

Waterford During the Civil War

(1641—1653).

WATERFORD DURING THE CIVIL WAR

(1641—1653)

By

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The author of this work was born in Co. Down in 1845 and died in Dublin on January 4th, 1912. In 1876, while he was Headmaster of Birr School he married the Headmistress, Miss May Dowling, a native of Waterford.

In Dr. Fitzpatrick his country loses one of the most industrious and painstaking students of the primary sources of her history. For many years he had devoted himself to study of the original documents relating to the 17th century and from these he unearthed the mass of information enshrined in his books and in the present series of papers. Dr. Fitzpatrick was one of our Irish writers—their number is all too few—who are not content with materials extracted from already printed volumes. He sought the original sources and he brought to their investigation a trained, sympathetic and analytic intellect.

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INTRODUCTORY NOTES.

I.—THE DOCUMENTS.

THE purpose of this work is to set forth certain incidents and aspects of the great rising of 1641 and the civil war in Ireland, so far as contemporary records, little if at all known to historians, may aid in arriving at a clearer conception of that much misrepresented movement.

(1) I have transcribed about two-thirds of the documents contained in the large volume of depositions (T.C.D. MS. F. 2.13.) relating to the County and City of Waterford, as well as of portions of the adjoining counties. As pointed out by the late Sir John T. Gilbert these documents have, for the most part, been greatly reduced by cancelling. The meaning of this I treat of further on.

(2) I have added a remarkable statement from the pen of Urban Vigors, Lord Broghill's chaplain. Some passages from this manuscript may be found in the introduction to my former work (*a*). The document is now printed entire for the first time (so far as I know). In my opinion, no more clear and forcible exposition of the tactics then pursued by the State forces in Ireland has ever been given to the public. The particular importance of "Urban Vigors his account" is that he gleefully relates many instances of "execution done upon the rebels"—in most cases, the unresisting and unarmed peasantry,—and glories in exploits of which there is no mention in the depositions. One striking instance will be found on the first page of his manuscript :

"Sir William Saintleger, knight, Lord President of the said Province, with 200 horse friday the third of December (1641), killed 200 of them between Clonmell and Waterford, besides a great number that were drowned, many persons were then taken, whereof forty of the ringleaders were hanged at the City of Waterford the Munday following" (6 Dec).

The significance of this passage can hardly be over-rated, when we come to consider the origin of the so-called rebellion in Waterford and the neighbouring counties.

(*a*) "The Bloody Bridge, and other papers relating to the Insurrection of 1641." Dublin: Sealy, Bryers & Walker, 1903.

(3) The trial of Captain Edmond Fennell before the Cromwellian High Court sitting at Cork (6th to 14th December, 1652) which I transcribe from the notes of the presiding judge—Mr. Justice Donnellan—as fully as I can make out from the very difficult and much contracted scrawl (T.C.D. MS., F. 4-16). A cursory glance through the depositions hereinafter set out will show how much attention this Confederate officer receives from the commissioners who were appointed to collect accusations (rather than to take evidence) against all who had part in the insurrection or the twelve years' civil war that followed. I devote a section of this article to the particulars of Fennell's career, and to the charges brought against him, arising out of his connection with the County Waterford in the year 1642.

2.—THE OBJECT OF THE DEPOSITIONS.

It is important to note at this stage that the authors of those documents were by the terms of their commission restricted to the taking of charges against "the rebels," as the Catholic inhabitants of Ireland were indiscriminately described. It was no part of the commissioners' duty to take note of outrages committed *upon* the Irish people. Hence, we find represented, in those sworn statements, on the one hand, the Irish people acting as demons at large, while, on the other hand, the British settlers are the embodiment of suffering innocence and pitiable helplessness: they never do anything beyond meekly awaiting martyrdom or fleeing from "the fury of the rebels." These "rebels" never receive any provocation (that we hear of). All the crimes and cruelties attributed to them come of their own innate wickedness or from the still more wicked dictates of the religion to which they are so strangely attached. In short: all the wrong-doing is on the side of the Irish; all the suffering is on the side of "the superior race."

How comes it that no deponent of the County Waterford—or of any other county—ever heard of that slaughter of the Irish, between Clonmel and Waterford, on Friday the third of December, 1641, which Chaplain Urban Vigors glorifies to his friend Henry Jones, Dean of Kilmore, the chief of the commissioners for taking the sworn recitals known as the depositions? And how comes it that not even one of the many deponents connected with the city of Waterford has a word about the hanging of forty—Canon Gimlette says, sixty-nine—of the so-called rebels in that city on Monday the sixth of the same December? On the contrary, we hear much of the hanging of one of Saintleger's soldiers, a Waterford man named Flabin or Flavin, who, falling into the hands of the people whose friends he had, in all likelihood, helped to hang, or cut down on that Friday,—had himself the fate of the

renegade and betrayer of his kindred. The fact is that it suited not the object of the depositions to have such matters recorded thereon. If any deponent did heedlessly touch upon Saintleger's exploits, the commissioners would rule that out as irrelevant to the purpose of their 'inquiry.' During the first ten years of the war in Ireland there was no Government notice taken of such outrages upon the natives, except as "services upon the rebels"—the sort of service enjoined on "all good and loving subjects" by the Lords Justices and Council in Dublin Castle.

3.—THE WATERFORD DEPOSITIONS.

Dean Jones and the seven dispossessed ministers associated with him in the commission of 23rd December, 1641, took examinations in Dublin from the many refugees who fled thither in the first panic of "the rebellion."

On the 5th of March, 1641-2, a special commission was issued to Archdeacon Bisse to take the statements of the English who had found refuge in the garrisons and castles within the province of Munster. It will be seen that the greater number of the depositions in the present collection are signed "Phil. Bisse" and by one or more of the local magistrates or commanders. It will also be observed that by far the greater part of the statements taken by Bisse and his colleagues relate to "spoil." There are some eighty similar examinations which I have not transcribed, as they contain little beyond the one unvarying plaint that the deponent was robbed, despoiled, deprived, etc., by the rebels of such and such goods, chattels, etc.

The details of these statements are in most cases very much reduced by cancelling. And here I may notice that Warner (1768) is at fault in supposing that the testimony was so cancelled because it was mere parole evidence. He says he found on examination of the originals "that in infinitely the greater number of cases" the words "being duly sworn" were crossed out in the ink of the deposition. It is true that the long formal preamble at the head of each document is very generally contracted by scoring out. But the omission of the words "duly sworn" is of no significance, so long as the words "jurat coram nobis" (or the equivalent) remain over the commissioners' signatures at the end of the document. In like manner, the cancelling in the body of the examination simply means contraction of the matter. Details are struck out, and the sum total substituted. It is to be noted that what is so omitted is in general what may be regarded as evidence of more or less value, being within the knowledge and experience of the deponent. On the contrary the wildest allegations of murders and cruelties of which the deponent had no personal knowledge are allowed to stand.

Since Warner's day there has been much futile controversy as to whether the depositions are duly sworn. The really important question, What right had the deponent to swear so and so? has been overlooked. There is a question more important still—What right had the commissioners to receive and record as evidence duly sworn and solemnly deposed "idle silly tales about what somebody heard another body say"?

That the stories of massacre and cruelty on the part of the Irish are duly sworn may be taken as a fact. That the statement so sworn represents fact is another matter. As regards the "massacre" testimony in general, it may be safely said that the swearing adds nothing to the credibility. Moreover, the mere concurrence—or the apparent concurrence—of relations founded on hearsay not traced to its source is not to be mistaken for confirmation, even with the assurance that they who so allege have been "credibly informed" or that they are "verily persuaded" or "verily believe." The attentive reader cannot fail to observe how much is made out of the alleged information of "the rebels themselves," or of others not named or not produced. We are to bear in mind that the so-called testimony was taken behind the backs of the accused, by commissioners who were deadly hostile to the Irish people and to their creed, and who, not unnaturally felt it to be their duty to paint "the rebels" in the darkest hues possible as a people whose crimes could never be too much exaggerated. It will appear that in pursuance of this object, the commissioners were nothing loath to obtrude wild and improbable accusation into the place of testimony. What would become of such testimony under cross-examination on the part of the accused?

4.—NOTES OF WAR.

There is, however, a good deal to be gathered from the depositions which has more or less historical value. It is not the fault of the deponents, but of their examiners, that so much romance has been imported into the "testimony." While there was a demand for anything and everything that might serve to blacken "the rebels" and to heap odium on their cause there was no danger of the supply falling short. Yet there are statements which may be depended so far as the deponent keeps to what came within his own experience—or may be depended on so far as the statement is the deponent's: in most cases the make-up is due more to the scribe than to the deponent. The commissioners or their scribe, it will be evident, often made use of the deponent to vent their own views or theories. But there were deponents who could not so readily be trifled with.

Among the papers now printed will be found some interesting notes of the conflict; as in the deposition of Edward Aston (No. v.) in which we have a lively account of proceedings on the Wexford

side of Waterford harbour. The principal scene of conflict was in the western side of the County Waterford, where there were many sharp engagements between the insurgents and the forces of the State-appointed commanders, the chief of whom were, the Lord President of Munster (Sir William Saintleger), Lord Barrymore, and the Earl of Cork's sons, three of whom were already titled, namely, Lords Dungarvan, Kinalmeaky, and Broghill. The last named was at the time of the outbreak barely twenty years of age, and even then displayed the qualities which afterwards endeared him to Cromwell. The following places make considerable figure in the depositions; namely, Dungarvan, Cappoquin, Lismore, Affane, Tallow, Dromana, Ardmore, Knockmoan, Cappagh, Aglish, Whitechurch, etc.

5.—“THE REBELLION AND MASSACRE.”

The phrase has unfortunately become as a cuckoo song, writer after writer repeating, and adding from imagination, without the slightest attempt at investigation. Occasionally a voice is raised on the side of reason and fair-play. Yet the absurd cry, which has grown fashionable, is kept up. In 1831, William Cooke Taylor wrote: “The Irish massacre of 1641, has been a phrase so often repeated in books of education that one can scarcely conceal his surprise that the tale is as apocryphal as the wildest fiction of romance.” Warner had written in much the same strain long before Taylor's day, and Lecky long after. Still the cry set up by the real authors of ‘the rebellion’ is taken up, and kept up, by those who ought to know better. In a monumental work issued in 1905, I find the following, which might have been written by Walter Harris or even by Bishop-Scoutmaster Jones himself:

The Great Rebellion and terrible massacre of Protestants which broke out in the north of Ireland at the end of October 1641, swept through the south and south-eastern parts of Ireland in a relentless outburst of oppression, intimidation and murder in the succeeding months; and by the depositions of witnesses, taken a few years later, we find the neighbourhood of Ross and Duncannon the scene of numerous disorders, thefts, and outrages, early in the month of December 1641. In fact, we find the whole County [Wexford], in the middle of the month of November in a flame of rebellion, with organized and officered forces, committing many acts of robbery and cruelty upon the Protestant inhabitants, and seizing the property of those who had fled (b).

After reading the extract, one cannot help wondering that any one bearing the name of Hore could be found among “the rebels” so set before us. Yet if we may depend on the depositions, as our author trusts them, there were no busier people concerned in the rebellion on the west side of the County Waterford, than the Hores, who of themselves made a considerable muster. (See

(b) Hore, *History of the Town and County of Wexford*, (1905), chap. xiv.

No. lxxv. in particular). John Hore of Shandon is credited with betraying the Castle of Dungarvan to the Irish. And for this service his house adjoining the town of Dungarvan was burned by Lord Broghill's followers, as we are informed by Urban Vigors [14]. The extract, I feel bound to say, is a fair specimen of the blend of turgid rhetoric and distorted history, for which, indeed, only too much precedent may be found in "the things called histories." It is a repetition of seventeenth century rant, without the excuse of those who lived in those troubled times. Does it never occur to those who write or repeat these chartered slanders that in putting forth such general charges they raise questions reflecting on the judgment of the proposers? the order of things depicted in the foregoing is absurd and impossible. How comes it that the anglo-Irish of Munster, Leinster and Connaught so suddenly—as we are assured—became infected with the spirit of revolt, following the lead of those mere Irish of Ulster their hereditary foes?

6.—OLDER AND NEVER ENGLISH.

On looking through the lists of the accused in the Waterford collection,—and not in that collection alone—one must observe that "the rebels" brought before us, for the most part bear English names. The Poers, the Wyses, the Hores, the Prendergasts, the Walshes, the Fennells, the Butlers, the Purcells are much in evidence amongst those accused of taking active part in "the rebellion"; and these are only a few of the rebels who bear anglo-Irish or anglo-Norman names. In the deposition of Laurence Hooper (No. xiii.) he names as of those who robbed him, William Woodlock, sheriff of the city of Waterford, John Bayly, George Skiddy, and Alexander Leonard, merchants, also John Lombard, gentleman, and divers others inhabitants of the said city. Other well known names occur in various other depositions.

It is apparently—and more than apparently—a case of the older against the newer stock of the English in Ireland. And not a few of the latter, for a time made common cause with the Confederates as may be seen in many examinations. The Osbornes of Knockmoan and Cappagh, were in the first years of the civil war opposed to the insurgents. Yet it comes out in one of the Commonwealth examinations (No. cxlix.) that Sir Richard Osborne, junior, of Knockmoan, was in actual arms in the year 1645 at the siege of Lismore; that is, he was then fighting under Lord Castlehaven against the British who still held out.

Among those reckoned as rebels we find, about the close of 1641, almost all the Munster gentry of Norman or old English stock, the people whose interests were imperilled by an insurrection. Did these rise simply at the bidding of Sir Phelim O'Neill or of

any other representative of the ancient race, the race so despised and disregarded by so many of the anglo-Irish gentry? On the contrary there were few of them who would not gladly have marched against those northern insurgents, had they been called upon and authorised by the then rulers of Ireland. The rulers of Ireland wanted the lands rather than the loyalty of the Catholic gentry. It was the policy and attitude of the Lords Justices and Council, as interpreted by such agents as Coote and Saintleger, that drove those gentry to take up arms in their own defence.

7.—HOW THE FLAME WAS KINDLED IN MUNSTER.

In the account of Urban Vigors we catch a glimpse of the tactics pursued by Saintleger "the Lord President of Munster." In this connection it is instructive to have before us the fuller statement prepared for the information of the Duke of Ormonde, by his agent in the County Tipperary, named Kearney or O'Kearney :

"I find that the first insurrection in the County of Tipperary was on the eve of the Presentation of the Virgin, being the 20th of November, 1641, when a great many of the common sort and many young idle fellows of the barony of Elogarty, some of the barony of Middlethird, some of Kilnemanagh, gathered into a body and took away a great many cows and sheep from Mr Kingsmill from Ballyowen, whereof notice being sent to Sir William St. Leger, then Lord President of Munster, being brother-in-law to Mr Kingsmill, he within two or three days after came with two troops of horse to Ballyowen, and being informed that the cattle were driven into Eliogarty, he marched that way, and as he set forth *he killed three persons* at Ballyowen who were said to have stolen some mares of Mr Kingsmill, and near it at Grange *he killed four innocent labourers*, and at Ballygalbert *he hanged eight persons and burned several houses there*, and with much importunity and intercession the life of Mr Morris Magrath, a well-bred gentleman, being one of the grand-children to Archbishop Milerus, was saved, it being plainly proved that he had no hand in the prey. And from thence Capt. Peasley with some of the troops marched to Ardmaile, and there *killed seven or eight poor men or women*, and thence marched to Clonulta and there *killed the chief farmer of the place*, being Philip Ryan, a very honest and able man, not at all concerned in the insurrection. And thence they marched to Gowlin and there *killed and hanged seven or eight* of Dr Fenning's tenants, and *burned many houses* in that town. And in all this march the Lord President and Peasley took up all the cattle of the inhabitants they met, being great numbers, and sent them to the County of Cork."

What follows is significant of the attitude of the Irish and anglo-Irish gentry of Munster and of the tactics by which they were driven to take up arms in their own defence :

"After this service the President about the 25th of November, went to Clonmell where Captain Peasley with his troops met him, and the prime nobility and gentry of the country being surprised at this rash and bloody proceeding of the Lord President, many of them flocked after him to Clonmell, as James Lord Dunboyne, Thomas Butler of Kilconnell, James Butler of Killslaughter, Theobald Butler of Ardmaile, Richard Butler of Ballynakill, Philip O'Dwyer, and divers others of good quality, and observed to the President how he had exasperated the people generally to run from house

and home, and that they were gathering in great numbers together, not knowing what to trust to. And that they the aforesaid gentlemen 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 with authority and arms, and that they would suppress the rabble and preserve the peace. But he in a furious manner answered them that they were all rebels, and that he would not trust one soul of them but thought it more prudent to hang the best of them, and in that extraordinary passion he continued while those and divers other persons of quality their neighbours waited upon them. And they withdrawing returned to their several habitations much resenting his severity and the uncertainty of their safety.

And then suddenly the President marched from Clonmell unto Waterford, hearing some of the Irish of Carlow, Kilkenny and Wexford went over the river into that county to plunder and prey some of the English. In which march his soldiers killed many harmless poor people not at all concerned in the rebellion WHICH ALSO INCENSED THE GENTRY OF THE COUNTY WATERFORD TO BETAKE THEMSELVES TO THEIR DEFENCE."

We have a more particular account of Saintleger's Waterford expedition in the first page of "Urban Vigors his account"; and in my note to that page will be found some further particulars of that hooting from the pen of the late Canon Gimlette, vicar of Dunmore East in the county of Waterford. Vigors allows that forty "ring-leaders" were hanged in the city of Waterford on Monday the 6th of December, 1641. Gimlette states that of the prisoners taken up on the way, Saintleger executed sixty-nine men after trial by martial law! What a trial they got in such circumstances! But the Canon is grievously mistaken in supposing that this execution "struck great terror into the hearts of the disaffected, not only in Waterford, but also in Tipperary." O'Kearney knew better, and he distinctly states that Saintleger was the means of incensing "the gentry of the County Waterford to betake themselves to their defence." Whatever raids may have been made from the outside, it is clear enough that there was no rising of any account in Waterford, city or county, prior to the Saintleger expedition thereto in the first week of December 1641. The dates mentioned in the depositions are somewhat loose. That is one of the shortcomings of those documents.

In the Waterford collection I find no deposition by Francis Briver who was Mayor in 1641, or by his wife whose hysterical and somewhat amusing letters to "good Captaine Evlings" who commanded the fort at Duncannon, are already in print (Egan's "History of Waterford," pp. 62-66; also Hickson's "Ireland in the Seventeenth Century"). Mayor Briver's letter of 2nd December to Ormond (Egan, pp. 60, 61) shows that there had been no rising in that county at the beginning of December. There had been some spoil by outsiders, and people in alarm began to flock into the city, so that the Mayor dreaded "great extreamitie and danger of starving." Organised resistance on the part of the gentry and merchants dates from the Saintleger executions of 6th December.

The sure way to make rebels is to bring home to people in general that they are already marked out for the penalties of disaffection (c)

8.—THE PARSONS-BORLASE COMMISSIONS OF INQUIRY.

The first of these issued to Dean Jones and seven other ministers dated 23rd December 1641, that is, just two months after the outbreak, contains not a word about the murder or massacre of English or Protestants. This significant omission naturally escapes the notice of ranting historians. In the re-issue of the commission to the same ministers, on the 18th of January, the mention of murders appears—as an afterthought. The commissioners are directed to take note of those, formerly reputed Protestants, who since this rebellion began had become Papists. In the examinations such “revoters to the Mass” are much in evidence. In this respect Waterford, county or city, was by no means exceptional. From all parts of the country we have lists of those who, since the rebellion began had turned Papists—“and rebel also” is not unfrequently added. It is charged against many formerly reputed English (as well as not a few Irish) Protestants, that they had partaken with the rebels in spoiling the English, and had borne arms against the King’s loyal subjects. The following from the County Armagh depositions (folio 14) is a good illustration. John Wisdome, parish clerk of Armagh, deposes:

“These parties following, being English turned vnto them, and went with them to Lisnegarvie (Lisburn), and fought there against the English: Erasmus Dillon, near Armagh, freeholder, George Littlefield of Loughgall, etc: these I know; there are many others I know not; these I spake with at their return from Lisnegarvie (Jurat 8th February, 1641-2).”

A long list of ministers could be compiled from the T.C.D. collection, who, for the time conformed to the religion of the majority. When the opportunity came, these, or most of them, reverted to their former creed, and sought to atone for the lapse by the virulence of their charges against ‘the rebels.’ John Stutely, minister of Ardmore, County Waterford, and his family,

(c) It is to be noted that Saintleger did not act on his own responsibility. It appears from the T.C.D. MS., F. 3-11 (paper 24), that he had just returned from Dublin when he set out on his exasperating forays in Tipperary and Waterford. He had, we may be sure, come to an understanding with the Lords Justices and Sir Charles Coote as to the line of action which would best find favour at headquarters.

How remarkable that the two men—the elder Coote and Saintleger—went to their reward in the course of the first year of the civil war which they had done so much to provoke in Leinster and Munster. In the month of May 1642, Coote was shot dead at Trim by one of his own troopers—accidentally, it was said. But his death, like that of Rufus, may not have been altogether an accident. In the same MS. there is an account of the Battle of Liscarroll (paper 28) which contains the following:

“The 2nd of July (1642) the good Lord President who laie languishing a long time departed life (left a tumultuous and wretched world and exchanged it for another full of peace and tranquillitie’ *struck out*), whose irreparable losse and departure can never be sufficientlie deplored”

the widow Whitelock, and her son James Whitelock, John Lacy, James Cooper, Wm. Tobin, James Brannagh, Edward Newtown and his wife Ellen Tobin: all formerly protestants, but since this rebellion turned papists, as Amos Godsell deposes (No. c.; see also lii.) By the 3rd of January 1642 'John Stutely, clearke' appears to have made it up with his former friends. On that date he put in his statement of losses to which he deposed before Archdeacon Bisse and Thomas Ellwell (No. cxiv.) His examiners, so far as the document shows, did not trouble him with any question about his own lapse, but give prominence to what he has to say about two of those names by Godsell as his fellow conformists to "papistry":

"He also saith that James Whitelock . . . husbandman, an English protestant [before this rebellion] neere about the begining March last was murdered by William Brunagh of the parish of Ringogona, assisted by one of the servants of one Captain Walsh of Dungarvan . . . the said Whitelock being seduced and drawn since this rebellion to turn papist, [yet] in a perfidious manner murdered."

And so the story ends. What an opening here for a cross-examiner! Bisse had previously (15th June 1642) taken Godsell's allegation touching Stutely himself. Yet he had not the least curiosity to hear what the man himself had to say in the matter, or how he "John Stutely, clearke," contrived to escape the fate of his accommodating friend. The commissioners were satisfied when they got a charge of perfidy and murder against those bloody rebels with Irish names. To pry more closely into the matter might mar the effect. Very likely, it would then come to the front that the treachery was Whitelock's, and that he was hanged as a spy, or for attempting to betray the people whom he had so recently joined.

Stutely's charge is in accordance with the practice then followed by those who found to be the best the religion that which for the time was in the ascendant; and, when opportune to change again, these facile converts reinstated themselves by adding to the heaps of accusation which, in those secret tribunals, were then being accumulated against the Irish people in general. I have elsewhere (*d*) printed a sample of swearing by Richard Parsons "minister of the vicarage of Dronge, County Cavan." It is clearly proved that this man came to the Catholic bishop of Kilmore, Dr. Owen MacSwine, and voluntarily "renounced his protestant profession."

9.—THE CHARGES.

The examinations abound in accusation of such general and platitudinous character as may not be tested except in rare cases. On looking through the examinations and extracts in the present collection one may perceive how resolute the then rulers of Ireland and their agents were to evolve charges of murder,

(*d*) *The Bloody Bridge*, pp. 212, 213.

cruelty, and rapine out of the ordinary events of civil war. I do not say that the insurgents were free of crime and excesses: that would apply to no people struggling to be free, or contending for the rights of which they had been deprived. The despatches and letters written by the State commanders or in their behalf show that the very people who raised the cry of "massacre" were themselves practising, and glorying in, the very crimes and cruelties imputed to the Irish in revolt. In this respect the account of Urban Vigors will be found instructive and interesting. See also the extract from the Earl of Cork's diary (under No. cxix).

As a rule all circumstances favourable to the Irish are kept out of the depositions. There are some exceptions; and by patient research and comparison a good deal may be gathered quite contrary to the purposes of the compilers. The following is of particular interest:

10.—A "MASSACRE" EXPLODED.

At the end of Laurence Hooper's examination (No. xiii.) is the following passage: (*e*)

"This exam^t lastly informeth that very soon after the s^d battaile of Ross (*f*), Generall Preston with his forces besieged Ballynakill in the Queen's com., & continued siege to the same for seaven weekes (being kept by an English garrison), but y^e ward of y^e said Castle, at last brought to greate extremity, yeelded y^e same vpon quarter of their lives, their apparell & certaine part of their goodes, & to that purpose a conuoye provided & sent with them to Athye. Yet, notwithstanding, *all the people of the said Castle, excepting three or foure*, [that escaped] on horseback *were most traitorously, & after an inhuman manner* (all before disarmed) *assaulted & murdered* by Hugh McPhelim Byrne (a collonell among the Rebells) & his company: they were in all five hundred soules, men, women, & children."

The deponents cause of knowledge herein is that he was credibly (*g*) of y^e same by y^e citizens of Waterford, some lamenting such a massacre was soe perfidiously don . . . (Jurat 31st May 1643, JAM. WALLIS, THOMAS ELLWELL).

For this story the citizens of Waterford are "responsible" (as Froude would say). But nothing of the kind is heard from any citizen of Waterford, or from any other who had been among them (*h*).

(*e*) As I quote the paragraph verbatim here, I omit it from No. xiii.

(*f*) 18 March 1641-2.

(*g*) The missing word was evidently "informed" or an equivalent.

(*h*) The slaughter of Irish soldiers and others that fell into the hands of the State commanders was so much the practice that, as a set off, stories such as Hooper's were put in circulation, and there were always people to swear to the credibility of such allegations. The writers of military correspondence, like Urban Vigors, glory in the slaughter and hanging of 'the rebels.' In the State account of the battle of Liscarroll (T.C.D. MS., F. 3-11, paper 28), we read:

"The English ('were so exasperated and discreetlie cruell that they toke not many' *evased*,) kept not many prisoners (though many of them begged exceedinglie for life); there were only 4 or 5 reserved alive, . . . Some others who were taken prisoners were executed . . ."

Now mark what follows. Hooper's statement was taken and sworn at Youghal or Cork. The commissioners who took it, in all likelihood, fancied they had a valuable find for their employers. They were evidently unaware that a very different account had already been sworn in Dublin by one who had a right to speak as a witness of what he relates.

Among the depositions relating to the Queen's County there is the clearest and most positive evidence of the absolute falsity of Hooper's allegation. The Rev. John Carpenter, "late vicar of Ballynakill," was in the castle there during the siege (1st of April to 5th of May, 1642). He kept a diary, to which he deposes, as well as to the particulars of surrender, and what followed. The following is the concluding portion of his deposition :

"Att last he (the governor) had quarter given him by General Preston, viz^t every officer to have compleat armour, musquetts & bandoliers for 60 men with powder and bullets, but noe pykes nor swords, with such provision and clothes as they would carry about them, but no money nor plate. Thus (by God's speciall mercie & goodnes showed vnto vs) we came to Dublin the nyth of May, only by the conduction of Preston's boy drummer, *not one man, woman or child* miscarrying by the way. (Jurat 26th May 1643, JOHN STERNE, HEN BRERETON)."

So much for "credible report." And such credible report is the mother of "the massacre." The commissioners show their appreciation of the testimony by refraining from putting inconvenient questions, sensible that it is more "credible" when not closely scanned.

II.—WOMEN AND CHILDREN.

In the assault of towns and strongholds it would inevitably happen that non-combatants would get killed or grievously wounded by stray shot. Out of such incidents "credible report," such as the commissioners encouraged, could make up startling charges of murder and cruelty against. The reader will note in the following papers that when a deponent alleges a murder or other grave charge it was all one to the commissioners whether he saw it—heard of it,—dreamed of it—or invented it himself—so long as he hesitated not to swear the charge. If he thought fit to add "the cause of his knowledge" it was taken. But if he had no such "cause" to mention for the purpose of that inquiry, the "evidence" was none the worse of being rashly or maliciously sworn.

We hear of women and others having been "murdered," when, in fact, they were executed in accordance with recognised usages of warfare—as for introducing or attempting to introduce supplies into places beleagured by the Irish, carrying despatches for the enemy or for taking part in hostile action. Indeed it was largely owing to the immunity accorded to women, that some of them got into such danger, being employed in agencies which they might undertake with more likelihood of safety than men.

12.—FORAGING PARTIES.

The murder of women and children, of which so much is made in the depositions relating to certain counties, connects with foraging parties sent out from castles and strongholds besieged by the insurgents. Such parties were in most cases accompanied by women and youths who did the lifting and carrying, the armed men acting as a guard. No one thinks of blaming the besieged for doing their utmost to get in supplies. But they could make the attempt only subject to the perils of war. If the foraging party were attacked—especially if fired upon—the women and “children” were as liable to be “murdered” as their armed companions. I could cite more than one instance of the armed men betaking themselves to flight, leaving the carriers to suffer.

We have in the Waterford depositions (No. xcii.) the history of a foraging party, the members of which were treated with more forbearance than was usual in those times. Roger Green deposes that he was one of a party of eleven, consisting of men *and women*, sent, by the British governor of Youghal, one Appleyard, across the estuary of the Blackwater to the Waterford side, “to reap and bind some of the rebels’ corn.” They were surrounded by the Irish, and—without any hurt, that we hear of—were all apprehended, “carried prisoners to Dungarvan,” and after a time to Clonmel, from which they must have been discharged as we hear no more of their treatment. The curious thing is that Green had such opportunities of “observing” whilst a prisoner in the hands of those “Irish rebels.”

There can be no mistake as to what would have been the fate of an Irish party similarly caught while on a marauding expedition into territory occupied by their enemies. They would one and all have been hanged by the captors as “service acceptable to the State.”

13.—TREASONABLE WORDS AND SPEECHES.

In all the commissions of “inquiry,” it was provided that note should be taken of “traitorous” expressions attributed to “the rebels,” and a curious collection might be made under this heading, as will appear in a good many of the documents now printed. We may take it that many foolish things were said in those days, but, after long acquaintance with the deponents of every county in Ireland, I have come to the conclusion that in general there is no more suspicious element in their sworn recitals than these alleged reported speeches, particularly when it is alleged that such and such expressions were commonly used by the rebels.

I do not say that there has been wilful perjury on the part of the reporters. Even on the assumption that commissioners and deponents did their best to be accurate it would rarely happen

that the report was correct. The Irish people of that period—"the rebels" of our superior informants, rarely spoke English. And the Irish language was but little, if at all, known to the newer race of English and Scotch settlers. Now and then we meet with an English or Scotch deponent who professes to understand Irish. Add to all this, that deponents were at liberty to put what construction they pleased upon what they may have heard, or overheard; and the commissioners were making war upon "the rebels" in the spirit of Coote and Saintleger. To put the worst possible construction upon the acts and the speeches there was every facility. When the commissioners found a plastic deponent, they failed not to work out the sort of allegations then so much in request

14.—"THE KING'S COMMISSION."

It will perhaps occur to the reader that the Irish in revolt at least pretended to have "commission," or "warrant," or "authority," from the King, or from the Queen, or from both. There is much show of corroboration. I say show, for reality there is not. The remarks in the previous section concerning words and speeches attributed to the insurgents are specially applicable to the present subject. From the beginning it was the purpose of the Puritan rulers of Ireland to implicate the King in the guilt of the alleged massacre. The commissioners appointed by the Lords Justices Parsons and Borlase industriously collected all the hearsay recitals of the anti-Irish deponents. But the question of "the commission" was invariably overlooked when those who had a right to know were under examination. In the course of that civil war many Irish commanders and men of position fell into the hands of the State party. In many, if not all, cases these were put to the question,—some were put to the rack—and the examinations, or most of them, are to the fore. These will be searched in vain for information about a royal commission, or the pretence of one. When Sir Phelim O'Neill was under examination before the council of State, in February 1652-3, he was questioned about the commission, or appointment, he had (1) from the Ulster chieftains, (2) from the Lords of the Pale to command at the siege of Drogheda, and (3) from the Supreme Council at Kilkenny. There is not a word about a commission from the King or a bull from the Pope, although Bishop-Scoutmaster Jones, who for twelve years had been recording hearsay stories about such things, was present at the council-board, and witnessed the examination by his signature. Jones could have settled the question of "the commission." He never made even an attempt. On the contrary, it was his policy, and the policy of the party to which he was attached, to envelop the subject, as far as possible, in impenetrable mystery.

15.—SPOIL AND PILLAGE.

Froude assures us that the T.C.D. depositions "tell one consistent tale." Great master as he was in misstatement, he rarely hit upon a wider departure from the fact. He means, of course, that the depositions are replete with conclusive evidence of the guilt of universal massacre on the part of the Irish. The County Waterford depositions furnish sufficient answer to Froude. In comparatively few of them is there any allusion to murder, or crime other than pillage. The reproach of that rebellion is not massacre, but pillage. And pillage was the order of the day. All parties pillaged when and where they could. In this regard there were no greater offenders than the forces under State control. It was inevitable in such an upheaval that the looser element of the population should indulge in looting. It will appear from the Waterford documents that much or most of the spoil complained of was due to assessment or the maintenance of the Irish under command. There is an art of phrasing in these papers that deserves attention. Such expressions as "by, and by the means of," such and such parties "by means of this rebellion," etc., are more comprehensive than at first sight may appear. They include losses caused by the State forces, and in others was no less than the losses due to "the rebels"—that particularly comprehensive designation.

In some depositions written out by the deponents themselves, we get at something like the reality. I have elsewhere (i) printed in full the deposition of Bishop Henry Lesley, of Down and Connor, in which he relates that

"A greate parte of his horses were taken away by the followers of the Lord of Ardes and Sir James Montgomery, and a great part of his corne and household provision destroyed by them, they lying there to the number of five hundreth for the space of five days. The rest of his corne, haye, fuell and household provision were employed for the use of Lisnegarvey, especially the Lord Conway's troope.

His cowes, other than six that were stollen by his servant Patrick Magee, were delivered to Mr John Davis then Mayor of Carrickfergus, who promised to make the best of them for his use ; some parte of his goodes were taken vpp by Arthur Hill, Esqre, Roger Lyndon, Esqre, for their owne present use and the service of the Castle of Carrickfergus. Much more of his goods were rifled by such as he is not able to name. (Jurat 15th June 1643)."

There was nothing exceptional in Bishop Henry Lesley's case—except, perhaps, in the amount of his losses which he reckons up to £8,000, a large sum for that period.

Carte (*Life of Ormonde*), writes : Sir John Temple, the Master of the Rolls, sent for some of the best merchants that were foreign Protestants. He represented to them that their goods were unsafe in the town, and advised that for greater security they should be removed to the Castle. He promised that, if any of those goods

(i) *The Bloody Bridge*, pp. 244, 245.

were required for the public service, payment should be made out of the first money sent from England. In this way he obtained a supply of two thousand barrels of beef, two thousand barrels of herrings, and a large quantity of wheat. These stores were of the greatest benefit for the relief of the army, as well as for those quartered in the city. This was in Dublin, but the same occurred in Munster also in 1643. Lord Inchiquin, not content with taking all the money in the hands of the townsmen of Cork, caused all the cattle, corn, and provisions in Barrymore and Imokilly to be seized and brought into Cork. He then seized what merchandise was in the hands of other merchants of Cork, Youghal, and Kinsale, and, against their will, shipped their hides, tallow, wool, etc., to France to be bartered for corn for the relief of his army. His deputy commissary at Cork was John Hodder, and he faithfully carried out the orders' (j).

Such passages might be multiplied at will from the letters and despatches relating to military operations, but not, as a rule, from the depositions, the object of these being to heap all the evil-doing on the heads of "the rebels." The account of Urban Vigors gives some idea of the pillage, burnings, and slaughter which attended the progress of the State forces then "doing service on the Irish." The Parliamentary marauder, Lord Alexander Forbes, landed at Kinsale, 10th July 1642 and the writer of the relation—one James Cleland—of one of his lordship's expeditions inland, coolly describes the party "burning and killing as they went" (k). It was, of course, no murder to kill all the Irish who could not get out of the way. It was good service to burn the cabins, and such goods as could not readily be carried away.

It is also to be noted that in the letters written by, or in behalf of, the military commanders of the State party there is no pretence of excuse or apology for killing, burning, and plundering in the Irish quarters. For such achievements they give all the glory to God. (See extract from the Earl of Cork's diary, under No. cxix.)

COLONEL EDMUND FENNELL.

Some extraordinary incidents in the career of this Confederate officer are well known to all who have paid any attention to the history of that period. It is remarkable that so much misconception has existed from his own time to the present as to the end of his career. The notes of his trial before the Cromwellian High Court at Cork, in December 1652, now printed (Appendix B), have remained, it would appear, unknown to historians down even to the present time, although the MS. containing them has been in the library of T.C.D. for almost two centuries.

(j) Gimlette, *The Huguenot Settlers in Ireland*, pp. 174, 175.

(k) T.C.D. MS., F. 3-11, folio 47.

Fennell fell a victim to Cromwellian "justice." From his own party he deserved to be shot long before the end came. Again and again he had shown himself faithless to his trust. On the other hand, he was put to death on "faked" charges, as will appear even from the notes of his trial which give us little more than the heads of the prosecution. In several examinations he is mentioned as Captain Edmund Fennell of Clonmel. Yet, had his treachery not been detected in time, he had delivered up Clonmel to Cromwell in 1650. Neither was this his first as it was not his last treason to the cause which he had sworn to defend. Owen Roe bitterly complained of Fennell's standing by, with a strong party of horse, while, on one occasion, some of O'Neill's followers were cut to pieces, and he never moved to relieve them. "He surrendered Cappoquin without striking a blow. He abandoned the pass at Killaloe, and allowed Ireton to cross the Shannon there and invest Limerick from the Clare side. During the siege of that city he conspired with some of the officers, and, seizing on St. John's gate, threatened to admit the enemy unless the garrison capitulated" (l). It was mainly owing to his action that twenty-four of the defenders were in the articles of capitulation exempted from pardon.

