



Terms and Conditions of Use of Digitised Theses from Trinity College Library Dublin

Copyright statement

All material supplied by Trinity College Library is protected by copyright (under the Copyright and Related Rights Act, 2000 as amended) and other relevant Intellectual Property Rights. By accessing and using a Digitised Thesis from Trinity College Library you acknowledge that all Intellectual Property Rights in any Works supplied are the sole and exclusive property of the copyright and/or other IPR holder. Specific copyright holders may not be explicitly identified. Use of materials from other sources within a thesis should not be construed as a claim over them.

A non-exclusive, non-transferable licence is hereby granted to those using or reproducing, in whole or in part, the material for valid purposes, providing the copyright owners are acknowledged using the normal conventions. Where specific permission to use material is required, this is identified and such permission must be sought from the copyright holder or agency cited.

Liability statement

By using a Digitised Thesis, I accept that Trinity College Dublin bears no legal responsibility for the accuracy, legality or comprehensiveness of materials contained within the thesis, and that Trinity College Dublin accepts no liability for indirect, consequential, or incidental, damages or losses arising from use of the thesis for whatever reason. Information located in a thesis may be subject to specific use constraints, details of which may not be explicitly described. It is the responsibility of potential and actual users to be aware of such constraints and to abide by them. By making use of material from a digitised thesis, you accept these copyright and disclaimer provisions. Where it is brought to the attention of Trinity College Library that there may be a breach of copyright or other restraint, it is the policy to withdraw or take down access to a thesis while the issue is being resolved.

Access Agreement

By using a Digitised Thesis from Trinity College Library you are bound by the following Terms & Conditions. Please read them carefully.

I have read and I understand the following statement: All material supplied via a Digitised Thesis from Trinity College Library is protected by copyright and other intellectual property rights, and duplication or sale of all or part of any of a thesis is not permitted, except that material may be duplicated by you for your research use or for educational purposes in electronic or print form providing the copyright owners are acknowledged using the normal conventions. You must obtain permission for any other use. Electronic or print copies may not be offered, whether for sale or otherwise to anyone. This copy has been supplied on the understanding that it is copyright material and that no quotation from the thesis may be published without proper acknowledgement.



2 Volume Set.

01723453



ABSTRACT

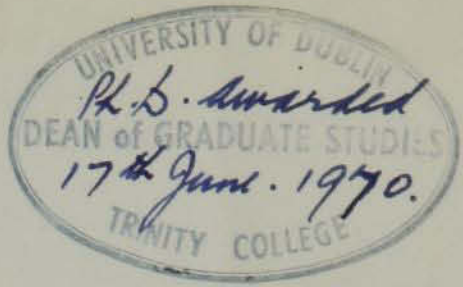
THE BUTLER LORDSHIP IN IRELAND,
1185-1515.

It is, perhaps, true to say that a properly balanced history of medieval Ireland cannot be written until more research is done into the history of the Gaelic and Anglo-Norman lordships. The object of this study is to examine the history of the Butler lordship, one of the greatest of these lordships, from its foundation in 1185 to the death of Thomas, earl of Ormond, in 1515.

In describing its history, my attention has been focused mainly on three things: the character of the initial settlement, the Gaelic reconquest, and the government of the lordship. I have attempted to relate the Gaelic reconquest to the pattern of the original settlement, and to assess its effect on the lordship. I have devoted particular attention to the administration of the liberty of Tipperary. The political activities of the Butlers properly belong to national history, so I have touched on them only where they influenced events in the lordship.

Two factors largely determined my approach to this subject. The fragmentary nature of the records of both the Butler family and the central administration precluded the possibility of conducting a systematic political, social or economic investigation into the history of the lordship in this period. Secondly, the absence of research into local history has forced me to include a substantial amount of work (notably in chapters I, IV; appendices I, II), which I would rather have omitted. The unavoidable result is an unbalanced and uneven effect.

But, despite numerous frustrations, the fact remains that a great deal of valuable information may yet be extracted from the debris of Irish medieval sources.



[Faint handwritten signature]

[Faint handwritten text]

ACKNOWLEDGEMENTS

First of all, I wish to acknowledge my debt to the University of Dublin, for without a generous scholarship I could not have undertaken this task.

Secondly, but no less emphatically, I wish to acknowledge the great debt I owe to my former teachers, in particular to Prof. J. Otway-Ruthven, my supervisor. In particular I would like to thank her for the readiness with which she read my drafts, although the demands of her publishers, to say nothing of the ever-growing pressures of administrative duties, placed heavy priorities on her time.

I must thank Mrs. W. O'Sullivan, who not only gave me assistance with Gaelic sources, but also allowed me to use her translations of unpublished Gaelic eulogies; Mr. K. W. Nicholls, who generously supplied me with transcripts and an invaluable map of Ui Maine; Miss V. Moffat, who redrew my maps; Dr. J. F. Lydon and Mr. R. Frame, who supplied me with valuable references and useful suggestions; and my colleagues, Dr. P. LeRoy and Dr. R. Smith, who helped me with the proof-reading.

And last, but not least, I wish to thank Mr. W. O'Sullivan, Keeper of Manuscripts at Trinity, the staffs of the National Library, the Public Record Office and the Royal Irish Academy, for their unstinting assistance and cooperation.

C. A. Empey.

C O N T E N T S

Chapter Page

SECTION I

The Settlement and Expansion of the Butler Lordship in Ireland, 1185-1515.

- I. The Anglo-Norman Settlement in
Tipperary 1185-1515 1
- II. The Expansion of the Lordship,
1185-1515 24
- III. The Character of the Settlement
in Munster 91

SECTION II

Co. Tipperary before the Establishment of the Liberty.

- IV. Co. Tipperary, 1185-1328 113

SECTION III

The History of the Lordship from 1328 to 1515.

- V. The Gaelic Reconquest 143
- VI. Manorial Revenues in the Fourteenth
and Fifteenth Centuries 233
- VII. The Lordship under the White Earl,
1411-1452 257

Chapter	Page
VIII. The Ordinances of the White Earl	280
IX. The Butler Lordship, 1452-1515	299

SECTION IV

The Government of the Lordship.

X. The Liberty of Tipperary, 1328-1515	359
XI. The County of the Cross of Tipperary	394
XII. The Government of the Lordship	426
XIII. The Courts of the Liberty of Tipperary	461

SECTION V

Conclusion

XIV. Conclusion	494
---------------------------	-----

APPENDICES

Appendix I

1. The Cantreds of Co. Tipperary	i
2. Two Charters of John, Lord of Ireland, relating to the Cantred of Iffowyn	ix
3. A Deed relating to the Cantred of Okonagh (1324)	xii
4. A Document relating to the Estates of the Earl of Louth in Co. Tipperary (c. 1331)	xiii

Appendix II

- | | | |
|----|--|-------|
| 1. | Area of the Butler Lordship in 1206 . . . | xv |
| 2. | Area of the Butler Lordship in 1328 . . . | xvi |
| 3. | Area of the Butler Lordship in 1430 . . . | xvii |
| 4. | A Document relating to the Liberty
of Kilkenny (1339) | xviii |
| 5. | The Cantreds of Co. Kilkenny | xix |

Appendix III

- | | | |
|----|---|--------|
| 1. | A Document relating to the Cantred of
Elyocarroll (1304-5) | xxviii |
|----|---|--------|

Appendix IV

- | | | |
|----|--|------|
| 1. | The Revenue of the Butler Estates in
Co. Tipperary (c. 1300) | xxix |
| 2. | The Revenues of Lisronagh, Tibberaghny
and Grallagh, Co. Tipperary
(1333-60) | xxx |

Appendix V

- | | | |
|----|--|--------|
| 1. | Summons of the Earl of Ormond before
the Irish Exchequer, 1415 | xxxxi |
| 2. | The seizure of Ormond's estates by the
Irish Administration, 1417 | xxxii |
| 3. | Petition of the Community of
Tipperary, 1447 | xxxiii |
| 4. | Petition of the Community of
Kilkenny, 1447 | xxxiv |

Appendix VI

- | | | |
|----|--|--------|
| 1. | The Creation of the Earldom of Ormond,
2nd November, 1328 | xxxvi |
| 2. | The Charter of the Liberty of Tipperary,
9th November, 1328 | xxxvii |

Appendix VII

1. The Sheriffs of the County of the Cross
of Tipperary, 1328-1515 xxxviii

Appendix VIII

1. The Seneschals of the Liberty of
Tipperary, 1328-1515 xli
2. The Sheriffs of the Liberty of
Tipperary, 1328-1515 xlv
3. The Sheriffs of Co. Tipperary,
1328-1515 xlvi

Appendix IX

1. An Appeal against an Outlawry made in
the Liberty of Tipperary in 1405 xlviii

BIBLIOGRAPHY

1. Manuscript Sources li
2. Printed Sources lviii
3. Secondary Works lxv

MAPS*

1. The Butler Lordship. 1185-1515.
2. The Medieval County of Tipperary.
3. The Medieval County of Kilkenny.

* See folder.

LIST OF ABBREVIATIONS

<u>A.F.M.</u>	<u>Annals of the Kingdom of Ireland by the Four Masters.</u>
B.M.	British Museum.
<u>C.C.H.</u>	<u>Rotulorum Patentium et Clausorum Cancellarie Hibernie Calendarium.</u>
<u>C.C.R.</u>	<u>Calendar of Close Rolls.</u>
<u>C.D.I.</u>	<u>Calendar of Documents Relating to Ireland.</u>
<u>Cal. Justic. Rolls</u>	<u>Calendar of the Justiciary Rolls, Ireland.</u>
Clyn, <u>Annales Hiberniae</u>	<u>Annales Hiberniae in Annals of Ireland.</u>
Graves, <u>King's Council in Ireland</u>	<u>A Roll of the Proceedings of the King's Council in Ireland.</u>
<u>C.P.R.</u>	<u>Calendar of Patent Rolls.</u>
<u>E.H.R.</u>	<u>English Historical Review.</u>
Gen. Off.	Genealogical Office, Dublin.
<u>I.H.S.</u>	<u>Irish Historical Studies.</u>
<u>Irish Topographical Poems</u>	<u>The Topographical Poems of John O'Dubhagain and Giolla na Naomh O'Huidhrin.</u>
<u>Journ. R.S.A.I.</u>	<u>Journal of the Royal Society of Antiquaries of Ireland.</u>

MacFirbis, <u>Annals</u>	<u>Annals of Ireland...trans-</u> <u>lated by Dudley Firbisse,</u> <u>or...DuaId MacFirbis...</u>
N.L.I.	National Library of Ireland.
Otway-Ruthven, <u>Medieval</u> <u>Ireland.</u>	[<u>A History of</u>] <u>Medieval</u> <u>Ireland.</u>
<u>Proc. R.I.A.</u>	<u>Proceedings of the Royal</u> <u>Irish Academy.</u>
P.R.O.	Public Record Office, London.
P.R.O.I.	Public Record Office of Ireland.
<u>Reg. St. Thomas</u>	<u>Register of the Abbey of</u> <u>St. Thomas, Dublin.</u>
<u>Rep. D.K.</u>	<u>Reports of the Deputy</u> <u>Keeper of the Public</u> <u>Records of Ireland.</u>
R.I.A.	Royal Irish Academy.
<u>Statutes, King John</u> <u>to Henry V</u>	<u>Statutes and Ordinances</u> <u>and Acts of the Parliament</u> <u>of Ireland, King John to</u> <u>Henry V.</u>
T.C.D.	Trinity College, Dublin.

CHAPTER I

THE ANGLONORMAN SETTLEMENT IN TIPPERARY

1185-1515

Initially, the lands of the Butler lordship were confined to the northern half of the Tipperary. The southern half was controlled, for the most part, by the

1

THE SETTLEMENT AND EXPANSION OF THE BUTLER

LORDSHIP IN IRELAND, 1185-1515.

Edward III, with the result that the lands-in-quest were held lands in the county known his immediate subjects in respect of the lands which they held there. It is therefore necessary to describe the whole Anglo-Norman settlement in Tipperary in order to provide a comprehensive picture of the position of the Butlers in relation to the other magnates in the county up to, and after, 1300.

It is clear that the main outlines of the settlement derive from the period extending from 1185 to 1199, when John succeeded to the throne. It was during this period that the royal lands known as the 'Crown' were surveyed and settled. Little is known of the actual progress of the

1. See below, ch. II, pp. 20-40.
2. See below, ch. III, pp. 115-15.

CHAPTER I

THE ANGLO-NORMAN SETTLEMENT IN TIPPERARY

1185 - 1515

Initially, the lands of the Butler lordship were confined to the northern half of co. Tipperary; the southern half was dominated, for the most part, by the de Burgos and the Worcesters. In 1328, however, James Butler, earl of Ormond, was granted the whole county by Edward III, with the result that the tenants-in-chief who held lands in the county became his immediate tenants in respect of the lands which they held there¹. It is therefore necessary to describe the whole Anglo-Norman settlement in Tipperary in order to provide a comprehensive picture of the position of the Butlers in relation to the other magnates in the county up to, and after, 1328.

It is clear that the main outlines of the settlement derive from the period extending from 1185 to 1199, when John succeeded to the throne; it was during this period that the region later known as co. Tipperary² was conquered and settled. Little is known of the actual progress of the

1. See below ch. II, pp. 69-70

2. See below ch. IV, pp. 113-15

conquest, but it is evident that it was virtually complete by the end of the twelfth century. John established castles at Ardfinnan and Tibberaghny in the southern reaches of the county¹ during his first Irish expedition in 1185². In 1192 castles were constructed at Kilfeakle and Knockgraffon³, probably by William de Burgo and Roger or Philip of Worcester. Virtually nothing is known about the progress of the conquest in northern Tipperary during this period, but Theobald Walter was well established there by the time of his death in 1206.

Theobald Walter, the founder of the Butler family, accompanied John to Ireland in 1185, where he received a grant of five and a half cantreds in the kingdom of Limerick, to be held by the service of twenty-two knights⁴; the town of Killaloe with the half cantred of Tricha Cet Ui mBluid⁵ (co. Clare), the cantred of Eliogarty (co. Tipperary) the cantred of Elyocarroll (co. Offaly)⁶, the cantred of Ormond (co. Tipperary) the cantred of Owey and Arra

-
1. Tibberaghny was included in Tipperary (see below p. 4)
 2. G.H. Orpen, Normans ii, p. 145.
 3. Ibid pp. 145-7.
 4. The original is printed in T. Carte, An History of the life of James Duke of Ormond, i, p. xix. In 1201 William de Braose made a regrant of the same lands to Theobald (Facsimiles National MSS, Ireland, part ii, no. lxxvii; Cal. Ormond Deeds i, no. 26).
 5. See G. H. Orpen, Normans ii p. 175; D.F. Gleeson, History of the Diocese of Killaloe p. 176.
 6. The cantred of Elyocarroll included the baronies of Clonlisk and Ballybritt, in co. Offaly; it was part of the medieval county of Tipperary.

(co. Tipperary), the cantred of Owethenihokathelan and Owethennihoiffernan (part of the baronies of Owneybeg and Clanwilliam co. Limerick)¹. The modern barony of Ikerrin (co. Tipperary) was also included within the scope of this grant for Thomas de Hereford, who married Theobald's daughter Beatrice, held fifteen fees of Theobald in the land of Ely, in the parts of Corketeni (now Templemore) and Ockeri (now Ierrin)². Beatrice later married Hugh Purcell, whose descendants continued in possession of Ikerrin for centuries. Theobald Butler tried to recover these lands from Hugh Purcell in 1296, claiming they ought to have reverted ^{to him} upon the death of de Hereford³, but it was finally agreed in 1298 that they were Hugh's by right; in return for this recognition, Hugh agreed to pay £50 rent annually to Theobald and his heirs⁴.

This was the largest grant of land made by John in Tipperary; it included about half of the entire county. It is not surprising that the Butlers owed the greatest number of military services, twenty-two in all, as against seventeen and five sixths (de Burgo), and nine and a half (de Worcester), for lands in Tipperary⁵. The Butlers held

-
1. See below ch. II, p. 28-9; Rev. St. J. Seymour, History of the Diocese of Ely, pp. 21-2.
 2. Reg. St. Thomas, no. 227.
 3. P.R.O. l. Cal. Plea Rolls vol. 4, pp. 95-98 (rot. 24 Edw. I)
 4. Ibid. vol. 5, pp. 403-4; Gen. Off. Ms. 189, p. 191. The payment was made to the manor of Thurles (Red Book of Ormond, p. 71; Cal. Ormond Deeds ii, no. 316).
 5. See e.g. 38th Rep. D.K., p. 92; 42nd Rep. D.K., p. 71.

these lands in chief, except for a brief period, 1201-1210, when they became the tenants of William Braose, lord of the honour of Limerick¹.

In the south the de Burgos gained complete control of the cantred of Iffowyn (now the barony of Iffa and Offa East)² at an early period. John granted the eastern half of the cantred, in which Tilbract (Tibberaghny) and Kilsela (Kilsheelan) were situated, to William de Burgo sometime before 1189, to hold by the service of two knights³. He subsequently granted William the castle of Tibberaghny in 1200 to hold of him by the service of the third part of a fee⁴, Tibberaghny, which is now in co. Kilkenny, formed part of the cantred of Iffowyn throughout the medieval period⁵. The manor of Carrick-mcGriffin (Carrick-on-Suir), which the Butlers held in chief after 1315, was probably held of the manor of Kilsheelan at this time, for in 1306 a jury declared that Geoffrey le Bret had held the manor

- Rolls /*
1. See G.H. Orpen, Normans iip.174; Cal. Ormond Deeds i no. 26. It is interesting to note that an effort was made to restore the lordship of Limerick to Reginald de Braose in 1217 (C.D.P. 1216-1225, pp.73,112-3, 132; C.D.I. 1171-1251, nos 785, 789, 814) but nothing seems to have come of it.
 2. See appendix I, no.1.
 3. 3rd Rep. Historical Mes Commission, (1872), appendix p. 231; G.H.Orpen, Normans ii, pp. 166-7. The date of this grant is uncertain, but William was clearly in possession of Kilsheelan before John de St. Michael received his grant (below p.5).
 4. Rotuli Chartarum 1199-1216, p.71; C.D.I. 1171-1251 no. 122.
 5. See appendix I, no.1.

of Otto de Grandison, who was granted Kilsheelan in 1281,⁵ by the service of two marks when service was due, and by doing suit at the court of Kilsheelan.¹ Carrick was presumably detached from Kilsheelan when Geoffrey exchanged it with the king for the manor of Rathcon in 1299;² it continued in royal possession until 1315, when the king granted it to Edmund Butler with the title of earl of Carrick.³

Sometime before 1189, John granted the western half of Iffowyn, extending from the land of William de Burgo to the western limits of the barony of Iffa and Offa East, to John de St. Michael, to hold by the service two knights⁴. In 1192 or 1193, however, he regranted the same region, or the greater part of it, to William Dencurt, to hold by the service of one knight⁵.

William seems to have gained possession of his lands for a time at least; in 1211-1212 he owed £100 for having seisin of his lands, as well as £93.6.6. for the custody of the lands of Elias fitzNorman and

1. Cal. Justic. Rolls, 1305-1307, pp.295-6.

2. C.D.I., 1302-1307, no.271.

3. Cal. Ormond Deeds i, no.513.

4. See appendix I, no.2. This grant was made before 1189, for John does not style himself count of Mortain.

5. Ibid. Stephen Ridell, John's chancellor, and Peter the clerk, who were witnesses, appear in other charters which may be assigned to this period (cf. Cal. Ormond Deeds i, no.13; Chartae, Privilegia et Immunitates, pp.6-7).

and the marriage of his heir¹. William de Burgo, however, must have occupied these lands shortly after Dencurt received his grant, for he granted the tithes of Lisronagh and Clonmel to the priory of Athassel before his death in 1204². Dencurt tried to recover the manor of Clonmel from William's heir, Richard de Burgo, in 1220 and 1222³, but without success.

Precisely how William de Burgo gained possession of the western half of the cantred is unknown, but it appears from a case before the justices of the Bench in Dublin in 1302⁴ that he must have obtained it from John de St. Michael. On this occasion, Walter fitzMathew le Poer and John de la Rokele sued the prior of Athassel for the advowsons of Clonmel and Lisronagh, which they claimed by right of William Dencurt⁵. Richard de Burgo, earl of Ulster, and Richard fitzRobert de St. Michael, who were summoned for the defence, produced the charter of John de St. Michael⁶;

-
1. The Irish Pipe Roll of 14 John, 1211-12 in Ulster Journal of Archaeology IV (1941), p.73. This account was still outstanding in 1215 (Rotuli Litterarum Clausarum 1204-1224, p. 186; C.D.I. 1171-1251, no. 529)
 2. Chartae, Privilegia, et Immunitates, p.39.
 3. Rotuli Litterarum Clausarum 1204-1224, pp.472, 511; C.D.I. 1171-1251, nos 1014, 1054.
 4. See appendix I, no.2.
 5. See appendix I, no.2. Dencurt had two daughters, Margery and Feye, from whom John and Walter traced their right, as appears from the evidence of a case before the justices of the Bench in the following year (P.R.O.I. Cal. Plea Rolls vol. 9, pp.356-8).
 6. See appendix I, no. 2.

it would appear, accordingly, that the right of the defence in Clonmel and Lisronagh was ultimately derived from a grant of John de St. Michael to William de Burgo, although this was not expressly stated. The immediate outcome of the case remains unknown, but it is evident that the prior succeeded in defending his right, for the advowsons still belonged to the priory when it was dissolved.¹ It is reasonable to conclude, therefore, that William de Burgo obtained the western half of the cantred from John de St. Michael sometime before the second grant to William Dencurt in 1192 or 1193, and that he had subsequently regained possession of it before his death in 1204, when he granted the tithes of Lisronagh and Clonmel to the priory.²

In the west of the county the de Burgos held the manor of Kilfeaklg, which William de Burgo probably got from John in 1185; at any rate, a mote was constructed there in 1192, no doubt under William's direction.³ ~~The manor~~

1. Cal. Ormond Deeds v, nos 149, 273.

2. William de Burgo founded the priory of Athassel about the year 1200 (James Ware, 'The Antiquities of Ireland' Chapter 38, in The Whole Works of Sir James Ware concerning Ireland. Ed. Walter Harris, Dublin, 1739), so he cannot have granted the tithes of these parishes much earlier than this date.

3. G. H. Orpen, Normans ii, pp.166-7.

The manor almost certainly embraced the whole, or the greater part, of the cantred of Muscry¹. William de Burgo has been credited with the foundation of the priory of Athassel², which lay in Muscry to the east of Kilfeakle³, while south of it lay the manor of Grallagh also in Muscry, which was still in the hands of the de Burgos in the fourteenth century⁴. Kilfeakle may have been held of the Worcester lordship for a while, for in 1215 and 1225 the cantred of Muscry belonged to Philip and William of Worcester respectively⁵. In 1225, however, it was provided that the lands which Richard de Burgo held in Worcester's territory should be held of the king⁶. This provision may have been made as a result of a dispute between Richard and William over homage. At any rate it is clear that Kilfeakle was held of the crown after this date. The de Berminghams, who succeeded to Worcester's lands, laid no claim to the cantred of Muscry.

Richard de Burgo acquired the cantred of Eoghanacht Cashel sometime before 1225 in right of his wife Egidia, daughter of Walter de Lacy⁷. Walter had been granted the

1. See appendix i, no. 1.

2. James Ware, loc. cit.

3. Rotuli Cartarum 1199-1216. p. 165.

4. Minister's Accounts for the lands of Elizabeth de Burgo, 1343-4, 1356-7, (P.R.O. 3.c 6/1239/18,28.)

5. C.D.I. 1171-1251, nos 601, 1268.

6. Ibid. no. 1268.

7. Ibid. no. 1268.

cantred of Ardmayle, apparently another name for the same place, in 1207¹. It was forfeited with the rest of Walter's lands in 1210, which explains why Eoghanacht Cashel was granted to Philip of Worcester in 1215, together with the castle of Ardmayle². Walter's lands in Tipperary were eventually restored to him in 1217, but ^{he} did not recover them until 1221 or later³.

Precisely when, or how, Richard de Burgo gained possession of Ileagh is difficult to say. It first appears among his lands in 1243 when it formed part of Egidia's dower⁴: there is no evidence to show it was part of the de Burgo lordship before this date. The most likely explanation is that Ileagh was included within the boundaries of the cantred of Eoghanacht Cashel, and therefore passed to Richard de Burgo in marriage to Egidia de Lacy. Admittedly there is no evidence to show that Ileagh was part of the cantred; at least the lists of jurors contained in the eyre roll of 33-34 Edward I⁵, and in the sheriff's return for the liberty courts of 1432 and

-
1. Ibid. no. 363. Ardmayle was certainly included in the cantred of Eoghanacht Cashel (see appendix I, no. 1.) It seems to be used here as an alternative name for the cantred.
 2. Ibid. nos 601, 613.
 3. Ibid. nos 835, 952-3, 1022; Patent Rolls P.R.H. 1216-1225, pp. 26-7 77-8, 157-8.
 4. C.D.I. 1171-1251, no. 2607; Cal. Inq. P.M. i, no.19.
 5. P.R.O.I. Mss Cal. Roll of Justices Itinerant, 33-34 Edw. I p.6.; Cal. Plea Rolls vol.11, p.175 ff.

1447-49¹, do not offer any clues. On the other hand, Ileagh does not seem to have been included in the Butler cantreds of Ormond or Eliogarty; it is not mentioned in either the inquisition post mortem for Nenagh or Thurles in 1338² or in the extents of Thurles in 1303 and 1345³. Since there is no evidence to show that Ileagh ever formed a distinct cantred, it may be concluded that it was part of the cantred of Eoghanacht Cashel.

Finally, William de Burgo, earl of Ulster, held the manors of Terryglass and Lorrha of the bishop of Killaloe at his death in 1333⁴. They had been originally occupied by the Marshal family⁵ which held Terryglass until the end of the thirteenth century. During the minority of Theobald Butler 1285-90, William Marshal, lord of Terryglass, was granted the custody of the castle of Dorrha by the escheator, for which he pledged his lands. William failed in his duty, for the castle was destroyed by the Irish⁶, in consequence his lands must have been

-
1. Cal. Ormond Deeds iii, no. 102, p.94. (N.B. the cantred of Owen. is Eoghanacht Cashel, not Owney and Arra).
 2. Cal. Inq. P.M. viii, no. 184.
 3. Red Book of Ormond; pp.69-83; Cal. Ormond Deeds 11 no. 316 (incorrectly attributed to 1395).
 4. Cal. Inq. P.M. vii, no. 537.
 5. See D.F. Gleeson, History of the Diocese of Killaloe p. 180.
 6. C.D.I. 1285-1292, p. 315.

taken in the king's hands under the terms of the agreement between him and the escheator. Terryglass was delivered to Richard de Burgo, earl of Ulster, in 1290, possibly by the escheator¹; it is not improbable, therefore, that the manor came into his permanent possession at this time. The manor of Lorrha, on the other hand, was included among the de Burgo lands in Tipperary at least or as early as 1243².

Philip of Worcester was well established in Knockgraffon and Kiltinan by the beginning of the thirteenth century; they were presumably granted to him by John, Lord of Ireland, in 1185 or shortly after. A mote was constructed at Knockgraffon in 1192³, no doubt under Philip's direction. Kiltinan was probably occupied about the same time, for some time between 1200 and 1204 his brother Roger restored it to him⁴. Assuming that the area embraced by the manors of Knockgraffon and Kiltinan

1. 37th Rep. D.K., p.41.

2. C.D.I. 1171-1251, no. 2607; Cal Inq. P.M. i, no. 19.

3. Orpen, Normans ii, p. 147.

4. Cal. Ormond Deeds i, no. 18, whereby Roger of Worcester restored the vill of Kiltinan to Philip his brother. The deed is witnessed by William de Burgo, who died in 1204. Roger had earlier asked Robert, Bishop of Waterford (from 1200-1204), to grant the church of Kiltinan to the abbey of Oseney which indicates that he (Roger) was in possession of Kiltinan. (Ibid. no.14; Cartulary of Oseney Abbey V, no. 610. Ed. H .E. Salter. Oxford Hist. Soc., XCVIII, 1935).

in 1308-9¹ was identical with the territory of the original grant, it follows that it was composed of the cantreds of Slievvardagh, Comsey, Moyenen, Moctalyn, and Offa. In the early 14th century, at any rate, Knockgraffon extended over the cantreds of Slievvardagh, Moyenen and Offa, while Kiltinan was composed of the remaining cantreds, Moctalyn and Comsey².

In 1215 the King commanded the justiciar of Ireland to deliver the cantreds of Slievvardagh, Boghanacht Cashel, Comsey³, Ardfinnan⁴ (another name for Offa), and Muscry Quirk (Muscry), together with the castles of Ardmayle, Knockgraffon and Kiltinan, to Philip of Worcester. It is not evident why they were in the King's hand; they may have been forfeited when Philip refused to deliver up Knockgraffon, together with all his other castles, to William de Braose, when the latter was made lord of the honour of Limerick⁵. At any rate, both Knockgraffon and Kiltinan were in the king's hand in 1211-12. The manor of Ardmayle was also in his hand at

1. Cal. Ormond Deeds 1, no. 418; Red Book of Ormond, pp. 145-7.

2. See map of co. Tipperary.

3. C.D.I. 1171-1251, nos 601, 613. Comsey appears as Letungsy, which is probably a misreading of Le Cunpsy.

4. Ibid. no. 601 'Alfinan'; no. 613 'Arfinan'.

5. C.D.I. 1171-1251, no. 169. For details of this dispute see G.H. Orpen, Normans 11, p. 175.

this time, presumably because of the forfeiture of the lands of Walter de Lacy¹. It should be noted, however, that two of these cantreds did not remain in the hands of William of Worcester, Philip's nephew and heir² for long: Eoghanacht Cashel passed to Richard de Burgo in or before 1225, and Muscry was probably detached about this time as well³. Consequently, when Meiler de Bermingham married Basilia, daughter and heir of William, later in the century, he only got the manors of Knockgraffon and Kiltinan⁴.

The territories occupied by the three great families discussed above extended over the entire county with the exception of the cantred of Okonagh, which occupied the western portion of the barony of Clanwilliam, including the town of Tipperary⁵. In 1215 the king granted the cantred of Okonagh and the town of Tipperary with the advowson of the church to Henry, archbishop of Dublin, to be held by the service of three knights⁶. Two years later the justiciar was commanded to cause the

-
1. The Irish Pipe Roll of 14 John, 1211-1212, in the Ulster Journal of Archaeology IV (1941), p. 69.
 2. C.D.I. 1171-1251, no. 1125. Philip seems to have been dead by 1218, when orders were issued to take his lands in the king's hand (*ibid.* no. 838).
 3. See above pp. 8-9
 4. See below p. 20
 5. See appendix I, no.1.
 6. C.D.I. 1171-1251, no. 621; Cal. Archbishop Alen's Register p. 38.

archbishop to have full seisin of Tipperary as William de Braose had had it when he was disseised¹. It is not improbable, therefore, that one of William's lieutenants was responsible for the construction of the imposing motte at Dunchill, the site of the castle of Okonagh². Henry granted the cantred to William de Marisco in free marriage with Matilda³ sometime before 1226⁴. William was subsequently outlawed for the murder of Henry Clement, the justiciar's clerk, and his lands were seized in 1234. In 1236, however, Archbishop Luke succeeded in recovering Okonagh; he regranted it to the prior of Holy Trinity and the dean and chapter of St. Patricks. But despite the legal manœuvring Okonagh was restored to Matilda de Marisco in 1246⁵. It was again taken into the king's hand some years later, presumably upon the death of Matilda. In 1250 the prior of Holy Trinity and a canon of St. Patrick's, who

1. C.D.I. 1171-1251, no.781.

2. See appendix I, no.1.

3. Close Rolls 1242-1247, p.321; see E. St.J. Brooks, 'Archbishop Henry of London and his Irish connections', Journ. R.S.A.I., LX, pp.7, 15. Brooks suggests that Matilda was the archbishop's niece, but a niece of the same name was married to Stephen de Hereford (see below p.15). Her exact identity is therefore uncertain.

4. C.D.I. 1171-1251, no.1397.

5. E. St. J. Brooks, loc. cit., p.16 et seq.

were acting on behalf of their respective chapters¹,
tried to recover it from the king, but they agreed
instead to an exchange of thirty librates of land in
the Vale of Dublin, which was effected in the following
year². Thenceforth the cantred remained in the king's
hand until it was granted to Otto de Grandison in 1281³.

It is perhaps worth noting at this point that the
archbishop of Dublin also held some lands in Slieverdagh.
Sometime before his death in 1228 Archbishop Henry was
granted some fees there by Manasser Arsic to hold by
the customary services⁴. Arsic was presumably a tenant
of the Worcester family, since the cantred of Slieverdagh
formed part of their lordship⁵. The archbishop seems to
have granted some or all of these lands to Stephen de
Hereford in marriage to his niece Matilda, but he later
recovered them from Stephen⁶. The archbishop of Dublin
still had some interest in Slieverdagh as late as 1326,

-
1. The seals of these chapters had been employed in the grant of Okonagh to William de Marisco (Close Rolls, 1242-1247, p.321).
 2. Close Rolls, 1247-1251, p.287; Cal. Archbishop Alen's Register, p.74; Crede Mihi, no.40; C.D.I., 1171-1251, no.3106.
 3. The issues of Okonagh are entered on the Pipe Rolls of 1262-64 (35th Rep. D.K., pp.43, 48). The castle of Okonagh was still in the king's hand in 1278 (C.D.I., 1252-1284, no.1516).
 4. Cal. Archbishop Alen's Register, p.53.
 5. See above p.12.
 6. Cal. Archbishop Alen's Register, p.56.

when the heir of John Farnyn owed the rent for ten carucates of land there which, however, the archbishop was unable to collect¹.

The distribution of lands in Tipperary about the year 1240 may be briefly summarised as follows: the Butlers held the three cantreds of Ormond, Elyocarroll, and Eliogarty²; the Worcesters held the five cantreds of Slievardagh, Comsey, Moyenen, Moytaly, and Offa; the de Burgos held the three cantreds of Iffowyn, Muscry and Eoghanacht Cashel; and the archbishop of Dublin held the cantred of Okonagh. By the end of the thirteenth century, however, the greater part of the de Burgo lordship in Tipperary had passed to the de Grandisons, while the Worcester lordship passed in marriage to the de Berminghams.

It appears from an inquisition taken at Clonmel in 1279 that Walter de Burgo granted the manor of Kilsheelan to the king in exchange for the land of Ulster³. This exchange must have taken place about 1263, when Walter was created earl of Ulster. It is apparent that his manors of Kilfeakle and Clonmel were also included in

-
1. Cal. Archbishop Alen's Register, p.191; cf. p.143.
 2. These cantreds included the baronies of Owey and Arra and Ikerrin as well (see appendix I, no.1).
 3. C.D.I. 1252-1284, no. 1520.

this surrender. It is clear that Walter retained some interest in the former de Burgo cantreds, for he still had the manors of Tibberaghny and Lisronagh in Iffowyn, and the manor of Grallagh in Muscry when he died in 1271¹. It is worth mentioning at this point that the de Burgos only retained Ileagh in the cantred of Eoghanacht Cashel by the end of the century²; by that time the Butlers had acquired the manors of Ardmayle and Moyaliff³. In the fourteenth century the de Burgos still held considerable lands in Tipperary: the manors of Lorrha and Terryglass were still in the hands of William de Burgo in 1333⁴, but they must have been lost to the Irish of Ormond not long after⁵; the manors of Tibberaghny, Lisronagh, Grallagh, and certain mills in Clonmel, descended to Elizabeth de Burgo and her heirs⁶; and finally, the cantred of Okonagh, together with Ileagh,

1. Pipe Roll I Edw.I (36th Rep. D.K., p.22); Pipe Roll 2 Edw. I (ibid. p.31). Cf. Lands delivered to Richard de Burgo in 1280 (ibid. p.62).

2. Ibid

3. See below ch.II, pp. 49-51.

4. See above p. 10.

5. See below ch. V , pp. 171-4.

6. The annual accounts of these manors belonging to Elizabeth de Burgo may be found among the Minister's accounts between 1343 and 1360 (P.R.O. 3 C. 6/1239/18, 19, 21, 24, 26, 27, 28, 29).

remained in the hands of junior branches throughout the medieval period¹.

In 1281 Edward granted the castle and town of Kilfeakle, the land of Muscry, the manor of Kilsheelan, and the town of Clonmel, which formerly belonged to Walter de Burgo, together with the castle and cantred of Okonagh, to Otto de Grandison, to hold by the service of two knights². Otto had formerly held these lands for the term of his life, but it is uncertain when he received this initial grant: he may have been granted the de Burgo lands during the period when he was sheriff of Tipperary (1266-1273)³, but Okonagh was still in the king's hand in 1278⁴. Otto, nevertheless, seems to have had little interest in his Irish lands, for in 1290 he granted his lands in Limerick to Peter de Wypeyns to hold of the king by the service of half a knight's fee⁵; the castle and land of Okonagh, together with the town of Tipperary, to his nephew, Peter de Estane, to hold of the king by the same service⁶; and the castle and town

1. See below p. 19.

2. C.D.I. 1252-1284, no. 1847; Cal. Charter Rolls ii, p. 254.

3. 35th D.K., pp. 48, 50; 36th Rep., p. 25

4. C.D.I. 1252-1284, no. 1516.

5. C.D.I. 1285-1292, no. 705; C.P.R. 1281-1292, p. 372.

6. C.D.I. 1285-1292, no. 706.

of Kilfeakle, the manor of Clonmel, and the town of Clonmel, to his brother William de Grandison, to hold of the king by the service of one knight¹. William subsequently sold his lands to the earl of Desmond in 1338 for 1100 marks². The immediate fate of the lands granted to Peter de Estane is uncertain, but it is clear that Richard de Burgo, earl of Ulster, had them in 1324, when he granted the castle of Okonagh and Ileagh, to his son Edmund, to hold of him for an annual rent of £100³. It is probable that the Burkes of Clanwilliam and Ileagh were descended from this Edmund, or from one or more of the de Burgos specified in this charter. It is not evident how Richard de Burgo acquired Okonagh and Tipperary; it is possible that Peter de Estane or his heirs sold it to him, just as William de Grandison sold his lands to the earl of Desmond. At any rate, nothing remained of the de Grandison lordship after 1338: the de Burgos and the Fitzgeralds continued in the occupation of these lands for the remainder of the middle ages.

The history of the manors of Kiltinnan and Knockgraffon in the later Middle Ages merits a close investigation, for they were eventually acquired by the Butlers.

-
1. G.D.I. 1285-1292, no. 732; Cal. Charter Rolls ii p.366.
 2. Clyn, Annales Hiberniae.
 3. See appendix I, no. 3. I am indebted to Mr. Kenneth Nicholls, who kindly lent me his transcript of this charter.

William of Worcester died in 1250 or 1251¹; he was succeeded by his only son, Ralph, who appears to have died some time before 1271², leaving his sister, Basilia, to inherit his lands. Basilia married Meiler de Bermingham lord of Athenry, and so the manors descended to the de Berminghams³. It is not certain when their son Peter succeeded them, but he was certainly in possession of Kiltinnan and Knockgraffon in 1290, when he was compelled to hand them over, together with his other lands, to the Society of the Ricardi of Lucca to which he was heavily indebted⁴. Although Peter had at least two sons, Meiler and Richard⁵, he conveyed his Tipperary lands to Peter de Bermingham, father of John Bermingham, later earl of Louth⁶, sometime before his death, which occurred about 1308⁷. Kiltinnan and Knockgraffon subsequently passed to John de Bermingham; and they were taken into the king's hand after his death in 1329⁸.

-
1. William died in the thirty-fifth year of the reign of Henry III (37th Rep. D.K., p. 48).
 2. His sister was claiming the manors as her right before the end of the reign of Henry III (C.D.I. 1252-1284, no. 1163, p. 209).
 3. Gen. Off. Ms. 189, pp. 221-2, 231, 305.
 4. P.R.O.I. Cal. Plea Rolls, vol. 3, pp. 6-7, 222; P.R.O.I. Cal. Mem. Rolls, 22-23 Edw. I, p. 18 (P.R.O. Draft).
 5. Gen. Off. Ms. 189, p. 305. He may have had a third son Peter (See Burke, Dormant and Extinct Peerages).
 6. Gen. Off. Ms. 190, p. 68. This Peter was the son of James de Bermingham.
 7. C.C.H. p. 10, no. 141.
 8. See appendix I, no. 4; 44th Rep. D.K., p. 38

Although the earl of Louth was survived by two daughters¹, his lands in Tipperary descended to a male line: in 1343 William fitzRichard de Bermingham, who may have been the son of Richard, the second son of Peter fitzMeiler de Bermingham, was in possession of Knockgraffon.² William must have died sometime before 1350, for both manors were in the king's hand between 1350 and 1363 during the minority of his heir³. His heir was probably Meiler de Bermingham whose son, William had inherited the manors by 1373⁴: this William was still alive in 1379⁵. In 1396 Walter de Bermingham, who must have succeeded William, conveyed the manors to his cousin, Thomas fitzWalter de Bermingham. He seems to have done this without obtaining a royal licence, for six years later he had to make fine with the king⁶. Thomas, in turn, granted the manors to two clerks in 1410, which was the first step in a transaction designed to convey his lands to Thomas Butler, prior of Kilmainham⁷.

-
1. Maud, who married Sir William Teeling, and Catherine, who married Edmund de Lacy (Complete Peerage).
 2. Cal. Gormanston Register, p. 120.
 3. N.L.I. Ms. 761, pp.168, 187.
 4. P.R.O.I. Mem. Rolls Vol. 30, p. 543.(rot.47-48 Edw.III)..
 5. Cal. Ormond Deeds ii, no. 234.
 6. Cal. Ormond Deeds ii, no. 320; C.C.H. p.165, no.210.
 7. Cal. Ormond Deeds ii, no. 406; cf. no. 412.

who certainly had them at his disposal by 1417¹. Thus the entire de Bermingham lordship passed into the hands of a junior branch of the Butlers.

The prior of Kilmainham, who died in 1419, transferred Knockgraffon and Kiltinnan to his eldest son, Edmund fitzThomas, with the remainder to his younger sons, Richard John, Theobald and Thomas, shortly before his death². In 1433, however, Edmund and Richard fitzThomas released their right in the barony of Caher, Offa and Castlegrace, to the earl of Ormond³, who probably granted them to James Gallda Butler about this time⁴. In 1452 Richard granted the manor of Kiltinnan, which he had received from his brother Edmund in 1446⁵, to Edmund Butler, later lord of Dunboyn⁶. Edmund fitzThomas also seems to have granted the manor of Knockgraffon to his brother Richard sometime before 1455⁷; this grant was anticipated by an agreement

1. Ibid. iii, no. 24; see below ch. II, pp. 71-72b.
2. Cal. Ormond Deeds iii, no. 24.
3. Ibid. iii, no. 103.
4. Although there is no evidence to show that James Gallda, the bastard son of the third earl of Ormond by Catherine of Desmond, actually held Caher, it is certain that the Butlers of Caher traced their ancestry from Catherine. (Cal. Ormond Deeds iii, no. 318). Peter fitzJames Butler was one of the Butlers attainted by the Irish Parliament in 1462, and his son, Thomas fitzPeter, certainly held Caher in 1464-72 (ibid. iii, no. 234. Note: the date 1472-77 is incorrect).
5. Ibid. iii, no. 166
6. Ibid. iii, no. 180
7. Ibid. iii, no. 192. Note: read Knockgraffon for Knocktoper.

made between them in 1446¹. Thomas fitzRichard Butler, baron of Knockgraffon between 1475 and 1509², was almost certainly the son of Richard fitzThomas. Since the cantred of Offa had been granted to the earl of Ormond in 1433, the manor of Knockgraffon must have included only the cantreds of Moyenen and Slievøardagh after that date. By the middle of the century, the former de Bermingham lordship had been partitioned between three junior branches of the Butlers: the Butlers of Caher (Offa); the Butlers of Knockgraffon (Moyenen and Slievøardagh); and the Butlers of Dunboyne (Moctalyn and Comsey).

It may be seen, therefore, that great changes in the distribution of land took place between 1185 and 1515 which, broadly speaking, worked to the advantage of the Butlers. By the end of this period almost all of Tipperary was directly under their control: only the Burkes of Okonagh and the earl of Desmond maintained their position, and even they became the tenants of the earl of Ormond after 1328.

1. Ibid. iii, no. 166.

2. Ibid. iii, nos 244, 281, 341.

II

THE EXPANSION OF THE LORDSHIP 1185-1515.

The Butlers were numbered among the more important tenants-in-chief from the moment of their arrival in Ireland, but they did not begin to play a prominent role in Irish affairs until the fourteenth century. That this was so was largely due to their being overshadowed by the great lords of Leinster, Meath, Ulster and Connacht. In the course of the thirteenth and early fourteenth centuries, however, these great families became extinct; the death of William de Burgo in 1333 marked the final stage in this process of extinction. As a result their lordships passed to absentee heirs and heiresses who were either unwilling or unable to make their influence felt in Ireland. Where their lordships were not swallowed up by the Irish or the rebel English, they were divided and redivided among successive generations of heiresses.

It was inevitable, therefore, that the tenants-in-chief of the second rank should assume a prominent place in the conduct of Irish affairs. The result was

that the Butlers, the fitzgeralds of Kildare, and the fitzGeraldts of Desomond, filled the political vacuum. As the authority of the central government diminished in the course of the fourteenth century, their influence over the direction of Irish affairs became proportionately greater. In the fifteenth century the course of Irish politics was to a great extent governed by the influence which one or more of these families was able to exert upon it.

It could be argued, accordingly, that the Butlers came to the fore mainly through circumstances beyond their control. This is certainly true, but only up to a point, for it is evident that they rose to prominence in the fourteenth century at least partly as a result of their own efforts. Between 1206 and 1328, when James Butler was created earl of Ormond, the area of the lordship was increased by half¹, so that the earl was undoubtedly one of the greatest land-holders in Ireland. It is clear that both Edmund Butler and James, his son, had become prominent figures in Ireland even before the older families had vanished.

It is true that the heavy territorial losses which the Butlers sustained at the hands of the native Irish

1. See below p. 69.

in the course of the same century did much to offset these gains¹, but it may be argued that the Anglo-Norman lords as a whole suffered proportionately large losses, which in many cases were never made good. On the balance, therefore, the Butlers emerged relatively stronger at the end of the century. Furthermore, the occupation of southern Tipperary, together with the almost wholesale annexation of Kilkenny, gave the Butlers exclusive control of the entire Barrow-Nore-Suir Basin, including the effective domination of Waterford². In this position the Butlers inevitably played a prominent role in Anglo-Norman politics. The strategic importance of the region was demonstrated on several occasions at the end of the fifteenth century with the repeated failures of the Yorkist pretenders. The brief revival of Butler power in the person of James Ormond, between 1492 and 1497, proved to be a great embarrassment to the earl of Kilkare.

It is true that the flatness of the region left it exposed to Irish and Geraldine enemies, but the fact that it was heavily incastellated and protected by

1. See below ch. V, passim.

2. See below ch. IX, p. 335.

numerous walled towns meant that it was difficult to dominate for more than very brief periods, as the events of the fifteenth century repeatedly showed.¹

It is fitting, therefore, to describe the territorial expansion of the lordship in three stages, corresponding to the relative growth of the power and influence of the Butlers: the territories acquired in the lifetime of the first Theobald Walter (Butler), 1185-1206; from then until the creation of the earldom of Ormond in 1328; and finally from 1328 until c.1430, when the boundaries of the lordship became fixed.

1. The territories of the Lordship, 1185-1206.

The initial grant made to Theobald Walter in 1185 by John, Lord of Ireland, comprising five and a half cantreds in all², represented a large block of territory extending over large areas of the modern counties of Tipperary, Offaly, Limerick and Clare. The Tipperary cantreds — Ormond, Eliogarty, Elyocarroll, Owey and Arra — contained approximately 568,000 statute acres, but about 60,000 acres within this area belonged to the church.³

1. See below ch. IX, passim

2. See above ch. I, pp.1-2.

3. Appendix II, no.1; for the lands of the church, see below ch. XI, pp.409-11.

and it was excluded under the terms of the grant. The remaining 508,000 acres occupied an area amounting to about five twelfths of the entire medieval county, which may be estimated at about 1,166,000 acres¹. If the lands of the church are included, however, the region covered almost exactly half the total area of the county.

The boundaries of the remaining cantreds are more difficult to establish. The cantred of Owethenibokathelan and Owethennihoiffernan may be regarded as being co-extensive with the area included within the manor of Caherconlish. It appears from an extent made in 1300 that the manor included the parishes of Ladden (the tenement of Ledyn), Caherelly (the tenement of Katherlorely) Rathjordan (the tenement of Rathjordan), ^{and} Ballybrood (Villa Aubini = Balliobeen, a townland in the same parish)³. Inch St. Lawrence, which is surrounded by these parishes, and which is adjacent to the parish of Caherconlish, was presumably included in the cantred. Besides this, however, the original grant included the parish of Abington, which Theobald Walter

-
1. Appendix II, no. 1.
 2. Red Book of Ormond, pp. 154-8.
 3. Down Survey, (Manster), II, 2.

granted to the monastery of Owney, founded by him sometime before his death in 1206¹. It may be seen, therefore, that the cantred bore little resemblance to the modern barony of Owney Beg, with which it is usually identified², for it included a large part of the barony of Clanwilliam. It is possible that the original territory may have been larger than the region which has been outlined, but there is no evidence to show this. It may be estimated with reasonable certainty, however, that the cantred occupied an area of at least 35,000 statute acres³.

It is not possible to describe the boundaries of the half cantred of Truohkedmalech (Tricha Cét Ui mBlóid) with any certainty; at the most they must remain conjectural. It is clear that the cantred was included within the deanery of Omulloid⁴, which corresponds roughly to the modern baronies of Tulla Upper and Tulla Lower in co. Clare. It is unlikely that the Butlers ever settled this region, for it is predominantly mountainous.

-
1. Chartae, Privilegia, et Immunitates p.11;
 2. For example by Edmund Curtis (Cal. Ormond Deeds i, no.26).
 3. Appendix II, no.1.
 4. Irish Topographical Poems p. lxxxi. A list of the parishes included within the deanery may be found in the Royal Visitation of 1633 (T.C.D. V.1.13).

It was probably included in John's charter, not on account of its value, but because the region was at that time settled by the O'Kennedys, whose lands in Ormond were also included in the grant. Evidence of their occupation has survived in the name of the parish of Killokennedy, in the barony of Tulla Lower¹.

It is clear from the wording of John's charter that the half cantred of Ui mBlóid was the area immediately around Killaloe, but it is apparent from fourteenth century sources that the region extended along the entire western shore of Lough Derg, and included a large section of the hinterland as well. On the 4th February, 1338, part of the lordship of James, earl of Ormond, including Omany in Connacht and Athy in Thomond, was delivered into the custody of the earl of Desmond by the Exchequer²; and, on the 8th February, 1345, he was directed to appear before the exchequer to render account for these lands³. "Athy in Thomond" (alias Aghy or Aghty) was the region occupied by the Slieve Aughty mountains which are located in the modern barony of Tulla Upper,

1. Irish Topographical Poems lxxxii

2. 53rd Rep. D.K., p.43.

3. P.R.O.I. Mem. Rolls, vol.23, p.320 (rot.18-19 Edw.III).
Aghty is spelt "Athy" in this source.

in co. Clare and in the adjacent baronies in co. Galway. In the mid-fourteenth century this region was occupied by the MacNamaras (or McComarrs) who owed rents and military service to the earl of Ormond for the lands which they held there. In 1356 the earl granted Aghty, Irenewell, and Y Connoghill (possibly the parish of Ogonnelloe, bordering on Lough Derg in Tulla Lower) to Donatus MacNamara, whose father still held them. It was agreed that when his father died he should hold them of the earl by military service, together with an annual rent still to be agreed upon¹. The MacNamara who was present when the agreement was made between the earl of Ormond and O'Kennedy in 1336² may have been Donatus' father.

It is, of course, impossible to assess the area of this region with great accuracy, but it is reasonable to assume, on the basis of the evidence already put forward, that the region embraced the greater part of the modern baronies of Tulla, which occupy an area of 175,000 statute acres³. There is some reason to believe it may have been even larger, for the deanery of Omulloid extended westwards into the barony of Bunratty, and the Slieve Aughty mountains

1. Cal. Ormond Deeds ii, no.36.

2. Ibid. i, no. 682.

3. Appendix II, no.1.

cover an area even larger than the modern barony of Tulla Upper. At the most, the Butlers could only have exercised a shadowy overlordship in this region. That they still exercised some authority there in the mid-fourteenth century is evident from the indenture made between the earl of Ormond and Donatus ^{Mc}McNamara in 1356, but as the Butlers gradually lost their grip in northern Tipperary, particularly towards the close of the fourteenth century¹, their influence over the ^{Mc}McNamaras must have greatly diminished, or vanished altogether.

In addition to the five and a half cantreds in Munster, John made sizable grants of land to Theobald Walter in the lordship of Leinster, which had been in his custody since 1177. He granted Theobald the vill of Arklow, together with all the lands pertaining to it, sometime between 1185 and 1189, to hold of him by the service of one knight². Some years later, probably about 1192³, John gave him the manor of Tullow in Ofelmyth, and a certain place called le Stayne outside the walls of All Hallows, Dublin, to hold by the service which Jordan used to do for Tullow⁴. Jordan was presumably a former tenant of Strongbow, whose lands had

1. See below ch. V, pp. 156-200.

2. Cal. Ormond Deeds 1, no. 17.

3. Cf. List of witnesses in a deed dated 27th December, 1192. (Cal Archbishop Alen's Register p.22)

4. Red Book of Ormond, pp. 9-10.

come into John's hand by escheat. There is no record of a grant of the lands of Gowran being made to Theobald at this time, but since William Marshal, lord of Leinster by reason of his marriage to Isabel, daughter and heiress of Richard de Clare, was later to confirm Theobald in its possession, together with Arklow and Tullow, it seems very likely that John granted it to him before Marshal gained seisin of his lordship.

These grants completely ignored the rights of William Marshal as lord of Leinster, for it was provided Theobald should hold them in chief of John, and not of the lord of Leinster. Not unnaturally, William complained to Richard about the treatment he had received at John's hands, especially since these were evidently not the only grants made in Leinster. John was eventually compelled to revoke them, but Theobald was allowed to keep his lands provided that he held them of Marshal¹. It was presumably directly as a result of this bargain that Marshal granted Theobald the vill of Arklow, to be held by the service of one knight; Machtalewi (Gowran)²,

1. G.H. Orpen, Normans ii, pp.201-203; E. St.J. Brooks, Kinghs' Fees in Counties Wexford, Carlow, and Kilkenny p.79.

2. E.St.J. Brooks, 'Machtalewi, a Leinster chieftain', in Journ. R.S.A.I., pp.53-5.

to hold by their service of four knights; and the vill of Thelagh (Tullow), to hold by the service of four knights¹.

Unfortunately, no extent for the manor of Arklow has survived², so it is difficult to define precisely the area which it covered. That so little information has survived is probably due, in part, to the fact that Arklow was held of the lords of Leinster, and subsequently of the lords of the liberty of Kildare in which it was situated³, so it may not have come into the king's hands during Butler minorities. This also holds true of the lands which the Butlers held in the liberties of Carlow, Meath and Kilkenny, where the king had waived his right to prerogative wardships⁴.

In the sixteenth century the manor of Arklow contained the three tuaths of Coyleneghleragh, Coyleconyn and Moyalin⁵, otherwise known as "the three Shires"⁶,

-
1. Cal. Ormond Deeds i, no.31. This deed is dated before 1205; it was probably made shortly after Marshal received seisin of Leinster.
 2. The Red Book of Ormond (pp.10-12) contains an extent of the manor of Arklow in 1303, but it is quite clear from the names of the tenants and tenements that it is really part of an extent of the manor of Castledermot (cf. *ibid.* p. 22).
 3. J. Otway-Ruthven, 'The medieval county of Kildare' in I.H.S. /pp.182-3. / XI
 4. J. Otway-Ruthven, Medieval Ireland, pp.185-6.
 5. Cal. Ormond Deeds iv, no.118. See also Journ. R.S.A.I., XVI, pp.27-9.
 6. See Down Survey, I, (Leinster and Connaught).

which included the modern parishes of Arklow, Killahurler, Ballintemple, Kilbride and part of Inch. This region probably represented the area of the medieval manor, but it is possible that the original grant may have included certain tenements in the parishes of Castlemacadam and Ennereilly as well. Sometime between 1309 and 1315 Edmund Butler was granted the manor of Leys, now the townland of Templelusk in the parish of Castlemacadam, together with some other lands in the same parish¹, and in 1317 he was granted lands in Ennereilly "in the lordship of Arklow"². In each case the grantors described him as their lord: he may, however, have been their lord in respect of lands which they held elsewhere. It is unlikely that Ennereilly was originally part of the lordship, for in 1192 John granted Inbarnacli (Ennereilly) "in the land of Wicklow" to the abbey of St. Peter, Glendalough³. In the absence of conclusive evidence it is reasonable to suppose that the boundaries of the sixteenth

-
1. Cal. Ormond Deeds i, no. 426. See also E. St.J. Brooks, Knights' Fees in Counties Wexford, Carlow and Kilkenny, p. 171.
 2. Cal. Ormond Deeds i, nos 530, 531. See also Liam Price, 'The Byrnes' country in co. Wicklow in the sixteenth century: and the manor of Arklow', in Journ. R.S.A.I. LXVI, p. 52.
 3. Cal. Archbishop Alen's Register, p. 21.

century manor probably corresponded to the limits of the medieval manor.

The manor of Tullow extended over the area now occupied by the barony of Rathvilly, as appears from an extent of the manor in 1303¹. The medieval barony of Tullow, however, included the parish of Ardoyne, the greater part of which now lies in the barony of Forth. In 1303 Edmund de St. Michael held three fees there by the service of one knight and suit of court at Tullow². In the lifetime of Theobald Walter Ardoyne was held by William de Burgo; Theobald later granted it to Thomas de Hereford³.

The manor of Gowran was probably co-extensive with the cantred of Oskelan in co. Kilkenny which occupied the northern and eastern section of the modern barony of Gowran, and included the parish of Kilmademoge, now the barony of Fassadinan . The total area of the medieval barony amounted to about 71,000 statute acres, which is somewhat smaller than the area of the modern barony⁴.

-
1. Red Book of Ormond, pp.1-9; See too E.St.J. Brooks, Knights Fees in Counties Wexford, Carlow, and Kilkenny, pp. 79-80.
 2. Red Book of Ormond, p. 3.
 3. Reg. St. Thomas, nos 119, 414.
 4. Appendix II, no. 5.(e).

In the normal course of events the manors held of the lords of the liberties of Kildare, Carlow, and Kilkenny did not come into the hands of the king's escheator during a Butler minority, because the custody of all the lands of tenants-in-chief belonged by right to these lords¹. Occasionally, however, their right to prerogative wardships was overlooked. In 1249 Roger le Bigod, lord of Carlow, successfully asserted his claim to have the custody of Tullow, which had been taken into the king's hand upon the death of Theobald Butler in 1248². Theobald's lands in the liberty of Meath were evidently seized by the escheator about the same time, but in 1253 Geoffrey de Genville, lord of Meath, likewise established his right to their custody³.

But despite these precedents, the liberties continued to have difficulty in maintaining their right to have such custodies in the fourteenth century. In 1338, on the death of James, the first earl of Ormond, the Butler estates in the liberty of Kilkenny were taken into the king's hands⁴. In July the custody of the castle of

1. Above p. 34.

2. C.D.I. 1171-1251 nos 2999, 3001, 3002, 3004, 3005.

3. C.D.I. 1252-1284, nos 195, 264.

4. They included Gowran, Knocktoper, and the barony of Clannys, the region around Rathdowney (53rd Rep. D.K. p. 40).

Knocktopher¹ was granted to Oliver de la Freyne by the exchequer²; he accounted for 140 shillings for the same manor on the 27th January, 1339³. Oliver was again granted the custody for his good service on the 28th March following⁴. The coparceners of the liberty of Kilkenny, Hugh de Audley, Hugh le Despencer, and Elizabeth de Burgo, protested that their right to the custody of the lands of tenants-in-chief, which they claimed by the charter, William Marshal, had been infringed. An immediate investigation into their claim was accordingly ordered in October, 1339⁵. Although they did not mention the wardship of the lands of the earl of Ormond in particular, it is more than likely that they were at issue. It is not known whether their appeal was successful or not; certainly nothing had been done by the end of March, 1340, when Oliver de la Freyne was again granted the custody of Knocktopher⁶.

-
1. See below pp.53a-53b.
 2. P.R.O.I. Mem. Rolls Vol.21, pp.481-2(rot.13-14 Edw.III).
 3. P.R.O. Receipt Roll, Hilary 13 Edw.III (P.R.O. E 101/240/14).
 4. P.R.O.I. Mem. Rolls Vol.22, pp.573-4(rot.16-17 Edw.III).
 5. Appendix II, no.4.
 6. It is worth noting at this point that the extents of the Butler estates in the liberty of Kilkenny were not included among the inquisitions post mortem of 1338 (Cal.Inq.P.M. viii, no.184), although they were evidently taken into the king's hand at the same time as the rest of Ormond's lands. In the Easter term, 1340, however, the escheator was ordered to cause the manor of Gowran to be extended (P.R.O.I. Mem. Rolls vol.22, p. 133)(rot.13-14 Edw.III).

It is probable that William de Montague, earl of Salisbury, and lord of the liberty of Carlow, was having similar difficulties in asserting his claim over the Butler lands in the liberty of Carlow about the same time. William did not die until January, 1344; the order to seize the liberty into the king's hand was not given until the 15th February in the same year, when a sheriff was appointed for Carlow¹. Yet the archbishop of Dublin accounted for two parts of the manor of Tullow, from the 18th of February, 1342, until the 3rd of November in the same year²; and in the following year he was acquitted of certain debts incurred in the defence of his custody against the attacks of the Irish³. It is therefore likely that all of the lands of the earl of Ormond were taken in the king's hand in 1338 without any regard for the rights of the lords of the liberties.

The Butlers acquired a considerable amount of property in co. Dublin in the lifetime of Theobald, first Butler of Ireland. Mention has already been made of the grant of the place called "le Steyne", or "the Stone"⁴,

1. P.R.O.I. Mem. Rolls vol.22, pp.615-6 (rot.16-17 Edw.III).
C.C.H., p.43, no.2.
2. Ibid. vol.22, pp.556-7 (rot.16-17 Edw.III).
3. N.L.I. Ms. 2 p.145; C.C.H., p.45, no.64.
4. "The Stone" can be located on the north side of Trinity College, the site of the former abbey of All Hallows (see Down Survey). It marked the boundary between the liberties of Dublin and the liberty of All Hallows (Cal. Archbishop Alen's Register, p.56).

outside the walls of the abbey of All Hallows, made by John, Lord of Ireland, in 1192¹. In the thirteenth century it became a bone of contention between Theobald, the fourth Butler, and the mayor and ^{citizens} of Dublin, who alleged that Theobald had disseised them of "le Steyne" at a Parliament held in Dublin in 1281. They claimed that it lay within the bounds of the city, and that they could not hope to obtain justice through the normal channels of law on account of Theobald's power and influence². They were evidently unsuccessful, for in 1403 the earl of Ormond obtained a royal licence to grant le Steyne to Sir Edward Perrers and his wife for the term of their lives, because it was held in chief³. It was subsequently included in a list of the earl's lands after his death two years later⁴.

By far the greater part of the Butler lands in co. Dublin, however, was held of the archbishop of Dublin. Sometime between 1192 and 1199 the archbishop granted Theobald the service of Geoffrey de Mariscis for the land and castle of Hollywood, by rendering two pounds of wax at Michaelmas; the service of Jordan de Marisco for

-
1. Above p. 32.
 2. Richardson and Sayles, The Irish Parliament in the Middle Ages, pp.298-300 (from P.R.O. Ancient Petitions no.2182).
 3. P.R.O. I., [1111] Lodge Mss. Vol.I, p.52.
 4. Cal. Ormond Deeds iv, no.218.

the land of Dunardach¹, Rathmungoge and Tulacmacmeche, and all the land of Rathsalae² which Res fitzPhilip held of the archbishop, paying yearly half an ounce of gold³.

The Butlers appear to have lost possession of the manor sometime in the course of the thirteenth century. It is not known when this alienation took place: in 1205, however, the justiciar was commanded that the archbishop should have judgment in the royal court whether he ought to recover the fee of Hollywood by reason of an exchange which he had made with Geoffrey de Marisco⁴. This coincided with the death of the first Theobald, which was followed by a long minority, 1206 to 1221, when an alienation might have been possible. The archbishop had the manor on lease from Geoffrey de Marisco in 1243⁵, but that does not exclude the possibility that Geoffrey still held it of Theobald, the third Butler. At any rate, Edmund Butler sued the archbishop for Hollywood in 1302, but the latter failed to appear because he was on the king's service⁶. In 1305, however, Edmund was ordered

-
1. Probably the parish of Donard, adjacent to Hollywood.
 2. Probably the parish of Rathsallagh, near Hollywood.
 3. Cal. Ormond Deeds i, no.11; Red Book of Ormond, pp.84-5. The Calendar version is the more accurate, since it is a direct transcription of the original (N.L.I. D.12). The latest date for the grant is 1199, so it must have been made sometime between then and December, 1192, when Geoffrey de Marisco was granted Hollywood (Red Book of Ormond, pp.86-7).
 4. C.D.I. 1171-1251, no. 276.
 5. Ibid., no.2625.
 6. C.D.I. 1302-1307, no.141.

to have seisin of the manor after it had been found that Geoffrey de Marisco had held it of Theobald Walter, Edmund's great grandfather, who held it of the archbishop and his churches of the Holy Trinity and St. Patrick, by doing suit at the court of Ballymore¹. The dispute with the archbishop was finally settled: he recognised Edmund's right in the manor of Hollywood, in return for which Edmund renounced his claim to one messuage and five carucates of land in Lusk².

The manor was possibly still part of the Butler properties in 1326 when it was in the hand of Thomas Butler³, custodian of the lands of James, later earl of Ormond⁴. Several other members of the manor of Ballymore, "which the earl of Kildare seeks in right of the lords Butler", are mentioned in this context: Balylaghnan, Artetowneston, Tullaghferus, Owenston, Bennnellston, Kilpatrick, Holywod, Judaston alias Balmacronan and Rathsalawe⁵. Thomas Butler, the ancestor

1. Gen Off. Ms.189, p.325.

2. Cal. Archbishop Alen's Register, p.160; Cal. Ormond Deeds 1, no.394; Gen. Off. Ms. 190, p.7.

3. Cal. Archbishop Alen's Register, pp.189-94 (Extent of the manor of Ballymore).

4. See below ch. v , p. 160.

5. Cal. Archbishop Alen's Register, p.192. It is not clear what right the earl was claiming over these properties: he may have been claiming their custody by right of his liberty of Kildare. The manor of Hollywood lay in co.Dublin, but some of the other tenements may have been in the barony of Kylka, co. Kildare, which included parts of the modern

of the Dunboyne branch of the Butlers, may have obtained a grant of Hollywood from his brother, Edmund, for it was in the possession of Thomas' son Peter, lord of Dunboyne, at the time of his death in 1370, together with the tenements of Rathsallagh, Neywton¹, Juduston, Greffyneston², and Hollayestown³. The manor of Hollywood, therefore, ceased to be part of the possession of the main branch of the Butlers by 1370 at the latest, by which time the Butlers of Dunboyne held it directly of the archbishop.

It is not apparent when the Butlers acquired five carucates of land in Lusk, which Edmund renounced to the archbishop in 1305. Theobald, the fourth Butler, owed two pounds of wax yearly at archbishop's manor of Swords for certain lands in Lusk⁴. Theobald, the first Butler, may have received a grant of these lands from Hubert Walter, who had been granted the town of Lusk by King John⁵.

barony of Upper Talbotstown, to the south of Hollywood.

(See 'Knights fees in Kildare, Leix and Offaly', by J. O'Way-Ruthven, in Journ. R.S.A.I. XCI, p.170).

1. Neywton, in the manor of Ballymore, was held by Thomas Butler in 1326 (Cal. Archbishop Alen's Register, p.190).
2. Griffinstown, in the parish of Ballinure, barony of Upper Talbotstown.
3. Cal. Ormond Deeds iii, no.342, p.360.
4. Rents of the manor of Swords (Cal. Archbishop Alen's Register, p.127)
5. Cal. Ormond Deeds 1, no.863 (3).

Edmund Butler, who must have been an indefatigable litigant, had some claim of Bagod's Rath, which he claimed had belonged to Theobald Walter in the reign of King John, but he later modified this in favour of his grandfather Theobald, the third Butler, in the reign of King Henry¹. Edmund prosecuted his claim before the justices of the Common Bench on three occasions at least, between 1300 and 1319², but it was finally decided that since the lands in question lay within the jurisdiction of the mayor and citizens of Dublin the case should be prosecuted in the court of the city. Edmund or his heirs evidently succeeded in recovering the lands in question for James, the second earl of Ormond, granted a lease of his manor of Bagod's Rath to Richard Hygrene in 1362, with reversion to the earl and his heirs⁴. How the Butlers managed to get possession of the manor is not clear, but it can only have been for a limited period: in 1374 the lands of William Bagod in Bagod's Rath were in the king's hand⁵,

-
1. Common Pleas 31 Edw.I (Gen.Off. Ms.189, p.283);
Common Pleas 13 Edw.II (Gen. Off. Ms.190, p.186);
Historic and Municipal Documents, Ireland, 1172-1320,
pp.426-35.
 2. Ibid. ; also before the justices of the Bench, 28 Edw.I
(Cal. Plea Rolls Vol6, pp.411,543-4; Gen.Off. Ms.189,p.231).
 3. Historic and Municipal Documents, Ireland, 1172-1320,
pp.426-35.
 4. Cal. Ormond Deeds 11, no.82.
 5. N.L.I. Ms.3. p.149.

which suggests that the Bagods had recovered the manor in the meantime. The manor is not included in subsequent lists of Butler properties.

Theobald Walter held the manor of Ardmulchan in the liberty of Meath before his death in 1206¹. It was probably the custody of this manor which was in dispute between Geoffrey de Genville, lord of the liberty, and the royal administration in 1253². The Butlers lost possession of it in the course of the fourteenth century, for in 1360-61 it was in the hands of a royal receiver³, and in April, 1407, it was granted to Janico Dartas to hold until Edmund, son and heir of Roger Mortimer, earl of March and lord of Meath, came of age: previously it had been part of the dower of Roger's widow, Eleanor⁴, so it is evident that the manor had come into the possession of the Mortimers by the beginning of the fifteenth century at the latest.

Shortly before Theobald's death in 1206, he was granted twenty fees in the land of "Honectath" in the south of Armagh by Nicholas de Verdon, to be held by the service

1. Reg. St. Thomas, nos 1,8,313.

2. Above p. 37

3. P.R.O.I. Mem. Rolls Vol.28, p.24 (rot.35-36 Edw.III).

4. P.R.O.I. Mem. Rolls Vol.33, pp.273-4 (rot.8 Henry IV).

of Armagh by Nicholas de Verdon, to hold by the service of four knights¹. Honectath was possibly one of the cantreds granted to Bertram de Verdon by John in 1189 or 1190². Theobald was, no doubt, too occupied elsewhere to attempt the conquest and settlement of this region before his death. At any rate there is no evidence to show that he or his successors ever undertook such a project. His heir did not gain seisin of his lands until 1221; by this time the grant may have lapsed. The de Verdons themselves never settled this region: they were content, it seems, to exact rents from the Irish kings in the area³.

By the end of the period the Butler lordship occupied an area of about 890,000 statute acres⁴. This figure is only very approximate: it may be said, however, that it is more likely to be an underestimation rather than an overestimation. Altogether, this would occupy an area almost as large as the modern county of Tipperary, which is just over 1,000,000 acres. A considerable proportion of the total area of the lordship, probably about one third

1. Cal. Ormond Deeds i, no.863(5).

2. See J. Otway-Ruthven, Medieval Ireland, p.70.

3. Ibid., p.70.

4. Appendix II, no.1.

was mountainous or otherwise unsuitable for settlement, while a considerable proportion of the remainder, in particular the region of northern Tipperary, was only thinly settled by a military aristocracy. Generally speaking, therefore, the native Irish remained virtually undisturbed in the greater part of the lordship, which explains the fundamental weakness of the Anglo-Norman position in the face of the Irish onslaught in the fourteenth century.

2. The territories of the lordship, 1206-1328.

Broadly speaking, the borders of the lordship remained relatively unchanged in the first half of the thirteenth century. In the last two decades of this century, and the first quarter of the next, however, the Butlers expanded their territories most notably in two areas, Connacht and co. Kilkenny. Their acquisitions in Connacht were destined to be of only temporary importance, for they were lost in the first half of the fourteenth century¹, but in co. Kilkenny they managed to establish themselves as unquestionably^{as} the greatest landholders in the county.

The Butlers did much to consolidate their position in Tipperary during this period by acquiring several manors, but

1. See below ch.V, pp. 226-7.

they did not succeed in annexing any large blocks of territory there because the other great families remained firmly ensconced in their lands¹.

In northern Tipperary the Butlers were granted the manors of Loughkeen and Kinnitty by the bishop of Killaloe in the first decade of the fourteenth century². Loughkeen was to be held of the bishop by an annual rent of 100 shillings and four pounds of wax, with suit of court at his manor of Ardcrony. Kinnitty had once been the site of a royal castle, which was destroyed by Murtough O'Brien in 1208, but which was reconstructed in 1214³. It is possible that Kinnitty was built on the lands of the bishop⁴, in the same manner as the castle of Roscrea, and that the bishop managed to recover it later, which may account for its sudden disappearance from the records of the royal administration after 1214. The most important acquisition in northern Tipperary during this period, however, was the manor of Roscrea which was granted to Edmund Butler in 1315, together with the manor of Carrick

1. See above ch.I, *passim*.

2. Cal. Ormond Deeds 1, nos 447, 428, 499; D.F. Gleeson, History of the Diocese of Killaloe, pp. 189, 257.

3. J. Otway-Ruthven, Medieval Ireland, pp.83-5.

4. There was a monastery at Kinnitty in the ninth and tenth centuries, but it seems to have come to an end by the eleventh century (See D.F. Gleeson, *op.cit.* pp.85-6) Its lands may have been annexed to the bishopric.

and the title of earl of Carrick¹. Roscrea had originally belonged to the see of Killaloe, but the justiciar had constructed a castle there in 1208 to meet the threat posed by Murtough O'Brien to the security of the region. The castle was retained in the king's hand, and the bishop was finally compensated for his loss². The castle was reconstructed and fortified in the last quarter of the thirteenth century³; it was therefore an important addition to the Butler defences in northern Tipperary. It was still in the control of the earl of Ormond in the first half of the fifteenth century⁴.

In 1242 Richard de Burgo granted the manor of Ardmayle, in the cantred of Eoghannacht Cashel, to Theobald Butler, who had married his daughter Margery⁵. This gift was accompanied by the grant of certain other lands which possibly lay in the same cantred⁶. This important manor

-
1. Cal. Charter Rolls 111, 284-5; Cal. Ormond Deeds 1, no. 513.
 2. For fuller information see G.H. Orpen, Normans, 11, pp. 301f;³ D.F. Gleeson, History of the Diocese of Killaloe, pp. 221-3.
 3. For expenditure upon the reconstruction of the castle see Pipe Rolls 1276-8 (36 Rep. D.K.) pp. 40, 44), and D.F. Gleeson, op.cit., p. 187.
 4. Below ch. V p. 197.
 5. Cal. Ormond Deeds 1, no. 99.
 6. Ibid. 1, no. 100.

included the parishes of Ardmayle and Ballysheehan¹.

It is not clear how the Butlers came into possession of the manor of Moyaliff. It appears to have been acquired sometime between c.1247², when it was held by Matilda de Marisco, and 1285, when Theobald Butler died; it formed part of the dower of his widow Joan, daughter of John fitzGeoffrey. In 1290-91 Edmund Butler was summoned to appear before the justices of the Bench to answer Hugh fitzGeoffrey Tyrell for the manor of Moyaliff, except the advowson of the church and ten acres of land. Hugh claimed that his grandfather, Hugh, had granted the manor to Matilda de Marisco and her heirs, with the reversion of the manor to the Tyrells in default of heirs.³ In 1297, however, Edmund claimed that he was not bound to answer Hugh for the manor: he did not hold it fully because Joan, widow of Theobald Butler, held it as part of her dower.⁴ In the event Edmund retained possession of the manor, for Hugh renounced his claim to it in 1303⁵. It is not improbable that Hugh's grandfather did grant the manor to Matilda, but how he came to be in possession

-
1. Ballysheehan was held of Ardmayle (Red Book of Ormond) p.63.
 2. Cal. Ormond Deeds 1, no.104.
 3. P.R.O.I. Cal. Plea Rolls vol.3, pp.168, 198.
 4. Ibid. vol.5, pp.187-8, 237-8.
 5. Cal. Ormond Deeds 1, no.367.

of it is unknown. At any rate it is clear that Theobald got possession of it sometime before his death in 1285. The service by which the manor was held is unknown: Matilda de Marisco, "the lady of Moyalty," certainly owed two services for her lands in Tipperary, but there is no evidence to show that she owed them for Moyalty¹.

In the cantred of Slievardagh Edmund Butler secured the manor of Inchirourke, together with all the tenements which John de Fresingfeld held in Fennor, in 1313². This grant also included the vills of Grene, Moyarf and Begeston, which lay in the adjacent parish of Tubbrid Britain in the liberty of Kilkenny³. In the following year Thomas Butler, who was probably Edmund's brother, later lord of Dunboyne, and who had been granted the manor of Inchirourke in the meantime, gave the manor to John, Edmund's son, and his heirs, with reversion to Edmund.⁴ In 1374 the royal escheator was ordered to restore the manors of Inchirourke, Grenmoyarf, Imlagh⁵, Staanagh, Lesmolyng (now Lismalin), and certain other holdings, to

-
1. 38th Rep. D.K., p.92; 42nd Rep. p.71. Matilda also held lands in Okonagh (See above. ch.I, p. 14).
 2. Ibid. 1, nos 481,482. John had obtained a royal licence to hold a weekly market at his manor of Finnoure near Inchirourke in 1302 (C.D.I. 1302-1307, no.18).
 3. See note by E. Curtis in Cal. Ormond Deeds 1, no.481).
 4. Cal. Ormond Deeds 1, no.491.
 5. Imlagh near Boulek (ibid. 11, no.49,p.35). It belonged to John de Fresingfeld in 1313, when it was delivered to Edmund Butler (ibid. 1, no.479).

Fulk fitzPatrick de la Freign; they had been taken into the king's hand because a certain Edmund Butler, the former husband of Fulk's wife, Catherine, had been outlawed in co.Kildare¹. This Edmund was possibly the son of John Butler to whom Thomas Butler had granted the manor of Inchirourke in 1314. Fulk evidently claimed these lands by right of his wife.

In southern Tipperary Edmund Butler was granted the manor of Carrick, which guarded the south-eastern approaches to the county. He held it in chief of the king, together with the manor of Roscrea, by the service of two knights². Carrick had been formerly held by Geoffrey le Bret of the manor of Kilsheelan, from which it appears to have been alienated.³

The Butlers had been included among the greatest tenants in co. Kilkenny since the time of Theobald Walter, but between 1297 and 1328 they established themselves as the greatest single landholders in the county. It is to this period that the Butler domination of Kilkenny must be ascribed.

The grant of the lordship of Rathdowney in "les Glannys", or the barony of Clannys⁴, and Moynochle to

-
1. C.C.H. p.88, no.78; P.R.O.I.(Dublin) Lodge Mss vol.1, p.30.
 2. Above pp.48-9.
 3. Above ch.I, p.5.
 4. The region of "les Glannys" appears in the escheator's accounts as "the barony of Clannys", during the minority

Theobald Butler in 1297 by John Pippard¹ constituted the first stage in the process of expansion in co. Kilkenny. Rathdowney was held of Gilbert de Clare, earl of Gloucester and Hertford, and lord of the liberty of Kilkenny, by the service of two knights². In 1315 Edmund gained possession of the neighbouring manors of Skirk and Lisnehowen from Patrick firzWilliam de Rocheford,³ which helped to consolidate the Butler interest in the region. The possession of these considerable holdings in Ossory probably accounts for the presence of Scanlan McGillpatrick at the conclusion of the agreement between O'Kennedy and the earl of Ormand in 1336,⁴ for he may have held land of the earl in the region of Rathdowney.

Of more enduring importance, however, was the acquisition of the manor of Knocktopher by grant of Fromund le Brun between 1312 and 1314. Nigel le Brun bought the manor from Walter de la Haye in 1309 for

of James, second earl of Ormond (53rd Rep. D.K., p.40). It has partially survived in the name of the modern barony of Clandonagh, in which Rathdowney is situated.

1. Cal. Ormond Deeds 1, no.333. For fuller information about the fee of Rathdowney see E.St.J. Brooks, Knights' Fees in Counties Wexford, Carlow, and Kilkenny, pp.201-91.
2. C.D.I. 1252-1284, no.1618; Liber Primus Kilkenniensis p.56.
3. Cal. Ormond Deeds 1, no.501.
4. Ibid. 1, no. 682.

£1051.13.4.¹ Nigel died shortly afterwards: his widow, Amice, married Walter de Cusak in or before 1312². Together Walter and Amice acted as executors of Nigel's will³. The process of conveyance began in 1312 when Mathew fitzPhilip Mauncel released all his right in the manor to Walter and Amice, Fromund son of Nigel le Brun, and Edmund Butler;⁴ shortly afterwards, Thomas fitzWilliam Ketyng made a similar release to the same parties⁵. It is likely that Mathew and Thomas had some right in the manor through some relationship to the former lords of Knocktopher⁶. At any rate the transaction seems to have been completed finally in 1314 when Fromund le Brun released all his right to Edmund Butler⁷. Thus by 1314 the Butlers had secured all the land in the cantred of Knocktopher⁸, except for the Newtown of Jerpoint, which they obtained from Hugh le Despencer in 1391⁹. The manor of Knocktopher was held of the lord of the liberty of Kilkenny by the service of one and a half knights.¹⁰

The year 1314 was undoubtedly a great landmark in

-
1. Ibid. i, nos 431, 432, 433, 435, 436.
 2. P.R.O.I. Mem. Rolls vol.6, pp.26-7 (rot.5 Edw.II).
 3. Ibid. vol.6, pp. 196, 220. (rot.5 Edw.II).
 4. Cal. Ormond Deeds i, nos 466, 467, 468.
 5. Ibid. i, nos 471, 472, 473.
 6. See E. St.J. Brooks, op.cit., p.251.
 7. Cal. Ormond Deeds i, nos 486, 487.
 8. See appendix II, no.5.(i).
 9. Cal. Ormond Deeds ii, no. 297.
 10. C.D.I. 1252-1284, no. 1618.

the history of the lordship, for in the same year Roger fitzMilo, baron of Iverk, granted the barony of Iverk to Edmund Butler for the term of his life¹, and in 1319 he confirmed it to Edmund and his heirs². In return Edmund granted Roger and his heirs an annual rent of eight marks, together with the homage and service of Herbert de Marisco in two and a half vills of land in Polroan, of Richard le Peer in Rathforby, of David Graunt in Ballytarsne, and one acre in Polroan.³ The barony was originally held of the lords of Leinster by the service of seven knights;⁴ and after the partition of the liberty of Kilkenny it was held of Hugh le Despencer by the same service.⁵

The acquisition of Knocktopher and Iverk placed the Butlers in immediate control of the southern portion of co. Kilkenny, for the medieval barony of Iverk embraced not only the modern barony of Iverk, but also the modern barony of Ida and the southern part of the modern barony of Knocktopher.⁶ The total area of Iverk amounted to about 113,000 statute acres,⁷ but the services of Rosbercon, Loghran,⁸ Rossinan, Killahy and Ullid, were

1. Cal. Ormond Deeds 1, nos 496, 497, 498.

2. Ibid. 1, nos 537, 538, 539.

3. Cal. Ormond Deeds 1, nos 540, 541.

4. C.D.I. 1252-1284, no. 1618.

5. Liber Primus Kilkenniensis, pp.54-5.

6. Appendix II, no. 5(K).

7. Ibid., no. 5(K).

8. Possibly the parish of Muckalee (see Appendix II, no.5(K)).

were reserved to Eleanor, wife of Hugh le Despencer after the partition of Kilkenny in 1317,¹ so they were not included in the grant of Roger fitzMilo. The rest of the barony, however, which may be estimated at approximately 98,000 acres, was held immediately of the Butlers.

Within this period the Butler lordship in co.Kilkenny increased from about 71,000 acres (Gowran)² in 1297 to about 219,000 acres in 1314³, an area corresponding to just over one third of the entire medieval county of Kilkenny, which amounted to about 642,000 acres⁴.

The considerable territories which the Butlers acquired in Connacht in 1282 were of limited importance: their value was largely nominal, and they were probably the first members of the lordship to be lost to the Irish in the fourteenth century; in fact they may have been irretrievably lost by 1350.⁵ It seems that the Butlers were never completely in control of them at any time.⁶

In 1282 Philip de la Rochelle granted the cantred of Ui Maine (Omany), Clann Uadach (Clonodath), Crumthann (Croun),

-
1. Liber Primus Kilkenniensis, pp. 54-5; Cal. Ormond Deeds ii, no. 297.
 2. Appendix II, no. 5(e).
 3. Ibid. no. 2.
 4. The area of the modern county and the baronies of Clarmallagh, Clandonagh and Upperwoods, in co. Leix. The parish of Tibberaghny was not included in the medieval county.
 5. Below ch. V pp. 226-7.
 6. Below pp. 59-60.

Suicin (Suckyn), and Lusmagh (Lusmach), together with the manors of Bray and Bruyin in co. Dublin, to Theobald Butler and his heirs, by rendering the accustomed services to the king and other chief lords. In return Theobald gave Philip his manor of Turvey, and his lands in Rush, Balscadden, Corduff, and Ballymaguire, in co. Dublin, for the term of his life, and gave an undertaking to pay an outstanding debt of 600 marks which Philip owed to the king.¹ It is worth noting that Philip was related to Theobald,² which may have helped the latter to obtain the grant.

Philip's father, Richard, had been granted twenty librates of land in Ui Maine in 1253 by the Lord Edward to hold by the service of half a knight.³ In 1258 Edward gave him the whole cantred of Ui Maine, except forty librates of land held by John firstGeoffrey and Jordan de Exeter in the same cantred, by paying an annual rent of 100 shillings for each villate. Richard was also given the return of all writs in the cantred, the plea of vetitum namium, and all pleas pertaining to the sheriff.⁴

Philip was anxious to rid himself of his troublesome lordship in Connacht, which he could not govern, and from

1. Cal. Ormond Deeds i, nos 257, 259, 260.

2. C.D.I. 1302-1307, no. 198.

3. C.D.I. 1252-1284, no. 223.

4. Cal. Ormond Deeds i, no. 123.

which he could derive no profit. In 1282 he complained that he was unable to pay either the relief for his lands or his rent, and that the justiciar had distrained £200 of his goods; furthermore, the escheator had leased his lands to the Irish before he had entered them, which made his task more difficult.¹ Moreover, an inquisition taken before the justiciar, John de Wogan, in July, 1304, revealed that Richard, his father, had never been able to pay the 100 shillings rent for each of the twenty~~five~~⁷ villates which he held, and that the deficit had been taken out of his fee when he was justiciar (1261 - 1265). When Philip succeeded to his father's lands he was unable to derive anything from them "on account of the power of the Irish of those parts, who prostrated his castles, burned and wasted his lands". Accordingly Philip obtained royal licence to demise his lands to Theobald Butler.² The 600 marks which Theobald promised to pay in 1282 was probably part of the debt which Philip had incurred through his inability to pay his relief and rent.

