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ABSTRACT

R. Gillespie, 'East Ulster in the early seventeenth century: a colonial economy and society', Ph.D. thesis, Trinity College, Dublin, 1982.

This thesis attempts to outline the forms of political, social and economic organization which emerged in the two non-escheated counties of Ulster, Antrim and Down, as a result of colonization from England and Scotland in the period c.1600 to 1641. The society described was characterised by a period of consolidation of landed, political, and economic interests in its early years as both settler and native adjusted to the political situation created by the English subjugation of Ireland in 1603. Initially this process of consolidation was supported by the central administration in an effort to enforce stability quickly and cheaply. This resulted in extensive franchises being granted to many settler landowners, so that although this policy was reversed after 1608 there were still large power blocks in the countryside. Landlords, most of whom had come to east Ulster motivated by ambition or quick profit, were unwilling to surrender their newly acquired rights. Landed estates and local office in east Ulster were the beginning of social mobility not its climax and consequently they were jealously guarded. When the central administration began to tighten its hold in the localities during the late 1620s and 1630s it alienated the local lords and conflict resulted.

These political tensions were accentuated by a series of social and economic crises in the 1630s. For example, population, which was low in the sixteenth century, had not grown sufficiently to provide an economically viable workforce. Moreover most landlords, because of their backgrounds in England or Scotland, did not have the capital which was needed to develop their estates to the degree they would have liked. This problem of the acquisition and accumulation of capital was aggravated by the poor provision of credit facilities. The failure of the towns to develop except as social centres for the gentry meant that there were no substantial merchant communities who could provide credit facilities. Agriculture, for example, remained structurally unchanged from the sixteenth century and diversified little. By the 1630s most landlords, especially the native Irish, were experiencing financial difficulties and many had to mortgage large parts of their estates. This situation was exacerbated by a series of poor harvests which meant that many tenants were unable to pay their rent, the main source of landlord revenue, and hence many landlords fell further into debt.

In contrast to this, rural society was better adapted to the colonial situation. The manor courts and other incentives offered by the landlords to attract good tenants in a society where few were available, were used by tenants to evolve a unique relationship between landlord and tenant. Tenants adapted the social structures of England, Ireland, and Scotland to produce a specifically colonial social structure. Yet even here the problems of credit and the desire of Lord Deputy Wentworth for religious conformity hit hard by the 1630s. The predominantly Scottish presbyterian settlers were attacked by the imposition of an oath of conformity, the Black Oath. Many fled to Scotland and as a result decreased labour supply significantly.

The coincidence of this political crisis in the late 1630s with an economic one posed a serious problem for the structure of east Ulster society. The various cultural-religious groupings, never well integrated, began to separate out. In 1639 the presbyterian Covenanters reacted violently against the central administrations policies and in 1641 the native Irish, spurred on by a harvest failure, rebelled. It was this crisis which dissolved the bonds of the pre 1641 society and the Cromwellian regime of the 1650s was to forge new ones.

Ph.D. degree awarded
30th June 1982.



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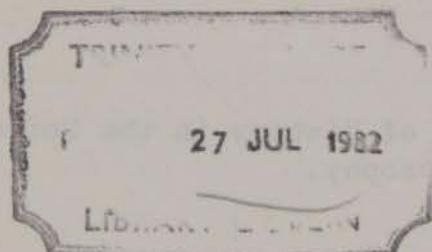
EAST ULSTER IN THE EARLY SEVENTEENTH
CENTURY: A COLONIAL ECONOMY
AND SOCIETY

ERNEST RAYMOND GILLESPIE, B.A. (Q.U.B.)

A thesis submitted to the School of History in the University of Dublin
for the degree of Doctor of Philosophy.

Trinity College
May 1982

THEESIS
533



- Chapter 1 The case studies
- Chapter 2 The people and households in rural areas
- Chapter 3 The creation of separate identities in English background
- Chapter 4 The peoples of a single household
- Chapter 5 The fluidity of the roles: an economic analysis
- Chapter 6 English and Thai-based identities among the local Indians
- Chapter 7 The power and the place of women
- Chapter 8 Through a glass darkly
- Chapter 9 Islands in time and space

This thesis was written under the supervision of A. Clarke, M.A, Ph.D., F.T.C.D., during 1978-82. It is entirely my own work and has not been submitted as an exercise for a degree at this or any other university.

Raymond Grimes
30. IV. 82

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interaction of three cultural groups, native Irish, Anglo-Irish and various strains of settlers, in a predominantly colonial environment. The political and economic structures of Ireland were not those of England or Scotland, they were unique and distinctive and the interaction of the cultural groups in this special environment forced a social model quite unlike the social arrangements in England or Scotland. Added to the difficulties of dealing with this rare event, a social revolution, are considerable problems with sources. Much of the material so faithfully used by English social historians in recent years, parish registers, probate records and legal records, for example, either never reached to Ireland or were destroyed by the burning of the Four Courts in 1922. Despite this, enough has survived to give a series of glimpses of early modern Irish society although most of them are not so well focused or as wide a vision as I would like. This thesis, in an attempt to reconstruct the society-of-one part of early seventeenth century Ireland - the creation of Antrim and Down in east Ulster - can boast no more than that claimed by the late seventeenth century antiquary, John Aubrey, of his work on Stoweshenge, that it had not brought the subject into the bright light of day but from utter darkness to a thin mist.

A thesis embracing areas of politics, economy, law and society must bear heavily on the work of others and my gratitude demonstrates my debts to those who have shaped the history of early modern Ireland. I should like to express my thanks for help and encouragement to Dr. Mary O'Dowd, Dr. E. P. Treglown, Michael Fenton, Howell, Trevor, Dr. David J. Hunter of U.C.C., and Mr Michael McEvily, Marquis of Ormond, for their preparation, guidance on the task of research and for many special thanks to these people. Finally, if there have been any errors, been all that a good supervisor should be, I thank him for his sympathetic guidance and keeping me company through the

PREFACE

The reconstruction of the workings of society in sixteenth and seventeenth century Ireland is a complex task. Unlike its counterparts in England and Scotland early modern Irish society passed from a medieval world into a modern social order by means of a revolution in landownership as well as the social, economic and political structures. The cultural elements which made up English and Scottish society were stable whereas in Ireland they fluctuated radically. Early modern Irish society resulted from the interaction of three cultural groups, native Irish, Anglo-Irish and various strains of settlers, in a distinctively colonial environment. The political and economic structures of Ireland were not those of England writ small, they were unique and distinctive and the interaction of the cultural groups in this special environment formed a modus vivendi quite unlike the social arrangements in England or Scotland. Added to the difficulties of dealing with that rare event, a social revolution, are considerable problems with sources. Much of the material so fruitfully used by English social historians in recent years, parish registers probate records and legal records, for example, either never existed in Ireland or were destroyed by the burning of the Four Courts in 1922. Despite this, enough has survived to give a series of glimpses of early modern Irish society although most of them are not as well focused or of as wide a vision as we would like. This thesis, in an attempt to reconstruct the society of one part of early seventeenth century Ireland - the counties of Antrim and Down in east Ulster - can boast no more than that claimed by the late seventeenth century antiquary, John Aubrey, of his work on Stonehenge, that it had not brought the subject into the bright light of day but from utter darkness to a thin mist.

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of postgraduate research and thirdly, and most importantly, to Mr W.H. Crawford, Ulster Folk and Transport Museum, without whose help, encouragement and insistence this thesis would never have been started let alone finished.

A note on dating

All dates are given old style except the year is taken as beginning on 1 January. Dates on Scottish documents have been adjusted accordingly.

A note on references

References have usually been given in their most accessible form. In the case of state papers, if the calendar entry is sufficient to illustrate the point it has been given but if it is necessary to consult the original document it has been cited.

The abbreviations in T.W. Moody, F.X. Martin, F.J. Byrne, A new history of Ireland, iii (Oxford, 1976), pp xxvi-xxxvii, have been used throughout with the following additions:

- B.L. British Library (formerly British Museum)
- Benn, History G. Benn, A history of the town of Belfast. Belfast, 1877.
- Blair, Autobiography T. McCrie (ed.), The life of Mr Robert Blair. Edinburgh, 1848.
- Brereton, Travels E. Hawkins (ed.), Sir W. Brereton, Travels in Holland and the United Provinces, England, Scotland and Ireland (Chetam Society). London, 1844.
- Erck. J.C. Erck (ed.), A repertory of the inrollments of the patent rolls in Ireland, i. Dublin, 1846, 1856.
- Ham. MSS T.K. Lowry (ed.), Hamilton Manuscripts. Belfast, 1867.
- Hill, Macdonnells G. Hill, A historical account of the Macdonnells of Antrim. Belfast, 1873.
- Inq. Ult. Inquisitionum in officia rotulorum cancellariae Hiberniae asservatornum, ii. Dublin, 1829.
- Ir. ec. and social hist. Irish economic and social history.
- Laud, Works J. Bliss, W. Scott (eds), The works of the most reverend father in God William Laud, 7 vols. Oxford, 1847-60.
- Mont MSS G. Hill (ed.), W. Montgomery, Montgomery manuscripts. Belfast, 1869.
- O'Laverty, Down and Connor J. O'Laverty, A historical account of the diocese of Down and Connor, ancient and modern, 4 vols. Dublin, 1878-87.

Perceval Maxwell, Scottish
migration

M. Perceval Maxwell, The Scottish migration
to Ulster in the reign of James I.
London, 1973.

Stone, Crisis

L. Stone, The crisis of the aristocracy.
Oxford, 1965.

S.H.R.

Scottish Historical Review.

SL

Sheffield City Library. Wentworth
Woodhouse MSS, Strafford Letters.

SRO

Scottish Record Office, Register House,
Edinburgh

CHAPTER 1 A CASE STATED

One of the principal obstacles to a proper understanding of early modern Ireland lies in the nature of the historiography. Historians have failed to appreciate two points fundamental to the structure of Irish society in the sixteenth and seventeenth centuries. First, those who have written the history of early modern Ireland have approached the problems of economic change, law and order and sovereignty from the perspective of the Dublin administration. There has been little attempt to understand the effectiveness of Dublin's orders or the limitations of carrying them out in the localities. Ireland, even after 1603, was not a uniform country in which government control, or economic or social development spread evenly. It was, rather, a patchwork of regions, each with its own social, economic and political structures. Secondly, it has not been fully appreciated that Ireland was a colonial society, that a situation existed where one or more cultural groups, in this case Scots and English, settled in an area occupied by a third cultural group, the native Irish. The colonisers tended to form a 'dominant minority' but at the same time adopted ideas from each of the cultures present, English, Scottish and Gaelic, to establish a modus vivendi in a new environment.¹ This modus vivendi varied according to the differing social, political and economic structures throughout Ireland. It is the aim of this thesis to examine colonial society in one region, that of the non-escheated Ulster counties of Antrim and Down.

East Ulster had traditionally been a distinct unit. The colonisation by Norman settlers in the thirteenth and fourteenth centuries gave it a distinct identity which it preserved into the seventeenth century. One tract of 1608 advocated that Antrim should be considered as a county which could be included in the Ulster plantation but the suggestion was never acted upon.² Antrim and Down retained their own characteristics throughout the early seventeenth century by remaining unshackled by a formal set of 'Orders and conditions' of plantation which were imposed on

¹ An important analysis is M. Hechter, Internal colonialism (London, 1975), pp 30-39; N.P. Canny, 'Dominant minorities: English settlers in Ireland and Virginia 1550-1650' in A.C. Hepburn (ed.), Minorities in history; Historical Studies XIII (London, 1978), pp 51-69.

² B.L., Lansdown MSS 156, f 267.

the rest of Ulster. The society which evolved in east Ulster was truly colonial as it has been defined above. It evolved through the interaction of three main groups, the central administration, the landlords and their tenantry. The aims of each conflicted and from the conflict emerged a distinctive east Ulster society. This chapter will outline the aims of each group and the conflicts which arose.

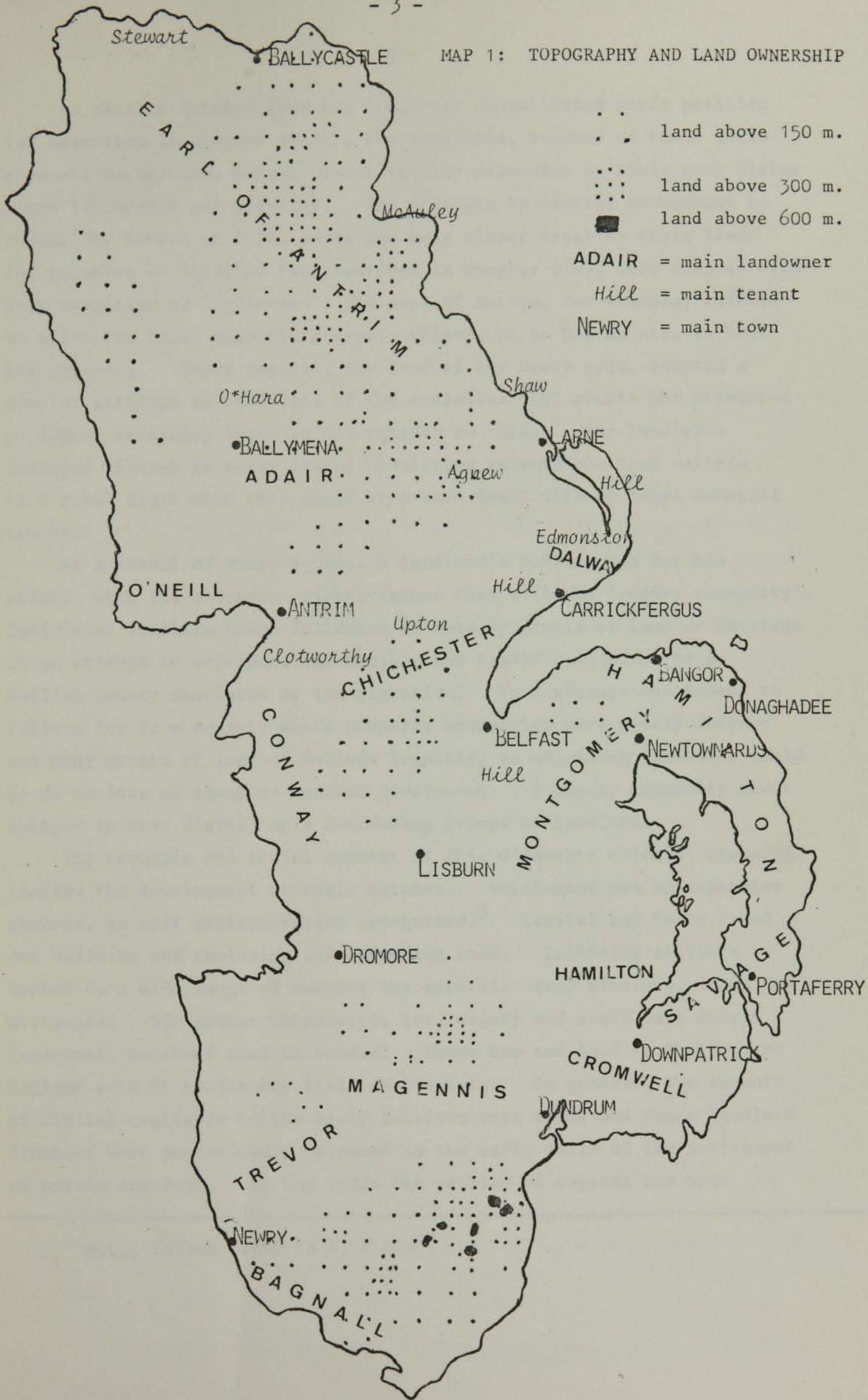
I

Landed society in early seventeenth century east Ulster was mainly concerned with the occupation and ownership of land together with its associated rights. This concern arose from the backgrounds of the settlers who came to east Ulster (as described in chapter three). Some, such as Sir Hugh Montgomery of Braidstane in Ayrshire, who became one of the two principal north Down landholders, were ambitious and wanted to rise socially by expanding their estates. Others, such as William Edmondston from Stirling, who settled in south-east Antrim, were speculators wanting cash to redeem their heavily mortgaged Scottish lands. Those whose prospects of advancement in England or Scotland were poor, younger sons with little land or those whom political activity had branded as undesirable, also saw east Ulster as a fruitful area of activity. The new settlers were interested in profit and prestige from their newly acquired lands. They brought to east Ulster the advances in estate management in sixteenth and early seventeenth century England and Scotland in order to maximise their incomes.³ These attitudes were radically different from the landholding practices of Gaelic society with its symbolic rent or ceart. Most, such as Sir Arthur Magennis, the main native landlord in mid-Down, failed to break free of the old patron-client relationship into the new economic practices, and fell into debt. They sold their lands to the new settler landlords who consolidated their position yet further. It was by this process that the two largest settlers in north Down, Sir James Hamilton and Sir Hugh Montgomery, purchased their lands piecemeal from Conn O'Neill, the native lord of north Down.

³ For these changes see I.D. Whyte, Agriculture and society in seventeenth century Scotland (Edinburgh, 1979), pp 31, 178-85; L. Stone, The crisis of the aristocracy (Oxford, 1965), chs VI, VII.

⁴ D.A. Chart, 'The break-up of the estate of Conn O'Neill' in R.I.A. Proc., xxxxviii, sect. C (1941-3), pp 119-51.

MAP 1: TOPOGRAPHY AND LAND OWNERSHIP



As settler estates grew and landlords consolidated their position (as described in chapter seven), the landlords, because of their socio-economic background, became almost totally dependent on their east Ulster lands for wealth and prestige. The attempts by central government to reduce the powers of local lords and keep closer track on their lands for purposes of taxation (as described in chapter six), were treated with deep suspicion by landlords. The earl of Antrim, for example, refused to allow the local sheriff, a royal officer, on to his estates without his approval. Henry Bagnall, the lord of the Newry area, adopted a similar attitude to officials of the ecclesiastical courts who attempted to impose recusancy fines on his tenants in 1622. Many landlords included clauses in their leases penalising tenants who took matters to a royal court when they could have been dealt with by local manorial courts.

As a result of these factors a landlord's concern was for his estate with its attendant rights rather than with the 'county community'. Individual settlers bound followers to them by grants of land or marriage in an attempt to reproduce the kinship and traditional bonds of an English county shattered by the migration. This attempt was doomed to failure for in a society where property boundaries were poorly defined and many grants of land of dubious legality, an adjoining landowner could be as serious an enemy as central government. A county community never emerged in east Ulster, only contending groups of landlords.

The economic and social context of this disparate colonial grouping limited the development of their estates. Settlement was an expensive process, as most contemporaries recognised.⁵ Capital had to be found for building and enclosing and improving land. Initially settlers looked to a wide range of sources for capital: army pensions, loans and mortgages. Sir Arthur Chichester, lord deputy and south east Antrim landowner, borrowed cash in London. Those who had land in Scotland or England sold it to finance their settlements. In general, the amounts of capital available to the early settlers were small and hence landlord finances were precariously balanced in the early years of the settlement of Antrim and Down. By the 1620s the problem of capital had been

⁵ B.L., Cotton Titus X B, f 408^v.

surmounted. Many of the improvements necessary to land had been set out as contractual requirements in tenants' leases. By the 1620s rents were also beginning to be paid regularly and landlords' incomes were rising. In the 1630s landed income fell again as a series of bad harvests and a shortage of specie made rents difficult to collect. Tenants, necessary to develop estates and pay rents, became more difficult to attract as population increase levelled off and then fell (as described in chapter four). Credit became more difficult to attract because of the worsening political situation in east Ulster in the late 1630s and many landlords had to sell or mortgage land in order to pay debts. The 1630s represent a social, political and economic crisis for landed society in east Ulster.