So far the historians are in accord with the facts. But after the surrender, history as it is written errs egregiously in regard of Fennell. His sometime superior officer, Lord Castlehaven, writing some thirty years after the event, says he was hanged in Limerick by Ireton's order "with more than ordinary justice." This agrees with the account of the surrender, attributed to Lord Clarendon, which has been copied into Borlase's *History of the Irish Rebellion* (Lond., folio 1680). Modern writers appear to accept the story as told by Castlehaven. There was no reason why Ireton should hang the man who had so helped him to gain the city. Fennell was not one of those "excepted from pardon."

Castlehaven, doubtfully, gives an alternative account which comes nearer to the real history: "Others say he was taken to Cork and executed there though he pleaded in defence his services in betraying not only the garrison of Limerick, but also Lord Castlehaven before Youghal." The MS. notes of his trial, now printed, leave no doubt that Fennell was, in December 1652, found guilty on two capital charges; and it may be taken as certain, that he was executed at Cork before the end of that month. It was provided in the commission "erecting" the High Court that execution should speedily follow upon conviction. These notes, however, contain no trace of such pleading on Fennell's part as Castlehaven and his followers suppose. The charges brought against him in 1652 relate to military operations

(l) *Cromwell in Ireland* (Rev. Denis Murphy, S.J.), chap. xxviii.

in the western portion of County Waterford, in the year 1642, when he was a captain under Colonel Richard Butler of Kilcash, brother to him who became Duke of Ormond. On two of the charges Fennell was acquitted. And as to the two on which he was voted guilty the men who tried him were not those entitled to cast the first stone. At Ballianker, it is alleged, that he shot to death Edward Croker and hanged others; at the Mountain Castle, near Cappoquin, that he killed Ensign Cole and two others, and hanged Richard Ryly (or O'Reilly) and one Keogh in violation of "quarter given." But there are admissions that Croker was shot 'in revenge'—a hint that there was a previous history of that Ballianker business. The pretty stories told of the affair at Mountain Castle scarcely conceal that Cole and his party were surprised in some hostile design during "a nine days' cessation." The hanging of two renegade Irishmen was no way contrary to the usages of war (*m*). The English prisoners were preserved.

Urban Vigors [8] relates, in his own way, what should have occurred at Ballianker. His "as they say" is the sort of tag which would drop out when the next party took up the story. He makes it clear that, from that Shrove Tuesday in 1641-2, Edmund Fennell was "noted with a black coal"; in other words, was marked out for vengeance when the time would come. Dr. Henry Jones, to whom Vigors writes, was the acting manager of the Commonwealth State trials, and he certainly did not forget the Ballianker charge. Immediately after the Leinster capitulation, signed at Kilkenny, 12th May, 1652, Jones, as Scoutmaster-General, caused many of the Irish leaders to be apprehended. In August of that year, he was at Cloumel taking examinations for the pending prosecutions. Fennell was, in all likelihood, taken up at this time; that is, if he was not already in custody since the surrender of Limerick (29th October, 1651).

What matter for reflection in his prison cell had that misguided man! To think that he had so long been playing into the hands of the very party who, all unknown to him, had been taking measures for his destruction! Fennell is a memorable example of the insane courses into which rampant factionism drives men who forget their cause in blind attachment to an individual. Prior to the Ormond Cessation (15th September, 1643), he was, to all appearance, a zealous and capable officer of the Confederation. That he had soldierly qualities and a good share of pluck, is enough evident from the account Vigors gives [8] of his conflict with Cornet Downing, "a bold man and of a very forward spirit" (*n*). In Downing's audacious action,

(*m*) One of the twenty-four persons excepted from pardon by Ireton, on the surrender of Limerick, was a Welch man who had left the British and joined Irish in the city.

(*n*) This Cornet Downing who so rashly rushed to his fate is one of the 'murdered' in the depositions.

or in some such charge, the explanation of the Ballianker case might be found, had it not been the settled policy of those who had the making of the history to afford us the least possible amount of enlightenment as to the real nature of the transactions of which they complain. It is at all events, certain that his life was sought by those opposed to him, and that he did not shrink from encounter when forced upon him.

A sad change came over Fennell, as it came over so many other prominent members of the Catholic Confederation, from the time when they began to give ear to the crafty Ormonde, the worst enemy the Irish people have ever had, Cromwell not excepted. To this betrayer of our race, it had become clear that to put down a nation united in the demand for restoration of rights was impossible. Unhappily, the management of the Catholic Confederation was very much in the hands of Ormonde's own kinsmen and dependants, and he found it easy to detach these from the aims and objects of their hereditary opponents, the mere Irish of the northern province, and to arouse once more all the old-time racial jealousy and hatred, so painfully evident in the writings of Lord Castlehaven, and of Bellings, the secretary of the Supreme Council, as in the behaviour of Edmund Fennell.

It must have touched Fennell's gall to have a mere Irishman of northern descent, Hugh Duff O'Neill, the nephew of Owen Roe, in chief command at Clonmel. The same Hugh O'Neill was also governor of Limerick when Fennell took measures to compel the surrender to Ireton. The habit had so grown upon him that he should prove false to Castlehaven himself, his leader in the "Ormonian faction," the leader who had stood to him when properly charged with dereliction of duty by Owen O'Neill.

In this man's fate we find something like poetic justice. Had his malignant designs resulted only in what befell himself there were nothing to regret. But alas! the evil that he did, lived long after him—lives even to the present hour. And yet he might plead, with much truth, that he did no more than all his friends who put their faith in Ormonde were doing. Whether they of that party were sensible of it or not, they were, one and all, doing what in them lay to bring about the Cromwellian ascendancy which crushed the nation into the very dust. It is a pity that the history of Fennell and of his party in the Confederation of Kilkenny is not more seriously considered by his countrymen. In the chequered annals of Ireland there is no chapter more instructive, none more fraught with admonition as to the suicidal policy of faction and disunion.

THE CIVIL WAR IN WATERFORD

(1641-1653).

TRAITS AND STORIES FROM THE DEPOSITIONS,
TRINITY COLLEGE, DUBLIN.

I. [T.C.D. MS F. 2. 13.
folio 1

Richard Aston, late of Passage, in the County of Waterford,
gent, sworn and examined, saith :

That upon the 28th of November last past, or thereabouts,
Dermott M^c Dowlan and divers of the Kavanaghs, grand Rebels
in the county of Wexford, came upon the howse and lands of
John Etchmagham of Dunbrody in the county aforesaid, Esq^{re},
by whose means the said John Etchmagham (*a*) is expelled, deprived
or otherwise hath lost in household goods stock and corne to the
value of six hundred pounds or thereabouts.

RICHARD ASTON.

Jurat this 5th of March 1641 (*b*)

William Aldrich

John Sterne

(*a*) By Letters Patent, dated 1545, the lands of Dunbrody, &c., were granted to Sir Osborne Itchingham. John Itchingham of the deposition above was direct lineal descendant of Sir Osborne. John died 1650 when his estates passed by marriage of his daughter, Jane, to Sir Arthur Chichester, Earl of Donegal.—*Editor, W. & S.E.I. Archaeol. Journal.*

(*b*) The old style of dating is observed throughout these documents, the year ending on the 24th of March. 5th of March, 1641, belongs to 1642 of the present style. The original forms are here reproduced as nearly as possible. [Matter interlined on the T.C.D. Manuscripts I place within brackets.] In many instances the interlineation is significant of the purpose of those depositions.

II

(The same Richard Aston proves to his own 'losses, to the [f. 3 value of four score pounds by Dermott M^c Dowlan, grand rebell in the county of Wexford, who with boates came over into those parts upon the first of December'. Jurat, on same day before same commissioners).

III

Jane Wright al^s Pearse late of the city of Waterford, [f. 5 sworne . . .

(Details of losses.)

Further saith that the last of Nov^r [1641, shee] being in the howse of one Robert flatisbury of Palmerstown, in the County of Kildare, gent, she did hear the said flatisbury say, that they were neither good christians nor true subjects that would not take the oath w^{ch} the papists and priestes had made for the banishing and destroying all the English & protestants out of Ireland. (c)

(Mary Washbrook and Trephina Seares jointly depose with Jane Wright :)

That Peeter flabin [a protestant] was hanged upon a signe in Waterford . . . and that the rebells drove awai xxv cowes of the said flabin . . . (*Torn and illegible at foot of page*) . . . That ffrancys Wise of Newtown marched with 200 rebells ag^t the Lo: president, and was a chiefe instrument in stirring up the cittie of Waterford to rebellion.

And that one John Lea, town clerk of Waterford, with one John Glare of Waterford, sett open the cittie gates to the rebells to come in.

And that one (*blank*) Poer, the Lord Poer's eldest son, was there a captaine of 100 rebells.

(c) Whose words are these? The oath of the Catholic Confederates is meant. The description is that of the Castle commissioners.

And that one Jasper White of Waterford did robb and spoil one Thomas Hoare & his sister both English & turned them out of their house . . .

Jur. 18 Maii 1642
Randall Adams
Will Hitchcock

JANE WRIGHT
MARY WASHBROOKE'S
mark
TREPHERINA SEARES

IV

Thomasin Osbaldiston the wiffe of Peter Osbaldiston, | f. 8
gent, one of his Maties waiters of the port of Water-
ford, sworne & examined, Sayth :

That since ye begining of the present rebellion, and by means thereof, Her said husband & shee were deprived, robbed, or otherwise dispoyled of their howsehold stuffe and other means & goods worth one hundreth powndes, And her said husband is like to be deprived of, and lose, the future proffitts of his waiter's place worth xx^{li} per annum, untill a peace be established.

And further sayth that she knoweth not the names of those Robbers that took away their goods, because they were strangers of the country, & yet, as she is verily perswaded, came into the city of Waterford to robb her this depon^t and her husband and others of the English protest^{ts}, by the consent and instigacon of many of the townsmen of Waterford, ffor this depon^t saw in company of these Robbers one Tho. White & Henry Poore & James Bannard, all 3 of the city of Waterford, Whoe were disguised with strang capps that they might not bee known, And yet this depon^t [at length diserned] whoe they were.

And further saith, That this depon^t (att the tyme when the Right hon^{ble} the Lady Marquesse of Ormond and her company came with a Convoy to Waterford), heard some of the towne & other rebels in Waterford say and wish in Irish, that they had the stripping of all that brave company.

And further sayth, That the parties that she knoweth to be in the present Rebellion, and to partake & beare armes with the

rebells, and to robb the English within the towne of Waterford afores^d are theis that follow, viz^t

Thomas Skiddy of Waterford, merchant,

John Lambert, farmer,

Thomas Madden, boatman,

Thomas Stronge, merchant,

Pawle Keary, vintner,

Roger Keary, schoolm^r

John Cuffe [a broken merchant]

—all inhabitants of the towne of Waterford.

And sayth also that the Rebels in Waterford hanged one Peter flabin *as he came back from the Lord President of Munster*; (d) Because he went in assistance of the said Lord President, & would not goe to Masse, as this depon^t was credibly informed & beleeveth.

And further sayth, That whenas this depon^t had lyen in childbed but seven or eight dayes, she hearing of more rebells coming into the towne that would destroy all the English, fled for succour into the hospitall att Waterford & there lay secretly vpon bare straw for 4 dayes & nights together untill she escaped away by sea with her two children [& brother Tho. Wragg], all deprived of their clothes.

(Mark)

Jurat xxiii Marcii 1642—3

Coram

(Torn)

V.

Edward Aston of Kilbarrie, in the Countie of | f. 9
Waterford, sworne & examined, sayth:

That since the beginning of this present rebellion he lost . . .
(to the value of 3000^{li})

And that Thomas Aston his father, on or about the xviith of July last was sent, with 2 or 3 shipps and about 100 souldiers, from the fort of Duncannon to Redmond's Castle of the Hooke to

(d) See "Urban Vigors his Relation" (at end of this volume) for a sample of the Lord President's exploits.

surprize (if they could) that castle. And saith that his s^d father and those souldiers landed nere y^e Castle with 2 small peeces of ordnance. But before the Castle was attempted, this depon^{ts} s^d father, by former direcc^{on} from the Lord Esmond, sent 2 men to the s^d Castle to know if the s^d Redmond would come & yeeld himself to [him] the s^d Lord Esmond & soe not to have his Castle assaulted, Vpon deliverance of w^{ch} message to the s^d Redmond, he answered, that if Capt Aston did come he shold be welcomed (yet soe as he should not enter into the Castle but by force; or to that effect). With w^{ch} answer the messengers endeavouring to returne, th' one of them was then and there shott dead through the head, of w^{ch}, & y^e answer th' other messenger bringing newes, The s^d Capt. Aston and his company thereupon martched vnto & assaulted the Castle for the space of 6 howers, & made divers great shottes & other shottes against the same, But a great fogg or mist falling suddenly, & the enemy out of the countrie (lying nere, all that day vndiscovered), being very many & strong, suddenly fell vpon the s^d Cap^t and his souldiers (the souldiers being dispersed about the Castle) and fynding the enemy (mixt amongst them) to be many : [most of them] fledd away suddenly towards the shipp, & left the s^d Capt. Aston & Lev^t Esmond & viii pikemen, the said captⁿ & pikemen being all slaine in the place, And the s^d Captain's head carried as a trophy of their victory from thence to Wexford, And the s^d Levetenant & 12 more being taken prisoners were all hanged att or nere Ballihack.

And further saith, That upon the vith of ffebr. 1641, Peirce Butler, colonel, & John Colclough, captⁿ, sent 6 of their soldiers, or thereabouts, to the land of Tynntreene (*sic*) to take away the garrans belonging to the Castle of Tyntrine (*sic*), w^{ch} were then at work upon the fallowes, within shott of the said Castle, W^{ch} 6 souldiers, according to their direcc^{on}s, assailed the plowmen, & unharnessed the horses & drove them away.

Whereupon the depon^t, being Captⁿ of the s^d Castle, with three horsemen more & eight foote men sallied forth to rescue the said horses from the enemy, In pursuit whereof (not above a flight's shoote *sic* from the place), in the hollow betweene twoe high waies,

and a little out of the sight of the Castle, The Captain with the other 3 horsemen & some of his footemen were assailed by 40 or 50 of the enemy, Whoe, with the Colonell and Captⁿ Colclough, lay in a close ambuscade, and made divers shotts as also thrusts with pykes; by one or more of w^{ch} shotts, Willm Hatch one of the souldiers was mortally wounded in his left flank and left arme, of w^{ch} wounds, within five days after, he died. They likewise tooke one Robert Stafford prisoner: the other six fled to the Castle without harme. The Captⁿ with the other three, being furthest engaged in y^e ambuscade, were forced to fly for their lives, having no other way left open but vyolently to breake through the enemy: whoe made as many shottes on all sides of them as tyme and their provision would give them leave, But, through the miraculous protection of the Almighty, neither horse nor man hurt, but came by another way to the Castle. And the enemy . . . went away and left the garrans, w^{ch} the depon^t again recovered.

And on the 12th of ffebr. we solemnized the buriall of the s^d W^m Hatch. Upon the xith of ffebr, Colonell Cavanagh al^e Dermont m^c Dowlen (a gran Rebell) sent above one hundreth or 120 of his men to thrash Mr Griffins corne at the salt mills. He likewise cawsed a guard to be kept in a knock of ffurrs over against the salt mylnes on the other side of the water.

EDW. ASTON

Jur. 15 December 1642

Hen. Brereton

Will Aldrich

Joh. Watson.

VI

Minard Christian, gent, Comptroller of the Customs | f. 12
of the Port and City of Waterford, sworne &
examined, sayth :

That since the begining of the present Rebellion, viz^t, in ffebruary last 1641, this depon^t was by the Rebels hereafter mentioned deprived, expelled & dispoyled of the possession, rents, perquisites & proffitts of his said office, & of his fowre farms called

Whitefieldtowne, Springana-Garran, Crobally, and Ballynaton (e), within the County of Waterford, worth, when the Rebellion began, the value of 300^{li} ster. clerely per annum, one yere's proffitt whereof is already lost . . .

And further sayth, That he was by the Rebels also deprived and robbed of his beasts, cattle, horses, sheepe, corne, hay, plate, howsehold stuffe, debtes, ready money, implements of husbandry, & other his goods & means, amounting to the some of twoe thowsand nyne hundreth sixtie six pounds more: Soe that his present losses (besides the future) amount unto the some of three thowsand twoe hundreth sixty-six powndes, ster.

And sayth that the parties Rebels that soe robbed and dispoyled him are theis that follow, viz^t, John Poore of Kilmeyden, Esq^{re}, Nicholas Modden of Downing, gent, both of the County of Waterford; Jasper Grant of (*blank*) (f) nere Whitfieldstowne, but in the County of Kilkenny, Esq^{re}; ffrancis Wyse of Waterford, Esq^{re}, John Bryver of Garran, in the county of Waterford, gent; John Bouly of Waterford, merchant, and George Skiddy of Waterford, merchant; Andrew Morgan of the same, merchant, a bloody villanous Rebell that endeavoured to take away the depon^{ts} liffe; Garrett Lincolne of the same, merchant; and divers others whose names he cannot remember.

And further sayth, That about the fift of ffebruary last, the number of 120 English protestants whoe were formerly robbed of all their means, saving a few poore clothes, fledd to the City of Waterford for releefe and safety of their lives, but were suddenly by the Rebels turned out of the towne & as suddenly as they went away were stript stark naked: (g) soe that some of them dyed under hedges of mere cold and hunger, & the rest being shipped for England, & being by contrary wind driven to Yoghall, & there entertained by the Erle of Corke, after they came to eat good meate the most of them dyed.

(Torn.)

MINARD CHRISTIAN

(e) *Recte*, Whitfield, Shinganagh (Singangh, *Inq. Jas. I.*), Garran-Crobally, and Ballynattin.—*Ed. W. & S.E.I.A. Journal.*

(f) Curluddy.—*Ed. W. & S.E.I.A.J.*

(g) How can he swear to all this? The commissioners were easy to satisfy in such matters. Compare what Benedick Claybrooke says (No. VII.)

(Overleaf the same deponent mentions some losses at sea, and continues :)

The depon^t hath bin credibly informed by John Sanderton of the City of Dublin, a protestant, whom the Irish at Waterford kept and detained with them untill the Cessation of Arms proclaimed, That such was the inhumanity & mallice that the popeish preistes there bore vnto the protest^{ts}, that they would not suffer one John Collins (a man of good repute and value, & one that lived and bore offices in that citty 27 yeres & was a freeman, & after m^r of the company of shoemakers), to be buried either in church or churchyard . . . And that the popeish viccar-generall there gave comānd that no Romish Catholique should goe to the buriall of the said John Collins upon paine of present excommunication, & directed that his corpse should be buried in the slyme or mudd of the sea.

MINARD CHRISTIAN (*h*)

Jurat prout ulterius patet

coram

Will Aldrich

Hen Brereton.

(The date in endorsement appears to be 24 Dec. 1642. But the Cessation mentioned in the postscript was dated 15th Sept. 1643. How very interesting are second-hand (or it may be twenty-second hand) stories when 'duly sworn and solely deposed' before the clerical commissioners who were appointed to take accusations (rather than evidence) against the Irish rebels.

(*h*) "The alliance of James VI with Anne of Denmark induced some of her countrymen to follow her fortunes. In Ireland, at this period, a few protestant Danish families made a settlement. They were soon naturalized, and some obtained posts under the government. Meindhart Christian was one of these; In the succeeding reign he was appointed 'customer' of Waterford (August 27, 1633). His loyalty to the crown made him obnoxious to the Commonwealth, and he suffered much during the usurpation. He was however rewarded at the Restoration, and his son Frederick succeeded him (January, 24th, 1663). This family acquired considerable property, and, in the times of Queen Anne, Meindhart Christian was Recorder of Waterford and represented the city in Parliament. His seat near Waterford, still retains the name of 'Christendom'." —Gimlette, *The Huguenot Settlers in Ireland*, p. 150. On pp. 193, 194 of same work, there is a list of 'foreign protestant refugees, or their descendants, who obtained grants' of land at the Restoration; among them—'Meinhardt Christian, in County Longford, 549 acres, reserved rent, £6 17s. 5d.'

Sanderton's own examination (if he made one) does not appear. But there was no occasion to bring him forward when another person could swear to his story. As the names show, Minard Christian's deposition was taken in Dublin, where Sanderton then was.

John Collins appears to be the same person mentioned in several examinations as one of those 'formerly reputed protestants who since this rebellion turned papists' and even took service under 'the rebels,' see No. XIII. *infra*. He had probably abandoned his new faith, or, worse still had gone over to the enemies of the Irish cause. The examiners were careful to suppress particulars which might serve to exculpate 'the rebels').

VII

Benedick Claybrooke of the City of Waterford, | f. 13
sworne . . .

. . . About the latter end of November 1641, he this deponent, living at Ballymaclode, about 2 myles from Waterford, was there robbed . . . of fifty-three cowes, 3 horses, and some howsehold stuff, all worth cc^{li} by the Rebells, Albeit the then Maior (*i*) and Justices of the said citty protected them. Part of them were taken away by one John Poore of Ballykyney (*j*) in the county of Waterford, gent, Who confessed to the taking of the depon^{ts} cowes, Saying presently after to the depon^t at Waterford, That if he had not a lawfull commission out of England for taking of them and other cattell, and for doeing what hee and other Irish did, *or words to that effect*, That then he would give the depon^t twoe for every one of the cattell that he tooke: But whoe tooke the rest of the said cattell he cannot tell, Onely it was generally reported, That one Francis Wyse of the s^d Citty, gent, was a noteable & prime robber & taker of the goods of the English in those parts . . . (Other losses to the value of 500^{li}).

And further saith that the Maior and Aldermen and the best of the City of Waterford (the depon^t being inforced to repaire

(*i*) Francis Bryver.

(*j*) Ballinkina, bar. Gaultier.—*Ed. W. & S.E.I.A.J.*

thither for his safety) *did protect him and all the rest of the English* for about 3 moneths together, Not only from the common people of the Cittie from being spoiled, but from others: Insomuch as Mr Francis Briver then Maior of the Cittie was not only threatened, but severall tymes in danger to be killed, for taking of the protestants' parts, both by the Inhabitants & some others of the country: & soe contynued vntill shipping came to passe them away: In all w^{ch} tyme *there was not one dropp of protestant blood there spill*, vnto the depon^{ts} knowledge: but many were releevd with money & victualls in and about the Cittie, & soone after all the English brought into the citty.

And after many hundreds distressed English were by the Maior releevd at the Passage 5 myles from Waterford, untill such tyme that about the moneth of January 1641, or soon after, there came vnto the s^d Cittie of Waterford severall Irish gentlemen, Commissioners or persons imployed by the fowre severall counties of Kilkenny, Wexford, Tipperary, & Waterford aforesaid, Whoe then & there gave out that they were imployed by [& from] their severall counties to take the said Cittie into their government, and to surprize and take all the goods of the English for the maintenance of their warr that they called the holy warr of the Confederate Catholiques, Albeit the said Maior & Councell would not permitt them at any time into the Cittie armed vto parley with them, And this depon^t being an inhabitant was permitted to beare Armes with them at that tyme, and therefore was an eye-witness and an ear-witness: And that at foure severall tymes the Maior put them off, saying, That he would not permitt any into the Cittie to spoile or turn out the English protest^{ts}, But putt them off by force from the City Walls, both from the River & from y^e forte (w^{ch} was a great comforte vnto the protest^t inhabitants) vntill the middle of March following, or thereabouts, that they could procure shipping.

And further the depon^t saith that the parties that were com^{rs} soe imployed were theis that follow, viz^t, Of & for the County of Kilkenny, Edmund Butler Esq^{re}, eldest sonn to the Lord Mountgarrett, & divers others of that county whom he cannot name, being the Retinue and Complices of the s^d Edm. Butler. And of the

County of Wexford, one Mr Brookes of Hoaretowne in that countie a Justice of the Peace, and a Burgesse of the Parliament, and others of his confederates whom the depon^t cannot name. And of and for the County of Tipperary, Richard Butler of Kilcash near Clonmell, Esq^{re}, and M^r Geoffrey Baron of Clonmell, gent; and others of their company he cannot name. And of and for the county of Waterford, (*blank*) Poer Esq^{re} eldest sonn to the Lord Poer, S^r Nicholas Walsh of Clonmore, knt, of the s^d county, and one M^r Sherlock of Killoore near Waterford, and divers of that county whose names he cannot expresse.

And further saith, that about the begining of February 1641, the foresaid S^r Nicholas Walsh, knt, with others of that countie, came into the city of Waterford, and then and there did cause one Humfrey (*k*) Montaine, merchant, and others of the baser sort contrary to the Maior's consent, most vnlawfully & tyrannously to cawse the depon^t and all the families of the English in the City to be kept in prison, upon pretence that they would rise and joine with the Lord President of Munster against them: In w^{ch} prison this depon^t and some others remained about 24 howres, and many others, untill they were sent to sea. And at their present comittal, M^r James White had bad language by some of those rascally fellows for demanding some of them out of prison that night, But after that those fellows were satisfied that the English had no such intention, the most part were released.

And further the depon^t saith, That not long after the Maior & Councill were enjoyned by the Cuntry to sumon the English at their particular dwellings to bring what goods they had left into the City storehouse, such as would, And some others were constrained to bring in their goods, Only they were all allowed a competency of woollen and lynyen, with other necessaries and five Powndes of money for every partie both old and young that were provided.

Wherefore (for feare of future imprisonment and the danger of the countries coming in to surprise or at least besiege the City), They th'English were provided from Youghall with a shipp & by

(*k*) *Sic* in certified copy. "Andrew" in the original (f. 15).

one vessell more, and shipped by the Maior and Alderman at the Key with such provision as was formerly allowed them : Some went into England, & some vnto this City of Dublin : being all affrighted and expelled their former settled habitations, leaveing their estates and goods as aforesaid.

per me BENEDICK CLAYBROOKE

Jur. 30 October 1645

Hen. Jones

Will. Aldrich

VIII

John Collins of Ballirobert, in the parish of | f. 19^b
Killculleheene in the County of Waterford, yeoman,
& Eliz. his wife, duly sworne & examined, Say :

That about the xth of December (in the absence of the said John Collins, whoe had been a souldier some 14 years in the garrison of Waterford, & was at that time drawne up by his captⁿ to the City of Dublyn) came the servants of one Redmond fitz Nicholas of Waterford, merchant, together with the servants of one Robert Galle of Balliescobb in the County of Kilkenny, gent, & their confederates, to the house of the said John Collins, And there did robb & dispoile the said Elizabeth of all the goods, corne, & cattle that they then could meet with.

And presently after the said Elizabeth tooke the remainder of her goods & cattell that she could well remove & brought them into the said City of Waterford, Where she was again dispoiled & robbed by the Rebells, viz^t, By the servants of Pierce Dobbin of Waterford, alderman, James Walsh of the same, alderman, and John Lumbard of the same, gent, of all she had left, W^{ch} was done about Shrovetide 1641: W^{ch} said servants Rebells alwaies carried & drove away the same, as far as this depon^t could ever learn to their said m^{rs}' uses The said Rebells together with one Pawle Waddin of Waterford, and one Francis Wyse of S^t. John's parish in Waterford (a captaine of the Rebells) did often threaten the depon^t Eliz. (her said husband being in Dublin) to hang, kill, burne, or drowne her & her children, or to putt them into a howse & blow them up with gunpowder !

(The concluding portion seems missing.)

IX

Richard Belshire, late of Ballysaggard, parish of | f. 20
Lismore . . .

(Losses 71^{li} 12^s)

. . . James Cumin of Clohine (*l*), in the parish of Shandrahan, in the County of Tipperary, yeoman, some time after, did, in a bravado, send tydings to the depon^t, that he had the depon^{ts} fowling-peece & sword. He also sayth that one of the s^d party, then and there tooke the depon^{ts} New Testament, and, first opening it, spread it vpon the fire, and burnt it . . .

Jurat coram nobis

(Mark)

17 Aug. 1642

Phil Bisse

Jam. Wallis

X

(On this folio there are three short statements, | f. 21
two signed 'Cor. Curran,' the third 'Daniel Curran'.
Cornelius Curran, who 'came into the river of
Waterford, 29 April, 1642,' says:)

That he being in Rochell, and one of the company of the ship called the Elizabeth of Plymouth, about some three moneths last past, he saw one Dominick Keravan, who was then merchant of a Londoner, and that he did then see a Chest full of swords put on board, and that by the said Dominick to be carried for Gallway, for w^{ch} haven the said ship was bound.

(Not witnessed)

COR. CURRAN

XI

John Bucknor, of Dromore, parish of Aglis in the | f. 25
barony of Decies within y^e Drome . . .

(Amongst those who robbed him were—)

John Rushell & Anthony Rushell, both English papists, &
Zabulon Orton, (*m*) an English protestant.

(*l*) Clogheen.—*Ed. W. & S.E.I.A.J.*

(*m*) See No. lxii.

Also one Cantwell, about y^e xviiith of January last, publicly declared that all their comandars had a comission from his Mat^{tye} vnder y^e great seale of England for authorising their actions, & for y^e extirpation & vtter rooting out of all protestants in this Kingdom of Ireland that would not convert themselves to the Church of Rome.

. . . Sayth, that Phil Hill . . . did relate to this depon^t in the presence of Rowland Davenport an English protestant, that Owen O'Sleddy did say that the Lord President of Munster was a greater rebel than those y^t he had burned & killed in y^e County of Tipperary . . .

JOHN BUCKNOR

Jurat &c 27 June, 1642.

Tho Badnedge

Phil Bisse

Thomas Ellwell.

XII

John Brelsford, Ardmore . . . (Proves to losses [f. 27 amounting to 1952^{li} 10^s. A page and more of details crossed out.) . . . and that he was robbed by the means of Edmond ffennell (*n*) levetenant-collonell to Richard Butteler (brother to the Earle of Ormond), of Clamell (*sic*) in the County of Tipperary, James Welsh son of S^r Nicholas Welsh of Ballicoroge (*o*) in the county of Waterford . . .

JOHN BRELSFORD.

Jurat &c, Aug 28, 1642

Phil Bisse

Jam. Wallis (*p*)

(*n*) It will be seen that Captain (afterwards Lt.-Colonel) Fennell of Clonmel receives much attention throughout the examinations relating to the County Waterford.

(*o*) Ballykeeroge, Bar. Decies—Without-Drum.—*Ed. Journal*.

(*p*) The Walshes of Ballykeeroge (anglicised their name, Wallis.—*Ed. W. & S.E.I.A.J.*

XIII.

Laurence Hooper, late of the Cittye of Waterford, glover, deposeth and saith:

f. 29; also at f. 312

That about the first of December 1641, this examināt went from Duncannon forte (where he was a souldier vnder y^e comand of y^e Lord Esmond), to the City of Waterford afores^d, to fetch of some goods he left there, to the value of eight & fortie pounds, At w^{ch} time the s^d goodes were forceably taken away from him by Capt. Richard fitzHarris of (*blank*) in the County of Waterford, gent; Myles fitzHarris of (*blank*) . . . Michaell Loughnane of Allridge, in the s^d county, gent, accompanied with three hundred men in armes, whoe came thither from y^e County of Wexford.

This examināt further informeth that soone after this depon^t was robbed of his goodes as aforesaid, & especially about Candlemas then following, the vndernamed persons, to wit, W^m Woodlock sheriffe of y^e s^d Cittie, John Bayly, merchant, George Skiddy of the same, merchant, Allexander Leonard of the same, merchant, John Lombard of the same, gent, [Richard Skiddy of y^e same, merchant], Simon Stronge of the same, merchant, Thomas Stronge of the same, merchant, & divers others of the City & inhabitants of Waterford afores^d, began with force and armes to stripp & robb all y^e protestants there, vnder coll^r of searching for armes & amunition.

The depon^t further declareth, y^t soon after the pillaging of the protestants, & especially about Whitsuntide 1642, then ensueing, the s^d parties last menconed (amongst others) in a most vnchristian & barbarous manner began to dig up the grounds where protestants (*q*) were formerly buried in, caused to be digged to make gunpowder, as also it was given out about the tyme last menconed by one Patrick Welch of the said City mass-priest that they (meaning y^e citizens would not have so much as y^e stinck of one of y^e bones . . . (*torn*) . . . many protestants as die in y^e said City without y^e gates nere y^e highway.

The depon^t saith y^t y^e s^d Welch, to show his malice and despight of y^e protestants, caused y^e grave ready made in y^e church (for y^e buriall of one Tho. Heylin, clarke, & his wife who about y^e tyme last menconed dyed) to be stopped up again.

(*q*) Grounds in which a vastly greater number of Catholics had been interred. Military necessity, not bigotry, was the occasion.

He saith y^t the digging of the s^d graves this examinat *observed* (r) that Richard Neylar of the s^d Cittie, apothecary, Peeter Morgan of the same, merchant, and one Williams formerly a protestant but now turned papist, an engineer & m^r of their Ordnance, digged up some corps of protestants (but their names he doth not remember), or at least caused them to be digged up, W^{ch} corpses had some bones and flesh about them, and those they boyled in great furnishes till they came to salt peeter, & made of them gunpowder, three score pounds [a weeke], or thereabouts, & continued the same course till they were provided from Dungarvan & Wexford with powder & amunition from beyond sea.

The depon^t being further examined saith, that from the begining of December 1641 untill the 13th of this moneth (s), he was restrained in the Cittie of Waterford, during w^{ch} tyme *he observed* the particulars following, namely, that about Shrovetide last 1642 the Maior & inhabitants of y^e s^d Cittie began to throw downe the works without St Patrick's & Our Lady's gate, being y^e west & south-west side of y^e s^d Cittie, W^{ch} workes wer there made y^e last warrs; since that time & of late they have bin labouring to scowre y^e trenches y^e outside, and on y^e inside they have beene casting up a rampier against the wall.

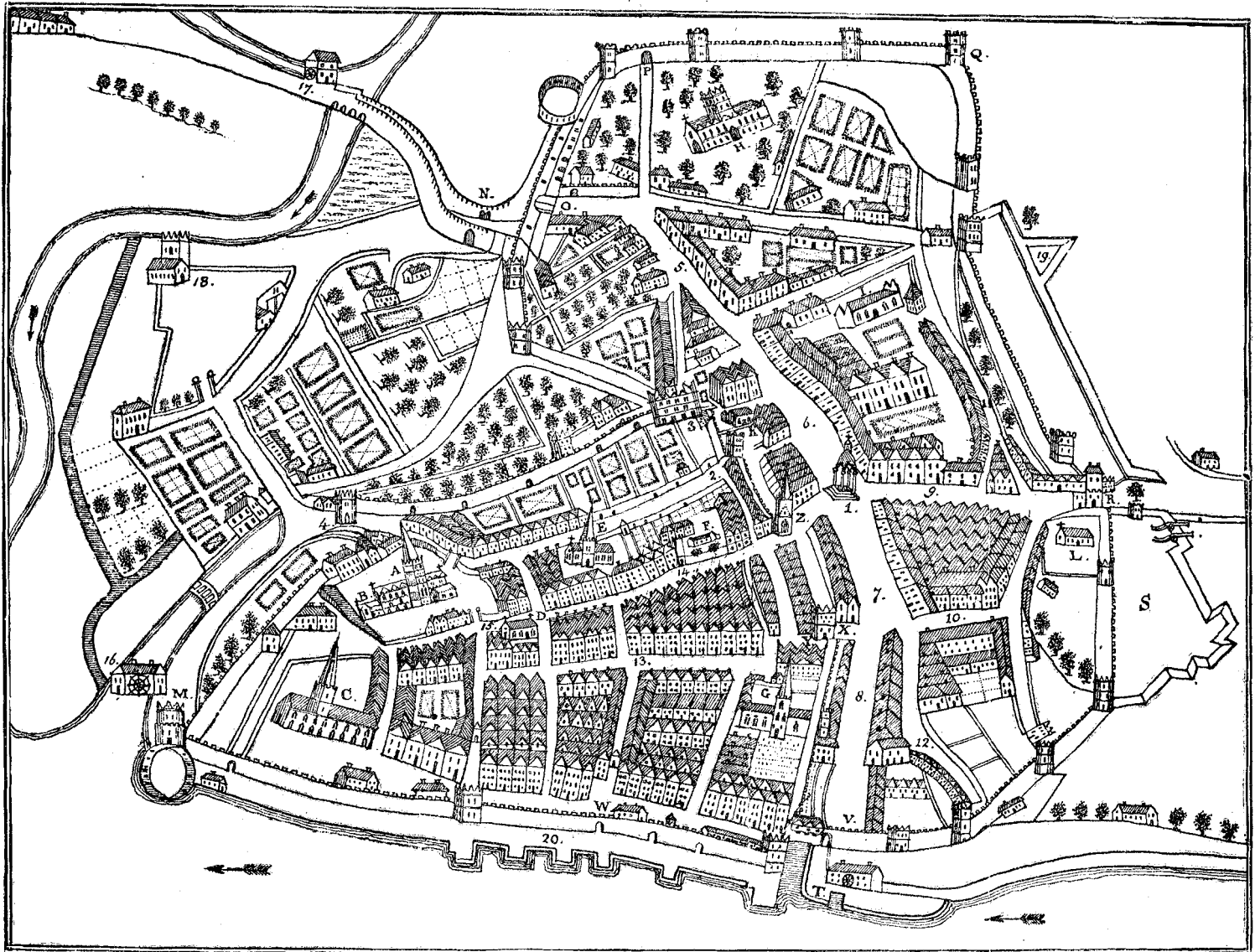
He also declareth that he was credibly informed during his restraint & stay at Waterford as afores^d, y^t y^e inhabitants of y^e s^d City (by directions from Colonell Aylward chiefe comāder of y^e forces in y^e s^d Cittie, as also by directions of some Spaniards) have made two trenches in the bowling-green ag^t a weak place in the wall of the s^d Cittie, & a third trench, In these trenches they have layd a train of powder, & have covered the said trenches with hurdles and peeces of timber & green sods upon y^e place in y^e bowling-green, and earth

(Torn at foot of page).