The area of the territories acquired by Theobald in 1282 was very considerable.³ The cantred of Ui Maine was

1. C.D.I. 1252-1284, no. 1986.

2. C.D.I. 1302-1307, no. 198.

3. I am greatly indebted to Mr. K. Nicholls for his assistance in locating the territories included in this grant. He is at present engaged in research upon the Irish lordships of Cannacht. He has kindly allowed me to consult his maps and his notes.

probably co-extensive with the deanery of Sogan, in which Aughrim was situated.¹ Crumhthann, in the cantred of Tir Maine, included the parishes of Killosohan, Killian, and Killeroran, in the modern county of Galway along the western bank of the Suck; it extended into the parish of Tisara on the eastern bank.² Clann Uadach, in the cantred of Tir Maine,³ included the parishes of Cam and Dysart on the eastern bank,⁴ and the parish of Ahascragh on the western bank.⁵ Suicin, a castle on the island of Suck at Ballinasloe, was probably co-extensive with the parish of Creagh on the eastern bank of the Suck. It seems to have been part of Sil Anmchadha, the territory of the O'Maddens, as was Lusmagh on the eastern bank of the Shannon. The area described by this grant incorporated about 185,000 statute acres.⁶

-
1. For a list of the parishes of the deanery see appendix II no.2.
 2. Cal.Ormond Deeds 1, no. 258.
 3. Ibid., 1, no. 258.
 4. Ibid. 1, no.259.
 5. Ibid. 1, no.437. The tenements of Avenebeg (Annabeg) and Eruclan (Ervallagh) are said to be in the tuath of Clonodath (Clann Uadach); both of them lie in Ahascragh. Trostan, now Tristaun in Clontuskert (ibid. 1, no.247), was part of the cantred of Ui Maine, so it was not included in Clann Uadach. The parishes of Cam, Dysart and Ahascragh, form part of the deanery of Tir Maine.
 6. Appendix II, no.2.

The cantred of Ui Maine, together with Crumthann and Glann Uadach in the cantred of Tir Maine, formed part of the medieval county of Roscommon:¹ an inquisition, held before John de Wogan at Kilkenny in 1310 to inquire into the lands belonging to the royal castles of Roscommon, Raundon, and Athlone, revealed that Edmund Butler held them by an unknown service.² The Pipe Rolls, however, show that Edmund owed £20 for four services in Aughrim in Ui Maine.³

Theobald Butler was active in Connacht in 1285 when he raided the territory of Devlin McCoghlan with the assistance of the O'Kellys of Ui Maine, the O'Maddens (the forces of Sile-Anmchye), and his Tipperary septs.⁴ The object of this raid is uncertain, but it was probably part of a programme designed to establish Theobald's authority in his Connacht lands. But despite all their efforts, the Butlers were unable either to derive any profit from these lands or to establish permanent security there. In 1303 Edmund Butler complained that his rent was so exorbitant that no one, English or Irish, would

-
1. See map of Ireland in Medieval Ireland by J. Otway-Ruthven.
 2. P.R.O.I. Cal. Mam. Rolls (^{P.R.O. Draft Calendar} Record Office) 3 Edw. II, pp. 585-7. "Oroghyn", which appears in this transcript, is clearly a misreading of "Croghyn" (Crumthann).
 3. 38th Rep. D.K., p. 74; 42nd Rep., p. 12.
 4. See below ch. III, p. 107.

inhabit his lands, with the result that they lay wasted. He asked for a reduction in his annual rent of £125.¹ The king directed the justiciar to cause an inquiry to be made into the matter, and accordingly an inquisition was held before him at Loughrea on the 7th July, 1304. The jurors explained that neither Theobald Butler nor his son Theobald, brother of Edmund, had been able to levy the rent, like Philip and Richard de la Rochelle before them. Some of the outlying villates were worthless, but others were in a better condition. They added, pessimistically, that if war arose in those parts "the greatest portion of Edmund's lands in Ireland would scarcely suffice for the defence of the lands aforesaid".² Their pessimism was amply justified by the subsequent course of events, for the manor of Aughrim in Ui Maine was burnt by the Irish three years later.³ Edmund's petition proved to be successful; in 1309 the king absolved him from all his debts, and further allowed him to hold the lands free of rent for the rest of his life.⁴

The Butlers acquired several manors in co.Kildare during this period, the most important of which was the

1. C.D.I. 1302-1307, no.198.

2. Ibid.

3. Below ch. V p. 227.

4. Cal. Ormond Deeds 1, no.323; C.P.R. 1307-1313, p.189.

the manor of Cloncurry. Initially, the manor was granted to Theobald Butler in 1297, for the term of his life, by John Pippard,¹ who was married to Theobald's sister, Matilda². Although Theobald died in 1299, the manor seems to have remained in the hands of Edmund, his brother and heir, for in 1304 a certain Adam Chamberlain released his right in "le Toleboll" in Cloncurry to Edmund.³ In turn Edmund's heir, James, first earl of Ormond, secured his claim to the manor against Elias Lawles in 1330;⁴ thereafter it remained in the undisputed possession of the Butlers for the remainder of the middle ages. The manor was held of its chief lords by the service of two knights.⁵

It is not apparent how the Butlers established an hereditary claim to Cloncurry, but it seems likely that either Theobald or Edmund managed to obtain an hereditary title from John and Matilda Pippard shortly after the grant of 1297. At any rate, it represented an important addition to the lordship; in 1304 it was estimated to

-
1. Cal. Ormond Deeds 1, no.335.
 2. E. St.J. Brooks, Knights' Fees in Counties Wexford, Carlow and Kilkenny; p.209.
 3. Cal. Ormond Deeds 1, no.369.
 4. Ibid. iv, no.133.
 5. J. Otway-Ruthven, 'Knights' fees in Kildare, Leix and Offaly', in Journ. R.S.A.I., XCI, p.167.

be worth £121. 9. 9½ a year.¹ It occupied the medieval barony of Oughterany, now the western portion of the modern barony of Ikeathy and Oughterany,² but the tenement of Ratrone³ lay in co. Meath. In the fifteenth century the earls of Ormond appointed a special seneschal for the barony of Oughterany, and the lordships of Donadea and Castlewarden, for an annual fee of 100 shillings.⁴ The Butlers may have obtained the tenement of Yagoston, now the townland of Jigginstown in the parish of Naas, from the Pippards about the same time as the manor of Cloncurry. Originally, Yagoston had belonged to Stephen de Hereford, as did the manor of Cloncurry, but he granted it to William Pippard about 1234.⁵ It is possible, therefore, that when a certain Walter fitzRoger de la More released all his claims in the lands and tenements of Yagoston to Edmund Butler in 1316,⁶ he may have been releasing them to Edmund as his overlord. The manor of Clyntonyscourt, which the earl of Ormond leased to Robert Herbrig in 1412⁷, was part of the tenement of Yagoston.⁸

1. Red Book of Ormond, pp.27-34.

2. J. Otway-Ruthven, loc.cit.

3. Red Book of Ormond, p.31. Now the townland of Rathroane in the parish of Rathrone.

4. Cal. Ormond Deeds iii, no.8.

5. Ibid. 1, no.82.

6. Ibid. 1, no.520.

7. Ibid. 11, no.418.

8. Ibid. 11, no.263.

Yagoston was still included among the lands of the lordship at the beginning of the fifteenth century.¹

In 1294 Geoffrey fitzPhilip Ris granted Imaal to Theobald Butler, together with the lordship of Coulenery and lands in Villa Odonis Maunsel, in exchange for a lease of the manor of Corduff for a term of twenty years.² Imaal, which is co-extensive with the parish of Donaghmore in the modern barony of Upper Talbotstown, was held of John Wogan, lord of the barony of Kilka, by the service of one knight;³ the lordship of Coulenery was a subtenement of Imaal.⁴ A considerable portion of Imaal was mountainous. Generally speaking, the English tenants occupied the lower reaches of the glen, while the upper reaches, in particular the townlands of Leitrim, Brittas, and Keddeen, were leased to Irishmen.⁵

In the detached portion of the county on the east coast, the Butlers increased the area of their holdings, especially around the perimeter of the lordship of Arklow, but few of these lands can be located with any certainty.

1. *Ibid.* ii, no.419; iv, no.218.

2. *Ibid.* i, nos 319, 320, 321.

3. Red Book of Ormond, p.15; J. Otway-Ruthven, *loc.cit.*, pp.170-1.

4. Red Book of Ormond, p.19.

5. Red Book of Ormond, pp.19-20. For a map of the medieval county of Kildare see J. Otway-Ruthven, 'The medieval county of Kildare,' in *I.H.S.* XI, pp.181-99.

Between 1280 and 1285 Elizabeth, daughter of Joan, widow of Hugh le Bigod, granted all her land at Moycredyn, now Macreddin in the barony of Ballinacor South, to Theobald Butler and his heirs.¹ Early in the fourteenth century, Robert fitzWilliam Anglicus granted his manor of Leys, together with several other tenements, to his lord, Edmund Butler.² It is probable that Leys is the modern townland of Templelusk in the parish of Castlemacadam.³ In 1317 Almaric de Bellafago gave Edmund Butler all the lands and tentments which he held of the archbishop of Dublin in Inuyrthely, now the parish of Ennereilly.⁴ It was stated the Inuyrthely was in the lordship of Arklow, but it probably was not included in the original charter of John to Theobald Walter.⁵ The Butlers held various lands of the archbishop of Dublin in the diocese of Glendalough, but it is ^{not} possible to identify them.

Edmund Butler acquired two manors in co.Carlow at the

-
1. Cal. Ormond Deeds i, nos 165, 166, 167. 1280-1285 is the more probable date for these deeds (see E. St.J. Brooks, Knights' Fees in Counties Wexford, Carlow and Kilkenny, p.170.
 2. Cal. Ormond Deeds i, no.426.
 3. E. St.J. Brooks, op.cit., p.171.
 4. Cal. Ormond Deeds i, nos 530, 531; Liam Price, 'The Byrnes' country in co.Wicklow in the 16th century: and the manor of Arklow,' in Journ. R.S.A.I., LXVI p.52.
 5. Above. p. 35.
 6. Cal. Ormond Deeds i, no.103.

beginning of the fourteenth century. Between 1300 and 1305 William fitzEdmund le Gras granted him the manor of Castle Grace, in the parishes of Aghade and Ballon in the barony of Forth, to hold by the service of one knight.¹ Edmund granted it in turn to his brother Thomas, later lord of Dunboyne, and his heirs in 1307.² It must have remained in the hands of the Butlers of Dunboyne, for it does not appear in subsequent lists of Ormond possessions.

In 1311 John fitzRichard Cadel granted the manor of Clonlaynan in co.Carlow to Edmund Butler and his heirs.³ This manor is mentioned in the inquisitions post mortem in 1338, when it was stated that it was held of the heir of John de Hastyng at an annual rent of eighteen pence, with suit of court at his court of Oboy in co. Kildare. The tenements of Clanboecan, Smertston, and Pharll, were held of Clonlaynan.⁴ It is not possible to identify the location of this manor on a modern map; it may be the townland of Clongrenan (containing a total of 2,518 acres), in the parish of Cloydagh, which lies partly in co. Carlow and partly in the barony of Slievemargy, in the medieval county of Kildare. The neighbouring townlands of Cloghna (parish of Cloydagh) and Mortarstown (parish of Carlow) are possibly the modern variations

1. Cal. Ormond Deeds 1, no.340.

2. Red Book of Ormond, p.118.

3. Cal. Ormond Deeds 1, nos 427, 456, 457, 458.

4. Cal. Inq. P.M. viii, no.184, pp.123-4.

of Clanboccan and Smertston. The earl of Ormand granted the manor to Thomas, son of Edmund Butler, in 1352, to hold for the term of his life¹. It was burnt by the Irish sometime after this, for in 1359 Thomas was paid £10 by the exchequer for expenses incurred in the defence of the castle of Dromro and for the burning of Clonlaynan at the hands of the Irish.² It is not mentioned in later records; possibly it fell into the hands of the Irish about this time.

The Butlers extended their holdings in co. Dublin considerably between 1328 and 1430. In 1263 Theobald Butler made an agreement before the justiciar, Richard de la Rochelle, and others, to hold the manor of Turvey from the archbishop's manor of Swords if he could obtain a release from Annitia de la Corner of her right in Turvey.³ He must have been successful, for in 1273 Theobald leased his manors of Turvey, Corduff, Rush and Balscadden, to Fulk Mesoner for a term of two years.⁴ The last three manors appear for the first time among the Butler lands; they, too, were held of the archbishop, for Fulk undertook to pay rent to him during the term of

-
1. Cal. Ormond Deeds ii, no. 16.
 2. C.C.H., p.78, no.65.
 3. Cal. Archbishop's Alen's Register, p.98.
 4. Cal. Ormond Deeds i, no.183.

his lease. It is not unlikely that Theobald acquired them along with the manor of Turvey in 1263.

The manors of Turvey, Corduff and Rush, are contained in the parish of Lusk; together with their tenements, they occupied the greater part of the parish.¹ Theobald also obtained four carucates in the tenement of Portrane, in the same parish, from Avice de la Corner, about the same time as ^{he got} the manor of Turvey, to hold of the archbishop at an annual rent of £9. 4. 2. with suit of court at the manor of Swords.² It is interesting to note that part of the annual revenue of Turvey and Rush was derived from fishing.³ It seems that special keepers of the fisheries there were appointed in the fourteenth century: on the 9th June, 1322, when the estates of Edmund Butler were in the king's hands, the escheator was commanded by the treasurer to appoint keepers of the fisheries of Turvey and Rush to cause the fish to be salted and preserved.⁴ Philip de la Rochelle granted the manors of Bray and Bruyin in co. Dublin to Theobald Butler, together with

-
1. The townlands belonging to the manors, which are listed in a fifteenth century rental (Cal. Ormond Deeds iii, no.245), occupied an area of more than 6,000 acres. Most of them are readily recognisable on a modern map.
 2. Cal. Ormond Deeds 1, nos 135, 136.
 3. Ibid. iii, no. 245.
 4. R.I.A. Mem. Rolls 15-16 Edw.II (Ms. 12. D. 13), p.67.

his lands in Connacht, in 1282.¹ The location of Brun is uncertain, but it may have been in the vicinity of Bray. It is possible that the manor of Rokklescourt was another name for it.² Bray was held in chief of the king by the service of finding an armoured horse at the gate of Dublin Castle when the king's service was proclaimed. Sometime before 1290 the treasurer converted the service into a scutage of forty shillings, for in the same year Theobald Butler complained in the parliament at Westminster that his ancestors had always rendered the service in the traditional form, not by a payment of scutage.³

It is apparent that the Butlers did not enjoy an exclusive right to the manor of Bray: an early fifteenth century list of their properties mentions only half of the manor in their possession.⁴ The other half belonged to the king. In 1334 the king leased all his lands there to Geoffrey Crump at an annual rent of £6.1.8½. for a term of twenty years.⁵ It is likely, too, that he had some interest in the manor of Bruyin, for the escheator rendered accounts for it between 1329 and 1332.⁶

-
1. Cal. Ormond Deeds i, nos 257, 259.
 2. Bray and Rokklescourt are sometimes listed in apparent association (ibid. ii, no.389; C.C.H., p.39, no.79).
 3. C.D.I. 1285-1292, p.315.
 4. Cal. Ormond Deeds iv, no.218.
 5. C.C.H., p.39, no.79.
 6. 43rd Rep. D.K., pp.40, 63.

During the period 1206 to 1328 the total area of the Butler lordship increased by about 445,000 statute acres:¹ in other words, it had expanded by half its original size of 890,000 acres, to a total area of about 1,335,000 acres.² It is therefore clear that the emergence of the Butlers into political prominence in the first quarter of the fourteenth century owed much to the consolidation of their territorial power: it was virtually inevitable that they should take their place among the greatest of the Anglo-Irish lords.

3. The Territories of the Lordship, 1328-1430.

The establishment of the liberty of Tipperary in 1328 by charter of Edward III had the effect of making the earl of Ormond the only tenant-in-chief within the borders of the liberty. The charter provided that the earl should have "regalitatem et alias libertates cum feodis militum et omnibus aliis rebus quecumque fuerint que habuimus in comitatu Tipperarie,"³ which meant that henceforth tenants-in-chief within the liberty became the tenants of the earl in respect of the lands which they held there. Thus William de Burgo, earl of Ulster, John de Bermingham, earl of Louth, and William de Grandison, became tenants of the earl of Ormond in respect of the

1. Appendix II, no. 2.

2. Ibid.

3. See below ch. X, p. 359.

lands which they held in Tipperary¹ literally overnight. In this way an area of approximately 529,000 statute acres was added to the territories of the lordship.²

During this period the Butlers sustained serious losses in northern Tipperary. They appear to have retained control of Nenagh throughout the entire period, it is true, but they nevertheless lost control of the greater part of the modern baronies of Ormond and Owey and Arra,³ while the O'Carrolls had expelled them from Elyocarroll by the middle of the fourteenth century, if not earlier.⁴ They may have retained possession of Roscrea, but this is not certain.⁵ These losses, however, were compensated to a large extent by the annexation of the de Bermingham lordship, which occupied five cantreds in central and southern Tipperary: Slievardagh, Comsey, Moytalyne, Moyenen, and Offa.⁶ Thus at the conclusion of this period the Butler lordship embraced almost all the remaining cantreds; only the cantreds of Muskerry and Iffowyn, which belonged

1. See above ch.1, *passim*.
2. This figure represents the approximate acreage of that part of the county which had not been acquired by the Butlers up to 1328, when the lands of the church have been deducted (see appendix II, no.3.)
3. Below ch.Vpp. 156-96.
4. *Ibid.* pp.156-200.
5. *Ibid.*, p. 197.
6. Above ch.I, pp 11-12

to the earl of Desmond,¹ and the cantred of Okonagh, which was held by the descendants of Edmund de Buigo,² were excluded.

The process which led to the wholesale annexation of the de Bermingham lordship began in 1375, when William Spaldyng obtained a royal licence to grant the manor of Caher to the earl of Ormond to hold of William de Bermingham as of his manor of Knockgraffon by the accustomed services.³ It is not unlikely that the king granted Caher to William Spaldyng between 1350 and 1363 when Knockgraffon was in the king's hands.⁴ In 1392 Thomas Butler, the illegitimate son of the third earl of Ormond, was granted all the lands of Offa, except the baronies of Caher and Dromloman, by permission of the Irish Council, because he claimed that the whole region had been wasted by Irish and English malefactors through the negligence and default of the owners, so that the passage of merchants had been disrupted.⁵ This grant seems to have included the whole cantred of Offa except for Caher and Dromloman.⁶ The manor of Castlegrace

1. Ibid. pp.18-19.

2. Ibid. p.19.

3. C.C.H., p.93, no.130.

4. Above ch. I, p.21.

5. Graves, King's Council in Ireland, pp.220-222.

6. This name has disappeared from modern maps. It may have been excepted because it was held by the earl of Ormond, as in the case of the manor of Caher

was probably the caput baronie of Offa, for they are associated in an early fifteenth century list of Butler estates.¹

It is not unlikely that the lordship was in the hands of negligent royal custodians at this time, for the manor of Castlegrace was one of the estates forfeited by Eustace le Poer in 1345 for his part in the Desmond rebellion. In the following year the king provided that Matilda, widow of Eustace, should have her dower from the manors of Dunbryn and Granny,² Castlegrace, Oughterard and Castlewarden, which were in his hands by reason of the forfeiture.³ All of these estates were subsequently granted to the Butlers. In 1374 Edmund fitzArnold fitzJohn le Poer released all his right in Granny to the earl of Ormond.⁴ Although Eustace had granted the manor to Edmund's grandfather in 1337,⁵ Edmund was only acting as custodian of the manor in 1374, for on the 15th December of the same year the sheriff of Waterford had been commanded by the exchequer

-
1. Cal. Ormond Deeds iv, no.218.
 2. Dunbryn was attached to Granny (parish of Kilmacow, Iverk); it was sometimes used as an alternative name for Granny (P.R.O.I. Mem. Rolls vol.28, p.452 (rot.38-39 Edw.II)).
 3. Ibid vol.25, pp.164-7 (rot.23-24 Edw.III).
 4. Cal. Ormond Deeds ii, no.196.
 5. Ibid. i, nos 701, 702. John fitzRobert le Poer, to whom Eustace made this grant, was certainly Edmund's grandfather (Gen. Off. Ms.192, p.210).

to distrain him to render account for the issues of Granny as from the 20th March, 1368.¹ It was therefore necessary for the earl of Ormond to obtain a grant of the manor from the king in 1375.² The manors of Oughterard and Castlewarden in co. Kildare were still in the king's hand in 1412, when he finally granted them to the earl of Ormond.³ Consequently, it is quite possible that Castlegrace was in the hands of royal custodians in 1392.

Thomas Butler effected the annexation of the remainder of the de Bermingham lordship early in the fourteenth century. It was subsequently partitioned among three important junior branches: the fitzThomas Butlers, the Butlers of Dunboyne, and the Butlers of Caher.⁴ These branches virtually became a law unto themselves in the second half of the fifteenth century: it was only with great difficulty that Piers Butler, earl of Ormond, subjected them to his control.⁵

Finally, the earl of Ormond was granted the manor of Ballyboe (Ballybothy) in the cantred of Iffowyn by William fitzRichard de la Rokele in 1374.⁶ It is possible

-
1. P.R.O.I. Mem. Rolls vol.32, p.400/2 (rot.49-50 Edw.III). Peter Butler was given a temporary grant of the manor in 1358. (C.C.H. p.76, no.126; N.L.I. Ms.3, p.57; P.R.O.I. Mem. Rolls vol.28, p.452.(rot.38-39 Edw.III)).
 2. Cal. Ormond Deeds ii, no.199; C.C.H.p.91, no.50.
 3. C.C.H. p.198 no.26; p.200, no.76.
 4. See above ch.I, pp. 21-23.
 5. See below ch.VIII pp. 293-4.
 6. Cal. Ormond Deeds iii, no.351.

that the earl had some hereditary claim to the manor, for in 1319 a certain John fitzRobert le Poer was granted the custody of the lands of John Butler in Ballyboe, who held of the king in chief.¹ This John may have been the brother of Edmund Butler.² The manor subsequently passed to Richard Dodde by right of his wife, Fides, daughter and heir of John Butler.³ Richard must have died without an heir some-time before 1374, which may have provided the earl with a claim to the manor by descent from John Butler. According to an inquisition taken at Carrick in 1608, Ballyboe was held of the manor of Kilsheelan by forty shillings royal service and suit of court.⁴

It has already been shown that by 1328 the Butlers held more than one third of the land in the liberty of Kilkenny of the lords of the liberty. It was natural that in the absence of these lords the Butlers should exploit the situation to their greatest advantage: it is therefore not surprising that by the end of the fourteenth century they enjoyed a position of unchallengeable superiority in the county. But before describing this development in detail, it is necessary to outline briefly the division

-
1. C.C.H. p.27, no.71. It was still in the king's hand in 1326-7 (N.L.I. Ms.761, p.6).
 2. Mentioned in Cal. Ormond Deeds i, no.470.
 3. Ibid. i, no.851; ii, no.49, p.40.
 4. P.R.O.I. Chancery Cal. Inq. vol.10, p.34.

of the liberty among the three sisters and co-heiresses of Gilbert de Clare, earl of Gloucester and Hertford, and lord of the liberty of Kilkenny, who died in 1314. It is true that this task is not the direct concern of this chapter; at the same time, however, it would be impossible to describe the growth of Butler power in Kilkenny during this period without making some reference to their position in relation to the coparceners of the liberty.

1. The purparty of Elizabeth, wife of Roger Dammory.

Most of the lands which composed her purparty were located in the northern part of the county, in the cantreds of Aghaboe, Odogh and Shillelogher.¹

(a) Cantred of Aghaboe:² Offerlane³ and Rathdowney.

(b) Cantred of Odogh:⁴ Fermoyle (in Durrow and Rosconnell), Clashacrow, Aghnyrle, Ballygevenan (unidentified), Tubbridbritain, Clonmecorkeran (unidentified) and Rathbeagh, Aghmacart and Grotseny (unidentified), and Rosconnell, Clonmantagh, Ballylarkin and Drumdelgyn,⁵ Kilmekey (unidentified) and Baligechyn (unidentified),

1. The lands of the coparceners are listed in Liber Primus Kilkenniensis, pp.54-6; E. St.J. Brooks, Knights' Fees in Counties Wexford, Carlow and Kilkenny, pp.193-8.

2. See appendix II, no.5(a)pp.xx-xxi.

3. Castrum et patria de Fertlane, which also appears in the account of William Benyet for this purparty in 1356-1357 (P.R.O. 3 C 6/1239/28)

4. Appendix II, no.5(b).

5. Part of Drumdelgyn lay in the northern part of the parish of St.Canice (Cal. Ormond Deeds iii, no.188: the tenement of Troystown is in St. Canice's), but some of it may have been in Odogh as well.

Dunmore, and Mothell.

(c) Cantred of Shillelogher:¹ The burgh of Kilmanagh, Rathela, Aghneveagh (unidentified) and Tyrinsky (unidentified) Ballydowyll and Sart,² Tullaghanbroge, Tullaroan, Tiryskeffe and Tiriscollan (both unidentified), Ballycallan.

(d) Cantred of Kilkenny:³ Palmerston and Loughmerans.

(e) Cantred of Ogenty:⁴ Killarney.

(f) Cantred of Callan:⁵ the burgh of Callan, together with a mill, a park, and the demesnes there.

Elizabeth's purparty descended to her granddaughter Elizabeth de Burge, daughter and heir of William de Burgo, the son of Elizabeth by her first marriage. She married Lionel, duke of Clarence, whose only daughter and heiress was Phillipe. Through her the purparty descended by marriage to Edmund Mortimer, and it subsequently descended to Richard Plantagenet, duke of York, whose son and heir Edward Plantagenet; he became king of England in 1461, with the result that the purparty was annexed to the crown.

2. The purparty of Margaret, wife of Hugh de Audeley.

(a) Cantred of Kilkenny: the town of Kilkenny.

-
1. Appendix II, no.5(c).
 2. They were probably in Shillelogher, and not in Odogh (see appendix II, no.5(c)).
 3. Appendix II, no. 5(d).
 4. Appendix II, no.5(j).
 5. Appendix II, no.5(f).

(b) Cantred of Odogh: the manor of Clontibret, Coolcashine, Slevyn (parish of Kilmacar), Laghart (unidentified) and Caryg (unidentified), Aghteyr (Aharney ?), Dysart, half a fee in Aghmacart.

(c) Cantred of Ogenty: the town of Thomastown, and Dungarvan.

(d) Cantred of Oskelan:¹ four services in Gowran.

(e) Cantred of Erley:² the town of Coillagh (Coolaghmore).

(f) Cantred of Callan: the pleas and perquisites of the manor of Callan, and certain leases there.

(g) Cantred of Knocktopher:³ the manor of the Oldtown of Jerpoint, and the town of the Newtown of Jerpoint.

(h) Cantred of Shillelogher: Ballyfrunk, Coulbally (unidentified), and Grottengros (unidentified).

(i) Cantred of Kells:⁴ Kells.

Margaret married Hugh de Audley, earl of Gloucester, whose daughter and heiress married Ralph, lord Stafford, created earl of Stafford in 1351. Her purparty remained in the possession of the earls of Stafford, later Dukes of Buckingham throughout the fourteenth and fifteenth centuries.

1. Appendix II, no. 5(e).

2. Ibid. II, no. 5(g).

3. Ibid. II, no. 5(i).

4. Ibid. II, no. 5(h).

3. The purparty of Eleanor, wife of Hugh le Despencer.

(a) Cantred of Kilkenny: castle of Kilkenny, a mill, the demesnes, and Archereston.¹

(b) Cantred of Aghaboe: manor of Kildermoy (now Killermogh)

(c) Cantred of Callan: rent of the assize of Callan, the farm of certain lands there, and certain escheats.

(d) Cantred of Knocktopher: the service of one and a half knights' fees in Knocktopher, and three quarters of a fee in the Newtown of Jerpoint.

(e) Cantred of Iverk:² The town of Rosbercon, a mill there, the service of seven knights' fees in the cantred, the service of half a fee in Logheran, Killaly (Killahy) and Rossinan, the land of Ullid, the serjeanty of Iverk.

(f) Cantred of Erley: the service of half a knights' fee in Killamery, three quarters of a fee in Erley (Earlstown) and Nova Coillagh (Coolaghmore), quarter of a fee in Rathculbin, and quarter of a fee in Mallardstown.

(g) Cantred of Shillelogher: the manor of Dunfert (now Danesfort), Kilferagh, Lesdonndy alias Lisconfy (unidentified), Kiltrauen (Burnchurch), Rathineduff

1. Now the townland of Warrington (parish of St. Patrick's).

2. Appendix II, no.5(k).

(Raheenduff, parish of Grange), Inchyolaghan.

Although Eleanor married Hugh le Despencer, who was executed in 1326, her purparty did not pass to his son and heir, Sir Hugh le Despencer. In 1335 the king gave licence to Eleanor and her husband, William la Zousche Mortimer, to grant the castle of Kilkenny, together with all the other holdings in the county, to John de Hotham, bishop of Ely, and his heirs for ever.¹ The bishop in turn granted the purparty to John, son of John de Hotham, and his heirs in the same year to hold of him at an annual rent of 160 marks.² The purparty then descended to John fitzPeter de Hotham, the bishop's nephew,³ by hereditary right upon the death of the bishop in 1337.⁴ In 1352, however, John granted the purparty to Thomas de Ferrers and his sister Anne le Despencer, widow of Edward le Despencer, who died in 1342. They were to hold it (at an annual rent of £100) for the term of their lives, after which it was to descend to Hugh le Despencer, son of Edward le Despencer,⁵ and his wife Alice, daughter of the

1. C.P.R. 1334-1338, p. 106

2. Ibid. pp.164-5. Exemplified in 1342 (C.P.R. 1340-1343 p.382).

3. C.C.R. 1327-1330, p.207.

4. Cal. Ormond Deeds ii, no.287.

5. C.C.R. 1349-1354 pp.478-9; Cal. Ormond Deeds ii, no.287. This deed clearly shows that Hugh was the son of Edward le Despencer, who died in 1342, not his grandson.

grantor and their heirs, with remainder to Catherine, sister of Alice, Hugh le Despencer, and his brothers Thomas and Henry respectively.¹ This important deed shows that the purparty did not descend to the main line of the Despenchers, but to a junior branch which is not treated in the standard genealogies.

Anne le Despencer had received seisin of her Kilkenny lands by 1355, when she leased the purparty to Roger de Buwyas, her attorney, for a term of five years at an annual rent of £50.² Shortly afterwards, however, her lands were taken into the king's hand, for in October, 1357, the king commanded the treasurer and barons of the Irish exchequer to inquire into seizure,³ but in the following July her lands were restored because the exchequer officials could not discover the reason for the seizure.⁴ Anne was still alive in December, 1365,⁵ but she must have died shortly afterwards, for in 1375 an inquiry by the officials of the Irish exchequer revealed

-
1. Ibid. Thomas and Henry were his brothers, not his sons, as appears from the original.
 2. Cal. Ormond Deeds ii, nos 27, 30.
 3. P.R.O.I. Mem. Rolls vol.27, pp.287-90 (rot.31-32 Edw.III).
 4. P.R.O.I. Mem. Rolls vol.27, pp.324-7; A third of the purparty was still in the hands of Joan de Hotham, John's widow.
 5. Cal. Ormond Deeds ii, no.117.(4),

31-32 Edw. III) /

that the lands of Hugh le Despencer and his wife Alice had been taken into the king's hand because he had not observed the provisions of the ordinance of Guildford in 1368, which provided that all absentee Irish lords were to go to Ireland before Easter, 1369, to defend their lands, or to send others in their place.¹ Hugh died sometime before 1375 when his widow, Alice, held a third of the purparty.² In October, 1380, the escheator was commanded to give Hugh le Despencer, his son and heir, seisin of his lands in Ireland.³ It was this Hugh who sold his lands to the earl of Ormond in 1391.

Hugh sold his purparty to the earl of Ormond for £1000, which included his share of the jurisdiction and administration of the liberty of Kilkenny.⁴ It is very likely that Hugh could no longer derive much profit from his Irish lands because of the frequent interference of

1. P.R.O.I. Mem. Rolls vol.31, pp.295-9 (rot.48-49 Edw.III).

2. Cal. Ormond Deeds ii, no.201.

3. C.C.H., p.107, no. 10.

4. Cal. Ormond Deeds ii, no.297 (4), (6), (7). It should be noted that the lists of lands cited in these deeds are not complete: the services of Mallardstown, Nova Coillagh, and Inchyolaghan have been omitted while Tullaghanbroge did not belong to the purparty at all. The three above-mentioned services are included in an early fifteenth century list of the services of the earl of Ormond, so they must have been included in the 1391 grant (*ibid.* iii, no.61). Tullaghanbroge is not mentioned in this list, so it must have been included erroneously in the 1391 deeds.

royal officials as a result of the legislation against absentees. The earl of Ormond already held the greater part of the purparty as a tenant, so he was clearly in a strong position to buy out the remainder. As a result of this transaction the earl extended his control over the greater part of the cantred of Erley, most of the area included in the modern barony of Shillelogher, and acquired a part interest in the cantreds of Callan and Kilkenny, in addition to completing his hold over the cantreds of Iverk and Knocktopher. Excluding the lands which he held of Hugh le Despencer before 1391, this represented the addition of about 52,000 acres to the earl's holdings in the county.¹

By the end of the fourteenth century the Butlers held most of the purparty of the earl of Stafford. Thomas Butler, prior of Kilmainham, somehow managed to secure a grant of the manor and barony of Kells by 1417.² The manor and barony descended to his heirs. His son Edmund firzThomas Butler held the manor of Dunnamaggen in the barony of Kells in 1446: his second son, Richard, held it in 1455.³ In 1545 Thomas and Richard Butler, sons of Edmund Dowlaghe Butler, who was probably a descendant of the firzThomas Butlers, granted the manors of Kells

1. Appendix II, no.3.

2. Cal. Ormond Deeds iii, no.24; cf. ii, no.409.

3. Ibid. iii, nos 166, 192.

and Dunnamaggan to James Swetman and Leonard Blauncheville for a payment by the earl of Ormond.¹

Strictly speaking, however, the barony of Kells did not form part of the Butler lordship, for it was held by the descendants of Thomas Butler of the earls of Stafford, but it illustrates the extent to which the Butlers dominated the purparty of the earls of Stafford, for the baronies of Kells and Gowran formed the major part of this purparty. By the beginning of the fifteenth century, therefore, the Butlers dominated virtually the entire central and southern part of co. Kilkenny, with the exception of the cantred and barony of Shillelegher.

The liberty of Kilkenny seems to have been replaced permanently by the usual shire administration about the end of the fourteenth century. The last seneschal of Kilkenny to be mentioned in the Memoranda Rolls of the Irish exchequer was Edward Perers. In 1406 he was described as the seneschal of Roger, late earl of March, and of James Butler, late earl of Ormond.² The latter appears to have had the custody of the Stafford purparty in addition to his own, so Edward must have been seneschal sometime between 1395, when William de Stafford died and 1398, when Roger Mortimer died. In 1392 the king pardoned

1. Cal. Ormond Deeds iv, no. 351.

2. P.R.O.I. Mem. Rolls vol. 33, pp. 346-7 (rot. 8 Henry IV).

the earl of Ormond for intruding into the Despencer purparty without royal licence, and provided that he should have the royal jurisdiction which belonged to the purparty; the liberty was in the king's hand at the time of the acquisition, and had been for a long time beforehand.¹ The reason for this was not specified, but it had probably been taken into the king's hand because of the legislation against absentees. The liberty must have been restored temporarily sometime between 1395 and 1398 when Perers was seneschal, but there is no evidence to show that it was revived again. In the Michaelmas term, 1402, Theobald Butler was acting as sheriff of the county, and Thomas Butler seems to have been sheriff in 1406.²

The Butlers acquired some lands outside the Despencer purparty during this period. In 1374 Geoffrey fitzThomas fitzNicholas fitzHowel Walshe granted the manor and town of Melagh and Saunderestoun to the earl and his heirs.³ Melagh may be the modern townlands of Mealaghmore in the parishes of Tullahought and Killamery, but this is not certain. In 1370 Susanna, daughter of Geoffrey Francis, and Walter fitzWalter fitzRichard fitzOliver, granted a messuage and five carrucates of land in Leynaghestoun

1. Gal. Ormond Deeds ii, no.297 (7).

2. P.R.O.I. Mem. Rolls vol.33, pp.188, 346-7(rot.8 Henry IV).

3. Gal. Ormond Deeds ii, no.190(rot.4 Henry IV).

(unidentified) in the barony of Kells to the earl of Ormond.¹ These three holdings appear subsequently in the Ormond rentals,² but they do not appear to have been very important.

The Butlers acquired a temporary interest in the barony of Imokilly in co. Cork during this period, but in 1429 the earl of Ormond granted it to a son of the earl of Desmond in marriage to his daughter, Anne Butler.³

The barony of Imokilly,⁴ which was composed of the manors of Youghal and Inchiquin,⁵ descended to Margaret and Maud, daughters of Thomas de Clare, upon his death in 1318. Margaret married Bartholomew of Badlesmere whose son and heir, Giles, died in 1338, leaving his inheritance to be divided among his four sisters: Margery, who married William lord de Ros of Hamlake; Maud, who married John de Vere, earl of Oxford; Elizabeth, who

1. Ibid. ii, no. 160.
2. Ibid. ii, no.420; iii, no.95.
3. Cal. Ormond Deeds iii, nos. 88, 350 (6).
4. The medieval cantred or barony was larger than the modern barony: it included the parishes of Inchinabracky, Mogeessa, and the Great Island of Cobh in the modern barony of Barrymore. It also included the parishes of Templemichael and Kilcockan, and possibly Kilwatermoy and Tallow as well, in co. Waterford (see Liam O Buachalla, 'An early fourteenth century placename list for Anglo-Norman Cork,' in Dinnseanchas II (1966), p.45, where a map is also provided)
5. C.D.I. 1285-1292 no.459. Extents of the above manors.

married William Bohun, earl of Northampton; and Margaret, who married John Tiptoft. Maud, the second daughter of Thomas de Clare, died in 1327, so her half of the barony must have passed to Giles and his heirs; the entire barony was therefore divided into four parts after his death.

In 1367 Thomas de Vere, earl of Oxford, granted his purparty to the earl of Ormond,¹ who acquired the Tiptoft purparty two years later,² thereby giving him a half interest in the barony. It is interesting to note that Robert Tiptoft was prompted to dispose of his purparty on account of the ordinance of 1368, which commanded all absentees to defend their Irish lands.³ The remaining purparties were acquired by William of Windsor, possibly when he was justiciar of Ireland (1369-72). He died in 1384, leaving his inheritance to be divided between his two sisters, Christiana and Margaret.⁴ Their purparties descended to Arthur Ormsby, Margaret's son, who granted all the lands which William of Windsor held in Imokilly to the earl of Ormond in 1420,⁵ thereby giving the earl an exclusive interest in the barony.

-
1. Cal. Ormond Deeds ii, no.134; iii, no.350.
 2. Ibid. ii, nos 145, 151; iii, no.350.
 3. Ibid. ii, no.162.
 4. C.C.H., p.129, no.57.
 5. Cal. Ormond Deeds iii, no.37.

In 1422, however, the earl granted the custody of the barony to the earl of Desmond, together with the seneschalship and half of the profits of the barony, to hold for the term of his life.¹ This was the first step in the process which led to the final alienation of Imokilly to the earl of Desmond's son in 1429. It seems probable that this transaction was designed to seal an alliance between the two families in opposition to the Talbot faction.² It may be that Ormond also found that it was either too difficult or too expensive to defend the barony against the Irish: this, in fact, seems to have been one of his motives in appointing the earl of Desmond as custodian of the barony in 1422.

With the exception of co. Cork, the Butlers acquired remarkably little territory outside Tipperary and Kilkenny. In 1349 John de Stanley granted the manor of Blackcastle in the parish of Donaghmore, co. Meath, to the earl and his heirs to hold of the chief lords of the fee by the accustomed services.³ The manor of Donaghmore, which is not mentioned in the lists of Ormond possessions until 1417,⁴ may have been held of Blackcastle, but there is no evidence to support this conclusion. In 1412 the

1. *Ibid.* iii, no.51.

2. Below ch.VII p. 272.

3. Cal. Ormond Deeds ii, no.68 (x), (xi), (xii).

4. Below appendix V, no. 2.

king granted the manors of Oughterard and Castlewarden in co. Kildare to the earl of Ormond and his heirs for his great services in time of war.¹ These manors had been in the king's hand since the forfeiture of the estates of Eustace le Poer in 1345.

The Butlers also acquired some lands in co. Waterford during this period. In 1361 the earl of Ormond was granted royal permission to acquire the Island of Malur (now Little Island), which had been granted to Richard Lengles by the earl of Kildare in 1322. Richard subsequently granted it to his son, John, who in turn granted it to William Ilger and Roger Ewyas in 1360; they, in turn, granted it to the earl of Ormond and his heirs in September of the same year.² In this way the Butlers succeeded in dominating the lower reaches of the Suir, which helps to explain why the city of Waterford became the centre of Butler-Lancastrian opposition to the attempted Yorkist coups in the later fifteenth century.³ In 1362 the ^{king's} Lieutenant in Ireland granted all the lands and tenements in Fynnagh (now the parish of Fencogh) and Faymolyn (unidentified) in co. Waterford, which had been forfeited by William de Carreu, to the earl of Ormond

1. C.G.H., p.198, no.26; p.200, no.76.

2. Cal. Ormond Deeds ii, no.68.

3. Below ch.IX p. 335.

to hold for the term of his life.¹ In 1371 William fitzRichard de Carreu renounced all his right in the same tenements, which his uncle William held, to the earl and his heirs.² Fynnagh and Faymolyn were subsequently attached to the manor of Carrick.³ An early fifteenth century list of Butler possessions mentions several Butler lands in co. Waterford, but only some of them can be identified: Carrickbeg, Balladam (Ballyadam, in the parish of Reisk), Lisynkill (Lisnakill), and Pembrokestown (parish of Lisnakill).⁴ The fitzThomas Butlers also held some lands in Waterford, but these do not belong to the lordship.⁵

Altogether, an area of approximately 595,000 statute⁶ acres was added to the territories of the lordship between 1328 and 1430, excluding the barony of Imokilly, which was alienated in 1429. Almost all of these gains were in co. Tipperary and co. Kilkenny: the additional lands in Waterford, Kildare, and Meath, only amounted to about 14,000 acres.⁷ The total area of the lordship in 1430 amounted to almost two million acres,⁸ but in fact almost half of this had been lost to the Irish, for by this time

-
1. Cal. Ormond Deeds ii, no.87.
 2. Ibid. ii, no.170.
 3. Red Book of Ormond, p.122.
 4. Cal. Ormond Deeds iv, no.218.
 5. Ibid. iii, no.24.
 6. Appendix II, no.3.
 7. Ibid., no.3.
 8. Ibid., no.3.

they had overrun Ui Maine, Ui mBlóid and Aghty, most of the modern baronies of Ormond, and the baronies of Owney and Arra, Clonlisk, Ballybritt, together with the Butler holdings in Ossory.¹ At the same time, it may be observed that the real loss was not proportionately as great as the area of the territory involved, for it has already been pointed out that the Butler lands in Connacht and Thomond, which alone amounted to about 360,000 acres,² never yielded much profit. The loss of the greater part of northern Tipperary certainly constituted a serious loss, but it was more than adequately compensated for by the gains in central and southern Tipperary, and by the virtual annexation of co. Kilkenny.

The alterations which occurred in the course of the fourteenth century were quite remarkable: the Butler lordship as it had been in 1206 had virtually disappeared, only to be replaced by a new and more extensive lordship which occupied the entire Barrow-Nore-Suir Basin. Thus, despite the great losses which the Butlers sustained at

1. The area of Butler holdings in these regions may be estimated at about 750,000 acres.

2. Appendix II, nos 1, 2.

the hands of the Irish, they emerged stronger than ever before at the end of the century.

The boundaries of the lordship remained unchanged between 1430 and 1515. This may be attributed principally to two factors. In the first place the lordship had already expanded to its natural limits. In the east it bordered on the Barrow, which was dominated by the Irish of the Leinster Mountains on the eastern side; in the north, the midland septs constituted an impassable barrier; and in the west, the lordship bordered on the territory of the earl of Desmond. Secondly, the earls of Ormond became permanent absentees after 1452; this virtually precluded any possibility of renewed expansion.

.....

CHAPTER III

THE CHARACTER OF THE SETTLEMENT IN MUNSTER.

A very considerable portion of the territory granted to Theobald Walter in Munster was mountainous or otherwise unsuitable for intensive settlement. It is most unlikely that the Butlers ever attempted the settlement of the half cantred of Ui mBlóid, as has already been noted.¹ In the remaining five cantreds the intensity of the colonisation varied considerably: this was not always for obvious geographical reasons, though these were not altogether absent. The cantreds of Ormond, Owney and Arra, and Elyocarroll, in particular, contain a fairly large proportion of unprofitable land, but there still remain extensive areas of arable land; yet, with the exception of southern Eliogarty and the area around Cahirconlish, there is no evidence of heavy colonisation.

No complete account of the subinfeudation of Ormond and Arra has yet been undertaken;² owing to the difficulty

1. See below ch. II, pp. 29-32

2. D.F. Gleeson, the chief authority on this region, was evidently unaware of the existence of the 1338 extent (see History of the Diocese of Killaloe, and 'The castle and manor of Nenagh' in Journ. R.S.A.I. LXVI pp. 247-269); consequently his knowledge was very limited.

of identifying place-names such a task would be extremely difficult. It is therefore proposed to consider only the general pattern of settlement revealed in the extent of the manor of Nenagh in 1338.¹

It is quite apparent from this extent that almost the entire area was shared between a handful of the greater tenants: eight and a half tuaths (theoda) were held by only seven tenants. John de Bermingham held half a tuath in Choyg by the service of two knights; Thomas Cantwell held one and a half tuaths in Arrech² by the service of one knight; Robert Travers held one tuath in Arch,³ by doing suit; John de Cogan held two tuaths in Mouncheuen by doing suit; the heir of John de Marrys (alias Marisco) held one tuath in Odarr,⁴ and half a tuath in Obboyn; the heir of Richard de Marrys held a tuath in Kerkyndiffyn (or Corkedufeny); and Nicholas Creke (Croke) held a tuath in Fynmagh.⁵

An inquisition post mortem, taken upon the death of William de Marisco in 1284,⁶ gives a good illustration of the actual size of one of the greater tenements. The jurors declared that William held six fees in the manor

-
1. P.R.O. C.135 Edw.III 55; Cal. Inq. P. M. viii, no.184.
 2. Probably Arra, still preserved in the names of the parishes of Castletownarra and Youghalarra.
 3. Possibly the same as Arech (above n.3).
 4. Possibly Dorrha.
 5. Possibly the parish of Finnoe, Lower Ormond.
 6. Cal. Inq. P.M. ii, no.531; C.D.I. 1252-1284 no.2201.

of Weyperous¹ of the manor of Nenagh by the service of one and a half knights at the time of his death; four fees in Corkedufeny² by the service of one knight, and suit of court at Nenagh; four fees in Aryth³ by the service of one and a half knights of John Assich, lord of Kilmore;⁴ one carucate in Carnathbeg⁵ held of

-
1. Alias Ballinaclogh (Cal. Ormond Deeds vi, no.116).
 2. The precise location of Corkedufeny is debatable. D.F. Gleeson ('The manor of Ballinaclogh in Ormond' in North Munster Antiq. Journ. Vol.3, p.130) thought it could be the modern townland of Curraghduff in the parish of Aglishcloghane; this, however, would be far too small to contain four knights' fees. It has been suggested by E. St. Brooks, that CloghJordan was probably derived from Jordan de Marisco ('The Family of Marisco' in Journ. R.S.A.I. Vol.1, LXI, p.95). This is possibly correct, but it is also quite likely that the name was derived from the de Berminghams, lords of the manor of Moydrifne (now Modreeny), for CloghJordan is situated in the parish of Modreeny. In 1296 Stephen le Poer claimed the manor from Peter fitz James de Bermingham, by right of his wife (Cal. Plea Rolls Vol.4, p.26). He was partly successful, for in the following year Peter recognised Stephen's right to four and a half carucates in there (ibid. pp.492-3).
 3. Possibly Arra. Kilmore, now Upper Ormond, was probably included in the cantred of Arra at that time (see D.F. Gleeson, History of the Diocese of Killaloe p.150)
 4. Kilmore is not mentioned in the 1338 extent; part of this extent, however, is illegible. It was almost certainly held of Nenagh. In 1307 John Assik, probably the same person as mentioned above, was described as a tenant of Edmund Butler and a member of his household (Cal. Justic. Rolls 1305-1307, p.445).
 5. Carneybeg, in the parish of Cloughprior (E.St. Brooks 'The Family of Marisco' Journ. R.S.A.I. LXI, p.95).

Nicholas Croc, without service; Latherath Otheran¹ held of the bishop of Killaloe; and three carucates of land in Portolethan,² held of the heir of Adam Daundon, without service. In 1338 the Mariscos held two and a half tuaths of land of the manor of Nenagh; by this time, however, the manor of Weyperous had come into the possession of the earl of Ormond. It was later included in the dower lands of Eleanor, widow of the first earl of Ormond.³

It appears from the inquisition of 1284 that William de Marisco held a total of fourteen fees, the manor of Latherath (the parish of Latteragh contains 4,065 statute acres), and four carucates of land. The normal size of a fee in Ormond and Eliogarty was ten carucates;⁴ it may therefore be concluded with reasonable certainty that

-
1. The parish of Latteragh in Upper Ormond.
 2. Portland, in the parish of Lorrha which appears as Portologhan on the Down survey map. (E. St.J. Brooks *loc.cit.*, p.95). In 1432 the earl of Kildare held it of the manor of Nenagh (Cal. Ormond Deeds iii, no.101). In 1598 it was in the possession of Keadaghe O'Kennedy, who also held Terryglass (*ibid.* vi, no.132).
 3. C.C.R. 1337 - 1339, p.463; C.C.R. 1339 - 1341, p.153.
 4. In 1338 Thomas fitzRobert held three carucates in Crunagh of the manor of Nenagh by twelve shillings royal service; the tenement of Clochan, containing five carucates, was held by twenty shillings royal service (Cal. Inq. P.M. viii, no.184). In both instances the total area of one fee would amount to ten carucates. Other examples may be found in the same inquisition. In 1303 Hugh Purcell held the tuath of Corketenny of the manor of Thurles. It was stated to have contained ten fees "que faciunt centum carucatas terre" (Red Book of Ormond p.71). It is apparent from other examples taken from the same extent that ten carucates was the standard size of the fee.

William held a total of 144 carucates in Ormond, excluding the lands which he held of the bishop of Killaloe.

It is clear that William held an unusually large amount of land. Nevertheless, he was by no means an exceptionally large tenant of the manor of Nenagh: in 1338 the Mariscos held two and a half tuaths, as compared with two held by John de Cogan, and one and a half held by Thomas Cantwell. It is clear from this extent that the term "theodum", or tuath, was employed as a measure of land, not merely as the name of a particular place. In fact the term is used in the same way in the extent of the manor of Thurles in 1303,¹ and in the extent of the manor of Dunkerrin in 1305.² In the case of the manor of Thurles a tuath was said to contain ten fees, or 100 carucates of land. Thus Hugh Purcell was answered for fifty armed men and an unspecified number of armoured horses "pro uno theodo continente decem feoda que faciunt centum carucates terrein Corketeny"³. John fitzRobert, likewise, held half a tuath in Drummabarran,⁴ containing fifty carucates of five fees, for which he owed twenty-five armed men and an unspecified

1. Red Book of Ormond pp.69-83.

2. Ibid. pp.147-154.

3. Ibid. p.71. Corketenny, alias Templemore (Cal. Ormond Deeds vi, no.120).

4. Red Book of Ormond p.71. Drummabarran: the parish of Drom in Eliogarty.

number of armoured horses.

Although the size of a tuath in Eliogarty was plainly understood to be ten fees, or 100 carucates, it is not certain that this was generally the case in northern Tipperary: according to the 1338 extent, the Mariscos held one tuath in Corkedufeny, but in 1284 William de Marisco had only four fees, or forty carucates, in the same place. They may have acquired an additional six fees in the meantime, but there is no evidence in support of this. The evidence is accordingly insufficient to justify the conclusion that a tuath represented a uniform standard of measurement over the entire region of northern Tipperary. It does show, however, that a tuath contained several fees at the least; by any standard, it was a considerable holding.

The same pattern of settlement is revealed in the cantred of Elyocarroll, according to an extent of the manor of Dunkerrin in 1305:¹ Hugh Purcell held one tuath in Ockerin,² and two in Kyli Kenal; Peter de Bermingham held an unspecified amount of land, evidently quite extensive, in the region of Birr, which he held by the service of two knights; Reginald de Barry held one tuath in Castle Philip; and the heir of John fitzHugh held

1. Red Book of Ormond pp.147-154.

2. Ockerin: Ikerrin. This tuath was presumably distinct from the land which he also held in Ikerrin of the manor of Thurles (*ibid.* p.71).

half a tuath in Champaines Chanmetynekyn. Altogether, an area of more than four and a half tuaths was divided among four large tenants. It is impossible to say what proportion of the total area of the manor was included in this, but it must have been a very substantial part.

It is true that the creation of large fiefs in Ormond and Elyocarroll does not, ipso facto, mean that the region was sparsely settled: there might well have been numerous sub-tenants on these estates. On the other hand the fact there were remarkably few towns in the area strongly suggests the contrary. In 1300 the justiciar issued writs to various towns and cities in Ireland requesting a subsidy for the Scottish war:¹ of the eleven towns in Tipperary mentioned in this context only two, Nenagh and Moydrifny, were located in the north. Moydrifny was plainly very small, for it granted a subsidy of only one mark, by comparison with the second lowest subsidy of forty shillings. This list was not exhaustive, it is true, for it omitted the towns of Dunkerrin and Roscrea.² Except for these four, however, there is no evidence of other towns in the region. It is doubtful

1. Cal. Justic. Rolls, 1295-1303, pp.303-4.

2. In 1305 the burgesses of Dunkerrin held twelve and a half carucates of land in burgage tenure (Red Book of Ormond, p.151). The reeve and burgesses of Roscrea were summoned to attend the sessions of the liberty court of Tipperary in the fifteenth century. (Cal. Ormond Deeds iii, no.102, p.95).

whether any of these four towns was an important centre of commerce, or whether they possessed any real urban character; more probably they were just agricultural settlements.¹ In the case of Nenagh and Dunkerrin the substantial amounts of land attached to the towns indicate that the burgesses were primarily engaged in agriculture.²

In the cantred of Eliogarty, however, it is clear that the central and southern part of the cantred was heavily colonised. At the beginning of the fourteenth century the manor of Thurles had a substantial class of small tenants and cottiers, numbering about 250, all of whom bore English names.³ The manor of Moycarkey, a tenement of Thurles, had thirty-nine tenants bearing English names as compared with nine Irish tenants in 1304.⁴ Moreover, the average size of the tenements, except in the north of the cantred, was in general much smaller than in either Ormond or Elycarroll: this

-
1. For a fuller discussion of Anglo-Norman borough settlements see J. Otway-Ruthven 'The Character of Norman Settlement in Ireland,' in Historical Studies:V, pp.75-84. Ed. J.L. McCracken. London 1965.
 2. The burgesses held eighteen carucates of land in Nenagh in 1338 (Cal. Ing. P.M. viii, no.184), and twelve and a half in Dunkerrin in 1305. Red Book of Ormond, p.151.
 3. Extent of the manor of Thurles, 1303 (Red Book of Ormond pp.69-83).
 4. J. Otway-Ruthven, loc. cit. p.81.; Red Book of Ormond, pp.56-60.

points to more intensive colonisation. In the northern regions of the cantred, on the other hand, the tenements were much larger: in 1303 Hugh Purcell held the tuath of Corketeny containing ten fees, and an unspecified amount of land in Ikerrin, by the service of two knights; John fitzRobert held half a tuath, or five fees, in Drummabarran by the service of one knight.¹ Altogether Hugh probably held fifteen fees of the manor of Thurles, for it seems Theobald Butler granted the lands of Thomas de Hereford to Hugh's grandfather.² Hugh also held three tuaths of the manor of Dunkerrin,³ so he was undoubtedly the greatest tenant in the Butler lordship. If each of them contained ten fees, it may be estimated that he held a total of forty-five fees in northern Tipperary. His manor of Loughmoe was probably held of Corketeny, for it was not mentioned in fourteenth century extents of the manor of Thurles.⁴

The half tuath held by John fitzRobert in Drummabarran (now the parish of Drom) was adjacent to the lands of the

-
1. Extent of the manor of Thurles (Red Book of Ormond, pp.71.
 2. P.R.O.I. Cal. Plea Rolls, vol.4, pp.95-8 (rot.24 Edw.I).
 3. Red Book of Ormond, p.148.
 4. The extents of 1303, 1338 (Cal.Inq.P.M.viii, no.184). and 1345 (Cal. Ormond Deeds ii, no.316). The last extent has been incorrectly attributed to the reign of Richard II.

Purcells. John fitzRobert was probably a member of the Stapilton family, for in 1338 Drummabarran was held by a certain Edmund fitzJohn Stapilton, who was probably his son. It is likely that the Hakets of Bernane-ely and Borrisnafarney¹ held their lands of Drummabarran. In 1303 John Haket held half a fee in Bernane-ely of John fitzRobert;² the fact that Borrisnafarna was not mentioned in the extents of the manor of Thurles indicates that it must have been held of one of the tenants.

Comparatively little is known of the Butler lands in co. Limerick, but the extents of the manor of Caherconlish (1300 and 1338)³ show that a relatively small area, about 18,500 statute acres⁴, which included twenty carucates held by the burgesses of Caherconlish, was divided among five of the large tenants. The comparatively small size of these holdings indicates that the settlement around Caherconlish was fairly intensive.

It is clear that the colonisation of Ormond, Gwney and Arra, Elyocarroll, and Ikerrin, did not lead to the expulsion of the indigenous population: the Anglo-Norman military aristocracy must have retained the Irish in large numbers on their estates in the absence of

-
1. Cal. Ormond Deeds ii, no.97; ibid no.342.
 2. Red Book of Ormond p.74.
 3. Ibid. pp.154-8; Cal.Inq.P.M. viii, no.184
 4. The lands of Abington excluded.

a substantial body of Anglo-Norman tenants.

Practically nothing is known of the position of the Irish in this region in the thirteenth and early fourteenth centuries. It is apparent from the extent of Nenagh in 1338, however, that a substantial number of Irishmen held lands of the manor as freeholders and military tenants: the tenement of Clochan,¹ containing ten carucates, was held by three O'Kennedys at an annual rent of £27.6.8. and by forty shillings royal service.² There are several other examples of Irishmen holding sizable tenements by military service, or by an annual rent and suit of court, to be found in the same extent.³ The O'Kennedys also held certain unspecified lands in Ormond at an annual rent of £20,⁴ besides other lands in Clandownyl, Kynaldir, and Thomlegh. It is not unreasonable to suppose that a considerable proportion of the free tenants in the larger tenements of the manor of Nenagh were also Irishmen, and that the extent of 1338 does not reveal their real position.

-
1. Possibly the parish of Aglisheloghane in Lower Ormond.
 2. Cal. Inq. P. M. viii, no. 184, p. 123. It was probably held by a single O'Kennedy tenant at one time.
 3. Ibid. p. 123.
 4. Ibid. p. 126. These lands were probably the fourteen carucates in Meianarge and Clomolyn which were mentioned in an indenture between O'Kennedy and the earl of Ormond in 1336 (Cal. Ormond Deeds i, no. 682).

In 1336 the earl of Ormond gave all the lands from Belacharri to the Shannon to O'Kennedy and his brothers: they were to pay to "the lords of those lands" such rents as would be acceptable to both sides.¹ It is clear that the O'Kennedys held substantial lands (in this region) of the earl's English tenants. Besides this class of Irish freeholders, there must have been a large class of betaghs, not only on the manor of Nenagh itself, but on its tenements as well.

It is apparent, therefore, that a considerable proportion of the indigenous population of Ormond and Arra was included within the feudal system, as free and unfree tenants. Nevertheless, it seems that the Normans never wholly succeeded in imposing this feudal framework upon the Irish of Ormond, for the O'Kennedys continued to live according to the traditional pattern of Celtic society under their own chieftains. That they managed to preserve a degree of independence clearly emerges from the agreements made between the earls of Ormond and the O'Kennedys in the mid-fourteenth century, which to some extent reflect the traditional relationship between the Butlers and their Irish subjects. Broadly speaking,

1. Cal. Ormond Deeds 1, no.682.

these agreements are chiefly concerned with four things: the adjudication of disputes, rents, suit of court, and military service. It is necessary to examine them in some detail before evaluating their significance in this context.

1. The adjudication of disputes.

The first indenture (1336)¹ provided that if a dispute arose the seneschal of the earl should go to Rathirdill or Balnagarthe² to investigate the matter. If it was found by inquisition that O'Kennedy or his men caused damage to the earl, his betaghs, or his English tenants, it was provided that compensation should be given to both the injured party and the earl, according to a system of two-fold and three-fold compensation reminiscent of the Saxon wergeld but derived from Brehon law.³ Justice was to be done to the Irish in the same way. The second agreement (1356)⁴, however, provided for the settlement of disputes by the arbitration of eight men, four of whom would represent the English;

1. Ibid., i, no.682.
2. Possibly Rathurles and Ballingarry (see D.F. Gleeson History of the Diocese of Killaloe, p.178). Rathurles, in the parish of Kilruane, was the ancient seat of the O'Kennedys. (D.F. Gleeson, op.cit., p.149).
3. For a more comprehensive discussion of the question of Irish compensations see G.J. Hand English law in Ireland 1290-1324, pp.201-204.
4. Cal. Ormond Deeds ii, no.34.

the remainder were to be Irish. If no agreement could be reached, another member, of this council, mutually acceptable to both parties, was to be elected to achieve a majority decision. This appears to have been a modification of the first agreement, but presumably the system of compensation remained unaffected. The third agreement (1358)¹ seems to place the responsibility for compensation more directly upon O'Kennedy, but it says nothing about the manner in which culpability was to be ascertained. If damage was caused to O'Kennedy, it was provided that he should complain to the seneschal, and ultimately to the earl himself.

2. Rents.

The first agreement provided that O'Kennedy should pay an annual rent of £20 for eleven carucates of land in Meianarge and Clomolyn; a further three carucates of land there were free of rent. The same rent was included in the third agreement. Besides these lands, however, the O'Kennedys held all the land from Belacharri (possibly Ballingarry) to the Shannon of certain of the earl's tenants by a rent to be agreed upon by a council of six, of whom three were to be chosen from the English side and three from the Irish. It would seem that the O'Kennedys also rented land in Clandownyl, Kynaldir,

1. Ibid.ii, no.46.

and Thomlegh.¹

3. Suit of court.

The first agreement provided that O'Kennedy should do suit of court at Nenagh, but he was exempted from attending the sessions of the liberty court or the county court. It seems likely that the earl had previously insisted upon O'Kennedy's attendance at all his courts. The third agreement, however, provided that O'Kennedy "shall come to the courts of the earl as in ancient times was the custom."² It is not clear which courts are intended: it could be interpreted to mean either the courts which the earl held at Nenagh, or the court of Nenagh and other courts - the liberty court and the county court.

4. Military service.

The first agreement provided that O'Kennedy should serve in the earl's army "prout decet et solebat responderere sibi et antecessoribus suis."³ The third, agreement, however, was more specific: O'Kennedy was to serve the earl in his marches at his own cost; but elsewhere he was to provide 100 cavalry and sixty foot at the earl's cost. Besides this he had to provide forty cavalry and twenty foot for the lands which he

1. Cal. Inc. P.M. viii, no.184.

2. Cal. Ormond Deeds ii, no.46.

3. Ibid. i, no.682.

held by the annual rent of £20.

It is difficult to say how much the provisions of these indentures reflect the traditional relationship between the Butlers and the O'Kennedys: they were the product of a new situation, for the O'Kennedys were in a relatively strong position as a result of several partially successful rebellions.¹ The indenture of 1336 shows tht O'Kennedy was in a comparatively strong bargaining position: he could at least force some concessions from the earl of Ormond. The second agreement also shows that O'Kennedy was in a fairly strong position, but the third, when the O'Kennedy was a hostage, is more favourable to the earl; nevertheless, it is clear that by that time the earl could not expect a return to the status quo ante bellum.

Having made these qualifications, however, it is apparent that some of the provisions of these agreements were designed to restore the traditional relationship. The first and third agreements insist upon O'Kennedy's obligation to do suit of court "as in ancient times was the custom." It has already been shown that certain O'Kennedys held lands of the manor of Nenagh by military service and suit of court,² so this obligation is neither

1. Below ch.V, pp.163-4, 171-4, 183-7.

2. Above p.101.

surprising nor unusual. The obligation to serve the earl in his army was also stated to be traditional, and in fact there is some evidence to show that the O'Kennedys actually did so in the thirteenth century. An entry in the Annals of Clonmacnoise, under the year 1285, contains the following statement:

Theobald Butler with his forces, accompanied by the forces of O'Kelly, of Elyocarroll, of Ormond, of Arye, of Ohnie O'Mulryan, of Sile-Anmchye, and Clanwilliam of the Burkes, came to Devlin McCoghlan to take spoils of that country, and to destroy and subvert it by their powers.

It is evident that on this expedition Theobald Butler was accompanied by the Irish of Omany, Elyocarroll, Ormond Owney and Arra; they seem to have provided separate contingents. The Irish of Sile-Anmchye were probably the O'Maddens of Lusmagh¹. This entry indicates that the O'Carrolls and O'Mulryans had military obligations similar to those of the O'Kennedys. In 1356 Donatus McNamara, who held lands of the earl on the western shores of Lough Derg, agreed to serve the earl at his own cost in his marches, but elsewhere at the earl's expense² - a provision which is strikingly similar to the agreement

-
1. In 1308 Edmund Butler granted two villates of land in Lusmagh to William FitzWilliam de Burgo, with a special provision that O'Madden should not be disturbed on the lands which he held there of Edmund (Cal. Ormond Deeds i, nos 420, 421). Lusmagh was probably part of Sile-Anmchye. (see above ch. II, p. 58).
 2. Cal. Ormond Deeds ii, no. 36.

with O'Kennedy. It is clear, therefore, that military service was an obligation common to all the septs subject to the Butlers.

The payment of rents was plainly nothing new in 1336, as the extent of Nenagh demonstrates. It is not at all improbable that these rents were paid in cattle: such a payment may have been the origin of the "Kyne of Ormond" which appears in fifteenth^{century} records, and later.¹ It was known in Irish as "Mairt an Iarla".² It was later commuted to a money rent, which amounted to £161 in the reign of Charles I.³ It has been suggested that this cattle rent may have been a pre-Norman tribute paid by the O'Kennedys to their overlords;⁴ there may well be a connection between such a tribute and the rents which the O'Kennedys paid to the Butlers for their lands. The fact that the "Kyne of Ormond" was not specifically mentioned in the fourteenth century agreements suggests that this was the case.

How far the provision dealing with the adjudication of disputes may be regarded as traditional, or how far

-
1. Cal. Ormond Deeds iii, nos 234, 320; vi, p.172; C.C.R. 1485-1500, no.580 (N.B. The Calendar reading 'Kye' is clearly a misreading of 'Kyne', which would appear in the ms. as 'Kye').
 2. D.F. Gleeson, History of the Diocese of Killaloe, p.178; See also Cal. Ormond Deeds vi, p.172.
 3. D.F. Gleeson, op.cit., p.178.
 4. Ibid.

they may be regarded as recent improvisations arising out of a changing relationship, it is impossible to say. The agreement of 1336 indicates that fighting was still being carried on in the marches of Ormond between the earl's tenants and the Irish. The need for some system of adjudication was obvious, but it may only have been regarded as a temporary system until things returned to normal. The fact that this system was considerably modified in the second agreement suggests that these were in fact only temporary provisions.¹ On the other hand, while the system of adjudication may have altered in the face of a new situation, it is not unlikely that the system of compensation was much older; in fact a system of monetary compensation for the slaying of an Irishman was the general practice elsewhere in Ireland.² The lord of an Irishman was responsible for his man, and he was entitled to receive compensation for his death.

It would appear, therefore, that the O'Kennedys preserved the nucleus of a tribal organization throughout the period of the Norman occupation of Ormond. Their chieftains were obliged to pay rents, to do suit of court at Nenagh, and to serve the Butlers on military expeditions. The fact that they were permitted to live a semi-autonomous existence may partly explain the comparative

1. Above pp. 103-4.

2. See G.J. Hand, English Law in Ireland, 1290-1324, pp. 201-4.

success of their bid for autonomy in the course of the fourteenth century. The Irish presumably remained in considerable numbers on the Butler lands in Eliogarty and in co. Limerick, but it would seem that the more intensive nature of Anglo-Norman colonisation in these areas did not make provision for semi-autonomous Irish enclaves, with the result that the Irish of these regions were absorbed into the Anglo-Norman social structure. Thus deprived of their traditions they were either unable or unwilling to take advantage of the disturbances of the fourteenth century to effect a reconquest of their lands.

Little or nothing is known of the position of the O'Carrolls and O'Mulryans. It has been noted, however, that Owney and Arra and Elyocarroll were thinly settled by the Anglo-Normans, and that the Irish of these regions accompanied Theobald Butler on the expedition of 1285. It is not therefore, unlikely that the O'Carrolls and the O'Mulryans enjoyed a relationship with the Butlers similar to that of the O'Kennedys. It is notable that the Gaelic ^{reconquest} Revival was equally successful in these areas as in Ormond, no doubt for similar reasons.

Thus it can be seen that the Butler lordship was by no means uniformly settled by the Normans: in some parts

it was not settled at all, as in Thomond; in others, it was only thinly settled by a military aristocracy, as in Ormond, Arra, Elyocarroll, and in northern Eliogarty; it was only in parts of Eliogarty and in the area around Caherconlish that there is some evidence of intensive settlement. In large areas of the lordship, therefore, the Irish were permitted to remain on their ancestral lands in varying degrees of subjection. They were consequently able to preserve their separate identity to a remarkable degree. This gave them a cohesion which the Irish in the more intensively feudalised regions had lost.

Two important factors underlie the subsequent collapse of the Norman settlement in these regions: in the first place, the Irish had never lost their traditional way of life and organisation; and secondly, the Anglo-Norman settlers were too few to maintain themselves in the face of repeated Irish rebellions. No doubt the Irish also remained in considerable numbers in the more intensively settled regions, but here the settlers were not only numerically strong, but also better organised. Here the Irish were more completely subjected to the social pattern of feudal society; consequently they were unable to preserve their identity to the same extent. It is therefore clear that the uneven development the Norman settlement in the twelfth and thirteenth centuries underlies the

collapse of the authority of the Butlers in large areas
of their lordship in the fourteenth century.

.....

CO. TIPPERARY LIBRARY

It is necessary to turn aside at this point to
explain the development of Co. Tipperary before it was
transformed into a library. First of all, the library
of Tipperary inherited the system of local government

II

CO. TIPPERARY BEFORE THE ESTABLISHMENT
OF THE LIBERTY.

Until shortly before 1844, Co. Tipperary was part of
the county of Down¹, one of the three counties which
formed the Pale of the King². It seems that the
first step in introducing the Anglo-Irish union was
taken when the parliament was taken into effect before
James' second Irish expedition in 1796, for in April,
1796, the King reorganised the parishes, called

Tipperary, to discover whether the people of Tipperary,
the counties of Carlow, Wicklow, Down and Wex³,
Gloucester, Essex, Wiltshire, Dorset, and Devon⁴,

¹ The county of Down was one of the three counties which formed the Pale of the King.
² The county of Down was one of the three counties which formed the Pale of the King.
³ The county of Down was one of the three counties which formed the Pale of the King.
⁴ The county of Down was one of the three counties which formed the Pale of the King.

CHAPTER IV

CO. TIPPERARY, 1185-1328.

It is necessary to turn aside at this point to examine the development of co. Tipperary before it was transformed into a liberty. First of all, the liberty of Tipperary inherited the system of local government established in the thirteenth century; and secondly, something must be said about both the financial state of the county and the unrest among the Irish in an attempt to clarify the background to the creation of the liberty.

Until shortly before 1254, co. Tipperary was part of the county of Munster¹, one of the three counties which appears on the Pipe Roll of 14 John². It seems that the first steps to introduce the Anglo-Norman shire administration into the south-west were taken some years before John's second Irish expedition in 1210, for in April, 1206, the king commanded the justiciar, Meiler fitzHenry, to discover whether the castle of Kilmallock, the cantreds of Carbery, Wuh'trah (Owney and Arra ?), Slievardagh, Comsey, Eoghanacht Cashel, and Offa³,

-
1. J. Otway-Ruthven, 'Anglo-Irish Shire Government in the Thirteenth Century', I.H.S., V, p.412.
 2. The Irish Pipe Roll of 14 John, ed. O. Davies and D.B. Quinn, Ulster Journal of Archaeology, vol. 4.
 3. The cantred in which the castle of Ardfinnan (Harfinan) is situated, i.e. Offa.

belonged to the kingdom of Cork or to the kingdom of Limerick.¹ It is not apparent why the king ordered this inquiry to be made, but since the counties of Munster and Cork (which included Waterford) were undoubtedly functioning in 1211-1212, it is not unreasonable to suppose that this was connected with establishing a county administration in the kingdom of Cork. In any event the justiciar did in fact establish the border between Limerick and Cork: in 1217 the king commanded the justiciar to restore to Reginald de Braose all the lands in Munster which his father had held "priusquam devise facte essent inter Memoniam et Destmoniam per Meylerum filium Henrici, tunc justiciarium."² A similar order, issued about the same time, referred to a "perambulacio" which Meiler made between Munster and Desmond.³ It is likely therefore, that a regular county administration was established in Cork about 1207, and that the honour of Limerick was shired in 1209 or 1210, when William de Braose fell from power.

Although Munster was organised according to the normal pattern of local government, with a sheriff and

1. C.D.I. 1171-1251, no.289.

2. Patent Rolls 1216-1225, p.73; C.D.I. 1171-1251, nos 785 (inaccurate) and 786.

3. Patent Rolls 1216-1225, pp.112-3; C.D.I. 1171-1251, no.789.

chief serjeant of the county, it is clear that the beginnings of separate administrative development in both Limerick and Tipperary are discernable long before 1251-1254. Limerick had been regarded as a separate county within Munster as early as 1235, when it presumably had its own county court.¹ This development naturally presupposes that Tipperary became a county at the same time. This development was only natural, for the area was too large to be served conveniently by one county court. The tendency to subdivide into manageable proportions was paralleled in the liberty of Leinster where, despite its basic unity, four counties had been formed before 1247.²

The emergence of Tipperary as a separate county about 1253 did not, therefore, involve the creation of an entirely new administrative unit. The county court of Tipperary, which seems to have been in existence at least as early as 1235, was normally held in Cashel. In 1245 Peter de Bermingham and others were commissioned to hold certain pleas in the king's court in Cashel:³ the assizes were actually held there in 1246.⁴ In 1253

-
1. J. Otway-Ruthven, loc. cit., p.4: 35th Rep.D.K., p.35.
 2. J. Otway-Ruthven, Medieval Ireland, p.186.
 3. Close Rolls 1242-1247, p.360.
 4. Ibid., p.406.

William de Caunville complained that the jury in an assize mort d'ancestre before the justices in eyre "in comitatu Cassell" had delivered a false verdict, whereupon the justiciar was commanded to attain the jurors at the next eyre "in comitatu predicto."¹ The very fact that assizes were regularly held in Cashel means that a regular shire administration must have been established, and that presentments were made before the justices by juries summoned from the cantreds of Tipperary.

Broadly speaking, the machinery of local government in Tipperary developed along familiar lines: it was administered by the usual royal officials, the sheriff, the chief serjeant, the sub-serjeants, the coroners. The county itself was subdivided into cantreds.

It is not necessary to outline the duties of the various county officials which have been described at length elsewhere.² The sheriff of Tipperary was probably normally assisted by a sub-sheriff: Walter Martel was sub-sheriff of Tipperary in 1303;³ other sub-sheriffs

-
1. Close Rolls 1251-1253, p.470; C.D.I. 1252-1284, no.187.
 2. See J. Otway-Ruthven, 'Anglo-Irish Shire Government in the Thirteenth Century', in I.H.S. V, pp.10-28
 3. P.R.O.I. Cal. Mem. Rolls (Record Office) 21-22, 31-35 Edw.I, p.66 (P.R.O. Draft Calendar).

are mentioned in 1306¹ and 1308.² That they are not mentioned more frequently is due to the fact that they were appointed by the sheriff himself,³ not by royal commission. The office of chief serjeant of Tipperary and Limerick was held in fee by the descendants of Robert Maunsel⁴. The Maunsels continued to hold the chief serjeanty of Tipperary after the creation of the liberty in 1328: it was held by John FitzDavid Maunsel in 1432.⁵ Although the office was hereditary, the chief serjeant was required to take an oath like any other royal official, and his office was subject to forfeiture for failure to perform his duties to the satisfaction of the treasurer and barons of the exchequer. In 1312, for example, they commanded the sheriffs of Limerick and Tipperary to take the office of the chief serjeant into the king's hand because Walter Maunsel, the chief serjeant, had repeatedly failed to execute royal writs. It appears,

-
1. Cal. Justic. Rolls 1305-1307, p.209.
 2. Cal. Justic. Rolls 1308-1314, p.99.
 3. See e.g. Reg. Hospital. St. John the Baptist, no.541. John of Pembroke, the sheriff of Tipperary appointed Mcotyr as his sub-sheriff in 1318.
 4. The chief serjeanty of Munster was granted to Robert Maunsel in 1251 by Henry III. When the county was divided shortly afterwards, the offices of chief serjeant of Limerick and Tipperary became technically distinct, although they continued to be held by the descendents of Robert Maunsel (See J. Otway-Ruthven, *loc. cit.*, p.22).
 5. Cal. Ormond Deeds iii, no.102, p.95.

moreover, that the sheriffs had been commanded to attach Walter on several occasions for his negligence, but Walter returned each time that he was not to be found, neither had he any chattels in the counties whereby he might be attached. It is certainly not surprising that the treasurer and barons of the exchequer decided to take his office into the king's hand, declaring that he had acted

in contemptum regis necnon et debitorum regis
solutionis retardacionem immensam et contra
sacramentum suum.¹

William fitzRichard was given the custody of the office during the king's pleasure after he had taken the oath.² Walter, however, was re-admitted to the office on 12th February, 1313, when he made fine of 100 shillings.³ He died shortly afterwards, for on 1st August, 1314, his office was committed to Robert Bagot, when it was found that the Walter had held it in chief by rendering forty shillings a year.⁴ His lands were also taken into the king's hand; they were later granted in wardship to the archbishop of Cashel, together with the marriage of

-
1. P.R.O.I. Mem. Rolls vol.7, p.77(rot.6-7 Edw.II)
 2. Ibid.
 3. Ibid., p.78.
 4. Ibid. vol.10, pp.131-2.(rot.8 Edw.II).

his heir, in 1318.¹

The chief serjeant was assisted by sub-serjeants, whom he appointed himself. Normally there was only one serjeant in each cantred: in 1322 the sheriff of Tipperary was commanded to appear at the exchequer with the chief serjeant and the serjeants of the cantreds of Eliogarty, Eoghanacht Cashel, Moyenen, Offa, Iffowyn, Moctalyn, Okonagh, and Slievardagh, to account for the debts of Walter le Bret, formerly sheriff of the county. In each case there was only one serjeant for every cantred, except for Moctalyn, which had two.² The reason for this is not evident, but it is not unlikely that one may have been the serjeant of Moctalyn, and the other may have been the serjeant of Comsey, which was regarded as a cantred at the beginning of the thirteenth century, but which had been united with Moctalyn by the beginning of the fourteenth.³ It may be observed also that although there are good grounds for believing that the cantreds of Moyenen and Slievardagh were united at this time⁴, they

1. 42nd Rep. D.K., p.18.

2. P.R.O.I. Mem. Rolls, vol.12, pp.798-9 (rot.15-16 Edw.II).

3. See appendix I, no.1.

4. Only one jury was summoned from Moyenen and Slievardagh to make presentments in the eyre of 33-34 Edw.I (P.R.O.I. Cal. Roll of Justices Itinerant 33-34 Edw.I., p.7; P.R.O.I. Cal. Plea Rolls, vol.11, p.175 f). They were also associated in the sheriff's accounts at the exchequer for 1291-4, and 1296-8 (37th Rep.D.K. pp.50-51; 38th Rep., p.29).

were nevertheless represented by two serjeants in 1322. Altogether nine sub-serjeants were summoned to appear at the exchequer in 1322, but they did not include the serjeants of Ormond, Elyocarroll, and Muscry; it may be concluded, therefore, that there was normally a body of twelve or more serjeants to assist the chief serjeant.

It seems that coroners were appointed for each cantred, which appears to have been the normal practice in Ireland.¹ Although no complete list can be compiled, it is clear from the available evidence that this must have been the case in Tipperary. In 1295, for example, Walter de Stocton was coroner of the cantred of Moctalyn, John de Mariscis was elected coroner of Offa, and Walter fitzPeter, the coroner of Okonagh and Muscry, was removed from his office.² In 1308-9 Nicholas Maunsel was coroner of Slievardagh,³ and in 1312 Richard Meyler was acting as coroner of Iffowyn.⁴ It is reasonable to estimate, accordingly, that there must have been about a dozen coroners in the county, excluding the towns, at any particular time.

-
1. J. Otway-Ruthven, 'Anglo-Irish Shire Government in the Thirteenth Century', in *I.H.S.* V, p.26.
 2. *Cal. Justic. Rolls 1295-1303*, pp.58, 60, 71.
 3. *C.C.H.*, p.7, no.22.
 4. *Cal. Justic. Rolls, 1308-1314*, p.254.

Little more need be said about the cantreds, which have been treated more fully in the appendix.¹ The cantreds were originally tribal areas before the Norman conquest, for some of their names are preserved in pre-Norman records: the Irish Topographical Poems contain several of these names - Ui Eoghain Finn (Iffowyn), Ui Fathaidh (Offa), Eoghanacht Aradh (Okonagh), and Muscraighe (Muscry).² Such tribal areas formed the basis of the grants made by John to the early conquerors: the Butlers, for example, were granted the cantreds of Ormond, Eliogarty, Elyocarroll, and Owney and Arra, in co. Tipperary. The Normans preserved these boundaries in several ways: the area of the cantred was often co-extensive with the chief manors, for example Nenagh (Ormond, Owney and Arra), Dunkerrin (Elyocarroll), Thurles (Eliogarty), Kiltinan (Moctalyn and Comsey), Knockgraffon (Slievardagh, Moyenen, and Offa),³ and probably Okonagh (Okonagh) and Kilfeakle (Muscry) as well.⁴ Indeed, the only cantred which does not fall into this pattern is the cantred of Iffowyn, and this

1. See appendix I, no.1.

2. See appendix I, no.1.

3. See map of Tipperary.

4. This, however, cannot be shown, for no extents of Kilfeakle or Okonagh have survived.

may be explained by the fact that it was originally divided between William de Burgo and John de St. Michael.¹ Secondly, it would seem that the rural deaneries were normally constituted on the basis of these ancient tribal regions, for they normally coincide with the cantreds, or groups of cantreds. One finds that the deaneries of Tipperary, Muscry, Elyogarty, for example, correspond to the cantreds of Okonagh, Muscry, and Eliogarty; that the deaneries of Cashel and Fethard corresponded to the cantreds of Eoghanacht Cashel and Moyenen, and to the cantreds of Moctalyn and Comsey, respectively.² Finally, the Normans preserved these ancient boundaries for administrative purposes: the Anglo-Norman cantred was the equivalent of the English hundred. It may be assumed that these administrative divisions were established early in the thirteenth century when Munster was organised as a county.

The only complete lists of the cantreds in Tipperary belong to the end of the thirteenth century and the beginning of the fourteenth century. The first two lists are contained in the accounts of the sheriff of Tipperary in the Pipe Rolls for the years 1291-1294 and 1296-1298,³ while the final list is taken from the records of the

1. Above ch. I, pp. 4-5.

2. See appendix I, no. 1.

3. 37th Rep. D.K., pp. 50-51; 38th Rep., p. 29.

eyre of 1304-1305.¹ It is clear from them that there were altogether ten cantreds in the county:

Ormond
 Eliogarty
 Elyocarroll
 Eoghanacht Cashel
 Slievardagh and Moyenen
 Moctalyn
 Muscry
 Okonagh
 Offa
 Iffowyn.

It may be observed that two cantreds, Owney and Arra, and Comsey, which were mentioned in early thirteenth century records, are not contained in this list.² The cantred of Comsey seems to have been combined with neighbouring cantred, Moctalyn, but it seems to have retained its own serjeant³. There is very little information about Owney and Arra, except that the sheriff's accounts associate Muscry with Arech (Arra). Since this is the only reference to the cantred of Owney and Arra after 1201,⁴ it must be concluded that it was combined with the cantred of Muscry in the same way as the cantreds of Moyenen and Slievardagh, Comsey and Moctalyn, were combined.

-
1. P.R.O.I. Cal. Roll of Justices Itinerant, 33-34 Edw.I; P.R.O.I. Cal. Plea Rolls vol.11, p.175 ff.
 2. Cal. Ormond Deeds 1, no.26; C.D.I. 1171-1251, nos 601. 613, 1268.
 3. See above p. 119.
 4. Cal. Ormond Deeds 1, no.26; 37th.Rep.D.K., pp.50-1; 38th.Rep., p.29.

If this was actually the case, it must have produced many inconveniences, for the combined cantreds extended some forty miles in length over very mountainous territory.

The cantreds continued to exist throughout the fourteenth and fifteenth centuries. Juries from the cantreds of Iffowyn (Iffa), Offa, Mectalyn, Moyenen, Eoghanacht Cashel, Slievardagh, and Eliogarty, were summoned to the court of the liberty of Tipperary in 1432, and again in 1447-49.¹ In 1508, however, only the cantreds of Eliogarty and Offa appear on the sheriff's return, but this does not exclude the possibility that the remaining free tenants were summoned from their respective cantreds:² in 1514 the sheriff of the liberty was directed to cause juries to be summoned from Mectalyn and Moyenen for the election of two coroners.³ It would appear that the cantreds remained in existence until the beginning of the sixteenth century at least.