II

The extent to which landlords could control their land and its profits and rights was circumscribed by two factors: the relations with their tenants and the degree of control exercised by the Dublin administration in Antrim and Down. The government's scheme for early seventeenth century Ireland was the creation of a 'commonwealth' similar to the English model. As one advocate of plantations observed in 1622: 'by this means shall that people [the Irish] now grow into a body commoned and into a commonwealth whereas before they wholly consisted of poor proud gentry'.⁶ The anxiety of James I to secure the coastline of east Ulster in the first decade of the seventeenth century to prevent movement there from the Isles, which he was attempting to subdue, led him to set up a number of settlers, such as Hamilton, Montgomery and the earl of Antrim, with considerable concessions from the central government. In return they provided stability in east Ulster. These extensive rights, jealously guarded by settlers, were contrary to the commonwealth idea of the post-1607 administration. The sixteenth century administration had dismantled the great Gaelic lords, such as Sir Hugh Magennis in south Down and the O'Neillls of Antrim, by creating freeholders to balance the power of the chiefs. The events of 1605-6, granting extensive territories, replaced the old lords with new settlers. Many of these settlers came under the same criticisms as the old lords. The earl of Antrim, for example, was accused of oppression of his tenants. The lord deputy, Arthur Chichester, even advocated the traditional sixteenth century solution to control him.⁷

⁶ B.L., Harley 3292, f 30; Harley 35, f 333.

⁷ Bodl., Carte 62, f 559; Lynch, Cambrensis eversus, i, p. 24.

The main way in which the central administration attempted to enforce its authority in Antrim and Down was by imposing government officials; the J.P. and the sheriff, in the counties (as described in chapter six). Sir Charles Cornwallis, a member of the 1613 commission on Irish grievances, argued that effective J.P.s and sheriffs were both vital in the successful government of Ireland,⁸ yet the numbers of men willing to pursue the aims of central administration were few. Royal officers were recruited from men keen to protect, and if the opportunity arose, expand, their lands at royal expense. Office fell to men like George Sexton who manipulated his power as escheator to built up his own estate. In an attempt to overcome this problem in the localities, the administration introduced extraordinary means to control large landowners; a reformed court of wards and a policy of surrender and regrant, for example. Some landholders in east Ulster actively resisted these measures; the earl of Antrim, for instance, refused to pay duties to the court of wards.

No landlord could afford to completely cut himself off from the Dublin government. Royal officials controlled the machinery of justice, the assize and central courts, and the army, which could be called upon to enforce law and order in the counties. Law and order was crucial in the early years of the settlement for persistent attacks on the new settlers could reduce them to poverty and finally force them to leave.⁹ Furthermore the central administration controlled all land grants and was the principal source of office and patronage. Office was vital to east Ulster landlords in the early seventeenth century. In England a landed estate was an indication that wealth had already been achieved. Landed estates were a bad investment for the real increase of capital, and hence were rarely the way to wealth. The reverse was true in east Ulster (as chapter seven suggests). The estate was often acquired at a nominal crown rent and was seen as a way of achieving wealth and status. In order to reinforce their new, somewhat dubious, social position, most settlers wanted the imprimatur of office which could be conferred by central government.

⁸ B.L., Add. MSS, 39853, f 12.

⁹ B.L., Sloan 3827, f 39; Cambridge U.L., Add. 4352, ff 3-4.

This symbiotic relationship began to break down in the 1630s with the increasing use of officers of central government, such as the officials of the court of wards, in the counties. Landlords felt their local offices deprived of power and their local rights under attack. This political situation contributed significantly to the crises of 1639-40 in Antrim and Down which led to the covenanter disturbances.

III

The east Ulster landlord's relationship with his tenants was no less crucial than that with the central government. The landlord was almost totally dependent on the labour force of his tenantry to make the physical landscape he inherited (described in chapter two) profitable and his income was almost totally composed of rents. Lord Cromwell, the landlord of the Downpatrick area, could not pay debts to the crown in 1627 until his rents came in.¹⁰ Initially it was relatively easy to recruit tenants but by the 1630s the population of east Ulster began to fall due to a series of poor harvests, a smallpox outbreak in 1633 and the political confusion of the mid and late 1630s. Many people moved back to Scotland or England, so that by 1639 the labour force was not sufficient to bring in the harvest. The wider demographic structure of east Ulster (as described in chapter four) created a number of problems for landlords trying to recruit suitable tenants. The sort of tenants sought by landlords were those who would pay rent regularly and were unlikely to desert their holding, a common occurrence in a society with abundant land and considerable social mobility. On the other hand the tenant should not be too powerful lest he pose a threat to his landlord's rights. Tenants who came from England or Scotland were rarely cast in this mould. They were drawn from among the ambitious, the dispossessed or the downwardly mobile socially. Hence they rarely had enough capital for the improvements to land or the high entry fines which landlords demanded. Most tenants were unstable and likely to leave a holding if better opportunities presented themselves elsewhere (a situation described in detail in chapter eight). This high demand for good tenants and low supply affected landlord-tenant relations considerably. Landlords had to attract tenants by offering inducement to them, such

¹⁰ Cal. S.P. Ire., 1623-31, p. 271.

as physical and legal protection; facilities for resolving disputes, manor courts; facilities for marketing, market courts; and by acting as an intermediary to the wider world of the Dublin administration.

This relationship was not entirely one-sided for the tenantry needed the protection and the infrastructure which landlords offered as much as landlords needed tenants' rents. The tenants found themselves in an alien social environment and reacted by evolving new forms of social organisation (described in chapter eight) to cope with the situation.

IV

By 1640 a number of serious problems had become evident in the east Ulster settlement. The dense concentration of Scots presbyterians in east Ulster made Lord Deputy Wentworth's religious policies especially obnoxious there. Increasing crown control in the counties was also alienating settlers from his administration. As the Humble petition of protestant inhabitants presented to the English parliament by an Antrim presbyterian landowner, Sir John Clotworthy, in 1641 put it: 'our souls are starved, our estates undone, our families impoverished and many lives among us cut off and destroyed';¹¹ perhaps biased and polemical but reflecting the perceptions of many east Ulster settler landlords. Economically the colony was also displaying problems. The lack of capital, outlined above, meant that agriculture had never really expanded or diversified from its sixteenth century base (a point more fully developed in chapter five). Towns, the traditional sources of economic stimulation and credit, also failed to develop (see chapter nine) and attract resident merchant communities. They remained as centres for landed gentry not stimulants for the agrarian economy. A series of harvest crises in the late 1630s considerably worsened the situation and slowed up the movement of what little specie did exist in east Ulster as well as reducing the food supply.

Under these social, economic and political pressures the bonds of society began to weaken. The cultural mix of English, Scots, and Irish in east Ulster, which had never been properly integrated, began to separate into its cultural-religious components. Discontents

¹¹ Humble petition of the protestant inhabitants of the counties of Antrim, Down, Tyrone concerning the bishops (London, 1641), p. 1.

between each of these groups, sharpened by the harvest failures of the 1630s and the billeting of troops in east Ulster, flared up. The sporadic disturbances of presbyterians against Wentworth's campaign for conformity, the Black Oath, and the 1641 rebellion of the native Irish in east Ulster were both the result of these local economic and political problems. The rebellion of the 1640s was the catalyst of a process of social reorganisation which went on through the anarchy of the 1640s and the confusion of the 1650s. What emerged as Restoration society bore little resemblance to its progenitor.

CHAPTER 2 THE MOUNTAIN AND MOHAMMED: THE PHYSICAL ENVIRONMENT

The environment was, in many ways, one of the most important factors which shaped the settlement of east Ulster. Given the state of agricultural technology in the early seventeenth century, lacking effective drainage and artificial manures, the landscape was virtually unchangeable. It was possible to modify the terrain slightly by clearing woodland or reclaiming marginal land but the small labour force (described in chapter four) considerably limited the scale of these activities. The landscape, as a fixed factor, limited the enterprises of many of the early settlers (which are described in the next chapter) by controlling the types of farming practised, communications, and by affecting warfare. In 1642, for example, the progress of Robert Munroe, the commander of the Scots forces in Ulster, through Down was slowed considerably by a number of fortified islands which he had to take.¹ The landscape also determined types of building material. Timber framed buildings were confined to the Lagan valley where wood was available, while stone predominated as a building material in other areas.² The survival of the tower house in Down, while it was waning in popularity in other areas, was also due to the hilly nature of the landscape to which the tower house was well adapted.³

Climatic and seasonal fluctuations, as well as the physical landscape, imposed limitations on the Antrim and Down settlement. The harvest, which was the main source of food, and - when the surplus was marketed - cash to pay the rent, was dependent on the weather. Rain or drought could cause a failure of the harvest, and a poor supply of grain in any one year meant that part of the next year's seed crop was eaten, thus diminishing the possibility of a good harvest then. Very dry weather could also reduce the main supply of power to mills in east Ulster, the rivers, and bring milling to a halt. Heavy rain, on the other hand, could cause severe dislocation. Gerald Boate recorded the destruction of the bridge at Dromore, in west Down, 'through a great

¹ Gilbert, Contemp. hist., 1641-52, i, p. 420; O'Laverty, Down and Connor, iii, pp 392-3.

² P. Robinson, 'Vernacular housing in Ulster in the seventeenth century' in Ulster Folklife, xxv (1979), p. 15.

³ H.G. Leask, Irish castles (Dundalk, 1973), p. 125; W.D. Simpson, Scottish castles (H.M.S.O., 1959), pp 21-2. For castles in Down, see E.M. Jope (ed.), An archaeological survey of County Down (H.M.S.O., 1966), pp 123-4, 227, 233, 236; Cal. S.P. Ire., 1601-3, p. 152.

and lasting rain' in 1652, and in 1601 'foul weather' caused the earl of Tyrone to abandon an attack on Toome in Antrim.⁴ Transport depended considerably on the elements, for Henry Leslie, the dean of Down, failed to reach the Down assizes of 1631 because of 'contrary winds' and in April 1601, Sir Arthur Chichester, the governor of Carrickfergus and later lord deputy, explained to Robert Cecil, the queen's principal secretary of state, that he had not written recently because 'the season of the year has seldom afforded us means to convey our letter'.⁵

The environment was, therefore, one of the main controlling factors in the settlement of east Ulster for it determined the pattern and nature of settlement as well as its economic viability. Before the settlement of Antrim and Down in the early seventeenth century little was known of this environment. The earliest maps of east Ulster, such as that of 1558, are scanty. The topography of south east Down was well known because of the settlement at Newry by Nicholas Bagnal, a Warwickshire man who later became Marshal of the Army in Ireland. The area around Belfast was also well charted because of the strategic significance of the castle there.⁶ By 1569, knowledge of the coastal regions of east Ulster had grown because the threat of a Scottish invasion had resulted in an increase of the coastal garrison, but the geography of the inland areas remained vague.⁷ The settlements of Sir Thomas Smith in east Down and the earl of Essex in Antrim speeded up the acquisition of geographical material. In the early stages of his settlement Essex's only knowledge of the lands of Clandeboy was that it could feed 100,000 cattle, an estimate probably drawn from native sources.⁸ As the attempted settlement progressed attempts were made to quantify the acreages of the Ards and Smith commissioned a special map of the area which was referred to as 'the plott annexed' in his tract advocating the settlement. The

⁴ G. Boate, *Ireland's natural history* (London, 1652), p. 59; Cal. S.P. Ire., 1601-3, p. 152.

⁵ P.R.O.I., Ferguson MSS, ix, p. 25; Cal. S.P. Ire., 1625-52, p. 629; Cal. S.P. Ire., 1600-1, pp 268, 275.

⁶ P.R.O., MPF 92; B.L., Cotton Aug. 1, vol. 2, f. 21.

⁷ P.R.O., MPF 77, MPF 98.

⁸ SP63/45/37, 67 I.

presence of the army in Antrim with Essex also resulted in a growth of geographical knowledge as route books were constructed to help mobility.⁹ Information on the landscape for the army became one of the main reasons for the exploration of the east Ulster environment in the latter half of the sixteenth century. As the threat of a Scottish invasion grew, more maps were made of the coastline in order to assist the garrisons.¹⁰ In 1568 the lordships of Newry, Mourne and Lecale were mapped by Robert Lythe, one of the principal Tudor mapmakers, and in 1593 a series of maps were made of Clandeboy.¹¹ Inland areas received less attention until the Nine Years War forced the government to map the strategic areas of east Ulster; the Glens of Antrim, Lough Neagh, Coleraine and the Lagan valley.¹² Towards the end of the sixteenth century the central government came to see the importance of detailed maps of the counties for it was the opinion of Sir Robert Gardiner, chief justice of the queen's bench, and Sir Henry Wallop, the lord treasurer, that the only way to bring east Ulster under control was to map the country and then impose sheriffs. In 1609 Sir John Davies was also enthusiastic about mapping for it would limit 'ignorance of their [the natives'] places of retreat and fastnesses [which] made them confident in their rebellion'.¹³ As a result of these forces the outline geography of east Ulster was well known by 1610. There was a detailed appreciation of the disposition of woodlands and the principal castles, abbeys and towns.¹⁴

The picture which emerged from this growing body of knowledge was a favourable one for the settlers. Two assessments made in 1627, probably for the support of the army, ranked Antrim and Down among the wealthiest counties in Ireland. The subsidy of 1634 also showed them to have a high proportion of wealth per acre. The ecclesiastical picture was little different for the royal commission of 1615 rated Down and Connor as the

⁹ Ulster maps c.1600, p. 31; B.L. Harley 5938, no. 129; Hill, Macdonnells, p. 408; B.L., Add. MSS 48017 'A route of the several principal seats'.

¹⁰ P.R.O., MPF 86, 87, 88, 89, 93.

¹¹ SP63/170/41V, 47, 58; J.H. Andrews, 'Robert Lythe's petition, 1571' in Anal. Hib., xxiv (1967), p. 235; SP63/31/36.

¹² P.R.O., MPF 312, 133; Ulster maps c.1600, p. 12.

¹³ P.R.O.N.I., T695/1, f.7; H.M.C. Salisbury, xxi, p. 121.

¹⁴ P.R.O., MPF, 35, 67.

seventh wealthiest bishopric in Ireland and Dromore the sixth. Dromore deanery was regarded as the third wealthiest in Ireland and that of Connor seventh. Surveys made by the Roman Catholic Church rated Down and Connor among the five most wealthy Irish dioceses.¹⁵ This wealth lay in three sources; the land, the woodland and the fishings.

Contemporaries were fulsome in their praise of the agricultural lands of Antrim. Barnaby Rich, an Elizabethan soldier, described the Route in north Antrim as the best corn land in Ireland and the jesuit missionary, Fr Wolfe, thought that Clandeboy was among the best land in Ulster.¹⁶ Most of these early writers saw only the accessible coastal margins, which were also the best land. The Route was described as 'pleasant and fertile' and Lecale in east Down was 'champion country' as was Island Magee. Clandeboy was ranked among 'the best soil in Ireland having many good commodities'.¹⁷ A significant exception to this pattern of concentration of good land in the coastal areas was the glens of Antrim which were heavily wooded, boggy and backed by steep cliffs.¹⁸ Inland, which most of the early writers did not see, the quality of the land degenerated considerably. The Civil Survey recorded of north-east Antrim that 'the soil toward the sea coast is indifferent good [but] towards the south east is utterly barren and mountainous'.¹⁹ In the core of the two counties lay boggy mountainous masses which were useless for tillage. Sir William Brereton, who travelled east Ulster extensively in 1636, described the land around Dromore, in west Down, as 'the worst part of this kingdom and the poorest land and ground'.²⁰ The land which lay between the uplands and the coast was of mixed

¹⁵ Acts privy council, Jan.-Aug. 1627, p. 399; Cal. S.P. Ire., 1625-32, pp 250-55. An army assessment of the 1630s presents a similar picture, SL, 1 f 32; Commons jn. Ire., i, p. 106; Cal. S.P. Ire., 1625-32, p. 48, the figures for Dromore were high because there were few impropriations there. Brereton, Travels, p. 129; H.M.C., Franciscan, p. 84.

¹⁶ B. Rich, A new description of Ireland (London, 1610). Introduction; Cal. S.P. Rome, 1572-8, p. 153.

¹⁷ T.C.D., MSS 743, ff 59, 61; J. Dymock, 'A treatise of Ireland' in R. Butler (ed.), Tracts relating to Ireland, ii (Irish Archaeological Society, Dublin, 1842) p. 21; Civil Survey, x, p. 63; SP63/146/47; W. Camden, Britannia (London, 1637), p. 160.

¹⁸ J. Hogan (ed.), A description of Ireland c.1595 (Dublin, 1878), p. 15.

¹⁹ Civil Survey, x, p. 56.

²⁰ Brereton, Travels, p. 129.

quality. Areas such as Kilwarlin, on the south east corner of Lough Neagh, and the Dufferin in east Down were wooded and boggy and, despite some clearance, remained so until 1641.²¹ The lands on the east coast of Lough Neagh were rather better. Brereton commented that the land there 'may be made good with labour and charge' but the fact that they were settled late meant that labour was not available.²² The land between Lough Neagh and Belfast was regarded as clear and fertile as was the good corn land on the north east corner of Lough Neagh.²³ Antrim and Down were both punctuated by river valleys, the Six Mile Water, the Bann and the Lagan valleys for example, which provided patches of good arable land and important communications routes.²⁴

This impressionistic picture of the landscape of east Ulster is partly confirmed by an assessment of Antrim in mid 1656.²⁵ The wealthiest part of the county lay in the south around the coastal towns but this was followed closely by an assessment of 0.2 pence per acre on the coastal baronies of Dunluce, Carey and the low lying inland baronies of Massarine and Toome. A third, lower, rate was imposed on the barony of Glenarme in eastern Antrim where the Antrim glens were still wooded, and on the wooded barony of Antrim. The core of the county, the barony of Kilconway, was rated yet lower.

The wealth of the land was considerably increased by other natural resources, the fishing and the woods. Fishing was of considerable importance. One tract of the early seventeenth century stressed the economic significance of the salmon of the Bann and claimed that there was cod and ling in Lough Neagh.²⁶ The Bann fishings had been recognised since at least the fifteenth century when Bann salmon were exported to Bristol.²⁷ During the sixteenth century the fishing rights of the Bann

²¹ Cal. Carew, 1589-1600, p. 298; W. Camden, Britannia, p. 101; R. Pike, A true relation of the proceedings of the Scots and English in the north of Ireland (London, 1642), pp 1-2; Ulster maps c.1600, p.11.

²² Brereton, Travels, p. 129; W. Basil, Two letters of William Basil (London, 1649), pp 3, 6.

²³ Cambridge U.L., KK1.15 f 281^V; Civil Survey, x, pp 57, 58.

²⁴ Civil Survey, x, pp 57-8.

²⁵ SRO, GD54/518. The assessment was made for the county cess.

²⁶ B.L., Royal MSS, 18 A L111 F 12.