Of the ground adiacent this particular is related to this exam^t by W^m Tozer formerly a protestant, & others who saw the work don as it is declared.

(r) This is all 'duly sworn,' but what is it the better of the oath? How could a prisoner *observe* so much? It is hardly necessary to suggest what would become of such 'evidence' under cross-examination.

(s) May 1643.



MAP OF WATERFORD, 1673.

REFERENCE TO CAPITAL LETTERS & NUMERALS
IN THIS MAP.

A Christ Church	1 The Cross
B Trinity Church	2 Lady's Gate
C St. Francis's Abbey	3 Green Tower
D St. Olave's Church	4 Colbeck's Gate
E Lady Church	5 St. John's Street
F St. Peter's Church	6 St. Michael's Street
G St. Dominic's Abbey	7 Broad Street
H St. John's Church	8 Barry's Strand Street
I St. Stephen's Church	9 St. Patrick's Street
K St. Michael's Church	10 Little Patrick Street
L St. Patrick's Church	11 St. Stephen's Street
M Ring Tower Fort	12 King Street
N St. John's Fort and Bridge	13 High Street
O St. John's Gate	14 St. Peter's Street
P Close Gate	15 St. Olave's Street
Q French Tower	16 Cole Pit Mill
R St. Patrick's Gate	17 St. John's Bridge and Mill
S St. Patrick's Fort	18 St. Catherine's Abbey
T Barry's Strand Mill	19 The Butt Works
V Barry's Strand Gate	20 The Quay
W The Great Quay	
X Arundel's Castle	
Y Arundel's Gate	
Z The Guild Hall	

This exam^t further informeth, that the s^d Cittie of Waterford hath a thowsand armed men & boys within the same; their manner is that when any alarm is up, or any intelligence of the English forces to be nere at hand, that then they appointed a Mass-priest in the head of every company, & another in the reare to encourage and advise them to persist in their rebellious courses.

He also saith y^t dureing his aboade at Waterford afores^d, & especially about Easter last, he heard Patrick Welch of the same, merchant, Andrew Wise of the same, merchant, Nicholas Garraldine of the same, merchant, Andrew Morgan of the same, merchant, John Grant, George & John Skiddy afores^d, merchants, severally say, that they (meaning the Irish rebles) will never yeeld as long as they have breath in their bodies, vnles they may have the privilege and benefit of Churches, & y^t noe English protestant may have any government in this Kingdom, onely that they may have leave to exercise their religion in private houses as the Irish have been forced to do heretofore.

He further declareth, y^t about three weeks before Easter last was twelvemonth, Peeter fflabin of y^e s^d Citty but who (an English protestant) was condemned to dye by Collonell . . . Wall in Waterford afores^d, & afterwards hanged at y^e signe of y^e Mermaid in y^e said Citty, Who might have been saved (as this exam^t is given to understand) if he had turned papist, who was accused . . . (torn) . . . Wall & other gentlemen of y^t County for killing one . . . of which he was conceaved to be guilty, in regard he was taken & wounded before by another, and after hanged by [directions from] the late Lord President of Munster (This passage obscure owing to holes in the paper)

He likewise saith that ffrancis Powell of Waterford afores^d, smith, formerly an English protestant, but since this rebellion turned papist, is imploied about y^e makeing of guns for y^e rebles & citizens there; likewise John Sanders of y^e same, plumber, is imploied about y^e makeing of bullets in y^e s^d Citty; also John Collins (t) of y^e s^d Citty, sadler, imploied about y^e makeing of great troope sadles for y^e use of the rebles in the s^d Citty.

(t) This appears to be the John Collins mentioned in Minard Christian's deposition.

This exam^t further declareth, that about the 18th day of March last, & y^e same day that the battle was fought at Ross by y^e Marquis of Ormond, one of the cuntry people called Edmund Boy, running to Waterford from the battle with newes was presently brought before Thomas White, now Maior of the s^d Cittee, & for relating the s^d overthrow, caused him to be comitted, *intending* to hang him the next day, of purpose (*as this depon^t conceaveth*), notwithstanding the truth of the said Battle, to encourage the inhabitants of the said City to persist in their rebellious courses; for (quoth he) this relacon coming to the hearing of our men it will break the very hearts of them. (*u*)

He also informeth that aboute the begining of April last, this deponent observed at Waterford afores^d, that Mathew Grant of the same, alderman, Thomas Wadding Esq^{re}, recorder, of y^e s^d City, are appointed, by y^e comon councill of y^e same, to be overseers of a mint-house lately erected in the s^d Cittie, to see new coin stamped by one John (his surname he knoweth not) who is thereunto appointed; and to that purpose they caused three stamps to be made,—one for coyning of half-crownes, another for pence, and another for half-pence. (*v*)

This exam^t further saith, that dureing his comittall at Waterford afores^d, he heard the said Maior divers times say that

(*u*) The prisoner who could swear to the Mayor's intentions found it easy to credit him with a speech.

(*v*) I find there are no Waterford coins of the period in Trinity College, or in the Museum, Kildare Street, Dublin. The keeper of the Art Division of the latter replies to my query:—

'We have none, nor is there any mention of a Waterford Mint in Nelson's recent work on the Irish Coinage, though there are references to Mints in other south of Ireland towns, viz.:—Youghall, Bandon, Kilkenny, Kinsale and Cork, in 1642.'

All these places with the exception of Waterford and Kilkenny were then strongholds of the English in Ireland.

It will, I think, be noted that the deponent Laurence Hooper shows a strain of romance in his narration.

As regards contemporary Irish coinage, the following from the London correspondent of the *Freeman's Journal* (Wednesday, 16th February, 1910,) deserves notice:—'A valuable group of rare Irish coins interested the numismatic experts who attended the sales at Sotheby's yesterday. Especially interesting were the Kilkenny halfpennies struck in 1642, during Charles I.'s reign. The rarest of the dozen, realizing the total of £20 3s., was one having on the obverse small sceptres and a crown, and on the reverse a broad and short seven-stringed harp, which Mr. Spink bought for £6. A Kilkenny farthing, sold along with a Cork farthing and two others, fetched 4 guineas. Other examples of Irish coinage were nine Ormonde pieces, ranging from half-a-crown downwards, which brought £2 10s. An expensive farthing was the St. Patrick's, Kilkenny, of Charles I.' . . .

they (meaning the Irish rebles) had his Ma^{ty}s comission for what they did, And the s^d Maior likewise doth noe less in practice show y^e same; his cause of knowledge appeareth, for about Michaelmas, a shipp out of Holland belonging to the province . . . (*torn*) . . . ground at y^e harbour of Dunganon (*w*), wherein was some money and goods; but presently the said money and goods were seized upon and carried to Waterford afores^d, and the men likewise brought thither prisoners. After comeing thither the mr of the s^d shipp demanding the s^d Maior y^e reason why his goods were taken from him, having never don any iniury to y^e Irish, The Maior made answe^re, that his goods and shipp were seized upon for his Ma^{ty}s use—this confirming his (*torn*) in deeming the rebles to be his Ma^{ty}s subjects, & also pretending they had such a comission as is already declared.

(The deposition concludes with the passage concerning Ballynakill Castle, of which notice is taken in the Introduction).

LAURENCE HOOPER'S Mark

Jurat coram nobis vltimo Maii, 1643

Jam. Wallis

Thomas Ellwell.

XIV

William Carewe, late of Athmean (*x*), in the barony | f. 35
of Decies . . .

(Losses, 320^{li} 19^s 2^d)

And the depon^t further sayth, That he was robbed & dispoiled of his goods by the persons hereafter named, or by some of them, for that about Shrovetide last, they layd seige to the Towne & Castle of Capperquin, & they encampt themselves att Athmean afores^d. Some of them were then quartered in this depon^{ts} howse, and kept him their prisoner in the towne of Athmean afores^d.

(Over a hundred names follow)

Jurat &c 15 Aug. 1642

(Mark)

Phil Bisse, Jam. Wallis

(*w*) Duncannon, of course.—*Ed. W. & S.E.I.A.J.*

(*x*) Affane.—*Ed. W. & S.E.I.A.J.*

Rebelle Edward Bourswell
to the ...

XV

Mary Boulter, late of the Towne and parish of f 44
Dungarvan . . .

(Losses, about 5 Jan. 1641-2, 270^h)

. . . divers that were in the Castell of Dungarvan were wounded by the Rebells. And further the depon^t saieth, that Shusana Bourswell, & her three children, whose husband is now in actual rebellion, & divers others were stript in the aforesaid Towne . . . that the vicker's house was burnt, & (*some words blotted out*). [And y^e said Rebells] went into y^e Church of Dungarvan and burnt there the Conunion Table, the pulpitt and all the seats in the afores^d church, and made it a stable for their horses, & a prison for the stript protest^{ts}. And further saieth That Capteine Edmond ffennell [at that time] said [to this deponent] that what they did they had the King's broad seal [to show for it] (y)

The depon^t likewise saieth, that Peter Anthony of the Comeragh with his wife and children (heretofore reputed protestants) [since this rebellion] ar now turned papist, and hee the said Anthony is now *in actual rebellion*, with two of his sons, Paul Anthony and Arthur Anthony, are now out in rebellion with S^r Nicholas Wailsh of Ballykeroge, in the s^d county, knight. She likewise saieth that James Burne, [butcher] and his wife, [& the wife of] John Brasington, gent, Gregory Cosby and his wife, before reputed protestants, and now [since this rebellion] turned papists.

Jurat &c 29 June 1642

(Mark)

Phil Bisse.

XVI

Jeane fflavan, late of the City of Waterford, f 45
widow . . .

(Losses, 469^h 19^s. Over a page of details crossed out)

The depon^t saith that one Gerrald Money, a merchant of Waterford afores^d, tould this depon^t, about Christmas last, that he the said Gerrald being over the water with the Lord Mountgarrett,

(y) This passage shows much emendation on the original manuscript.

his Lo^{pp} told him that the King's Ma^{tie} did not care that they [meaning the people of Waterford] should make pyes & pastrys of them (meaning the English of Waterford afores^d). Then he said, What shall we doe with theis English doggs, & this depo^t saying that she would never forsake God & the King, he then replied and said, What God and King have you, You have noe more God & the King (quoth he) than the doggs.

Shee saith that one Lawrence Ward of Waterford afores^d, inkeeper, formerly a reputed protestant, is, since this rebellion, turned papist, & the wife of one Holmes living in ye s^d Ward's house, & Rob^t Andrewes and his wife [& his father] are likewise turned papists.

And this depo^t saith that Joan the wife of the s^d Robert Andrewes said to this depo^t, when the rebells entered the s^d Cittie of Waterford, God be praised (said shee) that now our friends is come to vs!

(The following written along the margin:)

[The depo^t saith that John Collins, sadler, Francis Powell, smith, & one Sanders a plumber, all reputed protestants & living in Waterford afores^d, are detained by the Rebells in Waterford afores^d, to help them by their occupations.]

Jurat &c 7 July 1642

(Mark)

Phil. Bisse

Hen. Ruge

XVII

Thomas Moncke, late of the Cittie of Waterford, | f. 48
gent, ('& surveyor of his Ma^{ties} Customs there, now
ensigne to Captaine Manhood in his Ma^{ties} service, a
brittish protestant . . . ' *crossed out*) deposeth &
saith:

That on or about the 25th day of December . . . he was
robbed . . . to the value of 412^{li} . . . by the hands and
means of Robert ffreny, of Ballivedy in the County of Kilkenny,
gent, & now out in actual rebellion, And the s^d Robert ffreny,
three days after this deponent payd him his Rent, was the man,

? Ballivedy

amongst others whose names he knoweth not, that robbed and despoiled him of his afores^d goods & chattells.

And this depon^t further saith that his afores^d Landlord promised him his cattell againe if soe be that this depon^t would turne from his protestant Religion and goe to Masse and *doe as they did*.

Hee likewise saith that one Paull Carewe of Waterford, merchant, in the presence of Captaine Lumbard [affirmed] that it was the worst Match that ever was in England, in that the King's elder daughter is married to the prince of Orringe his sonn whom he holds a Traytor to the King of Spain, Which abovesayd speech by Paull Carew was divulged about a year and a half sithence.

THO: MONCK

Jurat &c 27 Junii 1642

. . . Phil Bisse

XVIII

Elizabeth Hooper, late of the Cittie of Waterford, | f. 50
wife to Laurence Hooper (z) of the same, skinner.

(Details of her husband's losses)

Sayth that the 14th day of february 1641, one ffrancis Wyse of Waterford afores^d, gent, violently & in a rebellious manner, took away this depon^{ts} Cattle, & the rest [of her cattle & goods] were then and there forceably taken away by Paule Wadding of the same, gent, & John Lovel of the same, merchant.

The depon^t saith that about the begining of March 1641, this deponent's said husband, comeing, along with the women and children, through St John's gate of Waterford afores^d (whoe were to be sent down to a place called Passage), one Cary (whose christian name she knoweth not) formerly a protestant & free-schoolmaster, of the Decies of Waterford afores^d, but then turned papist, strooke the deponent's said husband with a halberd, saying, Ah Traytour! you would fain goe to see the ould Traytour to Duncannon-fforte, yo^r godfather (meaning the Lord Esmond), but I will stop your journey. And thereupon he was comitted prisoner.

(z) See above, No. XIII.

But soone after this deponent (among the rest) being sent down to Passage afores^d, Shee then observed one of the Rebels (whose name she knoweth not) tearing the singing Psalmes out of this deponent's Bible or Testament, And shee reproveing of him for doeing soe, one Mr. Butler [then present, said to] this deponent: I am sory, honest woman, that you are so deluded, for their is nothing in that book but devills' inventions (*aa*)

Shee lastly saith, that it was a comon report among them at Waterford afores^d, and at Passage, that they had the King's comission for what they did, And that shortly they would rise upp in armes in England one against another.

(Mark)

Jurat &c 1 february 1642

Phil Bisse, Thomas Ellwell.

XIX

Richard Hambly, late of Kilmac Thomas,
husbandman . . .

| f. 52

(Losses, about 18 Dec. 1641, 51^{li} 9^s)

About the time above-mentioned, this deponents cattle and household stuff were taken away by Garrett Butler . . . The depon^t further saith that about Shrovetide 1641, this deponent among others to the number of Two-hundred men, English & protestants) were comitted prisoners at the Cittie of Waterford, by the mayor and alderman of the same, & kept in restraint nyineteen dayes, allowing them but a crust of browne bread & smale beere once in three days sometimes & at other times every eight and forty hours (*bb*). In the meantime, this deponent's wife, Ann Hambly, & others (at least two hundred women, children, & ould people), that were sent down by the said citizens to a place called Passadge, were then and there stripped naked by the rebels.

Jurat &c 26 January 1642

RICHARD HAMBLY

Phil Bisse, Thomas Ellwell.

(*aa*) One may wonder whether the said Mr. Butler could recognise his speech in the report 'duly sworn' behind his back.

(*bb*) It is 'duly sworn,' but incredible none the less. The allegation receives no confirmation from other sources. How could he swear to the next charge?

XX

Hugh Croker, Capperquin . . . (Robbed about | f. 54
Candlemas 1641-2, to the value of 1922^{li} 10^s, includ-
ing debts due to him from rebels, as—)

James Prendergast, of Tallaghmealagh (*cc*) in the county of Tipperary, Esq^{re}, Edward Prendergast, Richard Prendergast of Kilnacarroge . . .

He saith that his cattle and other living goods at Caperquin were lost by y^e Rebels y^t came to take the s^d Capperquin, as, Richard Butler of Kilcash, in the county of Tipperary, Esq^{re}, a reputed Lieutenant-Generall among the rebels, Theobald Purcell, alias Baron Loghmo, S^r Nicholas Wailsh of Ballicaroge (*dd*), in the county of Waterford, Kn^t, and Nicholas Poore of Kilballikelly (*ee*), same county, Esq^{re}, Patrick & Clement Gough of Kilmanaghan, in the said county, Alexander Pooke . . . with others to the number of 12 or 13 hundred.

He also sayth y^t the principall of the Rebels y^t caused the burning of his houses at Capperquin were, Captain John Sherlock, & Captain Edmund fiennell (late of Clonmell), & John ffitzgerald. He also sayth that his household goods were lost by the means of Tho Prendergast of Kilgany, county of Waterford, gent.

He also sayth y^t John Travers, cornet to the Dungarvan troope was killed by fiennell and his company, about twelfth tide last . . . One Garrett . . . being taken and put in the prison of Capperquin, and upon a report that there was a shipp come into Wexford, with 24 peeces of Ordnance & amunition for the rebbells, did instantly, upon the same, hold up his hands & did zealously repeat these words *Deo gratias! Deo gratias!*

HUGH CROKER

Jurat &c 15 Aug. 1642

Phil Bisse

Jam. Wallis

(*cc*) Tullamelan.—*Ed. W. & S.E.I.A.J.*

(*dd*) Ballykeroge.—*Ed. W. & S.E.I.A.J.*

(*ee*) Kilballyquilty.—*Ed. W. & S.E.I.A.J.*

XXI

Captain Hugh Croker of Capper Quin, deposeth : | f. 56

That on or about the first of November last [one Margrett] the wife of Marmaduke Shaft of Clonmell, [inkeeper] & Randall the wife of Randall Shaft of the same were surprized & kept prisoners at Clonmell afores^d, & being afterwards ransomed [came before this deponent &] vpon their oathes confessed to this depon^t that to their owne knowledge, the rebels at Clonmell afores^d, in a barbarous and prophane manner, digged vpp the bones of the English and protestants buried in the church and church-yard [of y^e s^d Towne], & gathered them together & afterwards burnt them, but such [protestants] fresh corpes as were not thoroughly rotten they digged them out of their graves, as namely the corpes of one Mr. Green, a minister & afterwards threw into a ditch [& never their church againe].

HUGH CROKER

Jur &c 19 Dec. 1642

Phil Bisse

Ric. Williamson

XXII

Annis Lee, parish of Lismore . . . | f. 57

Saith that John Parker of Ballygoody his son & his daughter were about Christmas 1641 hanged by the Condons' means, Who constrained the father first [in a most inhuman manner] to hang his said son & his daughter upon promise to save his life, but presently in a most perfidious manner [caused the said John to be] hanged after them. (*ff*)

(Mark)

Jurat &c 21, 9^{bris} 1642

Phil Bisse, Hen. Rugge.

(*ff*) How could she swear to all this? Her examiners having got a good story were careful to avoid inconvenient questions. This is indeed a typical piece of 'massacre' testimony.

XXIII

John Rowse of Mocollopp, in the county of f 60
Waterford . . .

. . . He also saith y^t on the Munday after Midsummer day last past, Tho. Carter gent, Bartholomew Emry gent, James Bartlett, inkeeker, Robert Marshall, husb., William Carter, tanner, Tho. Hutchins, husb. and another called Connelin a turnkey, *all of the garrison of Maccolop were cruelly murdered* [& stript naked] by Gibbon McShane of Kilinggren, gent, & Peeter Baker of Inchi-kenny, gent, & Edmond Bowler servant to James McMorris Esq^{re}, & Brian McCragh of Kilmurry, Knogher ô Grenaghan husb.; this deponent being the only man y^t escaped with his life, being left for dead, having received in his body eleven wounds, but now is almost recovered of them all.

(Mark)

Jurat &c 23 Aug 1642

Phil Bisse, Jam Wallis

XXIV

Also Plumer, of Cnockalary (*gg*), county Waterford, f. 61
widow . . .

(Losses, 33^{li} 6^s 8^d . . .)

. . . by the means of Thomas ffitz Gerald of Ballycollan (*hh*), in the s^d county, gentleman, Thomas Prendergasse of the parish of Whitechurch in the said county, husbandman, James Poore of the parish of Kilmallogh (*jj*), husbandman and others . . . And further she deposeth that Finda Stampe & Ann Plumer, both daughters to this deponent, were hanged by Captaine ffennell & his company, and one Elizabeth Lilly, an English protestant, was likewise cruelly murdered (*kk*) by the s^d rebels.

(Mark)

Jurat &c 20 July 1642

Phil Bisse, Thomas Ellwell.

(*gg*) Knockalara.—*Ed. W. & S.E.I.A.J.*

(*hh*) Ballycullane.—*Ed. W. & S.E.I.A.J.*

(*jj*) Evidently for Kilmolash.—*Ed. W. & S.E.I.A.J.*

(*kk*) To *allege* murder against 'the rebels' was sufficient, as it appears here and in other depositions.

XXV

Martin Bosten, of Monorceda (*ll*), in the county of | f. 64
Waterford . . .

(Losses, 283^{li} 10^s)

. . . The deponent was robbed by William Ofin, Phillipe ô Morrish of Dungarvan, laborer, Mahon m^c Mahon . . . laborer, Muroughe m^c Mahowne, laborer, Sheamus mac Mahowne, & John Aregane, laborer, Further the deponent saith, that he's selfe, wyfe, and [seaven] children were stript by the above said Rebels, in a barbarous manner, and a kinswoman w^{ch} lived with them, Jane Bethner, who was enticed out of his howse by Shane Brassell, who having gone some little way from the deponent's howse, the said Shenane (*sic*) Brassell ffell upon the s^d Jane and most barbarously murthered (*mm*) her.

MARTIN BOSTEN

Jurat &c 28 June 1642

Phil Bisse, Hen Ruge

XXVI

John Bruer . . . | ff 66-7

(Losses, 427^{li} 12^s 10^d)

He sayth y^t he was robd by Capt. ffennell & his company consisting then of sixteene colours. He sayth y^t John Shepheards wife of Kilmalach (*nn*), heretofore a protestant & since this rebellion turned papist.

(Mark)

Jurat &c 22 Aug. 1642

Phil Bisse, Jam. Wallis

(*ll*) Probably Monarud—the *c* being written in mistake for *r*.—*Ed. W. & S.E.I.A.J.*

(*mm*) How does he know? That, as it seems, was of no consequence.

(*nn*) Kilmolash.—*Ed. W. & S.E.I.A.J.*

XXVII

Barnaby Gosse . . . parish of Lismore . . . | f. 68
(Losses, 133^h)

He saith also he was robd by the means of Capt. Edm. ffennell & Nicholas Poore of Kilballikelly (oo) in county of Waterford, Esq^{re}, & Edm. Roche of Torin (pp) in s^d county, gent, and John ffitzgerald of ffarnan (qq), gent, with divers others to the number of about a thousand men Rebels. He also saith y^t about the s^d time & place, by their means was kild Rob^t Downing (rr) of Ballysagard, gent, cornet to the Lord of Broghills troop & old John Bagwell of Ballive (ss) in the parish of Lismore, gent.

Jurat &c 16 Aug 1642

(Mark)

Phil Bisse, Jam Wallis

XXVIII

Tobias Bruer, late of Killesha (tt) in the county of | f 70
Waterford . . .

. . . He further sayth y^t he was Robd by the Rebels y^t took Dungarvan . . . And that one of the souldiers for the new supply out of England . . . and one Rose (*blank*) of Dungarvan an Irishwoman [for carrying water to the English in the Castle of Dungarvan], were both hanged by the Rebels y^t were then in Dungarvan about Shrovetide last, of whom Richard Butler of Kilkash was comander in chiefe.

He also saith that Peter Anthony of the Comeron (uu) in county Waterford was heretofore a reputed protestant, & now since this rebellion *turned papist & rebell.*

Jurat &c 12 Aug. 1642

(Mark)

Phil Bisse

Jam. Wallis

(oo) Kilballyquilty.—*Ed. W. & S.E.I.A.J.*

(pp) Toorin, on west bank of Blackwater, par. of Lismore.—*Ed. W. & S.E. I.A.J.*

(qq) Farnane, par. of Lickoran.—*Ed. W. & S.E.I.A.J.*

(rr) See Urban Vigors for the 'murther' of this Cornet Downing 'a bold man, of very forward spirit.'

(ss) Perhaps, for Ballyvecane.—*Ed. W. & S.E.I.A.J.*

(tt) Killishal, par. of Whitechurch.—*Ed. W. & S.E.I.A.J.*

(uu) Comeragh see deposition xv. *supra*.—*Ed. W. & S.E.I.A.J.*

XXIX

Judah Sherman, of Ballingarry (*vv*), parish of f. 71
Lismore . . .

(Losses, 35^{li} 10^s)

. . . about Shrovetide . . . Captaine James Walsh son & heire to Daniel Walsh of Rath-Ronan, in the county of Tipperary, Esq^{re}, James Tobin a captain among the rebels, son & heire to Thomas Tobin of Reylnegannagh (*ww*) in the s^d countie, Esq^{re}, & Pierce Butler of Banshagh in the s^d countie, gent, (son & heire to S^r Richard Butler, Kn^t), came to the lands of Ballingarrin afores^d, accompanied with three hundred armed men, & there with force & arms drove away his cattle . . . [among other cattle]. His cause of knowledge is that the s^d parties confessed the same to this deponent at Clonmell after driving of the s^d prey away.

(Mark)

Jurat &c 16 Aug. 1642

Phil Bisse

Jam Wallis

XXX

Jane Burrowes, of the town and parish of Aglis f. 76
. . . widow . . .

. . . She brought her goods [worth lxxi^{li}] to the custody of John Rushell of Aglis in y^e said county, gent, trusting to his loyalty, Whoe soon after went out in open rebellion, & ever since kept the goods.

(Mark)

Jur. &c 1 Nov. 1642

Phil Bisse, Ric Williamson

(*vv*) This is the modern townland of Glencairn. The castle of Ballygarrane stood on site of present Glencairn Abbey at which place the Blackwater is fordable for horsemen.—*Ed. W. & S.E.I.A.J.*

(*ww*) This is possibly for Kynagannagh, another name for Kilroe (or a sub-division thereof), par. of Tubrid.—*Ed. W. & S.E.I.A.J.*

XXXI

William Beale, late of Kinsalebegg in the county | f. 8o
of Waterford . . .

(Losses, 101^{li} 13^s 4^d)

. . . by James Walsh son to S^r Nicholas Walsh Knight, John fitz Gerrald of ffarnan in the said county, Esq^{re}, W^m. Oge of Grange in the s^d county, gent, Daniel ô Shehan of the same, gent, James Butler of Drumgallin (xx) in the said county, gent, Edmond M^c W^m of the same, gent, Robert Hackett and W^m Hackett of Kilgabriell in the s^d county, gent, James fitz Gerrald of Ballincorke (yy) in the said county, gent, James ô Shea of Crowbally in the said county, gent, Thomas ô Morrissoe of Cnockinegery (zz) in the said county, yeoman, Daniel Byther of Newtowne in the said county, gent, and divers others . . .

About the nynth of January 1641, S^r Nicholas Walsh of Bally keroge in the said county, knight, and his son James Walsh of the same, Esquire, John fitz Gerrald of ffarnan in the said county, gent, Brian Walsh, & divers others, at least [to the number] three or four hundred armed men in company with them, came to beseidge the Castle of Pilltown in the said county, & continued siedge to the same till the begining of Aprill following, dureing which time, & especially in & about the four and twentieth of January afores^d, one Edward Jacob of Listerane in the same county, shepheard, was murthered (a) by Thomas Toley of Bally keroge in the same county, yeoman, & after cleaving his head asunder, one Vlicke Bourke neere Newtowne in the said county, yeoman, stripped and left his corpse naked.

(Mark)

Jurat &c 17 Jan. 1642

Phil Bisse

Thomas Ellwell

(xx) Drumgallane, par. of Kinsalebeg.—*Ed. W. & S.E.I.A.J.*

(yy) Perhaps Ballynagorkagh, par. of Dunhill.—*Ed. W. & S.E.I.A.J.*

(zz) Knocknageragh, par. of Modeligo.—*Ed. W. & S.E.I.A.J.*

(a) 'The cause of his knowledge' does not appear. He swears to the particulars and that satisfied the examiners.

XXXII

Charity Bagwell of Lismore, deposeth & saith: | f. 82

That on or aboute Shrovetide last and since the begining of this present rebellion in Ireland, she was robbed and forceably dispoiled of her goods & chattels to the value of 46^{li}.

And further she deposeth, that John Bagwell, above Shrovetide last, was murdered by the rebels, but their names she knoweth not. (b)

(Mark)

Jurat &c 16 Aug. 1642

Phil Bisse

Jam. Wallis

XXXIII

Isacke Quarie of Capperquin . . . | f. 83

(Losses, 19^{li} 19^s)

. . . y^t Henry Michaell of Mullagh in the county of Tipperary, gent, and Henry Michaell his son, formerly reputed Protestants, & since this rebellion become Papists & rebels.

(Mark)

Jurat 12 Aug (no year)

Phil Bisse, Jam. Wallis

XXXIV

James Collins, Capperquin . . . | f. 84

(Losses, 38^{li} 15^s)

. . . saith, that his horse was taken by Captaine Edmond ffennell & his company.

(Jurat, 11 Aug. 1642)

(b) What does she know of the 'murther'? The man was, of course, killed in the assault of the town.

XXXV

John Orton of the parish of Clashmore & county | f. 87
of Waterford . . .

. . . he was stript of his wearing apparell, and, as by the report of neighbours, was robbed by John Butler & his brother, and one John McSline & Edward his brother, both of Ardsala in y^e barony of Decies, & one ffrancis Gough of the same.

JOHN ORTON

Jurat &c 14 June 1641
(Coram Badnedge, Bisse, Ellwell)

XXXVI

John Lake . . . (robbed by the means of | f 88
Capt. ffennell of Dungarvan, with divers others . . .)

JOHN LAKE

Jur &c 16 June 1642
(Bisse, Badnedge)

XXXVII

Edward Crockford of Capperquin . . . | ff 92-3
(Losses, 369^{li} 18^s 9^d)

. . . about the first of May last (c), he sawe most of the houses of Capperquin burnt by the means of Captain ffennell & Captain Sherlock, & their forces.

EDWARD CROCKFORD

Jur &c 77^{bris}
(Bisse, Wallis.)

XXXVIII

Christmas Spurgent, of the Cittie of Waterford, | f. 98
currier . . .
(Losses 49^{li})

. . . by Jeffrey Grant of Waterford, shoemaker, John Collins of the same, sadler, Teige son of the same, shoemaker, Michel Duffe of the same, shoemaker, Morris Power of the same, shoemaker, Tho. Power of the same, shoemaker, ('And deponent

(c) On Shrove Tuesday it was, according other deponents. Sherlock was killed in the action.

accounted the same good debts before the rebellion' *struck out*) . . .

He lastly saith, that about Candlemas 1641 the undernamed persons, formerly protestants, are since this rebellion turned papists, namely, Lawrence Ward of the same, yeoman, Thomas Rodgers of Woodstowne in the County of Waterford, yeoman, Francis Powell of Waterford, smith, Edward Abbott of the same, tobacco-pipemaker, John Hudson of the same, joyner. His cause of knowledge is that the said parties confessed to this deponent, before he came from thence, that they had turned papists.

(Mark)

Jurat &c 1 february 1642

Phil Bisse, Thomas Ellwell

XXXIX

Robert Bagg, parish of Whitechurch

| f. 103

(Losses, to the value 2570^{li})

. . . This deponent further saith, that there was murdered at the Lawnagh, (*d*) Morish Gambon and three souldiers, w^{ch} were murdered by Garrett fitz Gerrald & one Captaine Wailsh, as a servant maide w^{ch} this depon^t sent to the Castle of Dromanagh with a letter and she was mett withall by the way and sent to the High Sheriff of the County of Waterford, and there by his means hanged; the sheriff his name is Phillip mc Cragh of Carraghnasby, (*e*) gent; and two English maids of the Castell of Knock Mone which were taken by the Rebels and carried to Dungarvan and there hanged by Capt ffennell; the mayds' names were Judeth Plumer and Ann Plumer.

And this deponent further saith, that he had burnt by Phillip mc Cragh his tenants three houses on his farm of Knockalaragh.

And further deposes that Peter Anthony of the Comeragh in the said county, gent, formerly a reputed protestant and now turned papist.

ROBERT BAGG.

Jurat &c 7 July 1642

Phil Bisse

Thomas Ellwell

(*d*) Laragh, par. Whitechurch.—*Ed. W. & S.E.I.A.J.*

(*e*) Curraghnasledy, now Steady, par. Modeligo.—*Ed. W. & S.E.I.A.J.*

XL

Katherine ffowher, late of Dromanny, in the | f. 105
parish of Affane, widdow . . .

(Losses, 22^{li})

. . . And that Elizabeth the wife of Robert Bywater, of Dromany afores^d, about S^t Patrickstye last was murdered, but by whom she knoweth not (*f*) And that about Christmas last one Edward Butler of Cloin in the County of Tipperary, gent, Robert Cantwell, John Laffan, Richard Butler, and foure or five other gentlemen unknown to this deponent, came to Dromany afores^d, where they continued that night, and were entertained with meate, drink, and lodging.

(Mark)

Jurat &c 9 Dec. 1642

Phil Bisse, Ric Williamson

XLI

Robert Long, of Balycaster (*g*) in the parish of | f. 107
Lismore . . .

(Losses, to the value 51^{li} ster.)

. . . Sayth, old John Bagwell . . . was murdered by Capt ffennell and his company and divers others unknown to this depon^t.

ROBERT LONG

Jurat &c 14 Aug. 1642

(Bisse, Wallis)

XLII

Thomas Powell, late of the parish of Mothill, | f. 108
and county of Waterford, clearke . . .

(Losses, about 27 Dec. 1641, 40^{li} 10^s)

. . . by Pierce Butler, servant to Charles Everard of Newton-England, in the County of Tipperary, gent, and Darby Laghan, a servant to James Wall of Killimecky (*h*), Esq^{re}, and by the

(*f*) And what does she know of the 'murther'?

(*g*) Ballyrafter, presumably.—*Ed. W. & S.E.I.A.J.*

(*h*) Coolmuckly, now Coolnamuck, par. Dysert.—*Ed. W. & S.E.I.A.J.*

servants and tennants of Nicholas Poore of Kilballikilly (*j*), Esq^{re}, and by the servants and tennants of John Butler of this parish of Desert, gent, and by some of the tenants of Desert afores^d, belonging to the Earle of Ormond.

He also sayth, y^t this depon^t, his wife and fowre children were stript by the persons aforesaid. He also sayth y^t Peter Anthony of Kilbroseaty (*k*) in the County Waterford, gent, heretofore a reputed protestant is now turned papist ('and rebell . . . ' *scored out*): soe are his two sons Paul and Arthur, John Hodges [inkeeper] and his wife, of Carrick in the County of Tipperary, John Looime of Desert, husb., and his wife (formerly protestants) now turned papists.

THO: POWELL

Jurat &c 20 Aug. 1642

Phil Bisse

Jam. Wallis

XLIII

James Tomson, Cappoquin, chapman . . . | f. 110

(Losses, about the first of May, 63th 16^s)

Saith that about the latter end of 7^{ber}, Robert Bayly of Cappo Quin, shoemaker, was cruelly murthered about a quarter of a mile from the same, by John Legg of Dromany, yeoman, *as it is generally supposed.* (*l*)

(Mark)

Jurat &c 9 December, 1642

Phil Bisse, Ric Williamson

XLIV

Margery Phillips, late of Kilgraney in the parish | f. 111
of Whitechurch, widdow . . . deposeth & saith:

That about the 12th of 7^{ber} last, this deponent observed and saw that Mabel fitz Gerrald, wife to Gerrald fitz Gerrald of

(*j*) Killballyquilty, par. Rathgormack.—*Ed. W. & S.E.I.A.J.*

(*k*) Kilrosanty, of course.—*Ed. W. & S.E.I.A.J.*

(*l*) What is generally supposed? The fact of the 'murther' is assumed.

Dromany in the said county, Esq^{re}, sent the said Gerrald's son and heire John fitz Gerrald, with a guard of musketeers, to be bred and nursed among the rebels; and within three or foure days after she delivered up the Castle of Dromany afores^d to the rebels.

(Mark)

Jurat &c 9 December, 1642

Phil Bisse

Ric Williamson

XLV

John Roebick, late of Kilbue (*m*) . . . | f. 112(Losses, 42^{li} 19^s)

. . . The deponent saith that his cattle was taken away by means of Dermod m^c Cragh . . . son to Phillip m^c Cragh, Esquire, and Richard Butler of Kilcash in the Connty of Tipperary, Esquire, and his company. His cause of knowledge is, that he sent his wife to the campe where the said Richard Butler, and the said Dermod m^c Cragh then kept at Affane in the said County, to desire restitution of the said cattle, Who denyed to restore them to this deponent.

(Mark)

Jurat &c 15 August, 1642

Phil Bisse, Jam Wallis

XLVI

George Monnocky, late of Dunganvan, smith . . . | f. 113

(Losses, 137^{li})

And this deponent saith y^t John Hore fitzMathewe of Dunganvan, Esq^{re}, Thomas Morley of the same, merchant, George Collins of the same, merchant, Thomas Collins of the same, merchant, John ffitz Gerrald of ffarnane, gent, Bartholomew Hore ffitz James of the same, yeoman, Thomas m^c Morris fitz Gerrald of

(*m*) Kilbree, par. of Lismore, is probably meant.—*Ed. W. & S.E.I.A.J.*

Ballyharaghaa in the said county, gent, Edward Hore of the same, merchant, James Gough of the same, merchant, Edward Gough of the same, merchant, Richard Gough fitzPatrick, of the same, John Hore fitz Thomas of the same, merchant, Thomas Gough of the same, yeoman, John Ncylc of the same, merchant, Michaell Hore fitz John of the same, merchant, Nicholas Negle of the same, merchant, Robert Nagle of the same, merchant, robbed and pillaged [him, And they alsoe] came in a hostile manner to assault the Castle of Dungarvan, where this deponent then was.