It is evident that by the second half of the thirteenth century the Anglo-Norman settlement in Tipperary had achieved a fairly high degree of prosperity.

1. Ibid. iii, no. 102.

2. Ibid. iii, no. 337.

3. Ibid. iv, no. 23.

This is partly reflected in the practice of farming the sheriff's office, which was farmed out at exceptionally high rents in the latter part of the thirteenth century. In 1282 the king granted the office to Walter Uncle for an annual payment of £100, the highest rent of its kind in Ireland.¹ The fact that it had previously been held by Otto de Grandison, who was sheriff of Tipperary between 1267 and 1273,² indicates that it was highly prized. Nevertheless, by the end of the first decade of the fourteenth century it is clear that the office had ceased to yield any profit, and that it had in fact become a considerable burden. This is abundantly evident from the inability of the sheriffs to pay the profit of the county and from the fact that their debts at the exchequer remained unpaid.

The farm of the county was reduced to £40 in 1290, when the office was committed to Robert de Stapleton for a term of five years.³ The reduction was partly due to the abolition of certain amercements which had previously accrued to the sheriff,⁴ but it may also have been chiefly

1. C.D.I. 1252-1284, no.1979; J. Otway-Ruthven, 'Anglo-Irish Shire Government in the Thirteenth Century', in I.H.S. V, p.14.

2. 35th Rep. D.K., pp.48,50; 36th Rep., p.25.

3. C.D.I. 1285-1292, no.734.

4. Ibid., no.999.

due to the fact that the sheriffs had failed to render the full payment of £100 for some years at least. In 1286-1287 the sheriff, Nicholas de Inteberge, paid only £50 of the profit of the county into the exchequer.¹ In the following year the sheriff of the county does not seem to have paid anything at all,² possibly because O'Brien of Thomond was ravaging the lands of Theobald Butler, which were in the king's hand, about this time.³ In 1288-1289 Robert Maunsel paid £40 of the profit of the county,⁴ but in 1290-1291 he only paid a total of £4.3.4.⁵

Despite the considerable reduction of the farm of the county in 1290, the sheriffs repeatedly fell far short of meeting even this demand. The following table which shows the actual amount of the profit of the county paid annually into the exchequer between 1291 and 1310, serves to illustrate this point.

-
1. Receipt Roll 14-15 Edw.I, (P.R.O. E 101/331/6)
 2. Receipt Roll 15-16 Edw.I (ibid.).
 3. See G. H. Orpen, Normans iv, pp.77-9.
 4. Receipt Roll 16-17 Edw.I (P.R.O. E 101/231/6).
 5. Receipt Roll 18-19 Edw.I (ibid.)

<u>Receipt Roll</u>	<u>Reference</u>	<u>Sum</u>
1291-1292	P.R.O. E 101/231/28	£14. 13. 4
1292-1293	P.R.O. E 101/232/5	£30. 0. 0
1295-1296	P.R.O. E 101/232/18	£ 1. 0. 0
1296-1297	P.R.O. E 101/232/19	- - -
1298-1299	P.R.O. E 101/233/7	£ 5. 13. 1
1299-1300	P.R.O. E 101/233/11	£11. 13. 4
1301-1302	P.R.O. E 101/233/16	£10. 0. 0
1305-1306	P.R.O. E 101/234/9	- - -
1306-1307	P.R.O. E 101/234/16	- - -
1308-1309	P.R.O. E 101/235/17	- - -
1309-1310	P.R.O. E 101/235/22	£ 5. 0. 0

Although the Receipt Rolls of the Irish exchequer are almost complete for the period 1310-1321¹, they contain no payments of the profit of the county. The evidence therefore points to the unavoidable conclusion that by the beginning of the fourteenth century the office had ceased to yield any significant profit.

It would appear, furthermore, that the sheriffs of the county were experiencing considerable difficulty in levying the remaining items on their accounts. The case of Henry Haket, who was sheriff of Tipperary in 1294-1295,² and again in 1306-1308,³ provides a good

-
1. Receipt Rolls P.R.O. E 101/235/25 (4 Edw. II); E 101/236/1 (5 Edw. II); E 101/236/4 (6 Edw. II); E 101/236/8, 12 (7 Edw. II); E 101/236/14(2) (8 Edw. II); E 101/236/14(4) (9 Edw. II); E 101/236/14(6) (10 Edw. II); E 101/236/14(7) (12 Edw. II); E 101/236/14(8) (14 Edw. II).
 2. 38th Rep. D.K., p. 93.
 3. P.R.O.I. Cal. Mem. Rolls, 21-22, 31-35 Edw. I, pp. 166, 197, 296 (P.R.O. Draft Calendar).

illustration of the financial difficulties in which a sheriff might find himself. The Pipe Rolls of 5-7 Edward II record that he owed £514.1.6½. after he had been given an allowance of £100.¹ Henry had to petition the king for relief: on the 23rd December, 1309, Edward sent his petition to John Wogan, the justiciar, commanding him under his privy seal to inquire into Henry's complaints.² It may have been as a result of this inquiry that Henry was allowed £100 on his account. The substance of his petition, which is severely mutilated, provides an interesting and, no doubt, greatly exaggerated account of his difficulties. He claimed that he had been falsely charged with £200 by evil coroners; that he was unable to pay forty marks of the profit of the county (which seems to have been due since his first term of office),³ by reason of the "continued war, which has been and yet is in the county;"⁴ that 200 of the king's beasts (sic) had been taken by marauders; that he had twice been attacked and robbed of goods worth £200.

Henry's case was not unique: in 1311 the sheriff was commanded to seize the lands of Walter le Bret, who

1. 42nd Rep.D.K. p.13

2. P.R.O.I. Cal. Mem. Rolls (Record Office) 3 Edw.II pp.583-4.(P.R.O. Draft Calendar)

3. 38th Rep.D.K., p.93.

4. P.R.O.I. Cal. Mem. Rolls 3 Edw.II, pp.583-4 (P.R.O. Draft Calendar).

had been sheriff of the county in 1295, 1302, 1303-1304,¹ and again in 1309-1310.² Two years later another command was sent to the sheriff directing him to levy £542.16.6. from his lands.³ This debt was not fully satisfied until 1338 when his son and heir, William, recovered the manor of Rathcool.⁴

It is clear that the exchequer had become greatly concerned with the problem of accumulating debts; an attempt was made accordingly to levy them by issuing special commissions. Such commissions usually took the form of a general commission issued to a number of exchequer clerks, or of a particular commission, normally issued to an ex-sheriff. In 1311, for example, Henry de Haleford and Thomas fitzReginald, who had been assigned to levy the king's debts in counties Tipperary, Waterford, and Cork, held an inquisition at Cashel to inquire into the debts due from co. Tipperary. The jurors, who were summoned from the cantreds of Eoghanacht Cashel,

-
1. P.R.O.I. Mem. Rolls, vol, 5, p.615; ^{(rot. 4-5 Edw. II).} C.D.I. 1293-1301, p.96; Cal. Justic. Rolls, 1295-1303, p.47; P.R.O. E 101/236/16; Receipt Roll, Trinity 30 Edw. I); 45 Rep. D.K., p.37; P.R.O. E 101/233/16; (Receipt Roll 3 Edw. II).
 2. 39th Rep. D.K., pp.46-7; P.R.O. E 101/235/22.
 3. P.R.O.I. Mem. Rolls, vol.9, pp.278-9. (rot. 7-8 Edw. II).
 4. 45th Rep. D.K., pp.37-8.

Moyenen, Slievardagh, Moctalyn, Iffowyn, Offa, Muscry, Okonagh and Eliogarty, declared that £500 could be raised in their cantreds, but it seems that only £31.16.11. was actually collected.¹ Richard le Poer, the sheriff of Tipperary from Michaelmas term, 1310 until Michaelmas term 1313,² was given a commission as soon as he had completed his term of office to distrain all and singular to pay their debts,

quia vicecomes noster Tipperarie taliter occupatus est circa nova debita nostra levanda in comitatu predicto quod levationem veterum debitorum nostrorum inde ad plenum intendere non potest prout facere debet.³

Henry Haket, a former sheriff, received a similar commission from the exchequer in the following February to assist the sheriff in distraining debtors for all the arrears of the king's debts as well as for the arrears of his own account.⁴

But despite the strenuous efforts made by the exchequer the ^{long term} situation did not improve. Henry Haket, who owed debts amounting to £514. 1. 6½. in 1311-1314,⁵ had accumulated a total debt of £603. 9. 7½. after a

-
1. P.R.O.I. Mem. Rolls, vol.6, pp.4-5 (rot.5 Edw.II).
 2. Receipt Rolls 4-7 Edw.II (P.R.O. E 101/235/25; E 101/236/1; E 101/236/8 ; 39th Rep.D.K., pp.46-7.
 3. P.R.O.I. Mem. Rolls, vol.9, pp.40-1 (rot.7-8 Edw.II)
 4. Ibid., vol.5, pp.423-4.
 5. See above, p.128.

further term of office in 1323-1324, of which £573. 18.9½. was due from former accounts.¹ The following table of the annual payments of the sheriffs of Tipperary between 1301 and 1321 shows that the largest payments were received between 1311 and 1315, which may reflect the temporary success of the special commissions, but there is a remarkable reduction in the revenue after the Bruce invasion.

<u>Receipt Roll</u>	<u>Reference</u>	<u>Sum</u>
1301-1302	P.R.O. E 101/233/16	£157.10. 0
1305-1306	P.R.O. E 101/234/9	26.13. 8
1306-1307	P.R.O. E 101/234/16	115.18.10
1307-1308	P.R.O. E 101/235/5	137.19. 8½
	P.R.O. E 101/235/11	
1308-1309	P.R.O. E 101/235/17	196. 0. 0
	P.R.O. E 101/235/19	
1309-1310	P.R.O. E 101/235/22	93. 0. 0
1310-1311	P.R.O. E 101/235/25	167. 4. 0½
1311-1312	P.R.O. E 101/236/1	224. 9. 8
1312-1313	P.R.O. E 101/236/4	252.13. 4
1313-1314	P.R.O. E 101/236/8	156.16. 9
	P.R.O. E 101/236/12	
1314-1315	P.R.O. E 101/236/14 (2)	235. 9. 8
1315-1316	P.R.O. E 101/236/14 (4)	114. 7. 2
1316-1317	P.R.O. E 101/236/14 (6)	
1317-1318	P.R.O. E 101/236/14 (5)	137.14. 0
1318-1319	P.R.O. E 101/236/14 (7)	67. 0. 0
1320-1321	P.R.O. E 101/236/14 (8)	26.14. 8

1. 42nd Rep. D.K., p.71.

It is quite clear from the Pipe Rolls that the sheriff's payments declined sharply after 1317. The Pipe Roll of 1323-1326 shows that none of the sheriffs could discharge more than a fraction of his account.¹ Henry Haket² accounted for £640. 9. 7½. but he only paid £37. 0. 1; Richard le Poer³ accounted for £192.17. 8. but he only paid £48.18. 1. John Maunsel⁴ accounted for £339.13. 0., but his payments and allowances only amounted to £166. 4. 0; he later paid a further £14. 6. 8. John was also sheriff of the county from June, 1326, to Michaelmas, 1328, and sheriff of the county of the cross of Tipperary from April, 1329, to 15 February, 1331; he was charged with £287. 1. 5, but he only paid £13. 6. 8. John still owed £128. 6. 8. after he had been allowed £100 for various amercements.⁵

It is evident that by the beginning of the fourteenth century the office of sheriff had ceased to yield any profit, and that the sheriffs were experiencing greater difficulty in discharging their accounts at the exchequer than formerly. The efforts of the exchequer

-
1. 42nd Rep. D.K., pp.71-2.
 2. Sheriff of Tipperary from March, 1323, to May, 1323.
 3. Sheriff of Tipperary from May, 1323, to June, 1325.
 4. Sheriff of Tipperary from June, 1325, to June, 1326.
 5. 45th Rep. D.K., p.37.

to expedite the levying of debts seem to have been temporarily successful, as witnessed by the increase in revenue 1311 and 1315, but this was followed by a marked decline in payments.

There can be little doubt that the immediate cause of these financial difficulties lay in the disturbances which afflicted the county more or less continuously from the last decade of the thirteenth century. Admittedly the evidence is rather meagre, but it does point unmistakably to this conclusion. It is clear, for example, that the unusually small account rendered by the sheriff in 1305-1306¹ is related to the disturbances of that period,² and that the marked decline in revenue after 1317 is related to the devastation wrought by the Bruce invasion. Henry Haket attributed most of his grievances to the continual war, as well as to other disorders in the county during his terms of office. There was undoubtedly at least a measure of truth in his claim, which was attested by the fact that he was subsequently allowed £100 on his account.³

The restlessness of the Irish was certainly a

-
1. See above p.131.
 2. See below pp.137-40.
 3. See above p.128.

major factor contributing to the growing disorder, but the disputes among the Anglo-Norman settlers themselves were hardly less significant. There are several references to "war" in Tipperary during the two decades preceding the Bruce invasion, but very often the participants are not identified. Thus, for example, Adam de Sancto Albino and Thomas de St. John, the sheriffs of the county in 1296 and 1297, were charged with £9.14. 2. and £27. 4. 2. respectively of the profit of the county, "and no more because there was war there".¹ In fact only £1. of the profit of the county was delivered into the exchequer between Michaelmas, 1295, and Michaelmas 1297.² Henry Haket complained of the "continued war, which has been and yet is in the county" in 1309.³ In 1305 Robert Haket was appointed as a keeper of the peace by the justices in eyre at Cashel "for the preservation of the peace to repress the malice of felons invading from day to day divers parts of this country."⁴ The archbishop of Cashel provided agreed to maintain six horsemen at his own expense for the defence of his

1. 38th Rep. D.K., p.29.

2. See above p.127.

3. See above p.128.

4. Cal. Justic. Rolls, 1305-1307, p.116.

lands on the same day.¹

Nevertheless, it is occasionally possible to identify specific places and specific offenders. It is not without significance, perhaps, that the most troubled region seems to have been ^{northern} Tipperary, where the Irish subsequently achieved their most remarkable successes. In April, 1290, Theobald Butler complained in ^{the} parliament at Westminster that his castle of Dorrha (in the cantred of Ormond) had been taken and knocked down while it was in the custody of William le Marshal, to the great damage and destruction of his lands.¹ William had been granted the custody of the castle by the escheator during Theobald's minority, between 1285 and 1290. It is not unlikely that the castle had been destroyed by Turlough O'Brien, who revaged Theobald's lands in 1287. He raided various places in Limerick and Tipperary including Caherconlish, Inch (Inis Amhlaoibh) near Thurles, Kilfithmone (Fiadh Moghain), Moyaliff, Latteragh, and Kilmore.² Turlough made fine of 600 marks for having the king's peace.³ Despite the fact that this had

1. C.D.I. 1285-1292, p.315. (Note: "Dorz" is almost certainly Dorrha).

2. See G.H. Orpen, Normans IV, pp.77-9.

3. G.H. Orpen, loc. cit., p.78.

happened some years earlier, Theobald alleged that he could take no profit from his lands until the castle was restored, which implies that matters were out of hand in northern Ormond. This allegation is particularly interesting, for it points to the necessity of maintaining a strong guard at Dorrha in order to exact rents from the neighbouring Irish, the O'Kennedys and the O'Maddens. In 1308 Edmund Butler granted William fitzWilliam de Burgo certain lands in Lismagh, which is adjacent to Dorrha, providing that William should answer at his court of Dorrha for any offences he might commit. It was also provided that O'Madden should remain undisturbed in the lands which he held on lease from Edmund in Lismagh.¹ It is likely therefore that the O'Maddens paid a customary rent for their lands in much the same manner as the O'Kennedys or McNamaras.² In 1338 the O'Kennedys held ten carucates of land in Clochan (now Aglishcloghane) by knight service in addition to an annual rent of £27. 6. 8.³ Thus there were at least two Irish settlements in the immediate vicinity of Dorrha.

There is good reason, then, to believe that Dorrha occupied a key position in northern Ormond, and that

1. Cal. Ormond Deeds 1, no.420.

2. See above ch.II, p.31; ch.III, pp.104-5, 108.

3. Extent of Nenagh (Cal. Inq. P.M. viii, no.184).

its maintenance was essential not only for the security of the region, but also for enforcing the collection of rents from ^{the} semi-autonomous Irish who still retained a large part of their ancestral lands in the area. The destruction of Dorrha clearly resulted in the temporary breakdown of Anglo-Norman authority in northern Ormond. Theobald probably did not waste any time in restoring his authority there, but it is quite apparent that the position of the Butlers in this area was very precarious. Although there is no more evidence of trouble in Ormond before the Bruce invasion, it is possible that some of the general references to war in Tipperary may refer to war in Ormond.

By the beginning of the fourteenth century, the position of the Anglo-Norman settlement in Elyocarroll was extremely precarious. It appears from the rolls of the justices in eyre in Tipperary in 1304-1305 that the cantred of Elyocarroll had been greatly disturbed for a long time by a feud between John de Barry and his kinsmen and Mathew de Bilburn and his kinsmen. The disturbances had reached such proportions that everyone in the cantred had been compelled to take sides. The cantred was declared to be "in a strong march," and it was feared that if the conflict lasted much longer the O'Carrolls

and other Irish felons would expel the settlers entirely from the cantred:

et discordie ille tam diu duraverant quod omnes morantes in cantredo illo se posuerunt ad unam vel ad alteram dictarum parcium non habito respectu quod in cantredum illud totaliter est in forti marchia et sic timebatur quod per discordiam illam tam diu continuatam si durasset diucius les Charewelles et alii hibernici felones et rebelles regis cantredum illud subigerent et Anglicos inde totaliter expellerent.¹

It was only when matters had reached this point that Edmund Butler, the lord of the cantred, together with other magnates and the community of the county, with the assent of the offending parties, managed to establish peace. Both parties finally agreed not to resort to arms in future, and to resolve their differences according to the decisions of Robert fitzDavid, a knight, and Henry Leffan, a clerk.²

Whether or not a lasting peace was established is unknown, but it is clear that the disorder created by the feud lasted for some time: in 1306 the sheriff of Tipperary declared that goods and chattels could not be distrained in the cantred because no serjeant dared to execute his orders in "the march of Elyocarroll" on

1. See appendix III, no. 1.

2. See appendix III, no. 1.

account of the Irish of Slieve Bloom.¹ There can be little doubt therefore that the O'Carrolls did in fact profit from the disorder created by the Barry-Bilburn feud. It is significant that the first ^{large scale} ~~wholesale~~ / expulsion of the Anglo-Norman settlers by the Irish of Tipperary occurred in the cantred of Elyocarroll, and it is abundantly clear that the Gaelic reconquest in this region had begun at least ten years before the Bruce invasion.²

It may be observed, however, that disturbances were by no means confined to the northern cantreds, although they probably attained more serious proportions there than elsewhere. In 1305 the chief serjeant of Tipperary returned that certain goods could not be distrained in the cantred of Muscry because it was in the march, where no serjeant could perform his duties.³ The cause of the disorder is not specified, but it may have been connected with the devastation of the lands of Otto de Grandison by Robert de Halliwell, who was arraigned before the king and his council in the same year. Robert was charged with leading a multitude of men into the town

1. Cal. Justic. Rolls 1305-1307, pp.194, 269, 319.

2. See below ch. V, pp. 156-200.

3. Cal. Justic. Rolls, 1305-1307, p.167.

of Tipperary, where six of Otto's men were killed, and with plundering the king's lands, causing damage to the extent of £10,000.¹

It is not unreasonable to conclude that the immediate cause of the increasing financial difficulties experienced by the sheriffs of the county at the turn of the century was directly related to the mounting disorder. Moreover, it seems that this problem was being experienced generally in Ireland; it was not confined to Tipperary. In 1311 writs were issued to all sheriffs, seneschals, and mayors of Ireland commanding them to levy all the king's debts; it was declared that in future all the money raised in Ireland would be expended there "circa conservacionem pacis eiusdem [terre] et in aliis arduis negociis nostris ibidem expediendis",² because so much money had been diverted to the wars in Scotland that there had not been sufficient funds left in Ireland to suppress Irish insurgents. This was probably true: the Pipe Rolls show that the sheriffs of Tipperary were charged with excessive accounts which they were quite unable to pay, and that

1. G.D.I. 1302-1307, no. 448.

2. P.R.O.I. Mem. Rolls vol. 6, pp. 187-9. See J.F. Lydon, 'Edward II and the revenue of Ireland', in I.H.S. XIV, pp. 52-3. (rot. 5 Edw. II).

when allowances were granted, they were almost invariably inadequate; the Issue Rolls between 1290 and 1315 make no mention of payments to the sheriffs of the county to assist them in the defence of the county. It is quite plain, for example, that the situation in 1305, when there was war in Elyocarroll and devastation in Muscry, called for government intervention. Yet in the end all that was done by the administration was to secure the appointment of a keeper of the peace; it was left to Edmund Butler and other magnates to intervene in Elyocarroll. It is not improbable that the government itself was unable to offer any assistance, for it had to provide for the Scottish wars at a time when its own revenues were sharply declining.¹

At the most the machinery of local government in Tipperary was only just able to contain the rising tide of disorder in the county before the Bruce invasion. It is clear that it could not withstand the ferocity of Bruce's devastation in 1317, and that in its greatly weakened condition it could not be expected to contain the tide of Irish insurgency which followed almost immediately in

1. For the state of Irish finances in the early years of the reign of Edward II see J.F. Lydon, *loc.cit.*, pp.39-53.

the wake of Bruce's army.¹ This decline is reflected not only in the disorders which followed but also in the rapidly declining revenue of the county, which was reduced to negligible proportions by 1328.² In fact it is no exaggeration to claim that the central government lost nothing by way of revenue when the county was granted to the earl of Ormond in 1328: on the contrary, it rid itself of a burden which it was no longer able to bear.

3rd copy

-
1. See below ch. V , passim.
 2. See above pp. 131-2.

CHAPTER V
THE GAELIC CONQUEST ?

The pressure of the Gaelic reconquest was felt everywhere in the fourteenth century: the Butler lordship was neither more nor less immune from Irish attacks than other parts of the Anglo-Norman lordship. In the course of this century almost half of the Butler lands were lost to the Irish¹: Ui Maine in Connacht; Ui mBlóid and Aghty in Thomond; Ormond, Arra and Elyocarroll in Tipperary; and Les Clannys in Kilkenny. One remarkable aspect of the reconquest is that it was most successful in the areas longest held by the Butlers, notably in Thomond and northern Tipperary. By the end of the century only fragments of the original territories granted to Theobald fitzWalter remained in the hands of the Butlers. Consequently the traditional territorial structure of the lordship was radically transformed. The transformation was symbolised by the transfer of the chief residence of the Butlers from Nenagh to Kilkenny.

1. See above ch. III, pp. 88-9.

The origins and causes of the reconquest remain obscure. Precisely why the reconquest began when it did, or ended when it did, may never be satisfactorily answered. In the case of the Butler lordship, for example, the Irish threat in northern Tipperary became a serious concern in the last decade of the thirteenth century and in the first decade of the fourteenth. Yet this occurred precisely at a time when the colony in co. Tipperary had reached the peak of its prosperity¹. The Bruce invasion, followed by two disastrous Butler minorities, was the occasion, but not the cause, of the Gaelic reconquest. Without them the reconquest might not have succeeded, it is true, but equally without the initial unrest the Bruce invasion could have achieved nothing.

The apparent exhaustion of the Gaelic offensive is equally difficult to explain. The most striking advances of the reconquest were achieved in the first half of the fourteenth century; thereafter the Butlers managed to hold their own although the Irish maintained the pressure until the beginning of the fifteenth century.

1. See above ch. IV, pp. 124-142.

Irish raids, of course, did not cease after this time. But they were never more than raids: there is no evidence to show that they succeeded in conquering substantial areas of the lordship, at least in Tipperary and Kilkenny. The fate of the Butler lands in Leinster during this period is uncertain¹. The principal threat to the lordship in the fifteenth century came from various Anglo-Norman elements - the Geraldines and the minor branches of the Butlers² - not from the Irish. Despite the fact that the lordship was seriously weakened by internal strife, particularly in the second half of the fifteenth century, the Irish were unable to recover more territory. The fact is that they made much more headway in the two short Butler minorities in the first half of the fourteenth century³ than they made in the second half of the following century, when the earls of Ormond were absent from Ireland for sixty-three years (1452-1515).

The origins of the reconquest will probably never be determined precisely, for too little is known about

1. See below pp. 219-26.
2. See below ch. VII, VIII, IX, passim.
3. See below pp. 160-200.

the internal history of the native Irish lordships. The historian has to rely almost entirely upon Anglo-Norman sources. Consequently his view of the reconquest is essentially external. He may trace its progress, assess its impact on the colony and even account for its comparative success, but he cannot explain precisely why it began when the colony was at the height of its prosperity, any more than he can explain why it ended at a time when the final destruction of the colony seemed inevitable, especially after the failure of Richard II in Ireland. The almost annual predictions of imminent destruction made by the colonists in the fifteenth century were never realised: as far as the Butler lordship in Tipperary and Kilkenny was concerned, the Irish were more of a nuisance than a real threat.

This does not, however, preclude generalisation. There is an indisputable relationship between the areas conquered by the Irish in the fourteenth century and the areas which had originally been subjugated rather than colonised by the Butlers. It has already been shown that, with the exception of central and southern Eliogarty and the lands around Caherconlish,

the Butler lands in Munster were thinly settled, while their lands in Thomond (Ui mBlóid) were not settled at all¹. The Irish of Ormond, Elyocarroll and Arra had merely to stage a revolt against a numerically small military aristocracy: they did not have to contend with a large class of small tenants and burgesses². Here the feudal aristocracy had simply replaced the native rulers: the Irish were compelled to live within the framework of a feudal society, but for the most part they were untouched by feudalism. Instead of creating new bonds between rulers and ruled, feudalism only served to widen the gap between the aristocracy and peasantry. Where Anglo-Norman colonisation was more intensive, on the other hand, as in central and southern Tipperary, the Irish were notably unsuccessful. In the first place, the native population seems to have been more or less absorbed into the framework of Anglo-Norman society, either as free tenants or as serfs (betaghs). The large number of Irish names which appears on the rolls of the ~~liberty~~ court *of the liberty of Tipperary* provides

1. See above ch. II, pp. 29-31.

2. See above ch. III, pp. 97-8.

some indication of the extent to which Irish tenants had become integrated into the structure of Anglo-Norman society. This absorption of the native population, strengthened by the presence of a large class of Anglo-Norman free tenants and burgesses, greatly reduced the possibility of a successful Irish rebellion. Whereas in northern Tipperary the structure of Gaelic society had remained almost untouched, in the south it was completely destroyed. There a comparatively large class of free tenants and burgesses struck deep roots, which could not be eradicated by the most destructive raids.

Besides, the Irish did not have the capacity to overrun the towns of Tipperary and Kilkenny. Such a task would have required a series of long, well planned and well co-ordinated campaigns. A cattle raid or the reduction of isolated fortresses was one thing; but the reduction of a chain of fortified towns was quite another. The one could be achieved by a casually assembled body of raiders, or even by a spontaneous popular revolt; in each case success usually depended upon surprise or sheer weight of numbers. The other, however, depended on organisation:

the ability to keep large numbers of men in the field over long periods and to maintain regular supplies, what we now call the logistics of warfare. The logistics of medieval warfare were elementary by modern standards, but they were nevertheless of decisive importance. The success of the Welsh and Scottish campaigns of Edward I was primarily due to his mastery of basic logistics. The complex machinery of the Anglo-Norman state was an essential element in his war effort. The Irish, on the other hand, had neither the administrative machinery nor a sufficiently diversified economy to maintain and supply large numbers of men in the field for a long campaign. To begin with, they lacked unity: they were incapable of launching concerted military operations under a single command. The nearest they came to this was the formation of transitory local alliances with limited capabilities because of logistical problems. The royal administration in Ireland in the fifteenth century may have been limited in its effectiveness, but it was incomparably superior to anything the Irish could offer. Even on the local level, the Irish had never succeeded in developing durable and

flexible governmental institutions. Without such institutions they could not concentrate their resources. Moreover, the primitive state of the native Irish economy, where cattle remained the main source of wealth¹, meant that the Irish did not have even the resources necessary for sustaining a lengthy campaign.

On the basis of these generalisations, it may be suggested that the reconquest came to a halt at the end of the fourteenth century basically because the Irish were unable to make headway in regions where the colonists had settled in appreciable numbers. The expulsion of a numerically small military aristocracy from regions where large numbers of Irish had never been uprooted could be accomplished fairly easily by the traditional methods of Irish warfare. This is what happened in northern Tipperary, northern Kilkenny (particularly the cantred of Aghaboe), and Ul Maine. By the end of the century the process of clearing the feudal aristocracy from

1. For a discussion of the condition of Irish and Anglo-Norman agriculture in medieval Tipperary, see I. Leister, Das Werden der Agrarlandschaft in der Grafschaft Tipperary (Marburg, 1963), pp. 46-52.

these regions was more or less complete: thereafter the Irish were confronted by more determined resistance, and they simply did not have the capacity to complete the reconquest. Occasionally they might burn a town. Carlow was burned several times in the second half of the fourteenth century¹, and Gowran was burned at the beginning of the fifteenth century², but neither was occupied or destroyed. They probably could not have held these towns for long in any case: apart from the very real difficulties of maintaining and provisioning a permanent garrison, it is unlikely that they could have kept their lines of communication open indefinitely.

This is not, of course, to deny that the Irish were dangerous: in addition to the considerable territories lost to the Irish, the economy of the Butler lordship was seriously weakened by warfare³. The effective operation of the royal government was usually restricted to the area later known as the Pale and the coastal towns by the end of the fourteenth

-
1. See J. Otway - Ruthven, Medieval Ireland, pp. 287, 311, 324.
 2. See below, p. 215.
 3. See below ch. VI, passim.

century. Nevertheless, the desperate appeals of the Irish council or local communities in the fifteenth century should not be taken too literally. In 1430, for example, the Irish council made a despairing appeal to the king for aid against the Irish, the rebel English and the Scots, who were endeavouring, or so it was claimed, to conquer the whole country. It was claimed that despite the efforts of the justiciar, the archbishop of Dublin,

.....the said enemies and rebels have conquered and put under their obeisance and tribute in the parts of Munster well nigh all the counties of Limerick, Tipperary, Kilkenny and Wexford, and how in the other parts well nigh all the counties of Carlow, Kildare, Meath, Uriel, so that there is left unconquered and out of tribute but the county of Dublin,...so that all is like to be conquered upon least there come strong help and manful succour unto us from our said sovereign lord in haste...¹.

The situation in 1430 was undoubtedly serious, even by the standards of the fifteenth century², but apart from booty and tribute (one wonders how much tribute was ever actually paid) the raiders achieved nothing solid. Nothing was changed. The prediction of

1. N.L.I. MS. 4, p. 314.

2. For an account of the troubled events of this year see J. Otway-Ruthven, Medieval Ireland, pp. 367-8.

ultimate disaster was completely groundless. Furthermore, the claim of the council that Tipperary and Kilkenny were subject to the Irish cannot be taken seriously: there is considerable evidence to indicate that the Butler lordship was effectively governed and defended by the White Earl¹.

It was only natural that contemporaries chose to describe the events of their times in apocalyptic terms. They felt they were hopelessly outnumbered. They were. But they did not fully realise that the Irish were incapable of exploiting their numerical superiority. Besides, they had practical reasons for exaggerating: the council wanted to jolt the English administration into taking action. Local communities and towns usually had some immediate advantage in mind. Thus we find the mayor and community of the city of Cork painting an unbelievable picture of desolation in a petition to the Irish council, dated 20th July, 1422. The real object of the petition, however, was to excuse the mayor and twenty-four of the men of the city from appearing before the council,

1. See below ch. VII, passim.

since it was claimed that their absence would endanger the safety of the city¹. It is difficult to believe that their temporary absence was sufficient to decide its fate. The real situation seems to have been that by the beginning of the fifteenth century a stalemate had been achieved, not only in the Butler lordship, but in the country generally. The Irish were unable to complete the conquest; the Anglo-Normans were unable to recover lost territories.

But the considerable territorial losses sustained by the Anglo-Normans in the course of the fourteenth century should not obscure the fact that elsewhere they had established deep and enduring roots. Their towns and settlements, their legal, administrative and ecclesiastical institutions, as well as their language and culture, formed the foundations of modern Ireland. The achievement of the Norman conquest was much more solid than historians sometimes admit. It stood the test of time, unlike the Gaelic reconquest. The Irish failed to consolidate their conquests either by creating institutions of their own, or by borrowing from the Anglo-Normans. Consequently they

1. P.R.O.I. Mem. Rolls, vol. 39, pp. 247-8 (rot. 10 Henry V).

were not equipped to preserve their independence in the ruthlessly competitive world of the sixteenth and seventeenth centuries.

But we must return to the situation in the Butler lordship. The fragmentary nature of surviving records has made it impossible to supply a detailed record of the progress of the reconquest. Nevertheless, the fortunate survival of the inquisitions post mortem (1338) for the Butler estates in Tipperary has provided particularly valuable information on the progress of the Irish up to that time. This can be supplemented by various other inquisitions or extents, Irish exchequer records (Memoranda Rolls, Issue and Receipt Rolls, miscellaneous writs), the Ormond Deeds, and various annals. Altogether, they provide us with a wealth of detail (by Irish standards), particularly for the first half of the fourteenth century. Thereafter the sources become progressively fewer or disappear altogether. Information about the lordship in the fifteenth century is minimal. Within these limits, the bulk of the information relates to Tipperary. Rather less is known about Kilkenny, and

almost nothing ^{is known} of the outlying parts of the lordship. Consequently it is impossible to offer a properly balanced and proportioned account of the progress of the reconquest.

The reconquest in Tipperary proceeded according to a fairly distinctive pattern. To begin with, the security of the lordship in Ormond and Elyocarroll had been gravely impaired in the closing years of the thirteenth century and in the first decade of the fourteenth. Order had been restored there only with considerable difficulty¹. The north was subsequently devastated by Bruce (1317), Brian O'Brien (1331) and the earl of Desmond (1345). These successive attacks meant that recovery was almost out of the question. Furthermore, to heap Ossa on Pelion, the lordship experienced two minorities: the minority of James, 1st earl of Ormond (1321-26), and the minority of James, 2nd earl of Ormond (1338-47). These minorities were not especially long, but they were sufficiently long to frustrate any recovery. The O'Kennedys and O'Carrolls took full advantage of these opportunities, as one might expect. The two earls made strenuous

1. See above ch. IV, pp. 135-41.

efforts to salvage what they could after their minorities, but the tide of events was flowing too swiftly against them. By the time the 2nd earl gained seisin of his lands the lordship in northern Tipperary lay in ruins.

The Bruce invasion was the first of a succession of hammer-blows to fall upon the lordship. In 1317 Bruce devastated the area around Cashel and Nenagh¹, doubtless in an attempt to provoke the justiciar, Edmund Butler, into joining battle. Although Bruce did not remain long in Tipperary, he did succeed in inflicting heavy damage. The earl of Ormond still had bitter memories of the Bruce devastation in 1332². On the 12th January, 1320, the king besought the pope to relax his demands on the archbishop of Cashel for certain debts owed by his predecessor. He explained that the lands of the archbishopric had been so wasted by the Scots that the archbishop was unable to maintain himself³.

Bruce was apparently successful in encouraging

1. Annals of Innisfallen; Annals of Ireland, in Chartularies of St. Mary's Abbey, Dublin.
2. See below pp. 169-70.
3. N.L.I. Ms. 1, p. 457.

the O'Carrolls to revolt. According to Clyn, Edmund Butler lost about 200 men in battle with Donatus O'Carroll in 1317¹, which must have been a heavy defeat by the standards of the time. The Book of Howth records that Edmund managed to bring O'Carroll to peace in the same year after cutting a pass in Elyocarroll². Since there is some disagreement in the sources regarding the precise date of O'Carroll's victory¹, it is not certain whether it occurred before or after the peace was made, but if we accept Clyn's date as correct, it seems likely that Edmund managed to bring O'Carroll to peace in the end. Besides, we hear nothing more of O'Carroll till after Edmund's death.

While there is no evidence to indicate that the Bruce invasion sparked off a general Irish revolt in Tipperary, it is clear that he dealt a heavy blow to the prosperity of the county: after 1317 the sums paid by the sheriffs into the exchequer were drastically reduced³. There is some evidence too ^{to indicate} that

-
1. Clyn, Annales Hiberniae. The Annals of Loch-Ce and A.F.M. place this battle in 1318.
 2. Gal. Carew Manuscripts v, p. 141.
 3. See above ch. III, pp. 131-3.

the sheriffs were having to contend with serious local disorders. William de Bermyngham, who was sheriff of the county in the first half of 1319¹, was granted 40 marks by the Irish council in 1320,

...ad reprimandum maliciam et proterviam diversorum tam anglicorum quam hibernicorum felonum ipsius domini regis qui terras ipsius domini regis et fidelium suorum in partibus comitatu Typerarie de die in diem destruere et devastare nituntur, homicidia, roberias, incendia et alia mala quamplurima faciendo et eodem pro pace ipsius domini regis in comitatu predicto usque ad festum Pasche proximum futurum custodienda².

The death of Edmund Butler in September, 1321, leaving as his successor his son James, a minor in royal wardship, created a very serious situation. There was no one to fill the vacuum. William de Grandison was almost certainly an absentee: the fact that he sold his lands to the earl of Desmond in 1338 is some indication of his lack of interest in Tipperary³. Richard de Burgo, earl of Ulster, could not devote much time to his outlying lands. It was possibly for this reason that he granted Okonagh and

-
1. P.R.O. E 101/236/14(7) (Receipt Roll, Hilary-Easter 12 Edw. II).
 2. P.R.O. E 101/237/14 (Issue Roll, Michaelmas-Easter 14 Edw. II).
 3. See above ch. I, pp. 18-19.

Ileagh to his son Edmund in 1324¹. John de Bermingham, earl of Louth and lord of Knockgraffon, however, did play an active role in the defence of the county, but he cannot have been able to give Tipperary his undivided attention.

Meanwhile the custody of the Butler lordship was committed to Thomas Butler, the third son of Theobald Butler (IV), and the first lord of Dunboyne: he accounted at the exchequer for the issues of his custody from 13th August, 1322, until 16th April, 1326², when James Butler seems to have received livery of his lands³.

Inevitably, rebellion broke out almost at once: as usual the O'Carrolls were in the fore, but this time they were supported by the McGillapatricks from the neighbouring centred of Aghaboe. The revolt was sufficiently serious to warrant the intervention of the justiciar, John de Bermingham, earl of Louth, who was doubtless anxious to protect his own estates.

1. See above ch. I, p. 5.

2. Pipe Rolls, 43rd Rep. D.K., pp. 26-7.

3. James did homage for his lands in December, 1325, although he was still under age. (C.C.R., 1327-1330, p. 70). The order for livery must have been issued afterwards.

The ensuing expedition must have taken place during the summer or autumn of 1323, when John was acting as justiciar. In the Michaelmas and Hillary terms following sums were allowed to him and Thomas Butler for the expenses they incurred in the expedition.

The earl was granted £40

...pro expensis suis...in profeccione sua et aliorum magnatum hibernie ad expugnandum hibernicos felones et inimicos domini regis de Elikerwell et Slefblame...¹

Who the other magnates were we do not know, but their presence indicates that it was an important expedition. Thomas Butler was awarded forty marks for the wages of his men in the same expedition². He was subsequently ordered to pay the £40 due to de Bermingham from the issues of his custody: this order volunteered the additional information that the expedition was directed against the McGillapatricks "et alios felones regis" in Elyocarroll, as well as the O'Carrolls³.

Nothing is known about the expedition other than

-
1. P.R.O. E 101/238/13 (Issue Roll Michaelmas-Hilary 17 Edw. II).
 2. Ibid. (Issue Roll Michaelmas-Hilary 17 Edw. II).
 3. P.R.O.I. Mem. Rolls vol. 13, p. 378 (rot. 17, Edw. II).

the fact that it took place in 1323: Clyn gives an account of a rebellion in Elyocarroll in 1325, but, as we shall see, he appears to have got his dates confused. In any case, it seems certain that the expedition failed to subdue the O'Carrolls, for on 1st May, 1326 Mathew de Milborne, a tenant of the manor of Dunkerin, was killed by the O'Carrolls¹.

According to Clyn, John de Bermingham and Thomas Butler raised an army in 1325 against O'Carroll, who had left scarcely a house or castle standing in Elyocarroll that year². At the same time he stated that John de Barry of Elyocarroll, also a tenant of Dunkerin³, was killed by the O'Carrolls on Monday in the feast of Dominic the Confessor, but although 1st August fell on a Monday in 1323, it did not in 1325. Furthermore, he did not record any fighting in Elyocarroll in 1323, although it is clear that de Bermingham commanded a fairly large expedition. It is highly probable, therefore, that Clyn got his

-
1. Clyn, Annales Hiberniae. This date, at least, is correct, for the feast of SS. Philip and James did fall on Ascension Day in 1326. Mathew is mentioned in the extent of the manor of Dunkerin, 1306 (Red Book of Ormond, p. 148).
 2. Clyn, *op. cit.*
 3. Red Book of Ormond, pp. 148-9.

dates confused, and that O'Carroll staged his rebellion in 1323.

Nothing is known about the activities of the O'Kennedys of Ormond during the minority, but there was war there in 1328 when Thomas Daundon tried to recover certain lands in Corkedufne against Richard fitzJohn de Marreys before the justices of the bench in Dublin. The sheriff of Tipperary was unable to take the lands in question into the king's hand when Richard failed to appear, because the tenements were in such march (in tali marchia) that no serjeant dared to do his duty on account of the war¹. As usual the belligerents are not identified, but presumably the O'Kennedys were involved, for we know that they were certainly in revolt several years later. The possibility that they were in constant revolt between 1328 and 1336, when peace was finally established², should not be dismissed. The use of the term "in tali marchia" suggests that matters had

-
1. P.R.O.I. Mem. Rolls vol. 15, pp. 151-3 (de Banco 1-2 Edw. III). For the possible location of Corkedufne see above ch. III, p. 93.
 2. See below pp. 173-4.

had been out of hand for some time. There seems to have been war among the colonists themselves in 1324, when the de Croks killed Sir Walter de Valle outside Nenagh¹; such dissensions provided an open invitation to the Irish to revolt, as we have seen in the case of the rebellion in Elyocarroll in 1306².

It may be seen, therefore, that although the information relating to the Bruce invasion and the minority of James Butler is of the most fragmentary nature, it is clear that James inherited a severely weakened lordship. His lands were wasted, the O'Carrolls were in open rebellion, and there is at least a possibility that there was war in Ormond as well. The extent of the damage is made fully apparent by the inquisition post mortem of 1338³. Some indication of the extent of the disruption during the minority is provided by the meagre sums paid into the exchequer by Thomas Butler: between 1323 and 1326 he paid in only £335, whereas at one time the estates of the

-
1. Clyn, *op. cit.* The Croks were tenants of the manor of Nenagh. In 1338 Nicholas Creke (or Croke) held the tuath of Fynnagh (now Finnoe) by the service of a knight (Cal. Inq. P.M., viii, no. 184, p. 122).
 2. See above ch. III, pp. 137-9.
 3. See below pp. 171-3.

lordship in Tipperary ^{and Limerick} alone provided more than £600 annually¹.

The task of re-establishing order in Ormond and Elyocarroll was just one of the problems which faced James Butler, 1st earl of Ormond: his most immediate problem was Brian Ban O'Brien, who was establishing himself along the eastern shores of Lough Derg, following his expulsion from Thomond in 1318². Nothing is known of the progress of the settlement, but it was presumably more or less complete by the end of the fourteenth century. An examination of the Civil Survey shows that in the seventeenth century O'Brien was the predominant surname in the parishes of Castletown, Youghal, Burgesbeg, Kilmastulla, Templeachally, and Kilcomenty, which lie in Arra and north-western Owney. The name was also common in the adjacent parishes of Monsea and Kilmore in Lower

-
1. See below ch. VI, p. 237. Edmund Butler's second wife probably did not outlive him, for there is no evidence that deductions were made for her dower.
 2. G. H. Orpen, Normans iv, p. 231.

and Upper Ormond¹. These advances were made not only at the expense of the Butlers, but presumably at the expense of the indigenous Irish, the O'Mulryans, as well: in the Civil Survey they occupy the south-eastern half of Owney².

But Brian did not confine himself to Arra: his raids ranged over Tipperary and Limerick; in 1325 he raided Aghaboe and Aghmacart in northern Kilkenny with the aid of the English of Elyocarroll³. His activities have been adequately described by others, so there is no need to outline them in detail⁴. In 1329, with the encouragement of the earl of Desmond, he burned Tipperary and Athassel. It was probably on the same occasion that he burned the manor-house

1. See The Civil Survey, A.D. 1654-1656. County of Tipperary, ed. Robert C. Simington. (2 vols.) Irish MSS Commission, 1931-4.
2. *Ibid.* The O'Mulryans, or the Ryans as they were called in the seventeenth century, were concentrated in the parishes of Killoscully, Kilnarath, Kilvellande and Abington. They are also to be found in considerable numbers in Kilnamanagh and northwestern Clanwilliam.
3. Olyn, *op. cit.*
4. See G.H. Orpen, Normans iv, pp. 231-2; J. Otway-Ruthven, Medieval Ireland, pp. 246-50, 255-6, 267, 273; G.O. Sayles, 'The Rebellious First Earl of Desmond', Medieval Studies presented to Aubrey Gwynn, S.J., pp. 203-29. This study contains some additional information derived from the Coram Rege Rolls.

of Raymond Cody (alias Lercedekne)¹ at Donohill². Although these raids appear to have been directly aimed at the de Burgo lands in Okonagh and Muscry, he extorted 40 in blackrent from Clonmel³, and inflicted casualties upon the army of the earl of Ulster at Thurles⁴. In the following year the combined forces of the earls of Ulster and Ormond failed to make much impression upon O'Brien, for he was still ensconced at Thurles in 1331 when William Haket managed to inflict some casualties on his forces⁵. The situation was deemed sufficiently serious to warrant the intervention of the justiciar. It was probably after this expedition that the earl of Ormond, together with the Geraldines, de Burgos, and with the aid of the common people, managed to inflict heavy losses on O'Brien⁶. It is likely that he was forced to retreat from Thurles at this time, but he continued to be a source of trouble for the rest of his life. In 1336 he burned Tipperary again, compelling the justiciar to lead an expedition against

-
1. See below ch. XIII, pp. 491-2.
 2. See G. O. Sayles, *loc. cit.*, p. 210.
 3. Sayles, *loc. cit.*, p. 215.
 4. G. H. Orpen, Normans iv, p. 231; Clyn, *op. cit.*
 5. Clyn, *op. cit.*
 6. J. Otway-Ruthven, Medieval Ireland, p. 250.

him in the autumn¹, but it was not until the following year that peace was established between him and Edmund de Burgo². He was again active in the revolt of 1347-8³.

Thus for more than twenty years O'Brien ravaged Tipperary, almost at will. The de Burgos probably got the worst of it, but the loss of Arra and the devastation of Eliogarty was a serious blow to the Butlers. The inquisition post mortem of the manor of Thurles in 1338 revealed the extent of the damage: of the thirty-one free tenancies, nine were worthless or seriously wasted. The jurors declared that there were 360 acres of arable land in demesne at Thurles, which used to be ploughed: it was worth threepence an acre in time of peace, but nothing in time of war. The burgesses of Thurles used to pay eight marks for Balyhaghil, but now only twenty shillings in time of peace, and nothing in time of war, because of the Irish⁴. The archbishopric of Cashel suffered no less:

-
1. J. Otway-Ruthven, Medieval Ireland, p. 256.
 2. *Ibid.*, pp. 272-3.
 3. See below pp. 184-5.
 4. P.R.O. C 135 Edward III 55; Cal. Inc. P.M. viii, no. 184, pp. 117-19.

in 1331 the king, writing to the pope about the archbishop elect, explained that the church of Cashel

...sita est inter puros hibernicos, quasi in medio indomitae nationis ac destructa in facultatibus per repentinos ipsorum hibernicorum aggressus et vastata...¹

The plight of the Butler lordship was described by the earl of Ormond in a petition to the king in 1332. The petition bears no date, but since he was petitioning, among other things, for the restoration of his franchise of Tipperary and the prise of wines, there can be no doubt that it was delivered in the Westminster parliament of 1332, when the liberty was still in the king's hand². A large part of the petition was concerned with his debts to the crown, which amounted to £3,000. He explained that these debts had been incurred by his ancestors and that he had expended great effort "por arester la malice Breen O'Breen et autres felons notre dit seigneur le roi." He went on to explain that it was impossible to meet the demands of the exchequer because his lands had been first destroyed by the Scots and subsequently by felons during his minority. He then asked to be

1. N.L.I. Ms. 2, p. 24.

2. See below ch. X, p. 361.

relieved of his inherited debts, and in future not to be charged at the exchequer on the basis of what his lands were once worth, regardless of the fact that they were now lying waste:

[A notre] seigneur le roi monstre James le Botiller count Dormound que come il soit charge a rendre [] acountes a notre seigneur le roi a son eschequer de Dyvelyn [] per lui mesmes des terres gastes et friches que furent destruez per comune guerre en temps de ses auncestrs per les Escots et autres felons des quels [le dit count] en son temps ne peut profit prendre et queus acountes long temps sont rendrez (?) en temps des auncestrs le dit count et ovesqs [] tailles acquitaunces [] rendauntz mesmes les acountes durant son nonage tant come il estoit en la garde notre seigneur le roi [] furent perdus per les felons susditz per cunt il ne peut saunz (?) grand meschies (?) mesmes les acountes rendre. Le dit count pri qil pleise a notre seigneur le roi de sa bone grace et por son [bon service] a lui fait lui descharger de mesme les acountes du temps passe et qil ne soit sur les acountes en [temps avenir a rendre] des dites terres en dit eschequer duirge (?) les ansien extentes faites en temps de pees [] que ceo qil priara¹ renablement [] terres lever contre (?) regard que les dites terres ne furent [] destrus en son temps mais per comune guerre en temps ses auncestrs².

The threat posed by O'Brien, particularly between 1329 and 1332, probably prevented the earl from

-
1. MS: para.
 2. P.R.O. Ancient Petitions S.C. 8. 271/13543. In places the manuscript is in poor condition as the blanks and question marks indicate.

rectifying the situation in Ormond and Elyocarroll, for it was not until 1336 that he managed to make peace with O'Kennedy. In the meantime the situation in Ormond can only have deteriorated further. It has already been noted that part of Ormond was out of the sheriff's control in 1328¹. In 1334 we learn that the de Burgo manor of Lorrha was worth nothing on account of war². But it was not until 1338 that the real extent of the ravages of war became apparent.

The findings of the jurors in an inquisition post mortem shows that thirty of the forty-nine tenements of the manor of Nenagh were in decay and worth nothing³. The number of decayed tenements was actually greater, for seventeen lines of manuscript under the heading "free tenancies in decay" are illegible. Expressed in financial terms, this meant that three-quarters of the annual revenue of the manor was not recoverable⁴. Unfortunately most of the tenements cannot be located, so it is impossible to form a

1. See above pp 163-4.

2. Cal. Inq. P.M. vii, p. 373.

3. P.R.O. C 135 Edward III 55; Cal. Inq. P.M. viii, no. 184, pp. 121-3.

4. See below ch. VI, pp. 238.

geographical picture of the devastated areas. Kerkyndiffyn, or Corkedufne, was still lying waste, as it had been in 1328¹. The tenement of Kyllenyn, which lay due east of Nenagh in Upper Ormond, and Fynnagh (now Finnoe) in Lower Ormond, were likewise waste. More surprisingly, the jurors stated that the wood called "le Dirre" on the demesne near Nenagh was worthless because nothing could be taken from it on account of the Irish². It seems that the burgesses also rented a pasture there, but it too was worthless because of the Irish³. "Le Dirre" is clearly the Irish word for wood. It is likely that this was the same "wood of Nenagh" that Theobald Butler was attempting to make into a park in 1299⁴. That parts of the demesne near Nenagh itself were controlled by the Irish in 1338 is a measure of their success. Nevertheless, other tenements in the vicinity of Nenagh - Crunagh, Le Gerlagh, Logchorne, Logmilagh (a little further to the north) - seem to have escaped the ravages of war. In so far as there is

1. See above p. 163.

2. P.R.O. C 135 Edward III 55. This information is omitted in the Cal. Inq. P.M. viii, no. 184.

3. Cal. Inq. P.M. viii, no. 184, p. 122.

4. Cal. Justic. Rolls, 1295-1303, p. 234.

any discernible pattern, it seems that the south-western portion of Lower Ormond, as well as the south-western part of Upper Ormond, in which the undamaged manor of Weyperous was situated, escaped with the least damage.

Such, then, was the position of the lordship in Ormond when the earl finally made peace with O'Kennedy in 1336¹. The provisions of this agreement have already been discussed in another context², so there is no need to repeat them. It is clear from the terms of the agreement that O'Kennedy was in a good bargaining position, which is not at all surprising in view of the gravely weakened position of the Butlers in Ormond. Most notably, the earl assigned to O'Kennedy all the lands from Belacharri (possibly the parish of Ballingarry) to the Shannon "in quantum sibi est". This qualification seems to have been designed to protect the rights of his vassals from whom O'Kennedy was to rent these lands, but it could also refer to ecclesiastical lands which occupied a large

1. Cal. Ormond Deeds i, no. 682.

2. See above ch. III, pp. 102-109.

portion of northern Ormond¹. This concession amounted to a recognition of the advances made by the Irish; the provision that they should pay rents for them was simply to safeguard the rights of the earl's vassals in that region.

While the earl was prepared to recognise the advances made by O'Kennedy, he was not prepared to accord him an independent status de iure. Consequently he insisted that O'Kennedy should attend the earl's court of Nenagh and that he should serve the earl in time of war. Both stipulations appear to have been traditional obligations, which the earl was to insist upon in subsequent agreements with the O'Kennedys². In short, the earl was prepared to bargain over lands - he did not have a choice - but his seigniorial rights were not negotiable.

Nothing at all is known about Elyocarroll at this time, beyond the fact that the O'Carrolls were in revolt in 1335, when John le Brit was killed, and several other important settlers taken prisoners³.

For some reason neither Dunkerin nor Roscrea was

1. See above ch. XI, pp. 409-10.
2. See above ch. III, pp. 105-109.
3. Clyn, Annales Hiberniae.

included in the inquisition post mortem of 1338, although all the remaining Butler estates in Munster were. They were not assigned to Eleanor, the earl's widow¹. It may be that the manor of Dunkerin had actually been lost, for we hear no more about it; Roscrea, on the other hand, was still in Butler control in the fifteenth century². Speculation will certainly not provide the answer, but one would probably be justified in supposing that the situation was no better in Elyocarroll than it was in Ormond, and possibly much worse.

The manors of Ardmayle and Moyaliff in central Tipperary did not escape the general devastation. The inquisitions post mortem of 1338 revealed that there used to be 160 acres under the plough in the demesne at Ardmayle, but they were worth nothing in wartime. The mill was broken down and worthless in wartime³. The manor of Moyaliff, on the other hand, was in the hands of the Irish because the earl of

1. C.C.R. 1339-1341, pp. 152-3.

2. See below p. 197

3. P.R.O. C 135 Edward III 55. The Cal. Inq. P.M. viii, no. 184 omits this information.

Ormond had granted it to them "per cartam suam ad pacem tenendam sibi et hominibus suis"¹. Not surprisingly, the spirit of enterprise was notably absent: no Englishman dared farm the demesne lands, or collect the rent of the wood called Hurle

...que ad nullum precium extendunt quia est in manu hibernicorum et felonum ibidem, ideo nihil inde percepti potest².

Nevertheless, the tenements of the manor were still held by Englishmen: the burgesses held 200 acres, but the hundred court was worth nothing "quia non ausi sunt tenere placita ibidem pro hibernicis"³.

We do not know what were the precise terms of the earl's charter, but it seems he was sufficiently desperate to sacrifice his manor, to say nothing of his unfortunate tenants, to gain peace. It is not unlikely, however, that he formed an alliance of some kind with the new occupants.

We are not told precisely who the Irishmen were,

1. P.R.O. C 135 Edward III 55; Cal. Ormond Deeds iii, no. 347 (note: the phrase "to them and their heirs" is a misreading of "hominibus" for "heredibus"); also cited by J. Otway-Ruthven, 'The Character of Anglo-Norman Settlement in Ireland', Historical Studies V, p. 81.
2. P.R.O. C 135 Edward III 55.
3. Ibid.

but they were undoubtedly the O'Dwyers. In 1378 a jury declared that Stephen de Mareis held the manor of Clogher as of Moyaliff, but it was worth nothing

...eo quod iacet inhabitatum et non operatum sed vastatum et destructum per les Oduyros et Omolrions hibernicos inimicos domini regis¹.

Moyaliff remained in Irish hands until well into the sixteenth century: in 1542 the earl granted it to Cornelius O'Dwyer, captain of his nation, to hold for the term of his life free of rent and service².

It is difficult to assess the achievement of the first earl of Ormond, for he died only twelve years after he got livery of his father's estates: he cannot have been more than thirty-three years old³. There can be little doubt that he inherited a ruined lordship in Tipperary: it was too much to expect that he could have restored it in twelve tumultuous years. The basic condition of recovery was peace with the Irish. In fact the earl seems to have gone a long way towards achieving this: by 1336 he had

1. Lambeth Palace Library Ms. 613 (unfoliated); Cal. Carew Manuscripts v, p. 444; see, too, order to the escheator in C.C.H., p. 106, no. 120.
2. Cal. Ormond Deeds iv, no. 274.
3. He was under age in 1325 (Complete Peerage).

expelled O'Brien from Eliogarty, and had established agreements with the O'Kennedys and the Irish of Kilnamanagh (by the Moyaliff agreement). The presence of Dermot and Donatus Og O'Brien, McNamarra (Ui mBluid) and Scanlan McGillpatrick (les Clannys) at the agreement between the earl and the O'Kennedys in 1336 suggests that he had come to some accommodation with them as well¹. O'Carroll, on the other hand, was conspicuous by his absence.

The second condition of recovery was the resuscitation of the shattered manorial economy, but the inquisitions of 1338 show no indication that this was beginning to take place. Time was required for an economic revival, but time was not to be had, and the premature death of the earl in the same year was the signal for another decade of warfare.

James, later second earl of Ormond, was not yet seven years old when his father died². It did not require the services of a seer to foretell that an anticipated minority of fourteen years would spell

1. Cal. Ormond Deeds 1, no. 682.
 2. Complete Peerage.

disaster for the lordship. That the custody of the lordship should have been committed to the rebellious earl of Desmond was not merely to invite disaster, but to court it as well. In the event, however, the minority lasted only for nine years, but that was sufficient to bring the lordship to the point of total destruction.

The lordship was taken into the king's hand about the middle of February, 1338, by the escheator, but on 4th April all the Butler lands in Tipperary¹, Limerick, Thomond (Aghty), and Connacht (Ui Maine) were delivered to the earl of Desmond to hold for two and a half years without rendering anything to the king². The reasons for this action are not hard to find: the escheator had accounted for a mere £ 2 : 9 : 2½ for the six weeks in which these lands were in his custody³. The revenue was not equal to the responsibility. Although there would not have been a rent day during this period, it is clear that by granting the lordship to Desmond for two and a

-
1. Roscrea and Dunkerin, however, were not mentioned.
 2. 53rd Rep. D.K., p. 43 (escheator's account, 1337-8).
 3. Ibid.

half years free of rent the government recognized that profit was out of the question. Besides, an extent made at Cashel in April revealed that the O'Kennedys were once again at war¹. Clearly the government felt itself unequal to the task of defending the lordship: the only alternative was to give the custody to somebody who might be able to do the job instead. The earl of Desmond was the only candidate with the necessary credentials. The government could have done little else in the circumstances.

The arrangement seems to have been satisfactory, at least initially. The earl's term as custodian was extended upon the expiry of the first commission in 1341, for he paid £50 into the exchequer on 17th April, 1342, for the farm of the Butler estates in Limerick and Tipperary². On 20th April, 1344, the king granted the custody to the earl for the duration of the minority, together with the marriage of the earl of Ormond, in consideration of an advance payment

-
1. Cal. Inq. P.M. viii, no. 184, pp. 125-6.
 2. P.R.O. E 101/241/7 (Receipt Roll Easter, 16 Edw. III.)

of £1,000¹. This grant was all the more surprising in view of the rebellious activities of the earl at that time². It goes almost without saying that the king never received his money, despite the sharp reminder he sent to the earl three months later³. Desmond probably never had any intention of paying the £1,000, much less of paying the farm of the Butler estates: a memorandum of his debts in 1355 indicates that he still owed 2,300 marks for the marriage of Ormond, and a further £562 : 10 : 6½ for the farm of two parts of the manors of Nenagh, Thurles, Ardmayle, Moyaliff, Carrick and Brittas⁴. The last figure was actually the balance owed by Desmond for the entire period that he was farmer of the Butler estates, during which he should have paid about £672 into the exchequer. He cannot therefore have paid in more than £110 while he was custodian of these estates⁵. In short, the government had made a bad bargain.

1. C.P.R. 1343-1345, p. 244.

2. See J. Otway-Ruthven, Medieval Ireland, p. 261.

3. C.P.R. 1343-1345, p. 328.

4. P.R.O.I. Mem. Rolls vol. 27, pp. 269-75 (rot. 31-32 Edw. III). Note: Brittas was an outlying portion of the demesne of the manor of Carrick (Red Book of Ormond, p. 121).

5. By the agreement of April, 1338, Desmond was given the custody till Michaelmas following, and thence

The arrival in Ireland of the justiciar, Ralph de Ufford, in July, 1344, seems to have produced a change in policy: besides, Desmond was pursuing a course which led to outright rebellion from about this time¹. In October the custody of Ormond's estates was transferred to Thomas Dagworth and Eleanor his wife, widow of the first earl of Ormond². Desmond resisted the order, for Walter Purcell, his constable in Nenagh castle, held out against a seige-force under Thomas Butler until 14th November³. It was presumably for this reason, among others, that the marriage of Ormond was granted to John Darcy in March following⁴.

But the expulsion of Desmond's constable from

for two more years, free of rent (see above p.179). This means that he did not commence payments for the farm of the above manors until January, 1342: they should not have been discontinued until 18th October, 1344, when the custody was transferred to Dagworth (C.C.H., p. 48, no. 152). In other words, he ought to have accounted for almost exactly two and three quarter years. A simple calculation, based on estimated revenue of these manors in 1338 (see appendix IV, no. 1.) shows that Desmond accounted for about £ 672.

1. See J. Otway-Ruthven, Medieval Ireland, p. 262.
2. C.C.H., p. 48, no. 152.
3. Annals of Nenagh in Analecta Hibernica no. 12 (1943), pp. 157-164.
4. C.C.H., p. 50, no. 92.

Nenagh did not bring matters to a conclusion, for the earl was stationed with his army at Thurles on 19th June, 1345¹. He remained there sufficiently long to devastate most of the cantred of Eliogarty, as appears from an inquisition held on 14th August, 1345 before William Bromleye², who was acting as Eleanor's attorney in Ireland at this time³. By 26th June Desmond had progressed to Nenagh, but there he failed to take the castle⁴. One may assume that he ravaged the area around Nenagh, which had hitherto escaped serious damage⁵, in much the same way as he ravaged Eliogarty.

There can be little doubt that these events triggered off a general Irish revolt involving the

1. G. O. Sayles, 'The Rebellious First Earl of Desmond', Medieval Studies presented to Aubrey Gwynn, S.J., p. 221
2. Cal. Ormond Deeds ii, no. 316. Curtis has attributed this document to 1395, but it is clear that the Brian O'Brien mentioned in the inquisition was the man who was in occupation of Thurles in 1331. The visit of the earl of Desmond was also mentioned. Besides, jurors such as John More, Purcell, John Roth Cantwell, and others, lived in the first half of the fourteenth century.
3. C.P.R. 1340-1343, p. 184; C.P.R. 1343-1345, p. 113.
4. G. O. Sayles, loc cit., p. 221.
5. See above p. 172.

O'Kennedys, O'Carrolls, O'Briens, McGillapatricks and O'Mores. In December the McGillapatricks burned Bordgwyl (Bordwell in the cantred of Aghaboe) and in the following May they burned Aghaboe with the assistance of the O'Carrolls¹. The situation in Tipperary after the Desmond invasion is obscure, but it seems that the defeat of McGillapatrick in July, 1346, by the sheriff of Kilkenny, followed by the killing of Roderic O'Carroll and capture of Rory O'More in September by Fulk de la Frene², did not restore the peace in Tipperary. On 28th November, 1347, the justiciar, Walter de Bermingham, was granted £688 for the wages of his retinue, consisting of ten men-at-arms and fifty archers, which had been engaged against the O'Kennedys, O'Carrolls, Brian O'Brien, as well as divers English and Irish who had risen against the peace. The wages were due from 29th June, 1346, to 28th November, 1347³.

1. Clyn, Annales Hiberniae.

2. Clyn, op. cit.

3. P.R.O. E 101/241/13 (a liberate witnessed by the justiciar at Dublin on 28th November, 1347).

The justiciar was at Nenagh on 31st August, 1347¹, and he was actually engaged in warfare with the O'Carrolls and O'Kennedys about this time, for in November a member of his company, Richard Frank, was granted forty shillings for a horse lost in the fighting². But the justiciar's expedition cannot have achieved much, for in December Donald O'Kennedy, at the head of a league of Irishmen from Munster, Connacht, Meath and Leinster, burned the town of Nenagh, and was said to have destroyed every castle in Ormond except Nenagh³. The rebellion was nevertheless short-lived: Donald was captured in March by the Purcells; both he and the son of Brian O'Brien were hanged and drawn at Thurles in June, 1348⁴. The Purcells appear to have been rewarded for their services: the Issue Roll 1348-9 contained a payment of forty marks to the justiciar (Bermingham) in part

-
1. P.R.O. E 101/242/5 (a liberate directed to William fitzAndrew de Bermingham, constable of the castle of Athlone, dated 31 August 31 Edw. III and witnessed at Nenagh).
 2. P.R.O. E 101/241/13 (a liberate directed to Richard Frank, witnessed by Walter de Bermingham at Dublin, 18 November 21 Edw. III).
 3. Clyn, op. cit.
 4. Ibid.

payment of £ 80 of a certain fine he made with Hugh Purcell for the capture of Donald¹.

Despite the capture and execution of O'Kennedy and O'Brien, the situation was not yet deemed to be safe, doubtless because the earl of Ormond was in England at this time². The justiciar was again compelled to rush to the defence of Tipperary, where he was stationed between 20th April and 27th July, 1348³. By this time, however, the situation in Ormond was under control: Fulk de la Frene, the seneschal of the liberty of Tipperary, forced the Irish to repair the walls of Nenagh, exacted hostages and fines, and recalled the refugees⁴.

On the surface, at least, the Irish rebellion had achieved nothing: Donald O'Kennedy was executed, his people humbled or, to use Clyn's words

[Fulco de la Frene...hibernicos] ad statum primum et subjectionem debitam (quod omnibus videbatur fieri non posse) compulsi redire⁵.

In July, 1348, William de Bromley paid £ 20 into the

1. P.R.O. E 101/241/16 (Issue Roll Easter 22-30 September 23 Edw. III.)
2. Clyn, Annales Hiberniae.
3. Analecta Hibernica, no. 2 (1931), pp. 210-11.
4. Clyn, *op. cit.*; appendix VIII, no. 1.
5. *Ibid.*

exchequer of a certain fine of £100 which Rotheric O'Kennedy made with the king¹. Rotheric was a royal hostage at this time, for Thomas Cantewell paid £24 into the exchequer in the following year "de fine pro liberacione Rotherici filii Okenedy obsidis domini regis habenda"². How long he remained a hostage is not known, but he was probably released long before 1356, when he was party to a treaty with the earl of Ormond³. In addition to the defeat of the O'Kennedys, the O'Briens and O'Carrolls had been temporarily checked.

Nevertheless, the lordship in northern Tipperary lay in ruins: it had already been severely weakened before the death of the first earl of Ormond in 1338. While we know little about the lordship when it was in the custody of the earl of Desmond, it seems that he did not make any serious effort to defend it. In 1342 Donald O'Kennedy burned St. John's, Nenagh (alias Tyone), outside the walls of the chief seat of the

-
1. P.R.O. E 101/241/17 (Receipt Roll, Trinity 22 Edward III).
 2. Ibid. (Receipt Roll Trinity, 23 Edward III).
 3. Cal. Ormond Deeds ii, no. 34.

Butlers, with apparent impunity¹. The extent of the manor of Thurles in 1345 shows that Eliogarty had been ravaged not only by Desmond but also by Brian O'Brien, the O'Carrolls and the McGillapatricks². There is some reason to believe that Brian O'Brien had ravaged Eliogarty sometime after 1338: the extent of 1345 shows that the manor of Inche Anloff (now Inch) lay waste because of the devastations of Desmond, O'Brien and others, whereas it seems to have been unscathed in 1338³. The extent did not explain whether the invading armies converged in Eliogarty at the same time, possibly as allies of Desmond, or whether the deprivations were the result of consecutive attacks. But in the event the effect was the same: the prosperity of the Anglo-Norman colony in Eliogarty was destroyed⁴. In short, while the Irish had failed in their primary objectives, they succeeded in weakening the position of the colony in northern

-
1. Annals of Nenagh in Analecta Hibernica no. 12 (1943), pp. 157-164.
 2. See above p. 183; Cal. Ormond Deeds ii, no. 316.
 3. Cal. Ing. P.M. viii, no. 184, p. 117. Note: the name is spelt "Hyncheaule" in the inquisition.
 4. See below ch. VI, pp. 238-9.

Tipperary to a point where it could never recover.

At the same time the position of the Butlers was not as weak as has sometimes been imagined: as long as they held Nenagh they were in a position to limit the independence of the O'Kennedys. The failure of the O'Kennedys to capture Nenagh meant that they were not able to achieve the same measure of independence as their neighbours, the O'Carrolls. In fact Nenagh did not "fall" to the Irish in the fourteenth century, as some historians have asserted¹: it remained in the control of the Butlers until at least 1432; by the end of the century it was in O'Kennedy's hands, but then apparently only by agreement. In any case it was reoccupied by Piers Butler at the beginning of the sixteenth century, so that Nenagh cannot have been lost for more than a relatively short period at the most.

1. See E. Curtis, A History of Medieval Ireland (London, 1938), p. 214; D. F. Gleeson, History of the Diocese of Killaloe, pp. 347-8; 414. Gleeson believed that Nenagh must have been taken by the O'Briens because it was called Nenagh O'Brien ("The Manor and Castle of Nenagh", J.R.S. A.1., LXVI, p. 254), but in fact it was known by this name at least as early as 1324 (See Clyn, Annales Hiberniae).

The fact that it remained in the hands of the Butlers until well into the fifteenth century is attested by a variety of sources. In 1407, when the lordship was in the king's hand during the minority of the fourth earl, Nenagh was granted along with other manors to Robert Haubryk and Nicholas Stokes until the earl ~~had~~ came of age¹. It was mentioned again about 1409². It was mentioned in the Memoranda Rolls of the Irish exchequer in 1415 and 1417 when the lordship was seized by the Talbot administration³. In 1432 the reeve and community of Nenagh were summoned to do suit at the court of the liberty⁴. In the same year Henry fitzAbbot granted John fitz-William Marshall certain lands and tenements which he had of his gift in the tenement of Nenagh⁵, while yet another inquisition testified that the earl of

-
1. Cal. Ormond Deeds ii, no. 389. Nenagh is omitted in the Calendar, but it does appear in the original.
 2. Ibid. iv, no. 218.
 3. See appendix V, nos. 1 and 2; ch. VII, pp. 260-5.
 4. Cal. Ormond Deeds iii, no. 102, p. 95.
 5. Ibid. iii, no. 97. Unfortunately the place-names cannot be identified. One of them, Baliloghloske, recurs in sixteenth and seventeenth century documents (ibid. vi, pp. 86, 171).

Kildare died seised of the manor of Portolehan (now Portland in the parish of Lorrha) which he was said to have held of the earl of Ormond, as of the manor of Nenagh¹. Henry fitsAbbot's grant is of particular interest because it indicates that at least the remnants of the Anglo-Norman colony had survived well into the fifteenth century.

Precisely what happened after this date is not clear. In 1505 the earl of Ormond granted Piers Butler, his deputy in Ireland,

...all manner of lands, rents, services, manors, with their appurtenances, with all other casualties and profits to be taken in Ormond in the land of Ireland².

Although the terms are very general, it is clear that the earl had some control in Ormond. This impression

1. Cal. Ormond Deeds iii, no. 101, p. 84. This inquisition is inaccurate on a number of scores: neither the manor of Portolehan or Sanraynach (Shanrahan) were tenements of Nenagh. Portolehan was granted to Maurice fitsGerald in the thirteenth century by John Fanyn, to hold of Richard de Mariscis, rendering annually six marks to Richard, and twenty-two shillings to the bishop of Killaloe (See Red Book of the Earls of Kildare, ed. G. MacNiocaill, nos. 17, 18; see also nos. 19, 30). Portolehan was seised by MacWilliam Uachtrach and the Clann-Rickard in 1442 (A.F.M.).
2. Cal. Ormond Deeds iii, no. 320, p. 316.

is further strengthened by the manner in which Nenagh was handed over to Piers: we are unusually fortunate in having some eyewitness accounts of the transaction, for certain depositions taken in 1533 describe the event:

John Grace of Gracescourt, gentleman, aged over sixty years, deposed that James Sherlok¹ and Master Nicholas White went to Ormond in the lifetime of Thomas [earl of Ormond] to deliver livery and seisin to the said earl, and that he was present when livery and seisin was delivered accordingly in the castle of Enagh [Nenagh] in Ormond by James and Nicholas as attorneys to the said earl.

Piers Purcell of Kilroligh, gentleman, aged about sixty years, deposed that after livery and seisin was made in the castle of Enagh in Ormond, O'Kennedy, captain of his nation, who had the custody of the castle, came to Sir Piers and said attorneys and delivered to the attorneys the ring of the castle gate, which the attorneys forthwith delivered to Sir Piers².

What took place was a perfectly orderly transaction. There was not the slightest hint that force or even a display of force was necessary. The conclusion that there was some agreement between the Butlers and the O'Kennedys, who were acting as custodians of the

-
1. Sherlok was acting as justice of the liberty of Tipperary on 21st June, 1505 (Cal. Ormond Deeds iii, no. 321), a month before Piers received this grant.
 2. Cal. Ormond Deeds iv, no. 192.

castle of Nenagh, seems to be unavoidable. We know nothing of this hypothetical agreement, but it may be that it was in some way connected with the mysterious "Kyne of Ormond", which occurs in the records of the late fifteenth century. Between 1464 and 1472 James fitzEdmund fitzRichard, Piers' father, "and all those Buttellers", received "the Cows of Ormond"¹. James seems to have been acting as Sir John Butler's deputy at this time, for he was receiving the rents of the lordship in Tipperary and Kilkenny². In 1491 James Ormond was granted the customary tallage of "the Kine of Ormond" when he was appointed deputy of Thomas, earl of Ormond³, and it was subsequently transferred to Piers Butler when he got the deputyship in 1505⁴. It would appear that it was a normal perquisite of the deputyship.

1. Cal. Ormond Deeds iii, no. 234. Note: the date in the Calendar is probably wrong. John Butler fled to Portugal after his defeat in Ireland in 1464. The sixteen terms, or eight years, extended from 1464 to 1472. Unfortunately the manuscript is not very legible, but the more probable reading is "usque...A.D. 1472", not "in A.D. 1472".
2. *Ibid.*; see below ch. IX, p. 321.
3. See below ch. IX, p. 339.
4. Cal. Ormond Deeds, iii, no. 320, p. 317.

However, it is likely that "the Kyne of Ormond" was simply the traditional rent owed by the O'Kennedys for their lands¹. But whatever the origin of this cattle rent, it indicated that the earl of Ormond still retained some influence in Ormond at the end of the fifteenth century.

All this suggests that the work of reconstruction undertaken by the second earl of Ormond after the suppression of the 1347-8 revolt was more enduring than is sometimes believed. O'Kennedy, it is true, was in arms once again in 1355, when the archbishop of Cashel and others were commissioned to array the men of Tipperary to repress the rebellion of O'Kennedy². But in the following year O'Kennedy undertook to keep the peace while the earl was in England³. In 1358 the earl released Edmund O'Kennedy from captivity for a fine of £100, and received his six sons, his brother and two of his brother's sons, as hostages⁴. The agreement must have worked, at least for a time, for in the following year Edmund was paid £10 for

1. See above ch. III, p. 108.

2. C.C.H., p. 55, no. 28.

3. Cal. Ormond Deeds 11, no. 34.

4. Ibid., no. 46; see above ch. III, pp. 102-9.

his services in the company of the justiciar, the earl of Ormond, in the parts of Leys against Art Kevenagh¹. In December, 1358, the earl granted Bernard O'Kennedy, a chieftain, two carucates of land at Nenagh for his services to the earl in Leinster².

Beyond this point, however, we know little or nothing of the relationship between the Butlers and the O'Kennedys. How effective the agreements between them were in practice is impossible to say, but such evidence as there is indicates that they did work at times. No doubt their operation depended on the balance of power between the two parties at any given moment. The O'Kennedys lived at peace only as long as they were obliged to, for there was another rebellion in 1371, when Brian O'Kennedy, "lord of Ormond", was killed by the English³. Nevertheless, they did not establish total independence of the Butlers, even

-
1. P.R.O. E 101/244/2 (Issue Roll Easter 33-11 February 34 Edw. III.) For more about this campaign see J. Otway-Ruthven, Medieval Ireland, p. 283.
 2. Cal. Ormond Deeds ii, no. 48.
 3. A.F.M.

in the fifteenth century. Their failure to capture Henagh prevented this.

The O'Carrolls, on the other hand, did manage to shake off the Butler yoke well before the end of the fourteenth century. There is no reason to doubt the essential accuracy of Clyn's assessment of the achievement of Teige O'Carroll, who was killed in 1346:

...hic occidit, exulavit et ejecit de terris suis de Elycarwyl illos de nacione de Barry, de Mileleborne, de Britis et alios anglicos de patria, et terras eorum et castra tenuit et occupavit, omnibus fidelibus vicinis gravis tirranus existens¹.

Teige did not accomplish the expulsion of the settlers from Elyocarroll purely through his own exertions: his sept had been in almost constant revolt since 1304-5, when it had exploited the internal dissensions of the settlers². There were rebellions in 1317, 1323, 1335, 1346, and 1347³. Teige and his predecessors were assisted not only by the opportunities of two minorities, but also by the fact that the earls

-
1. Clyn, Annales Hiberniae. He recorded the deaths of Mathew de Myleborne in 1326, and John le Brit in 1335.
 2. See above ch. IV, pp. 137-9.
 3. See above pp. 157-8, 160-3, 174, 184-5.

of Ormond were trying to protect their lands in Leinster and Connacht as well as those in Munster. By the time the second earl of Ormond received livery of his lands in 1347, it is likely that O'Carroll had occupied all or most of the present baronies of Clonlisk and Ballybritt, but the Butlers and their tenants retained the south-eastern portion of the cantred of Elyocarroll, or what is now northern Ikerrin. Here we find the Butlers in possession of Roscrea until at least 1432, when its reeve and community were summoned to do suit at the court of the liberty of Tipperary¹. In 1399 William Haket had the advowson of the church of Borrisnafarney in the southern corner of the cantred².

Although the second earl of Ormond did not recover Elyocarroll, or succeed in establishing a relationship with the O'Carrolls similar to that with

-
1. Cal. Ormond Deeds iii, no. 102, p. 95. Roscrea is mentioned in several early fifteenth century lists of Butler estates: in 1407 (ibid. ii, no. 389), 1409 (ibid. iv, no. 218), 1415 and 1417 (see appendix V, nos. 1 and 2).
 2. Irish Monastic and Episcopal Deeds, A.D. 1200-1600, ed. Newport B. White, pp. 12-13; Cal. Ormond Deeds ii, no. 342; cf. no. 97.

the O'Kennedys, he did succeed in checking them. Sometime in 1356, or perhaps a little earlier, the earl led an expedition into Elyocarroll, in the course of which Nicholas Lumbard was captured and gravely wounded¹. It may have been in the course of this expedition that he obtained William O'Carroll as a hostage: at any rate, the earl agreed to return William to his father Rory, captain of his nation, on condition that William would be returned when the earl so desired². Surprisingly, the earl seems to have made no other stipulations, though we may be sure that William's release was based upon some understanding. Nevertheless, the contrast between this arrangement and the terms on which Edmund O'Kennedy obtained his release in 1358 could not be more sharply defined³.

The marriage of Johanna, daughter of the earl of Ormond, to Teige O'Carroll, provides some indication of his relative independence, for if Teige had been still in some measure subject to the earl's authority,

-
1. He was granted £ 10 in compensation for the damages he had sustained. P.R.O. E 101/244/1 (Issue Roll 3 November 30 Edw. III - 1 March 32) *Edw. III.*
 2. Cal. Ormond Deeds ii, no. 74.
 3. Ibid. ii, no. 46; see above p. 194.

such a union would hardly have been considered. Even after her death in 1383¹, Teige remained on good terms with the earl: in January, 1386, the earl of Ormond was granted forty marks by the treasurer for a horse which he had given to Teige as a fee for retaining him against Brian O'Brien. Teige was described as "potentior omnium hibernicorum dictarum parcium [Momonie]"². His relations with the third earl of Ormond were not so good: he was captured by the earl in 1399, but effected his escape at Belach Gabrain in the following year³, only to meet his death at the hands of the deputy, Stephen le Scrope, in 1407⁴. We know little about the relationship between the Butlers and the O'Carrolls in the fifteenth century, but they seem to have supported the Butlers against the Geraldines at the end of the century⁵.

But although the O'Carrolls were often partners

1. A.F.M.
2. P.R.O. E 101/246/6, no. 40 (witnessed by James Butler at Dublin, 26 January 8 Richard II. Per petitionem de consilio).
3. Annals of Connacht. Belach Gabrain is probably Ballingarry in Lower Ormond.
4. Ibid.; A.F.M.; J. Otway-Ruthven, Medieval Ireland, p. 345.
5. See below ch. IX, pp. 336-7.

in Butler alliances, they remained independent. The inclusion of most of the cantred of Elyocarroll (the area now encompassed by the baronies of Clonlisk and Ballybritt) within the borders of King's County in 1606 was a token of the degree of independence which the O'Carrolls achieved in the course of the fourteenth century. It was equally significant that the south-eastern portion of the cantred (what is now the northern portion of the barony of Ikerrin), over which the Butlers never seem to have lost their influence completely, remained part of co. Tipperary.

The Gaelic recovery attained its greatest successes in northern Tipperary. In the course of the fourteenth century the Butlers lost control of large portions of Ormond, Elyocarroll, Owney and Arra; in the cantred of Eoghanacht Cashel they conceded Moyalliff to the Irish. But in the more heavily settled regions of central and southern Tipperary the Irish appear to have made little or no progress. This is not to say, however, that these regions were immune from attack. The O'Mulryans and O'Dwyers were a

constant source of trouble. In 1350 Thomas de Halberton was assigned to pay the wages of the company of the justiciar, Thomas de Rokeby, which had been engaged against the O'Mulryans, O'Dwyers, Tobins, and O'Shethys of co. Tipperary, among others¹. In 1375 or 1376 Richard Og de Burgo was paid forty marks by the treasurer for horses, valued at 100 marks, which he lost in battle against Brian O'Brien of Thomond, McBreen of Ownagh, McBreen of Narlagh, the O'Dwyers and O'Mulryans². It may have been the last two septs in particular that were responsible for the poverty of Cashel in 1381, when the lord lieutenant, Edmund Mortimer, granted five marks to the mendicant friars of Cashel for the repair of their church. He explained that the town of Cashel was situated in the march: it had been so impoverished by repeated invasions of enemies that he and his officers had been compelled to lodge with the friars

quiquidem fratres propter inoptatum [recte:

1. P.R.O. E 101/242/3 (Issue roll 20 January to 15 September, 24 Edw. III). This payment is also to be found in the Gerrard Papers (Analecta Hibernica, no. 2 (1931), p. 219).
2. P.R.O. E 101/245/8. (Issue Roll I October, 1375, to 30 September, 1376.)

inopiam] patrie circumiacensis ubi se elemosina fidelium sustentari con [sueverunt] in tantum sunt eorum sustentacionem destituti quod vix habeant unde [vivant]¹.

The position in the south-west at the end of the century was also serious: in 1393 Thomas Butler, brother of the third earl of Ormond, petitioned the Irish council for a grant of all the lands and tenements in Offa, except the baronies of Caher and Dromloman. He claimed that they lay waste and open to the raids of Irish and English malefactors, because of the negligence of their owners. In this way the raiders gained admission to the neighbouring lands of peace, and prevented the passage of merchants (presumably along the Suir). This argument impressed the council, which acceded to his request². This action

1. P.R.O. E 101/246/3, exchequer writs, no. 194. Order to the treasurer and chamberlains, witnessed by the lieutenant at Cashel on 24 November, 1381. The same bundle of writs contains an acknowledgement of the payment by John Drak, dated 10 February, 1382 (*ibid.*, no. 211).
2. King's Council in Ireland, ed. J. Graves, pp. 220-222. The manor of Caher had been granted to the earl of Ormond in 1375 by William Spaldyng, to hold of William de Bermingham, lord of Knockgraffon (C.C.H., p. 93, no. 130). The barony of Dromloman cannot be identified.

was the beginning of a process whereby Thomas took over the entire lordship of Knockgraiffon and Kiltinan¹.

The outlying parts of the lordship in Munster suffered equally from the assaults of the Irish. The inquisitions post mortem of 1338 show that the manors of Caherconlish and Brittas in co. Limerick had sustained heavy damage. The demesnes at Caherconlish had been ravaged by war: eighty-seven acres of arable land were worth 4d. an acre in time of peace, but nothing in wartime; sixty-eight acres of pasture were worthless because nobody would rent them on account of the proximity of the Irish. Brittas was no better off: 400 acres of pasture could not be let for the same reason². But despite the proximity of Caherconlish to the O'Briens of Arra, the O'Dwyers, the O'Mulryans, the McBriens of Aherlow, not to mention the Irish of Thomond, it remained in the hands of the Butlers throughout the

1. See above ch. I, pp. 21-22; ch. II, pp. 71-72b.

2. P.R.O. C 135 Edward III 55. Most of this information has been omitted in Cal. Inq. P.M. viii, no. 184.

later Middle Ages. It was included in a list of Butler estates in 1409¹, and in 1472 it was controlled by Richard Butler².