²⁷ E. Power, M.M. Postan, Studies in English trade in the fifteenth century (London, 1933), p. 198.

had been leased to a number of individuals; to John Travers in 1536 but he failed to pay the crown rent so they were granted in 1571 to Henry Piers of Carrickfergus. Since the Bann itself was in the hands of O'Neill for most of the century it was difficult to get lessees who would pay rent for only sporadic control of the fishing.²⁸ In the early seventeenth century conveyancing problems over the fishing rights of the Bann drew attention to the importance to the crown of these rights and in 1619 a series of inquisitions were held to determine what royal fishing rights existed in east Ulster. It was found that the important salmon rights of north Antrim and Belfast had been granted to the earl of Antrim, the main landholder in north Antrim, and Sir Arthur Chichester.²⁹

The second important natural resource in east Ulster was woodland. Charles Egerton, the governor of Carrickfergus, argued in 1591 that a plantation in the northern part of Clandeboy would not only reform the natives but also provide an opportunity to exploit the fishings and extensive woods.³⁰ Woodland could be easily converted into building timber, iron works or pipe staves for export. Sir Edward Conway, for example, proposed in 1635 to remove timber from his Irish estates on the east shore of Lough Neagh to repair his Welsh residence at Conway, but the plan proved abortive.³¹ There was also a project to set up a ship building industry at Belfast based on the crooked timber in the Lagan valley.³² During the early seventeenth century there was extensive clearance of woodland in east Ulster so that by the 1640s there may have been a shortage of good building timber. When the castle at Larne was repaired in 1640 timber had to be brought from Londonderry.³³ The Dufferin, for example, which had been one of the most economically important wooded areas in the sixteenth century, had been cleared by 1640

²⁸ Cal. pat. rolls Ire., Henry VIII-Eliz., p. 12; SP63/11/71; SP63/21/10; Cal. pat. rolls Ire., Eliz., p. 562; T.M. Healy, Stolen waters (London, 1913), p. 192; Cal. Carew, 1575-88, p. 431; Cal. S.P. Ire., 1586-8, p. 375.

²⁹ P.R.O.I., RC9/1 James I no. 5.

³⁰ SP63/160/24.

³¹ Cal. S.P. dom., 1635, pp 496, 509; Royal commission on ancient monuments (Wales), An inventory of ancient monuments in Caernarvonshire, i, H.M.S.O., 1956, p. 47.

³² Cal. Carew, 1589-1603, p. 315; Cal. S.P. Ire., 1608-10, p. 81.

³³ Bodl., Carte 1 f 230.

leaving only scrub of little value.³⁴ The only area where any timber of economic value remained by 1640 was the east coast of Lough Neagh, an area which was settled late and never properly developed.³⁵

Thus by the early years of the seventeenth century the central administration were aware of the outlines of the physical and economic geography of east Ulster but they were slow to appreciate its detail and problems. There was still considerable uncertainty in the minds of government officials on important geographical problems including land ownership and administrative units. In the sixteenth century the Dublin administration had relied on local knowledge from individual officials. One of the principal reasons advanced in 1598 by Nicholas Dawtry, a former governor of Carrickfergus, for his promotion to the governorship of Clandeboy was his knowledge of the area, in which he had served for thirty-five years.³⁶ These rough methods were insufficient to deal with the problems of detailed land grants or the territorial framework for new local government officials. Many of the sixteenth century local records had been lost during the Nine Years War. In the case of the church all the diocesan records were lost by 1617, although in Connor diocese the bishop's registrar provided a human link with the past.³⁷ Various sources were searched for material on east Ulster, Giraldus Cambrensis's Topographia was used as was a sixth century life of St Columban and the medieval Chronicle of Man and the Isles.³⁸ The most useful source of information for the central government was the inquisition, a sworn statement from local inhabitants on placenames and landholding. The inquisition was not without its problems and there were a number of allegations of innaccuracy.³⁹ Since inquisitions were cumbersome to arrange, although legally necessary by an English statute (18 Henry VI, c.6), ways were found for avoiding them, such as the insertion of a clause in the land grant dispensing with the inquisition. This

³⁴ SP63/16/45; SP63/20/11, 11i; SP63/31/31; Civil Survey, x, p.64.

³⁵ Civil Survey, x, p. 59.

³⁶ H.M.C., Salisbury, viii, p. 267.

³⁷ O'Laverty, Down and Connor, iv, p. 367.

³⁸ Cal. Carew, 1603-24, pp 351-3, 356, 374; Cal. S.P. Ire., 1613-25, p. 215; B.L., Harley 35 f 145^v.

³⁹ SL, 24/25, no. 295; Mont. MSS, p. 26.

procedure suited the administration who were anxious to pass the new land grants to settlers as rapidly as possible to ensure stability and also the settlers themselves who wanted possession of their new estates quickly. A serious consequence of this was that central administration lost track of what was granted and what remained. Two case studies will illustrate the consequences of this clearly.

On 2 March 1605 a patent was granted to John Wakeman of the fishing rights of the river Bann from the salmon leap at Coleraine to the sea without an inquisition being held.⁴⁰ The rest of the river was granted on similar terms to James Hamilton, a major north Down landowner, on 14 February 1606 but three parts of the Bann had already been granted to Sir Randal Macdonnell, the main landowner in north Antrim through whose lands the river ran, in 1603 and confirmed in 1604.⁴¹ When Wakeman's grant was transferred to Hamilton, Sir Randal found himself 'dispossessed' of his portion of the fishery. The situation was not helped by the fact that the farmer of the Bann fishery, Captain Thomas Phillips, had previously had a number of disputes with Sir Randal and supported Hamilton's claim. The crown sequestered Macdonnell's fishings until the matter was brought to law in April 1610.⁴² In the interim the confusion had been increased by a grant in 1608 to Sir Arthur Basset, in trust for his uncle Sir Arthur Chichester, the lord deputy, of part of the fishings which Hamilton had sold to Chichester.⁴³ The case was heard at king's bench in Michaelmas term 1610 and the judgement found that the portion of the Bann granted to Wakeman and Macdonnell was tidal and therefore the property of the king and should not have been granted at all. Sir Randal's grant was annulled and Wakeman's grant, by this time in the hands of Chichester, was surrendered.⁴⁴

⁴⁰ Erck., pp 28, 198. It was sold to James Hamilton on 3 Mar. Erck., p. 281.

⁴¹ Erck., pp 8, 58, 137, 217. Hamilton later conveyed his interest to Sir Arthur Chichester.

⁴² Cal. S.P. Ire., 1603-6, p. 518; Cal. S.P. Ire., 1606-8, pp 252, 566; Cal. S.P. Ire., 1608-10, p. 21; Healy, Stolen waters, p. 126. The sequestration was temporarily lifted in 1607.

⁴³ P.R.O.N.I., D389/1.

⁴⁴ Bodl., Carte 61 f 85; Healy, Stolen waters, pp 167-8, 180-85.

A similar problem arose when old claims to land were not fully examined by inquisition before new grants were made, such as the case of the claim of the descendants of Sir Thomas Smith, the sixteenth century colonist of the Ards. Smith's grant of the Ards, made in November 1571, was conditional on the settlement being established by March 1579 or the land would revert to the crown. The expedition to establish the colony proved a disaster, the land remaining in the hands of the O'Neills.⁴⁵ Smith's descendants did not enforce their claim during the late sixteenth century and the crown showed no desire to enforce its rights for as Patrick Plunkett, Lord Dunsany, one of the most influential pale families and an M.P. in 1585, advised Secretary Cecil 'if Sir Thomas Smith's patent be brought into question or the heirs thereof be put in authority there it will breed rebellion'.⁴⁶ The claim was raised in 1605 and Sir Arthur Chichester dismissed Smith's claim to lands in the Belfast area. The Smith family did not share this view. Sir Thomas's nephew, Sir William, challenged the rights of the new grantees in Down, Sir James Hamilton and Chichester. The claim of Sir William Smith was dismissed on the grounds that his uncle had failed to fulfil the terms of his grant by not introducing settlers.⁴⁷

These two examples demonstrate the problems of inquisitions but they remained the main source of information for the administration on the political and land holding divisions in east Ulster. Using information gathered from native Irish sources to draw up administrative and property boundaries meant that these new units were adaptations of older native ones.⁴⁸ What became the county boundaries for the new settlers had been well established boundaries for the native inhabitants. The river Bann, which formed the Antrim boundary, had been an important physical and mental barrier in the sixteenth century. As a tract of c.1590 explained

⁴⁵ Cal. pat. rolls Eliz., v (1569-72), p. 281.

⁴⁶ Cal. S.P. Ire., 1600-01, p. 44.

⁴⁷ Cal. S.P. Ire., 1603-6, p. 295; J. Strype, The life of the learned Thomas Smith (London, 1689), p. 192; Cal. S.P. Ire., 1606-8, pp 295, 383, 398, 436; Cal. S.P. Ire., 1608-10, p. 168; G. Benn, A history of the town of Belfast (Belfast, 1877), app. 2; this decision was confirmed by an inquisition of 1625 Cal. pat. rolls Ire., Chas I, pp 231, 318.

⁴⁸ Other schemes of new geometrical units were proposed (B.L., Lansdown 156 f 267, for example) and were used by the earl of Essex (Cal. S.P. Ire., 1509-73, p. 522), but proved unworkable on a large scale .

a way of terrorising unruly children in west Ulster was to threaten to 'send them over the Bann where you never hear a word of Irish' and in 1587 a treaty between Turlough O'Neill and the earl of Essex demanded a return to the traditional boundary of the Tyrone O'Neill's lands as bounded 'on the east by the Bann and on the west by the country of Maguire'.⁴⁹ The Armagh/Down border was more difficult to define since it lacked firm physical features and the heavy woodland of Kilwarlin also caused problems. Tradition had defined this boundary well and those problems which did appear, such as the dispute between Sir Arthur Brownlow, an Armagh planter, Sir Edward Trevor and Sir Arthur Magennis, two Down landholders, over which county six townlands belonged to, were relatively minor.⁵⁰ The Dublin administration did not interfere significantly with these traditional boundaries. Nine townlands between the rivers Bush and Bann were moved from Antrim to the new settlement of Londonderry to provide the town of Coleraine with land and the size of County Down was reduced in 1605 by moving Killultagh to Antrim in order to make Down more manageable for the sheriff.⁵¹

This policy of non-interference with traditional units was even more clearly shown in the case of smaller units such as the barony. In the early stages of the settlement land grants were made in native Irish land units. The 1603 patent to Sir Randal Macdonnell granted him lands 'in which country of the Route are contained nine territories, otherwise called toughes, and seven in the Glenns'. Similarly, Sir Arthur Chichester was granted lands in the tuatha of Falls and Malone in south Antrim.⁵² Another Irish way of naming land, by referring to who exercised lordship over it for example, was also used by settlers. Thus John Hibbets and John King, both Dublin speculators, were granted lands in north Down 'being in or near the country of Con Neal Mc Brian Fertagh'

⁴⁹ P.R.O.N.I., T1180/4 f 1; Cal. S.P. Ire., 1586-8, p. 486.

⁵⁰ T.W. Moody (ed.), 'Ulster plantation papers' in Anal. Hib., viii (1938), pp 266-9, 272.

⁵¹ Moody, 'Plantation papers', pp 256-8; P.R.O.N.I., D265/1; Cal. S.P. Ire., 1603-6, pp 321, 323.

⁵² Cal. pat. rolls Ire., Jas I, pp 3, 48-9, 58, 76, 89.

and Sir Edward Cromwell's lands in Lecale were 'the entire moiety of the tenantry ... called Killenarten, commonly called McCarten's country'.⁵³ Even older units, such as the tricha cét, an early medieval unit of landholding, survived into the sixteenth century in Lecale and lower Iveagh.⁵⁴ Many of these traditional units, such as the medieval political unit the tuath, had survived in east Ulster because no single family succeeded in binding them into one lordship. As Fr Wolfe comments, east Ulster was ruled 'by divers nobles (without the title lord)' while the rest of Ulster was ruled by the earls of Tyrone and Tyrconnell.⁵⁵

These traditional units had their problems for they were not fixed by written document, but fluctuated according to the amount of support a lord could command or coerce at any one time. Boundaries were preserved by tradition and had to be recovered orally by the new administrators. The commissioners who attempted to determine the boundaries of the barony of Iveagh in 1617 were required to do so 'by the oaths of good and lawful men of the county of Down'.⁵⁶ The Dublin officials found this a strange system, one complaining that the tuath of the Glens in Antrim 'designated no shire, county or place of one jurisdiction but hills with valleys between them bounded by woods'.⁵⁷ In order to produce the neat patchwork of stable administrative units they 'froze' the old fluctuating boundaries. The new baronies became coterminous with the old tuath or lordship, whichever was the most convenient, so that in 1612 a grant could be made to the archbishop of Armagh, Henry Usher, of land in the barony of 'Iveagh otherwise Magennis's country'.⁵⁸

Similar pressures were also working at a lower level to preserve smaller units such as the townland. In the sixteenth century townlands were economic units and hence their size and distribution fluctuated considerably because of high population mobility.⁵⁹ In parts of east

⁵³ Ibid., pp 38, 74.

⁵⁴ J. Hogan, 'The tricha cét and related land measures' in R.I.A. Proc., xxxviii, sect. C (1939), pp 186-7, 209-10.

⁵⁵ Cal. S.P. Rome, 1572-8, p. 152.

⁵⁶ Inq. Ult., pp xli-xliv.

⁵⁷ Cal Carew, 1603-25, p. 360.

⁵⁸ Cal. pat. rolls Ire., Jas I, pp 147, 278.

⁵⁹ P. Robinson, 'Irish settlement in Tyrone before the Ulster plantation' in Ulster folklife, xxii (1976), pp 56-69.

Ulster, where occupation had been continuous, such as Lecale and the Greencastle area, the townland was a stable unit but in other areas, such as Iveagh, where there was considerable population mobility the townland boundaries fluctuated considerably.⁶⁰ Dublin administrators wanted to standardise this unit to make it useful for property grants. Sir Thomas Smith saw 220 Irish acres as a convenient unit for all townlands. By the early seventeenth century 120 acres was seen as an optimum unit and in the 1630s during a dispute between the earl of Antrim and one of his tenants, Cahall O'Hara, an 'honest sworn surveyor' was instructed to regard 60 acres as a townland.⁶¹

The usefulness of the townland to the landlord in the administration of his estate was also an important factor in its preservation. Landlords needed a unit which could be used for leasing purposes and the townland fulfilled all his requirements for it was convenient for both new and native Irish tenants. In the early stages of the settlement landowners insisted that tenants enclose the boundaries of their lands and began to make surveys of their lands delineating townland boundaries.⁶² Sir James Hamilton had his lands surveyed in 1625 by Thomas Raven, who had been surveyor for the Irish Society in Londonderry, and by 1630 Archibald Edmonston, a cousin of Hamilton's, was considering a survey of his mid Antrim lands.⁶³ The registration of leases in manor courts also helped to stabilise boundaries which could be checked later.⁶⁴ This process of stabilising and defining boundaries was helped by the growth of population, especially in the coastal areas, which meant that the property rights of individuals had to be more clearly delineated as pressure on land grew.⁶⁵

⁶⁰ T.E. McNeill, Anglo-Norman Ulster (Edinburgh, 1980), pp 89-90; E.E. Evans, Mourne country (Dundalk, 1967), 2nd edn, pp 111-14.

⁶¹ H.M.C., L'Isle and Dudley, ii, p. 15; Cal. S.P. Ire., 1603-6, p. 321; Cal. pat. rolls Ire., Chas I, p. 504.

⁶² SP63/255/62; Tenants were not legally bound to enclose their lands until 1721 (8 Geo. I c.5 (Ir.)).

⁶³ P.R.O.N.I., T811; R. Gillespie, 'Thomas Raven and the mapping of the Clandeboye estate, 1625' in Bangor Historical Soc. Jn., 1 (1980), pp 1-5; R. Gillespie, Ulster plantation maps: a guide for teachers (Q.U.B., 1977), *passim*; H.M.C. Various V, p. 136.

⁶⁴ For example, N.L.W., Cross of Shaw Hill MSS, Deeds no. 174.

⁶⁵ R.A. Dodgson, 'Landholding foundations of the open field system' in Past and Present, lxvii (1975), pp 28-9.

This clarification of the geography of land ownership was of fundamental importance to the success of the settlement in east Ulster, since tenants could only be attracted to an estate if the title to that land was secure. One grant to Sir Arthur Chichester explained that it was 'as well in regard of his services as also that his tenants in the said lands may be better encouraged to plant and manure the same when they have from him certain estates therein'.⁶⁶ The incorporation of the older forms of geographical organisation minimised disputes by providing a degree of continuity. Some disputes on estate boundaries did occur, the most notable being those between two of the most important Down landowners, Sir James Hamilton and Sir Hugh Montgomery. Such disputes were disruptive and expensive. Montgomery claimed that he spent £300 during one phase of the disagreement; the total cost of the action coming to more than £1400.⁶⁷ In the case of a claim made against Sir Randal Macdonnell by Sir Awla McAwley, a Dumbartonshire man, over the lands of the Glens, Chichester commented 'but if Sir Randal should be called over there [England] for every occasion of complaint framed as he now is he may spend more in one year than his lands will yield again in three or four'.⁶⁸

Since land measures had been stabilised and a broad view of the political and economic geography was available by the 1620s the only major geographical problem remaining to be surmounted was the development of an infrastructure for the settlement, particularly a communications network. Communications within Antrim and Down were poor. The maintenance of roads was the responsibility of the parish through which they ran, the parish organising six days labour per annum to repair roads with stones and gravel, but the quality of the roads remained poor and there was difficulty in knowing where they were.⁶⁹ Sir Josias Bodley,

⁶⁶ Erck, p. 23.

⁶⁷ This dispute has been examined in Perceval Maxwell, Scottish migration, pp 234-42; N.L.S., Delmille MSS, vi, no. 8; J. Maidment (ed.), Letters and state papers during the reign of James VI (Abbotsfort Club, Edinburgh, 1836), pp 230-33.

⁶⁸ SP63/229/93.

⁶⁹ 11, 12, 13 Jas I, c.8 (Ir.); R. Bolton, A justice of the peace for Ireland (Dublin, 1637), bk 1, pp 51-5.

travelling from Newry to Downpatrick in 1603, lost the road shortly after leaving Newry and Sir William Brereton, travelling between Dromore and Newry in 1636 found the road 'a most difficult way for a stranger to find out'.⁷⁰ He eventually had to hire a local guide as Bodley did. During the Nine Years War supplies being transferred from the garrison at Carrickfergus to the outlying forces at Belfast, Inishloughlin, Toome and Masserine were frequently lost because the roads were bad 'by reason of wet and foul weather'.⁷¹ One attempt to resolve this problem was the construction of roads out of hurdles as Randal Macdonnell did in 1601.⁷² By 1641 the situation was little improved for it was necessary to issue writs to the sheriff of Antrim to have roads repaired before the army could march there.⁷³

The quality of roads depended on the area through which they ran. In the wooded area of Killultagh roads were 'straight having moss and bogs on every side' while in the coastal area of Carrickfergus the roads were 'a most base way, deep in winter though now [July 1636] it is hard and dry' with grass and shrubs at the side.⁷⁴ Natural ridges in the landscape and the flanks of valleys were most used for roads as they were dry. It was ordered, for example, in connection with the Londonderry settlement that 'there be highways made, as well through the country as along the [river] Bann side; and that every man, by water or land, may have free passage with his goods'.⁷⁵ This adaptation of roads to the surrounding environment meant that the network of roads which grew up in the sixteenth century could be improved in the seventeenth century by the clearing of woodland and establishing law and order, thus making travel safer.⁷⁶ The Newry to Hilltown road in south Down, developed

⁷⁰ 'Sir Bodley's visit to Lecale' in U.J.A., 1st ser, ii (1854), p. 76; Brereton, Travels, p. 132.

⁷¹ P.R.O.I., M2441 ff 22, 23, 43-4, 52, 62; Cal. S.P. Ire., 1600-01, p. 334.

⁷² Cal. S.P. Ire., 1601-3, p. 152.

⁷³ Bodl. Carte 1 f 179; this was not done and considerable difficulty ensued. Gilbert, Contemp. hist., 1641-52, i, p. 241; R.M. Young, Historical notices of old Belfast (Belfast, 1896), p. 50.

⁷⁴ Brereton, Travels, p. 128; Cal. S.P. Ire., 1596-7, p. 465.

⁷⁵ Cal. S.P. Ire., 1611-14, p. 41.

