and Sept. 1. Oct. 28.

<sup>q</sup> Lords justices' letter to the Irish commissioners, Jan. 20, 1642-3.

<sup>r</sup> D. 126 and 163.

324 As to Leinster, of which the state itself had the care, and from whence the province of Connaught was to be supplied, I have already mentioned the difficulties which hindered the service, and the miserable condition of the army there in the month of June, when sir M. Ernle's and three other regiments came over. This was so far from being a relief equal to their necessities, that they pressed at that <sup>s</sup>very time the sending over of five thousand foot more, which were then raising in England under lord Wharton, and two thousand men for recruit-35<sup>t</sup>ing of the forces already in Ireland. <sup>u</sup>They represented these supplies as absolutely necessary to enable them to take the field, and reduce Wexford and Ross; which could not be besieged without an army of at least five thousand foot and one thousand horse. This service they apprehended to be the more necessary, because the rebels daily expected great supplies of men, arms, and ammunition to arrive at those places. To intercept such a reinforcement to the enemy, they desired two ships of force might lie at the mouth of the river of Wexford; but instead of sending such orders, captain Kettleby, who had been sent by order of parliament with some frigates to lie off the coast of Ireland, sailed back (notwithstanding all the entreaties of the lords justices) at this time for England, and left an open passage for the ships that brought succours to the rebels; many of which came from foreign countries, especially France, and one from Dunkirk of such force, that it was too strong for the state-pinnaces, and made the rebels masters of the Irish sea.

325 <sup>u</sup>There were no pieces of battery in the store of Dublin, so that two whole cannons were desired, being very necessary to beat down castles and walled towns, which was very slowly and with a vast expense of powder

<sup>s</sup> Lords justices' letter to the Irish commissioners, June 7.

<sup>t</sup> Ibid. July 8.

<sup>u</sup> Ibid. July 8. Sept 1 and 13.

done by culverins, the only ordnance that the magazine afforded. Powder and match were not to be got in Ireland, and the stock of these was brought so near to an end, that if supplies did not arrive speedily, the state must unavoidably, within a few days, sit down as not able, for want thereof, to move towards the least defence against their numerous enemies. They had from the breaking out of the rebellion received from England not an hundred barrels of powder, and but six ton and an half of match, yet (as if it was intended that the forces should be incapacitated to act against the rebels) no quantity of either was sent till the latter end of October, when the season of action for the year was past<sup>x</sup>. The soldiers had long suffered exceedingly for want of clothes; at last, in the beginning of July, three thousand coats were sent over ready made; but the cloth was bad; the coats were too short and scanty, and without any linings. There were no doublets or breeches sent with them, so that the soldiers were very unwilling to receive them, and those who did receive them murmured exceedingly that they were no better clad. All the shoes that had been sent were four thousand three hundred and seventy-eight pair, a proportion, like that of the coats, much too little for the number of the forces who were still in miserable want of both.

326 Upon the last money which came over, the soldiers had been paid a shilling a week to buy drink to their meat, but now that was entirely spent; and both officers and soldiers began to think that they should have no pay at all, which caused such a sense of their sufferings, and such a despair of being relieved from them, that they were ready to break out into a general mutiny, from which the state had hitherto been preserved contrary to their expectation. The officers, who had brought a little

<sup>x</sup> Lords justices' letter to the Irish commissioners, July 8.

money with them out of England, had long since spent all they had, and having no pay, were reduced to very great extremities, which in many of them produced great discontents, and some had in plain terms desired at the board to be discharged, since there was no money to pay them; so that there was reason to fear that many of them, as well as of the common soldiers, would, notwithstanding all endeavours to prevent them, find means under disguise, or some other way, to steal off for England. The soldiers had indeed been helped in some degree by plunder, whilst there was any to be had, but the officers had been neither paid nor supplied in any other way, so that they were the greater sufferers, and having sold by degrees their clothes and all that they had to keep them alive, were at last brought to so lamentable a condition, that it was a grief and shame to behold, when their frequent cries and lamentations, after much long-suffering and patience, brought them no return of comfort from the state, but joining in grief with them, and admonitions to continue in them those hopes under which they had long languished, and many of them had already perished. <sup>y</sup>These fair persuasions and encouragements could not raise in either officers or soldiers so much as an hope that they should be ever paid; so that through despair and hardships they fell daily sick in great numbers.

327 As the foot were through their wants, especially of shoes, disabled for service; so the strength of horse was much diminished, the troopers not having so much money or credit as therewith to shoe an horse, to buy a girt or crupper, or to repair their arms or any thing else, how mean soever, worn out or lost in the service. Hence many of their arms were not fixed, and generally unfit for use, abundance of their horses were lost, and could

<sup>y</sup> Lords justices' letter to the Irish commissioners, July 20.

not be supplied in Ireland, so that the men were forced to serve on poor weak jades altogether unserviceable<sup>z</sup>." The house of commons indeed in August sent over twenty-three thousand pounds, and as it was a very small sum in respect of what was due to the Leinster forces, they directed it to be employed to the best advantage, and distributed as far as it would go among the common soldiers, and officers beneath the rank of a captain, hoping that the superior commanders would not interpret their order as any disrespect to them, or intent to delay their payment longer than they needs must; for a further sum should be forthwith sent. This was immediately distributed to the army, yet went but a very little way to relieve their wants and extremities, or to stop their cries and complaints against the state, who still wanted money to bury even the dead commanders with decency. <sup>a</sup>No supply was yet come for any of their other wants, yet the parliament commissioners moved them to send a powerful body of men to the relief of Munster. The lords justices easily shewed their utter inability for such a service, and renewed their earnest request for a further supply of the seven thousand foot above mentioned, and four hundred horse for Leinster; but not a man of these was ever sent.

<sup>328</sup> <sup>b</sup>About the middle of September, six thousand suits of apparel, with as many caps for the soldiers, arrived at Dublin, and occasioned the same complaints from the officers and soldiers as the coats before had done. For the cloth was very bad, the suits ill and slightly made, the cassocks not lined, and the caps so little that they were useless to the soldiers, such of them as were brought to the council-board being so little that they would hardly

<sup>z</sup> The speaker's letter to the lords justices, Aug. 4, and the lords justices' to the Irish commissioners, Sept. 1.

<sup>a</sup> Letter of lords justices to the Irish commissioners, Sept. 13.

<sup>b</sup> *Ibid.* Sept. 23.



come on the head of a child. The lords justices had, ever since the 12th of February before, solicited in the most pressing terms for a supply of engineers, arms, and ammunition; yet none was sent till the latter end of October, when the parliament, having given over all hopes of gaining the marquis of Ormond to their side, sent over Robert Reynolds and Robert Goodwin, two members of the house of commons, to act as a committee at Dublin, to direct the lords justices in their measures, and to use their endeavours to seduce the Leinster army, which was all that they wanted, to make themselves as sure of Ireland as they were already of Scotland. These gentlemen arrived at Dublin on Saturday, Oct. 29<sup>e</sup>, with twenty thousand pounds in money, and some powder and match; a supply fit only for their present relief, but vastly be- 353  
low what the necessities of the army and kingdom required. Small as it was, and short of the expectations of the state, they were told at the same time by the committee that they were not to expect any further supplies in haste. It may not therefore be improper in this place, after having recounted all the supplies that arrived in Ireland in the first year of the war, pursuant to the orders of the parliament, who would not allow his majesty to intermeddle, and took upon themselves to quell the rebellion, to consider what they amounted to in the whole. It must be observed, that those<sup>d</sup> whom the house of commons intrusted to send the munitions and provisions to Dublin, neither transmitted along with them docketts of the particulars, that the lords justices might be assured of their having received all that were sent, nor any account of the rates, that they might know how to issue them, nor any notes of the quantities thereof; a neglect so ordinary in the practice of those persons, and so contrary to common usage in the like cases, that it must be

<sup>c</sup> Letter of the lords justices to the Irish commissioners, Nov. 3, and Jan. 20, 1642.

<sup>d</sup> *Ibid.* Sept. 23.

premeditatedly done, by their own artifice, or by the secret instructions of others, to conceal some embezzlement of those munitions, or to cover the deficiency of those supplies, in comparison of what appeared with an artful pomp in the votes of the house, and the misapplication thereof to other purposes in England. It is the less material to ascertain the precise quantities of these things, because we know that they were very small, and that all the ammunition that was sent, and all the arms wherewith the soldiers transported into Ireland were provided, (for no other were sent,) were taken out of the king's stores, and bought with money out of his private purse. The fund too, upon the credit whereof the sums contributed by the adventurers for the service of Ireland were raised, and out of which the money advanced by the companies of London was discharged, being the forfeited lands of the rebels, was as much the king's own as his houses, parks, castles, and the demesnes of the crown; though the parliament, assuming the receipt and disbursement of that money into their own hands, thereby got a pretence to arrogate likewise the merit thereof to themselves. A million was to be raised by the adventurers' act: and what part of that money was actually remitted to Ireland is very easy to be ascertained. There was a sum of 16,590*l.* sent in December, 1641, and so much in the April following<sup>e</sup> as made it up 37,000*l.*; <sup>f</sup>11,500*l.* in June, <sup>g</sup>23,000*l.* in August, and <sup>h</sup>20,000*l.* brought, Oct. 29, by Reynolds and Goodwin; which, with 16,000*l.* sent to Munster, 1000*l.* to Carrickfergus for lord Conway's and sir J. Clotworthy's regiments, were all the sums remitted by the parliament for above a year into Ireland for the pay and support of the army, and relief

<sup>e</sup> Letter of lords justices to secretary Nicholas, Apr. 23, 1642.

<sup>f</sup> Letter of lords justices to the lord lieutenant, June 7.

<sup>g</sup> Letter of lords justices to the Irish commissioners, Sept. 1, and letter of the speaker, Aug. 4.      <sup>h</sup> Letter of lords justices, Nov. 3.

of the protestants of that kingdom, and amounted in the whole to 108,500*l.* The <sup>i</sup>army in Ireland was upon the list above 34,000*l.* men in pay, besides the ten thousand Scots. <sup>k</sup>Mr. Pym reported to the house of commons, on Nov. 12, 1641, that the pay of a regiment of one thousand foot, with their officers, for a year, was estimated at 19,201*l.*, that of a regiment of six hundred horse at 37,310*l.*, and that of field officers at 19,541*l.* 8*s.* 2*d.*

329 Whoever considers the vast disproportion between the sum remitted, and what was requisite for the pay of the troops, and for the occasions of the service; the slowness of sending these supplies in the dismal distresses of the state and army; and the driblets in which they were sent, so unequal to those distresses, and of so little use to remove them, will scarce bring himself to think that the parliament were in any haste to suppress a rebellion which they found so necessary and serviceable for their purposes. It served them for a pretence to throw vile 354 aspersions on the king, and bereave him of the affections of his people; it enabled them to strip his majesty of the greatest part of his power, and gave the finishing blow to his reputation, which if a prince once loseth, he hath nothing else to lose; it served to justify all the groundless jealousies which they pretended to entertain of the king and his counsellors, and to make all the shamplots, with which they gulled the nation, to be readily swallowed by the unthinking multitude, who were thereby engaged in their cause. It served them to drain some of the king's magazines of arms and ammunition, and to get the rest into their own power. It made all officers, who had served in war, dependent upon them for promotion, and enabled them to prefer such as were their creatures and devoted to their measures. It was improved by them so as to put a good part of Ireland into the hands of their

<sup>i</sup> Letter of lords justices, Sept. 13.

<sup>k</sup> Journal of the House of Commons.

trusty brethren the Scots, and thereby render that kingdom useless to his majesty. In a word, by furnishing them with a pretence, and by empowering them to raise an army in England, and to get a fund of money into their hands for the payment thereof, whilst his majesty was destitute of both, it absolutely ruined the king's affairs, and established theirs on a footing too strong to be shaken. Thus upon the affair of Hull, they, on April 21, 1642, gave commission to the earls of Northumberland and Pembroke, sir Robert Harley, Denzil Hollis, and others, to raise ten thousand men in England, under colour of the service of Ireland, though it was not intended that a man of them should go thither. Thus, under pretence of the same service, they raised a brigade of five thousand foot and five hundred horse, under the command of Philip lord Wharton, styled colonel general, and such a set of officers as (excepting the captains of horse and colonels of foot) were men of no families, and could only propose to raise a fortune to themselves by the confusion and distractions of their country. Thus, by an order in the beginning of August, they seized at once upon one hundred thousand pounds of the adventurers' money, which had been raised and appropriated solely for the service of Ireland, and applied it to the payment of the army, which they had raised to make war upon the king, and caused at that time to advance under the command of the earl of Essex towards the parts where his majesty had retired for the safety of his person. Without this, the parliament could never have executed their illegal ordinances about the militia, nor have found persons to support their commissions of array; there being in people a natural veneration of the law, and dread of the penalties of high treason. But as the case stood, in consequence of the parliament's having the management of the Irish, nobody was obliged to declare themselves openly on their side, and so incur the pains

of the law, till they saw an army in the field sufficient to assure them of indemnity, and the parliament possessed of a power that was able to oppress the king and over-rule the law at their pleasure.

330 The king had come to the crown in very unhappy circumstances. Henry VII, by empowering the great lords to alienate the estates of their families, had laid the foundation of a great change in the constitution of England, the balance of which inclined afterwards to the side of the commons, who were as fond of reducing the prerogative of the crown, as the lords had before been zealous to oppose the abuses thereof. This change would have been more slow and gradual, if Henry VIII, by suppressing religious houses, and distributing the immense quantity of abbey lands to a multitude of purchasers, had not made on a sudden a mighty addition to the weight of the commons. Queen Elizabeth, a princess of great wisdom and spirit, equally jealous of the rights of her crown, and tender of the welfare of her subjects, preserved the prerogative very well to the end of her reign, by never suffering it to be touched upon, or to come into debate in the house of commons, where some 355 of the puritan party shewed themselves willing enough to encroach upon it, if she had not checked the presumption of their first attempts by immediate imprisonment and other marks of her displeasure, which would not have been borne in any reign since her time. King James, conceited of his own wisdom, and fond of displaying his learning and eloquence in long speeches, took a different method from his predecessor, and talked himself out of the prerogative. He fancied that he could reason his parliaments into an allowance of it, not considering that they might naturally have as good an opinion of their own wisdom as he had of his, and that the very debate of a matter in an assembly of men, whose rule of acting is founded upon precedents, gives them a right to

dispute it for ever. Those princes who understand the prerogative best will certainly use it least; it is a thing of a very tender nature, and not to be exercised but in cases of the greatest importance, and most urgent necessity. King James had exercised it upon every trifling and odious occasion; he had created more monopolies than all the princes that had reigned before him, and in many instances to the great oppression or discontent of the people; and yet in a season when the complaints against the abuses of it were most loud and clamorous, he vainly attempted to convince his great council of the expediency of an unlimited power, which they would scarce bear to hear of in times when it should be exercised best. If he mistook in the instances of exerting, or in the method of maintaining his prerogative, he was guilty of as great an error in laying aside the forms of majesty and the ceremonial of a court. The exterior appearance is necessary to preserve the inward sentiment of respect in the minds of people, and however troublesome the ceremonial may be, if it is not kept up, princes will find it a difficult matter to support their dignity. The kings of England had been ever treated with more ceremony than any other princes in Europe, and queen Elizabeth took care to have this kept up to the height, insomuch, that though few princes conferred oftener with their ministers upon business than she did, yet they never talked to her on that subject but upon their knees. King James, coming from a country where they used to make very free with their kings, did not care for the trouble of ceremony, to which he had not been reconciled by custom; and laid aside the state and forms of a court, to consult his own ease, and to allow all the world promiscuously the pleasure of hearing the learning which flowed from his mouth. His predecessor (for whom he refused to go into mourning) had not been dead six months before he had squandered away the great treasure which

she left behind her, and had established to himself such a reputation for profuseness, that the city of London refused to lend him two hundred thousand pounds which he would fain have borrowed. No experience could make him wiser, or more cautious of falling into that contempt which is the natural consequence of a prince's indigence: no aids of his people could make him richer, the money being squandered away continually in largesses upon his favourites and countrymen: he was ever craving, ever lavish, and ever necessitous. He died, leaving a wasted patrimony, a discontented nation, and an expensive war for his son to inherit and manage.

331 Had king Charles immediately succeeded queen Elizabeth, his reign had been more happy to the nation, and less uneasy to himself, than it proved in the event; but he was not fit to struggle with the difficulties in which his father left him involved. He was the worthiest person, the best man in all relations of life, and the best Christian that the age produced; but he did not know men, or did not consider them enough to think it worth his while, or consistent with his dignity, to gain them by the ordinary methods used for that purpose. He had very high notions of the majesty and rights of princes, and thought the distance between them and subjects so vastly great, that he would not condescend to humour<sup>356</sup> his parliaments, and could so ill brook any contradiction from them, that as soon as they entered upon any measures disagreeable to his inclinations, or less respectful than became them to his authority, he chose to part with them abruptly in anger, rather than try to bring them to a better and more complaisant temper by the arts of persuasion and management. He was truly zealous for the honour of the nation and the good of his subjects, an excellent economist, and had no expensive vice to maintain. His first wants arose from the expenses of a war which had been undertaken by the advice of parlia-

ment, and upon assurance of their supporting it, and what aids should be granted were sure to be employed for the honour of the crown and the benefit of his people, in which cases he imagined it below him to court them for what they were obliged in duty to grant. He was so great a lover of justice, that he would not have done a wrong to any one to have made himself monarch of the universe: but he thought he had as good a right in every part of his prerogative as he had in those chief rents, aids, and services, which his subjects were by ancient tenure obliged to pay him out of their estates; and therefore when his parliaments refused to relieve his necessities and those of his kingdoms, he, in order to provide for both, had recourse to methods of raising money which had been frequently taken by his predecessors in former times, but which seemed new and extraordinary by having been long disused, and were generally distasteful by being attended with the circumstance of an oppressive execution in some instances, and of a grating compulsion in all. In the most beneficial to himself of any of these methods, the least oppressive, and yet the most offensive to his subjects, because it affected all in general, he was so careful of exceeding the law, that he would not proceed in it till the judges had pronounced it to be legal.

332 He certainly loved state too well, and carried it to too great an height; he thought his father, by admitting all persons without distinction into the drawing room, had destroyed all the state, and even the decorum of the court. To restore these, which he deemed necessary to keep up the dignity of a prince, and command the veneration of subjects, he caused different rooms in the palace to be allotted to the different orders of nobility, so that none of an inferior rank were allowed to enter into those which had been allotted to persons of a superior quality. Orders were accordingly hung up in every room, forbidding all persons below a certain quality to enter there,



and continued still hanging in those rooms till the revolution, when they were taken away. These orders gave great offence to all persons that were thereby excluded from court, or restrained in the exercise of that liberty of access which had been indulged them in the former reign. Disorders are never corrected nor discipline restored in a moment, and abundance of examples were made, some denied admittance, and others turned out to their great confusion, before the orders were generally observed. Nothing grates so hard upon men, as what shocks the pride of their heart, the ever active and strongest passion of their nature, and an infinite number of considerable persons were disobliged by these orders, and exasperated by the treatment which a breach of them occasioned. It may not be amiss to mention one instance, by which it will appear how rigorous an observance was exacted to these orders, and easy to imagine what might be the consequence of such rigour. Sir Henry Vane the younger coming into one of the rooms assigned to peers and privy-counsellors, was surprised, whilst he was in discourse, with the news of the king's coming, and this so suddenly, that he had not time to get out of the room. There was in it what was called in those days a livery cupboard, on which was generally placed some valuable utensil or statue, and there hung from the top to the bottom a large carpet or hanging, which covered it. Sir 357 Henry in his surprise got behind the carpet; but the king seeing it bulge out, or observing something to stir behind it, poked him out with his cane. When he saw sir H. Vane, he was very angry, held his cane over him, and (as some said) struck him with it: an outrage which that gentleman never forgave.

333 The king had none of those winning graces of behaviour which attract the hearts of those who have access to their persons; he knew not how to soften the mortification of a denial to petitioners, but refused in a short

and rough manner. He was stiff and formal, and received people with such an air of coldness, that it looked like contempt; and yet it seems to be only an ill habit, contracted by some means or other, because he was every whit as ungracious, even in conferring favours upon those whom he loved best, and intended most to oblige. Of this the manner of his presenting the queen a fine diamond on her birthday is a remarkable instance. When a prince is so unhappy in his manner as to give offence when he means to bestow the greatest favours, it is easy to imagine how harsh his refusal must be, when he intended to shew his dislike, or express his displeasure. Few princes, with all the vices in nature in their composition, have ever created to themselves so many personal enemies as king Charles, with all the virtues of a man and all the graces of a Christian, raised to himself through the coldness of his reception of persons, and the harshness of his behaviour to them on particular occasions. The two men who contributed the most to his ruin, he who began the troubles of these kingdoms and he that gave the finishing blow to the king's affairs in England, were both disoblged in this manner, and vowed revenge. Alexander Lesly has been already mentioned. The other was sir Thomas Fairfax, a man of great courage and military skill, eminent by his quality and interest in his country, of great honour, but full as great resentment. He had, attended by several other gentlemen, presented to the king at York a petition in the name of the gentry of that country, full of complaints against the earl of Strafford, and representing the grievances which they suffered from the presidential court established in the 31 Henry VIII, with a jurisdiction over the four northern counties of this kingdom. Sir Thomas was on his knees when he presented the petition to the king, who being on horseback, and not liking the matter of it, turned off so angrily and suddenly, that his horse had like to have

trampled that gentleman under foot, and, notwithstanding all he could do to save himself, he did not escape being hurt.

334 Personal affronts are never forgiven by men of spirit. Gentlemen when they receive what may be so interpreted from their equals or inferiors, do often in a good humour consider the temper of the person who offers them, and make great allowances for the roughness of his nature, or the unpoliteness of his manners, which being only the effect of a careless unthinking habit, and used indifferently to all persons, gives them grounds to imagine, that the offensive action or word was not intended as a personal outrage or indignity to them in particular. But the pride of their heart always hinders them from allowing the same excuses in case of affronts from superiors, and least of all from kings, who standing in the highest degree of superiority above them, and whose actions being all public, and taken notice of by all the world, every slight from them is ever aggravated to the height, and raiseth the most furious resentments. Such affronts will always be universally condemned as a gross error in a prince's conduct, for nobody is so inconsiderable in the world but he hath still a power to do mischief; yet they are not apt to raise violent resentments in those who do not feel them, or are not the immediate sufferers. It was necessary for such gentlemen, however numerous and considerable they were, to consider, before they attempted to execute their revenge, how they might engage a body<sup>358</sup> of men in their interest, who might be able to support them in their measures, and afford them a rational prospect of success. They were at no loss on this occasion for a party of men fit for their purpose; one readily offered itself, and there was no room for choice in the case.

335 There had appeared in the beginning of queen Elizabeth's reign an arrogant set of men called puritans, who took upon them to dislike the constitution, government,

and worship of the church of England, and pretended to make a purer and more perfect reformation from the errors of the church of Rome. They professed an utter aversion to almost every thing that was taught or practised by the papists, and formed their own principles and actions upon the rule of opposition to the others; by which means they ran into a contrary extreme, and wanting learning, judgment, and perhaps temper, to distinguish the nature, and see into the original of things, they were for extirpating rather than pruning the tree, and rejected several doctrines and usages which were evidently primitive and Christian, purely because the Romanists had grafted various errors upon them. Some warm, half-learned, and injudicious divines were at the head of this sect. They flying from queen Mary's persecution, had lived all her reign in exile at Franckfort, and had there sucked in a mighty veneration for the person of Calvin, and took a violent fancy for the form of government and worship which he had settled at Geneva, a neighbouring city, which had made a reformation in all the disorders which attend a revolt from their prince, and such as in their situation seems to be as much the effect of human policy as of religion. These men, eminent for their sufferings, and venerable by an outward sanctity and austerity of life, which is too often attended with pride, gave a reputation to the cause, and laboured to introduce the Geneva liturgy into England, where it was generally used in their assemblies for the first seven years after their rise. The papists hoping to make an advantage by dividing the church of England, and by having their corrupt additions confounded with the pure and genuine doctrines of Christianity, (which furnished them with a plausible means of defence,) sent over their emissaries to encourage this separation, and to introduce extemporary prayers as a purer way of worship than the best composed and most edifying form could possibly be. These emis-

saries, declaiming loudly against popery, were not suspected of any design to promote it, and brought over great numbers of proselytes to their extemporary way, and thereby increased the party of separatists. They universally entertained Calvin's principles with regard to government, and these joining with the heat of their natural temper, disposed them to be clamorous, turbulent, and seditious. Scotland, in the distractions of that kingdom under the four regents, was entirely overrun by them, and notwithstanding the endeavours used in a long series of more quiet times to keep them under, they still had a vast power over the multitude, and were capable of raising dangerous commotions. They thrived much in England for near thirty years of queen Elizabeth's reign, under the protection of her great favourite Robert Dudley earl of Leicester, who, not troubled with much religion, encouraged them out of policy, that he might have a powerful body of men attached to him, and ready to join in executing the schemes which he had formed for the succession to the crown in case of the death of that queen. His sister Catherine was married to Henry Hastings earl of Huntingdon, who by his mother Catherine Pole great-granddaughter to Margaret countess of Salisbury, was next heir to George duke of Clarence, brother to king Edward IV. This relation of his brother-in-law to the crown, the earl of Leicester thought a pretension sufficient to exclude the Scots succession, which, as the old animosity between the two nations still subsisted, was so far from being acceptable to the English, 359 that, even in the latter days of the queen, if (as the Comte de Beaumont, then ambassador here, observes) there had been one great, enterprising and popular man in England at that time, he might easily have defeated it. With this view he got the earl of Huntingdon made president of the court in the north, and lord lieutenant of the counties of York, Westmoreland, Cumberland, Northum-

berland, and the bishopric of Durham, that he might form an interest, and be master of a power in those parts, to repress the first attempts and invasion that might be made from Scotland. With this view he courted and supported the puritans, and engaged the earl of Huntingdon, otherwise a sober regular man, and given to no vice, in those vast expenses by his hospitality and benefactions to all of that stamp, which forced him to sell ninety-four of the finest manors in the west of England, and almost ruined the estate of the family. Both these noblemen dying before the queen, the Scots succession took place without opposition, and king James in the beginning of his reign keeping a strict hand over the puritans, had much lessened their numbers, and (what was full as considerable) had destroyed their confidence in their own strength. The palatine match raised their hopes, and they did not scruple (as <sup>1</sup>Dr. Heylin assures us) to declare their expectations of being supported by the favour and interest of that court, and their desires to have some of that branch of the royal family seated on the throne. King James, who gave more attention to a scholastic disputation in the Sorbonne and in the foreign universities, than he shewed concern for the fate of Europe, could not forbear intermeddling in those disputes, in what country soever they happened. The Quinquarticular controversy (as it was called) was then on foot; the most senseless and trifling of any that ever divided the world and distracted mankind, and which, though it turned only upon some scholastic niceties and distinctions in the doctrines of grace, predestination, and justification, was carried on with such extravagant heats, as could scarce be justified, and are seldom used in others, where even the substance of religion is concerned. A synod was called at Dort in Holland upon this subject; the king sent his agents thither, and a solemn determination was made in the disputed

<sup>1</sup> Cyprianus Anglicus, p. 198.

points. This determination, as being the work of cabals and party interest, rather than the result of a free debate, was opposed and remonstrated against by Grotius, Arminius, and other learned men abroad. King James was at first for supporting the decisions of the synod, and very zealous in encouraging such as declared themselves of the same sentiments. He afterwards changed his mind, but the Dort doctrines had got to such an head, and were espoused with so much warmth, that the peace of his kingdom was thereby endangered. Every different sentiment was branded with the hard name of Arminianism; and though the papists differed as much among themselves in these points as the protestants did in Holland, every Arminian tenet was charged with being popish; a calumny invented to render those doctrines odious, and make them be condemned without examination. Hence the puritans received a vast accession of strength to their party, by the junction of those persons who agreed with them in zeal for the Dort doctrines, in a like aversion to popery, and in the same mean practice of prejudicing the world against their opponents by calumniating them as papists. King Charles, who had an excellent judgment in matters of reasoning and controversy, endeavoured to stop the propagation of those doctrines, and discountenanced all that maintained them. He was very serious in point of religion, a punctual observer and a strict promoter of decency in divine worship, and desired nothing more than to unite his three kingdoms in one edifying<sup>360</sup> form of public devotions. He thought the liturgy of the church of England to be nearer the primitive standard than any upon earth, and had so good an opinion of all parts of the constitution of that church, that he liked none that separated from its communion, or did not observe its discipline. He caused these to be narrowly watched in England, and the high commission court was so severe in its prosecution and sentences against such as were

caught offending or railing against this discipline and constitution, that the humour of disaffection was forced to lurk in secret, till the success of the covenanters of Scotland emboldened those who were infected with it to declare themselves more openly. Their former restraint, and the remembrance of some late severities, made them furious, and rendered them the fittest instruments that the discontented lords and gentlemen could have had to assist them in their measures for reducing the power of the crown, and revenging themselves upon the king. They were generally illiterate, noisy, loud and vehement, much fitter to overturn than maintain a constitution, and served excellently well to that purpose, filling all places with their empty and passionate declamations, which, though they could not influence men of sense, had a wonderful effect upon the populace, and disposed them to all the violent measures which their directors pleased to recommend to them upon any occasion. Those occasions were very frequent, and the mob never failed on any to bestir themselves; and when any job was to be carried in either house of parliament by those who laboured to demolish the crown, and, for the sake of the party which adhered to them, the church also, they still came down in great numbers to threaten the members of both, and offer insults to the king himself. Hence arose those tumults which drove his majesty out of London, and forced him, for the safety of his person, to leave the city, and all the force thereof, to be ordered and modelled at the pleasure of the discontented lords and commons. As the power of that faction increased, their demands rose proportionably higher, so that it was impossible for the king to content them without giving up the most essential rights and prerogatives of royalty, which was in effect to resign his crown. In case of his refusal, they had made preparations to seize them by force, and were resolved to carry all their exorbitant de-



mands by the power of their arms, and rather than be disappointed of any of them, to involve the nation in a civil war, which, though in all probability it would have been the case at last, broke out the sooner upon the following occasion.

336 The parliament, among other invasions of the king's authority, were determined to take from him the power of the militia, and to vest it in persons of their own nomination and confidence. To secure this point at any rate, they had thought fit to seize the king's magazine in the Tower of London, and to get that fortress, Portsmouth, and other forts into their hands. Among these was Hull, a place of great consequence in Yorkshire, by reason of its strength and situation, but much more so on account of a large magazine of ammunition which the king had laid up there for the use of the army in the late expedition against the Scots, and of arms for eighteen thousand men, which had likewise been left there upon the disbanding of the English army. The king, grieved at the miserable condition of Ireland, and the strange delays used by the parliament in sending supplies thither, had resolved to go in person for the relief of his protestant subjects in that kingdom, and, on April 8, communicated this resolution to the two houses: <sup>m</sup>this message strangely discomposed them; they who thought the work of extirpation not so difficult as in truth it was, were apprehensive that the king's voyage would soon <sup>361</sup> produce a peace, and deprive them of the advantage of confiscations and forfeitures, and that he would probably in a short time recover one entire kingdom to his obedience, and be thereby enabled to preserve the peace of the other two; at least the management of the Irish war would be taken out of their hands, and they be thereby deprived of the advantage of having a nursery of soldiers

<sup>m</sup> Clarendon's History of the Rebellion, vol. ii. book v. par. 63. edit. 1849.

of their own, which they might employ as they saw occasion, and of the power of raising what money they pleased in England under that title, which they might dispose of as they found fittest for their affairs. Twenty days passed before they returned that magisterial answer which was at last resolved on, disapproving his majesty's resolution, and threatening him with terrible consequences if he proceeded in the design. The king in the mean time, to make some preparation for that expedition, to see what arms might be spared out of that magazine for the service, and what were necessary for the security of the northern parts of England, (the gentlemen of Yorkshire being much troubled at an order of the two houses for removing from thence a magazine, in which the safety of their county consisted, at a time that the parliament had alarmed them with the danger of foreign invasions, and having therefore petitioned his majesty to prevent that removal,) and likewise to get the rest of the arms and ammunition, as well as the place itself, into his own power, resolved to go in person to Hull. He sent the duke of York thither the day before, accompanied with the elector palatine, sir Lewis Dives, and other persons of honour. Sir John Hotham, a gentleman of an ancient family, master of a noble fortune in land, and rich in money, had been sent down by the parliament to secure the town and magazine, and was in the place with some forces of the militia and others, his garrison making in all about eight hundred men. He received the duke and his company with that duty and civility which became him; and indeed with so much heartiness, attended with such expressions of duty to the king, that sir L. Dives (who was a man of great resolution, and intrusted with the secret) thought it needless to take any measures for executing the orders he had received (in case the governor had appeared disaffected and indisposed to admit the king) to try to make a party

in the garrison that should open the gates to his majesty, notwithstanding any orders from their chief commander to the contrary. Sir Lewis, knowing some officers in the garrison, was verily persuaded that he could have easily executed these orders; and the behaviour of many of the soldiers, who threw down their arms when the king was before the town, demanding admittance, shews that it was a feasible enterprise. So long as the king kept his journey secret, matters went on very well, but as soon as he took horse early the next morning, (April 23,) and went from York towards Hull, the occasion of it was known. His majesty was attended with two or three hundred of his servants and gentlemen of the county; and when he came within a small distance of the town, he sent a gentleman to sir John Hotham to let him know that the king would dine with him that day<sup>n</sup>. Sir John prepared to receive him, and went to the duke of York's lodgings to communicate to him the message. Whilst he was there, a letter was brought him, which, having charge of the place, he begged leave to read, and retiring to a small distance, was observed to change colour and be much disturbed in reading it. The letter came from William Murray, groom of the king's bedchamber, who, after repeated treacheries to the best of masters, had at last a warrant to be created earl of Dysert. The purport of the letter was to acquaint sir John Hotham, as a friend, that if he valued his life he must not admit the king; for it had been resolved, in a private consultation,<sup>362</sup> that as soon as his majesty got into the place, sir John should be beheaded or hanged up on the carriage of a gun, for a terror to all that presumed to act by commission from the parliament. Sir John pretending business, immediately left the duke's lodgings: and presently after

<sup>n</sup> Memoirs of King James II, left by him to the Scotch college in Paris.

a file of musketeers was set upon them for a guard. All the garrison was put in arms, the gates shut, the bridges drawn, and the walls manned. The king coming about an hour after, found matters in this condition, every thing being in a readiness as for the reception of an enemy. Sir Lewis Dives and another, William Murray, a worthy man, and groom of the bedchamber to the duke of York, who were walked out when the guard was set on his royal highness's lodgings, hearing of this sudden alteration of affairs, went towards the rampart, resolving to throw sir John Hotham over the walls, but he seeing them at a distance sent a guard to secure them before they could come up to him. Sir John was in a terrible agony, as was visible in his looks and in the confusion of his words, distracted between the fear of his own death, and the terrible consequences of a rebellious act in keeping out the king from one of his forts, without any commission to authorize him in that act; but the immediate danger prevailed, and the king was refused admittance. Thus was sir John Hotham hurried and betrayed into a rebellion to which he was in no wise inclined, and made the unhappy instrument of beginning a civil war, to which few men were more averse. The king immediately proclaimed him traitor, and demanded justice of the parliament against him according to law. They, rejoicing in the event, justified the action; went on in raising the forces which they had two days before ordered to be levied under pretence of the service of Ireland; and when they had got a powerful army together, they ordered the earl of Essex, whom they had appointed general, to march with it in the beginning of August towards the north against his majesty. The king thereupon on the 9th of that month proclaimed that earl and all his adherents traitors; and those hostilities soon followed, which diverted the supplies of treasure, ammuni-

tion, and forces that should have been sent to Ireland, but which were now employed by the parliament to support a rebellion against their sovereign in England.

337 The nearer the parliament of England advanced to an open rupture with the king, the more did the lords justices and council of Ireland withdraw themselves from obedience to his majesty's commands, and affect delays in the execution of his orders<sup>o</sup>. When sir C. Coote went upon the expedition in which he was killed, lord Lambert, being the most eminent commander left in Dublin, had the charge of the city committed to him in the other's absence. Upon sir Charles's death he was by an order of the board (May 12) continued in the government, and applied to his majesty for a commission to confirm him in that post. The king, by a letter of June 14, approved the choice of lord Lambert, and required the lords justices to pass a patent constituting him governor of Dublin. They respite the execution of these orders, having indeed a pretence for it, because the earl of Leicester had sent over a commission, dated June 7, appointing colonel G. Moncke to be put in possession of that charge, with a salary of forty shillings a day, which though he had no power to do, (the half of that sum being all the allowance by the establishment,) it might perhaps be questioned whether the commission was thereby vitiated in the whole. But they had no such pretences in the case of lord Moore and others, in which they took upon them to hinder the performance of his majesty's commands. <sup>p</sup>His majesty could not but resent <sup>363</sup>this proceeding of theirs, and had but too much reason to complain he had been very long abused, both in England and Ireland, by servants of his own, who, as soon as they had in his service and by his favour raised to themselves a fortune, grew disaffected to his person, and

<sup>o</sup> Letter of lords justices to sir E. Nicholas, July 5.

<sup>p</sup> See Collection of Letters, No. XCIV. and CIV.

to monarchy itself. He required therefore the marquis of Ormond to name to him the persons of the council who were so forward and bold as thus to oppose the execution of his orders.