The situation in the barony of Imokilly, co. Cork, was hardly less serious. In 1375 the king granted a trading licence to two merchants from Youghal in aid of the townsmen, because the town and the adjacent regions had been ravaged by the Rocheys, Glengibbons and others³. By 1400 the situation had deteriorated to such an extent that, at the request of the earl of Ormond, the inhabitants of the barony and the burgesses of Youghal were exempted from all labours outside the barony which might be imposed by royal officials in co. Cork. The earl explained that

...all the tenants of the barony of Imokill in co. Cork, both temporal and spiritual, and the burgesses of the town of Youghal situate in the said barony, are so surrounded and hemmed in by enemies that they dare not these days go outside the said barony and town on account of the dangers of the roads and the peril of their lives⁴.

-
1. Cal. Ormond Deeds iv, no. 218.
 2. Ibid., iii, no. 234.
 3. C.C.H., p. 96, no. 223.
 4. Cal. Ormond Deeds ii, no. 351.

It was probably for reasons of defence, as much as for political reasons, that in 1422 the earl of Ormond made the earl of Desmond seneschal and keeper of the barony for the term of his life. Desmond was to defend the tenants of the barony against all Irish enemies and rebels in return for half of the issues of the barony and of the town of Youghal¹. The situation in co. Cork was particularly serious at this time, if we are to believe the mayor and community of Cork, even when due allowance for exaggeration has been made². Finally, in 1429, the earl of Ormond granted the whole barony, except the advowson of the church of Youghal, to the son and heir of the earl of Desmond in marriage to his daughter Anne³.

The Butler lordship in Leinster came under attack from two directions: from the septs of northern Kilkenny (the McGillapatricks and the O'Brennans) and from the Irish of the Leinster mountains. As a rule,

-
1. Cal. Ormond Deeds iii, no. 51; see below ch. VII, p. 272.
 2. See above pp. 153-4.
 3. Cal. Ormond Deeds iii, no. 88; see above ch. II, pp. 84-6.

the parts which were nearest the territories of these septa suffered the most. One may conjure up the image of two series of concentric circles, one centred in Leix, the other in the heart of the Wicklow Mountains. The inner circle represents the Irish hinterlands. The second circle embraces a belt of lands from which the colonists were completely expelled. The outer circle forms a perimeter of Anglo-Norman marchlands, which existed in a state of more or less permanent insecurity. Thus the cantred of Aghaboe, together with parts of northern Odogh, fell within the second circle, while the remainder of Odogh, and probably the northern portion of the cantred of Oskelan, fell within the outer circle. Likewise Omail and the outlying parts of Arklow and Tullowphelim were included within the second circle, while the remaining portions of Arklow and Tullowphelim, together with the eastern half of the cantred of Oskelan (co. Kilkenny), fell within the outer circle. Outside these areas, most notably in central and southern Kilkenny, and in northern Dublin, the lands of the lordship existed in comparative peace and security.

The Gaelic reconquest in northern Kilkenny advanced simultaneously with that in northern Tipperary: in fact the O'Carrolls and their neighbours, the McGillapatricks, usually made common cause with each other. Thus we find them in revolt in 1323, in 1345 (or earlier), and again in 1346¹. Like the O'Carrolls, the McGillapatricks seem to have achieved virtual independence by the middle of the fourteenth century, whereas their neighbours, the O'Brennans of Odogh were not so successful.

The cantred of Aghaboe was the scene of almost constant warfare between the Irish and the settlers between about 1320 and 1350. The McGillapatricks were in arms in 1323, as we have seen. Two years later Brian O'Brien, with some of the English of Elyocarroll, plundered Aghaboe and Aghmacart². In 1329 Donatus McGillapatrick extended his raids as far south as Moyarfe, a region in the south-west corner of Odogh³, but he was killed in the following year at Kilkenny⁴. No doubt he took advantage of the

1. See above pp. 160-1, 184, 188.

2. Clyn, Annales Hiberniae.

3. Clyn, op. cit.

4. Ibid.

dislocation created by Brian O'Brien in Tipperary; it is not unlikely that he extended his raids into Elyogarty about this time¹. In 1345 the McGillapatricks burned Bordwell in Aghaboe², and in the following year they burned the town of Aghaboe itself with the help of the O'Carrolls³. Despite the defeat inflicted upon them by Roger de la Frens, the sheriff of Kilkenny, later in the year⁴, they stormed Aghaboe once again in 1349 and invaded the area around about it⁵. The justiciar, Thomas de Rokeby, led an expedition into the parts of Aghaboe against the McGillapatricks in 1351, with unknown results⁶. It seems likely that Aghaboe was lost about this time, for we hear no more about it.

By this time, in any case, most, if not all, of

-
1. Cal. Ormond Deeds ii, no. 316. (This deed should be dated 1345).
 2. Clyn, op. cit.
 3. Ibid.
 4. Ibid.
 5. P.R.O.I. Mem. Rolls vol. 26, pp. 636-9 (rot. 28-29 Edw. III).
 6. P.R.O. E 101/242/11. (Issue Roll 15 September, 1350, to Easter, 1352.) Payment to Thomas de Alberton for wages of soldiers there; P.R.O.I. Mem. Rolls, vol. 25, pp. 562-5 (rot. 25-26 Edw. III); see also J. Otway-Ruthven, Medieval Ireland, p. 278.

the settlers had been expelled from the cantred of Aghaboe. The Butler manors of Skirk and Rathdowney, in the western part of the cantred known as "Les Clannys", had been overrun by 1338, when the escheator reported ^{that} he accounted nothing for these lands

...because the said barony [Clannys] is in the marches and among the Irish, so that it is extended at nothing, as by the extent delivered into the exchequer¹.

This statement can be verified by reference to the Ministers' Accounts for the estates of Elizabeth de Burgo. The account of the treasurer of the lords of the liberty of Kilkenny in 1350 for the royal service of Elizabeth shows that the service of £4 due from Rathdowney could not be levied, because it was waste and lay in the marches². In 1352 her receiver, Roger Ewyas, reported that the farm of Fermayle (in northern Odogh) was worth nothing because it was among the Irish³, a fact which was confirmed by another receiver, William Benyet, in 1354 and again in 1356, when he reported that Offerlane (the northern

1. 53rd Rep. D.K., p. 40.

2. Ministers' Accounts, P.R.O. S.C. 6/1239/23.

3. Ministers' Accounts, P.R.O. S.C. 6/1239/24.

portion of the cantred of Aghaboe) was also among the Irish¹. The account of William Lumbard for the Despencer purparty in Kilkenny in 1367 and 1368 shows that the manor of Kildermoy (now Killermogh) in Aghaboe was worth nothing because it was waste². Thus the conclusion that the entire cantred had been lost by the Anglo-Normans at this time is inescapable.

Nevertheless, the McGillapatricks did not succeed in expelling the settlers from Odogh, although they probably did annex the northern fringe of the cantred, the part of it which is now included in the baronies of Clandonagh and Clarmallagh, co. Leix. Several fifteenth century documents indicate that the Anglo-Normans held lands at least as far north as the border of co. Leix. An extent of the baronies of co. Kilkenny, drawn up about the beginning of the fifteenth

1. Minister's Accounts, P.R.O. S.C. 6/1239/27; S.C. 6/1239/28.
2. N.L.I. D 1508. The version of this document, which appears in Cal. Ormond Deeds ii, no. 434, contains several serious inaccuracies. In the first place this is not the "compotus of William Ilger, deputy of William Lumbard in the liberty of Tipperary"; rather it is the account of William Lumbard for the Despencer purparty. Secondly, the Calendar version is incomplete and contains several mistakes.

century, shows that Galmoy, in the parish of Erke, was still in Anglo-Norman control¹. The neighbouring manor of Glashare was held by the earl of Kildare on his death in 1432². In 1508 the prior of Kilmainham granted the farm of his churches of Urke McOde (Erke) and Glashare to Sir Peter Butler and William Archidekyn³. The manor of Rosconnell remained in the hands of the St. Leger family throughout the thirteenth, fourteenth, fifteenth and sixteenth centuries⁴.

The O'Brennans of eastern Odogh were active in the first half of the fourteenth century. In 1327 they killed Simon Purcell, the sheriff of Kilkenny, and about twenty others with him⁵. Two years later they burned Drumhyrthyr (now Kilmadum) in northern Oskelan⁶. But despite their initial successes, they

1. Cal. Ormond Deeds ii, no. 440, p. 353.

2. Ibid. iii, no. 101.

3. Ibid. iii, no. 333. Urke appears as Herk in Galmemoy in the extent of the Hospital of Kilmainham in 1541 (Extents of Irish Monastic Possessions, 1540-41, p. 99).

4. E. St. John Brooks, Knights' Fees in Counties Wexford, Carlow, and Kilkenny, pp. 230-232; Cal. Ormond Deeds iii, no. 76; ibid. v, no. 31.

5. Clyn, Annales Hiberniae.

6. Clyn, op. cit.; E. St. John Brooks, op. cit., p. 184.

did not achieve the same degree of independence as the McGillapatricks. Instead they seem to have been bound to the earl of Ormond in much the same way as the O'Kennedys. In 1359 Murtough O'Brennan, captain of his nation, promised to serve the earl in the marches at his own expense, and elsewhere at the earl's expense¹. In 1400 another chieftain of the O'Brennans, Geoffrey O'Brennan, promised that he and his heirs would be faithful liegemen of the earl and his heirs. He was to pay six marks every year as a token of his homage. Moreover, the same agreement provided that disputes between Geoffrey's men and the liegemen of Kilkenny would be resolved in much the same way as the agreement with the O'Kennedys provided for the resolution of disputes between Irish and English².

Meanwhile the eastern flank of the county came under increasing pressure from the Irish of the Leinster mountains. Gowran usually bore the brunt of

1. Cal. Ormond Deeds ii, no. 347.

2. Ibid. ii, no. 347; see above ch. III, pp. 102-4.

these attacks because it was situated squarely in the middle of the only easy approach from co. Carlow, and was flanked by hills rising to over 1,000 feet. The valley of the Nore provided unsuitable terrain for sudden attacks: it was, in any case, protected by the towns of Inistioge and Thomastown. In 1340 the McMurroughs and O'Nolans killed about twenty-four of the men of Gowran¹. In 1350 Patrick de la Freigne, seneschal of the liberty of Kilkenny, led the posse against the O'Nolans in defence of the county². While we lack the details of the events of the next three decades, it is clear that the Irish maintained their pressure. In 1360, for example, the earl of Ormond granted half of his lands in the Rower to David and John fitzHenry Roche, on condition that they would not permit any of the McMurroughs, O'Bryannes, O'Ryanes and O'Codiltans to settle on his lands³. His concern was

1. Clyn, op. cit.

2. P.R.O.I. Mem. Rolls vol. 26, pp. 636-9 (rot. 28-29 Edw. III).

3. Cal. Ormond Deeds 11, no. 64. These O'Bryannes were probably the minor Leinster sept which inhabited the region known as the Duffy, co. Wexford. Strongbow had an encounter with them in 1171 (G.H. Orpen, Normans 1, p. 237). Their lands were ravaged by the earl of Ormond in 1335 (Clyn, op. cit.), presumably as a reprisal for raids on

not misplaced, for an Irish settlement on the western bank of the Barrow at this point would not only have established a permanent bridge-head for raids across the Barrow, but it would also have threatened the passage of trade on the Nore.

By 1375 the route between Kilkenny and Carlow which, like the modern road, runs past Gowran, was in such perilous condition that the dean and chapter of Cashel could not set out to Carlow "propter viarum discrimina et vite periculum"¹. It is not altogether surprising, therefore, that three years later we find the justiciar, the earl of Ormond, ordering the payment of eighty marks to Art McMurrrough after he had undertaken to keep the peace

...necon ad diligenciam suam circa salvam et securam custodiam communium viarum inter Cathirlagh et Kilkenn' adhibendam ita quod dampnum aut malum aliquod fidelibus ligeis nostris per easdem vias sepius transeuntibus iuxta posse ipsius Art nullatenus inferet².

Kilkenny. The effect was short-lived, for in the following year they killed the archdeacon of Ossory in the defence of his church (Clyn, op. cit.).

1. C.C.H., p. 93, no. 135.
2. P.R.O. E 101/246/5, no. 5 (a mandamus witnessed by the justiciar at Castledermot, 28 January, 1378).

The agreement was nothing less than a tacit admission that McMurrough virtually controlled communications between Kilkenny and Carlow, and there was nothing the government could do about it. Needless to say McMurrough never kept his promise: in February, 1382, permission had to be given to Thomas Derkyn and Walter Cantewell in the marches of Gowran, "in frontura hibernicorum inimicorum McMorgh et O'Nolan", to treat for themselves, their tenants and their men¹. The position of Gowran continued to deteriorate; in 1415 it was deemed necessary to grant the burgesses certain customs for repairing the town, recently sacked by the Irish, and for enclosing it with a wall. It was stated that the town was situated in the march of co. Kilkenny, far from English assistance, surrounded by Irish enemies, and threatened by renewed assaults².

In the event, Gowran was never lost to the Irish: its retention was vital to the security of the county; and despite the ferocity of Irish raids, the Irish were unable to establish a bridge-head on the west bank of the Barrow. Nevertheless, its retention was

1. C.C.H., p. 114, no. 192.

2. Ibid., p. 208, no. 153.

not enough to keep the roads between Carlow and Kilkenny free from danger. The result was that the last land route between Dublin and Munster was seriously impeded. Thus in 1393 the council allowed Henry Archer, a former provost of Kilkenny, forty shillings in which he was amerced because he could not attend the exchequer in Carlow after his appointment

...whither he could by no means come for the danger of his life on account of the enemies' wars on the perilous roads between Kilkenny and Carlow¹.

Thus the problem of communications was an important factor in the increasing isolation of Munster, Kilkenny and south Wexford from the administration in Dublin.

The defence of Kilkenny did not rest entirely upon Gowran; the river Nore formed a natural second line of defence. The work of fortifying bridges and strengthening town walls was the object of much concern in the second half of the fourteenth century. In 1374 the reeve and community of Jerpoint were granted certain customs for ten years for repairing

1. King's Council in Ireland, ed. J. Graves, pp. 189-91.

the bridge over the Nore, and strengthening its tower and gate at the southern end, to resist enemies and rebels¹. In the following year the reeve and community of Thomastown, in the march near the Irish, were likewise granted various customs for the fortification of the town². The bridge at Bennettsbridge may have been fortified about this time, for in 1393 John Middultoun obtained permission from the Irish council to complete the tower which he and his predecessor had built there. Hitherto it had provided a passage for Irish and English malefactors³. The policy of fortifying all the passages over the Nore prevented the Irish from penetrating central and southern Kilkenny, which was protected on the southern flank by the Suir, and on the western flank by the liberty of Tipperary.

The situation in co. Kilkenny by the end of the fourteenth century was that the cantred of Aghaboe and the northern fringe of the cantred of Odogh were lost to the Irish. The extent to which the O'Brennans

-
1. N.L.I. Ms. 3, p. 130; C.C.H., p. 91, no. 52.
 2. N.L.I. Ms. 3, p. 177; C.C.H., p. 98, no. 256.
 3. King's Council in Ireland, ed. J. Graves, pp. 234-6.

of eastern Odogh recovered their ancestral lands is uncertain, but it is clear they did not enjoy the same success as the McGillapatricks. The cantreds of Odogh, Oskelan and, possibly, Ogenty, were converted into more or less permanent marches. The remaining cantreds, however, did not suffer to the same extent from the Irish, although the degenerate English, the Tobins of Comsey, the Purcells of Eliogarty and others, were particularly troublesome in eastern Kilkenny¹. Altogether co. Kilkenny suffered proportionately less from the Irish than did the liberty of Tipperary. The fact that Kilkenny was well protected by natural boundaries, and that it lacked natural fortresses like the mountains of Tipperary to which the Irish could retreat with impunity, must have greatly contributed to its security. At the

1. See Clyn, Annales Hiberniae, under the years 1327, 1336, 1344. The Tobins are occasionally mentioned in the Issue and Receipt Rolls: P.R.O. E 101/242/3 (Issue Roll 20 January 23-15 September 23 Edw. I); E 101/246/2. (letter of Richard II to the treasurer of Ireland concerning two Tobin hostages in the keeping of the constable of Kilkenny Castle. Tested by Roger son of Edmund Mortimer at Dublin 14 May 5 Richard II). In 1374 the Tobins and the Purcells were involved in strife with the commons of co. Kilkenny (C.C.H., p. 89, no. 104).

same time, central and southern Kilkenny were heavily settled by the Anglo-Normans, as the numerous towns and villages in this region indicate. As a result, the Irish could make little progress there just as they were unable to overrun the densely colonised regions of Tipperary, which did not have the same advantage of defence.

Information about the fate of Tullow, Arklow and Omail is fragmentary in the extreme, especially after the middle of the fourteenth century.

The state of Leinster began to deteriorate perceptibly in the early years of the fourteenth century; the McMurroughs, O'Byrnes and others were in a state of almost continual rebellion¹. Inevitably the Butler lands in the vicinity of the Wicklow mountains were affected. In 1302 Walter Wogan was paid £29 : 3 : 6 for maintaining ten cavalry and twenty-four foot-soldiers in the parts of Ofelmeth (Tullowphelim) to suppress the rebellion of the McMurroughs and the

1. See J. Otway-Ruthven, Medieval Ireland, pp. 218-9.

O'Byrnes¹. In 1312 Edmund Butler, custos and deputy of John Wogan, managed to compel the O'Byrnes to surrender in Glenmalure². The Bruce invasion invited more trouble: in 1315 the O'Tooles and O'Byrnes burned the whole region from Arklow to Bray³, while in the following year the Irish of Omail launched an unsuccessful attack on Tullow, in which they were said to have lost four hundred men⁴.

By the time the first earl of Ormond got seisin of his lands in 1326, the situation in Leinster was critical. In 1329 his brother Laurence Butler was captured by Richard, son of Philip O'Nolan, in co. Carlow; the earl immediately ravaged O'Nolan's lands in reprisal⁵. Richard was finally killed by the earl in 1331⁶. Despite these setbacks, the O'Nolans were once again at war in 1338, presumably as a result of

-
1. P.R.O. E 101/233/16 (Issue Roll Hilary 30 Edw. I.)
 2. Jacobi Grace, Kilkenniensis, Annales Hiberniae, ed. Richard Butler.
 3. Annals of Ireland in Chartularies of St. Mary's Abbey, Dublin, ii.
 4. Jacobus Grace, loc. cit.
 5. Jacobus Grace, loc. cit.; Annals of Ireland in Chartularies of St. Mary's Abbey, Dublin, ii;
Clyn, op. cit.
 6. Clyn, op. cit.

the earl's death. In this year they killed Laurence Butler¹. In 1340 they launched an attack on Gowran with the McMurrroughs². In the meantime The castle at Arklow was captured by a strategem on 21st April, 1331, but it was retaken by the justiciar in the next year³. The earl seems to have tried to restore the situation in Arklow in 1337 by leading an expedition against the O'Byrnes, but we do not hear what came of it⁴.

Yet despite the almost constant warfare that engulfed Leinster in the fourteenth century, neither Tullow nor Arklow fell to the Irish, although Tullow was actually burned by them in 1377 or shortly before⁵.

1. Clyn, op. cit.
2. See above p.213.
3. Jacobus Grace, loc. cit.; Annals of Ireland in Chartularies of St. Mary's Abbey, Dublin, ii; Clyn, op. cit.
4. Clyn, Annales Hiberniae.
5. On 24 February, 1377, John de Wode was paid forty shillings by the treasurer for the loss of two horses and other goods when Tullow was burned by the O'Nolans (C.C.H., p. 100, no. 12). The receipt for this sum may be found in P.R.O. E 101/246/4, no. 58. Other payments relating to the fighting near Tullow may be found in the same bundle: E 101/246/4, no. 18 (Receipt of William Wenne, marshall of Ireland of £4 from the treasurer for the loss of his horse near Tullow, dated 21 January 50 Edw. III); E 101/246/4, no. 34 (Receipt of Mathew

The reeve and community of Tullow appended their seal to the testimonial drawn up by the community of Carlow on behalf of the earl of Ormond in 1422¹. In 1435 Thomas Stanley claimed that co. Carlow was in the hands of the Irish except for the castles of Carlow and Tullow². Arklow was in the king's hand during the minority of the fourth earl of Ormond, 1405 to 1411³, and it was seized with the rest of Ormond's estates by the Talbot administration in 1417⁴.

What became of Tullow and Arklow in the second half of the fifteenth century is not clear. In 1505 the earl of Ormond granted to Piers Butler the manors of Arklow and Tullow, "beyng oute of the said erles possession"⁵. It is difficult to know what to make of this statement, for Piers duly received livery of the manors from James Sherlok and Nicholas White, attorneys for the earl, in a perfectly orderly manner at Tullow⁶.

fitzRaymond de Bermingham of 100 shillings from the treasurer for services at Tullow. Dated 18 February 50 Edw. III).

1. See below ch. VII, p. 268.
2. J. T. Gilbert, History of the Viceroy's of Ireland, pp. 330-1.
3. Cal. Ormond Deeds ii, no. 389; iv, no. 218.
4. See below ch. VII, pp. 260-5.
5. Cal. Ormond Deeds iii, no. 320, p. 316.
6. Cal. Ormond Deeds iv, no. 192.

Whatever the phrase "beyng oute of the said erles possession" may mean, it can hardly mean that these manors were controlled by the Irish. Consequently, the letter which Piers wrote to Cromwell in 1531, in which he claimed that he had recovered the manors of Tullow and Arklow which had been in the hands of Irishmen for two hundred years, must mean that he had recovered the outlying lands, not the towns themselves¹. As we have seen, these towns were still controlled by the Butlers in the first half of the fifteenth century: on the other hand, it cannot be doubted that the lordships of Tullow and Arklow had been reduced to a fraction of their original size. In 1365, for example, the lieutenant, Lionel, duke of Clarence, granted certain tenements in Offelmyth (Tullowphelim) to William Ilger

...which have long been wasted and destroyed by Irishmen of Leinster, our enemies, and lately have been traversed by Lionel, duke of Clarence...with a great army, and recovered by great war made upon them from the said enemies².

-
1. State Papers ii, pt. iii .I, pp. 153-4; Cal. Carew Manuscripts, 1515-1574, p. 128, no. 106; Liam Price, "The Byrnes' Country in County Wicklow in the sixteenth century", Journ. R.S.A.I., LXVI, p. 56.
 2. Cal. Ormond Deeds ii, no. 113.

These tenements were apparently seized into the king's hand because their proprietors had failed to comply with an ordinance commanding them to return to their lands within a specified time¹. Ilger regranted them to the earl of Ormond within months, doubtless because he considered them too insecure or too unprofitable, or both². What became of these tenements is unknown, but one may conjecture that their recovery was merely temporary.

It is impossible to generalise about the position in the lordship of Arklow, but a number of agreements, negotiated in 1571 between the earl of Ormond and his tenants of the manor of Arklow, suggest that the original families of Anglicus, Pencoit, Blund and de Wellesley had disappeared, having been replaced by Irishmen or gaelicised Danes, like the Doyles³. The burgesses of the town, on the other hand, were English⁴. This suggests that virtually all of the

1. Cal. Ormond Deeds ii, no. 113.

2. Ibid. ii, no. 115.

3. Ibid. v, no. 192. For information about some of the original families see E. St. John Brooks, Knights' Fees in Counties Wexford, Carlow and Kilkenny, pp. 167-171.

4. Cal. Ormond Deeds v, no. 192.

manor had been overrun by the Irish, presumably by the end of the fourteenth century, but that the town had managed to survive.

By the end of the fourteenth century the Butler lordship in Leinster had been greatly reduced by the Irish. Tullow and Arklow were reduced to fractions of their former size. Omail must have been lost at a very early date, for we hear no more about it after the Irish of those parts, the O'Tooles, attacked Tullow in 1316¹. The manor of Bray, which was wasted by the Scots during the Bruce invasion², seems to have been threatened by the O'Byrnes, for in 1355 special arrangements had to be made for the defence of Bray and Tallaght against them³. The manor of Bruyin seems to have been lost by 1363 when Robert Holywod reported that several royal estates, including Bruyin were waste and yielded no rent on account of the war with the O'Tooles and other Irishmen⁴. At any rate, we

1. See above p.220.

2. P.R.O.I. Mem. Rolls vol. 12, pp. 329-30 (rot. 13-14 Edw. II).

3. C.C.H., pp. 55-6, no. 29.

4. P.R.O.I. Mem. Rolls vol. 28, pp. 275-6 (rot. 36-37 Edw. III). The king appears to have owned part of Bruyin (see above ch. II, p. 68).

hear no more about it. The manor of Clonlaynan in co. Carlow was burned sometime in or before 1359¹: it too is not mentioned subsequently in the records. The manors of Cloncurry, Oughterard and Castlewarden, in co. Kildare, on the other hand, do not appear to have suffered extensively from Irish raids, no doubt because they were sufficiently distant from the Wicklow mountains to be reasonably secure.

The position of the Butlers in Connacht and Thomond is very obscure, but it is clear that they lost all control in these regions long before the end of the fourteenth century.

As we have seen, neither the Butlers nor their predecessors, the de la Rochelles, were able to derive much profit from Ui Maine in the second half of the thirteenth century on account of the Irish². The prediction of a jury at Loughrea in 1304 that if war broke out in Ui Maine Edmund Butler would have been powerless to defend it proved to be prophetic³. In

-
1. C.C.H., p. 78, no. 65.
 2. See above ch. II, pp. 56-60.
 3. See above ch. II, p. 60.

1307 Aghrim, the caput baronie, was burned by a number of "princes" of Ui Maine (the O'Kellys)¹. It was burned again in 1315, and the castle was destroyed². The crushing defeat inflicted upon the Irish at Athenry in the following year, in which Tadc O Cellaig, king of Ui Maine, and twenty-eight other O'Kellys of royal blood were killed, may have helped the Butlers to restore their position to some extent³. The Butler lands in Connacht were committed to Thomas Butler, the custodian of the lordship between 1322 and 1326⁴, but neither the Irish Pipe Rolls nor the Receipt Rolls record any payments made by him from Connacht. Ui Maine was delivered to the custody of the earl of Desmond in 1338, after the death of the first earl of Ormond⁵. Thereafter it is omitted from all lists of Butler lands. It must have been lost finally by the middle of the century, if not earlier.

We have already seen that the Butlers did not settle their lands in Thomond, Ui mBluid and Aghty;

-
1. Annals of Loch Ce.
 2. Ibid.
 3. Annals of Connacht.
 4. See above p. 160.
 5. 53rd. Rep. D.K., p. 43.

or if they did the settlement cannot have been enduring¹. Consequently one cannot strictly speak of a gaelic "recovery" in this region. Instead the Irish of the region, the MacNamaras, held their lands of the earl for an annual rent, and probably by military service as well². This arrangement was certainly in operation in 1356, when the earl of Ormond came to an agreement with Donatus MacNamara, son and heir of the MacNamara³. The MacNamaras may have rendered military service to the earl, for in 1366 a certain Slyde McConmarre was paid eight marks by the treasurer for his services in Thomond in assisting the lieutenant, the duke of Clarence, at the castle of Ballyloghan⁴. Clarence was campaigning in Munster in the first half of 1366⁵; he was presumably accompanied by the earl of Ormond, who probably engaged MacNamara. But however this may have been, the MacNamaras did not remain at peace for long, for on 8th May, 1368, the justiciar,

1. See above ch. II, p. 29.

2. Cal. Ormond Deeds ii, no. 36.

3. Ibid.

4. P.R.O. E 101/244/10 (Issue roll 1 February 39-25 September, 40 Edw. III).

5. J. Otway-Ruthven, Medieval Ireland, p. 294.

the earl of Desmond, commanded the treasurer to pay twenty marks to Robert de la Freigne for beheading 173 of the MacNamaras, who had lately carried their raids into Kilkenny¹. In July, 1370, O'Brien and MacNamara inflicted a heavy defeat upon the English, in which the earl of Desmond, Sir John Nicholas and Thomas fitzJohn, among others, were taken prisoner². Despite the fact that they made peace in December, the MacNamaras were once again in rebellion in 1372³. Although in 1374 we find MacNamara fighting on the side of the government against O'Brien, we may be sure he did so in revenge for the devastation of his late father's lands by O'Brien, and not on account of any pressure applied by the government⁴. We may be reasonably certain that by this time Ormond had lost virtually all his influence over the MacNamaras.

It is difficult to generalise about the progress

-
1. P.R.O. E 101/245/3 (witnessed by Gerald fitz-Maurice, earl of Desmond, at Dublin 8 May, 50 Edw. III).
 2. J. Otway-Ruthven, *op. cit.*, p. 298.
 3. *Ibid.*, pp. 298-300.
 4. See J. Otway-Ruthven, *op. cit.*, pp. 301, 304.

of the Gaelic recovery in the lordship as a whole, since its outlying parts were scattered over a large part of Ireland. Nevertheless, it is probably fair to say that by the middle of the fourteenth century the broad outlines of the territorial readjustment had already emerged: the lordship in Tipperary and Kilkenny had sustained its heaviest losses; Ui Maine was probably altogether lost; the lordship in Leinster was on the point of being almost completely overrun; and Butler influence in Thomond was clearly on the wane. The Irish continued to make progress in the second half of the century, but their advance was clearly slowing down, no doubt because they were meeting tougher opposition in the more densely settled areas of the lordship. The situation seems to have become fairly stable during the fifteenth century, when the energies of the Butlers were absorbed by the Butler-Geraldine feuds¹, rather than by repelling Irish attacks.

These losses were undoubtedly very serious, particularly in northern Tipperary. Altogether, by the

1. See below ch. VII and IX, passim.

end of the fourteenth century the area of territory lost amounted to about three-quarters of a million statute acres, or almost half of the approximate area of the lordship¹. At the same time, it may be pointed out that the loss was not actually as serious as these rough statistics indicate. In the first place, a large portion of the territory lost to the Irish, most notably Ui Maine and the lands in Thomond, had never been very valuable at any time. Alone they accounted for half of the total area lost to the Irish². Stated in financial terms, the acquisition of a few manors in southern Tipperary or in co. Kilkenny would have easily compensated for the loss of Ui Maine, Ui mBluid and Aghty. The losses in Tipperary and elsewhere were not, of course, easily made good, but we have already seen how the Butlers extended their control over southern Tipperary and most of co. Kilkenny in the course of the fourteenth century³. Thus, while they lost a large measure of control over their Irish subjects, they tightened their control over the Anglo-

1. See above ch. II, pp. 88-9; below appendix II, no. 3.

2. See above ch. II, p. 89.

3. See above ch. II, pp. 52-5, 80-4.

Norman colony in Tipperary and Kilkenny. In this way they succeeded in maintaining the family's power and influence; otherwise they would have sunk to the level of relatively unimportant tenants-in-chief.

But the matter does not end there, for in another important respect the lordship never recovered its former position. Although the evidence is fragmentary in the extreme, there can be no doubt that the total revenues of the lordship in the fourteenth and fifteenth centuries were never more than a fraction of the thirteenth century levels. The principal reason for the decline in revenue was the instability created by the Irish and the degenerate English¹. Indeed, it is probably true to say that the general impoverishment wrought by such disorders was more damaging to the lordship than the total territorial losses sustained in the fourteenth century. The loss of these territories was unquestionably serious, but the decline in the prosperity of the territories which remained in the control of the Butlers was at least as serious in weakening the position of the colony.

1. See below ch. VI, passim

CHAPTER VI
MANORIAL REVENUES IN THE FOURTEENTH
AND FIFTEENTH CENTURIES

The impact of the Gaelic recovery cannot be assessed simply in terms of territorial loss: in strictly financial terms this loss was not very serious in relation to the total revenue of the lordship, as we have seen¹. Perhaps more serious and more damaging was the crippling effect which the Gaelic recovery had upon the economy of the lordship, even in those areas which were not "in the march". We cannot measure the rate of this decline in precise terms, but such sources as there are leave us in no doubt that it was both drastic and enduring. That it was directly due to the disorder of the times is also apparent from our sources. We may be sure that the economy of the lordship suffered from the effects of the general agricultural decline in the fourteenth century and from the Black Death as well, but the fact that the rate of decline in the Butler lordship far

1. See above ch. V, pp.230-2.

exceeded that in England makes it unmistakably plain that the Gaelic recovery was the principal factor in precipitating the decline in Ireland.

It is impossible to make a comprehensive survey of the manorial revenues in Tipperary and Kilkenny because the sources are too fragmentary; and where they do exist, they are often unsuitable for a survey of this kind. Thus, for example, a number of fifteenth century rentals of the Butler estates in co. Kilkenny have survived among the Ormond Deeds¹, but they are only check-lists of various fixed rents, like chief rents or burgage rents. They do not represent actual receipts or, for that matter, estimated total revenues. The sum of the entries on a rental of the manor of Carrick for the Easter term, 1412, amounted to £ 8 : 3 : 3, giving an approximate annual return of £ 16 : 6 : 6², whereas the estimated value of the same

-
1. Cal. Ormond Deeds ii, nos. 414, 420, 421; iii, nos. 70, 95, 110, 119, 147, 160, 218-220, 234.
 2. Ibid. ii, no. 420. The rentals often omit certain items, so there is considerable variance between them, as we can see in the case of the manor of Carrick: Easter, 1426, £ 5 : 14 : 2 (ibid. iii, no. 70); Michaelmas, 1434, £ 13 : 8 : 3 (ibid. iii, no. 119); Easter, 1444, £ 4 : 15 : 7 (ibid. iii, no. 160).

Note: These calculations, like all later

manor in 1415 amounted to £62 : 19 : 0, of which £ 24 : 7 : 4 was deemed recoverable¹. For the purpose of this survey, these rentals must be discarded as almost valueless².

The remaining sources differ widely in nature and content. Chief among these are the inquisitions post mortem of the estates of the earl of Ormond in 1338, and the Minister's Accounts for the lands of Elizabeth de Burgo, third sister and coheirress of Gilbert de Clare, in Tipperary and Kilkenny. It is true that her lands have nothing to do with the Butler lordship, but these accounts are extremely useful in that they help us to get some idea of the general condition of the manorial economy in this region which was, after all, in the heart of the Butler lordship. These inquisitions and accounts may be supplemented by various manorial extents, which are all too uncommon, and a

calculations, are based upon the original documents. The Calendar contains too many omissions and errors to be reliable, and the medieval totals are usually incorrect.

1. See below pp. 245-7.
2. For some comments on fifteenth century rentals see C. D. Ross and T. B. Pugh, 'The Materials for the Study of Baronial Incomes in Fifteenth Century England', Economic History Review, 2nd series, VI, p. 192, no. 1.

few miscellaneous account of the Butler and Despencer estates.

There can be no doubt that the prosperity of the manorial economy in co. Tipperary was ruined in the course of the first half of the fourteenth century, beginning with the Bruce invasion. Although we do not possess any inquisitions post mortem for the Butler estates upon the death of Edmund Butler in 1321, we do have a record of the money paid into the exchequer by Thomas Butler, the custodian of the lordship in Connacht and Munster during the minority of James, later first earl of Ormond. Thomas rendered account for 200 marks between 13th August, 1322, and 25th April, 1323¹, but in fact he only paid in £ 20 of the issues of the lands in Limerick and Tipperary during this period². Thereafter he accounted for a further sum of £ 400 for the same lands from 25th April, 1323, to 16th April, 1326. His total account therefore came to £ 533 : 6 : 8, of which he paid £ 335³. These

-
1. 43rd Rep. D.K., pp. 26-7.
 2. P.R.O. E 101/238/7 (Receipt Rolls for Michaelmas, Hilary and Easter terms, 16 Edw. II). The payment was made on 26th February, 1323.
 3. 43rd Rep. D.K., pp. 26-7.

payments may be confirmed by reference to the Receipt Rolls for the same period, which show that he paid exactly £335 : 3 : 9 into the exchequer¹. In other words, Thomas accounted annually at the exchequer for a mere £145 during the term of his custodianship, but in practice he could only pay an annual average of about £91 for all the Butler lands in Munster and Connacht. Yet the annual revenue of the Butler estates in Tipperary and Limerick at the height of their prosperity may be estimated at more than £600². But the largest annual payment made by Thomas amounted to only £192 : 4 : 9, while the smallest came to a mere £36 : 5 : 8³. It is true that Thomas would have been allowed various sums for the maintenance of his custody, but such sums could not account for this divergence alone; and some of his payments may have been made in the form of allowances. Although it would be

-
1. P.R.O. E 101/238/7 (Receipt Roll Michaelmas-Hilary-Easter-Trinity 16 Edw. II); E 101/238/10 (Receipt Roll Michaelmas-Hilary-Easter-Trinity 17 Edw. II); E 101/238/16 (Receipt Roll Michaelmas-Hilary-Easter-Trinity 18 Edw. II). He paid in £36 : 5 : 8 in 16 Edw. II; £192 : 4 : 9 in 17 Edward II; and £106 : 3 : 9 in 18 Edward II.
 2. See appendix IV, no. 1.
 3. See n.1.

hazardous to draw hard and fast conclusions from these figures, it is clear that the economy of the lordship in Munster and Connacht had sustained a crushing blow during the Bruce invasion, from which it never had an opportunity to recover.

The inquisition post mortem of 1338 relating to the manor of Nenagh provides us with more substantial detail. The total annual revenue of forty-nine tenements was estimated at £ 181 : 12 : 5, of which only £ 44 : 10 : 0 was deemed actually recoverable¹. There were in fact more than forty-nine tenements, but their names and the details are illegible. Nevertheless, the exchequer estimated that the total annual value of the manor amounted to £ 196 : 10 : 11², so that by the most optimistic reckoning the total recoverable revenue could not have exceeded £ 58 : 18 : 6. In short, the condition of Ormond in 1338 was such that the revenue from the region had fallen by almost 75%.

The situation in Eliogarty does not appear to have been so serious: the annual revenue of Thurles was

1. Cal. Inq. P.M. viii, no. 184.

2. See appendix IV, no. 1.

estimated at £ 119 : 12 : 4¹, of which £ 37 : 9 : 6 was deemed unrecoverable². Thus revenues had fallen by about one third. But by 1345, following the devastations of the earl of Desmond and various Irish septs³, the manor of Thurles had been reduced to much the same level of poverty as Nenagh had been in 1338. According to an inquisition held before William Bromleye in 1345⁴, the annual revenue of Thurles amounted to £ 166 : 15 : 8⁵, of which £ 117 : 14 : 5 could not be recovered. Stated simply, this meant that the revenue of the manor had fallen to about one quarter of its former value, either because its lands lay waste, or because tenants like the lord of Corketeny could not be induced to pay their rent⁶.

1. Appendix IV, no. 1.
2. Cal. Inq. P.M. viii, no. 184.
3. See above ch. V, pp. 183, 188.
4. Cal. Ormond Deeds ii, no. 316; see above ch. IV, p. 183.
5. Cal. Ormond Deeds ii, no. 316. This calculation is based on the original document: the Calendar is not entirely accurate and the medieval total is incorrect.
 Note: the discrepancy between the total revenues of Thurles in 1338 and 1345 is due to the omission of a certain rent of £ 50 from the lord of Corketeny in the earlier extent (Cal. Inq. P.M. viii, no. 184; see also Red Book of Ormond, p. 71; see above ch. I, p. 3).
6. Cal. Inq. P.M. viii, no. 184.

We have already seen that the manors of Ardmayle, Moyaliff and Caherconlish had suffered badly from the wars with the Irish¹. In 1300 the annual revenue of the manor of Caherconlish, co. Limerick, came to £ 71 : 7 : 0², but in 1338 it came to only £ 23 : 2 : 8, about one third of its former value³.

Altogether the inquisitions post mortem in 1338 estimated the revenue of the manors of Nenagh, Thurles, Ardmayle, Carrick, Moyaliff, Brittas and Caherconlish at £ 389 : 13 : 1⁴. In practice, of course, it was very much less, for if we allow for those rents which were considered unrecoverable in the manors of Nenagh and Thurles alone, this total is reduced to £ 214 : 5 : 2. But even this figure is probably completely unreal, for we have already seen how in 1338 the government committed the custody of the Butler lordship in Munster and Connacht to the earl of Desmond free of rent for two and a half years, and that between January, 1342, and October, 1344, he appears to have paid only about

-
1. See above ch. V, pp. 175-7, 203.
 2. Red Book of Ormond, pp. 154-8.
 3. Appendix IV, no. 1.
 4. Ibid.

£110 into the exchequer¹. Although Desmond's rebellious career is alone sufficient to explain the low returns from his custody, the arrangement whereby he was granted the custody free of rent for two and a half years is a clear indication that the government did not expect to derive any profit from it², much less the hypothetical £389 : 13 : which it needed so badly.

Altogether, the period 1317 to 1347 must be seen as a period of catastrophic decline. The payments made by Thomas Butler, custodian of the lordship between 1322 and 1326, were only a fraction of what the annual revenue of the lordship in Munster had been in the time of its prosperity. In 1338 the general financial expectation seems to have been even lower. When we consider that the government actually received just over £100 of the issues of the lordship between 1338 and October, 1344, we cannot avoid the conclusion that the returns of the inquisitions post mortem in 1338, even when deductions for unrecoverable rents have

1. See above ch. V, pp. 179-81.

2. See above ch. V, pp. 179-80.

been made, were totally unreal. Thomas Butler paid three times the amount of money delivered into the exchequer between February, 1338, and October, 1344, in almost half that time (August 1322-April 1326). There can be no doubt that the condition of the lordship in 1347, when James Butler got livery of his lands, was much worse than it had been when his father died in 1338; in this period the revenue of the manor of Thurles fell from between two thirds and a half of its former value, to about one quarter of its former value. And as we have seen, Eliogarty was neither more nor less subject to disorder and warfare than other parts of the lordship during the minority¹.

The condition of the economy in southern Tipperary is more elusive, but an examination of the annual revenues of the manors of Lisronagh and Tibberaghny in Iffowyn and Grallagh in Muscry between 1343 and 1360 indicates that rents in the south also declined sharply, though possibly not as precipitously². We are fortunate in possessing an extent of the manor of Carrick in

1. See above ch. V, pp. 178-89..

2. See appendix IV, no. 2.

1415, but unfortunately it cannot be compared with the inquisition post mortem of the same manor in 1338, because ^{which} it ~~is~~ incomplete¹.

Lisronagh was the most important of the estates of Elizabeth de Burgo in Tipperary, and it is possible to compare the actual revenues of the manor with those given in an uncommonly detailed extent made in 1333². The revenues of her remaining manors, Tibberaghny and Grallagh, are too small to form a base for generalisation, but we may note that they remain surprisingly constant throughout this period³.

According to the information supplied by the extent of 1333, the total annual revenue of Lisronagh amounted to £87 : 3 : 8, of which £80 : 14 : 10 remained when deductions had been made⁴. This does not mean that this was the actual value of the manor at that time - the actual receipts between 1343 and 1360 suggest quite the contrary - but that the jurors considered it to be the potential value of the manor. In

1. P.R.O. C 135 Edward III 55.
2. E. Curtis, 'Rental of the manor of Lisronagh, 1333, and notes on "betagh" tenure in medieval Ireland', *Proc. R.I.A.*, C, XLIII, pp. 41-76.
3. See appendix IV, no. 2.
4. My calculations.

practice the revenue of the manor fell far below the estimate of the extent, which was presumably what the manor had been worth in the days of its prosperity. In 1343-1344 it came to a mere £18 : 18 : 1, but this low receipt was attributed to the ravages of the Tobins who were at war at this time¹. In Easter, 1348, the receiver complained that he could only collect £25 : 7 : 3

...et non plus pro destu (sic) tenencium et pro guerra mota in partibus illis².

Thereafter the revenues rose steadily until they reached a level of £33 : 13 : 5 in 1353-4. They declined slightly in the following year, but fell off sharply in 1360, when only £7 : 17 : 2 was collected in the Easter term³, giving a projected annual revenue of £15 : 8 : 4. Although no reason was supplied for the low receipt, we may be sure that it was on account

-
1. P.R.O. S.C. 6/1239/18 (account of Alexander Charman, receiver of Elizabeth de Burgo). See also Clyn, Annales Hiberniae.
 2. P.R.O. S.C. 6/1239/19 (account of Hugh Not, receiver of Elizabeth de Burgo).
 3. See appendix IV, no. 2.

of war, plague or lack of tenants¹. While these figures leave much to be desired, they do indicate the unmistakable downward spiral of manorial revenues in the region of Lisronagh, and that this trend was clearly associated with the growing disorder.

The manor of Carrick, in the same cantred, appears to have experienced much the same rate of decline in the course of the fourteenth century. An extent made in 1415 shows that the estimated value of the manor came to £ 62 : 19 : 0, when the lordship of Fynwayth and Fymolyn with its appurtenances is excluded. Of this, £ 25 : 10 : 0 was due from the demesnes and the rent of the burgesses on the Tipperary side of the river. The remainder, £ 37 : 9 : 0, was made up of various chief rents².

-
1. We know that in 1351 the revenues of the lands of the dean and chapter of Cashel were adversely affected by the plague (See J. Otway-Ruthven, Medieval Ireland, p. 268). It seems likely that Lisronagh must have been affected too, but we must remember that the rents were higher between 1350 and 1355 than they had been in 1343-4 before the Black Death.
 2. Red Book of Ormond, pp. 118-122. The lordship of Fynwayth and Fymolyn was not originally part of the manor (see above ch. II, pp. 87-8).

Note: the sums mentioned above are based on my calculations.

In reality, however, the revenue fell far below this estimate. The rent from the demesnes and the town could not have exceeded £13 : 0 : 0, because the salmon pools, which used to be worth £8, were only worth ten shillings in practice. Furthermore, 240 acres of demesne had once been worth £8 annually, but now it was only worth £1. The information supplied by fifteenth century rentals suggests that revenue from the demesnes was even lower: in the Easter term, 1412, the demesnes were rented at only fourteen shillings, while in the corresponding term in 1426, they were rented for only six shillings and two pence¹. The actual revenue from the demesne and the town amounted to only £11 : 0 : 0 per annum.

But it is in the second category, the £37 : 9 : 0 derived from various rents, that the contrast between the estimated and the real revenue is most striking, for it seems that only £13 : 7 : 4 was actually recoverable, either because the tenements were wasted by warfare with the Geraldines, or because rents had

1. Cal. Ormond Deeds ii, no. 420; N.L.I. D 1598 (Cal. Ormond Deeds iii, no 70, is inaccurate).

been reduced, as in the case of the burgesses on the Waterford side of the Suir. The inquisition indicates that the war had arisen on account of some disagreement between the earl and Catherine of Desmond¹, who had once been the mistress of the third earl of Ormond. The cause of the dispute is unknown, but it may have had something to do with an annual rent of £200 given to her by the third earl², which his son, the fourth earl, may not have been willing to pay.

Altogether the actual receipts from the manor did not exceed £ 24 : 7 : 4. This figure closely resembles the account of the earl's receiver-general in the Michaelmas term, 1405, for £12 : 0 : 4, giving a projected annual revenue of £ 24 : 0 : 8³. It is interesting to note that according to the inquisition post mortem in 1338, the estimated revenue of the manor came to only £ 23 : 3 : 7⁴, so it would appear that in fact the actual revenue had not approached its estimated level in 1415 for many years.

-
1. Red Book of Ormond, p. 121.
 2. Cal. Ormond Deeds ii, no. 344.
 3. Cal. Ormond Deeds ii, no. 388.
 4. P.R.O. C 135 Edward III 55; see appendix IV, no. 1.

The similarities between the manors of Lisronagh and Carrick are remarkable. Both lay in the fertile, densely settled southern region of Tipperary; they were sufficiently far apart to afford some indications of the general condition of the area. Each manor derived its income almost entirely from rents of one kind or another; the revenue from the demesne lands formed only a small part of the total. The sharp decline (between one half and two thirds of their former value) which began in the first half of the fourteenth century can only mean that the mass of free tenants, farmers and burgesses was being impoverished. The principal reason for the decline was the devastation wrought by war, whether at the hands of the Tobins or the Geraldines. It is significant that the chief offenders were Anglo-Norman, not Irish. In fact it seems that the cantred of Iffowyn was virtually immune to Irish attacks because it was far removed from the marchlands of central and northern Tipperary, while at the same time it was protected by the Suir on its southern flank. In the fifteenth century we hear only of disorders created by the Anglo-Normans in this

area¹. No doubt other factors also contributed to the decline of rents in this region: the Black Death must have taken its toll there as it did elsewhere in the colony². Nevertheless, it should be noted that a serious decline in revenue was already apparent in both Lisronagh and Carrick before the arrival of the plague. It is clear that even in the comparatively secure region of southern Tipperary revenues declined sharply, and that this decline was not merely confined to the areas adjacent to the Irish.

The position in co. Kilkenny is not nearly so well documented, but the Minister's Accounts for the estates of Elizabeth de Burgo help to fill the gap. Elizabeth de Burgo was the third sister and coheiress of Gilbert de Clare, earl of Gloucester and Hertford, and lord of the liberty of Kilkenny. Upon his death the liberty was divided between his three sisters and coheiresses³.

The annual revenue of the lordship of Kilkenny on

1. See below ch. VII, p. 278; ch. IX, pp. 329-30.
2. For an account of the Black Death in Ireland see J. Otway-Ruthven, Medieval Ireland, pp. 267-70.
3. See above ch. II, pp. 74-5.

the eve of its partition in 1317 was estimated at £475¹. This meant that the approximate value of each purparty came to about £158. The Despencer purparty was considered to be worth £151 : 16 : 5½ annually². Consequently, when we examine the revenues of Elizabeth's purparty between 1343 and 1360, we are able to compare them with the approximate revenue of the same lands in 1317, in times of prosperity. Altogether we have five complete annual returns, and the return for the Michaelmas term, 1360, which are sufficient to provide some general indication of the level of prosperity.

-
1. M. Altschul, A Baronial Family in Medieval England: the de Clares, 1217-1314, John Hopkins University, 1965, pp. 292-3.

Note: Although Altschul shows that the annual revenues of the lordship of Kilkenny were between £400 and £500 in the early fourteenth century, some of the figures which he produces in support of this estimate are unsound, for he has a tendency to base some of his calculations upon returns over very short periods, which yield impossible results.

2. Cal. Carew Manuscripts v, p. 374. (The medieval total, £147 : 7 : 10, is incorrect).

<u>Year</u>	<u>Receipt</u>	<u>Minister's Accounts</u>
1343-4	£163:14:1½	P.R.O. S C 6/1239/18
1350-1	£131:14:6 $\frac{3}{4}$	S C 6/1239/24
1353-4	£150:6:2	S C 6/1239/26
1354-5	£133:14:0 $\frac{3}{4}$	S C 6/1239/27
1356-7	£125:15:4½	S C 6/1239/28
1360 (Michaelmas)	£47:1:0½	S C 6/1239/29

This table indicates that her purparty maintained a fairly constant level of prosperity from the time of the partition in 1317 until the middle of the century. In 1350-1351 the annual receipt was noticeably below its 1343-1344 level, probably on account of the disturbances created by the McGillapatricks¹, or possibly because of the Black Death, but in 1353-1354 the revenue was restored to almost its approximate level in 1317. Nevertheless, between 1354 and 1360 a steep decline had unmistakably set in: the projected return for 1360 amounted to only £94, almost exactly half of the total receipt for 1343-1344.

In one respect these figures are remarkable: they

1. See above ch. V, pp. 207-8..

indicate that the general decline in manorial revenues in Kilkenny and Tipperary in the fourteenth century was not uniform. It is quite clear that the decline set in much earlier in Tipperary, particularly in the northern and central regions of the county, and to a lesser degree in the south, than it did in western co. Kilkenny. In the end, however, Elizabeth's estates succumbed to the general decline. We know that between 1350 and 1354 her lands in the cantred of Aghaboe were among the Irish¹. At the same time, one may reasonably assume that these lands had not yielded much rent for many years on account of the almost continual warfare in that area², so it must be concluded that the sharp decline in revenue between 1354 and 1360 was caused by reduced returns from her estates in western Kilkenny. The accounts do not provide any reason for the decline, but it seems ^{probable} ~~likely~~ that, like everywhere else in Tipperary and Kilkenny, it was caused by the ravages of war. Western Kilkenny was, as we have

1. See above ch. V, pp. 209-10.
2. Ibid., pp. 207-8.

already seen, fairly safe from Irish attacks, but this did not preserve it from unruly Anglo-Norman elements¹.

We have almost no information about the revenues of the Butler estates in co. Kilkenny in the fourteenth and fifteenth centuries. The manor of Dunfert, which was part of the Despencer purparty in the fourteenth century², was valued at £31 : 1 : 6½ at the time of the partition of the liberty of Kilkenny³. In 1368 the total receipt amounted to £35 : 7 : 2, which suggests that the revenue had remained fairly constant in the meantime⁴, but in Michaelmas 1405 the receiver-general of the earl of Ormond accounted for only £11 : 2 : 3 of the issues of the same manor, giving an approximate annual return of about £22⁵. The revenues of the manor of Gowran fell from an estimated £73 : 6 : 8 in 1306⁶ to approximately £42 in 1405⁷. One of the factors contributing to this decline was the reduction of rent paid

1. See above ch. V, p. 218.
2. See above ch. II, pp. 77-81.
3. Cal. Carew Manuscripts v, p. 374.
4. Cal. Ormond Deeds ii, no. 434.
5. Ibid., ii, no. 388.
6. Red Book of Ormond, pp. 34-41.
7. Cal. Ormond Deeds ii, no. 388.

by the burgesses of the town from £34 in 1306, to £26 : 13 : 4 in 1426, and finally to only £9 : 6 : 8 in 1547¹. The annual receipts from Knoctopher fell from an estimated £51 : 5 : 11½ in 1312², to approximately £27 in 1405³.

Although one cannot draw tidy conclusions from the motley of sources presented in this chapter, it is quite clear that manorial revenues fell off sharply in Kilkenny and Tipperary. The rate and course of the decline varied from region to region. Northern and central Tipperary suffered most: here rents declined to about a quarter of their former value by the middle of the fourteenth century. The decline was not so rapid or pronounced in southern Tipperary, but it is clear that it did not escape the general depression. By the end of the fourteenth century rents in the manors of Carrick and Lisronagh had declined to somewhere between a half or two thirds of their ^{former} value. In western Kilkenny, on the other hand, the decline set in

-
1. Red Book of Ormond, p. 40; Cal. Ormond Deeds iii, no. 70 (13 : 6 : 8 for the Easter term); *ibid.* iv, no. 361.
 2. Red Book of Ormond, pp. 127-31.
 3. Cal. Ormond Deeds ii, no. 388.

only in the second half of the century, when the revenues of the estate of Elizabeth de Burgo and some of the Butler estates fell by about half.

The decline of the manorial economy was not, of course, peculiar to the Butler lordship. The Irish council agreed to reduce the rent on royal demesnes by a quarter, and even a third, in 1362¹. An agricultural recession affected Europe generally in the fourteenth and fifteenth centuries. In England we find that the income of the de Clare estates declined by about 10% in the middle of the fourteenth century, and it continued to decline towards the end of the century². Farm rents in the duchy of Lancaster at the end of the fifteenth century were seldom higher than two thirds of their level at the beginning of the century³. But it is clear that the rate of decline was much more rapid and severe in Kilkenny and Tipperary than it was in England. The reason for this was the destruction

1. See J. Otway-Ruthven, Medieval Ireland, p. 238.
2. G. A. Holmes, The Estates of the Higher Nobility in Fourteenth Century England, Cambridge, 1957, pp. 114-118.
3. The Cambridge Economic History of Europe, ed. M. M. Postan (Cambridge, 1966) 1, p. 589.

wrought by almost constant warfare with the Irish and, to a lesser extent, by the internecine conflicts among the Anglo-Normans themselves. The economic depression which resulted from this was a consequence of the Gaelic recovery. The drastic reduction of the revenues of the lordship was perhaps even more serious than the loss of large territories to the Irish.

CHAPTER VII

THE LORDSHIP UNDER THE WHITE EARL, 1411-1452

The personality of James, fourth earl of Ormond, commonly called "the White Earl", dominated the Irish political scene in the first half of the fifteenth century in much the same way as did Gerald fitzGerald, the seventh earl of Kildare, in the last quarter of the fifteenth and the beginning of the sixteenth centuries. He held the office of lieutenant or deputy many times during his life. MacFirbis declared that he was "the best captain of the English nation that was in Ireland and England in those ages"¹. The success of his efforts to elicit the support of the Anglo-Irish community in his dispute with Talbot provides some indication of the range of his influence².

Inevitably he made a deep impression upon his own tenants. The "Ordinances of the White Earl" came to be regarded as a model of good government in the first half of the sixteenth century, when some attempt was

1. MacFirbis, Annals (anno 1452)

2. See below pp. 268-9.

made to put them back into operation¹. In 1542 the freeholders of co. Tipperary complained to the king that

...their auncestours [the earls of Ormond] have right well gouerned and defendid the said countie [of Tipperary] many yeres unto suche tyme as con callid the white James Erle of Ormounde and lorde of the said libertie [of Tipperary] in King Henry the sixts dayes at his repaire out of this said realme for certain causes him then moving to see the King's highnes then being his souerain lorde and maister...².

The freeholders explained that the departure of the earl to England, which was probably at the climax of the Talbot-Ormond dispute between 1442 and 1444³, was the occasion for the outbreak of hostilities between the minor branches of the Butlers, but that he had restored the liberty of Tipperary to its "prestynate estate" upon his return. His death in 1452 marked the end of good government⁴.

The good government of the White Earl and his ancestors was indirectly attested to by Patrick Finglas sometime early in the reign of Henry VIII. He declared

1. See below ch. VIII, *passim*.

2. Cal. Ormond Deeds iv, no. 267, p. 209; see below ch. VIII, p. 282.

3. Below p. 276.

4. Cal. Ormond Deeds iv, no. 267, pp. 210-11.

that although the king's laws were not obeyed in Tipperary and Kilkenny, this had been a comparatively recent development:

The counties of Kilkenny and Tipperary wore English habit, and kept English order and rule, and the king's laws were obeyed there within this fifty years, and there dwelled divers knights, esquires and gentlemen who wore the English habit, and kept good order; and the Butlers dwelling in the said two shires; and they seeing the late demeanours of the aforesaid earl of Desmond, and of his conquest, they began the said coyne and livery, and used it sithence; so as by the same they have put these two shires clearly under their rule, and the king's laws not obeyed, and all the king's subjects be in no better case than the wild Irish^l.

This is certainly an exaggeration, but we cannot doubt its essential truth. The use of coyne and livery by the Butlers of Tipperary and Kilkenny had developed from their usurpation of certain military powers vested in the earl of Ormond by the inhabitants of those counties; it had nothing to do with the earl of

-
1. 'The decay of Ireland written by Patrick Finglas, one of the barons of the exchequer, in the - year of Henry VIII', Cal. Carew Manuscripts, 1515-1574, p. 7. The Calendar attributes Patrick's work to 1515, but does not supply any reason for the adoption of this date. It was probably written about this time, or a few years earlier, during the lifetime of Thomas, the absentee earl of Ormond, who died in 1515. During his lifetime the counties of Kilkenny and Tipperary were in fact controlled by the minor branches of his family (see below ch. XIII, passim).

Desmond¹. The process of gaelicisation had certainly begun much earlier, but was not so universal as Patrick seemed to think at the beginning of the sixteenth century. Nevertheless, when all necessary qualifications have been made, it is certain that the White Earl managed to govern his unruly kinsmen more successfully than did any of his successors for almost a century after his death².

This is not to say, however, that all had been peace and tranquillity under his government. In fact the peace of the lordship was disturbed repeatedly by disputes among the Anglo-Normans: the quarrels between the earl and Talbot, the Butler-fitzGerald feud and disputes between the Butlers themselves.

The quarrel between the White Earl and John Talbot, earl of Shrewsbury, which did so much to disrupt the Irish administration, only concerns us in so far as it affected the Butler lordship. This famous dispute has

1. See below ch. IX, passim.

2. See below ch. VIII, IX, passim.

in any case been treated adequately elsewhere, at least on the level of national history¹.

We do not know what was the cause of this quarrel, but it is not unlikely that it was related to the seizure of Ormond's Irish estates by the Talbot administration in 1417². It seems that the administration had been conducting an investigation into Ormond's debts for some years, for on 20th February, 1415, he was summoned before the bar of the exchequer to give satisfaction for the arrears of his relief. He explained that he had had several exonerations from his debts. The court gave him a day to answer in the Easter term, whereupon he repeated his claim, and he was given another day in the octave of Trinity, because the court was not ready to deliver judgment³.

These proceedings presumably dragged on for another two years, until the order to seize his estates was finally issued sometime before 18th July, 1417,

-
1. See M.C. Griffith, 'The Talbot-Ormond Struggle for the Control of the Anglo-Irish Government, 1414-47', *I.H.S.*, II, pp. 376-97; also J. Otway-Ruthven, *Medieval Ireland*, ch. XI.
 2. Appendix V, no. 2.
 3. Appendix V, no. 1.

when his lands were in the king's hand¹. Meanwhile the investigation into Ormond's debts continued: we find two references to them in the Memorandum Roll of 2 Henry V². But his debts, which in his father's time amounted to £3018 : 14 : 0 according to the great roll of 17 Richard II³, were plainly derived from much earlier times. In 1332 the first earl of Ormond complained in a petition to the king that he was charged with debts at the Irish exchequer amounting to £3000

...queles dettes sont (?) le plus de ansien temps cunt courus sur ces auncestres et ore courunt sur lui⁴.

In another petition, delivered in 1335, the earl explained that his ancestors had become indebted while they were in the service of Edward I and Edward II, in Gascony and Ireland⁵. It would appear therefore that most of this debt of £3000 had actually been accumulated in the late thirteenth and early fourteenth centuries. Clearly the pressure brought to bear upon

1. Appendix V, no. 2.
2. P.R.O.I. Mem. rolls vol. 34, pp. 320, 241-8 (rot. 2 Henry V).
3. Ibid.
4. P.R.O. S C 8 271/13543 (Ancient Petitions); see above ch. V, pp. 169-70.
5. Rotuli Parliamentorum ii, p. 90.

the first earl of Ormond by the Irish administration did not yield substantial results, for in 1360 his son's debts were estimated at £3018 : 14 : 0¹; the same figure ^{appears} ~~recorded~~ in the roll of 2 Henry V.

Talbot may have been prompted to rake up these old debts, which had lapsed for many years, simply out of spite against Ormond. At the same time it should be recognised that Talbot was desperate for money: between February and June, 1416, he was in England begging financial support, apparently without much success². In this situation we might expect him to make an all-out effort to revitalise the Irish exchequer; a drive to recover debts owed to the crown was probably the most obvious, and possibly the only, course open to him. Nevertheless, the fact remains that Ormond appears to have been singled out from among a fairly large number of Anglo-Norman magnates who must have been in much the same predicament.

-
1. P.R.O.I. Mem. Rolls, vol. 29, pp. 415-19 (rot. 40-41 Edw. III). (From a writ directed to the earl of Ormond, dated 20 November, 34 Edw. III). For a record of the earl's debts in 1364, see Cal. Ormond Deeds iii, no. 342, pp. 341-2.
 2. See J. Otway-Ruthven, Medieval Ireland, pp. 349-50.

In any event, Ormond's estates were taken into the king's hand on or before 18th July, 1417, ostensibly because of his indebtedness. They were duly committed to the charge of a number of royal receivers. On 30th September Thomas Walleys was made seneschal of Ormond's estates in co. Dublin. In October Thomas Lassheboll (recte: Larsheboll (Archibold?)) was appointed receiver of the manors of Rush, Turvy and Balscadden; John Roche receiver of Cloncurry, Donaghda and Oughterard; and Robert Harbryk receiver of the Butler manors in Meath¹. In November Thomas Harbryk was confirmed in the office of constable of the castle of Cloncurry and seneschal of the barony of Oghteryn (Oughterany), which had been granted to him to hold for the term of his life by the earl of Ormond in 1414². The Memorandum Roll of 8 Henry V mentions royal receivers charged with the issues of the manors of Tullow, Gowran, Grenan (Granny), Caher, Ballyboe, Knocktopher, Brittas and Drumdowney, as well as for

-
1. P.R.O.I. Mem. Rolls, vol. 37, pp. 45, 38-40, 21-22, 23-24 (rot. 5 Henry V).
 2. *Ibid.*, vol. 37, p. 211 (rot. 5 Henry V); Cal. Ormond Deeds iii, no. 8.

the manors and castles in counties Kilkenny, Tipperary, Waterford and Cork¹. The lordship was still in the king's hand on 3rd June, 1419, for in the Hilary term, 1421, Thomas Hall, lately receiver of Tullow, Iland and Nenagh², was given a day to render account for the issues of these manors from that time³. It seems that the liberty of Tipperary was also seized, for Richard Rokell was acting as sheriff of co. Tipperary in 1420⁴. The appointment of Ormond as lieutenant in the February of the same year, in the place of Talbot, must have resulted in the restoration of the Butler estates within a matter of months shortly after Ormond's return to Ireland in April.

Inevitably, the order to seize the lordship into the king's hand in 1417 was not well received by Thomas Butler, prior of Kilmainham, the illegitimate half-brother of the White Earl; he was acting as deputy to the White Earl during his absence from Ireland on

-
1. P.R.O.I. Mem. Rolls, vol. 39, pp. 13, 19-20 (rot. 8 Henry V).
 2. Ms.: Newagh. This is almost certainly a misreading of Nenagh: cf. appendix V, no. 2.
 3. P.R.O.I. Mem. Rolls, vol. 38, p. 415 (rot. 8 Henry V).
 4. See appendix VIII, no. 3.

the king's service. Certain accusations brought against Talbot in 1422 described Thomas as

...the prior of Kilmainham, the which was the sayd Erle ys brother and had his men and his soldiors in governans to kepe his tenantes fro the kynges enimys and rebellis¹.

The fact that Thomas was also the most important of the earl's tenants, being the baron of Knockgraffon and Kiltinan at this time, may have given him even more reason to oppose Talbot.

Precisely what happened after the order to seize all Ormond's estates had been issued is uncertain, for it is almost impossible to distinguish truth from fiction in the welter of accusation and counter-accusation which resulted from this action. On 25th October, 1417, Talbot wrote to the king complaining, among other things, that the prior was billeting Irish enemies and chieftains to the number of fifteen "battles" on the population of Tipperary and Kilkenny, forcing them to pay wages². It is not improbable that these "battles" were actually contingents of the earl's

1. M. C. Griffith, loc. cit., p. 393.

2. J. Otway-Ruthven, Medieval Ireland, p. 353.

retinue¹. At any rate, it seems clear that Talbot did not control Tipperary and Kilkenny in October, 1417, and that the prior was taking no chances. It was one thing to appoint receivers for the Butler estates in this region, but it was quite another to gain actual control of them in the face of opposition from the earl of Ormond's deputy.

Whether fighting broke out between Talbot and the earl's deputy is uncertain. In 1422 Ormond claimed that the lieutenant had commanded the prior to "pote away his souldiers", which, he claimed, the prior did, whereupon Talbot instigated Walter Burke, Taig O'Brien and others, to burn and destroy the earl's lands, inflicting damage to the extent of £ 5,000². What may actually have happened was that Talbot ordered Burke, with whom he had made peace in 1417³, to bring the prior into submission if he proved obdurate. That the relationship between the two men grew progressively worse cannot be doubted, for in June, 1418, Talbot arrested the earl of Kildare, Sir Christopher Preston

1. See below ch. VIII, p. 285.

2. M. C. Griffith, loc. cit., pp. 393-4.

3. See J. Otway-Ruthven, Medieval Ireland, p. 353.

and Sir John Bellew, "because they sought to commune with the prior of Kilmainham"¹. Quite clearly Talbot suspected the prior of engineering a powerful conspiracy, real or imagined.

It is clear that the Butler lordship suffered severely from the disruptions wrought by the bitter quarrel between the earl of Ormond and Talbot: its defence was never a simple matter, especially when the earl of Ormond was absent or was a minor. The relationship between the lieutenant and the earl's deputy made matters much worse: it provided the Burkes and the O'Briens with a golden opportunity to raid Ormond's lands, an opportunity which they did not fail to take. No doubt Ormond did much to restore the situation in his lordship upon his return to Ireland in 1420. The testimonials which he collected in 1421 and 1422 from the counties of Limerick, Kildare², Carlow³, Kilkenny⁴,

-
1. Henry Marleburroug, The Chronicle of Ireland in The History of Ireland, Dublin, 1633; see too J. Otway-Ruthven, Medieval Ireland, pp. 353-4.
 2. M. C. Griffith, loc. cit., p. 380; J. Otway-Ruthven, Medieval Ireland, p. 361.
 3. P.R.O. E 101/247/16 (from John, bishop of Leighlin, and others, dated 17 June 10 Henry V).
 4. Ibid., E 101/247/17 (from Dionicius, bishop of Ossory, and others, dated 22 March 9 Henry V).

and Waterford¹, in the course of his quarrel with Talbot², unanimously assert that the communities of these counties were on the point of final destruction by Irish enemies and English rebels, until the arrival of Ormond, whereupon they were greatly relieved and comforted. According to the testimony of the community of co. Limerick

...James le Botiller, earl of Ormond, the lieutenant in Ireland of our most illustrious and dreaded lord the king of England, made war against the enemies and rebels of our lord the king in that land, in the most courageous and commendable manner, receiving great help from James of Desmond³, the earl of Desmond, from the time when he undertook the execution of this office and entered our land in the king's name and authority, to the praise of God, the great honour of our lord the king, the comfort and relief of the loyal people of the land, with great toil and unbearable expense⁴.

The testimonial did not say against whom the earls made

1. P.R.O. E 101/247/17 (from Hugh, prior of St. Catherine's, Waterford, and others, dated Wednesday in the feast of the Annunciation, 9 Henry V). I am grateful to Dr. J. F. Lydon for drawing my attention to this document, for it was omitted from the micro-film of this series in the N.L.I.; also to Mr. R. Frame, who kindly transcribed it for me while he was in London.
2. See M. C. Griffith, loc. cit.; J. Otway-Ruthven, Medieval Ireland, p. 361.
3. See below pp. 272-3.
4. M. C. Griffith, loc. cit., p. 392.

war, but we may be sure it was against Walter Burke and his allies, who had been profiting from the disturbed condition of the Butler and fitzGerald lordships during the lieutenancy of Talbot. While these testimonials are unquestionably partisan, we have no reason to doubt their essential truth, even when we have taken exaggeration into account. The events of Talbot's lieutenancy, together with the absence of Ormond, undoubtedly made for unsettled conditions in the Butler lordship. The removal of Talbot and the return of Ormond inevitably brought some measure of stability to the lordship.

Ironically, the Talbot-Ormond dispute had the effect of driving together the two greatest Anglo-Norman houses in Munster, the Butlers and the fitzGeralds, who had been ^{traditionally} antagonistic. Their mutual antagonism arose chiefly from the fact that they shared long stretches of common frontier in counties Tipperary, Limerick and Cork. We have already seen how the rebellious first earl of Desmond played his part in bringing about the near ruin of the Butler lordship in Tipperary

during the minority of the second earl of Ormond, between 1338 and 1347¹. Even after Desmond's restoration to royal favour in 1349, he continued to give trouble to the earl of Ormond, for in 1351 he was commanded by the king to respect Ormond's regalian powers in the liberty of Tipperary². This may not have been the end of the matter, for it was considered necessary in 1356 that the king should specifically grant Ormond regalian authority in the manors which the earl of Desmond held in Tipperary, just as he (Ormond) had such authority in the rest of his liberty³. Despite the outburst of the bishop of Cloyne in 1380 during the celebration of the mass at the chapel in Dublin castle, when he interposed the following words into the liturgy

Eterne Deus: duo sunt in Momenia qui destruunt nos et bona nostra, videlicet Comes Ermonie et Dessemonie cum eorum sequacibus quos in fine destuet Dominus, per Christum Dominum nostrum, amen⁴,

the two earls continued their feud. They were at war

-
1. See above ch. V, pp. 179-83.
 2. Cal. Ormond Deeds ii, no. 8.
 3. Ibid. iii, no. 348.
 4. Ibid. ii, no. 245, p. 177; see also J. Otway-Ruthven, Medieval Ireland, p. 314.

in 1386, when the government tried to make peace between them¹, and there were renewed disputes in the following year². A great war was again reported to have broken out in 1402³, which may have been the occasion of the dispute between the earl of Ormond and Catherine of Desmond, although it is more likely that this took place shortly before the extent of the manor of Carrick was made in 1415⁴.

But in the third decade of the fifteenth century all was forgotten, if not forgiven. The alliance between the two families was signified by the appointment of Desmond as seneschal and governor of the Butler estates in the barony of Imokilly, co. Cork, in 1422⁵, and in 1429 the same estates became the marriage portion of the daughter of the White Earl in marriage to the son and heir of the earl of Desmond⁶. Desmond had

-
1. P.R.O. E 101/246/6, no. 33(?) (Grant to Patrick de la Freigne of 100 shillings for treating with the earls of Ormond and Desmond at Clonmel. Witnessed by Philip Courtenay at Dublin, 21 November 8 Richard II); C.C.H., p. 122, no. 28.
 2. J. Otway-Ruthven, Medieval Ireland, p. 320.
 3. Ibid., p. 342; A.F.M.
 4. See above ch. VI, pp. 246-7.
 5. Cal. Ormond Deeds iii, no. 51.
 6. Ibid. iii, no. 88; see J. Otway-Ruthven, Medieval Ireland, p. 358.

no cause to love Talbot, who had unsuccessfully supported Thomas fitzGerald, the fifth earl of Desmond, against him¹. This marriage of convenience was bound to last only as long as both parties had cause to fear Talbot. Consequently, when Ormond and Talbot composed their differences in 1444², the alliance immediately fell apart; the romance was over.

In the event, there arose a great war between the earls of Desmond and Ormond in 1444

...so that the Earl of Desmond preyed and burned I-cluainn and I-Ere, and I-Hogain, and the most part of the county of Tipperary, and also many of their men were slain³.

This raid seems to have provoked an immediate response from Ormond who, together with the English of Meath, Leinster and most of the east part of Munster, proceeded against Desmond, but they did not achieve anything more than burning part of the Power's country (co. Waterford), after which both parties agreed to a year's peace and returned home⁴.

The matter did not end there, for in January 1447,

1. J. Otway-Ruthven, Medieval Ireland, pp. 352-3.
2. Ibid., p. 374.
3. MacFirbis, Annals.
4. Ibid.

the communities of Tipperary and Kilkenny drew up separate petitions complaining of the invasion of their lands by the earl of Desmond and his allies¹. The petition of the community of co. Kilkenny stated that this act was committed shortly before the arrival of Talbot in Ireland as the king's lieutenant, which would place it in the spring or summer of 1446². It is unlikely that MacFirbis got the date of the raid in 1444 wrong, for he also noted that Ormond was sent to England in the same year to face the charges laid against him by the English of Ireland, so we have little reason to doubt his dating of the other events in the same year.

There can be little doubt about the extent of the destruction wrought by Desmond and his allies. His forces were indeed formidable, for he was accompanied by McGillpatrick of Ossory, O'More of Leix and Donal Reagh (or Riabhach) McMurrough (Ms: Douenill Reagh).

1. Appendix V, nos. 3 and 4.

Note: The petition of the community of Tipperary is undated, but it was undoubtedly drawn up about the same time as the petition of the community of Kilkenny.

2. Appendix V, no. 4.

They left a trail of destruction extending from Freghans in Offa to Buolick in Slievardagh, burning many places in Moctalyn on the way¹. The community of Tipperary claimed, with some justification, that

...sethen the conqueste of this oure said soffroun his laund of Irlaund to this day the said countees toke non such rebuke of none of oure sufferayn lorde his Irrois onemys as they dude by the said Erle of Desmound².

The destruction in co. Kilkenny was equally severe, if we are to believe even a quarter of what was claimed in the petition, according to which no less than seventy-six towns and sixteen churches were destroyed, and many people taken prisoner³; not even the property of the duke of York⁴, the duke of Buckingham⁵, the earl of Ormond and the church, was spared⁶.

As if matters were not bad enough in Tipperary,

-
1. Appendix V, no. 3.
 2. Ibid.
 3. Ibid., V, no. 4.
 4. He was heir ultimately to the purparty of Elisabeth de Clare in counties Kilkenny and Tipperary (see above ch. II, pp. 74-5).
 5. He was heir ultimately to the purparty of Margaret de Clare in co. Kilkenny (see above ch. II, pp. 75-6).
 6. See appendix V, nos. 3 and 4.

the minor branches of the Butlers determined to make them worse. According to the complaint of the gentlemen, inheritors and freeholders of Tipperary in 1542, the White Earl committed the government of the lordship, and in particular the command of his retinue¹, to his kinsmen upon his departure to England "for certain causes him then moving to see the king's highnes"². This was almost certainly a reference to the earl's departure to England to face the charges of the Talbot faction in either 1442 or 1444³. The more probable date is 1442, for the freeholders explained that Ormond was acting as the king's lieutenant upon his return to Ireland⁴. In any event the White Earl

...comyttid to sundrye personnes his kynesfolk the rule and gouernaunce of the said countie in his absence and appointed and lymtted to euery of them a certain seuerall portion of the said countie to gouerne, and assigned to euery of theme a certain nombre of the said retynue soo graunted by their auncestours to himself to be at the leading of euery of them within his owne presincte so lymited and assigned unto him for the defence of the same⁵.

-
1. See below ch. VIII, passim.
 2. Cal. Ormond Deeds iv, no. 267, p. 209.
 3. See J. Otway-Kuthven, Medieval Ireland, pp. 371-5; also E. Curtis, A History of Medieval Ireland, (London, 1938) p. 303.
 4. Cal. Ormond Deeds iv, no. 267, p. 210.
 5. Cal. Ormond Deeds iv, no. 267, p. 209-10.

The earl seems to have hoped that this arrangement would satisfy the junior branches of his family, but in the end it satisfied nobody, for as soon as he left Ireland they

...entred into suche a wrongfull inordynate pride and malicious diuision and rancour betwene themselfs that they fell suddenly out of their good obedience to be murderers and mansleers of either other. Whereof followed depredations roberies and taking of prisoners and of unmeasurable redemptions emongs themselfs soe as the said Erle in his retourne out of your highnes said realme of Englande into this your realme of Irlande...came emongs his said kynsfolk and with moche difficultie plucked from them suche auctoritie and power as he before his repaire into Englande comytted unto theme in hope they wolde haue guerned the cuntrey well in his absennce together with the usurped strength that they acqyred by the same in the meane tyme, causing theme aswell to put at libertie suche priseners as either of theme had takyn of other as to restore and recompennce the hurts comytted by theme during the tyme of his absennce, and brought them agayne to suche reclayme and obedience as the cuntrey was aswell ordred and reformed by the Seneschall, Justice and other thofficers by him appointed in the said libertie as it was in the prestynate estate¹.

That the White Earl re-established order in the liberty immediately upon his return may be doubted, for there was still some fighting going on in 1447, when MacRichard Butler (or his son) and Art Gaemhanagh were

1. Cal. Ormond Deeds iv, no. 267, p. 210.

taken prisoners by Walter Tobin and Piers, the son of James Gallda Butler of Caher. Art died in captivity, but MacRichard was ransomed¹. This was apparently another round in a dispute between MacRichard and the Tobins of Comsey, who seem to have been supported by the Caher Butlers, for we hear of an earlier attack on the Tobins by MacRichard in 1444². In 1450 the provost and commons of Carrick complained that within fourteen years their town had been twice burned by English rebels, ^{and} its people taken prisoner³. It is not unlikely that between his preoccupation with his dispute with the Talbot, ^{and} the invasions of the earl of Desmond, ^{the White Earl did not actually manage to restore the situation in Tipperary until sometime between 1447 and 1449. This date coincides exactly with the enactment of certain ordinances of the White Earl in the court of the liberty of Tipperary, which were certainly designed to restore order. It also lends weight to the statement of the freeholders of Tipperary in 1542 that the "cuntrey" was ordered and reformed by the seneschal,}

-
1. MacFirbis, Annals, anno 1447.
 2. Ibid., anno 1444.
 3. Statutes, Henry VI, pp. 243-4.

justice and other officers appointed by the earl, for these ordinances would have been enacted before them in the court of the liberty¹.

It is clear that the lordship under the White Earl was not without its disturbances. That these were serious cannot be doubted. The quarrelling among the junior branches of the Butlers was kept within limits while the White Earl was alive, but it was sufficiently disturbing to provide an indication of things to come. But for all this, it was surely a period of relative stability by contrast with the faction-torn history of the lordship in the second half of the fifteenth century, when the earls of Ormond were either absent from Ireland or under attainder. In this situation the government of the liberty of Tipperary became the instrument of various factions of the junior branches of the Butlers, just as it had in 1442, only this time the anarchy endured for more than sixty years.

1. See below ch. VIII, passim.

CHAPTER VIII

THE ORDINANCES OF THE WHITE EARL

Having examined the political background of the White Earl's rule, it is now time to examine the ordinances which bear his name. It will be seen that while the ordinances arose out of the circumstances of the time, their importance outlasted the earl's lifetime; they became the subject of a heated controversy in the sixteenth century. Moreover, the Ordinances of the White Earl are of unique interest to the student of fifteenth and sixteenth century Irish history, for they are the only body of locally enacted laws to have survived in part or in whole. It is conceivable that they may have been unique even in the fifteenth century: there is no evidence to suggest that similar laws were enacted in other lordships, though the possibility cannot be ruled out. Aside from their intrinsic interest, they provide an unusual insight into the defensive measures adopted by an Anglo-Norman community beset on all sides by formidable foes and deprived of the protection of the central

government. That they have so far escaped serious attention is largely due to the fact that scholars have failed to bring together several documents which have a bearing on the subject.

Broadly speaking, these ordinances fall into two categories: those which specifically concern the liberty of Tipperary¹, on the one hand, and those that concerned the rest of the lordship, namely the "statutes of Kilkash"². That all the ordinances were enacted in an assembly at Kilkash, co. Tipperary, may be doubted, but it is clear that they belong to the same period.

The precise date of the enactment of the ordinances cannot be exactly determined, but they probably date from the last decade of the White Earl's rule (1411-52). These laws first appear written upon the return of a writ of summons to the court of the liberty of Tipperary, which may be dated with reasonable

1. See below ch. X, passim.

2. See below pp. 296-7

certainty sometime between 1447 and 1449¹. However, there is some reason to think that the ordinances may have been re-enactments. In the first place the statutes of the White Earl mentioned in the agreement between the earl of Ormond and the baron of Caher in 1517 do not correspond exactly to those of 1447-49². Secondly, it appears from the complaint of the freeholders of co. Tipperary sent to Henry VIII in 1542 that their ancestors had agreed to bear certain charges for the defence of the county sometime before the White Earl departed for England to see the king. It cannot be doubted that these charges were similar

1. Cal. Ormond Deeds iii, no. 102, pp. 97-8. This writ, first issued in 1432, was used to record a second return, which may be dated sometime between the consecration of Robert, bishop of Lismore, in August, 1447, and the translation of Cornelius, bishop of Emlly, to the diocese of Elphin in October, 1449. (Tatheus was not bishop of Killaloe at this time, although he was recorded on the same return). The ordinances, which appear on the dorse, were unmistakably written in the same hand as the later return.
2. Ibid., iv, no. 40 (p. 47). It is interesting to note that the baron promised to abide by the provisions of these statutes "prout in ipsis statutorum rotulis plenius continetur" which, if taken literally, means that the statutes were preserved in separate rolls, not upon the dorse of a writ of summons.

to those mentioned in the ordinances of 1447-49¹. The reason for the earl's visit to the king was not specified, but it was most likely related to the Talbot-Ormond dispute which reached a climax between 1442 and 1444². During his absence, the earl's kinsmen usurped his authority, and it was only with great difficulty that he managed to restore order there before his death³. The internal disorder of the lordship probably coincided with the invasion of Tipperary and Kilkenny by the earl of Desmond in 1446⁴. Thus the re-enactment of some of the relevant sections of the ordinances in the liberty court of 1447-49 would seem to tie in with the restoration of the earl's authority there. Consequently, it is possible that some ordinances, at least, had been enacted before 1442. The freeholders of co. Tipperary did not say in 1542 that their ancestors had agreed to submit to such charges in the time of the White Earl, but there is no reason to

-
1. Cal. Ormond Deeds, iv, no. 267.
 2. See A. J. Otway-Ruthven, Medieval Ireland, pp. 370-76; see above ch. VII, p. 276.
 3. Cal. Ormond Deeds iv, no. 267.
 4. See above ch. VII, pp. 273-5.

believe the "Statutes of the White Earl" mentioned in 1517 derived from an earlier period¹.

Only fragments of the White Earl's ordinances have survived the ravages of time, but it seems there were at least three complete records of them in existence in 1537:

Item, the statutes of Kylcas be commonly used in the countrey by my lord of Ostrey [Ossory], and by his Irishe judge, called a brehon, and by all other freeholders of the countrey, and they use none other lawe but the same, and divers of the bookes of the same statutes ar in the keping of the shiref of the shire of Kilkenny, and the bishop of Waterford, and one booke is in the possession of Rory McLanghire, being judge of the countrey².

Although none of these books has survived there can be little doubt from the information given by the jury that the statutes of Kilcash were virtually the same as the statutes which applied in the liberty of Tipperary, at least in regard to the military provisions.

-
1. See above, p. 282.
 2. Verdict of the corporation of the town of Kilkenny, 1537, in The Social State of the Southern and Eastern Counties in Ireland in the Sixteenth Century, ed. Herbert J. Hore and Rev. J. Graves, (Dublin, 1870), pp. 112-3.

The statutes of 1447-9 are clearly related to the particular situation in the liberty of Tipperary. They are primarily, but not exclusively, concerned with provisions for the defence of the liberty, and with the regulation of billeting. It was provided that James Gallda Butler, the earl's illegitimate brother, should be "keeper of all ye countre" with authority to "sett forogr' and have coydhhye"¹ in every freeholder's house in the liberty. He was to have a company of twenty-four footmen to accompany him. The earl could also billet his men anywhere he went: his marshals of the horse seem to have been charged with this duty. Two "chyefteyns of hys Keherynty"², or captains of the soldiers of his household, presumably had similar tasks. These provisions formed the core of the statutes: they were still ^{in operation} in Kilkenny and Tipperary in 1537³ and 1542 respectively⁴.

-
1. Mr. McNeill thought that forogr' might be forager, which fits the context, and that coydhhye was derived from cuid oidhche or night suppers (see Cal. Ormond Deeds iii, no. 102, p. 99).
 2. Ibid. From Celthern tigh: household kerns.
 3. See below, p.290(note no.1.), and pp. 295-7.
 4. Cal. Ormond Deeds iv, no. 267.

A second group of provisions was designed to prevent the usurpation of these military charges by the earl's tenants. It was ordained that no captain could demand night-suppers from any freeholder in the liberty without a special permit from the earl; no kerns were to be quartered on the country except the earl's; and no one was to break the peace or ride with banners displayed without the permission of the earl¹. These particular provisions may have been designed to restore the authority of the earl after the disorders of the preceding years². If this was indeed the case, it is possible that these provisions were enacted on

1. The illegal imposition of soldiers and idlemen on freeholders was the subject of much legislation in the Irish Parliament. Clause xvii of the Statutes of Kilkenny (Statutes, King John - Henry V) declared in 1366 that kerns, hobelars and idlemen were to be maintained in the march at their lord's expense, without taking anything against anyone's will. In fact the White Earl obtained the consent of the freeholders, so he was not infringing the statute. In denying the right of others to impose similar charges, the earl was acting in conformity with an act of Parliament in 1310, which provided that the lords of the liberties were entitled to forfeitures arising out of such offences (Ibid., pp. 283-85).
2. See above p. 283.

this occasion, whereas the first group of provisions may have been re-enacted.