⁷⁶ SP63/13/48; J.H. Andrews, 'Road planning before the railway age' in Ir. Geography, v (1964-8), pp 17-41; for roads from woodland; Cal. S.P. Ire., 1625-32, p. 217; H.M.C., Salisbury, xviii, p. 303.

because of more effective law enforcement in the early seventeenth century and eclipsed the old coastal route from Newry to Downpatrick via Dundrum and Narrow Water. In some areas, such as along the Bann, woodland was cleared to make travel safer so that by 1640 even the notorious refuge for outlaws, Kilwarlin, had a road through it.⁷⁷ Urban development also encouraged the development of a more complex road system in the early seventeenth century since towns needed links between them. The road between Belfast and Downpatrick grew up mainly because of the development of Belfast. Similarly the road through the Dundonald gap, between Belfast and Newtownards, to Donaghadee and Comber was a result of the growth of these new centres.⁷⁸

One problem in the development of the road network was the absence of bridges. A bridge across the Bann had been advocated, because of its strategic importance, as early as 1592 but none was ever built.⁷⁹ After 1603 bridges began to appear slowly; across the Lagan at Lisburn by 1611, across the Quoile at Downpatrick by 1640, at Newcastle by 1640 and at Dromore by 1652. A bridge had also been established at Newry by 1640 because of its strategic significance.⁸⁰ By 1640 bridges were still confined to major communications routes and the normal means of crossing water was by ford or ferry. The river Bann by 1640 had no bridge but was served by four fords and the bridge established on the Quoile had been preceeded by a ferry.⁸¹

Ferries concentrated on passage over large areas of water, such as between Strangford and Portaferry or across Carlingford Lough between Narrow Water and Omeath, County Louth. Belfast Lough was also served by a ferry between Bangor and Carrickfergus.⁸² Ferries were important

⁷⁷ Acts privy council, June 1623 - March 1625, p. 328; Acts privy council, March 1625 - May 1626, p. 159; B.L., Add MS 39853 f 8.

⁷⁸ J.T. Fulton, 'The roads of County Down, 1600-1900' (Ph.D. thesis, Q.U.B., 1972), pp 104-6; R. Pike, A true relation, pp 1-2.

⁷⁹ SP63/164/47; bridges were the responsibility of Grand Juries (10 Chas I, s.2, c.26 (Ir.)).

⁸⁰ Fulton, 'Roads', pp 134-5, 261, 265; Commons jn. Ire., i, pp 370-71; Gilbert, Contemp. hist., 1641-52, i, p. 240; P.R.O.N.I., D671/M8/1, T811/3.

⁸¹ Civil Survey, x, p. 56; Cambridge U.L., Add 4352 f 66^v.

⁸² Cal. pat. rolls Ire., Jas I, p. 253; P.R.O.N.I., D552/B/1/1/12-13; Cal. S.P. Ire., 1608-10, p. 506; Blair, Autobiography, p. 70; Fulton, 'Roads', pp 134-5, 261, 265; Cal. pat. rolls Ire., Jas I, p. 83.

economic assets for their operators. Sir Thomas Phillips, who controlled the ferry at Toome, a strategic crossing point of the river Bann, could charge a halfpenny per passenger, one penny for each horse or cow and fares in proportion for smaller animals.⁸³ Indeed when Lord Cromwell petitioned the Dublin parliament in 1640 for a grant towards the erection of a bridge on his lands over the river Quoile at Downpatrick he claimed that he had 'lost the great advantage of a beneficial ferry'.⁸⁴ Ferry travel, like roads, had its dangers for ferries bringing supplies from Carlingford to Newry in the early years of the seventeenth century were frequently sunk because of tempestuous weather and even if the ferries were not sunk salt water did considerable damage to the cargoes.⁸⁵

Rivers were one of the most effective means of communication within Antrim and Down. The Bann, for example, was frequently used to bring goods from the town of Antrim to the coast.⁸⁶ With the development of more markets the demand for river transport became so great that a number of proposals were made for artificial waterways. In the early stages of the settlement of Antrim there were plans to make the river Lagan navigable as far as Lough Neagh to ship timber out of Killultagh.⁸⁷ A similar scheme was suggested by George Rawdon, the agent of the Conway estate to the east of Lough Neagh, in 1637 who proposed to straighten and deepen the Lagan. He estimated that this would cost £3000 but that it would add £10,000 per annum to Conway's revenue by easing marketing of produce. The scheme was blocked because of fears that the cutting would drain Lough Neagh and the Bann.⁸⁸

If communications within east Ulster were poor, attempts to make contact with the wider world were even more fraught with difficulty. Traditionally Antrim and Down had looked not west for markets and social contacts but south, to the pale. In the 1570s Sir Henry Sidney, the

⁸³ Cal. S.P. Ire., 1601-3, p. 454; Cal. pat. rolls Ire., Jas I, p. 83.

⁸⁴ Commons jn. Ire., i, pp 370-71.

⁸⁵ P.R.O.I., M2441 ff 6,18, 37-8.

⁸⁶ B.L., Add. 4756 f 121^v; SP63/170/44; Cal. S.P. Ire., 1600-01, p. 334; Cal. pat. rolls Ire., Jas. I, p. 83.

⁸⁷ Cal. S.P. Ire., 1608-10, p. 89.

⁸⁸ SP63/256/59, 89.

former lord deputy, noted that much of Carrickfergus's trade was southward and lawyers, merchants and ecclesiastics from the pale all frequented the town. There were also strong landholding connections between the Anglo-Irish of the pale and those of Lecale in Down. In 1611 Thomas Barnwall of Sheepland in the barony of Lecale was fined for not attending a jury in Meath where he also had land.⁸⁹ In this context coastal shipping was especially important. During the later stages of the Nine Years War supplies were shipped along the coast to Newry from Dundalk and Dublin and in the 1620s there was a flourishing coastal trade between Dublin and east Ulster in grain and other commodities.⁹⁰ There was increasing communication with west Ulster after 1600, especially after boats had been established on Lough Neagh. By 1611 Sir Thomas Phillips considered it feasible to ship goods from Londonderry across the lough and then move them to Newry from where they could be exported.⁹¹

Communications with England and Scotland were more erratic. Even a short journey, such as that between east Ulster and Scotland, was fraught with problems. The North Channel was frequently rough and crossing it in a small, open boat was uncomfortable. When Sir William Brereton crossed in 1636 he was violently seasick and on the Irish side the ship could not land because of rough weather and the passengers had to swim ashore.⁹² Shipping was very dependent on the elements. Passages were slow, up to twelve hours, and ships had to wait for favourable conditions before sailing. Physical hazards were not the only problems for much of the North Channel was pirate infested. Between August and October 1633 the port of Carrickfergus was closed because it was blockaded by pirates from the Isle of Man, and in 1639 the boats of some

⁸⁹ 'Sir Henry Sidney's memoir of his government of Ireland' in U.J.A., 1st ser., iii (1855), p. 96; P.R.O.I., Ferguson MSS IX, p. 24; connections are also shown in C. McNeill, A.J. Otway Ruthven (eds), Dowdall Deeds (I.M.C., 1960), nos 240, 499, 607; J.W.H., 'The Anglo-Norman families of Lecale' in U.J.A., 1st ser., i (1853), pp 94-7.

⁹⁰ P.R.O.I., M2441 ff 15, 24, 34; Cal. S.P. Ire., 1600, p. 172; P.R.O.N.I., D1071B/B/1, pp 24, 29; 'Sidney's memoir' in U.J.A., 1st ser., iv (1856), p. 179; D.R. Hainsworth (ed.), Commercial papers of Sir Christopher Lowther (Surtees Society, Newcastle-upon-Tyne, 1977), pp 34, 39, 81.

⁹¹ Cal. S.P. Ire., 1611-14, p. 227.

⁹² Strafford, Letters, ii, p. 188; G. Boate, Ireland's natural history (London, 1652), pp 13, 45-6, 48-51; Bodl., Carte 44 f 434 described the passage as 'broken and dangerous'; Brereton, Travels, pp 125-6; he was not alone in this experience, Blair, Autobiography, p. 53; SP63/208/5.

of the earl of Antrim's tenants attempting to cross to Ireland from Scotland were seized by pirates.⁹³ The chief problem with communications between east Ulster and England or Scotland was cost. Brereton paid £1 for a boat to carry five men and their horses. A further two shillings was extracted from him illegally on a pretext of customs dues.⁹⁴ Demand for shipping from Scotland forced up the rates of carriage so that by 1612 a number of Scots settlers in Ireland, including two from east Ulster, complained to the Scottish Privy Council that the charges for shipping 'are risen to such an extraordinary height as no man shall be able to travel between the said countries'. The problem of the control of charges was referred to J.P.s on the Scottish coast but any action which they took had little effect for new rates for shipping and machinery for their enforcement had to be devised within four years.⁹⁵ So expensive was the move from Scotland to Down that James I granted to James Dundas, a newly appointed bishop of Down and Connor, the rents from his church lands for the year previous to his appointment 'in regard of the great charge he must sustain in transporting himself'.⁹⁶ The problem was compounded by the small size of ships that had to be used in the North Channel. Francis Jobson's map of the Ulster coast made in 1598 shows how small these were, under ten tons in most cases.⁹⁷ Thus a large number of journeys were necessary to transport goods, at rates which were very high.

All these problems of transport meant that information and news was slow to reach east Ulster. In the case of letters, expense made it necessary to accumulate sufficient letters before sending a messenger to Ireland with them. One messenger carrying estate correspondence to George Rawdon, the agent on the Conway estate, waited at a London inn for a week until he considered he had enough letters for Rawdon.⁹⁸ Even

⁹³ Strafford, Letters, i, pp 106, 127; ii, p. 340; SP63/229/108; Cal. S.P. Ire., 1603-6, p. 298; J. Patterson, A history of the counties of Ayr and Wigton (Edinburgh, 1863), p. 71.

⁹⁴ Brereton, Travels, pp 123-4.

⁹⁵ R.P.C. Scot., 1610-13, pp 478-9; Bodl., Carte 62 f 384.

⁹⁶ Cal. S.P. Ire., 1611-14, p. 248.

⁹⁷ P.R.O., MPF 312/ 3; Bodl., Carte 62 f 384.

⁹⁸ Cal. S.P. dom., 1631-3, p. 387.

within Ireland letters took a considerable amount of time by English standards. From Dublin to east Ulster a letter could take between four and twelve days, the average being seven, although one proclamation sent from Dublin on 5 May 1640 had not reached Carrickfergus on 18 May.⁹⁹ Poor communications meant that merchants had difficulty in moving information and bills of exchange. This did not encourage them to settle permanently in east Ulster and hence no substantial merchant community had developed there by 1640. More important was the effect on the settlers who developed a sense of isolation from authority. Sir Edward Cromwell based at Downpatrick felt this acutely when faced with the problem of 'how to keep that rebellious nation [the Irish] quiet without means of authority ... being far from my lord deputy and all civil administration'.¹⁰⁰ This feeling of remoteness from the central administration coupled with the desire of many of the new landlords to exploit their new holdings was to be fundamental in the shaping of the east Ulster settlement. The physical, economic and political geography laid the foundations for what the ambitious of the new settlers (described in the next chapter) could effectively achieve.

⁹⁹ S.L., 19, nos 44, 67, 70, 71, 74, 77, 80, 92, 94, 95; Bodl., Carte 1 f 218; Steele, Tudor & Stuart proclam., ii, no. 335. For comparable English figures, J. Crofts, Packhorse, wagon and post (London, 1967), pp 86-8; H. Kamen, The iron century (London, 1976), pp 7-9 which suggest four days for a comparable distance.

¹⁰⁰ H.M.C., Salisbury, xviii, pp 97, 155.

CHAPTER 3 THE CREATION OF EXPECTATION: THE SCOTTISH AND ENGLISH BACKGROUNDS

Despite the problems of geography and communications (outlined in the previous chapter) east Ulster was a wealthy area and the acquisition of wealth was one of the main concerns of the early promoters of colonisation. Antrim had the additional advantage of being close to a source of potential colonists, Scotland. There had been a number of sixteenth century schemes to colonise east Ulster, the most notable being those of two royal favourites, Sir Thomas Smith and the earl of Essex.¹ Antrim and Down had a number of features attractive to potential settlers. The Anglo-Norman lordship, which was established in east Ulster during the thirteenth century, marked it off from the rest of Ulster. The medieval settlement had established an administrative structure which had, at least in name, survived into the seventeenth century. The Anglo-Norman lordship gave King James a claim to title of most of Antrim and Down, a necessary prerequisite to any settlement.² As the Nine Years War drew to a close, many men, such as the future lord deputy Sir Arthur Chichester, began to see east Ulster as a suitable outlet for surplus capital and people from England and Scotland and produced plans for settlements in County Down.³ These attempts to attract people to east Ulster were matched by circumstances in England and Scotland which induced certain groups in the population to migrate. These groups were well defined; the ambitious, younger sons, and those who wanted to reverse declining fortunes. Many of these migrants saw in Antrim and Down the prospect of wealth and the creation of new dynasties which would perpetuate their own names; sentiments which were encouraged by the polemicists of colonisation. The aim of this chapter is to examine how the expectations of the east Ulster colonisers were formed by their backgrounds in England and Scotland.

¹ SP/63/23/20/48; SP63/164/47; SP63/21/56; Sidney S.P., no. 42; R. Dunlop, 'Sixteenth century schemes for the plantation of Ulster' in S.H.R., xxii (1924), pp 51-60, 115-26, 199-212.

² See chapter six.

³ Cal. S.P. Ire., 1600, pp 417-19, 484; Cal. S.P. Ire., 1601-3, p. 362; Cal. S.P. Ire., 1601-3, pp 63-5.

Those who moved to Antrim and Down in the early seventeenth century were socially a very diverse group. At the upper end of the scale there were small landowners such as Sir Hugh Montgomery of Braidstane, Ayrshire. Born in 1561, the eldest son of Adam Montgomery, he studied at Glasgow university and soldiered in France and Holland. He succeeded to the family estate in 1587. By 1600 he had begun to build up and expand the family estate by purchasing lands and by inheritance from other branches of the family.⁴ There were also those who had a high social status but lacked an economic foundation. Sir Edward Cromwell, for example, wrote to Lord Cecil in 1598 asking for employment under the earl of Essex 'in order to readvance the estate of his decaying house'. The family had been in decline for some time; by 1600, he had to sell off most of his English lands to pay debts.⁵ Others belong in this group, such as younger sons of important English and Scottish families. Sir Fulke Conway, Sir Arthur Chichester and Sir Faithful Fortescue, all major Antrim landowners, are examples of younger sons who had little or no patrimony in England and hence saw prospects of advancement in the fluid Irish land market. Sir Fulke even claimed that 'his father never gave him anything for his advantage' despite the fact that the family were in a comfortable financial position in England.⁶

Most of those who became large tenants in east Ulster had been substantial tenants in Scotland and England. Thomas Nevin, the brother of the laird of Monkredding, in Ayrshire, left a large holding in Scotland to settle under Sir Hugh Montgomery at Ballycopeland. He later returned to Scotland and died there in 1651, leaving his County Down land to his son.⁷ A second example of this group of migrants was David Boyd, a major tenant of Sir Hugh Montgomery's and brother of Lord Boyd, a prominent Ayrshire landholder. David Boyd held an appreciable small

⁴ Mont. MSS., p. 10; B.L., Add 4820 ff 30-33.

⁵ H.M.C., Salisbury, viii, p. 421; Stone, Crisis, pp 485, 778.

⁶ S.L. 24/25, no. 351; Cal. S.P. dom., 1591-4, p. 280. Victoria County History, Warwickshire, iii (London, 1945), pp 180, 279-80; Lord Clermont, A history of the family of Fortescue (London, 1869), pp 75-6; Devon Record Office, 1262M/F83; D.N.B., sub Sir Edward Conway, Sir Arthur Chichester.

⁷ G.F. Savage-Armstrong, A genealogical history of the Savage family in Ulster (London, 1906), p. 201; J. Patterson, A history of the county of Ayr, ii (Ayr, 1847), p. 253.

estate in Ayrshire which had been built up by his father in the late sixteenth century and added to by himself in the early seventeenth.⁸ Patrick Montgomery of Blackhouse in the parish of Largs, Ayrshire, who also settled under Sir Hugh, was a small landowner in Scotland.⁹ From England, George Carnock of Maldon in Essex also belonged to this group.¹⁰ By the 1630s the movement of leaseholders from Scotland to Ireland was so appreciable that the Scottish Privy Council ruled that no tenant was to move without the permission of his landlord since they feared that the supply of reliable tenants for Scottish landlords would dry up.¹¹

The status of migrants below these two groups is difficult to determine but there was a wide spread. Large numbers of landless labourers moved to east Ulster as did those fleeing from justice in Scotland and England. The proximity of east Ulster to Scotland and the poor checks on migrants made it easy to move stolen goods, especially horses, and criminals to Ulster.¹² There were frequent complaints that criminals from Scotland were sheltered by east Ulster landlords because settlers were in short supply; John Bramhall, the bishop of Derry alleged in 1634 that landlords sheltered 'dangerous' presbyterians because they 'merely wanted to plant their lands and cared for nothing else'.¹³ Attempts were made by central government to control this traffic, as in 1624 when an elaborate scheme was drawn up to control movement from Scotland to Ulster. The scheme required certificates to be issued by Scottish J.P.s to all those intending to go to Ireland and boatmen who transported persons without a certificate were liable for punishment.¹⁴

⁸ J. Fullerton (ed.), T. Pont, Topographical account of the district of Cunningham (Glasgow, 1858), p. 31; S.R.O., GD 90/1/207; GD86/554, GD8/388, 470, 500, 612, 620, 628, 682; Inquisitionum ad capellam domini regis retornatarum quae in publicis archivis Scotiae, i, Ayr, nos 18, 99, 102.

⁹ Inq. in publicis archivis Scot., i, Ayr, no. 258.

¹⁰ F.O. Fisher, Memoirs of the Camacs of County Down (Norwich, 1887), pp 72, 75.

¹¹ Reg. P.C. Scot., 1635-7, p. 198.

¹² Reg. P.C. Scot., 1610-13, pp 320-21, 624-5; ibid., 1613-16, pp 210, 519-20; ibid., 1616-19, pp 216, 288; ibid., 1622-5, p. 20; ibid., 1627-8, p. 445; ibid., 1632, pp 175, 545-6, 553; ibid., 1633-5, p. 449.

¹³ Cal. SP. Ire., 1611-14, pp 234, 241; SP63/245/185; Shirley, Ch. of Ire., 1631-9, p. 41.

¹⁴ Reg. P.C. Scot., 1625-7, pp 471, 483, 500, 514, 543, 553, 605-6.