338 The particular case, upon which the marquis had sent his majesty that account, was this. Sir W. St. Leger, president of Connaught, was also sergeant-major-general of the army; an experienced officer in that post might be an useful assistant to the lieutenant general; and the president<sup>q</sup> was willing to resign a charge he could not attend, desiring only some small compensation for it in money. Sir Fr. Willoughby had, in the expeditions to the isle of Réc, served in that post with a conduct that gained him great reputation. The marquis of Ormond thought him the fittest person to fill it in the Irish army, and upon his recommendation the king<sup>r</sup>, on May 11, by his letter to the lord lieutenant, appointed sir Francis to discharge the said place as long as sir W. St. Leger was disabled from attending it. The parliament had a mind that sir Fulk Huncks should have it, and the earl of Leicester<sup>s</sup>, upon their recommendation, ordered that he should be received and admitted to the charge, that he might execute the function of sergeant-major-general, and enjoy the authority and rights belonging to his place; adding, that the parliament having given express order in that case, would not willingly consent to have any other received, especially considering his majesty had intrusted them with the management of the war. The lord lieutenant accordingly granted a commission to sir F. Huncks, as the king had done to sir F. Willoughby; the question was, which of these commissions should take place. The king had not more reason to be piqued at the disputing of his commission, than he had to be jealous of the pretence alleged to justify that dispute. He

<sup>q</sup> His letter to the earl of Ormond, March 30.

<sup>r</sup> C. 82.

<sup>s</sup> His letter to the earl of Ormond, May 27.

had not yet parted with all his royalty in Ireland; his commission was as yet necessary to distinguish faithful subjects from rebels; and sir F. Huncks<sup>t</sup> readily submitted his own commission and interest to his majesty's pleasure and engagement in favour of sir F. Willoughby. This act of duty was so pleasing to the king, that he wrote to the lieutenant general to give sir Fulk the first old troop of horse that should happen to become void in actual service, and to see that he was advanced likewise to such other place or charge either in the army or kingdom, as should be suitable and proper for him; but it was not so agreeable to the council of Ireland. Sir John Borlase lord justice, and sir Adam Loftus vice-treasurer of the kingdom, severally moved sir Fulk Huncks to stand upon his commission from the lord lieutenant. The marquis of Ormond, in obedience to his majesty's command, was obliged to name these two counsellors, but signified at the same time that there wanted not others, who equalled, if not exceeded them in affections and expressions tending to a lessening of his majesty's authority, whereof there was too frequent and manifest proof; and therefore it was his humble opinion, that as yet there should be no particular mark set upon them; and this the rather, because he undertook, when his majesty should hold it seasonable to look into the carriage of his affairs at Dublin, to furnish him with other kind of matter than this was. But yet if it was his pleasure, he was then ready to make good every tittle of what he had written.

339 The lords justices thought the marquis of Ormond's<sup>364</sup> command over the army a great obstruction to their measures, and therefore used all means in their power to distress him in that command<sup>u</sup>. They did not care he should go upon any expedition; and when he did, they

<sup>t</sup> The king's letter to the earl of Ormond, June 15.

<sup>u</sup> See Collection of Letters, No. CVII, CVIII.

took care to restrain him in the exercise of his authority, and to tie him down by particular orders, as express as ever were given to an inferior officer sent out at the head of a small party. He submitted to this usage, rather than to disserve the king by throwing up his commission, or by following his own judgment, to run the hazard of the event, which in all undertakings, especially those of war, is doubtful; it being very necessary for him, whose every word and action were observed, to have a full and authentic approbation of all he did, if he would not lay himself open to what interpretation they should be pleased to make of his actions, with whose sentiments of him, and designs against him, he was too well acquainted. He had proposed to them the siege of Wexford, a place of great consequence, where the rebels expected their foreign supplies to land, very necessary to be undertaken before those supplies arrived. He thought the taking of that town would be the greatest prejudice that could happen to the rebels, who proposed to make it another Dunkirk, and desired nothing more than to march out with the best equipage he could, and with such part of the army as could be spared from the garrison of Dublin. He pressed this expedition day by day at the council-board, where it was the subject of several debates, but was at last determined that it should be laid aside for the present, the board being of opinion <sup>x</sup>, that there was not so much ammunition to be spared out of the store at Dublin as was necessary for the work, nor men sufficient, if a competent number were left in the city, though the marquis offered to undertake the design with three thousand six hundred foot, six hundred horse, and four pieces of battery. That proposal being rejected, the lieutenant general desired that part of the army might be employed for the taking in of Teeroghan, Ballisonan, and Castle

<sup>x</sup> Letters of the lords justices, July 8, 23, Sept. 1 and 13.



Dermot, being the most considerable inland places of Leinster, and the greatest strengths, which the rebels had in those parts. This proposition proceeded so far indeed, that orders were in part given out by the marquis of Ormond for the numbers of men to be employed in it, and the day appointed when they were to begin their march; but upon his falling ill, that affair was reconsidered, and the design laid aside. It was not only on these occasions, but on many others, that he was very earnest for going upon some eminent service, but had been constantly put off, not without language that might have been well enough spared at that time, and would not have been given him at another by those whose malice made them hinder every service that he proposed. It was no small mortification to a person, that had his majesty's service and the suppression of the rebellion so much at heart, to find that good designs must either fall to the ground, because he should not have the honour of executing them, or at least must stay till some other came to manage them; yet this was the marquis of Ormond's uncomfortable case. Before he fell sick, all his propositions of going or sending forth upon service were answered by the emptiness of the store and the wants of the army; but when he was confined by a dangerous sickness, then provisions were found for a three weeks' expedition. Lord Lisle, lieutenant general of the horse, was employed in it with one thousand five hundred men; and having marched to Trim, Clonin, Kells, and Virginia, without any opposition from the rebels, destroying the houses, and wasting the lands of the earl of Fingall and others, and burning all the corn, hay, and turf that he found in the country, advanced at last to Carrickmacrosse in the county of Monaghan, where he left a garrison in <sup>365</sup> the castle, which maintained the place till the end of October, when it being found a work of great difficulty

and danger to supply it with provisions, the castle was ordered to be demolished.

34<sup>o</sup> The illness which confined the marquis of Ormond was a violent fever, which seized him at first with such terrible symptoms, that there was little hope left of his life. In apprehension thereof, though he had above two years before settled his estate by deed, he thought fit, on Sept. 1, to make a will, therein making a new provision for his youngest son Walter, his daughter Elizabeth, and for a child whereof his wife was then pregnant, and appointing sir Maurice Eustace and sir Philip Percival to be his executors. He made use of the hand of the last of these to write a letter<sup>y</sup> to the king, representing to him the condition of his estate, which was torn and rent from him by the fury of the rebellion, and nothing left to support his wife and children, whilst the rebellion should last, but his majesty's great goodness, which had never failed him, and which he besought his majesty to extend towards them, by making some honourable provision for them, till his own estate might be so settled, as thereout they might receive convenient maintenance. He added, that his estate was at present in such circumstances, that if his majesty did not in his abundant goodness think of some course how his debts (as great part whereof had been contracted and drawn upon him in his majesty's service) might be thereafter satisfied, his house and posterity must of necessity sink under the weight thereof, since they were many and great, and the interest growing thereupon would in a short time exceed the debts. As an help towards the payment thereof, or at least as a means to prevent their increasing, he besought his majesty to grant the wardship of the body and lands of his son and heir the lord Thurles, and if he died in his minority of his next heir, unto sir Robert Poyntz

<sup>y</sup> See Collection of Letters, No. CV.

and sir Patrick Wemyss, without fine or rent, to the use of himself, towards the payment of his father's debts. And since he had been dispossessed by the rebels in Kilkenny and those parts of his principal dwelling-house and of all his lands and possessions there, he besought his majesty to grant him, or (if he died of that sickness) to the lord Thurles, so much of the tenements and hereditaments in the city and suburbs of Kilkenny as should accrue to his majesty by forfeiture, and owed rent or service to him or his wife; this being conceived to be in the king's free disposal, as not being within the intent of the late act in England, which seemed to extend only to lands to be admeasured, and not to houses.

341 The king, who was the truest and best friend in the world, immediately signed a <sup>z</sup>warrant for letters patents to be issued under the great seal for the grant both of the wardship and houses; but the marquis had no occasion to make use of the former, his sickness not proving mortal. He was out of danger, but still weak, when the marchioness of Ormond<sup>a</sup> was taken so ill, that for a good while they despaired of her life. When she was at the worst, his eldest son Thomas viscount Thurles, afterwards styled earl of Ossory, fell desperately sick of the purples and smallpox; but it pleased God that they all recovered.

342 During the marquis of Ormond's sickness, the lords justices made an alteration in the command of the forces in the counties of Donegal, Tyrone, Fermanagh, and Derry, commonly called the Laggan forces<sup>a</sup>, which he had opposed before, when it was proposed in council. Those forces consisted of the regiments of foot commanded by sir W. and sir Robert Stewart, sir Ralph Gore, and sir W. Cole, three troops of horse under the two first and captain Dudley Philips, six companies of<sup>366</sup> Derry commanded by the mayor and sir John Vaughan,

<sup>z</sup> A. p. 202.<sup>a</sup> D. 6.

six others of Colerain under the mayor of that place, and the independent company of captain Thomas Philips. These forces had behaved themselves with great bravery upon all occasions, and had done eminent services against the rebels, the colonels taking the command and post of honour by turns, and acting with great unanimity, and all these officers being equally empowered by virtue of a commission directed to them for the government and ordering of the forces in those counties. Of these commanders none was so agreeable to the lords justices as sir W. Stewart, on account of his principles, which inclined him to favour his countrymen the covenanters of Scotland, and they had a mind to make all the other officers and regiments subordinate to his command. He had formerly made a campaign abroad, and had a post in the old army; but as he had discontinued the service for many years, and had never seen much, he was much inferior, in point of capacity for command, to sir Robert Stewart of Cullmore, who had served for many years in foreign wars without discontinuance, (having upon his long service there risen to the post of a colonel,) till very lately that he returned to Ireland, and was made an officer of the army. Hence, when they were in the field together, and differed in opinions, that of sir Robert had been generally approved by the other officers, and found most available to the service. Sir William was grown old, could not bear the fatigue of winter service, and often sent his men, when he did not go himself, to join the other forces; whereas sir Robert was always in action, in all seasons, and never ventured his men but where himself was present. The <sup>b</sup>lords justices, by their commission of Sept. 4, appointed Sir W. Stewart to command those forces in chief, and, in case of his absence, sir Robert Stewart to succeed to the like power. The reasons alleged for this preference were, that sir William

<sup>b</sup> C. 275.

had a great estate in land, had been long an officer in the old army, was a baronet and privy counsellor; circumstances which would not terrify or annoy the enemy a jot the more than if he had been of a meaner rank, and which are not usually much considered in a military way, where officers stand upon their right. Sir Robert Stewart<sup>c</sup> had, out of the fortune which he had acquired in foreign parts, spent, in furthering the service and maintaining his own regiment, twice as much as sir William had done out of his great estate, and insisted upon his right, the commission he had of colonel bearing date the same day as the other's. He declared that in military affairs he conceived himself at that time to be only under the direction of the lieutenant general; that he should not mind an order of the board made in such cases when the marquis of Ormond was absent, but if his lordship pleased to lay his commands upon him, he was ready to obey them with all possible readiness and submission; though this new regulation would be found very inconvenient, and prejudicial to the service in those parts. Sir W. Stewart was of an insulting nature, apt to entertain prejudices against persons, and affecting power, was not likely to use it with that temper and moderation which were necessary. He was not agreeable to the other officers, and his new authority was less so, because it divested them of what they had enjoyed before, after having shewn that they deserved it by the eminent services which they had performed. Captain Dudley Philips in particular had done more service (as sir Robert Stewart averred upon his own knowledge) than either himself or sir W. Stewart had done; and both that officer and the other commissioners were still capable of doing more, if their power was not taken away. This affair ended in restoring matters upon the former foot, by superseding<sup>367</sup> sir W. Stewart's new authority, and by issuing out, on

<sup>c</sup> D. 6, 7, and 8.

Dec. 15, a commission to the former commissioners, with some others added to the number, empowering them to act as before in the government of those parts.

343 Before the marquis of Ormond was recovered, colonel Thomas Preston landed about the middle of September at Wexford. He was a brother of lord Gormanston, had served many years abroad, and coming over to Ireland in 1634, had carried from thence a regiment of two thousand four hundred men for the service of the king of Spain. He served at the head of that regiment in the wars of Flanders, and had distinguished himself in the defence of Louvain, when it was besieged by the Dutch. He was governor of Genep in 1641, and held it out longer than could be expected against Henry Frederic prince of Orange. The Dutch lost abundance of men before the place, and the governor, after the walls were sapped, and having stood the storm of a breach that allowed fifteen men to enter abreast, surrendered it at the end of July upon honourable terms<sup>d</sup>, with no little glory to himself, and with great applause from the enemy. He had married a noble Flemish lady, by whom he had several children, and was in a fair way of aggrandizing himself in Flanders, when he left all to go into Ireland, being sent for thither by the nobility and gentry of Leinster, when they took arms upon apprehension of a general extirpation of the Roman catholics of that kingdom. "He came from Dunkirk in a ship that carried thirty pieces of cannon, attended by two frigates, each of twenty-four guns, and five or six other vessels laden with ordnance for battery, fieldpieces, and a vast quantity of arms and ammunition. He brought with him the colonels Cullen, Synnot, Plunket, and Bourke, a good number of engineers, and five hundred other officers, that had been long employed in foreign service. Before his arrival, two ves-

<sup>d</sup> Abbé Siri Mercurio lib. 2. p. 434.

<sup>e</sup> Lords justices' letters, Sept. 23 and 29.

sels had come into the same port, fraught with arms and ammunition; and he was soon followed by twelve others, with the like warlike provisions and accoutrements, which had been fitted out at Nantes, St. Malo, and Rochelle. †In these came over not only many great pieces of artillery, and a plentiful store of arms and ammunition; but also abundance of officers and old soldiers, the cardinal de Richelieu having discharged all the Irish forces that were in the French service; to allow them on this occasion to return into their own country; and being ready to supply them further with money‡, in case of need, (as the Irish gave out,) to the value of a million of crowns.

344 Thus were the Irish supplied abundantly with all manner of necessaries for war, whilst the English army, through the neglect of the parliament of England, laboured under a want of all things. Their distress in Dublin, through the great scarcity of provisions, was now likely to be increased, the vessels of the enemy arrived at Wexford being masters of the sea, interrupting the commerce between Chester and Dublin, and intercepting several barks laden with provisions as they were passing through St. George's channel. It was expected that the rebels would have immediately entered upon some important action, but they had at first some affairs to settle among themselves, before they could draw all their forces together, and act with concert against their common enemy; which allowed the marquis of Ormond time to send a party under sir R. Grenville to bring off the lady Offaly and her family from Castle Geeshell, and supply the forts of Catherlogh, Maryborough, and Ballinekil, which lay the most exposed with provisions.

345 It was absolutely necessary for the rebels to have a<sup>368</sup> form of authority established among them; which might make the orders of superiors obeyed, and prevent that

† Lords justices' letter, Sept. 13.

‡ Clanrickard's Memoirs, Sept. 6.

confusion and those mischiefs which always attend competitions for power, and uncertainty in the right of command. This was done in the general assembly of deputies out of all the provinces of the kingdom, which met on Oct. 24, at Kilkenny. <sup>b</sup>The first act they did was to protest, that they did not mean that assembly to be a parliament, confessing that the calling, proroguing, and dissolving of that great body was an inseparable incident to the crown, upon which they would not encroach; but it was only a general meeting to consult of an order for their own affairs, until his majesty's wisdom had settled the present troubles. They formed it however according to the plan of a parliament, consisting of two houses, in the one of which sat the estate spiritual, composed of bishops and prelates, together with the temporal lords, and in the other the deputies of counties and towns sat, as the estate of the commons by themselves. The meeting was at the house of Robert Shea, son of sir Richard Shea, the lords, prelates, and commons all in one room; Mr. Patrick Darcy, bareheaded upon a stool, representing all or some of the judges and masters of chancery, that use to sit in parliament upon the woolsacks. Mr. Nicholas Plunket represented the speaker of the house of commons; and both lords and commons addressed their speech to him. The lords had an upper room, which served them as a place of recess for private consultation, and when they had taken their resolutions, the same were delivered to the commons by Mr. Darcy. The clergy, who were not qualified by their titular sees or abbeys to sit in the house of lords, met in an house called the convocation, where it was reported among the laity that they handled only matters of tithes, and the settling of church possessions; in which points so little deference was paid to their debates, and their proceedings were treated with

<sup>b</sup> Mr. R. Martin's letter to the earl of Clairickard, Dec. 2, 1642, and Nuncio's Memoirs, fol. 495.



so much contempt by the lay impropiators and gentlemen, that the provincial of the Augustins was hissed out of the house, who threatened to wipe off the dust from his feet and those of his friars, and to bend his course beyond the seas, if the possessions of his order were not restored.

346 For the rule of their government they professed to receive magna charta, and the common and statute law of England, in all points not contrary to the Roman catholic religion, or inconsistent with the liberty of Ireland, and the form of it was settled in the same method as before. Several judicatories were established for the administration of justice and regulation of all affairs. Each county had its council, consisting of one or two deputies out of each barony; and where there was no barony, of twelve persons chosen by the county in general; with power to decide all matters cognizable by justices of the peace, pleas of the crown, suits for debts and personal actions, to restore possessions usurped since the war, to name all the county officers, except the high sheriff, who was to be chosen by the supreme council out of three which the council of the county were to recommend. From these there lay an appeal to the provincial councils, which consisted of two deputies out of each county, and were to meet four times a year, and oftener if there was occasion, to examine the judgments of county councils, to decide all suits like judges of assize, and to establish recent possessions, but not to meddle in other suits about lands, except in cases of dower. From these there lay a further appeal to the supreme council of twenty-four persons, chosen by the general assembly, of which twelve were to be constantly resident at Kilkenny, or wherever else they should judge most expedient, with 369 equal voices, but two thirds to conclude the rest; never fewer than nine to sit in council, and seven to concur in the same opinion. Out of these twenty-four a president

was to be named by the assembly, and was to be always one of the twelve resident, and in case either of his death, sickness, or absence, the other residents were out of the twenty-four to choose a vice-president. This council was vested with power over all generals, military officers, and civil magistrates, who were to obey their orders, and send duly an account of their actions and proceedings; to determine all matters left undecided by the general assembly, their acts to be of force till rescinded by the next assembly; to command and punish all commanders of forces, magistrates, and all others, of what rank and condition soever; to hear and judge all capital, criminal, and civil causes, (except titles to lands,) and to do all kind of acts for promoting the common cause of the confederacy and the good of the kingdom, and relating to the support and management of the war. This council was to be confirmed or changed at the end of each assembly.

347 This order of government being settled, the provincial generals were chosen, Owen O'Neile for Ulster, colonel Preston for Leinster, colonel Garret Barry for Munster, and colonel John Bourke for Connaught, though this last had only the name of lieutenant general, in hopes one day of prevailing with the earl of Clanrickard to accept the chief command of that province. After this, the raising of the coin came to be debated, and was much opposed, as being an unnecessary invasion of the prerogative royal; and because there being no public treasure, no public benefit could arise thereby; and the coin being raised, the price of commodities would rise proportionably: however, the violence of some people carried the point, though the inconvenience thereof was upon trial soon discovered. The Benedictine monks desired a restitution of all their possessions that were recovered from puritans or protestants, omitting, it seems, for a while those possessed by Roman catholics. But the general assembly

refused to gratify them in any part of their request, as well because the fee thereof, being established by act of parliament, could not be dissolved by the assembly, which was no parliament, as because those possessions were the inheritance of divers persons bought for valuable considerations, and a great part thereof settled for jointures, allowed by the bulls of the pope, confirmed by cardinal Pole after the dissolution of abbeys, and warranted by the laws of England, which they had solemnly sworn to observe. To prevent dissensions between particular persons about their rights and titles to estates, they ordered that all lands and hereditaments should be quietly enjoyed by those who had been in possession thereof for three years before the troubles, and no suits for land should be carried on, except in relation to mortgages, leases, and the possession of lands, the right whereof was otherwise determined. They provided that no distinction or comparison should be made between the old Irish and new English, septs and families, citizens and townsmen, under grievous penalties to be inflicted on the contraveners of that ordinance; and that all persons, as united in the confederacy, should be bound together by a new oath of association. This did not prevent some divisions appearing, even in this assembly, between sir Phelim O'Neile, lately married to general Preston's daughter, and Owen Roe O'Neile, who was absent, but represented by the bishop of Down, and between Roger O'More and others of Leinster, who supposed themselves despised in the disposition of the public ministry; but these were composed, at least for a time, and in appearance.

348 Several other regulations were made in this assembly, but of too little consequence to deserve mention. One passage must not be omitted, though it did not come to be matter of debate in public. Some persons confidently 370° whispered in secret, that much money might be had from

foreign princes for carrying on the war, upon pawning to them some of the seaport towns of Ireland; but this secret proposition was rejected by the interposition of some, who foresaw and dreaded the consequences of such a proceeding. It is not unlikely but cardinal de Richelieu, who was as yet living, but died at the time this assembly broke up, might be desirous of some such cautionary town to get footing in Ireland; yet neither in the letter wrote to him by the supreme council on Nov. 28, nor in any other of their letters sent to foreign princes, is there any offer made of such a nature, in order to procure the succours which they solicited. <sup>i</sup>They employed several persons abroad in negotiations for that purpose; as F. Matthew O'Hartegan, and Geffrey Baron, to the king of France; F. Luke Wadding, a Franciscan, to the pope; count Gall, and F. Hugh Burke, to the emperor, the archbishops of Mentz and Saltzburg, the duke of Bavaria, and the Roman catholics of Holland; the last of these agents and Nicholas Shea to the bishop of Liege, the governor, the general, and the admiral of the Low Countries, who had contributed to the succours which were arrived.

349 At the same time that they sent letters to these princes and great men desiring further supplies, they did not neglect to make use of those which they had already received. The pope had furnished them with two thousand muskets, which arrived on Oct. 20 at Wexford and Dungarvan; five hundred of these they sent to Owen O'Neile, who was absent, and divided the rest between the three other generals who were present. Preston had brought a sufficient store of arms for the Leinster army; and they expected daily ships at Wexford with four thousand muskets, one thousand cases of petronels, one thousand carabines, two thousand swords, and a quantity of fireworks, being furnished with these succours by the

<sup>i</sup> Register of letters of the council of Kilkenny.

governor of Biscay and some Spanish noblemen in Flanders. There was no want but of money, and that they endeavoured to raise by an applotment on the country. To shew at the same time their desire of peace, and to advance a pacification, they resolved upon making an address to the king; and accordingly two <sup>k</sup> petitions were prepared, one directed to the king, the other to the queen, which were read in the house the last day of the assembly, and were recommended to the supreme council, to be conveyed to their respective majesties.

350 The compiler of the nuncio's memoirs<sup>1</sup> recites at length (but translated into Latin) a declaration or remonstrance of their grievances intended to accompany the petitions to his majesty, which (he says) was drawn up by this assembly, though I am persuaded it was only approved of in this, but drawn, at least part of it, in that assembly which sat in the May before. This instrument takes notice of the violent proceedings of the parliament to extirpate the Roman catholics in England and Ireland; their assuming a power over the whole kingdom and parliament of Ireland, which was no way dependent upon them nor on any other, but his majesty alone; the petition of the Ulster puritans to the English house of commons, who had approved it, and intended to put in execution the extirpation of popery and episcopacy therein desired; the hardships which they had suffered in Ireland for forty years past in their goods and fortunes, out of hatred to their religion, having all that time been debarred of all favour, promotion, and office in the state, and of all honourable posts, as well military as civil, though they had given as good proofs of their readiness to serve the crown as any other subjects whatever; the late protestation and terrible laws made in Scotland to harass the Roman catholics; the prorogation of the par-

<sup>k</sup> See Collection of Letters, No. CXI. and CXII.      <sup>1</sup> Fol. 505.

liament of Ireland at the time that his majesty's graces were to be confirmed; the want of places for the education of their youth, they being excluded the only university in Ireland, not allowed to be brought up in foreign parts, nor so much as a schoolmaster of their religion suffered in the kingdom; the denying of the jurisdiction of the Irish parliament to take cognizance of the misdemeanours and oppressions of judges and other great officers; the governors of the kingdom having procured their creatures and dependents (who had no lands nor settled habitations there) to be unduly elected and returned to parliament as legal members thereof, and so outvoting the regularly chosen members, and transmitting into England, to be remitted thence, several virulent and sanguinary laws, that they might be passed in Ireland, to effect the utter ruin of the nation; the grievances suffered by the plantations, and the divesting proprietors of their estates and inheritance by certain fictitious titles fetched from ancient times of above three hundred years' standing. In this point they particularly complained of sir W. Parsons, that having taken on him the care of allotting and measuring the lands to be planted, he allotted them in a most iniquitous and corrupt manner, in making the allotment, putting down farms as uninhabited and unprofitable, which were really the most fruitful of all; and in his measuring, assigning one half of the lands to the English plantation, and what exceeded their proportion [which in the Wexford and Wicklow plantations should have been but one fourth, though it proved more in value than the other three] to be thrown in to their lot as fragments, making each parcel less than one hundred acres to be such a fragment, by which the old possessors of those lands were entirely cut off, and the king defrauded of that rent and profit which ought to have accrued to the crown, and which sir W. Parsons converted to his own advantage. They mention

a petition presented in the session of parliament just before the rebellion, by the inhabitants of the territory of the Byrnes in the county of Wicklow, against the said sir W. Parsons, in which his frauds and iniquity in summoning juries, and in using other contrivances to make out his majesty's title to that territory, (a great part of which by such clandestine and irregular practices he got into his own hands,) were laid open to all the world, and that, to prevent his own conviction and censure, which would have been the consequence of a parliamentary inquiry, he resolved before the war broke out to get the parliament prorogued, though his majesty had expressly directed him to continue the sessions, that the graces which he had transmitted over might be established by the authority of parliament. They urge the cruel destroying of great numbers, in an arbitrary manner by martial law, and the false verdicts of juries, who were either incited to find indictments either by the corrupt influence of the chief governors, particularly sir W. Parsons, promising to give the jurors part of the possessions of those on whom they were to pass judgment in behalf of his majesty, or biassed by some other premium, by the instances and threats of the judges, or by the fears of fining, stigmatizing, or other censures. This, with a recital of some of the complaints made in the remonstrance of parliament against the earl of Strafford's government, (among which they exaggerate the revenues gained by that lord to the church as amounting to three hundred thousand pounds a year,) is the substance of what is most remarkable or peculiar in this declaration or remonstrance, addressed by the general assembly to his majesty.

35<sup>1</sup> Before the general assembly rose, the parliament of Ireland was sitting, and had under their consideration several matters which deserve notice on account of the nature thereof, which shews the complexion of the houses, as by reason of the share which the marquis of Ormond

had in the debates on those occasions. He had been absent when the preparatory meeting was held in June, in 372 order to draw up heads of bills to be transmitted into England, in order to be remitted thence and passed in the ensuing session. On the third and last day of that meeting, the house of lords had dismissed the accusation of treason that had been brought by the house of commons in 1640 against sir Richard Bolton lord chancellor, and sir Gerard Lowther lord chief justice of the common pleas. When the parliament, pursuant to their adjournment, met again on Aug. 1, <sup>m</sup>the lord of Ormond moved the lords that the lord chancellor, being dismissed of the accusation against him, might be restored to the house. Sir William Ryves justice of the king's bench had for some time executed the office of speaker of the house of lords in virtue of letters patents, during his majesty's pleasure, and in the absence of the lord chancellor. Those letters were upon this occasion read, and an order made that the lord chancellor should be admitted to his attendance, and restored to his place. Sir Gerard Lowther, upon a like motion of the bishop of Cloufert, was also admitted to attend, as required by his majesty's writ of summons. The impeachment against the bishop of Derry and sir G. Radcliffe was not yet dismissed. The bishop had stayed in Derry after the troubles till some Scots of the covenanting tribe had planted a piece of cannon pointing against his house, as a warning to him to be gone; upon which he had embarked for England, where sir G. Radcliffe also was at this time. The lords sent Mr. justice Mayart and baron Hilton to the commons, to know if they had any more reason for retaining the accusation of high treason exhibited by them against the bishop of Derry and sir G. Radcliffe, than there was against the lords chancellor and chief justice, who had been lately dismissed upon a message from that house,

<sup>m</sup> Journal of the House of Lords.



and the lords were the rather desirous to know their reason, because their lordships conceived there had been hitherto no prosecution against them on the said impeachment. They were both excellent men, of great parts, virtue, and integrity; but zealous for the rights of the church and crown, inviolably attached to his majesty's cause, and very capable of serving him. This was their original sin; and the house of commons, now composed almost entirely of puritans, and the creatures or dependants of the lords justices, resolved not to dismiss their accusation; for which it will be difficult to assign a reason, but that the retaining thereof would deprive his majesty so much the longer of the benefit of their services.

352 The bills which had been drawn in the preparatory meeting, for establishing in Ireland all the penal laws against Roman catholics which were of force in England, and for enacting new ones still more severe, were not yet remitted, and according to Poyning's law there was no proceeding upon those bills till they were approved and affirmed by the king and his council of England. The lords justices, loath to be balked in their measures, had in this exigence recourse to an expedient which they had<sup>n</sup> before proposed to the house of commons of England, in order to have the advice and direction of that body as to the best manner wherein all that were accused of the rebellion might be attainted, and the intended extirpation of the Roman catholics effected. They proposed, that upon the plan of the act passed on Feb. 21, in 11 Eliz., a bill should be prepared, to give the parliament power to pass acts for the attainting such as were or should be in the present rebellion, without transmitting them into England, notwithstanding Poyning's or any other act of parliament to the contrary. This

<sup>n</sup> Their letter to the speaker, March 31, 1642, and paper annexed.

bill (they said) before the transmitting of it, was necessary to be agreed upon by the greater number of lords and commons in a session of the Irish parliament, and this might be done upon the first sitting of the next session. A bill was accordingly brought in to this effect, 373 and it met with a ready reception in the house of commons, who, upon Aug. 6, sent it to the lords by Mr. Brereton with a message, recommending to that house the draught of an act, which they conceived necessary to be passed, to suspend a part of the statute called Poyning's act, concerning acts to be passed for the abolishing of popery and the attainder of the rebels. The draught was referred to the lords of Ormond, Roscommon, Moore, Baltinglas, Howth, Lambert, and the bishops of Clonfert and Kilfenora, to consider of it, and report their opinion to the house. The draught took notice of the adventurers' act lately passed in England, and was calculated to enlarge the forfeitures alienated already in a very large measure; so that when the lord of Ormond made the report from the committee on Aug. 9, he made an objection to the proviso for suspending part of Poyning's act, as mentioning the act passed in England for disposing of lands in Ireland, and moved, pursuant to the opinion of the committee, that a conference should be had with the commons in relation to a doubt made, whether the proviso did not admit of acts passed in that parliament, to oblige the kingdom of Ireland without being there confirmed; a concession which would be very prejudicial to this latter kingdom. The conference was held, and a report made on the 12th, that the objection had been delivered to the commons, and the draught left with them to be considered. This was a very tender point; the independency of the kingdom and parliament of Ireland was concerned in it; the Irish peers resented the denial of their judicature lately made by the lords of England, and were jealous of further encroachments on the power

of their parliament; the whole nation were apprehensive of hardships being laid upon them by the English, in points where their trade and interests clashed, and thought they should cease to be a free people when governed and obliged by laws not of their own making, but imposed upon them by another nation without their consent. The commons were at a loss how to remove the objection, and indeed the proviso was likely to produce so many inconveniences, that they proceeded no farther in it at this sitting.

353 The officers of the army had made to the state a representation of the distresses of the army, the soldiers suffering exceedingly by sickness, unwholesome diet, bad medicaments, wretched clothing, and want of provisions in the field; for which they proposed convenient remedies. To these they annexed their own particular hardships, as well in their never having received any regular pay since the beginning of the war, but only some small advancements impressed to them, scarce sufficient to keep them from starving, as by that small pittance being paid them in Spanish royals of eight, at the rate of 4*s.* 8*d.* apiece; whereas the best of them was not worth above 4*s.* 2*d.*, and many of them were light, and not worth near so much; which was greatly to the loss and detriment both of officers and soldiers, the price of all commodities at Dublin being raised by the citizens according to the true value of the money; and English merchants desisting from bringing any necessaries to the army, finding they had no commodities to barter with them, and that the money going at so high a rate in Ireland, they must be losers by the return; a matter which would in time starve the army, and yet was of no benefit to his majesty, but only to some private persons through whose hands such returns passed. The house of lords took into their consideration this point of the money, which affected in

° D. 115.

truth all sorts of people in the kingdom, and appointed a committee to wait upon the lords justices; to represent to them the great loss which his majesty's subjects of all sorts sustained by the making of Spanish royals of eight current in Ireland for fourteen groats, whereas they were 374 of much less value in England, and in many places there not current at all; and to move them to make those royals current only for thirteen groats, if they had power to do so, or otherwise to think of some way of acquainting his majesty therewith, that they might be reduced to that price after Michaelmas.

354 The house of lords had application made to them by some persons who were prisoners in the castle of Dublin, and prayed relief from the hardships which they there suffered. Among others, the lord Dunsany sent to the house a petition, complaining of the ill treatment which he received from the constable of the castle, and desiring to be removed to another prison. This gave occasion to several motions. The bishop of Clonfert was for having the constable sent for immediately to answer so much of the petition as concerned him. The lord chancellor was of opinion, that a message should be sent to the lords justices, that, if it was agreeable to their pleasure, the lord Dunsany and other petitioners should be removed to some other prison. The houses seldom interposed in such cases, out of deference to the chief governors, whose authority and conduct were therein concerned; so that the bishop of Meath, who at first moved that the house would take cognizance of the matter, and give order that lord Dunsany, a member of their body, should be removed to another prison, came over to this opinion, and agreed that the petition should be sent to the state to do therein as they saw fit. This was accordingly ordered: the lords justices said they would consider of the matter, but still continued the prisoners in the castle.

355 There was another petition presented to the house,

for which the lord of Ormond was more particularly concerned. Alderman Edward Jans, a considerable merchant in Dublin, a man of a fair character, but a Roman catholic, was a prisoner in the castle, and thereby incapacitated to attend his own business, or manage the affairs intrusted to him by others. He was well known to the lord of Ormond, and had been employed some years by the countess dowager, widow of the famous Thomas earl of Ormond, and married after his death to sir Thomas Somerset, in collecting the prisage wines in Dublin and other ports, which was part of her jointure. He had been indicted of high treason upon a charge which if proved did not amount to that crime; but the grand jury, as of course in such indictments at that time, having found the bill, he was kept in prison, to the great prejudice of his affairs, and, on Aug. 8, petitioned to be admitted to bail. The judges being consulted, gave their opinion that he was notailable, being charged with treason, and the indictment found. The lords however ordered the clerk of the crown in the king's bench to bring before them the indictment found against Jans, and the examinations whereupon the same was grounded. The record was accordingly brought into the house upon the 12th, and the examination of William Hilton, esq. baron of the exchequer, both which and the names of the jury were read in the house. The foreman of that jury was summoned, but being sick did not appear. That defect was supplied by the presence of Mr. Dopping, a member of the house of commons, who being called in, and asked if he were one of the jury who had found the bill, answered he was. Being demanded, whether the jury had any other evidence produced before them besides the deposition of baron Hilton, or if they had any evidence of their own knowledge for the finding of the bill, he answered, that to the best of his memory nothing of that nature was pretended, nor any other evidence produced,

besides that examination of the baron, and that for his part he had no knowledge at all of the fact. The record was taken back to the office, but the copy of the examination and the names of the jury ordered to be left with the clerk of the house. The earl of Ormond conceived the matter of Jan's petition fit for the house to proceed<sup>375</sup> upon and bring to an issue; and that it would be a fitting act of respect to the state to report to them the ground of the indictment, and certify to them, in case the house agreed in the opinion, that they thought fit the petitioner should be bailed. In order to which he moved that the judges might deliver their opinion as to the ground of the indictment of alderman Jans for treason, whether it were sufficient to deny him bail. Baron Hilton readily declared that he thought his examination was no evidence of treason, and lord chief justice Lowther and Mr. justice Mayart were of the same opinion: but they all agreed that the bill having been found by a jury, and of record, it was to be deemed more than a surmise, and therefore it was not fit to bail him upon the statute of 16 Edw. IV. The earl of Ormond thereupon moved, that the case might be recommended to the lords justices, and they be desired to give way to the bailing of alderman Jans, upon reading the examination annexed to the indictment, and the deposition of one of the jury. The lords came to a resolution accordingly, and ordered the message to be delivered to the lords justices by the earls of Kildare and Ormond. They delivered the message agreeable to the order, and reported, on Aug. 16, to the house, that they had attended the lords justices, and acquainted them with the ground of the indictment against Mr. Jans, and with the opinion of the lords for bailing him; but that the justices had alleged, that there were many in the same case, and the bailing of him would be a precedent for others, and in conclusion did not think fit to do it. This message seems not to have

been more pleasing to the lords justices than the examination of one of their members without leave of the house was to the commons, (who were about to engage in a dispute with the lords upon that subject, and had retaliated the breach of privilege by taking a servant of lord Lambert's into the custody of the serjeant at arms, who was by the lords ordered to discharge him,) and the same day, after the earl of Ormond had reported the answer of the lords justices, he acquainted the house likewise that it was their pleasure the parliament should be adjourned to Nov. 10.

356 The two houses sat to do business on the 17th of that month, when his lordship was introduced into the house of lords between the earls of Kildare and Roscommon, and took his place as marquis of Ormond, his patent, which was dated at Nottingham, Aug. 30, 18 Car., being read and entered at length in the journal. The lord Dunsany and other prisoners, uneasy at the hardships they suffered in their confinement in the castle, and desirous of being bailed, applied again to the house, who referred the petition of the first to the marquis of Ormond, and eight other lords, as a committee of grievances. A joint petition of the same lord with the rest of the prisoners was, though the lord chancellor thought the bailing of them ought to be left to the king's bench, considered in a committee of the whole house, and it was ordered upon the report, that the clerk of the crown in the king's bench should forthwith certify what persons accused or indicted of high treason since the beginning of the present rebellion had been bailed in that court; and should, on Nov. 24, produce the several examinations taken against lord Dunsany and other prisoners in the castle of Dublin, that the house might consider thereof, and form a judgment who were fit to be bailed, and who not. The marquis of Ormond, thinking it would be of as little effect as in the case of Jans to apply to the lords justices in their behalf,

and that the interposition of the house on that occasion would only serve as an handle to throw a blemish on the king's service, was of opinion that the lords should not intermeddle in the case, but remand back the examinations untouched. Upon which the house considering the nature of the cause for which they stood committed, came to a resolution, that the examinations should be referred <sup>376</sup> to the court of king's bench, the judges whereof should make use of them as they saw cause, and as was practised in the like cases. Some of the lords still thought the case and treatment of those prisoners to be very hard; and notwithstanding the said resolution, the bishop of Meath moved that the house would form some rule or other upon their petition. The marquis of Ormond said, if it was not enough to leave that business to the ordinary course of the king's bench, it might be referred to the lords justices, to shew favour to such as deserved it, but was entirely of opinion that the house should not take upon them the handling of that affair. In vain did the bishop of Meath urge that the lords justices had been already moved to bail them, but had refused; for the house resolved not to interpose or intermeddle in the case, but refer it to the usual course of proceedings.