The third group ordained that the earl should hold his sessions every year

...and call all hys liberte of ye contre Typerar' to ye sayd sysen in his owyn ffranchys to hym both spyrytuall and temporall lyke as hit ys wtyn same roll as well as ye kyng may hole hys parlement.

While this was certainly giving the court of the liberty an unjustified dignity and authority, it may be observed that it was during such sessions that the community met to consider and adopt measures for its defence; it was there too that the community was accustomed to grant subsidies of thirty or sixty marks to the earl in time of need¹. In a sense, therefore, it was more than a court of law solely concerned with dispensing justice: on occasion it was regarded as representative of the community of the liberty with authority to consent to measures of local interest or to grant subsidies in the name of the whole community. The necessity for such action at once shows the weakness of the central government and the strength of the

1. Cal. Ormond Deeds iii, no. 102, p. 97.

local communities. But it must be remembered that local legislation was not altogether unusual: the community of Cheshire was accustomed to make laws or judicia for itself¹; and there is some evidence that laws were also made in the county court of Durham². We even find the community of Northumberland enacting local laws in the reign of Henry III³.

That the military charges specified in the Ordinances of the White Earl were approved by the community of the whole lordship is apparent from the complaint of the freeholders of co. Tipperary in 1542. They were not imposed arbitrarily; at any rate, not initially. The freeholders' complaint was based upon the fact that their ancestors had agreed to support a special force for their common defence:

...whiche Erles [of Ormond] with the aide and assistance of suche retynue as your said subiects

-
1. Calendar of County Court, City Court and Eyre Rolls of Chester, 1259-1297, ed. R. Stewart-Brown, Chetham Society, New Series vol. 84 (1925), pp. xxxviii-xli. For actual examples of Judicia see nos. 29, 88, 111, 228.
 2. G. T. Lapseley, The County Palatine of Durham, pp. 126-7.
 3. Three Early Assize Rolls for the County of Northumberland, Surtees Society, LXXXVIII (1890), pp. 208-9.

auncestours have bene contendid and agrede custumably to bere the charge of and to be at the leading of the said Erles from tyme to tyme for the succour and defence of your said complaynaunts and their auncesters...¹

They went on to explain in detail how the earl's kinsmen, particularly the Butlers of Caher, usurped the authority of the earls of Ormond during their residence in England from 1452 to 1515², and how they imposed these charges upon the freeholders without their consent. The freeholders claimed that despite the repeated efforts of the earl of Ormond (Piers Butler) and various viceroys, Sir Edmund Butler of Caher

...persevered still in chardging of your said complaynaunts with coyne an lyveray, coddies, coyssers, hounds, hounts, stodekeepers, masons, carpynters, and workmen and all manner other exactions and unlauffull impecions to their utter impoverishings and intollerable losses... [and] that Syr Thomas Butler, knyght, son and heire of the said Syr Edmunde, affermyng that he will forego nothing of that that his father and grauntfather by their extort and usurped power enacted of your moste humble complaynaunts, slakith not to sesse and exacte of them so many kynds of inordynate exactions and taxes dailly...³

The freeholders went on to supply details too

-
1. Cal. Ormond Deeds iv, no. 267, p. 209.
 2. See below ch. IX, pp. 315-20.
 3. Cal. Ormond Deeds iv, no. 267, p. 212.

numerous to record¹, but they said two things which hinted at the existence of certain statutes now lost. First of all they explained that the lord of Caher daily burdened them with labourers for building and repairing castles, houses, mills, and making enclosures

...whiche noo man useth but whan the same is grauntid by the consent of all the cuntrey for helpe to suche buylding of ffortresses of [or?] passadges to be stopped and other like as to be for a comon welthe and noone otherwise².

This implied that in certain well-defined circumstances the freeholders of the liberty had agreed to bear such charges for their mutual defence, but not otherwise. Secondly, they complained that he burdened them with twelve serjeants, to whom they were obliged to give offerings twice a year, whereas the earl of Ormond formerly had only two serjeants for the "ministration and executing of justice as is aforesaid to whom they

-
1. This address should be compared with the verdicts of the gentlemen and commoners of co. Tipperary, and of the heads and commoners of Clonmel, in 1537, in The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century, ed. Herbert J. Hore and Rev. J. Graves (Dublin 1870), pp. 232 ff., 244 ff.; and also with the letter of William White, recorder of Waterford, to the earl of Ormond, in 1501 (Cal. Ormond Deeds iv, appendix, no. 55).
 2. Cal. Ormond Deeds iv, no. 267, p. 213.

do grant the same to noo man els". The two serjeants in question were probably the serjeants of Offa and Iffowyn, which were mainly in the control of the lords of Caher. There is the hint that the annual offerings to the two serjeants had been the subject of an agreement between the freeholders and the earl.

Thus it is clear that the ordinances had been originally issued with the consent of the community for the common defence of the inhabitants of the liberty. They were regarded as extraordinary measures designed to meet immediate needs. They were granted to the earl in times of necessity; he did not exercise them as of right.

The Butlers of Caher, more than anyone, were responsible for arrogating to themselves the various charges which the freeholders had granted to the earl. In all probability, this may not have been an outright usurpation, for their ancestor, James Gallda Butler, had been given the command of a company of twenty-four kerns¹ under the ordinances, presumably with the consent of the community. One of the charges brought

1. See above p. 285.

against the Butlers of Caher in 1537, and again in 1542¹, was that they imposed a company of twenty-five kerns upon the freeholders, which would seem to be identical with the company under the command of their ancestor. Their real error lay in the fact that not only did they use the force for their own ends, but they also used it to defy the authority of the earl. Consequently they came under attack from two directions: from the freeholders, on the one hand, and the earls of Ormond on the other. In 1501 the citizens of Clonmel sent William Dows to the earl of Ormond in England to secure a confirmation of their privileges as a protection against the oppressive lord of Caher². In the previous year, the earl had granted a charter to Carrick³, possibly for the same reasons, for it was threatened by Edmund Butler of Caher in 1498⁴. The

-
1. Hore and Graves, op. cit., p. 232; Cal. Ormond Deeds iv, no. 267, p. 213. The freeholders claimed that they gave the command of the company to the earl of Ormond only, but the fact remains that James Gallda did have the command at one time, presumably as the earl's lieutenant.
 2. Cal. Ormond Deeds iv, appendix no. 55.
 3. Catalogue of the Cottonian MSS, Titus B XII. 17. A full transcript of this charter may be found among the Carew MSS in Lambeth Palace Library in MS. 613 (unfoliated).
 4. Cal. Ormond Deeds iv, appendix no. 38.

freeholders again complained to the duke of Norfolk, the Lieutenant in Ireland, 1520-21, who actually "commytted the same Syr Edmunde to warde", and yet again to Sir William Skeffington (Lord Deputy, 1534-5) and Anthony St. Leger (Lord Deputy, 1540-5)¹. They had also testified against the lord of Caher before the king's justices in 1537².

The earls of Ormond were no more successful in breaking the power of the barons of Caher, as the freeholders testified in 1542. Piers Butler, earl of Ormond (1515-1539), managed to bring Edmund Butler of Caher to heel in 1517, when the Ordinances of the White Earl were used as the basis of an agreement³. This can hardly have been a very successful arrangement in view of the complaints of the freeholders in 1520-21. In 1525 Piers managed to induce Thomas Butler, son and heir of Edmund of Caher, to abide by the agreement of 1517⁴, but it was still necessary for a further agreement to be drawn up in 1544 between

1. *Ibid.*, iv, no. 267, p. 212.

2. Hore and Graves, *op. cit.*, p. 232 ff., 244 ff.

3. *Cal. Ormond Deeds* iv, no. 40.

4. *Ibid.*, iv, no. 119.

the same Thomas and James Butler, earl of Ormond.

Among other things it was agreed that the

...Said baron...shall bear 'bweny begges' continually to said earl as it was used in time past and at such times as said earl shall think meet by the assent of the gentlemen and freeholders of the country to retain galloglas for the defence of the king's subjects of the same...¹

Piers Butler may not have succeeded in permanently subduing the lords of Caher, but he came closer to doing so than any of the earls of Ormond since 1452. Besides, he did succeed in bringing the baron of Dunboyne to heel, as the freeholders of the county testified in 1542². This was achieved as the result of an agreement drawn up between Piers and James Butler, baron of Dunboyne and lord of Kiltinan, in 1523, whereby the latter promised, *inter alia*, to use no kerns within the liberty except those of the earl³.

Except for co. Kilkenny, nothing is known of the operation of the military provisions of the ordinances in the rest of the lordship beyond the bare fact that

1. *Cal. Ormond Deeds* iv, no. 318. My italics.

2. *Ibid.*, iv, no. 267, p. 211.

3. *Ibid.*, iv, no. 86.

they were applied in counties Limerick, Carlow, Kildare and Meath¹. But since they were applied in co. Kilkenny in much the same way as they were applied in the liberty of Tipperary, there is no reason to suppose that the pattern should have been substantially different in the outlying parts of the lordship.

The military organisation in co. Kilkenny in 1537 resembled the organisation in the liberty of Tipperary, as outlined in the ordinances of 1447-49². There were two companies of kerns, each under the command of two captains, traversing the county four times every year³. There also seems to have been a marshal in co. Kilkenny from about the middle of the fifteenth century⁴. The numerous charges or exactions mentioned by the Kilkenny juries in 1537 compare closely with those ascribed to the lords of Caher in 1542. The inhabitants of the county were burdened with the provision of food, lodging and wages for the earl's workmen engaged upon his various building projects. Among other things,

1. Cal. Ormond Deeds, iv, no. 267, p. 214.
2. See above p. 285-6.
3. See above ch. XII, p. 455.
4. Ibid., p. 453.

they were obliged to carry building materials, supply "somer otys" for his horses, and support the earl's greyhounds and dogs during the hunt¹. One jury noted that the earl took meat and drink, called "guyddye" (i.e. cuid oidhche: night suppers) from his own servants and tenants, but not elsewhere². This is an interesting observation, implying that the ordinances were enforced only upon the tenants of the Butlers in co. Kilkenny, and not upon all the inhabitants of the county irrespective of their allegiance.

These exactions were presumably laid down in the lost statutes of Kilcash³. Some attempt seems to have been made to restrict the right of imposing them to the earl's officers specially designated under his seal, as in Tipperary⁴. In 1526 the freeholders of co. Kilkenny roundly condemned an attempt made by the

-
1. Verdict of the gentlemen of the shire of Kilkenny before the king's justices at the general sessions in Kilkenny, 1537, in The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century, ed. Herbert J. Hore and Rev. J. Graves, pp. 88-9. Cf. Gal. Ormond Deeds iv, no. 267, pp. 212-3.
 2. Verdict of the commoners of co. Kilkenny, 1537 (Hore and Graves, op. cit., p. 99).
 3. See above p. 284.
 4. See above pp. 285-6.

king's commissioners and the earl of Ormond to increase the number of soldiers supported by the inhabitants of the county:

...for as moche as the said ordre and dyreccion was strang unto the said gentlemen and freholders and also contraxye to suche customes of retayning of people as they have usid at all seasons for ther defence, they wold in no wyse condysend to that dyreccyon but wold that the said Erll shold usse ther defence from tyme to tyme as have at all other seassons in tymes past except only that the said Erll shold leveray no horsman nore kerne in the contre but only by bill¹.

It may be concluded that the statutes of Kilcash corresponded more or less exactly to the Ordinances of the White Earl as they applied in the liberty of Tipperary. The fact that these statutes were enacted at Kilcash in co. Tipperary suggests that the purely military provisions of the ordinances of 1447-49 were enacted in this assembly before representatives from all parts of the lordship, and that they were subsequently adapted to fit the particular circumstances in Tipperary.

The Ordinances of the White Earl afford a

1. Cal. Ormond Deeds iv, no. 125. My italics.

striking example of how the medieval principle of consent was applied in a remote and isolated frontier society. It is true that many of the exactions to which the freeholders voluntarily submitted were Gaelic in origin, but that is not to say that they had become gaelicised. On the contrary, the freeholders steadfastly refused to accept the right of the barons of Caher to make these exactions. Their refusal implied a refusal to forego their rights in common law. As long as these measures were deemed necessary for their common defence, and as long as they were applied in accordance with the provisions to which they had voluntarily submitted, they raised no objection. Such was clearly the implication of the protest of the freeholders of co. Kilkenny in 1526.

CHAPTER IX

THE BUTLER LORDSHIP, 1452-1515

The death of the White Earl in 1452 marked a turning point not merely in the history of the Butler lordship, but in the history of the Anglo-Norman colony in Ireland as well. Apart from the fact that a formidable personality had been removed from Irish politics, the absence of his successors for more than sixty years was bound to affect the balance of political life in Ireland, just as it could not fail to affect the fortunes of the Butler lordship itself. Their absence inevitably left the Irish government in the control of the two great Geraldine houses of Desmond and Kildare, which were not in the normal course of events well disposed to the Butlers, even without the political complications arising from the Wars of the Roses. The result was that the Butler lordship in Ireland was left at the mercy both of a hostile government and the mutually hostile junior branches of the Butlers; this created a situation which could not fail to produce anarchy.

The reason for the absence of the White Earl's successors James, John and Thomas, between 1452 and 1515, need not detain us here. Suffice it to say that the marriage of James, earl of Ormond and Wiltshire, to Eleanor de Beaufort inevitably involved him and his brothers, John and Thomas, in Lancastrian politics. Moreover, the fact that they acquired wealth and influence in England¹ must have reduced their interest in their Irish estates which, from a purely financial point of view, were more trouble than they were worth by the time the Irish administration and the minor branches of the Butlers had taken their share of the profits².

Trouble between the Butlers and the fitzGerald's of Kildare broke out almost immediately after the White Earl's death over the manors of Rathmore and Maynooth. The origins of this dispute are obscure, for we know little about the affairs of the earldom of Kildare between 1432, when the fifth earl died, and the final

-
1. Thomas, the seventh earl of Ormond, who lived all his life in England, was reputed to have had about seventy manors there (Second Report of the Historical Manuscripts Commission, appendix p. 210).
 2. See below pp. 307-10.

recognition of Thomas fitzMaurice, his grand-nephew, as heir to the title in 1456¹. But we would probably not be far from the truth in supposing that Ormond claimed these and other manors in right of his step-mother Elizabeth, daughter and heiress of the fifth earl of Kildare. At any rate in 1453 fighting broke out between the Butlers, led by Edmund and William Butler of Dunboyne, and the fitzGerald's, in the course of which it was claimed that more damage had been inflicted upon Meath and Kildare in a short time than by Irish and English enemies over a long period². In fact this quarrel may have erupted into violence before 1453, for in 1450 we learn that MacGeoghegan had risen with three or four Irish captains, together "with a great fellowship of English rebels", and burnt Rathmore³. We do not know whether the Dunboyne Butlers were involved in this incident, but the concentration of fighting around Rathmore in these years may be part

-
1. See Gal. Ormond Deeds iii, no. 101; J. Otway-Ruthven, Medieval Ireland, p. 386, n. 16.
 2. See J. T. Gilbert, History of the Viceroys of Ireland, pp. 366-7; also J. Otway-Ruthven, Medieval Ireland, pp. 385-6.
 3. J. Otway-Ruthven, op. cit., p. 382.

of a pattern of Butler-fitzGerald feuds. We know too that Maynooth was in the king's hand in Michaelmas, 1452, and Easter, 1453, "for certain causes"¹, which may represent a thinly disguised move by York's administration to wrest the manor from the Butlers.

But whatever the truth of this matter may be, we can hardly doubt that the attack on Rathmore and Maynooth in 1453 was encouraged by the appointment in the same year of the earl of Ormond and Wiltshire as the king's lieutenant in Ireland, exercising his office through his deputy, the archbishop of Armagh. It is not improbable that Edmund Butler of Dunboyne was acting as seneschal of the liberty of Tipperary at this time: the lords of Dunboyne had established an almost hereditary claim to the office by this time², and we know that Edmund was seneschal in 1457³. Moreover, by this time the struggle between the Yorkist

1. P.R.O. 3 C 6/1238/20, Minister's Accounts. [The account of] John Martyne, sometime receiver of the honorable lord Thomas Talbot, prior of Kilmainham, sometime farmer of the king for...of the manors of Maynooth and Taghte (?) in the king's hand for certain causes, of the Michaelmas and Easter terms, a.r.r. Henry VI, xxxi°.
2. See below ch. XII, p. 431.
3. See appendix VIII, no. 1.

and Lancastrian parties had begun in earnest: the very appointment of Ormond as lieutenant in May, 1453, and his removal from the office shortly afterwards, was all part of the political game¹. The dispute over Rathmore and Maynooth was not finally resolved until 1475, when it was provided by an act of the Irish Parliament that Sir John Butler renounce all claims to the estates of the earl of Kildare². In this way Kildare was protected against a revival of Butler claims after the Butler lordship had been restored in Ireland.

The repercussions of the Butler-fitzGerald feud were far-reaching, for it must have helped to confirm Thomas fitsMaurice, the earl of Kildare, in his Yorkist sympathies, if it did not actually compel him into the Yorkist camp, for clearly a Lancastrian victory would have ensured Butler supremacy in Ireland. While it is true to say that the Anglo-Irish lords could not have remained unaffected by the events in England, the determining factor in their choice of allegiance was their Irish interests. In this instance the interests

1. See J. Otway-Ruthven, Medieval Ireland, pp. 385-6.
 2. Statute Rolls, Edward IV, part ii, pp. 271-5; Cal. Ormond Deeds iii, nos. 213, 242.

of the fitzGeraldts of Desmond and Kildare could hardly be served by supporting the same party as the Butlers. Besides, the family interests of these great Anglo-Norman houses were so intermingled with political allegiances, real or pretended, that they were in practice indistinguishable. The important point is that the Yorkist sympathies of the fitzGeraldts, however superficial, had the effect of giving them a free hand in pillaging the Butler lordship.

The course of events in Ireland which followed upon the execution of James, the fifth earl of Ormond, and the subsequent attainder of his brothers and heirs, John and Thomas, has been adequately treated elsewhere¹. Suffice it to say that the failure of Sir John Butler to recover his Irish lordship in 1462 and again in 1463 brought about the total collapse of the Butler-Lancastrian opposition in Ireland. Even the minor branches were subdued: Edmund MacRichard Butler of Polestown, Sir John's deputy in Ireland², was captured

-
1. J. T. Gilbert, *op. cit.*, p. 376 ff; J. Otway-Ruthven, Medieval Ireland, 388-90; E. Curtis, A History of Medieval Ireland (London, 1938), pp. 326-7.
 2. Cal. Ormond Deeds iii, no. 211.

at Pilltown in 1462; Edmund fitzPiers Butler, lord of Dunboyne¹, was attainted along with Edmund MacRichard Butler and Piers fitzJames Butler of Caher by an act of the Irish Parliament in 1462².

As a result the victors and their friends helped themselves to such parts of the Butler lordship as they could effectively control. Sir William Welles received the office of chief butler of Ireland; Gerald fitzGerrot was presented with the manors of Turvy, Rush and Balscadden, co. Dublin; and Walron Wellesley got the manors of Blackcastle and Donaghmore in co. Meath³. The Butler manors in co. Kildare appear to have gone to Thomas fitzMaurice, for when he was restored to his estates in 1463, the lordships of Oughterany, Oughterard, Castlewarden and Clintonscourt were specifically excepted⁴. What became of Ormond's estates in Tipperary and Kilkenny is uncertain, but it may be doubted that the government had control over the situation there.

-
1. Dunboyne may have been seneschal of the liberty of Tipperary at this time. He held the office in 1457 and was again reappointed in 1463. See appendix VIII, no. 1.
 2. Statutes, Edward IV, part 1, pp. 25-9.
 3. Statutes, Edward IV, part 1, pp. 31, 305-7; 363-5.
 4. Ibid., part 1, p. 587.

The minor branches of the Butlers gradually re-established themselves after the catastrophic events of the early years of the decade. In 1465 Edmund Butler of Dunboyne was pardoned of all his treasons¹. He must have come to some agreement with the government, for in the following year we find him acting as sheriff of Tipperary², which meant that he had renounced the office of seneschal of the liberty of Tipperary granted to him by Sir John Butler some years earlier³. It was not till parliament was held at Drogheda in 1468 that James fitzEdmund fitzRichard Butler, son and heir of Edmund MacRichard who died in 1464, was restored to his lands⁴. He too seems to have been taken into favour, for in April, 1468, he was granted the lordship of Callan for the term of his life, together with the prise of wines in the city of Waterford⁵. There is no mention in the rolls of parliament of the attainder on Piers fitzJames Butler of

-
1. Statutes, Edward IV, part 1, pp. 307-9.
 2. Appendix VIII, no. 3.
 3. Appendix VIII, no. 1.
 4. Statutes, Edward IV, part 1, p. 487.
 5. Cal. Ormond Deeds 111, no. 237. Note: the correct date of this deed is 1468, not 1472.

Caher being lifted. He died in 1464, and was succeeded by his son Thomas, who was certainly in possession of Caher between 1464 and 1472¹.

The restoration of the lordship to Sir John Butler, brother and heir of James, the fifth earl of Ormond, in 1475², did not result in any fundamental changes in the Irish political scene. As long as the Yorkist monarchy remained, there was no question of ending the Geraldine monopoly of the Irish administration. Besides, the repeal of Sir John's attainder had little practical effect as far as his control over his Irish estates was concerned: his estates in Tipperary and Kilkenny were controlled by the unruly junior branches, while the remainder of his lands in Dublin, Meath and Kildare were harassed by legislation against absentees.

This in fact seems to have been the recurrent pattern until the arrival of James Ormond in Ireland early in 1492, when the earl of Ormond, with royal

1. See below pp. 316-17.

2. Statutes Edward IV, part ii, pp. 271-5; Cal. Ormond Deeds iii, nos. 213, 242.

support, made a determined effort to restore some kind of order in his Irish lordship¹. In the meantime the lordship was torn by the factions of the junior branches and harassed by a hostile Irish government. In 1480 it was resumed by an act of parliament inspired by the earl of Kildare². A report, evidently drawn up shortly afterwards, shows the anarchic condition of the lordship: the Butler estates in co. Kildare were ~~resumed~~ in the king's hand; the earl of Kildare forcibly seized their rents; and the liberty of Tipperary was resumed

...whereof the said earl of Ormond's kinsmen have always taken the profit, so that nothing came to his hands thereof, and as for the value it is unknown unto the said earl³.

The report went on to say that the manor of Granny, co. Kilkenny, and the fee farm of the city of Waterford had also been resumed; Ormond received only the prise of wines from Limerick, with half of the prise of Waterford, although he was entitled to receive the prise

-
1. See below pp. 338-51.
 2. Cal. Ormond Deeds iii, no. 248; see too D. Bryan, Gerald Fitzgerald, the Great Earl of Kildare, 1456-1513, pp. 46-50.
 3. P.R.O. C 47/10/27 (3), Chancery Miscellanea. Printed in D. Bryan, op. cit., pp. 288-9; also Cal. Ormond Deeds iv, appendix no. 1.

from a number of Irish ports. The earl of Ormond appealed to the king¹, and succeeded in getting his lands restored in the following year².

But in the long term such agitation was of no avail: the earl simply could not control the situation in Ireland from "his London office", which was not surprising since the king had much the same problem himself. After three years of feverish activity in Ireland James Ormond, the earl's deputy, had little to show for his efforts by his own account. On 20th February, 1495, he wrote to the earl explaining that two thirds of the revenues of the lordship (£80) was in the king's hand. The prise of wines, the manors of Oughterard, Castlewarden, Blackcastle, Kilkenny, the fee farm of the city of Waterford and thirteen towns had been resumed³ (by an act of Poyning's parliament)⁴. If what James reported was correct, the total annual revenue from the estates controlled by both the earl

-
1. Cal. Ormond Deeds iii, no. 248; iv, appendix no. 2.
 2. Ibid., ii, no. 252; see too iv, appendix no. 2; Statutes, Edward IV, part ii, p. 857.
 3. D. Bryan, op. cit., p. 286; Cal. Ormond Deeds iv, appendix no. 18.
 4. Cal. Ormond Deeds iii, no. 288; iv, appendix pp. 378-80.

and the government amounted to only £120, of which two thirds was collected by the government. His estimate was probably not absurd when one remembers that normally only the Butler manors in Meath, Dublin, Kildare (if the fitzGerald's were obliging) and occasionally some in Kilkenny, could be controlled by either the earl or the government. The account of William, bishop of Meath, farmer of the earl of Ormond for the manors of Black-castle and Donaghmore, co. Meath, from 1480 to 1482, provides us with an interesting example of what happened to the earl's revenues within the pale. William was charged with £53:6:8 for the whole period of account, of which he paid £35:11:2, being the two parts of the issues due to the government, and a further £8:16:10, collected by Peter Butler "virtute cuiusdam statuti parliamenti domini regis", to the deputy, the earl of Kildare. After deducting £5:6:8, which he paid out to one of the earl's servants, there remained but £3:11:1¹.

The harassment by the Geraldine administration was

1. P.R.O. S.O. 6/1237/7, Minister's Accounts; Cal. Ormond Deeds iv, appendix no. 5.

the least of the earl's problems. His chief problem was the government of his unruly kinsmen, whose mutual antagonism kept the lordship in a state of perpetual turmoil. Initially, the absentee earls seem to have tried a policy of divide and rule, by sharing out the principal offices of government among the main branches. Thus, for example, we find that in 1462 Sir John Butler appointed Edmund MacRichard Butler of Kilkenny his deputy, "according to the form which he had from James, our father"¹. Sir John was probably renewing Edmund's appointment upon the death of the fifth earl of Ormond in the previous year. He offset this appointment by making Edmund fitzPiers of Dunboyne seneschal of the liberty of Tipperary in the following year². Once again this looks like a formal re-appointment, for Edmund was acting as seneschal in 1457³. We do not know if Sir John or his brother James, the fifth earl of Ormond, appointed Piers fitzJames of Caher "keeper of all the country"⁴ upon the death of his father James

-
1. Cal. Ormond Deeds iii, no. 211.
 2. Appendix VIII, no. 1.
 3. Ibid.
 4. See above ch. VIII, p. 285.

Gallda. In any event, the Butlers of Caher appear to have commanded the same force in 1542 that was committed to James Gallda in 1447-1449¹.

Not surprisingly, this policy did not work: it had not worked in the time of the White Earl; it could hardly be expected to work when his successors were permanently absent from the country. But the absentee earls had little choice. When this policy failed, the earl of Ormond appointed an outsider, James Ormond, as deputy in 1491, but he only aroused the almost unanimous opposition of the junior branches, as one might expect². In despair, the earl decided to appoint Piers Butler of Kilkenny his deputy and seneschal of the liberty of Tipperary, which was not received enthusiastically by his kinsmen, especially the Butlers of Caher³. Nevertheless, the policy of concentrating the principal offices in the hands of one man was, on the whole, more successful than the other.

But before we can discuss the relations between the minor branches during the period 1452 to 1515, it

1. See below p. 318.
2. See below pp. 338-51.
3. See below pp. 329-31.

will be necessary to say something about them and the disposition of their lands in Tipperary and Kilkenny. We have very little information concerning them in the second half of the fifteenth century, but the fortunate survival of two memoranda of rents and lands from this period enables us to form a fairly clear picture¹.

The Butlers of Dunboyne

The first memorandum, being a memorandum of the rents of Sir John Butler received by James Butler (almost certainly the son of Edmund MacRichard) between 1464 and 1472², attributed only the manors of Lisronagh and Kilmore O'Russyns³, together with a mill and house in Clonmel, to Edmund fitzPiers Butler of Dunboyne, but

-
1. Memorandum of the rents of James Butler, 1464 to 1472 (Cal. Ormond Deeds iii, no. 234). The dates given in the Calendar are incorrect (see above ch. V, p.193, n.1). Secondly, a memorandum of the lands of the earl of Ormond in Tipperary and Kilkenny drawn up about 1500 (Cal. Ormond Deeds iv, appendix no. 53).
 2. *Ibid.* iv, no. 234 (for date see above ch. V, p.193, no. 1).
 3. MS: Kilmore O'Russyns, not Kilmore and Rossyne (cf. Cal. Ormond Deeds iv, no. 100). Kilmore O'Russyns is the townland of Kilmore in the parish of Lisronagh. It was a tenement of Lisronagh in 1333 (see E. Curtis, 'Rental of the manor of Lisronagh, 1333, and Notes on "Betagh" Tenure in Medieval Ireland', Proc.R.I.A., XLIII C, p. 45.

we know that he was granted Kiltinan in 1452 by Richard fitzThomas Butler¹. The manors of Lisronagh and Kilmore, and the mill in Clonmel, were not part of the Dunboyne inheritance: originally they formed part of the purparty of Elizabeth de Clare, from whom they descended ultimately to Edward Plantagenet, who became Edward IV in 1461². Presumably Edmund had been granted them to hold during the king's pleasure after the act of attainder had been repealed in 1465. The Dunboynes appear to have held them for the rest of the century, for they were granted to Edmund again in 1488, which was presumably a renewal of an earlier grant by Edward IV, and we find that his son and heir, James, received a further grant upon the death of his father in 1499³. According to the second memorandum, drawn up about 1500, Edmund held Kiltinan, Ardmayle, Outeragh and Fewmayne⁴, while his brother held Desgralagh (Grallagh)

-
1. See above ch. I, p. 22.
 2. P.R.O. S.C. 6/1239/21, account of Alexander Chapman for the estates of Elizabeth de Burgo in Tipperary and Kilkenny, 22-23 Edward III. See above ch. II, pp. 74-5.
 3. C.P.R. 1485-1494, p. 191; C.P.R., 1494-1509, p. 169.
 4. Possibly Fetmothan (now Kilfithmone), a tenement of the manor of Thurles (Cal. Inq. P.M. viii, no. 184).

and Cramp's Castle, near Fethard¹. Grallagh, in the parish of Graystown, Mochtalyn², once belonged to Peter Butler, second lord of Dunboyne, who died in 1370³. Ardmayle belonged formerly to Thomas fitsJohn Butler, a cousin of Edmund, between 1464 and 1472⁴. In short, the Butlers of Dunboyne, lords of Kiltinan, held the cantreds of Mochtalyn and Gomsey⁵, together with a few important outlying manors.

The Butlers of Caher

Precisely when the lordship of Caher and Offa came into the possession of James Gallda, the illegitimate son of James, third earl of Ormond, by Catherine of Desmond⁶, is uncertain. This lordship had belonged to

1. Cal. Ormond Deeds iv, no. 53.
2. It should not be confused with Grallagh in Muscry.
3. Cal. Ormond Deeds iii, no. 342, p. 361.
4. Ibid. iii, no. 234; see T. Blake Butler, 'The Barony of Dunboyne', The Irish Genealogist, vol. 2, p. 80.
5. The manor of Kiltinan embraced both cantreds (see appendix 1, no. 1).
6. The Butlers of Caher claimed descent from Catherine. See letter of Thomas, earl of Ormond, concerning the claims of Thomas fitsPiers Butler, the grandson of James Gallda (Cal. Ormond Deeds iii, no. 318).

the fitzThomas Butlers before they released all their right in it to the earl of Ormond in 1433¹. What happened to it after this is not known, but we find Thomas fitzPeter Butler, the grandson of James Gallda, in possession of Caher, the lordship of Offa, Ballyboe (in the cantred of Iffowyn) and Ballycullenane, co. Waterford, between 1464 and 1472². We do not know when James Gallda died, but he was still alive between 1447 and 1449 when he was made "keper of all ye countre", with the command of twenty-four men, in the court of the liberty of Tipperary³. His son, Piers

1. See above ch. I, p. 22.

2. Cal. Ormond Deeds iii, no. 234.

3. Ibid. iii, no. 102, p. 97; see ch. VIII, p. 285.

Note: according to J.F. Morrissey ('Notes on the Places visited during the Summer Excursion of the Society to Clonmel, 1909', J.R.S.A.I., XXIX, p. 250) there is a tomb of the barons of Caher in the Franciscan friary, Clonmel, which reads: hic jacet Jacobus Galdy filius comitis Ormonie anno domini, 1431. This must be incorrect, for we know that a James Butler was alive in 1434, when his brother, the White Earl, granted him the castle of Ballycolenan (Cal. Ormond Deeds iii, no. 116). This must have been James Gallda, for we do not know of another brother of the White Earl named James, and it is surely no coincidence that Gallda's grandson had the same castle in 1464. In any case, the tomb was erected sometime between 1530 and 1540, many years after James Gallda's death.

fitzJames, was attainted in 1462¹, and died in 1464², when he was succeeded by his son, Thomas fitzPiers. We must suppose that the White Earl granted the lordship of Caher and Offa to James Gallda sometime after he obtained the release from the fitzThomas Butlers in 1433. It is conceivable that this release was part of a legal transaction designed to establish James Gallda in Caher. But in any event there is no truth in the suggestion that Caher was acquired through the marriage of Piers fitzJames to Ellen, daughter of John fitzThomas de Bermingham³: the manor of Caher was acquired by the earl of Ormond in 1375⁴, and the lordship of Offa was granted to Thomas Butler, prior of Kilmainham, in 1393⁵.

The Butlers of Caher controlled not only the cantred of Offa, but a large part of Iffowyn as well. The freeholders of Tipperary complained in 1542 that Thomas fitzEdmund, lord of Caher, greatly oppressed the inhabitants of Offa and parts of Iffowyn with

-
1. See above p. 305.
 2. J.F. Morrissey, *loc. cit.*, p. 250.
 3. T. Blake Butler, *loc. cit.*, p. 369.
 4. See above ch. II, p. 71.
 5. See above ch. V, pp. 202-3; see also ch. I, pp. 21-22.

various exactions, including the quartering of "a certain retynue callid kernetye to the nombre of xxv" upon the cantred of Clonmel¹, a fact which was also attested by a jury of the commoners of Tipperary in 1537². This retinue is almost certainly to be identified with the company of twenty-four men committed to James Gallda in 1447-1449³. Thomas fitzEdmund claimed that his father (Edmund fitzThomas) and grandfather (Thomas fitzPeter) had used such customs⁴, which was certainly true. In 1501 William White wrote to the earl of Ormond complaining about the oppression of Edmund fitzThomas, lord of Caher,

...whiche pretendith to haue the rule of your Countre adyonung to your said town [Clonmel] specially entending to subdue your saide Towne to the mar[che] rule and wolde make the por inhabitaunts to berre outyeldes, that is to s[a]y that the saide inhabitaunts shulde be cont[ri]butarie with the Countre for reteynnyng of suche retynues as the saide Thomas is son and the Freeholders of your saide Countre wolde

-
1. Cal. Ormond Deeds iv, no. 267, p. 213.
 2. 'The Verdyt of the Gentyllmen and commyners of the countye of Typerary', The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century, ed. H. J. Hore and J. Graves, p. 232.
 3. Cal. Ormond Deeds iii, no. 102, p. 97; see above ch. VIII, p. 285.
 4. Cal. Ormond Deeds iii, no. 267, p. 212.

bring with thym vppon the Countre for theexercising
and mayntenaunce of theire seuerall warre...¹

He went on to explain how Edmund robbed and dispoiled
the inhabitants of the town of their goods, having no
regard for the grants and letters patent which they had
from the ancestors of the earl of Ormond. Wherefore
the portreeve and commons of Clonmel sent William Dows,
the bearer of this letter, to ask the earl to confirm
the grants of his father, the White Earl,

...for the relevacion of your saide Town whiche
is brought into great ruyne and desolacion by the
meanes of your saide kynnesmans and others of his
affinite...².

The earl did in fact grant an inspeximus of an old
grant to the reeve and commons in June, exempting them
from taxation without their consent, and from appearing
before seneschals outside their liberties³.

The Butlers of Caher also had some claims over the
town of Carrick, which was hotly contended for between
them and the Butlers of Kilkenny⁴. In April, 1498,

1. Cal. Ormond Deeds iv, appendix no. 55.

2. Ibid.

3. See W.P. Burke, History of Clonmel (Waterford,
1907), p. 215. I have been unable to discover this
inspeximus.

4. See below pp. 329-31.

John Wise wrote to the earl explaining that the men of the town had agreed to resist the imposition of coyne and livery by his kinsmen, and they asked him for a charter¹, which was granted to them in 1500². Wise did not specify which kinsmen were at fault, but since he had nothing but praise for Piers Butler of Kilkenny we may conclude that Edmund of Caher was the culprit.

The Butlers of Kilkenny

The MacRichard Butlers, sometimes known as the Butlers of Polestown (now Paulstown, co. Kilkenny)³, were descended from Richard Butler, brother of the White Earl. Richard's son, Edmund MacRichard, was granted the manor of Paulstown in 1440 by the earl of

1. Cal. Ormond Deeds iv, appendix no. 38.
2. British Museum Cottonian MSS Titus B. XII. 17.; Lambeth Palace Library, MS. 613 (unfoliated).
3. T. Blake Butler ('The Sheriffs of the Liberty of County Tipperary', The Irish Genealogist, vol. 3, p. 122, maintains that it is incorrect to describe the MacRichard Butlers as the Butlers of Polestown, but he does not give any reason. He is probably correct: Edmund MacRichard must have had other manors besides Polestown; and his grandson, Piers Butler, does not seem to have had it in his possession at the end of the fifteenth century (see Cal. Ormond Deeds iv, appendix no. 53).

Ormond¹. It was to him that the White Earl entrusted the deputyship when he was absent from Ireland². He appears to have been acting as the earl's deputy in 1446, when Edmund fitzThomas Butler granted the manor of Kiltinan to his brother Richard, on condition that he could have it back in exchange for certain lands, by obtaining a licence from MacRichard³. MacRichard seems to have acted regularly as deputy of the earls of Ormond until his death in 1464⁴.

His son James succeeded him to the office of deputy, probably in 1464 or shortly after⁵. He was in any case acting as Sir John's receiver between 1464 and 1472⁶, and was reappointed to the deputyship, probably in 1475 or 1476⁷. He died in 1487, bequeathing to his

1. Cal. Ormond Deeds iii, no. 139.
2. Cal. Ormond Deeds iv, no. 33, p. 29; iii, no. 211.
3. Ibid. iii, no. 166.
4. See above p. 311.
5. Cal. Ormond Deeds iii, no. 229. The precise date cannot be distinguished, but it was dated in the lifetime of Henry VI, who died in 1471 (John did not recognise Edward IV).
6. Ibid. iii, no. 234. For date of this deed see above ch. V, p. 193, n.1.
7. According to Thomas Carte (An History of the Life of James Duke of Ormonde, i, p. xliv, Edmund was made deputy on 12th October, 1477, before setting out to the Holy Land, but in fact John died sometime before 15th January, 1477.

son Piers "the custody and defence of the lands of my lord, the earl of Ormond, as it was given to me and as I have it"¹. James had doubtless been reappointed to the deputyship by Thomas, earl of Ormond, who succeeded to the title in 1477, but there is no evidence to suggest that he granted James an hereditary title to this office. James can have had no right to bequeath the deputyship to Piers. The earl clearly took this view, for he granted the office to James Ormond in 1491², and there is some evidence to suggest that he may even have appointed him some years earlier³. Piers naturally refused to accept the new deputy although he had no legal grounds for doing so, but then legality meant

1. Cal. Ormond Deeds iii, no. 329; J. Graves and J.G.A. Prim, The History, Architecture, and Antiquities of the Cathedral Church of St. Carice, Kilkenny, p. 187.
2. C.C.R., 1485-1500, no. 580; see below p.338.
3. Graves and Prim (loc. cit., p. 193) have printed an undated letter of Thomas, earl of Ormond, in which he appointed his nephew, James Ormond, to the office of his deputy, supervisor, general and special attorney in cos. Tipperary and Kilkenny. The form of this letter is markedly different from the one issued on 7th December, 1491. This suggests that James Ormond may have been made deputy some time before this, and that he did not act upon it. It may have been considered necessary to revive his appointment in December, 1491, because of the special circumstances which surrounded his appointment (see below pp.332-8).

little in the jungle of Butler politics. As is so often the case, might was proved right: once James had been killed, the earl had little choice but to appoint Piers as his deputy¹. At any rate, the important point to remember about this Butler branch is that its chief representatives claimed and exercised the deputyship between 1452 and 1515, and that they were not willing to relinquish it for the sake of the earl of Ormond or anyone else.

The territorial basis of this branch cannot be defined as clearly as we might wish. In the memorandum of 1464-1472 James fitzEdmund MacRichard Butler "et omnes illi Buttellarenses" received "the Cows of Ormond"². He also received the rents of Carrickbeg (Carrick on the Waterford bank of the Suir), the parish of Fynwaght (co. Waterford, adjacent to Carrick), and the manor of Tibberaghny³. At the same time a certain

1. See below pp. 351-4.

2. See above ch. III, p. 108; ch. V, p. 193-4.

3. N.L.I. D 1807 (Cal. Ormond Deeds iii, no. 234).

Note: the manor of Tibberaghny was formerly part of the purparty of Elizabeth de Clare, which ultimately descended to Edward IV (see above ch. VI, pp. 235, 243). James was probably granted it about the same time as he was granted the manor of Callan, part of the same purparty, in 1468 (see above p. 306).

Richard Butler received the rents of Thurles, Kille-naule, Caherconlish and Youghal¹. ^{Though} ~~While~~ we cannot be sure, this Richard was probably the Richard MacRichard Butler of Buolick who was killed by the McGillapatricks in 1478. He was presumably a brother of Edmund MacRichard². At the end of the century, John, son of Edmund MacRichard, held the manor of Thurles³; he must have inherited it after the death of Richard MacRichard. About 1500 Piers Butler, the son of James fitzEdmund MacRichard, was reported to have the castle of Cloon, Rosnharlo, Cotterylls toune, Kylkollum, Archerystoune, Corbally, Callan⁴ and Dunfert (now Danesfort), all of which lay in co. Kilkenny⁵.

In fact, however, the MacRichard Butlers were sole

1. The earl of Ormond granted the town of Youghal to the son and heir of the earl of Desmond in 1429, but he retained the advowson of the church there (Cal. Ormond Deeds iii, no. 88).
2. The Annals of Connacht, Annals of Ulster.
3. "Item John boteler Edmond Rychard ys sone hath a castell and toune callyd dorlond" (Cal. Ormond Deeds iv, appendix no. 53). "Dorlond" is clearly a corruption of the Irish "Durlas" (Thurles).
4. The lordship of Callan had been granted to his father in 1468 for the term of his life (Cal. Ormond Deeds iii, no. 237. The correct date is 1468). It was part of the purparty of Elizabeth de Clare which descended to Edward IV (see above ch. II, pp. 74-5).
5. Cal. Ormond Deeds iv, appendix no. 53.

masters of the Butler lordship in co. Kilkenny by virtue of being deputies of the earl of Ormond. In theory they were expected to collect the rents for the earl, but in practice they appear to have pocketed them for themselves¹.

The position of the minor branches in Kilkenny and Tipperary in the second half of the fifteenth century may be summed up as follows: the MacRichard Butlers had the lion's share - the whole lordship in co. Kilkenny, together with the "Kine of Ormond", Thurles, Killenaule, Tibberaghny in the liberty of Tipperary, Carrickbeg in co. Waterford, Caherconlish in co. Limerick, and a certain interest in Youghal, co. Cork. The other branches divided the remaining parts of the liberty of Tipperary between them. The Caher Butlers dominated the cantred of Offa and most of the cantred of Iffowyn; the Dunboyne Butlers dominated the cantreds of Moctalyn and Comsey, and held the important manor of Ardmayle in Eoghanacht Cashel;

1. See above p. 308.

the fitzThomas Butlers, lords of Knockgraffon, controlled the cantreds of Moyenen and Slievardagh¹.

The absence of James, earl of Ormond and Wiltshire, and his successors John and Thomas, between 1452 and 1515, inevitably left the way open for renewed disputes among the junior branches:

...by the contynuall abode of the saide Erle of Wiltshire and Ormounde in Englande his said kynsfolks what by the mariages and confederations that they had with the Irishrie and with other your Highnes rebels here intred with force of their awne wronge into the said portions severing the said countie [of Tipperary] newly agayne and therin eftsones usurped not only in disobeying your graces lawes and processe dispising and contempnyng the Seneschall and other officers within the said libertie but also comytted and made suche war and destruction newly the con against the other that in short tyme after by the malicious hatred growen betwixt theme they brought all the said countie not only into disobedience but also in effect into utter desolation and waste, saving a fewe castells...²

The "portions" into which the earl's kinsmen "intred with force of their awne wronge" were the administrative districts over which the White Earl had placed

1. See above ch. I, pp. 22-3.

2. Complaint of the gentlemen, inheritors and freeholders of the county of Tipperary to Henry VIII in 1542 (Cal. Ormond Deeds iv, no. 267, p. 211).

his kinsmen before setting out for England in 1442¹. The "portions" presumably corresponded to the regions in which the junior branches established themselves in the course of the second half of the century.

We know far too little about the affairs of the lordship during the absence of the earls of Ormond to be able to give a comprehensive account of the feuds between the Butlers. At the most we can only catch glimpses of what was happening. But these all too infrequent glimpses are sufficient to show that the lordship was disturbed by ceaseless feuds.

Sir John Butler was clearly anxious about the situation in the lordship when he appointed Edmund MacRichard as his deputy in January, 1462, for he specifically provided that his kinsmen should, "under pain of our indignation", submit all points of controversy between them to the arbitration of the archbishop of Cashel and the bishop of Ossory². John may have had in mind the conflicts which arose out of the departure of the White Earl to England in 1442³, or more recent

-
1. See above ch. VII, p. 276.
 2. Cal. Ormond Deeds iii, no. 211.
 3. See above ch. VII, pp. 276-9.

troubles. In any event, the archbishop, John Cantwell, seems to have been kept busy, for we learn from a Gaelic eulogy that he made peace for the "heir of the earl of Munster". He had two prisoners in his custody: Thomas Butler and Edmund, son of MacPiarais (Edmund of Dunboyne). And we learn that "their war was heard to have turned to peace when they came into his royal custody"¹. It is not clear whether it was Thomas fitzPiers, lord of Caher between 1464 and 1478², or Thomas fitzRichard Butler, baron of Knockgraffon³, who was involved in this dispute. The chances are that it was Thomas fitzPiers, for the Butlers of Caher were particularly belligerent. We know nothing at all about the origin or development of this dispute; we just know that it took place sometime after the appointment of the archbishop as chief arbitrator in or about 1462, and that it cannot have occurred later than 1482, when he died.

-
1. 'A Poem in Praise of John Cantwell', tr. Anne O'Sullivan, *Eigse*, X (1961-1963), pp. 103-19, vv. 31-2.
 2. He died in 1478 according to the inscription on the tomb of the Butlers of Caher in the Franciscan friary at Clonmel (see above p. 316, n. 1).
 3. See above ch. I, p. 23.

The war between James fitzEdmund MacRichard and Thomas Butler of Caher may, in contrast, be more readily accounted for. It appears from a notarial deed drawn up in June, 1487, that Sir John Butler had granted Carrick to Piers fitzJames Butler of Caher on condition that if he wanted to repossess the town, he would repay Piers all the expense he might have incurred in its defence. It seems that Piers' son, Thomas, remained in occupation after his father's death (in 1478) with the consent of both Edmund MacRichard, and later of his son, James fitzEdmund. But James must have had second thoughts, for he expelled Thomas from Carrick, whereupon war broke out between their respective branches. In the event, however, both parties resorted to an agreement whereby the town was granted to a certain Eugene MacCrahe, a neutral party. The latter held the town for a year, whereupon peace was re-established¹. The war itself must have been brought to a conclusion in 1486, a year before this deed was drafted.

The trouble over the town of Carrick probably

1. Cal. Ormond Deeds iii, no. 271.

arose out of the situation whereby the MacRichard Butlers held Carrick on the side of Waterford (Carrickbeg), which was held by James fitsEdmund between 1464 and 1472¹, while the Butlers of Caher held Carrick on the Tipperary side. We know that James was responsible for issuing certain orders for the good government of the town², presumably after he had expelled Thomas. We do not know what arrangements formed the basis of the settlement in 1487, but it is not unlikely that it was a return to the status quo ante bellum, for we learn that war was threatened once again in 1498 over the bridge at Carrick, this time between Edmund fitsThomas and Piers fitsJames, the sons of the earlier contestants³. John Wise, reporting this to the earl of Ormond, remarked: "whiche [bridge] and it pleased I wold it wer brokyn to grownd for it doth no man good but much harm"⁴. He also remarked that it was generally believed that

1. See above p. 323.

2. Thomas Carte, An History of the Life of James Duke of Ormonde, i, p. xliv.

3. Cal. Ormond Deeds iv, appendix no. 38.

4. Cal. Ormond Deeds iv, appendix no. 38.

the O'Briens were contemplating a visit to revenge the death of Sir James Ormond¹, their kinsman.

Of course there were conflicts of interest between the two families for years to come. Not least were the repeated efforts made by Piers Butler to compel the Butlers of Caher to renounce their practice of quartering soldiers on the inhabitants of southern Tipperary, a lifetime struggle which met with only partial success². There was also a disagreement between them regarding Little Island, co. Waterford, which the Butlers of Caher claimed by descent from Catherine of Desmond³. In the end, however, Piers induced Thomas fitzPiers of Caher to renounce all his claim to it⁴.

1. See below p. 340.

2. See above ch. VIII, pp. 291-4.

3. Cal. Ormond Deeds iii, no. 318. See too ibid. ii, nos. 368, 385. Blackcastle must have been also in dispute, for Piers compelled Edmund fitzThomas to renounce his claim to it together with Little Island (Cal. Ormond Deeds iv, no. 26).

4. Ibid. iv, no. 26. The date is uncertain, but it was probably in 1517, when Edmund agreed to surrender his claims to it, and submit to the Ordinances of the White Earl (Cal. Ormond Deeds iv, no. 40, pp. 44-5).

The succession of Henry VII to the throne in 1485 inevitably affected the balance of political forces in Ireland. Although Thomas Butler, earl of Ormond, could never effectively challenge the supremacy of the earl of Kildare in Irish affairs, the fact remains that Butler power in Ireland increased steadily after 1492 under the direction of his deputies James Ormond and Piers Butler.

To be sure, this was not sufficient to offset completely the power of Gerald fitzGerald, the earl of Kildare, but it was sufficient to remind him periodically that he could not have everything his own way. His support of the Yorkist pretender, Lambert Simnel, was hampered by the stubborn resistance of the Butler dominated south-east in 1487¹. It is not certain that Kildare was implicated in 1495 with another pretender, Warbeck, who likewise failed to take the city of Waterford. Besides which, Kildare experienced some difficulty in dealing with Sir James Ormond, who succeeded in disrupting his monopoly of power in Ireland². The final destruction of the

1. See below p.335.

2. See below pp.342-5.

power of the fitzGeraldts of Kildare in 1535 may symbolise the end of an era, but in fact the realities had changed many years before. On the one hand, the revival of Butler power under Piers, earl of Ossory, meant that the supremacy of the house of Kildare in Ireland had been seriously undermined, while, on the other hand, the rapid extension of the power of the Tudor monarchy meant that the ambitions of the fitzGeraldts would be tolerated no longer. It was not simply the rashness of one individual, Thomas fitzGerald, which brought about the destruction of his house in 1535; rashness would have been overlooked forty years earlier, because Henry VII was not prepared to dissipate his limited resources in Ireland. Rather it was the failure of the fitzGeraldts to grasp the full significance of the realignment of political forces in Ireland and England which ensured their destruction.

All this may seem remote from the subject under consideration, but we must see the slow revival of Butler power in Ireland from 1492 onwards in its wider political context. From about this time we can discern the development of a Tudor-Butler alliance

which ultimately overthrew the former Yorkist-Geraldine monopoly of the Irish government. Thus in a very real sense the traditional division between medieval and modern English history in 1485, in so far as it has any significance, may be said to apply with equal justification to Ireland. Admittedly the full significance of the dynastic change was not realised in Ireland until the reign of Henry VIII, but one of its more immediate by-products was the revival of Butler power.

The Butler lordship was in total disarray upon the succession of Henry VII to the throne, as we have already seen. The earl of Ormond's kinsmen existed in a state of mutual hostility, which was further reinforced by conflicts of allegiance. Piers Butler, who married Margaret, one of the daughters of the earl of Kildare, was bound to identify himself with Kildare. The Dunboyne branch, on the other hand, was inveterately anti-Kildare, and might be expected to support the earl of Ormond. The position of the Butlers of Caher is obscure: they had nothing to gain and much to lose by the restoration of firm

government in the lordship, as their record of opposition to the Ordinances of the White Earl served to show¹. The towns, however, seem to have been responsive to the earl, no doubt because they stood to suffer most from the disorders of his kinsmen². It was the towns of the south-east which steadfastly resisted the successive efforts of the Yorkist pretenders to gain a foot-hold in that part of Ireland. Waterford, it is true, was not part of the Butler lordship, but the Butlers controlled the entire northern bank of the Suir, including Little Island, which commands Waterford harbour, so the city inevitably fell under their influence. In 1487, when Simnel landed in Ireland, the mayor of Waterford, John Butler, appealed to the neighbouring towns of Carrick, Clonmel, Callan, Kilkenny, Fethard, Gowran, Balamacandeen and New Rose, to resist him³. All of these towns were directly or indirectly controlled by the Butlers, and it was clearly for this reason that the mayor, himself a Butler, appealed to them.

1. See above ch. VIII, passim.

2. See above pp. 317-20, 329-31.

3. D. Bryan, Gerald FitzGerald, the Great Earl of Kildare, 1456-1513, p. 110.

Apart from the towns and the Butlers of Dunboyne, the earl of Ormond was able to draw support from a league of the Irish of Munster, in which the O'Carrolls were prominent. In a letter to the earl in 1487, John O'Carroll outlined the shape of this alliance. He claimed that he personally had 200 gallowglasses, besides horsemen, under his command, as a precaution against attack from the earl of Desmond or his friends. John actually named his allies: O'Brien, MacWilliam Burke, Mckyne MacDermot of Melreane, Donald O'Brian (of Arra?), O'Kennedy, O'Dwyer, McBrien of Coonagh, and Cormac McTeige MacCarthy More. In addition he promised Ormond that if he came to Ireland he would prevail upon "your wrey good frend", O'More of Leix, to make war upon "your grette empney therle of kyldare and his maynteners"¹.

Precisely why the Irish of Munster united to form an alliance against the Geraldines is not clear, but it is sufficient to note its existence. The O'Carrolls, in particular, were consistent enemies of the fitsGeraldts, for which they paid heavily. In 1489

1. Gal. Ormond Deeds iv, appendix no. 9.

the earl of Desmond defeated and killed O'Carroll, together with his brother Maelmurry, probably in an effort to smash this alliance, for he defeated Dermot (Mac) Carthy McTeige in the same year¹. In a letter to Henry VII in 1492 or 1493, Morgan O'Carroll complained that his lordship had been devastated by the earl of Kildare because he supported Sir James Ormond, as the king had directed². In 1504 O'Brien, Mac-William Burke, O'Carroll, and the chieftains of Ormond and Arra, were heavily defeated by Kildare³. We may note that this alliance closely resembled the anti-Geraldine league described by O'Carroll in 1487. The interesting thing about this league is that it was apparently in constant touch with the earl of Ormond and the king himself, as the letters from O'Carroll in 1487 and 1492-3 indicate. We know, too,

-
1. James Ware, Rerum Hibernicarum Henrico VII regnante Annales, London, 1653.
 2. Cal. Ormond Deeds iv, appendix no. 15. The latin in which this letter is written is unintelligible for the most part. Sir James Bwlter is certainly Sir James Ormond, but it is by no means clear who the "Brenenses" were. They were certainly not the O'Briens of Thomond, who were active supporters of Sir James. They may have been the O'Brennans of Odogh or possibly the O'Byrnes of Wicklow.
 3. Ware, op. cit.; A.F.M.

that in 1488 the king was actively courting the support of the new earl of Desmond, the Roches, and the MacCarthys, in an effort to secure himself support independent of Kildare, which became all the more necessary after the Simnel episode in the previous year¹.

But it was not until a second pretender, Perkin Warbeck, landed in Cork in November, 1491, that the king, with the support of the earl of Ormond, resolved to activate this alliance. On 6th December he appointed James Ormond and Thomas Garth captains of a force to be directed to Kilkenny and Tipperary, with authority to array the men of those counties, to issue statutes for their government, to arrest and imprison, and to act without reference to the lieutenant (Kildare) "for the time being"². On the following day the earl of Ormond appointed James as his deputy and special attorney in Kilkenny and Tipperary, by the king's licence. James was to have the rule of the castles of Carrick and Kilkenny, together with

1. See J. Otway-Ruthven, Medieval Ireland, p. 404.

2. C.P.R. 1485-1494, p. 367.

all his manors and lands. He was empowered to convoke, levy, govern, and assemble all the earl's tenants for war, chastise the king's adversaries, and put down insurrections. Although James was given command of the earl's officers and kinsmen, he could not remove his officers or interfere with those whom the earl had appointed to collect the rents and profits of his castles¹. And by a separate indenture bearing the same date, the earl agreed that James should have the residue of all the issues of the lordship after the earl had received his due; such wages and fees as were customary; the customary tallage called the "Kine of Ormond", which the late earls had enjoyed; and a certain custom and usage in time of war called "holding" of men to be led by him². This particular custom and usage was presumably a reference to the billeting of the earl's retinue³. As if this were not enough, the king granted James all the lands of

1. C.C.R. 1485-1500, no. 580.

2. C.C.R. 1485-1500, no. 580. Note: the "Kye of Ormond" is clearly a misreading of "kyne", which would appear in the MS. as "kfe". See above pp. 193-4, 323.

3. See above ch. VIII, passim.

the earldom of March in Meath and Kilkenny on 12th December¹, and these were confirmed to him in tail male in 1494².

We are left with little doubt that the king meant business. The selection of Sir James Ormond as one of his captains had a double significance: he was not only the trusted servant of the earl of Ormond, but as the illegitimate son of Sir John Butler, brother of the earl of Ormond, by Reynalda O'Brien, he was singularly well placed to enlist the support of the Irish of Munster. Indeed, he wasted no time in gaining the support of the O'Briens, the MacWilliam Burkes³, and the O'Carrolls⁴ upon his arrival in Ireland.

James' first task was to reduce the counties of Tipperary and Kilkenny to some sort of order: it was with this in mind that he invaded these counties in 1492, with the assistance of the O'Briens, ^{the} MacWilliam

1. C.P.R. 1485-1494, p. 368.
2. C.P.R. 1494-1509, p. 8; Cal. Ormond Deeds iii, no. 287.
3. A.F.M., anno 1492; Cal. Ormond Deeds iv, appendix no. 13.
4. See above p. 337.

Burkes¹, and probably the O'Carrolls², and compelled the Butlers to submit. We may be sure that Piers Butler was his most bitter opponent, for he certainly regarded himself as the earl's deputy in 1490 or 1491³, although there is no evidence to show that he had actually been appointed by the earl. It is not improbable that he claimed to be the earl's deputy by virtue of his father's will⁴. It may have been on this occasion that James imprisoned Piers and deprived him of all his "landes and duetties"⁵, which, of course, he was perfectly entitled to do under the terms of his commission. Besides, Piers' marriage to Margaret fitzGerald made him politically suspect.

1. A.F.M.

2. See above p. 337.

3. Some time after Kildare had been summoned to England in July, 1490 (see J. Otway-Ruthven, Medieval Ireland, p. 406), the earl of Desmond, Piers Butler, and others, wrote to the king requesting that Kildare be allowed to remain in Ireland for certain reasons (James Gairdner, Letters and Papers illustrative of the Reigns of Richard III and Henry VIII, i, pp. 381-2). Kildare was given ten months to comply, so we may assume that this letter was written sometime during those ten months. Piers signed the request describing himself as "therle of Ormond is deputte".

4. See above pp. 321-2.

5. Cal. Ormond Deeds iv, appendix no. 31.

The survival of a commission in the name of Edward [V] (i.e. Simnel), creating Piers sheriff of Kilkenny, indicates that he had been somehow implicated in the Simnel episode of 1487¹. We do not know how the Butlers of Caher received James, but we may be sure that it was with something less than a hundred thousand welcomes. Edmund fitzPiers of Dunboyne was no admirer of the earl of Kildare, for he wrote to the earl sometime between 1487 and 1495 complaining that he was "likkely to be wtterly destrued" by the Geraldines². He was associated with James in the capture of Carlow castle from Kildare's brother in 1495³, and he held the office of seneschal of the liberty of Tipperary in the same year, while James was still deputy⁴.

It is difficult to assess the achievement of Sir James Ormond, "the Black Bastard", partly because we have practically no information about his activities in the Butler lordship itself, while on the general

-
1. Cal. Ormond Deeds iii, no. 272.
 2. Ibid., iv, appendix no. 11.
 3. A. Conway, Henry VII's Relations with Scotland and Ireland, 1485-98, pp. 75, 156.
 4. Cal. Ormond Deeds iv, appendix no. 21.

political scene we have only hostile accounts, as this somewhat unflattering epithet suggests¹. But the extent of the hostility that he aroused is surely the measure of his success. The king, after all, had sent him to Ireland to make things as unpleasant as possible for real or suspected Yorkist supporters. And although Sir James was left very much to his own resources - the king gave him little beyond a few soldiers and a high-sounding commission - he managed to make Ireland a veritable hell for Yorkists and disaffected Butlers alike to live in². He certainly stood up to Kildare as nobody had done before him or, for that matter, was to do after him. Even had Warbeck captured Waterford in 1495, he would not have had the almost unqualified welcome which Simnel had received eight years earlier. Within the Butler lordship itself, James appears to have dictated terms to the earl's kinsmen in a manner which had not been seen since the days of the White Earl.

-
1. See the Book of Howth (in Cal. Carew Manuscripts, v) where a number of amusing, but clearly hostile, stories about Sir James may be found.
 2. For details of his activities see A. Conway, *op. cit.*, pp. 46-111; D. Bryan, *op. cit.*, pp. 156-217.

In fine, it would appear that Sir James was not only an effective royal agent, but also a capable and energetic deputy of the earl of Ormond, whose work was cut short by his premature and violent death at the hands of Piers Butler in 1497. We should note here that there is no evidence at all, beyond the highly coloured testimony of the earl of Kildare and Piers Butler¹, to show that he attempted to usurp the earl of Ormond's title. In February, 1493, Kildare wrote to Ormond complaining that among other things his "base cousin" calls himself the earl of Ormond². But we may note that in the September following, Sir James granted a charter used in the town of Carrick to William and Anne Casshyn, wherein he described himself simply as the guardian and protector of all the lands of his uncle Thomas, earl of Ormond³. Besides, James could have had no claim whatever to the title by virtue of his illegitimacy. Moreover,

-
1. See Cal. Ormond Deeds iv, appendix nos. 13, 16, 31. Curtis appears to have accepted this view uncritically (A History of Medieval Ireland, London, 1938, p. 349).
 2. Cal. Ormond Deeds iv, appendix no. 16.
 3. Ibid., iii, no. 235.

it is clear from the evasive tone of Ormond's reply in May, 1497, to certain allegations made by Kildare against his deputy that he still placed complete confidence in Sir James¹, although more than four years had elapsed since Kildare had alleged that he was attempting to usurp Ormond's title.

We know almost nothing about the administration of the liberty of Tipperary until the beginning of the sixteenth century. As we have seen, the policy of James, earl of Ormond and Wiltshire, and his successor, Sir John Butler, was to apportion the chief administrative offices among their kinsmen, in a vain attempt to preserve peace and order. The MacRichard Butlers held the deputyship at least until the death of James fitzEdmund in 1487, while the Butlers of Dunboyne seem to have acted as seneschals of the liberty for most of the second half of the fifteenth century. Despite the acts of attainder in 1462, we find that the tourn of the liberty of Tipperary was still functioning in April, 1465². In the following

-
1. Cal. Ormond Deeds iv, appendix no. 29.
 2. Cal. Ormond Deeds iii, no. 224.

year, however, Edmund fitsPiers was acting as sheriff of the county, which indicates that the liberty had been suspended de facto¹. Tipperary was presumably administered as a county from that time until the restoration of Sir John Butler in 1475. But in the meantime James fitsEdmund Butler appears to have been acting as his receiver², so there is some question as to who actually controlled the lordship at this time.

The restoration of the lordship in 1475 did not alter the traditional arrangement significantly; though we cannot be sure that Edmund fitsPiers of Dunboyne held the office of seneschal of the liberty, we know that James fitsEdmund continued to hold the deputyship right up to his death in 1487³. By this time, however, the situation had changed with the restoration of the Lancastrian monarchy, so that for the first time since 1462 it was possible for the earl of Ormond to intervene more effectively in the affairs of his Irish lordship. The result was that under the energetic direction of his deputies from 1492 onwards,

1. See above p. 306.
2. See above p. 321.
3. See above pp. 321-2.

Ormond was able to achieve the gradual restoration of his authority.

That matters had reached a critical point in the liberty before the arrival of Sir James Ormond in Ireland cannot be doubted. Sometime between 1487 and 1492 Dunboyne wrote to the earl beseeching him to come to Ireland to rule his kinsmen. In requesting to have letters patent for the office of seneschal of the liberty of Tipperary, he explained that

...the lybartie of your counts of Typerrare ys thys many days withthowt any laws kepte thereyn endeffautt that y haw non awttorytie of your lordshyp by pattentt to sytt as senyssall ne no lernemen haw none of you yn lykke wysse...¹

The "learned men" of whom Dunboyne wrote were presumably the justice and chancellor of the liberty. He was probably not exaggerating, for about the same time, or soon afterwards, James Sherlock wrote to the earl explaining that the seal of the liberty had been

1. Cal. Ormond Deeds iv, appendix no. 12. Dr. D. B. Quinn has tentatively dated this letter between 1487 and 1495, but it would seem that it was written sometime before 1492, when Sir James Ormond arrived in Ireland.

lost¹. The earl had ordered James Hout to deliver the seal to Sherlock, but Hout denied that it had ever been in his possession. It was testified that the wife of Raymond Roche (who had been justice of the liberty in 1456)² had delivered it to his father, Piers Hout. The uncertainty which surrounded the whereabouts of the seal indicate that it had been lost for at least a number of years, which would explain why no one had patents of office. Sherlock pointed out that until the seal was found or another one had been made, "your courtis can nocht be kepte ordinatlie of your said liberte"³. In short, it seems that the government of the liberty had simply ground to a halt for some time before the arrival of Sir James Ormond in Ireland. The principal executive and judicial offices were no longer filled, and without the seal of the liberty no legal government, in

-
1. Cal. Ormond Deeds iv, appendix no. 20. Dr. D. B. Quinn has dated this letter 10th April, 1495, but it must have been written at least a year earlier, for Dunboyne had already received possession of the seal by 20th April, 1495 (ibid. iv, appendix no. 21).
 2. Statutes, Henry VI, p. 623.
 3. Cal. Ormond Deeds iv, appendix no. 20.

the strict sense of the word, was possible. Perhaps some kind of ad hoc arrangements were used to deal with serious disturbances, but it seems more likely that order of a kind was maintained by the various Butler branches in their respective spheres of influence.

The situation clearly changed with the advent of Sir James Butler. Dunboyne, writing to the earl in April, 1495, reported that the deputy "taketh gret payne and labour vpon him for the wele of the contray"¹. We do not have the details, but we may note that by this time the seal of the liberty had been recovered and delivered to the newly appointed seneschal by Sherlock². We have some reason to believe that Sherlock had also just been appointed justice of the liberty, for sometime before this date the earl had commanded James Hout to deliver the seal to him³. It is not unlikely that the justice of the liberty had the custody of the seal when there was no seneschal. Thus we find that in June, 1505, the earl commanded

1. Cal. Ormond Deeds iv, appendix no. 21.

2. Ibid.

3. See above p. 348.

James Sherlock, justice of the liberty of Tipperary, and William White, chancellor of the same, to cause letters patent to be made under the great seal of the liberty appointing Piers Butler seneschal¹. This was a natural arrangement, for the outgoing seneschal had to deliver up the seal to someone in authority². Thus it seems likely that the earl commanded James Hout to deliver the seal to Sherlock because Sherlock had just been appointed justice; if this was actually the case, it would give additional significance to his remark about the impossibility of conducting court proceedings without it³. And it was presumably in his capacity as justice of the liberty that Sherlock delivered the seal to Dunboyne, the newly appointed seneschal⁴. Writing to the earl in April, 1495, Dunboyne mentioned that a certain Master Botiller was clerk of the rolls, from which it would appear that

1. Cal. Ormond Deeds 111, no. 321.
2. We know that Raymond Roche, sometime justice of the liberty, had possession of the seal, as did Piers Hout after him (see above p.348). There is no evidence to show that either of them held the office of seneschal, which was normally occupied by the Dunboynes.
3. See above p.348.
4. Cal. Ormond Deeds iv, appendix no. 21.

the chancery of the Liberty was functioning, and that a chancellor had been appointed¹.

Clearly this work of reconstruction had only just got under way when Sir James Ormond was killed by Piers in 1497, but he laid the foundations upon which Piers, his successor, was to build in later years.

The sudden death of Sir James brought up the question of his successor. Piers, of course, wasted no time in applying for the vacancy which he had helped to create², but this can hardly have been very agreeable to the earl. Actually, he had no choice. Dunboyne had served him loyally, but he would have been no match for Piers and his ally, Kildare, who wrote to ~~him~~^{Ormond} in January, 1498, urging him to appoint Piers, to whom he pledged his full assistance³.

Precisely what happened is not clear. Writing to the earl in April, John Wise made a passing reference to the manner in which Piers was conducting the government of Kilkenny, and mentioned also that war

1. Cal. Ormond Deeds iv, appendix no. 21.
2. Cal. Ormond Deeds iv, appendix no. 31. Letter to the earl of Ormond, 7th September, 1495.
3. Ibid. iv, appendix no. 35.

was imminent between him and the lord of Caher over the bridge at Carrick¹. In other words, he had resumed the government of the territories committed to his father, the earl's deputy², whether or not Ormond had officially appointed him as his deputy. If James Ormond could not stop him, it is unlikely that the formality of a letter patent would prevent him from entering into what he regarded as his inheritance in any case.

Despite a severe mauling which he received at the hands of Turlough O'Brien in 1498 or 1499, probably in retaliation for the death of his kinsman, Sir James Ormond, Piers continued to tighten his grasp on the lordship³. In 1504 he came to an agreement with Kildare, the lord deputy, whereby he was to have the two parts of the issues of Ormond's lands in Kilkenny and Tipperary, which were reserved

-
1. Cal. Ormond Deeds iv, appendix no. 38; see above pp. 330-1.
 2. See above pp. 321-2.
 3. James Ware, Rerum Hibernicarum Henrico VII regnante Annales. Ware places this battle in 1499, but 1498 is a more likely date, for both Kildare and Wise warned of an impending attack by the O'Briens in the spring of that year (Cal. Ormond Deeds iv, appendix nos. 37, 38).

to the crown by reason of the laws against absentees, if he obtained these lands from Ormond. Elsewhere he was to have only one part, the other remaining to Kildare. Piers also agreed to lease to Kildare all the barony of Oughterany, co. Kildare, for the term of his life¹. The agreement was to the mutual advantage of both parties, for each needed the support of the other.

It was this agreement which, with some prompting from Kildare², underlay the indentures made between Piers and the earl of Ormond on 20th July, 1505³, some weeks after Piers had been appointed seneschal of the liberty of Tipperary⁴. By the first indenture, it was agreed that Piers should be the earl's deputy for four years, with charge over all his lands in counties Tipperary, Kilkenny, Limerick, Waterford and Carlow, except the manors of Kilkenny, Gowran, Knocktopher, Granny Danesfort (all in co. Kilkenny), Carrick (Tipperary) and the fee farm of Waterford,

1. Cal. Ormond Deeds iii, no. 316.

2. Ibid. iv, appendix no. 73: letter to Ormond, 17th May, 1504.

3. Ibid. iii, no. 320.

4. Ibid. iii, no. 321.

which were reserved to the earl, along with the prise of wines and the appointment of all officers. Piers was to collect one third of the issues of the lordship for the earl, the proportion due to him under the statutes against absentees. The deputy was to hold the court of the liberty, to defend Kilkenny, Clonmel, and all other towns, against unlawful oppression. Finally, it was agreed that Edmund Butler (lord of Caher), John Butler (lord of Thurles)¹, Richard Butler (lord of Knockgraiffon) and James fitz-Edmund Butler (lord of Dunboyne and Kiltinan), should retain such lands, rents and services as they held of the earl during his pleasure.

By a second indenture, it was agreed that Piers should have all the earl's lands, rents and manors in Ormond, yielding to him one quarter of the issues, including a quarter of what he "shall recewe of the Kynne of Ormond"². The deputy was also to pay one part of the issues of the manors of Tullow and Arklow to the earl³.

1. See above p.324

2. See above p.323.

3. Cal. Ormond Deeds 111, no. 320, pp. 316-7.

The effect of this agreement was to establish Piers fairly and squarely in control of the lordship. It represented a clear break with the traditional policy of dividing the chief offices among the earl's troublesome kinsmen. It is true that they were still allowed to retain certain unspecified rents and services, but none of them occupied an important office. Of course this did not usher in an era of compassion and understanding. Relations between Piers and the lord of Caher continued to be tense for many years¹, but at least we do not hear of wars between the earl's kinsmen between 1505 and 1515.

Although we know little of the internal affairs of the lordship during this period, it seems that Piers did much to restore some measure of stability, not only in the lordship generally, but also in the liberty of Tipperary. He occupied the castle of Nenagh, and the outlying manors of Tullow and Arklow². In 1509 the earl of Ormond granted Piers his estates in co. Kildare, which gave him control over the

1. See above p. 331.

2. See above ch. V, pp. 190-4, 222-5.

remainder of the earl's estates in Leinster¹.

The restoration of the court of the liberty must be regarded as one of Piers' principal achievements in Tipperary, although the foundations had been laid in the deputyship of Sir James Ormond. In December, 1508, a full session of the court was summoned to appear before the seneschal at Clonmel in the following February². The sheriff's return shows that free tenants were summoned to do suit of court from a wide variety of places in the cantreds of Iffowyn, Offa, Moyenen, Moctalyn, Comsey, Slievardagh, Eliogarty, Eoghanacht Cashel and Muscry³. No fewer than twenty-six towns were summoned to do suit⁴. How many suitors appeared is another question, but at least a beginning had been made. Another court was in session in 1514⁵, but presumably the sessions were held more frequently

-
1. Cal. Ormond Deeds iii, no. 320, p. 315.
 2. Cal. Ormond Deeds iii, no. 337.
 3. Ibid. The free tenants are listed individually on the return, not by cantred, but many of the place names may be traced on a modern map.
 4. N.L.I. D 1944. Unfortunately, the names of only a few towns may be distinguished: Clonmel, Kilsheelan, Newcastle, Caher (?), Athassel (?), Knockgraffon (?), Ardmayle. (These names are omitted in Cal. Ormond Deeds iii, no. 337).
 5. Cal. Ormond Deeds iv, no. 23.

than this. In the same year we find that two panels of jurors from Moctalyn and Moyenen were summoned by the sheriff to cause coroners to be elected for their respective cantreds¹.

Taken as a whole, the period 1452 to 1515 was the darkest period in the history of the lordship. At no time in the fourteenth century did the administration of the liberty break down completely, as it appears to have done for some time before the arrival of Sir James Ormond in Ireland. The prolonged absence of the earls of Ormond, the hostility of the Yorkist administration in Dublin, and above all the perpetual feuds which divided the Butlers, combined to reduce the lordship to a state of anarchy, from which it began to make a slow and painful recovery only after 1491. Even by 1542 the Butlers of Caher had still not been completely subdued². The striking fact to emerge from all this is that the collapse of government in Tipperary and Kilkenny was brought about by the

1. Cal. Ormond Deeds iv, no. 23.
 2. See above ch. VIII, pp. 293-4.

internecine conflicts of the Anglo-Norman settlers, not by the native Irish, who usually appeared as allies of one or other Anglo-Norman faction. Nevertheless, the anarchy was not so total as to destroy deep-seated Anglo-Norman institutions, which sprang up and flourished when stable conditions were re-established.

IV

THE GOVERNMENT OF THE LORDSHIP.

CHAPTER X

THE LIBERTY OF TIPPERARY, 1328-1515

On the 2nd November, 1328, Edward III conferred the title of earl of Ormond upon James Butler and his heirs, together with an annual payment of £10 from the fee-farm of the city of Waterford¹. This was followed by a further grant on the 9th November which gave the earl for the term of his life

regalitatem et alias libertates cum feodis militum et omnibus aliis rebus quecumque fuerint que habuimus in comitatu Tipperarie quattuor placitis viz. incendio, raptu, forstallo, et thesauro invento, ac eciam proficuo de croceis in dicto comitatu cum omnibus ad ea spectantibus que erga nos et heredes nostros volumus remanere dumtaxat exceptis, itaque post mortem ipsius comitis regalitas et alie libertates predicte ad nos et heredes nostros integre revertantur².

Although the title and the fee-farm were granted in perpetuity, the accompanying gift of the liberty of Tipperary was conferred only upon the first earl of Ormond, and did not extend to his successors. Why

-
1. See appendix VI, no. 1; Cal. Charter Rolls iv, p. 94.
 2. See appendix VI, no. 2; C.P.R., 1327-1330, p. 336.

this should have been is not apparent: it is notable that in the following year Maurice fitzThomas was granted similar privileges in co. Kerry in perpetuity¹. Superficially, at least, it would seem that James Butler was in a stronger position than Thomas fitzMaurice, for not only was he heir to the earldom of Carrick², but he was also married to Eleanor de Bohun, the granddaughter of Edward I. At the same time, however, his marriage may have aroused Mortimer's suspicion, for it made him a potential ally of Edward III if trouble arose in Ireland. It is possible that the grant of the liberty may have been conditional on Ormond's support for the Mortimer regency. There is no conclusive evidence to show that this was actually the case, but when Ormond petitioned the king in 1335 for a confirmation of the liberty to himself and his heirs he claimed that he had been promised an hereditary grant in 1328:

Le dit James prie q'il pleise a notre seignor
le Roi de sa bone grace a lui confermer la dite

-
1. Cal. Charter Rolls iv, p. 123.
 2. Cal. Ormond Deeds 1, nos. 511, 512; Cal. Charter Rolls iii, pp. 284-5.

Fraanchise et a ses heirs madles (sic), come a lui fust promis al temps q'il receut le Honur de Counte ¹.

The fact that Ormond failed to obtain an hereditary grant as a result of his petition did not mean that such a promise had never been made: Edward did not feel bound by his actions during the Mortimer regency, for in 1331 he commanded the justiciar to revoke all grants made in Ireland during this period².

The liberties of Tipperary and Kerry were taken into the king's hand as a result of this order, but they were eventually restored³. The liberty of Tipperary seems to have been seized in September, 1331, for Adam of London, a royal sheriff, rendered account for the profit of Tipperary from September of the same year until June, 1333⁴. On the 15th September, 1332, the king restored the liberty to the earl of Ormond during pleasure⁵, but the order does not seem

-
1. Rotuli Parliamentorum ii, p. 90.
 2. Statutes, King John to Henry V, p. 331.
 3. The liberty of Kerry was restored in 1334 (see G. O. Sayles, 'The Rebellious First Earl of Desmond', in Medieval Studies presented to Aubrey Gwynn, S. J., p. 214); C.P.R., 1330-1334, p. 564.
 4. 45th Rep. D. K., p. 36.
 5. C.P.R. 1330-1334, p. 336.

to have been put into effect until June, 1333, when Adam terminated his account. It seems likely that Adam de Stoketoun was appointed sheriff of the cross of Tipperary in the same month, which means that the royal sheriff had been replaced by the seneschal of the liberty¹.

The earl of Ormond recovered both his liberty and the hereditary prise of wines to hold during pleasure. It was natural, therefore, that he should try to obtain a stronger title. Accordingly, in 1335, he petitioned the king in parliament for an hereditary title to the liberty of Tipperary, which the king had promised him in 1328; for respite from the demands of the Irish exchequer; and for the restoration to the hereditary prise of wines, which he was holding during the king's pleasure. But the earl had little success on this occasion: he was to continue to hold the liberty at the king's pleasure; he was to hold the prise as before, but the king promised to consider the matter with his council. He did, nevertheless, manage to obtain some respite

1. See appendix VII, no. 1.

from the pressure of the exchequer¹. Eventually, in 1337, he recovered both the prise of wines and the liberty of Tipperary for the term of his life, but he never got the hereditary confirmation which he had so earnestly sought².

When the first earl of Ormond died in 1338, it seemed that the liberty of Tipperary would not be revived again, in view of the king's refusal to accede to Ormond's requests. But in spite of this Edward granted the liberty to the earl's son and heir in 1347 as "a special grace" for the term of his life³. It is not improbable that the inability of the central government to maintain law and order in Tipperary during the minority of the second earl of Ormond, when the county was ravaged successively by the earl of Desmond and by the Irish⁴, may have induced the king to prolong the lifetime of the liberty. It was not until 1372 that the earl finally obtained a confirmation of the liberty to himself

-
1. Rotuli Parliamentorum ii, p. 90; Ancient Petitions (P.R.O. S.C. 8 12/550).
 2. C.P.R. 1334-1338, p. 429; Cal. Ormond Deeds i, no. 693.
 3. C.P.R. 1345-1348, pp. 429-30.
 4. See above ch. V, pp. 178-89.

and his heirs, some forty-four years after the initial grant¹.

Although the terms of the charter of the liberty of Tipperary are extremely general, it is apparent that they were designed to convey the same powers and privileges which the lords of the other Irish liberties enjoyed. The same pleas - arson, rape, forestall, and treasure trove - with the profit of the crosses were reserved to the king, as in the case of the liberties of Leinster, Ulster, Louth, and Kerry². Only the lord of the liberty of Trim had jurisdiction over the four pleas³. The reservation of the four pleas in 1328 was really an anachronism: while they were still important, they were not as prominent as they had been at the beginning of the thirteenth century, for the common law had become

-
1. Cal. Ormond Deeds iii, no. 348.
 2. Rotuli Chartarum 1199-1216, p. 176; B.M. MS. Add. 4790, f. 104 d; C.P.R. 1317-1321, pp. 334-5; Cal. Charter Rolls iv, p. 123.
 3. Although the four pleas were reserved to the crown in 1208 Geoffrey de Genville, lord of Trim, managed to secure a grant of the pleas in 1252 (see J. Otway-Ruthven, Medieval Ireland, p. 182).

more complex in the meantime. They were reserved to the crown mainly because they had become traditional in this kind of grant in Ireland. They were not, for example, reserved in the charter of Lancaster in 1377¹, but this was partly because such exceptions were not traditional in the case of the English palatinates. The exception of the profit of the crosses was also common to all the great Irish liberties. Not even the great marcher lords of Wales were able to assert their claims to have custody of episcopal lands sede vacante against the crown². It is clear, therefore, that the charter contemplated the creation of a separate county of the cross of Tipperary to administer the lands of the church, for by the reign of Edward III we find that all crosslands were organised as separate counties³. It is, therefore, apparent that the charter of 1328 conveyed to

-
1. Rymer, Foedera, III (part II) (London, 1830), p. 1073; Sir Edward Coke, The fourth part of the Institutes of the law of England, (London, 1648), p. 204.
 2. See J. Otway-Ruthven, 'The Constitutional Position of the Great Lordships of South Wales', in Trans. Royal Historical Society, 5th Series, 8 (1958), pp. 17-18.
 3. See J. Otway-Ruthven, Medieval Ireland, p. 175.

the earl of Ormond the same jurisdiction exercised by the lords of the other Irish liberties.

Unlike the charters of the liberties of Meath and Leinster, the charter of the liberty of Tipperary did not specifically provide for the removal of cases in which error had arisen to the royal courts. There can be no doubt, however, that such cases could be removed to the royal courts by a writ of error, for every subject was entitled to receive justice. Secondly, the charter did not specifically renounce the royal right to have the custody of the lands of tenants-in-chief in Tipperary, which was expressly renounced in favour of the lords of Leinster and Meath in 1208¹. That the first earl of Ormond had such custodies is quite clear, but it seems that his successors probably did not have them. The evidence on this point, however, is far from conclusive.

The first earl of Ormond certainly had the custody of the lands of the earl of Louth in Tipperary, for he committed the custody of his Tipperary estates to William de Bermingham during the minority which

1. See J. Otway-Ruthven, Medieval Ireland, pp. 77-8, 182-3.

followed the murder of the earl of Louth in 1329. In 1330 William witnessed a certain deed whereby one of the tenants of the manor of Kiltinan assigned an annual rent to the prior and brothers of the Hospital of St. John the Baptist without the New Gate, Dublin, in which he was described as

tunc domino de terris domine Johannis de Bermyngham, nuper Comitibus Louth, in comitatu Tipperarie, ratione minoris etatis heredis dicti domini Johannis de dono Jacobi le Botiller Comitibus Comitatus predicti...¹

When the liberty of Tipperary was taken into the king's hand in 1331², Adam of London was appointed custodian of two parts of the manors of Knockgraffon, Kiltinan, and Derrygrath, rendering forty marks annually at the exchequer³. And when the liberty was restored the escheator was not charged with the issues and rents of these lands

because Adam de Loundre held the said lands and tenements by commission of the king, to answer for the issues,...before the said manors, lands, and tenements were delivered to James le Botiller, earl of Ormond, in the name of custody in

1. Reg. Hospital St. John the Baptist, no. 451, cf. no. 475.

2. Above, p. 361.

3. See appendix I, no. 4.

right of his liberty, by writ delivered into the exchequer 11 June a. r. vii (1333)¹.

While it is apparent that the administration recognised the right of the first earl of Ormond to have such custodies, the second and third earls, on the other hand, do not seem to have had them. The manors of Knockgraiffon and Kiltinan were in the hands of the royal escheator between 1350 and 1363 during the minority of the heir of William de Bermingham². In August, 1358, Peter Butler was given the custody of the manor of Rathgool, which was held of the manor of Kiltinan³: it was actually a custody within a custody. In July, 1373, the seneschal of the liberty of Tipperary was commanded to distrain William, the son of Meiler de Bermingham, the late lord of Knockgraiffon and Kiltinan, to pay the relief of the manor of Knockgraiffon which he held of the king in chief by the service of £14 when scutage ran⁴, despite the fact that he was a tenant of the

1. 44th Rep. D.K., p. 38.

2. Above ch. I, p. 21.

3. C.C.H., p. 75, no. 98.

4. P.R.O.I. Mem. Rolls, vol. 30, p. 543 (rot. 47-48 Edw. III).

earl of Ormond in respect of these manors. William died sometime between 1379¹ and 1384, when the manor of Knockgraffon was again in the king's hands². On this occasion the king leased the custody of the manor to the earl of Ormond, provided that he would not lease it to "the Burkeyns". Kiltinan was again in the king's hand in 1400, when the treasurer granted the custody to Theobald fitsThomas Butler³. In the following year the king gave the earl of Ormond the custody of the manor and barony of Kilsheelan, which belonged to Gerald fitsMaurice, the late earl of Desmond, together with the lands of his son in Clonmel, to hold as long as they were in the king's hand by reason of the minority of Thomas fitsJohn⁴.