It is clear, therefore, that there was a wide social spread of migrants. The comments of some contemporaries, such as the Rev. Andrew Stewart, presbyterian minister of Donaghadee in the 1670s, that

from Scotland came many, and from England not a few, yet all of them generally the scum of both nations, who, for debt or breaking and fleeing from justice, or seeking shelter, came thither Going for Ireland was looked on as a miserable mark of a deplorable person.¹⁵

or Robin Gordon of Lochinvar, a settler in Nova Scotia in the 1620s, that the Irish migrants were 'the meaner sort, such as artisans, labourers of the ground who were known to have scarce competent means to defray their passage' can be regarded as the workings of propagandists intent on denigrating the early migrants in Ireland.¹⁶

In contrast to the wide social spread of settlers they were drawn from fairly restricted geographical areas in England and Scotland. In the case of Scotland it is possible to delineate these areas by using the surnames of migrants to east Ulster recorded on the muster roll of c.1630.¹⁷ This is possible because population mobility in late sixteenth and early seventeenth century Scotland was low and hence surnames can be readily assigned to a particular locality. Such an exercise is of dubious validity for England because of the high mobility of population in certain areas.¹⁸ The evidence of settlers' surnames from Scotland for Antrim and Down is shown on map two. The Scottish settlers came, predominantly, from the south west coast and the counties of Lanarkshire, Renfrewshire and Stirlingshire. There was also a substantial minority of east Ulster settlers from Argyllshire and the southernmost Isles, Bute and Arran. The southern uplands and the Borders, Kircudbrightshire and Dumfries also produced a considerable number of settlers. Most of the English settlers in Antrim and Down appear to have been drawn from Devon, Cheshire and Lancashire.¹⁹ Thus the migrants were socially diverse

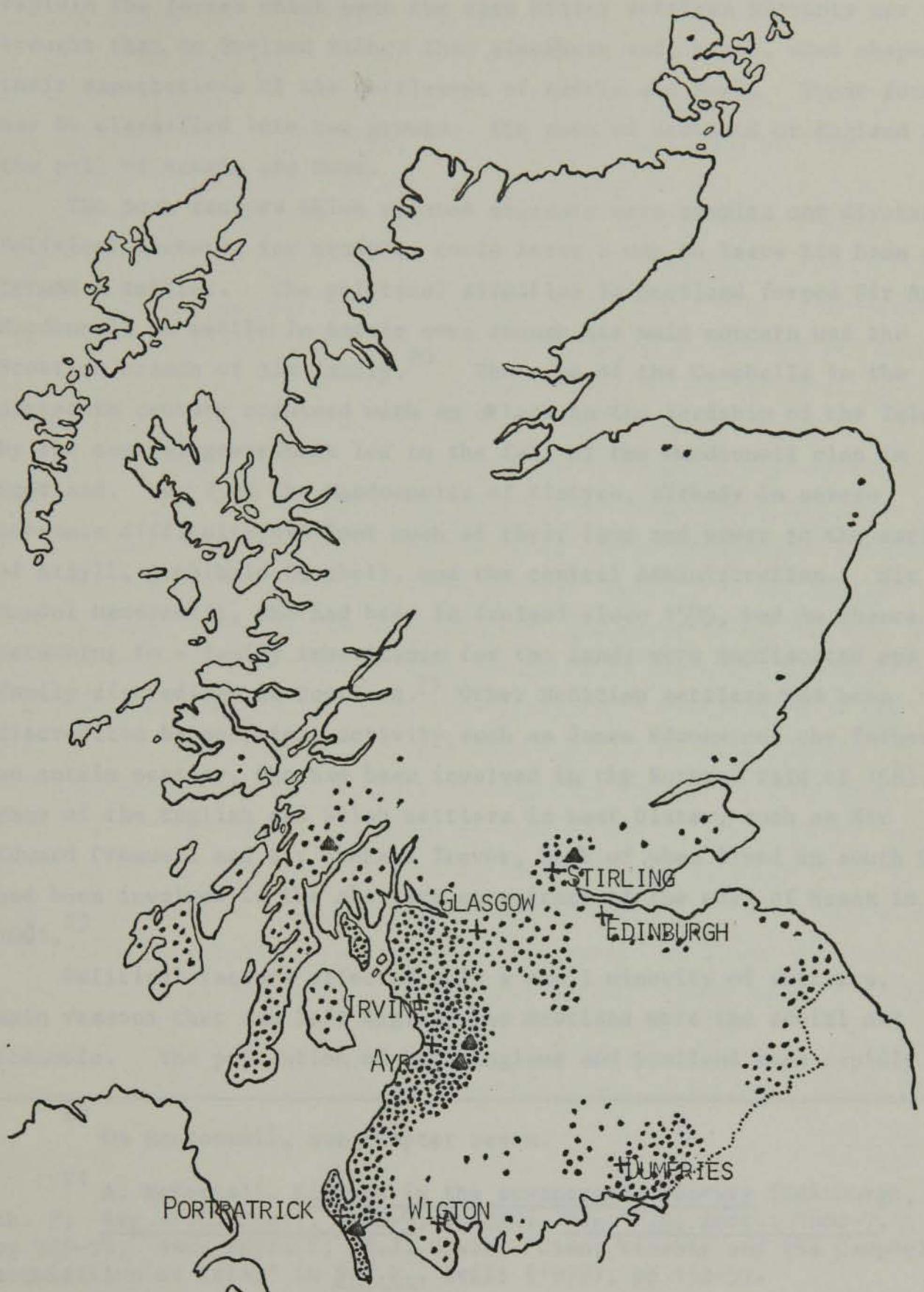
¹⁵ W.D. Killen (ed.), P. Adair, A true narrative of ... the presbyterian church in Ireland (Belfast, 1866), pp 313-15.

¹⁶ D. Laing (ed.), Royal letters, charters and tracts relating to the colonization of New Scotland (Edinburgh, 1867), not paginated; Blair, Autobiography, p. 57; Mont. MSS., p. 51.

¹⁷ B.L. Add. 4770.

¹⁸ For continuity of tenants see SRO, GD 27/1/55 ff 1-2, 29-33; GD109/2957, 2977; G.F. Black, The surnames of Scotland (New York, 1946); on England, E. Rich 'The population of Elizabethan England' in Econ. Hist. Rev., 2nd ser., xi (1950), pp 245-65.

¹⁹ Brereton, Travels, p. 128; P.R.O.N.I., T811/3.



MAP 2: ORIGINS OF SCOTTISH SETTLERS, c.1630, BY SURNAME

but geographically restricted in their origins. Yet this does not explain the forces which made the east Ulster settlers migrants nor what brought them to Ireland rather than elsewhere and, hence, what shaped their expectations of the settlement of Antrim and Down. These forces may be classified into two groups: the push of Scotland or England and the pull of Antrim and Down.

The push factors which created migrants were complex and diverse. Political factors, for example, could force a man to leave his home and become a settler. The political situation in Scotland forced Sir Randal Macdonnell to settle in Antrim even though his main concern was the Scottish branch of his family.²⁰ The rise of the Campbells in the sixteenth century combined with an attack on the lordship of the Isles by the central government led to the fall of the Macdonnell clan in Scotland. By 1595 the Macdonnells of Kintyre, already in severe economic difficulty, had lost much of their land and power to the earl of Argyll, Archibald Campbell, and the central administration. Sir Randal Macdonnell, who had been in Ireland since 1595, had no chance of returning to a family inheritance for the lands were confiscated and the family discredited in Scotland.²¹ Other Scottish settlers had been discredited by political activity such as James Edmonston, the father of an Antrim settler, who had been involved in the Ruthven raid of 1582.²² Many of the English and Welsh settlers in east Ulster, such as Sir Edward Cromwell and Sir Richard Trevor, both of whom lived in south Down, had been involved in the abortive conspiracy of the earl of Essex in 1601.²³

Political factors affected only a small minority of settlers. The main reasons that men left England and Scotland were the social and economic. The population of both England and Scotland rose rapidly in

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On Macdonnell, see chapter seven.

21 A. McKerrall, Kintyre in the seventeenth century (Edinburgh, 1948), ch. 2; Reg. P.C. Scot., 1592-9, p. 321; Reg. P.C. Scot., 1604-7, pp 749-50; SRO, RH9/4/8; E.J. Cowan, 'Clan, kinship and the Campbell acquisition of Islay' in S.H.R., lviii (1979), pp 132-57.

22 H.M.C., Laing, i, pp 38, 41, 46; H.M.C., Mar and Kellie, i, p. 46; W. Nimmo, A history of Stirlingshire, ii (Glasgow, 1881), pp 88-9; Reg. P.C. Scot., 1578-85, p. 272; Reg. P.C. Scot., 1585-92, pp 32-3.

23 B.L., Sloan 1856 f 22^v; Stone, Crisis, pp 231, 238; E.S. Jones, The Trevors of Trevalyn and their descendants (n.p., 1955), pp 30-33; A.H. Dodd, 'North Wales and the Essex revolt' in E.H.R., lix (1944), pp 367-9.

the late sixteenth and early seventeenth centuries.²⁴ Some contemporary comment deemed this sufficient reason for migration. One English writer of 1619 advocated that the settlement of Ireland would be 'an easy course for the transport ... of the superfluous multitudes of poor people which overspill the realm of England to the weal of both kingdoms' and an earlier suggestion had proposed the shipping to Ireland of all those dispossessed by clearances for sheep.²⁵ The reality was, however, more complex than this. It was the indirect effects of a rising population rather than sheer overcrowding which promoted migration. These effects are best studied on a regional level and so it is proposed to examine the social and economic structure of the main source area for the migrants to east Ulster in the early seventeenth century: south west Scotland.

In the late sixteenth century population in south west Scotland rose rapidly. This rise was shown in a number of different ways. Men began to move into towns nearby and in the poorer areas of Ayrshire land was reclaimed 'through multitudes of houses and industry of the labourers [and] through liming and other husbandry' according to one account in 1627.²⁶ One observer, Thomas Pont, observed as early as 1597 that in the barony of Cunningham, in western Ayrshire, 'the dwelling of the yeomanry are very thickly powdered over the face of this country ... so that one may wonder how so small a bounds can contain so very many people'.²⁷ The church responded to this growth in its flock by the creation of new parishes, four in Ayrshire, two in Galloway, five in Wigton and three in Kircudbrightshire before 1660.²⁸ Such a growth of population inevitably placed considerable strain on fixed resources, such as land, and prices, or in the case of land rents, began to rise.

²⁴ M.W. Flinn, Scottish population history (Cambridge, 1977), pt II.

²⁵ B.L., Titus X B, ff 267-70; Royal 18 A LIII, ff 12^V-13; H.M.C., Salisbury, xxi p. 281; Cal. S.P. Ire., 1608-10, p. 386; B.L., Add 41613, f 35.

²⁶ The state of parishes (Maitland Club, Glasgow, 1936), p. 193; Flinn, Scottish population history, pp 116-32.

²⁷ Pont, Topographical account, p. 6; B.R.S. Megan, 'The date of Pont's survey and its background' in Scottish studies, xiii (1969), pp 71-3.

²⁸ J. Strawhorne, 'Ayrshire's population' in Ayrshire archaeological and nat. hist. collections, 2nd ser., viii (1967-9), p. 12; M. Sanderson, 'Kilwinning at the time of the reformation' in Ayrshire arch. and nat. hist. collection., 2nd ser., x (1970-72), pp 122-3.

Other factors also hit the landholders of south west Scotland in the late sixteenth and early seventeenth centuries. The most important of these was the reorganisation of the system of tithe collection by the church and the new royal policy towards the Borders and the Isles. In 1617 the system of tithe collection was overhauled. Tithes were taken from the secular landlord and placed in the hands of the church. In some areas they were also commuted from kind into cash. Collection became more efficient and letters of inhibition were issued against tenants who would not or could not pay. Tithe was also increased in 1633 from one-tenth to one-eighth of a farmer's produce, imposing yet further burdens upon him.²⁹ A second major factor affecting the social and economic climate of late sixteenth and early seventeenth century south west Scotland was the introduction of effective royal authority into the Borders and the Isles. This involved the clearing of potential rebels and installing loyal tenants, in these areas.³⁰ Many inhabitants fled from the Borders to Ireland to escape execution. In the Isles the defeat of the Macdonnell clan by the central government led to the rise of the earl of Argyll as the main landed influence there. Argyll soon began removing Macdonnell's tenants from Argyll, Kintyre and the islands of Bute and Barra.³¹ The war against the Macdonnells and the campaign to pacify the Borders took its toll. Between 1596 and 1605 the amount of waste land in north Kintyre rose from 26 per cent to 41 per cent and from 22 per cent to 25 per cent in south Kintyre.³² In addition to this the economic forces described above were also placing pressures on the inhabitants of these areas.

²⁹ A. Cormack, Teinds and agriculture (Oxford, 1930); W. Mackey, The church of the Covenant, 1637-51 (Edinburgh, 1979), ch. I; SRO, GD 149/72, 97, 101, 112, 120, 138; GD8/576.

³⁰ For debts in the Isles, W. Lamont (ed.), Inventory of Lamont papers (Edinburgh, 1914), pp 20, 111-13, 125, 126, 170-71; F. Shaw, 'Landownership in the western Isles in the seventeenth century' in S.H.R., lvi (1977), pp 43-5; R.A. Dodgson, 'Agricultural change and its social consequences in the southern uplands, 1600-1780'. Paper to the 2nd conference of Scottish-Irish economic historians, Glasgow, 1981, pp 4-7; Reg. P.C. Scot., 1635-7, p. 18.

³¹ Cal. S.P. Ire., 1606-8, pp 193, 223; McKerral, Kintyre, p. 27; H.M.C., 6th Report, pp 611-12; G. Hill, 'Gleanings in family history from the Antrim coast' in U.J.A., 1st ser., viii (1860), pp 139-40, 200; on the Borders, B.S. Turner, 'An observation on settler names in Fermanagh' in Clogher Record, viii (1973-6), pp 285-9.

³² J.R.S. McPhail (ed.), Highland papers, iii (Scottish History Society), Edinburgh, 1920), pp 72, 79.

Against this picture of apparent decline must be set the considerable growth of the Scottish economy in the late sixteenth and early seventeenth century. Trade grew, agriculture improved considerably and the relative peace of the reign of James VI allowed considerable economic growth.³³ Many landowners from south west Scotland looked for investments for accumulated capital. Some families extended their landed interests into the Isles during James's abortive plantation of the island of Lewis in 1597. Others ventured further afield, such as the three sons of James Boswell of Auchinleck who went to Sweden. Indeed one of the most important colonists of Nova Scotia was Sir Robert Gordon of Lochinvar, a Kirkcudbrightshire landowner.³⁴

It was from the casualties of this set of economic conditions that the east Ulster settlers were to be gathered. The way in which they reacted to the Scottish economic situation was to determine their attitude to Ireland. Some Scottish landowners who moved to east Ulster, such as Archibald Edmonston of Stirlingshire, were in a poor financial condition. The Edmonstons had made the mistake of making long grants of land at fixed rents in the early sixteenth century so that by the end of a century which experienced rapid inflation their incomes had fallen sharply. Throughout the late sixteenth century the family had mortgaged most of their lands and by 1606 they had begun to sell part of the estate in order to meet the mortgage repayments. Further mortgages were made between 1606 and 1610 but these did not improve the family's position for in 1609 letters of horning for debt were sued out against Archibald. In 1614 the whole estate was mortgaged as a block to Sir William Graham of Braid in Stirlingshire. In east Ulster Edmonston's main aim was the raising of enough cash to redeem the mortgages on the family's property a task which he had achieved by 1630.³⁵ Edmonston's career can be mirrored by that of his brother-in-law, William Adair, who was a settler in mid Antrim. William's father, Ninian, had been mortgaging the family property in Wigtonshire since the 1590s but this did little to alleviate

³³ T.M. Devine, S.G.E. Lythe, 'The economy of Scotland under James VI' in S.H.R., 1 (1971), pp 93-5, 105.

³⁴ McKerrall, Kintyre, p. 93; Patterson, History of Ayr, i, p. 238; ii, pp 17, 190.

³⁵ Reg. P.C. Scot., 1604-7, pp 253, 281, 660; Reg. P.C. Scot., 1607-10, p. 265; SRO, GD97/1/161, 186, 192, 202, 274, 324, 386, 403; GD97/2/3/313, 333, 334; H.M.C., Various V., pp 137-9.

his economic plight for he was horned for debt in 1608. His son inherited the lands the same year but the situation did not improve and by the 1630s he had sold most of the Scottish lands to Sir Hugh Montgomery, the north Down settler, and moved to north Antrim.³⁶

Other landowners who moved to Ulster did so as part of a policy of expansion generated by the economic environment of Scotland. The Scottish land market in the late sixteenth and early seventeenth centuries was sluggish. There was, for example, little church land on the market, most of it having been granted on feu charters in the early sixteenth century.³⁷ Sir Hugh Montgomery, for example, attempted to expand his small Scottish estate in the early 1600s by purchase and inheritance from adjoining landlords.³⁸ This method only allowed for limited expansion and even before the rebellion of the chief lord of north Down, Conn O'Neill, in 1601 Montgomery had decided that 'Ireland must be the stage to act upon' and from which he could expect rapid returns.³⁹ The Agnew family of Loughnaw in Galloway were also in a position to expand in the early seventeenth century. They purchased a considerable amount of land from improvident neighbours in Scotland before expanding into south Antrim in the 1630s as substantial tenants of the earl of Antrim.⁴⁰

A third strategy adopted by Scottish landlords in reaction to the economic changes of the late sixteenth century, that of estate reorganisation and rationalisation of tenures, had a significant impact on the supply of settlers for east Ulster. In order to make their estates run more efficiently many landlords in south west Scotland reorganised them considerably. First they recast the tenurial structure of their lands.

³⁶ SRO, GD154/75, 80; E. Suffolk R.O. HA12/A2/1/37; Reg. P.C. Scot., 1607-10, pp 3, 14, 168; Reg. P.C. Scot., 1619-22, p. 374; J. Patterson, A history of lands and their owners in Galloway and Wigtonshire, i (Edinburgh, 1870), pp 84-6; SRO, GD 237/171.

³⁷ M. Sanderson, 'The feuars of kirklands' in S.H.R., lii (1973), pp 117-36.

³⁸ SRO, Acts and decrees of the Lords of Session, 194, f 324.

³⁹ Mont. MSS., pp 19-20; N.L.S., Delminie MSS 6 no. 53.

⁴⁰ SRO, GD 154.

This involved the removal of the 'kindly tenants', tenants-at-will with no rights to their lands other than tradition, or turning them into rentallers, leaseholders, at a greatly increased rent. The earl of Cassills removed a considerable number of kindly tenants from his estate in Dumfries and Galloway as did other landlords in Ayrshire.⁴¹ Other tenures such as feuing, the granting of land to a tenant by a charter with a high entry fine (a grassum) and a relatively low rent, were also attacked by landlords. Feuing was most common in north Ayrshire and south Renfrewshire. In these areas landlords began raising the nominal rents on the land by augmentation and forcing many small owners to leave their holdings. Many feuers did try to keep their heads above water but failed. Lawrence Young, who held lands near the town of Ayr in the late sixteenth century, mortgaged his lands twice to burgesses of Ayr before admitting defeat, sold his land to the earl of Eglinton, the major landholder in the area, and moved to Ireland. Robert Stewart of Gass, in south Ayrshire, also made several attempts to make his holding viable by mortgages before leaving Scotland for east Ulster.⁴² In this way many landlords expanded and consolidated their hold on their estates. The earl of Eglinton, for example, expanded his sizeable estate in west Ayrshire by absorbing a large number of surrounding small landowners.⁴³ A second element in the reorganisation of estates by Scottish landlords was the increasing of rents, in one case by up to 410 per cent, between 1620 and 1641. Some rents, formerly paid in kind, such as on the Bargany estate in south Ayrshire, were commuted to cash payments and the rent was raised in the process.⁴⁴ Such leases as were made were short, usually nineteen years, to enable rent to be raised frequently.⁴⁵ The fate of those who could not pay the increased rent was simple - eviction.⁴⁶

⁴¹ H. Maxwell, A history of Dumfries and Galloway (Dumfries, 1896), pp 228-9; Patterson, History of Ayr, ii, p.48; R. Van Agnew (ed.), 'Letters by John, fifth earl of Cassills' in Arch. coll. relating to Ayr and Galloway, 1st ser., v (1885), pp 194-5; SRO, GD180/91; GD 219/6; GD 25/8/138A; GD25/9/78; I.D. Whyte, Agriculture and society in seventeenth century Scotland (Edinburgh, 1979), pp 30-32.

⁴² SRO, GD180/367; GD25/8/95, 183; M. Sanderson, 'The social and economic implications of the feuing of ecclesiastical property in Scotland' (Ph.D. thesis, Edinburgh, 1972) pp 390-92.

⁴³ SRO, GD8/582, 617, 667; Sanderson, 'Implications of feuing', p.394.