357 The prisoners, seeing their petition for being bailed had not produced the effect they hoped, presented, on Dec. 6, a second petition, desiring that at least their prison might be changed. This occasioned a fresh order, that the several examinations against the lord Dunsany and others the petitioners should be produced by the clerk of the crown, and that the archbishop of Dublin, the marquis of Ormond, the viscount Moore, the bishop of Meath and lord Lambert should meet to peruse them, and report to the house what was fit to be done in the case. All the lords of the committee (except the marquis of Ormond) met on the 10th, read the examinations of lord Dunsany, sir John Netterville, William Malone, Gerald Fitzgerald,



sir Andrew Aylmer, Lawrence Dowdall, Patrick Barnewall, John Talbot, sir Nicholas White, and his son of the same name; and reported to the house that the lord Dunsany, sir Andrew Aylmer, Lawrence son of Edward Dowdall, and Nicholas White were fit to be recommended to the lords justices and council, to be sent to some prison or other place of safety in the city, as their lordships should think most fitting. Hereupon the archbishop of Dublin and the earl of Kildare were appointed by the house to recommend that matter to the justices and council.

358 There was another affair came before the house of lords, in which they acted with more vigour, and proceeded with less deference to the lords justices. As soon as Reynolds and Goodwin, sent over by the English house of commons to make proselytes to their cause, and distress the king's affairs in Ireland, arrived at Dublin,<sup>p</sup> they took upon them the sovereign direction of all matters, they were allowed by the lords justices (without the privy or warrant of his majesty) a seat in the privy council, and their opinion carried with it and governed the whole council-board. <sup>q</sup>They made their appearance in the council on Nov. 2, when sir W. Parsons (being whispered in the ear by lord Lisle) directed them to sit down and take their places, before their instructions or powers were seen or offered to the board. They had authority from both houses of parliament to do service in that kingdom; and as soon as their letters of credence and instructions were read, they offered twice to withdraw; but sir W. Parsons told them there was no occasion for it, the business to be debated being only war; upon which they sat down again, and clapt on their hats without being bidden to do so. All this was done by sir W. Parsons alone, without so

<sup>p</sup> Clanrickard's Memoirs at the end of Nov. and Dec. 1642.

<sup>q</sup> See the marquis of Ormond's notes of the council, Nov. 2, 1642. D. 4.

much as consulting the board, and from that time the committee came and sat as if they had been constant members thereof. They brought over with them a new oath of fealty, or test of the affections of persons to the cause of the parliament of England. They applied themselves particularly to gain the officers of the army, and employed the twenty thousand pounds which they had brought over in such a manner as might best advance that design. They wanted to get the command of the army and the government of Dublin into the hands of the partisans of the parliament, but nothing could lessen the marquis of Ormond's credit with the officers; their schemes for putting the power of the army under the management of lord Lisle failed,<sup>r</sup> nor could lord Lambert be prevailed with to resign the government of the city. They neglected no persons whatever, endeavouring to create an universal disaffection to his majesty, and thereby causing great distractions in Dublin. Among other instruments for that purpose, they made use of a parcel of seditious lecturers, which having been found so eminently serviceable to the ends of the faction in London, were now thought proper to be set up and encouraged in Dublin.

359 Among these one Stephen Jerome, an empty, illiterate, noisy, turbulent person, and a very incoherent, nonsensical, ludicrous preacher, was put in to preach<sup>s</sup> a lecture every Sunday morning at seven of the clock in St. Patrick's church, and to bestow some particular instructions upon the soldiers of the army, who were to attend his lectures. The man, assisted by his matchless impudence, and encouraged by the countenance which the state gave him, to vent all the scandal and sedition that the warmth and virulence of his nature, or the malignity and corruption of his heart could suggest, employed his talents of

<sup>r</sup> Tucker's Journal, fol. 52.

<sup>s</sup> Order of the lords justices, Nov. 15. D. 22.

noise and nonsense so much to the satisfaction of the lords justices, that it was thought proper he should preach at Christ Church, whither the state and most persons of quality usually repaired for divine worship. There, on Sunday Nov. 13, in the afternoon, he delivered in his sermon many things unfit to be uttered in any auditory, and intolerable before such an assembly, which ought not to be supposed to hear with patience any invectives against the king, the queen, the council, and the army, who were all at once traduced. Lancelot Bulkeley, archbishop of Dublin, seeing the man's shameful abuse of the liberty of preaching, to prevent the pulpit's being any more prostituted for the spreading of slanders, and the carrying on of seditious purposes, thought fit the next day to silence him, and inhibit him from preaching any longer the lecture which he had lately undertaken at St. Patrick's. Jerome applied himself to his patrons the lords justices, who the day following signed an order<sup>s</sup>, requiring him to continue the same lecture in the same place, without interruption, until good cause were shewed unto them (the lords justices) to the contrary. This order was immediately sent and delivered to the archbishop, that he might not plead ignorance of their pleasure, if he should dare to prosecute or censure Jerome for disobedience to his inhibitory mandate. There were some passages in the sermon, which were meant to insinuate reflections on the marquis of Ormond's granting protections for the houses, goods, and stock of some Roman catholic gentlemen and ladies that lived quiet in the country; but the marquis (who was at church and heard the discourse) thought the man so worthless and inconsiderable, that it was below him to take notice of what he had suggested. But others of the lords resolving it should not pass without censure, the lord Howth, on Nov. 18, acquainted the house, that he had been informed by a re-

<sup>s</sup> Order of the lords justices, Nov. 15. D. 22.

verend bishop of some scandalous reflections which one Jerome had thrown on their majesties and others in his sermon the last Sunday, and which he thought well deserved the consideration of their lordships. The bishop of Meath assuring the house that he was present, and heard the reflections mentioned, an<sup>t</sup> order was made for<sup>378</sup> the taking of Jerome into custody, and for bringing him before the house to answer such matters as should be objected against him. The next day the bishop of Meath informed the house that Jerome had the day before in the same place made another sermon no less scandalous than the former, and desired he might be brought in and punished; it being the more necessary for the house to take cognizance of that affair, because the man being forbidden by his diocesan to preach, had, in contempt of the authority of his proper superior, been ordered by the lords justices to go on with his sermons. Jerome absconded, and was not taken into custody till the Tuesday following, when he was committed to the custody of the sergeant at arms, till the charge against him was examined.

<sup>360</sup> The marquis of Ormond seeing what lengths the justices were inclined to go, and that such seditious sermons were likely to grow common, thought it high time for the lords to interpose and exert their authority to put a stop to a practice which could not fail of producing great distractions in the city, and was intended to bereave his majesty of the affections of his subjects, and to ruin his affairs in Ireland. To prevent those mischiefs, he moved the house on Nov. 22, that Jerome's business might be referred to a committee; and accordingly an<sup>u</sup> order was made that the archbishop of Dublin, the marquis of Ormond, the earls of Kildare and Roscommon, the viscount Fitzwilliams, the bishops of Meath and Killala, with the lords Howth and Lambert, should meet on the next

<sup>t</sup> See the order. D. 24.

<sup>u</sup> D. 26.

Thursday at eight of the clock in the morning, in the house, as a committee, to have a free conference upon that subject, at which the judges were likewise to attend. The committee examined<sup>x</sup> the archdeacons of Dublin and Kildare, and four other clergymen, who were present at Jerome's sermon on the 13th, in relation to the passages thereof which gave offence. It appeared from their testimonies, that a great part of his sermon was full of idle and ridiculous passages, and an invective against the army, the bishop of Meath, and other great men, who had not come to hear his sermon on Sunday morning; and the discourse in general was so rambling and incoherent, and attended with such laughing and coughing of the people, that it was difficult to remember the passages of greatest moment. They all however remembered certain expressions; as, that "there was a darkness wrought by lust, and a blindness wrought by dust; that white and yellow dust blinded the eyes of great ones, and procured from them several things, offices, places, and, amongst the rest, protections; that blindness was brought upon men by lust, and as king Solomon by marrying with strange women became an idolater, so princes now were blinded by lust, and were married to wives of other religions, idolatrous women, Jezebel's daughters, thereby endangering their kingdoms and religion, adding these words, *Now I touch to the quick, I speak to those that understand me*; that perjury (amongst other sins) caused blindness and darkness, that princes who broke their oath and covenant with their people were blinded, and the Lord suffered their eyes to be pulled out, as Zedekiah's were by Nebuchadnezzar for breaking his oath and covenant; that these times were Rehoboam's times, wherein the prince followed the counsel of his young men, and forsook the counsel of the old men, his sage and wise council; that

<sup>x</sup> See their several depositions from D. 31 to 36.

whilst it was so, no other times than such as these could be expected; that the royalists or cavaliers of England were no better than the rebels of Ireland; they were birds of a feather, and therefore might fly together."

361 The committee on the 26th reported the matter as they had found it to the house, which<sup>z</sup> not being able, by reason of the absence of many of their members necessarily employed in his majesty's service, to give all the despatch they wished to Jerome's prosecution, and thinking that a prosecution from the state would be a more effectual means of preventing the like seditious sermons, ordered, that authentic copies of the examinations taken in that cause should be delivered by the marquis of Ormond and lord Lambert (as a committee of the house) to the lords justices and council, and that the said cause should be recommended to the lords justices, as a matter of great moment and consequence, fit to be taken into their lordships' consideration, and to be proceeded on in such a manner as they in their wisdoms should think fit. Jerome was at the same time committed to the custody of Thomas Pemberton, one of the sheriffs of Dublin, there to remain till further order either from the lords justices or the house of lords.

362 The lords justices were far from prosecuting a man whose conduct was agreeable to their own views, and perhaps the effect of their express directions; and some days passed before the lords took any further notice of the matter. This impunity, or rather encouragement of Jerome, emboldened others to follow his example; the practice was growing general, and a strange license was exercised in venting parliamentary politics from the pulpits of Dublin. This occasioned a fresh complaint to the house on Dec. 6, when the <sup>a</sup>lords taking notice of the liberty, which, since the committal of Stephen Jerome for seditious preaching, had been taken by others in pro-

<sup>z</sup> D. 29, 30.

<sup>a</sup> D. 47.

secuting the like arguments, ordered the former committee (the marquis of Ormond and lord Lambert) to acquaint the lords justices therewith, as a matter deserving their lordships' care, in prevention of the evil consequences which were likely thereupon to ensue.

363 The lords justices determined to do nothing in the affair themselves, and to prevent as far as they could the house of lords from proceeding further in it, let the matter rest till Dec. 14, the day which they had fixed for the prorogation of the parliament. Sir W. Parsons then sent for the clerk of the house, and commanded him, in the name of the lords justices and council, to deliver the copies of the examinations about Jerome to the lord chancellor, and to desire his lordship from them to deliver the same to the house of lords, with the sense of the lords justices and council thereupon, viz. that they conceived the said Jerome to be worthy of punishment for so much of his sermon as should be taken to reflect upon his majesty; but because the lords' house were possessed of it, and had proceeded to take examinations in the cause, they did not think fit to take it out of their hands, but left it wholly to the lords to inflict such punishment on the delinquent (whom they esteemed a rash distracted man) as their lordships in their wisdoms should think fit<sup>b</sup>. The lord chancellor accordingly acquainted the house with this message, and delivered in the copies of the examinations.

364 The lords were not a little nettled at the treatment they had received from the lords justices, who had done nothing in a matter so earnestly recommended to them by the house, and after affecting a perfect silence on the subject for near three weeks, had at last referred it back to them, under a pretence of deference to the house, in the very instant of their prorogation, when it was impossible for them to do any thing in the cause. They re-

<sup>b</sup> D. 67.

solved however to declare at least their sense of that proceeding, and immediately resolved themselves into a committee, of which the marquis of Ormond was chairman. The house was soon resumed, and the marquis reported from the committee, that they had drawn up an order in the case of Jerome, which they conceived fit to<sup>38c</sup> be entered as an order of the house. This was immediately read, and unanimously approved. It begins with a recital of the former order of Nov. 26, mentions the fact of the lords justices, their returning the copies of the examinations, and the purport of their message, and then goes on in these terms: "And whereas also his majesty's writ of prorogation was at the same time in the lord chancellor's hands, and forthwith delivered into this house for the prorogation of this parliament from this day to the 20th of April next, by means whereof this house is disabled to proceed to the final hearing of the said cause, in such manner as the merits of the same may require; and for that the said Stephen Jerome is by the said lords justices thought worthy of punishment, it is therefore ordered by the lords spiritual and temporal in parliament assembled, that the said copies shall be carried again to the said lords justices by the former committee, letting their lordships know, that they do conceive his majesty's honour and the honour of the government much concerned in the premises, and that the 20th of April is too long a time to defer the said punishment; considering the good that a timely example may do in deterring others from committing the like offences; and therefore to desire their lordships from this house, to proceed therein in such a way as their lordships shall think fit; this house conceiving it proper for their lordships who represent his majesty's person, and have his authority to vindicate the same. And forasmuch as the said Jerome stands committed by order of this house, it is also ordered, that he



shall so continue, or be bailed, or otherwise discharged, as the lords justices shall direct." The lords had scarce passed this order, when a message was delivered them from the house of commons, that they had received notice of an intent to prorogue the parliament, and because they had then some business of consequence actually in agitation before their house, they desired that the parliament might not be prorogued till some other day, or at least not till the afternoon. The lords returned in answer, that they had also business of consequence in hand; notwithstanding which, they had thought fit to conform themselves to the pleasure of the state in proceeding with the said prorogation. Thus was the parliament prorogued in a morning, an unusual circumstance of time expressing an uncommon haste, and suddenly, without any previous notice given to either house for the adjusting and despatch of the business before them in order to a recess. The lords justices, no doubt, had their motives for this proceeding; but it is to be feared they arose rather from a desire to gratify the malice and advance the designs of the rebellious faction in England, than from any sense of their duty to his majesty, or any view of promoting his service.

365 The general assembly of the Irish having broken up at the latter end of November, the supreme council applied themselves to execute the resolutions therein taken. Orders were sent to tender the oath of association to all persons in every parish throughout the kingdom. By the form of that oath, every body that took it swore to bear true faith and allegiance to the king, his heirs and lawful successors, and to defend and maintain all his and their just prerogatives, estates, and rights, the power and privileges of the parliament of Ireland, and the fundamental laws of that kingdom. But the associators thereby obliged themselves also, to defend and uphold the free exercise of the Roman catholic faith and religion throughout the

land, and the lives, liberties, estates and rights of all that had taken or should take the oath and perform the contents thereof; to obey all the orders of the supreme council concerning the said public cause; neither to seek<sup>381</sup> nor receive, directly or indirectly, any pardon or protection for any act done or to be done touching the said general cause, without the consent of the major part of the said council, nor to do any act to the prejudice of the cause, but, with the hazard of life and estate, to assist, prosecute, and maintain the same. This was the substance of the oath of association, which was pressed upon all persons, and such as refused it, particularly the earl of Clanrickard, and the gentlemen who adhered to him in the county of Galway, were excommunicated by the clergy.

<sup>366</sup> It had been resolved in the assembly to raise in Leinster a body of thirty-one thousand seven hundred men; the greatest part of them to be kept in the garrisons of that province, but about six thousand foot and six hundred horse to be formed into an army under general Preston, under whom the earl of Castlehaven served, as lieutenant general of the Leinster horse. Preston having got together about two thousand five hundred foot, and some troops of horse, invested the castle of Burros in the King's County, which was surrendered to him on Dec. 30. From thence he marched to Birr<sup>c</sup>, having intelligence that the garrison had not powder to stand two hours' assault. He came before it on Jan. 13, viewed the ground, raised a battery, and tried to undermine the place. At last, on the 18th, being instructed by a mason who had been employed in the building of the castle, they hit upon the right ground, a green clayish bank on the west side of the castle. The mouth of the mine was not above four yards distant from the very foundation of the walls. The garrison hearing the sap, fired some shot and rolled

<sup>c</sup> Deposition of major Chidley Coote, Apr. 11, 1643.

great stones down the bank upon the enemy; but by break of day they were got under the ground, and out of all danger. The garrison had not in fourteen months' time received from the state above one hundred pound weight of powder, and were unprovided for a defence. They beat a parley on the 19th, and capitulated to march out the next day, horse and foot, with arms, half their plate, and money; their clothes, and as much provision as they could carry. The articles were faithfully performed, and the earl of Castlehaven convoyed the garrison and inhabitants, to the number of eight hundred persons, in a long march of two or three days together, through the woods of Iregan and waste countries, safe to Athy, the next friendly garrison. Preston advancing further, took Bannogher, and came<sup>d</sup> on Jan. 26 before fort Falkland, a place of considerable strength, and which might very well have held out against him longer than he could have stayed before it, in that season of the year, and for want of victuals. Those within the place were numerous, but few of them were serviceable; they were somewhat straitened in point of provisions, and were much discouraged by a long and vain expectation of succours from the state, by which they had been entirely neglected. They never could have been able to subsist so long, but for the relief which had been sent them from time to time by the earl of Clanrickard, who was now surrounded with so many difficulties in his own country, that they had very little prospect of any from that quarter. Preston's fair carriage at Birr, and his faithful observance of the articles of capitulation, inclined the besieged to surrender themselves to him, rather than to fall afterwards into worse hands. These reasons determined the lord Castle Stewart, without waiting a battery, to surrender the fort, the day after Preston came before it, and he was convoyed with his company safe to the fort of Galway. Preston, before the taking of Burros,

<sup>d</sup> Clanrickard's Memoirs, Jan. 1642-3.

had made an attempt upon Ballynekil in the Queen's County; but colonel Monck and captain Yarner with<sup>e</sup> six hundred foot and two hundred horse relieved the place, and defeated him, though near double their number, at Tymochoc. His loss was not greater than of about 382 sixty men killed; and having strengthened himself with new forces, he thus reduced all the forts in the King's County.

367 During this expedition, Preston wrote from Birr<sup>f</sup> to the earl of Clanrickard, endeavouring by various arguments to draw him over to the same party which he had embraced himself; but received from his lordship an answer, clearly refuting all the pretences made use of to gloss over the cause of the rebels, and sufficient to discourage him from the like attempts for the future. The earl's letter had a very good effect on colonel Edmund Butler, son to lord Mountgarret, and several others engaged in the confederacy, and opened their eyes so as to convince them of the disloyalty of their proceedings, and of the misery that would thereby be brought upon their country. But it was not so much the prospect of that success, as the situation of the earl of Clanrickard's affairs, which obliged him to send an answer to that general, to the noblemen of the supreme council, and the titular bishops, who solicited and importuned him with letters on the same subject. He was in a remote part of the kingdom, to which it was now scarce possible for the state to send him any supply, and having been entirely deserted by them from the very beginning of the troubles, he had still the less reason to expect any relief. The enemy was very strong in all parts about him, and he having spent all his revenue in providing hitherto for the defence of the country, had nothing to support him, but the affections and esteem of the neighbouring gentlemen,

<sup>e</sup> Letter of the lords justices, Jan. 20, 1642-3.

<sup>f</sup> See collection of Letters, No. CXX. CXXI.

who still adhered to him. These were Roman catholics, and when the clergy were so busy in thundering out their excommunications against all that did not engage in the association, he could not tell whether they were proof against the censures of their church, but had abundant reason to fear the worst. His wife and family were in the country, in a place not defensible against an army; he had no power to give either reward or encouragement his own friends, nor any ability to oppose the violence of others, but only such arguments as he was upon these occasions enforced to use. These were however very useful to him in those distressed circumstances, retaining a great many gentlemen in their attachment to him, and in their duty to his majesty, and restraining the enemy from attacking him openly. But they could not hinder the defection of the town of Athenry in the beginning of January, nor the surprisal of his castle of Clare on the last day of that month.

368 As the rebels about him grew stronger, he saw all means of safety impairing and flying still farther from him by the sudden and unexpected departure of the lord Ranelagh, president of the province, sir Cha. Coote, and other English commanders in the county of Roscommon, the only country with which he could hold any correspondence, or from whence he could receive the least assistance. The president had been for a considerable time blocked up in Athlone, and the forces in that county were reduced to great extremities<sup>g</sup>. To relieve these in some measure, the lords justices were forced, out of their scarcity at Dublin, to spare them forty barrels of powder, thirty-nine of match, fifteen of salt, six hundred suits of clothes, and as many shirts and caps. Sir R. Grenville with nine hundred foot and two hundred horse was appointed to convoy these provisions. In his march he was encountered by the rebels, but forced his way through all

<sup>g</sup> Letter of the lords justices, Feb. 20, 1642-3.

opposition to Mullingar, where he arrived on Jan. 29, and advanced the next day to Athlone, where he delivered the provisions under his care to the lord president. The soldiers had long suffered under terrible necessities, and had borne them in some expectation of relief; but now seeing all their succours consisted in a small quantity of ammunition, that there was no corn, and (what was worse) no money sent them for their pay, were exceedingly dis-<sup>383</sup>contented, and resolved to stay no longer in a country to which they seemed to have been sent only to be starved. Sir Michael Ernle, sir Edward Povey, and six hundred of their men, most of them sick and weak, took up this resolution; and<sup>b</sup> the president, not caring to be cooped up longer within the walls of a castle, and hoping that his representations might produce some good effect, as well for the relief of those parts against the rebels, as for the preservation of the king's interest among the troops, which were corrupted by some disaffected and puritanical officers, determined to return with the convoy to Dublin. Sir R. Grenville having rested two or three days at Athlone, set out with his army about Feb. 5, and having passed Mullingar was met on the 7th of that month by a body of the enemy at Rathconnel, in a place of great disadvantage to him. The rebels were three thousand four hundred foot and six troops of horse, but were defeated with the loss of two hundred and fifty of their number killed, and colonel Anthony Preston, the general's eldest son, with some others taken prisoners.

<sup>369</sup> The lord president's intention was to lay before his majesty a full account of the state of his province, and of the ill effects of the orders and proceedings of the lords justices, and of the methods taken by them in the management of the war; but as soon as he arrived at Dublin, he found himself traversed in that design. Sir Cha. Coote and sir M. Ernle charged him with all the necessities and

<sup>b</sup> Clanrickard's Memoirs, Feb. 1642-3.

extremities which the troops had suffered in Connaught, though they arose from the want of those supplies of money and provisions which ought to have been sent from Dublin, and which the president himself had just reason to complain had been never sent. To make up in number what was wanting in the weight or justice of the heads of accusation against him, <sup>i</sup>they exhibited seventy-four articles against him, which were first presented to the marquis of Ormond, and afterwards laid before the council-board; nor did they scruple in some particulars thereof to insinuate things which might occasion a misconstruction of the actions of the earl of Clanrickard, who had done so much for their subsistence and preservation. These articles, which seem to be a contrivance to prevent lord Ranelagh's repair to the king<sup>k</sup>, were fully debated at the board on March 5, in the marquis of Ormond's absence in the expedition to Rasse; and after the judges had delivered their opinions on the subject, it was resolved that his lordship should put in no answer, but the articles be transmitted to his majesty, to receive his further directions. The lord president desired a copy of the charge against him which was resolved to be sent over, but was refused. He then earnestly moved for a license to go for England; this was not only denied him, but likewise an inhibition and absolute command was laid upon him not to depart the kingdom. To receive articles against a nobleman in so high a command<sup>l</sup>, to transmit them for his majesty's consideration, to press for as speedy a signification of his royal pleasure upon perusal thereof as could conveniently be given, and at the same time to keep the person accused in utter ignorance of what was objected to his conduct, and to deprive him of all possi-

<sup>i</sup> Clanrickard's Memoirs, Feb. 1642-3.

<sup>k</sup> Letters of Edw. Brabazon and sir Ph. Percival, March 6, to the marquis of Ormond. D. 260, 261.

<sup>l</sup> Letter of the lords justices to Lucius lord Falkland, March 10.

bility of making his defence, till possibly he might be sentenced as guilty, or removed from his employment, (which could not well in such a time be kept vacant without detriment to the service,) does not seem a very equitable way of proceeding in the lords justices. <sup>m</sup>But they manifestly favoured the ambition and pretensions of sir C. Coote, who was a man after their own heart, entirely for their scheme of extirpation, and as strongly attached to the parliament cause; which he would be <sup>384</sup> much more capable of serving, if he were made (as he desired to be) lord president of Connaught in lord Ranelagh's stead. His lordship could not but resent this treatment, and being, through ignorance of his crime, disabled to make his own defence, he took the only method left him of obstructing the malice and designs of his enemies, and exhibited articles against his rival sir C. Coote to the council-board, who were obliged to transmit them likewise to his majesty. Lord Ranelagh had afterwards license given him by the king to repair into England, where he fully cleared and acquitted himself of those aspersions which in that charge had been thrown on his conduct.

<sup>370</sup> Lord Ranelagh was not the only person whom the lords justices endeavoured to hinder from repairing into England. They did not care the king should receive any accounts from Ireland but what came dressed up in their own glosses, and they very rarely sent him any information of passages, scarce ever applying to him, except on such occasions as that above mentioned, where it was necessary in point of form, and then confining the matter of their letters purely to such particular subjects. They thought fit to deny major Woodhouse a license to go over on the following occasion: The army in and about Dublin was (as hath been said) in very great distress,

<sup>m</sup> Letter of the lords justices to Lucius lord Falkland, March 15. 1642. 3.



even after the arrival of the parliament committee at the end of October. The twenty thousand pounds which they brought was a supply far short of what the necessities of the army required. "The state had endeavoured to give some contentment to the soldiers in defect of their pay, by supplying them with victuals for their subsistence; but the captains and other officers, having had no relief that way, were reduced to great extremity. They had received no pay at all, other than very small and inconsiderable sums, allotted them by dividends, proportionable to the small supplies of money sent from England. These were so far short of enabling them to pay the many debts they had contracted in Ireland, or to buy themselves either necessary food to keep them alive, or raiment to cover their nakedness, that it was a lamentable sight to behold the miseries they endured, much unbecom- ing their qualities and the merits of such persons, who had in the service shewn so much valour and resolution, as was greatly to the honour of the English nation, and no little terror and astonishment to the rebels. The committee of parliament had, to engage the officers in the interests of the English parliament, framed an oath for them to take, which (with a like interpretation as was used with regard to the protestation, and in other cases where his majesty's name was put in only for form) would have been called an oath of fealty, and have bound them to the service of the parliament; they had terrified them by a very strict examination into the fulness or defects of their companies, with the fears of a defalcation of their pay, and had fed them with fine promises of payment of all their arrears; but these being out of humour, and either not crediting those assurances, after having been so long and often deceived in their hopes, or not caring to come into the measures proposed to them, the English committee bethought themselves of a way to

<sup>n</sup> Letter of the lords justices to Lucius lord Falkland, Jan. 20.

draw them in, without obliging the parliament to supply them with any money, which (these gentlemen knew) they did not care to spare at that juncture for Irish service; a way that would not appear suspicious to those officers, as engaging them to no declaration inconsistent with their duty to the king, and which yet would make them absolutely dependent upon the parliament for the satisfaction of their arrears. They made a book, wherein they desired that all the officers of the civil list, as well as the army, should subscribe, and declare their free consent, that a certain part of their pay and the arrears due 385 to them for their service in Ireland should be satisfied out of the rebels' lands, when they were declared to be subdued. This was to put them upon the same foot as the adventurers, and to subject them equally to the authority and decisions of the two houses, who had arrogated to themselves the power, as well of declaring when the rebels were actually subdued, as of allotting lands to the subscribers afterwards.

371 This project was set on foot without ever being communicated to his majesty. The lords justices, and the officers of the civil list, who depended upon them, to set an example, which might invite others to do the same, subscribed considerable sums. Several of the officers of the army, not seeing into the design, which was to withdraw them from their duty to his majesty, were drawn in at first to subscribe. The inducement thereto was a °voluntary proffer made on Jan. 3, by Mr. Reynolds to colonel Monk and others, of giving it under his hand that the parliament should confirm their subscriptions, and make good what he undertook in their behalf. He accordingly drew up something in writing, but did not give it to the officers. Such as had not subscribed were curious to see this writing: those who had, not being able to get a sight of it, grew uneasy, and petitioned the justices and council to engage their estates for security

° Tucker's Journal, fol. 52.

that the parliament should deal fairly with them (for as yet there was no act of parliament to warrant their subscriptions). The state absolutely refused to do so, which made the subscribers insist to have their subscriptions cancelled, and there was no satisfying them till the book was delivered up by the committee.

372 What discouraged these officers the more in subscribing was the slowness and inconsiderableness of the supplies already sent, which persuaded them that the parliament had no intention of speedily suppressing the rebellion; and they knew, that for want of supplies they should never be able to go on with the war. They saw themselves so entirely neglected, and reduced to so great miseries for want of their pay, in spite of all their services and repeated representations of their distress, that it looked as if they were sent over only to be knocked on the head or to be starved in Ireland. In a just sense of this cruel treatment, the earl of Kildare and all the principal commanders of the army, then in Dublin, (except the lord Lisle,) drew up a<sup>p</sup> remonstrance of the hardships they endured. In the preamble thereof they take notice of major Henry Warren's being sent into England, with a representation of the great extremities to which they were reduced, and to solicit for relief, of which there was no appearance, though they had waited for it with all possible patience and penury till the major's return, who (after<sup>q</sup> earnest but vain solicitations of Mr. Pym and the other commissioners for the affairs of Ireland) had brought back with him no hopes of any amendment of their condition from that quarter; which forced them to seek elsewhere for redress of their grievances, and obliged them to appeal to his sacred majesty, the fountain of justice, in full assurance of his princely favour. In the body of

<sup>p</sup> See Collection of Letters, No. CXXVII.

<sup>q</sup> Letters of major Warren to the marquis of Ormond, Oct. 4. and Nov. 1, 1642.

the remonstrance they represented, 1. That as well by the act of parliament in England, as by covenants with the lord lieutenant, and by the promises of the lords justices and council of Ireland, they were to have their pay duly made good to them, as well for their carriages as themselves and their soldiers. 2. That both officers and soldiers had faithfully answered all services that could be expected from them, not only in the frequent hazard of their lives, but also in the constant discharge of their duties. 3. That notwithstanding the starving condition of<sup>386</sup> the army, all the extremity of strictness in musters was put upon them, with an oath tendered as well to the soldiers as officers, which could not but leave upon them a character of distrust of their integrity in the cause; and yet they had no assured hopes of assistance, but rather their fears increased of having the highest severities used to them in their checks, which, in an army so ill paid and oppressed with want and misery, was without precedent. 4. That in all armies military offences, of what nature soever, had ever been punishable by martial law only, and no other; a privilege which they pleaded, and maintained to be inseparable to their profession. 5. That there never had, since the beginning of the service, been any account made with them, so as if they should miscarry, their heirs were ignorant what to demand; which not only discouraged the officers, but disabled them to subsist and continue in the service. 6. That with all humility they craved leave to present to the memories of the lords justices and council, what vast sums of money had been raised and paid in England for the advancement of the service and supply of their wants in Ireland, a great part whereof had been otherwise applied, even when their necessities were most pressing, and the cause most hopeful. 7. That when their expectations were most set upon the performance of what was justly due to them, the small pay issued out was given them in a coin much a

stranger to that wherein the parliament had paid it, and yet continued to be so, though publicly disallowed by them; by which means the officers suffered an insupportable loss, whilst others wanted not the confidence to advance their own fortunes out of their general calamities: a crime, they conceived, highly censurable; and if in indigent times so much strictness were needful in the army, they conceived it as necessary for the state to find out such offenders, and to measure out a punishment suitable to an offence of so high an abuse. 8. *That their arrears, which were great, might be duly answered them in money, and not in subscriptions, which they conceived to be an hard condition for them to venture their lives on:* and likewise humbly offered it to consideration, whether they might not be thought to deserve rewards in land, without other price, as well as in former rebellions in that kingdom, others had done. For these reasons, in acquittal of themselves to God, the king, the cause, the country, and the state of Ireland, they had thus represented their condition, craving what their rights and necessities required for them, that they might be duly answered what was or should be due to them in their employment according to their capitulation, their services justly esteemed; musters without oath, unless duly paid; checks according to the articles of war; their offences limited to the proper judicatory; their own oppressors found out, and punished exemplarily, with satisfaction to those they had wronged; that their pay might be converted only to the use the act of parliament had prescribed; their accounts speedily made up according to their several musters, their arrears secured, and due provision to be made for the subsistence of officers and soldiers. All this they desired might be answered otherwise than by verbal expressions, and that their lordships would speedily make it appear there was a real care taken for their certain subsistence; or otherwise, they receiving so small hope of further assistance

from the parliament [of England] their lordships would leave them to themselves, to take such course as should best suit to the glory of God, the honour of the king, and their own urgent and present necessities; adding, by way of conclusion, that this was the sense of all and every one of them, who subscribed the instrument, to the number of above forty of the prime officers of the army.

373 The marquis of Ormond was, on Dec. 17, 1642, sitting<sup>387</sup> at the council-table, when the doorkeeper acquainted him that some officers of the army were without, and desired to speak with him. Upon his going out, sir Fulk Huncks, colonel Richard Gibson, and others, delivered to him this remonstrance, desiring him to present it to the lords justices and council. This he did on the instant, and two days afterwards sent an express with a copy thereof to his majesty. The lords justices endeavoured to satisfy the officers, as usual, with fair promises and hopes; but that coin would no longer pass with them. The council, to shew their real desire of gratifying them, endeavoured to raise a little money for that purpose, and, on Jan. 5, made an order<sup>r</sup> that every body should bring in half their plate to be converted into money for the present relief of the officers of the army. None being brought in pursuant to this order, and being daily importuned by the officers for relief, they, to quicken others by their example, declared in council, on Jan. 16, that they would send in their own plate the next day, and the members who were then present subscribed a writing to that effect. The names of the absent members were taken, and a messenger sent to them with the said writing, that they also might subscribe thereunto. Arthur Padmore the messenger coming the same day with the paper of subscription to Anthony Martin, bishop of Meath, shewed it to him, expecting that he

<sup>r</sup> D. 176 and 159.

among others should make the like offer. The bishop thereupon told him, that he had neither plate nor any thing else to make money of but a few old gowns, his house being pillaged and burnt in the beginning of the troubles, and all that he had seized upon by the rebels. The bishop was not agreeable to the parliament commissioners on account of his character, nor to the lords justices by reason of his disliking and opposing their measures in parliament, so that though he was a member of the board, he was hardly ever summoned to council. They resolved on this occasion to make him an example of their resentment; they interpreted his answer to be a slight of the dignity and authority of the board; and having considered four days upon the matter, caused Padmore to draw up the bishop's answer in an affidavit, and summoned his lordship to attend the board on Saturday the 21st of that month. He then appeared accordingly before their lordships and the committee sent from the parliament of England, and was committed prisoner to the custody of Mr. John Pue, one of the sheriffs of Dublin. The warrant is signed at the top by the lords justices, and at bottom by the lord Conway, sir G. Lowther, sir J. Temple, sir T. Rotheram, and sir R. Meredith. The marquis of Ormond was not present at this commitment; he had been taken ill about Christmas, but was now recovered and out of danger, though perhaps not well enough to go abroad. Yet it looks as if there were some dissenting voices at the board, because the bishop in his petition to the king, stating his case, says, he was censured to be committed by the lords justices and *some* members of the board. The bishop of Meath petitioned the board the next week, representing the troublesomeness and expense of his confinement, and desiring to be removed to his own dwellinghouse, till they should think fit to give order for his further releasement; but this petition was

<sup>s</sup> D. 159.

rejected. Finding no redress from the authors of his imprisonment, he applied to the king for relief, representing the occasion and order for his committal, notwithstanding he had pleaded that the bare and single testimony of the messenger, being a man of obscure condition, was not convincing proof against a bishop; that he challenged some respect as a privy counsellor; that he had a place and voice in parliament, and therefore stood upon the immunity which was due to him at a time when privilege was in force; and that he had not<sup>388</sup> wherewith to defray the charges of his imprisonment. Yet all these allegations could neither prevent the censure nor procure any mitigation of the same, but that he still remained in restraint, to the undoing of himself and his poor family, the disheartening of others of his place and function, and the rejoicing of many busy spirits, who, under colour of piety, disturbed the peace and prosperity of God's church; and praying his majesty to give direction for his present enlargement, he being already brought to a very low condition of want, living in a place where he was hopeless of any comfort, and destitute of all means of support; and if his majesty should hereafter think fit to have his cause further examined, he would in all humility submit to any course which his majesty should think meet to be taken therein.