It is quite evident from these examples that the second and third earls of Ormond did not have the custody of the lands of tenants-in-chief despite the fact that the first earl of Ormond had the custody

1. Cal. Ormond Deeds ii, no. 234.

2. Ibid., ii, no. 271.

3. G.C.H., p. 159, no. 2.

4. Ibid., p. 161, no. 58; cf. p. 163, no. 112.

of the lands of the earl of Louth. Precisely why his successors lost this right is uncertain: it may be that the administration interpreted the charter of the liberty strictly to mean that the earl was never given such custodies. On the other hand, it may be that the administration was no longer prepared to recognise the right of the lords of the liberties to have them: it has already been noted that the lords of Kilkenny and Carlow did not have the custody of the lands of James Butler after his death in 1338¹. There is no evidence to show that they actually recovered the custody of his lands. Moreover, the fact that the lords of all the Irish liberties, except Tipperary and Desmond, were absentees virtually gave the royal officials a free hand in regard to the rights of the liberties. It is not unlikely, therefore, that the failure of the earls of Ormond to maintain their right to such custodies may have coincided with similar deprivations in the older liberties, where the absentee lords were unable to

1. See above ch. II, pp. 37-9.

uphold their claims against the encroachments of the royal government.

The charter of 1328 also gave the earl "the knights' fees and all other things whatsoever which we had in co. Tipperary". This had the effect of giving him the immediate lordship of all the lands which had formerly been held in chief of the king: in other words the earl was to hold the entire county, except the lands of the Church, as a single fief. Thus the earls of Ulster and Louth became the tenants of the earl of Ormond in respect of the lands which they held in Tipperary¹. The earl, in fact, became the only tenant-in-chief in the county.

In short, the charter of 1328 placed the earl of Ormond in the position formerly occupied by the king and his ministers. From 1328 onwards the lands of tenants-in-chief in the county were held immediately of the earl; all pleas which arose in the county, except the four specified in the charter, were pleaded in the court of the liberty of Tipperary by the earl's writ; all writs, whether of the earl or of

1. For their lands see above ch. I, pp. 4-21.

the king, were executed by the earl's officers; and all breaches of the peace, except for the four pleas, were breaches of the earl's peace. The earl became, in effect, the king's deputy in the county: he was responsible for seeing that justice was done and that the king's writs were executed there, failing which his liberty was subject to forfeiture.

It may be seen, therefore, that the charter of the liberty of Tipperary only gives a very general description of the authority and jurisdiction which were actually conveyed to the earl. It was not until the liberty of Tipperary was taken into the king's hand in 1621, to be finally restored in 1662¹, that the earls of Ormond put forward detailed claims to the authority which they had in right of the liberty. In 1621 Walter, earl of Ormond, claimed that he had in his liberty

1. A court of chancery; the appointment of a chancellor making all writs real, personal, and mixed; the examination of all suits, causes,

1. See V.T.H. Delany, 'The Palatinate Court of the Liberty of Tipperary', in The American Journal of Legal History, V, pp. 110-1.

complaints, bills, petitions, and controversies brought before him.

2. A court of the pleas of the crown; the appointment of a seneschal and justice to hold them; all treasons, felonies, and misprisions of the same in that court presented and indicted, and in and upon any persons convicted or attainted of such treasons, felonies, etc. The imposition of all manner of punishments.

3. A court of common pleas before the seneschal and justice; all suits, complaints, actions real, personal and mixed, as well by writ as by bill without writ; the receipt of notes and acknowledgments for fines of any lands and tenements in the said county.

4. The appointment of a sheriff with the execution of all the mandates of the Four Courts in Dublin, of justices assigned by the king to hear assizes in co. Tipperary, and to hold the leet, tourn, and county courts.

5. The power to grant charters of pardon for any transgression, treason, felony, outlawry, condemnations of death and limbs and executions of the same against any person in the aforesaid court of the pleas of the crown.

6. The appointment of coroners, an escheator, a feodary, a clerk of the markets, and a sub-sheriff.

7. All chattels, lands, etc. of all traitors, fugitives, and outlaws; deodands, treasure trove¹, escheats, chattels, or lands forfeited².

1. Treasure trove was expressly reserved to the crown in 1328, but the earl did have limited mineral rights. See below p. 382.
2. Roll of pleas of the crown, Easter, 19 James I (5th Rep. D.K., pp. 34-6). A similar set of

Broadly speaking, this summary represents a fairly accurate statement of the earl's authority in his liberty of Tipperary, but it requires certain qualifications. There was certainly a court of chancery in the liberty of Tipperary in the seventeenth century¹, but there is no evidence of its existence during the middle ages; such cases were probably handled by the earl and his council in the medieval period. It is true that the earl could appoint all the officers mentioned above², but it is necessary to give a detailed consideration of his

claims was set forth in a petition of James, earl of Ormond and Ossory, in 1636 (N.L.I. Ms. D.4034). In addition to these, several interesting documents relating to the jurisdiction of the liberty may be found in a box containing about 1000 unsorted deeds (N.L.I. Ms. 11, 044), but they are mainly of interest to the historian of the seventeenth century.

1. In 1667, for example, Sir Nicholas Butler directed a petition to Sir William Davyes, the chancellor of the liberty, in which he alleged that the commissioners of the duke of Ormond had wrongfully assessed his debts at £300 of which the duke had pardoned him of £200. He requested that the commissioners should be commanded to appear before the chancellor "in this regality court of chancery" in order that the truth of the matter might be discovered (N.L.I. Ms. 11, 044).
2. See below ch. XII, pp. 430-45.

prerogative in respect of writs, charters of pardon, incorporation and endenization.

That the chancellor of the liberty of Tipperary had authority to issue "all writs real, personal and mixed", as the earl claimed in 1621, is clearly a question of paramount importance. Recent research has shown that the bishop of Durham did not have free access to the use of royal writs and judicial procedures. Although King John had permitted the Henrician assizes to be used in the bishop's court, the justices of Durham were forbidden to use any writ which had not been used by bishop Marsh's predecessors in 1224¹. It therefore became necessary in the 1320s for the bishop and the community of the bishopric to petition the king for the right to use any writ in their franchise according to their need, as the king did. It appears that the bishop could not issue writs of entry, escheat, formedon, ael and besael². In short, the great legal revolution which had taken

1. See Jean Scammell, 'The Origin and Limitations of the Liberty of Durham', in English Historical Review, LXXI, pp. 459-61.

2. Ibid., p. 462.

place in the reign of Edward I had passed the liberty by; the inaccessibility of the new writs and procedures had prevented legal evolution within the liberty.

The position of the Irish liberties in this respect is uncertain. Geoffrey de Genville found it necessary to obtain royal permission to use writs in his liberty of Trim in 1257¹, but whether this meant that he was free to adopt writs for only such pleas as had been pleaded without writ in the time of Walter de Lacy, or whether he was given a carte blanche for the future, is not evident. The surviving rolls of the court of the liberty of Tipperary afford very little information: two fourteenth century rolls, for example, only record pleas of Mort d'Ancestor, Novel Disseisin, debts and trespasses². A writ of formedon was pleaded in the liberty court in 1421³. The evidence of these court rolls suggests that in fact only a limited variety of writs could be

-
1. Cal. Gormanston Register, p. 179. (Note: read 'sine brevis' for 'suis brevis').
 2. Cal. Ormond Deeds II, nos. 49, 268.
 3. Ibid. III, no. 87.

obtained from the chancery of the liberty during the middle ages. It is not unlikely, however, that in the sixteenth and seventeenth centuries the court of the liberty did in fact entertain civil actions of recent origin. On the 3rd of May, 1662, John Walsh delivered the "abstracts of several records and evidences concerning the county palatine of Tipperary and the proceedings heretofore used in the liberty court thereof" to Sir William Davyes, recorder of the city of Dublin¹. These included an exemplification of a judgment upon an eiectione firmae, dated in the fourth year of James I (1606-7). It seems that the action of ejectment was primarily a development of the sixteenth century; it virtually superseded the older medieval real actions². Thus it would seem that new forms of legal procedure were adopted in the later history of the liberty. There is no evidence to show that the earl of Ormond actively sought the king's permission to adopt such legal innovations;

1. N.L.I. Ms. 11, 044.

2. See Holdsworth, A History of English Law, vii, p. 4. G. Jacob, A New Law-dictionary (London, 1729).

more probably, it was accepted that he was entitled to issue writs for all such pleas which belonged to his jurisdiction.

It has already been noted that the earl of Ormond and Ossory claimed that he had the jurisdiction of all treasons and the forfeited lands and chattels of all traitors in 1621. In 1586 a certain body of knights and burgesses refused to give their assent to the passage of acts of attainder against the earl of Desmond because they claimed that

Thomas, earl of Ormond and Ossory, was to be hindered by the said several acts of the escheats of Walter Burke, John Burke, Edmund Hedien, William O'Meagher and others named in the said acts, whose escheats, as it hath been alleged, do belong unto the said earl of Ormond as lord of the liberty of the county of Tipperary, for that their lands and possessions are within the said liberty, and that they were there attainted by order of law before the passing of the said acts¹.

The objectors finally gave their assent to the acts when Perrott agreed that special provision would be made for such cases². Precisely what happened as a result of this objection is unknown, but it is

1. Cal. State Papers, Ireland, 1586-1588, p. 52.
 2. Ibid.

interesting to record that the earl of Ormond still claimed to have such escheats in 1621, and there was still considerable legal doubt on this issue even after the restoration of the liberty in 1662¹. It is also interesting to note that the knights and burgesses alleged that Walter Burke and others had already been attainted in the liberty of Tipperary, presumably for their part in the Munster rising.

Nevertheless, it is clear that the earl of Ormond did not have the forfeited lands of traitors in the medieval period. In 1354 the escheator returned that he could not answer for the issues of the lands forfeited by Hugh Purcell in Tipperary between the 2nd November, 1351, and the 3rd February, 1354; he explained that although the earl of Ormond was charged with £50 of the annual rent of these lands nothing could be raised from them because

1. As appears from several letters contained in N.L.I. Ms. 11, 044, most notably (1) a document bearing the title "Opinion of council about the liberty courts of Tipperary", signed by Richard Nagle, 18 March, 1685; (2) a letter from a certain John Meade, dated 21 Sept., 1690, which shows that the matter was still not concluded.

they lay among Irishmen and felons¹. It is not known why Hugh forfeited his lands, but he must have forfeited them sometime between 1348 and 1354, when he was awarded £80 by the justiciar for the capture of Donald O'Kennedy², at least one year after the second earl of Ormond had gained possession of his lordship and liberty. It was not until 1362 that the king handed over the manors of Corketeny, Loughmoe, and Ikerrin, "which have escheated to us by reason of the forfeiture of Hugh Purcell", to the earl of Ormond³. This grant was made for good service rendered by the earl, who does not seem to have made any claims to such escheats in right of his liberty. The lands of the earl of Desmond in Kilsheelan and Clonmel, which were forfeited in 1345 because of his rebellion⁴, remained in the king's hand until the 19th May, 1349, when he was restored to his estates⁵. In this case, however, the

-
1. P.R.O.I. Mem. Rolls, vol. 23, pp. 724-5 (from a fragment of the escheator's roll).
 2. See above ch. V, pp. 185-6.
 3. Cal. Ormond Deeds ii, no. 89.
 4. See G. O. Sayles, 'The Rebellious First Earl of Desmond', in Medieval Studies Presented to Aubrey Gwynn, S. J., p. 222.
 5. N.L.I. Ms. 761, p. 153.

forfeitures were made during the minority of the second earl of Ormond, but no attempt was made to transfer the forfeited lands to the earl when the liberty was restored in 1347.

Of course the earl did not, in consequence, have the authority to issue pardons for high treason. In 1582 he pardoned Theobald Stapleton and others

...of suit of the earl's peace and all treasons great and small which do not touch the person of the lord king or the making of false money, all murders, homicides and manslaughters of malice aforethought or otherwise, felonies, robberies, thefts, coynes, liveries, etc., and all misdeeds, excepting arson, rape, forestalling, and treasure trove; also all outlawries, judgments, etc.¹.

The exception of the four pleas in charters of pardon was usual², for the earl did not have jurisdiction over them: when these exceptions were not specifically included, it must have been understood that they were excepted³. The earl could not pardon forgery of money, although it was not one of the reserved pleas. It was, however, one of the ancient pleas of the crown⁴, which especially touched the

-
1. Cal. Ormond Deeds v, no. 72. My italics.
 2. See e.g. Cal. Ormond Deeds ii, nos. 191, 268.
 3. See e.g. ibid. ii, no. 356.
 4. Leges Henrici, in Stubbs, Select Charters (9th ed., Oxford University Press, 1951), p. 125.

person of the king, for it was included in the Statute of Treasons. It is worth remarking at this point that the king also reserved to himself the ancient royal prerogative to have such minerals as might be found in the county. In 1375, however, the king granted that the earl should have half of the profits of any mining operations in his lordship as well as a third part of any treasure found in the earth¹. Tipperary is not specifically mentioned but it is more than likely that it was intended: the king certainly had lead mines in the cantred of Okonagh in 1278²; other mines seem to have been opened about 1289³.

The earl granted pardons for all offences against his peace, except, of course, offences involving rape, arson or forestall. In 1401, for example, he granted a pardon to John Flemyng, a clerk, for all conspiracies, confederacies, oppressions, extortions, contempts, adherences, or allegiances with Irish enemies or English rebels,

-
1. Cal. Ormond Deeds ii, no. 200.
 2. C.D.I. 1252-1284, no. 1516.
 3. C.D.I. 1285-1292, no. 499.

felons and outlaws; also all damages, oppressions, excesses, and misprisions whatsoever done by him against the people of the liberty, against the peace, statutes, ordinances or customs within the liberty¹. In 1429 the earl pardoned the abbot of Holy Cross for various offences including adherence with the rebels and enemies of the king, receiving felons, etc., against the statutes and ordinances of the king². In 1604 he pardoned Donyle O'Mary and others of all misdeeds and offences done against the peace and common law of the king, and against the form and effect of any statutes, acts, ordinances, or provisions heretofore made³.

It seems that the earl of Ormond had jurisdiction over statutory offences, for several presentments made in the court of the liberty in 1514 actually involved breaches of statute law⁴. The earl presumably had the amercements and forfeitures in such cases, otherwise his pardons would have been valueless.

-
1. Cal. Ormond Deeds ii, no. 356.
 2. Ibid. iii, no. 86.
 3. Ibid. v, no. 72.
 4. Ibid. iv, no. 23.

Just as the king granted letters of safe conduct to pilgrims or envoys, the earls of Ormond provided special protection to travellers within the liberty. In 1432, for example, the earl provided letters of safe conduct to all pilgrims wishing to visit Thurles at the feast of the Assumption at the special request of the archbishop of Cashel¹. In the same year he issued his special protection to the abbot, monks, tenants and clerks of Holy Cross "ad opera monasterii predicti mendicantes". They were to be protected against molestation of any kind, especially from the officers of the liberty².

The earls of Ormond also seem to have admitted Irishmen to the common law: in 1542 the earl granted English status to Dermot O'Hogan "who is of Irish name, blood and nation" and his issue

that they may use and enjoy English laws in all things even as Englishmen dwelling within our said liberty use and enjoy them. And that he and his issue may plead and answer in all our courts and those of others within our liberty. Also that they may acquire, have, occupy and enjoy all lands, tenements and other possessions

-
1. Cal. Ormond Deeds iii, no. 98.
 2. Irish Monastic and Episcopal Deeds, 1200-1600, pp. 23-4.

for themselves and their heirs and assigns for ever, and succeed and inherit in them. Also that they may be promoted and admitted to all ecclesiastical benefices and dignities and enjoy them as do the Englishmen of our liberty, without any impediment or hindrance of us, our heirs and successors, our officers and servants, notwithstanding any Irish condition or any statutes, ordinances or restrictions thereupon before these times made¹.

This is the earliest charter of liberty to have survived among the Ormond Deeds; no doubt there were others before it. The lords of other Irish liberties seem to have granted charters of English liberty to Irishmen: in 1299 a charter of liberty granted by William Marshal, lord of Leinster, was pleaded in the justiciar's court².

The earl of Ormond had the authority to establish urban corporations: in 1366 he provided that the burgesses of Carrick-on-Suir should not be impleaded in any court save in their hundred for any pleas arising within the boundaries of the borough; they were not to be burdened with murdrum; they were to be free of toll, lastage, passage, pontage and all other customs throughout the earl's

-
1. Cal. Ormond Deeds iv, no. 284.
 2. Cal. Justic. Rolls, 1295-1303, p. 271.

lordship. The burgesses were granted various other privileges which commonly went with such charters. Lastly, it was provided that if a dispute should arise between one of the townsmen and a member of the earl's household, the matter would be settled before the sovereign of the town and the seneschal of the earl's household¹. The lords of the other Irish liberties also gave charters to their towns: in Leinster, for example, the Marshals established corporations in New Ross, Kilkenny, Kildare², and Carlow³. Nevertheless, the creation of urban corporations was by no means the exclusive right of the lords of the liberties. Bertram de Verdon, a tenant-in-chief, founded Dundalk in the time of John⁴, and it was not unknown for sub-tenants to establish towns⁵. The earl of Ormond did not confine

-
1. Cal. Ormond Deeds ii, no. 123.
 2. See J. Otway-Ruthven, Medieval Ireland, pp. 123-4.
 3. P.R.O.I. Mem. Rolls, vol. 30, pp. 191-7 (rot. 47-48 Edw. III).
 4. J. Otway-Ruthven, *op. cit.*, p. 123.
 5. See J. Otway-Ruthven, 'The Character of Norman Settlement in Ireland', in Historical Studies V, p. 79.

himself in this respect to the liberty of Tipperary, for he also granted liberties to the town of Youghal in the early fifteenth century¹.

Although the liberty of Tipperary excluded the officials of the royal administration, it was, nevertheless, part of the structure of the king's administration: it was not independent of it. The writ of error not only emphasized the inferiority of its court, it also ensured that legal procedure would conform in every respect to the procedure in the king's courts. It was therefore impossible for a system of march law to develop independently of the common law: even in the fifteenth century, when the operation of the king's courts in Ireland was seriously impaired by the near collapse of the central government, cases were still removed from Tipperary to Dublin². The reservation of the four pleas, the crosses and the forfeitures for treason, underlined the essential inferiority of the earl's

1. Cal. Ormond Deeds iii, no. 3.

2. See below ch. XIII, p.478; appendix IX, no. 1.

jurisdiction. Moreover, the seneschal of the liberty was responsible to the administration for the execution of the king's writs in precisely the same way as the sheriff of Tipperary had been before 1328. If he failed to carry out the king's orders the sheriff of the cross of Tipperary was commanded to enter the liberty notwithstanding any right which the earl had there¹. In theory² and in practice the right to hold royal jurisdiction depended upon conformity with the law and the king's wishes. In effect, therefore, the royal franchises in Ireland and in England were really mediatised counties: that is to say, they were administered by the king through his intermediaries, the lords of the franchises.

It is apparent, therefore, that the liberty of Tipperary closely resembled the older Irish

-
1. See below ch. XI, pp. 421-2.
 2. According to Bracton, the lords of royal franchises exercised royal jurisdiction by delegation, even when they held them by prescriptive right: they could only hold such jurisdiction as long as they conformed to the law (see J. Otway-Ruthven, Medieval Ireland, p. 183; Bracton, De Legibus et Consuetudinibus Angliae, Bk. 2, c. 24).

liberties. As far as one can see, the earls of Ormond exercised exactly the same jurisdiction as the lords of the other liberties, except for the lord of Trim¹. It is true that the first earl of Ormond appears to have had the custody of the lands of tenants-in-chief in Tipperary, though not his successors, but there is some reason to believe that at least some lords of the other liberties were having difficulty in asserting their claims to prerogative wardships arising within their respective liberties about the same time as the earls of Ormond lost their right to have them². It may be that Tipperary was not unique in this respect.

The jurisdiction exercised by the earl of Ormond was not, of course, as broad as that exercised by the lords of the English palatinates. The four pleas which were reserved to the king in Ireland were not reserved to him in the English palatinates. Besides which, the bishop of Durham had the escheats of traitors, at least for a time³, and he had an

1. See above p. 364.

2. See above pp. 366-71.

3. G. T. Lapsley, The County Palatine of Durham, pp. 41-50.

exclusive claim to minerals found in the palatinate¹. On the other hand, it is possible that the earls of Ormond were not as confined in respect of new legal procedures as the bishops of Durham. We may note that a writ of formedon was pleaded in Tipperary in the early fifteenth century, which was one of the writs the bishop had been unable to issue in the previous century². The earls of Ormond could issue pardons for life and limb, unlike the lords of Lancaster³. But in general the liberty of Tipperary was inferior to English palatinates. Nevertheless, like the Irish liberties, they were subject to the writ of error, which placed their courts directly under the surveillance of the king's justices. Thus the constitutional position of the great Irish liberties was much closer to the English palatinates than

1. G. T. Lapsley, *op. cit.*, pp. 58-63.

2. See above, pp. 375-8.

3. See R. Somerville, 'The Duchy and County Palatine of Lancaster', Transactions of the Historic Society of Lancashire and Cheshire, vol. 103, p. 60.

to the Welsh marcher lordships, which were not subject to the writ of error¹.

The liberty of Tipperary was finally extinguished in 1716 when the earl of Ormond was deprived of his estates and titles by the Irish Parliament. It owed its survival mainly to the favour which the crown had shown to the earls of Ormond; although it was taken into the king's hand on several occasions, it was always restored. It was taken into his hand in 1331 but it was restored almost immediately². It was restored in 1347 to the second earl of Ormond although his father had not held it by hereditary right. It was seized by the Talbot administration in 1417, but the earl of Ormond recovered it upon his return to Ireland in 1420³. The liberty was forfeited in 1462 following the victory of Edward Plantagenet and the defeat of the Butler forces in Ireland⁴, but

-
1. See A.J. Otway-Ruthven, 'The Constitutional Position of the Great Lordships of South Wales', Trans. Royal Historical Society, 5th Series, 8 (1958), passim.
 2. Above, p. 361.
 3. See above ch. VII, pp. 261-8.
 4. See above ch. IX, pp. 305-6.

Edward restored John Butler to his titles and estates by special favour in 1475¹. The liberty was again resumed in 1494 by Sir Edward Poyning, but Henry VII restored it to Thomas, earl of Ormond, shortly afterwards².

Although the history of the liberty after 1515 is not the concern of this survey, two points may be made with regard to its later history: in the first place, it was the only Irish liberty to survive the centralisation of the Tudor period; secondly, it was the only medieval franchise in the British Isles to survive the legislation of the reign of Henry VIII with its privileges intact. While Henry greatly reduced the independence of the English and Welsh franchises, the position of the Irish liberties remained unchanged. It is clear that by 1716 the unique constitutional position of the palatinate of Tipperary could not have been preserved much longer, even if Ormond had not suffered forfeiture. There can be little doubt that the liberty played an

1. Cal. Ormond Deeds iii, no. 213.

2. Ibid. iv, pp. 378-9.

important role in the maintenance of law and government in the medieval period when the central government was clearly unable to control the situation in Munster; by the beginning of the seventeenth century, however, the government was quite capable of controlling the entire kingdom without the assistance of the remaining feudal nobility. That it was restored in 1662, after it had been suspended for more than forty years, was wholly due to the influence of James, duke of Ormond.

CHAPTER XI

THE COUNTY OF THE CROSS OF TIPPERARY

The charter of 1328 specifically reserved the profit of the crosses of Tipperary to the crown: the earl of Ormond, therefore, had no jurisdiction over the lands of the church. The crosslands were everywhere reserved to the crown in Ireland from the time of the conquest. While it is true that in 1172 Henry II did not specifically reserve them in his charter to Hugh de Lacy, lord of the liberty of Meath¹, it has been argued convincingly that Hugh did not in fact have them². Indeed, it would be surprising if it were otherwise, for Henry had good reason to be concerned about his control over the church with the clamour of the Becket affair still ringing in his ears. In any event, John specifically reserved the crosslands to himself in the charters which he issued to the lords of Meath

1. Cal. Gormanston Register, p. 177.

2. See A. J. Otway-Ruthven, Medieval Ireland, p. 182.

and Leinster in 1208¹. Even in Wales, where the marcher lords seem to have had a good claim to the custody of the lands of the bishop of Llandaff sede vacante, the king had asserted his right to this custody by the end of the thirteenth century².

Although the king secured his right to the custody of episcopal lands sede vacante in England³, Wales and Ireland, it was only in Ireland that a separate shire administration was established to govern ecclesiastical lands lying within the boundaries of the grant liberties. Before 1297 they were administered by the sheriff of Dublin, but by the reign of Edward III all crosslands were organized as separate counties, known as counties of the cross, each with its own sheriff⁴. Consequently in every Irish liberty there existed scattered parcels of ecclesiastical land over which the king had exclusive

1. C.D.I. 1171-1251, nos. 381, 382.

2. See A.J. Otway-Ruthven, 'The Constitutional Position of the Great Lordships of South Wales', Transactions Royal Historical Society, 5th series, 8 (1958), pp. 17-18.

3. The question of custody did not, of course, arise in Durham, where the bishop was lord.

4. See J. Otway-Ruthven, Medieval Ireland, p. 175.

jurisdiction, and within which the writ of the lord of the liberty did not run.

Thus the county of the cross of Tipperary was, in effect, a royal shire within the geographical borders of the liberty. The fact that it was much smaller in area than the usual county, and that its lands were widely scattered throughout the liberty, some parcels being less than 100 acres in extent, did not create any special difficulties for the royal administration, although it must have involved more inconveniences than usual. It should be remembered that great feudal lords everywhere had to manage lands and estates scattered over a wide area, so there was nothing unique about this arrangement. As far as the earl of Ormond and the officers of his liberty were concerned, the inclusion of a royal county within the borders of the liberty did not create any problems, for the constitutional relationship between the liberty and the county of the cross was governed by the same rules that applied to the adjacent royal counties of Limerick, Cork,

Waterford and Kilkenny¹. Nevertheless, it must have burdened the seneschal with additional inconveniences.

Strictly speaking this account of the county of the cross of Tipperary is not directly related to the history of the Butler lordship, since it lay outside it. On the other hand, it is clearly desirable that the territory of the county of the cross should be distinguished from the territory of the liberty, a distinction which can hardly be ignored. Moreover, the fact that many tenants residing in the liberty held land in the county of the cross meant that the seneschal of the liberty had to work in close cooperation with the sheriff of the cross in summoning jurors and in making distrains. Furthermore, when the seneschal neglected to execute a royal writ, the sheriff of the cross was ordered to enter the liberty, notwithstanding the rights of the earl of Ormond². In this way the sheriff of the cross acted as the special agent of the crown. It is therefore not irrelevant to devote

-
1. The liberty of Kilkenny ceased to operate about the end of the fourteenth century; thereafter it was administered as a royal county.
 2. See below pp. 421-2.

some space to the administration of the crosslands since on occasions its operations directly affected the liberty.

The crosslands were composed of both episcopal and monastic lands. By far the greater proportion of these consisted of the lands of the archbishop of Cashel, the bishops of Killaloe, Emlly, Lismore and Ossory. The monastic lands formed only a very small proportion of the whole.

It would be impossible to ascertain the precise extent of the crosslands. In the first place there is a singular dearth of episcopal and monastic registers: no registers or manorial extents have survived for the archdiocese of Cashel, or the dioceses of Killaloe, Emlly or Lismore, which included the greater part of the crosslands. Instead one has to be content with the limited information contained in the papal taxations, the pipe rolls, and to supplement these sources with the Civil Survey, and even later surveys. The position with regard to monastic lands is even poorer: the only important register to have survived is the register of the

hospital of St. John the Baptist without the New Gate, Dublin; for the rest, one has to rely upon the monastic extents of 1540-41, which are not entirely satisfactory. Secondly, it is by no means clear which ecclesiastical lands lay in the county of the cross and which did not. The archbishop, bishops (except the bishop of Ossory), the abbots of Oseney, Inishlounaght, Owney, Holy Cross, St. Thomas (Dublin), Kilcooly, Mothel, and Hore Abbey, the priors of Athassel, Caher, St. Johns (Menagh), the Hospital of St. John (Kilmainham), the Hospital of St. John the Baptist without the New Gate, Dublin, St. Catherine's (Waterford), Monaincha, Holy Trinity, Dublin, Kells (co. Kilkenny), together with the prioress of Molough, were summoned to do suit at the court of the liberty; they must have held part of their lands in the liberty, or else they could not have been distrained to attend¹. It is possible that some of the smaller communities may have held most, if not all, of their lands in the liberty:

1. Cal. Ormond Deeds iii, nos. 102, 337; see below ch. XIII, pp. 465-6.

the abbot of Mothel, co. Waterford, held only the Grange of Moelere in Tipperary, according to an extent made in 1541¹, yet he did suit at the court of the liberty. It is therefore likely that he held this land within the liberty. Nevertheless, it is reasonable to assume that only a small proportion of ecclesiastical lands actually lay outside the county of the cross, so that if one includes all ecclesiastical land within the county of the cross, in order to calculate roughly the area of the county, the margin of error should not be excessive.

With few exceptions the monastic communities in Tipperary were unimportant landholders. The abbey of Holycross was possibly the largest of them. In 1297 an inquiry into the alienation of certain lands belonging to the abbey revealed that a total of seventeen and a half carucates and 860 acres belonged to the community². Unfortunately, it is

-
1. Extents of Irish Monastic Possessions, 1540-41, ed. Newport B. White, p. 349.
 2. Cal. Justic. Rolls, 1295-1303, pp. 134-6. A latin transcript of this inquisition may be found in P.R.O.I. Cal. Plea Rolls, vol. 4, pp. 329-338.

impossible to locate these lands with any certainty, although they are named: no doubt most of them lay in the parish of Holycross, but not all the land in the parish belonged to the abbey, for the tenement of Bekeston was held of the manor of Thurles¹. The abbey is not mentioned in the monastic extents of 1540-41, but some small parcels of land belonging to it are named in the fiants². The names contained in the founding charter are unrecognizable³, so that there is no way of determining where these lands lay. The hospital of St. John the Baptist, Dublin, held scattered parcels of land in Moctalyn, Slievardagh, and in Clogher⁴, but again it is impossible to locate many of them on a map. Although the amount of land involved was probably not greater than that

1. Red Book of Ormond, p. 71; Cal. Inq. P.M. viii, no. 184.
2. Calendar of Fiants of Elizabeth I in 11th Rep. D.K., p. 98, no. 563.
3. Cal. Ormond Deeds i, no. 5. Cf. no. 15.
4. Register of the Hospital of St. John the Baptist without the Newgate, Dublin, ed. E. St. J. Brooks, nos. 429-30, 432, 438, 450; nos. 493, 500-4, 505-6; and nos. 520-30, 532, 535-40, 544. See also a further grant by Geoffrey de Canville in c. 1200 of three carucates in the tuath of Iholechonere (no. 508).

of Holycross, it is clear that the extent made at Dublin in 1540 was a serious underestimation of the medieval monastic possessions¹. It is not at all improbable that the contemporary extents of the abbeys of Kilcooly, Hore Abbey and Inishlounaght² were also underestimations, but there is no way of checking this³. None of the three abbeys seems to have had large estates, so their lands are too small to mark on a small map⁴. The possessions of the priory of Athassel amounted to only a few townlands in the reign of Edward VI⁵. The priory of St. John's, Nenagh, was granted more than eleven carucates of land by Theobald Walter⁶. The remaining abbeys, priories and friaries do not appear to have

1. Extents of Irish Monastic Possessions, 1540-41, pp. 63-5.
2. Ibid., pp. 322-7; 337-8.
3. Although the charter of the abbey of Kilcooly has survived, almost all of the placenames are unrecognisable (Cal. Ormond Deeds i, no. 4).
4. The crosslands shown on the accompanying map of Tipperary are almost all episcopal lands.
5. Calendar of Fiants of Edward VI in 8th Rep. D.K., p. 105, no. 744.
6. Cal. Ormond Deeds i, no. 22. Note: this deed should be dated between 1223 and 1226, between the election of Marian O'Brien, archbishop of Cashel, and the second deprivation of Robert Travers, bishop of Killaloe.

held much land, either singly or collectively¹. Altogether, it is unlikely that the total area of monastic lands in Tipperary exceeded 10,000 acres at any time, even when allowances have been made for the omissions and inadequacies of the 1540-41 survey.

Although the rental compiled by the archbishop of Cashel in 1419² appears to have been lost, it is still possible to form a broad idea of the extent of the archiepiscopal lands from an assortment of medieval sources, chiefly from the accounts of the royal escheator in the late thirteenth and early fourteenth centuries³. These sources may be supplemented by later surveys: an inquisition taken at Cashel in 1629 on the death of the archbishop,

-
1. See Extents of Irish Monastic Possessions, 1540-41; Reg. St. Thomas; Cartulary of Osenev Abbey, ed. H. E. Salter, (Oxford Historical Society, XCVIII, 1935).
 2. James Ware, Archiepiscoporum Casseliensium et Tuamensium Vitae (Dublin, 1626), p. 23.
 3. Accounts of the escheator: 17-19 Edward I (37th Rep. D.K., p. 40); 30-32 Edward I (ibid., p. 83); 20 Edward II-I Edward III (44th Rep. D.K., pp. 41-2); 5-9 Edward III (43rd Rep. D.K., p. 59; N.L.I. MS. 761, pp. 74-5). See also the early fourteenth century ecclesiastical taxation in C.D.I. 1302-1307, p. 282. Also Cal. Papal Registers 1, p. 35.

Malcolm Hamilton¹, the Civil Survey², and the report of the ecclesiastical commissioners in 1833³.

The archbishop held the town of Cashel and most of the parish of St. Patrick's Rock, in which his manor of Camus was situated⁴. To the east of Cashel he held the town of Fethard and the adjacent manors of Kilmillock (Red City) and Everard (possibly Everard's Grange in the parish of Peppardstown). William Haket held Peppardstown of the archbishop in the reign of Edward III⁵, but it is not certain that the archbishop held all of the parish. To the west of Cashel lay the manors of Killardry and Kylmacleth (alias Ballygarra or Castleankinlea, in

1. P.R.O.I. Repertories to Exchequer Inquisitions, vol. 13, pp. 147-154, inquisition no. 10.
2. The Civil Survey, A.D. 1654-1656. County of Tipperary, ed. R. C. Simington, ii, pp. 358-412.
3. 1st Report of Commissioners for Ecclesiastical Inquiry, Ireland, 1833. Vol. 5, XXI no. 762, pp. 72-5, 176-7.
4. Archbishop Richard O'Hedian (1406-40), however, granted Thurlesbeg to the Vicars Choral (James Ware, op. cit., p. 23). In addition to Camus and Thurlesbeg the archbishop held thirteen other townlands in the same parish (The Civil Survey, loc. cit.).
5. 44th Rep. D.K., p. 59; N.L.I. MS. 761, p. 91.

the parish of Oughterleague)¹. Elsewhere the archbishop held the manor of Killough (parish of Gaille) and the manor of Burgageleth (Twomileborris)².

The escheator's accounts occasionally include the lands of the archbishop's subtenants when they were custodies within a custody, for example the lands of William Haket in Peppardstown, or the lands of John de la Rokele in Ballyclerahan³. Other tenants are mentioned in connection with various lands in 1301-2⁴, but only two of the place-names, Glankeen and Dermore, can be identified⁵. It is not clear what portion of Glankeen (Ileagh) was held of the archbishop: it must have been small, for Ileagh was held of the earl of Ulster⁶.

It is not unlikely that some of the lands of

1. Ist Report of Commissioners for Ecclesiastical Inquiry, Ireland. 1835, vol. 5, XXI, no. 762, pp. 72-3.
2. The archbishop also held the townlands of Noard and Leamakevoge in the same parish.
3. 42nd Rep. D.K., p. 45 (account for 1322).
4. 38th Rep. D.K., p. 92.
5. The manor of Dermore (Dairemore: site of an old Celtic monastery near Twomileborris) was granted by Walter of Worcester to Edmund Butler in 1307 to hold of the archbishop by an annual rent of four marks (Gal. Ormond Deeds 1, nos. 414, 415).
6. See above ch. 1, pp. 9-10.

the archbishopric were alienated in the course of time. The position of the archbishop was so grave at the beginning of the fifteenth century that it could be claimed that Richard O'Hedian (1406-1440) did not have so much as a place to lay his head after his consecration:

Cum in adventu non unum habuerit locum in aliquo manerio, ubi caput suum reclinaret¹.

Although he seems to have done something to restore the lands of the see², one of his successors, John Cantwell (1452-82), devoted much energy to the recovery of alienated lands: he recovered Kilmilchon (in the barony of Clanwilliam) by force, and Killardry after imposing an interdict³.

The see of Cashel was never wealthy even in the days of its prosperity: the escheator accounted for a total of £279:7:8½ of the issues of the archbishopric between August, 1288, and April, 1291 -

1. James Ware, Archiepiscoporum Casseliensium et Tuamensium Vitae, p. 23.
2. Ibid., p. 23.
3. 'A Poem in praise of John Cantwell', tr. Anne O'Sullivan, Eigse X (1961-3), pp. 103-19, vv. 25, 28.

for a period just under three years¹. This sum may be compared to similar accounts rendered between 1301 and 1304²; the average annual revenue seems to have been about £125. In 1331-2 the sum accounted for amounted to only £79:8:7 $\frac{5}{4}$ for a period of almost thirteen months, of which only £5 was actually paid³. This decline was doubtless related to the disturbances in Tipperary about that time⁴, but in any case rents appear to have declined everywhere in Tipperary and Kilkenny in the course of the fourteenth century⁵.

While it is evident that the archbishop of Cashel was never an important landholder, he did, however, possess the important towns of Cashel and Fethard. According to Ware, archbishop Donnchad O Longargain II (1216-23) gave a charter to the burgesses of Cashel⁶. His successor, Marian O'Brian, issued a second charter in 1230⁷, probably as the

-
1. 37th Rep. D.K., p. 40.
 2. Ibid., p. 83.
 3. 43rd Rep. D.K., p. 59.
 4. See above ch. V, pp. 168-9.
 5. See above ch. V, pp. 156-89.
 6. James Ware, op. cit., p. 8.
 7. Chartae, Privilegia et Immunitates, p. 21.

result of a long dispute, which occurred between 1218 and 1228, between the archbishop and the king over their respective rights in the town¹. The matter was finally resolved when the archbishop made fine with the king for 300 marks for having the charter². In the course of time the burgesses acquired a number of important privileges: in 1378 their right to hold all the pleas of the crown except forestall, rape, treasure trove, and arson, to have the return and execution of all the king's writs, to have their own coroners, in addition to various other rights, was confirmed³. The county court of the cross was held in Cashel, where the county gaol was also located. A royal gaol had been built there in 1276, but it was abandoned as a result of fierce opposition from the archbishop, who placed an interdict on his province, excommunicated the justiciar and escheator, and betook himself to Rome⁴. The matter was revived

-
1. See C.D.I. 1171-1251, nos. 857, 923, 1028, 1034, 1051, 1133, 1624, 1633.
 2. Patent Rolls, 1225-1232, pp. 229, 346.
 3. Chartae, Privilegia et Immunitates, p. 75.
 4. The Whole Works of Sir James Ware concerning Ireland, ed. Walter Harris (Dublin 1739), pp. 474-5. See also the Pipe Roll of 1275-6 in

in 1322 when the archbishop finally agreed to the construction of a gaol there in exchange for the advowson of the church of the Blessed Virgin, Dunganarvan¹: thereafter a succession of constables of the king's castle of Cashel are mentioned in the records of the central government².

The manor of Fethard was acquired by archbishop Muirghes O h-Enni (c. 1186-1206), who granted a charter to the burgesses in return for an annual rent of twelve marks; his charter was subsequently ratified by King John³.

The bishop of Killaloe held considerable lands in northern Tipperary. He held the manor of Ardcroney in demesne⁴, but the remainder of his lands were held

- Proc. R.I.A., XXXVII C, p. 87; C.D.I. 1252-1284, p. 252; Kilkenny Chronicle, A.D. 1275, in Analecta Hibernica, no. 2. (January, 1931), p. 332.
1. P.R.O.I. Mem. Rolls, vol. 13, p. 132 ff. (rot. 16 Edw II); Gen. Off. Ms. 190, p. 151.
 2. C.C.H., p. 44, no. 35; p. 63, no. 120; p. 65, nos. 28-9; p. 67, no. 1; p. 79, no. 106; P.R.O.I. Mem. Rolls vol. 22, p. 120 (rot. 17 Edw. III); vol. 27, p. 314 (rot. 32-33 Edw. III); vol. 28, p. 10 (rot. 35-36 Edw. III); vol. 29, p. 121 (rot. 39-40 Edw. III).
 3. James Ware, Archiepiscoporum Casseliensium et Tuamensium Vitae (Dublin 1626), p. 5.
 4. D. F. Gleeson, History of the Diocese of Killaloe, pp. 315-6.

by lay tenants: William de Burgo, earl of Ulster, held the manors of Lorrha and Terryglass on his death in 1333¹; Edmund Butler held the manor of Loughkeen and certain lands in Kinnitty²; and the Mariscos held the manor of Latteragh³. The manor of Roscrea, which had originally belonged to the bishopric, was alienated in the thirteenth century⁴; consequently it never formed part of the county of the cross.

The remaining episcopal lands were held by the bishops of Emlly, Lismore and Ossory. The manor and town of Emlly belonged to the bishopric of Emlly⁵; the townland of Knockordan, a few miles west of Emlly, may also have belonged to the see, for it was declared to be in the county of the cross in 1584⁶.

-
1. Cal. Inq. P.M., vii, no. 537, p. 373.
 2. Above ch. II, p. 48.
 3. D. F. Gleeson, *Op. cit.*, p. 322.
 4. See above ch. II, p. 49.
 5. The Civil Survey A.D. 1654-1656. County of Tipperary, ed. R. C. Simington, ii, pp. 363-4; account of the escheator in 36th Rep. D.K., pp. 30, 61.
 6. P.R.O.I. Repertories to Exchequer Inquisitions, vol. 13, p. 8, inquisition no. 24. Inquisition taken at Cashel on 14th September, 26 Elizabeth I, concerning the lands of Walter fitsJohn Bourke.

The bishop of Lismore held the manor and town of Ardfinnan, together with a number of townlands in the adjacent parishes of Neddans (now Eddans), Tullaghamelan and Ballybacon; Moorstown and Black-castle in the parish of ^{PORA}(Inishlounaght); and the grange of Donaghmore¹. Finally, the bishop of Ossory held the manor of Seirkieran in Elyocarroll²; the parish is still an isolated portion of the diocese of Ossory.

The hazards of risking an estimate of the area of the county of the cross of Tipperary need not be stressed in view of what has been said concerning difficulties of identifying episcopal and monastic lands. Nevertheless, by making some conjectures, it is possible to arrive at a general estimate. The

-
1. The most comprehensive account of the bishop's lands in Tipperary may be found in P.R.O.I. Repertories to Exchequer Inquisitions, vol. 13, pp. 38-40, inquisition no. 15, Elizabeth I (inquisition before John Dutton of Dublin at Donaghmore, co. Tipperary, 14th April, 1579, concerning the lands of Patrick, bishop of Waterford and Lismore). For earlier sources see 36th Rep. D.K., p. 60, and G.D.I. 1285-1292, no. 396.
 2. Cal. Carew Manuscripts v, p. 436; W. Carrigan, The History and Antiquities of the Diocese of Ossory (Dublin 1905), ii, p. 4; D. F. Gleeson, *op. cit.*, pp. 184-5.

areas of the episcopal lands in northern Tipperary may be estimated at about 53,000 statute acres¹. The area of the episcopal lands in the combined dioceses of Cashel and Emlly, and the diocese of Lismore in co. Tipperary, was stated to be 20,046 and 920 acres respectively by the ecclesiastical commissioners in 1833². They did admit, it is true, that these figures were not reliable because no survey had been carried out. On the other hand, their estimates are likely to have been more accurate than those contained in the Civil Survey. The resulting total, about 74,000 acres, is probably an underestimation when one takes into consideration the amount of alienation which took place in the course of centuries. There is of course no way of measuring this, but it is not likely to have been

-
1. The area of the parishes of Lorrha, Terryglass, Ardcroney, Loughkeen, Latteragh, and Seirkieran. Roscrea was not part of the cross.
 2. 1st Report of Commissioners for Ecclesiastical Inquiry, Ireland. 1833. Vol. 5, XXI, no. 762, pp. 72-5, 176-7.

very serious in the case of episcopal lands¹. The extent of the monastic lands is impossible to estimate, but it has been shown that they were never very extensive, possibly less than 10,000 acres in all. Thus it would appear that a round figure of 90,000 acres is not an altogether fantastic estimate of the total area of the county of the cross. It is reasonable to conclude, therefore, that the area of the county of the cross accounted for no more than one twelfth or one thirteenth of the total area of the medieval county of Tipperary.

The disproportionate amount of crossland in northern Tipperary is significant: the loss of a great part of the north to the Irish in the course of the fourteenth century² resulted in the loss of almost two-thirds of the crosslands. The remaining

-
1. Except for the bishopric of Killaloe. It is clear from the commissioners' report that almost all of its lands in northern Tipperary had been alienated. This may have been due to the recovery of Gaelic power: the native Irish were notoriously careless about the administration of their lands (see e.g. the case of the abbey of Holycross in 1297: Cal. Justic. Rolls, 1295-1303, p. 134 ff.). The bishops, too, may have been powerless to prevent it.
 2. See above ch. V, pp. 156-200.

crosslands, consisting of the lands of the archbishop, the bishops of Emlly and Lismore, and the bulk of the monastic lands, embraced an area of about 30,000 acres. In view of this, the remarks made by Sir John Davys on visiting the cross of Tipperary in 1606 cause no surprise:

...The scope or latitude of this county, though it was never great, yet now it is drawn into so narrow a compass that it doth not deserve the name of shire. For whereas in former times (as we were informed) the whole county contained 150 ploughlands or thereabouts, wherein the sheriff of the cross is suffered to execute his authority, because of the county of the liberty of Tipperary, wherein the earl of Ormond doth claim and use jura regalia by an ancient grant of Edward III, hath from time to time so encroached upon the lands of this little county, that it is almost swallowed up....We found not in the gaol of this shire above two or three prisoners, and as many more appeared upon recognizances; of which only one was arraigned, condemned and executed, and the rest being loose and idle persons, found masters or sureties for their behaviour, and so were delivered¹.

-
1. Observations made by Sir John Davys, Attorney of Ireland, after a journey made by him in Munster (Cal. State Papers, Ireland, 1603-1606, pp. 474-5). The total area of 150 ploughlands amounts to about 45,000 statute acres, estimating each ploughland at about 300 statute acres. But one cannot place much reliance on the size of the ploughland, any more than one can rely upon the accuracy of the information supplied to Davys.

Davy's remark about encroachment by the liberty of Tipperary may have had some basis in fact: the barons of Cahir, for example, did not hesitate to make exactions and levy charges on the town of Ardfinnan in the sixteenth century, despite the fact that the White Earl (1411-52) had issued letters patent to the bishop granting the burgesses of the town freedom from all exactions by the officers of the liberty, clearly implying that such exactions had been common even before the middle of the fifteenth century¹. That this practice was general by the middle of the century may be inferred from the petition sent by the abbot and convent of Graigue-managh (co. Kilkenny) to the pope c. 1450 complaining that James, earl of Ormond, Edmund and Robert his brothers, Donatus MacMurchu, Donald Ouan (recte: O'Rian), Thady Magillapadraich, Donald Kewanach and others "more cruel than pharaoh"

...do not fear to subjugate the said monastery to their jurisdiction and temporal rule as if it were their own patrimony, [compel] the abbot and convent and monastery to give and pay them feudal dues, stipends, tallages, commons,

1. Cal. Ormond Deeds v, no. 83.

private subsidies, collections, protection money, compel the men and subjects thereof [to go] to wars at their own expense, and to give and pay fines and many other exactions and servitudes which they have been wont to exact and receive from their own subjects...by reason of which things all the buildings of the monastery are threatened with ruin...¹.

Nevertheless, while such exactions must have ultimately contributed to the alienation of some of the crosslands, the gaelic recovery in the fourteenth century was mainly responsible for the reduction in the size of the county of the cross. An attempt to revive the county by the addition of Dough Arra (northern portion of the barony of Owey and Arra) in 1606² was not conspicuously successful. In any case, the county was a unique anomaly in the seventeenth century, so it is not surprising that it was finally incorporated into the liberty in 1662. Carte says that it had become too difficult to obtain a jury of freeholders from the county on account of its size³, which was probably no exaggeration.

-
1. Cal. Papal Registers x, pp. 497-8.
 2. The Royal Commission and Award (5th Rep. D.K., p. 33).
 3. Thomas Carte, An History of the life of James, Duke of Ormonde (London, 1736), ii, p. 201.

Little need be said about the administrative organisation of the county of the cross: as far as one can see, it differed in no way from the normal pattern of Irish counties. The sheriffs of the county were regularly appointed by the central government¹.

The position of the chief serjeant on the other hand, is not very clear. It has already been noted that the chief serjeanty of Munster was an hereditary office held by Robert Maunsel and his heirs of the king; and although Munster was subsequently divided into two counties, Limerick and Tipperary, so that the chief serjeanties of both counties became technically distinct, the position of the Maunsels remained unchanged². Precisely what happened when the liberty and the cross of Tipperary became separate administrative units is uncertain. One might expect that the office of chief serjeant would be once again divided to form two offices: the chief serjeanty of the liberty, and the chief

-
1. See list of sheriffs of the cross in Appendix VII, no. 1.
 2. See above ch. IV, p. 117.

serjeanty of the cross. Under this arrangement the Maunsels would have continued to discharge their duties, holding separate commissions from the earl of Ormond and the king, just as they held separate commissions for Tipperary and Limerick. But there is no evidence that this actually took place, although the charter of 1328 could be interpreted to mean that the king had granted the earl all his rights in Tipperary, including the chief serjeanty, for he gave him

*regalitatem et alias libertates cum feodis militum et omnibus aliis rebus quecumque fuerint que habuimus in comitatu Tipperarie...*¹

The fact remains, however, that even after the creation of the liberty of Tipperary, the office was always described in surviving sources as the serjeanty of co. Tipperary. John fitsDavid Mauncell, S summoned to the court of the liberty in 1432, was described as the chief serjeant of county Tipperary, not as the chief serjeant of the liberty of Tipperary². On 24 October, 1385, the king appointed William Bracy

-
1. See above ch. X, p. 359 . My italics.
 2. Cal. Ormond Deeds iii, no. 102, p. 95 (N.L.I. D. 1647).

to the office of chief serjeant of co. Tipperary¹, even though the earl of Ormond had been granted livery of his lands on the 10th March preceding. It seems, therefore, that he did not have the authority to make such appointments². It is true the office could have been in the king's hand by reason of forfeiture, but there is no evidence to show that this was so. We must admit the possibility, but we cannot suppose it to be a fact. The evidence is not entirely conclusive, but it does suggest that there was only one chief serjeant operating in both the liberty and the cross. The position of the chief serjeant of Tipperary therefore appears to have remained unaffected by the creation in 1328 of two administrations within the borders of the former county of Tipperary: he was merely subject to two sheriffs (or three, if Limerick is included) instead of one.

1. C.C.H., p. 124, no. 57.

2. The earl actually had the custody of his lands since 2nd March, 1383 (Complete Peerage), which apparently included the custody of the liberty as well, for we find that the liberty court was held by the deputy seneschal at Clonmel in January, 1384 (Cal. Ormond Deeds ii, no. 268 (N.L.I. D1295)).

The seneschal of the liberty often had to assist the sheriff of the cross in summoning jurors to Dublin or Cashel, and in levying or making distrainments. Since the sheriff had no power to command the seneschal to act, this led to inevitable delays. Thus, for example, the sheriff was ordered in 1374 to summon William Rokell, the coroner of co. Tipperary, before the exchequer in Carlow to render account for ten marks from Robert Prendirgast for suit of the king's peace, but which had not been levied. William had previously testified that Robert had sufficient goods within the liberty, whereby he might be distrained. The seneschal denied this; the matter again became the concern of the sheriff who, in the following year, happened to be William Rokell. Once again William insisted that Robert had sufficient goods within the liberty; once again the seneschal denied it, adding that Robert had sufficient goods within the cross. In desperation the exchequer officials ordered the coroner of co. Tipperary to summon a jury before them in the

quinzaine of Easter¹. The outcome, if such there was, is unknown, but it may not be too rash to suspect that this was merely the first round of a not unusual administrative mix-up.

But that is not to say that these endemic administrative conflicts always resulted in deadlock or inaction, for in the last resort the sheriff could enter the liberty to execute a writ himself, if he was provided with a writ non omittas propter libertatem. Thus the sheriff was twice commanded to enter the liberty by the justices of the Bench at Dublin, in the octave of St. Hilary, 1336. In the first case, in which Eustace le Peer charged Thomas Fanyn and others ^{with the} theft of twenty cows and 100 sheep vi et armis, the seneschal of the liberty of Tipperary failed to summon a jury, whereupon the justices ordered the sheriff of the cross to enter the liberty instead². In the other case, the sheriff was ordered

-
1. P.R.O.I. Mem. Rolls vol. 30, pp. 533-4 (rot. 47-48 Edw. III); vol. 31, pp. 71-3 (rot. 48-49 Edw. III). William was described simply as the coroner of co. Tipperary, which presumably meant that he was coroner of the county of the cross of Tipperary.
 2. P.R.O.I. Mem. Rolls vol. 19, pp. 32-3 (de Banco 9-10 Edw. III).

to enter the liberty to arrest William Laffan together with eight other outlaws, presumably after the seneschal had failed to act. The sheriff returned that the lands of John Og Purcell and John More Purcell were worthless because they lay waste among the Irish, and that the other outlaws had nothing to forfeit. Nevertheless, it was testified that these lands could be valued, so the sheriff was again ordered to act¹.

The use of the writ non omittas propter libertatem was, of course, not confined to the liberty of Tipperary: it was used generally in England as well as Ireland². In the case of Tipperary it was always the sheriff of the cross who was ordered to act: he was, in a sense, a special agent of the crown within the liberty; his presence served as a constant reminder that the liberty was essentially part of the system of royal administration, not independent of it.

1. P.R.O.I. Mem. Rolls vol. 19, pp. 15-18 (de Banco 9-10 Edw. III).

2. For Ireland see Cal. Justic. Rolls, passim; for Durham see G. T. Lapsley, The County Palatine of Durham, p. 246.

The special position of the sheriff of the cross was illustrated by the appointment of Gilbert de Bermingham, sheriff of the cross of Tipperary in 1349, as custodian and protector of the liberty, during the temporary crisis occasioned by the murder of Fulk de la Freigne, the seneschal of the liberty, at the hands of the Irish¹. Fulk had been instrumental in crushing the Irish revolt in Ormond in the previous year when the earl of Ormond was in England²: his death, in the earl's absence, obviously created a serious situation, for there was nobody left in control ^{of} the administration of the liberty. Accordingly, the central government stepped in to fill the vacuum by assigning the sheriff of the cross to the defence of the liberty during the emergency. In the following year the sheriff petitioned the council for the remission of certain ameracements imposed by the exchequer, including £35 for failing to render account for the cross while he was defending the

-
1. According to Clyn, Fulk was killed treacherously "confidens in promissionibus falacis hibernicorum" in 1349 (Annales Hiberniae).
 2. Clyn, op. cit.

liberty:

A votre sire justice et au consaill notre seigneur le roi en Irlaund monstre Gilbert de Bermyngham chevaler nadgers viscount de la Croce del counte de Typerar', qui com il a la xv de Saint John lan du regne le roi qor' est 23 devaunt le tresoror et les barounz del esheker de Dyvelyn estoit amerchie a £35 par ceo qil ne vynt de acompter devaunt eux a quel temps par ceo que monsieur Fouk de la Freygne adounc seneschall dit counte fuste ocis par les Irres enemys le roi, le dit Gilbert fut assigne par la court le roi de garder et defendre le dite counte encountre les dites enemys le quel Gilbert adounc estoit en les parties de Ely et d'Urmound par la cause subdite¹.

The circumstances which surrounded the appointment of Gilbert as protector of the liberty were probably unique. There is no evidence that such appointments were made in the other Irish liberties. In the fourteenth century the earls of Ormond were seldom out of Ireland; in the fifteenth century they normally appointed deputies to govern the lordship in their absences. Although his deputies do not seem to have had power to appoint or remove the

1. P.R.O.I. Mem. Rolls, vol. 25, pp. 259-62 (rot. 24-25 Edw. III). The justiciar commanded the treasurer and barons of the exchequer to investigate the matter, but the result is unknown.

earl's officers¹, they were entrusted with the defence of the lordship², so that the death of a seneschal would not have warranted royal intervention.

-
1. See, for example, the appointments of James Ormond in 1491 (C.C.R. 1485-1500, no. 580) and Piers Butler in 1505 (Cal. Ormond Deeds iii, no. 520).
 2. James Ormond was given authority to assemble the earl's tenants for war (C.C.R. 1485-1500, no. 580).

CHAPTER XII

THE GOVERNMENT OF THE LORDSHIP.

The complex task of governing the lordship was performed by the officers of the earl's household. Broadly speaking, they fell into two groups: one was responsible for the government of the liberty of Tipperary; the other for the administration and defence of the earl's lands. The former consisted of the seneschal of the liberty, the justice, the chancellor, the treasurer of the liberty, the sheriff, the escheator and clerk of the market, and the coroners. The latter consisted of the seneschal of the earl's lands, the receiver-general, the seneschal of the household, the treasurer of the household, the marshal, the captains of the kerns, and the constables. Both groups operated independently of each other. There is no evidence to indicate that the functions of the second group were affected in any way by the addition of the officers of the liberty in 1328: just as it had not been associated with the operations of the royal administration in

co. Tipperary before 1328, so it remained distinct from the administration of the liberty after that date. The officers of the liberty simply assumed the duties formerly carried out by the king's officers. In this way the distinction between royal and seigniorial government was preserved long after the royal administration had withdrawn from Tipperary. Thus, for example, the temporary suspension of the earl's regalian jurisdiction in 1331¹ resulted in the suspension of the administration of the liberty, but left the seigniorial administration unaffected.

The Officers of the Liberty of Tipperary

The administrative structure of the liberty of Tipperary closely resembled those of the older Irish liberties, but there were minor differences. In the older liberties there seems to have been only one seneschal responsible for both the regalian and the seigniorial branches of government². In Tipperary, on the other hand, the seneschal of the liberty was

1. See above ch.X, p. 361.

2. We find, for example, the seneschal of the liberty of Carlow travelling to New Ross to lease lands to farmers there (see W.F. Nugent, 'Carlow in the Middle Ages', Journ. R.S.A.I., LXXXV, pp. 67-69), whereas such duties were the responsibility of the seneschal of the lands of the earl of Ormond (see below p.447).

responsible only for the government of the liberty: the administration of the earl's estates was the proper function of the seneschal of his lands. This unusually sharp distinction between regalian and seigniorial government was due to the fact that the liberty of Tipperary was established long after a clearly defined seigniorial administration had already emerged, whereas the older liberties had exercised regalian jurisdiction from the beginning. Moreover, the fact that a large portion of the Butler lordship lay outside the confines of the liberty of Tipperary helped to preserve this distinction. In the older Irish liberties it was natural that both aspects of government should be united under the supervision of one seneschal, since they had co-existed from the beginning. In the ancient palatinate of Durham we also find the seneschal (or steward) in charge of both branches of the bishop's government¹.

But there existed other differences as well. The older liberties adopted the exchequer system for the administration of their revenues. Carlow had an exchequer in the second half of the thirteenth century², so we may conclude that her sister liberties in Leinster

1. See G.T. Lapsley, The County Palatine of Durham, pp. 78-9.

2. W.F. Nugent, loc. cit., pp. 69-70.

had exchequers also. There was an exchequer at Trim in the early fourteenth century¹, and we learn elsewhere of a certain Richard Whyte, who was chancellor, treasurer, and baron of the exchequer of the liberty of Ulster sometime in the late fourteenth or early fifteenth century². But there is no evidence to show that an exchequer was established in Tipperary; instead, we hear of the earl's auditors³. It is not unlikely that a system of auditing was already well established before the liberty of Tipperary was created, in which case there was no need to create an additional and more cumbersome financial organ⁴.

The liberty of Tipperary appears to have differed from its Irish counterparts in one final respect: it seems that it did not possess a chief serjeant. The existence of a chief serjeant in the other liberties may be deduced from the existence of his counterpart, the serjeant of the county of the cross. We find chief serjeants in the crosses of Meath⁵, Kilkenny⁶, Wexford⁷, and Kerry⁸,

1. C.O.R., 1327-1330, p.159.

2. N.L.I. MS.761, p.159.

3. See below p. 440.

4. Ibid.

5. P.R.O.I. Mem. Rolls, vol.32, pp.1-2 (rot.49-50 Edw.III).

6. Ibid., vol.31, pp.5-6 (rot.48-49 Edw.III).

7. Ibid., vol.41, p.27 (rot.6 Edw.IV).

8. Cal. Ormond Deeds iii, no.45, p.36.

but as far as we can tell there was no chief serjeant of the cross of Tipperary. The evidence, or rather the lack of it, is not conclusive, but it gives us sufficient reason to doubt that the earl of Ormond had any part in the appointment of the chief serjeants of Tipperary¹.

1. The Seneschal of the Liberty of Tipperary

The seneschal occupied the chief place in the government of all the great Irish liberties, and the seneschal of the liberty of Tipperary was no exception to this rule. His position was in many respects analogous to that of the royal justiciar: he represented his lord; he was responsible for the military, administrative, judicial, and financial, functions of government. He presided over the court of the liberty. He accounted for his lord at the exchequer in Dublin for various items for which his lord was accountable, and for debts owed to the crown within the liberty. It was for this reason that the exchequer had to be notified of his appointment, and that he was required to take an oath like other royal officials.² It was to the seneschal, as the representative of his lord, that all royal writs were directed.

1. See above ch. XI, pp. 417-19.

2. See J. Otway-Ruthven, Medieval Ireland, p. 184.

The seneschal was invariably appointed to hold his office during the earl's pleasure: the office never became hereditary, although in the fifteenth century it was usually occupied by the lords of Dunboyne¹. After his appointment, the seneschal appeared before the treasurer and barons of the exchequer to produce his credentials, which were normally enrolled on the Memoranda Rolls²; he then took an oath to serve the king faithfully in his office. In practice, therefore, the seneschal served two masters: he was responsible to the earl for discharging his duties as the chief minister in the liberty, and he was responsible to the king for the execution of royal writs within his bailiwick.

Like the royal sheriff, the seneschal rendered his account at the exchequer in the Michaelmas and Easter terms. He was fully answerable to the court of the exchequer for all things which belonged to his account. He was fined for not appearing on the appointed day, and he was liable to imprisonment or distraint for failing to discharge his debts. In 1353, for example, the seneschal of the liberty of Trim was imprisoned by

-
1. See the list of the seneschals of the liberty in appendix VIII, no. 1.
 2. See e.g. P.R.O.I. Mem. Rolls, vol. 25, p. 616 (rot. 25-26 Edw. III); vol. 26, p. 625 (rot. 28-29 Edw. III); vol. 28, p. 64, (rot. 35-36 Edw. III)

order of the exchequer for failing to discharge his debts¹. Although there is no evidence to show that the seneschal of Tipperary was ever committed to prison, he was heavily amerced on occasion: in 1363, Peter Butler made fine with the king for 10 marks, when it was discovered that he had bribed a certain Eustace Burnell to omit his ameracements from the estreats of the accounts of the sheriffs and seneschals. He was probably fortunate to escape with a relatively small fine. His friend Eustace, on the other hand, was committed to prison and barred from holding any royal office in the future². The seneschal's lands could be taken into the king's hand for failure to discharge his account. Thus in 1374 the earl of Ormond was commanded to appear before the exchequer at Carlow to render account for the issues of the lands of Roger de St. Brigid, his seneschal. It seems that writs had been directed to the earl and his seneschals had been repeatedly ordered to deliver the issues of his lands to the exchequer. This they neglected to do; instead, they returned that Roger's lands lay waste in the hands of divers enemies and

1. G.C.R. 1349-1354, p. 625.

2. F.H.O.I. Mem. Rolls, vol. 28, pp.431-2 (rot. 37-38 Edw.III). The sheriff of Limerick and the seneschal of Meath were also charged with bribing Eustace (*ibid.*, p.433-6; p.676-8 (rot.38-39 Edw.III))

rebels. Roger, it appears, had failed to account for various debts which were due to the king within the liberty¹. In the normal course of events ^{the seneschal} accounted for very small sums, which usually consisted of the issues of goods forfeited to the king and various amercements imposed on the seneschal for failing to carry out his responsibilities².

The seneschal was head of the administration of the liberty. All writs issued in the name of the earl of Ormond were witnessed by him³. He presided at the sessions of the court of the liberty⁴. In time of war the defence of the liberty was committed to him. At least one seneschal, Fulk de la Freigne, was killed in action⁵. We know that his contemporaries, the seneschals of the liberty of Kilkenny, were busily engaged in the defence of Kilkenny about the same time, for in 1354 the coparceners of the same liberty complained to the king that their seneschals had been unjustly amerced at the exchequer while they had been leading the posse comitatus against Irish rebels. A jury duly revealed that one seneschal, Henry de Vale,

-
1. P.R.O.I. Mem. Rolls, vol.30, pp.509-10 (rot.47-48 Edw.III); cf. pp.530-2.
 2. See, for example, an early fifteenth century roll of estreats in Cal. Ormond Deeds ii, no.363.
 3. See e.g. ibid., ii, no.251; iii, no.102; iv, no.23.
 4. See e.g. ibid., ii, nos 49, 191, 192, 193, 268, 324.
 5. See above ch.XI, pp.423-4.

had engaged the McMurrroughs in the course of an invasion of the liberty in 1340, and that another seneschal, Patrick de la Freigne, encountered the McGillapatricks in 1349 and the O'Nolans in 1350¹. It is not unlikely, however, that the military responsibilities of the seneschals of Tipperary were largely taken over by the marshal and the captains of the kerns in the fifteenth century².

The seneschal was paid an annual salary of fifty marks in 1361³. This was a considerable salary by medieval standards, but it seems that he was not as well paid as some of his counterparts: in 1332 Bruce de Hakeford, the seneschal of Carlow, was paid 100 marks annually; and in 1354 Edmund Hakeluyt, the seneschal of Meath (sic), received £40 (or sixty marks) a year⁴. But these salaries appear to have fluctuated from time to time: in the reign of Edward I the seneschal of Trim received £20 a year, and some perquisites as well⁵; and the seneschal of Carlow

-
1. P.R.O.I. Mem. Rolls, vol.26, pp.636-9 (rot.28-29 Edw.III).
 2. See below pp. 452-6.
 3. P.R.O.I. Mem. Rolls, vol.28, p.64 (rot.35-36 Edw.III).
 4. Ibid., vol.16, pp.197-8 (rot.5-6 Edw.III).
 5. Ibid. vol.26, p.545 (rot.28-29 Edw.III). He is not described as the seneschal of the liberty of Trim.
 6. Cal. Gormanston Register, p.182.

was paid £100 about the same time¹.

The seneschal could carry out his duties through his deputy. It was almost inevitable that the lords of Dunboyne should have employed deputies, for they must have spent much of their time on their estates in Meath. Accordingly we find Milo Assik acting as the deputy of William Butler, the third lord of Dunboyne, in 1384². Milo appears to have been succeeded by Nicholas White in or before 1404³. Piers Butler likewise found it convenient to delegate his authority to a deputy, for we find Oliver Hakkett deputising for him in 1503⁴. Although references to the seneschal's deputy are infrequent in the surviving sources, it seems likely that the Dunboyne Butlers employed deputies fairly regularly.

The Justice of the Liberty

The office of justice of the liberty is not mentioned in the records of the liberty until the fifteenth century, but it may have been well established by then. The office was clearly well established by 1429, when the earl of Ormond directed the seneschal to restore certain lands

-
1. W.F. Nugent, *loc. cit.*, p.67.
 2. Cal. Ormond Deeds ii, no. 268.
 3. N.L.I. D 1438 (Inquisition before Nicholas White, deputy of William fitzPeter le Botiller, seneschal of the liberty of Tipperary, in February, 1404).
 4. Cal. Ormond Deeds iii, no.332.

to John Birton. It appeared that the lands in question had been forfeited by certain persons indicted before the justice of the liberty, and that John had later asserted his right to them before the seneschal in 1421, but he had failed to gain possession of them notwithstanding the order of the court.¹ It is quite apparent, therefore, that the office of justice had been established before 1421, but how much earlier we cannot say.

We know almost nothing of the office beyond the bare fact that it was occupied by Raymond Roche in 1457², John Sherlok in 1505³, and John Wise in 1511⁴. It was clearly judicial in character, for indictments were made before the justice in the court of the liberty⁵. He did not, however, replace the seneschal as the president of the court of the liberty: he was probably a trained lawyer who assisted and advised the seneschal in his judicial capacity. Nevertheless, by the beginning of the sixteenth century, if not earlier, the justice had emerged as one of the principal officers of the liberty. In 1505 the earl of Ormond commanded

1. Cal. Ormond Deeds iii, no.87. Note: the phrase "before the justices of the said liberty" should read "before the justice of the said liberty".

2. Statutes, Henry VI, p.623.

3. Cal. Ormond Deeds iii, no.321.

4. Ibid. iv, no.5.

5. Ibid. iii, no.87; Statutes, Henry VI, p.623.

the justice and chancellor of the liberty to cause letters patent to be issued to the seneschal under the great seal¹. The order was addressed first to the justice, so it would seem that he took precedence over the chancellor.

The office of justice was not peculiar to the liberty of Tipperary: there was a justice in the liberty of Kerry in the early fifteenth century²; and there was one in the liberty of Wexford in the sixteenth century³.

3 The Chancellor

The establishment of the liberty of Tipperary in 1328 meant that the inhabitants of the liberty had to obtain writs from the earl's chancery. Accordingly, there must have been a fully organised chancery in existence from 1328 onwards, for it was an essential organ of government. Although there must have been an unbroken succession of chancellors between 1328 and 1515, except for the periods when the liberty was in the king's hand, the names of only two chancellors

1. Cal. Ormond Deeds iii, no.321.

2. Ibid. iii, no.45, p.36.

3. P.H. Nore, History of the Town and County of Wexford, vol.5 (The Town of Wexford, Taghmon and Harperstown), pp.144-5.

are to be found in the surviving records: Silvester Laynagh (1359) and William White (1509).¹

Virtually nothing is known of the operation of the chancery. While a large part of the chancellor's time must have been devoted to the legal business arising out of the earl's jurisdiction, it is unlikely that he had any judicial power before 1515. The liberty of Wexford, it is true, did have a court of chancery in the first half of the sixteenth century, in which the chancellor "was wont to determine all causes in conscience coming to him by bills and process"², but there is no evidence to indicate that the liberty of Tipperary possessed such a court before the seventeenth century, although it was clearly well established by 1621³. In the first half of the fifteenth century the earl in council provided remedy where none could be obtained in his court. Thus in 1429 John Birton, with the consent of the earl and his council, recovered certain lands which the earl had wrongfully retained in his hand, although John had recovered them in the

1. Cal. Ormond Deeds ii, no.49, p.45; iii, no.321.

2. P.H. Hore, *op. cit.*, v, pp.144-5.

3. See above ch.X, p.374.

assizes at Clonmel in 1421¹.

The chancellor must have had a small staff, but we know almost nothing about it. We hear of a vice-chancellor for the first time in 1536², but we cannot say how old this office was at the time. We also learn of the existence of a clerk of the rolls in 1495³.

The chancellor held his office during the earl's pleasure. The earliest letters patent to have survived are of seventeenth century origin, but they are undoubtedly traditional in form. In 1604 the earl of Ormond appointed Nicholas Hay as his chancellor with all and singular jurisdictions, privileges, fees and profits which pertained to the office, to hold during his pleasure at an annual salary of twenty marks⁴. The salary was small by the standards of the seventeenth century, so it would seem that the chancellor depended mainly upon the profits and perquisites of his office.

4 The Treasurer of the Liberty

After the establishment of the liberty in 1328, the sheriff had to render account to the treasurer of

-
1. Cal. Ormond Deeds iii, no. 87.
 2. Ibid. iv, no. 210.
 3. Ibid. iv, appendix no. 21.
 4. N.L.I. D 3358 (Ormond Deeds).

the liberty for the various items with which he had been formerly charged at the exchequer in Dublin. Consequently there must have been a continuous succession of treasurers appointed by the earl of Ormond, although the names of only three have been preserved¹.

As far as we know, the exchequer system was not adopted in the liberty of Tipperary, although it was used in the older liberties². By the time the liberty of Tipperary was established the exchequer system was obsolete: in the course of the thirteenth century it became usual for English lords to appoint auditors to audit the accounts of seigniorial officials³. We may be sure that a regular system of audit had been established in the Butler lordship before 1328, in which case there was really no necessity for creating a separate exchequer to audit the sheriff's accounts. In any event, the earl of Ormond certainly employed a body of auditors to review the accounts of his officers, for in 1384 he directed his auditors to allow the treasurer of the liberty a certain sum on his account⁴, so we know that the treasurer was answerable

-
1. See Cal. Ormond Deeds ii, no.153 (note: read Tipperary for Kilkenny); 255, 388.
 2. See above pp. 428-9.
 3. See N. Denholm-Young, Seigniorial Administration in England, pp.136-46.
 4. Cal. Ormond Deeds ii, no.272.

to them.

Unfortunately, none of the treasurer's accounts has survived. It has already been noted, however, that the revenues of co. Tipperary had declined sharply in the first quarter of the fourteenth century, so that by 1328 they were very small indeed¹. It is safe to say that they can never have recovered their thirteenth century level, particularly after the repeated devastation of the county in the fourteenth century². The real importance of the treasurer's office was therefore administrative rather than financial.

5 The Sheriff of the Liberty

The sheriff of the liberty of Tipperary had the same duties and responsibilities as the royal sheriff, except for the fact that the seneschal sometimes assumed the leadership of the posse comitatus. He was, of course, overshadowed by the seneschal in that he was no longer the most important official in the county.

Like the royal sheriff, he was required to sware an official oath that he would serve the earl faithfully

1. See above ch. IV, pp. 130-2.

2. See above ch. V, pp. 156-200.

in all things that pertained to his office¹. He was responsible for the execution of all writs directed to him by the seneschal. He might be commanded to cause certain people to appear before the seneschal in the assizes², or to summon a jury³. He had to summon all suitors to the court of the liberty, as well as all former sheriffs, coroners, and serjeants⁴. He had to summon juries from each cantred to cause coroners to be elected⁵. He was heavily amerced by the seneschal for failing to carry out orders: in 1354, for example, the sheriff, Patrick Hay, was amerced 100 shillings for not producing John Haket in court⁶.

-
1. There is an interesting transcript of an oath taken by a sheriff of the liberty in the seventeenth century to be found in the National Library (N.L.I. MS 11,044). The sheriff swore that he would do all things that belonged to his office: he would not conceal the right of the king or the earl of Ormond; he would not accept bribes; he would wrong no person; he would execute all writs; and he would account for all the issues and profits of the liberty. (There follows a transcript of a letter by the duke of Ormond appointing Gamaliel Walter sheriff of the liberty dated 23 February, 1662).
 2. See e.g. Cal. Ormond Deeds ii, no.251.
 3. Ibid. ii, no.254.
 4. Ibid. iii, nos 102, 337.
 5. Ibid. iv, no.23.
 6. Ibid. ii, no.268, p.201.

The sheriff had to account to the treasurer of the liberty at the appointed terms, and we may be sure that the treasurer showed him no more sympathy than the royal sheriffs were wont to receive in the exchequer at Dublin. He presided over the monthly sessions of the county court of the liberty¹, and he was still holding the tourn in the middle of the fifteenth century². He was sometimes, if not always, assisted by a sub-sheriff: we find a certain E. Rede, sub-sheriff, mentioned in the rolls of the court of the liberty in 1433³.

When the liberty was taken into the king's hand, the sheriff was replaced by a royal sheriff, who not only administered the liberty, but the county of the cross as well. Thus we find Adam of London acting as sheriff of co. Tipperary between 1331 and 1333, when the liberty was resumed by the king⁴, and a number of royal sheriffs administered the county between 1338 and 1347 during the minority of James, second earl of Ormond⁵.

-
1. Cal. Ormond Deeds ii, no.405; iii, nos 23, 44, 102 (p.95), 200.
 2. Ibid. iii, nos 200, 224.
 3. N.L.I. D 1653 (Ormond Deeds). This information is omitted in Cal. Ormond Deeds iii, no.108.
 4. See above ch.X, p.361.
 5. See appendix VIII, no.3; cf. appendix VIII, no.2, and appendix VII, no.1.

6 The Escheator and Keeper of the Market

Although these offices are quite distinct, it seems that they were usually held by the same man: in 1399 Richard Walshe was granted the offices of escheator and keeper of the market and measures¹ and in 1405 David de Valle was granted the same offices². Richard was given them for the term of his life, but David was appointed only during the earl's pleasure. They were to receive the accustomed fees, but these were not specified.

The fact that the earls of Ormond, with the exception of the first earl, do not appear to have enjoyed the custody of the lands of tenants-in-chief³ must have minimised the importance of the escheator's office. The business of the keeper of the market and measures was to ensure that the regulations governing markets, weights, and measures, were observed within the liberty. These regulations were probably the same as those which obtained in royal counties. There is no evidence to suggest that special standards were observed in Tipperary.

-
1. N.L.I. D 1383 (Ormond Deeds); Cal. Ormond Deeds ii, no.339.
 2. N.L.I. D 1968 (Ormond Deeds); Cal. Ormond Deeds iii, no.351, p.386.
 3. See above ch.X, pp. 366-71.

7 The Coroners

The earls of Ormond appointed their own coroners in the liberty of Tipperary. In 1514 the sheriff was commanded to cause two coroners to be elected in the court of the liberty. He duly summoned jurors from the cantreds of Moyenen and Moctalyn for the purpose of election¹. It would seem, therefore, that the practice of electing one coroner for every cantred was continued up to the end of our period at least².

The coroners of the liberty recorded the pleas of the crown just as the royal coroners did. They had to present themselves before the seneschal in the court of the liberty when it was in session³. Two coroners attended the sheriff in the county court to record the pleas of the crown⁴.

The Seigniorial Officers

1 The Seneschal of the Earl's Lands

The seneschal of the earl's lands should not be confused with the seneschal of the liberty of Tipperary: they are normally , but not invariably, distinguished

1. Cal. Ormond Deeds iv, no. 23.

2. See above ch. IV, p. 124.

3. See below ch. XIII, pp. 472-3.

4. Cal. Ormond Deeds iii, nos 44, 102 (p. 95).

by their respective titles in the original sources. They were sharply distinguished by their functions: the former was head of the seigniorial administration; the latter supervised the government of the liberty. We have already noted that these separate functions were united under the direction of one seneschal in the older Irish liberties, but that a clear, functional distinction was preserved in Tipperary¹.

The seigniorial seneschal was a very important figure in the English seigniorial systems in the twelfth and thirteenth centuries, but his importance tended to diminish thereafter as a consequence of the growing sophistication of the accounting system². In the reign of Edward I we find a tendency for the office to split into two: the man who looked after the hall no longer managed the estates³. Indeed, we find this distinction already apparent in the lordship of Canterbury at the beginning of the thirteenth century⁴. This development was reflected in the Butler lordship, for we learn of the existence of a seneschal of the earl's

1. See above pp. 427-8.

2. F.M. Stenton, The First Century of English Feudalism, 1066-1166 (Oxford, 1932), pp.69, 73-8;

N. Denholm-Young, Seigniorial Administration in England (New York, 1964), pp.68-9.

3. N. Denholm-Young, *op. cit.*, p.6.

4. F.R.H. Du Boulay, The Lordship of Canterbury (New York, 1966), p.267.

household in 1366, by which time the office was presumably well established¹. Although the Butlers must have appointed seneschals from the beginning, our records do not mention any of them until 1307².

The varied responsibilities of the seneschal are detailed in the appointment in 1380 of Robert de la Freigne as chief seneschal, steward and surveyor of all the earl's lands and lordships in Ireland. He had to assess all the earl's lands and lease them to farmers; to correct his subordinates; to appoint others in their place with the assent of his lord. He was to receive an annual salary of £10, and he was to have additional wages for services in peace and war as the earl and his council would ordain. The earl was to give support to his men and his horses when he was present in the household³. The seneschal was able to appoint a deputy to act in his place: in 1434 Walter Glerne was acting as deputy of Walter Sherlok⁴.

The seneschal clearly required a large organisation

1. See below p. 450.
2. Cal. Justic. Rolls, 1305-1307, p.445. Henry Laffan was then acting as Edmund Butler's seneschal.
3. Cal. Ormond Deeds ii, no.247.
4. Ibid. iii, no.119. Note: "the lord's seneschal" should read "the seneschal of the lands of the said earl" (N.L.I. D 1663).

to administer the lordship, which extended from co. Cork in the south-west to co. Meath in the east. He seems to have supervised the administration of the earl's estates in Tipperary and Kilkenny either in person or by his deputy, for these rentals were always drawn up by the seneschal or his deputy¹. The outlying lands, however, were controlled by various seneschals whom the earl appointed. In 1414 he appointed Thomas Harbrig to the office of constable of the castle of Cloncurry and seneschal of the barony of Oughterary (with the lordships of Donadea and Castlewarden) in co. Kildare². When the Butler lordship was taken into the king's hand in 1417³, Thomas Walleys was appointed seneschal of the lands which the earl held in co. Dublin⁴; he probably replaced one of the earl's seneschals. In 1422 Ormond appointed the earl of Desmond governor of the barony of Imokilly and seneschal in all his baronies and demesnes there.⁵ It is not unlikely that seneschals were also appointed for the lordships of Caherconlish, Tullow and Arklow, but

1. See e.g. Cal. Ormond Deeds ii, nos 414, 420; iii, nos 119, 160.

2. Ibid. iii, no.8.

3. See above ch.VII, pp. 261-5.

4. P.R.O.I. Mem. Rolls, vol.37, p.45 (rot.5 Henry V).

5. Cal. Ormond Deeds iii, no.51.

there is no evidence to support this conclusion.

The Receiver-General

Very little is known about the office of the receiver-general, but there can be no doubt that, like his English counterpart, the receiver-general received the surplus revenue from his lord's estates¹. The earl of Ormond's receiver collected the revenues from his estates in the liberty of Tipperary and in the lordship outside it.

This office was sometimes held jointly with the office of the treasurer of the liberty. In 1369 William Crispyn was not only the receiver-general, but treasurer of the liberty and treasurer of the household as well². In 1405 Nicholas Stokes held the first two offices jointly³, but in 1421, on the other hand, Walter Sherlok combined the receivership with the office of seneschal of the earl's lands; he does not appear to have been treasurer of the liberty as well⁴.

The office of receiver-general was in no way related to the administration of the liberty. It was doubtless in existence long before 1328. Even when

1. See N. Denholm-Young, *op. cit.*, p. 13.

2. Cal. Ormond Deeds ii, no. 153. Note: read Tipperary for Kilkenny.

3. *Ibid.* ii, no. 388.

4. *Ibid.* iii, no. 49.

the receiver-general was acting as treasurer of the liberty, he submitted his account on a separate roll. In the Michaelmas term, 1405, Nicholas Stokes, who held both offices, accounted separately for the rents and issues of the lands of the earl of Ormond in Tipperary and Kilkenny: the issues and profits of the liberty are wholly omitted from his account¹. It is apparent from the same account that the receiver rendered his account twice a year, at Michaelmas and Easter.

3 The Seneschal of the Household

We have already noted that in the course of the thirteenth century the seneschal's responsibilities tended to be divided between two men: one, the seneschal of the household or hostel, who remained in charge of the hall; the other, the seneschal of the lands, who supervised his lord's estates². This division of duties appears to have occurred in the Butler lordship too, but precisely when we cannot say. We may, however, be reasonably certain that it took place long before we encounter the first reference to the office of seneschal of the household in 1366, when it was held by Thomas Holhurst³.

1. Cal. Ormond Deeds ii, no. 388.

2. See above p. 447.

3. Cal. Ormond Deeds ii, no. 123.

We know almost nothing of his duties. He was presumably responsible for managing the earl's household. We find the seneschal of the household of the bishop of Durham purchasing victuals for the household in the fifteenth century¹; and two centuries earlier we find the seneschal of Isabella de Fortibus accounting for the expenses of the household². Thomas Holhurst, whom we have just mentioned, seems to have been responsible for adjudicating disputes involving members of the household, for in 1366 it was provided that if disputes or lawsuits arose between the members of the earl's household and the citizens of Carrick they were to be investigated by the seneschal and the sovereign of the town³.

4 The Treasurer of the Household

In England this official corresponded to the wardrobe, and was responsible for dispensing only comparatively small sums of money⁴. The treasurer of the household of the archbishop of Canterbury received provisions, issued receipts, and warranted expenditure

-
1. G.T. Lapsley, The County Palatine of Durham, pp.102-3.
 2. N. Denholm-Young, Seignorial Administration in England, p.15.
 3. Cal. Ormond Deeds ii, no.123. Carrick was one of the principal residences of the earls of Ormond.
 4. See N. Denholm-Young, op. cit., pp.13-14.

under the archbishop's signet¹. While we have no knowledge of the duties of the treasurer of the earl of Ormond, we may reasonably conclude that they did not differ in any marked respect from those of his English counterparts. We have already noted that this office was sometimes held in conjunction with the office of treasurer of the liberty, but we do not know how often this arrangement was adhered to.²

5 The Marshal

This office seems to have been normally occupied by two men. It is first mentioned among the Ordinances of the White Earl in 1447-49, when it was occupied by Oliver Comyn and Edmund Travers³. Later, on 7 June, 1463, Sir John Butler appointed Edmund fitsPiers Butle_r, lord of Dunboyne, as seneschal of Tipperary with half the office of marshal⁴. The identity of the other occupant is unknown, but it may have been one of the Butlers of Caher, for in 1544 it was agreed that the baron of Caher should be marshal of one half of the earl's host "according as his ancestors have been

1. F.R.H. Du Boulay, The Lordship of Canterbury, p.262.

2. See above p. 449.

3. Cal. Ormond Deeds iii, no.102, p.98.

4. Cal. Carew Manuscripts, v, p.445.

of long time before"¹. It is not fully apparent why this office should have been held by two men, but it is possible that one responsible for the liberty of Tipperary, and the other for co. Kilkenny. In 1516 we learn that the grandfather of a certain James Grant, aged sixty-six, had been marshal of co. Kilkenny². The statement made by James implied that his grandfather had exercised his office only in co. Kilkenny, so it is not unlikely that the other marshal confined his duties to the liberty of Tipperary.