Hee further saith that Rob^t Smith and an English [souldier was] hanged by directions (as this deponent beleeveth) from Richard Butler of Kilcash, Esq^{re}, Capt Edmond ffennell, and divers others of their chief comānders . . .

Jurat caram nobis, 13 Aug. 1642

(No names) (*n*)

XLVII

Sr Percy Smyth, Kn^t, of Ballenatra in the County | f. 116
of Waterford

(Proves to losses, including debts, amounting to 8500^{li}—Jur. &c
4 July 1642, before Badinage and Bisse)

XLVIII

Giles Bennett of the parish of Lismore . . . | f. 119
(Losses, 65^{li} 8^s 6^d)

. . . He saith that John Condon and Richard Condon of Bally m^c Patrick in the County of Cork, gentleman, and others whose names he knoweth not, robbed this deponent.

(Mark)

Jurat &c 27 June 1642

(Badnedge, Bisse)

(*n*) The document was drawn up to be afterwards sworn. As evidence of fact I consider it none the worse of the technical defect.

XLIX

Robert Holloway, late of Ardmore, parish | f. 123
 clarke

(Losses, 13ⁱⁱ 5^s)

. . . . He also sayth that John ô Hayl, plowman to Garrett ffitz Gerald, Esq^{re}, formerly a reputed protestant, and now, since this rebellion, turned papist, as he is credibly informed, and turned rebell also, as the s^d depon^t was an eye-witness, who saw the s^d John in arms among the rebels—when the Castle of Ardmore was taken.

ROB^t HOLLOWAY.

Jurat &c 23 June 1642
 (Badnedge, Bisse, Ellwell)

L

Owen Floida, late of Knockane, in the County | f. 124
 of Waterford, husbandman

(Losses, 64^{li})

This deponent saith he was robbed of his household stuffe and corne by John Welch of Knockane (*o*), husb., Richard Power of the Darrige (*p*), in y^e County of Waterford, gent, and Will Burdane of Knockane, and others whose names he knows not.

The deponent further saith, that the said Rich. Power appoynted sixteene men to lye in waite for the said Owen fflويد to stripp him, who stripped him stark naked.

(Mark)

Jur. &c 5, 9^{bris} 1642
 Phil Bisse
 Richard ffrensley.

LI

John Crockford, of Killgraney, in the County of | f. 125
 Waterford

(Losses, 52^{Iⁱⁱ} 13^s 9^d)

. . . . And further he sayth, y^t there was murdered, of and in the parish of Whitechurch, Ralph Bennett jun, W^m Shoah,

(*o*) Knockane, close to Portlaw, par. of Clonegam.—*Ed. W. & S.E.I.A.J.*

(*p*) Darrige, par. Kilmeadan.—*Ed. W. & S.E.I.A.J.*

Robert Drew, James brother-in-law to Robert Wallis, Robert Damorell, and four others whose names he knoweth not.

And further the depon^t sayth, that he was robbed of his goods & chattells by the hands & means of Sr Nicholas Walsh of Ballykeroge, Knt, John Hore of Dungarvan, gent, Capt Edmond ffennell, now of Dungarvan, Richard Butler of Kilcash, a reputed Generall of the forces of Waterford and Tipperary, Edmund m^e James, & Robert Stephens, parish of Whitechurch, John fitz gerald of Balliellane

JOHN CROCKFORD.

Jur &c 18 June 1642

(Bisse, Badinedge, Ruge)

LII

John Lambert of the Grange, barony of Decies | f. 126

(Losses, 376^{li})

. . . He saith that John fitz Gerrald of ffarnan, gent, James Welsh, son to Sr Nicholas Welsh, Knt, and John Butler of Ringova (*q*), gent (a reputed Captaine of the rebels), were the parties that robbed this depon^t, as he is [credibly] informed.

And further he deposes that John Stutely (*r*) of Ardmore (*sic*), in y^e s^d county, cleark, formerly curat of Armore, since this rebellion turned papist, together with his wife & family, John Adams his wife and family, likewise turned papists.

(Mark)

Jurat &c 23 Junii 1642

Tho: Badnedge

Hen: Ruge.

LIII

Barnard Pabe of Ballingambon, parish of Whitechurch, yeoman | f. 128

(Losses, 264^{li} 11^s 4^d)

. . . He was robbed by the hands & means of Robert Stephens & his followers, as, W^m Veale of Ballingambon, &

(*q*) Ringagoona.

(*r*) See also Nos. c, cxiv.

John Veale brother to the s^d W^m, husbandmen, & divers others
 . . .

He further sayth that Phillipp Veale of y^e parish of Whitechurch, taylor, John ô Lyne of the same, husb., Daniell . . ., husb., who also tould his wife, a protestant, that she must shift for herself, for if it were knowne that he was in her company he should be cut to pieces (s): All these were heretofore reputed protestants, and now, sithence this rebellion, turned papists.

(Mark)

Jurat &c 18 Junii 1642

(Badnedge, Bisse, Rugg)

LIV

Hercules Beere of Gleinmore, parish of Lismore, | f. 129
 carpenter . . .

(Losses, 439^{li} sterl.)

The deponent saith that Morris ô Downey of Glanmore, husbandman, James fitz Gerat of Coole-Ishell, gentleman, and others whose names he knoweth not, were the parties that then and there so robbed him.

(Mark)

Jur. &c 17 June 1642

(Bisse, Ellwell)

LV

Charles Hart, parish of Kilgobinet, barony of | f. 131
 Decies, husbandman . . .

(Losses, on New years day night, 9^{li} 5^s)

. . . by Turlough ô Brien his tenants. He saith that he himself his wife and children, were then and there stript by the tenants of Turlough ô Brien afores^d and John Hore fitz Mathew of Shandon, barony of Decies, Esq^{re}.

(Mark)

Jurat &c 15 Aug. 1642

Phil Bisse

Jam Wallis

(s) How can the deponent swear to this ?

LVI

Robert Clay of Coscam, parish of Dungarvan, | f. 132
 clothier, . . .

(Losses, value 35^{li} 7^s)

He further sayth, he was robbed by Garrett Newgent, of Coscam, gent, & his followers . . . And further sayth that S^r Nicho. Welsh of Ballycaroge & his followers stole & carryed away certaine Englishmen's cattle, & as they were driving them by an house nere wherein the deponent was ffaine to hyde himselfe for shelter, his wife and one child, being one James Mac Thomas his house, of Coscam . . . hearing y^e drove of cattle going by y^e afores^d James mac Thomas, now in actuall rebellion, & his company, ran out and took of the prey an English heiffer & presently killed it. He further sayth that one . . . Boston, with his wife & three children were stripped by y^e rebels; but knoweth not who they were y^t stripped them.

And lastly this deponent sayth, that Peter Anthony of Comro (t) his wife, & children formerly a professed protestant, but since this rebellion turned papists.

ROBERT CLAY

Jurat &c 22 June, 1642

(Badnedge, Bisse, Rugge, Ellwell)

LVII

Phillipp Chapple, of the town and parish of | f. 133
 Whitechurch, clarke . . . (u)

(Losses, 39^{li} 3^s)

(. . . besides the loss of his curattship of Whit Church under the Bishop's seale, worth to this depon^t coibus annis twelve pounds per annum—further sayth he was robbed of his goods, as he is credibly informed, *struck out*) by Margrett Tobin of the same parish, with her son Edmond and daughter More, and David Morrish his brother-in-law—his name the deponent knoweth not, and W^m Brenagh of the said parish his brother & Margaret

(t) Comeragh.

(u) A copy of the same deposition at folio 156. The statement is not one of the clearest. There is a further examination No. lxxxviii, of same date.

Garracoin, only so called in the s^d parish, widow, with divers of the forces of Waterford and Tipperary . . . He also sayth that he was stripped stark naked by the said rebels.

Jur 24 June 1642
Percye Smyth
Phil Bisse

PHILLIPP CHAPPELL

LVIII

William Ledsham, late of Kilcloger, parish of l. 134
Lismore (v), gent . . .

(Losses, 1344ⁱⁱ, including debts, due by W^m Freshwater, Harry Osborne, Charles Hart, Arthur Plumer, Thomas Sanders: *all struck out.* Then follow:)

John Piggot of Glanmore, Philipp m^cW^m, carpenter, Donnell ô Connery, Darby m^c David ô Mulcahan of KnockanPower in the same county, gent, Daniell ô Brien of . . . Garrett Nugent, John m^c Cragh . . . But in regard the said parties are out in actuall rebellion (except Darby ô Mulcahan, who is beyond the sea, as this deponent is informed) therefore this deponent cannot get satisfaction.

The depon^t sayth that as he is credibly informed, he was robbed [of his corne] by Nicholas Lombard of Ballymacarbry, gent, Donnell ô Connery of Ballyhanbegg, gent, John ffitz Gerrald of ffarnane's tenants, Donogh ô Brien of Mogelthy (w), David ô Mulcahan of Knock Poer, gent, Owen m^c Donnell of Currybeg, yeoman, Alexander Power, Esquire, Donnell Connery of Ballinabeg, and Nicholas Lombard . . .

Deponent saith, that aboute the third of July last one Samuell Maguan (a brittish protestant) was killed by Walter ô Harney of Ballykeroge, servant to S^r Nicholas Walsh, *as he is credibly informed.* (x)

W. LEDSHAM

Jur. &c II Aug. 1642
Phil Bisse, Jam. Wallis

(z) Kilcloher is not in the parish of Lismore but in Whitechurch.

(w) Moghelia.

(x) But as usual in such cases, the examiners showed no curiosity as to how the deponent obtained his 'credible' information.

LIX

Ursula Winyard of Capper Quin (y), wife to John | f. 136
Winyard, butcher, deposeth and saith:

That about the 16th 7^{ber} last, this depon^t together with Willm Hogden of Youghall, Walter Browne of the same, John Ellet of the Saule, and three other men whose names she knoweth not, & two children of the said Hogden's and Ellet's, were taken prisoners, coming from Capper Quin to Youghall afores^d by water, by means of Anthony Welsh a masse-priest, & Edward Butler of Clara in the County of Tipperary, captaine and comander then of the Castle of Dromany; and after they were taken they were sent with a guard to Dungarvan and Waterford, this depon^t continuing six weeks, Dureing which time she heard reported among them, that they had the Kinges broade seale [for what they did], & that they must be all in England about the first week of next Lent.

Jurat &c 9 Dec. 1642

(Mark)

Phil. Bisse

Ric. Williamson

LX

John Hathway, late of Beally (z), in the barony of | f. 137
Decies, yeoman, deposeth and saith:

That on or about Christmas last this deponent and divers English protestants, to the number of thirty persons betook themselves for their safeguard to Dromany Castle in the s^d County, At which time this deponent observed that Edward Butler of Clare in the County of Tipperary, gent, accompanied with nyne other gentlemen whose names he knoweth not [came to Dromany], & at night after supper there past a certaine communication between the s^d parties and Gerrald fitz Gerrard of Dromany, Esq^{re}, to this effect: The s^d Gerrald demanding them a question, being all papists, Whether they could say the ten comandments; they answered, Yea: How then comes it to passe [quoth he] that you

(y) Cappelquin.

(z) Bewley.

worshipp graven Images. They answered, that that Commandment was none of the Ten, but added by protestant ministers. They further urged the s^d fitz Gerrald to turne to Masse, & then he answered, he would never doe soe while he had life to breathe. (aa)

This deponent heard them tell the s^d fitz Gerrald in plaine terms, that what the Irish army did in banishing and stripping the English was by virtue of his Ma^{ties} Comission.

JO. HATHWAY

Jurat &c 9 Dec 1642

Phil. Bisse

Ric. Williamson

LXI

Nicholas Osborne, late of Cappagh, in the parish of [f. 138

Whitechurch, County of Waterford, Esquire . . .

(Losses, 4750^{li} 17^s 6^d, including debts—)

. . . due from the undernamed persons Irish and papists, viz Walter fitz Robert of Strehans in the County of Tipperary, gent, Richard ô Quirk, of Killoquirk, in the s^d county, gent, (a reputed captaine of the rebels), Pierce Butler of Bانشادا (*sic*) in the said county, Esquire, John Hore ffitz Mathewe of Dungarvan in the county of Waterford, gent, Nicholas White of the same,

(aa) "Dromana, in the parish of Affane is one of the most magnificent demesnes in Ireland . . . The Lords of Decies, the ancient proprietors of Dromana, derived their descent from James, the seventh Earl of Desmond. In 1561, a descendant of this nobleman was created Baron of Dromany and Viscount Desses, and dying without issue, his possessions, but not his titles, descended to his brother Sir James Fitz Gerald, who removed from Cappagh to Dromana, where he died in December, 1581."

"It was a son of this Lord of Decies who received Sir Walter Raleigh when he retired from active life to improve his estates in Ireland. It is said that Raleigh first introduced the potatoe, and a fine species of cherry which he brought from the Canary Islands . . . The cherry was domesticated in the neighbourhood of Dromana, where it has continued to flourish to the present time, and is still in high estimation . . . Dromana is now (1824) the property of John Villiers Stewart, a descendant of the original proprietor . . . To view Dromana to the greatest advantage, it should be approached by crossing the Blackwater which runs between it and Lismore . . . The mansion appears suspended over the river, the land shelving rapidly, in some places perpendicularly, to the water's edge."—*Ryland*, pp. 315, 316.

merchant, Robert Nagle of the same, merchant, John Oge Gerrald of Cappagh afores^d, yeoman, John Tobin of Calligan (*bb*) in County of Waterford, and divers others [all out in actual rebellion] . . .

[He was soe robbed and dispoiled] by the hands & means of the Lord of Dunboyne, Pierce Butler of Bانشادا (a reputed captaine among the rebells), Richard Quirke of Killoquirke, gent, Colonell Thomas Butler . . .

Deponent likewise saith, that Pierce Butler of Bانشادا, and Phillip Marragh of Curraghnesheidy (*cc*) in the county of Waterford (a chiefe man of their comitte, as they term themselves), about the end of february last, conferring with this deponent upon a parley at Knockane, they tould this deponent that whatsoever was don by the Irish, they had had a sufficient warrant for, from his Ma^{tie}, & that it would soe appear at the end; and that a certaine comission was extant with them to that purpose.

About Christmas last the widowe Barloe, late a minister's wife [liveing in y^e parish of Whitechurch], Richard Richards and Amis his wife, with 4 other protestants of this deponents tenants were robbed and stripped naked by Robert Welsh (a captain among y^e rebells) and others in his company [to the number of six score, but their names he knoweth not], and came soe nakedly stript to this deponents house at Cappagh aforesaid.

This deponent further saith, That the enemy, about the 13th or 14th of March last hanged at Dungarvan one Rose Smith (a protestant) for conveying, as they alleadged, a little water to the warders of the Castle of Dungarvan. They have likewise [hanged and killed] three poore Englishwomen [two of which were called by the name of Plumer] belonging to the Castle of Knockmone, and murdered Owen Jones and two other soldiers of tre s^d garrison of Knockmone.

NICH. OSBURNE.

Jurat &c 22 July 1642

Percye Smyth

Phil Bisse

(*bb*) Colligan.

(*cc*) Magrath of Curragh na Sledy.

X See Remison Succession list P. 170

LXIa.

(The following from the Louth and Monaghan Depositions, one volume, F. 3. 5, connects with Waterford. The deponent was evidently a member of the Osborne family in that county.)

Robert Osborne, Cleark, Rector of | Louth &c folio 17
Clonkeene, in the countie of Lowth, sworne and
examined, deposeth and saith:

That since the begining of the p^{re}sent Rebellion and by meanes [thereof], he this Depon^t hath been and still is expelled deprived robbed or otherwise dispoyled of the possession rentes and proffits of his Rectorie and other meanes, farmes, which when the Rebellion began were worth 280^{li} per ann^m, and that he is like to be deprived of and loose the future proffits thereof vnttil a peace be settled, and of cattle and horses worth 44^{li}, of household goodes, plate, ready money, corne and hay worth XXV^{li}, Debtes due by [or by the meanes of] such as are in absolute Rebellion, amounting to CCCIX^{li} sterlinge, Viz^t, by Francis Wise of Newtowne in the Countie of Waterford, Esq^{re}, 40^{li}, by William More of Barmeath in the Countie of Lowth, and Owen m^c Brian m^c Maghan of (*blank*) in the Countie of Monaghan, CCXXV^{li}, And by John Taaffe of Braganstown in the Countie of Lowth, Esq^{re}, iij^{li} viij^s, & Patrick Taaffe of Storminstowne in the Countie of Lowth, gent, & Lawrence his sonne, 40^{li}: All w^{ch} persons are [or lately were] actuall and knowne Rebels, and carryed armes against his Ma^{ty} and his loyall subjects.

And further saith that the p^{re}sents Rebels that soe deprived and dispoyled him this depon^t of his goodes and meanes or of some part thereof, are theis that follow, viz^t Robert Taaffe of Cowkestowne in the Countie of Lowth, Esq^{re}, Lawrence Taaffe, his brother James Taaffe of Atherdee in the same Countie, their kinsmen and about 60 more their complices souldiers or partakers, whose names he cannot expresse, And by John ff^r garrald of ffarahan (*dd*) in the Countie of Waterford, gent, and James (*ee*) ffennell a Captⁿ of Rebels in the same Countie, gent, as this depon^t is credibly informed.

(*dd*) Farnane.

(*ee*) *Sic*, perhaps in error for Edmond.

And further saith, that about 6 or 7 weekes before the Rebellion, There were 100 souldiers of irish, or thereabouts, that came to Atherdee in the County of Lowth, but what the Captaines name is that brought them thither he cannot tell, But it was reported they were to goe for Spaine. But afterwards one Mathew Penthony, of the same towne, told this depon^t that he thought they were for some other purpose. And that one Garrett Cooley, then portriff or governor of that towne, billeted these souldiers in that towne in divers howses in such sort as is vsuall for the kinges souldiers, and carried some of the officers to his owne howse and gave them entertainment.

And this depon^t being in company wth the said Garrett Cooley and one of his son-in-lawes, not long before the said souldiers came to Atherdee, They all discoursed about some moneys they owed this depon^t for tythes. And the said Garrett Cooley, after some expressions of greef made that any moneys shold be paid for tythes, expressed himself in an Irish Ryme to this purpose, That severall persons shold come, and amongst them Owen Roe ô Neile, Who would thrust out the black divells, and then tythes shold be their owne. And the said son-in-lawe to the said Garrett desired this deponent to give tyme for payment of the money w^{ch} he owed to this depon^t vntill Xy^{mas}. But the said Garrett then turned back and laughed vpon his son-in-lawe [saying], That if he could gett tyme vntill Alhollantye, it was sufficient, *or to that effect*, W^{ch} Alhollantye was about the begining of the Rebellion, and this depon^t is verily p^rswaded the said Garrett, when he spoke those wordes had notice when the Rebellion would begin (*ff*).

ROBERT OSBURNE.

Jur. 13 December, 1642.

Joh. Watson

Will Aldrich

Edw. Pigott.

(*ff*) The Parsons-Borlase Government strained matters to implicate the Lords and Gentry of the Pale in 'the plot of the rising.' When Osborne's examination was taken, Gerald Cooley, portreeve or governor of Atherdee (Ardee), was prisoner in Dublin, having been apprehended and sent on, in April 1642, by Sir Henry Tichborne. (Louth depositions, folio 26).

LXII

Zabulon Orton, of Clashmore in the barony of | f. 141

Decies, yeoman, . . .

(Losses, 69th)

. . . The deponent saith that Richard Butler of Waterford, gent, & one Captaine Edmond ffennell, were the parties that robbed this deponent, as he was credibly informed. (gg)

ZABULON ORTON

Jurat &c 14 Junii 1642

(Badnedge, Bisse).

LXIII

George Poole, late of Owenboy (*hh*), yeoman. | f. 143

(Losses, 28th)

. . . He was robbed, as he is informed, by Richard and John Condon of Ballydurgen, in the County of Cork, gentlemen, [& their company]

GEORG POOLE

Jurat &c 16 Aug. 1642

(Bisse, Wallis)

LXIV

George Farmer, late of Drummanaboeye, barony | f. 144
of Decies, mason . . .

(Losses, 22th 6^s)

. . . Further saith that Will^m Russell of Dromanagh, husb., took away one of the deponent's piggs, and Thomas m^c Knogher of Dromanagh, broage-maker, tooke away another of the deponent's piggs. And he saith y^t John ô Conelo of Curryrock (*jj*), boatman, took away the deponent's barley, being accompanied with Will^m ô Curly of the parish of Aglish, weaver.

(Mark)

Jurat &c 16 Aug. 1642

(Bisse, Wallis)

(gg) See No. xi., in which Zabulon Orton is accused of robbing with 'the rebels.'

(hh) Probably Ahaunboy, parish Lismore.

(jj) Curraghroche.

LXV

Robert Sanders, late of Athmeane, merchant, . . . | f. 149
(Losses, 75^{li})

. . . The deponent further saith, that about the 15th of March last, when the Castle of Dungarvan was taken by Colonell Butler and his forces, Capt Edmond ffennell then in company with him, tould this deponent then and there, that they (meaning the rebels) were the Kings true subjects, and this deponent and the rest of the English protestants were traytors; or words to that effect.

ROBERT SANDERS.

Jurat &c 15 Augusti 1642

Phil Bisse

Jam. Wallis

LXVI

Jenkin Morgan, of Ballina (*kk*), in the parish of | f. 151
Lismore, husbandman . . .
(Losses, 72^{li})

. . . by Thomas ô Meahar of Gortocullen in County Tipperary, yeom., and Willm m^c Kennedy of Dughill, of the same county, gent, David Oge Kennedy of Grayg, of the same county, gent, and Thomas m^c Garrett Prendergast, of Klonokully (*ll*) of same county, gent, Morrice ô Quinlan, of the Grayg, husb., John ô Hanhin of the same, laborer, James Currin of Clohine, merchant, all of the County of Tipperary.

He also sayth y^t about the begining of July last, he saw three houses of Ballyeasker in parish of Lismore all burnt by the rebels of the Lord of Cahir's company. (*mm*)

(Mark)

Jurat &c 17 Aug. 1642

Phil. Bisse

Jam. Wallis

(*kk*) Ballynoe.

(*ll*) Clocully.

(*mm*) The following note is appended to this examination: 'John Leaghie swore y^t the deposition of the names of the rebels, and burnings, were true.'

LXVII

Morgan ô Morroghoe of Ballyurneagh . . . | f. 155

(Losses, 16^{li} 2^s)

. . . by the means of Rory m^c Manus his son [called Manus] & Robin Roberts an Englishman [late of the same parish] since this rebellion turned papist, and divers others whose names he knoweth not.

(Mark)

Jurat &c 25 June 1642

(Bisse, Ellwell.)

LXVIII

Reginald Daniel, late of Ballysaggard, in the | f. 160
parish of Lismore, yeoman . . .

(Losses, 55^{li} 12^s, chiefly debts)

. . . Hee saith that one Captain Butler of Cloghline in the County of Tipperary, gent, Edmond ffennell a captain among the rebels, and their companies, took away this deponent's cattle.

And as he heard, Robert Downing gent (a brittish protestant) was killed in about the latter end of february last.

REGINALD DANIELL

Jurat &c 11 August 1642

Phil Bisse, Jam. Wallis.

LXIX

Katherine Croker, late of Ballyancor, parish of | f. 161
Lismore, widdow . . .

(Losses, about Shrovetide, &c, 42^{li} 2^s)

. . . Shee further saith, that Edmond Roch of Killahaly, County of Waterford, gent, was in company with Edmond Roe Power fitz John [living] neere Cashell [whoe] took away this deponent's gowne and a parcell of lace, as he confessed afterwards

to this deponent. Collonell Butler son to S^r Richard Butler, Knight, turned this deponent [likewise] out of her house of Ballyancor afores^d; the rest of her goods was taken away by the rebels then in company with the said parties [whose names she knoweth not].

And further she deposeth that about the same time at Ballyancor afores^d, John Peek th' elder and John Peek the younger [who was half-hanged and then cut downe, and from the head was downward cut in two picces] (*nm*) his son, both living neere the said Ballyancor, Thomas Butler of the same [his shepheard], English protestants, were hanged by the said rebels.

And likewise saith, that Edward Croker of Ballyancor [husband to this deponent], gent, was bound to a certain place in a ditch, and then shott to death, and the parties that shott him (as she is credibly informed) Welsh (*oo*) Ballykeroge, in the said county, yeoman . . . [was the man y^t formerly killed John Travers serieant to the Lord of Dunmanway's troope, and Rob^t Downing . . .]. She likewise saith that the said parties stripped the said Edward stark-naked after he was killed [whose names she knoweth not], and that W^m Power of . . . gent, Phillipp m^c Cragh, Curraghnesheddy, Esq^{re}, Mathew Hore fitz John of Shandon, gent, John ffitz Tibbot of Clonea, gent, James Cromin of Ballykeroge, gent, Dominick Gough of Dungan, gent, Patrick Gough of Kilmanahan, in the county of Tipperary, Esquire, Turlough ô Brien . . . and divers others were then in company with the said rebels, in a hostill & warlike manner when the deponent was stripped and robbed.

(Mark)

Jurat &c 14 Aug 1942

Phil Bisse

Jam. Wallis

(*nm*) How could she swear to the allegation so interlined on the deposition? The commissioners are of course responsible for the order in which the events are recorded. First the deponent bemoans the loss of her gown and lace; next the mutilation of two neighbours; and lastly, the shooting to death of her own husband. See also folio 336.

(*oo*) The matter is here confused by interlineation.

LXX

Isaak Abraham, late of Killyshy (*pp*), parish of f. 163
Whitechurch . . .

(Losses, value 54^{li} 10^s)

He saith that Margaret Nance, Widdowe Browne, & the wife of Rob^t Sanders, (*qq*) and Jane (a servant of the s^d Widdowe Browne) were murdered by the rebels at Capper Quin, about the first of May last.

(Mark)

Jurat &c 10 August 1642

(Bisse, Wallis)

LXXI

Marlin Graham, late of the towne and parish f. 165
of Modelligoe [spinster] . . .

[Losses, 28^{li} 10^s]

Shee further saith, that shee was robbed of part of the premisses by the means of Baron Loghmoe, alias Theobald Purcell of Loghmoe, in the county of Tipperary, Esq^{re}. Shee further saith that she [and her father] and her mother Elizabeth Hethrington, with all her mother's maid and men servants, were stripped by the said Baron Loghmoe and his followers.

(Mark)

Jurat &c 24 June, 1642

Percye Smyth

Phil Bisse

LXXII

George Horson (*rr*), late of Balligambon, parish f. 167
of Whitechurch, yeoman . . .

(Losses, value 60^{li} 1^s)

He sayth he was credibly informed, y^t the Lord of Dunboyne & his company tooke away five of the deponent's cows, and

(*pp*) Killishal.

(*qq*) Robert Sanders was examined on 15 August, 1642, and is silent about the 'murder' of his wife. See No. lxxv.

(*rr*) Perhaps a form of 'Orton,' a name common in that locality at the time.

Philip m^c Danagher m^c Cragh his daughter-in-law, Pierce Butler of Knockanammy, in County Tipperary, Esquire, his daughter and the said m^c Cragh's tenants they had the rest of the cattle. He sayth that his corne in stack was taken away by Robert Stevenson of Ballygambon, gent. He sayth y^t about neer Midsummer last, on Allis Bywater, wife to Robert Bywater of Dromane Castle was murdered with skeans by Capt ffennell's foote, *as is credibly reported* (ss). Hee also sayth y^t the deponent was stript by the Lord of Dunboyne's men whose names he knoweth not.

(Mark)

Jurat &c 12 Aug. 1642

Phil Bisse, Jam. Wallis.

LXXIII

John Dartnell, of Ballihane, barony of Decies, | f. 168
carpenter . . .

(Losses, value 217^{li} 10^s, ster)

. . . by the hands of W^m ô Murrye of Affane, husb., and by the rebels whose names he knoweth not. Likewise sayth, that there was Murthered at Capoquin, the wife of Hugh Shuger and his daughter, one Mrs Browne, and her mayde, the wife of Robert Sanders, the wife of Henry Nance and her child, the wife of William Hill, and one Richard Agle,—all w^{ch} were Murthered by the hands and means of Captaine Edmond ffennell, Captaine Sharloge and their followers (tt) . . .

(Mark)

Jurat &c 30 June 1642

(Badnedge, Bisse)

LXXIV

William Sowton, of the town of Cappelquin, | f. 170
glover . . .

(Losses, value 11^{li} 6^s 8^d)

. . . And saith, that the last of Aprill last past, when the

(ss) Reported where? by whom? among whom?

(tt) A fair specimen of 'massacre' testimony! What would become of it under cross-examination?

Rebells attempted to take the towne of Cappoquin afores^d, Captaine John Sherlock of Molto, and Capt Edmund ffennell of Clonmell, gent, and their souldiers, wer the men that robbed him of his goods, and then burned his howse, and murthered Richard Sowton his father.

(Mark)

Jurat &c 16 Augusti 1642

Phil Bisse

Jam. Wallis

 LXXV

Henry Howell, late of Dungarvan,
 husbandman,

[f. 171

(Losses, value 93^{li})

. . . by Edward Hore of Dungarvan, masse-priest, Anstace White of the same widdowe. And saith he was present when the Castle of Dungarvan was surprised and taken by the rebels, vizt, John Butler, living neere the same, John Hore of Shandon in the said county, Esquire, John Clancy of the same, gent, John Hore ffitz Michaell of the same, gent, Matthew Hore of the same, gent, [Tho. Morrin of the same, merchant], and divers others whose names he knoweth not.

The said Castle was taken after this manner: John Hore of Shandon afores^d, pretending (a matter of a fortnight before the Castle was taken), that the rooffe of his house wanted reparation and slateing, borrowed a ladder (*sic*) out of the said Castle, and the same morning it was taken the s^d Hore sent word to the s^d castle to fetch home the s^d ladder, For, saith he, the enemy is neere at hand, and it is to (be) feared they will scale [with it] the walls, except it were brought in by times, And withall sent six men with the ladder to the Castle gate; & presently noe sooner were the gates opened to receive in the ladder but the parties that carried same stood in the middest of the s^d gate with the one half of the ladder within doores & th' other half without, Whereby the

rebells instantly rushed in a greate number and tooke the said Castle, where they stripped a matter of fortie persons young and ould, English & Protestants. (*uu*)

(Mark)

Jurat &c 2 die Julii 1642

Phil Bisse

Thomas Ellwell

LXXVI

William Masters, on behalf of Henry Masters, [f. 172
Hugh Masters, & Ursula Masters, three orphans,
the children of Hugh Masters—of Currakeale, taylor,
deposeth and saith :

That upon the first of January 1641, or thereabouts, the said Hugh Masters in his life time lost, was robbed, and forceably despoiled of his goods and chattles to the value of 20^{li} . . .

The deponent saith that the said Hugh Masters left his cattle & household stuffe in the custody of Pierce Edward of Cloghine, whoe is now in open and actuall rebellion. And likewise the said orphans' sheepe were taken away by James White neere Everard's Castle, gent.

(Mark)

Jurat &c 17 Martii 1642

Phil Bisse

Ric Williamson :

LXXVII

Walter Power, late of Ballymalloe, parish of [f. 174
Whitechurch, gent, . . .

(Losses, 200^{li})

The deponent saith, that John fitz Gerald of ffarman, gent, Captain Edmond ffennell & Henry Dowdall of Clashmore, gentlemen, were the parties that took away this deponents cattle & goods.

(*uu*) For another account of the re-capture of Dungarvan Castle by the Irish, see deposition of Walter Bartram of Dungarvan (No. cxii.)

And further saith, that one Richard Halloway of Knockmone with six others English and protestants, & divers women and children were murdered (*vv*) neere Knockmone, by the said Captaine Edmond ffennell and his company.

(Mark)

Jurat &c 17 Aug. 1642

Phil Bisse

Jam. Wallis

LXXVIII

James Burne of Dungarvan, yeoman . . . | f. 176
(Losses, 59^{li} 7^s 10^d)

The deponent saith that he heard Walter Roch, of Wexford say, That he hoped [to see] the English goe to Masse or made to run into the sea. He further saith, that he was robbed by Captaine Edmond ffennell, Sr Nicholas Welsh his eldest son, W^m Murphy of Dungarvan, husb., Captaine Welsh of Slievebrayagh, county of Kilkenny.

Jurat &c 12 Aug, 1642

JAMES BURNE

Phil. Bisse

Jam. Wallis

LXXIX

Richard Prudderagh, late of Whitechurch, | f. 177
Cordyner, . . .
(Losses, 117^{li} 10^s)

The deponent saith that Teige Laghten of Ballylemon, husb., robbed this deponent of his garden fruits, & that David Prudderagh his father, and Mary Prudderragh his mother, were murdered at Golden bridge in the County of Tipperary, *as he is informed*.

RICHARD PRODDER . . .

Jurat &c 16 Aug. 1642

Phil. Bisse

Jam. Wallis

(*vv*) Another sample of 'massacre' testimony! How little 'agonized curiosity' had the commissioners as to the source of the information so recorded. The deponent swears to the allegation, and that was sufficient.

LXXX

James Curry, late of the towne & parish of Affane, husbandman . . . | f. 178
 (Losses, 39th)

He sayth that he was stript at Affane afores^d by Tibbot Butler of Knockanamony in the County of Tipperary, & his followers, And y^t Donell m^c David, late of Ballyhanebegg, parish of Whitechurch, gent, did say, in this deponent's hearing, when he was prisoner about Candlemas last, that the protestants were trayterous English doggs, and that they knew no god y^t they had.

Jurat &c 15 Aug. 1642 (Mark)
 Phil Bisse
 Jam Wallis

LXXXI

Richard Rely of Cappelquin, yeoman, . . . | f. 180
 (Losses, about 1 March & after, 21st)

The deponent further saith that about the time afores^d, he was taken prisoner by [y^e under named persons, viz^t] Richard Butler of Kilcash in the County of Tipperary, Esquire, Captaine Edmond ffennell, Pierce Butler of Bansagh in the County of Waterford (*sic*), gent, Patrick Gough of Kilmanihan, gent, Clement Gough of the same, gent, and divers others in company with them, to the number of a thousand armed men, or thereabouts, Whoe came to the Castle of Dromanny in y^e said county, purposeing to goe over the Blackwater, & notwithstanding that the enemy stood in a full body within distance to the said Castle, yett one Miles Magrath comander of the said Castle, & Mabell fitz Gerrald, wife to Gerrald fitz Gerrald of the same, Esquire, would not permitt any of the warders of the s^d Castle to make any shott at them ; besides, they suffered the s^d rebels to make use of a boate under the comand of the s^d Castle, thereby to carry their men over the s^d river to robb & pilladge the kinges subjects.

Jurat &c 8 Dec. 1642 RICHARD REELY (*ww*)
 Phil Bisse
 Ric. Williamson

(*ww*) Is this the Richard Ryly (or O'Rely) who later on is said to have been hanged by Fennell on Shrove Tuesday, 1641-2, that is, about ten months prior to the date of this deposition? See No. cxliii and other examinations relating to Mountain Castle near Cappelquin.

LXXXII

Daniell Spicer, of Lismore, clerk, deposeth and | f. 183
saith :

That since the begining & by means of the present rebellion in Ireland, he lost and was despoiled of his goods & chattells & debts, worth One-hundred fortie three powndes, Part thereof due by Richard Magner ('clarke' *scored out*) of Kilnattock, clerke . . . w^{ch} Magner was . . . hanged by the rebells of Mountgarret's army, & Garret Browne, & Anthony Preston & the rest, papists and rebells ; Donogh ôGrady of Kilbotowne, gent, and Loghlin ô Dwire of the same parish & county, clarke, *now turned papist & rebell*) Michael Blunt of Any, in the said County yeoman, Rob^t ffarnan, Edward Rawleigh, of the same, butcher, Philip Karney of the same yeoman, John Burgett of the same, Esquire, Andrew tragh (*sic*) of Stonehouse in the County of Waterford, gent, Besides the losse of the benefit of his Church-living worth one hundred pounds.

DANIEL SPICER

Jurat &c 17 August 1642

Phil Bisse, Jam. Wallis.

 LXXXIII

Hugh Croker, late of Kilbrice, County of | f. 184
Waterford, gent . . .

(Losses, 241^d)

Phillip Corkran, yeoman, servant to the deponent upon oath deposeth . . . (and names the parties concerned in the alleged robbery) Thomas Corkran, yeoman, deposeth that one Captaine Kenedy, Captaine Edmond fiennell, & Donogh ô Brien, gent, were all at Kilbrice afores^d, wasting and destroying the said Hugh Croker's corne & household goods.

HUGH CROKER

(The Corkrans both mark)

Jur. &c 12 Augusti 1642

Phil Bisse

Jam. Wallis

LXXXIV

Donogh Newman of Cappoquin . . . | f. 186

(Losses, 97^{li} 15^s)

And further saith that he lately bestowed in the buyldinge of the said house Twentie pownds w^{ch} he never raised out of the same for y^t the last April the same was burned by Capt John Sherlock, late of Motoe in foresaid County, and Capt. Edmond ffennell late of Clonmell, and their souldiers . . .

(Mark)

Jurat &c 15 Aug. 1642

Phil Bisse, Jam Wallis

LXXXV

John Smith, late of the Cittie of Waterford, | f. 187
hatter . . .

(Losses x^{li} x^s)

Thomas Hore, Patrick Glissin, hatmaker, John Stephens of Wexford, seaman, but in regard the said parties are partly in rebellion and partly disenabled by means of the rebellion, therefore the deponent cannot get satisfaction from them.

And that about Candlemas 1641, the undernamed parties, formerly protestants, are, since this rebellion, turned papists, namely, Laurence Ward of the same, yeoman, Thomas Rodgers of Woodstown in the County of Waterford, yeoman, ffrancis Powell of Waterford, with Edward Abbott of the same, tobacco pipe-maker, John Hudson of the same joyner, Mr. Williams organist of Christchurch in the said Cittie, Robert Claffe of the same, tanner, Ralph Mollineux of the same, smith. His cause of knowledge is, that he sawe some of the said parties goe into the Masse-house, & the rest did bouldly affirm their said revoult & openly confess their going to Masse.