<sup>374</sup> This subscription of plate did not bring in above one thousand two hundred pounds, a sum too little to relieve the necessities of the officers; who thereupon made a second application to the lords justices and council, †desiring them either to help them some other way, or to give them leave to make their application to his majesty for a more ample supply of their wants, which were so daily increasing upon them, (notwithstanding their lordships' so often and most earnest soliciting the parliament

† See Collection of Letters, No. CXXVIII.



in their behalf, and the lively representation which their committee of great trust had made unto them,) that they were likely to perish under the burden thereof, for ought they saw, unless they betook themselves for their relief to the fountain of justice and piety, their gracious sovereign, who they doubted not would be most ready to succour them. They drew up at the same time an address to the "king, representing, that though through the want of men, money, arms, munition, and indeed every thing without which a war could not be continued, they had long since been in no good condition for the effecting of the business which brought them to Ireland, (the extirpation of the rebels there, and the forcing that kingdom to its due obedience to his majesty,) yet having a more tender and mannerly sense of his majesty's troubles at home, than to offer to sharpen them to him by their complaints for another country, whilst their sufferings were no greater than they could live with them, they had expected a relief with so much patience, whilst the lords justices and committee had not been able to redress them by all their care, and those representations which they had made to the houses of parliament of their necessities, that at last their case was become so desperate, that unless his majesty should be pleased to interpose his princely protection, they could not discover any thing that might stand betwixt them and absolute destruction; and therefore thinking they could not answer it to God nor to his majesty, (to whom next to God they owed themselves,) if without his knowledge they let so many of his loyal subjects run to ruin, and being ashamed to own so little as under their impossibilities must needs be performed by them in his service, they craved leave in all humility to recommend their distressed estate to his royal consideration; beseeching his

<sup>u</sup> See Collection of Letters, No. CXXIX.

majesty so to dispose of them, that having wherewithal to support them to a more happy conclusion, they might not be reduced to one so useless to his majesty's occasions as that of being starved; which nature had not taught them to decline for any reason more, than their duty to his majesty had made them to abhor it, as being too modest a witness of the great desires they had to approve themselves his majesty's most loyal and most faithful servants and subjects.

375 This loyal and affectionate address of the officers to his majesty did not please the committee of parliament, so that when a pass was desired for major Michael Wood-389 house to go into England and deliver it to the king, the xcommittee took occasion to declare, that the parliament would certainly withdraw their supplies upon notice of such an address. It would certainly give that body no advantageous opinion of the dexterity which their agents had used in their negotiations and endeavours to corrupt the army; so that they engaged the lords justices at first to refuse Woodhouse a license to repair to the king. yFor fear he should get over without license, the committee, on Jan. 28, solicited the lords justices to lay an embargo on all ships in the harbour, and to persuade the officers to delay sending him till they had received an answer from the parliament. The justices granted the first part of their request, and promised to use their endeavours to gratify them in the latter; but did not meet with the desired success. Two days afterwards (Jan. 30, in the morning) the earl of Kildare, sir Fulk Huncks, and colonel Gibson came to the council-table, and demanded a pass for major Woodhouse to go to England with their letter to the king. They were put for an answer till the afternoon; the marquis of Ormond was then present, and moved that the answer might be im-

\* Borlace, p. 105.

y Captain Tucker's Journal, fol. 55.

mediately given; yet it was deferred till the next day. I do not find what answer was then given; but as the embargo was taken off the shipping, (being indeed too inconvenient for the affairs of that kingdom to be continued,) and as this matter caused a great clamour and discontent in the army, they were either obliged to give the major leave to go, or he got off without license, for he delivered the address to the <sup>z</sup>king on Feb. 8, at Oxford. His <sup>a</sup>majesty on that occasion expressed the most touching grief for the distresses of such a body of noble, eminent, and well deserving persons, and for his own inability to give them present relief. He was persuaded most (if not all) of them knew whence the obstructions to their relief came, and how much he was himself distressed by his rebellious subjects in England; yet he would not omit any opportunity wherein he might either relieve his distressed kingdom of Ireland, or encourage and recompense such there as had deserved so eminently of him, desiring the marquis of Ormond to return his thanks in particular to the earl of Kildare, sir Fulk Huncks, colonel Gibson, and sir R. Grenville, for their respective great services, and singular respect to him and his government, and to assure them of his royal favour and regard in whatsoever might tend to their advantage.

376 Major Woodhouse was instructed likewise by the marquis of Ormond to acquaint his majesty with many particulars and passages concerning the army since the committee came into Ireland, with the attempts of the lords justices, during the marquis's late sickness, to abridge and eclipse his command over the army, which was the greatest obstruction to their measures, and with many other affairs of great consequence to his service; most of which relations were entirely new to his majesty, and

<sup>z</sup> Letter of M. Woodhouse to the marquis of Ormond, Feb. 9.

<sup>a</sup> See Collection of Letters, No. CXXXVI.

convinced him of the necessity he lay under of putting the administration of affairs in that kingdom into other hands. The committee of parliament, though they wanted success in their application to the officers about Dublin, did not want diligence in using their best endeavours to seduce them in other places. <sup>b</sup>When they found that they could not stop the address before mentioned, they went, on Feb. 3, to see all the considerable garrisons in Leinster, particularly Trim, Drogheda, and Dundalk, and to try if the same arguments which had been suggested to those of Dublin might not prevail with the officers in these garrisons; but they found them as loyal as their enemies had found them brave, and met with the same ill success and disappointment everywhere. The officers <sup>390</sup> in those places all signed a letter to his majesty, avowing the letter sent by major Woodhouse to be their unanimous sense, and professing further to be always ready to obey his commands.

377 There was another affair happened about this time, from which the committee hoped to derive a great advantage to their negotiations, and they had their agents constantly at work without intermission to get from the officers and other protestant inhabitants of Dublin some writing, to manifest their discontent at a commission which his majesty had lately granted to the marquis of Ormond and others, of which an account is now to be given. It hath been already observed, that the lords and gentry of the pale, when out of a jealousy of the lords justices, and an apprehension that an extirpation of them and their religion was designed, they stood upon their guard, joined in an <sup>c</sup>address to his majesty, desiring liberty to lay before him their just grievances, and promising, upon redress thereof, and security of their estates and religion, to lay down their arms. They professed the

<sup>b</sup> See Collection of Letters, No. CXXVI.

<sup>c</sup> *Ib.* No. XLVI. XLVII. XLVIII.

like readiness upon the news of the king's proclamation, and sent lieutenant colonel Reade, on March 9, 1641-2, to the lords justices to propose a cessation. Receiving no answer to that proposition, they renewed it, by means of the earl of Castlehaven, on the 23rd of the same month. About the same time <sup>d</sup>sir Lucas Dillon, Hugh Oge O'Conner, and other gentlemen of the county of Roscommon, proposed a like cessation to the earl of Clanrickard and the president of Connaught. In the following month the lords of the pale repeated the same proposition, and <sup>e</sup>lord Clanrickard had, at the request of the rebels in general, on May 19, recommended to the state the agreeing to a general cessation, until his majesty's pleasure were further declared upon their humble applications. His lordship thought that proposal fit to be accepted, as likely to restore the peace of the nation, and necessary to preserve the lives of thousands of his majesty's subjects, and to prevent the utter desolation of the kingdom. He was entirely of opinion that a distinction ought to be made of punishment between rebels guilty of cruelties and others that were less criminal, and that by a cessation for a time the confederacy would have been broken, such as were unwarily engaged, and had felt the miseries of war, would begin to relish the blessings of peace, the most guilty would have been forsaken, abhorred, and left to destruction; others to have had their shares of severity, according to the nature of their crimes, and all men, by the law joined with power, brought insensibly, without danger, into a fit and sure subjection without effusion of much innocent blood. But the justices entertaining different sentiments, and resolving

<sup>d</sup> See their letter to lord Clanrickard, March 14, 1641-2, and his letter to ditto, April 14, 1642.

<sup>e</sup> See Collection of Letters, No. LXXXV, and his letters of May 19 and June 28 to sir W. Parsons.

upon a severe punishment of all without distinction, absolutely rejected the cessation.

378 This did not suppress the desires which the Roman catholic nobility and gentry in arms had of putting an end to the war, though it put them upon other methods of application than to the lords justices. Hence, being assembled together in great numbers at Kilkenny in July 1642, <sup>f</sup>they drew up a petition to his majesty, taking notice of their frequent endeavours of having access by their agents to his royal throne, and of their being still prevented by the unwearied watchfulness of their adversaries, and beseeching his majesty to appoint some way wherein they might safely approach his presence, to inform him truly of the whole scope of their resolutions, and receive his commands; and that his majesty would be pleased to enjoin a cessation on both sides, whereby the lives of many of his subjects would be preserved, and the improvement of many years kept from desolation. This petition they sent enclosed in a letter 39<sup>1</sup> to the marquis of Ormond, in order to be transmitted to his majesty, an office which they conceived he could not in justice to them, or duty to the king, refuse to do, and pressing a speedy transmission thereof, since the retarding to send it over would be in effect to suppress it. His lordship received the petition on the 6th of August, and immediately communicated it to the lords justices and council, who resolved to send it over to the king, together with their own sense upon the subject. They were not very fond of executing this resolution, so that the lord of Ormond observing a delay, the reason of which he would not take upon him to know, thought it his duty to transmit it to his majesty in <sup>g</sup>his letter of the 13th of that month. At last the lords justices, on <sup>h</sup>the 26th,

<sup>f</sup> See Collection of Letters, No. C.

<sup>g</sup> *Ib.* No. CIV.

<sup>h</sup> Letter to sir E. Nicholas, Aug. 26, 1642.

finding that sir John Dungan and Mr. Henry Talbot had gone off for England without license, and imagining that the king would some way or other be made acquainted with the affair, sent over a copy of the petition, attended with their own glosses and reflections on the matter thereof, and with their advice to his majesty not to grant the request of the petitioners. All the strength of their glosses lies in their confounding the nobility and gentry of Leinster and Munster (who had taken arms upon publishing the design of their extirpation, who had been guilty of no cruelties to the English, and who had ever from their first rising been humble supplicants for an audience and cessation) with the Ulster rebels, who had broke into rebellion without any provocation, who had committed numberless barbarities and massacres in the north, and who, despairing of mercy, had never made any address for a cessation. The reason of their advice is founded upon their darling scheme of an extirpation of the old English proprietors, and a general plantation of the whole kingdom with a new colony; for this is the meaning of what they allege, to shew it to be unsafe for his majesty and destructive to the kingdom to grant the petitioners' request, as being altogether inconsistent with the means of raising a considerable revenue for his crown, of settling religion and civility in the kingdom, and of establishing a firm and lasting peace, to the honour of his majesty, the safety of his royal posterity, and the comfort of all his faithful subjects. The king had too much reason at this time to suspect the proceedings of the lords justices, and thought it an act of little respect to his dignity to send him only a copy of the petition, whilst they kept the original to themselves. They were reprimanded for that neglect, and ordered to send over the original, which was done on Oct. 12. This occasioning a delay in returning an answer to the petition, the confederated nobility and gentry assembling again at

Kilkenny at the latter end of that month, and not knowing the fate of their last, agreed upon another <sup>i</sup>petition to his majesty, renewing their request for leave to inform him of their grievances, and to receive his commands, and beseeching him to leave them free in their profession of faith, to secure their estates and liberties according to law, to make no distinction between them and the other nations subject to his empire but by the faithful services which they should render him, and then they should be ready to shew their earnest desire to advance his service, and carry their forces upon any design which his majesty should appoint. They drew up at the same time an <sup>k</sup>address to the queen, desiring her intercession with his majesty in their behalf.

379 The king considering the occasion and circumstances which had engaged such a body of nobility and gentry of English race to have recourse to arms, the apparent moderation of their demands, their earnest desires of laying their grievances before him, and submitting them to <sup>392</sup> his determination, their repeated motions for a cessation of arms, the blood that must be shed, and the ruin that would attend the kingdom, if the war continued, the little care that the parliament had taken hitherto to send supplies to Ireland, and the improbability of their sending any more now that all their thoughts, money, and forces were employed in making war upon himself in England, the inability he was under of sending assistances equal to the necessities of his kingdom, and the utter impossibility either of subsisting the army in Ireland, or of preserving his protestant subjects there from ruin, now that their distresses were grown so extreme, and the forces of the enemy so much increased by the supplies they had received from abroad; the king, I say, considering these things, and not seeing any reason why, as the common

<sup>i</sup> See Collection of Letters, No. CXI.      <sup>k</sup> *Ib.* No. CXII.



parent of all his subjects, he might not as well hear the grievances, and receive the propositions of his Irish, as he had formerly done those of the Scots, and was ready to hear and receive those of the English rebels, resolved to issue out a commission under the great seal of England, to empower certain persons to meet with the principal of the recusants who had sent the petition before-mentioned, to receive in writing what the petitioners had to say or propound, and to transmit the same to his majesty.

380 The <sup>1</sup>commission was dated Jan. 11, and directed to the marquis of Ormond, the earls of Clanrickard and Roscommon, the viscount Moore, sir Thomas Lucas, sir Maurice Eustace, and Thomas Bourke, esq., any three or more of them being authorized to act and meet for the purposes aforesaid. It was sent over into Ireland by the last of these commissioners, who had attended in the parliament of that kingdom on the two days which it sat in Nov. 1641, and immediately after the prorogation had gone into England, where he had constantly attended his majesty. He was a gentleman of very good parts and great integrity; was very affectionate to his majesty's service, and so unquestionably loyal, that even sir W. Parsons had just before recommended him as fit to be employed in a commission of a like nature. Contrary winds hindered him from landing at Dublin till the 30th of January, when he delivered the commission to the marquis of Ormond, and a letter from the king notifying to the lords justices the purport of it, and requiring them to be assistant to the commissioners in the execution thereof. The lords justices did not like the affair, and had a mind to put some stop to the execution of the commission, notwithstanding his majesty's commands. The committee of the parliament exclaimed against it, and particularly against Mr. Bourke's being employed in it, whom they excepted to as being a Roman catholic,

<sup>1</sup> See Collection of Letters, No. CXVI.

(though the same objection, if it were of any weight, lay equally against the earl of Clanrickard,)<sup>m</sup> and endeavoured manly to asperse him, as having been a fomentor of the rebellion, and an agent for the rebels in England, for which slander there was not the least foundation. These misrepresentations, and others which were suggested by the malice of persons that designed the prejudice of his majesty and the final destruction of that gasping kingdom, were so industriously propagated and so confidently asserted, that they had like to have had an ill effect upon the officers of the army. But the marquis of Ormond, shewing the principal of them the commission itself, and refuting the other calumnies and false reports that had been raised, they were at last very well satisfied; and indeed one of the chief pretences was soon removed by Mr. Bourke's death, who was carried off by a fever, which seized him two or three days after his landing.

381   <sup>n</sup> Reynolds and Goodwin endeavoured to get some of 393 them, and of the inhabitants of Dublin, to sign a paper declaring their discontent at the commission; but could not prevail with any man of note, or indeed with any body but such as were of that malignant party then called roundheads. Their chief interest lay in the mob, and in persons of very mean condition, easily wrought upon by the seditious preaching and practice of a set of lecturers, who since their coming over had been too much countenanced and followed in that city, as indeed all men and ways were, that could advance the designs of the rebels in England. A party had been formed in Dublin, which did not scruple to wish success to those rebels, and to maintain the cause of the parliament; and though at this juncture they were more cautious in declaring their sentiments than they had been some time

<sup>m</sup> Marquis of Ormond's letter to lord Clanrickard, Feb. 3. See Collection of Letters, No. CXXIII.

<sup>n</sup> Ibid. No. CXXVI.

before, yet they were rather silenced by the prosperous condition of his majesty's affairs, than truly altered in their wishes and affections to them. The chief support of that party, and the greatest credit which the English rebels had, was derived from the countenance given to them by the lord Lisle, son to the lord lieutenant, who had more publicly avowed his inclinations than others durst.

382 He was no privy-counsellor, but by the favour of the lords justices, for reasons they best knew, had since his first coming over been admitted to be at council, even when matters of the greatest consequence had been debated and voted, and when his majesty's letters had been read. This the marquis of Ormond for some time took to be only a civility to him from the justices, offered by them to make their court to his father the lord lieutenant, and desired by him for no other end but to acquaint himself with the state of the kingdom, that so he might be the better able to contribute assistance to the public service against the rebels. But when he found he had reason to suspect that lord Lisle made use of that privilege (the first of the kind that was ever heard of) to interrupt his majesty's designs, and to further those of the parliament, the marquis thought it his duty to be no longer silent, out of any respect or fear on that head, but to inform his majesty thereof, and to offer it to his consideration, whether the admitting of persons unsworn to be present at the most weighty and private debates of the council, was not a power too great to be intrusted with or assumed by any governors. How far it might hinder the freedom with which counsellors ought to deliver their advices, when there were others present who were not obliged to secrecy, but perhaps brought thither to awe them, might easily be judged. That this was evidently the case with the council at Dublin he assured his majesty, and begged leave to offer his humble advice, grounded

upon observations of what had passed there, that his majesty would be pleased by his letters to the justices to take such notice thereof, that they might find he was not pleased with it; which would very much encourage, if not increase, his majesty's friends there, discourage and lessen the party which (as the case then stood) too boldly opposed his will, and would in the conclusion procure a ready obedience to whatsoever he should hereafter please to command.

- 383 The marquis of Ormond had before given the king an account of the justices admitting the parliament committee into the council, where they intermeddled and presided in all debates, voted as if they had been really members, and overruled those that were of the board at their pleasure, so that none cared to attend there, but such as were absolutely devoted to their measures, to the great prejudice of his majesty's affairs. The king upon this advice wrote, °on Feb. 3, to the lords justices, telling 394 them, "that he understood they had without his order or knowledge admitted to sit in council with them one Mr. Robert Goodwin and Mr. Reynolds, who were thereby become so bold as to take upon them to hear and debate of matters treated of in council, which was so great a presumption as none of their predecessors ever durst offer to have done or endured, and argued so great a neglect in them of his honour, counsels, and affairs there, that any persons giving way thereto, without his license first obtained, could not be deemed to have so right affections to his honour and service as they ought; that he was not acquainted with what business those men had in Ireland, but if they should be there suffered to sow sedition among his good subjects, he should require an account thereof at the hands of the justices. In the mean time his express command was, that they should not be permitted to

° See Collection of Letters, No. CXXV.

sit or be present any more at the council-table; but if they had any business, they might attend like others of their quality; and he required the lords justices upon their allegiance to take an especial care that they behaved themselves as dutiful subjects; whereof he should expect a strict account from them, answerable to the trust reposed in them." The lords justices finding that there was no gaining of the army, which was entirely devoted to his majesty's service, and under the command of the lord of Ormond, had no party to take, but to obey so positive a command from the king, and to make the best excuse they could for their own conduct. Their apology <sup>p</sup>was, that they had erred out of infirmity and weakness of judgment, in a case for which they had no precedent to guide them, (there never having been a committee of parliament at Dublin before,) and for the want of his majesty's directions [which they had never sought]; that they were afraid of discontenting the parliament of England, and widening the distractions there, if they had not treated those persons with deference, and therefore had admitted them to sit in council, but on a form apart by themselves. In this apology they took no notice of their allowing those persons to vote as well as debate, nor of their admitting, on Nov. 3, (the day after the parliament committee had taken their seats there,) captain Tucker, who was only agent for the London adventurers, to sit likewise in council, and be present at all debates; but making strong professions of duty to his majesty, prepared to obey his commands, and signified to Reynolds and Goodwin, that they should not any more be present at the council-board in the manner as formerly they had been, but should be heard, if they had any business.

<sup>384</sup> The committee did not think it proper to stay in Dublin after such a blow given to their reputation, and being stripped of the power which they had usurped in the

<sup>p</sup> Letter of the lords justices to the king, Feb. 24, 1642-3.

debates of council and the management of affairs. It was indeed high time for them to decamp, when their conduct had justly rendered them objects of the king's displeasure, and obnoxious to the severest punishments of the law. When his majesty's late commission, and his letters to the lords justices on that subject, were, on Jan. 30, presented by the marquis of Ormond to the board, the justices and their party were much troubled at it, <sup>1</sup>looking upon the commission as a step towards the peace of the kingdom and their own ruin. The committee, who knew the mind of their constituents to be for keeping up the war in Ireland, till they had subdued the king and his faithful subjects in England, and that their design was a total extirpation of the old English natives of the former kingdom, and the planting it with a new colony of their own stamp, took occasion thence <sup>395</sup> (after the marquis was gone from the council) to declare, that if the commission had come a year before, it would have saved the parliament much money. The reflection was unjust, because the small sums remitted to Ireland had been raised on the credit of forfeitures which belonged to the king, and out of these they had got vast sums of money which they employed for paying their own army, and carrying on their rebellion against his majesty. The committee broke out into other indecent language, naturally enough to be expected from one of them, whose excessive pride, arrogancy, and intemperance (as Dr. Borlace <sup>2</sup>says, meaning Mr. Reynolds) shocked every body, and made him extremely hated and despised. They had before acted with some caution, and in a covert manner, in their endeavours to debauch the army; but now they acted openly, and bestirred themselves in soliciting the officers to oppose the execution of the commission, and to declare themselves for the parliament, who would reward their disaffection, and support them in their opposi-

<sup>1</sup> See Collection of Letters, No. CXXIII.

<sup>2</sup> P. 104.

tion to his majesty's commands. <sup>s</sup>The king being advertised of these proceedings of theirs, and of their treasonable actions, as well as words, against his royal person, crown, and dignity, issued out two warrants on March 1, under his sign manual, for the apprehending and committing them to safe custody, the one directed to the lords justices, the other to the marquis of Ormond, by whom he was sure to be obeyed. There was no opportunity of executing these orders, Reynolds and Goodwin having left Dublin six or seven days before the date of the warrants. They found themselves disabled from doing the king any further mischief in that city, and resolved to try if they might not have better success in their endeavours to debauch the officers of the army in other parts. The lords justices for that purpose furnished them with one of the king's pinnaces, which used to attend the state, called the Confidence, captain Thomas Bartlet commander. This ship carried them along the coast to the garrisons and forces in the north of Ireland, where they succeeded better in sowing the seeds of sedition and disaffection, which broke out afterwards. Having spent several weeks in this expedition, they sailed at last to London, where, though it was one of the ordinary pinnaces on the station, paid by the king, and of the other two, the Phœnix had been lately cast away, and the Swan was absent, and <sup>t</sup>there was no ship sent from England for guarding the sea about Dublin, which was then infested by the Dunkirk and Wexford privateers, who were daily taking ships even in the harbour of that city, they detained the captain and his crew, and seized the ship for the use of the parliament.

385 The marquis of Ormond had so much credit with the officers of the army under his immediate command, that he easily executed the king's instructions sent by major Warren, and engaged them in his majesty's service. The

<sup>s</sup> D. 257, 258.

<sup>t</sup> See Collection of Letters, No. CXL.

king, to enable him the more effectually to perform his commands<sup>u</sup>, offered at that time to make him lord lieutenant of the kingdom ; but his lordship, satisfied of his majesty's goodness, and not finding the power of that post necessary for the accomplishment of the king's desires, modestly declined that eminent mark of his prince's confidence, and made it his humble suit, that as his majesty had hitherto delayed the sending him an authority to take that charge upon him, so he would be pleased to delay it yet longer, if he should not think fit to lay him wholly aside for that, and employ him where he might do his majesty better service, and in a way more agreeable to his own inclinations and abilities. The king granted his suit, but resolved that the lieutenant general of the army should not be interrupted in his<sup>396</sup> measures, nor his own service hurt by the arrival of a more powerful head.

<sup>386</sup> The marquis and the other commissioners having consulted together, sent, on Feb. 3, a summons<sup>v</sup>, to the lords and gentlemen assembled at Kilkenny to send their agents to meet them on Thursday the 23d of that month at Drogheda, where they would be ready to hear what the others had to say or propound, and to receive what they should set down in writing to be transmitted to his majesty. The letter of summons was signed by the marquis of Ormond, the earl of Roscommon, the lord Moore, sir T. Lucas, and sir M. Eustace, and was directed to the lords Gormanston, Mountgarret, Ikerin, and seven others, or any two of them, who had signed the petition to his majesty. The two first of these were members of the supreme council, which was at this time removed from Kilkenny to Ross, where the trumpeter, sent with it, delivered them the summons, with a safe-conduct from

<sup>u</sup> See Collection of Letters, No. CXLIII. which letter was wrote and should be dated 31 Jan. 1642-3.

<sup>v</sup> D. 200.



the lords justices for the agents, and their attendants in their repair to, and return from, the place appointed. They were much elated with their late successes and their present advantages, and despatched the trumpet on the 9th with a slight<sup>x</sup> answer. The marquis of Ormond was apprehensive that the ambition of the Roman catholic clergy would make them obstruct every step that led to peace, and therefore at the end of the summons had added some premonitions, signed by the commissioners, wherein it was desired that no agents might be employed in that business but only laymen. It was likewise desired that the number of the agents trusted might not exceed thirty, and that the agents might be directed to come before the commissioners with that respect which ought to be given to such as were honoured with his majesty's commission, by those who were in the nature of petitioners. These premonitions were given to prevent any impediments arising to hinder the execution of the commission, but were excepted against by the supreme council. They complained of them as limiting the number, and directing the quality and behaviour of their agents, and insisted on a sight of the commission. They declared that they expected their agents should not be named to their hand, nor they confined in the choice of them, and that they might be assigned a place of meeting less incommodious and more indifferent, and a secure course taken for the safety of their agents, more than was provided for by the safe-conduct from the lords justices, whose very proclamations formerly had not proved a sufficient security. But what gave them still greater offence, and made them outrageous, was some expressions in that safe-conduct, wherein the recusants of Ireland were styled *actors or abettors in so odious a rebellion*. They fancied these words had been clapped in by the lords justices purely to incense and ensnare them; they

<sup>x</sup> See Collection of Letters, No. CXXXII.

made great professions of their loyalty, (as was the fashion of all rebels in those days,) and vowed, that they would be esteemed loyal subjects, or die to a man. They protested against the name of rebels, and declared that they would not meet, nor entertain any thoughts of accommodation, until that foul imputation of rebellion, undeservedly laid to their charge, was taken away.

387 The earl of Castlehaven was at this time at his brother colonel Richard Butler's house of Kilkash, and hearing a general account of the summons and answer, repaired in great haste to Kilkenny, whither the council was returned. Finding his information to be true, he sent for sir Robert Talbot, sir Richard Barnewell, colonel Walter Bagnal, and some others in the town, that were well affected, and leading men of the general assembly, though not of the council. Acquainting them with what he understood, they disliked the answer which had been returned, and 397 they all agreed to go to the council then sitting, to represent to them, that the consideration and resolutions concerning peace and war, were reserved only to the general assembly, and that the king's offer of hearing their grievances, a step necessarily previous to a peace, and which the assembly had desired in order to that end, ought not to be answered in so slighting a manner, that it looked like a rejection. The council did not much oppose the thing, and taking the matter again into their consideration, though they had received no return to their letter of the 9th, they wrote, on Feb. 18<sup>y</sup>, another letter to the commissioners in much humbler terms, making an apology for their former, and entreating their lordships, that his majesty's gracious intention towards them, and the right understanding he was pleased to receive of their proceedings, might not be frustrated by any, who in order to countenance their own bad inclinations, and second their many professions of destroying them root and branch,

were for involving the kingdom in a war on both sides destructive to his majesty's interests; and beseeching them to believe that they conceived a greater blessing could not befall them, than the assurance of any way by which they might transmit their grievances to the fountain of justice, his sacred majesty; and that though they were as yet enforced to bear all the aspersions that malice could dictate, yet they were confident to make it appear how much they had been wronged thereby. They prayed their lordships further to be satisfied, and so to inform his majesty, that his commands should find obedience in the disposal of their men and arms, and that they would be ready (as far as the necessity of that much wasted kingdom would give way) to express their hearty zeal to serve him, in which surely there appeared nothing like the propositions of *actors and abettors in an odious rebellion*; and as they could not but resent these expressions, they insisted that no such words should be inserted in any instrument directed unto them; that they might have a copy of the commission, a more commodious place, and a competent time appointed for the meeting, and a course taken for the safety of their agents, who should be so chosen by them, as might best further the appeasing of the present troubles; or if their misfortunes and the power of their enemies was such, that there could be no meeting upon these terms, they would however prepare their petition of grievances and propositions to be transmitted to his majesty, if the commissioners were authorized so to receive it.

388 The commissioners, upon receipt of the council's first letter, which was delivered to them on the 14th, were for some time in doubt whether they should proceed further in the affair, and attempt to remove their scruples. At last, considering the great jealousies entertained of the lords justices, and imagining that the high resentment at the words in the safe-conduct arose from a

notion that they had been inserted there without warrant, they resolved, on the same day whereon the last letter was dated, to send an <sup>2</sup>answer to the first. They sent along with it a copy of the king's commission, in which the king declaring *his extreme detestation of the odious rebellion which the recusants of Ireland had without any ground or colour raised against his person, crown, and dignity*, the very words that stung them were found. They were so likewise in the king's letter of Jan. 11 to the lords justices, who had borrowed them from thence to insert in the safe-conduct which was sent. The commissioners assured the members of the council to whom they wrote of this fact, acquainting them, at the same time, that the place, as a matter of less importance, might be varied, and another time appointed, so the same were <sup>398</sup> with speed and conveniency desired by them; however, they expected an answer as soon as might be by the drum who carried their letter.

<sup>389</sup> The council of Kilkenny returned on the 25th an answer to this letter, making an apology for their resentment at the words to which they had objected, but professing still their loyalty, and naming six persons (none of them ecclesiastics) for their agents, three or more of which were to attend the execution of the commission, and to present their grievances and demands in writing. They proposed the 17th of March for the day, and Trim for the place of meeting, and that provision might be made for the safety of their agents and their retinue; and that no act of theirs might countenance the opinion of any such disloyalty in them as had been represented to his majesty, they protested, in the presence of the God of truth, that they had been necessitated to take arms to prevent the extirpation of their nation and religion threatened and contrived by their enemies, to maintain the rights and prerogatives of his majesty's crown and

<sup>2</sup> D. 232.

dignity, the interests of his royal issue, the just liberties of their country, and for no other end whatever. The commissioners on March 1 agreed to the time and place, as well as to the number and persons of the agents proposed, for whom it was resolved safe-conducts should be sent on the 16th to Teeroghan, and a convoy from the marquis of Ormond to meet them on the 17th at ten in the forenoon at Killyan to escort them safe to Trim.

390 Whilst these points were settling, the lords justices resolved to send the army out into the field, either because it could no longer subsist in Dublin, or in hopes that some event might happen which would put a stop to the meeting at Trim. The first of these motives appears plainly enough from the miserable condition in which they were<sup>a</sup>, being in as much danger of being devoured by their wants as by the sword of the rebels. Their want of corn was extreme, because, in confidence of being supplied plentifully out of England, they had destroyed and burnt all the corn in the country; and now their supplies from England failed. <sup>b</sup>Some protestant merchants of Dublin, (the papists having in a manner given over all trade,) as well English as strangers, had indeed used to bring in sundry commodities, not questioning but money would be plentifully supplied from England for the purchase thereof. But none coming, the state having nothing to give the officers and soldiers for their subsistence, were forced, when their means from thence failed, and their credit could hold out no longer, to seize their commodities, not only such as they had imported to Dublin, but even many of the native commodities of the kingdom which those merchants were about to export thence, and to make use of them, upon undertaking that payment should be made them in London. But the parliament failing in those

<sup>a</sup> Letter of the lords justices to the speaker, Feb. 20, 1642-3.

<sup>b</sup> *Ibid.* Feb. 25. See Collection of Letters, No. CXXXIV.

payments, matters were come to such a pass that those who would bring in victuals and other needful provisions, and supply the state with them for ready money, or on tickets to be paid at London, if payment had been made there on former engagements to that purpose, were so disheartened, as few or none durst come thither with any commodities. And indeed the merchants, having all their remaining stock thus seized and wrested from them by the state, were no longer able, even if they had been willing to supply them; so that the little trade left was like to be destroyed, a stop was put to those supplies from abroad, which had hitherto been a great means of their preservation, and the small quantity of native commodities, which could not be manufactured in these times, could not gain them any returns. The scarcity of provisions was as great in the out-garrisons as it was in Dublin; in which last place if the army continued, they must unavoidably perish within a few days, unless provisions arrived out of England. If part of the forces were sent into the field to get their victuals by the sword, they must march in a considerable strength, and there was no dependence upon competent provisions being found abroad to enable so many men to live. There was no sending out such a strength as was necessary, and yet leaving a sufficient force for the defence of Dublin, in case it should be assaulted in the absence of the army; there was not powder and match in the store sufficient for both services; there was no possibility of accommodating the officers and soldiers for so long a march, nor money to defray the expense of carriages, and answer many other charges incident to such an expedition. These difficulties were attended with other dangers; for if the forces to be sent abroad should be defeated, or be constrained, through want either of provisions or ammunition, or otherwise, to return to Dublin, before store of victuals arrived from England, the army must of ne-

cessity disband, and so the state dissolve, and the whole kingdom suddenly fall into the hands of the rebels. In this terrible situation, after many debates in council, since the case was such, that if none of the forces moved from Dublin, they must all perish, and that if those forces went abroad, they might possibly live for a time, till supplied from England, the state resolved, that a considerable part of the army should immediately march into the country, to try what might possibly be done; and though they could not go in that strength, nor with that accommodation which was necessary, nor leave behind them enough of either for the security of that city, yet they chose to adventure it on those hazards, rather than to sit still and perish doing nothing.

391<sup>r</sup> What makes it probable that the justices had something of the other design in view is, that 'they had opposed a cessation of arms, when, upon the marquis of Ormond's delivering them the king's commission for receiving the propositions of the recusants, it was, on Jan. 30, proposed in council to be made for the time that the meeting and treaty were in agitation, and this enterprise was first concerted with the parliament committee, before they left Dublin, and that lord Lisle was designed to be general of the forces in this expedition; the fittest person in nature to execute such a scheme. The marquis of Ormond too seems to have had some suspicion of such a design, for otherwise it is not easy to account for his desiring to march with an army so ill provided on an expedition of so much danger, that it was much more likely to furnish occasions of reproaching him to his enemies, than to procure any glory to himself. The forces were ready to march, and the lord Lisle to put himself at their head, when the marquis of Ormond signified to the lords justices, that being particularly intrusted by his majesty with the charge of the army, he could not let so

\* c Tucker's Journal, fol. 56.

considerable a part of it be sent abroad without going himself with it, and therefore, if the expedition went on, he was resolved to take upon himself the command, and march at the head of the forces. This disconcerted all their measures, and made them very cool with regard to an enterprize for which they had before expressed the greatest zeal.

392 The design was to take Ross and Wexford, an enterprize much more feasible the last summer, when the marquis of Ormond proposed and pressed it often to be undertaken; but it was then rejected by the state, (as captain W. Tucker, agent for the adventurers, says in <sup>d</sup>his journal of passages at Dublin from Nov. 3 to Feb. 4<sup>00</sup> 17, 1642,) because the honour of it must be reserved for the lord lieutenant, who was expected over about that time. The inactivity of the army in general, during that summer, this agent indeed ascribes to the custodiams which the lords justices had granted of the lands of rebels and of others, whom though innocent they had taken care to have indicted as such; which last was the case of sir Nicholas White, whose <sup>e</sup>estate of Leixlip and other lands to the value of two thousand pounds a year were granted in custodium to lord Lisle. The lords justices had granted so many of these custodiams to their favourites, such numbers of soldiers were employed in maintaining them, and the gentlemen who had them found so much private profit therein, that the soldiers would hardly be drawn from thence for the public service. But though this might be a collateral motive in the case, yet captain Tucker asserts undoubtedly the other to be the true reason why this particular expedition was at that time laid aside.

393 Having this occasion of mentioning custodiams, it may not be improper here to correct a mistake which

<sup>d</sup> Ireland, IV. fol. 54.

<sup>e</sup> Ibid. fol. 44.



some writers, for want of examining the matter thoroughly, have made upon that subject. The lords justices breaking that matter to the commissioners for the affairs of Ireland, tell them<sup>f</sup>, that many persons, noblemen and others, deeply involved in the guilt of the rebellion, and who had estates in the country, and some of them in Dublin, had been constrained by the power of his majesty's army to quit their habitations, which lay waste; that in those places in the country there was some corn actually growing, and store of grass for hay and feeding of cattle; that divers of the army and others, who had sustained loss by the rebellion, had been suitors to them for custodiums as well of those places as of houses in the city belonging to rebels; that as this might be some present relief for those sufferers; as it might encourage the soldiers, by letting some of them make a gain thereby; as it was necessary to preserve as much of the corn and grass for hay as might be, (which otherwise might be lost or fall to the rebels,) as it might be some benefit in point of profit to his majesty, or at least some advantage to his service might be gained by preserving the corn and grass to supply the markets, and consequently relieve the army and other good subjects; as the settling of some persons in those places might be a means to keep out the rebels, who otherwise having the advantage and relief thereof, would lodge too near Dublin; and as the rebels' houses in that city might serve for some of those good subjects who by the rebellion were disabled as yet to hire or rent houses, as they formerly could; they had for these reasons resolved at the board to grant custodiums to fit persons of good proportions of those lands and houses, and had already granted some, yet so as to be temporary and alterable at the pleasure of the board; and therein desired to understand the good pleasure of his majesty or of their lordships, (the commissioners,) to guide them,

<sup>f</sup> Their letter of June 7, 1642.

that they might proceed or stay, as to them should be thought fit. Far from having his majesty's directions, I do not find that this proposal was ever communicated to him; but the others' approbation was sufficient, and the lords justices granted a vast number of custodiums.