Virtually nothing is known about the duties of the marshal beyond the bare fact that he was responsible for maintaining the earl's horses for the defence of the liberty of Tipperary³. In view of the fact that the office was occupied by such important people as the lords of Caher and Dunboyne, especially after the departure of the earls of Ormond in 1452, we may reasonably suppose that they not only maintained the earl's cavalry, but commanded them as well. If this was indeed the case, it would seem that the office was more markedly military in character than in England. The marshal of the archbishop of Canterbury was

1. Cal. Ormond Deeds iv, no.318.

2. Ibid. iv, no.33, p.29.

3. Ibid. iii, no.102, p.98; see above ch.VIII, passim.

responsible only for feeding and maintaining the archbishop's horses in the fourteenth century. He was, in short, the officer in charge of transport¹. The bishop of Durham appointed a "magister equorum nostrorum" in the fifteenth century²; he was presumably charged with similar duties. In neither instance is there the slightest hint that the marshal had additional military responsibilities.

We hear of a marshal in the liberty of Trim at the end of the fourteenth century³, so we may conclude that marshals were appointed in other Anglo-Norman lordships in Ireland besides the Butler lordship.

The Captains of the Kerns

The captains of the kerns are first mentioned in the Ordinances of the White Earl in 1447-49, when Edmund Keating and Laynagh Butler were the "chyefteyns of hys [the earl's] keherynty"⁴. The Keatings may have served the earl repeatedly as his captains, for in 1539 he granted "one man's part of the leading of

1. F.R.H. Du Boulay, op. cit., pp. 256-7.

2. G.T. Lapsley, op. cit., pp. 101-2.

3. C.C.H., p.112, no. 38.

4. Cal. Ormond Deeds iii, no. 102, p.98. "Keherynty" is derived from "ceithern tighe", meaning kerne of the household.

the said kern" to James Keating fitzMaurice of Derrygrath and his heirs, together with all the casualties and profits which belonged to it¹.

According to the Ordinances of the White Earl, only the captains could legitimately billet soldiers on the freeholders of the liberty². They were responsible for maintaining a standing force for the defence of the liberty. We find a similar force in co. Kilkenny in the sixteenth century, for according to the "verdict of the commoners of the town of Kilkenny" in 1537, Piers Butler had

...two several companies of kerns going quarterly, that is to say each of them four times of the year over all the country from one town to another, and leave none, and there take meat and drink without paying therefor; and where they lack meat they take money. And Edmund Purser and William Purser³, brethren, are captains of the one kern, and Robert Astyken and James Astyken are captains of the other kerns⁴.

It is true that this arrangement may not reflect the practice of the fifteenth century, but it may be pointed out that it does correspond closely to the defensive

-
1. Cal. Ormond Deeds iv, no. 227.
 2. Ibid. iii, no. 102, p. 97.
 3. This should probably read Pursel: a certain Edmund Pursel, "capitaneus turbariorum comitis Ormonie", was buried in St. Canice's Cathedral, Kilkenny, in 1549 (Graves and Prin, The History, Architecture, and Antiquities of the Cathedral Church of St. Canice, Kilkenny, p. 251).
 4. The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century, ed. H. J. Gore and J. Graves, p. 98.

measures adopted in the liberty of Tipperary in 1447-49¹. There is therefore some reason to believe that the verdict of 1537 presented a substantially accurate account of the defensive system in co. Kilkenny as it had been in the fifteenth century.

7 The Constables

The task of defending and maintaining the castles in the lordship was committed to the constables. Although only a handful of constables are mentioned in the sources - at Arklow², Gowran³, Carrick⁴, Knocktopher⁵, and Cloncurry⁶ - there must have been others at Nenagh, Roscrea, ^{and} Kilkenny, to name a few.

The constables in the outlying regions of the lordship had considerable responsibilities. In 1366, for example, the earl of Ormond granted to John de Ormy the custody of the castle of Arklow to defend it against the Irish and other hostile people to the best of his ability and at his own cost. The earl was to come to

-
1. See above ch. VIII, passim.
 2. Cal. Ormond Deeds ii, nos 43, 126, 133.
 3. Ibid. iii, no. 66, p. 51; no. 157, p. 138.
 4. Ibid. iii, nos 66 (p. 54), 120.
 5. Ibid. ii, no. 414 (p. 298); iii, no. 119.
 6. Ibid. iii, no. 8.

his aid if he found himself in difficulties; and if the castle was taken due to negligence, he and his heirs had to forfeit £100¹. Since Arklow was subject to frequent attacks from the Irish of the mountains of Leinster during the fourteenth century,² the risk was very real indeed.

The Council

There is some evidence to show that the earl's council played an important role in the government of the lordship. In 1380 it was provided that the seneschal of the earl's lands should receive reasonable wages for his services "according to the discretion of the earl and his council"³. In 1414 Thomas Harbrig, the constable of the castle of Cloncurry and seneschal of the barony of Oughterany (co. Kildare), was given the command of twelve archers for one year, after which he would be given as many archers "as shall seem good to the earl and his council"⁴.

The council concerned itself with legal as well as administrative matters. In 1429 John Birton was

-
1. Cal. Ormond Deeds ii, no.126.
 2. See above ch. V, pp. 219-25.
 3. Cal. Ormond Deeds ii, no.247.
 4. Ibid., iii, no.8.

given possession of certain forfeited lands, because it had appeared to "the earl and his council" that the lands ought to have been restored to John after his father's death, on the grounds that they were held in fee-tail, and that John had recovered them by a writ of formedon in the court of the liberty in 1421. The seneschal of the liberty, to whom the forfeited lands had been granted in the meantime, was accordingly ordered by the earl and his council to deliver them to John¹.

Nothing is known about the actual composition of the earl's council, but the fact that it concerned itself with administrative and legal matters suggests that its members must have been drawn from the professional elements in the administration. The seneschal, justice and chancellor of the liberty must have attended with some regularity; other members may have been summoned only when their advice was needed.

It may be said in conclusion that the government of the lordship was for the most part conducted by amateurs: even the important office of seneschal of

1. Cal. Ormond Deeds iii, no. 87.

the liberty was normally occupied by one of the more important landholders for a few years at a time. In the fifteenth century, it is true, the lords of Dunboyne held the office more or less continuously, but they were not professional administrators. It is not unlikely, in fact, that much of the time they delegated their duties to deputies¹, who may, of course, have been professional administrators themselves, but we know too little about them to hazard generalisations.

There were, nevertheless, some men in the administration in the fifteenth century who may fit this description. Nicholas Stokes, who was acting as treasurer and receiver-general in 1405, reappears seven years later as the seneschal of the earl's lands.² In the meantime he had been granted the custody of a substantial part of the lordship during the minority of James, the fourth earl of Ormond³. Walter Sherlok seems to have been acting as seneschal of the earl's lands without interruption between 1420 and 1442⁴. His deputy in 1434, Walter Glorne, succeeded him in or

1. See above p. 435.

2. Cal. Ormond Deeds ii, nos 388, 420 (p.308).

3. Ibid. ii, no.389.

4. Ibid. iii, nos 42, 49, 66 (p.55), 78, 119, 151.

before 1444; twenty years later he reappears as a receiver for a number of lands in co. Kilkenny¹. There is not sufficient information about the other senior officials to warrant generalisation, but it is not unlikely that the justice of the liberty was a trained lawyer, or at least someone with official experience. We find that James Sherlok, the justice of the liberty in 1505, was bailiff of the city of Waterford in 1507, and that William White, who was the chancellor of the liberty in 1505, was the mayor of the city of Waterford two years later². In short, both men were highly experienced lay administrators; it was undoubtedly for this reason that they were appointed to senior administrative posts by the earl of Ormond.

1. Cal. Ormond Deeds iii, nos 119, 160, 219.

2. Ibid. iii, nos 321, 329. It may be noted that William also served the earl in an unspecified capacity between 1497 and 1502, when he was the recorder of the city of Waterford (ibid. iv, appendix nos 28, 41, 50, 55, 64).

CHAPTER XIII

THE COURTS OF THE LIBERTY OF TIPPERARY

The establishment of the liberty of Tipperary in 1328 created two jurisdictions within the borders of the former county: the county of the cross of Tipperary, where the king's writ only was obtainable. Instead of one county court, there were now two: one at Cashel, for the inhabitants of the county of the cross¹; the other at Cramp's Castle, outside Fethard, for the inhabitants of the liberty². The king's justices continued to hold their sessions at Cashel, as they had done formerly, but only the inhabitants of the cross could plead there. The inhabitants of the liberty, on the other hand, were obliged to plead before the seneschal and justice at the court of the liberty in Clonmel. Although both jurisdictions were quite distinct, it must have increased the burdens ~~of some~~ of the inhabitants of the county,

1. See above ch. XI, p. 408.

2. See below p. 488.

some of whom must have been obliged to do suit at both county courts.

The Court of the Liberty.

The fortunate survival of a number of court rolls enables the historian to construct a fairly detailed picture of the court of the liberty. These rolls take various forms: plea rolls, rolls of essoin, attornment, amercements, and presentments¹. In addition to these, two writs directing the sheriff to summon all those who owed suit at the court to appear before the seneschal at Clonmel, with the sheriff's return, have also survived². It is therefore possible to establish a detailed picture not only of the procedures of the court but of its composition as well. Many more records might have survived if they had not been destroyed by fire in the early fifteenth century. In 1419 the seneschal of Tipperary was commanded to send the record of a

-
1. In chronological order (1359-1514): Gal. Ormond Deeds ii, nos. 49, 191, 192, 193, 268, 324, 361, 362, 378; iii, nos. 67, 108, 351, 164; iv, no. 23.
 2. *Ibid.*, iii, nos. 102, 337.

certain outlawry made in the court of the liberty in 1405. He replied that only part of the record had survived the general destruction of various rolls, records, and memoranda in the custody of Stephen Parson, "iadicz gardein dez briefs et rolls de dite liberte". Stephen had left them in his house at Carrick, where they had been burned by divers Irish enemies¹. Many more records must have been lost or destroyed in the course of centuries. That some survived may be attributed to the legal disputes following the suspension of the liberty in 1621, when it was necessary for the earl of Ormond to prove usage by producing various records in order to substantiate his claims².

The assizes of the liberty were normally held at Clonmel, but occasionally they seem to have been held at Thurles. In January, 1375, for example, the court was held before Walter Lenfaunt, the seneschal, at Thurles³. It is not known how frequently the

1. See appendix IX, no. 1.

2. See e.g. Cal. Ormond Deeds vi, pp. 153-8. Most of the documents cited there may be found among the surviving deeds.

3. Ibid. 11, no. 191, p. 131.

assizes were held. The "Ordinances of the White Earl" provided for annual sessions of the court of the liberty, which implies that the sessions had been less frequent, at least in the middle of the fifteenth century¹. The full sessions of the court of the liberty, which resembled the court of the justices in eyre, were probably held infrequently. One such court was summoned in 1432, and it is clear from a second return on the same writ of summons that a similar session was held sometime between 1447 and 1449². The second endorsement on the original writ suggests that a full session had not been convened in the meantime. Another such court was summoned in 1508³.

The form of the summons directing the sheriff to summon all the suitors to these special sessions of the court corresponds to the writ directed to the royal sheriff summoning the suitors of the shire before the justices in eyre. In 1432 and 1508 the

-
1. Cal. Ormond Deeds iii, no. 102, p. 97; see below ch. VIII, passim.
 2. Ibid. iii, no. 102; see below ch. VIII, pp. 281-2. for the date of this sermon.
 3. Cal. Ormond Deeds iii, no. 337.

sheriff of the liberty was commanded by the seneschal to summon all the suitors to the court; to bring all pleas which had not been pleaded since the seneschal had made his last iter; to summon all those who had been sheriffs or coroners since the last iter, to cause all those who held charters or claimed liberties to be before the seneschal to show by what warrant they held them; and, lastly, to summon all those who wished to complain about wrongs committed by the earl's ministers.

The chief suitors included ecclesiastical as well as lay magnates, for not all of the lands of the church were situated in the county of the cross¹. Their obligation to attend the court of the liberty meant that they held lands in the liberty, for they could not have been distrained to appear otherwise. The sheriff's return included the archbishop of Cashel, the bishops of Lismore, Emlly, and Killaloe;

1. Lands which were granted to the church after the establishment of the liberty did not form part of the crosslands. For a fuller discussion of this question see J. Otway-Ruthven, 'Anglo-Irish Shire Government in the Thirteenth Century,' I.H.S., V, pp. 7-8.

the abbots of Oseney, Inishlounaght, Owney, Holy Cross, St. Thomas' (Dublin), Mothel, Kilcooly, and Hore Abbey; the priors of Athassel, Caher, St. John's, Nenagh, the hospital of St. John (Kilmainham), the hospital of St. John the Baptist without the New Gate, Dublin, St. Catherine's (Waterford), Monaincha¹, Holy Trinity (Dublin), Kells (Kilkenny); and the prioress of Molough².

The earls of March, Desmond and Kildare were chief among the lay magnates to be summoned to the court. Richard Plantagenet, the earl of March, appears on the sheriff's return in 1447-1449, but in 1432 John Holland, the earl of Huntingdon, was returned in lieu of the earl of March: he probably held the lands of Anne, the widow of Edmund Mortimer³, whom he married after Edmund's death in 1425. She died in September, 1432, when the lands presumably reverted to the earl of March. The lands

-
1. Monaincha (otherwise Insula Viventium) near Roscrea.
 2. Not all of these abbeys and priories are listed on each return (Cal. Ormond Deeds iii, nos. 102, 337).
 3. For the lands of the earls of March see above ch. I, p. 17; ch. II, pp. 74-5.

of the earl of March became the property of the crown after 1461 when Edward Plantagenet became king; there was therefore no earl of March in 1508. The earl of Desmond held considerable lands in the liberty¹ but the earl of Kildare, on the other hand, was not an important landholder².

The barons of the liberty were next in order of importance. In 1432 Edmund fitzThomas Butler, baron of Kiltinan and baron of Knockgraffon, was summoned by the sheriff. In 1508, however, seven barons were summoned: the barons of Kilsheelan and Kilfeakle³,

1. See above ch. I, pp. 19-20.
2. Between c. 1194 and 1204 Philip of Worcester granted the tuath of Omolgar in the cantred of Ardfinnan to Thomas fitzMaurice (Red Book of the Earls of Kildare, no. 7). This tuath may be identified with the manor of Shanrahan which is not far from Ardfinnan. It was held of Knockgraffon (Cal. Ormond Deeds i, no. 418). Thomas was still charged with a long-standing fine for his betaghs of Shanrahan in 1277-8 on the sheriff's account for Tipperary (36th Rep. D.K., p. 52). In 1432 the earl of Kildare died seised of the manors of Shanrahan, Portolehan, (now Portland, near Lorrha) and "le Boyle" (unidentified) in the liberty of Tipperary (Cal. Ormond Deeds iii, no. 101).
3. These manors belonged to the earl of Desmond: the baron of Kilsheelan and Kilfeakle may have been one of his relatives.

Knockgraffon¹, Kiltinan², Caher³, Ballyboe⁴, Loughmoe and Baly Cormok⁵; a seventh baron was included on this return, but his title is illegible. These seigniorial barons were tenants of the earl of Ormond, not tenants-in-chief. It was not until 1542 that the Butlers of Caher actually received the title of baron from Henry VIII⁶. None of the remaining barons received royal titles. We find seigniorial barons in most of the other great liberties in England and Ireland⁷.

-
1. Thomas Butler was baron of Knockgraffon in 1509 (Cal. Ormond Deeds iii, no. 341).
 2. James Butler, lord of Dunboyne, was baron of Kiltinan. He died in 1508 and was succeeded by his eldest son, James, the tenth lord of Dunboyne.
 3. Edmund fitzThomas Butler was baron of Caher at this time.
 4. The MS. (N.L.I. D.1944) reads "Balybody"; it should not read "Balykenan" (Cal. Ormond Deeds iii, no. 337). It is not evident who was the baron of Ballyboe, but he would certainly have been a Butler.
 5. The Purcells were lords of Loughmoe (which is the most probable reading of the place-name): they held Baly Cormok at the beginning of the fourteenth century (Red Book of Ormond, p. 54).
 6. Cal. Ormond Deeds iv, no. 285.
 7. The steward of the bishop of Durham summoned the bishop's barons to the assembly (G. T. Lapsley, The County Palatine of Durham, p. 114). For the barons of the Irish liberties see Sir John Davys, 'The Case of the County Palatine of Wexford', in Davies' Report (Dublin, 1762), pp. 177-8.

In 1432, and again in 1447-1449, free tenants were summoned to the court of the liberty from their respective cantreds: Iffa (or Iffowyn), Offa, Moctalyn, Moyenen, Eoghanacht Cashel¹, Slievardagh and Eliogarty². This return, however, is not complete, for the cantreds of Ormond, Elyocarroll, Okonagh and Muscry are omitted. The reason for this is not apparent, for the sheriff returned that he had summoned the reeve and community of Nenagh, the prior of St. John's of Nenagh (cantred of Ormond); the reeve and community of Roscrea, the prior of Monaincha (cantred of Elyocarroll); the reeves and communities of Athassel and Kilfeakle, the prior of Athassel (cantred of Muscry); and the reeve and community of Tipperary (cantred of Okonagh). It is true that the Irish had overrun the greater part of the cantreds of Ormond and Elyocarroll in the course of the fourteenth century, but the

-
1. 'Ouen.' is Eoghanacht Cashel, not Owney and Arra (as suggested in Cal. Ormond Deeds iii, no. 102).
 2. "Ely" is the cantred of Eliogarty: James Purcell and John Stapylton (Stapleton) were probably tenants of the manor of Thurles (Cal. Ormond Deeds iii, no. 102, p. 95).

Butlers still controlled Nenagh and Roscrea in the first half of the fifteenth century¹. The cantreds of Okonagh and Muscry were still dominated by the de Burgos and the earl of Desmond respectively. It would therefore seem that the sheriff could only induce the inhabitants of the towns and the ecclesiastical communities in these cantreds to attend the court of the liberty: he was probably unable to compel the degenerate English, such as the de Burgos, to do suit.

The sheriff listed about 150 free tenants on his return in 1508². Although only the cantreds of Eliogarty and Offa are actually indicated on the return, an examination of the numerous place-names shows that the free tenants were summoned from the cantreds of Eoghanacht Cashel, Muscry, Moyenen, Moctalyn, Slievardagh, Offa and Iffowyn. The fact that juries were summoned to elect coroners for the cantreds of Moyenen and Moctalyn in 1514³ indicates that the cantred was still the basic administrative

-
1. See above ch. V, pp. 189-97.
 2. Cal. Ormond Deeds iii, no. 337.
 3. Cal. Ormond Deeds iv, no. 23.

unit at the beginning of the sixteenth century. That the sheriff did not list the free tenants under their respective cantreds on his return in 1508 does not, therefore, mean that the cantreds had fallen into disuse.

In 1432 the sheriff summoned the reeves and communities of twenty-one towns to appear before the seneschal in the court of the liberty: Tibberaghny, Newtownlennan, Carrick, Kilsheelan, Clonmel, Lisronagh, Newcastle, Caher, Modeshil, Kiltinan, Knockgraffon, Athassel, Kilfeakle, Tipperary, Ardmayle, Buolick, Thurles, Loughmoe, Roscrea, Nenagh and Killenaule. The names of twenty-six towns appear on the sheriff's return in 1508, but only a few of them are legible¹. The burgesses of Cashel, Pethard and Ardfinnan were not summoned to the court of the liberty because these towns lay in the county of the cross². Some towns, which appear in early fourteenth century records, were not summoned at all. In 1300 the town of Moydrifny (Modreeny) in Ormond

1. N.L.I. D.1944. These towns are not mentioned in Cal. Ormond Deeds iii, no. 337.

2. See above ch. XI, pp. 407-11.

granted the justiciar a small subsidy for the Scottish war¹. The burgesses of Dunkerrin in Elyocarroll held twelve and a half carucates of land in burgage tenure in 1305². In 1338 the burgesses of Moyaliff held 200 acres in burgage and did suit at the hundred court there³. In each case, however, the town seems to have fallen into the hands of the Irish by the middle of the fourteenth century: Dunkerrin was probably the first to be lost, since the O'Carrolls achieved the earliest successes against the Butlers⁴; the manor of Moyaliff was actually held by the Irish in 1338⁵; and much of northern Ormond, in which Moydrifny was situated, had fallen to the O'Kennedys before the middle of the century⁶.

The sheriff was also required to summon to the court all those who had been sheriffs or coroners

-
1. Cal. Justic. Rolls, 1295-1303, p. 304.
 2. Red Book of Ormond, p. 151.
 3. Cal. Inc. P.M. viii, no. 184.
 4. See above ch. V, pp. 174-5, 196-200.
 5. Cal. Inc. P.M. viii, no. 184; see above ch. V, pp. 175-7.
 6. See above ch. V, pp. 163-4, 171-4, 185-94.

since the last iter, and to have all serjeants and sub-serjeants there at the appointed time. In 1432 and in 1508 the sheriff did not return the names of former sheriffs. On the former occasion he reported that there were no coroners, but on the later occasion he returned the names of two coroners. He completed his return with a list of the serjeants and sub-serjeants of the liberty. The return of 1432 records the summons of the chief serjeant, two sub-serjeants from the east part of Iffa (Iffowyn), the sub-serjeants of the western part of Iffa and Offa (Offa), Moctalyn, Moyenen, Slievardagh, Elio-garty, and Eoghanacht Cashel. The sub-serjeants of Muscry, Okonagh, Ormond and Elyocarroll were not included on this return, just as no return was made for the free tenants of these cantreds¹. The return of 1508 merely records the fact that the serjeants and sub-serjeants were summoned².

The task of enforcing such a large and varied attendance at the court was naturally very difficult:

1. See above p. 469.

2. Cal. Ormond Deeds iii, no. 337.

inevitably many of those summoned never appeared. In 1384, for example, Milo Assik, the seneschal's deputy, amerced a number of important suitors for not coming to the court: the bishop of Emlý; the abbots of Abington (Owney), Oseney, and Kilcooly; the priors of Nenagh (Tyone), Monaincha, and St. Thomas' (Carrick); the earls of Desmond and Kildare; Richard de Burgo and Raymond Lercedekne, barons; and the towns of Carrick, Modeshil, Tipperary, Athassel, Kilfeakle, and Nenagh¹. A fragment of a similar amercement roll, which is attributed to the first year of the reign of Henry IV (1399-1400), included the names of five towns, one bishop, two abbots, three priors, and three earls.² Although the offence is not actually specified, it is clear that they must have been amerced for not obeying the sheriff's summons. It would appear from these examples that the

1. N.L.I. D.1295. (The estreats of fines and amercements before Milo Assik, lieutenant and deputy of William Butler, seneschal of the liberty of Tipperary, in the assizes held at Clonmel on Monday next after the feast of the Epiphany, 1384). Note: the fines for non-attendance cited above are not mentioned in Cal. Ormond Deeds ii, no. 268.
2. Cal. Ormond Deeds ii, no. 345.

abbots, priors, and earls were particularly lax in their attendance, and that about one quarter of the representatives summoned from the towns might be expected not to come on the appointed day, if at all.

The procedures adopted in the court were similar to those employed by the justices in eyre. There were special days set aside for essoining and attornment¹. The civil cases - mostly pleas of Novel Disseisin, Mort d'Ancestre, debts and trespasses² - were pleaded by the earl's writ or by bill³. The majority of the criminal pleas, on the other hand, were presented by the verdict of the grand jury⁴, although some must have been initiated by individual plaintiffs. Pardons for offences against the earl's peace were sought and obtained

-
1. See e.g. Cal. Ormond Deeds 11, no. 49, pp. 30-4.
 2. See e.g. ibid. 11, nos. 49, 268.
 3. A bill could be obtained in the court upon the payment of a fine (see e.g. ibid. 11, no. 192, pp. 133-4).
 4. See e.g. ibid. 11, nos. 361, 362; iv, no. 23.

upon the payment of a fine¹. Such fines might range from 300 marks² to half or even quarter of a mark (forty pence)³. Final concords could be made before the seneschal in the court of the liberty: in 1395, for example, Nicholas Everard secured his title to certain lands in Minorstown by a fine made before the seneschal⁴.

The court of the liberty of Tipperary was a court of record: if a case was begun there which could not be concluded because the defendants could not be distrained to appear, or if error was alleged, the record of the proceedings could be removed to the king's courts. In practice the most common cause for the removal of a case to the king's courts probably arose from the failure of the sheriff to distrain the defendants in a particular suit to appear before the seneschal to answer the plaintiff. The sheriff could not distrain a defendant to appear

-
1. See e.g. Cal. Ormond Deeds ii, nos. 49, 191, 192, 193.
 2. Oliver Howel made fine of 300 marks in 1359 for having the earl's peace: he was to be acquitted of 200 marks if he behaved himself (ibid. ii, no. 49, p. 48).
 3. See e.g. ibid. ii, no. 191.
 4. Ibid. ii, nos. 312, 313, 314, 315.

if he did not have any lands or chattels within the liberty: consequently, justice could not be done to the plaintiff. The case would then be transferred to the royal courts, which could compel the defendant to appear. Thus in 1296 Christiana, widow of David Demartyn, sued Reginald de Lynet in the court of the liberty of Carlow for her dower lands. Reginald then called Adam de Rupe to warranty, but Adam had nothing within the liberty whereby he could be distrained. The record and process was then sent to the justices in eyre at Cashel at the king's command, and the seneschal of the liberty was directed to summon the parties to appear before the justices on a certain day¹. In 1359 three certioraris were directed to the seneschal of Tipperary commanding him to send the record and process of certain cases to the chancery in Dublin²: the reason for their removal does not appear, but it is not unlikely that the defendants could not be distrained to appear before the seneschal. Such cases seriously restricted

1. P.R.O.I. Cal. Plea Rolls, vol. 4, p. 76.

2. Cal. Ormond Deeds ii, no. 49, pp. 34-6.

the competence of the court. It is probable that more pleas were removed to the royal courts for this reason than for any limitation contained in the charter of the liberty.

In addition to this practical restriction, all actions begun in the court of the liberty could be removed from it if error was alleged to have arisen in the proceedings. In 1419 the seneschal of Tipperary was commanded to send the record and process of the outlawry of Richard Barby and Richard ^{de Penkeston} Barby to the king's justices in Dublin. It appears from the petition of Barby and Penkeston that they had been indicted in the court of the liberty in 1405 on a plea of debt. They probably did not appear to answer the writ, and they were accordingly outlawed in the county court of the liberty. The seneschal, however, was unable to send the full record of the outlawry because it had been burnt by the Irish together with other writs and records in the custody of a special keeper of the writs and rolls of the liberty in Carrick. The justices found that divers

errors had arisen¹. The judgment of outlawry against the plaintiffs would therefore have been automatically annulled.

The number of actions removed to the royal courts was probably quite small, for the plaintiff could only obtain redress on the grounds that a technical error had occurred in the record or process of a particular case. It did not provide remedies for the inadequacies of the courts of common law. If a situation arose whereby the plaintiff was unable to obtain remedy at common law, he could appeal to the earl and his council, and, ultimately, to the king. In 1429 John Birton successfully petitioned the earl and his council for the restoration of certain lands which he had recovered in the court of the liberty in 1421, but which had nevertheless been detained in the earl's custody². In 1456 a certain John Burton, perhaps the same person, recovered a messuage and sixty acres of land in an assize of Novel Disseisin before

1. See appendix IX, no. 1.

2. Cal. Ormond Deeds iii, no. 87; above ch. XII, pp. 457-8.

the seneschal and justice of the liberty, but the defendants subsequently removed John from the lands which he had just recovered. John could not obtain remedy at common law, so he petitioned for the restoration of his property in the parliament at Dublin in 1459. The defendants were summoned to answer in parliament; if they failed to appear, John was to have restoration¹. Whether or not John appealed to the earl and his council before he resorted to parliament is not known. Perhaps he could not obtain remedy in the liberty while the earl was absent in England.

The proceedings of the court of the liberty were not exclusively concerned with the adjudication of pleas. At the plenary session, those who exercised liberties of any kind within the liberty were required to show by what warrant they exercised them². This meant that not only the towns but also those who held markets or minor liberties had to

1. Statutes, Henry VI, p. 623-5.

2. Cal. Ormond Deeds iii, nos. 102 (p. 90), 337 (p. 331).

substantiate their claims. It is not unlikely that many of the larger landholders in the liberty held minor jurisdictions. In 1437, for example, it was found that Thomas Howet, lord of the manor of Felereston, had cognisance of bloodshed, hue and cry, breaches of the assize of bread and ale, and the defect of watch and ward¹. The object of the quo warranto proceedings in the court of the liberty was to prevent the slow erosion of the earl's jurisdiction at the hands of local magnates.

The seneschal also heard complaints against the conduct of the earl's ministers and bailiffs, for the sheriff was commanded to summon all those who wished to make such complaints to the court². In 1359 Silvester Laynagh, the chancellor of the liberty, and John Roth Cantwell, the sub-serjeant of Eliogarty³, were charged with, and acquitted of, conspiring to defraud three defendants in an assize of Mort d'Ancestre by returning attorneys favorable

1. Cal. Ormond Deeds iii, no. 129.

2. Ibid iii, nos. 102, 337.

3. Cantwell was amerced in the same assizes along with other sub-serjeants for non-attendance (N.L.I. D.1025).

to the plaintiffs¹.

The seneschal imposed numerous amercements on various sections of the community while the court was in session. The sheriff and sub-serjeants received harsh treatment for failing to perform their duties. In 1384 Patrick Hay, the sheriff, was fined 100 shillings because he did not produce John Haket before the seneschal on the appointed day². The sub-serjeants were also frequently amerced: in 1359 Nicholas Carreu, the sub-serjeant of Iffa (Iffowyn) was amerced 100 shillings for not having William O'Neill at the court³; he was also charged with two of his comrades for the escape of a felon in his custody, but it was later found that the reeve and community of Newtownlennan were responsible; they were duly amerced 100 shillings⁴. The names of no less than twelve sub-serjeants appear on the same roll charged with various amercements for non-attendance⁵. The towns were frequently

1. Cal. Ormond Deeds ii, no. 49, pp. 45-6.

2. Ibid. ii, no. 268, p. 201.

3. Ibid. ii, no. 49, p. 42.

4. Ibid. ii, no. 49, pp. 35, 38.

5. N.L.I. D.1025. Some of these amercements were probably long-standing: five of the sub-serjeants

amerced for non-attendance¹ and for failing to observe the assize of bread and ale. In 1359 no fewer than thirteen towns were amerced for breach of the assize², and in 1384 twelve towns were amerced³. They were also responsible for the custody of felons, as the case of Newtownlennan shows. The communities of the townlands, too, were probably amerced in considerable numbers for failing to raise hue and cry⁴.

The essential inferiority of the court of the liberty to the royal courts, apart from the reserved pleas and the writ of error, was underlined by certain practical limitations. The king's authority was universal: he could command the seneschal of the liberty to summon a jury or a party to a case

were from Offa; it is unlikely that there were more than two sub-serjeants there at any particular time.

1. See above p. 474.
2. Cal. Ormond Deeds ii, no. 49, p. 38.
3. N.L.I. D.1295. Note: these are not mentioned in Cal. Ormond Deeds ii, no. 268.
4. We have no reason to believe that the seneschal was more lenient than the royal justices in eyre, who, in 1306, amerced 120 townlands in Offa, and 110 townlands in Iffowyn (P.R.O.I. MS. Cal. Roll of Justices Itinerant in co. Tipperary, 33-34 Edward I, pp. 29-125).

before his justices; the seneschal, on the other hand, could not command the king's ministers to summon a jury to appear before him in the court at Clonmel. This limitation meant that when one party could not be distrained to appear, the case had to be removed to the royal courts¹. The seneschal was likewise unable to seize the goods and chattels of a felon outlawed in the liberty if they lay outside the liberty: the king, on the other hand, could have the forfeitures of outlaws proclaimed in his courts wherever they might be. Thus in 1374 the king commanded his escheator to restore the manor of Inchirourke and certain other places in the liberty of Tipperary to Fulk fitzPatrick de la Freigne and his wife Catherine, formerly the wife of Edmund Butler. Edmund had been outlawed in co. Kildare: it was presumably on that occasion that his lands were seized into the king's hand. They were restored to Catherine when it was discovered that she held them jointly with her husband².

1. See above pp. 476-7.

2. C.C.H., p. 88, no. 78.

It is not clear what happened when the parties to a case resided in another liberty. Presumably it had to be removed to the king's court for termination. It seems, however, that some attempt was made in the fourteenth century to provide for the extradition of prisoners: in a parliament assembled at Dublin in 1320 it was provided that the seneschal of every liberty was responsible for the arrest of the felons of another, and that he was to deliver the prisoner to the seneschal of the liberty wherein he was indicted¹. There is no evidence to show that this legislation ever took effect, but it does show that before 1320 there was no effective system of extradition. But this legislation only concerned the arrest and extradition of felons; it did not provide for co-operation in inter-liberty litigation.

The court of the liberty was more than a court of law; it was an assembly which represented the community of the county. All classes, except the unfree, were represented there. Altogether about

1. Statutes, King John to Henry V, p. 289.

300 people were summoned to the court in 1508¹: one archbishop, three bishops, eight abbots, seven priors, one earl, seven barons, about 150 free tenants², and the reeves and communities of twenty-six towns, which would include about 130 individuals³. No doubt many of those summoned did not appear, but if only half of them attended, it was still a considerable gathering by medieval standards.

It was in this assembly that the community gave its consent to the billeting of troops in the liberty, and granted subsidies of thirty or sixty marks when necessary⁴. It was in this assembly that the "Ordinances of the White Earl" were adopted and proclaimed⁵. It was perhaps inevitable that the liberty had to assume the responsibility for its own defence of the liberty in the absence of assistance from the central government: it is not surprising, therefore, that the "Ordinances" were chiefly

1. Cal. Ormond Deeds iii, no. 337.

2. See above p. 470.

3. The reeve and four freemen were summoned from each town (ibid. iii, nos. 102, 337).

4. Ibid. iii, no. 102, p. 97; see above ch. VIII, passim.

5. See above ch. VIII, passim.

concerned with military arrangements. Contemporaries seem to have regarded it as a local parliament, for it was ordained in the court of the liberty in 1447-49 that

...ye lord shall hole hys syshonys every yer and call all hys liberte of the contre Typerar to ye sayd sysen in his owyn ffranchys to hym both spyrytuall and temporall lyke as hit ys wtyn same roll as well as ye Kyng may hole hys parlement¹.

Nevertheless, the points of resemblance between this assembly and the parliament were purely superficial. It could not make provisions or laws which could alter the course of the common law in any way; it could only adopt practical regulations of local importance, the enforcement of which depended upon the cooperation of the earl, the magnates and the commons of the liberty. Such ordinances could not be enforced in the courts in the same way as the laws ordained by the king and his council or by parliament. Nor did the assembly constitute a court of appeal: remedies for cases which could not be remedied at the common law had to be provided by the earl and his council or by the king. Finally,

1. Gal. Ormond Deeds iii, no. 102, p. 97; see above ch. VIII, passim.

it should be remembered that the right or power to make local ordinances was not the special prerogative of the community of Tipperary, for it is quite clear that while the ordinances of 1447-49 concerned only the liberty of Tipperary, the main body of the White Earl's ordinances, incorporated in "the Statutes of Kilkash", was accepted and adopted by the community of the Butler lordship as a whole¹.

The County Court of the Liberty.

In the first half of the fifteenth century the county court of the liberty of Tipperary was usually held at Cramp's Castle, near Fethard. Occasionally, however, it was held elsewhere: in June (?)² 1417 at Dromarde; in August, 1418, at Clonmel; in December, 1434, at Lisronagh; and at Clonmel in February and March of the following year³.

-
1. Cal. Ormond Deeds iv, no. 267, p. 214; ch. VIII, passim.
 2. The MS. is indistinct (N.L.I. D.1545).
 3. Ibid. (partly in Cal. Ormond Deeds iii, no. 23); N.L.I. D.1556 (not in the Calendar); Cal. Ormond Deeds iii, no. 102, pp. 95-6.

The county court of the county of the cross of Tipperary remained in Cashel, where the county court of Tipperary had been located before the creation of the liberty, but during the minorities of the earls of Ormond the whole county was administered by a royal sheriff¹, who held a single court for the whole county. The county courts of the liberty and the cross were held once a month: they may have been held on different days in order to allow those who owed suit at both courts to attend, but there is no evidence to show that this was in fact the case.

Several county court rolls, of which all except one belong to the first half of the fifteenth century², have survived the ravages of time. It is not apparent why these rolls were kept because the county court was not a court of record: it was for

-
1. These sheriffs are listed in appendix VIII, no. 3.
 2. The court roll of 1457-1458 (Cal. Ormond Deeds iii, no. 200). The remaining rolls cover the years 1410-1411 (*ibid.* ii, no. 405), 1416-1417 N.L.I. D.1545, D.1547: partly in Cal. Ormond Deeds iii, no. 23), 1418 (N.L.I. D.1556), and 1421 (N.L.I. D.1570; Cal. Ormond Deeds iii, no. 44).

this reason that the sheriff was commanded to cause records to be made of outlawries proclaimed in the county court. The record of one such outlawry appears on the return of the summons to the court of the liberty in 1447-1449¹. Nor is it clear whether these rolls were kept by the sheriff or the two coroners who attended him in the county court. The coroners certainly kept records, but their responsibility was simply to record the pleas of the crown. The sheriff, on the other hand, had no apparent reason for recording the proceedings of the court, for the memory of the suitors was the only valid record. The fact that remarkably few county court rolls have come to light in England suggests that many counties never kept records of the proceedings of the county court. The number of rolls which have survived for the county court of the liberty strongly suggests that these rolls were regularly maintained, at least in the first half of the fifteenth century.

The earls of March, Kildare and Desmond were

1. Cal. Ormond Deeds iii, no. 102, pp. 95-6.

the most important suitors at the county court of the liberty between 1410 and 1418. The earl of Ormond was not obliged to do suit at his own court, but his ancestors did suit at the county court of Tipperary before 1328: the inquisitions post mortem of 1338 show that they held the manors of Thurles, Ardmayle and Nenagh by military service and by suit of court¹. Three other names are listed on the rolls: the lord of Knockgraiffon and Kiltinan², Walter de Burgo and Raymund Arkedekyn. Walter de Burgo was probably a descendant of Edmund de Burgo, who had been granted the manors of Okonagh, Tipperary and Ileagh in 1324 by his father Richard de Burgo, earl of Ulster³. Raymund Arkedekyn appears variously as Ryamund Okonagh, McHode, and Dominus Okonagh. Raymund was probably a descendant of Raymund fitz-Richard le Ercedekne, to whom John fitzMaurice Austyn released all his right in all the lands which he and his ancestors had in Ownagh (i.e. Okonagh⁴).

-
1. Cal. Inq. P.M. viii, no. 184.
 2. Thomas Butler, prior of Kilmainham (see above ch. I, pp. 21-2).
 3. See ch. I, p. 19.
 4. See cantred of Okonagh in appendix I, no. 1.

This release was ^{made} ~~given~~ at Donohill, which is almost certainly the site of the castle of Okonagh¹, in 1316². Raymund Archedekyn was probably descended from Silvester le Ercedekne, who was in possession of the castle of Donohill in 1295³.

It is clear from the court rolls that the business of the county court had dwindled almost to vanishing point by the beginning of the fifteenth century. At the most only a few cases were pleaded in each court: not infrequently one finds the simple entry "nulle sunt querele". In 1417, for example, no pleas were heard in January, April, May, or November: the total number of cases pleaded in the remaining four courts recorded on the same roll amounted to only five. Of the seven courts recorded in 1457-1458 three entertained no pleas; the remaining four accounted for a total of nineteen pleas. Some of these pleas were moved by private complaints, but most of them consisted of presentments of

-
1. See cantred of Okonagh in appendix I, no. 1.
 2. Cal. Ormond Deeds 1, no. 517. 'Donhowyk' should read 'Donhowyl'.
 3. Cal. Justic. Rolls, 1295-1303, pp. 6-8.

blood-shed made by serjeants¹.

In the fifteenth century the minor pleas of debt, detinue and trespass were still pleaded in the county court, probably because the recoveries involved made it unprofitable for the plaintiff to prosecute his case by writ in the assizes. It was still a convenient place to prosecute offenders for minor breaches of the peace. It has already been noted that the serjeants frequently made presentments of blood-shed in this court. The fact that outlawries could only be proclaimed in the county court probably contributed to the prolongation of its existence.

1. Cal. Ormond Deeds iii, no. 200.

CHAPTER XIV

CONCLUSION

Having surveyed the history of the landholding system in Ireland from 1169 to 1800, it may be asked whether or not the results of this survey accord fully with the conclusions reached in the preceding chapters.

V

CONCLUSION.

The most widely accepted view was put forward by Edward Butler some thirty years ago. Briefly, and therefore perhaps a little unfairly, he described a society which had adopted Irish law, custom and language. Anglo-Norman lords introduced English law and adopted Irish practices, most notably the practice of coparceny and liveries. The prerogative remained in royal hands. Even King Edward kept a house. At a lower level, the smaller lords adopted the customs of the large tenants, leaving only the Irish to inhabit their lands. The

CHAPTER XIV

CONCLUSION

Having surveyed the history of the lordship between 1185 and 1515, it may be asked whether or not the results of this survey accord fully with established conclusions about the nature of Anglo-Norman society outside the Pale in the fifteenth and early sixteenth centuries. The most widely accepted view was put forward by Edmund Curtis more than thirty years ago. Stated briefly, and therefore perhaps a little unfairly, he described a society which had adopted Irish law, customs and language: Anglo-Norman lords abandoned English law and adopted Irish practices, most notably the practice of coyne and livery, the prerogative exercised by Gaelic chieftains. Even Piers Butler kept a brehon. At a lower level, the smaller tenants deserted the countryside in large numbers, leaving only the Irish to inhabit their lands. Not

surprisingly, therefore, English ceased to be spoken outside the towns and a small area in southern Wexford¹.

Now it must be conceded at once that there is much truth in this as far as Tipperary and Kilkenny are concerned. Not a few Anglo-Norman lords, such as the Purcells, became indistinguishable from the Irish in all but name. The practice of coyne and livery was certainly widespread. So too, for that matter, was the practice of brehon law. And we may be sure that Irish was spoken by a great number of Anglo-Norman tenants, great and small. But that is only one side of the picture, for it is also clear that many Anglo-Norman lords and tenants refused to acknowledge the right of the earls of Ormond or anyone else to impose coyne and livery or other Gaelic charges on them without their consent. Common law was certainly not unknown outside the towns. There is good evidence to show that small tenants remained in appreciable numbers on the land, and

1. E. Curtis, A History of Medieval Ireland, 2nd edition. See chapter XIV and the Conclusion, especially pp. 283-5, 369-70.

there is some evidence to suggest that English was well understood in the countryside. It seems, therefore, that while we should not reject Curtis' thesis, we should at least modify it in respect of a large portion of the Butler lordship.

It cannot be disputed that many of the most powerful tenants of the earls of Ormond adopted the Gaelic way of life enthusiastically, most notably the Purcells of Eliogarty and Ikerrin, the Burkes of Clanwilliam and the Tobins of Comsey. It is quite clear from an indenture made between the earl of Ormond and Geoffrey Purcell and O'Kathyll in 1356 that the Purcells had adopted Irish ways, for the earl agreed that the parties should not be held responsible for trespasses committed ^t_L 'by any of the name or nation of the same parties dwelling with "les Purcells" or elsewhere'¹. The implication was that Geoffrey had been held responsible for the trespasses of his kinsmen in much the same manner as Edmund O'Kennedy was held responsible for trespasses of his men in 1358². A Gaelic eulogy of

1. Cal. Ormond Deeds ii, no. 38.
 2. Ibid. ii, no. 46.

James Purcell, baron of Loughmoe, evidently written in the late fifteenth or early sixteenth centuries, provides us with an unusually graphic account of the kind of life led by one of these lords of the marches¹. James spent most of his time making the lives of his neighbours thoroughly miserable. His cattle raids ranged over Ormond, Elyocarroll, Muscry, Slievardagh and elsewhere in Tipperary, and he made a successful raid into the territories of the O'Brenans of I Duach (Odogh), co. Kilkenny. James raided his Anglo-Norman neighbours just as readily as he attacked the Irish, no doubt on the assumption that one man's cattle were as good as another's. He drove off the herds of the Clann Piarais (possibly Edmund fitzPiers of Dunboyne), took a "creach" from Piers Laffan, raided Thurlesbeg, Ballyshehan, Fiadh Mughain (Kilfithmone in Eliogarty), and Thurles, among other places. In general he led a

1. 'In Obitu Jacobi Purcell, Baronis de Luaghma' (B. M. Add. 33993, ff 9v-11v). The date of this baron of Loughmoe is uncertain, but the eulogy must have been composed in his lifetime or shortly after his death.

I am indebted to Mrs. W. O'Sullivan for the use of her translation of this unpublished poem.

manner of life indistinguishable from that of a Gaelic chieftain. The very existence of this eulogy is evidence that he kept Irish poets in his household. We may be sure that the Burkes of Clanwilliam and the Tobins of Comsey, to name a few, devoted just as much energy to cattle raiding.

The presentments of the juries in Kilkenny and Tipperary in 1537 leave no doubt about the extent to which Brehon law was practised among the Anglo-Norman settlers, especially in co. Kilkenny. The commoners of the county declared that

there is a law used over all the countrey, called Brehens lawe, whiche is maintained by all the lords of this land, and most specially within the county of Kilkenny, which lords commonly have each of them one several judge under them; the judges name under [Piers Butler] my lord of Ossory, Rory Maklane¹.

The commoners of the town of Kilkenny explained that brehon law was used in the countryside, and that the Acts of Kilcash² were used between the inhabitants

-
1. The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century, ed. H. J. Hore and J. Graves, pp. 99-100. See too pp. 101, 112-3, 122, 135. My italics.
 2. See above ch. VIII, passim.

of the town and country, but only the common law was used in the town itself¹. In Tipperary, too, we find that the Butlers of Caher maintained a number of brehons².

The practice of coyne and livery was general. The jurors of the town of Kilkenny specify a great number of offenders, including Piers Butler, the earl of Ossory, the bishop of Ossory and a number of other spiritual lords³. In Tipperary Thomas Butler of Caher was the chief offender, while the earl of Ossory and his son James used it with the assent of the freeholders⁴.

But it would be wrong to conclude that there was no government, no common law and no English spoken outside the towns, for there is another side to this picture which should not be overlooked. We should not overlook the fact that the administration of the liberty of Tipperary functioned almost without

-
1. The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century, ed. H. J. Hore and J. Graves, p. 122.
 2. *Ibid.* pp. 233-5.
 3. *Ibid.* pp. 116-22.
 4. *Ibid.* pp. 232-3, 244-9.

interruption throughout the fourteenth and fifteenth centuries, except during the minorities of the earls of Ormond and temporary seizure or forfeitures, when Tipperary was administered by a royal sheriff. As far as we can tell, it ceased to function only once - before the arrival of James Ormond in 1492¹. The fact that the records of the lordship were maintained regularly and in an orderly manner is some indication that Tipperary was not entirely lawless. In 1527 it was remarked that the records of the liberty were "as well pennyd and written as any recordes in the Realme of Irlande, and as formal"². Unfortunately, most of these records have been lost: the records of the court of the liberty were destroyed by fire early in the fifteenth century³, and we may be sure that many more have been lost with the passage of time. Nevertheless, such rolls

1. See above ch. IX, pp. 347-9.
2. 'A note of certain matters to be declared by the earl of Ormond to the king's majesty's most honourable council (Gal. Ormond Deeds iv, p. 375).
3. See appendix IX, no. 1.

as have survived¹ bear testimony to the essential truth of the statement made in 1527. The elaborate return of the sheriff of the liberty in 1432, in response to an order commanding him to summon suitors to the court of the liberty, speaks for itself². The rolls of the county court³ and the sheriff's tourn⁴ are unique survivals in Ireland. It should perhaps be remembered that county court rolls are extremely rare even in England; they were rarely kept as the county court was not a court of record⁵. Therefore there is good reason to believe that Tipperary was "right well governed" by the earls of Ormond until the departure of the White Earl to England c. 1444⁶.

The widespread use of brehon law did not mean that recourse could not be had to common law outside the towns. It is quite clear from the returns of

-
1. Cal. Ormond Deeds ii, nos. 49, 191, 268, 324, 345, 356, 378; iii, nos. 67, 72, 102, 164, 337, 347, 351; iv, no. 23.
 2. *Ibid.* iii, no. 102.
 3. *Ibid.* ii, no. 405; iii, nos. 23, 44, 200.
 4. *Ibid.* iii, nos. 200, 224.
 5. See above ch. XIII, pp. 489-90.
 6. See above ch. VII, pp. 257-60.

the sheriff of the liberty in 1432 and 1508 that suitors were accustomed to do suit at the court of the liberty from the cantreds of central and southern Tipperary, not just from the towns¹. And while the juries from county Tipperary and Clonmel complained in 1537 that the lord of Caher compelled them to support some of his brehons, they did not deny that common law was used. The jurors of the town of Kilkenny, on the other hand, claimed that

...they have no Quarter Sessyons, but they saye they kepe sessyons in the Towne when they thinke it requesyte; but in the countrey they saye there is none kept, as farne as they here, but that the sheref sytteth 2 tymes a yere; but they thinke it be (sic), no sessions, for there be no Justices².

But the fact that there were no justices in co. Kilkenny outside the town of Kilkenny itself did not mean that an inhabitant of the countryside had no access to the common law: the same jury testified that although brehon was used there

...the Kinges wryte of what nature so ever he be, is obeyed as well in the countrey as in the Towne [of Kilkenny] ...³.

-
1. Cal. Ormond Deeds iii, nos. 102, 337; see above ch. XIII pp. 668-71.
 2. H. J. Here and J. Graves, op. cit., p. 126.
 3. Ibid., p. 122.

In short, while brehon law was used extensively among the inhabitants of the countryside, particularly in co. Kilkenny, the practice of common law had not been abandoned. The situation in the liberty of Tipperary was probably better, for the inhabitants of the central and southern portions of the county had access to the court of the liberty. In co. Kilkenny, on the other hand, there were no justices, but the king's writ was obeyed everywhere, and the sheriff held his tourn court regularly.

It should be remembered, too, that the inhabitants of the towns and countryside alike in both counties never admitted the right of the earl of Ormond or anyone else to impose coyne and livery without their consent. They were freemen entitled to the same rights and privileges as Englishmen. They had no love for the arbitrary customs of brehon law, whereby their goods could be seized without their consent¹.

Nor should we believe that the countryside was

1. See above ch. VIII, passim.

emptied of its English tenants¹. If we look at the rental of the manor of Danesfort, co. Kilkenny, for the Easter term, 1443, we find that out of a total of forty-six tenants, of whom only four held more than ten acres, thirty-three had English names, ten Irish names, three ^{had} doubtful names, and one name was illegible². Likewise we find that in 1415 the names of the tenants of the manor of Kilcrone, also in co. Kilkenny, are almost entirely English³. Although we lack more evidence of the same kind, the very high incidence of Anglo-Norman names in the central and southern regions of Tipperary and Kilkenny at the present day provides indisputable evidence that the settlers never emigrated en masse.

There is some reason to believe that English was widely spoken, not only in the towns, but in the countryside as well. The "Ordinances of the White Earl", which were adopted and published in

1. See E. Curtis, *op. cit.*, pp. 283-4.
2. N.L.I. D 1690. Some thirty of these names appear in Cal. Ormond Deeds iii, no. 138. The three dubious names are Richard Scadane, John Cuddy (i.e. McOdo?), and Thomas Norragh.
3. N.L.I. D 1537 (Cal. Ormond Deeds iii, no. 14).

the court of the liberty between 1447 and 1449, were written in an archaic dialect of English. It was clearly understood and spoken by most of those present in the court, for the ordinances were adopted with the assent of the whole community¹. The petitions sent to the king in 1447 by the communities of Tipperary and Kilkenny denouncing the invasion of the earl of Desmond were also written in English². The protests of the freeholders of co. Kilkenny and Tipperary in 1526 and 1542 against the illegal imposition of coyne and livery were likewise penned in English³.

We know that English was still widely spoken in the southern part of co. Wexford in the sixteenth century⁴; indeed, elements of medieval English may still be traced in the speech of the inhabitants of that part of Wexford to this day⁵. It is not

-
1. See above ch. VIII, passim.
 2. See appendix V, nos. 3 and 4.
 3. Cal. Ormond Deeds iv, nos. 125, 267.
 4. See H. J. Hore and J. Graves, op. cit., pp. 26-7.
 5. I have been told by people who know this area well that archaic words are still used by the old people; participles like "clept", for example, are in usage.

unlikely that English was widely spoken by the predominantly English inhabitants of the Suir-Nore basin adjacent to southern Wexford; that is to say, by the inhabitants of southern Tipperary, co. Kilkenny, and the northern fringe of co. Waterford extending along the Suir. Taken together, these contiguous regions combined to form what might reasonably be described as a second English Pale.

To carry this line of reasoning a little further, we may note that almost all the important towns outside the Pale, with the exception of the coastal towns, lay within the Barrow-Nore-Suir basin, which was controlled almost exclusively by the Butlers: Carlow, New Ross, Rosbercon, Thomastown, Kilkenny, Callan, Carrick, Clonmel, Fethard, Cashel and Waterford, to name the more important ones. It is a fallacy to suppose that towns could survive in a state of perpetual economic and military siege or, to use the words of Edmund Curtis, "hemmed in by Norman lords gone Irish and by Irish chiefs"¹. Towns were equipped to endure occasional

1. See E. Curtis, *op. cit.*, p. 414.

sieges, but not to withstand constant siege. Their survival depended first and last upon the security of the hinterland, especially those towns not situated on the coast. It must be remembered, too, that most Irish towns were semi-agricultural: the smaller ones - like Kilsheelan, Lisronagh, Modeshil, Knockgraffon, Buolick, Knocktopher, Gowran, to name a few - were probably entirely dependent on agriculture. They were not isolated islands of Anglo-Norman culture existing in a hostile countryside. Agriculture was their life-blood. Towns like Kilkenny, Clonmel, Fethard, Carrick, Waterford and New Ross must have depended largely on commerce. But once again the conduct of trade depended on the security of the roads and water-ways of the hinterland. Medieval merchants were a tough breed: they braved bandits on the roads and pirates on the high seas. But there was a point where the risks outweighed the profits, and when that point was reached towns simply disappeared. Thus a sixteenth century commentator could point to the fate of the once prosperous towns of Ennis, Quin, Clare, Bunratty and

other towns in co. Clare:

In old times these were good market towns and had English jurisdiction in them, and were governed by portriffies and other officers by the authority of the king of England; but now they are all wasted and destroyed in a manner, saving the castles, and no part of the towns left but old houses of stonework, broken gates, and ruinous walls¹.

The continuity of urban life depended on more than peace: it depended to a large extent on the effective operation of Anglo-Norman institutions. The processes of common law protected the person and goods of the merchant: they might be slow and ineffective at times, but they were not arbitrary like the much-despised Irish exactions. Most legal business was probably dispatched in the hundred courts, but the towns depended upon the sheriff of the county or liberty for dealing with matters outside their jurisdiction. In other words, merchants and burgesses had to have access to courts of common law in order to conduct their business at all. Brehon law was not only injurious to the

1. Cal. Carew Manuscripts, 1601-1603, p. 475; G. H. Orpen, Normans, iv, pp. 96-7.

property of the townsmen, it was irrelevant to their way of life.

The conflict between Gael and Norman was not racial, as Curtis tended to see it: rather it was a conflict of systems. Piers Butler was perhaps the most "Irish" of the Butlers: his mother was Saiv Kavanagh, his grandmother was Catherine O'Carroll, and his great-grandmother was an O'Reilly¹. His father described himself in his will as "principal of my nation"². Yet this did not prevent Piers from becoming a champion of English culture in Tudor Kilkenny - a fact which Curtis readily admitted³. The "Englishness" of the towns in the Barrow-Nore-Suir basin was due to something more than a matter of language and race: these towns survived only because the countryside around them retained its essential Anglo-Norman legal, economic and administrative institutions. They could not have survived in a Gaelic context, as the fate of

-
1. E. Curtis, *op. cit.*, p. 319.
 2. Cal. Ormond Deeds iii, no. 329.
 3. E. Curtis, *op. cit.*, p. 367.

the towns of co. Clare indicates. In this wider sense, the region never lost its essential Anglo-Norman culture, regardless of what language was spoken by its inhabitants. Anglo-Norman civilisation was not simply a matter of language, and race. It should be remembered that in the thirteenth century the settlers spoke a variety of languages: English, French, and possibly some Flemish, Danish and Welsh.

The Butler lordship played a key role in the maintenance of those legal and administrative institutions which were so vital to the interests of the townsmen in the Barrow-Nore-Suir basin. It helped to keep them functioning, after the virtual collapse of the central government in the fifteenth century. The earls of Ormond did not, of course, achieve this single-handedly, but it is probably fair to say that they created the essential framework in which Anglo-Norman institutions could continue to operate. It is perhaps not too much to claim that the Butler lordship in Tipperary and Kilkenny, together with the adjoining areas, formed a second Pale. For this

reason, if for no other, the lordship occupies an important position in the history of the Anglo-Norman colony in Ireland in the later middle ages.

APPENDIX I

L. The Cantred of Iffowyn

Ui-Eoghain Finn (Irish Topographical Poems, p. 101), or "Iffowyn" as it was usually rendered in Anglo-Norman sources, has survived in modern usage as "Iffa". It is evident from the numerous ameracements which were imposed on the townlands of the cantred in the general eyre of 33-34 Edward I that the modern barony of Iffa and Offa East represents the territory of the medieval cantred (P.R.O.I. Mss Cal. Roll of Justices Itinerant, 33-34 Edw. I). They differ in only one respect: the cantred included the parish of Tibberaghny, which is now in the barony of Iverk, co. Kilkenny. This is abundantly clear from a variety of sources: a papal letter in 1260 mentions Tibberaghny together with a number of other places in the cantreds of Offa and Iffowyn (Pontificia Hibernica ii, no. 425; Cal. Papal Registers i, pp. 370-1); the manor of Tibberaghny, which belonged to Elizabeth de Burgo, is included among the accounts of her lands in Tipperary in the first half of the fourteenth century (P.R.O. Ministers' Accounts 3.C. 6/1239/24, 26, 29); and the court of the liberty of Tipperary was held there in the reign of Henry VIII (Cal. Ormond Deeds iv, no. 210).

The Cantred of Offa

Ui-Fathaidh (Irish Topographical Poems; p.101), usually rendered as "Offath" in Anglo-Norman sources, has survived in modern usage as "Offa". It is clear from the numerous place-names contained in the eyre roll of 33-34 Edward I (see above) that it corresponded to the modern barony of Iffa and Offa West.

The Cantred of Muscry

Muscraige Chuire (Irish Topographical Poems, p. lxx), usually rendered as "Muscry Quirk" or "Muscry"

in Anglo-Norman sources, occupied the eastern half of the barony of Clanwilliam, most of the barony of Kilnamanagh Lower, and possibly part of the barony of Kilnamanagh Upper. Although there is almost no information about this cantred contained in medieval records, it seems that the boundaries of the cantred corresponded to the borders of the deanery of Muscry (C.D.I. 1302-1307, nos 718, 729). This conclusion is confirmed to some extent by independent evidence, for most of the places which can definitely be attributed to Muscry lie within the boundaries of the deanery.

Places in Muscry:

- i. Parish of Templeneiry: Lismackhee, 1598 (Cal. Ormond Deeds vi, no. 131); Cowlgorte, 1594 (ibid. vi, no. 89).
- ii. Parish of Killardry: Cappagh, 1591 (ibid. vi, no. 65); Drongan, Towryn, and Killardry, 1593 (ibid. vi, no. 86).
- iii. Parish of Clonbulloge: Grallagh, 1348 (P.R.O. Ministers' Accounts 3.C. 6/1239/21).
- iv. Parish of Athassel and Reliekmurry: Athassel, 1206 (Rotuli Chartarum, 1199-1216, p. 165).

It is not unlikely that the manor of Kilfeakle was co-extensive with the cantred, for they are mentioned interchangeably in thirteenth century sources. In 1281, for example, Otto de Grandison was granted the town of Kilfeakle and the land of Muscry (C.D.I. 1252-1284, no. 1847), but in 1299 he was granted free warren in his demesne lands of Okonagh, Muscry, and Iffowyn (D.D.I. 1293-1301, no. 646; cf. C.D.I. 1265-1292, no. 389). Unfortunately, however, no manorial extent has survived so it is not possible to prove this beyond doubt, but it has been shown that the territories of the principal manors in Tipperary tended to coincide with the boundaries of the cantreds, for example, the manors of Knockgreffon, and Kiltinan (See below: cantreds of Eliogarty, Moyenen, and Mochtalyn). It is possible therefore that certain lands which were held of the manor of Kilfeakle in the early seventeenth century were originally included in the cantred. According to an inquisition taken at Clonmel on the 17th July, 1697, John O'Dwyer held the following lands of the

manor of Kilfeakle: Downedrome and Ballyntemple (parish of Ballintemple); Ballyshydie (parish of Dunohill, Kilnamanagh Lower); Keppagh and Ballyshinodé (parish of Toem, Kilnamanagh Upper). (P.R.O.I. Chancery Cal. Inquisitions, vol. 10, pp.6-9).

The Centred of Okonagh

The Irish derivative of "Okonagh" is uncertain: it may have been derived from "Ui Cuanach" (Hogan, Onomasticon Goedelicum; Rev. St.J.D. Seymour, The Diocese of Emlý, p. 36), now Coonagh, co. Limerick, or it may have been derived from "Eoghanacht" (P.J.Flynn, The Book of the Galtees and the Golden Vein, pp. 43-44). On the whole, the second explanation is probably better founded, for it seems that the Anglo-Normans themselves distinguished between "Okonagh" in Tipperary and "Cuanach" (Coonagh) in Limerick: the farm of "Cunach", co. Limerick, appears in a rent-roll of the Irish exchequer about 1290 (P.R.O. E. 101/231/27). Although Okonagh is sometimes spelt differently in medieval sources, it is never rendered as "Cunach". Moreover, in the course of the sixteenth century, certain phonetic changes occurred in Irish: the "g" in Eoghanacht became silent, and the region formerly known as Okonagh became "Gaaght" (P.J. Flynn, loc. cit.). This transformation is only explicable if Okonagh was derived from Eoghanacht, not Ui Cuanach.

The centred of Okonagh was probably co-extensive with the deanery of Tipperary (C.D.I. 1302-1307, no. 719). Certainly all the place-names, which are mentioned in connection with the centred, may be located within the borders of the deanery. The town of Tipperary was certainly located in Okonagh, with which it was normally associated in thirteenth century records: in 1215, for example, the King granted the centred of Okonagh with the town of Tipperary to the archbishop of Dublin (Cal. Archbishop Alen's Register, p. 38). Moreover, it appears from the Plea Rolls that the advowson of the church of the castle of Okonagh belonged to the church of Tipperary in 1300 (P.R.O.I. Cal. Plea Rolls vol. 7, pp. 237-8). Generally speaking, references

to places within the cantred are rare before the sixteenth century, but the following charter, dated 1334, mentions several places in the cantred which are readily identifiable on a modern map:

Sciunt presentes et futuri quod ego Ricardus filius Ricardi Geitoun senioris dedi, concessi, et hac presenti carta mea confirmavi Edmundo de Burgo filio comitis Ultoniae totum manerium de Kilshane in cantreda de Oconagh, cum omnibus suis pertinentibus in terris, mariscis, turbariis, ...et in montibus que iacent in longitudine a Tybircenglas in parte orientale usque ad terram de Liskenan in parte occidentale, et extendent in latitudine a terra de Carrochbeg in parte boreali usque le Killia Sancti Albani episcopi in monte Slefmuoke in parte australi. Tenendum et habendum etc. Hiis testibus Ricardo filio Jacobi Lengleys, Roberto filio Domini Oliveri Hakett, Thoma filio domini Johannis Lengleys, Gilberto Lengleys, Michaelo de Draytoun, Redmundo Kentt, Adam Savadge, Johanne Ely, Johanne filio Philippi de Kentt, Willelmo Penurlyn, Henrico Penurlyn, et multis aliis. Datum apud Tiperare die Jovis in Vigilia beate Marie Magdalene anno regni regis Edwardi tercii post conquestum octavo.
(Transcript by Mr. Kenneth Nicholls from the Bodleian Library, Laud MSS 611, f.79)

It is clear from this charter that the cantred extended east of Tipperary to the borders of the parish of Kilfeakle, and south to the Slievemuck range.

In 1569 it was reported that there were four castles in "Onoghe": Donogholey (Dunohill), Doneskeoghe (parish of Rathlynia), Grennon (parish of Templece), and Corregan (Corroge?), (Cal. State Papers, Carew, 1515-1574, p. 391; cf. Cal. Ormond Deeds v, nos. 181, 288; vi, no. 90).

The castle of Okonagh, or Onaght, was situated on the site of the mote at Dunohill. In 1630 it was found that Thomas, late Earl of Ormond, "was seised in his demesne as of fee of and in the town and lands of Onagh, alias Donoghill, consisting one ruinous castle seated on the mount of Donoghill" (An Inquisition taken at the town of Clonmel 26th

July, 1630, after the death of Richard, late Earl of Desmond, and Dame Elizabeth his wife, deceased: N.L.I. Ms. 11,044).

The Cantred of Moyenen.

The cantred of Moyenen (Irish: Magh Feimin) appears to have occupied a relatively small area stretching from Knockgraffon in the south-west to the borders of Slievárdagh in the north-east.

Places in Moyenen: Knockgraffon (parish of Knockgraffon) and Maystereston (townland adjoining Knockgraffon in parish of Athassel and Reliskmurry); Tulagmethan and Milleton (parish of Tullamain); Moygorban, Clonbrokan, and Moybernan (parish of Magorban); Stevenstoun (parish of Railstown).

P.R.O.I. Mss Cal. Roll of Justices Itinerant 33-34 Edw. I, pp. 158, 174, 160, and 151 respectively.

The return of the sheriff of the liberty of Tipperary for the cantred in 1432 included John Flemyngractor of Knockgraffon, Richard Hedyane, Archdeacon, for Mogerban, and William Haket of Rathsalagh, in the parish of Tullamain (Cal. Ormond Deeds iii, no. 102). Other jurors, like Comyn and Wodelok, were tenants of Knockgraffon (cf. no. 281).

Generally speaking, the cantred of Moyenen corresponds to the area included in the manor of Knockgraffon which lies in the barony of Middlethird. The manor was almost certainly co-extensive with the cantreds of Slievárdagh, Moyenen, and Offa: an early fourteenth century rental shows that its tenements were without exception located in these cantreds (Cal. Ormond Deeds i, no. 418; Red Book of Ormond, pp 145-7).

The Cantred of Eoghanacht Cashel.

It has already been noted that in the early 13th century the terms "the cantred of Eoghanacht Cashel" and "The cantred of Ardmayle" were used interchangeably (see above ch.I, p.9). At the

same time, however, the cantred was certainly larger than the manor of Ardmayle and its tenements.

The jurors of the cantred, who appeared before the justices in eyre in 33-34 Edward I (see above), included John Cod, a tenant of Ardmayle (Red Book of Ormond, p. 62), Henry Haket of Geel (the parish of Galle), Ralph of Synon (in Ballysheehan, a tenement of Ardmayle), and Richard Blanchard, who held six carucates of land in Rathkenan, a tenement of Moyaliff (*ibid.*, p. 67). Clogher, another tenement of Moyaliff, was presumably part of the cantred. The returns of the sheriff of the liberty in 1432 and 1447-9 for the cantred (Cal. Ormond Deeds iii, no. 102, p. 94) are not so revealing. Thomas fitzJames Butler (1447-9) may have been the lord of Ardmayle, but there is no evidence to prove this. Walter fitzHenry de Burgh (1432) was a burghess of Cashel (*ibid.* iii, no. 255) who must have held lands within the liberty.

There is no evidence to show that Ileaigh formed part of the cantred of Eoghanacht Cashel, but its association with the de Burgos strongly suggests that it was (see above ch. I, pp. 9-10). It is not mentioned in the extents of the Butler manors of Nenagh, Thurles, or Dunkerrin, so that it cannot have been part of Ormond, Eliogarty, or Elyocarroll. The parish of Glankeen, which is co-extensive with Ileaigh, forms part of the deanery of Cashel (C.D.I. 1302-1307, nos. 718, 729). It is probable, therefore, that it was included in Eoghanacht Cashel, for the cantreds of Eoghanacht Cashel and Moyenen seem to have corresponded to the territory occupied by the deanery of Cashel.

The Cantreds of Moctalyn and Comsey

It is apparent from the names of the jurors of the cantred of Moctalyn, which are contained in the roll of the justices itinerant, 33-34 Edward I (P.R.O.I. Ms. Cal. Roll of Justices Itinerant, 33-34 Edw. I; P.R.O.I. Cal. Plea Rolls, vol. 11, p. 175 ff.), and in the returns of the sheriff of the liberty of Tipperary in 1432, and again in 1447-1449 (Cal. Ormond Deeds, iii, no. 102), that these cantreds corresponded to the area occupied by the manor of

Kiltinan. Two of the jurors of the cantred in the eyre of 33-34 Edward I, John Barret and Richard Maucclerk, were tenants of the manor of Kiltinan (Cal. Ormond Deeds i, no. 418), while a third, David de Sancto Albino, was lord of Kilmanninan (now Kilvennan) in Comsey in 1309 (Gen. Off. Ms. 190, p. 47). David probably held Kilvennan of the manor of Comsey, which was a tenement of Kiltinan (Cal. Ormond Deeds i, no. 418). The returns of 1432 and 1447-9 confirm the association of the manor with the cantred. Edmund fitzJames Butler (1447-1449) was almost certainly lord of Kiltinan at this time (see Cal. Ormond Deeds iii, no. 180); Nicholas Braynoke, the chaplain, came from Rathgool (ibid. iii, no. 90); Peter Everard (1432) probably came from Fethard, but he must have held land in the liberty; Edmund Power (1447-9) was lord of Rathgool (ibid. iii, no. 194); and the Maweclerkes were probably from Maucclerstown in the parish of Colman.

The cantreds of Moctelyn and Comsey appear to have been co-extensive with the deanery of Fethard (C.D.I. 1302-1307, nos 718, 729). Moctelyn lay in the western half of the deanery, in the modern barony of Middlethird, while Comsey lay in the part of the deanery which occupied the southern half of the modern barony of Slievárdagh. Comsey appears to have been regarded as a separate cantred in 1213 and 1225 (C.D.I. 1171-1251, nos 601, 613, 1268) but by the beginning of the fourteenth century it had been united with the cantred of Moctelyn, which is evident from the list of jurors for Moctelyn in 33-34 Edward I.

The location of the manor of Comsey, which John de Sancto Albino held of the manor of Kiltinan in 1308-1309 (Cal. Ormond Deeds i, no. 418), is uncertain. It may have been located in or near Modeshil, which was burned in 1344 by Falk de la Freigne as a reprisal for disturbances caused by the St. Aubins (Clynn, Annales Hiberniae).

The Cantred of Ormond

The cantred of Ormond probably corresponded to the region occupied by the baronies of Upper and Lower Ormond. The manor of Nenagh seems to have included the cantred of Wwey and Arra, which was granted to Theobald Walter, as well as the cantred of Ormond, for in 1338 Thomas Cantwell held a 'tuath and a half' in Arra (Arrech) of the manor (Cal. Inc. P.M. viii, no. 184). By the end of the thirteenth century, however, the former cantred of Wwey and Arra seems to have been united with the cantred of Masery according to two complete lists of the cantreds of Tipperary which appear in the accounts of the sheriff in the last decade of the thirteenth century (37th Rep. D.K., pp. 50-51; 38th Rep., p. 29).

The Cantred of Eliogarty

The cantred of Eliogarty corresponded to the area included within the manor of Thurles. Generally speaking, the borders of the cantred corresponded to the boundaries of the modern barony of Eliogarty except in the north, where the southern half of the barony of Ikerrin was incorporated into the cantred. The extent of Thurles in 1303 shows that John de Druhull held four and a half carucates of land in Clonmore (the parish of Killavinoge) and Gortaththy (Red Book of Ormond, p. 72), and that John fitzWilliam Hsket held half a knight's fee in Barnane-ely (ibid., p.74). Both Clonmore and Barnane-ely are in the barony of Ikerrin. It is very likely therefore that the northern border of the cantred corresponded to the northern border of the deanery of Eliogarty, in which case the parishes of Killavinoge, Templerece, Templetouhy, Killea, Barnane-ely, and Killokshan were included in the medieval cantred.

The Cantred of Slievvardagh

The cantred of Slievvardagh corresponded

exactly to the boundaries of the deanery of Slieværdagh, which occupies the northern half of the modern barony of Slieværdagh. This conclusion may be justified by comparing the numerous place-names which occur in the presentments of the jury from Moyenen and Slieværdagh in the eyre of 33-34 Edward I (P.R.O.I. Cal. Roll of Justices Itinerant, 33-34 Edward I, pp. 140-174) with the list of parishes included in the deanery of Slieværdagh (C.D.I. 1302-1307, nos 718, 729).

The Cantred of Elyocarroll

The cantred of Elyocarroll occupied the south-western portion of co. Offaly which lies in the diocese of Killaloe, now represented by the baronies of Clonlisk and Ballybrit. It would also have included that part of the modern barony of Ikerrin which lies in the same diocese - the parishes of Roscrea, Corbally, Bourney, Rathnaveoge, and Borrisnefarney.

2. Ricardus filius Roberti de Sancto Michaele summonitus fuit ad warent' Ricardo de Burgo comiti Ultonie quem prior de Athyssel vocat ad warent' et qui ei war' advocacionem ecclesie de Clonmele in comitatu Tiperarie quam Walterus filius Mathei le Poer et Johannes de la Rokele clam' ut jus suum versus eum, unde idem Ricardus voc' dictum Ricardum filium Roberti ad warent' versus eos, et similiter ad warent' dicto Ricardo comiti quem idem prior de Athyssel voc' ad warent' et qui ei warent' advocacionem ecclesie de Lysrotheran quam idem Walterus et Johannes clam' ut jus suum per aliud breve versus eum, unde idem Ricardus comes voc' dictum Ricardum filium Roberti ad warent' versus eos.

Dictus Ricardus filius Roberti venit et ei warent' et quia dictus Walterus particeps dicti Johannis de la Rokele in premissis non est presens dictus Ricardus filius Roberti respondit dicto Johanni de la Rokele participi dicti Walteri de medietatibus advocacionum ecclesiarum de Clonmele et Lysrotheran, et dicit quod non potest dicto Johanni de la Rokele

inde respondere sine rege, quia dicit quod Johannes filius domini regis Anglie et dominus Hibernie concessit et carta sua confirmavit cuidam Johanni de Sancto Michaeli medietatem unius cantredi tenendam sibi et heredibus suis cum advocacionibus ecclesiarum ejusdem cantredi et profert certam ejusdem Johannis filii dicti regis in hec verba:

Johannes filius domini regis Anglie et dominus Hibernie archiepiscopis, episcopis, abbatibus, comitibus, baronibus, et omnibus ministris et ballivis suis de tota Hibernia salutem. Sciatis me dedisse et concessisse et presenti carta mea confirmasse Johanni de Sancto Michaeli pro homagio et servicio suo et heredibus suis medietatem unius cantredi terre inter Ardphin et Tyberath unde etiam medietatem Willelmo de Burgo ita quod pars ipsius Johannis propinquior sit Ardphin tenendam de me et heredibus meis illi et heredibus suis per liberum servicium duorum militum pro omni servicio, quare volo et firmiter precipio quod dictus Johannes et heredes sui post eum habeant et teneant bene et in pace libere quiete integre et plenarie honorifice et pacifice, totam dictam terram cum omnibus pertinentibus suis in bosco et in pleno, in pratis et pasturis, in ecclesiis et capellis, in aquis et molendinis, in stagnis et vineriis, in vivariis et piscariis, in moris et mariscis, in viis et semitis, et in omnibus aliis locis et rebus ad ipsam terram pertinentibus, et in sach' et sogh' et tolli et them' et infangnethof, et iudicio aque et ferri et duello et fossi et furcis et omnibus aliis libertatibus et liberis consuetudinibus suis exceptis placitis et querelis que ad regiam coronam pertineant que ad opus meum retinui.

Testibus Johanne Mareschello capifero,
Willelmo Mareschello, Willelmo de Weaton,
Willelmo de Morton, Willelmo de Turberville,
Willelmo de Beketit, Gilberto de Malefin,
Johanne de Fornebir, Milone de Stanton,
Rogerio Tyrel, Willelmo Wairam, Willelmo Espret,
apud Surhat.

Johannes de la Rokele dicit quod dictus Ricardus filius Roberti non potest retardare accionem suam in hac parte per dictam cartam [] fiat se [] ad dictam cartam et dicto Johanni de Sancto Michaele ut heres ejus cui predicta carta facta fuit, quia dicit quod idem Johannes post seisinam suam habitam per predictam cartam de predictis tenementis dedit eadem tenementa cuidam Ricardo fratri suo ut ejus perquisitori quod paratus est verificare; Ricardus filius Roberti dicit quod non est necesse facere [] dicto Johanni de Sancto Michaele occasione predictae carte sibi inde facte sicut predictum est nec aliquid aliud [] dicto Johanni de la Rokele inconsulto dicto Johanne filio domini dicti regis et pro loco et tempore coram eodem [] domini regis; Johannes de la Rokele petit judicium de dicto Ricardo filio Roberti [] ex quo ipse in sua narratione de jure suo per dicta duo brevia sua obtulit sectam et disracionem [] per dictum warentum suum non vult ei inde respondere nisi copire (comperire?) se per dictam cartam cui [] nec dicto Johanni cui eadem carta facta fuit. Dicit ulterius quod de jure suo dicta occasione tardari non debet quia dicit quod idem Johannes filius dicti domini regis Anglie dedit cuidam (Willelmo Dencurt) antecessori suo de cujus seisina ipse narravit feodum v militum in predicto dimidio cantredo [] Johannem de Sancto Michaele de predicta medietate predicti cantredi et profert cartam suam inde []

[Johannes filius domini regis Anglie et dominus] Hibernie comes Moret' omnibus hominibus et amicis suis Francis et Anglicis et Hibernicis salutem. Sciatis [me dedisse et concessisse] et hac carta mea confirmasse Willelmo Dencurt pro homagio et servicio suo feoda quinque [militum] in cantredo de Ivoene ubi scilicet equa de Ennouere cadit in le Sur in parte ille [propinquior] Ardphinan juxta Sur usque ad divisas monachorum de Incheleuenach tenende (de me et) heredibus meis per servicium unius militis nobis faciendo pro omnibus serviciis et omnibus consuetudinibus [] et firmiter precipio quod dictus Willelmus et heredes sui post ipsum eandem terram sicut [predictum est] teneant de me et heredibus

meis per dictum servicium bene et in pace,
 plenarie et integre[]them' et ingangenehef
 et cum medietate ignis et aque et duello et
 furcis et cum bosco et plano[]aquis,
 piscariis, et viveriis, moris et mariscis,
 pascuis et pratis, molendinis, ecclesiis[]
 libertatibus preterquam in illis que ad
 coronam pertinent.

Testibus: Stephano Ricelli cancellario,[]
 de Canill', Philippo Wigornia, Petro Pypard,
 Rogero fratre suo, Waltero Mantraver[]
 Willelmo le Poer, Reginaldo le Poer, Johanne
 filio Folchery, magistro Petro[]

Unde idem Willelmus Dencurt dicit (sic) quod
 seisisus fuit simul cum advocacionibus predictarum
 ecclesiarum. . . . factam per eundem Johannem filium
 domini dicti regis dicto Johanni de Sancto Michaele
 et tota vita sua predicti Johannis[] etiam
 similiter quod idem Willelmus Dencurt antecessor
 suus postea presentavit quemdam clericum suum[]
 Dencurt nomine ad dictas ecclesias tempore dicti
 Johannis de Sancto Michaele qui ad presentacionem
 suam ad easdem fuit admissus et in eisdem institutus
 et predicta injuria sibi facta fuit de predictis[]
 Ricardum de Sancto Michaele omnino extremeum perqui-
 sitorem et petit inde iudicium; Dies datus est
 partibus.

Cal. Plea Rolls Vol. 9, pp. 231-6, rot. 30 Edw
 I, m.5. Pleas before Robert de Littlebirg
 and the justices of the Bench in the quindene
 of Michaelmas, 30 Edward I, at Dublin.

3. Die veneris post inventionem sancte crucis anno
 regni regis Edwardi filii Edwardi decimo septimo.
 Ita convent' inter dominum Ricardum de Burgo comitem
 Ultonie et dominum Connatie ex parte una et Edmundum
 de Burgo filium suum ex altera viz. quod predictus
 Ricardus dedit et concessit et carta sua confirmavit
 dicto Edmundo filio suo manerium, castrum de Oconeghe
 et Typerary una cum omnibus terris et tenementis de
 Oleyagh, Glenogaffyd, et Glennoththwyre, in dominico
 et domino (dominio ?) cum omnibus pertinentiis et
 libertatibus ad dicta maneria et tenementa quoquomodo
 spectant excepta una acra terre cum pertinentiis in

Typerary et excepta advocacione ecclesie de
 Typerary habenda et tenenda predicto Edmundo et
 heredibus suis masculis de corpore suo legitime
 procreatis de predicto comiti et heredibus suis
 in forma que sibi sequitur viz. quod predictus
 Edmandus et heredes sui masculi solvant predicto
 comiti tota vite dicti comitis centum libras
 argenti annuas redditus pro predictis terris et
 tenementis medietatem viz. ad festum Sancti
 Michaelis et aliam medietatem ad festum Pasche
 et faciendo pro predicto et heredibus capitalibus
 dominis feodorum illorum servicia debita et consueta.

In hujus rei testimonium predictus comes et
 Edmandus scripti huic indentura alternatum
 sigilla sua apposuerimus. Hiis testibus: domino
 Mauricio filio Thome, David de Burgo, Johanne
 filio Roberti le Pouer, Henrico Laffan, Thoma filio
 Roberti milite, Ricardo filio David de Burgo,
 Ricardo filio Willelmi Cam de Burgo, David filio
 Johannis de Burgo, Willelmo de Monte, Willelmo
 Lengleys, Johanne filio Petri de Octiller (le Botiller ?),
 et aliis. Datum apud Loghnegh die et anno
 supradictis.

(Remainders to William son of lord John de Burgo,
 son of the earl, Hubert fitzGilbert de Burgo, and
 Walter son of lord William de Burgo junior).

Transcript by Mr. Kenneth Nicholls from
 Bodleian Library, Laud Ms. 611, f. 79.

4. Adam de London, Willelmus filius Petri de
 Bermyngham, Eustachius le Poer, et Johannes Maunsel,
 milites, Walterus filius Ricardi de Valle, Thomas
 de Stokton, Walterus Coullenagh, et Reymundus
 Brysky, manuceperunt satisfacere regi de xl
 marcis per annum pro duo partibus duorum partium
 terrarum et tenementorum que fuerunt Johannis
 de Bermyngham nuper comitis Loueth in Caokgreffan,
 Kyltenenan, et Dergard die quo obiit, racione
 minoris etatis heredis ejusdem comitis in manu
 regis, quee duo partes duorum partium predictus
 Adam tenet ex commissione regis quamdiu idem Adam
 terras illas tenuerit ex commissione predicta, et
 similiter manuceperunt quod predictus Adam terras
 et tenementa predicta quamdiu ea tenuerit in forme
 predicta conservabit sine vasto. Et super hoc

facte fuit commissio pro predicto Adam de duabus partibus predictis tenende quamdiu regi placuerit, reddendo inde per annum 40 marcas. Et mandatum est Escaetori Hibernie quod terram predictam prefato Ade deliberet. Et mandatum est Johanni episcopo Lismorensi quod de x carucatis terre in Dergard que fuerunt predicti comitis quas idem episcopus tenet ex commissione regis de cetero non intromittat ex parte regis.

P.R.O.I. Mem. Rolls Vol. 16, pp. 161-2.(rot.5-6 Edw.III).

APPENDIX II

1. (a) <u>Area of Tipperary</u> (= area of modern county, with the baronies of Ballybritz, Clonlisk, and the parish of Tibberaghny)	1,165,923 acres.
(b) <u>Area of Butler lands in Tipperary</u> (= area of baronies of Upper and Lower Ormond, Eliogarty, Ikerrin, Ownay and Arra, Clonlisk, and Ballybritz)	567,972
minus the area of Church lands - the parishes of Terryglass, Lorrha, Loughkeen, Ardcroney, Roscrea, Seirkieran, and Latteragh (see above ch. XI)	60,271
	<hr/> 507,701
(c) <u>Area of lands in Limerick</u> (= area of parishes of Abington, Caherconlish, Ludden, Caherelly, Inch St. Lawrence, Ballybrood, and Rathjordan)	34,638
(d) <u>Lands in Thomond</u> (= area of baronies of Upper and Lower Tulla)	175,111
(e) Total area of lands in Munster and Thomond	717,650
(f) <u>Area of lordship of Arklow</u> (= area of parishes of Arklow, Killehurler, Kilbride, Ballintemple, and part of Inch)	23,561
(g) <u>Area of lordship of Tullow</u> (= area of barony of Rathvilly and parish of Ardoyne)	49,583
(h) <u>Area of lordship of Gowran</u> (= area of centred of Oskellan (see appendix II, no. 5)	70,750
(i) <u>Area of lands in co. Dublin</u> (= area of parishes of Hollywood, Rethsallagh, and Donard)	24,967

(j) <u>Area of lands in Meath</u>	
Parish of <u>Ardmulenan</u>	3,582
(k) <u>Total area of lordship in 1206</u>	890,093

2. Lands acquired between 1206 and 1328

(a) Co. Tipperary (= area of parishes of Loughkeen, Roscrea, Ardmayle, Ballysheehan, Moyaliff, Clogher, Rathkenan, Carrick, part of Newtownlennan, and the townland of Inchirourke) 56,827

(b) Co. Kilkenny (= area of lands in the parishes of Rathdowney and Skirk, and the cantreds of Knocktopher and Iverk (see appendix II, no. 5) minus the parishes of Jerpointcharch, Rosbercon, Rossinan, Killahy, and Muckalee) 148,030

(c) Area of Butler lands in Kilkenny in 1328 (1(h) + 2(b) (218,780)

(d) Connacht (= area of Ui Maine, Crumthann, Clenn Uedach, Lismagh, and Suicin).