JOHN SMYTH

Jurat &c 1 ffebr 1642

Phil Bisse, Thomas Ellwell

LXXXVI

John Potter, curate of Affane, County
Waterford . . .

| f. 204

(Losses, 4^{li} 10^s)

(‘ Of one cowe to the value of fortie shillings ’ *struck out*). Of household stuffe & his house burnt to the ground, *to the value of one pound ten shillings*. Of hay to the value of one pound. Besides the losse of the benefitt of his Church liveings, the curateship of Affane, worth, coibus annis, *the sum of three pounds ten shillings (xx)*, which he leaves to consideration.

JOHN POTTER

Jurat &c 13 Aug. 1642

Phil Bisse

Jam. Wallis

LXXXVII

(The following curious memorandum appears on | f. 209
this folio :)

By the relaçon of Nicholas Roberts of Ballycarty, fflorence m^cCarty exprest some favours to the English after y^e Castle was yeilded upp, who, when they were threatned & in danger of their lives, came & told them that he was but one man, & that he knew not what to doe for them, & to give them a convoy he thought it to be very dangerous, Whereupon he told them that they had best, as he conceived, to buy a peare of brogues a-peece & see how the brogues & the mountaynes wold agree, meaning, to escape thereby, & soe y^e very next night after, being snowy winter-weather they went over y^e mountane & escaped all safe to the Newmarket, being twenty miles distant.

Also by y^e relaçon of Mr. Daverax Spratt, clarke, it appeareth, y^t Peirce fferitur did much favour y^e English in many respects above all y^e Irish gent, in Kerry, in protecting many men’s lives & goods, & releeving many poore protestants out of his owne purse, And in giving many five shill. a-piece, some half-a-crown a-piece, & some less, Who was y^e man when y^e Castle of Tralee was taken who propounded to y^e rest of y^e Capt^{ns} there, that if they would give back

(xx) The curate of Affane was surely one of the poorest of poor curates.

to y^e protestants one-third part w^{ch} they had in y^e Castle, that he for his part wold give them all his owne share, W^{ch} notwithstanding they denying, he gave much of y^e protestants' goods back that fell to his share.

(Not signed ; but this noting on margin, 209^b: ' Good acts of some ill men y^t are Rebles—namely, fflorence m^cCarty & Peirs fferitur.')

LXXXVIII

Phillip Chappell, Whitechurch, clerk . . . | f. 211
deposeth & saith : (yy)

That on or about the 12th day of January last past, and sithence the beginning of the present rebellion, that the church of Whitechurch [of which he was Curat, was] Robd and forcibly dispoiled of its ornaments and vtensills to the value following : Of one silver cup, a church byble of the large volume, two new Comon praier-bookes, a book of Commons, one surplus (*sic*), one lynen tabell-cloth, one carpett, one pulpitt-cloth, a peece of new cloth apoynted to make a pulpit cushing : To the value of six pounds.

Jurat &c 24 June, 1642

PHILLIP CHAPPELL

Tho. Badnedge

Phil Bisse

Thomas Ellwell

LXXXIX

Judith Phillipps, of Waterford, for and in the | f. 219
behalf of John Williams ('now a souldier in his
Maties army, & this deponent's husband,' *struck out*)
deposeth and saith :

(Losses, about Shrovetide, 40^{li}) (zz)

This deponent sayth that at the afores^d time y^e Citizens of Waterford did appoint the Constables of every parish in y^e s^d City of Waterford, to fetch y^e English protestants (men, women, and children in y^e s^d City), & thereupon had some of them Comitted in y^e City Hall, & y^e rest in three severall other places within the s^d

(yy) See also No. lvii, of same date.

(zz) Mrs. Judith was a good story-teller, and it was of the purpose then to encourage rather than to test such high-strung recitals.

City, & soe kept them in the nature of prisoners for foure days together & seized upon all their goodes. And afterwards they comanded y^t all the women & children should be led away guarded with halberts & pikes through y^e s^d Citty, & to be turned out of the gates towards Passadge, W^{ch} was accordingly done, & one Capt. Stronge (governor of y^e Passadge, as they tearme him) comanded to put the women & children in some severall houses in y^e s^d Passadge.

The depon^t further sayth y^t the s^d Capt Stronge & his company, in a most cruell manner, kept this depon^t & y^e rest prisoners (being stript by y^e rebells) y^t came out of y^e county of Waterford to the number of three hundred & fifty men, women and children, English & Protestants, or threabouts, allowing them but a farthing's worth in bread every third day, Soe that through his cruell vsadge of them, there perished & dyed (most of them being starved to death) aboute y^e number of eight & forty persons, young & ould (*as shee verily beleeves*)—their names she cannot remember except two, the widdow Joice & the widdow Juan.

And this examin^t likewise sayth that the s^d Captaine Stronge & his company would not suffer y^e Corpes of y^e parties so dead to have any christian buriall, but threw their dead corpes upon the sands. She also sayeth that shee this depon^t, at Passadge afores^d, once persuaded to come out of y^e house where she was kept prisoner to buy some bread for her poore children (almost famished to death) from Irish in Passadge afores^d, having a piece of silver in her hand to buy the said bread, One of the s^d Captaine Stronge's men, meeting with this examin^t (his name she knoweth not) striving to get the said money out of her hand, with the butt end of his peece strooke this deponents child Joan Phillips of y^e age of three years, then in this examin^t's arms, & strooke out her brains, & afterwards fell to beating this deponent most miserably (she being in the latter end of her time), & gave her a matter of eleven wounds with his skein Whereupon she immediatly miscarryed of a man child.

This examin^t further sayeth, y^t John Lowther of y^e parish of Christchurch within the Citty of Waterford, shoemaker, formerly an English protestant but since this rebellion turned papist, himselfe and his wife ; & being in a conference with this examin^t aboute

the time aforesaid, this depon^t demanded the said Lowther whether he heard any newes out of England, or whether any forces were coming out of England, yea or noe, He answered & sayd (with a great oath), Doe you expect (quoth he) any ayde out of England & they being upp there one ag^t another, & the King having lost his Crowne, Whereupon this examin^t reprehended him & bad him not to say soe, He replyed & sayde, *he lost his Crowne by looseing Ireland (a)*, for, if you live, sayth he (averring the same with oathes & wounds *sic*) a hundred years, you shall see Ireland new-recovered agen by y^e English.

And lastly she deposeth y^t she was present when Leiut. Trevisor & fourteene men and nyne women (*b*) English & protestant in company with, him (whose names she knoweth not) were killed & *murthered* by the rebells at Dungulfe nere Tinterne in y^e County of Wexford ; but the rebells' names she knoweth not.

(Mark)

Jurat &c 27 Jany. 1642

Tho. Badnedge

Phil Bisse

XC

Sr Richard Osborne of Knockmonne . . . | f. 221
 (Losses, including debts, 3,386^{li}. Among those indebted to him—
 James Hore ffitzjohn of Dunganvan . . .)

Lastly this depon^t saith, that the howse of Cappagh in the said county (wherin the Lord of Ikerrin, & the Lord of Dunboyne, with their forces, lately encampt themselves) belonging to this depon^t, by means of this rebellion was burned and utterly ruinated together with . . . to his loss of five hundred pounds. . . . he was robbed of his goods by the hands and means of Captaine ffennell of

(a) In this, at any rate, Lowther was right. Had Charles I come, as he intended, to Ireland in the spring of 1642, the whole course of that war could have been changed.

(b) How did this woman escape? There was an engagement near Tintern. Did the deponent count the victims? We may at least suspect her *arithmetic* if not her veracity. The deposition was made in January 1642-3.

Clonmell . . . (c) He likewise saith that upon the tenth of March last, the rebels killed in the County of Waterford, upon the lands of Knockmone, the undernamed persons English and protestants, viz^t, Richard Holloway, yeoman, Thomas Bayley, yeoman, William Shea, Ralph Bennett, yeoman, Thomas fforane, Rob^t True th' elder, Rob^t True the younger, then of the garrison soulders of Knockmone Castle in the parish of Whitechurch, County of Waterford. He sayth that they were killed by John fitz Thomas of Wood house, in the s^d County, gent, (a reputed Captaine of the rebels), John fitz Tibbot of Clonea in the s^d countie, gent, John fitz Gerrald of ffarnane, in the said countie, gent, & divers others . . .

Jurat &c 22 July 1642

RICH : OSBORNE

Percye Smyth

Phil Bisse

XCI

Henry Cliffe of Lisnekilie, County of Waterford, | f. 229
gent, . . .

(Losses, 202ⁱⁱ)

. . . by the means of Thomas Wadding Esq^{re} and James Lincoll, gent, of the (*torn*) of Waterford in chiefe of the s^d farms of Clones and Broad . . . And further saith, that one Paul Cary of Waterford, vintner, spake the . . . words in the presence of this deponent & Mr. Kidly of Carrick in the county of Tipperary, clarke, that *the puritant parliament of England was the cause of all these troubles*, And furthermore that they had made a match between the Lady of England, the Kinges eldest daughter, and a traytour's son that had never a foote of land.

(Mark)

Jurat &c 18 June 1642

Tho. Badnedge

Phil Bisse

Thomas Ellwell.

(c) The portion of the deposition that follows is in a different hand. "The Castle of Knockmoan in the parish of Whitechurch is a most picturesque building . . . situated on a tall insulated rock, commanding an extensive prospect; it is perfectly secured by a deep morass which encloses it on every side . . . Sir Richard Osborne was besieged in this place, in the rebellion of 1641. It was afterwards taken by Cromwell's soldiers, and probably it was by them reduced to the ruinous state in which it now appears.—*Ryland* pp. 314, 315.

XCII

Roger Greene, late of Ballyhambles, husbandman, | f. 230
deposeth and saith :

That on or about the first of October last, this deponent together with the number of eleven men and women, viz^t., Alexander Crase, Garret Barry, Rich. West, W^m Watts, W^m ô Hea, Ann Merryville the wife of John Merryville, Ursula Gullyferr, & others, were sent by direction from serieant-major Apleyard, governor of the towne of Youghall, over the ferry of Youghall, into the County of Waterford, *to reape & bind some of the rebels' corne.* But the enemy, consisting of the number of forty horse & three score foote, or thereabouts, came and assaulted this deponent & the rest, & being apprehended by them, they carried them prisoners to Dungarvan a place of the enemy's randevvous, And being there comitted a long time (*d*), then & there they observed two barques come in to Dungarvan afores^d., one whereof came out of Spayne laden with armes and amunition, comanded by one Captain John Donnell a native of this kingdom, & th' other laden with salt, powder and armes newly come out of ffrance, but what quantity of armes & other amunition they brought into the said harbour this deponent know not.

Hee likewise deposeth that they then observed one Bourke (his christian name he knoweth not) to come thither out of the County Clare, Whoe bought from the said Captain Donnell three hundred musketts, sixteen barrels of powder, and five thous^d weight of match, & carried the same away, being guarded with a convoy of twelve musketteers sent with him by John Butler of Ballycloghey, in the county of Tipperary, then Captain & cheefe comander of the Castle of Dungarvan afores^d. (*e*)

Garrett Barry of Youghall, in the County of Cork, yeoman, this day came before us, and deposed that the premises were true in all particulars.

(*d*) And nothing worse, it appears, happened to those who admittedly went on a marauding expedition. Had 'the rebels' resorted to a severer course, they would have been within the rights of war. It w^d, I am sure, be futile to search for an instance of similar forbearance on the part of their accusers.

(*e*) How could he swear to such particulars? It is astonishing what opportunities of 'observing' were accorded to their prisoners by those wicked Irish rebels. What is the value of Garrett Barry's certificate? What was 'the cause of his knowledge'?

These deponents lastly doe severally say, That they sawe at Dungarvan, John Roch of Ballyfinsoge, in the County of Waterford, gent, bearing arms in the company of the said John Butler. And likewise they saw then & there James Butler, late of the Grange, in the s^d county, gent, then in company with the rebels. And further they depose that, then & there, they heard the rebels at Dungarvan cursing the puritants, & saying they were the cause of all these mischeefs, &c

Jur. &c 12 Decembris, 1642

(Both deponents
'mark')

Phil Bisse

Thomas Ellwell

XCIII

John Andrews, late of the parish of Lismore, | f. 234
gent, . . .
(Losses, 189th)

. . . Further saith that John Murphy of Carrick in the County of Tipperary told this deponent that he himself had killed seaven women at Cappoquine, this deponent being prisoner, and in company with all the rest.

He also saith that Edmond Unssin of the barony of Inchequin, in the County of Clare, was killed by Captaine ffennell, being accompanied with all the rest : All w^{ch} rebels told this deponent that they had the Kings broade seale of England to warrant them for what they did, And further said that all the English in Ireland were rebellious Rogues and were worthy to be hanged, And that they fought for the King, and moreover wished that, in the deponent's room, they had had the Lord President, the Earle of Corke, the Earle of Barrymore, the Lord of Dungarvan, the Lord of Kynallmeaky, the Lord of Broghill (*f*), and Sr John Browne, whoe they said were all traytours and rebels. And that they fought for the King (*sic, repeated*). And further saith that if the English wholly in generall did not leave the kingdom, they would kill them, or hang them all.

He also saith that they stripped this deponent, saying, that there was never a ('man' *cancelled*) [souldier] come over out of

(*f*) Lords Dungarvan, Kinalmeaky, and Broghill, three of the seven sons of Richard Boyle, first Earl of Cork.

England but such as the Earle of Cork had raised in England upon his owne landes ; but they would make him glad to carry them back againe as fast as they came over.

Jurat &c 29 die Septembris, 1642.

JOHN ANDREWES.

Jam. Wallis

Hen. Rugge.

XCIV

Christopher Choreton, late of Dungarvan, yeoman, | f. 237
deposeth & saith :

That on or about Christmas last, he was robbed of his goods & chattells, to the value of 84^{li} 15^s . . . :

The deponent saith he was robbed by the means and hands of Edward Hore of Dungarvan, gent, Tibbot fitz John, nere Dungarvan, gent, & Thomas Morley of the same, merchant.

He further saith that this deponent, William ffarmer, Henry Davy, Walter Bactra, John Allen, Thomas Gadsell, their wives & children, all English protestants, were stripped about ten o'clock at night by the rebels . . .

Jurat &c 25 June 1642

CHRISTOPHER CHORETON.

Phil Bisse, Thomas Ellwell.

XCV

Jeremy Wyse, late of Loghdolim, gent, . . . | f. 239
(Losses, 257^{li} 16^s 8^d)

. . . by the hands and means of one Grant living neere the Three-mile bridge, a reputed captaine of the rebels, & his forces The deponent saith that, Thomas Coote, ffrancis Powell [smith, who made halberds & pikes for the rebels], John Collins, sadler, [who makes saddles likewise for them], Lawrence Ward, inkeeper, Thomas Rogers, ffarmer, Mathew Johnson, carpenter [who makes cariadges for the ordnance of the rebels], John Hudson joiner, Richard Sherett, cooper, Ralph Mullineux, smith, Joseph the hatter, [all of Waterford, were] English protestants formerly, but since this rebellion turned papists.

Jurat &c 16 July, 1642

JEREMY WYSE

Phil Bisse

Thomas Ellwell.

XCVI

Richard Shepard, late of Ballycollane, parish | f. 243
of AGLISH . . .

(Losses, 42^{li} 10^s)

Hee further saith, that one Henerie Lyncoll of the parish of Clashmore, husbandman, together with his wife, were murdered by Owen ô Comery, of the parish of Clashmore, the said Henerie ô Nealle & his company. Hee also saith that he was stript, with his wyfe and ffive children by Captⁿ Edmond ffennell.

Jur. &c 17 Junii 1642

(Mark.)

Tho. Badnedge, Phil Bisse

XCVII

Roger Boyle of Kilnaparke, in the County of | f. 246
Waterford . . .

(Losses, 270^{li}) (g)

The parties so robbed were the following [by the deposition of Ann Boyle, wyfe to the said Roger] :

Margrett Smith, Judith Richmond, Michaell Smith, Mr Dian, his wife and three elder children, Joan Llewelin, John Sterne, his wife, son & servant, John Smith & his wife, Goody Smith & her children, Mrs Rookes & her two children, Ge. . . Morgan her daughter & her children, & divers others whose names she cannot remember, to the number of [between] 3 or 400 persons, *as she conceives*. She also saith that there was nine children & one old woman buried on the . . . day which she [verily conceives] was occasioned by the vnhuman vsage of those Irish rebels there vpon them. (h)

She further (*torn*) that there is Thomas Atkins & his wife living on Passage Hill neere Waterford, a weaver, Ralph Mullineux & his wife, at Killure, smith, Lawrence Wade at the Kinges Head [in Waterford, inkeeper], Thomas Rogers & his wife of Woodestowne, ffrancis Powell of the City of Waterford, [smith] & his

(g) Roger details his losses, leaving the rest to Anne his wife, who was clearly the better story-teller.

(h) How can she swear to all this? Did she see all the burials?

wife, Thomas Dobson & his wife [husbandman], Joseph Ellis & his wife of Waterford, hatter, old Nicholas the miller, without S^t Patrick's gate in Waterford & his wife, Evan Welsh of Killauline, ffisherman, his wife & daughters, Mathew Johnson of Ballyhow, carpenter, Mr Williams of the Cathedrall church of Waterford organist, one other Mr Williams who professes himself to be a drainer of Bogge & engineer, All w^{ch} were known protestants, & now gone to Masse with the Irish.

Jur. &c 17 June 1642

Tho. Badnedge

(No other signature)

ROGER BOYLE

ANN BOYLE

XCVIII

francis Baker, of Tallagh-bridge, barony of | f. 247
Coshmore & Cosbride, in the County of Waterford.

(Losses, 20th)

The deponent was robbed by Corinell Richard Buttler, and his company. Hee further saith, that John ffoster, inkeeper, & Walter Strode, both of Tallagh-bridge, & John Orton, husbandman, of Whythall, were all kild by the afores^d Corinell Buttler & his company. ffurther he saith that James Picke and John Picke his son, both of Knocknamuck in the parish afores^d were hanged *and slaine* in a most barbarous manner by the afores^d Buttler, Captⁿ ffennell and their company.

Jurat &c 18 June 1642

Tho. Badnedge

Phil Bisse

Hen. Ruge

FFRANCIS BAKER

XCIX

John ffleming . . . | f. 248

(Losses, 23th 16^s) . . . by

. . . by means of Thomas Butler of Rinegony, (j) gent, & divers others . . . And the said Butler at that time tould

(j) Ring.—Ed. W. & S.E.I.A.J.

this deponent & others, that they had authority to turn them out of this country into England. And that Peeter Harrison, an English protestant, was killed at Armore (*k*) Castle by the rebels whose names he knoweth not.

Jurat &c 13 Junii 1642

(Mark)

Phil Bisse

Thomas Ellwell.

C

Amos Godsell, late of Grange, in the County of f. 253

Waterford, husb. . . .

(Losses, 42^{li} 2^s)

And that his said goods were taken away by Sr Nicholas Welsh his son, & John ffarnane, of Ballyellelane, (*l*) in the s^d county, gentleman, (as this deponent is credibly informed).

The deponent further saith that when the said rebels took away his this deponent's cattle, among others' cattle, he this deponent demanded, Wherefore they took them away. They answered that they had authority for to doe it, & that they had the Kinges broad seale to show for it.

He lastly saith that John Adams his wife & children & his sister-in-law, Richard Hennisy, Robert Marlin, his wife & all his family, & John Stutely (*m*) & his wife & family, & the widow Whitelock and her son James Whitelock, John Lacy, James Cooper, W^m Tobin, James Brannagh, Edward Newtown & his wife Ellen Tobin, All formerly protestants, but since this rebellion turned papists, all parishioners of the severall parishes of Lisgenin, Armore, & Kinsale.

The deponent further saith that the undernamed persons are indebted to this deponent . . .

Jurat &c 15 Junii 1642

AMOS GODSELL

Tho. Badnedge

Phil. Bisse

(*k*) Ardmore.—*Ed. W. & S.E.I.A.J.*

(*l*) Ballylane.—*Ed. W. & S.E.I.A.J.*

(*m*) See also Nos. lii, cxiv.

CI

Edmond Bagg, late of Bowley, yeoman, . . . | f. 259
(Losses, 1061^h 10^s)

Hee saith that he was robbed by the Lord of Mountgarrett, Theobald Purcell, baron of Loghroe, in the County of Tipperary, Esquire, Sr Nicholas Welsh of Ballykeroge, Knight, Phillip m^c Cragh, high sheriff (*n*) of the s^d County of Waterford [at that time], John Roch of Cur (*o*) . . . his two sons Peerce Roch & Tibbot Roch . . . ô Connery of Ballyhanebegg, gent, John m^c Thomas fitz Gerrald of ffarnan, gent, John Butler, Thomas oge Macragh, [of Dromany] in the s^d county, gent, & George Russell [an English papist] of Aglis, gent, Edmond ffennell of Dungarvan, gent, Richard Butler, Esquire, brother to the Earle of Ormond, the Lord of Dunboyne, & divers others of their forces . . . He lastly saith that one Allis Bywater, wife to Robert Bywater of Dromany was murthared by the rebels whose names he knoweth not (*p*).

Jurat &c 16 Junii 1642

EDMOND BAGG.

Tho. Badnedge

Phil Bisse

CII

John Bicknor, of Dromore, in the parish of | fol 261
Aglis, gentleman,
(Losses, 3251^h)

The deponent further saith, that Edward Butler of Clare in the County of Tipperary, Esquire, Peerce Cantwell of Muckarky, in same county, gent, James Buttler son to Edward, together with the elder son of the said Cantwell, did, about the xxiiith of January last, publish, declare, and aver that the Lord Mountgarret, Theobald Purcell als Baron Loghroe, & Richard Butler

(*n*) The name does not appear on Ryland's or Egan's list of High Sheriffs. He may have been sub-sheriff.

(*o*) Curraghroche.—*Ed. W. & S.E.I.A.J.*

(*p*) What does he know of the 'murther'?

of Kilgash (*sic*), & all other their comandars, had a Comission from his Matie, under the great seale of England, for authorizing their actions & for the extirpation & other rooting out of all the English protestants, in this kingdom of Ireland that would not conform themselves to the Church of Rome. (*q*) He likewise saith that James Hay & Roger m^c Donnell of Coolehastie, (*r*) County Waterford, Mahowne ô Lyne of Aglis, & divers others, upon the xiith of february did stripp and take away the clothes of Ann Bicknor of the adge of two years, and W^m Bicknor of the adge of one year (this deponent's children), whereby the said W^m & Ann languished (as this deponent conceiveth) & both dyed thereof aboute two moneths after.

The deponent further saith, that Phillipp Hill of Kilmalesh, County of Waterford, *did relate* to this deponent, in the presence of Rowland Davenporte, an English protestant, that Owen ô Feely of Dromany, *did say*, that the Lord President of Munster was a greater rebell than those that he had burned and killed in the County of Tipperary. (*s*)

He lastly saith that he was offred (and the message sent by Terlagh Bren . . . a Dominican ffryar) from Richard Butler of Kilcash, Esquire, that if this deponent would put away his English servants & keep none but Romish Catholiques, & yeeld vp vnto them his arms, & take his oath to doe noe detryment to their army (as the s^d Therlagh termed it), that the deponent would dwell safely in his house & place, & plowe & sowe till Easter following: All w^{ch} the deponent vtterly refuseing to doe, the s^d rebels robbed him of all . . .

Jurat &c 17 Junii 1642

JOHN BICKNOR

Tho. Badnedge

Phil Bisse

Thomas Ellwell.

(*q*) Whose words and description have we here?

(*r*) Cooleahest — *Ed. W. & S.E.I.A.J.*

(*s*) Here we have an involuntary admission of the atrocities perpetrated by St Leger, the immediate cause of so many of the Anglo-Irish of Munster taking up arms.

CIII

John Horton, parish of Clashmore, yeoman | f. 264
(Losses, 91^{li} 2^s)

. . . Hee lastly saith, that Henry Linkhorne & his wife, of Kilmore, in the parish of Clashmore, English protestants, were killed by the rebels [in those parts], as this deponent is credibly informed.

Jurat &c 15 June 1642 (Mark)
Tho. Badnedge
Phil Bisse.

CIV

John Smith the younger, late of the parish of | f. 266
S^d Patricks, in the city of Waterford, gentleman, . . .
(Losses, 250^{li})

. . . by the means of James Lincolne of the s^d Cittie, landlord to this deponent, Also this deponent saith that Captaine Peirce Butler, out of the County of Wexford, gent, Paul Waddinge fitz Richard of Pembrokestowne, in the County of Waterford, & their companies, stripped this deponent's childe, Michall Smith of 7 yeres of adge, & Sara Smith of 4 yeres of adge, & his this deponents mother, who, through their cruell vsadge of her, shee spitted blood & thereupon dyed.

Jurat &c 17 Junii 1642 JOHN SMITH, y.
Tho. Badnedge
Phil Bisse

CV

Elizabeth ffleming, late of Ballybrowse, (t) County | f. 269
of Waterford . . .
(Losses, 145^{li} 12^s)

. . . by the means & hands of James Welsh (S^r Nicholas Welsh his son) a captaine among the rebels, Captaine Edmond ffennell, James ffitz-Gerald, & divers others in their company. She was stripped by the s^d parties, & divers others English prot-

(t) Ballybrusa, par. Grange.—*Ed. W. & S.E.I.A.J.*

estants, viz^t, John ffleming, Thomas Richards, George ffleming, John Cox, James Lowder & his wife, Richard ffleming, & W^m ffleming, yeoman. And that one Peeter Harris, neere Ardmore, an English protestant, was killed at the siege of Ardmore. Robert Marlin of Ardmore, formerly a protestant, but since this rebellion turned papist.

Jurat &c 25 Junii, 1642.

(Mark)

Phil Bisse, Thomas Ellwell.

CVI

Thomas Carter th' elder, of Macollop, County | f. 270
Waterford . . .

(Losses, 673^h)

. . . by the means of John & Richard Condon, of Ballym^c Patrick, gentlemen, John Condon & Richard Condon of Ballydurgan, and one Captain Grace of Cloghlea, County Cork, with their followers & tennants, & John m^c Donogh of Dungalene Castle, in the parish of Mocroney, gent, & Tho. m^c Shane late of Cloghlea, gent, James m^c Morris, Teige Odagh servunt to the deponent . . . He also saith y^t one Tho. Corran [taylor], James Dover [potter], of Mackollop Castle, English protestants, & Phillip Andrews gardner, & Edmund Gibbon, labourer, of Mackollop, were all murdered by the Condons of Ballym^cPatrick & Ballydurgan; the s^d Condons' company cutt off the s^d Dover's nose after he was killed, and the said Gibbon was enforced by them to digg his own grave, & then, that don, they murdered him. (u)

He also saith y^t by the rebels afores^d, the deponent & his son, Thomas Carter, had no lesse than thirteene houses, of dwelling and out houses, burned down to the ground [by the said rebels].

He lastly saith, y^t Morris Count, of Mackollop, & Edward Mahone, same parish, husb., formerly reputed protestants, and since this rebellion turned papists.

Jurat &c 15 June 1642

(Mark)

Phil. Bisse

Tho. Badnedge

(u) Here we have *accusation*, but no evidence. In such cases the examiners raise no question as to the 'cause of deponent's knowledge.

CVII

Thomas Carter, the younger, . . . | f. 271
 (Losses, 468^h)

(Similar evidence, taken on same date.)

CVIII

John Godsell, of Granry, (*v*) carpenter, . . . | f. 272
 (Losses, 122^h)

The deponent saith, that (as he is credibly informed) Sr Nicholas Welsh his son, & one ffennell (a supposed captaine of the rebells), with others in their company, carried away this deponent's cattle. He lastly saith that Thomas Adams [formerly] an English protestant, & James Branagh of the same parish, an Irish protestant [are] both now since this rebellion turned papists.

Jurat &c 13 Junii 1642 (Mark)

Percye Smyth
 Tho. Badnedge
 Phil. Bisse

CIX

Elizabeth Hathway, parish of Athmean, (*w*) | f. 273
 widdow, . . .
 (Losses, 34^h 16^s)

The deponent saith that her husband James Hathway, was killed by the rebells in the County of Kerry, as she is informed ; likewise Else Bywater, the deponents sister, was murdered at Dromany in the County of Waterford, by some of Captaine ffennell's company, as this deponent was credibly informed.

Jurat &c 21 July 1642 (Mark)

Phil. Bisse, Thomas Ellwell.

(*v*) Grange.—*Ed. W. & S.E.I.A.J.*

(*w*) Affane.—*Ed. W. & S.E.I.A.J.*

CX

Edmond Rixon, of Cappoquin . . . | f. 275
(Losses, 140^b)

And further he saith that at Capoquin, on or aboute the 28th day of May, there were murdered Margrett Nance & her childe (wife to Henry Nance), Richard a glover, Goodwife Sanders [wife] to Robert Sanders, Goodwife Shuger wife to Hugh Shuger [& his child], Alce Browne her mayde, being all murdered at Cappoqueene . . . And further he saith that hee was robbed by the rebels of those parts.

Jurat &c 18 Junii, 1642 (Mark)
Phil Bisse, Hen. Rugge.

CXI

John Griffin, late of Affane, deposeth & saith : | f. 279

That about the first . . . (x) this deponent (being imployed a trooper in his Maties service, under the comand of the right hon^{ble} the Lord of Broghill) was then taken prisoner, following the rest of his Lo^{pps} troope as they went to keepe off the enemy from goeing over the blackwater, & that by the hands and means of Richard Butler of Kilcash in the County of Tipperary, Esquire, colonell among the rebels, Captaine Edmond ffennell of Clonmell in the said county, gent, Therlagh ô Bryen of Comroe (y) in the s^d county, gent, Captain Comerford, Captain Butler, John fitz Gerrald of ffarnane, County Waterford, gent, Whoe then came with force and armes, at least four hundred men in company with them, & comitted many outrages & rebellious actions against his Maties subjects, namely, by murdering Edward Croker of Ballyancor, in the said county, merchant, & two or three of his family (their names he knoweth not), likewise Robert Downing, cornett of the s^d troope was then killed by them. (z)

(x) 'January' first written and crossed out, then 'february' interlined and cancelled; and so it remains.

(y) Comeragh.—*Ed. W. & S.E.I.A.J.*

(z) It does not appear that he witnessed these 'murthers.' But that did not then signify, so long as the deponent would *swear* to the fact.

This deponent saith that he being then taken prisoner & disarmed by the said parties, he observed that they and [some sixteene musketeers] were admitted to come into Dromany Castle [in y^e s^d county] by the consent of Mabell fitz Gerrald, wife to Gerrald fitz Gerrald, of the same, Esquire, & notwithstanding the said parties stood in a full body within the shott of the said Castle, one Miles m^c Grath who comanded the same, & now in open rebellion, would not suffer noe shott to be made at them by any of the warders of the s^d Castle.

And lastly saith that the s^d officers and chief comanders of the rebells were entertained in the said Castle from morning till two o'clock at night, dureing which time he saw the enemy abroad releevd at the s^d Castle [as he verely beleeveth] with beefe, bread, & beere.

[As also the Tower & garden neere adjoining to the said Castle was delivered vnto them, wherby to defend themselves against any shott to be made against them out of y^e Kings pinace which then was expected to come up the river] (aa)

Jurat &c 8 Decembris, 1642

JOHN GRIFFINE

Phil Bisse

Ric. Williamson

CXII

Walter Bartram, of Dungarvan, yeoman . . . | f. 282
(Losses, 218^b)

He was robd by the hands & means of Captaine ffennell of Dungarvan, Tho. Morley, of the same merchant, John Hore fitz Mathew & his eldest son a captain among the rebells, with their tennants and followers. The said John was the man that betrayed the Castle of Dungarvan, with the protestants therein, to the rebells, after this manner: This John Hore sent his son-in-law, his brother Thomas Hore, & Tho. Morley of Dungarvan, to the protestants in the said Castle, telling them that they should doe well to take in the ladders in the towne, for feare of the rebells scaling the

(aa) This passage is written along the side of the first page of the deposition.

castle with the same. Upon that the said Thomas Hore & Thomas Morley, with their assistants, brought one of the ladders, w^{ch} to receive in, they of the Castle opened an iron grate in a lower roome w^{ch} when it was halfe wayes thrust into the Castle, the said Thomas made a stop at the thrusting in of the ladder: Upon that they with their forces (*bb*) w^{ch} lay in ambush for that businesse presently fell to their armes w^{ch} they had nere them, and so entred the Castle & tooke it, pretending friendship to the protestants before in their advice, wounded some & stript all the protestants there, & so turned them out of the said Castle.

The names of protestants there & so stript were: Mrs Bolt, the minister's wife of Dungarvan, Henry Davis, chandler, & his wife, John Lawsell's wife, William ffarmer [inkeeper] & his wife, Christopher Churton's wife, All of Dungarvan, with divers others whose names he cannot remember.

He further sayth y^t when the depon^t askt the said eldest son of John Hore, called Mathew Hore, why he did this, namely, to rise in rebellion, the s^d Mathew answered this depon^t, that, If we had not done this all our throats should be cutt.

Jurat &c

(Names and date torn off).

CXIII

Robert Nayler, of the town & parish of Lysmore, | f. 284
clerk & dean of Lymerick, deposeth and saith:

That vpon the 19th day of february 1641, & divers times since the begining of this present rebellion in Ireland, he lost, was robbed, and forcibly dispoiled of his goods & chattells . . . worth 1797^{li} 8^s 11^d

[And saith] the undernamed persons are indebted to him this depon^t, namely, Rob^t Ambrose of Ould Castletown, in the County of Cork, yeoman, Edmond Ambrose of the same, yeoman, John Hogane of the same, yeoman, Richard m^c Phillipp Maher, of

(*bb*) How could the 'rebel forces' enter by such an aperture, already blocked by the ladder? Compare the account by Henry Howell (No. lxxv).

the parish of Cahir in the County of Tipperary, yeoman, Donogh ô Dowdy of the parish of Tubrid, in the County of Tipperary, yeoman, Owen m^c Donogh of the same, gent, Thomas m^c Roger m^c Crath of the same, gent, John m^c Teig & Donnell m^c Cragh, of the same, gentlemen, Tibbot Butler of the same, gent, John Condon of Bregowne, in the County of Cork, gent, Edward ffox of the same, gent, Edmond Condon of the same, gent, David Condon of the same, gent, Theobald Roch of the same, gent, John Power of Dunhill, County Waterford, Esquire, Edmond Power of Ballintemple (*cc*) in the said county, gent, Nicholas Power of Kilballykelly (*dd*) in the said county, Esquire, Peeter Anthony of Comroe in the said county, gent, John Siggerson of Lysmore, Esquire: All w^{ch} are now in open and actuall rebellion, therefore this deponent cannot get satisfaction from them; besides the loss of the benefitt of his church-liveings since the begining of this rebellion, worth him coibus annis, five hundred pounds per annum, that is, the deanery of Lymerick prebend of Bregemore, Michellstowne, prebend of Disert and Killmolleran. (*ee*)

And further he deposeth that parte of his cowes and horses were taken away the eight and twentieth day of this month by the warders and rebels in the Castle of Dromany.

Jurat &c 2 Jan, 1642

ROBERT NAYLER.

Percye Smyth

Phil Bisse

CXIV

John Stuiarly, (*ff*) late of the town and parish of | f. 288
Ringogona, (*gg*) County of Waterford, clerk, deposeth
& saith:

That on or about the first of January 1642, and since the

(*cc*) Churchtown, par. of Dysart.—*Ed. W. & S.E.I.A.J.*

(*dd*) Kilballyquilty, par. Rathgormac.—*Ed. W. & S.E.I.A.J.*

(*ee*) Compare the income of this pluralist with that of the curate of Affane. (See No. lxxxvi). Like most clerical deponents, the dean of Limerick confines himself to his own affairs, leaving the 'murthering' to the gossips.

(*ff*) The name appears in this form at the head of the examination, but 'Stutely' in the autograph. The deponent is, doubtless the minister who figures as a renegade in other documents. (See in particular Nos. lii, c.) How did he escape pillaging until January 1642-3?

(*gg*) Ring.—*Ed. W. & S.E.I.A.J.*

begining of this present rebellion in Ireland, he lost, was robbed, and forceably dispoiled of his goods and chattells, worth 66^{li} 7^s (part consisting of debts . . . [besides] the benefitt of his church-liveings, viz., the vicaradges of Ringogona and Clonea, in the said county, worth cōibus annis thirty pounds per annum.

The deponent saith that about the time above-mençoned, his goods and cattle were forceably, and in a rebellious manner, taken away by the hands and means of John fitz-Gerrald of ffarnane, in the said county, gent, and by James Welsh son to S^r Nicholas Welsh of Ballykeroge in the s^d county, knight.

He also saith that James Whitlock of Crobally in the said county, husbandman, an English protestant [before this rebellion], neere about the begining of March last was murdered by W^m Brenagh of the parish of Ringogona afores^d, assisted by one of the servants of one Captain Welsh of Dungarvan, but his name this deponent knoweth not; the said Whitlock being seduced and drawn since this rebellion to turn papist, [yet] in a perfidious manner afterwards murdered him.

Jurat &c 3 January, 1642

JOHN STUTELY, clearke

Phil Bisse

Thomas Ellwell.

CXV

Elizabeth ffary, late of Corrane, (*hh*) parish of | f. 290
Lismore, widdow . . .