394 Specious reasons are never wanting, even in cases where private profit is only designed; and those mentioned in this letter have passed so well with some writers who had seen it, that without inquiring into the fact they have readily imagined that the granting of such custodiums really produced those benefits and conveniences which are there represented. But captain Tucker is an unexceptionable witness how much in fact these custodiums obstructed the service. <sup>s</sup>He was present in council when a remarkable instance of this nature hap-401-  
pened. It was there debated, on Jan. 17, whether it was proper to relieve the garrison of the Naas, which was then in great distress, or to quit the place. If it were quitted, the enemy would seize and straiten Dublin exceedingly: it was determined therefore, notwithstanding their great wants in that city, to send a month's provision from thence to the Naas. Sir Arthur Loftus, the governor of it, offered at that time to supply it with two months' provision, and to maintain it without any relief from the state, if they would but allow him one troop of horse to scour the country thereabouts and fetch in provisions. This proposal was rejected by the council, because the troops were employed upon the officers' custodiums, and none could be spared from thence. These custodiums opened indeed a vast field of private profit to the lords justices, and, enabling them to oblige and serve their own creatures, were a mighty accession to them of power and influence; so that there is the less reason to wonder at the deference and compliances of the members of the board and others who were subservient to them in their

<sup>s</sup> Tucker's Journal, *ibid.* p. 54.

measures. If any persons less obsequious were entitled to these custodiams, the marquis of Ormond had the best pretensions of any body, on account of his superior losses and services. He had lost by the rebellion a better estate than all the council besides had in Ireland, and it was now entirely possessed by the enemy. He had constantly attended the service, and expended in it great sums of money out of his own purse. He was general of the army, and had been successful in every expedition that he undertook. Yet, notwithstanding the rights or claims of his charge, the merit of his services, the greatness of his losses, and the difficulties under which, being stripped of his all, he laboured for subsistence, I do not find the least ground to imagine that he ever had any custodium of either house or land granted to him. Those to whom they had been granted were so intent upon making their own private gain out of the public necessities, that these custodiams do not seem to have been attended with those advantages of supplying the markets with corn as it was suggested they would. <sup>h</sup>For on Feb. 4, at this time, when the army was in so terrible a distress for want of corn, that it was to be sent out to Ross, because it could not subsist in Dublin, those gentlemen did not think ten shillings a barrel (the price fixed by the state) a sufficient inducement to make them open their hoards of corn, and bring it to market; and to remedy that inconvenience, it was moved in council that the price should be raised to twenty shillings a barrel, that they might be tempted to produce the corn out of their custodiams, and supply the city.

395 It is scarce necessary to say any thing more to shew the little benefit derived to the service from these custodiams; and yet it may not be amiss to take notice of one fact more, because it will help to explain a passage which will be hereafter related in this history. <sup>i</sup>Sir John

<sup>h</sup> Tucker's Journal, *ibid.* p. 58.

<sup>i</sup> *Ib.* fol. 45.

Temple had a grant made him of the milnes and fishing at Kilmainham belonging to one Macenoy that was in rebellion. All the corn for the use of the army in Dublin was ground at those milnes, and a sixteenth part of that corn was taken by him for toll; so that in sixteen days' time he received the full value of what would supply the whole army in bread for a day. If the state had made a better provision in the case, all that charge might have been saved; and as the case stood, it was but equitable that the corn for the use of the army should be ground at none at all, or at least at very little charge. Sir John Temple had the custodium granted him, when he took upon him the care of overseeing the provisions for the army; but the grant (if like others) was only temporary, and revocable at the pleasure of his majesty or the board. Sir Philip Percival, now commissary-general<sup>402</sup> of the victuals, moved, on Dec. 17, 1642, that this affair might be rectified, and the charge of grinding for the army either saved or lessened. But nothing was done in it, and sir John continued to enjoy his custodium till he fell into disgrace in the summer following, when it was taken from him by his majesty's order.

<sup>396</sup> The lords justices and some of the council had melted their plate to raise money, and had with great difficulty provided victuals and all necessaries for lord Lisle's march<sup>k</sup>, when the marquis of Ormond, on Feb. 18, declared his resolution of going with the army in person. The committee of parliament and captain Tucker had advanced five hundred pounds apiece for the service, most of the bills were accepted, and four hundred and seventy pounds of the money was actually in the vice-treasurer's hands. Reynolds and Goodwin were for recalling that money, and would not lend what they had taken up, since lord Lisle was not to have the chief command. In vain did Tucker represent to them, that the

<sup>k</sup> Tucker's Journal, *ibid.* p. 65.

marquis of Ormond had engaged his honour at the council-table to go upon the same design as was to have been executed by lord Lisle; that it would be an intolerable affront to put by the marquis at this time, when he had formerly been the proposer of the same expedition, and had been refused out of private respect to lord Lisle's father; that the expedition ought to go on, whoever had the command of the army; and if it could not be undertaken for want of that money which they had in their hands and had promised to furnish, they should be censured as hinderers of the service, which was neither for their own reputation, nor for the honour of the parliament which employed them. Whether this was the occasion or no, the lords justices were so cool in the matter, after the marquis of Ormond had undertaken the expedition, that they made, on Feb. 27,<sup>1</sup> an order in council, which was undersigned by the counsellors then present, that the intended expedition should be left wholly to the lieutenant general of the army and the council of war, notwithstanding any former debate or resolution taken at the board concerning the same.

397 The expedition being resolved on by the council of war, the lords justices<sup>m</sup> empowered the lieutenant general, whilst the army was abroad, to command and employ any ships on the coasts of the kingdom for the public; and though they recommended to him the taking vengeance on the rebels and their relievers by fire and sword, yet considering the unavoidable necessity enforcing the sending out of the army to find subsistence in the enemies' country, they allowed him, in case he could not gain by the sword sufficient provisions for that purpose, to receive voluntary relief of victuals from some of the rebels, and on that account to spare from destruction such houses and places as he should think fit, for as short a time as might be, but no longer than whilst the army was abroad

<sup>1</sup> D. 248.

<sup>m</sup> D. 254.

in this expedition. The marquis of Ormond, on March 2, left Dublin with the army, (consisting of two thousand five hundred foot and five hundred horse,) two demi-culverins for battery, and four fieldpieces. The next day he took Castle-martin, Kildare, and the castle of Tully, as he did Tymolin the day following; and advanced to Catherlogh by easy marches, to allow time for the carriages to come up with some provisions, (<sup>n</sup> the carriage of which he was forced to defray himself,) and for the ship, which the lords justices were to send him with bread and ammunition, to arrive at Duncannon. When the army was advanced near Catherlogh, a council of war was held, where it was resolved to besiege Ross. He sent a party of horse on the 11th to view it, and came before the place on the 12th, and immediately planted a battery to make a breach. There were in it only two companies of foot, <sup>403</sup> but the rebels being encamped with four thousand men within three miles of Ross, and having the barrow open to them, they threw that night, from the other side of the river, five hundred men into the town, and the next day fifteen hundred more.

<sup>398</sup> The <sup>o</sup>marquis was much surprised to find the ship from Dublin not arrived; but when he considered how meanly he was provided at his setting forth, and with what great difficulty and delay the sorry accommodation he had was at last gotten, he easily judged where the failure lay. He had left instructions in writing for the master of the ship which was to bring him the necessary provisions of biscuit, powder, match, bullets, and salt, and forty pounds, with sir Philip Percival, to be advanced to him towards his pay. When he marched from Dublin the wind was very fair, and the ship might have been in two days at Duncannon. <sup>p</sup>There were three vessels in the harbour of Dublin fit for the service; but the day the lieutenant

<sup>n</sup> Letter of sir P. Percival to the marquis of Ormond, March 6.

<sup>o</sup> His letter to lord Esmond, March 13.

<sup>p</sup> D. 258, 259.

general set out, captain Hart was ordered to be unloaden ; and captain Hill being named to the lords justices by the marquis's agent, and ready to go, they disapproved of him the next day, and sent for captain Lucas, a furious parliamentarian, who was not fully unloaden, and could not be made fit without twenty men more to be pressed, and three pieces of ordnance to be lent him, he having only five in his ship, and ten men on board. His demands were high, and he was referred to sir Philip Percival and the marshal of the admiralty, who could not agree with him under one hundred and thirteen pounds per month, and to give him time till Monday, March 7, to be ready. The bread was by sir Philip's care instantly put on board, but the ordnance (of which he had no charge) and other provisions were not loaden, nor the ship ready to sail till the 12th, when the wind was turned.

399 Had that ship been by that day before Ross, the enemy might have been prevented from sending supplies cross the river to reinforce the garrison, and the town had been taken in four and twenty hours. But by that disappointment the army was in a terrible distress, incommoded with the weather, which was continually rainy, and destitute of provisions as well as ammunition. <sup>4</sup>The marquis of Ormond sent to lord Esmond, governor of Duncannon, for a supply of both, who readily furnished him with all he could spare, which was ten thousand weight of biscuit, fifteen barrels of powder, as many firkins of bullets, sixty culverin, and thirty minion-shot, and nine hand granadoes ; and sent on the 14th a little ship, then in the river by Duncannon, and his own bark, to be ready for any service in which the lieutenant general should think fit to employ them. These small vessels annoyed the town with their shot ; but the enemy having raised a battery of two pieces of cannon on the other side of the river, played upon them as they lay at anchor ; and the wind being

<sup>4</sup> D. 276, 277, 281, 294, and 298.

contrary as well as stormy, they were not able to get from under the command of their guns, which pierced the vessels through, and tore their rigging. The only shift the mariners could make was to desert the ships at low water, having first bored holes in them to sink them, because it was impracticable to get them off, and to betake themselves to the army, where they did afterwards good service.

400 The marquis, hopeless of any other supply of provisions, found it impossible for him to lie any time before the town; and his two demi-culverins having made a breach, he caused an assault to be given. Sir Fulk Huncks and major Morrice (the same who was afterwards concerned in the surprise of Rainsborough at Doncaster) had the management of that service; but the defendants were so numerous, and had so stopped up the breach with wool-404 packs and other materials, that the assailants were repulsed with the loss of some few men, major Morrice being dangerously wounded in the attack. Preston having in the mean time assembled all the forces of the rebels, advanced as far as Old Ross, with six thousand foot and six hundred and fifty horse, and quartered within a league of the army, which hindered the horse from foraging abroad. The provisions which lord Esmond had sent, afforded each man in the army but four biscuits apiece, and were scarce sufficient to serve them in their retreat, being only enough for three days, and they sixty miles from Dublin. The marquis of Ormond submitting to the necessity, and pursuant to the resolution of a council of war, raised the siege on the 17th, and advanced towards the enemy, who, perceiving his march, retired farther off to a fastness of wood and bog, where they were joined by the forces that had been thrown into Ross. The lieutenant general encamped the first night about

<sup>r</sup> Sir Fr. Willoughby's relation in the bishop of Clogher's MSS. No. III. p. 426, &c.



two miles from Old Ross upon an heath, from whence he could discover where the enemy quartered. The next day he marched towards the place where the rebels were posted, and observing them to quit their quarters and advance towards him, he rode up to sir Fr. Willoughby, sergeant major general of the army, told him that he conceived the enemy intended to fight, their forces being drawn up in battalia, and ordered him to draw up the army in order of battle. This was done immediately, upon the side of an high ground, the six pieces of ordnance being placed between the divisions, and about half a cannon shot from the enemy.

401 The marquis of Ormond sent out a small party of horse to discover how the enemy lay, who, as soon as they appeared within view, detached a stronger body to encounter them: upon which the former retreated, and the others followed in their rear, till, seeing the army in battalia, they retreated likewise to their main body. There was a small height of ground between the two armies, which so far intercepted the sight of each other, that nothing could be seen over it but the heads of the horsemen. The marquis observing the situation of that ground, which lay at some distance off, told the sergeant major general that if they could but possess themselves of that ground, they should not only have a full view of the order of the rebels' army, and be the better able to dispose their own for the fight, but should get also the advantage of the wind and sun. Hereupon orders were given for the whole army to move all at once in battalia as they were drawn up, with still drums, till, having mounted that height of ground, they saw the enemy before them, standing in order of battle in a large field surrounded with ditches, not far from a great bog, and within half musket shot of them. The lieutenant of the ordnance had neglected to make the artillery advance, as the army did; so that when sir Fr. Willoughby thought to plant it to

the best advantage he found it missing, and was forced to ride back for it to the place where the army was before drawn up, leaving captain Atkins, who commanded the forlorn hope, with a party of musketeers, placed along the ditch side that was before them, to ply the enemy in the mean time. At his coming back, he found all the rebels' horse drawn into a spacious highway or lane, which had high ditches on each side, ready to issue out for an attack. To oppose them, he posted two regiments of foot at the mouth of the lane which opened towards him, and behind these he planted the two demiculverins, when they came up. The other four fieldpieces were planted between the divisions, in the most convenient places. This done, he caused the two regiments posted at the mouth of the lane to open to the right and left, and the two pieces of cannon to fire down the lane upon the rebels' horse, which was done with so much care by Mr. Molineux the chief gunner, that eighty men and 405 horses were killed at the first fire. The enemy did not care to stand a second, but set up a great cry, and hasted with all speed out of the lane into the open field adjoining, the ordnance playing continually upon them as fast as they could charge and discharge. The English horse were then ordered to charge the enemy's before they had formed again, which was not easy for them to do, because the cannon bore upon them all the while, and the guns played diligently, through the good assistance given by lord Esmond's seamen, who understood that affair better than any of the train of artillery sent with the army. Lord Lisle was lieutenant general, and sir T. Lucas commissary general of the horse, and both passed over a ditch into the field to charge the enemy; but the latter's horse stumbling and falling with him, he received a dangerous wound in the head before he could be recovered. Lord Lisle's horse also received a shot in the knee, which obliged him to mount another. The two bodies of horse

were mingled together, slashing one another for a time, till at last both rode away together, and disappeared, being entirely out of sight, leaving both armies of foot standing in the field in battalia.

402 They had all this while faced one another without moving, the enemy, though much more numerous, not daring to advance, and much amazed at the cannon (of which they had none) playing upon them continually. The marquis of Ormond, uncertain of the fate of his horse, resolved to pass over the ditch, and attack the rebels in the field, where they were drawn up. This was done, whilst a party of musketeers plied the enemy with their shot, and the English setting up a great shout as they were ready to charge their battalions, the enemy almost without striking a stroke ran away, one division after another flying over a bog that was near them, till they came to an hill beyond it, where they had formerly quartered. There they seemed to rally again, but four regiments being ordered to attack them, they fled into a neighbouring wood, and never left running till they had got over the Barrow. As soon as they had crossed the river, Preston ordered the bridge to be broke down, for fear he should be pursued by the victorious army. He lost about five hundred men in this battle, (among which were several commanders and persons of quality,) besides all his baggage and ammunition. Among other prisoners was taken colonel Cullen, a native of Dublin, who having had the command of a regiment in the French service, had quitted it to come over to the assistance of the rebels, and was made by them lieutenant general of the Leinster army. The marquis of Ormond having had only about twenty of his men slain, and a few more wounded, in the battle, encamped with his army that night (March 18) in the place where he had gained the victory.

403 There is something very mysterious and unaccountable in what is said of the engagement between the horse in

this battle: the relation of it is so confused, that it looks as if sir Fr. Willoughby knew more than he durst or cared to speak. Some imagined at that time, that there was a design to lessen the glory which the marquis of Ormond might gain by a complete victory, and a great carelessness and indifference in the chief commander of the English horse as to the event of that day's action, since a treaty was set on foot that might probably end in a peace, which, to further schemes wherein he was engaged, he was desirous to prevent at any rate. It is certain that there was no great disproportion in their numbers between the English and the Irish horse, the one being five hundred, the other but six hundred and fifty; that the English horse were much better trained and mounted than the others, whose men were unexperienced, and whose horses were most of them no better than garrons; that in all actions hitherto the English had easily beat the enemy's horse, and all the victories which 406 hitherto were gained had begun with the defeat of the Irish cavalry; and that the English never began an attack with so much advantage as they did this day against the Irish, among whose horse such havock was made, and such terror and amazement struck by the unexpected salute of the cannon which the serjeant-major-general had planted at the mouth of the lane, unseen till they were felt, playing through the expertness of the sailors without any intermission upon the enemy, and doing great execution among them. The English horse, after the defeat of the Irish, marching off out of the field, so that nobody knew what was become of them, might have been of fatal consequence, and was undoubtedly very prejudicial to the service; for if the marquis of Ormond had upon the flight of the enemy's foot had but three or four troops with him to send upon the pursuit, few or none of them would have escaped. But either emulation or rashness, or some motive of a worse nature, prevented that advantage, and

lost a favourable opportunity of giving the enemy a blow, which they would not easily or soon have recovered; the flower of their Leinster forces, which Preston had taken great care to discipline, and which were the best armed of any they had, being assembled in that army, which being cut in pieces, though they might possibly have repaired the destruction of their soldiers by new recruits of men, yet they could hardly have supplied the loss of their arms.

404 It was very convenient for the English army that Preston broke down his bridge over the Barrow, because it allowed them to range all over the country at their pleasure for their subsistence, and to continue their march with great security to Dublin. Otherwise his loss was so inconsiderable, that recollecting his forces, he might have harassed them exceedingly, and cut off great numbers of them in their march. The army was much encumbered with their ordnance and a multitude of carriages, and was to pass through many great straits, woods, stony and rocky passages, which having no impediments in their way, but the badness of the roads and the inclemency of the weather, they had enough to do to make their passage through them. Had the rebels intercepted them upon those passages, it is certain the whole army would have been endangered, not having above two days' bread, or scarce so much; and by being hindered or retarded in their journey, they would, through want, have been in extreme danger of being lost. Preston had the reputation of a knowing man in his profession, but he did not behave himself on this occasion answerable to that character, nor take his measures with that judgment and conduct which might have been expected from an officer of his experience. The breaking down of the bridge over the Barrow might be the effect of hurry, and was naturally enough suggested by the consternation and dispersion of his forces; but nothing can excuse his gross

error in quitting his camp, and advancing to meet an enemy whom he might have destroyed without fighting and without hazard. The Irish seldom wanted intelligence, and he could not well be ignorant of the situation and starving condition of the English army. Yet he quitted his hold to expose himself to all the uncertainties of a battle in the open field, without any advantage on his side, when he might have waited for his enemy in the place where he was strongly posted, in a narrow passage, through which they were necessarily to pass, and where it was in a manner impossible to force him. When the English officers after their victory took a careful view of the place, they found it impassable for their ordnance, had they met with any resistance, having trouble and difficulty enough to get their own persons through the pass, even when they had no enemy to withstand them.

405 The marquis of Ormond after his victory continued his 407 march towards Dublin, where having had advice of Preston's march, and of the great strength of his forces, they were in no little pain about the fate of the army. <sup>s</sup>The lords justices, though they had eased themselves for a time of so considerable a part of the forces as composed it, were yet exceedingly puzzled how to keep alive the residue that were left in that city, and some garrisons thereabouts. Their stores of victuals were exhausted, and if the soldiers were left to take it in their own way from the inhabitants, there must necessarily ensue such disorder and confusion as would instantly enforce the disbanding of the forces and the dissolving of the government, and consequently the loss of the kingdom. They resolved, as the last and uttermost expedient, to distribute the soldiers for their victuals, with as much equality as they could, among the inhabitants of the city and suburbs of Dublin. They had deferred this as long as possibly they could, as well to conceal from the rebels

<sup>s</sup> Their letter of March 23. See Collection of Letters, No. CXLI.

the desperate condition to which they were reduced, as because they were sure this way could not long hold out in a place where the inhabitants of all sorts had been despoiled of their estates and fortunes by the rebels; where all trade was ruined, and there was little hope of being supplied with provisions, because there was no money to buy them. They distributed in this manner, on March 13, about two thousand foot and some troops of horse in Dublin, and quartered about five hundred foot more upon that part of the county which was not yet entirely wasted. This burden was so heavy upon the city, and the bearers of it so few and indigent, that in ten days' time many poor inhabitants, who were hardly able to feed themselves, being charged with feeding the soldier, were constrained to break up housekeeping; others, to scatter their children and families; others, to prepare themselves for departing the kingdom; and many heavy and lamentable complaints were daily brought to the state from poor and miserable people concerning the same. The lords justices and council, what with the sense of the miseries of the soldiers, who were starving before their faces on the one side, and the poor inhabitants' extremities on the other, were in an inconceivable perplexity and disquiet of mind. Their distraction was the greater, because they found that even in this lamentable way, which was their last resource, subsistence could not be expected for any considerable time; nay, if it continued but a few days longer, the city would be at the best but plundered in an orderly way, and so left desolate. Besides, if the army then abroad should by any distress, or through want, be forced back to Dublin, nothing could be expected but present destruction of all.

406 This misfortune came upon them sooner than they imagined. The marquis of Ormond having in his way homewards burnt and spoiled the enemies' country with-

out the least opposition, was at this very time advanced as far as Castle-Dermot. From thence he sent the next day (March 24) a convoy with sir T. Lucas and other wounded officers to Dublin, and †wrote to the lords justices, that he found it impossible to keep the army any longer abroad without further and continued supplies of victuals, and if their lordships were in a condition to furnish them therewith, yet it would be very difficult to keep the troopers and carriage horses alive, so great was the scarcity of all kind of forage, especially in those parts which were fittest to maintain an army. This was the sense of all the chief officers with whom he had advised on this occasion, and it had been resolved to continue their march with all possible speed to Dublin. The lords justices were not able to supply him with any provisions for the horses, yet would have sent him on the 26th six thousand weight of biscuit, with some ammunition, but 408 they wanted carriages, and the army arrived that day at Dublin. The charge upon that city became thereby the greater, when there were fewer to bear it, by reason of the number of inhabitants that had broke up house-keeping and deserted the place. The lords justices<sup>u</sup> were forced thereupon to expel all strangers thence, and send into England some thousands of despoiled English, whose very eating there was become insupportable. They made a fresh search into the stores of the merchants, and took away from them all the commodities which had been left unseized before. This was all the shift they could make, yet it was so far from relieving the necessities of the army, that on April 4 several officers presented at the board a paper demanding money for their pay, and victuals for the soldiers, in such a threatening style, that it was evident, if they were not satisfied, it must end in a mutiny.

† See his letter. D. 323.

<sup>u</sup> See their letter to the speaker, April 4, 1643.



407 Whilst the marquis of Ormond was out upon this expedition, four of the king's commissioners, viz. the earls of Clanrickard and Roscommon, the viscount Moore, and sir Maurice Eustace, met, on March 17, at Trim, with the lord Gormanston, sir Robert Talbot, sir Lucas Dillon, and John Walsh, agents for the confederate Roman catholics, and received from them in writing a remonstrance<sup>x</sup>, containing the particulars of their grievances, and desiring redress of the same. In this instrument they protest solemnly that they entertained no rebellious thoughts against his majesty, though he had censured them as guilty of an odious rebellion: they magnify their former merits in the grant of subsidies to his majesty, and endeavour to apologize for their taking arms by various pretences; such as the terrible severities of the English parliament against all of their religion, their cruel insisting upon the execution of Romish priests merely for being so, and their declared intention of introducing laws for the extirpation of their religion throughout the three kingdoms; the petitions from Dublin and Ulster for the extirpation of it in Ireland, and the declarations of sir W. Parsons and others expressing the like design; the adjournment of the parliament in August, and prorogation thereof in November, 1641, to prevent his majesty's graces from being enacted into laws; the jealousies entertained of them by the state; the disarming of the Roman catholic inhabitants of Dublin, and the banishing thence of all gentlemen not usually there resident to their country houses, and after they had lived quietly and inoffensively there, pillaging and burning those houses, and bringing their persons to Dublin to be tried for their lives; the murders committed by sir C. Coote in the county of Wicklow and at Santry, the burning of Clontarf, the racking of sir John Read, and the severities of the lord president in Munster; the

<sup>x</sup> See Collection of Letters, No. CXXXVII.

waste and desolation of the kingdom by the orders of the state, and the lords justices causing thousands to be attainted, and restraining the general pardon they were directed to offer, to two or three counties only, with an express exception of freeholders, to shew they aimed chiefly at estates; and their not being suffered to lay their complaints before his majesty, being always frustrated in their attempts of doing so by the power and vigilance of the lords justices, assisted by the malignant party in England then in arms against his majesty, in order to obtain with less difficulty the bad ends which these aimed at, of extirpating their religion and nation.

408 As to the grievances whereof they complained, some of them were common to all sorts of men in the kingdom; such as the oppression of the court of wards; the avoiding of letters patents, and want of a limitation of the king's title, which rendered the possession of all estates precarious; the intended plantation of the province of Connaught, and the counties of Clare, Tipperary, 409 and Limerick; the sending over needy ministers to raise estates to themselves by the oppression of the Irish; the invasion of the privileges of the parliament of Ireland, by the English commons taking upon them to question and send for the members thereof; by both houses denying the power of judicature to be in an Irish parliament, though the most essential right of that body; and by the English parliament's assuming a power to make statutes to bind Ireland, (though there never was a precedent thereof from the reign of Henry II to the present time,) by which the independency of their kingdom was destroyed. Others of their grievances were peculiar to themselves; such as the late act for the Irish adventurers, by which two millions and an half of acres were alienated and all the rest of the lands in Ireland made liable to be likewise distributed, in whose possession soever they were, his majesty's tenures destroyed, his re-

venue impaired, and his power of pardoning and of granting those lands taken away; and the incapacity, which in consequence of the penal laws in 2 Eliz. the Roman catholics lay under of enjoying places of honour or trust, in church or commonwealth, and of being educated in a way of learning either in the university or public schools of the kingdom. Their desires were to have these grievances redressed in a free parliament, to be called in such convenient time as his majesty should think fit, in an indifferent place, and before a governor of approved faith to his majesty, and acceptable to the kingdom, and that Poyning's act might be suspended during that parliament, as it had been formerly in the 11th of queen Elizabeth upon occasions of far less moment, and that nothing complained of in this remonstrance might hinder Roman catholics from sitting in that parliament. This is the substance of the grievances of which they prayed redress, and upon the obtaining thereof made an offer of employing ten thousand men under experienced commanders in defence of his regal rights and prerogatives.

409 The marquis of Ormond upon his return from Ross received this remonstrance from the other commissioners, and on March 29 transmitted it to his majesty<sup>y</sup>, though he did not think the propositions in it (as they yet stood) for his service, or indeed such as the king would think fit to grant. The king, on Jan. 12, when he sent him that commission, had taken care to declare to him his sentiments on those points which he imagined the Irish would insist upon in their propositions for peace, that they might serve the marquis for a guide in his conferences with their agents at the intended meeting, or in a treaty, when it should be set on foot. With regard to a toleration of the Romish religion, or (which was in effect the same thing) an abrogation of the penal statutes concerning religion, the king declared that he could not

<sup>y</sup> See Collection of Letters, No. CXLII.

consent thereto; those penal statutes in Ireland were not strict, and he could never admit of more liberty in this respect, than such a connivance in the execution of them as had been used in his predecessors' reigns, and in his own before the rebellion. He thought the Irish had much to say for themselves in the point of their not being commanded by orders of the parliament of England, nor obliged by any statutes made there, till they should be confirmed by their own parliament. This had ever been the notion not only of the people of Ireland, but of the kings and council of England, so that even king Henry VIII got all the acts for abolishing the papal power and suppressing religious houses, which had passed in England, to be enacted likewise in Ireland; which was the constant practice on the like occasions. The English colony settled in Ireland never imagined that they became slaves by being transplanted into the latter kingdom, but that they had still the same right of being bound by no laws,<sup>410</sup> except such as were made with their own consent, which they had enjoyed before they had the merit of reducing that country to the king's obedience; and this claim had been so far warranted by practice, that in the space of near four hundred years, which had passed since the conquest, no invasion had ever been made upon it, till the time of the parliament which now sat in England. However satisfied the king was in this respect, he still required this caution to be observed, that what should be agreed upon concerning the same should be admitted only by way of declaration of what was actually their right, not as granted *de novo*.

<sup>410</sup> The Irish were uneasy that they could neither make nor propose a law for their own benefit without the approbation of the privy-council of England, and therefore were likely to insist on the repeal of Poyning's law, or at least on the grant of a proposing power without such an approbation. His majesty declared himself against

both these propositions, as being contrary to that policy which had for many ages preserved that kingdom in peace, and as what might possibly be attended with greater consequences than at first sight appeared. It was thought that the native Irish would propose to be restored to the plantation lands, of which they pretended to be unjustly dispossessed; but in this point the king would allow no retrospect, except from the beginning of his own reign. He had proposed indeed a general plantation of the province of Connaught and the county of Clare, but this had not been executed, and by the advice of the council of England he had consented just before the rebellion to give up that point; so that very few plantations had been actually made in his time upon the finding of his title to some lands in the counties of Tipperary, Limerick, Wicklow, Wexford, and Kilkenny. But few as they were, he was against concluding any thing positively for the present; but thought it might be proper enough to refer that matter to the examination of some fit commissioners, whereby the conclusion of it would be subsequent to the treaty, and then it might be more easy for him to give satisfaction to his British subjects who had lately planted them, or to the Irish who had formerly possessed them.

411 It was imagined that the Irish would insist on being governed by ministers of state and officers of their own country; but if this was proposed so as to exclude the British, his majesty was absolutely for rejecting it, as what he could not either in honour or safety grant. But if it was desired only to enable the Irish in such capacities, the more way might be given to it, because it would be always in his majesty's choice whom he would intrust with those charges. Nor could there be any great danger or inconvenience if some of the more subordinate ministers were Irish, so long as they should be controllable by the major part of the English; and by degrees his ma-

jesty might with more safety reduce the frame of the government to its former condition. Such were the king's sentiments and instructions upon these heads, founded upon an impartial consideration of the English and Irish interests in that kingdom, and making an equitable provision for the security of both. It is easy to see how much the demand of a redress of grievances in a parliament unrestrained by Poyning's law clashed with these instructions, and it was as easy to foresee other ill consequences that would arise from granting that demand. In a sense hereof, the marquis of Ormond thought the propositions of the Irish (unless they should recede from, or qualify them on a treaty) to be contrary to his majesty's service.

<sup>412</sup> He made the same judgment of a letter<sup>a</sup>, which had been in his absence wrote by the lords justices and some of the council to his majesty, disadvising peace with the rebels. Those gentlemen were against it upon any terms<sup>411</sup> less than an universal forfeiture of the estates of all that had taken arms, without distinction of persons, or regard to the different circumstances of their case, and manner of their behaviour. This would have made their intended plantation as general as they could have wished, and would have afforded sir W. Parsons a fine opportunity of exercising his talents of surveying. In order to this scheme they had rejected all the overtures made by the lords of the pale for a submission upon the king's proclamation, and all the proposals made by them and others for a cessation of hostilities, had wrote into England reasons after their declamatory manner against the accepting of those offers, and had confidently answered for a speedy reduction of the rebels by force of arms and the power of his majesty's forces. With this view, on <sup>b</sup>Jan. 31, when the king's late commission, which had been

<sup>a</sup> See Collection of Letters, No. CXLII.

<sup>b</sup> Sir R. Coxe, Appendix IV.

<sup>c</sup> Tucker's Journal, pp. 56, 57.

presented the day before to the board, was taken into consideration, in the presence of the parliament committee, they proposed to write a letter to the king to dissuade a treaty by representing the cruelties of the rebels, their invasion of his majesty's authority, and setting up a new form of government. This was then opposed with so much reason, that the lords justices could get but two of the council to declare themselves of their opinion; the rest who were present (viz. the marquis of Ormond, the lords chancellor, Moore, Brabazon, and Lambert, sir Ger. Lowther, sir Fr. Willoughby, sir T. Lucas, sir James Ware, sir G. Wentworth, and sir Rob. Meredith) being either absolutely against it, or else silent on the occasion. The lords justices however ordered a letter to be drawn, and taking advantage of the marquis's absence during his expedition to Ross, resolved to lay hold on the opportunity and resume the debate; which they did on March 16. They had two or three days before gained the consent of the council to an act, which could only serve to exasperate the rebels, and produce a retaliation that might inflame matters to such a degree as to put a stop to all further treaty. Sir R. Grenville had taken at Longwood Mr. Edward M-Lisagh Connor, and in the battle of Rathconnel, on Feb. 7, he had also taken one Dowdall, another gentleman named Betagh, and one Aylmer, son of Garret Aylmer, a lawyer, eminent in his profession, all gentlemen of considerable families. Sir Richard, though very severe in the prosecution of the war, was yet a man of great spirit and honour, and not likely to violate the quarter he had given. They wrote therefore to him, that they had occasion to examine the said prisoners, and ordered him to send them for that purpose to Dublin under a safe guard. They signed at the same time another order to sir H. Tichburne, to examine only if those prisoners were so

<sup>c</sup> See both orders of March 13. D. 199 and 200.

taken, and to cause them immediately to be executed by martial law. They expected a like compliance from the council in the case of the letter which they had ready drawn up to their own mind, and were not mistaken, though it met with opposition from some of the members that were present.

413 The letter was drawn upon the plan before proposed, representing the cruelty of the Ulster Irish and their declarations for making sir Phelim O'Neile their king, and fleaing king Charles alive, and driving out him and his posterity for ever; and then charging all this to the account of the old English, who had taken arms afterwards for fear of extirpation, who had made no such declarations and detested those cruelties as much as the justices themselves. Against these old English the late assembly at Kilkenny, and the order which in the necessity of their affairs they had set up for their government during the troubles, was urged as an unpardonable invasion of his majesty's authority; which seemed to be disclaimed by their soliciting of succours from abroad, and by the oath of association which they had taken. These heads, 412 with a few late facts, (in the relation of which they are not scrupulously rigorous in adhering to truth,) and some observations of their own upon the conduct of the affairs of Ireland in former times, very different from those which sir John Davys makes on the same subject, are the substance of a very long letter so full of declamation, that there was no room left for reasoning. The whole of it is calculated purely to persuade the king that no peace should be made with the rebels, and that the English could not be safe in their possessions, nor the kingdom civilised and improved, without an utter extirpation of all the Roman catholic gentlemen and proprietors. But how this should be effected they do not offer to say, nor take any notice of the great power of the rebels, a matter well worthy of consideration on such a subject. They



confess indeed that they were at this time in a very terrible want of means to support a war, as they had often and lately to the full declared thither, whence only they were to expect reinforcement; and they foresaw that unless supplies of money, munition, arms, clothes, and other habiliments of war were speedily sent them, they had little hope of escaping utter destruction and loss of the kingdom. They were brought to this hard condition only by the unexpected failing of provisions timely ministered unto them, without which they had always signified thither (to the parliament of England) that the kingdom of Ireland could not be sustained out of any subsistence within it. But still they did not despair of God's goodness in sending them supplies; and if those supplies arrived in time, they would take ample vengeance on the rebels, and reduce them into such a state as they should not easily relapse into their affected commotions, and so find a way to a peace which should not be attended with a lingering ruin, but be suitable to his majesty's greatness, and establish the future safety and happiness of his posterity and of the kingdom. It is not wisdom in the most powerful state to make a whole nation, how contemptible soever, desperate, and the work of extirpation had by this time appeared so very difficult<sup>d</sup>, that the term now began to be worn out, and the prime authors of that scheme were ashamed of acknowledging their intention. The lords justices accordingly in this letter thought fit to disclaim it in words, at the same time that they laboured all they could to effect it by representing it as necessary, and indeed as the only means of establishing the peace of the kingdom on a sure and lasting foundation.

414 The marquis of Ormond had just reason to disapprove a letter calculated to effect the utter desolation of his country, which was already much advanced by the terrible havock made in obedience to the orders of the lords jus-

<sup>d</sup> See Collection of Letters, No. CXLVII.

ties for destroying every thing by fire and sword; orders which though they rendered a new plantation necessary in all the counties about Dublin, were yet a great occasion of the miseries suffered by the army in that city for want of provisions, and the cause of their not being able to undertake any expedition of consequence against the rebels. He saw the letter was designed to distress the king, and to mislead him into measures prejudicial to his service. He had it now in his power to send fit persons to give his majesty a true account of the state of his affairs (more fully than he either could or it was prudent to do by writing) without asking leave of the lords justices, and being obliged to tell them the reasons of his sending. They had, on June 27, 1642, upon the return of sir P. Wemyss from England with new powers to the lord of Ormond, made an order in council that the lieutenant general of the army should license no commander, officer, or soldier of the army to depart out of the kingdom upon any pretence whatsoever, without the allow-<sup>413</sup>ance of the board, first had and obtained in that behalf. It is difficult to find another precedent of the general of an army's being inhibited the power of granting passes, and of sending expresses to certify his prince of the state and proceedings of the army intrusted to his command; but by reason of this order he could not send sir P. Wemyss over in the August following, nor major Woodhouse in January afterwards to the king, without a pass from the lords justices. They made this order after they had for above two months left off corresponding with the king, as if they had a mind he should have no intelligence from any body else. When the king hearing from other hands of Reynolds and Goodwin presiding in the council, and awing the members, ordered the lords justices not to suffer them to be present there, they made an apology for their long silence on account of their having corresponded all the time with the parliament, to whom he

had left the management of the war, and with the commissioners appointed by them; the best excuse they had to offer, though far from being a good one, when they knew that the parliament and those commissioners had been so long in open rebellion against his majesty. When the committee was forbid the council-board of Ireland, several members thereof, who could not speak their mind, when those gentlemen were present, or thought that it would be to no purpose if they did, began to attend again at council; and then, on Feb. 27, the order restraining the lieutenant general from sending over officers without license from the state was revoked.