⁴⁴ SRO, GD25/9/475; GD26/9/48; GD27/1/55, ff 36-7, 47; RH15/39/2.

⁴⁵ I.D. Whyte, 'Written leases and their impact on Scottish agriculture' in Ag. H.R., xxvii (1979), pp 2-8; SRO, 5/9/73-4; RH15/91/11/4.

⁴⁶ SRO, GD39/1/78; GD103/2/113; GD25/185a-b; GD86/386, 426; GD10/972, 976, 977, 978, 981, 982; Pont, Topographical account, pp 117-24.

Growing population, tenurial reorganisation and rent increases in early seventeenth century south-west Scotland created a group of people who were deprived of their land and had little prospect of obtaining new holdings. Nor had they much chance of moving into industry for this area was poorly developed in Scotland. Many of these men were looking for outlets for their capital and an opportunity to reverse their fortune and Ireland provided a rich field. William Brereton, travelling through this area in the 1630s, judged that it was this state of affairs which contributed most to the decision to migrate to Ireland.⁴⁷ Similar economic profiles could be constructed for English areas from which settlers moved to east Ulster. Devon, for example, had a rapidly growing population in the late sixteenth century but the agricultural economy, like that of south-west Scotland, was mainly pastoral and hence did not require intensive labour. Rents also rose as the increased population placed pressure on the limited resources of good land. Thus Devon was a fruitful source of colonists, not only for Ireland but also for America, in the early seventeenth century.⁴⁸

The pull factors which brought these men, who were migrants by force of economic or political circumstances, to east Ulster were diverse. The economic attractions of cheap land with secure title, woodlands and fishings (as described in the previous chapter) were powerful magnets. Sixteenth-century trading contacts between Antrim and Ayrshire were also important in making east Ulster known in Scotland. Sir Hugh Montgomery, for example, was looking to east Ulster as a possible area of expansion before 1603.⁴⁹ Sir Edward Trevor, of Brynkinalt in north Wales, who settled in south Down, and John Dalway who settled in south Antrim came

47 Brereton, Travels, p. 119.

48 E.A. Wrigley, 'Family limitation in pre-industrial England' in Econ. Hist. Rev., 2nd ser., xix (1966), pp 84-6; W.J. Blake, 'Hooker's "Synopsis chorographical of Devonshire"' in Reports and Transactions of the Devonshire Assoc., xxxxvii (1915), pp 343-7; W.G. Hoskins, 'The reclamation of waste in Devon' in Econ. Hist. Rev., 1st ser., xiii (1943), pp 82-92; R.D. Brown, 'Devonians and the New England settlement' in Rep. and Trans. of Devon Assoc., lxxxxv (1963), pp 221-2. I am indebted to Michael McCarthy Morrough for a discussion on the role of Devon in the Munster settlement.

49 Mont. MSS, pp 16, 20.

to east Ulster as officers in the army of the earl of Essex in the late sixteenth century. So had Sir Arthur Chichester, the future lord deputy, who became governor of Carrickfergus in 1603 and subsequently settled there.⁵⁰ Others were in Ireland for alternative reasons. Many clergy in east Ulster were able to accumulate enough capital from their own family and from their livings to purchase lands there. Both Alexander Colville, the precentor of Connor, and Robert Echlin, bishop of Down from 1613 until 1635, built up considerable landed estates in east Ulster. Echlin's income of at least £550 per annum from his benefice enabled him to purchase lands from the Savage family in the Ards, to make loans to Lord Cromwell at Downpatrick and to build an imposing house at Ardquin near Portaferry in east Down. Sir James Hamilton, who became one of the manor landholders in north Down, had been in Dublin since 1588, firstly as a school master, later, in 1591, as one of the fellows of the infant Trinity College, and finally, since the position at the college was not lucrative enough, as an agent for James VI of Scotland at the English court. It was this latter position which enabled him, after James's accession to the English throne, to acquire his north Down lands.⁵¹

⁵⁰ A.T. Lee, 'Notes on bawnes' in U.J.A., 1st ser., i (1856), p. 126; A.H. Dodd, Studies in Stuart Wales (Cardiff, 1971), p. 83; other cases of this include Moses Hill, Marmaduke Whitechurch and Humphrey Norton (Cal. S.P. Ire., 1598-9, pp 241, 244, 249; SP63/206/87). Soldiers often remained as tenants to their former officers such as Richard West who settled under his former commander, Lord Cromwell, in Lecale and John Lloyd of Basidris, north Wales, who settled under Trevor (Cal. S.P. Ire., 1608-10, p. 79; Cal. S.P. Ire., 1615-25, p. 491; N.L.W., Cross of Shaw Hill MSS; Deeds no. 174).

⁵¹ J.T. Gilbert (ed.), Calendar of the ancient records of Dublin, ii (Dublin, 1891), p. 219; J.P. Mahaffey (ed.), The particular book of Trinity College, Dublin (London, 1904), pp 5, 66; H.M.C., Salisbury, x, pp 266, 291; H.M.C., Salisbury, xv, p. 380; H.M.C., L'Isle and Dudley, ii, p. 480; J. Cameron (ed.), The letters of John Johnston and Robert Howie (Edinburgh, 1963), p. 184; Hamilton came from an important Scottish landed family, the Hamiltons of Raplock, which had been in decline in 1571. His father was vicar of Dunlop in north Ayrshire; J.S. Dobie, 'The church of Dunlop' in Arch. coll. relating to Ayrshire and Galloway, 1st ser., iv (1884), p. 29; N.L.I., 8792/2; M. Sanderson, 'Some aspects of the church and Scottish society in the era of the reformation' in Records of the Scottish church history society, xvii (1972), p. 45; Sanderson, 'Implications of feuing', p. 463.

These late sixteenth century settlers brought other men with them when they acquired their lands in the early seventeenth century. Hamilton, for example, brought his five brothers to Ireland and acquired lands for them.⁵² Sir Arthur Chichester operated a similar scheme. In June 1605 he wrote to his brother-in-law, John Trevelyn: 'finding the uncertainty of our profession [the army] and means of raising my fortunes and others of my blood by the course we began in the wars, I have advised to settle them in part of the waste lands in the north within my government of Knockfergus, where they shall have some scope to work on'.⁵³ In the same year he attempted to obtain the castle of Toome for 'an honest kinsman of mine' but he failed. Chichester also introduced to east Ulster members of families which he had been connected with in Devon, including Sir Hugh Clotworthy, Sir Hercules Langford and Humphry Norton.⁵⁴ When Sir Hugh Montgomery settled in north Down he brought with him a considerable number of his Scottish friends.⁵⁵ Even small settlers, such as William Adair in mid Antrim brought some of their Scottish tenants, the Houston family, to Ulster.⁵⁶ Many smaller tenants were recruited through similar networks since landlords wanted reliable tenants who could afford the rent and would not asset strip their holdings. Sir Hugh Montgomery, for instance, recruited tenants for his Down lands from among his followers on his Scottish estate, and Sir George Rawdon, agent on Lord Conway's estate in south-west Antrim, recruited most of the tenants from his master's Warwickshire lands.⁵⁷

⁵² H.M.C. Hastings, iv, p. 164; Ham. MSS, p. 12; P.R.O.N.I., T808/2758.

⁵³ T. Birch (ed.), A collection of the state papers of John Thurloe, v, pt 3 (London, 1742), p. 81.

⁵⁴ Cal. S.P. Ire., 1603-6, p. 341; Cal. S.P. Ire., 1601-3, p. 635; J.C. Roberts, 'The parliamentary representatives of Devon and Dorset, 1589-1601 (M.A., London, 1958), app. 1, 3.

⁵⁵ Perceval Maxwell, Scottish migration, p. 58. In addition to this, Col. Thomas Boyd had held lands from Montgomery at Braidstane since 1588 (Reg. P.C. Scot., 1585-92, p. 243). Links can also be established between the Adair, Montgomery and McClelland families who all settled in east Ulster. J. Patterson, A history of the counties of Ayr and Wigtonshire, ii (Ayr, 1964), p. 20.

⁵⁶ Registrum magni sigilli regnum Scotorum, 1620-33, no. 206.

⁵⁷ Mont. MSS, p. 43; Cal. S.P. dom., 1635-6, p. 450.

Thus, bonds of kinship, obligation, tenure or simply friendship drew together men who were the products of a particular set of economic and social circumstances in England and Scotland. Rising population placed increasing pressure on land and reduced the outlets for the ambitious and the younger sons. Under similar strains many men declined in fortune. Others left their holdings under pressure from landlords who were increasing rents and reorganising the letting of their lands. All these men joined the pool of potential migrants and all had one ambition in common - to rise in the world. The availability of lands in east Ulster after 1603 offered the prospect of fulfilling that ambition. Once entrenched any attempt to thwart that ambition, by central government, landlord or tenant, was bound to meet resistance.

CHAPTER 4 THE PEOPLING OF A REGION: THE DEMOGRAPHIC STRUCTURE.

If any of the expectations of the settlers of east Ulster were to be fulfilled, population had to be increased rapidly, for both economic and political reasons. One of the ways in which seventeenth century commentators judged the health and prestige of a country was its level of population. As one political theorist observed 'one should never be afraid of having too many subjects ... for the strength of the commonwealth is in men'.¹ The population of east Ulster in the late sixteenth century was low. In 1593 Sir William Weston, chief justice of common pleas, on assize in Antrim, commented that Antrim and Down were 'very slenderly inhabited, and a great part thereof, very good and fruitful land, do lie desolate'. Earlier, in 1586, Sir John Perrot, the lord deputy, justified a grant of the Route, in north Antrim, to Sorley Boy Macdonnell on the basis that the existing owner, Rory McQuillan, did not have enough followers to occupy it.² It was clear that in the early seventeenth century the population would have to rise. The whole settler system of local government, for example, depended on a pool of settlers who could be drawn on for juries, commissions and local offices since in the early stages of the settlement the native Irish could not be trusted to operate the common law processes fairly.

People were a vital economic asset since labour was the most important factor of production in any preindustrial economy. Specialised services, such as carpenters, masons and traders, also had to be imported. Since the bulk of a landowner's income came from his rents tenants were an important economic asset and as such had to be carefully shepherded. In the sixteenth century the great native lords had gone to such lengths to retain their followers, who were sources of prestige as well as cash and food, that the English observers branded them as despots.³ This shortage

¹ M. Campbell, 'Of people either too few or too many' in W.A. Aiken, B.D. Henning, Conflict in Stuart England (London, 1960), p. 177; D.C. Coleman, 'Labour in the English economy in the seventeenth century' in Econ. Hist. Rev., 2nd ser., viii (1955-6), pp 280, 292-3.

² Cal. S.P. Ire., 1592-6, p. 141; Acts privy council, 1590, p. 51; B.L., Cotton Titus BX11 ff 445, 448. After the Nine Years War there were also a number of complaints of the low population of east Ulster. North Down was described as 'depopulated and wasted' and Sir Randal Macdonnell found his lands so underpopulated that he requested an abatement of rent for two years. P.R.O.I., Ferguson MSS ix, pp 84-5; Cal. S.P. Ire., 1603-6, p.267; Cal. S.P. Ire., 1606-8, p. 403; P.R.O.N.I., T618/1; Ham. MSS, Appendix 1, p. i.

³ SP63/171/30; Cal. pat. rolls Ire., Henry VIII-Eliz., pp 228-9; K.W. Nicholls, Land, law and society in sixteenth century Ireland (National University of Ireland, 1976), p. 11.

of tenants also affected the sixteenth century settlers in east Ulster. The 1574 grant to the earl of Essex of lands in Antrim has specified that his lands should be bounded 'that we [the queen] may understand who shall be our tenants and who the earl's [of Tyrone]'.⁴ This situation carried on into the seventeenth century and on one occasion, in 1637, a portion of land was sold complete with tenants which were its main attraction. It was for loss of an economic asset that Gillduff O'Cahan cursed his eldest son for murdering one of Gillduff's tenants during the Portnaw 'massacre' in 1641 and not for the murder itself.⁵ In the long term these political and economic functions should have been met by a naturally expanding population but in the short term the low native population had to be increased by migration from Scotland and England in order to fulfil the expectations of the landlord and to make the country governable. In the context of the Ulster Plantation Sir Arthur Chichester, the lord deputy, had argued that if sufficient numbers of people were not imported the main aim of the plantation would have failed and therefore minimum numbers of settlers were fixed for importation by each undertaker.⁶ Thus, when the king's letter was granted for the lands of north Down to James Hamilton in 1605 it contained a clause 'that the aforesaid James Hamilton should promise to inhabit the said territory and lands with English and Scotchmen'.⁷

The main means of increasing the population of east Ulster in the early seventeenth century was by immigration from England and Scotland. There had been some migration to the coastal areas of Antrim and Down by Scottish islanders in the sixteenth century but the impact of this was negligible. The movement into the glens of Antrim was sporadic, even regarded by some commentators as seasonal, between May and the harvest. The leaders of the Scots all had political and economic interests in

⁴ Cal. S.P. Ire., 1601-3, p. 589; B.L. Cotton Titus BX f 204^v.

⁵ H.M.C., Various, v, pp 140-41; T.C.D., MSS 838 ff 24-6^v.

⁶ SP63/299/126; Hill, Plantation, p. 83; T.W. Moody, 'Ulster plantation papers' in Anal Hib., viii (1938), no. 4.

⁷ Ham. MSS, Appendix 1, p. i; J. Maidment (ed.), 'Letters and papers relative to Irish matters from the Balfour MSS' in Abbotsfort Club Miscellany (Edinburgh, 1838), p. 271.

Scotland which took precedence over their Irish ventures. Only Sorley Boy, the younger son of Alexander Macdonnell, lord of Isla, Kintyre and the Glens, took any sustained interest in Ulster and even this was sporadic.⁸ There was also some sixteenth century Scottish involvement in the wooded areas of east Down, the Dufferin. The owners of this area, the White family, were frequently absent so that by the 1550s the Scots were using it as a base in Down and by the 1570s they had penetrated into the adjoining baronies of Ards and Lecale.⁹ The numbers involved in these movements were small, six or seven hundred estimated in the early part of 1567 and eight or nine hundred later that year. Few families from this movement survived into the seventeenth century.¹⁰

It was the early years of the seventeenth century before movement to east Ulster began seriously. The chronology of the movement can be roughly demonstrated by the numbers of letters of denization sent out by settlers.¹¹ There are difficulties in interpreting these, the main being the time lag between settlement and the grant of denization, but the letters give a significant sample of migrants who settled in east Ulster. Failure to become a denizen of Ireland meant that no legal transactions could be carried out there. David Boyd, for example, acquired lands from Con O'Neill and Sir Hugh Montgomery in 1606-7 but failed to become a denizen. On his death in 1626 his lands were declared forfeit and his son had to petition the English Privy Council for a regrant.¹² The pattern of migration revealed by denization lists; a slow start followed by a rapid influx during the second decade of the century and falling off thereafter, with a slight revival in the 1630s, is confirmed by other evidence.

⁸ SP63/72/53; SP63/102/21; G.A. Hayes-McCoy, Scots mercenary forces in Ireland (London, 1937), pp 12, 25-6.

⁹ Cal. S.P. Ire., 1509-73, pp 111, 118, 245, 444; N. Canny, 'Rowland White's "Discours of Ireland"' in I.H.S., xx (1976-7), p. 440; 'Marshal Bagnel's description of Ulster' in U.J.A., 1st ser., ii (1854), p. 153.

¹⁰ For estimates of numbers, Cal. S.P. Ire., 1509-73, pp 261, 350; SP63/20/93; Bodl., Laud 612 f 41; Cal. S.P. Ire., 1574-85, p. 155; Hayes-McCoy, Mercenary forces, p. 35.

¹¹ Appendix I, ii.

¹² Mont. MSS, pp 41, 53 n.26; Acts privy council, June 1626 - Dec. 1626, p. 65; Cal. S.P. Ire., 1625-32, pp 136, 139; Cal. pat. rolls Ire., Chas. I, p. 156; automatic denization was granted in 1635 by 10 Chas. I, s.2, c.7 (Ire.).

It is possible to detect movements to Ulster from lowland Scotland before 1605, such as Robert Hamilton, a tailor, who was expelled from Ayr in 1604 for fear that he carried plague from Ulster.¹³ The heavy movement to east Ulster began only after the main landlords secured their title to the new lands in 1605. Although plans were afoot before 1605 nothing could be done until landlords were securely in possession of their lands and able to offer them to tenants. The delivery of sesin of Sir Hugh Montgomery's lands in north Down 'much encouraged the plantation' according to the author of the Montgomery Manuscripts.¹⁴ After 1605, when Montgomery, Hamilton and Macdonnell had secured title to their lands, the movement of people to Antrim and Down began in earnest. Sir Thomas Craig, one of the commissioners for the abortive Anglo-Scottish union of 1604, commented in late 1605 that 'every day sees a stream of migrants thither [Ireland]' and by 1606 the movement was well under way.¹⁵ In Antrim a large number of Scots arrived in 1607 as a result of Angus Macdonnell's rebellion in Kintyre and in July of that year a royal letter granting charters to Belfast, Coleraine and Bangor spoke of 'the new colonies of English and Scotch which do daily endeavour to make a civil plantation in the counties of Down and Antrim'.¹⁶ Some of this initial migration was temporary, to view the lie of the land or to establish trading connections, but many of those who came on a temporary basis remained.¹⁷ By 1610 the effects of the migration were beginning to be felt. Sir James Hamilton reported that his coastal lands in Down were much sought after and pressure was also being put on services connected with the settlement such as shipping. Ships operating between Ireland and Scotland were in such short supply and the demand was so great that fares rose to such an extent that the Scottish Privy Council had to intervene to control them.¹⁸

¹³ J. Patterson, A history of the county of Ayr, i (Ayr, 1874), p.214.

¹⁴ P.R.O.I., Ferguson MSS, ix, pp 84-5; Mont. MSS, p. 42.

¹⁵ R.S. Terry (ed.), Sir Thomas Craig's 'De unione de regnum Britannica tractus' (Scottish History Society, Edinburgh, 1909), p. 446; Perceval Maxwell, Scottish migration, p. 56.

¹⁶ Cal. S.P. Ire., 1606-8, pp 193, 223, 225; B.L., Cotton Titus BX f 185; Bodl., Carte MSS 62 f 177; E. Hogan (ed.), A description of Ireland c.1598 (Dublin, 1878), pp 16-17. On the dating of this, Perceval Maxwell, Scottish migration, p. 63 n.47.

¹⁷ Mont. MSS, p. 60.

¹⁸ T.C.D., MUN P/24/4; P.R.O.I. Ferguson MSS, ix, p. 82; R.P.C. Scot., 1610-13, pp 478-9.

If anything, the settlement expanded at a greater rate in the second decade of the century. The gravestone inscription of John Gibson, the dean of Down, for instance, recorded that the number of communicants at Bangor increased by 1,160 between 1609 and 1623. Later in the decade George Allayne, the muster master general, found Antrim and Down better settled than some of the escheated counties.¹⁹ All this supports the evidence of the denization lists which suggest an increased flow of settlers between c. 1610 and c. 1620. Such a move is not surprising for east Ulster was closer to Scotland and northern England than other areas of Ulster and hence most settlers landed there first.²⁰ Indeed, before 1610 it was the only part of Ulster open to them to settle in. From the 1620s the denization lists suggest a slowing down of migration into east Ulster. In the early 1630s there was a short revival of movement noted by Sir William Brereton during his travels in the west of Scotland.²¹ On the earl of Antrim's estates a large number of new denizens appeared in the 1630s and many had to become sub-tenants of the native Irish who had already consolidated themselves there.²²

After this short burst the population stabilised and in some places subsequently fell. This situation was precipitated by a series of harvest failures and political crises. New settlers were becoming more difficult to attract. Government policy was beginning to turn away from encouraging migration as an escape valve for surplus people for, by the 1630s, they felt that the drain on resources was too much. Some Scottish landlords even felt that their lands would be left waste by tenants going to Ireland. In Scotland as early as 1635 Brereton noted that emigration was 'much taken notice of and disliked'.²³ By the mid 1630s

¹⁹ Memorials of the dead in Ireland, ii (1892-4), p. 61; Cal. S.P. Ire., 1615-25, p. 228; Perceval Maxwell, Scottish migration, pp 243-4.