(Losses, 159^{li})

She saith that Thomas Prendergast, of Crane, gent, Edmond Roch of Tuorine, gent, did forceably take away the deponents horses and hay, And that Alse Browne & her maid-servant called An, Ann Shugar & her daughter, also Thomasin the wife of Robert the barber, and the wife of Robert Saunders & her daughter, W^m Glover, all English protestants, & others whose names she

(*hh*) There is at present no townland of the name in Lismore parish.—*Ed. W. & S.E.I.A.J.*

knoweth not, were murdered at Cappo Quin by Captaine ffennell & Captain Sherlock & their companies. (*jj*)

Jurat &c 13 Junii, 1642

(Mark)

Percye Smyth

Tho. Badnedge

Phil. Bisse

CXVI

James Bartlett, Maccollop, clothworker, . . . | f. 291
(Losses, 45^{li} 18^s)

He deposeth that Morris Count & Edmond m^c Mahowne were formerly protestants, but since this rebellion turned papists.

Jurat &c 15 June, 1642

(Mark)

(Badnedge, Bisse).

CXVII

Thomas Tobin, of Cappo Quin, yeoman, deposeth | f. 296
& saith :

That about the begining of August last, this deponent was employed from Cappoquin to carry a letter to Classmore neere Youghall, & in the way goeing thither was apprehended, & taken prisoner by Nicholas Welsh son to S^r Nicholas Welsh of Ballykeroge, knight, & afterwards carryed to Dungarvan, where he was kept two or three dayes, During w^{ch} time he heard one Captaine Welsh & Nicholas Welsh afores^d say that all the noblemen & gentlemen in the kingdom of Ireland would never rise out in action excepte they had the Kings Comission & consent to doe what they did, And he heard them report, that they received four thousand men's armes out of Spaine & three Tunnes of powder. He likewise saith that one Patrick Rushell of Dungarvan, merchant, to this deponent's knowledge, freighted a barque laden with hides & talloe for Spaine, from thence to bring more powder & armes.

(*jj*) It is 'duly sworn and solemnly deposed.' What is the statement the better of the oath? It is upon such sweeping swearing that 'the Irish massacre is set up.'

He further saith, that about the same time, John Power of Donoyle (*k/k*) in the said county, gent, Thomas m^c Grath, neere Curragh m^c Sledy, in the s^d county, gent, ffran. Wise of Newton in the s^d county, Esquire, Nicholas Welsh afores^d with the number of three or foure hundred were sent for [as the deponent was informed] to Cappagh in the s^d county, by Mabell fitz Gerrald wife to Gerrald fitz Gerrald of Dromany, Esquire, & being come stayed in and neere Dromanny afores^d from friday till Sunday following, & in the meanwhile were relieved by the said Mabell with beefe, muttuns, bread & beere; & they being informed that a barque loaden with powder and amunition came into Dungarvan, they gave a volley of shot for joy, & then went away.

Jurat &c 8 December 1642

(Mark)

Phil Bisse

Ric. Williamson

CXVIII

John Seller, late of y^e towne and parish of Shoram | f. 300
in y^e Countie of Sussex and within y^e Realme of
England, Saylor, deposeth and saith :

That from y^e 14th day of April last, or thereabouts, this deponent, Richard Bradshaw of West Chester in England, merchant, & one Mr Parnell of y^e same, merchant, lost, were robbed & forceably dispoiled of their goods and chattells: The s^d Richard Bradshaw & y^e s^d Parnell, being partners, lost in calf-skins ready-tanned, to y^e value of One Thousand pounds, or thereabouts. He saith that he lost of his owne proper goods, in fustaine, wax, lynnens, wearing apparell & provision to y^e value of three score fourteene pounds. He also saith that he lost a barque burthen five & fiftie Tuns, taken by y^e rebels in this kingdom of Ireland, W^{ch} barque was worth, to be bought or sold, three hundred and three score pounds. The total of y^e s^d Bradshaw's & Parnell's losses amounts to One Thousand pounds, & y^t of this examinats proper losses amounts to four hundred four & thirty pounds.

(*k/k*) This is the Don Isle of Ryland's History of Waterford (1824), p. 76; more usually Dunhill, one of the three chief seats of the Powers. Kilmeaden and Curraghmore were the other chief seats.

The deponent, being further examined, deposeth, That about y^e time above-menconed, this examināt having then in company with him five men & one boy aboard y^e said shipp, called y^e Mary Gould of Shoram, & having frayghted y^e same at y^e key of West Chester afores^d, with y^e s^d calf-skins & other Comodities, sailed away, being bound by a charter-partie to Bilboa in y^e kingdom of Spain, & from thence to London; but this examināt saith y^t aboute y^e time afores^d he was chased by a frigate of Dunkirk (then employed by y^e rebels of y^e Towne of Dungarvan for pyracie) having then a-board her Two & thirtie men, or thereabouts, halfe of them Irishmen, comāded by Richard ffanning, of y^e same, gent, & th' other halfe Dunkirkers comāded by one Captaine Garret a Dunkirker, Whoe at last halled this examināt s^d barque, and tooke her vpon y^e coast of ffrance, & brought this examināt & the rest prisoners to Dungarvan afores^d. Therefore he saith that by means of y^e s^d parties the goods & barque were lost; as also he further informeth, y^t y^e s^d calf-skins were, soon after y^e taking of this examināt prisoner, sould to Mr White of Waterford, merchant, whoe conveyed them away, at y^e rate of 22^s the doossen, giving this examināt noe kind of satisfaction for y^e same.

This examināt further informeth, That vpon y^e 22th day of Aprill last [or thereabouts], presently upon y^e landing of this examināt, he and his said men were comitted close prisoners, but (he saith) y^t being first brought before one Captaine Donnell, a pyrat, at Dungarvan, y^e s^d Donnell, in a great rage [said], Why did you bring those Parliament doggs a-shore, could not you throw them overboard; vowing, that as many as he could take of them (meaning y^e English) by sea, he would give them read collars or bands about their necks, meaning thereby (as he then expressed himself) y^t he would cut of their heads. (//)

This examināt further informeth, y^t he and his s^d men were kept close prisoners at Dungarvan for four weeks & odd dayes, by directions from y^e vndernamed parties, to witt, y^e captaine of y^e Castle there (his name he cannot remember), Mathew fitz John Hore deputy-Soveraigne of y^e s^d Towne, and Captaine

(//) But he hurt none of them, after all the strong language with which he the said 'pyrat' is credited.

Anthony [a fryer], comander or governor of y^e s^d towne of Dungarvan.

He also declareth, that about the time above menconed, he observed that one Captaine Christian, late of S^t Sebastian's in y^e kingdom of Spaine, brought into Dungarvan four whole Culverins weighing four thousand four hundred pounds a peece, or thereabouts, & armes (especially musketts) for eight thousand men, His cause of knowledge appeareth, for he saith y^t he sawe y^e s^d four Culverins, But y^e armes he saw not, only he was credibly informed y^t such a quantity of arms came in there. He saith that two of the said Culverins were sent to Waterford & th' other two kept at Dungarvan.

This examinat further informeth, That about y^e first of this month, he saw a french shipp newly to come out of y^e River of Nantes [in Brittany] into Dungarvan aforesaid, Whoe landed there forty gentlemen, or thereabouts, richly appavelled, most of them officers and comanders; their certain names he knoweth not.

The deponent likewise declareth y^t dureing this restraint at Dungarvan, he heard the s^d Captaine Donnell, y^e s^d Hore, & divers others, affirme and say, y^t y^e English (meaning y^e protestants) fought against God & y^e King, & y^t they (meaning y^e rebels) were y^e Kings true subjects, & had comission under his Maties broad seal for what they did.

He lastly declareth y^t y^e s^d Captaine Christian & y^e s^d Captaine Donnell, about y^e s^d 17th of this month, were appointed men of warr & went to sea to use piracy ag^t y^e English, Dutch, and french, as themselves gave out. And further he deposeth not. (*mm*)

Edward Carter, late of Shoram afores^d. sayler, this day was produced before us (as a witness), & being duly examined & sworne . . . deposeth y^t y^e severall losses above menconed to this deponents own knowledge.

Jurat &c xxix Maii 1643

Jam. Wallis

Thomas Ellwell.

JOHN SELLER'S mark

EDWARD CARTER

(*mm*) As a seaman's yarn, the foregoing narrative is of particular interest. One may well wonder how they who were held in close prison by those dreadful Irish rebels could know so much about what was going on outside the prison walls. Carter was Seller's ship-mate and fellow prisoner; and as such claims to know all.

CXIX

Arthur Birt, late of the towne & parish of
Lismore, chandler. . . .

| f. 303

(Losses, 28th)

The deponent, being further examined, saith, That upon y^e 28th day of y^e last month of May, early in y^e morning, a matter of Two or three hundred rebells comanded by one Captaine Butler and Captaine ffennell (as this examinat is given to understand) assaulted y^e Towne of Lismore afores^d, and setting fire to y^e same in a rebellious and hostile manner murthered divers & heavily wounded others both English and Irish in y^e s^d Towne, to witt, W^m Lander, son to Garret Lander (an Irishman), his mother, and his brother-in-law were murthered in a thatch-house vpon y^e south side of y^e Cathedral church there, besides divers others of y^e inhabitants of y^e s^d Towne.

He further saith that then and there in a cruell manner y^e s^d rebells murthered of English protestants the vndernamed persons, to wit, Daniel Toby, Mr Pollard, Richard Long, y^e Lord of Cork's cooke, & others; also Edward Baker & his wife, two of Mr Rivers' children, and at least a score of y^e Irish inhabitants of Lismore are grevously wounded and some of them likely never to recover. (*nn*)

Jurat & c 2 June 1643

ARTHUR BYRT

Jam. Wallis

Thomas Ellwell.

(*nn*) There is an account of the same date in the first Earl of Cork's Diary (in Lismore Castle), which shows the cause of this attack:

"1643, May 28. This Sunday morning about 2 o'clock, 200 rebells, with a party of horse, (in revenge that my son Francis, with the forces of Lismore, had, the Friday evening before, taken, plundered, and burned the town of Clogheen, and brought Luke Everard and another of that name, with one Mr Englys, the free holder of Rochestown, prisoners home with him) for want of good works, they secretly, before it was day, entered the town of Lismore, burned most of the thatched houses and cabbins in the town, to the out gate of my castle. Took Brian Cavenagh, the portrieve, Garret fitz-Eustace Roche, my servant John O'Donovan, and two soldiers, away with them prisoners; burned my alm-houses, killed Morice Roche and old Pollard, being two of my almsmen, and about sixty of my Irish tenants, men, women, and children, and hurt many more, as Peter Baker and his wife."—RYLAND, *History of Waterford*, p. 339.

His Lordship over-estimates the slaughter of his tenants, if Birt is right. The incident but too well illustrates the horrors of civil war. Was it 'for want of good works' that 'my son Francis' made that raid upon Clogheen on Friday, 26 May? No such raid was made upon the Irish without much slaughter of the villagers.

CXX

Richard Hadynot, of Ballydegan parish of | f. 304
 Lismore, blacksmith, . . .

(Losses, 36th 10^s)

The deponent, as he is informed, [says that] James Welsh (a captain among the rebels), of Rathronan, in the County of Tipperary, gent, James Tobin son to Thomas Tobin of Reylie-gannanagh (*sic*) in the said county, gent, another captaine among the rebels, & Pierce Butler of Banshagh in the said countie Esquire, son to S^r Richard Butler, knight, were the parties that robbed this deponent of his cattle.

Jurat &c 16 Augusti, 1642 (Mark)

Phil Bisse

Jam Wallis.

CXXI

James Wallis, late of Woodhouse, in the parish | f. 306
 of Stradbally, County of Waterford, Esquire, deposeth
 and saith :

That from the 20th of December, 1641, or thereabouts, and divers times since, he lost . . . to the value of 3913^{li} part consisting of debts.

(Over a page of details crossed out).

This examinat lastly saith, that he was robbed of his said goods, corne, & cattle (as he is credibly informed, being himselfe in the Castle of Dungarvan for his safety) by Richard Power, Morris Power son & heire to y^e Lord Power, Morris Power fitz David & Edmund Power fitz David, both of Curraghmore, in y^e same county, gents, S^r Nicholas Welsh of Ballykeroge, in y^e same county, knight, John fitz Gerrald of Isilmendine, gent, & Ed. fitz Gerrald his brother.

Jurat &c 7 July 1643

JAM. WALLIS (oo)

Phil Bisse

Hen. Rugge

(oo) The signature is the same as the 'Jam. Wallis' appended to so many of these examinations.

CXXII

John Sherwin, late of Ballyneell, parish of Aglish, | f. 308
gent, . . .

(Losses, 1031^u)

[And saith], that Leonard Anthony of Narrowleagh (*pp*), County of Waterford, gent, took away y^e deponent's cattle & carried them away to Morris . . . W^{ms} house at Knockanaris in y^e parish of Clashmore, W^{ch} cattle were bawnd in y^e said Williams' bawne. He sayth that Clement Creagh and John fitz Gerald took away the depon^{ts} horses, some cows, houshold stufte, corne in house, & haggard. He also sayth y^t one Morris m'Richard Gerald . . . does deteyne 20 of the deponent's cattle. He also sayth y^t one Richard Sheepeheard, in the parish of Aglis, yeoman, & Anne Langford of the same, widow, & John Sheepeheard of Kilmalash, yeoman, formerly reputed protestants are since this rebellion turned papists.

Jurat &c 13 Aug. 1643

JOHN SHERWIN

Phil Bisse

Jam. Wallis

CXXIII

John Clement, of Ardmore, husbandman, | f. 309
deposeth & saith :

That about Candlemas last was twelve month, he was taken prisoner at Ballylane, by certaine rebels who robbed the country thereabout, whose names he knoweth not, except Walter Harney, fowler, & his two sons, & one John Parnell of Ballywoolagh, yeom, who took away from the deponent y^e sum of twenty-fower shill. And from thence he was carryed to Dungarvan, W^{ch} said W^m ô Harney was slaine at y^e fight at y^e hazells neere Whitechurch . . . He was permitted to live with the s^d Parnell, who is one of S^r Nicholas Welsh's company, the s^d Parnell being one of those y^t tooke y^e Castle of Ardmore from y^e English.

(*pp*) Furraleigh, par. Fewes. By the way there is no townland named Ballyneell in Aglish parish.—*Ed. W. & S.E.I.A.J.*

The depon^t askt his m^r Parnell why y^e Irish do such to y^e spoile of y^e English. His m^r answered, We do nothing but fight for our religion, for our religion was (said he) from y^e begining of y^e world, & y^e first religion that ever was, & that they went to Masse before ever they went to church. Also his m^r said that the English have neither kinge nor queene for them, for if they were for y^e English they would have sent them helpe a greate while before that.

Afterwards, about y^e last harvest, he was commanded to abide with S^r Nicholas Walsh at Ballykeroge where the said Harneys were often attending as S^r Nicholas his souldiers, together with S^r Nicholas his three sons . . .

Upon the second of May last past y^e depon^t was sent to keepe cowes & horses vnder y^e comand of Carigikilly (*qq*) Castle, W^{ch} s^d castle was taken y^e evening following by y^e English army, by whom this depon^t was taken, Who gave intelligence to y^e comanders where y^e breach should be made; but before it was wrought through, y^e Castle was taken vpon quarter, haveing shott at y^e forces for the space of an hower; those that were in the castle were Tho. fitz-Gerald al^s Tho. of Woodhouse, gent, Morish m^r Richard of Crishoo (*rr*) neere Ardmore his son called James m^c Morish & divers others . . .

Jurat &c 22 May 1643

(Mark)

Phil. Bisse

Jam. Wallis.

CXXIV

Thomas Ellwell, late of the towne and parish | f. 311
of Talloe, County Waterford, tanner, . . .

(Losses, 954th Details crossed out).

Jurat &c, 14 April, 1643

THOMAS ELLWELL (ss)

Phil Bisse, Jam Wallis

(*qq*) Carrigahilla, par. Stradbally. The foundations of the castle are barely traceable on summit of a hillock rising out of a bog on east side of Stradbally—Kilmacthomas road.—*Ed. W. & S.E.I.A.J.*

(*rr*) Crushea, par. Ardmore.—*Ed. W. & S.E.I.A.J.*

(*ss*) The same signature as that appended to several examinations.

CXXV

Elizabeth the wife of Thomas Danvers of | ff. 316-319
Mowgeely, in the County of Cork, gent, deposeth
and saith :

That when the present rebellion first began in those parts, that is to say, about three dayes before Allhalloutide 1641, the deponent, [& her said husband] were removed from a farm in the parish of Ballibrassell, in the County of Kilkenny, which they held by leas from Mr Richard Strange of Dunkitt in same county, And seeing the crueltie of the Irish & the generall robbing & stripping of all the English thereabouts, They suddenly removed themselves, their six children and family from Ballibrassell house afores^d unto the City of Waterford, Whither they brought with them soe much provision of corne, beefe, bacon, oatemeale, and other things as would have fed and kept them a twelve month. And they then brought to Waterford alsoe soe much plate, howsehold stuffe, apparell & other things as with their provision afores^d was worth at least 200^{li}

And they were inforced to leave upon their said farme a stocke of cattle, horses, plows, carts, swine, vtensills of husbandry, and other goods, worth 300^{li} w^{ch} the rebells tooke away.

And further saith that they all staid at Waterford vntill about the xvith of December 1641, And then the said Tho. Danvers returned from thence to Mowgeely afores^d. But the deponent his wife still remained there untill about the viiith of March, 1641, Where she had been severall times imprisoned but that she was still defended and saved from it by her hon^{ble} [frend] Richard Butler of Kilcash in the County of Tipperary, Esq^{re}. Howbeit the s^d Mr Butler could not soe defend her, but that she then and there lost and was constrained to leave behind her at Waterford afores^d her and her children's apparell, money, provision, howsehold goods and other things, and privately to escape away to Mowgeely afores^d

And this deponent Elizabeth Danvers further saith, That ever since y^e begining of the said rebellion, shee hath been deprived of and lost the possession, rents, and proffits of the lands she held

in Jointure by assignment of Will^m Towes, Esq^{re}. her late husband, and w^{ch} lay nere Mowgeely afores^d. worth about 20^{li} per annum, Whereof she accompteth that fowre yeres' proffitts is already lost . . .

And the deponent further sayth, That they have sustained the losses afores^d by means of the said rebellion, and they also are deprived and dispossessed of debts owing unto them, amounting vnto cxxx^{li}

And further sayth that from the time that shee this depon, Eliz. and her children came from Waterford to Mowgeely, they there continued at Mowgeely, being a Castle belonging to her brother, Mr Nicholas Pine, until about 6 weeks since, that the Erle of Castlehaven came with an army of horse and foote, being in number (as was conceived and reported) about seven thousand, and besieged the said Castle of Mowgeely, & mounted 4 peeces of ordnance against it, discharging twelve shott, of those his ordnance, against it, together with almost infinite numbers of small shott, Maintaining the siege soe hott and sharpe, that after 30 howres' sharpe siege, both the depon^t [& her husband] and the rest of those assailed (wanting strength and means of resistance) were inforced to surrender up & yeeld the same Castle, & yet vpon quarter tearmes and condicoⁿs vnder the hand of the said Erle first obtained, That this depon^t [& her husband], and all the rest of the inhabitants and souldiers then in the s^d Castle should freely depart & goe away from thence to Youghall, with all their armes apparell & the ladeing of twelve horses, and should have a good convoy for bringing them along to Youghall afores^d. Howbeit, noe sooner were they comen out of the gates of the said Castle but some of the rebellious souldiers of the said Erle began in part to pillage some of them.

But whenas they had gone through the Army (conducted or rather driven like cattell) about half a mile from the Castle, a contrary way, towards Lismore, one Colonell Purcell (whose crissen name or place of abode she cannot mention), & his rebellious Regim^t, and many others, to the number of three or fowre thowsand (as shee beleeveth) sett vpon the deponent [her husband], and

the rest of them that came out of the said Castle, And then and there, contrary to the quarter terms and condicions afores^d forcibly robbed and deprived them of all their armes, their said 12 horse loads of goods, & the most of their apparell, Insomuch as few escaped stripping stark-naked; for the most of them had their very hatts, bandes, cloaks, boots, shoes, & other things then and there taken from them. (*tt*)

And from thence the deponent & y^e rest were (in that despicable & poore state) forced & driven to Lismore, being distant from Mowgeely about 4 or 5 miles, that very day, being vpon or about the xxth day of June last, 1645, When and wher the said Erle, with his rebellious army, sūmoned and laid siege against the s^d Castle of Lismore, But then this deponent Elizabeth, being with much adoce admitted to speake with the s^d Erle, she then and there acquainted him with the breach of quarter & cruell vsage of her & y^e. rest, humbly desiring that shee and her husband & children might have a convoy to Kilcash, Which his Lo^{pp} affording vnto them, they were brought thither accordingly, Where they were most freely, nobly, & kindly welcomed, releevd and succoured by that hob^{le} lady, ffrances the wife of the s^d Richard Butler, for 2 daies and nights, Whoe did not suffer them to goe away vntill they had gotten them a safe lodgingplace at Carrick, about 3 myles from Kilcash: Where they stayed about a fortnight vntill their most and kind friend, Mr Richard Butler afores^d named (that had so formerly, as afores^d, defended & releevd them (*uu*) came hence, And then the said Richard Butler (out of his wonted noblenes and goodnes) gave them monies for defraying their charges, & furnished them with one man & horses, and safely sent them to the towne of Catherloghe, From whence they are with much difficulty gotten to Dublin, where they remain in great distresse, want & misery. (*vv*)

(*tt*) The hand of Henry Jones is seen in this. Was she stripped herself?

(*uu*) Other deponents make him out a dreadful sort of Irish rebel.

(*vv*) To this point the deponent relates what came, more or less, within her own observation. What follows is made up of gossip and rumour—all, of course, 'duly sworn.' The list of castles and places taken by Castlehaven is, perhaps, as near the real history as is possible in the circumstances.

And the deponent further saith, that the said Erle of Castlehaven and his army did surprize, pillidge and take from y^e owners & holders thereof, not only the said Castles of Mowgeely & Lismore (w^{ch} belongeth to the right hon^{ble} the Erle of Corke, & was a most sumptuous and brave place) and have quite spoiled and wasted the same (as this deponent hath credibly heard & doth verily beleeve), But also another castle called Castle-Lions, being the dwelling-place of the right hon^{ble} the Erle of Barrymore; & the Castle of Raherne, belonging to the s^d Erle of Cork; the Castle of Bally Roberts, belonging to the Erle of Barrymore; Cannon Castle belonging to the Erle of Cork; the Castle of Kilmacoon, belonging to the s^d Erle of Corke; the Castle of Lisfinny also belonging to the Erle of Corke; the Castles of Ballyduff, Maccollop, and Balligarron, all belonging to the said Erle of Cork; the Castle of Strongkelly, belonging to John Reeves, Esq^{re}; the Castle of Ballynotragh, belonging to S^r Percy Smith; Corneveagh Castle, belonging to one M^r Babington; and another Castle that this deponent cannot name, w^{ch} standeth nere Corneveagh afores^d, All w^{ch} castles were soe surprized, subdued & taken by the said Erle of Castlehaven and his army, within fourteene daies, or thereabouts, after they had taken the said Castle-Lions, w^{ch} was vpon or about the xxiiith day of the month of June now last past, 1645.

And the depon^t further sayth, That betwixt the feast day of Ester now last past, and the said xxiiith day of June last, the said Erle of Castlehaven and his said rebellious Army did (as the depon^t hath credibly heard & verily beleeveth) forceably also surprize, subdue, pillidge and take from the right owners & possessors of the same theis castles, towns, hereinafter named, viz^t the Castle and towne of Capperquin belonging to y^e said Erle of Corke, the dwell. house & towne of Michaelstowne belonging to S^r Will^m ffenton, knight, (w^{ch} they have quite demolished and burned, together with the church thereof) and hanged (*ww*) to death one M^r Horssey, a minister of that church together with

(*ww*) Jones would not permit so good a gossip to retire without extracting some 'massacre' testimony—of the usual character. What was 'the cause of her knowledge'? Here again accusation is thrust into the place of evidence.

one James Benham that was porter of the said Sr *Willm* ffenton's howse ; Ballyhooley Castle belonging to the heire of Sr Richard Aldwick, k^t ; the Castle of Mallow belonging to Captⁿ Jepson ; the faire and sumptuous howse of Dunnaraile, belonging to the late Lord Sentleger, late Lord President of Munster ; the Castle of Liscarroll belonging to Mr John Oge Barry ; the Castle of Ballymullen & another castle w^{ch} stood nere the same—the w^{ch}, because the possessors & holders thereof stood out in defence of the same, the said Erle of Castlehaven and his army, after they had subdued, putt to death, and most miserably slew all the holders & men inhabiters thereof, W^{ch} (*as the deponent thinketh*) could not be less than thirty or forty men ; besides divers other Castles & fayre dwelling-houses, & townes, all in the province of Munster that the deponent is not able particularly to name, that the said rebels have forceably surprized, wasted, spoiled & pillidged. (xx)

And the deponent further sayth that she hath bin very credibly told by Mr Browne the lawyer (whoe is a great Agent and prime Councill for the rebels), & by one Mr Harpoole, a captain or comāder of rebels, and by divers others, that about a month since (when the siege was begun by the Erle of Castlehaven and his army against Youghall), That there were slaine about the key or fort of Youghall, by a great shott from the rebels' ordnance theis English comāders, viz^t Lieutenant Colonell Walter Loftus, and Lieutenant-Colonell Tho. Badinge, besides a man that was servant to the said Lieuten^t Colonell Loftus, And that Thomas Jewell, a tanner, had by the same shott his shoulder broken, And Inother that was a butcher had his thigh broken ; & all by the same shott. (yy)

And as concerning Murthers & Cruelties comitted by the rebels since the rebellion began, The deponent thereunto sayth, That about the latter end of Aprill, 1642, John Condon of Bally-

(xx) As a sample of evidence, duly sworn and solemnly deposed, this paragraph will be found worth re-perusal.

(yy) All this could happen. The Mr Harpoole above-mentioned is, I think, Robert Hartpole, of Shrewle Castle, in the Queen's County. 'Tho. Badnedge.' 'Thomas Ellwell,' are names familiar to those who have looked into preceding examinations.

nepatrick in the County of Cork, a captain of rebels, together with a great number of others of that name, sept, and alliance, & many their souldiers, came suddenly in hostile manner to the towne of Coole, in the County of Corke: Where there were gathered about sixteene of the Erle of Barrimores troops, And where also were a great number of inliabitants, men, women, & children, that were tennants to the Erle of Corke, And then & there those wicked rebels, being armed, surprised the s^d towne, And setting upon a stone house where the said troopers & other men were, those troopers and men cried for faire quarter, w^{ch} those rebels promised to give vnto them, if they would yield the house, W^{ch} being done, those merciless & perfidious rebels, contrary to their promise and tearmes of quarter, sett vpon and murdered them all (being about thirty), vsing such torture & execrable cruelty, that they cutt some of the men's tongues out of their heades ripped and slit vpp the women's bellies, cutt and slitt the noses of others to peeces, spareing neither age nor sex, but miserably slaughtering them all. (zz)

About June 1643, as this depon^t hath very credibly heard, certeine rebels whose names she cannot expresse, meeting with one Mr Bysse, a minister (whoe had been employed as one of the com^{rs} for the inquiry of the losses and sufferings of his Maties loyall subjects within the province of Mounster), nere Corr Abbey, betweene Corke and Youghall, did then and there very cruelly wound him the said Mr Bisse, and, that done, they there hanged him to death, there leaving his body vnburied exposed to ravenous creatures. (a)

A little before the first Cessation of Armes proclaimed, some

(zz) All duly sworn on reputed hearsay: And with what harrowing detail it appeals to the imagination of the reader! The story is an arrant fraud, not on the part of this woman—she merely nods assent to a diatribe prepared for her by Jones, or under his direction—but on the part of the so-called Government commissioners, who simply used her to colour a gross calumny upon the Irish. The Condons made an attack on a foraging or marauding party, as, under the rules of war, they had a right to do; and the Barrymore troopers had the worst of it. Jones took his cue from Urban Vigors (Lord Broghill's chaplain), from whom he had a relation three years before the date of this deposition. See that account [20].

(a) Bisse took examinations as late as the middle of August of that year. See Nos cxx, cxxii.

of the name and sept of the Condons, with their rebell souldiers, came forcibly in the night to a village in the said county of Corke, called Ballinscurloge in the parish of Ballinoe, And then and there sett a howse on fire, Out of w^{ch} seven persons of English protestants (some of w^{ch} were Thomas Gardner and his wife) flieling to avoid the flame were by those rebels surprized, & then & there murdered, and the house quite burned. (b)

And the depon^t further sayth (as she hath been credibly informed and verily beleeveth), that vpon or about the xxiith of June 1645, the Erle of Castlehaven and his rebellious Army, meeting at Rostellean Castle within the County of Cork with one Mr Deane . . . and with one Mr Henry Brian, brother to the Lord of Inshequin, Mr ffrancis Courtney, Capt Harden and Captain Baker, They carried them all to Castle-Lions, & the next day they there hanged to death the said Deane (*blank*), and sent the other gentlemen that were taken with him, prisoners to Kilkenny.

The deponent heard it credably reported, that the said Deane, a little before he was put to death, asked the rebels why hee must suffer death, They answered, because he was a puritant and a Roundhead. He replied: I take it vpon my death I know not what those words mean, But I am of that religion that both the Kings Mat^{ie} & y^e Lord Lieutenant-Generall of Ireland professe, w^{ch} is the true protestant religion, And if I suffer I know not what I die for; or to that effect.

And the depon^t (c) further sayth, That although the parties rebels that assisted the Erle of Castlehaven in his rebellious acts afores^d were very numerous and many: yet she knew not nor can name any of them that [shee] saw there with him, but only Lieutenant generall Colonell Purcell of [or nere] Kilmallock, & Colonell Purcell before named, and Edmund ffitz Gerald of Ballymartin, vhele to the lord of Inshequin: Neither doe they (*sic*) thinck that any one of the gentry that is a recusant & that staieth in those parts hath absented himself & beene clere from those

(b) 'The cause of her knowledge' does not appear. The commissioners having got a sensational story, were satisfied.

(c) Changed from these deponents first written.

rebellious & vnlawfull actions (the said Mr Butler of Kilcash only excepted).

Jur. xiiiith Augusti 1645 coram Hen. Clogher & Hen. Brereton.

Ex^d

HEN. CLOGHER

WILL ALDRICH (*d*)

CXXVI

The Examination of Major Thomas Downing | f. 320
of Lismore in y^e County of Waterford, taken November 24, 1652: (*e*)

This exam^t duely sworne saith, y^t he is aged 40 years or thereabouts, & y^t he being at Lismore afores^d at y^e begining of y^e rebellion, and (as he remembereth) before Christmas 1641, a party of y^e rebels, among whom was Capt. Edmond Fenell (now Collonell Fenell) did come to Ballianker neere Lismore aforesaid, and y^e house of Hugh Croaker, a seaman, & (as the exa^t was informed by Christopher Croaker then in y^e house) they stormed y^e said house, & being resisted, Captain Fenell promised quarter & received [out of y^e windows] y^e armes of those within & being entred tooke out of y^e house one Edward Croaker brother to y^e s^d Hugh, whom they shott to death.

The same time also they did, contrary to the quarter given, take out of the said house John Pike & his two sonnes, whom they did hang on a gate at Ballianker aforesaid, & as they were

(*d*) The same signatures appear over the beginning of the document, which is a copy thus certified. The original deposition does not appear. The exception of Richard Butler of Kilcash, who was as much involved in the civil war in Ireland as any of those so charged, is, I should say, due to the fact that his brother, the Marquis of Ormonde, was at the time this deposition was taken, Lord Lieutenant of Ireland, and through his influence Henry Jones was about to be made bishop of Clogher (cons. 9 Nov. 1645). The charge affecting all the recusants appears in various examinations, indicating that the deponents merely assented to the formula. See a notable instance in the deposition of Peter Hill, high sheriff for the County Down in 1641.—*Ulster Journal of Archaeology*, April, 1904.

(*e*) This and the following examinations were taken in preparation for trials before the Cromwellian High Court of Justice. Capt. Edmond Fennell was at the date a prisoner awaiting trial on capital charges.

hanging (as the exa^t heard), they gave them many wounds, striving who could strike deepest.

This exa^{at} further saith y^t he did bring away y^e corpse of y^e said Edward Croaker (his brother-in-law) & buried it; & buried also the bodies of y^e said Picke & his sonnes, & y^t he did so y^t very morning y^e s^d Fenell & (as he heard) Richard Butler of Kilcash brother to the E. of Ormond, [then] marching away with y^e said party from Ballianker after y^e said murders, & that they then marched to y^e Warren of Lismore, & after over y^e blackwater at Affane.

This exa^{at} further saith that Anne Downing y^e exa^{at}s wife [being within two months of her time] & 3 smale children, named Thomas, Robert, & Anne Downing (y^e eldest being about 6 years, y^e youngest about a year and a half old) & one George Browne y^e exa^{at}s servant, were murdered (f) . . . house . . . —illtowne, in y^e County of Limerick . . . John Kenedy as *this exa^{at} heard*, he being then at Lismore afores^d & y^t S^r John Browne of y^e Hospitall about a mile & halfe from Miltowne afores^d then pursued the said Kenedy & his party, by whom one James Gold, brother-in-law to y^e said S^r John Browne was then slaine in y^t pursuit, And further saith not.

Deposed before me

THO. DOWNING

Hen. Jones. (g)

(f) Paper torn and illegible at these blanks.

(g) The document is throughout in the handwriting of Henry Jones, who had, before this time, put away his mitre of Clogher to don the garb of the Cromwellian trooper, and, as scoutmaster-general to Cromwell, was then busily engaged in the congenial duty of working up prosecutions against those who had surrendered on the faith of the articles of Kilkenny (12 May 1652). Richard Butler of Kilcash (see preceding examination) is now as great a rascal as any of them. The Marquis of Ormonde is absent on the Continent, and Jones understands that the ex-Lord Lieutenant is also to be treated as a rebel. Cromwell had no more active or devoted servant than this same Bishop-scoutmaster Jones. Yet, at the Restoration, he was permitted to resume the bishopric of Clogher, and, in the following year, was translated to the see of Meath (in which he already held as the gift of his Regicide employers, the estate of the Lynchés at Summerhill), with a seat at the Privy Council, and rank next to that of the archbishops. In the long history of Dublin Castle it will be hard to find a more consummate actor, or a more virulent enemy of the natives than this Henry Jones. The pity is that so many will insist on putting forth as history the output of so brazen a mountebank.

CXXVII

The (further) Examination of Major Thomas | f. 324
Downing of Lismore in y^e Co. of Waterford, taken
Nov. 24, 1652 :

This exaāt sworne saith y^t Catherine Downing, y^e exaāts mother, living at her house in Ballisaggard in y^e co. of Waterford, Tibbot Butler of Ruscoe in y^e co. of Tipperary & his two sonnes (whose names he knoweth not), and others with them, comeing in a friendly maner to the said Catherine's house, about y^e time of y^e last siege of Lismore (y^e precise time of which he knoweth not), & y^e said Tibbot & his said sonnes & party coming entred y^e house as aforesaid, he said to them, You villains, why do you not do your worke, Whereupon they pillaged y^e said Catherine & her house : & y^t she threatning to complaine of y^t wrong donne her, & goeing [as is supposed] to that end y^e same day towards y^e E. of Castlehaven comanding at y^e siege of Lismore, some of y^e said Tibbot Butler's party (whose names the exaāt knoweth not) followed her, & at Balligorran, (*h*) in one Pepper's orchard, stab'd & cutt [her] till she died : There being present W^m m^c Cahill's wife of Lismore named Anne when y^e said Catherine was so pillaged & after murdered as aforesaid, Who did informe this exaāt of y^e said particulars. And further saith not.

Deposed before me (i)

THO. DOWNING

Hen. Jones.

CXXIX

The Examination of Sergeant Josias Nance of | f. 328
Clonmell, in y^e County of Tipperary, taken y^e 17th
of November 1652 :

The said Josias Nance being sworne & examined, saith, that at y^e beginning of y^e rebellion, Capt. (*blank*) Fennell (now Collonell Fennell) comanded in chiefe a party of y^e rebells against Caperquin

(*h*) Glencairn : the place is at the opposite side of the Blackwater to Ballysaggart. The old name was Ballygarran.—*Ed. W. & S.E.I A.J.*

(*i*) This also is throughout in the handwriting of Dr Henry Jones. The particulars are avowedly second-hand, but duly sworn all the same. Was Anne ni Cahill present at the murder? Why in the orchard?

in y^e Co. of Waterford : when & where, he y^e said Fennell comanded one Captaine Sherlock with a party to enter y^e s^d towne, w^{ch} y^e said Sherlock did accordingly ; by w^{ch} party there were then & there murdered nine women & children (*j*) in y^e house of Henry Nance y^e exaat's father, he the exaat being present in y^e roome where they were so murdered, but knoweth not the p'sons [who did actually comitt y^e said murder], they being all strangers to him ; & that he the exaat then escaped, he creeping vnder a bed, whereby he was not discovered. And further saith y^t y^e said Captⁿ Sherlock was then slaine in y^e saide towne, & his body exchanged by y^e said Fenell, as this exaat heard. And further saith not.

Deposed before me,

JOSIAS NANCE

Hen Jones (*k*)

CXXX

[f. 330

Manasses Marshall saith, That two men came to Colonell ffennell, in his hearinge, did tell the s^d Colonell, That if he would give them forty pounds, they would forbear to testifie ag^t him for the murther of the two women & a man, Otherwise they would speake [& do what they could] ag^t him & . . .

(Ends abruptly. Not dated or signed).

CXXXI

The Examination of Captain Abraham Hill, [f. 332

taken before vs the last day of Nevember, 1652 :

The saide Capt. Abraham Hill, being duely sworne and examined deposeth and sayth, that he was present on Saturday before Shrovetide in the year 1641 when Capt. Edmond ffennell, with a great party of horse and foote, came into the cunny-borrowe (*l*)

(*j*) It did not occur to Jones to take the names of those so murdered, or any of them. No hand was more tender towards fragile things than that of Bishop-Scoutmaster Jones.