415 Being thus at liberty to send a fit person to his majesty, he resolved to give him a just account of the state of affairs in Dublin, and a true representation of the wants and miserable condition of the army there, which without a speedy supply must in a few months disband or perish. The justices had neglected to give the king this account in their letter dissuading the peace; though it was absolutely necessary to enable him to form a right judgment as to the measures he was to take, either for peace or war. The marquis of Ormond therefore moved it at the board, "as<sup>e</sup> a thing highly requisite (in the situation wherein they then stood,) to make their condition known to his majesty, who was most concerned therein, both considering the little or no hopes they had from the parliament, of any future supplies of money or victuals; and for that they could not expect any considerable quantity of provisions within the kingdom, through the want of tillage, and the general spoil committed as well by the soldier as the rebel; as also that it might be represented to his majesty, that if sudden supplies out of England should not be sent thither within such a prescribed time as the board should conceive the kingdom to be able to subsist without those supplies, that then

<sup>e</sup> See Collection of Letters, No. CXLIV.

the army there must of necessity be disbanded, and the protestants perish, or be left to the will of the rebels." The lords justices rejected this motion, though it was of the greatest importance to the king's service, and though they had actually sent the like account in many letters of theirs to the parliament of England and their commissioners for Irish affairs. The marquis of Ormond still thought it necessary that his majesty should not be kept in the dark on this subject, and calling to him several members of the council then in town, (viz. the lord chancellor Bolton, the bishop of Meath, the lords Brabazon and Lambert, sir F. Willoughby, sir James Ware, and sir G. Wentworth,) they all, on April 1, joined in a letter to his majesty, wherein they gave him an account, that it was then full five months since any treasure from the parliament had arrived at Dublin, which being then but twenty thousand pounds, or thereabouts, how long such 414 a sum could last, considering the charge of so great an army, and the vast arrear it had contracted, his majesty might easily judge. And now, through the want of necessary supplies of money from thence in so long a time, and the small or no hopes they had of any future supply, (which they were the rather induced to think, because Mr. Reynolds, one of the parliament committee, at the very first arrival thereof, expressed at the council-board, that they should make much of the monies they then had, for that they could expect no more in haste; whose words they had found by experience to be too true,) they were reduced to so perplexed a condition, that although no ways had been spared which either borrowing or cessing could afford, yet they found, by the poverty of the country, which in all places where the army had marched was now become almost desolate and ruined, that those ways would very shortly fail, and that many of the officers, who had behaved themselves very valiantly and zealously in the service, were driven to very miser-

able extremities, and in all probability must shortly either leave the kingdom or perish therein; it being already in motion amongst some of them to disband part of the army; which if it should happen in any disorderly way, it was easy to be foreseen what a disservice it would prove to his majesty. They represented further, that there were but one hundred and seventy barrels of powder in the magazine of Dublin, (whence the armies and garrisons in Leinster and Connaught were to be supplied,) which in an active war would be very soon spent; that (what went to the very life and being of the army) the victuals in the stores were in a manner spent, and little or no supplies to be expected in that wasted country; that some small quantity of corn had been lately gotten from the merchants of Dublin, but the state was forced to take the goods of other merchants from them to pay for it; that notwithstanding this small addition, the stores of victuals would be soon spent; that the soldiers had been cessed upon Dublin to keep them from starving, but that method could not last any considerable time. Upon the whole, they were of opinion, that if considerable supplies of money, munition, and victuals, were not sent thither within a month or two, or if his majesty did not in the mean time give directions what to do, in case they should not be by that time supplied, the army there, they his majesty's servants, with the rest of the protestants of that kingdom, should perish and be consumed; and his majesty enforced to make a new conquest with very great disadvantage; for which reasons they humbly craved his majesty's directions and commands might be speedily sent thither.

416 This letter was sent to the king by sir P. Wemyss. It contained a much more modest account of the distresses of the state<sup>f</sup>, which, every day drew nearer to destruction and confusion, and of the extremities of the

<sup>f</sup> See Collection of Letters, No. CXLVI.

army which were continually increasing, than the lords justices themselves gave of either in their letters to the parliament. The marquis of Ormond had the greatest difficulty imaginable to keep the officers from going for England; he despaired of being able to do so much longer, because they stayed with great discontent; and it was plainly impossible either to do service, or to keep the necessitous soldier from disorder, when those that should govern them were either gone or kept there with so much reluctancy. The officers, extreme as their sufferings were, might possibly have borne them with less uneasiness, if they had not been abused by those who ought to have had a more tender sense of their miserable condition. They knew there was no money to pay them, and had no further hopes of any; but as mankind generally submit in silence to real and unavoidable necessities, they would probably have received the little dividends, that had been made them sometimes when small sums of money were remitted, without much clamour, if they had not been defrauded even in those little dividends. This treatment made them outrageous; they had complained of it formerly, but without relief. The lords justices indeed, before the expedition to Ross, had, to engage them to march, promised to do them justice, but those promises had been attended with no effect. The parliament meeting on the 20th of that month, they presented a petition upon the subject of these abuses to the house of lords; which, as soon as the house met, was presented by lord Lambert. They represented in this petition<sup>g</sup>,

- 417 “That they had engaged their lives and fortunes for the advancement of his majesty’s service, and the suppression of the rebellion in that kingdom, where they were employed by commission from his majesty, with the agreement and establishment of the parliament of England; that though they had with un-

wearied patience endured more penury than could be reasonably expected from them, yet after their fruitless expectations of relief out of England, or by the state in Ireland, they now at length, in the last place and at the last gasp, had recourse to the justice and care of that house. There have (say they) been several sums of money sent over hither expressly for the use of the army. On a just and impartial account, we doubt not it will appear they have not been issued according to the intentions either of his majesty or the parliament of England by a great sum; and further, that if the matter be thoroughly sifted, the same may yet be found in the hands of responsible men. In the next place, the small payments that have been made, either to the officers or soldiers here, have been in a coin whereby they have been defrauded of a very considerable sum; besides what they have lost through want of weight in the said coin; a manifest abuse, which we therefore the more earnestly beseech your lordships to take into your consideration, because we have been denied at the council-board here to have Mr. Nicholas Loftus examined touching the same. There are rights of his majesty's appointed by orders at council-board to be taken into the hands of private persons for the use of his majesty, which yet have been and are applied to the use of private persons. There are also divers custodiams about this city, the benefits whereof might be applied to the public use of the army. It is in your lordships' power, we conceive, to do us right, and to punish them that have at once wronged us and his majesty's service.

418 “May it therefore please your lordships to call Mr. Vice-treasurer, his ministers, and all others employed about the receipts and disbursements aforesaid, to a present and strict account of all monies sent out of England, and issued here since Oct. 23, 1641, and also to take notice of other his majesty's rights misapplied to private uses, and, out of the estates of the persons offending, to enforce a present satisfaction, that may in some measure relieve the distressed army, which now groans under the burden of these wrongs and their extreme wants; and further to take into your considerations the necessities of the said officers and soldiers, which, if there may not be a subsistence for them in this kingdom, your lordships cannot but know will consequently enforce them to quit the same, and abandon this service.”

419 This petition was signed by sir Fulk Huncks, sir Michael Ernle, William Cromwell, Richard Gibson, George Moncke, all the colonels of regiments (except lord Lambert, who presented it, and lord Lisle) then in Dublin, and others the most considerable officers in the army. The house received it favourably, as they had done a<sup>416</sup> former petition from them in the August before, making the same complaint about the coin; upon which they had then made an order for the satisfaction of the officers, and had addressed the lords justices to give them relief, but none had yet been given. The lords justices<sup>b</sup> had promised the officers to give way to a legal hearing of the complaints contained in their petition, but when they found that they intended to apply to the parliament for that hearing, (which indeed could only be expected in that way to be had with any effect,) they easily forgot their promise, and resolved to prorogue the parliament in virtue of a general commission which they had formerly from the king, though they had no particular directions from him for that purpose. When the house was entering upon the consideration of the petition, they were told by the lord chancellor that he had then lately received from the lords justices a commission to prorogue the session of parliament to Nov. 13 next following. The lords conceiving the petition to be of great importance, it concerning no less than the subsistence and satisfaction of the army, and consequently the safety of the kingdom, ordered the earl of Roscommon and lord Lambert to repair to the lords justices as a committee of the house, and to desire of them to suspend the execution of that commission for some convenient time, that consideration might be had of the particulars whereof complaint was made. The lords justices returned an answer, that they could not suspend the prorogation,

<sup>b</sup> See Collection of Letters, No. CXLVIII.

<sup>i</sup> Ibid. No. CXLIX.



having issued out the commission, upon important reasons moving the whole council to that resolution.

420 There were then sitting in the house several lords, both spiritual and temporal, who were members of the privy-council, and all these affirmed in parliament that they were strangers to any special reasons inducing such a prorogation. The house, considering the extremity of the condition unto which the kingdom was then reduced, and how necessary it was to give the petitioners satisfaction by any just and honourable ways that might be found, thought fit to desire to know the reasons of the said prorogation. But the lords justices alone (having seen the said address) refused to consent either to suspend the execution of the commission, or to signify the reasons of the said prorogation, according to the request of the house. The lords thereupon ordered the lord chancellor to write a letter to Mr. secretary Nicholas, to be laid before his majesty, with the officers' petition; and appointed the marquis of Ormond, the earl of Roscommon, and lord Lambert to peruse the draught of that letter; and to see likewise, that the reasons inducing the house to desire to continue sitting to hear and debate the same, and how far they endeavoured it, as also such motives as they should think fit to offer to his majesty to afford speedy relief and satisfaction to the officers concerning the matters contained in their petition, should be fully expressed according to the sense of the house. This done, the parliament was prorogued.

421 Two days afterwards the lord chancellor sent the letter, as he was ordered, to the secretary, acquainting him with all the steps taken in this affair, and representing how very nearly the members of the house were concerned in the consequences of that sudden prorogation, made contrary to the desires of the house, and of the officers of the army, upon whose valour, judgment, and integrity the preservation of that almost perishing kingdom de-

pended, and who were observed to be very sensible, that Mr. Nicholas Loftus, brother and agent to his majesty's vice-treasurer and treasurer of wars, was not examined at the request of the petitioners made at the council-board concerning the abuse used in making payments in a coin<sup>417</sup> of much less value than that of his majesty's, wherein payment was made for them in England; and neither they nor the lords could yet understand that any thing had been done towards their satisfaction in that point, upon an order sent to the lords justices on the 16th of August last. For which reasons he was commanded to request the secretary to move his majesty to take the matter into his consideration, and to direct a speedy course, by putting the business in such a way and into such hands as might give the petitioners (who were worthy of all encouragement) hopes of real satisfaction, such as his majesty should think fit, and as might most conduce to the safety of the kingdom. The officers at the same time petitioned the king to the like effect, complaining, that the lords justices had made his majesty's power the refuge of the injuries done to the army, in proroguing the parliament for above six months, for no other reason that they could conceive, but for the protection of such persons as had been the chief instruments of the imminent ruin and insupportable miseries under which his majesty's army and loyal subjects in Ireland groaned. They therefore humbly desired his majesty to take it into his consideration, and to be pleased to look upon them and the government that his majesty's service and they now suffered under; and that his most loyal servants and subjects in that kingdom might not be so discountenanced, but a speedy way might be open to justice, for the relief of the army, and preservation of the kingdom. The king<sup>k</sup> was much surprised at the first

<sup>k</sup> Letter of sir E. Nicholas to the marquis of Ormond, May 3, 1643.

news of the prorogation of the parliament, and could not imagine what was the occasion of that step, the lords justices having given him no account of it at all. He could not but resent this among other of their neglects, and caused secretary Nicholas to write to the marquis of Ormond to repair their omission, and send him an account of the reasons of the prorogation. As soon as his majesty understood them, he did all that was in his power for the relief of the officers of the army, and issued out a special commission to inquire into the abuses of which they complained; but this could not afford so speedy and effectual a remedy as might have been given by a parliamentary inquiry, in a case where the least delay of relief was dangerous.

422 To despatch this point of the miserable distress of the army and the kingdom, which rendered it impracticable to carry on the war, and to shew the unreasonableness of the obstinacy of sir W. Parsons in opposing the motion for laying before the king a true account of the condition of both, I shall once more have recourse to his own authority. The lords justices had often acquainted the parliament of England with the extremities to which they were reduced, and pressed in the most earnest manner for supplies; but none were sent. The parliament had resolved to employ the adventurers' money in supporting the rebellion against the king in England, and to let Ireland shift for itself. All the letters, representations, importunities, and prayers of the state of this kingdom produced no return from that body, but what shewed plainly that they were determined to be at no further expense themselves in reducing the Irish rebels. Agreeable hereto the speaker, in answer to some of the pressing letters of the lords justices, made a proposal to them, by order of the house, in his letter of March 17, that they might be supplied with provisions from England by merchants, without ready money, if they would by way of

truck supply those merchants with such native commodities of Ireland as could not be manufactured there, in lieu of the victuals which they should bring to Dublin. The lords justices and council, in their answer of April 22 to the speaker, shew very clearly,

“That they could derive no benefit from this proposal, all the 418 native commodities of the kingdom being in the hands of the rebels, who were masters of the inland country, and had engrossed all the trade which arose thence to the towns and sea-ports which they had in their possession, and from whence they exported those commodities abroad, making returns at those ports of arms, munition, victuals, and all other provisions, freely without interruption; such was the failure in the shipping designed for guarding the Irish coasts. The poor merchants indeed (say they) find some small (and but small) quantities of hides and tallow, brought in from his majesty’s garrisons near adjoining in the little circuit of ground left us. These hides and tallow do arise only out of the few cattle we gain by the sword from the rebels, and so have held up hitherto a little show of trade here, until the necessities of the army enforced us by degrees to break those merchants, as well protestants as papists; we having at several times wrested from them, in provision of victual and other commodities for relief of the army, even almost all they had, upon promise to some of them of satisfaction to be made them in England. But this failing, as it hath undone them, so hath it infinitely prejudiced the service here. We engaged also the word of this state to procure payment to others of them out of the next treasure that shall arrive out of England; which therefore must be sent in the larger proportion; as well to give them satisfaction for re-enabling them in their trades, that they may be helpful to us, as to content the army, whose necessities will not admit the applying of any of that treasure to the payment of those debts, unless the sum be so large as may enable the payment of both.

423 “We deferred those pressures on the merchants and inhabitants as long as possibly we could, still expecting supplies out of England on our many and full advertisements thither of our extremities. But when those failed, we began at ourselves; then at others; then at all fraternities and corporations, as bakers, brewers, butchers, vintners, and the like; then at all particular

persons observed to have any visible substance; not being able to spare poor men, who, to gain a poor living, made a profession, some of selling hot waters, and some of cutting tobacco; and in the end, all other means failing, we had recourse to those our only native commodities, hides, seizing on all that could be found, either on shipboard ready to be exported hence, (with purpose in some of them to return victual hither, which we are not able to wait for,) or on shore prepared for shipboard, and have made use of them to get the army a few days' bread, in hopes the provisions of victuals may serve to keep them alive. This hath drawn upon us an infinite clamour, and will now shut out all merchants from us; at least until they be assured that we have money wherewith to buy their commodities of them; and then certainly we should want nothing that they could bring us.

424 “By this it appears that there are no native commodities left here in the power of any good subject, saving hides, the only commodity left; for tallow we mention not, the quantity thereof being so small, as we see we shall hardly have sufficient store enough to provide candlelight for the garrisons and the inhabitants of the city, if they shall any time subsist. The quantity of these hides is altogether inconsiderable towards raising a public advantage in the way of truck; and if they were considerable, (as they are not,) we see not how by the way of truck this state can be delivered from acting those public and open violences and oppressions which we are now enforced unto, to give this army but some short and temporary subsistence, while we expect supplies of victuals and money out of England. For if merchants or others bring hither corn or other provisions of victuals, in order to take those few native commodities from 419 them, we must then immediately be constrained, for relief of the army, either to force those provisions from those that shall bring them, or from those to whom they shall sell them; and from both without payment of any money for them. And when we have acted these violences in seizing on such corn and provisions, it will at best but help us a few days, so small and inconsiderable they are for quantity or value.

425 “Besides, when those are wholly exhausted, (which in a few days will come to pass,) we shall then (although we should in the interim otherwise be supplied with victuals out of England) want all kinds of other accommodation for the soldiers besides

victuals, wherein those small commodities (if not made away) might be in some degree helpful to us.

426 “So as, upon the whole matter, howsoever that way of truck may, *prima facie*, seem to carry a specious show of rendering advantage to this state and army in the judgment of those who are not here upon the place to look upon the inward state of the business as matters now stand with us, (which is not possible to be so justly understood there as it is sensibly felt here,) yet it appears manifestly to us who are here, and who leave no stone unremoved or any way unsearched, when we conceive we may (by any possibility) find the least means of support, that that design cannot hold to derive to this army the benefit and comfort desired, and intended them by that honourable house.

427 “And now, before we be utterly swallowed up in the confusion of affairs wherewith we are now beset; the destruction of the state and army and kingdom being now no less feared to arise from the army, though sent hither for their preservation, than from the fury of the rebels; and yet we affirm, that we have deserved well of the army, if their necessities could permit them to interpret us rightly; we earnestly desire that honourable house, if not to look back into all our several letters sent thither, (which shall for ever acquit us before God and the world, as having discharged our duties to God, to his majesty, and to this his kingdom, in fully and truly and often representing thither the evils now ready to seize upon this state, the army, and the kingdom, and the means of preventing them,) yet that at least they would be pleased again to view our said letters of the 20th and 25th of January last, and our letters of March 23 and April 4. To these we can now add, that the soldiers, assembled together by hundreds, did in a turbulent and tumultuary manner, on the tenth of this month, in a menacing way come to the house of one of us his majesty’s justices, and did mutinously pursue him in his coach through all the streets, leading from his house to his majesty’s castle at Dublin, with outcries and loud exclamations, and that only because they wanted pay. And when he alighted from his coach, and went into the castle to meet in council, that unruly multitude, and many others of the soldiers, fell a plundering divers of the inhabitants of this city, as well English and protestants as others. These are actions tending to the scandal and high dishonour of his majesty and this state and government, and are but a beginning of what will

shortly ensue, even the ransack and sack of the whole city, if by timely supply from thence it be not prevented; and then there will be no refuge, either for the army or for the obtaining their full desires. Neither are we able to send out the soldiers in that manner which we desire, for want of money to furnish ordinary necessities, and of ammunition to maintain them against the rebels. Wherefore we earnestly move that some means may be found for complying with our desires in those our several letters expressed, and that there be not any longer a deferring thereof, seeing the state of affairs here cannot now possibly admit 420 the least deferring; for no help is to be expected from hence, as we have often and fully in former letters signified thither; no rents being to be had here, either for king or subject, or any other means whatsoever, out of which to raise any subsistence; but all men groaning under the highest extremities of want, first by the merciless rapines and spoils of the rebels, and next by the pressures of the army, which, through their wants and disorders, must also in a short time suffer by itself.

428 “Our letters of April 4 mentioned what proportion of powder we had here in the store [viz. about one hundred barrels]. Since that time our necessary expense of powder hath been so great, as hath drawn us much lower in that provision than can well stand with safety; insomuch, as if we be not immediately supplied from thence, we shall not be able to defend ourselves or offend the rebels; and the stores of victuals were long since wholly exhausted. So as now, above all things, munition, money, and victuals are of necessity to be sent in the first place, and the other provisions, in the said letters mentioned, may be sent after; which also is most needful to be done with all possible speed.

429 “We lately received letters from the city of Derry and the town of Colerane, expressing their lamentable condition; which we can no otherwise help, than by sending thither copies of their letters; which therefore you will receive here enclosed, that from thence they may be relieved. And so we remain, from his majesty’s castle of Dublin, this 22d day of April, 1643,

“Your very assured loving friends,

“W. Parsons.

J. Borlase.

Ric. Bolton, Canc’.

Ormond.

Edw. Brabazon.

Adam Loftus.

Ger. Lowther.

John Temple.

F. Willoughby.

G. Wentworth.

Rob. Meredith.”

430 This was one of the last acts that sir W. Parsons did in the exercise of his post of lord justice. The king had abundant reason to be convinced of his disaffection to him, and to complain of his administration of the government; and had only bore too long with a man, who, though raised from nothing by the favour of the crown, yet received all his directions from the parliament of England, and who, whilst he was gratifying them, did not care what ruin he brought upon his majesty's affairs. He had made lately a sorry apology for admitting the parliament committee into the privy-council, and for choosing to correspond with the parliament rather than with his majesty. He relapsed soon into this last fault, and though his majesty was only desirous to know the particulars of his correspondence with the parliament, that nothing might be clandestinely carried on therein to his own prejudice and that of the kingdom, he was not careful to give him that satisfaction. The lords justices had sent to the speaker on March 23 a public despatch, a copy of which they transmitted likewise to the king; <sup>1</sup>but they sent at the same time another letter of a more secret nature to the speaker, without sending any copy thereof to his majesty. Notice was given hereof to the king, who, finding his patience so abused, and the man determined obstinately to go on in his former measures, resolved to turn sir W. Parsons out of the government. Sir John Borlase had the happiness of being thought an insignificant man, and one that blindly followed the directions of his colleague; so that on April 3 a commission was drawn up, appointing him and sir Henry Tichbourne <sup>421</sup> lords justices of Ireland. The commission was sent away the same day to the marquis of Ormond, but was so slow in its passage that it did not arrive at Dublin till the last of that month. The new justices were sworn, and had the sword delivered to them on the first of May.

<sup>1</sup> Letter of sir E. Nicholas to the marquis of Ormond, April 3, 1643.



43<sup>1</sup> It was imagined that sir W. Parsons had formed a design to get some of the members of the council, that opposed his measures, sent for over into England by the parliament, and to procure from them some order (which he would not fail to obey, and which he might allege in his justification) for seizing the lieutenant general or any other persons, that the lords justices should see fit. He was certainly very capable of taking violent measures, and would stick at nothing to carry his point. He was so imperious in his nature, and so rude and overbearing in his manner to all that differed from him in opinion, that scarce any body cared to speak their minds in council. The marquis of Ormond was almost the only person that ventured to express his sentiments with freedom. In the debate on Thursday, March 30, about sending to the king an account of the condition of the army and kingdom of Ireland, some words had broke from sir W. Parsons which gave great offence to the marquis, and afforded him occasion to say, he was very sensible how the lord justice stood affected towards him. Sir William, thinking coolly on what had passed<sup>m</sup>, sent sir Philip Perceival the next day to assure the marquis of Ormond of his respect, and that he had, and still should favour him and his; to desire to know what particular part of his conduct towards him he excepted against; and that for the sake of the public service there might be no breach between them; because he had observed some of the board ready to second any word of dislike that his lordship spoke. The counsellors indeed began to enfranchise themselves from the slavery wherein they had long been held by the lords justices; of which a few days afterwards there was a remarkable instance.

43<sup>2</sup> The lords justices, finding that the marquis of Ormond and some of the council had joined in a representation to the king of the state of the army and kingdom, wrote,

<sup>m</sup> E. 13.

on April 4, the same account to his majesty, as they gave in their letter of the same date to the speaker; and lord Parsons proposed the<sup>n</sup> next day in council, that some of the board should be sent over to the king with that letter. He conceived that it was necessary to send over two persons, one of the military list, the other of the civil, and for this purpose he named sir F. Willoughby and sir J. Temple, as the most proper persons. Sir Adam Loftus and some others approved of his choice; but it was objected, that there was no occasion for more than one to be employed, and it was moved that sir F. Willoughby might go alone, because they conceived much better use might be made of sir J. Temple at Dublin, in regard he had been so successful, and knew so well the ways of procuring means from merchants and others for the subsistence of the army in that necessitous time. Those who declared themselves of this opinion were the major part of the council; whereupon, after a long debate *pro* and *con*, sir James Ware moved, that it might be put to the vote of the board, whether sir J. Temple should go or no. This motion being seconded by others, sir Robert Meredith said, he saw no reason why it should be put to the vote; but that the lords justices, to whom it did properly belong, should of their own power order how many and who should go. To this the marquis of Ormond replied, that the letters were signed by the whole board, and if the board might not have the nomination of the messengers, he desired that he might cross his name out of the letters; and then the lords justices and such of the council as should join with them, might write what they would, and send whom they pleased. This motion<sup>422</sup> was so far approved by others, who were of the same opinion against sir J. Temple's going, that they desired likewise to strike out their names, if the major part of the board might not nominate the messenger. After a

<sup>n</sup> E. 31.

little while, sir W. Parsons said with some discontent, that sir J. Temple had done more service than any one of the board, (which nobody denied, being sensible of that gentleman's services, though they were not for making comparisons,) but observing the plurality of voices to be against sir John's going, he said, that since so many spoke against it, nobody should go, and he would send the letters by the packet boat. I have mentioned this debate chiefly to shew how sir W. Parsons carried matters, even at a time when the council had recovered and asserted their liberty.

433 He could not bear any opposition, and to prevent any extraordinary measures to remove it, it was thought necessary for the king to send an<sup>o</sup> order to the lords justices, (the form of which was drawn by sir M. Eustace,) expressing, that, "as there were so many irregular and unwarrantable courses taken in those licentious times, in his majesty's kingdom of England, against such as any ways declared themselves to be faithful and loyal subjects; and as he knew not but the like might by practice from thence be and was attempted against some of his good subjects in Ireland, his majesty therefore commanded them, that if any warrant, order, or direction whatever should be sent from England (other than from himself) for the summoning of any of the council or ministers of state in Ireland, or any other of his subjects in that kingdom to appear before any judicature whatever in England, or for the attaching or molesting them or any of them in their persons or estates, or any manner of way whatsoever, they should take special care to prevent the execution of any such warrant, order, or direction, till they had signified the same to his majesty, and received his approbation thereof; charging likewise all his ministers of state, and others his subjects, upon their allegiance, to pay no obedience thereto, without his

<sup>o</sup> E. 54 and 55.

special allowance and approbation." This order was signed on April 16, but the change of government now made rendered it less necessary.

434 A little before sir W. Parsons was removed, the marquis of Ormond was obliged to do an act of justice to some prisoners, who were confined in the castle of Dublin, and had suffered there great hardships from the rigour of the lords justices for twelve or fourteen months past. These were the lord Dunsany, sir John Netterville, sir Andrew Gerald, and George Aylmer, Edward Laurence, Nicholas and Stephen Dowdall, sir Nich. White and his son, John Talbot, Gerald Fitzgerald, Patrick Barnewall and W. Malone. They were all of them gentlemen of the pale, and had either submitted to the lords justices in Dublin, or to the marquis of Ormond in his expedition to Drogheda. They had all of them lived quietly in their own houses, to which the justices by their proclamation banishing them from Dublin had ordered them to repair, and had never been concerned in any hostile act; yet the justices, to discourage the like submissions, had prosecuted and treated them with excessive rigour. One of them had been racked, and all of them had been examined, some by menace, others by torture, and most of them necessitated to subscribe to what the examiners pleased to insert, who usually refused to write down such particulars as served to extenuate or avoid the offence pretended, only entering what made for their condemnation. In consequence of these examinations, and perhaps of other kinds of management, they had all of them been indicted of high treason; their goods had been wholly destroyed and taken away by the rebels and soldiers, and 423 themselves, being denied the favour of being bailed, were ready to perish in prison for want of relief. The pretence for refusing to bail them was drawn from the indictments which had been found against them, and above a thousand others, by a grand jury in the space of two days.

There was certainly too much hurry in the finding of these indictments (of which above three thousand were upon record) to allow time for the examination of each particular case, and they were too generally found upon very slight evidence. The Roman catholics complained that there were strange practices used with the jurors, menaces to some, promises of rewards and parts of the forfeited estates made to others; and though great numbers of the indicted persons might be really guilty, there was too much occasion given to suspect the evidence. I am the more inclined to suspect there was a good deal of corruption and iniquity in the methods of gaining these indictments, because I find a very remarkable<sup>p</sup> memorandum made by the marquis of Ormond, in his own writing, of a passage in the council on April 23, 1643. There was then a letter read at the board from a person who claimed a great merit to himself in getting some hundreds of gentlemen indicted, and the rather *for that he had laid out sums of money to procure witnesses to give evidence to a jury for the finding of those indictments.* This was an intimate friend of sir W. Parsons, and might very well know that such methods would be approved by him; but such a letter was not so very proper to be read at a board, where, besides the justices, the marquis of Ormond, the lords Brabazon and Lambert, the bishop of Meath, sir Adam Loftus, sir G. Wentworth, and sir R. Meredith were present.

435 But whatever ready reception indictments met with from grand juries, they did not pass so readily with the petty juries. Sir <sup>q</sup>John Bowen, who had submitted to the marquis of Ormond a few days before the battle of Kilrush, and had from that time been kept close prisoner, was tried on Feb. 9, and acquitted. Two days before him were likewise acquitted two gentlemen of the name of

<sup>p</sup> E. 35. fol. vers.

<sup>q</sup> Tucker's Journal, p. 60, 61, 62.

Harman, and two others of the families of Bourke and Brian. Sir John Dungan's indictment on Feb. 13 met with the same fate. But, as the juries were composed chiefly of despoiled English, whose losses might incense them too much for an impartial judgment, the prisoners beforementioned<sup>r</sup> represented their case to the king and to the parliament of England, and petitioned both that they might be set at liberty, and freed from the danger of their lives and estates; the rather in that they never committed any act of hostility, nor had their hands in the blood or spoil of any; and that his majesty would graciously pass by their lesser offences, being inevitable, by reason of the general and sudden commotions and distractions almost in all parts of the kingdom. On this occasion they called upon the marquis of Ormond, in confidence of whose honour they had voluntarily come to him, to transmit their petitions and mediate with the king and parliament in their behalf. This they thought was the least he could do for clearing himself from having any hand in the proceedings against them, and to vindicate his honour to posterity. His lordship did not fail to send their petitions, accompanied with his own attestation of the facts therein related, concerning as well their voluntary submission to him, as their rigorous treatment afterwards. He assured both his majesty and the house of commons, that he never heard of any outward hostile act that had been done by any of these gentlemen, and as he could not pretend to judge whether any treason was ever hatched in their hearts, he recommended their case to them who were the best judges, to whom it<sup>424</sup> was proper to distribute mercy for the most advantage of the present service. The marquis of Ormond had carried himself so unexceptionably in all his conduct, that he stood as yet very well in the opinion (at least as far

<sup>r</sup> See Collection of Letters, No. CXXXVIII, CXXXIX, CXL.

<sup>s</sup> Captain Tucker's letter to the marquis of Ormond, April 15, 1643.

as they declared it) of most of that house, though some were jealous of his having had an hand in the late commission for hearing the grievances of the Irish recusants, and (what is more surprising) others made such strong objections to him on account of his entire affections to the lord Mountnorris, that captain Tucker thought himself obliged in friendship to give him a caveat upon that head. But I do not find that any thing was done in parliament towards the liberty of these gentlemen, who, upon the king's orders, that such as submitted upon the faith of his proclamation should be allowed the benefit thereof, were admitted to bail on the August following, a little before the cessation.

436 That affair came now into consideration. The king found the propositions couched in the remonstrance of the confederate Roman catholics to be such as gave him no reason to expect a general submission, because he could not consent to their demands. How far they might recede from any of them was uncertain, and to bring them by a treaty to that moderation of their desires which was necessary for a peace, required more time than the necessities of the kingdom could allow. It had been usual for the state of Ireland in such exigences to make temporary cessations with the rebels to gain time for receiving supplies out of England; and these had been found by experience very serviceable to the preservation of the kingdom. A day or two had usually sufficed for the settling of these cessations, so that it was considered as the shortest expedient, and certainly it was the only one that could be made use of by the king at this time, to subsist the army and preserve the kingdom in the terrible extremity to which both were reduced. The miserable condition of affairs at Dublin, (from whence all Leinster and Connaught were to be supplied,) as well as Colerane and Derry, hath been already represented a

little before in the words of the letter of the lords justices of April 22.

437 That of Munster at the latter end of the foregoing year hath been formerly related, nor was its situation mended since. The lord Inchiquin had received from the parliament no supplies, except of men, which he did not want. They had a mind to give lord Kerry a regiment; the men were raised in England, and sent over to Cork about the latter end of November, without arms; but these it was said lord Forbes should furnish out of the stores of his fleet. Lord Inchiquin<sup>t</sup> thought they only came to accelerate his ruin, for they brought with them neither money nor victuals, nor so much as the hopes of either. He had sent agent after agent to England to solicit for these, yet none were sent, "nor could he possibly have got provisions to subsist his forces, if the Irish had not supplied the markets of Cork, Kinsale, and Youghall, and if he had not been very industrious in saving some corn about Mallow and Donneraile, (and by fair means prevailed with the neutral Irish to help him,) to get some means to relieve a thousand men there for three months after his victory at Lisscarrol. But then that means failing, and sir Hardress Waller sending him advice from England that the parliament was so taken up with their own danger, that a word of Ireland would not be heard, he applied to the state of Dublin for some provisions, his own store not being able to hold out three weeks. The <sup>x</sup>lords justices, considering his great distress, ordered six hundred barrels of salt herrings to be shipped in Christmas holydays on board captain Hart, to relieve the necessities of the Munster forces. Sir Philip Percival

<sup>t</sup> Lord Inchiquin's letter to the marquis of Ormond, Nov. 28, 1642.

<sup>u</sup> *Ibid.* Dec. 6.

<sup>x</sup> Sir Philip Percival's Representation to the House of Commons, fol. 7.



paid the freight and other charges of the same, but before the ship sailed, the distress of the Leinster army increased so much, that the justices were forced to order it to be unladen, and the herrings to be distributed to the soldiers at Dublin, to the loss of all the charges that had been paid, and the great discontent of both armies. Lord Inchiquin, thus disappointed, had no means of preserving his men, either from disbanding or starving, but to seize upon all the magazines of tobacco, (belonging to lord Strafford, and the farmers of that commodity, who never received a farthing consideration for it till after the restoration,) and to sell it for money or cattle to the Irish. This, with some small supply of provisions, which he received from Bristol, enabled him to hold out till February<sup>y</sup>, when, thinking the loss of the province inevitable, and seeing evidently the approaching ruin of many thousands of English protestants, he caused some of the ships of lord Forbes's squadron that were in the harbour of Kinsale to be stayed, and drawn ashore. This was done by the order of a council of war on Feb. 16, in order to search the ships for arms and ammunition. Lord Forbes had been directed by order of parliament to furnish arms for lord Kerry's regiment; by which it was supposed he had brought a sufficient number of spare arms out of England, and he had certainly got a great quantity in several ships which he had taken off the coast; yet when these were demanded, lord Forbes pretended he had not arms for above three hundred men. His lordship was every whit as sparing of the ammunition which he was likewise ordered to furnish. Lord Inchiquin riding abroad one day, after receiving a very slender proportion thereof, heard an hundred great guns go off at Kinsale, and finding upon inquiry that it was only on occasion of an entertainment made by a captain of one of the ships, thought it intolerable that so much powder should be

<sup>y</sup> Letter of lord Inchiquin to the speaker, Feb. 25.

lavished upon healths, when the province was on the point of being lost for want of ammunition. This made him resolve to search the ships; but his main reason for staying them was, that they might be ready to transport the great numbers of distressed protestant English that had lived hitherto under his protection, and must now retire into England, or else be necessarily exposed either to the sword or famine. For as to the officers of the army, they were resolved to shew the world it was not fear should make them quit the province, being determined, if their enemies went on with their design, (as there was good reason to believe they would,) though they were ten to one, to put all to the hazard of a day of battle.

438 The enemies' design was to ruin all the country about Cork and Youghall, (which had hitherto supplied the English army,) and were ready to advance with great forces into those parts. If they had been able to effect their design, it was impossible for lord Inchiquin to subsist three weeks without supplies from England, which he had little grounds to expect. He had just before taken away all the money of the townsmen of Cork, and caused all the cattle, corn, provisions, and commodities that were to be found in Barrimore, Smokelly, and other countries adjacent to Cork, Youghall, and other garrisons, to be taken from the inhabitants, who lived under protection, who had never offended those garrisons, and constantly supplied their markets, to be brought into Cork, and there distributed among the soldiers. Enforced by that necessity which confounds all rules, and makes no distinction between friend and foe, he soon after seized what was left of the effects of all the merchants of Cork, Youghall, and Kinsale, and shipped their hides, tallow, wool, and other commodities, against their wills, sending them to France to be sold or bartered there for corn to relieve the army, then destitute and hopeless of any other supply. He gave the owners indeed certificates for the 426

same, that they might be paid by the parliament certain sums to which the value of the said goods amounted, as was usual in the like cases; but the parliament refused payment. This being his last resource, and what deprived him of any other in Ireland, he applied once more to the house of commons of England in the following letter:

“ Mr. Speaker,

439 “ I have so often troubled this honourable house with the sad relation of the desperate estate of this province, and the necessities of this army, that I should blush to repeat the particulars; and the rather, because it may be supposed I have in my former letters endeavoured to make our wants appear greater than really they were. Wherefore I have now in my last extremity sent this gentleman unto you, whom, I assure myself, you will believe, and who is well able to satisfy you how just cause I had long ago to think it impossible for this army to subsist thus long here, without a far greater measures of assistance out of England, and by what unexpected means (when we were even upon the brink of ruin) it hath pleased God to send us unhop'd for ways of support. But now we are upon so extreme an exigent, as that unless it please God to put into your hearts an effectual sense of our miseries, and to dispose you to a speedy course for our sudden relief, I fear the next news you will shortly hear will be the total loss of this province, and that our approaching ruin will prevent any further request to be made herein by

“ Your affectionate friend and servant,

Cork, 25 March 1643.

“ INCHQUIN.”

440 His lordship heard nothing for some months afterwards from the parliament, but soon found how little he was to rely upon any assistance from thence. John Hodder, deputy commissary of the victuals at Cork, had not only been singularly active and provident in gaining and preserving provisions, but had also, out of his own estate, and upon his own credit and the engagement of very many of his friends, from time to time replenished the stores with sundry considerable quantities of victuals, when they were at the lowest ebb, and the army in the

extremest distress for want of seasonable supplies. He had by this means contracted several deep engagements and debts upon himself and his friends, and for payment thereof had addressed his bills of exchange to England, drawing them upon the chamberlain of London, according to an order of the house of commons formerly published in that behalf. <sup>z</sup>These bills were not accepted, to the utter undoing of that gentleman, (who had strained himself to relieve the army,) and of those who upon hope and confidence of repayment had trusted their estates in his hands. The commissary was not only thereby disabled from procuring, upon his credit or otherwise, any more provisions, but all means of subsistence within the province, which had hitherto chiefly depended upon what was taken upon trust by giving tickets to proprietors, was thereby destroyed.

441 Such was the condition of the English forces and the protestants in Ireland at this time; they were unable to subsist any longer without supplies from England, and yet had very slender grounds to hope for those supplies from any quarter whatever. The king could not, and the parliament would not send them any relief. The principal officers of the army about Dublin had applied to that body in the October and November before; they had represented their hardships and wants in petitions and remonstrances; confirmed by the authority and testimony <sup>427</sup> of the lords justices and council, who certified at the same time the utter impossibility of preserving the kingdom without speedy supplies. Sir Fr. Butler and major Warren were sent to solicit them, but after attending for two months or more in vain, they returned with a very uncomfortable account to Ireland. They<sup>a</sup> declared there at the council-board in how gracious a manner the king had received them, and how ready his majesty was to

<sup>z</sup> Letter of lord Inchiquin to the speaker, April 21, 1643.