²⁰ For the importance of this, see P. Robinson, 'British settlement in County Tyrone, 1610-60' in Ir. ec. and social hist., v (1978), pp 25-6.

²¹ Brereton, Travels, pp 119-20.

²² B.L., Harley 2138, ff 111-5^v

²³ Brereton, Travels, p. 113; R.P.C. Scot., 1635-7, p. 198; K.G. Davies, The north Atlantic world in the seventeenth century (Oxford, 1974), p. 60.

Lord Conway was attempting to recruit settlers from England for his lands at Lisburn but without success and in Down Sir Hugh Montgomery was experiencing similar difficulties which he partly blamed on the dangerous state of the harbour at Portpatrick, the main point of embarkation for Down.

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By the late 1630s east Ulster population was falling, in some cases due to movement back to Scotland and England. Although the Irish harvest failure of 1628-32 did not affect east Ulster seriously it did cause panic among those most at risk from failure, the poor and the farmer on marginal land, who fled back to Scotland. The Scottish Privy Council attempted to stem this movement in September 1630 by ordering the deportation of these migrants since the Scots were also experiencing dearth.²⁵ This movement to Scotland accelerated considerably in the later part of the decade. In July 1638 a number of Irish, probably tenants of the earl of Antrim, arrived in Kintyre following the partial failure of the harvest and cattle murrain in Antrim. Tenants were in short supply throughout east Ulster and in south Antrim land values fell by 25 per cent for lack of tenants.²⁶ The events of 1639, a partial harvest failure and the imposition of a compulsory oath of strict obedience to the king, the 'Black Oath', accelerated the trickle back to Scotland. In order to avoid taking the oath, which was in effect a denial of the Covenant, many Scots in east Ulster fled home. Sir Edward Chichester, younger brother and heir to Sir Arthur, complained that settlers 'daily go away into Scotland by great numbers together and carry with them their horses, cows, sheep and leave what else they have'.²⁷ By 1640 some of these men began to drift back after the fall of Wentworth but the outbreak of rebellion in the following year stemmed this movement and created a new flow outwards.²⁸

24 Brereton, Travels, p.129 ; SRO, GD237/177/1/4.

25 R.P.C. Scot., 1630-32, pp 22-3.

26 S.L., 18, no. 89; SP63/256/89.

27 S.L., 19, nos 80, 92; SP63/257/26; P.R.O.N.I., D1071B/B/1, pp 39-40.

28 For example, J. Hogan, Letters and papers relating to the Irish rebellion of 1641 (I.M.C., 1936), pp 6-7; Hill, Macdonnells, p. 63; T.C.D. MSS 838, ff 41, 63.

Migration, although the most important, was not the only factor affecting the demographic history of east Ulster in the early seventeenth century for the population was also increasing naturally. The almost total lack of parish registers for Antrim and Down makes it impossible to make firm statements about birth or death rates.²⁹ The age of marriage, one of the main determinants of the child-bearing period of women and hence family size, was lower than in England. Most men in the major landed families of east Ulster were married in their early twenties compared to the late twenties of their English counterparts, and this may have led to a higher birth rate.³⁰ Conversely the death rate was probably lower than in England or Scotland. Many contemporary writers commented on the absence of epidemics in Ireland. In east Ulster only one epidemic, of smallpox, can be found in the early seventeenth century.³¹ As well as a low frequency of epidemics the incidence of harvest failure was also low, ensuring a good food supply. The author of the Montgomery Manuscripts recorded good harvests in 1606 and 1607, stressing the lack of imports from Scotland. The 1609 harvest was also good, a bristow banbarrell of oats selling for 1s.6d. at Coleraine and the harvest of 1616 was so good that Sir James Hamilton had great difficulty in obtaining a good price for the surplus from his north Down lands. The continuing success of the Ulster harvests in the 1620s was reflected by increasing concern in Scotland about grain imported from Ulster. The result was the imposition of a set of 'corn laws' intended to control imports from Ulster. The crisis of the early 1630s had little effect on Antrim or Down for although most of the major Irish towns sought permission from the English Privy Council to import grain none from east Ulster did so. By the mid 1630s the balance of the harvest was more delicate. Between 1635 and 1637 there were annual

²⁹ One fragment of a register for the parish of Blaris, near Lisburn, 1639-41, survives, P.R.O.N.I., Mic 1/3.

³⁰ Appendix I, i. In addition to this table nineteen men were stated to be over twenty-one of which seventeen were married. E.A. Wrigley, 'Family limitation in pre-industrial England' in Econ. Hist. Rev., 2nd ser., xix (1966), pp 86-7.

³¹ Cal. S.P. dom., 1631-3, pp 382, 379. This also affected other places SP63/255/108; A.L.C., ii, p. 519. Almost nothing is known of the state of medicine in east Ulster, although Thomas Arthur, the eminent seventeenth century physician, visited the area on three occasions. M. Lenihan, 'The fee book of a seventeenth century physician' in R.S.A.I. Jn., ix (1867), pp 22, 27.

partial failures. There was no serious failure until 1640 which was followed by a second in 1641, both failures leading to disorder in County Down.³² The problem was a cumulative one for the partial failure of one harvest meant a shortage of seedcorn for the next and hence a smaller harvest. While these were shortages they were not subsistence crises and the food supply was able to keep pace with the expanding population and nourish it sufficiently to permit apparently rapid natural increase.

While it is clear that population rose rapidly it is less easy to quantify this. It is almost impossible to determine the population of east Ulster c.1600. The pardons list records 1217 adult male individuals and the impression of genealogies and the chancery pleadings suggests about five males per family making a population of c. 8,000 in c.1600.³³ Thirty years later the male population, as recorded in the muster rolls, stood at 2,008 for Antrim and 2,974 for Down.³⁴ Using an estimate of 3.14 adult males per family the 1630 figures would represent 639 families in Antrim and 947 families in Down.³⁵ The problem of completed family size is a more complex one for nothing is known of the sex ratio in east Ulster. The evidence from other contemporary colonist situations suggests that the population was predominantly male; by 1624-5 the ratio of men to women in Virginia was 4:1 and in Massachusetts the ratio was 3:2. Most of the male American migrants were unmarried while many of those who moved to east Ulster had wives and families. Alexander McDonnell of Ardwhin, in Lecale, brought his whole family with him while Sir Robert McClelland, a minor landholder in Down and later an important settler in Londonderry, was more circumspect asquiring his lands at Drumbo and building a house before bringing over his family. All this

³² Mont. MSS, p. 62; Cal. Carew, 1603-25, p. 152; P.R.O.N.I., D1071B/B/1, pp 24-5; Perceval Maxwell, Scottish migration, pp 304-10; SP63/256/89; SP63/258/92II.

³³ Other figures for family size suggest a higher figure, e.g. about seven at Ballydavy in north Down, but this includes daughters and servants, T.C.D. MSS 837 ff 155, 185.

³⁴ B.L., Add. MSS 4770.

³⁵ This figure is the average size of a family in the escheated counties as recorded in Pynner's survey. Hill, Plantation, pp 588-9. The spread is from 5.5 adult males per family in Tyrone to 1.84 males for Cavan.

points to a higher sex ratio than America, perhaps as high as 3:2, a conjecture supported by the low incidence of sexual misdemeanours.³⁶ Pynnar's survey for the escheated counties suggests a completed family would average three, lower than its English counterpart.³⁷ Calculations based on these figures would give a settler population of 3,285 persons for Antrim and 4,868 for Down or a total of 8,153 persons by 1630.³⁸ Total population for east Ulster by 1630 may have been in the region of 17,000 persons.

Such estimates are obviously very tentative and are subject to wide error margins. The spread of family sizes in Pynnar's survey, for example, is an indication of how misleading mean sizes can be. Despite the very provisional nature of these estimates, it is possible to draw two general conclusions. Firstly, the population of east Ulster grew very rapidly in the early seventeenth century by immigration. In 1614 the earl of Abercorn estimated the Scots male population of north Down, an area of predominantly Scots settlement, at 2,000. Using the estimates above, the total settler population would have been more than 3,184 persons.³⁹ By 1630 the estates of Sir James Hamilton and Sir Hugh Montgomery in north Down could muster 2,718 males or a settler population of 4,328; an increase of 36.5 per cent in only sixteen years. Secondly, although there was a rapid increase in population by migration in the early seventeenth century east Ulster was still a thinly populated area. In the case of Down the density was about one person to seventy-six acres.

While the size of the population is important, its age, sex and occupational structures were more important in the consolidation and

³⁶ R. Thompson, Women in Stuart England and America (London, 1974), pp 23-7, 29; H. Moller, 'Sex composition and correlated culture patterns in colonial America' in William and Mary Quarterly, ii (1945), *passim*; Reg. P.C. Scot., 1610-13, p. 597; SRO RH15/91/40/8; on sexual conduct see chapter 8.

³⁷ J. Kraus, 'The medieval household: large or small' in Econ. Hist. Rev., 2nd ser., ix (1956-7), p. 432; P. Laslett, Household and family in past time (Cambridge, 1972), p. 138.

³⁸ These figures compare well with Perceval-Maxwell's estimates of 4-5,000 male Scots or 2,000 families. Perceval-Maxwell, Scottish migration, p. 251.

³⁹ J. Maidment (ed.), Letters and state papers during the reign of King James VI (Abbotsfort Club, Edinburgh, 1838), p. 233.

development of the settlement. Some indication of the age structure of the settler population in 1641 is given by the ages of deponents in 1653 from which twelve years can be subtracted.⁴⁰ Such a sample is clearly biased away from those who were very young and very old in 1641 but allowing for this it is clear that about half the settlers were between thirty and fifty years of age, somewhat older than the average migrant to America.⁴¹ This had important repercussions for the economy of east Ulster since labour was the principal factor of production in any pre-industrial economy and a man's working life was short. Thus a population with its peak age grouping at 30-50 meant fewer labouring years per individual and a consequent need for a large number of labourers.⁴² East Ulster did not have this large labour pool and to get round this landlords included services in labour as part of the rent, especially in the early stages of the settlement. This delicately balanced situation collapsed under strain as population began to fall in the late 1630s, particularly with the movement of people back to Scotland in 1639. In that year the corn could not be harvested in many areas of Antrim and Down for lack of labour.⁴³

This problem of scarcity was not confined to labourers for the migrants to east Ulster were mainly tenants and unskilled labourers hoping for employment. In both England and Scotland craftsmen's wages were rising rapidly thus there was no incentive to emigration. Yet skilled craftsmen were essential to the creation and development of a colonial economic infrastructure. Sir Arthur Chichester and Sir James Hamilton both stressed the need to import craftsmen into Ulster to develop the new settlement, but these were not forthcoming.⁴⁴ At

⁴⁰ Appendix I, iii.

⁴¹ Ages given in depositions must be regarded with a wide margin of error as there was a tendency to 'round up' or down. K. Thomas, 'Age and authority in early modern England' in Brit. Acad. Procs, lxii (1976), pp 206-7.

⁴² D.C. Coleman, 'Labour in the English economy in the seventeenth century' in Econ. Hist. Rev. 2nd ser., viii (1955-6), pp 284-8.

⁴³ SRO, GD180/194; P.R.O.N.I., D1071B/B/1, pp 39-40; SL, 19, nos 80, 92.

⁴⁴ T.C.D., MUN. P/24/4; T.W. Moody, 'Ulster plantation papers' in Anal. Hib., viii (1938), no. 74.

Carrickfergus during the rebuilding of the town wall in 1610 masons and labourers had to be imported from the pale and Leinster and in 1639 the problem reappeared when the earl of Antrim wrote that his failure to prepare boats for an attack on the earl of Argyll in Kintyre was because 'carpenters, especially Scots, are very hard to be found and unless they are pressed they will not work for this occasion'.⁴⁵ The early seventeenth century population of east Ulster, therefore, was small, thinly scattered and, because of the nature of the migration, had a number of problems in developing the area available. This development was also governed by another demographic factor, the distribution of that population.

One of the main contributions of the early seventeenth century settlement to the demographic history of Antrim and Down was to alter the distribution of population. This disposition of the population c. 1600 can only be seen indirectly. The levies of men by the great native lords for the campaigns of the Nine Years War give some indication of the numbers of men in the various regions of east Ulster.⁴⁶ The greatest levies of men came from south Antrim and mid Down as well as the sixteenth century Scottish settlements of the Route and the Glynnnes in north and east Antrim. The heavily wooded areas of Killultagh, in south west Antrim, and Kilwarlin in north west Down, produced relatively few soldiers. This pattern is confirmed by an analysis of pardons issued at the end of the war which reflects not just soldiers, but a much wider spectrum of people.⁴⁷ This pattern of population distribution was also recorded by Sir Henry Sidney who, in 1575, found Magennis's country, the Ards and the Glynnnes well inhabited while Clandeboy and McCartans country in north and east Down little settled.⁴⁸

By 1659 the distribution had changed. Clandeboy and west Down were densely settled and the central part of Antrim, previously little settled,

⁴⁵ Cal. pat. rolls Ire. Chas I, p. 639; S.L., 19, no. 22.

⁴⁶ Appendix 1, iv; L. Price, 'Armed forces of the Irish chiefs in the early sixteenth century in R.S.A.I. Jn.', lxii (1932), p. 205.

⁴⁷ Appendix 1, v.

⁴⁸ B.L., Cotton Titus X B, ff 6-8^v.

now had large numbers of English and Scots. The river valleys, the Bann, Lagan and Six Mile Water, were also settled heavily as were parts of the lowlands around Lough Neagh. The still wooded areas of Kilwarlin remained thinly populated.⁴⁹ The immigration of Scots and English made a fundamental impact on the distribution of population in east Ulster by exploiting areas previously sparsely settled which had been laid open by the establishment of crown title and granting to new landlords. The scale of the change was demonstrated by the changes made in the parochial structure of Antrim and Down by Bishop Echlin who reorganised the medieval parishes to concentrate livings in south-east Antrim and north and east Down, the greatest areas of settler activity.⁵⁰ This new distribution of population was controlled by a number of factors; the pre-existing distribution of the natives which determined the areas available for settlers, the points at which the new settlers entered and the internal communications system.

Unlike the scheme for the escheated counties there was no intention to reorganise the distribution of the native Irish population to provide room for the settlers.⁵¹ Thus in many areas the native population from the sixteenth century survived. The McAuleys continued to hold most of the land around Cushendall in north-east Antrim and the Magill family and an Irish branch of the Agnews also survived on the Hill estate in Down and the Antrim lands in south Antrim.⁵² Such survivals were not approved of by the central administration who forbade landowners to take native Irish as tenants. Most landowners passed on this injunction by forbidding lessees from taking Irish as sub-tenants, Sir Hugh Montgomery even making forfeiture of the lease the penalty for breach of this.⁵³ In reality these orders were widely ignored. A list of tenants on Henry Upton's lands at Templepatrick in 1626 shows twenty-seven out of thirty-nine were Irish despite a clause forbidding Irish tenants in his lease

⁴⁹ This paragraph is based on Census Ire., 1659.

⁵⁰ S. Millsop, 'The state of the church in the diocese of Down and Connor during the episcopate of Robert Echlin, 1613-15' (M.A., Q.U.B., 1979), ch. 2.

⁵¹ T.W. Moody, 'The treatment of the native population under the scheme for the plantation in Ulster' in I.H.S., i (1938), pp 59-63.

⁵² B. Turner, 'Distributional aspects of family name surveys illustrated in the Glens of Antrim' (Ph.D., Q.U.B., 1974), pp 91-3; S. O'Ceallaig, Gleanings from Ulster history (Cork, 1951), pp 97-100; P.R.O.N.I., D671/D8/1/67A-B.

⁵³ Erck., pp 201, 218, 245; P.R.O.N.I., T1030/41, D811/1, T956/21.

and a petition from Margaret Gibbons, a tenant in Lecale, to Lord Deputy Wentworth in 1637 showed all her sub-tenants to be Irish or Old English.⁵⁴ The real factors determining the distribution of the native Irish element in the population were the availability of settlers and individual landlord's preferences. In areas where few settlers penetrated, such as mid Antrim and mid Down, most of the native population remained undisturbed while in other areas, such as the Agnew estate in the Six Mile Water valleys, most of the Irish were pushed off the land by rising rents and greater demand for land by settlers. Landlords' individual preferences also affected the distribution of Irish. The antipathy of Sir John Clotworthy to the natives probably accounts for their rarity on his lands in 1659 while the adjoining estate of Henry Upton had a large number of Irish since Upton had no such animosity and even attempted to save some natives in 1641.⁵⁵ This ethnocentricity even extended to differences between settlers for the only estates on which more than half of the tenantry were English in 1659 were those held by English landlords, Clotworthy and Sir Edward Conway.⁵⁶

The distribution of the settler population was controlled by other factors, principally communications. Many of the east Ulster settlers were very mobile. In areas where population was low and land abundant there was considerable competition by landlords for tenants who moved for a lower rent or better holding. With this volatile situation and the need to raise the artificially low rents which had been given to attract settlers many landlords were unwilling to give stable tenures. On the Savage estate in the south Ards, 44 per cent of the tenants held their lands only 'at pleasure', c.1650.⁵⁷ Tenure and competition combined to produce high mobility. Of those who held their lands 'at pleasure' on the Savage estate in c.1650 only 30 per cent were there in

⁵⁴ P.R.O.N.I., T712/3; B.L., Harley 430, f 133.

⁵⁵ T.C.D., MSS 838, ff 104^V, 139, 181, 243; D.N.B., sub. Clotworthy; W. Notestein (ed.), The journal of Simon D'Ewes (Yale, 1923), p. 13.

⁵⁶ Even the presbyterianism on Clotworthy's estate was English rather than Scottish inspired, W.S. Smith, Historical gleanings in Antrim and neighbourhood (Belfast, 1886), pp 36-7.

⁵⁷ P.R.O.N.I., D552/B/3/2/1. Comparable figures for other areas are 33 per cent on estates in Tyrone and 35 per cent in Donegal. V. Treadwell, 'The plantation of Donegal' in Donegal Annual, iii (1955-7), pp 41-6; ibid., 'The survey of Armagh and Tyrone in 1622' in U.J.A., 3rd ser., xxiii (1960), pp 128-35, xxvii (1954), pp 140-54.

1645 while 60 per cent of leaseholders remained.⁵⁸ In some cases landlords moved their own tenants around for on one occasion Sir James Hamilton colonised some newly acquired lands in County Armagh with tenants from County Down and when the lands were sold he brought the tenants back 'from whence they came'.⁵⁹ This situation affected the distribution of settlers considerably but it was controlled by the state of communications. The poor state of communications in east Ulster (as outlined in chapter two) dictated that it was the coastal areas, where Irish settlement was weak, which could be settled first. It was the wish of the author of the Montgomery Manuscripts that 'the sea coast might be possessed by Scottish men who would be traders and prosper for his Majesty's future advantage' and by 1610 this was coming true for the coastal lands were being much sought after on Sir James Hamilton's estate.⁶⁰ As the coastal land was settled new migrants began to move inland. The lowland around the margins of Lough Neagh, for example, began to be settled from the mid 1620s and land values rose consequently. Churches also began to be renovated and built in this area to accommodate new congregations at Glenavy and Crumlin. A new church was also built at Muckamore to accommodate part of the congregations of Umgall and Dundesert who had moved inland. The presbyterian church also recognised this trend as ministers such as James Glendinning and James Hamilton forsook their coastal charges and moved inland to set up congregations there.⁶¹ In north and mid Antrim a similar process was under way with the opening up of Sir William Adair's estate around Ballymena which previously was 'a most barbarous place and receptacle of rebels' and on the earl of Antrim's estate church at Ballyrashane, Derrykeighan and Dunagh were all repaired to accommodate settlers from the coast moving inland.⁶² In

⁵⁸ P.R.O.N.I., D552/B/3/2/5.