Area of Ui Maine (= area of the deanery of Sogain: Clonkeen, Ballymacward, Fohanagh, Kilgerrill, Killoony, Clontuskert, Aughrim, Killallaghan, and Killoran) 84,304

Crumthann (Killosohan, Killian, Killeroran, and Tisrarra) 46,123

Clenn Uedach (parishes of Dysart, Cam, and Ahascragh) 36,316

Lismagh 8,919

Suicin (parish of Creagh) 8,867

Total 184,525

(e) Co. Kildare (parishes of Cloncurry, Donadea, Dunsurraghill, Scullogestown, Rathroane (co. Meath), Donaghmore, Ennereilly, and townlands of Macreddin and Templelusk) 41,797

(f) <u>Co. Carlow</u>	
Townlands of Castlegrace	469
(g) <u>Co. Dublin</u>	
Tenements in Balscadden, Turvey, and Rush, and the parish of Bray	13,185
(h) Total area acquired between 1206 and 1328	444,833
(i) Total area of lordship in 1328 (= 1(k) + 2(i))	1,334,926

3. Lands acquired between 1328 and 1430.

(a) <u>Co. Tipperary</u> (= area of medieval county of Tipperary	1,165,923
minus baronies of Upper and Lower Ormond, Bliogarty, Ikerrin, Clonlisk, Ballybritt, Owney and Arra	567,972
Minus parishes of Ardmayle, Ballysheehan, Moyaliff, Clogher, Rathkenan, Carrick part of Newtownlennan, and townland of Inchirourke (acquired before 1328)	39,155
minus estimated area of the lands of the church in the remaining baronies (see Ch. XI.)	30,000
Total of residue	528,786

(b) <u>Co. Kilkenny</u> (Rosbercon, Danesfort, Killermogh, Logheran, Killahy, Rossinan, Ullid, Jerpoint, Killamery, Kilferagh, Earlstown, Rathgulbin, Mallardstown, Kiltreayne (Burnchurch), Raheenduff, Archerstown (Warrington), Nova Coillagh (Coolaghmore), and Inchyolaghan ..	51,601
---	--------

(c) <u>Co. Meath</u>	
Donaghmore and Blackcastle	3,955

^t (d) <u>Co. Kildare</u>	
Oughterard and Castlewarden	2,919

(e) <u>Co. Waterford</u> (Little Island, Fenoagh, Lisnekili Pembrokestown, Ballyddam, Carrickbeg)	7,465
---	-------

(f) Total area of lands acquired
between 1328 and 1430, excluding barony
of Imokilly..... 594,726

(g) Total area of lordship in 1430
(= 2(i) + 3(f)) 1,929,652

4. Edwardus etc. custodi terre sue Hibernie et cancellario suo ibidem et thesaurario, baronibus, et camerariis suis de scaccario Dublin' salutem. Ex parte Hugonis de Audele, comitis Gloucester, et Margarete uxoris ejus, Hugonis le Despencer, et Elizabethhe de Burgo, nobis est ostensum quod cum Johannes quondam Rex Anglie per cartam suam concessisset Wililmo Marescallo tunc comiti Pembroch' et heredibus suis, antecessori predictorum Margarete, Hugonis le Despencer, et Elizabethhe, cujus heredes ipsi sunt, custodiam feodorum suorum de terra sua de Lagenia in terra predicta licet domini feodorum illorum alibi de dicto progenitore nostro tenuissent in capite, salvis eidem progenitori nostro et heredibus suis maritagiis heredum feodorum, et licet dictus Willelmus comes et omnes heredes sui custodiam terrarum et tenementorum post mortem singulorum tenencium de eisdem feodis quamquam iidem tenentes alibi de dicto progenitore nostro seu aliis progenitoribus nostris aut nobis alibi tenuerint semper hactenus a tempore confectionis carte predictae habuissent; vos nichilominus ipsos Hugonem comitem, Margaretam, Hugonem le Despencer, et Elizabetham, quominus custodiam feodorum hujusmodi post mortem tenencium eorundem qui de nobis alibi tenent habere possint, impeditis iam de novo, super quo supplicaverunt remedium; vobis mandamus quod scrutatis rotulis et memorandis ad scaccarium predictum vel in thesaurariam nostram ibidem residentibus si nobis constare poterit predictum Willelmum comitem et heredes virtute carte illius a tempore confectionis ejusdem semper hactenus custodiam hujusmodi feodorum suorum post mortem tenencium eorundem, licet alibi ipsi tenentes de nobis et progenitoribus nostris tenuerint, habuisse, tunc ipsos Hugonem comitem, Margaretam, Hugonem le Despencer, et

Elizabetham, hujusmodi custodias habere permittatis prout eas habere debent ipsique et antecessores a tempore confectionis carte predictae semper hactenus eas rationabiliter habere consueverunt, salvis nobis maritagii heredum feodorum eorundem sicut predictum est, proviso quod servientes nostri ibidem ad hoc pro nobis vocentur et audiantur si quid pro nobis et jure nostro sciant dicere in hac parte. Teste apud Kenyngton' x die Julii anno regni regis nostri xiii.

P.R.O.I. *Mem. Rolls* vol. 21, pp.478-80 (rot. 13-14 Schw. III).

This writ is summarised in C.C.R. 1339-1341, p. 171, where it is misleadingly given as an order to restore the custody of such lands to the coparceners.

5. The Cantreds and Baronies of co. Kilkenny.

(a) The baronies of co. Kilkenny, as they are represented on a modern map, are in many cases only distantly related to the cantreds or baronies of the middle ages. Precisely when the alteration of the medieval boundaries took place is not evident, but the modern baronies were certainly in existence before the end of the sixteenth century (see Cal. Ormond Deeds v, no. 146.) In certain cases the names of the medieval cantreds have vanished altogether, for example, the cantreds of Odogh, Erley, Ogenty, and Oskellan; in others, such as Kells, Gowran, Iverk, and Shillelogher, the modern baronial boundaries are totally misleading. Many of the modern baronies, such as Upperwoods, Clandonagh, Clarmellagh, Galnoy, Crannagh, and Fassadinan, are purely modern creations. In consequence, it is necessary to attempt a reconstruction of the medieval boundaries in order to show more accurately the territorial expansion of the Butlers in co. Kilkenny.

Such a reconstruction has been made possible by the fortunate survival of two lists of royal services in co. Kilkenny, wherein the services are listed by barony. Both of these documents are of fifteenth century origin, one from c.1413 (Cal. Ormond Deeds ii, no. 424), the other from 1419 (ibid. iii, no. 35). These can be supplemented

by another early fifteenth century document which includes a long list of rents owed by various tenants and tenements, likewise arranged by barony (*ibid.* ii, no. 440). To whom these rents were paid, or for what reason they were paid, is not apparent. Although these records are of a comparatively late date, it is clear that they reflect territorial divisions which go back to the time of the conquest. In any case they can be checked to some extent against an early fourteenth century list of services, which was drawn up shortly after the partition of the liberty of Kilkenny upon the death of the earl of Gloucester in 1314 (*Liber Primus Kilkenniensis*, pp. 54-56). It is quite valuable because it often indicates the centred in which a particular fee is situated, but it is sometimes inaccurate. Sometimes, too, the boundaries of the rural deaneries coincide with the boundaries of the centreds, but this is not always the case. Unfortunately the fourteenth century taxation of the diocese of Ossory is lacking (*C.D.I. 1302-1307*), but the deaneries of the visitation of 1615 are probably fairly reliable sources for reconstructing the medieval ecclesiastical boundaries (*T.C.D. T.1.9*).

No complete list of the centreds of co. Kilkenny has survived, but it is likely that there were eleven centreds altogether. In 1375 collectors of a subsidy granted by the Irish Parliament to meet the threat posed to the security of Munster by Brian O'Brien, O'Connor, and others, were appointed for the centreds of Ote (llan), Shill(elogher), Kells, Erley, Knocktopher, Ogenty, Kilkenny, Iverk, Callan, and Odogh, a total of ten centreds. Collectors were also appointed for the vills of Colyaghy (now Coolaghmore) and the cross of Kilkenny (*N.L.I. MS.3*, pp. 200-203): why special collectors were appointed for the vills of Colyaghy is not clear, for they were part of the centred or barony of Erley (see below).

These ten centreds occupied the area now included in the modern county of Kilkenny, which was still entirely under Anglo-Norman control in 1375, but they did not include the greater part of the region now comprised of the baronies of Upperwoods,

Clandonagh, and Clarmallagh, now in co. Leix, then part of co. Kilkenny. The reason for the omission of this area was, no doubt, because it was occupied by the hostile Irish, who had overrun it in the course of the first half of the fourteenth century (see above ch. V). It was bordered in the south by the centred of Odogh (see below); the remaining area, which corresponded to the deanery of Aghaboe in 1615, comprising the parishes of Offerlane, Bordwell, Aghaboe, Rathdowney, Coolkerry, Rethsaran, Kildelig, Donaghmore, Skirk, and Killermogh, probably formed a single centred before the Gaelic reconquest. It may be concluded that this region corresponded to the centred of Aghaboe which is mentioned in the Pipe Roll of 14 John (see Ulster Journal of Archaeology, Vol. 4, p.16).

(b) The centred of Odogh

The centred of Odogh (Ui Duach) included the modern baronies of Fassadinan, Galmoy, and parts of the baronies of Crannagh, Clandonagh, and Clarmallagh. The northern boundary appears to have followed the northern limits of the parishes of Erke, Aghmacart, Darrow, and Rosconnell; from thence it continued along the northern and eastern border of Fassadinan. Galmoy, in the parish of Erke, lay in the barony of Odogh (Cal. Ormond Deeds ii, no. 440); Aghmacart and Rosconnell were also included in it (Cal. Ormond Deeds iii, no. 35; Liber Primus Kilkenniensis p. 56)¹. It is more likely that the centred of Odogh was co-extensive with the deaneries of Odogh and Aghore: at any rate the borders of the deaneries correspond closely to the information derived from other sources. The northern boundary of the deanery of Odogh included the parishes of Rosconnell and Darrow, while the parishes of Erke and Aghmacart formed the northern limits of the deanery of Aghore. The southern limits of Odogh likewise appear to have corresponded to the boundaries of the deaneries, which were formed by the parishes of Tabbrid Britain, Killahy,

1. The locations of several fees in the Liber Primus Kilkenniensis are clearly misplaced: Rathdowney, for example, was almost certainly not included in Odogh (*ibid.*, p.56).

Ballylarkin, Clashacrow, Odagh, Dunmore, Mothell, and Kilmadam. This conclusion is well supported by independent sources: the Liber Primus Kilkenniensis includes the fees of Glasero, Tibritbritayn, Ballylorcan, Dunmore, and Mothill in this cantred, while the early fifteenth century mentions Casteldoigh, now the parish of Odagh (Cal. Ormond Deeds ii, no. 440), in the barony of Odogh.

(c) The cantred of Shillelogher

The modern barony of Shillelogher bears only a partial resemblance to the medieval cantred which embraced the greater part of the barony of Crennagh as well. It included the parishes of Tullaroan, Ballycallan, Kilmanagh, and probably Ballinamara, in Crennagh. Tullaroan is mentioned in all the lists of services and in the rental; Ballycallan is only specified in the rental (Cal. Ormond Deeds ii, no. 440), but Ballyfrank, now Ballyfrank, in Ballycallan, is mentioned in all the lists. Ballagh in the parish of Kilmanagh is mentioned in the rental. Belaghmaraw (*ibid* ii, no. 440) is probably Ballinamara; the fees of Rathels and Ballydowyll are, in any case, to be located in the same parish (*ibid.*, ii, no. 424). The 1419 list, however, seems to place these fees in Odogh, but it is probably inaccurate (*ibid.*, iii, no. 35, p.25). The cantred included the greater part of the modern barony as well, except for the parishes of Ennisnag and Stonecarthy which lay in the cantred of Kells (see below), Tullamsine and Barlistown which lay in the cantred of Erley (see below), and Killaloe which was probably part of Gallan (see below). As in the case of the cantred of Odogh, the cantred of Shillelogher appears to have corresponded to the borders of the rural deanery (of Shillelogher), although the parish of Tullaroan is omitted in the list of parishes contained in the 1615 visitation.

(d) The cantred of Kilkenny

Virtually nothing is known about this cantred, except that collectors were appointed to raise a parliamentary subsidy there in 1375. The early fifteenth century rental of the baronies of Kilkenny place the parish of

St. Canice in the ^{barony} ~~centred~~ of Shillelogher (the tenements of Talbotesinch, Palmerston, Ketyngeston, and Clorane), while the parish of St. Patrick's is part of the modern barony; both parishes were in the deanery of Shillelogher. The same rental places the parish of St. John's in the barony of Gowran (the tenements of Parcellesinche and Legetesrath). It would appear, therefore, that the term "centred" and "barony" were not always synonymous: one was an administrative division; the other denoted lordship. Thus there is no real contradiction involved in regarding the borders of liberties of Kilkenny (incorporated within the perimeter of the parishes of St. Canice's, St. Patrick's, and St. John's) as constituting a single administrative unit or centred, while recognising on the other hand that the same area could be arranged differently with regard to baronial divisions. Generally speaking, however, the early fifteenth century baronial boundaries were identical with the boundaries of the centreds.

(e) The centred of Oskelan

The centred of Oskelan (alias Ostelan, Oscellan) was probably co-extensive with the medieval barony of Gowran. The name is derived from the Irish "Uí Scellain" (Hogan, Onomasticon Goedelicum; W. Carrigan, The History of the Antiquities of the Diocese of Ossory i, p.18). According to the Liber Primus Kilkenniensis Hugh de Audele and his wife, Margaret, had the services of four knights in Gowran in Oskelan as part of their purparty of the liberty of Kilkenny (p.55). This was a direct reference to the manor of Gowran which was held of de Audele by the service of four knights; it would seem to indicate that the manor and centred were synonymous. Moreover, the fact that there is no evidence for the existence of a centred of Gowran seems to confirm this conclusion; it will be remembered that the 1375 list (above p.xx) does not mention a centred of Gowran, although there is good reason to believe this list is complete, except for the missing centred in the extreme north of the county.

There are remarkably few references to Oskelan

in the surviving medieval sources. In 1313 Roger fitzRoger de Malmesburi released all his right in Donmore in Oscellan to Adam le Mercer (Cal. Ormond Deeds i, no. 483). The parish of Dunmore lay in the cantred of Odogh (see above) but part of the tenement in question may have been located in the adjacent parish of Kilmademoge, which was a tenement of the manor of Gowran (Red Book of Ormond, p. 35; Cal. Ormond Deeds ii, no. 424). It is worth noting that Kilmademoge was included in the deanery of Clara, and not in the deanery of Odogh, which confirms the conclusion that the boundary between Oskellan and Odogh followed the ecclesiastical boundary, not the modern baronial boundary between Fassadinan and Gowran. In 1367 John Laung released his right in Ketyneston, Balymlauehyn, and Brounestoun in Oskellan to Geoffrey la Launde (Cal. Ormond Deeds ii, no. 132); Brounestoun is probably to be identified with the Brounestoun near Fenell (now Dunbell ?) in the barony of Gowran (*ibid.*, ii, no. 440, p.354).

The cantred of Oskellan, therefore, occupied the northern and eastern portion of the modern barony of Gowran. In the north it was bounded by the cantred of Odogh, and included the parish of Kilmademoge; in the west it bordered on the cantreds of Kilkenny, Shillelogher, and Ogenty (see below); and in the south by the cantred of Iverk (see below). According to this definition the area of the cantred amounted to 70,750 statute acres, in contrast to the 111,772 acres occupied by the modern barony of Gowran.

(f) The cantred of Callan

Virtually nothing is known of the cantred of Callan. It must have contained the parish of Callan at least. It is not improbable, however, that the parish of Killaloe may have been included. In 1392 the Earl of Ormond acquired Hugh le Despencer's interest in Callan le Hille and the Irraght of Callan, together with the advowson of the church of Callan and £33-15-3 rent there (Cal. Ormond Deeds ii, no. 297). The fifteenth century rentals show that part of these rents were derived from Killaloe, and Kepaghedon, which is situated in the parish of Killaloe (e.g. *Ibid.*,

iii, nos 95, 119). This does not prove that Killaloe was part of the cantred; it merely shows that some of the rents of the manor of Callan were derived from it. There is no evidence to show that Killaloe was included in the neighbouring cantred of Erley, so it is not unlikely that Killaloe was part of the cantred of Callan.

(g) The cantred of Erley

The precise extent of this cantred is uncertain. According to the lists of services it contained Erley (the parish of Earlstown), Rathgulby (parish of Mallardstown), Mallardstown, and Killamery. In fact it was probably larger than this, for it may have included the parishes of Tullamaine, Ballytobin, and Tullahought, which cannot be placed with any certainty. It is possible, on the other hand, that Ballytobin and Tullahought were part of the cantred of Kells, but these conclusions cannot be supported by evidence.

(h) The cantred of Kells

In the early fifteenth century the barony of Kells included the parish of Kells (the town of Kells and Clone), the parish of Kilree (Shortalstown and Dengenbogge), and the parish of Dunn maggan (Cal. Ormond Deeds ii, no. 440; iii, no. 35). The parish of Kilmaganny was also probably part of the cantred, for c. 1340 John fitsGeoffrey, lord of Kells, granted Kilmagane (alias Kilmegen, Kilmaganny) to William Coterel and his heirs (*ibid.*, i, no. 732). It is likely that the parishes of Ennisnag and Stonecarthy were included in the cantred, for they were situated in the deanery of Kells, not in the deanery of Shillelogher.

(i) The cantred of Knocktopher

The cantred or barony of Knocktopher probably corresponded to the manor of Knocktopher and its tenements, together with the parish of Jerpointchurch. The services of the barony of Knocktopher were due from Byrneheynch, Kiltorcane (parish of Derrynahinch), Kilheryll or Kilgheryll (parish of Knocktopher), Aghbyllyr (parish of Aghaviller), Ballygeragh and Gibbotesland (unidentified), and Newtown Jerpoint (parish of Jerpointchurch), according to the early fifteenth century lists

of royal services (Cal. Ormond Deeds ii, no. 424; iii, no. 35). Rent was due from Lismateige, a tenement of Knocktopher, in 1312 (Red Book of Ormond, p. 129). The places mentioned in the rental (Cal. Ormond Deeds ii, no. 440, pp. 356-7) are, for the most part, located in one or other of these parishes. This rental also mentions the parish of Kilt'ned (not Kilternen as printed in the Calendar), which was the parish of Kilkoneady (Down Survey), now Jerpoint West. The rental mentioned in addition Balibregan in the parish of Kilkeasy. The parishes of Listerlin, Rossinan, Killahy, and Muckalee, which lie wholly or partly in the modern barony of Knocktopher, were then part of the barony of Iverk (see below). The parish of Kilbeacon, on the other hand, was probably included within the medieval barony of Knocktopher, but there is no definite evidence to show this. According to this definition, the area of the cantred of Knocktopher amounted to 35,616 statute acres, which was somewhat smaller than the area of the modern barony (46,765 acres).

(j) The cantred of Ogenty

The cantred or barony of Ogenty (Ui Geintigh) has disappeared from modern maps altogether: in the middle ages it occupied a large part of the modern barony of Gowran. The most complete list of places located in Ogenty is to be found in the early fifteenth century rental (N.L.I. D.1498), which is incorrectly transcribed in the Cal. Ormond Deeds ii, no. 440*. Places mentioned in this list included Fosse, which may be Fossith in the parish of Fanna (cf. Cal. Ormond Deeds i, no. 52), Dungarvan, Thomastown, Kilbleyne and Newhouse (parish of Tullaherin), Kilerne (now the parish of Killarney), Inistioge, and the townlands of Coulerath, Baliduffe, Vowleston and Baliregane, Balicarsouste, Coulerenyne, and Couleshill (now Coolroe, Ballyduff, Ballyvoal and Ballygogan, Ballycocksoot, Coolrainy, and Coolsillagh), in the parish of Inistioge. This list may be compared with the royal services of Ogenty (ibid. ii, no. 424; iii, no. 35), which also mentions Collymkyll (parish of Columkill), Smythiston (parish of Thomastown), and Roweston, now Bramblestown in Dungarvan (cf. ibid. iii, no. 266). The eastern and southern limits of Ogenty probably followed the boundaries of the modern baronies of Shillelogher, Knocktopher, and Ida.

* The place-names in the barony of Ogenty were continued on the second membrane, not on the dorse of the first membrane. The names, from Leenecane to Inistioge, which appear out of context on p.356, should properly appear on p. 354.

(k) The cantred of Iverk.

The cantred or barony of Iverk (Ui Eirc) was more extensive than the modern barony, for it included the modern barony of Ida and the southern tip of the modern barony of Knocktopher. An extent of the barony of Iverk in 1314 (Red Book of Ormond, pp. 131-5) shows that several tenements were located in the modern barony of Ida: the Rower, Listerlin, Ballymacallgorne, now the parish of Ballygurrin (cf. Balmagurin, Cal. Ormond Deeds ii, no. 424), Odaw (Ida), Kilerone (parish of Dunkitt), and Dunkitt. The tenement of Odaw probably corresponded to the parishes of Rathpatrick and Kilcolumb in Ida. According to the extent of 1314, it was divided among four heirs: John fitzWilliam de Rupe, John Lerchedekyn, David Bronfedyr, and William fitzRobert de Sancto Albino. One of these purparties was the tenement of Drumdowney in the parish of Rathpatrick (Cal. Ormond Deeds ii, no. 95; iv, no. 361, p. 306). The de Rupe purparty probably included the townland of Rochestown in the parish of Kilcolumb, while Davidstown in the same parish may have been the purparty of David Bronfedyr.

The lists of the services due of the lord of Iverk likewise include the services due from the tenements in the modern barony of Ida, as well as the services from tenements in the modern barony of Iverk (ibid. ii, no. 424; iii, no. 35). In addition to these, however, they also include the services of Lohran, Killagh (now Killahy), and Rossinan, which were granted to the earl of Ormond in 1392 by Hugh le Despencer (ibid. ii, no. 297). The parish of Killahy is included in the modern barony of Knocktopher, while the parish of Rossinan is divided between it and the modern barony of Ida. Lohran has disappeared from modern maps; by a process of elimination, however, it would appear to be the parish of Muckalee, which is divided between the modern baronies of Iverk and Knocktopher. These three parishes were included in the deanery of Iverk. The part of the parish of Fiddown which lies in the modern barony of Knocktopher was probably included in the cantred of Iverk also. According to this definition the medieval cantred of Iverk incorporated a total area of 112,616 statute acres. (It will be remembered that the parish of Tibberaghny belonged to the cantred of Iffowyn in co. Tipperary).¹

1. See above appendix I, no. 1.

APPENDIX III

1. Memorandum quod cum maxime discordie a diu est orte fuissent inter Johannem de Barry qui obiit et consanguineos eius et affines et confederatos suos ex parte una et Matheum de Bilburn et affines et confederatos suos ex altera et discordie ille tam diu duraverant quod omnes morantes in cantredo illo se posuerant ad unam vel ad alteram dictarum parcium nonhabito respectu quod cantredum illud totaliter est in forti marchia et sic timebatur quod per discordiam illam tam diu continuatam si durasset diucius les Charewelles et alii hibernici felones et rebelles regis cantredum illud subagent (sic) et anglicos inde totaliter expellerent per quod per assensum Edmundi le Botiller domini cantredi illius et consilii eiusdem et aliorum magnatum et communitatis comitatus per consensum dictarum parcium concordatum est quod firma pax inter eos observetur de cetero ita quod nulli eorum aliquem partis alterius dampnum eveniat de cetero occasione aliquarum transgressionum seu discordiarum habitarum usque ad hunc diem set emende ille fient juxta ordinacionem Roberti filii David et Henrici Leffani clerici ad certos diem et locum cum ad hoc vocare potuerint et ad omnia premissa fideliter observanda et dictus Matheus et Thomas de Stanleie quasi ex una parte Johannes filius Johannis de Barry tanquam pars altera sacramentum prestiterunt corporale pro bono pacis (sic) mamtenend'.

P.R.O.I. Cal. Plea Rolls, vol.11, pp.209-211
(rot. 33-34 Edw.I).

APPENDIX IV

I We can reconstruct the approximate annual revenue of the Butler estates in Munster at the beginning of the fourteenth century from a number of manorial extents in the Red Book of Ormond (pp. 69-83; 147-54; 154-8). The Red Book, however, does not account for all the Munster estates, so it must be supplemented by the inquisitions post mortem of 1338 (P.R.O. C 735 Edward III 55).

Inquisitions post mortem, 1338

Nenagh	£196:16:10
Thurles	£119:12: 4
Ardmayle	£ 20:15: 3
Carrick	£ 23: 3: 7
Brittas and Caherconlish	£ 23: 2: 8
<i>Moyaliff</i>	6: 2: 4

Approximate value of the Munster estates

Nenagh (1338)	£196:16:11
Thurles (1303)	£149: 2: 8
Dunkerrin (1305)	£140:12: 2
Caherconlish (1300)	£ 71: 7: 0
Carrick (1338)	£ 23: 3: 7
Ardmayle (1338)	£ 20:15: 3
Moyaliff (1338)	£ 6: 2: 4
	<u>607:19:11</u>

Note: This list does not include the manor of Roscrea, for which no extent survives. It is not unlikely, however, that it was worth about £33 per annum, the value of certain tenements in the manor of Newcastle Lyons granted by the king to the bishop of Killaloe in exchange for Roscrea in the second half of the 13th century. (36th Rep. D.K., p. 50).

2.

<u>Year</u>	<u>Lisronagh</u>	<u>Tibberaghny</u>	<u>Grallagh</u>
1 1333	£80:14:10		
2 1343-4	£18: 8: 1	£ 8: 4: 0	£ 6:17: 1
3 1347-8	£25: 7: 3		
4 1350-1	£25:17: 5 $\frac{1}{2}$	£ 6:13: 4	£ 6:13: 4
5 1353-4	£33:13: 5	£ 6: 0: 0	£ 3: 6: 8 ?
6 1354-5	£30: 3:11	£ 8: 0: 0	£ 6: 0: 0 ?
7 1356-7		£ 8: 0: 0	£10: 0: 0 ?
8 1360 (Easter)	£ 7:14: 2	£ 4: 0: 0	

Note: the question marks indicate difficulty or uncertainty in reading the MS.

Source

1	See above p.
2	PRO SC 6/1239/18
3	SC 6/1239/19
4	SC 6/1239/24
5	SC 6/1239/26
6	SC 6/1239/27
7	SC 6/1239/28
8	SC 6/1239/29

Appendix V

1. Memorandum quod vicesimo die Februarii anno regni Henrici quinti secundo Jacobo filio Jacobi le Botiller nuper comitis Ermonie presente ad barram hic coram baronibus etc. invento et per eosdem allocuto etc. viz. quod satisfaciatur domino regi de rationabili relevio eiusdem nuper comitis patris sui de omnibus terris et tenementis ipsius patris sui viz. de maneriis de Turvy, Courduff, Russh, Balinascadan, Tillagh in Offelmyth, Ilond, Nenagh, Thurlys, Ardnail et Carrickmegriffyn cum pertinentiis, et medietate manerii del Dree (recte: Bree) cum pertinentiis ac etiam manerio de Brondown cum pertinentiis necnon villis de Pohechan (sic), Arcloue, et Kermerdyneston cum pertinentiis, ac etiam de castro, manerio et baronia de Cnokcoffre (recte: Cnoktoffre) cum pertinentiis una cum []acr' terre pertinent' ad advocacionem ecclesie Sancti Martini, villa de Rathberan cum pertinentiis, necnon maneriis de Cathir, Balybothy, et Drycas (recte: Brytas) in Iffowyn, et villis de Balelyas, Balust (recte: Balusk ?), et Bevereston cum pertinentiis, ac de xl solidatis annui redditus exeuntibus de una carrucata terre in Yagoeston, etc., ad quod predictus Jacobus filius dicit quod diversis (recte: diversas) exoneraciones inde habet que non sunt penes se curie hic (recte: huic) exhibende per quod petit diem ad respondendum usque quindenam Pasche tunc proximam sequentem. Ad quem diem etc. predictus Jacobus filius venit et super promissis per barram allocutus dicit quod dictus rex qui nunc est per litteras etc. pardonavit dicto comiti omnimodo debita etc. et petit iudicium. Et Johannes White attorney domini regis dicit quod placitum quod predictus Jacobus placitavit non est sufficiens ad exonerandum ipsum versus dominum regem per quod petit pro rege quod ipse oneretur etc. Et predictus Jacobus filius [] quod placitum suum est sufficiens etc. et sic ad iudicium etc. Et quia curia nondum avisata de iudicio super premissis reddendo dies datus est predicto Jacobo filio et similiter attorney domini regis ad audiendum iudicium super premissis usque 18 (recte: octavam ?) Sancte Trinitatis ad quem diem venit etc.

P.R.O.I. Mem. Rolls, vol. 36, pp. 102-4 (rot. 4 Henry V)

2. Memorandum quod decimo octavo die Julii hoc termino omnia maneria, terre, tenementa, etc., que fuerunt Jacobi le Botiller, comitis Ermonie, debitoris domini regis infra Hiberniam per consideracionem baronum hujus scaccarii pro debitis et compotis in quibus idem comes domino regi ad scaccarium Hibernie tenetur capta fuerunt et seisisa in manum domini vis. maneria de Courduff, Turvy, Rusche, Ballyskadane, et Bree, cum pertinenciis in comitatu Dublin', ac maneria de Blakecastell et Donaghmore in comitatu Mid', ac eciam maneria de Cloncurrey, Castelwarny, Oghterard, et Donaghda in comitatu Kyldar', ac eciam maneria de Tyllagh in Offelmych, Balygaueran, Gronane, Cathyr, Balybethy, Knokeoffre, Bryttas, et Brondewyn, simul cum omnibus terris et tenementis ipsius comitis in Iland, Nenagh, Thurlys, Ardmayll, Carrikmagryffyn, Pohethan (Polroan?), Arclow, Carmerdyneston, Rathberane, Belelyas, Balusk, et Bevereston, quadraginta solidatas annui redditus exeuntes de sua carrucata terre in Yagoeston, unacum proparte prise vinorum nuper dicti comitis infra Hiberniam, et viginti libratas eugusdam annuitatis quas dictus comes percipere solebat feodi firma civitatis Waterford' per manus majoris et ballivorum dicte civitatis, omnia maneria, ville, terre, tenementa, etc., supradicta liberantur ex (sic) manu domini regis prout in quoddam recorde de termino Sancti Hillarii anno regis qui nunc est septimo plenius continetur in his memorandis etc.

P.R.O.I. Mem. Rolls Vol. 37, pp. 170-3 (rot. 5 Henry V)

3. Ryghte reverend worthy and wyschypfull lordes, lordes spirituall and temporall of oure soferayne liege lorde his consuyl in England wee humbly and lowly with all maner of reverence that wee canne or may(?) to you nekely recomaund and like yow to wytte that wee have certefyed as trow liege men scholde to oure moste excellent myghty and oure soferayn lord that the countees of Kylkeny and Typerar' have withstaund oure soferayn lorde his Irroys ennemys and Englis rebell on hure owyn ppropere costes this many wynteres withoute oyr coste oth help of oure sofferayne lord his lieutenantz beyng in this our sofferayn lord his laund of Irlaund for the tyme lityll oth noghte and the sayd countees toke non rebuke of oure sofferayn lord his Irroys ennemys gretely unto now late that the erle of Desmound the wyche scholde be our said sofferayn lorde his trow liege man as hit ys to suppose with his oste came yn to the bordures of the said countees and sette unto hym Megyllepatrik of Ossery with his oste, Omorth of Leys with his oste, Douenill Rebagh with his oste, and ther the said Erle and thay wyth baneres displayet came into the said countees and [] them brand, wastyt, and destruct and brante this many townys they being to say in the countee Typerar' the church of the ffreghane brante was, the towne of Gowlenowre, Stowyneston, Waodyneston, Graze ocurre, Seadaneston, Pyperteneston, Boylegh, Moyglas, Kilmoryhertagh, Mogawre, Corroballe, Mileston, Mowgha, the Barre, Lysnebroke, Moylassan, Glangeoyll, Godiedeston, the Rowan, ffowkaston, and Mogorban, and many other townys more women and childryn brent to the fynell destruction of our sufferayn lorde his liege peple of the foresayd countees to the fynell hurte and hyndering of all the lordes spirituall of the sayd countees and to the full grete hurte of oure ryght wyschopfull and worthu oure lorde duke of Yorke, oure lorde duke of Buckingham, and oure lorde the erle of Ormound for sethen the conqueste of this oure said soffroun his laund of Irlaund to this day the said countees toke non such rebuke of none of oure sufferayn lorde his Irrois onemys as they dude by the said erle of Desmound and the said erle after the destroying of the said countees contynued the said Irroys ennemys in to their own contrees. Beseching yow lowly with all oure hole hertys at the reverence of God to styrre oure saide sofferayn lorde to ordeyn for us his poer liege peple gracious helpe and remedy and that you woulde sterr our said soferayn lord to do suche correccion here yn at this tyme that it may be an exsample to all others yn tyme to come to do suche offences.

In faith and in tesmoyance of all this our said

wrytyng wee John archebushop of Casshell, Davy deene and chapiter of Casshell, Patrik abbote of Inchelownaght, fferala abbate of the Holy Croyce, Philep abbate of Kylcoyle, Denys abbote of the Rocke of Cassell, William prior of the Cath., Patrik suffrayn and the comines of Clomell, Thomas portreve and comines of Casshel, Olyn (Oliver?) portreve and comines of ffithard, Thomas portreve and comynes of the Carryke putteth our sealys.

Eleven seals appended.

P.R.O. E. 101/248/15.

4. Ryght worthy wyschypfulle and reverent lordes spirituel and temporele of oure sufferayne lordes consayle in Englande. We humbly and lowly with all manere of reverence that we can or may us to yow mekely recomaunde, and lyke hyt yow to wytte that we have certyfyet as trewe liege men scholde to oure moste excellent mighty and our sufferayne liege lorde how that the countee of Kylkeny have withstande oure sufferayne his Irysch enemyes and Englysh rebelles on herre propre costes these many wynters wyth out any helpe or coste of our sayde sufferayne lord his lutenantes ther beyng for the tyme lytel or nocht. And the sayde counte toke never rebuke of our sufferayne lorde hys Irysch enemyse gretely unto her hurte unto now late that the erle of Desmond that scholde be our sufferayne lorde his trew liege man as it is to suppose with his hoste came yn to the bordures of the sayde counte and sette unto hym Makylphatryke of Ossorye with his hoste, Downyll Reath with hys hoste, and ther the said erle and they with baneres displayed comen ynto the sayed counte and on rydde yt, brinte, wastede, and destruede syxty and syxtene of townes and brande and brake xvj chyrches and robede hem of har catel and godes that may nocht be numbred and toke dyverse presoners and many men slayne to the fynell destruction of our sufferayne lord his liege people of the forsayde counte and like to be to all the lordes spirituell with yn the sayde countee and yn [] to full nyche hurt of our ryght wyschypfull lordes our lord duke of York, our lorde duke of Bokyngham, and our lord erle of Ormound, for sethen the conquest of

our said sufferayne lorde his land of Irlande to thys day the saide counte toke none suche rebuke of none of our saide soferayne lord his Irysh enemyse as they dyd by the saide erle of Desemound the whyche after the destruyng of the sayde counte condyted the sayde Iryshe enemyes yn to her contrees wher for we humbly and lowly besече yow at the reverence of God to styrre our moste excellent myghty and our sufferayne liege lord hereupon to ordeyne to us his trewe liege peple gratyous helpe and remedye and that ye wolde styrre our sayde sufferayne lord to do suche correction her in at thys tyme that hit may stande in exsample to all otheres here after to do agaynes hym suche offence. And trulyoure ryght worshypful and worthy lordes these offences that the erle of Dessemound dud upon the sayde counte was done and lytell av (i.e. afore?) oure ryght wyrshipfull lordoure lord of Shrewesberyoure sufferayne lord his lutenant of hys pour land of Irland came into the saide land the which lieutenant hath ryght wele borne hym ryd rebuked and chastysed many ofoure soverayne lord hys Iryse enemyes sethen his comyng yn to his sayde land of Irland. ffor by the faithe that we wowe to almyghty God and tooure sufferayne lord thys sayde land stode never inoure dayes in so hevvy a plyte as it stode yn our saide sufferayne lord his lutenant hys comyng yn to the sayde land. And now blessed beoure lord he hit put myche ofoure sufferayne his land yn reste and ese.

In fayth and testymonie of all thisoure saide wrytyng wee Thomas, byshop of Kylkenye, Davy abbot of Jerpoint, Nycholas abbot of Duffe, Thomas prior of Kenlis, John pryoure of Seynt Jones by Kylkenye, Robert pryoure of Inysteyek, John Whytsyde soverayne and the comynes of Irishtown of Kylkenye, John Archebol souverayn and the comynes of the toun of Callan, Nycholas fitzHenry portrefe and the comynes of the toun of Thomaston, Davy Whyte portrefe and the comynes of the toun of Knoktoffre here putte our sealys.

Wryt at Kylkeny 23 dey of Jamar' the Yere of our saide gracyous and most excellent lord his reinyng 25.

Ten seals appended.

P.R.O. E. 101/248/15.

Appendix VI

The charter whereby Edward III established the liberty of Tipperary in 1328 may be found in Carte's History of the Life of James, Duke of Ormonde, i, p. lxvi. The Calendar version is incorrect (C.P.R., 1327-1330, p. 336). The charter was also enrolled in the Irish Plea Rolls in the third year of the reign of Edward III, and a transcript of this may be found in a box of unsorted deeds in the National Library of Ireland, together with a copy of the grant of the title of earl of Ormond to James Butler (MS. 11, 044). As far as I know, the letter may not be found in print:

1. Edwardus dei gratia etc. salutem. Sciatis quod cum nuper dilectum consanguineum et fidelem nostrum Jacobum le Botiller de Hibernia honorare volentes dederimus ei nomen et honorem comitis de Ormond in Hibernia ipsumque comitem de Ormond prefecimus et gladio cinximus, nos contemplacione premissorum dedimus et concessimus et hac carta nostra confirmavimus eidem comiti decem libras annui redditus habendum, percipiendum, et tenendum eidem comiti et heredibus suis sub nomine et honore de Ormond de firma civitatis nostre de Waterford in Hibernia per manus ballivorum eiusdem civitatis qui pro tempore fuerint imperpetuum. Quare volumus et firmiter precepimus pro nobis et heredibus nostris quod predictus comes et heredes sui habeant, percipiant, et teneant predictas decem libras sub nomine et honore comitis de Ormond singulis annis de firma civitatis predictae per manus ballivorum eiusdem civitatis qui pro tempore fuerint imperpetuum sicut predictum est. Hiis testibus venerabilibus patribus H. Lincoln' episcopo cancellario nostro, Tho. Hereford' episcopo thesaurario nostro, Johanne Eliense episcopo, Johanne de Warena comite Surr', Henrico de Percy, Gilberto Talbot, Johanne de Wytham seneschallo hospiti nostri, et aliis. Datum per manum nostram apud Sarum secundo die Novembris anno regni nostri secundo.

Concordat' in original' th'rio infra castrum Dublin.

N.L.I. MS. 11,044.

2. Edwardus dei gratia rex etc. omnibus ad quos presentes littere pervenerint salutem. Sciatis quod pro bono servicio quod dilectus consanguineus noster Jacobus le Botiller de Hibernia quem in comitem de Ormond in Hibernia prefecimus celebris memorie domino Edwardo nuper regi Anglie patri nostro et nobis hactenus impendit et nobis impendet in futurum et ut ipse statum et honorem comitis decencias valeat continere dedimus et concessimus eidem comiti ad totam vitam suam regalitatem et alias libertates cum feodis militum et omnibus aliis rebus quecumque fuerint que habuimus in comitatu Tipperarie quattuor placitis viz. incendio, raptu, forstallo, et thesauro invento, ac eciam proficuo de croceis in dicto comitatu cum omnibus ad ea spectantibus que erga nos et heredes nostros volumus remanere duntaxat exceptis, itaque post mortem ipsius comitis regalitas et alie libertates predictad nos et heredes nostros integre revertantur. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste meipso apud Walingford nono die Novembris anno regni nostri secundo.

Concordat' in original' th'rio infra castrum Dublin.

N.L.I. MS. 11,044.

APPENDIX VII

SHERIFFS OF THE CROSS OF TIPPERARY*

NAME	DATE IN OFFICE
1. John Maunsel	Account from April, 1329 to 15th February, 1331.
2. Adam of London	Account from thence to 26th September, 1331.
3. Adam Stoketoun	Account from June, 1333 to July, 1336.
4. Edmund de Bermingham	Account from July, 1336 to July, 1338.
5. Gilbert de Bermingham	Account for Easter, 1349.
6. Robert Maydewell	Account for Michaelmas, 1349.
7. Gilbert de Bermingham	Accounts from Easter, 1351- to Michaelmas, 1353.
8. Andrew Haket	Commission dated 14th November, 1353.
9. Robert Maydewell	Accounts from Easter, 1354, to Easter, 1355.
10 Andrew Haket	Commission 18th October, 1355.
11. Roger de St. Brigid	Commission dated 8th, December, 1356. Accounts from Michaelmas 1357 to Easter, 1367.

*Note: sources are given below

NAME	DATE IN OFFICE
12. William fitzRobert Haket	Accounts from Michaelmas, 1368, to Easter, 1369.
13. John Mauclerk	Mentioned 20th March, 1372. Account Michaelmas, 1373.
14. William Rokell	Commission dated 28th September, 1374. Account Easter, 1375.
15. Edmund Poer	Commanded to resign office 22nd August, 1381.
16. Humphrey Comyn	Commission dated 22nd August, 1381.
17. Edmund le Poer	Amerced Michaelmas, 1397. Commission dated 26th May, 1400.
18. William Haket	Accounts from Easter, 1414, to Michaelmas, 1417.
19. John Cotyngnam	Commission dated 18th February, 1422. Accounts from Easter, 1422, to Easter, 1424.
20. James Kotyng	Commission dated 1st March, 1425.
21. John Bron (Broun)	Accounts from February, 1435, to July, 1435. Witness 1437.

Sources

1. 45th Rep. D.K., p. 37; P.R.O.I. Mem. Rolls vol. 15, pp. 377, 541 (rot.3-4 Edw.III).
2. 45th Rep. D.K., p. 36 f.; P.R.O.I. Mem. Rolls, vol. 16, p. 2 (rot.5-6 Edw.III).
3. 45th Rep. D.K., p. 36; P.R.O.I. Mem. Rolls, vol. 18, pp. 269, 492 (rot.8-9 Edw.III).
4. 45th Rep. D.K., p. 36.
5. P.R.O.I. Mem. Rolls, Vol. 24, p. 575 (rot.22-23 Edw.III); vol. 25, pp. 259-62 (rot.24-25 Edw.III).

6. Ibid. vol.25, pp.173 (rot.23-24 Edw.III),
259-62 (rot.24-25 Edw.III).
7. Ibid. vol.25, pp.242-3 (rot.23-24 Edw.III), 299
(rot.25-26 Edw.III); vol.26, pp.2, 143 (rot.26-27
Edw.III), 261 (rot.27-28 Edw.III).
8. Ibid. vol.26, p.323 (rot.27-28 Edw.III);
N.L.I. MS.761, p.156.
9. P.R.O.I. Mem. Rolls, vol.26, pp.442 (rot.27-28 Edw.III),
525, 617 (rot.28-29 Edw.III).
10. C.C.H., p.56, nos 75-6; p.57, no.98;
P.R.O.I. Mem. Rolls, vol.27, p.1 (rot.29-30 Edw.III).
11. C.C.H., p.65, no.34; P.R.O.I. Mem. Rolls, vol.27,
pp.216 (rot.31-32 Edw.III), 311, 436 (rot.32-33
Edw.III), 484 (rot.34-35 Edw.III); vol.28, pp.4, 101
(rot.35-36 Edw.III), 171 (rot.36-37 Edw.III),
303, 375 (rot.37-38 Edw.III), 457, 577
(rot.38-39 Edw.III); vol.29, pp.5 (rot.39-40 Edw.III),
267, 404 (rot.40-41 Edw.III).
12. P.R.O.I. Mem. Rolls, vol.30, pp.1, 64-5 (rot.42-43
Edw.III).
13. C.C.H., p.84, no.30; P.R.O.I. Mem. Rolls, vol.30,
pp.123, 406 (rot.47-48 Edw.III).
14. P.R.O.I. Mem. Rolls, vol.31, pp.1, 59 (rot.48-49
Edw.III).
15. C.C.H., p.113, nos 163-4.
16. Ibid.
17. Ibid., p.157, no.88; P.R.O.I. Mem. Rolls, vol.33,
p.175 (rot.21-22 Richard II).
18. P.R.O.I. Mem. Rolls, vol.34, pp.4, 11 (rot.2 Henry V);
vol.37, pp.7, 19 (rot.2-5 Henry V).
19. C.C.H., p.219, no.66; P.R.O.I. Mem. Rolls, vol.39,
pp.213, 216 (rot.10 Henry V); vol.40, pp.254, 267
(rot.2 Henry VI).
20. C.C.H., p.236, no.22.
21. N.L.I. MS.761, p.307; Cal. Ormond Deeds iii, no.129.

APPENDIX VIII

1. The Seneschals of the Liberty of Tipperary.*

	NAME		DATE IN OFFICE
1.	Thomas de Stokton	1329	Appointed 27 Nov.
2.	Edmund Butler	1330	
3.	Thomas de Stokton	1331	Michaelmas term
4.	Fulk de la Freigne Adam de Loundres Robert Travers	1332-8	Date and order uncertain.
5.	Fulk de la Freigne	1348-9	
6.	Gilbert de Bermingham	1349	Michaelmas term
7.	John Laffan	1352-3	Appointed 10th May, 1352.
8.	Gilbert de Bermingham	1353	Michaelmas term
9.	John Laffan	1354	Easter and Michaelmas.
10.	Stephen Mareys	1355	Easter term
11.	John Laffan	1355	Appointed 14th May Michaelmas term

*Note: sources are given below.

NAME	DATE IN OFFICE
12. John fitsJohn	1356-7 Most probable date
13. Peter Butler, 2nd lord of Dunboyne	1357-61 Michaelmas 1357- Michaelmas 1361
14. Mathew de Loundreo	1362 Takes oath 3rd Feb.
15. Peter Butler, 2nd lord of Dunboyne	1362-4 Michaelmas, 1362- Michaelmas, 1364
16. Thomas fitsEdmund Butler	1364-5 Appointed 23rd Oct.- Michaelmas, 1365.
17. Peter Butler, 2nd lord of Dunboyne	1366-70 Michaelmas 1366- 27th Jan., 1370.
18. Roger de St. Brigid	1370-71 Most probable date: d. before Jan., 1372
19. Walter Lenfaunt	1373-5 Michaelmas, 1373- Michaelmas, 1375
20. Milo Assik	1381
21. Robert Lukyn	1381-2
22. William Butler, 3rd lord of Dunboyne	1384-9
23. Robert Hereford Thomas Butler	1390-7 Date and order uncertain
24. William Butler, 3rd lord of Dunboyne	1397- 1405 Michaelmas, 1397- May, 1405
25. David de Vale	1411

NAME	DATE IN OFFICE
26. James Butler, 6th lord of Dunboyne	1412-13 Probable date
27. David Vale	1414- Easter 1414- 1417 Michaelmas, 1417
28. Theobald Butler	1422- Easter 1422- 1425 April, 1425
29. John fitzWilliam Butler, son of 3rd lord of Dunboyne	1429- 1433
30. Peter Hedyan	1440
31. Thomas Comyn	1445
32. Edmund fitzPiers Butler, 8th lord of Dunboyne	1457
33. The same	1463 Appointed 7th, June
34. Piers Butler	1506- Appointed 21st, June 1515

Sources:

1. P.R.O.I. Mem. Rolls, vol.15, pp.407, 377 (rot.3-4 Edw.III).
2. Ibid., vol.15, pp.501, 542 (rot.4-5 Edw.III).
3. Ibid., vol.16, p.2 (rot.5-6 Edw.III).
4. 45th Rep.D.K., p.33; P.R.O.I. Mem. Rolls, vol.18, p.226 (rot.8-9 Edw.III).
5. P.R.O.I. Mem. Rolls, vol.24, pp.236 (rot.21-22 Edw.III), 402, 575 (rot.22-23 Edw.III).
6. Ibid., vol.25, p.95 (rot.23-24 Edw.III).
7. Ibid., vol.25, p.616 (rot.25-26 Edw.III); vol.26, pp.2, 144 (rot.26-27 Edw.III).
8. Ibid.vol.26, p.262 (rot.27-28 Edw.III).
9. Ibid., vol.26, pp.442 (rot.27-28 Edw.III), 526 (rot.28-29 Edw.III).
- 10 Ibid., vol.26, p.617 (rot.28-29 Edw.III).

- 11 P.R.O.I. Mem. Rolls, vol.26, p.625 (rot.28-29 Edw.III);
vol.27, p.2 (rot.29-30 Edw.III).
- 12 N.L.I. MS. 761, p.182.
- 13 P.R.O.I. Mem. Rolls, vol.27, pp.218 (rot.31-32
Edw.III), 312, 439 (rot.32-33 Edw.III), 485, 571
(rot.34-35 Edw.III); vol.28, p.5 (rot.35-36 Edw.III);
Cal. Ormond Deeds ii, no.49.
- 14 P.R.O.I. Mem. Rolls, vol.28, pp.64, 100 (rot.35-
36 Edw.III).
- 15 Ibid., vol.28, pp.172 (rot.36-37 Edw.III), 304, 376
(rot.37-38 Edw.III), 449 (rot.38-39 Edw.III).
- 16 Ibid., vol.28, pp.494, 578 (rot.38-39 Edw.III);
vol.29, p.6 (rot.39-40 Edw.III); Cal. Ormond Deeds ii,
nos 106, 111.
- 17 P.R.O.I. Mem. Rolls, vol.29, pp.268, 405 (rot.40-
41 Edw.III); vol.30, pp.2, 64-5 (rot.42-43 Edw.III);
N.L.I. MS. 761, p.212.
- 18 P.R.O.I. Mem. Rolls, vol.31, pp.330-1 (rot. 48-
49 Edw.III).
- 19 Ibid., vol.30, p.122 (rot.47-48 Edw.III); vol.31,
p.60 (rot.48-49 Edw.III); vol.32, p.48 (rot.49-
50 Edw.III); Cal. Ormond Deeds ii, no.191.
- 20 Cal. Ormond Deeds ii, no.251.
- 21 Ibid., ii, nos 254, 255.
- 22 Ibid., ii, nos 268, 192.
- 23 N.L.I. MS.761, p.256; P.R.O.I. Mem. Rolls, vol.39,
p.225 (rot.10 Henry V).
- 24 P.R.O.I. Mem. Rolls, vol.33, p.175 (rot.21-22 Ric.II);
vol. 38, pp.116-123 (rot.8 Henry V); Cal. Ormond
Deeds ii, nos 361, 362, 378; iii, no.72.
- 25 P.R.O.I. Mem. Rolls, vol.38, pp.116-123 (rot. 8 Henry V).
- 26 N.L.I. MS.761, p.304.
- 27 P.R.O.I. Mem. Rolls, vol.34, pp.3, 14 (rot.2 Henry V);
vol.36, p.24 (rot.4 Henry V); vol.37, pp.7, 18
(rot.5 Henry V).
- 28 Ibid., vol.39, pp.213, 216 (rot.10 Henry V); vol.40,
pp.254, 267 (rot.2 Henry VI); Cal. Ormond Deeds iii,
no.67.
- 29 Cal. Ormond Deeds iii, nos 87, 102, 108.
- 30 Ibid., iii, no.351, p.388.
- 31 Ibid., iii, no.164.
- 32 Statutes, Henry VI, p.623.
- 33 Cal. Carew Manuscripts v, p.445.
- 34 Cal. Ormond Deeds iii, nos 321, 331, 337; iv, no.23.

2. Sheriffs of the Liberty of Tipperary

	NAME	DATE IN OFFICE
1.	James de Berningham	1358
2.	Robert de St. Brigid	1364
3.	David de Cauntewell	1366
4.	Henry Laffan	1373-75
5.	Robert Prendergast	1381
6.	Patrick Hay	1384
7.	Robert Prendergast	1400-04
8.	Robert Poer	1410-11
9.	Oliver Comyn	1417-21
10.	Peter Comyn	1432-35
11.	Peter Haket	1447
12.	George Comyn	1457-58
13.	George Comyn	1508
14.	Thomas Butler	1514

Sources

1. Cal. Ormond Deeds ii, no. 49, p. 42.
2. Ibid. ii, no. 106.
3. Ibid. ii, no. 123. Note: for Kilkenny, read Tipperary.
4. Ibid. ii, no. 192, p. 133 → Henry was sheriff while
5. Ibid. ii, no. 251. Walter Lenfaunt was
6. Ibid. ii, no. 268, p. 199. seneschal.
7. N.L.I. D.1545; Cal. Ormond Deeds ii, no. 383.
8. Cal. Ormond Deeds ii, no. 405.
9. Ibid. iii, no. 23; iii, no. 44.
10. Ibid. iii, no 102, pp. 91, 95.
11. N.L.I. D.1721.
12. Cal. Ormond Deeds iii, no. 200.
13. Ibid. iii, no. 337.
14. Ibid. iv, no. 23, p. 15.

3. Sheriffs of Co. Tipperary, 1328-1515

	NAME	DATE IN OFFICE
1.	Adam of London	1331-33
2.	Walter de Valle	1338
3.	Philip fitsGeoffrey de Prendregaste	1338-39
4.	Thomas fitsJohn	1339-40
5.	John Laffan	1342-46
6.	Gilbert de Bermingham	1347
7.	James fitsEdmund Butler	1406-07
8.	Richard Rokell	1420
9.	Edmund fitsJames fitsPeter Butler, 8th lord of Dunboyne	1466

Sources:

1. 45th Rep. D. K., p.36.
2. P.R.O.I. Mem. Rolls, vol.21, p.1 (rot. 12-13 Edw.III).
3. Ibid., vol.21, p.34 (rot.12-13 Edw.III); vol.22, p.348 (rot.16-17 Edw.III).
4. Ibid., vol.21, pp.186 (rot.12-13 Edw.III), 333 (rot.13-14 Edw.III); vol.22, p.247 (rot.16-17 Edw.III).
5. Ibid., vol.22, pp.416, 394 (rot.16-17 Edw.III), 617 (rot.17 Edw.III); vol.23, pp.161 (rot.18-19 Edw.III), 336, 439, 505 (rot.19-20 Edw.III).

6. P.R.O.I. Mem. Rolls, vol.24, pp.1, 235 (rot.21-22 Edw.III).
7. Ibid., vol.33, pp.189, 192 (rot.8 Henry IV).
8. Ibid., vol.38, pp.2, 12 (rot.5 Henry V).
9. Ibid., vol.41, pp.10, 26 (rot.6 Edw.IV).

APPENDIX IX

1. Memorandum quod rex mandavit breve suum thesaurario etc. in hec verba. Henricus etc. thesaurario et baronibus de scaccario Hibernie salutem. Quondam petitionem Jacobo le Botiller comite de Ormond locum tenente Hibernie et consilio in eadem terra per Ricardum filium Thome Barby et Ricardum filium Jacobi Penkeston exhibitam ac per ipsam locum tenentem indorsa tam vobis mittimus presentibus interclusam mandantes quod visa petitione predicta visoque indorsamento ejusdem ulterius inde tam pro nobis quam pro prefatis Ricardo et Ricardo fieri faciatis prout de jure et secundum legem Hibernie fuerit faciendum. Teste [apud] Dublin' 21 die Maii anno regni nostro octavo.

Et tenor petitionis [que] fit mencio sequitur in hec verba: Supplie humblement Richard fitz Thomas Barby et Richard fitz James de Penkeston qe come James le Botiller count Dormond et seigneur del libertee de Typerary signifia et certifia par sez lettres patentes de souche son grand seale del dit libertee sacraz (recte: sanz?) brief ou autre garaunt a luy direct de souch tesmoynance David de Vale seneschal del dit count del dite libertee sanz (sic: done?) a Clomell le 28 d'August lan du regne le roy Henri quart 12 que les ditz Richard fitz James de Penkeston et Richard fitz Thomas de Barby oue autres persons deins le dite certificate contenez inditz deuant un William fitz Piers le Botiller seneschall de dite libertee le Joedy prochain apres le fest des Apostles Philip et Jake lan du regne le roy Henri quart sime en assis' del dite libertee a suyt de un Roger Bernard par brief de dete del dite libertee en pleyn compte del dite libertee tems deuant Robert de Prendigast visonte del dite libertee, [et] Clement Carrea et Johan Mauncell, coroners del dite libertee, furent utlacs sime par le dite certificate enrollez en leschequer nostre seigneur le roy en Irland plus pleinement est suppose.

Et puis nostre seigneur le roy que orest al pursuit des ditz suppliants manda son brief de recordari (?)¹ del date de 24^{vo} Doctobre lan de son regne 7 hors

1. Ms: derro.

de sa chancerie en Irland direct al seneschall de dit James count Dormond et seigneur del dit libertee luy chargeant que si le dit utlarie souch son gard estoit donques le record et processe de dit utlarie ensemblement ou touts chosez icelles touchantz as justicies nostre [seigneur] le roy a Dyuelyn de souch son seale envoireit al 15 de seint Martyn a donqs prochein ensuant par force de quel brief David Vale seneschal del dite libertee retorna que la utlarie dount le dit brief fait mencion long temps deuant le venue del dit brief fuit en le gard un Esteuen Parson iaditz gardein dez briefs et rolles de dite libertee en sa meson al ville de Carrick quel ville ensemblement ou leuant dite meson et utlarie susant dite et diuersez autres rolles, recordes, et memorandas el dite meson esteantz diverses irroies enemyes le roy arseront issint que rien en sa gard remaynt de venue de dit brief quil solauqz la forme de dite brief envoyer parroit forsque del record et processe de dit utlarie le quel il eboia (recte: envoie) ou le dit brief sicome par lez ditz brief retourne et processe deuant les dites justices esteant plus pleynement appiert en quel processe envoie deuant dites justices sont diverses errores contemz suppliantz unques ne viendr' deinz le dit libertee. Et sur ceo touts bienx et chateux dez ditz suppliantz sont arrestez en maynes/seigneur le roy par William de Tynbegh nadegairs chief baron del eschequer et Johan White attorney nostre seigneur le roy. Pleise a votre tresgraciouse seigneurie sic consideraunt le matir suisdite ent ordeyn a dit suppliant convenable et hastie remedie par Dieu et en ouure de charite et [] a nostre chier et bon amee Laurence Merbury chivaler chanceller Dirland. Peticionis indorsamenti tenor sequitur in hec verba:

Accorde est par monsieur le lieutenant et le consaill del roy que cest peticioun soit envoie en le-schequier Dirland par brief le roy et que les barons illecoques vieuiez la dite peticioun et les matieres deinz especifiez faceunt dreit es parties come loie et rescoue demandent. Donee a Dyuelyn le 21^e de Juyne lan du reigne nostre seigneur le roy Henry quynt septime.

Pretextu quorum brevis et peticionis inspecta et supervisa certificacione de qua dicta peticio mentionem facit in rotalis memorandorum hujus scaccarii de termino Sancti Michaelis anno regni regis nunc est sexto irrotulat' in hec verba:

Jacobus le Botiller comes Ormonie dominus libertatis Typerarie omnibus ad quos presentes littere pervenerint salutem. Sciatis quod Ricardus filius Jacobi de Penkeston, Walterus de Penkeston, Ricardus filius Thome Barby, et Johannes Rochford de Kyldroght nuper coram Willelmo filio Petri le Botiller, senescallo libertatis predictae, die Jovis proximo post festum apostolorum Philippi et Jacobi anno regni regis Henrici quarti sexto in assisis ejusdem libertatis tentis apud Clonmell secundum consuetudinem libertatis predictae ad sectam Rogeri Bernardi per breve dicte libertatis quod reddant ei quadraginta marcas quas ei debent et injuste detinent ut dicit in pleno comitatu libertatis predictae tento coram Roberto Frendirgast vicecomite ejusdem libertatis, Clemente Carrew, et Johanne Mauncell custodibus placitorum corone libertatis predictae, utlagati sunt sicut per inspectionem recordi et processus utlagarie predictae quem coram nobis in cancellaria nostra libertatis predictae de mandato nostro venire fecimus nobis constat, et hoc vobis significamus et certificamus per presentes. In cuius rei etc. Teste David de Vale senescallo libertatis predictae apud Clonmell 28 die Augusti anno regni regis Henrici quarti post conquestum Anglie duodecimo.

P.R.O.I. Mem. Rolls, vol.38, pp.116-23 (rot.8 Henry V).

I

MANUSCRIPT SOURCES

A

The National Library of Ireland

1 Ormond Deeds and Papers:

D 1 -	Ormond Deeds. Calendared and edited by E. Curtis, <u>Calendar of Ormond Deeds</u> , 6 vols [1172-1603], Irish MSS Commission, 1932-1943.
-------	--

MS 11, 044	Ormond Papers: about 1,000 unsorted letters and papers relating to the liberty of Tipperary. Mainly seventeenth century.
------------	--

2 Collected Papers:

MSS 1-4	Collectanea de Rebus Hibernicis, 4 vols, compiled by Walter Harris, consisting of extracts from manuscript and printed sources relating to Ireland, 1155 - .
---------	--

MSS 760-761	Excerpts from the Irish Pipe Rolls from Henry III to Edward III, compiled by Sir William Betham.
-------------	--

B

The Public Record Office, London

1 Irish Exchequer Accounts:

E 101/230/4 to
E 101/245/8

The Issue and Receipt Rolls of the Irish exchequer between 1274 and 1384. This collection includes bundles of exchequer writs. A comprehensive list of the rolls may be found in The Administration of Ireland, 1172-1377, by H. G. Richardson and G. O. Sayles, pp. 199-216.

E 101/246/1-14

Miscellaneous accounts of the Irish exchequer in the time of Richard II.

E 101/247/1-20

Miscellaneous accounts of the Irish exchequer in the time of Henry V.

E 101/248/1-18

Miscellaneous accounts of the Irish exchequer in the time of Henry VI, Richard III and Henry VII.

2 Ministers' Accounts:

3 C 6/1239/13

Account of Walter de Istelep and Thomas le Botiller, custodians of the lands of Gilbert de Clare in co. Kilkenny, anno 7-8 Edward III.

3 C 6/1239/18-29

The accounts of various receivers for the lands of Elizabeth de Burgo in counties Kilkenny and Tipperary, between 1343 and 1360.

3 Petitions:

S.C. 8

Ancient Petitions.

4 Chancery documents:

Chancery Miscel-
lanea, bundles 10
and 87See catalogue compiled by
James Hogan in Analecta
Hibernica, I (1930),
pp. 179-218.

Note: In all cases I have used the microfilm copies in the National Library of Ireland, and because numbering membranes presents special difficulties on microfilm, I considered it wiser not to give membrane numbers. This omission does not, however, create serious difficulties, since the rolls mentioned above seldom amount to more than three or four membranes.

C

The Public Record Office, Dublin

1 Irish exchequer records:

- a. The Calendars of the Memoranda Rolls of the Irish Exchequer prepared by the Irish Record Commission. 41 vols.
- b. Public Record Office Draft Calendar of the Memoranda Rolls, compiled by James Mills, consisting of transcripts from the rolls of the reigns of Edward I, Edward II and Henry IV.

See J. F. Lydon, 'Survey of the Memoranda Rolls of the Irish Exchequer, 1294-1509', Analecta Hibernica, XXIII (1966), pp. 49-134.

Note: In citing the Memoranda Rolls of the Irish exchequer I have always given the regnal year, but I considered it unnecessary

to give the membrane number as the original rolls no longer exist.

- c. Repertories to Exchequer Inquisitions, vol. 13. Prepared by the Irish Record Commission.

2 Judicial records:

- a. Calendar of the Irish Plea Rolls, 13 vols. Prepared by the Irish Record Commission.
- b. Manuscript Calendar Roll of Justices Itinerant and in co. Tipperary, 33-34 Edward I. 1 vol. Prepared by the Irish Record Commission.

3 Miscellaneous sources:

- a. Lodge Manuscripts: transcripts of miscellaneous documents from the time of Edward II until 1596.
- b. Repertories to Chancery Inquisitions, vols. 10, 11. Prepared by the Irish Record Commission.
- c. Regal Visitation Books, vol. 3. Visitations of the province of Cashel in 1607 and 1615. Prepared by the Irish Record Commission.

D

The Royal Irish Academy

1 Irish exchequer records:

Case 12, shelf D,
no. 8

Extracts from the Irish Memoranda Rolls of the reign of Edward II.

Case 12, shelf D,
no. 11

Extracts from the Irish Memoranda Rolls, 31-35 Edward I.

- | | |
|-----------------------------|---|
| Case 12, shelf D,
no. 13 | Extracts from the Irish
Memoranda Rolls, 13-19
Edward II. |
| Case 12, shelf D,
no. 14 | Extracts from the Irish
Memoranda Rolls, 3-50
Edward III. |
| Case 24, shelf H,
no. 17 | Extracts from the Irish
Memorandum Rolls, 1383-
1543. |
| Case 12, shelf D,
no. 9 | The Irish Pipe Roll of 45
Henry III (complete). |
| Case 12, shelf D,
no. 10 | Extracts from the Irish
Pipe Rolls, 1264-1543. |

E

Trinity College, Dublin

1 Ecclesiastical records:

- | | |
|------------|---|
| MS T. 1. 9 | Visitatio Regalis, 1615,
copied by bishop W. Reeves. |
|------------|---|

2 Miscellaneous sources:

- | | |
|-------------|---|
| MS F. 3. 27 | Obits, pedigrees, marriages,
collected by John Madden. |
| MS F. 4. 23 | Extracts from the registers
of several monasteries,
collected by John Madden. |
| MS F. 3. 13 | Notes from the records in
the Birmingham Tower, col-
lected by John Madden. |

F

The Genealogical Office, Dublin Castle

- 1 MSS 189-192 Historical and genealogical extracts from the Irish Plea Rolls in the Birmingham Tower, from the time of Edward III to Edward VI, compiled by Sir William Betham.

G

The British Museum

1 Gaelic sources:

- Additional MS 33993 Gaelic poems relating to James Purcell, baron of Loughmoe, Taidg O'Carroll, Philip Haket, Pierce Butler, and a genealogical tract relating to the Stapletons of co. Tipperary. Written in the late fifteenth and early sixteenth centuries.

2 Collected papers and documents:

- Cotton MS Titus B XI A collection of original documents relating to Ireland, probably collected by Sir George Carew. Thirteenth to sixteenth centuries.

Cotton MS Titus
B XII

Miscellaneous documents
relating to Ireland,
mostly of the second half
of the sixteenth century.

Note: Mrs. William O'Sullivan kindly let me use her translations of the Gaelic sources in MS. Ad. 33993, which she is preparing for publication.

For the remaining sources I used the microfilm copies in the National Library of Ireland.

H

The Bodleian Library

- | | | |
|---|----------------------------|---|
| 1 | The Papers of Thomas Carte | A catalogue in chronological order of the papers of the Rev. Thomas Carte compiled by Edwards. Vols. 1-2 to September, 1558. (N.L.I. microfilm p.4532). |
|---|----------------------------|---|

I

The Lambeth Palace Library

- | | | |
|---|----------------------------------|---|
| 1 | Carew Manuscripts:

MS 613 | A collection of papers, mostly relating to Ireland, formerly in the possession of Sir G. Carew, earl of Totnes, 1278-1618. (N.L.I. microfilm p. 1699-1700). |
|---|----------------------------------|---|

II

PRINTED SOURCES

A. Records of the Central Administration in England and Ireland:

Calendar of Carew Manuscripts, ed. J. S. Brewer and W. Bullen, London, 1867-1873.

Calendar of Charter Rolls, London, 1903-27.

Calendar of Close Rolls, London, 1892-1963.

Calendar of Documents relating to Ireland, ed. H. S. Sweetman, 5 vols., London, 1875-86.

Calendar of Inquisitions Post Mortem, London, 1904 - .

Calendar of the Justiciary Rolls, Ireland. Vols. I (1295-1303) and II (1305-7) ed. J. Mills, Dublin, 1905-14; Vol. III (1308-14) ed. M. C. Griffith, Dublin [1956].

Calendar of Patent Rolls, London, 1891 - .

Calendar of the State Papers relating to Ireland, 1509-1573, London, 1860.

Catalogue of Pipe Rolls, in the 35th-39th, 42nd-45th, 47th, 53rd and 54th Reports of the Deputy Keeper of the Public Records of Ireland.

Close Rolls of the Reign of Henry III, London, 1902-38.

Foedera, Conventiones, Litterae, et Cujuscunque Generis Acta Publica inter Reges Angliae et alios Quovis Imperatores, Reges, Pontifices, Principes, vel Communitates, ed. Thomas Rymer (vols. 1-xv) and Robert Sanderson (vols. xvi-xx). 20 vols. London, 1704-35.

- The Irish Pipe Roll of 14 John, ed. O. Davies and D. B. Quinn, Ulster Journal of Archaeology, 3rd series, IV (1941), supplement.
- Letters and Papers Illustrative of the Reigns of Richard III and Henry VII, ed. J. Gairdner, 2 vols., Rolls Series, 1861-3.
- Parliaments and Councils of Medieval Ireland, ed. H. G. Richardson and G. O. Sayles, Irish MSS Commission, 1947.
- Patent Rolls of the Reign of Henry III, 2 vols. [1216-1225 and 1225-1232]. London, 1901-3.
- Proceedings and Ordinances of the Privy Council in England, ed. N. Harris Nicolas, 7 vols., Record Commission, 1834-7.
- A Roll of the Proceedings of the King's Council in Ireland, ed. J. Graves, Rolls Series, 1877.
- Rotuli Chartarum in Turri Londinensi asservati, [1199-1216], ed. T. D. Hardy, Record Commissioners, 1837.
- Rotuli Litterarum Clausarum in Turri Londenensi asservati, ed. T. D. Hardy, 2 vols. (1204-1224 and 1224-1227), Record Commissioners, 1833-44.
- Rotuli Litterarum Patentium in Turri Londenensi asservati, [1201-1216], ed. T. D. Hardy, Record Commissioners, 1835.
- Rotuli Parliamentorum, 7 vols., London, 1783.
- Rotuli Selecti ad Res Anglicas et Hibernicas Spectantes, ex Archivis in Domo Capitulari Westmonasteriensi deprompti, ed. J. Hunter, Record Commission, 1834.
- Rotulorum Patentium et Clausorum Cancellarie Hibernie Calendarium, ed. E. Tresham, Irish Record Commission, 1828.

Statutes and Ordinances and Acts of the Parliament of Ireland, King John to Henry V, ed. H. F. Berry, Dublin, 1907.

Statute Rolls of the Parliament of Ireland, Reign of King Henry the Sixth, ed. H. F. Berry, Dublin, 1910.

Statute Rolls of the Parliament of Ireland, First to the Twelfth Years of the Reign of King Edward the Fourth, ed. H. F. Berry, Dublin, 1914.

Statute Rolls of the Parliament of Ireland, Twelfth and Thirteenth to the Twenty-first and Twenty-second Years of the Reign of King Edward the Fourth, ed. J. F. Morrissey, Dublin, 1939.

B. Ecclesiastical Records:

Calendar of Archbishop Alen's Register, c. 1172-1534, ed. C. McNeill. Dublin: Royal Society of Antiquaries of Ireland, 1950.

Calendar of Entries in Papal Registers relating to Great Britain and Ireland, vols. i-ii, ed. W. H. Bliss; vol. iii, ed. W. H. Bliss and C. Johnson; vols. iv-v, ed. W. H. Bliss and J. A. Twemlow; vols. vi-xii, ed. J. A. Twemlow. London, 1893 - .

Calendar of the Liber Ruber of the Diocese of Ossory, ed. H. J. Lawlor, Proceedings of the Royal Irish Academy, XXVII, C, pp. 159-192.

Chartulary of Oseney Abbey, ed. H. E. Salter, Oxford Historical Society, XCVIII, 1935.

Chartularies of St. Mary's Abbey, Dublin, ed. J. T. Gilbert, 2 vols., London: Rolls Series, 1884.

Crede Mihi: the most ancient register book of the archbishops of Dublin before the reformation, ed. J. T. Gilbert, Dublin, 1897.

Extents of Irish Monastic Possessions, 1540-1541, ed. N. B. White, Dublin: Irish MSS Commission, 1943.

Irish Monastic and Episcopal Deeds, A. D. 1200-1600, ed. N. B. White, Dublin: Irish MSS Commission, 1936.

Pontificia Hibernica: Medieval Papal Chancery Documents concerning Ireland, ed. M. P. Sheehy, 2 vols., Dublin, 1962-5.

Register of the Abbey of St. Thomas, Dublin, ed. J. T. Gilbert, London: Rolls Series, 1889.

Register of the Hospital of St. John the Baptist without the New Gate, Dublin, ed. E. St. J. Brooks, Dublin: Irish MSS Commission, 1936.

Registrum Prioratus Omnium Sanctorum Juxta Dublin, ed. Richard Butler, Dublin: Irish Archaeological Society, 1845.

C. Family Records:

Calendar of the Gormanston Register, ed. J. Mills and M. J. McEnery, Dublin: Royal Society of Antiquaries of Ireland, 1916.

Calendar of Ormond Deeds, ed. E. Curtis, 6 vols., Dublin: Irish MSS Commission, 1932-43.

The Red Book of the Earls of Kildare, ed. G. Mac-Niocaill, Dublin: Irish MSS Commission, 1964.

The Red Book of Ormond, ed. N. B. White, Dublin: Irish MSS Commission, 1932.

D. Municipal Records:

Historic and Municipal Documents of Ireland,
A. D. 1172-1320, ed. J. T. Gilbert, London:
 Rolls Series, 1870.

Liber Primus Kilkenniensis, ed. C. McNeill,
 Dublin: Irish MSS Commission, 1931.

E. Annals and Chronicles:

The Annals of Clonmacnoise, ed. D. Murphy, S. J.,
 Dublin: Royal Society of Antiquaries of Ireland,
 1896.

The Annals of Connacht, ed. A. Martin Freeman,
 Dublin: Dublin Institute for Advanced Studies,
 1944.

Annales Hiberniae, by Friar John Clyn, in Annals
of Ireland, ed. Richard Butler, Dublin: Irish
 Archaeological Society, 1849.

The Annals of Ireland, from the Year 1443 to
1468, translated from the Irish by Dudley Fir-
bisse, or, as he is more usually called, Duaid
Mac Firbis, for Sir James Ware, in the year
1666, ed. J. O'Donovan, The Miscellany of the
Irish Archaeological Society, I (1846), pp.
 198-302.

Annals of the Kingdom of Ireland by the Four
Masters, from the Earliest Period to the Year
1616, 7 vols., Dublin, 1848-51.

The Annals of Loch Ce: a Chronicle of Irish
Affairs from A. D. 1014 to 1590, ed. W. M.
 Hennessey, 2 vols., London: Rolls Series, 1871.
 (Reproduced by the Irish MSS Commission, 1939).

Annales Monasterii Beate Marie Virginis, juxta
Dublin, in Chartularies of St. Mary's Abbey,
Dublin, ii, ed. J. T. Gilbert, London: Rolls
 Series, 1884.

Annals of Nenagh, ed. D. F. Gleeson, Analecta Hibernica, no. 12 (1943), pp. 157-164.

Annals of Ulster, ed. W. M. Hennessey and B. MacCarthy, 4 vols., Dublin, 1887-1901.

Jacobi Grace, Kilkenniensis, Annales Hiberniae, ed. Richard Butler, Dublin: Irish Archaeological Society, 1842.

Chronicle of Ireland by Henry Marlborough, Dublin, 1633.

F. Gaelic Sources:

Poems of the Butlers of Ormond, Cahir, and Dunboyne, [1400-1600], ed. J. Carney, Dublin, 1945.

'A Poem in Praise of John Cantwell', tr. Anne O'Sullivan, Eigse, X (1961-3), pp. 103-19.

The Topographical Poems of John O'Dubhagáin and Giolla na Naomh O'Fuidhrin, ed. John O'Donovan, Dublin: Irish Archaeological and Celtic Society, 1862.

G. Miscellaneous Sources:

Chartae, Privilegia et Immunitates, Dublin-London-Edinburgh, 1889.

The Civil Survey A. D. 1654-1656, County of Tipperary, ed. R. C. Simington, 2 vols., Dublin: Irish MSS Commission, 1931-4.

Davys, Sir John, Le Primer Report des Cases et Matters en Ley resolves et adiudges en les Courts del Roy en Ireland, Dublin, 1615.

Facsimiles of the National MSS of Ireland, ed. J. T. Gilbert, 4 parts in 8, Southampton: Ordnance Survey Office, 1874-84.

1st Report of Commissioners for Ecclesiastical Inquiry, Ireland. 1833, vol. 5, XXI.

'Lord Chancellor Gerrard's Notes of his Report on Ireland with Extracts from Original Irish Records exhibited by him before the Privy Council in England, 1577-8', Analecta Hibernica, no. 2 (1931), pp. 93-291.

H. Histories which include printed documents:

The History, Architecture, and Antiquities of the Cathedral Church of St. Canice, Kilkenny, by J. Graves and J. G. A. Prim, Dublin, 1857.

Richard II in Ireland, 1394-5, and Submissions of the Irish Chiefs, by E. Curtis, Oxford, 1927.

The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century: being the Presentments of the Gentlemen, Commonality, and citizens of Carlow, Cork, Kilkenny, Tipperary, Waterford, and Wexford made in the Reigns of Henry VIII and Elizabeth, by H. J. Hore and J. Graves, Dublin, 1870.

I. Maps:

The Down Survey: 1, Leinster and Connaught; II, 2, Munster; ed. Col. R. C. Hellard, Southampton: Ordnance Survey Office, 1908.

III

SECONDARY WORKS

- Altschul, M., A Baronial Family in Medieval England: the Clares, 1217-1314, the John Hopkins University Studies in Historical and Political Science, series 82, no. 2, 1965.
- Archdall, M., Monasticon Hibernicum, London, 1786.
- Armstrong, O., Edward Bruce's Invasion of Ireland, London, 1923.
- Brooks, E. St. J., 'The Family of Marisco', Journ. R.S.A.I., LXI (1931), pp. 22-38; LXII (1932), pp. 50-74.
- _____, Knights' Fees in Counties Wexford, Carlow and Kilkenny, Dublin: Irish MSS Commission, 1950.
- _____, 'Machtalewi, a Leinster Chieftain', Journ. R.S.A.I., LXXI (1941), pp. 53-5.
- Bryan, D., Gerald Fitzgerald, the Great Earl of Kildare, 1456-1513, Dublin, 1913.
- Burke, W. P., History of Clonmel, Waterford, 1907.
- Butler, T. B., 'The Origins of the Butlers in Ireland', The Irish Genealogist, vol. 1, pp. 147-157. / (1937-42)
- _____, 'Thomas le Botiller, Prior of Kilmainham, 1403-1419', ibid., vol. 1 (1937-42), pp. 362-72.
- _____, 'The barony of Dunboyne', ibid., vol. 2 (1943-55), pp. 66-81, 107-121, 130-136, 162-4.
- _____, 'Seneschals of the liberty of Tipperary', ibid., vol. 2, pp. 294-302, 326-36, 368-76; vol. 3 (1956-67), pp. 46-59, 109-115.

- Butler, T. B., 'The Sheriffs of the Liberty of County Tipperary', The Irish Genealogist, vol. 3, pp. 120-123, 158-161. (1956-67)
- _____, 'The First Sheriff of the Ormond Liberty of Tipperary', *ibid.*, vol. 3, pp. 238-9. (1956-67)
- Butler, W. F., 'Clan and Settler in Ormond', Journ. Cork Historical and Archaeological Society, 2nd Series, XX (1914), pp. 1-16.
- Carrigan, W., The History and Antiquities of the Diocese of Ossory, 4 vols., Dublin, 1905.
- Carte, Thomas, An History of the Life of James, Duke of Ormonde, 2 vols., London, 1736.
- Coke, E., The Fourth Part of the Institutes of the Laws of England, London, 1648.
- Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom, ed. Vicary Gibbs, London, 1910-59.
- Conway, A., Henry VII's Relations with Scotland and Ireland, 1485-1498, Cambridge, 1932.
- Cotton, H., Fasti Ecclesiae Hibernicae, 6 vols., Dublin, 1847-78.
- Curtis, E., 'The Clan System among the English Settlers in Ireland', E. H. R., XXV (1910), pp. 116-20.
- _____, A History of Medieval Ireland from 1086 to 1513, 2nd edition, London, 1938. Reprinted New York, London, 1968.
- _____, 'Rental of the Manor of Lisronagh, 1333, and Notes on "Betagh" Tenure in Medieval Ireland', Proc. R.I.A., XLIII (1935), C, pp. 41-76.
- _____, Richard II in Ireland, 1394-5, and Submissions of the Irish Chiefs, Oxford, 1927.

Curtis, E., 'Richard Duke of York as Viceroy of Ireland, 1447-1460', Journ. R.S.A.I., LXII (1932), pp. 158-86.

_____, 'Sheriffs' Accounts for County Tipperary, 1275-6', Proc. R.I.A., XLII (1934), C, pp. 65-95.

Delany, V. T. H., 'The Palatinate Court of the Liberty of Tipperary', The American Journal of Legal History, V (1961), pp. 95-117.

Denholm-Young, N., Seignorial Administration in England, Oxford, 1937. Reprinted New York, 1964.

Dictionary of National Biography, ed. Leslie Stephen and Sidney Lee, London, 1885-1900: reprinted 1908-9.

Dunboyne, Lord, 'The Butlers', Old Kilkenny Review, no. 18 (1966), pp. 35-53; no. 19 (1967), pp. 5-13.

Flynn, P. J., The Book of the Galtees and the Golden Vein, Dublin, 1926.

Gleeson, D. F., 'The Castle and Manor of Dromineer, Co. Tipperary', North Munster Antiquarian Journal, I (1936-9), pp. 22-8.

_____, 'The Castle and Manor of Nenagh, with a Description of the Buildings by H. G. Leask', Journ. R.S.A.I., LXVI (1936), pp. 247-269.

_____, 'The Diocese of Killaloe in the Thirteenth Century', North Munster Antiquarian Journal, I (1936-9), pp. 142-158.

_____, A History of the Diocese of Killaloe, Dublin, 1962.

_____, History of the Ely O'Carroll Territory or Ancient Ormond, Dublin, 1915.

_____, The Last Lords of Ormond, London, 1938.

This is
by Rev
John Gleeson
- D F's uncle

- Gleeson, D. F., 'The Manor of Ballinaaclogh in Ormond', North Munster Antiquarian Journal, III (1942-3), pp. 129-143.
- _____, 'The Ormond Freeholders of the Civil Survey', Journ. R.S.A.I., LXVI (1936), 162.
- Gilbert, Sir J. T., History of the Viceroys of Ireland, Dublin, 1865.
- Graves, J., See above section II, H.
- Griffith, M. C., 'The Talbot Ormond Struggle for the Control of the Anglo-Irish Government, 1414-47', I.H.S., II (1941), pp. 376-97.
- Hand, G. J., English Law In Ireland, 1290-1324, Cambridge, 1967.
- _____, 'The Status of the Native Irish in the Lordship of Ireland, 1272-1331', The Irish Jurist, new series, I (1966), pp. 93-115.
- Handbook of British Chronology, 2nd edition, ed. Sir F. M. Powicke and E. B. Fryde, London: Royal Historical Society, 1961.
- Hogan, E., S. J., Onomasticon Goedelicum Locorum et Tribuum Hiberniae et Scotiae, Dublin-London, 1910.
- Hogan, J., 'The Tricha Cet and Related Land Measures', Proc. R.I.A., XXXVIII (1929), C, pp. 148-235.
- Holdsworth, W. S., A History of English Law, 13 vols., London 1922-52.
- Holmes, G. A., The Estates of the Higher Nobility in Fourteenth Century England, Cambridge, 1957.
- Hore, H. J., See above section II, I.
- Hore, P. H., History of the Town and County of Wexford, 6 vols., London, 1900-11.

- Jacob, G., A New Law-dictionary, London, 1729.
- Lapsley, G. T., The County Palatine of Durham, Cambridge (Mass.), 1924.
- Leister, I., Das Werden der Agrarlandschaft in der Grafschaft Tipperary, Irland, Marburg, 1963.
- Lydon, J. F., 'The Bruce Invasion of Ireland', Historical Studies IV (1963), pp. 111-25.
- _____, 'Edward II and the Revenues of Ireland in 1311-12', I.H.S., XIV (1964), pp. 39-57.
- Medieval Studies Presented to Aubrey Gwynn, S. J., ed. J. A. Watt, J. B. Morrall, F. X. Martin, O.S.A., Dublin, 1961.
- Nugent, W. F., 'Carlow in the Middle Ages', Journ. R.S.A.I., LXXXV (1955), pp. 62-76.
- O'Buachalla, L., 'An Early Fourteenth Century Place-name List for Anglo-Norman Cork', Dinnseanchas, II (1966-7), pp. 1-12, 39-50, 61-67.
- Orpen, G. H., Ireland under the Normans, 1169-1333, 4 vols., Oxford, 1910-11. Reprinted Oxford, 1968.
- Otway-Ruthven, [A.] J., 'Anglo-Irish Shire Government in the Thirteenth Century', Irish Historical Studies, V (1946), pp. 1-28.
- _____, 'The Character of Norman Settlement in Ireland', Historical Studies V (1965), pp. 75-84.
- _____, 'The Constitutional Position of the Great Lordships of South Wales', Transactions of the Royal Historical Society, 5th series, 8 (1958), pp. 1-20.
- _____, A History of Medieval Ireland: with an Introduction by Kathleen Hughes, London-New York, 1968.

- Otway-Ruthven, [A.] J., 'Ireland in the 1350's: Sir Thomas de Rokeby and his Successors', Journ. R.S.A.I., XCVII (1967), pp. 47-59.
- _____, 'Knights' Fees in Kildare, Leix and Offaly', Journ. R.S.A.I., XCI (1961), pp. 163-81.
- _____, 'Knight Service in Ireland', Journ. R.S.A.I., LXXXIX (1959), pp. 1-15.
- _____, 'The Native Irish and English Law in Medieval Ireland', I.H.S., VII (1950), pp. 1-16.
- _____, 'The Organization of Anglo-Irish Agriculture in the Middle Ages', Journ. R.S.A.I., LXXXI (1951), pp. 1-13.
- _____, 'Parochial Development in the Rural Deanery of Skreen', Journ. R.S.A.I., XCIV (1964), pp. 111-22.
- _____, 'The Request of the Irish for English Law, 1277-80', I.H.S., VI (1949), pp. 261-9.
- Pollock, F., and Maitland, F. W., The History of English Law before the Time of Edward I, 2 vols., 2nd edition, Cambridge, 1923.
- Price, L., 'The Byrnes' Country in County Wicklow in the Sixteenth Century: and the Manor of Arklow', Journ. R.S.A.I., LXVI (1936), pp. 41-66.
- Richardson, H. G., and Sayles, G. O., The Administration of Ireland, 1172-1377, Dublin: Irish MSS Commission, 1963.
- _____, The Irish Parliament in the Middle Ages, Philadelphia. New Edition, Philadelphia, 1964.
- Sayles, G. O., 'The Rebellious First Earl of Desmond', Medieval Studies Presented to Aubrey Gwynn, S. J., pp. 203-29.

Scammell, J., 'The Origin and Limitations of the Liberty of Durham', E.H.R., LXXXI (1966), pp. 449-473.

Seymour, St. J. D., The Diocese of Ely, Dublin, 1913.

Stenton, F. M., The First Century of English Feudalism, 1066-1166, Oxford, 1932.

Ware, J., 'The Antiquities of Ireland', in The Whole Works of Sir James Ware concerning Ireland, ed. Walter Harris, Dublin, 1739.

_____, Archiepiscoporum Casseliensium et Tuamensium Vitae, Dublin, 1626.

_____, Rerum Hibernicarum Henrico VII regnante Annales, London, 1658.