(*k*) And in his handwriting.

(*l*) The rabbit warren of other depositions. See Urban Vigors on the death of Cornet Downing [8].

at Lismore, And that this deponent went out with his Coronett Robert Downing and what horse they had att Lismore, Then the sayde ffennell did call for the officer in chiefe to change a brase of bulletts with him, and he goeing to meete him there, being in ambush lade imediately shott the sayde Coronett Downing whereby he fell of his horse, and then was forced to retreat to their Garison of Lismore. And further sayth not.

(No *Jurat* or *witness*).

ABRAH. HILL

CXXXII

28th of October, 1652

| f. 334

Examination of William Connell, taken before the Court
against Thomas Archer: (*m*)

The said William Connell of the Cittie of Kilkenny, gent, being duly examined saith, In the bginning of the rebellion he was then a traineband, mixt of protestants & papists in the City of Kilkenny, W^{ch} did watch and ward by turns, And afterwards fearing to be surprized by the papists, the protestants withdrew themselves to their houses to save themselves and their goods, and watched not with them any more, And this exam^t heard of a petition w^{ch} was exhibited to y^e Lord Mongarret against the protestants in Kilkenny, but knoweth nothing of it particularly. And further saith not.

(No *signature*).

CXXXIII

28th October 1652

| f. 335

Sr Patrick Weyms (*n*) saith that Thomas Archer was a man always given to his books, and not meddling with the world, and for ought this ex^t knoweth affecting the English.

L^t-Coll. Wheeler saith he never heard of anie bad inclination in the said Thomas Archer before the warrs.

(No *signature*).

(*m*) This and the following, though relating to the County Kilkenny, have been bound up with the documents relating to County Waterford.
(*n*) *Sic.* Wemys is the usual form.

CXXXIV

I doe hereby Certifie whom it may concern, that upon | f. 336
Shrove tuesday 1641 in the begining of this rebellion, Capt. Edmund
ffennell with a route of Rogues came vnto Ballyanker in the County
of Waterford, where I was with my husband Edward Croker,
then living, and stormed the house wherein we wear, w^{ch} was
justified (*sic*) by my husband and 4 other Englishmen for about
halfe an hour, Whoe had condicions of quarter granted vnto them
for lives and wearing apparell, and to be conveyed vnto Lismore,
But contrary vnto their s^d quarter, as soon as my husband delivered
up his arms and gave them possession of the house, they conveyed
both my husband and those foure men, and shott my husband
to death, and stripped me and three of my children of our clothes,
and kept them and me prisoners, vntill they heard of Sr Charles
Vavisor's Regim^t landing in Youghall, w^{ch} made them run away,
and leave me and my children behind them.

And further I doe Certifie, that I was told by Captⁿ James
Bryn and severall others of that party, that all the officers were
willing to perform the quarter granted except y^e above-named
Edmund ffennell, Who pretended that he had one of his men
hanged by Capt. Hugh Croker the then governor of Cappoquin (o),
and that (in revenge of that) he would have my husband's life
who was a kinsman vnto y^e s^d Captain Croker: All w^{ch} I am
ready to depose, and would have gone to Corke to that purpose,
but that I . . . am not able to ride. As witness my hand,
this 27 November, 1652.

Signed in presence of

(Mark)

Roger Carter

John Croker

Both the witnesses were sworne before vs the last day
of November, 1652, that this Certificatt was writt
by her owne direction, and read to her by these
witnesses.

Isaias Thomas,

Ro. Saunders.

(o) There is a significant admission here. Hugh Croker could have
cleared up the matter, but he is silent as to Fennell's reasons.

CXXXV

The depositions of Christopher Croker, being duly | f. 338
 examined and sworn, deposeth :

That vpon Shrove tuesday 1641, Capt Edmund ffennell, with a strong party of rebells, came vnto Ballyanker, where this deponent's father Edward Croker (and James Pike and John his son, Thomas Butler, and another Englishman, servt vnto Cap^t Joshua Boile) then lived. And saith that the said rebells sumoned them to deliver their armes and y^e said house unto them, or otherwise that they would take it by force, Yett notwithstanding, after they had been [aboute] half an houre attempting of it and failed, this depon^{ts} father desired quarter for himself, his wife, and children, and those abovenamed Englishmen, and all others in y^e house with him for their lives, W^{ch} they granted, and promised to convey them safe half wayes vnto Youghall or unto y^e towne end of Lismore : Whereupon the doore was opened and as soone as the rebells came in they began to deale very rough and barbarously with vs, and stripped the deponent and his mother and his two brothers, Whereupon the deponent's father Edward Croker demanded what they meant to doe with him, or if they would break their quarter (p). The depon^{ts} cause of knowledge is that he was with his father Edward Croker in y^e house, and heard when y^e quarter was granted, and saw his ffather deliver out the armes at y^e same window w^{ch} they attempted to enter att, and that he was by his ffather when he questioned them after y^e house was delivered.

And further saith that the same day they caused the depon^{ts} ffather to be shott to death, and, as y^e depon^t heard, y^e s^d ffennell did with his owne hands shoote his s^d ffather in y^e head after he had rec^d two shotts before by those y^t were appointed to execute him. And this depon^t doth the rather believe it, for y^t he heard one shott a pretty while after the first two w^{ch} were discharged ; and that he saw his ffather's Corps wounded with shott

(p) There is indication here of some misunderstanding. Unfortunately, we have only the accusers' version, in which there is undoubtedly much suppression of fact to suit the prosecutor's purpose.

in y^e head, and two in the body, when it was carryed into Lismore to be buryed.

And further saith that this depon^t heard severall of those rebells tell his mother, that ffennell was y^e only man y^t caused her husband to be putt to death, & y^t all other of their officers were willing to save his life but y^e s^d ffennell, whoe swore he would have his life in revenge of one of his men y^t was hanged by Capt Croker the then governor of Capoquin, who was kinsman to the depon^{ts} ffather.

And further this depon^t saith y^t y^e within named 4 Englishmen were y^e same day hanged vpon a gate by the s^d ffennell's party, And this depon^t was standing by when he saw them soe executed, w^{ch} is his cause of knowledge.

And further this depon^t sayth that in or aboute Midsummer 1650, he being then in comānd vnder Colonell Sankie at Clonmell, he mett with Lieut-Coll. James Bryn whoe was then a prisoner there, to whom this deponent went, Whoe told him that y^e above-named Fennell was y^e only man that caused his y^e depon^{ts} ffather to be putt to death, & this depon^t does y^e rather beleeve he told him truly, for y^t y^e s^d Bryn vsed him and his mother and brother civilly and tooke care of them at y^e same time when y^e depon^{ts} ffather was murthered. And further saith not.

CHRISTOPHER CROKER

This depon^{tion} was sworne before us this last of November,
1652

Ro. Saunders, Isaias Thomas.

CXXXVI

The examination of William Mullaghane [aged | f. 340
60 years or thereabouts], taken upon oath, 26th November,
1652 :

Deposeth that in the first yeare of this rebellion in Ireland, that Coll. Edmund ffennell, then Captⁿ ffennell, was governour of Dungarvan, and went abroad either a-hunting or on some other business, he mett with two English maids, th' one about

the age of sixteene years, th' other about the age of twelve, and brought them to the towne of Dungarvan, and kept them a night or two in the Castle, and in the afternoone the second day after they came in, he sent them boath [out of the towne] with about a dozen of his soldiers, out of the west gate, without the walls and gave his said soldiers order to hang them in the lane without the gate, W^{ch} was accordingly done. And the cause of his knowledge is, that he saw them hanging; and also this deponent and one William Murphew, who is now dead, cutt them down out of the tree, and buried them boath. And further saith not.

(Mark)

This is the true examination of the abovenamed William Mullaghane, upon oath taken before vs whose names are subscribed, the day and year abovesaid, as witness our hands.

Char. Blount, Fran. Vaughan, ffr. ffoulke.

CXXXVII

26 Nov. 1652 | f. 341

Thomas Gough, aged forty years, heard (*q*) that two English maids were hanged in the lane near the this town of Dungarvan by Capt^r Edmond ffennell's order, and that some of the said Capt^r ffennell's soldiers hanged them.

(Same names as in last examination) (Mark)

The endorsement—'The examination of W^m Mullaghan & Tho. Gough ag^t Coll. Fennell for y^e murder of two maydes at Dungarvan'—is in the hand-writing of D^r Henry Jones.

CXXXVIII-CXLII

Examinations taken before Coll. Robert Sanders & Isaiiah Thomas, Esquire, this 26th day of November, 1652: | ff. 342-343

(*q*) He heard—from whom? This story repeated an oath by so many is absolutely disproved by the finding of the High Court setting at Cork in December 1652. On the charge of 'murdering the two English maids,' Fennell was voted 'not guilty.'—(T.C.D. MS. F. 4.16).

(1)

John Barry of Ballyreah, aged about 30 years, deposeth, That he the exam^t being servant to one James Pike, living at a place called Bally-Anker, in the barony of Clishmore about [y^e begining of this rebellion], did see divers persons with arms, the comanders of w^{ch} were Coll. Butler and one Capt. ffennell, W^{ch} said ffennell, *as this depon^t heard*, stormed the said house, & within y^e space of 2 hours, toke the same, & thereupon toke out of the said house eight severall men, three women and 4 children, whereof Croker and his wife were part, & drove them out in the field.

And presently thereupon, this deponent *did see* some of the said partie, whose names he knoweth not, take and atack one James Pike [y^e exam^{ts} master] & John Pike, and hanged them vpon 2 severall carrs, And at y^e same time this depon^t saw y^e said Christopher (*sic*), as also presently thereupon *the other five* were hanged by the same partie. (r)

And this depon^t further saith, that the said Butler [& ffennell], before y^e surrender of y^e said house, did assume (*sic*) and promise y^e said Christopher (*sic*) Croker, then being in the same house, in the behalfe of all y^e persons then present, that he the said Croker & all y^e rest of y^e said persons should live peaceably in y^e same house, or departe in peace to Lismore, where there was then a garrison. His cause of knowledge is that he this depon^t was then present in y^e said house when it was stormed as aforesaid.

(Mark)

Robert Saunders

Isaias Thomas

(2)

| f. 342b

Joane the wife of Owen Offlyn & daughter of James Pike, lately deceased, aged about 23 years, being deposed, saith :

That she being in Bally Anker house, in the barony of Cosmore, in y^e first yeare of y^e rebellion, saw a party of men in armes, w^{ch} were reported to be under the comand of Colonell Butler & Captⁿ

(r) At least the deponent's memory is at fault in several particulars. Other deponents say the men were 'hanged on a gate.' See No. cxlvi.

ffennell, Who did then and there attempt y^e storming of y^e said house after a short time, wherein a servant of Captⁿ ffennells was wounded ; it was surrendered unto y^e said Butler and ffennell, they promising to all y^e said persons in y^e said house free quarter for their lives. Yet presently afterwards in y^e same day, y^e said Butler & ffennell's souldiers, did take out of y^e said house [of those] who then were promised quarter as afores^d, James Pike this exam^{ts} ffather, together with her brother John Pike & [two or three (s)] persons more whose names she knows not, & hanged them.

And presently after y^e said Edward Croker was shott to death : All w^{ch} murthers, as this exam^t heard com^{on}ly reported, was done by y^e speciall com^{and} of y^e said Captⁿ ffennell. After all w^{ch} some of y^e said souldiers did [forceably] take y^e said exam^t to Tallow Bridge, who after a night's tyme releast her & let her goe cleare. And further saith not.

Robert Saunders

(Mark)

Isaias Thomas

(3)

| f. 343

Isaack Quarry, aged about 58 years, being [further] duly sworn & examined, saith :

That he knewe Capt. ffennell, & y^t he the s^d Capt ffennell & Captain Shurlock, who in y^e first yeare of y^e rebellion, with a company of ffoote souldiers, about y^e number of 700, as some of the said souldiers reported, did come to y^e towne of Capperqueene, When and where y^e s^d souldiers did burne y^e most part of y^e towne, & therein was burnt at y^e same time by y^e s^d souldiers, one Nicholas Wall and Richard Sowton and four women, one servant mayd, and a child was also murthered then by y^e said souldiers. This deponent's cause of knowledge is, that he was then a soldier in y^e s^d towne under y^e com^{and} of Capt. Croker, and at y^e tyme of y^e firing of y^e s^d towne, he was on guard. (t)

(Same names).

(Mark)

(s) As first written, 'four or five.'

(t) Did he see any of the alleged murthers ?

(4)

Russell ffinger, aged about 63 years, being duly sworne and examined saith :

That he hath seene Capt ffennell [at Caperqueene], and he this deponent being in Caperqueene in the first yeare of the rebellion [heard (*u*) that] a party of souldiers came unto Mountaine Castle, [where] one Clement (*blank*) & Ensign Coole, and a Bucker whose name likewise he knoweth not [& some others] went to sell some tobaccoe, presently after y^e sayd Capt ffennell, as this depon^t heard credibly reported, hanged ('y^e said Ensign' *crossed out*) Richard Rylve & killed y^e said Ensign Coole, y^e s^d Clement, y^e said Butcher (*sic*), and tooke [the three Crokers] divers other prisoners.

(Same names)

(Mark)

(5)

Isaack Quarry y^e younger attesteth y^e truth of y^e deposition of Richard ffinger in all the material parts thereof.

Robert Saunders

ISAACK QUARRYE

Isaias Thomas

CXLIII

The examination of Stephen Baltman, taken before | f. 344
us, the 30th of November, 1652 :

. . . Sayth that in the [nine dayes] Sissation (*sic*) [in September, 1642], he with others in his company went nere unto Mountaine Castle, being thereunto invited, there came Capt Edmond ffennell with a party of horse, and fell upon us with force of armes (we no wayes resisting him or his party by reson of the Sissation) and killed Ensign Coole, then Ensign to Captain Hugh Croker, Thomas Clements, miller, and one Burne, a butcher, the rest of the said party being taken prisoners ; the said Capt ffennell asked of one that was by, whether any of the Capoquin blades had escaped, Whoe replied, that there was but one, Where upon Cap^t ffennell forced us to goe into the green at Mountain Castle nere Capoquin,

(*u*) 'Saw' first written and cancelled.

[and asked] whether any had given quarter or not. Then answer was made him by Lieut. John Legg, then Lieut. to Captaine ffennell, and others of the party, that they had given quarter to those. Y^e s^d Capt. ffennell replying againe, that there was none of them had power to give quarter, And that none had quarter but Barry Croker, whome he gave quarter vnto, Whereupon he the s^d ffennell caused Richard ô Rely and another to be taken out from amongst the rest of the prisoners, and drawn up by a rope to y^e limbs of a tree and hanged, Capt. ffennell not leaving y^e place vntill he saw them both dead, and then marched the rest of us to Dungarvan, and from thence to Carigneshure, and from thence to Clonmell, where we remained in prison six or seven weeks. (v)

Ro. Saunders
Isaias Thomas

STEPH. BALTMAN

CXLIV

| f. 346

George Giles being sworne . . . sayeth—(Almost identical with Baltman's statement. He names the man hanged with O'Reilly—John Coagh, or Keogh, another Irishman in the service of the enemy. Same date. Signed 'Ro. Saunders').

CXLV

November the 24th 1652

| f. 347

The examination of Isaack Quarrie of Caperquin, aged about fiftie years, duly sworne & examined, saith :

About a fortneth after the Sesation, two Irish troopers coming as convoe for Captain Wane capten for y^e parliment to bring him safe to Caperqueene, intised [three of Captⁿ Croker's sons and] Ensigne Coale of Capt Crokers company & one James a butcher & Clement a miller, & one Richard Riley [with divers others] to

(v) A pretty story this! But in spite of the scribe's artful attempts to withdraw the real facts, one may see that the move of Fennell's accusers was to seize and garrison the Mountain Castle in time of a cessation. There was a conflict in which three were killed by Fennell's party, the rest being apprehended. Two of these being Irish, were hanged as renegades. The English men taken were spared, and for some weeks kept in prison. This, I submit, is the explanation of the Mountain Castle affair.

goe to meet them at Mountain Castle, nere Croghnesleddy [att a day appointed] where they might boath sell some tobacco & buy some cattell, And staying there nere y^e Castle to drink a bottell of beere, One of the afores^d Irish troopers, by name Phillipp Newman, brought Capt. ffennell (since Left Coll.) with his troupe to surround them, who then and there killed the said Ensign Coole, James y^e butcher, & Clement y^e miller, and hanged y^e afores^d Ryly. The cause of his knowledge is ('first y^t a footboy escaped and tould this exam^t . . . ' *cancelled*), that he heard his Cap^{ts} sons & Hew Wyldes & George Gyles & John Shepard declayr & confirm the afores^d murthers soe to have been comitted as abovesayd, they being taken prisoners & having quarter given at same time by y^e said ffennell.

(Mark—rude initials). (*w*)

This exaicon was taken before me the day & year above written.

Joh. Harding

(Overleaf a similar hearsay statement by Russell Finger, taken in almost identical terms by John Harding).

CXLVI

John Casey of the old ffordge, nere Tallow, | f. 349
aged 34 years, duely sworne upon y^e holy Evangelists
and examined, deposeth and saith :

That on Shrove tuesday, the year 1641, this depon^t going with a l^{re} from David Barry son to John Barry of Dongorney (he being at Coolishy) to M^r Thomas Butler, then at Ballyanker with Capt Edmund ffennell and severall others of the Irish Rebels, And after this depon^t had delivered to the s^d Butler [his l^{re}], he comaunded this depon^t to looke into his waggon ; and that he did see M^r Edward Croker and fowr other Englishmen as prysoners in the custody of the s^d rebels. . . And that the s^d ffennell and the

(*w*) This appears to be the Isaac Quarry who was examined two days later before Saunders and Thomas (f. 343). The present relation, sworn on hearsay, differs materially from Baltmans. But in neither have we the real occurrence. If Coole and the others who lost their lives were 'murthered,' what was to prevent the 'murther' of the prisoners without exception ?

sayde Thomas Butler & others were then present, and did see the four English men hanged upon a gate in this depon^{ts} presence, the s^d ffennell standing by with a pistoll in his hand, untill they were strangled and dead, And that presently after he heard Mr Edward Croker then a prysoner as afores^d proffer a certayne money, att the least twenty pounds for his life, but the s^d ffennell made answer that if he would give a hundred pounds he should not have his life, because he was a kinsman to Capt Croker of Capouquin, but should have his choice either to be hanged or shott to death. Whereupon the s^d Croker made choice to be shott to death, & then Capt ffennell called a souldier of his partie, and they both went with the sayde Croker (having his hands tyed behind his backe), & put him up against a ditch, and there shott him to death in the presence of this deponent. His cause of knowledge is, for that he was present and did see and heare what he hath deposed of to be true. (Mark)

This deposition was taken before me the 6th December 1652. (x)

CXLVII

The examination of Margaret Southwell of | f. 351
Tallow-bridge, in the County of Corke, spinster,
aged twenty-two years, or thereabout, being duly
sworne and examined, deposeth and sayth :

That shee this deponent living att Tallow-bridge, and being there about some eight years since (as shee verily beleeveth) att Midsummer last, or thereabouts, And one night shee being ready to go to bed, one Catheryn ny Wagh came unto her and tould her that the enemy was coming to towne, Whereupon shee came out with her and came unto Mr [Peirce] Benbury his barne, joyning to his dwelling-house; and imediately after, this depon^t went to bed with the sayd Catheryn ny Wagh, Jeane ny Currayne & others, And suddenly after the candle was putt out, the enemie came in, and broke open the window over Mr Benbury his head, and then they plundered the house

(x) The date of the opening of the High Court of Justice at Cork by Justice Donnellan.

and tooke away M^r Benbury prysoner, and carryed him away, and that he was murdered (y) about a myle from the house, but by whom she knoweth not. Only shee deposeth and sayth that William ô Leghy, a prysoner in Youghall, and Patrick Swayne, his brother-in-law, were [y^e partie] with the enemy when the sayde Benbury was carryed away as aforesaid. And further sayth not.

Phillip Elzery (Mark)
(On same page, Joane ny Currayne to the same effect).

CXLVIII

(Katherine Oultagh proves to the taking away of | f. 353
George Benbury. Taken 25 Oct. 1652 by Philip Elzery).

CXLIX

Youghall, June 16, 1654. | f. 354

Depositions concerning S^r Richard Hosborne (*sic*), junior,
of Knockmone, in y^e yeare 1645 :

L^t John Croker, aged about 24 years, sworne, saith :

That the s^d Hosborne was in Actuall arms in y^e yeare affores^d
at y^e siege of Lismore. This depon^t . . . hath seene the
s^d Hosborne in arms in y^e yeare afores^d.

Taken before JOHN CROKER
(*No name*).

CXLX

Youghall June 16, 1654 | f. 356

Depositions taken concerning John m^cTibbot of Clonea
in y^e yeare '41 :

Isack Jiles of Lismore, aged 30, sworne, saith :

That the s^d M^cTibbot was in actuall arms in the year afores^d
. . . he hath seen the s^d M^cTibbott in arms in y^e yeare afores^d

Taken before ISACK GILES
(*No name*).

William Boyse of Capperquin, sworne, (Repeats the fore-
going).

(y) How could she tell? It is a queer story all through.

CLI

(John Quarry's deposition of 24 Nov. 1652, repeats f. 357
the story told by Isaac Quarry, f. 347).

CLII

Corke, June 13, 1654 f. 359

Depositions concerning John ffarnane in the year 1641:
(David Crotty saw him in actual arms in that year. Signed
by Crotty, but not witnessed)
(Isaac Giles also saw ffarnane in arms in that year—Signed
but not witnessed)

CLIII

Corke, June 7, 1654 f. 361

(Thomas Abraham of Cork saw John ffitz-Gerald of ffarnane,
Co. Waterford, in actual arms in the year 1641. Signed but
not witnessed.)

CLIV

Youghall, June 26, 1654 f. 363

(Stephen Bateman saw Roger M^cGragh in actual arms in the
year 1641. Signed but not witnessed.)

CLV

Corke, June 7, 1654 f. 365

(Thomas Abraham saw John ffitz-Gerald of Woodhouse, in
Co. Waterford in actual arms in 1641. Signed, but not witnessed.)

CLVI

Corke, June 7, 1654 f. 367

(Thomas Abraham saw in actual arms against the English,
in 1641, James Walsh of Ballycrow, Co. Waterford. Signed but
not witnessed.)

CLVII

Youghall, June 26, 1654 | f. 369

(John Andrewes saw in arms in 1641 Edmond Roche of Tuorine, barony of Coshmore ; and

William Boyce saw the same Roche in arms in 1643.
Both sign—no jurat or witness.)

CLVIII

Youghall, June 17, 1654 | f. 373

(John Pepper of Ballynoe, barony of Coshmore, saw in arms, in 1641, Euer M^cTeige. Signed, not witnessed.)

CLVIII, CLIX

| f. 375

(Pierce Power of Curribeny, & John Foster of Youghal, saw Edmond Roch of Towreine, in arms, in 1641. Both sign. No jurat, or witness.)

CLX

Youghall, June 26, 1654 | f. 377

Hugh Hill & Lieut. John Andrewes, saw in actual arms, in 1641, John ffitz-Thomas of ffearnane, barony of Coshmore. Both sign. No jurat, or witness)

The clash of arms may be said to have ended in 1652, but the war was continued in the courts, particularly during the years 1652, 1653, 1654. The judicial campaign was pursued in the

same spirit as had marked the military proceedings of the conquerors. In fact the courts were, in the main, constituted of military men. There is a remarkable entry among the notes of the High Court at Cork in 1652 :

Corke, December 14, 1652.

'Sentence was this day pronounced in open Court, whereby were 24 acquitted, 32 condemned, & some res-pitted' (T.C.D., MS., F. 4, 16).

Four cases are marked : 'Deferred until further evidence, & referred to Chiefe Justice Cooke's Sessions.'

APPENDIX A.

(The following remarkable document will be found to explain, and even to answer many passages in the Depositions, supplying a record of incidents suppressed or misrepresented by the Parsons-Borlase commissioners.)

T.C.D. MS., F. 3, 11. Paper 21. (z)

URBAN VIGORS his account of the Rebels' proceedings in Munster, in a Letter, dated 16 July, 1642, to Dr Jones. (24 pp. foolscap) :

Reverend Sir,

My humble service, etc. I have sent you according unto promise, upon Thursday last, a breviat of the proceedings and going forward of the service of Mounster in the kingdom of Ireland, your brother Cornett Joanes and myself being comrades, and serving under the Command of the Right Honorable Roger, Lord Baron Broghill, myselfe being also his Lordship's chaplaine

The Rebels entering into the province of Mounster, committing a great spoyle in their March, Sir William Saintleger, knight, Lord President of the said Province, with 200 horse, ffryday the third of December, *killed 200 of them between Clonmell and Waterford, besides a great number that were drowned*; many prisoners were then taken whereof *40 of the Ringleaders were hanged at the City of Waterford* the Munday following. (aa)

(z) As recently re-numbered this interesting paper, written on one side occupies folios 61-84.

The numbers below placed in brackets indicate the pages of the original document.

(aa) Monday, 6 December, 1641. Of course, there is no mention of these "services" in the depositions; but there is a howl over the hanging of one of Saintlegers soldiers later on.

"Sir William St Leger—the President of Munster—whose wife was a foreigner, and all whose early days were spent abroad, did much execution on the rebels. He marched, with his own troops and about one hundred men, across the mountains and arrived in the county of Waterford in time to arrest the incursions of the rebels who were devastating Gaultier. He over took a party of them at Mothill, recovered the prey, and made nineteen of the rebels prisoners. From thence he attacked the main body, six miles

Tuesday the seventh of December—my Lord President having notice the Rebels had robbed the Lord Arch-Bishop of Cashell, and driven away his Grace's cattle and flocks from his pallace of Camus, made after them and found some of the said cattle in the barne of a gentleman not farre from Cashell, Whereupon his Lordship caused the Rebbles' houses to bee fired, and sent the gentleman to Clonmell Gayle; after which tyme wee were indifferent quiett vntill Baron Loghmoe and Capt Grace's souldiers came into our country, and stole the cattle, and pillaged as they went; their stealths and villanies they committed were commonly in the night for the most part: most of their armes were half-pikes and skeanes. Not long after their coming in this Theevish kind of way, but most of the papistes in our Barony of Condons consorted themselves with them, and robbed their next neighbours, and kild such as did withstand them, without any regard of their former intimacy of Love, or those of favours done them, and auncient acquaintance: Which made all the Protestants to fly to Castles for the safety of their persons and lives, or run away to some Port Towne, or to the next strength adjoining, and leave all they had with them. My honorable lord, the Lord of Broghill aforesaid, hearing of those cow-stealers, and the cruelty of the Cundans, sent his Troope of horse amongst them. But *wee could not make any great execution* there at that tyme by reason of command which came the next day (beeing the first day of february), from our honorable generall, the Lord President aforesaid, to meeete at Kildorrery, in Sir William ffenton's cuntry, Where all the English force and strength of the County Cork

further on, as they were preparing to cross the Suir. He killed 140, brought 50 away prisoners, and on his arrival in Waterford, *he executed the whole sixty-nine men* after trial by martial law! This struck great terror into the hearts of those who were disaffected, not only in Waterford but also in Tipperary. His brave son William, who was only lately naturalized, ably abetted his father. With Colonel Mym he was soon after despatched to the King's aid in England. Their regiments embarked in November to join the Royal army and St Leger soon after fell upon the field of battle while cheering on his men to a successful charge."

—Gimlette, *The Huguenot Settlers in Ireland*, p. 176.

The 'executions' mentioned in foregoing extract belong to the first week of December 1641, when there was no rising of any account in County Waterford—no 'main body of rebels' there at the time, except bodies of terror-stricken peasants whom the advance of St Leger had driven from their homes.

were in field (but those that lay in Garison) ready to encounter with the Lords Mountgarrett, Don-Boyne, Castle-Connell, Ikerrin, Baron Lohmoe.

Wee continued in the field at Kildorrery afores^d two dayes and two nights, expecting theire coming according to promise and theire many threatnings. But they did not dare to come to vs, or fight vs then ; for wee had a daynty champion country which doth much antipathize their cowardly natures. They fight and deale altogether vppon advantages. They will have woods and Boggs to second them, or they will not fight, can they any way shun it. They marched to the towne of Kilmallock in the county of Limbrick, where I heard the Lord Mountgarrett was loveingly received by the Townsmen, with [the rest of] his discontented gentlemen, for they used the English very coursely that lived in those partes, and others that had occasion to deale and commerse with them.

The third day of ffebruary the Lord President, the Earle of Barrimore, the Lord of Dungarvan, my Lord of Broghill, and Sr William Courtney marched towards the Redshard to have given the enemy a meeting. The Redshard is the receptacle for the Rebells of those partes ; it is as daungerous a place for woods and Boggs as any in Ireland ; it lyeth in Sir Edward fitz Harris his country, not farre from the town of Kilmallock.

The aforesaid Lords, Sir, to my own knowledge went with a full intent and purpose to have given the Rebells' great army a crack, and I dare say they had, had our Armyes mett that day, for they are Lords of most noble mindes and courageous speritts, their very names are a mighty terror unto the Rebells, they are all four of them approved Souldiers, they will indure much hardship, cold and hunger, for they did lye in the ffield without any tentes in snow, frost, rayne, hayle, and all weathers ; excellent they are in managing their horses ; the very rebells acknowledge that, and often say, they had rather encounter and fight with three Troupes of horse that should come newly into the land then with one of these Lords' Troupes, and Sir W^m Courtney's Troupe *have given thousands of them their due disertes* since the time they did first rebell.

One thing at Kildorrery I observed in my Lord President that I cannot omit: his Lordship lying in the field, having no pillow but the ground, a gentleman presented his cloak vnto him, beseeching his Lordship to be pleased to rest his arme vpon it. Hee refused it, wishing him to keepe it for himselfe, the weather was very cold, and for his owne part he was better acquainted with such a kind of life than hee was. The gentleman was easily persuaded to leave his compliment at that tyme, for there was not the like day of snow all the last winter. My Lord indeed (Sir) is a very noble [and loveing] disposition vnto his Souldiers; and likewise are the other three Lords. As for my honorable good Lord, I am confident, your brother the Coronett hath written vnto you, of his noble sweet and kind caryage towards vs. Therefore I pretermit to speak or write any more in that particular.

ffryday the fourth of ffebruary—the Lord President hearing that the Lord Mountgarrett intended with his army to come to his Lordship's Towne of Dunnarayle, his Lordship caused our Army to march to the Mountayne's foote alias Ballyhowra, three miles from the said Towne to the north, to prevent their coming. Wee quartered there that night, Satturday and Sunday night.

Munday the 7th day of ffebruary, my Lord seeing their delays were but to gett Armes, Ammunition, and a strong party marched towards the Towne of Kilmallock, and plundered the country, for they were most Rebels in those partes. The Lord Mungarrett kept those in the Towne, and dared not fight with us. As we could at that tyme have made up but a thousand armed men besides our Troupes of horse, we had made a period of Mungarrett's rebellion, and of all those that were then out in the County of Corke and Limbrick. Wee being could do no execution vpon them, returned to our old quarters.

There was good service don in our march by our Scoutes, and by the Provost Marshall, Captain Peasley and his horse. (bb)

(bb) Dr. Henry Jones would understand how Peasley and his mounted men earned this praise—by raiding the country, burning, and cutting down the Irish peasants who might come in their way.

Sir John Browne, knight, Lieutenant Carleton and myself, with 4 other gentlemen which did ride abroad as Scouts to discover the enemy, took prisoner Miles fitz Harris, Esquire, and his man, as they were riding to Kilmallock vnto the Lord Mungarrett, who had sent for him to have made him governor of the said Towne, as did appeare by his Lordship's letter which we found, also with him the Articles and Commands which the Priestes and ffryers swear the people to observe and maynetayne to the losse of goods and lives. I know you have seen a copie of them, therefore I forbear to mention them. Hee, being *a little threatened* by some of our company, promised Three score pounds for his ransome, the which was very welcome, for money was very scarce amongst us. But my Lord President coming presently up with the Army and hearing fitz-Harris his answeare, truely waying the cause and his former caryage and service since the rebellion of others in the countrey, Vpon his faythfull promise then made of his future loyalty, caused the said money to be restored, and sett him free.

Two dayes after fitz Harris setting at liberty, the Lord Mungarrett and his great Army, the like whereof was never seen in Munster, came vnto vs at Ballyhoura aforesaid, and in their March took the Castle of Ballahey and Dod's castle was yeilded vnto them uppon quarter; for which the Lord President was highly offended with the Constable of the said Castle; but his Lordship is *merciful to all Protestants*, though he much hateth a coward.

The sight of Mungarrett's huge multitude and many pikes which made as great a show as a spacious wood adioyning to them, nothing daunted the aforesaid Lords and chaplaynes, nor any of their Troupers, for I professe vnto you there was not a man in our Army but had a desire to have fought with them, and the rather because wee expected them long and suffered many of us much want, Yet I dare say they were twenty for one, odds enough they had, yet they durst not descend the hill and come to us in the playne where we did incamp not much above muskett shott from them; wee had not any of our foote companyes in the field that day, they were all in the towne of Mallow five miles from our campe, to which place my Lord President thought good to

make his repayre, it being almost night, and the countrey people came flocking vnto Mungarrett's Army.

When we came to Donnerayle, my Lord President left Lievetenant John Downing to keepe and defend the Castle with shott, which kept it faythfully. (Lievetenant Downing is a stout preyman and one that hath don good service). Wee made no other stay, but presently marched our own way to Mallow where wee quartered that night.

The next day my Lord President with his Troupe, the Lord Dugarvan's, and some of the foote companyes, marched to the city of Corke. His Lordship thought it the best policy to make good the Porte Townes and strongholds.

The Earl of Barrimore with his Troupe, my Lord Broghills Troupe, and the remayne of the foot companyes marched towards [the port towne of] Youghall; and did save at Mallow for Mr William Dampere and for the English in those parts what cattle wee could, and brought them with us to the Earle of Barrimore's Castle at Castlelyons. The next day, the companyes that marched to Youghall drove them there, and releued the Towne, besides many of them were transported for this kingdom; which I conceive to be an act of charity in the said Earle and ought highly to be commended. My Lords Troupe marched home to Lismore. Within four or five days wee came home newes was brought vnto my Lord that the Rebels of Cundan's countrey had Robbed and pillaged divers of our neighbours, Whereuppon his Lordship was very much displeased, and caused fifty horse and thirty musketeers [to bee made ready], and hee roade in person with us to their place of Randavouse. When wee came neere Leevetennant Poore's Castle wee descryed a troupe of horse to the number of Three Score or neere about. Wee made up vnto them with all speede, But they tooke the advantage of the ground, and kept under a quick sett hedge, and placed some musketeers in a ditch adioyning which made some few shott vnto us, but did vs no hurt. Wee no sooner came over the said ditch but we perceived twelve coulors, no souldiers with them but the ensignes. Their Army lay at the bottom of the hill. But upon

notice given them of our approach, they suddenly made up unto their colors (for they are nimble swift footemen, they usually march as fast as their Horse), And as soon as they came vnto their colors, they fell into Rankes and files, and made as neat and warlike a body as ever Rebels did make in Ireland, for the quantity of men they had. Their number of foote was 1500 well armed, beside the countrey people that followed the Army. My Lord charged them home, and made their Horse retreat vnto Harfoote. Their Army durst not advance a long tyme, seeing his Lordship show resolution, by which means wee saved our foote. At length Colonell or Captayne Butler came out from the Army and desired to parlee with vs, Where vpon a gentleman of our Troupe, one Smythy roade unto him, And as soon as he came neere Butler asked him where my Lord did intend to give them Battle, Whoe made answere, he could not resolve him; But hee thought it was a very unreasonable motion, considering our handfull of men unto their multitude, And hee made known vnto him that my Lord when he came forth was informed they were but a company of cow-stealers, and had hee any way knowne of their great Army hee would have come better provided, Yet he thought wee were able to encounter with them; and so departed from him; only telling him it was his best course to returne home with his Army the way he came, and he doubted not but Mr Gerrald of Coolishine would furnish them with Boates to carry them over the Blackwater, and entertayne them as formerly. Butler made answer, that was not their intent: They came not over to that end, but hee did hope they could doe better service before they did depart the countrey. My Lord vpon Smythy's returne and answer, had a full intent to have fought with them, but his Lordship was persuaded to the contrary by some of the Towne of Lismore, one Bryan Cavernor (*cc*), an honest religious man and one that hates Popery.

That night the enemy marched to the Towne of Tallow. The next day they sett about the taking of a strong house called Balleanker, in which house was a gentleman, one Croker and his wife,

(*cc*) *Sic*, perhaps the Bryan Cavenagh, portreeve of Lismore, mentioned in the Earl of Cork's diary.

with three or fowre men more : they defended it manfully vntill such tyme as their powder and shott was spent ; they, seeing they could no longer mayntayne fire with them, yeelded vpon quarter, But Captayne ffennell most perfidiously caused the said Croker the next day to bee shott in cold bloud, *as they say*, and the poore men to hang each other in a field adjoining to the said house ; which I think all marshall men and souldiers will iudge to bee a most barbarous inhumane act. Therefore *I cannot but note him with a black cole*, though a discontented gentleman, as he terms himselfe.

The day following they besieged us at Lismore. But in the morning before their coming, ther came four companyes vpon the other side of us, which tooke Boate at Affane. Corporall ffoucks and some other of our Troupe, which were sent abroad as Scoutes, discovered them, and not knowing of their number of men, but thinking they had been only but cow-stealers and pillagers made up unto them, and *discharged at Captayne ffennell*, hee bringing up their Army or rather Raged Regiment, and ffennell likewise vnto him. In the scirmish ffennell's Horse was shott : Where vpon word was brought to the Towne that Corporall ffouckes was kild. Coronett Downing, hearing of it, and some few other gentlemen, they presently made unto them.