<sup>a</sup> Sir Philip Percival's representation to the House of Commons.

contribute to the relief of the army and kingdom ; but with regard to the parliament, though they had so long attended at London, they could not in all that time so much as procure a committee of that body, or of the commissioners for Irish affairs, to meet ; nor could they find any hopes to expect their pay, to enable them to subsist in that war ; that a principal person of the committee told major Warren, *that if five hundred pounds would save Ireland, it would not be spared ;* and another told him, *that they had not leisure to step over the threshold for Ireland.* Those officers waited upon the king as they returned from this unsuccessful solicitation of the parliament, and gave him this account. His majesty waited six months longer to see if that body of men who were pursuing him with the keenest malice, and spared for nothing to deprive him of his crown of England, would at last shew any compassion for the bleeding condition of Ireland. He found on this occasion that rebels of all countries and all religions are the same, full of professions that have no meaning, and of pretences that have no foundation. The prevailing faction in the parliament of England pretended to have the utmost abhorrence of the Irish rebellion, at the same time that it encouraged and enabled them to support their own. But if we consider their actions, (the surest rule to judge of the real sentiments of mankind,) and how little they did to suppress it, we shall find reason enough to lay no more stress upon those pretences, than upon their strong professions of duty, and repeated assurances to his majesty of making him a glorious king ; all of them serving rather to raise the indignation of a generous mind, than be any foundation of hope to the most sanguine temper. The king, after waiting so many months, and seeing no supply sent in all that time to Ireland, nor so much as the hopes of any for the future ; being pressed from thence either to send a relief which it was not in his power to give, or at least to send some directions what

to do in that country, to prevent the destruction of his army and protestant subjects in that kingdom; and there being no other visible means of preserving either, but by a cessation of arms, he resolved to send instructions to the marquis of Ormond to treat with the confederate Irish upon that subject.

442 For this purpose his majesty sent the marquis a <sup>b</sup> commission on April 23, which if it was not exact in point of form, was however very full with regard to the powers meant to be conveyed thereby, as giving him not only authority to conclude a cessation, but referring likewise entirely to him the terms upon which it should be settled. The king in this commission sets forth, that since his two houses of parliament (to whose care at their instance he had left it to provide for the support of the army in Ireland, and the relief of his good subjects there) had so long failed his expectation, whereby his said army and subjects were reduced to very great extremities, he had thought good for their preservation to resume the care of them again to himself; and that he might the better understand as well the state of that kingdom, as the cause of the insurrection, he had thought fit to command and authorize the marquis of Ormond, lieutenant general of his army there, with all secrecy and convenient expedition, to treat with his subjects in arms, 428 and agree with them for a present cessation of arms for one year, in as advantageous and beneficial a manner as his wisdom and good affection to his majesty should conceive to be most for his honour and service; and as, through the want of a full information of the true state of the army and condition of the country, he could not himself fix a judgment in the case, so as to be able to prescribe the particulars thereof, he therefore referred the same entirely to the lieutenant general, promising to

<sup>b</sup> See Collection of Letters, No. CLII. CLIII.

ratify whatsoever he, upon such treaty, should conclude and subscribe with his hand in that business.

443 A <sup>c</sup>letter was sent him at the same time, directed to the lords justices and council, notifying to them the grant of this commission, and requiring them to further the execution thereof by their best endeavours. This was to be delivered at such time as the marquis of Ormond saw convenient, and when their assistance became necessary to advance the affair. There was no occasion to communicate it at all, till it was seen whether the rebels would desire a cessation; the king's dignity requiring that the first motion of that sort should proceed from them. But what increased the necessity of such a step on his majesty's part, either lessened their inclination to it, or made them affect delays in a matter which was likely to defeat them of the advantages of their present situation, and put a stop to the success and progress of their arms.

444 Preston, after his defeat near Ross, had rallied his forces<sup>d</sup>, and sat down with a body of four thousand foot and five hundred horse before Ballynekill; a place of considerable strength, and maintained by two companies under the command of captain Ridgeway, a very brave officer, and son to the late earl of Londonderry. The place being situated within eight miles of Kilkenny, the garrison annoyed the enemy exceedingly, making continual excursions up to the very walls of that city. The citizens, uneasy at their continual losses, pressed that the siege might be undertaken, offering to supply the forces with a thousand loaves of four pound and an half each a day. Colonel Lawrence Crawford was sent out of Dublin on April 13, with one thousand three hundred foot and one hundred and fifty horse, to endeavour to raise the siege; he advanced towards the place, but was forced

<sup>c</sup> See Collection of Letters, No. CLI.

<sup>d</sup> E. 56, 66, 67, 109, 117, 125, and 128.

to retire to Monastereven, being sorely wounded in his retreat. A small quantity of provisions being with great difficulty procured, sir Michael Ernle was afterwards sent with a stronger party on the same service; but being advanced near Athy, he received intelligence that Ballynekill was taken the day before. Preston had tried seven mines, and besieged it for a month in vain; but having on May 4 begun to batter the place with a great piece of cannon carrying a ball of twenty-four pound, (which had been landed a few days before at Dungarvan,) it surrendered the next day, and he marched with his army in order to invest either Athy or Ballylenan.

445 The marquis of Ormond, upon advice thereof, sent major Verney with a reinforcement to sir M. Ernle<sup>e</sup>, ordering him, in case Preston besieged any garrison, to watch his best opportunity to distress him with as little hazard to himself as possible. But if that general of the rebels, either through want of provisions, or for fear of his forces, retired, sir Michael was then to prepare the best he could for the taking of Ballysonan, in order to which no time should be lost in sending to the Naas two culverins, with ammunition and other necessaries for that enterprise. Preston, not caring to hazard an engagement, intrenched himself at Ballynekill, resolving to wait there till want obliged the English forces to return to Dublin. There<sup>f</sup> was so little powder left in the stores of that city, and so little forage as yet upon the ground, that the justices were apprehensive the horse could not subsist during the siege of Ballysonan, and that they could not, 429 without the utmost danger to the kingdom, admit of the expense of so much powder as the taking of that place would require. For these reasons they obliged the marquis of Ormond to countermand his orders for the attack of that castle four days after they had been given. They

<sup>e</sup> Letter of May 8. E. 136.

<sup>f</sup> Letter of the lords justices. E. 228.



gave directions likewise to the commanders of the army to forbear burning, spoiling, and pillaging any of the corn, cattle, and goods in the territory of Allen, a sort of island surrounded by a bog, that the garrison of the Naas might be supplied from thence, as it had been for a long time, and indeed could not subsist without it; in-somuch, that if that territory were destroyed, the garrison must be dissolved, to the great dishonour of the state, and equal danger and inconvenience to the public service. But having in the beginning of June got a fresh supply of powder, and grass being grown in the field, they sent new and express orders to sir M. Ernle to besiege and take Ballysonan, Kilka, and Castle-Dermot, and to keep the army abroad as long as it was possible for them to subsist. They had during this expedition supplied the forces at different times with one hundred and twenty thousand weight of bread, and had ten thousand weight more ready to send them on the 11th of that month, when sir M. Ernle and colonel Gibson returned to Dublin, alleging that <sup>g</sup>they could not undertake services of that consequence by reason of the miserable condition of the soldiers, the greater half of them being either barefoot or otherwise disabled with excessive fatigues, so that a quarter part of their men were not able to march in their ranks: besides, both horse and foot were continually committing disorders, and were so hard to be commanded, that they were either forced to use such tyranny over them as could not fail of drawing upon them the hatred of the soldiers, or else to suffer themselves and other officers to be affronted to their faces, all order and discipline to be neglected, and consequently the army itself to fall to ruin.

<sup>446</sup> To enable the forces about Dublin to subsist, lord <sup>h</sup>Moore had been sent out at the same time that Crawford was, with a party to get what prey he could in the

<sup>g</sup> E. 201.

<sup>h</sup> E. 60.

counties of Lowth and Cavan; but met with so little in the field, that he was soon obliged to return into garrison for want of forage and bread, having only taken Ballisoe, and secured it with a garrison. Lord <sup>i</sup>Lambert for the same reason marched, towards the latter end of May, with one thousand foot and three hundred horse into the county of Wicklow, and having traversed thirty miles of the country, returned with a prey of seven hundred cows and one thousand five hundred sheep. This success was owing in some degree to sir M. Ernle's wasting the county of Kildare, which caused the cattle to be driven from those parts into others, which were imagined to be safer: and whilst that commander was besieging Ballybrittas, (which he took, and caused to be blown up, after making a great booty of lord Glamaleyra's household-stuff and goods,) lieutenant colonel Willoughby made another inroad into the same county, and returned with the like success to Dublin. These actions, all that could be undertaken in the situation of affairs there, only served to keep the forces about that city a little longer alive, and to defer their disbanding for want of subsistence.

447 The condition of Connaught was still worse than that of Leinster, all the province being on the point of being lost. Colonel <sup>k</sup>John Bourke had been by the general assembly of Kilkenny appointed lieutenant general thereof, and came to Galway about Christmas in the former year. He was a man of good sense and address, moderate in his temper, considerate and prudent in his actions, and of great experience in military affairs, having been thirty-eight years in the Spanish service. He was the <sup>430</sup> fittest person that could be employed in that province, not only on the account of his personal character and endowments, but as he was related to most of the gentle-

<sup>i</sup> Lieutenant colonel Ogle's letter to sir T. Wharton. E. 235.

<sup>k</sup> Clanrickard's Memoirs.

men in the county of Mayo, and to many in that of Galway. With these last he began to correspond immediately upon his arrival at Galway, endeavouring to work them up to a resolution of raising forces to besiege the adjoining fort. Captain Willoughby had sufficiently disposed them to such an attempt by his continual depredations in the country, and spoils upon their estates. The Romish clergy exerted themselves to persuade, and issued out the censures of their church against all that would not take the new oath of association, and engage in the cause. In vain were the obligations of the oath of allegiance, and of the duty of loyalty to the king urged to the contrary; such as would not be guilty of perjury by breaking the one, and of rebellion by acting inconsistent with the other obligation, were by the titular bishop of Clonfert and other ecclesiastics declared guilty of a mortal sin, and involved in the sentence of excommunication. Captain Willoughby, whilst they lay under these temptations, furnished the gentlemen and the town of Galway with other pretences. His affections to the parliament cause were well known; he held an intimate correspondence with their ships, and encouraged and supported the commanders thereof in all their ravages upon the coast. One of these, captain Constable, being received by him into his garrison, used opprobrious and disaffected language with regard to his majesty, and calling aloud to the townsmen, told them, *that their king was run away, and they should soon have a new king.* Hence it was either believed or pretended, that the fort was no longer in his majesty's obedience, but entirely at the disposal of the parliament.

448 The governor of the fort, not content with burning villages and depopulating the country, used other insults to the town, interrupting the commerce of the port, stopping the markets, and even battering the town with his artillery for several months incessantly from Feb. 9 when

he first began to cannonade the place. The earl of Clanrickard laboured in vain to keep the gentlemen from running into desperate courses; but wanting power, his persuasions were of less force than the exhortations and censures of the clergy, and the resentments at captain Willoughby's proceedings. Thus in the month of April, Francis and John Bermingham, grandchild and son of lord Athenry, sir Ulrick Burke, Hubert Burke of Dunoman, Redmond, Riccard and Thomas Burke of Kilcornan, Dermaclaghny and Anbally, the three Teige Kellys of Gallagh, Aghrim and Melaghmore, sir Valentine Blake, sir Robuck Lynch, and other principal gentlemen in the county, resolved to take up arms and besiege the fort of Galway. Colonel J. Bourke put himself at their head, and about the latter end of that month began to enclose it at a distance, to fortify some passages towards the sea to hinder any relief from that side, and to post a body of troops at Athenry to hinder any attempt for that purpose, which lord Clanrickard might make by land. A party sent out by captain Willoughby to make preys in Ireenagh being most of them cut off, they were encouraged in the beginning of May to lay a closer siege to the fort, the town of Galway undertaking to defray the expense, and supply the forces which were drawn out of the country and the neighbouring county of Mayo for that enterprise. Two bulwarks and batteries were raised on the point beyond St. Mary's church in the west, called Kenitniane, and on that of Ronimore; and a chain drawn cross the harbour. The fort had been well supplied in the winter by lord Clanrickard with provisions for some months. A ship had arrived in March from Dublin with a fresh supply. Captain Willoughby had store of money, plate, and commodities, kept a continual traffick with several ships that came out of England and Wales, and <sup>431</sup> might have furnished himself plentifully with all necessaries. But he had been so ill a manager of his provi-

sions, and had lavished away so much powder in his useless and continual battery of the town from Feb. 9, that when the siege began he had scarce enough of either to serve him a month. The relations which the besiegers had of this scarcity animated them to undertake the siege, which was carried on, not by any works against the fort, but by endeavours to prevent the throwing in of all relief. Captain Brook came with his ship in the beginning of June, but the batteries on the points hindered him from approaching the place. He endeavoured to throw in supplies by his long-boats in the night, but these were met by some of the town-boats, and forced to retire. Captain Willoughby, disappointed of succours, began to treat on the 13th of that month, and on the 20th surrendered it, with Oranmore, a castle of the earl of Clanrickard's, situated on the bay of Galway. He had liberty to carry away with him two pieces of cannon, with all the goods and commodities which he had taken in the country, and was to be accountable for no damages that he had done. He had come thither with nothing considerable, but departed thence rich in money and other commodities, besides a debt of three thousand pounds from the crown, leaving the second fort of importance in the kingdom in the hands of the rebels, who soon after demolished it by order of the supreme council. The loss of this place threatened that of the whole province, and would in all probability have been immediately attended with that consequence, if the gentlemen of the county of Galway could have been drawn to have fallen on lord Claurickard, or if the lord of Mayo had not traversed the measures of John Bourke and opposed his command of the forces of that county; yet, notwithstanding the divisions which those noblemen sowed and encouraged amongst the rebels, they raised a considerable force, and marched under the command of that general to reduce the castles of the county of Roscommon, which (besides

the lord Clanrickard's towns of Logreagh and Portumna) were all that held out in the province of Connaught.

449 In Munster lord Inchiquin in the beginning of May drew his forces out of the garrisons, where they were on the point of starving, to see if he could get subsistence for them in the field. The same necessity which obliged him to march out unprovided of all things fit for a campaign forced him to divide his army. Lieutenant colonel Story was sent with twelve hundred foot and two hundred horse into the county of Kerry, where they subsisted very well, and made very great preys of cattle. Sir C. Vavasour was sent with a like number into that of Waterford, whilst lord Inchiquin, to amuse the enemy, and divert them from attacking those detachments, made a feint of besieging Killmallock, a place of great consequence, in the county of Limerick. Sir Charles, took in Mac Thomas's and other castles, and on June 3 had the strong castle of Cloghleagh surrendered to him. The defendants were sent away under a convoy, but such was the disorderliness of an unpaid soldiery, that they were plundered or murdered by those to whom they were committed for protection. Sir Charles hearing of this violation of quarter, vowed to hang him who commanded the party, but was prevented, by being attacked the next day in his march at Killworth by the earl of Castlehaven and lord Muskery. They had with them a body of two hundred and fifty horse, and with these, before their foot came up, they charged the English horse in a plain between Fermoy and Killworth. Sir Charles had among his troops too many volunteers that came for the sake of plunder, and was besides inferior in the number of cavalry; so that his horse upon the very first attack fled, and broke in upon his foot, whereby the whole body was routed, six hundred killed upon the spot, sir Charles himself, with several other officers, made prisoners, his cannon, 432 baggage, and seven hundred arms taken. The loss fell

chiefly upon the foot; the horse for the most part escaped<sup>1</sup>, being seized with so terrible a fright, that not thinking themselves safe under the protection of the cannon of Castle-Lyons, they made no stop till some of them recovered Cork, and the rest got into Youghall. The unfortunate commander suffered in his reputation on account of this defeat, though unjustly; his conduct and the disposition of his forces being commended even by the enemy: but the fault lay in his horse, who were much fonder of plunder than fighting, and could not be made to stand against their wills. This was the greatest loss that the English had suffered in the whole course of the war, and was a great discouragement to the soldiers, who were sufficiently disheartened before by the extremity of their wants, and the utter neglect shewed of them by the parliament.

450 In Ulster, the Scotch forces, though they had large arrears of pay due to them from England, were well enough supplied with victuals out of Scotland, and<sup>m</sup> in April five weeks' provisions for the English forces in those parts arrived at Carrickfergus; but when these were spent, no other means of subsistence offered, the Scotch regiments quartered in Down and Antrim having impoverished those countries. <sup>n</sup>Monroe marched in May with great expedition and secrecy into the county of Armagh, to surprise Owen O'Neile in his quarters at Annagh Sawry, near Charlemont. O'Neile himself was the first that discovered them, as he was hunting, at the distance of two miles, and about four from his quarters, whither he immediately retired; and drawing off his small party of four hundred men, after an hour's dispute with Monroe's whole force in a lane enclosed with quicksets, leading to Charlemont, made his retreat thither without the loss of a man. Monroe seized the passes about that for-

<sup>1</sup> Letter of sir C. Vavasour to the marquis of Ormond, July 4, 1643.

<sup>m</sup> Letter of lord Montgomery to the marquis of Ormond, May 12.

<sup>n</sup> O'Neile's Journal.

treas, intending to make what preys he could in the country; but one of his parties being the next day attacked by lieutenant colonel Sandford, an hundred of his men killed, and the prey recovered, he thought fit to return into the county of Antrim.

451 As soon as he returned, about the middle of the same month, ° colonel Chichester and lord Montgomery with two thousand foot and two hundred and fifty horse, made an irruption into the county of Ardmagh, and being joined by lord° Moore, with a small party from Dundalk, (where the garrison was in great distress for want of corn and other provisions,) wasted all that county, burning Kinard and other places, ranged through all Monaghan and Cavan as far as Belturbet, pillaging all before them, and taking considerable preys of cattle, not seeing the face of an enemy in all their march for three weeks together. O'Neile knowing that they were not provided to undertake a siege, and that they only came for spoil, resolved to avoid rather than oppose them. For this purpose, he caused the cattle of the country to be driven away, and retired with his forces, escorting the women and un-serviceable inhabitants towards the counties of Leytrim and Longford, where he proposed to stay till he had gotten an army together sufficient to meet the enemy in the field.

452 In his way thither, as he was marching through the county of Monaghan<sup>p</sup>, he was suddenly attacked by sir R. Stewart at a place called Clonish or Clunnies on the borders of Fermanagh. Sir Robert had with him his own and sir W. Stewart's regiments and troops of horse, part of sir W. Balfour's troop, and colonel Mervyn's regiment, with five companies of foot from Derry, of which the king had made him governor upon the death of sir John 433 Vaughan. Owen O'Neile had with him about one thousand six hundred men in all, and among these, two troops

° See his letters to the marquis of Ormond, May 19 and June 7.

<sup>p</sup> Letter of sir R. Stewart to the marquis of Ormond, July 19.



and some gentlemen on horseback: he had a like number in a body attending the cattle, but they were at a distance. His foot under the command of Shane Oge O'Neile, lieutenant colonel of sir Phelim O'Neile's regiment, an old officer, who had been twenty-five years in foreign service, he placed advantageously in a pass where it was difficult to force them, and advanced with his horse to take a view of the enemy. Sir R. Stewart, having marched very hard to come up with him, when he had intelligence from his scouts that he was advanced within an English mile of the Irish army, and that they had drawn up in order and taken advantage of the ground, caused his army to halt, and refresh themselves for an hour. After that short refreshment he continued his march, and detached a strong forlorn hope, which was attacked by a party of O'Neile's horse, who had advanced through a pass of a narrow stone causeway, which lay between the two armies. The Irish, after a sharp skirmish, retreated, and were pursued by sir R. Stewart's horse, till these were stopped by the fire of an hundred musketeers, which O'Neile had planted to line the causeway. These musketeers being beaten off by a commanded party, a way was made for all the English horse to charge the enemy. This second encounter of the horse was very fierce for a time, and Owen O'Neile was in great danger, being engaged hand to hand with captain Stewart, commander of sir Robert's own troop; but the latter being unfortunately wounded in that instant, and his horse borne to the ground, O'Neile was relieved by one of his own captains, who was taken prisoner. In the heat of this engagement of the horse, Shane O'Neile quitted the pass, where he was posted with his foot, and marching to support the horse, drew up his twelve companies in a full brigade. Sir R. Stewart thereupon quitted his horse, and putting himself at the head of his own regiment, advanced with the first division of it to attack them. The service was very hot for near half an hour; but then the second divi-

sion (which had been hindered, as well as the rest of the army, by the narrowness of the way through which they had to march, and which Shane Oge had quitted) coming up, the enemy seeing them ready to charge, and the rest of the English forces advancing very fast, retired in great disorder, and were so hotly pursued, that they broke in upon the second battalia of their own army, and all the rebels, both horse and foot, ran for their lives. The English horse, being mounted upon light nags and armed with Scotch lances, did great execution in the pursuit, which was continued for eight or ten miles, the ground being very good for riding. The rebels suffered in this action a greater loss than any they had met with before in Ulster, most of their arms being taken, and the greatest part of the foreign officers which came over with Owen O'Neile being either killed or taken prisoners. Among the former were colonel Con Oge O'Neile, (who<sup>9</sup>, the Irish say, was murdered by a presbyterian minister after quarter given,) major Maurice O'Hagan, captain Ardall O'Hanlan, and other officers. Among the prisoners were Shane O'Neile, colonel Hugh O'Neile, nephew to the general, captain Art O'Neile, grandson to sir Turlogh Mac Henry, two other captains, and three gentlemen of quality. The loss of the English in this battle, which was fought on Tuesday the 13th of June, was inconsiderable, there being only six of them killed, and about twenty-two wounded.

453 Sir R. Stewart was in no condition to improve this victory; all that he could do was to make preys of cattle, and range over the county of Tyrone about Dungannon, Charlemont, and Kinarad. Having wasted that neighbourhood, and some parts of Monaghan for eight days to-434  
gether, and being informed that Owen O'Neile had left the country, his victuals being spent, and no further appearance of service to be done, he returned towards his quarters, and having taken the castle of Denge about

four miles from thence, dispersed his forces. O'Neile, after three days' stay in Charlemont, to which place he retired after his defeat, set out again on his intended journey to the county of Leytrim, where at Mohill he recruited his forces, and received a supply of arms and ammunition from the supreme council; which enabled him in a few days to appear again as strong as ever in the field.

454 The new lords justices and council were very sensible of this distressed condition of the provinces, and had in their letter of May 11 applied to the parliament of England for relief. Fearing that their application in that manner might be as unsuccessful as many others of the like nature had already been, and alarmed by the greatness of their danger, through a want of powder, of which there were then only forty barrels in the store, they despatched sir T. Wharton to London to solicit the affair. They could not have sent a person more acceptable to the parliament; yet in 'twenty weeks' attendance and continual solicitation of succours, all that was sent was a small supply of provisions, by captain Tho. Bartlet's ship, (which was at last sent back,) and all that he could obtain a promise of besides, was the sum of one thousand pounds in money.

455 The lords justices seeing no appearance of supplies from that quarter, endeavoured to provide as well as they could for themselves. The violent seizure and forcing of goods from the owners without payment, in the time of sir W. Parsons, had utterly ruined all trade, and discouraged every body from sending provisions to Dublin. To remedy that mischief, they published a proclamation to restore the confidence of merchants, and encourage them to bring munitions of all sorts thither, assuring them, upon the word of the state, that they should

† See the letters of sir T. Wharton to the marquis of Ormond, June 20; July 1, 18, and 25; Aug. 29; Sept. 5 and 19.

be paid ready money for what they brought. <sup>s</sup> All other means failing, to keep the army from disbanding or perishing by famine, they in the beginning of June laid new customs upon commodities, and had recourse to a method unknown to the laws and gentleness of the English government, called in other countries, where it was used, an excise. Necessity, which overrules all law and order, forced them in their extremity upon this method, without any warrant from his majesty, and indeed without so much as consulting him; and as the parliament had lately set them a precedent by establishing an excise in England to be enabled to defray the expense of their war against the king, they thought they might be excused for imitating that example, when they did it purely to preserve to his majesty one of his kingdoms, which was otherwise in imminent danger of being lost. The excise was exceeding high, amounting to half the value of the commodity: and yet <sup>t</sup> through the poverty of the city of Dublin, where it was set on foot, the money raised thereby and paid in weekly was very inconsiderable, and disproportionate to the necessities of the army. In this situation no means appeared of saving the kingdom, but a cessation to gain time, till peace was restored in England, and succours might be sent from thence.

456 The marquis of Ormond had received his majesty's directions to treat on that subject: but thought it for the dignity of his prince, that the first overture thereof should come from the rebels. They had indeed formerly made application to the state, and by mediation thereof to his majesty for a cessation; but it was proper for them to renew their request on this occasion. To engage 435 them to this step, he, on May 16, gave passes to the lord Taafe and colonel John Barry to go to Kilkenny, where the general assembly of the confederates was to meet on

<sup>s</sup> Letters of lords justices to the speaker and sir E. Nicholas, June 10.

<sup>t</sup> Ibid. to the speaker, July 11.

the 20th of that month. Both these agents were Roman catholics, but very affectionate and zealous for the king's service; the first having attended him as a volunteer in the English war, and being now come over upon his own motion and offer of disposing the Irish recusants to a pacification; the latter was a particular friend of the marquis of Ormond, had accompanied him in all his expeditions against the rebels, was a person of very good sense, and as agreeable a man as any of his time, equally beloved and esteemed by all that knew him. "They met with many difficulties in their negotiation, having to do with a multitude of persons of different views and sentiments, many of which were very ill judges of their own interests, full of that diffidence which is the natural effect of ignorance, dwelling on the outside or first appearance of things, without regard to the consequences, and too much influenced by some ambitious and covetous churchmen, whose interests or inclinations led them to labour for a continuance of the war, though it was more agreeable to their office and character to persuade peace and obedience. The confederate Roman catholics could not, consistent with their former measures and their constant pretences, decline moving for a cessation, which was a necessary step in order to their sending agents into England to represent their grievances, without which they could never be thoroughly known to his majesty, and to prepare and concert measures for a parliament, without which their grievances could not be redressed, nor the kingdom settled. They could not propose to obtain this at any other time, but whilst the confusions of England lasted, and it behoved them to make use of that opportunity. A cessation was a likely way of getting rid of the Scotch army, which was considered as an intolerable grievance; at least it would prevent much effusion of Christian

<sup>u</sup> Letter of colonel Barry to the marquis of Ormond, May 27, and Clanrickard's Memoirs.

blood, and the utter desolation of the kingdom by sword and famine; and the declining thereof would be an undeniable refutation of all their pretences of necessity for their taking arms, and of their specious professions of having no thoughts of disloyalty to his majesty. These were the sentiments of the more moderate part of the assembly, but others insisted much on the great advantages which they had at present, by the distractions of England, by the miserable condition of the king's forces, the impossibility of any supplies being sent them from thence, their own superiority of power, the prosperous successes which they had lately met with, and the assured prospect of more; all which advantages would be lost by the cessation. The act for the Irish adventurers was another objection, as having stripped the king of his power to shew them any grace or favour without the consent of parliament; against which they had no defence, if English acts of parliament were admitted to bind Ireland; but in the unlimitedness of the royal prerogative, which might grant a pardon with a *non obstante*, and in the success of the king's arms against the malignant and republican party in England. These considerations made many even of the moderate members of the assembly irresolute; for though they were really well affected to the king's service, they were still solicitous for their own safety, and desirous of securing it at any rate. <sup>x</sup>At last, after many interruptions and long debates, the major part of the assembly, six days after their meeting, agreed to a twelvemonth's cessation, and proposed certain articles to be settled by their agents, who were to meet for that purpose with the marquis of Ormond at such place as his lordship should appoint.

<sup>457</sup> <sup>y</sup>Lord Taafe, in his zeal to bring the assembly to this resolution, had encouraged several of the members to <sup>436</sup>

<sup>x</sup> Letter of lord Taafe to lord Clanrickard, May 26.

<sup>y</sup> Letter of the marquis of Ormond to colonel Barry, June 1.

expect a free parliament, and a dissolution of the present; and returning to Dublin with the resolution and proposals of that body, acquainted the marquis of Ormond with what he had undertaken to that effect. He had either before insinuated the same to his majesty, or took this occasion to recommend to him the calling of another parliament in Ireland. The marquis had no instructions from the king on this head, and though it was evident to all the world that a settlement could never be made of that distracted kingdom without a parliament, and that the constitution of the present was so much altered since its first election and meeting, that it was not proper to be continued when a work of such importance and difficulty was to be perfected; yet it was still more improper to call a new one immediately, in the present situation of the kingdom. The confederates were masters of most of the great towns and counties of the kingdom; and to call a parliament whilst they continued so, and had the greatest part of elections absolutely in their power, was in effect to make them judges of their own actions, and to intrust them to make laws for others, who had little reason to depend upon them for their future security; a course too unequal for any indifferent person to approve. The king, professing his ignorance of the particular circumstances of the nation, and in consequence thereof his inability to judge of what was most expedient for the good of it, had referred it entirely to the marquis of Ormond to settle the terms and conditions of the cessation. The marquis, in a just concern for his master's and his own honour, did not think it fit to suffer any body to be deceived with such an expectation; and therefore he wrote to colonel Barry, who was left at Kilkenny, to undeceive persons in that point, and acquaint them that he had no directions in that particular, and they must expect no such undertaking from him; but rely entirely on what they might afterwards obtain from

the king upon humble and seasonable propositions to be made by their agents. He took occasion at the same time to let them know, it would be expected, if the cessation went on, that they should contribute in some reasonable proportion to the maintenance of the army in Ireland, since by their disturbance his majesty was deprived of his revenue and subsidies, which, if paid, would have yielded a considerable support thereunto. This they might the readier agree to, because by a cessation they would be freed from the spoil and destruction made in all parts of the kingdom by the army; and the benefit thereby accruing to the public would far surmount any thing they could give the army: and what should be thus paid towards the maintenance thereof, he would endeavour with his majesty to get allowed in the subsidies which were yet behind. This was a condition absolutely necessary for the subsistence of the forces during a cessation, and was therefore to be settled by way of preliminary; so that if the assembly agreed to it, colonel Barry, upon giving notice thereof, was to receive further directions from him; if they rejected it, he was to leave the place, and return to Dublin.

45<sup>S</sup> The confederates were not displeas'd at gaining the time spent in debating this preliminary, (to which they sent an answer, which was not clear enough to give satisfaction,) that they might reduce the fort of Galway before the cessation took place. They agreed at last to the condition in general, leaving the particular sum to be settled by their agents, who were the lords Gormanston and Muskery, sir Robert Talbot, sir Lucas Dillon, Tirlough O'Neile, Geffrey Browne, Ever Mac Genis, and John Walsh. <sup>z</sup>This was not finally settled till about June 17, when the agents wrote to the marquis of Ormond, acquainting him with their commission and full powers to treat of and conclude a cessation, and desiring 437

<sup>z</sup> E. 243, 252, 269, and 281.



him to appoint a time and place for their meeting. The marquis<sup>a</sup>, who in all this proceeding had from the first consulted with the lord justice Tichburne, and others of the council, (particularly the lord chancellor, sir Fr. Willoughby, sir T. Lucas, sir James Ware, sir G. Wentworth, Mr. justice Donnellan, and sir M. Eustace,) as soon as he found that the assembly were disposed to agree to a cessation, acquainted the whole board, on June 12, with his commission to conclude it. Some few of the members, attached to the cause of the parliament, expressed their dislike thereof, though none of them offered to suggest any way whereby it was possible to subsist the protestant army, or carry on the war.

459 The marquis of Ormond, ever tender of his reputation, resolved that his conduct in so delicate and important an affair, wherein he proposed to serve his prince, and save his country from ruin, should not be liable even to the reproach of his enemies. With this view, in the week following, on June 21, <sup>b</sup>he delivered in writing at the council-board a motion to this effect, that if the lords of the council were of opinion that a cessation were either dishonourable to the king, unsafe to the protestant subjects, or dangerous to his majesty's armies, they would be pleased to signify as much by their letters to his majesty; and likewise to propose some other more certain, honourable, and available way for the preservation of the kingdom, the safety of the protestant subjects, and the subsistence of the armies; and in case of such letters and propositions, he undertook, in virtue of his majesty's authority, to proceed no further in the cessation; but would immediately at his own peril break off the treaty. This motion he desired might be entered in the council books; which was ordered by the board accordingly, sir W. Parsons, among others that were averse to the cessation, signing the order.

<sup>a</sup> E. 155 and 214.

<sup>b</sup> E. 287.

460 Not satisfied with this motion, the marquis of Ormond made <sup>c</sup>another the next day, that if ten thousand pounds might be raised, the one half in money, the other in victuals, and to be brought in within a fortnight, he would in such case proceed in the war, endeavour to take in Wexford, and break off the intended treaty for a cessation. Hereupon the mayor and most substantial citizens of Dublin were summoned before the board; and it was found that, by reason of the poverty of the place and inhabitants, it was impossible to raise either that sum of money or proportion of victuals. This was likewise entered in the council books, and signed by a full board. Neither of these motions producing any effect, and nobody offering to suggest any possible way of subsisting the army, or saving the kingdom without a cessation, the marquis of Ormond set out the next morning to meet the Irish at Castle-Martyn in the county of Kildare, attended by some of the council and chief officers of the army to assist him in the treaty.

461 The Irish commissioners delivered their <sup>d</sup>propositions on the 24th. The first was a cessation for six months; which they afterwards extended to a year. In the second, they desired that the exercise of their government, as settled by them at present, might continue without interruption during the cessation. The third article related to a free commerce by sea and land. In the fourth, they moved that they might be at liberty to use hostilities against all that were in arms against his majesty and their adherents. In the fifth and sixth, they proposed that if any in the king's dominions committed hostilities against such as were comprehended within the cessation, they should be deemed enemies and rebels to his majesty; and if any of the king's enemies attacked or offended any of the confederate Roman catholics, and those who traded with them, these last should be protected and assisted by

<sup>c</sup> E. 291.

<sup>d</sup> E. 318.

his majesty's forts and forces, as occasions happened.<sup>438</sup> The seventh was for leave to send agents to his majesty, under safe-conducts in their going and return. The eighth was for the enlargement of prisoners and hostages on both sides. In the ninth, they desired that his majesty would call a free parliament for redress of grievances, to sit by the last of September, and be held before the king himself, or some person of honour, fortune, and approved faith to his majesty, as well as acceptable to the people, in a convenient and indifferent place; and that nothing which had happened since the beginning of the troubles, whereof complaint had been made in their late remonstrance, might debar any from coming thither or sitting therein. Their last proposition was, that upon concluding the cessation, a way might be prescribed to distinguish those of the king's party from such as adhered to the malignant part of the parliament of England.

<sup>462</sup> The marquis of Ormond<sup>e</sup> pressed to know what they would give by way of supply to his majesty for the support of his army; but they absolutely refused to treat of that matter till the cessation was settled. However, on the 29th<sup>f</sup> he made answer to their several propositions, declining to answer the fourth and last, and utterly rejecting the second and ninth. In regard of the fifth and sixth, he agreed, that they might prosecute such as opposed the cessation, but were not to expect assistance from the king's forces; and if such opposition were made by any, it should not be deemed a breach of the cessation in other parts of the kingdom; and in case of other breaches that might be pretended, no hostilities should ensue till the affair had upon complaint been examined by commissioners, and fourteen days allowed for making reparation and satisfaction; and if none were given, till after as many days' notice that hostilities were intended

<sup>e</sup> E. 353, 353, 354, 355.<sup>f</sup> E. 364.

to commence. With regard to the seventh, he answered, that they should have safe-conducts for their agents, upon giving in their names, and demanding license of the state, provided the agents were not above four, nor their retinue above sixteen in number, and that no ecclesiastic was among either. The eighth he restrained to persons that on the first day of the cessation should not stand indicted of any capital offence, or that had not borne arms on either side; but enlarged it in another respect by providing that all women and children, either imprisoned or otherwise residing with either side, should, within seven days after the cessation took place, be set at liberty, and permitted to depart to what place they pleased with their goods and chattels without interruption. He agreed to the third about a free commerce, with these qualifications, viz. that the customs should be paid to his majesty as usual in 1640, and be collected by officers appointed by the state, for the security of whose persons, as well as for the return of the customs into the exchequer, they should give sufficient caution within twenty days after the commencement of the cessation. And with regard to the first and main article, the cessation itself, he agreed to it upon the said cautions and provisions, and upon condition that a sufficient supply were granted to his majesty towards the maintenance of his forces in Ireland.

463 The Irish commissioners<sup>g</sup>, two days after they received this answer, and the marquis's demands in behalf of his majesty, pretending that these required a serious consideration, desired the meeting might be adjourned till Thursday, July 13, when they would wait upon his lordship where he should appoint, to endeavour to bring the treaty to a conclusion. When that day came, they sent no answer to the propositions in the marquis of Ormond's answer to theirs<sup>h</sup>, and a very slight one to the demands

<sup>g</sup> E. 374.

<sup>h</sup> F. 30.

in his majesty's behalf, alleging that the demand of a supply was not warranted by the king's letters, and therefore no answer to it was necessary, nor did they think<sup>439</sup> it proper for them to undertake the same; however, to express their duty and affections, they would, on the conclusion of the cessation, grant a supply, but for the quantity, manner, and time of payment, they referred the same to their meeting and conclusion; and declined to give any caution for the performance thereof, it being in the nature of a free gift from the subject, and requiring no caution at all.

<sup>464</sup> The marquis<sup>i</sup> received their letter on the 14th, and finding therein no particular and satisfactory answer to his demands, resolved to put off the treaty, and try (if possible) the fate of a battle with Preston. He wrote accordingly the next day to lord Gormanston, that the necessity of his attendance upon the public service of his majesty hindered him from meeting on the day intended; but as soon as the occasion was over, he would appoint another time of meeting to proceed in the treaty, whereof in such case they should have timely notice. The<sup>k</sup> commissioners took upon them to resent this delay as well as to demand what the service was which occasioned it; and with an air of arrogance threatened to add it to their other grievances, and get it rightly represented to his majesty. <sup>l</sup>The marquis told them in answer to theirs, that he was not to acquaint them with any of the king's services, wherewith he had the honour to be intrusted, being accountable for them only to his majesty and the state; that he did not doubt of acquitting himself to his majesty, and as they might easily imagine themselves some of the necessary reasons of deferring the treaty for a time, when they knew that Preston with his forces had taken the boldness to advance with his army so near the place of

<sup>i</sup> F. 42.  
of July 21. F. 4.