The Coronett *being a bold man (dd)* and of a very forward spiritt, roade up close to ffennell, and discharged his carbine at him : ffennell having gotten a fresh horse, he mist him. But as the Coronett wheeled aboute, one of ffennell's choyce shott, an old fowler which did usually run by his horse side, with his fowling peece shott at him in the back through his armour and body, which made him presently fale from his horse. Your brother Coronett Joanes, that now is in his place, seeing him fale, shott at Captaine ffennell ; and likewise Hee to him againe ; they made two or three shott each to other. Your brother, having discharged his carbine and pistols, vnshathed his sword and challenged the Captayne to fight with him, when the shott from their Army came flying

(dd) This is Robert Downing, of whose 'murther' so much is made in the depositions.

about his ears. But their great Captayne refused it, and retreated to the Army.

Your brother brought of the Cornett's horse in despite of them all. There was one of our men more kild in the fight ; their corpes could not possibly bee brought of by vs, they played so fast vppon vs with their shott. What number of men were killed on their side wee could not learne in regard *they were masters of the field.*

That night they quartered in the Schoole House and in the Almes House at Lismore, and in other houses which were out and free from shott from the Castle ; their Centinells which were in the Churchyard had a welcome with some shott from a Turrett of the Castle.

The next day [a gentleman] one Bayline came to the Castle with a drume before him, and made known unto my Lord, his generall's pleasure was that his honour would be pleased to surrender the castle unto him, before such time as there was any great effusion of bloud made, for his full intent and purpose was to have it ; and if his Lordship would yeeld it up quietly hee should have a safe convoy for himselfe and for all such as did belong vnto him, to Youghall or Corke, or vnto any other Port Towne in the Province. My Lord told him he was not acquainted with such kind of Languadge, and that for his owne part hee was resolved to live and dye in the Castle, and he thought all the men he had would doe the like in Defending and Mayntayning it against his Generall and all others that should assault it ; and wished him to take that for absolute answer. So M^r Bayline onely *drank, three or four glazes of wine and aqua vitae,* and departed. (*ee*)

My Lord is a vigilant man ; hee placed yard guards and a strong watch vppon such as were men of trust, and likewise vppon every quarter of the Garden and Gate House. His Lordship watched himselfe Three Nights together, encouraging his Souldiers, and seeing they might not want things fitting, nor any of the poore people of the Towne and Country which came to the Castle for the safety of their lives. My Generall's Lady (*ff*) was

(*ee*) Broghill's hospitality.

(*ff*) Lady Broghill.

newly brought abedd of a child, Otherwise, I dare say, shee would likewise have watched in person ; for shee is a Lady that truly fears God, abhors and detests Rebles, And I know but few men in the Land will shoot off a fowling-peece better or neerer the marke than her Ladyship.

My Lord was not forgetfull of the dead Corps of Coronett Downing, But sent his Trumpeter one John Downing, and others, to the Enemy's Army for it. They gave leave for the bringing of it to Towne, But wished withall that no minister should bury him, for hee dyed one of their religion, a Romane Catholicke ; wherein I am persuaded, and partly know, they wronged him highly, for hee had at the very first shott his death wound, and, after that, hee was not sensible of anything they said or did unto him. I buryed him in the Cathedrall Church of Lismore, and as hee was layd in the ground, hee had a volley of shott given him by our Souldiers in the Churchyard mauger the harts of those proud Popish Priests and Rebels that quartered in the Towne. Captayne Broadrige who is Captayne of the Castle vnder my Lord is a man of an vndaunted spirit, a faythfull honest man, and one that hath acted the part of ' . . . nere in the Towne. Your brother the Coronett and hee are intimate loving friends. . . .

My Lord, sir, being both young and active, thought of a way to fright this Dommaneeing, yet cowardly and fearfull Army (*gg*). The way was this : He caused all the Ordnance, Murderers, Harquebusses, Musketts, Carbines and pistolls that were in the Castle to bee shott off at once, and, with the same, sent them word by a man whome my Lord did much confide in, That the English Army was come to the Towne, for wee heard they had intercepted the Earle of Corke's letters which his Lordship sent on the landing at Youghall of Coronell Vanester. This sudden noyse and Thundering shott did strike such terror into the Hartes of those guilty and wicked persons, That they presently furdled up their coulors and runne away to the Blackwater to take boate at Affane, where they came over the most part of them ; many ran a contrary way ; I believe they never saw their coulors againe til this day.

(*gg*) Broghill's Stratagem.

Wee pursued them with fifty horse, or thereabout, *and killed many of them (hh)*, and many were tooke prisoners who had very good muskettts and pikes.

The Captayne of the last Company that tooke boate, one Prindergrace escaped us very narrowly ; hee left his stately mantle behinde him, and was fayne to trust to his nimble heeles that commonly prove their best defence. I hartily wish wee had a considerable number of men there for their sakes. Wee tooke from them two hundred and fifty head of cattle, most of them were oxen and coves of the English breed. Wee took also six or seven Garrons, all which they had stollen in the country from Englishmen. You might the next day have bought in Lismore a good cow for eighteene pence, a garron for sixpence (*ii*), and a sheepe for threepence. Wee tooke likewise their wagons and a number of Scaling ladders that five or sixe at once might goe up abreast. They are in the Court at Lismore at this day. And thus by the providence of God as the primary efficient, and the forecast and manhood of this honorable Lord the subordinate instrument, those Rebels were shamefully chased away, the Castle preserved, and many hundreds of poore people, women and children, for the most part that did fly there for succour, escaped their fury, and not so much as one of them hurted.

The next day *wee did make them sensible of their errors in the town and country that did consort themselves with them. (jj)*

Within 5 or 6 dayes wee had put those Rebles to flight newes came vnto my Lord, That the Lord President, the Earle of Barriomore, the Lord of Dungarvan, Sir William Courtney, Colonell Vanester, and what forces could well be spared from the Port Townes and Castles, should all meete at Lismore, the second day of March, and so quarter there that night, and the next day march to the

(hh) That was, of course, good service upon the rebels. But what a treacherous, bloody, barbarous and cruel proceeding it would be for the rebels to kill any of their opponents in the same way !

(ii) Although only six or seven had been brought in. He has already told how scarce money was then. There is a note of self-glorification in his account of 'our' exploits.

(jj) That is, 'my honorable lord' Broghill hanged as many as were suspected to have aided, whether willing or otherwise, the rebels who had come into Lismore after their little success at Affane.

Towne of Dungarvane, which was performed accordingly. My Lord rode to Castlelyons to meete the Lord President, and [brought his Lordship's] honour with him, which was taken very lovingly and in good part.

Upon our march between Castlelyons and Lismore *there were killed divers of the Rebles*. Wee took the Castle of Turbeath which Mr Richard Cundane had formerly taken from Mr Osborne's servants, *and burned all the houses* in the Cundanes' Country, on this side the Blackwater; there were also taken some few prisoners; most of the gentlemen of the country were at the Towne of Killurd, alias fleetewood's Plantation, upon the other side of the water. (*kk*)

Wednesday the third of March—Wee . . . (*a line at least clipped off at foot of page*) . . . Our Army marched from Lismore towards the Towne of Dungarvan (*ll*), *killed some in the way, tooke many prisoners, and burned all the cabins in the country*.

My Lord President's Troupe, and my Lords Troupe, marched some 4 or 5 miles before the Army; when we came neere Sir Richard Osborne's Castle (*mm*), about three miles from Dungarvane, Wee saw seven companies with their coulors displayed iust opposite vnto, onely a river betweene us, and a little bogge. Wee made all possible speede wee could to a forde to gett over the river, that wee might gett before them to keepe them from marching home to the Towne. But they marched an exceeding fast pace, insomuch that wee were no sooner in the foord but they were within muskett shott of vs, and discharged at vs. The river was so deepe that our horses were enforced to swime. Wee, seeing what advantage they had us, wheeled about, and came foorth out of the river, and galloped vp to another foord a mile from it, and passed over safe before such tyme as they could make vnto

(*kk*) And these so lovingly honourable persons, Saintleger and Broghill killed as many of the peasantry as remained about their own doors, and burned all the houses as they preceeded! Vigors making no apology for this course of action; it was the sort of 'service' expected and required from those who then represented the State in Ireland.

(*ll*) The march to Dungarvan.

(*mm*) At Knockmone.

vs. They, seeing wee had gotten before them, fell into a body close by a wood's side, a little more than muskett shott of vs. Wee braved each other awhile. At length wee made towards them; they, seeing our carbines all ported, and my Lord and Captaine Bridgesboldnease, and descrying all our army, presently fardled up their coulors, and fled with all haste towards the pasage of Youghall and to caves in the wood. There were *many of them taken and killed* in their flight, and many more ther had byn, had not the woodes and bogges byn their especiall friends. That night the Lord President and the rest of the Lords lay at Sir Richard Osborne's Castle, and our Army quartered betweene the Castle and the Towne. Our Scoutes took that night a gentleman and his man which were riding to Dungarvan, but *hanging prevented them*.

Thursday morning being the 4th day of March, our army, between eight and nyne of the clock, came close before the Towne of Dungarvan.

Wee tooke it within three hours' fight, and *burned most of the houses* which were Thatched, and burned likewise a stately stone-house, well slatted, of one Mr Hoare's adjoining the Towne (*nn*). There were divers gentlemen and others that escaped over the strand a-horseback, the water being then fordable, for it was the beginning of the flood. My Lord President, perceiving it, caused a squadron of the best shott to make to the strand with all haste, *which killed many of the Rebels*, notwithstanding many escaped. Whereuppon my Lord caused a party of horse of every Troupe to bee chosen out to ride to the other side of the river, and *burne the Towne uppou that side and kill as many as came over*. Wee (*oo*) were forty horse upon that service. Captayne George Welsh, who is now in this citty, was with us, and behaved himself valiantly, *and did good service* to my own knowledge, for I was an eye-witness unto it. Wee burned the Towne on that side the strand, *according to our directions*. There were *killed by our party* of Horse *neere fifty*; and I think there were *killed and hanged* the like number

(*nn*) See Nos. lxxv, cxii.

(*oo*) The chaplain evidently being one of the forty so employed in cutting down the Irish refugees whether in arms or not.

on the other side of the Towne ; and in the Towne were *many killed and throwne into the sea*. There is not any man, I dare say, can tell certaynely how many were killed and drowned : some say 200, some 300, and some 400. But I am of opinion 200 were the most that were slayne. At night our forty horse returned to the Towne on the other side and quartered there.

Those that were in the Castle stood out, and shott at us ; they killed four of our men, and hurted three or foure more. That was all the lost and hurt on our side.

Sir John Browne was shott [from the Castle] through in many places with slugs and quarter shott, yet hurted not his body : he is a daynty brave-spirited gentleman, and one the Rebles doc much dread.

Saturday morning the 5th of March—They yeilded vp the Castle in the Towne, to depart vpon this quarter : To march away like Souldiers, their Coulors flying on their Bagpipes before them ; the which was granted them and performed. My Lord was noble in his promises, and would not take an example by their kind of quarter (*pp*). But I believe they had not had so good quarter, could wee have gotten any good place to have quartered our horses in, They could not have stood out long, for our shott kept them from water. Those that were in the Castle on the other side of the Towne had quarter to depart onely with their lives and wearing cloathes. There was a great store of pillage taken in the Towne by our Souldiers, and a good quantity of excellent Spanish Iron which was brought to Youghall in Mr Williams' pennace. The same day the Castles were yeilded wee returned to Lismore *with victory and spoyle*, and wee burned all the Rebles' corne in our march, that was in those partes, *and killed many of the Rogues* that were their spyes in the Country.

(‘Saturday night’ *crossed out*) Sixe or seven of our Troupers that went foorth in morning as Scouts, and *to burne some cabines*, mett with some pillage. The enemy surprized, and killed two

(*pp*) Allusion to Ballyanker. And if all were known, Fennell had got sufficient provocation, as may be gathered even from ‘Urban Vigors, his Account.’

or three of them. Leive-tenant Poore (*qq*) with eight or nyne Troupers took a castle three miles from the Towne of Dungarvane : he is a very honest gentleman, and one that hath mayntayned his Castle [of Balligarran] in despite of thousands of the Rebles—for Capteyne Butler and Capteyne ffennell, with three or foure other Capteynes besieged him at once, beside the countrey people.

Saturday night, Sunday, and Sunday night—Our Army quartered at Lismore, and at the Towne of Tallow two miles from it.

Munday morning, being the seventh day of March—Wee marched to Castlelyons, and in our march, wee had Routed (*rr*) the Rebles in Cundanes' Countrey, had not my Lord President heard of Sir Donogh McCarty, Lord of Muskryes Rebellion. Wee quartered that night at Castlelyons, the Earle of Barrimore's Towne : his Honor gave the Lords Commanders and Common Souldiers noble entertaynement : he is of most noble generous free nature, full of humanity and christian charity, and no less pious and truely virtuous : Hee hath sermons in his Castle duely twice a day, Sundays, Wednesdays, and frydays. His Lordship releved all the English that were Robbed and stripped in the Lord Roches and Cundanes Countrey. And his right honorable and religious Countesse cloathed a great many of them, and amongst the rest, my wife and children who were robbed and stripped in the same countrey, when the great and strong castle of Cloghleagh was yielded vp unto Mr Richard Cundane, Wherein were most of the inhabitants of the Markett Towne of Killurd, and some of the inhabitants of the Markett Towns of Clogheene and ffermoy, and divers of the parishioners of Letrim and Clandullane : All which the said Earle kept a long time in his Castle, and afterwards sent his Troupe with them, and conveyed them safe to Youghall. I hope his loyalty, good service and great charity extended to these and many [hundreds] more destressed protestants, will not long goe unrewarded ; however, I am confident he shall have

(*qq*) See No. lxxvii.

(*rr*) Vigors is particular to claim the victories his party should have gained—but for something.

an everlasting reward. There are at least forty ffamilies uppon his Lordship's care and charge at this day, which were robbed and pillaged of all they had.

His Lordship hath had many invitations and letters from the Lord of Muskry, the Lord Roch and other Gentlemen of the Countrey, to ioynе withthem ; whis his Honour detests and scorns. The copie of the Lord of Muskries letter I have here inserted : (ss)

“My deare Lord,

Uppon the first rising in Armes of the Vlstermen, and after of Leinster and Connaghtmen, against the King and commonwealth, as I then conceived, I did as much abhorre and detest their insurrection, and wished as evill success to that their desperate attempt, as I tooke it, as either English or Irish could wish, Vntill at length vppon better consideration, having examined all the wayes I could for finding out the true grounds of that insurrection, I found out the cause of their discontent and rising in Armes was the apparent ruine and destruction threatened to Catholic Religion, King, and Countrie, which I did not altogether beleeve to be the grounds of their quarrell till I saw all Mounster either rise or ready to rise out, Whereat I was much amazed, that I did more seriouslie expostulate with all, or the most parte, of the province of Mounster, then with the rest, to dive into the true cause of their discontent, Who all protested that they wished no harm to the King of England, nor any English whatsoever, But that apprehending a generall feare of Prosecution, Ruine, and Destruction to Religion, King, and Countrie, they were fearfull and sensible thereof, that they held it more safe and honorable for them to expose their lives and fortunes to all hazards for Justification of those three, then to be of the happiest condition without assurance of enjoying them, w^{ch} with the rest of the Kingdome with a full resolution to hazard my life and estate or mayntayne the Catholicke Romane Religion, his maiesties pre-Rogatives and Royall attributes to the gouernment and ancient privileges of the poore Kingdome of Ireland, Established and allowed of by the Common Lawe of England.

“My Lord these three poynts are so reasonable that I doubt not but your Lordship (yf you beleeve that they are the cause of our quarrell) will rather further them then offer to hinder our present designe.

“For the first, it is so cleere that I will not argue it ; the second I know your Lordship will advance and iustify to your power as much as any subject can doe ; and without the benefit of the third, There is no living for your Lordship or your posterity in this poore countrey. And yf your Lordship doe beleeve this to bee the true motives and grounds of our discontent, the least of them is enough to invite your Lordship to ioynе with us in so honest and generall an action ; where yf you should think to bee remisse or refractory our forces are ready, and have vowed to endeavour the destruction both of your life and estate.

“Yf your Lordship doubt of the truth and honesty of our quarrell, and the cause thereof: Wee shall be ready and very glad to give you all satisfaction therein ; and yf you please to give credit to particular relation, I protest vppon my creditt, there is no worldly respect could make mee forgett my loyaltie, to his Maiestie, my Lord, (as well as I wish your Lordship, and although I have used my endeavours to keepe my kinsmen and adherents

(ss) Muskerry to Barrymore.

from going into your countrey), Yf you come not presently and ioynе with vs, you must expect present Ruine, And though I were resolved not to stirre nor ioynе with the Countrey as I have done, I have such [burning] killing of men, women, and children, without regard of age or quality, that I expect to no safety for myselfe, having observed as innocent men and well-deservers as myselfe so used; and to show that this our demonstration is faythfull and honest, those three conditions being granted, and well assured vnto vs, wee are satisfied, and will lay down our armes. Thus, expecting your Lordship's pleasure, I am

"Your Lordship's affectionate kinsman,

"Brother and Servant,

"17 Martii 1641"

MOUSKERY." (ii)

Thursday the eight of March—My Lord President and Colonell Vaneston and their forces marched from Castlelyons to the City of Corke, and they gott into the City in good time, for the Lord of Muskry had raysed his countrey, and was very strong; the strongest castle his Lordship hath, wherein he vsually liveth, is within three miles of the City; the name of it is Castle Blarney: the Irish is those parts say it is one of the strongest castles in Ireland. I have been often in it, and I find it to be a place of great strength. The late Lord, Sir Charles McCartee, built two or three walles, and walled the Garden with very strong walls and Turretts, with Battlements, and contrived many places of defence. I could hartily our English Army were the owners of it.

I had almost forgotten to acquaint you how my Lord of Broghill tooke Roche's Castle of the Towreene, near Lismore, and cawsed the countrey people to go forward in plowing their Land, which I conceive to be very good service.

The Lord of Killemeaky hath don very great service of late in the west parts of the County of Corke, and about the Towne of Bandon-Bridge, tooke the Castle of Killbrittayne, McCartee Reaughes Chiefe Castle, the Castle of Villaloney, and divers other strong houses, and *plundered the countrey*. I know you cannot but have a true relation of it, being heere are many in this City which were with his Lordship in the said service.

(ii) It is worth noting that in Lord Muskery's lengthy explanation there is no allusion to a commission, real or pretended, from the King.

Referring to certain expressions towards the end, we are to remember that the 'copy' comes from a hostile quarter.

In taking of the Short Castle at Mallow, Mungarrett lost seven score of his men. There were not above 9 shott defended (*sic*) the said Castle, and they kept it so stoutly that after the enemy had made a breach or two, they gave them quarter, Which was performed accordingly by the Lord Mungarrett, contrary to the Lord Roche's mind, as I have byn informed. However it was, I am assured there was a great falling out then between the two Lords, and many of the Lord Roche's men killed in the Broyle, —twenty men killed and hurted at the least, as the Souldiers reported that were there; and to end the difference they burned a great part of the spoyle which was in the said Short Castle.

The Cundanes doe much mischiefe neere ffermoy and Castlelyons. They killed at one time three and twenty of the Earle of Barrymore's Troopes that roade to Coole an English Plantation aboute a mile from the Towne, to fetch Corne. It was a most Barbarous Cruell Murder (*uu*). *I trust the All-seeing eye of the Almighty will not suffer it long goe unpunished.*

To acquaint you, Sir, with the overthrow, wee gave the Lord of Muskry neere Corke, with 500 musketeers and a hundred-fifty horse, and how his Lordship's Tent was taken then by our Souldiers, and his Armour for his owne body, would be true, though stale news; for I am sure you have seene part of the passages in print. The Lord of Muskry escaped with life very narrowly at that tyme. I heard, when his Lordship came home to the Blarney hee fell out very sore with his Lady (*vv*) for perswading him to ioyne with the countrey in their rebellious actions and desperate attempts.

(*uu*) It would have been 'good service'—altogether a glorious achievement,—had the Condons, while out on a foray, been caught and similarly dealt with.

What a noble strain of Christianity runs through this reverend narrator's effusion!

Compare the following from the Earl of Cork's Diary: "1643, June 3. Sir Charles Vavasour with his regiment of foot, and my son Francis with the troop of horse, gained, with battery, the strong castle of Cloghleagh in Condons' country, and put all the rebels therein to the sword; for which good achievement, God make us truly thankful!" (Ryland, p. 340).

(*vv*) She was one of the then Earl of Ormond's sisters. Her brother, Richard Butler of Kilcash, a leading man on the Irish side, is often mentioned in the depositions foregoing.

Great ô Donovan, as the Irish call him, whose father was a most notorious Reble, doth much spoyle about the Leape, Castlehaven, Bantrey, Rosse Carberry, and divers other places. His ffather burnt the Towne of Rosse, the last warrs and he or his souldiers most inhumanely killed a daughter of the old Lord Bishop Lyons, that was both deafe and dumbe. Yett hee came in upon his protection, and saved his landes. I beleeve this ô Donovan doth hope he shall have the like ffavour, and my neighbours the Cundanes, as the Arch-Reble their grandfather had. But I doubt not but that they are mightly mistaken; for there will never any Englishman that is a protestant dwell neere them, I am perswaded, let them expresse what love and loyalty they will hereafter.

ô Swillivane-Bearre, Teige ô Downee, fflorence McCartee of the Castle of Blanduffe, Black ô Cullane, and other ffreeholders neere Rosse ioyne their fforces together, and have taken a great store of pillage & robbed the English about the Bantry, Kilcoo, Affadowne, Ballidehob, Landore, Cloghnakilty, Inniskeane, Castletowne *alias* Holdenstowne, the Towne of Rosse, and those parts. The Rebles have made a slaughter-house of the Cathedrall-church of Rosse, and dayly kill their coves and sheepe in it. My ffather came lately over, & makes knowne so much. Hee hath lived in the said Towne thirty yeares and more, and hath byn a good part of the tyme, Treasurer of the said Church.

Master Arthur ffreake, and my ffather-in-law Boyle, with others the inhabitants of Rosse, have very manfully and bravely defended the Castle of Rosse-Barry, neere Rosse, in despite of all the Rebles' armyes, and have done very good service against them. They now want bread, beare, and other provisions, for their store was long since exhausted; they had no beare in the Castle these fourteene weekes. But by help of a loch which doth almost meet the Castle rounde, they live, though poorly. I have a sonne in the said Castle, and there are many women and children in it. It is a hold of great consequence: Therefore, I hope there will be a course taken that it may speedily be releaved.

Bandon-Bridge men, I heare, desire some aide, for the enemy doth now begin to grow strong in those partes, and Victualls is

very scarce in the Towne. The English inhabitants and souldiers that are in the Castles of Maccollop, Balladuffe, Mungeely, and Kilmacow neere the Towne of Tallow, have done good service, and mayntayned those holds stoutly and bravely. The Enemy trembles at the very naming of Captaynes Pyne, Carter, Russell, Jackson Emery, who are the chief commanders of those Castles ; as also at the naming of a minister (*ww*), one Mr Robert Crewel who is in Maccollop Castle : The common sort of Irish say hee conjures amongst them.

Cloghleagh Castle and Dungullane Castle the enemy still mayntayne, and keeps : they are two very strong castles, but they want water both of them. Daniel McShane ô Bryan is captayne of Dungullane : he hath a company of desperate naughty fellows about him : they came to [a gentleman] a parishioner of myne, whose land lyeth in Letrim, one James fitz-Gerrald, who is now married vnto the Lord of Muskry's aunt, and perswaded him to leave his Theatched House in Letrim, and goe with them to the said Castle of Dungullane, and there they would create him Earle of Desmond, and put him in possession of his lands. The gentleman, being a very weake man, both of body and mind, was soone perswaded and went with them ; and there he is yett, for anything I hear to the contrary. I believe the gentlewoman his wife hath store of money and plate there with her : to my knowledge, there is store of plate, brasse, pewter, iron potts and featherbeds, in those two Castles, and, amongst the rest, there is some of myne. I hope I shall see the demolishing of those Castles, or a strong ward of English in them : they are the places of refuge for the Rebles of all that countrey, and indeed they are the Bane of the English in those partes, and of all the travellers that passe that way ; and they were the occasion of the death of many hundred Englishmen the last warrs in Ireland, as I have byn credibly informed.

The souldiers which doe belong to Mr (*blank*) Cundane of Kilgullane Castle in the parish of Marshalstowne, and vnto

(*ww*) Fighting ministers were by no means uncommon in that civil war. And some of them, rushing into the conflict, got 'murthered.'

Mr Vlicke Roch a cheefe freeholder in those partes, doe committ many outrages and stealthes. Sir William fenton's butler, I heard, killed the yong Captayne Mr Roch's sonne, neere Michels-towne, when he came in the night with his ragged crew to steale cowes from some of the townesmen. I know not well how the old Vlicke Roche of the Castle of Balleclogh doth behave himself. There is a quondam parishioner of myne, an Englishman, Mr Robert Nixon in the Castle with him.

The Lord Roche's castle of Glannor is a strong place, Yet I heare but a weake ward in it. Our Army tooke his Lordship's castle of Castletown lately, wherein were a thousand people at least. His lady was in the Castle then. They yeilded, as my friend Pouckhood of Corke informeth me, uppon quarter to depart with their lives and wearing apparell. Our Army tooke also great ô Callaghans Castle lately.

The Lord of Inchiquin and Captayne Gipson have given of late a great overthrow to the Rebels 4 mile from Mallow, near the towne of Broghill and the Mountayne's foote. My Lord of Broghill relieved Sir Richard Osborne's Castle, and brought him home with him to Lismore very lately, and *killed two hundred of the Rebels* which had besieged the Castle. I believe they will never besiege that Castle any more [because] they have had such ill-successe, for I was with my Lord in the beginning of March last when wee put many hundred of them to flight that had besieged it, and killed many of them, and took some prisoners. (xx)

There were *killed by the Lord of Inchiquin's Troupe* and others, they say for certayne, that came out of the County of Corke, 400 *of the Rebles*, and they took 4 ensignes and 3 drummes from them, with a great deale of good pillage: But there is great doubt of keeping of them, yf speedy help be not presently sent over, for the Rebles are very strong in the County of Limbrick, and have threatened not to be long away from the County of Cork (yy).

(xx) We hear no more of the prisoners that fell into Broghill's hands.

(yy) Dr Henry Jones, to whom Vigors writes, was then in London spreading his views of 'the rebellion' in Ireland. His ostensible purpose was to solicit contributions in aid of the ministers distressed by the rising.

And thus hoping wee shall shortly have the victory of all the Rebels, and a strong garison a while kept in every market Towne [of any strength], I commend you vnto God for the present, and will for ever remayne as I have profest myself to bee

Your affectionate friend and servant to be commanded

VRBANUS VIGORS.

16^o Julii, 1642.

APPENDIX B.

HIGH COURT OF JUSTICE AT CORK,
(DECEMBER, 1652).

TRIAL OF COLONEL EDMUND FENNELL.

At the Cromwellian High Court sitting at Cork 6-14 December, 1652, Justice Donnellan presiding, Edmund Fennell was arraigned on four capital charges :

- (1) For the murder of Edward Croker, and others at Ballianker, on Shrove Tuesday 1641-2.
- (2) For the murder of Ensign Cole and others at Mountain Castle, near Cappoquin.
- (3) For hanging two English maids named Plumer at Dunganarvan
- (4) For murdering 20 English at Cappoquin.

'At y^e private debate, the Court found Fennell

- (1) For the Ballianker murder—GUILTY.
- (2) For the murder of Ensign Cole, etc.—GUILTY.
- (3) For the murder of the two Maids—NOT GUILTY.
- (4) For the murders at Cappoquin—NOT GUILTY.

The notes of these and other trials at the same Assize, probably taken by, or for, the presiding judge, are preserved in Trinity College, Dublin. The manuscript is now much worn and in fragile condition. The writing is a rapid scrawl, much contracted and very difficult to decipher where not altogether illegible. The Ballianker case is marked as the third murder case held on that day the 6th of December—so rapidly could they dispose of a life and death inquisition in those times. I subjoin the judges' notes so far as I have succeeded in making them out.

It will be seen that some 'witnesses' are marked 'present,' others not. Those marked present were examined in court. The others were represented by the deposition formerly taken (*in camera*).

III.—Trial (6 Dec. 1652)

Col. Edmond Fennell for murdering | T.C.D. MS., F. 4-16

Jo. Picke (zz)	}	1641 Shrove Tuesday
Ja. „		
Edw Croker		
& 5 others		

Evidence :

1. *John Casey* (p'sent)

He did see Edw Croker & 3 others in y^e hands of y^e Irish Fenell being present with a pistoll. They were hanged. & y^t Croker offered money for his life. He said, not if 100^{li}, that a kinsman of Croker of Caperquin & after shott. Y^e Exaāt did se & heare what is deposed as aforesaid. Y^e Captⁿ was y^e cause of y^e death of Croker.

2 *Christopher Croker* :

y^t Fenell gave quarter to y^e house in w^{ch} Croker and the rest, to convey them to Lismore or Youghall. Y^e armes were delivered at a window to Fenell, the exaāt seeing and hearing all this.

Y^t Croker y^t day shot to death, & heard y^t Fenell did shoote him on y^e head after 2 others shot. Heard many of the rebells tell his mother y^t Fenell was cause of Crokers death, & y^t others desired to save him. 4 others hanged there on a gate & Fenell standing by.

They wold have had the son to hang the father, as he heard then one hanged y^e other & then he after handg.

3 *John Barry* :

He serv^t to John Picke. He saw Butler and Capt. Fenell at Ballianker take there Croker and others; that he hanged John and James Picke then, and Croker was shott. And Fenell was present when q^r given to all in it, to live there or goe to Lismore.

(zz) *Sic* on notes. But, as on the depositions, the name was Pike.

4 *Joan Picke :*

Y^e daughter of Ja. Picke then in Ballianker when Fenell came with others. A serv^t of Fenells muredred in that storme. Q^r given. James & John Picke and 2 or 3 more hanged & Edw Croker shott, heard by speciall comand of Fenell.

5 *Cath. Croker :*

Y^t Fenell came to her house. Q^r given for life & wearing apparell. Her husband shott. 4 hanged. Stript her and 3 children, This in revenge for Ensign Croker's act ag^t Fenell before (a).

PRISONER'S DEFENCE (b) :

Denieth he was there at y^e time, & not tell all y^t done.

Witnesses :

1 *Margaret Sheehin :*

Y^t house taken & people before she came to the place
. . . not at y^e doing of it.

2 *John ô Crotty :*

He was at Ballianker when taken, & the next day.
Heard not of q^r. He did not then know Capt Fenell, if he did se him

3 *Lawrence Fenell :*

Y^t on Tuesday at night he at Dromany . . . heard of Ballianker taken, Y^e exam^t his footeman, being then
. . .

4 *Gerott Fenell :*

Y^t Fenell at y^e taking of Ballianker was between Ballianker & Capoqⁿ all that day, a mile or two from Ballianker.

5 *Teige M^c W^m :*

He was present when Croker shott & did not then know Capt Fenell. . . .

Corke, Dec. 11—Voted & Resolved—Col. Fenell for Ballianker Murder, GUILTY.

(a) We have a hint here as to the cause of this Ballianker murder.

(b) If the note represents the defence it was feebleness itself.

III Trial.

Col. Edm Fenell for murdering

Ensigne Cole

Ja. Burne, a butcher

Clement, a miller

Rich. Rely (c).

Evidence :

1 *John Quarry* (p'sent) :

They inticed on promise of security by some of Fenell's party to goe to Mountain Castle ('during y^e Cessation' *struck out*), betrayed, and Fenell brought then. Q^r promised, they taken, and after hanged.

This related by some of the prisoners then taken & released.

This in time of cessation.

2 *Steven Bateman* (p'sent)

In y^e 9 days cessation of 1642, Edm Fenell with a party of horse fell on y^e said parties, with whom was the exa^{at}. Killed Ensigne Cole, y^e butcher, & miller, & after hanged (notwithstanding Q^r declared by his L^t) Richard Ryly & another (*d*), this exa^{at} being present.

Fennell said that Richard Rely was hanged on some complaints then made ag^t him.

3 *George Giles* (p'sent) :

Within the 9 days cessation, Fenell then kild Cole, a butcher, & miller

Q^r given, and declared to Fenell, & after hanged Richard Rely & Jo. Keogh, he standing by till they were deade.

Y^e exa^{at} then of y^e party & present

Y^t Philip Newman of Fenells had inticed y^e said parties to goe into y^t danger, he promising security, & they believing it, being a time of cessation.

(c) Presumably the deponent of No. lxxxii.

(d) Names Keogh. The two with Irish names were hanged as renegades. The others were made prisoners of war.

4 *Isaack Quarry* (p'sent) :

Y^t y^e 2nd day of y^e 9 days cessation, invited to Mountain Castle to sell tobacco.

They were coming away, and staid to drink.

Then Fenell fell on them. Y^t Rich^d Rely & Jo. M^c W^m (*sic*) were hanged, and others kild. This told by those who were present.

5 *Mrs Mary Sanders* :

Y^t it was a time of cessation, & y^t all her neighbours desired to go & sell tobacco.

6 *Abraham Hill* (p'sent) :

Y^t a cessation made by Inchiquin. Y^e exa^{at} did speak then at Tallow with Fenell ; that, during the time of cessation, those taken and kild.

7 *Giffard Stoute* (p'sent) :

(No note).

8 *Russell Finger* (p'sent) :

told by some of those present y^t—————(*sic*)

The Prisoner's Defence :

Denieth his knowing any cessation. Y^t *Rely had killed a priest* neere Dungarvan after q^r, for w^{ch} he hanged. Knoweth not of there being invited out : y^t he came thither vnexpectedly, some were kild by foote.

One said that Rely had no q^r, thereupon he hanged him.

Y^e order for Capt^{re} Fenell's goeing . . . noe date appearing, being torn.

Croker's letter, without date, not proving no cessation.

A councill of warr for Ryly. This ordered by those present.

1 *Jo. M^c Teige* :

p'sent when Ryly hanged, being first examined by & charged for a priest at Dungarvan.

Col. Fenell	}	Dec. 13.
for		GUILTY
Ballianker murder		

V Triall (Dec. 6).

Col. Fennell

for murdering

2 Maydes at Dungarvan

(1641)

Evidence:

1 *Tho. Gough* (e) :

heard 2 English maids hung by some of Col. Fenell's soldiers, in y^e lane neere Dungarvan.

2 *W^m ô Mullaghan* (p'sent) :

present when they hanged. Sent out of y^e castle by Co. Fenell. Y^e soldiers came out of y^e castle. That Fenell was y^t day in towne & did se y^e maydes brought into y^e towne by Adam

3 *Richard Pope* (p'sent) :

A generall report in Dungarvan y^t Col. Fenell, being governor of that towne, two maydes were hanged there.

4 *George Cooke* (p'sent) :

Y^t y^e mother of these 2 maydes complained to the exa^{at} wife y^t Fenell had hanged her children. The exa^{at} did (hear) her so speake.

Corke, December 13

Voted and Resolved

Col. Fenell

for

2 maydes at	}	NOT GUILTY
Dungarvan		

(There is really but one witness in this case, and his story evidently did not find favour with the Court. There are cases in which, upon evidence apparently no better, the finding was different. But having already made sure of Fennell on two capital charges—those relating to Ballyanker and Mountain Castle—the Court could afford to be generous in the two remaining cases.

(e) The word 'p'sent' struck out.

These Cromwellian courts were in reality military tribunals, the great majority of those named in the commission erecting and constituting the High Court of Justice being, or having been, soldiers, (T.C.D. MS., F. 3-18). There was usually a judicial chairman, although, from the terms of the commission it does not appear that the legal element was essential as any twelve on the long list of commissioners might form a court, and the vote of the majority made the finding of the court.

It is evident from the existing notes that on the first day of the Cork Assize (6 Dec., 1652), evidence was taken in six murder cases!

VI Trial.

Col. Fenell

for murdering
20 English at } May, 1642.
Caperquin }

Evidence:

1 *Mary Sanders* (p'sent):

Y^t 6 women & children killd in y^e howse [of one Browne] where was this exaāt, &, being in a lower roome, y^e blood came down into y^t roome (f). Heard that Col. Fenells men did it, & y^t he was then in that towne.

2 *Isaac Quarry* (p'sent):

Y^t Co. Fenell & Ca Sherlock came to Caperquin before day, 6 killed in Browne's house. Told by one of the men wounded y^t Fenell & Sherlock were there, & about 700 men.

3 *Josias Nance* (g):

y^t Ca. Fenell with a party entred Caperquin

Y^t 9 women & children killd in y^e exaats fathers house, he then in the room & under a bed.

(f) And she was left alive to tell this tale!

(g) The word 'p'sent' struck out.

The Prisoner's Defence :

He received orders from his Coll. to set on Caperquin to breake y^e bridge, y^t attempted it accordingly, y^t he stayed in y^e greene & sent in some men, who were beaten out. Some killd on both sides.

Y^t Ca. Sherlock's body exchanged by a prisoner released.

Witnesses :

1 *Gerott Fenell* :

Y^t Col. Fenell sent into y^e Towne to take y^e market-house, & not to medle with any other place vntill that taken, & not to kill any but those in arms.

2 *Laurence Fenell* :

y^e party comanded by Ca Fennell ordering y^e party to do as before.

3. *The Mayor of Youghall* :

y^t Ca. Fenell did rescue him from being slaine.

Councill : time given till to-morrow.

Corke, Dec. 13.

Col. Fenell

for

y^e murder at

Caperquin

} NOT GUILTY.

At Cappelquin, as at many other places where there had been collision between hostile parties, some lives were lost. It was in accordance with the practice of those who were authorised to collect statements against 'the rebils,' that all who fell in conflict, 'and divers others' on the side of the English were said to be 'murthered by the rebels.'

It happened in some instances that charges of murder founded on such conflicts broke down when rehearsed in open court.