<sup>k</sup> See their letter of July 19. E. 58.

<sup>l</sup> His letter

meeting, as Castle-Carbery ; so when the occasions of his majesty's service were over, he would appoint another time to resume the treaty.

465 The rebels were elated with the prosperous situation of their affairs, and finding themselves in a condition to secure the harvest of the country, made no question of starving their adversaries. For this purpose, as well as for the enlargement of their quarters in case of a cessation, Preston was come with a great force into the King's County. The marquis of Ormond<sup>m</sup> thought it necessary to send out a strong party to oppose his designs, and those of Owen O'Neile, who in twelve days after his defeat by sir R. Stewart was advanced with a strong body of men within fifteen miles of Mullingar, in the county of Westmeath. The lords justices thought colonel Monck the fittest person to take on him the command of that party, but he having a pass from the lieutenant general to go for England, absolutely refused to undertake the command. The council tried in vain to persuade him, but when all their instances failed, sir J. Temple prevailed with him to go on the expedition. He<sup>n</sup> marched from Dublin on June 27, with one thousand five hundred foot, and was joined afterwards with five hundred more, and three hundred and fifty horse<sup>o</sup>. Advancing as far as Castle-Jordan, which was threatened by Preston, who lay with seven thousand foot and seven hundred horse, a stronger army than the rebels had ever before brought into the field, within two miles of it, he brought off all the unnecessary people in the place. But finding no cattle in the field, and wanting supplies of bread and shoes, returned on July 8 to Dublin<sup>p</sup>, leaving Preston to take in Croghan, Teeroghan, Balliburley, Ballibritten, Edenderry, Kinefad, and all the forts in the King's County except Castle-Jordan.

<sup>m</sup> His letters to the lords justices, June 24 and 26.

<sup>n</sup> E. 334.

<sup>o</sup> F. S. 14, 16, and 17.

<sup>p</sup> Sir J. Giffard's letter, July 14. F. 36.

466 The marquis of Ormond, upon his return from the treaty, did all that was possible to get provisions to enable the army to march. He sent out lord Lambert with a body of troops to Cloncurry, and summoning together all the forces he could raise, he made up a body of five thousand men, horse and foot, and with these, on July 23<sup>9</sup>, he possessed himself of the pass of Edenderry, took the castle, Croghan, and some other forts about Castle-Jordan; but this was all the service he could do, Preston still retiring before him, and not caring to hazard a battle. The great difficulty under which the army laboured was the want of victuals, which were all to be fetched from Dublin, and of carriages to bring them, not having more than would carry four or five days' provision at a time, and so much time being spent in going and returning thence, that it was impracticable to be supplied with a sufficient quantity either to pursue Preston by a continued march, or to undertake any service of greater importance. Not able to draw the rebels to a battle, and the forces being ready to starve for want of provisions, he returned about the end of the month to Dublin, abundantly convinced after this experiment, that there was no other way of preserving either the army or the king's protestant subjects but by a cessation; and this was so very evident, that even sir<sup>r</sup> John Clotworthy could not forbear acknowledging to him, at this time, that all men must confess the extremities to which his lordship had been exposed might have long since begotten that resolution.

467 There were some few members of the council still averse to that step, though they could offer no reasons against it to the board. Their motives seem to be drawn purely from their violent affections to the parliament cause, which might suffer by the pacification of Ireland;

<sup>9</sup> See his letter to the lords justices, July 24. and F. 71.

<sup>r</sup> In his letter to the marquis of Ormond from London, July 25.

in consequence of which the king might make use of his faithful servants and forces there to help him in reducing the English rebels. Of these, sir W. Parsons was the chief, who had long held an intimate correspondence with the heads of the republican faction in England, and had been directed by them in his measures, whilst he was at the head of the government in Ireland. Soon after he was turned out of his post of lord justice, on May 12<sup>s</sup>, major Warren and sir Fr. Butler came to the council and presented a petition, accusing him of high misdemeanours and treasonable matters, and requesting that his person and goods might be secured. 'This matter was debated in a full council, thirteen members, besides the lords justices and the marquis of Ormond, being present; all of which, except sir Robert Meredith, were against seizing his goods. With regard to his person, the lord Borlase, the archbishop of Dublin, sir R. Meredith, sir James Ware, and sir F. Willoughby, were for securing it; the bishop of Meath and lord Lambert were for taking sureties of him; but the rest were absolutely against the motion, and thought no security necessary. There was another point debated, of greater consequence than either of the former, because it was well known he had corresponded with the parliament, and had been removed for secreting the matter of that correspondence from the king; this was the seizing of his papers. The lord chancellor, the archbishop of Dublin, sir James Ware, sir F. Willoughby, sir T. Rotheram, and the bishop of Meath, were entirely for securing them, though the last thought they should not be looked into till they had orders from his majesty. Sir Adam Loftus, sir J. Temple, and sir G. Wentworth, were clearly against seizing: sir George Shirley and sir Gerard Lowther, the two lord chief justices, were of opinion that it should not be done, nor any step of that nature taken without express directions

§ Borlase, p. 121.

† E. 141.



from the king ; to which the rest of the council agreed. This account is taken from the marquis of Ormond's notes of what passed in this debate ; but they do not mention what was his opinion in the affair ; yet from the humanity of his temper, and the natural aversion he had to acts of severity and oppression, as well as from the many acknowledgments which sir W. Parsons afterwards made<sup>441</sup> of his great obligations to him, I cannot but fancy he was of the good-natured side of the question.

468 Sir W. Parsons did not enjoy his liberty above three months longer. There was too much reason during his administration to say<sup>u</sup>, that the parliament pamphlets were received as oracles, their commands obeyed as laws, and extirpation preached for gospel. This occasioned a charge against him, and three of the council, who were his intimate confidants, and joined with him in most of his measures. The accusation was brought against them in England by the lord Dillon of Costello, Henry lord Wilmot, sir Faithful Fortescue, Daniel and Brian O'Neile. The king thereupon sent to the lords justices an order, which they received on the first of August, to secure the persons of sir W. Parsons, sir J. Temple, sir Adam Loftus, and sir R. Meredith, and to issue out a commission empowering the lord chancellor, the marquis of Ormond, the earl of Roscommon, and sir M. Eustace, to examine into the articles of accusation, and report to his majesty the truth of the matter. The impeached persons were accordingly committed close prisoners to the castle, but allowed the liberty of coming to the chapel there for the benefit of divine service.

69 <sup>x</sup>The substance of the charge against them all in general was, that they had abused his majesty's trust in their several offices and employments, and endeavoured to draw the army in Ireland from his obedience to side with

<sup>u</sup> See Collection of Letters, No. CLXVII.

<sup>x</sup> Ibid No. CXCVII.

the English rebels, whom they by all means countenanced and upheld against his majesty; that they had taken and published scandalous examinations, with intent to asperse his majesty as authorizing the Irish rebellion; that they had assisted Goodwin and Reynolds in their endeavours to debauch the army, had admitted them to the council-board, communicated to them all the affairs of the kingdom, and secrets of his majesty's despatches and directions to the council, to be made known to the English rebels, and had afterwards conveyed them in one of his majesty's ships to those rebels, who had detained the same ever since; and that they had at several times uttered many dishonourable speeches against his majesty, vilifying his power, commending the cause and carriage of the English rebels, and thereby endeavouring to destroy the king's power and authority with his army in Ireland. It was objected in particular against sir W. Parsons, that presently after the battle of Edge-hill he had reported publicly, with all the appearance of content, that his majesty was killed and gone, repeating it divers times; against sir A. Loftus, that being paid sums of money due to the army, in the current coin of England, he had for his private lucre changed the same, and paid the soldiers in dollars and other German coin at *4s. 8d.* whereas he bought the same for *3s. 6d.* and *3s. 4d.* apiece; and against sir J. Temple, that he had in the last May and June wrote two scandalous letters to Reynolds and Goodwin against his majesty, which had been since read at the close committee, and use made of them to asperse his majesty as favouring the rebels. It was urged further against them all, that after one Jerome had been committed by the house of lords in Ireland for a seditious and traitorous sermon, they had set him at liberty, and sent him into England, where he had been ever since with the rebels at Manchester, continuing his traitorous and railing manner of preaching against his majesty, jus-

tifying his sermons preached at Dublin, and applauding the lords justices and their affections to the parliament; and that one Adam Beaghan had been in the last December committed by them to the castle of Dublin, and restrained divers weeks, only for saying that the earl of Essex was a traitor, and justifying his words by the king's<sup>442</sup> proclamation to that purpose. There is great reason to think that there was too much truth in these accusations; but breaches of trust, however heinous they may appear in the eyes of men of honour, are rarely punishable by the law of England. <sup>y</sup>Examinations were taken in the case, and sent over to the king; but upon perusal thereof, the lawyers were of opinion that the proofs, though sufficient to convict them of high misdemeanours, did not amount to prove them guilty of capital crimes; upon which orders were sent to bail them in the November following.

470 The articles against these privy-counsellors were delivered in June, but the order for their imprisonment did not reach Dublin till the end of July, before which time new matter appeared against them. The commissioners appointed to inquire into the grievances of the army had complained of the custodium which sir J. Temple had got of the milnes of Kilmainham. <sup>z</sup>This was done at a time when he had just procured a warrant from the king to the state, to allow him to keep possession of those milnes, and to reserve likewise in his hands the two hundred pounds a year rent which used to be paid to Fr. Maccenoy the landlord, till this last was either convicted of rebellion or acquitted. The king being informed by that representation how much his service and the army suffered by that custodium, recalled his warrant, and, on May 25, ordered a commission to inquire into that particular affair, and the milnes in the mean time to be

<sup>y</sup> See Collection of Letters, No. CXCVI.

<sup>z</sup> D. 272. E. 106 and 182.

employed solely towards the relief and uses of the army. Sir J. Temple, who had made a prodigious gain by the toll of all the corn that was there ground for the forces about Dublin, resented this as an hard treatment arising from the malice of his greatest enemies, for such he represented the commissioners to be. This notion of his seems to be the effect of passion, if we consider either the thing itself, or the general character of the commissioners, who were the earl of Roscommon, the lord Brabazon, and sir James Ware, who (in the marquis of Ormond's opinion) acted in this affair purely with regard to the public service, which was very materially concerned therein, and had no personal prejudice or particular spleen to the master of the rolls, though they could not but dislike his continued disaffection to all the king's servants, and entire application to the faction opposing him in England. He was indeed, either by his own inclinations, or his attachment to the earl of Leicester, too great a favourer of the parliament cause, though he did not care that any of his particular friends should engage so far as to take arms in their quarrel. This, with a desire of revenge upon the Irish, arising from their cruelties, and the natural severity of his own temper, made him averse to the cessation; though he could not but own that it was impossible to carry on the war without supplies from England, of which there were no hopes. To prepossess that nation against it, or furnish the parliament with pretences to declare against an event which highly affected their private interest, he inveighed against it in several letters which he wrote on June 16, 18, 20, 21, 22, and 23, to the lord lieutenant, his brother Dr. Thomas Temple, and others. Sir W. Parsons and others did the like at the same time. These letters were sent in a bark, which was taken by a Wexford ship, and <sup>a</sup>being thus intercepted

<sup>a</sup> See the marquis of Ormond's letter on this subject, April 29. E. 106.

were sent on the 24th to the council of Kilkenny, and by them transmitted to their commissioners, who delivered the <sup>b</sup>originals, as well as attested copies thereof, to the marquis of Ormond.

47<sup>1</sup> These letters contained some unbecoming reflections upon the council in general, and misrepresentations of their conduct in relation to sir M. Ernle's expedition; 443 but the main drift of them was to condemn the treaty of cessation. They represented it as a contrivance of the rebels to gain time to gather in the harvest, (which whoever were masters of would starve their adversaries,) and to make a benefit of their herring fishery along the coast about Wexford. They said, there never was a fairer opportunity of making an end of the war; that the rebels' strength was quite decayed, and they had no means to subsist or hold together, but by false reports of their power; that they were brought so low, that if the English were duly supplied, they would have an easy victory over them; that the rebels wanted munition in Leinster, that they were almost starved and worn out in Ulster, (Monroe being ready to take the few castles still left in their hands,) and were beaten in Munster; that the news of sir C. Vavasour's defeat was false, and a mere invention to further the cessation; that sir Charles, going with twenty horse to view the enemy, had indeed fallen into an ambuscade and been taken, but that his party had routed the enemy. These misrepresentations could only impose upon the English, and such as, being at a distance, were strangers to the true state of the kingdom. Nothing of this nature had ever been urged at the council-board of Ireland, where the falsehood of these accounts was sufficiently known; the rebels having never been in so powerful a condition as at this time, and the continuance of the war till after the harvest evidently proved that they could get it in without a cessation. The only

<sup>b</sup> See these in E. 265, 274, 283, 284, 294, 301, 304, 305, 313, and 372.

province in which the English appeared to have any advantage was Ulster; and yet when Monroe, on the 13th of the next month, was, by a letter of the lords justices and council sent by sir Charles Coote, pressed to draw his forces into the field, and to join for the execution of an enterprise formed by that gentleman, he pleaded inability for excuse. <sup>c</sup>He represented fully to sir Charles the state and present condition of his discontented army, who neither knew upon what condition they served, nor had been ever provided for to sustain nature, who also at that time were destitute of entertainment more than could serve for ten days to come. This had moved the army to represent by their commanders to the state of Scotland the miserable condition in which they stood, humbly suing for redress, and to know who should be their paymasters for the time to come, for they could ground nothing upon the treaty [with the parliament of England], being frustrated altogether of what was promised them by the said treaty, and left to starve for want, if by the commiseration of their countrymen they had not been supplied with a little meal, insufficient to sustain nature. This unparalleled misery sustained by them, and the aspersions laid upon them that they did no service, had stirred up the army to represent their estate to the kingdom of Scotland, that it might be evidently seen where the fault lay, and they be cleared of the aspersions laid to their charge, humbly desiring either to be dismissed, or to be entertained in such a manner as that they might further the service as became men of honour. For at present, till they were supplied with victuals, they were not able to draw out into the field. Such was Monroe's own account of the condition of his forces, very different from the representations clandestinely sent into England. Yet those false representations, and the danger of the resentment of the parliament of that kingdom, which was

<sup>c</sup> Monroe's letter to the council, July 25, 1643. F. 66.

urged to intimidate every body, even the marquis of Ormond himself, were all the arguments that it was thought fit to allege against the cessation.

472 There was another consideration, which rendered that treaty more necessary to be immediately concluded, drawn from the situation of the king's affairs in England and 444 Scotland. The heads of the republican faction in England had been always confident<sup>d</sup> that the rigid covenanting lords in Scotland would unite with them upon occasion; and as they had courted and made use of the English sectaries to further their designs in England, so to engage the kirk of Scotland, they<sup>e</sup> gave them hopes of a reformation according to their model in England, and a declaration published by the English parliament shewing their intention to extirpate episcopacy, with a letter from some English ministers to that effect, were sent down by the Scotch commissioners to the general assembly sitting at Edinburgh in the last week of July 1642. Answers were sent expressing their great content at the design of such a reformation, and the assembly breaking up on August 6, appointed a committee to sit frequently at Edinburgh, and to correspond with the parliament of England from time to time for advancing that work. Lord Maitland, who was sent with these answers<sup>f</sup>, returned in September with letters from the parliament of England, expressing their resolution to abolish episcopacy root and branch, and to call an assembly of divines for modelling a new church government, whereunto they wished the kirk to send commissioners. In November, the parliament<sup>g</sup>, afraid of the king's strength, sent down Mr. Pickering to Scotland, to treat for assistance of men and arms to carry on the war against his majesty. The king hearing thereof, sent down the earl of Lanrick,

<sup>d</sup> Clarendon's Hist. of the Rebellion, book vi. parag. 112. edit. 1849. Bishop Guthry's Memoirs, p. 98 and 100.

<sup>e</sup> Ibid. 103.

<sup>f</sup> Ibid. 105.

<sup>g</sup> Ibid. 106.

with <sup>b</sup>a letter to the privy-council, in opposition to the declaration of the parliament. This letter was ordered to be published, notwithstanding all the opposition made to it by the marquis of Argyle and his adherents. This nobleman sending advertisement thereof to Fife and the western shires, a number of ministers came from thence in January to Edinburgh, where, getting the committee of the general assembly to join with them, they desired the conservators of peace to deal with the council to explain their meaning in causing the king's letter to be printed, that it might not imply their approving it, and to cause the parliament of England's declaration to be printed; to both which the council yielded. <sup>i</sup>Whilst this was doing, a cross petition was framed by the royalists, signed by fourteen noblemen, and presented to the council, but rejected with much indignation. The committee of the kirk published likewise a declaration against it, sending the same to all the presbyteries throughout the kingdom, with strict orders to all ministers to read it in their pulpits, and comment upon it to the people. The conservators and committee having thus engaged, resolved to proceed further to supplicate the king for a parliament and general assembly. They nominated commissioners to go to his majesty for this purpose, and at their going away in the last week of February, the committee of the kirk appointed two fasts to be kept for their good success.

473 It was very plain to what all this tended; and the queen being then landed at Burlington, with a considerable supply of money, ammunition, and officers from Holland<sup>k</sup>, the earl of Mountrose waited upon her there, attended her to York, and gave her an account of the intended measures. He told her, that though the king's

<sup>b</sup> Clarendon's Hist. of the Rebellion, book vi. parag. 159. edit. 1849.

<sup>i</sup> Guthry's Memoirs, p. 107, 108.

<sup>k</sup> Ibid. 109, and Wisliart's Rerum Montisrosan, Commentarius, p. 12, and E. 213.



enemies in Scotland did not yet profess so much, yet they certainly intended to carry an army into England, and to join with his majesty's enemies there; and by way of remedy offered, that if the king would grant a commission, himself and many more would take the field and prevent it; but this was to be done without loss of time, for if the covenanters once got an army on foot, they would easily crush all that should offer to oppose them.<sup>445</sup> The marquis of Argyle, afraid of the effect of Mountrose's journey, made a private visit to the marquis of Hamilton, (for their profession at that time was to be at variance;) and engaged him to go to the queen, and countermine Mountrose's measures. Hamilton being by her majesty acquainted with that nobleman's information and proposal, undertook, without raising arms for the king, to keep the party of his enemies quiet, and prevent their listing or sending any army into England. This assurance caused Mountrose to be dismissed unsatisfied; upon which the king's enemies in Scotland discovered their intention more publicly than before, and it was openly talked amongst them, that it was necessary to levy an army and send it into England, to mediate between his majesty and the parliament.

<sup>474</sup> John Gordon viscount Aboyne, younger brother to George marquis of Huntley, and Randal Macdonnel earl of Antrim, came to York soon after Montrose, and made an offer to the queen of raising the two powerful clans of their names in the highlands of Scotland, to oppose the designs of the covenanters. Her majesty gave ear at first to the proposal, and ordered them a proportion of the arms which she had brought with her, and placed in the castle of Scarborough, to be sent from thence to the highlands. But resting secure in Hamilton's undertaking, she soon after ordered the arms to be stopped. Antrim, ever full of promises, and forward to undertake what he was not able to perform, resolved however to go into

Ireland, either to look after his estate, or else to bring a party of his tenants and countrymen thence to begin the enterprise. He had been seized a year before in his own house by major-general Monroe, under pretence of having corresponded with the rebels; at which time sir W. Parsons vindicated him from that charge in a letter to sir Robert Pye, which was printed, and the earl about six months after, finding means to make his escape, took refuge in England. Coming back from thence in May this year, in a bark which he had hired in the Isle of Man, he sent a servant on shore in a boat to see if they were friends or enemies in the castle. Monroe chanced to be there, and seized the man, who being threatened with death, discovered the signals agreed upon, and that he was to place a shirt upon a stick to signify they were friends. The signal being given, Antrim was decoyed on shore, and immediately taken with some<sup>l</sup> letters about him, which were afterwards published by the parliament of England, and imported what is above mentioned, and no more. Monroe sent them with his own comment and additions to the privy council of Scotland, and to the commissioners for Irish affairs in England, suggesting a terrible conspiracy against the peace of Scotland and the Scotch forces in Ireland. To spread jealousies of mischievous designs as far as he could, he wrote on the 25th of that month a like account to colonel Lawrence Crawford, at Dublin; who, receiving the letter just as Dr. Boate came in to dress his wounds<sup>m</sup>, gave it him to read before he had perused it himself. Crawford<sup>n</sup> shewed the letter on Friday, June 2, to sir Robert Meredith, who took no notice of it to the council, (not even in the two days on which they debated it,) till the Tuesday following, when upon Crawford's examination, and producing of the letter, which was become the public discourse of the city,

<sup>l</sup> House of commons' declaration about the Irish rebellion, July 25, 1643.

<sup>m</sup> E. 257.

<sup>n</sup> Ib. 190.

he was forced to confess his having seen it: a proceeding which was not thought very agreeable to his duty or oath as a privy counsellor; and which did not fail of being represented to the king, when the letter itself was transmitted by the state to his majesty.

475 The commissioners sent from Scotland, to supplicate the king for a parliament<sup>o</sup>, returned in the beginning of 446  
May to Edinburgh, without obtaining their desire; his majesty seeing no reason of state to call one before the time which had been fixed at the dissolution of the last, when another was appointed to meet in June 1644. The covenanters however resolved to call one, under the style of a convention of the estates, and by public proclamation appointed it to meet at Edinburgh on June 22. A fast was likewise appointed to be observed on the 2nd of that month for the good success thereof. It was natural enough to think that those who were guilty of this high invasion of his majesty's authority would not stop there, and had only taken therein a necessary step to enable them to levy and support an army to join with their brethren of England against the king.

476 Before the convention met, Mr. Henderson was sent to the earl of Montrose to resolve his doubts, and bring him over to the covenanters' party, who, judging of him by themselves, imagined that, being a man of high spirit, his late repulse at York might have alienated his mind from the king. Montrose at the conference managed Henderson with so much address, that he got out of him the secrets of his party, and was assured by him that it was their fixed resolution<sup>p</sup> to levy the strongest army they could to assist their brethren in England against the king. Montrose posted with this intelligence to the king, who soon after saw it verified. The convention met at the day appointed, resolved to raise an army against his majesty, and in order to maintain it, laid

<sup>o</sup> Guthry's Memoirs, p. 111, 112.

<sup>p</sup> Wishart, p. 18.

heavier taxes upon the nation than had been raised in it by all the kings that had reigned for the space of two thousand years before.

477 To pave the way for this resolution, the parliament of England had issued out a commission for an assembly of divines to sit at Westminster, in order to the reformation of the English church, and sent Mr. Corbet to present it to the Scots' convention at their meeting. That agent was soon followed by commissioners, who agreed upon a solemn league and covenant, to be taken by all persons in the kingdoms of England, Scotland, and Ireland. ¶ Some agents from the Scots' army in Ulster attended at this convention to solicit the payment of all their arrears, thinking it a favourable opportunity to get them by the mediation of their countrymen, whose assistance was so much wanted by the English parliament. The English commissioners pleaded poverty, so that the agents were forced to relax something of their demands; but insisted peremptorily for a long time on the present payment of at least four months of those arrears. At last, the convention, considering the distresses of England, prevailed with them to be content with sixty thousand pounds being paid them in present. The convention broke up on Aug. 19, having the day before published a<sup>r</sup> proclamation in the king's name, commanding all fencible persons between sixty and sixteen throughout the nation to furnish themselves with ammunition, tents, provisions, and arms, as directed, and to be ready upon forty-eight hours' warning to march when and where they should be appointed. In consequence hereof, they raised an army of eighteen thousand foot and two thousand horse, of which the earl of Levin was made general-in-chief, and David Lesly lieutenant general.

478 The king seeing this convention called against his express will and command, and apprehensive of the storm

¶ Letter of the lord chancellor Loudon. F. 151.

<sup>r</sup> F. 138.

which followed, was the more desirous to have the cessation concluded in Ireland, that he might have at least one of his kingdoms in peace, and be able to draw some assistance from thence in case of necessity. Hence on July 2<sup>s</sup> he recommended to the marquis of Ormond to consider how his affairs there might subsist during a ces-447 sation, and if means were found for that purpose, to agree to a cessation for a year, expressing withal his inclination to call a new parliament, and to allow the Irish to send over agents to treat of that business, and whatever else was necessary to be settled in order to a just, honourable, and perfect peace. He knew not as yet what had passed in the late treaty: but when he received from the marquis a particular detail of all the proceedings therein, he<sup>t</sup> entirely approved of his answer to the Irish propositions, and of his conduct in every part of that treaty. He considered that nobleman as better acquainted with the nature and state of the affairs of Ireland than himself, and consequently a much better judge of what was expedient for the good of the kingdom and the advantage of his affairs. He had found advices given him in England, where all the consequences of things which according to English notions and *prima facie* appeared reasonable, (as every thing did wherein a parliament was to intervene,) corrected by the marquis's more perfect knowledge and juster observations of the situation of affairs, and the temper and views of persons in Ireland, and relying absolutely on his prudence, judgment, integrity, and zeal for the rights of the crown, the support of the protestant religion, and good of the kingdom, (whereof he had abundant experience,) he resolved to leave it entirely to him, to enlarge, alter, or add to his answers, as he should see cause. His majesty therefore, on the last day of that month, sent orders to the lords justices and council, to issue out a commission under the great seal of Ireland,

<sup>s</sup> See Collection of Letters No. CLXII.

<sup>t</sup> *Ib.* No. CLXV.

authorizing the marquis of Ormond to treat and conclude a cessation of arms for a year upon such articles or agreements as to him in his judgment should seem most necessary for his majesty's service, or otherwise to break off the said treaty as he should see cause; and in case of its being concluded, to pass letters patents, as well for confirmation thereof, as for justifying and indemnifying the marquis and all persons attending and assisting therein from all manner of vexation, trouble, or damage on that account.

- 479 There were now new difficulties arisen in the way of the treaty. Peter Scaramp, a father of the congregation of the oratory, sent by the pope as his minister into Ireland, arrived about the middle of July at Kilkenny, with large supplies of money and ammunition for the rebels. He brought with him from the pope letters to the generals of the provinces, the supreme council, and the prelates, with a bull, dated May 15, 1643, granting a general jubilee, and authorizing an absolution to all that were engaged in that insurrection for religion, of all crimes and sins how enormous soever. His coming added great weight to the opposition made by the clergy and old Irish to the cessation, which the "court of Rome would not approve unless attended with a free exercise of religion as in Roman catholic countries abroad, and a confinement of all public charges to the professors of that religion. These insisted much on the flourishing condition of their affairs, the distress of the English, the prospect of further successes, and the assistance of foreign princes, which last would be withdrawn, as their advantages in the other respects would be lost, if they laid down their arms in that juncture. They remonstrated against giving such a supply to the king as would maintain their own army for half a year, and would, being in

<sup>t</sup> Letter of sir J. Giffard to the marquis of Ormond, July 18.

<sup>u</sup> Nuncio's Memoirs, p. 577 and 585.

his hands, be employed against them; and moved, that at least the treaty might be deferred till the pope had been consulted, and given his directions in that affair.

480 Those who were for the cessation saw plainly the consequences of such a delay, and were therefore for con-448cluding it immediately before harvest. They <sup>x</sup>represented it as necessary to justify them from the calumny raised against them, as if they were rebels, and had resolved to throw off the king's government; and thought the supply proposed would be amply compensated by the country's being saved from the plunder of the armies. They considered the cessation as a likely means to ease them of the numerous forces brought into the nation, particularly of the Scots, and as very necessary to enable the king, no longer diverted by his care for Ireland, to employ all his thoughts and means to support himself against the English rebels. These reasons, which really seem to have more of duty than policy in them, were urged by the moderate members of the general assembly, who were inclined to peace, and by the endeavours of the lords Clanrickard, Castlehaven, Taafe, and other considerable persons, prevailed at last for renewing the treaty. The debates however were carried on till the latter end of August, and afforded an occasion of reviving the ancient animosity between the old English Roman catholics, who were always for maintaining the English government, and the Irish natives, who joined with the clergy in opposing any accommodation but what would leave them masters of the kingdom.

481 There was no denying the advantages they had at present. The earl of Castlehaven had taken Ballenanry and Cloghgrenan in the county of Catherlogh, and besieged Ballylenan in the Queen's County. The governor of Athy marched with three hundred horse and seven hundred foot to relieve it, but was forced to retire, and the place sur-

<sup>x</sup> Nuncio's Memoirs, p. 574.

rendered, on Aug. 7, for want of water. Preston was advanced into Meath, and Owen O'Neile into Westmeath, both employed in securing their harvest. <sup>y</sup> Lord Moore was sent out against the former, recovered Athboy, but was unable to subsist abroad for want of ammunition; and when he dispersed his men into garrisons for the gathering in of the harvest, they were disabled from doing so through the same want. The soldiers were in all places ready to mutiny, and so disorderly, through defect of pay<sup>z</sup>, that all the country people, who used to live about the garrisons, and under their protection, fled away for fear of being ill treated by them; so that there were no hands to get in such part of the harvest as was in their power, and the Irish came by night and reaped and carried off the corn before morning. <sup>a</sup> The king, as soon as he was master of Bristol, fitted out and sent some shipping to guard the coast, which was not only infested by the Wexford privateers, but by the parliament ships, which intercepted vessels coming from Wales and England with provisions to Dublin, and terrified others from adventuring. He had by his instances at the court of France (with which he was very well since the death of the cardinal de Richelieu) obtained a promise that no supplies should be sent from that kingdom to the rebels, and got a ship coming from Holland with provisions, and carried into Calais, released, and sent to Dublin: but he was not able to supply the want of money. Owen O'Neile, with five thousand foot and seven hundred good horse<sup>b</sup>, possessed himself of all the corn from the county of Cavan to the barony of Slane, which was intended for the subsistence of lord Moore's, sir H. Tichburne's, and colonel Crawford's regiments that lay in garrison at Drogheda, Dundalk, and the neighbouring castles, which were ready

<sup>y</sup> F. 93, 95, 113, and 117.

<sup>z</sup> *Ibid.* 133.

<sup>a</sup> Letter of lords justices, Aug. 27. F. 152 and 198.

<sup>b</sup> Lord Moore's letter, Sept. 1. and F. 170, 174, 177, 178.



to be deserted through want: and being joined by sir James Dillon's forces, took the castles of Killelan, Balrath, Ballibeg, Beekliffè, Balsomme, and Ardsallagh, and besieged Athboy, intending to take in all the garrisons of Meath, in some of which he had taken and disarmed several of the English companies.

482 The state had not strength to oppose so numerous an 449 army, and so well provided, which might also be easily joined by Preston, who was with a body of six thousand men in another part of the country, whence he could easily reinforce O'Neile upon occasion. They had sent orders in July for two thousand two hundred foot and three hundred and sixty horse to be sent out of Ulster towards Connaught upon an expedition then in view; and of these they desired only five hundred Scotch foot, and one hundred and twenty of those horse which were appointed to attend the Scots: but Monroe had peremptorily refused to let any of them march, pretending to an independent command over all the forces of Ulster, though not warranted by the articles of the treaty with the Scotch commissioners; by which that army might be called out of Ulster upon any occasion of service. They<sup>d</sup> sent colonel Crawford to that general in the beginning of September, to second their renewed instances for him to advance with his forces to favour lord Moore as he marched to oppose Owen O'Neile; but he pretending to attack Charlemont, and that none could be spared from that service, denied to march himself, or to send them any of his forces. They were forced in this distress to recall colonel Moneke out of the county of Wicklow, where he had taken possession of Bray and Newcastle. Lord Moore being reinforced by Moneke's party, ad-

<sup>c</sup> Letter of lords justices to sir E. Nicholas, Aug. 16, and answer to Monroe, Aug. 11.

<sup>d</sup> Monroe's and Crawford's letters, Sept. 9 and 11, and the latter's instruction. F. 221.

vanced towards the enemy, who quitting the siege of Athboy, posted themselves very advantageously at Portlesterford upon the Black-water. O'Neile had put a captain with sixty men into a place called the earl's milne, at some distance from the ford, and thrown up a breastwork before the door of the milne. This place was attacked, on Sept. 12, by a party of lord Moore's forces, but in vain, O'Neile's cannon playing on them during all the time of the attack. There was no great loss on either side, only lord Moore being with a party of horse upon an eminence above the milne, giving directions for the assault, was killed by a cannon-ball shot at random, which, after grazing several times, struck him and lodged in his body. The army, after this loss, moved the next day towards the Nobber, not being able to subsist abroad without a fresh supply of bread from Dublin, which was left so weak, that Preston made incursions within two miles of the city; and the lord Castlehaven having taken possession of the places which Moneke had quitted in Wicklow, garrisoned Tymolin, Maddinstown, and Kildare, and reduced Dulerstown, Tully, Lacagh, and other castles in the county of Kildare, between the Barrow and the Liffy, scarce any of them making resistance, or standing so much as one cannon-shot. His farther progress was stopped by advice of the conclusion of the cessation.

483 It being necessary to renew that treaty, the lords justices<sup>e</sup>, on Aug. 5, sent notice to the Irish commissioners to meet on the 17th at Sigginstown, near the Naas, for that purpose. The lord Gormanston died on July 29. Lord Muskery was in Munster, sir Lucas Dillon in the county of Galway, and others of the commissioners dispersed in different places; so that only three of them were at Kilkenny, who desired the meeting might be put off till the last of the month, to allow time for them all to come together. This was a very inconvenient delay

<sup>e</sup> F. 94, 112, 206.

on account of the distress of the king's forces, particularly of those under lord Inchiquin, who pressed the marquis of Ormond <sup>f</sup>to hasten the day, and not protract it longer in expectation of a formal commission; for though they should not fully agree, yet he durst undertake the meeting would conduce to the preservation, if not of the whole, yet of a good part of the kingdom, and the settlement of many things tending to his majesty's advantage: so that, if his lordship in his own wisdom did not know some reason of more weight than the loss of 450 the Munster army, and of the province which depended thereon, he desired his advice to be followed, and himself with some of his officers to be commanded to attend him at the place of meeting; adding, that if he did not hear from his lordship in eight days, he must be forced to some desperate attempt, which would either undo himself or the enemy. The lords justices, finding that the treaty could not possibly begin till the 26th, sent an order to lord Inchiquin to conclude a particular cessation for that province, and to the earl of Clanrickard to do the like for Connaught. Lord Muskery and the commanders of the Irish forces in Munster readily agreed to lord Inchiquin's motion, but lord Clanrickard's was rejected by lieutenant general Bourke, who then lay with an army before Castle-Coote, and was in hopes of reducing the place before a cessation was concluded, though he was disappointed therein by the brave defence of the garrison.

484 The commission, empowering the marquis of Ormond to conclude a cessation, did not pass the great seal of Ireland till Aug. 31, but the treaty began on the 26th. The Irish commissioners (who were the same as before, only sir R. Barnewall and Mr. Nicholas Pluncket were added, in the room of lord Gormanston) gave in their reply to the marquis's answer to their former propositions, receded from their demand of a dissolution of the

<sup>f</sup> See his letter of Aug. 17. F. 132.

present parliament, and shewed themselves very compliant in the other particulars: so that the treaty would have been finished in a week, had it not been for the difficulties which arose about settling the quarters of both parties. The marquis of Ormond, without proposing it directly, sounded them upon the subject of a temporary cessation of all hostilities during the treaty, but they did not seem inclined to agree thereto. But after they had spent some days in disputes about the quarters, alleging, that more time was lost therein than they could have imagined, they, on Sept. 7, proposed a temporary cessation for Leinster to commence from that day. The marquis was in his own judgment for agreeing to it, but would not determine till he had consulted the lords justices and council. The Irish abstained from hostilities for two or three days till their answer came, which was express for rejecting it. Their reasons for it were grounded on a notion that the enemy would thereupon send all their forces into Connaught, and reduce the few castles left in that province, and on an expectation of colonel Crawford's prevailing with Monroe to enter the county of Cavan with his forces, whilst lord Moore fell upon the neighbouring parts of Meath. But Monroe refusing his help, the rejecting of that motion proved very unhappy, and allowed the enemy to extend their quarters considerably in the counties of Meath, Kildare, and Wicklow.

485 When the quarters of both parties were settled, the affair of the supply came into debate. The Irish offered thirty thousand pounds, the one moiety thereof in money, the other in beeves, five thousand pounds to be paid within one month after the cessation, five thousand pounds more in the month next following, the like sum in two months after, another five thousand pounds by the end of February, and the remaining ten thousand pounds by the end of May next following. The marquis

would have got from them a larger sum, and have hastened the times of payment; but the others pretending that they had offered to the utmost of their ability, and that they could neither raise more nor pay it sooner, this was accepted; as was the eight hundred pounds which they offered in lieu of the fourth sheaf due from places under the protection of English garrisons, but in the possession of the Irish.

486 When all the articles of it were settled, the marquis of Ormond, who had with him the lords Clanrickard, Roscommon, Dungarvan, Brabazon, and Inchiquin, with several of the principal officers of the army, and some members of the privy council to assist in the whole course of the treaty, laid them before those noble persons of<sup>451</sup> honour and command, desiring their opinion thereof. They, considering the insupportable wants and miseries of the army, the great distress of many of his majesty's principal forts, the imminent danger of the whole kingdom, and the impossibility of prosecuting the war without large supplies, whereof they could not apprehend either hope or possibility in due time, did for those reasons conceive it necessary for his majesty's honour and service that the cessation should be agreed to upon the articles then drawn up and perfected. They subscribed a <sup>g</sup>paper expressing this their opinion, and the same day (Sept. 15) the marquis of Ormond and the Irish commissioners signed the instrument of the cessation, which, being ratified by the lords justices and council, was notified by a public proclamation to the whole kingdom.

<sup>g</sup> See Collection of Letters, No. CLXXII.









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