⁵⁹ R.J. Hunter, 'The Ulster plantation in the counties of Armagh and Cavan (M. Litt., T.C.D., 1969), p. 220.

⁶⁰ Mont. MSS, pp 32-7; T.C.D., MUN. P/24/4.

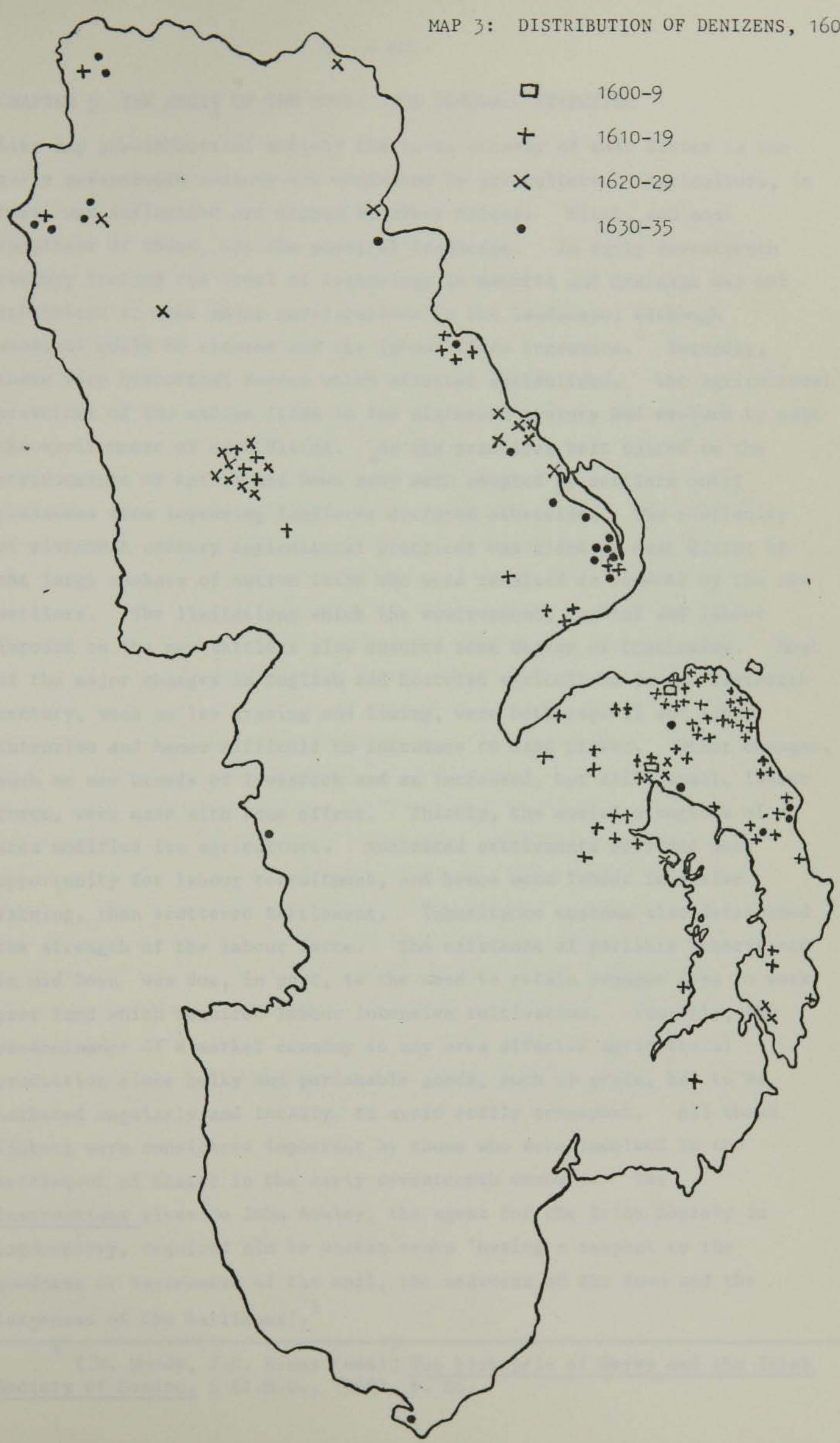
⁶¹ Cal. S.P. dom., 1635, pp 573-4; Brereton, Travels, p. 129; Millsop, 'State of the church', ch. 2; Blair, Autobiography, pp 70-76.

⁶² Cal. S.P. Ire., 1633-47, p. 29.

Down there was less room for manoeuvre since the native Irish were already well settled in mid Down, restricting expansion inland. This pattern of a settlement moving inland can best be charted by using the denization lists as in map three. This underrepresents the strength of the inland movement since the acts of denization were sued out by new immigrants not internal migrants. Within this limitation the pattern is clear, an initial coastal settlement in the first two decades followed by a considerable movement inland in Antrim and a lesser movement in Down.

By 1641 the demographic structure which had evolved in east Ulster was imbalanced. The population had not grown to a level which was necessary to adequately develop the economy, the labour force and the supply of tenants was small, unbalanced in age and occupational structure and uneven in its distribution. These facts more than anything else were to put checks on the new landlords' expectations of rapid economic growth and fast returns from the potentially rich areas of Antrim and Down. The balance between the expectation and the possible, as determined by the physical landscape and population structure, was the sort of economic structure which evolved in east Ulster.

MAP 3: DISTRIBUTION OF DENIZENS, 1600-35



CHAPTER 5 THE FRUIT OF THE SOIL: THE ECONOMIC STRUCTURE

Like any pre-industrial society the rural economy of east Ulster in the early seventeenth century was dominated by agriculture. Agriculture, in turn, was influenced and shaped by other forces. First, and most important of these, was the physical landscape. In early seventeenth century Ireland the level of technology in manures and drainage was not sufficient to make major modifications in the landscape, although woodland could be cleared and the labour force increased. Secondly, there were historical forces which affected agriculture. The agricultural practices of the native Irish in the sixteenth century had evolved to suit the environment of east Ulster. As the practices best suited to the environments of Antrim and Down many were adopted by settlers until pressures from improving landlords dictated otherwise. The continuity of sixteenth century agricultural practices was aided in east Ulster by the large numbers of native Irish who were retained as tenants by the new settlers. The limitations which the environment, capital and labour imposed on the new settlers also ensured some degree of continuity. Most of the major changes in English and Scottish agriculture in the sixteenth century, such as ley grazing and liming, were both capital and labour intensive and hence difficult to introduce to east Ulster. Other changes, such as new breeds of livestock and an increased, but still small, labour force, were made with some effect. Thirdly, the social structure of an area modified its agriculture. Nucleated settlements provided more opportunity for labour recruitment, and hence more labour intensive farming, than scattered settlement. Inheritance customs also determined the strength of the labour force. The existence of partible inheritance in mid Down was due, in part, to the need to retain younger sons to work poor land which required labour intensive cultivation. Fourthly, the predominance of a market economy in any area affected agricultural production since bulky and perishable goods, such as grain, had to be marketed regularly and locally to avoid costly transport. All these factors were considered important by those who were involved in the settlement of Ulster in the early seventeenth century. The Instructions given to John Rowley, the agent for the Irish Society in Londonderry, required him to assess rents 'having a respect to the goodness or barrenness of the soil, the nearness of the town and the largeness of the balliboes'.¹

¹ T.W. Moody, J.G. Simms (eds), The bishopric of Derry and the Irish Society of London, i (I.M.C., 1968), p. 86.

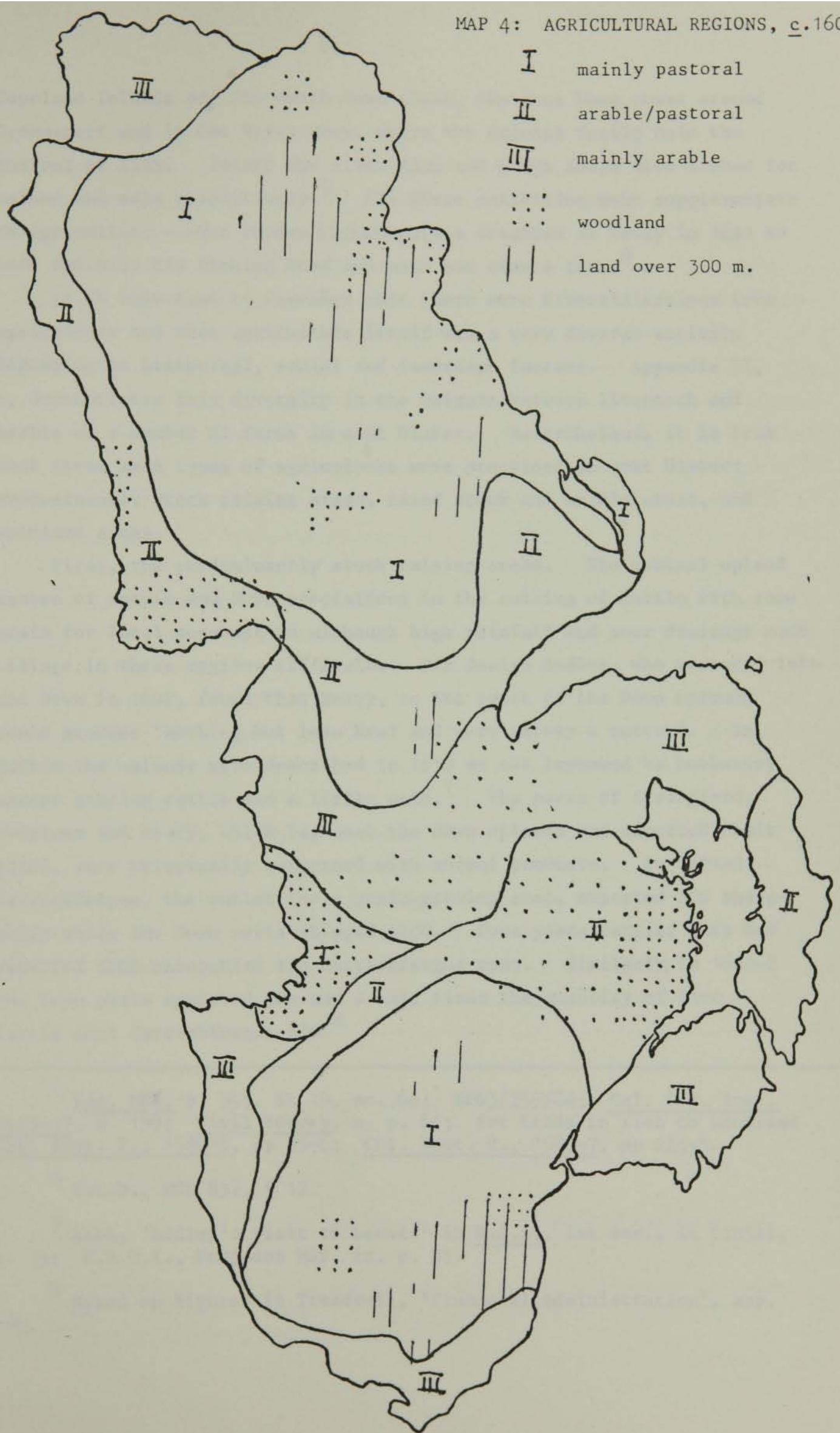
In the light of all these variables, agriculture should be discussed in regional terms and not as a blanket activity. In map four an attempt has been made, by plotting all the extant references to agricultural activity, to identify the agricultural regions of east Ulster in the late sixteenth and early seventeenth centuries. It is difficult to draw precise agricultural regions for early seventeenth century Ulster because of the nature of the sources. The absence of probate inventories and manorial records means that only tentative regions can be suggested. Lack of information about rural industrial activity also clouds the picture of definite areas of agricultural activity. In most areas there was little diversification from the agricultural base of the economy but there was some development of domestic industry such as textiles. Linen was shipped from Carrickfergus in the late sixteenth century and although this had risen appreciably by the 1630s the quantities exported were still small.² Technology was not sufficiently developed to produce finished cloth and so mainly yarn and unprocessed wool was exported from east Ulster. This lack of technological development was a constant subject of complaint for contemporaries who wanted to introduce 'mechanical arts' to the natives.³ Tanning was practised to some extent in the countryside but this was restricted to areas where a supply of oak bark, hides and running water was available. A tannery was established at Toome, in south Antrim, during the early years of the seventeenth century by the Waring family, who later expanded to Waringstown and Derriaghy in mid Down.⁴ The most important area of diversification was fishing. This was of particular importance since when the catch was marketed it provided much needed cash in the rural economy in return for a small capital investment in boats and nets. Important fishing areas included the

² C. Gill, The rise of the Irish linen industry (Oxford, 1925), p. 7; SP63/259/46 ii; V. Treadwell, 'Irish financial administrative reform under James I: the customs and state regulation of Irish trade' (Ph.D., Q.U.B., 1960), app., 3, 5.

³ B.L., Add. 39853, f 13; Harley, 3292, f 29.

⁴ McCracken, Ir. woods, p. 83; P.R.O.I., Ferguson MSS, xii, p.3.

MAP 4: AGRICULTURAL REGIONS, c.1600-41



Copeland Islands off the north Down coast, the west Down coast around Groomsport and in the Newry area, where the Bagenal family held the customs of fish. Inland the river Bann and Lough Neagh were fished for salmon and eels respectively.⁵ All these activities were supplementary to agriculture - when Thomas Richardson was attacked at Newry in 1641 he lost not only his fishing boat and nets but also a farm.⁶

It is important to remember that there were diversifications from agriculture and that agriculture itself was a very diverse activity depending on historical, social and landscape factors. Appendix II, i, demonstrates this diversity in the balance between livestock and arable on a number of farms in east Ulster. Nevertheless, it is true that three main types of agriculture were practised in east Ulster; predominantly stock raising areas, mixed stock and arable areas, and woodland areas.

First, the predominantly stock raising areas. The central upland masses of Antrim and Down specialised in the raising of cattle with some grain for local consumption although high rainfall and poor drainage made tillage in these regions difficult. Sir Josias Bodley, who ventured into mid Down in 1602, found that Newry, to the south of the Down uplands could produce 'nothing but lean beef and very rarely a mutton'. In Antrim the uplands were described in 1610 as not improved by husbandry except grazing cattle and a little oats.⁷ The ports of Strangford, Ardglass and Newry, which lay near the Down uplands and exported their goods, were principally concerned with animal products. In 1621-2 Carrickfergus, the outlet for a grain-growing area, exported 800 sheepskins while the Down ports shipped 1200. Four years earlier they had exported 1800 sheepskins and Carrickfergus none. Similarly in 1621-2 the Down ports exported two and a half times the quantity of live cattle that Carrickfergus did.⁸

⁵ Ham. MSS, p. 55; SL 19, no. 66; SP63/255/84; Cal. S.P. Ire., 1633-47, p. 199; Civil Survey, x, p. 64; for trade in fish to Scotland Cal. Scot. P., 1586-8, pp 55-6; Cal. Scot. P., 1595-7, pp 224-5.

⁶ T.C.D., MSS 837, f 12.

⁷ Anon, 'Bodley's visit to Lecale' in U.J.A., 1st ser., ii (1854), p. 75; P.R.O.I., Ferguson MSS, ix, p. 85.

⁸ Based on figures in Treadwell, 'Financial administration', app. 1-5.

Secondly the low lying regions of north Down, south Antrim, the east coast of Lough Neagh, the Bann valley and the Route in north Antrim all practised agriculture in which arable farming played a large part. There was a strong tradition of arable in these parts. Rowland White commented in the 1570s that there were five or six hundred ploughs around Carrickfergus.⁹ A 1575 rental of the Bagnal estate in south Down shows that tenants in the low lying areas to the south of the Mourne mountains paid up to 20 per cent of their rent in services associated with arable husbandry including ploughing and reaping. This arable component of the agriculture was able to supply the mill at Newry with 541 pecks of wheat and rye.¹⁰ The tradition of paying rent in grain in arable areas, because it was difficult for tenants to market, continued into the seventeenth century. On Sir James Hamilton's estate one tenant paid as part of his rent 40 barrels of oats and 45 barrels of barley and in Antrim John Shaw of Carncastle paid part of his rent in grain as did Archibald Stewart in the Route.¹¹ Carrickfergus, the main outlet of the south Antrim arable area, outstripped all the ports of County Down in grain export in the 1620s. Arable cannot be separated from livestock which were an integral part of agricultural activity. Horses were needed for transport and ploughing and cattle and sheep for manure.¹² Carrickfergus exported over ten times as many horses as the Down ports, and the exports of wool from Carrickfergus were also high.

The third area of agricultural activity was the woodlands. Here small villages developed in the less dense woodland. Here livestock could be raised and incomes supplemented by domestic industry. A description of the Down woodlands in 1566 recorded that some areas were mainly underwood with 'no great oak and neither great building timber'.¹³ This was the result of the pollarding of woodland to prevent the horns

⁹ SP63/31/31.

¹⁰ Bodl., University College MSS 103, ff 121, 123.

¹¹ P.R.O.N.I., T671/3, p. 4; T 549/1A; D2977, 8 Mar. 1624, Antrim to Archibald Stewart.

¹² On horses, J. Thirsk, Horses in early modern England (Reading, 1978).

¹³ A.C. Forbes, 'Some legendary and historical references to Irish woods and their significance' in R.I.A. Proc., xxxxi, sect. C (1932-3), p. 33; P.R.O.I., Ferguson MSS, ix, p. 85.

of cattle catching on branches and the grazing of pigs and cattle prevented regeneration. Population in most of these woodland areas was low and hence agricultural activity there was limited.

While agricultural regions provide a useful way of looking at the rural economy of east Ulster it would be inaccurate to over-emphasise regional specialisation. The balance of the elements in the agricultural economy varied from place to place, as appendix II, i, shows, but no area, whatever its physical limitations could afford to specialise excessively. Even in the Mourne mountains a limited amount of corn was grown in an unfavourable environment.¹⁴ Every area had to produce a wide range of goods since marketing and communications were poor, making interchange of bulky goods such as grain difficult. A survey of farms on one estate, that of the Agnew family, which lay to the west of Larne on the edge of the Antrim uplands gives a more accurate indication of the workings of the agricultural economy.¹⁵

The survey demonstrates that single farmsteads held in severalty provided the landholding framework within which farming took place. This pattern was typical of most areas in east Ulster. The maps of the Clandeboy estate made by Thomas Raven and the surviving leases of individual farms on the earl of Antrim's estate reveal that land was granted to single persons.¹⁶ The practice of holding in severalty was also common among the natives. A lease made by Rory Oge MacQuillan to three men stated that the land was divided unequally between them and that it was to descend to their heirs with no alienation or reallocation.¹⁷ Individual holdings remained in the hands of one family for considerable periods of time for the commissioners who fixed the boundaries of Iveagh were able to determine farms which had been held by families 'time out of the mind of man'.¹⁸ Holding in severalty persisted because landlords were unwilling to divide the responsibility

¹⁴ R.M. Young, Historical notices of old Belfast (Belfast, 1896), p. 50.

¹⁵ Tabulated in appendix II, ii.

¹⁶ P.R.O.N.I., T811; D556/10; D 2977, 4 Aug. 1637, Antrim to John Oge O'Muldany.

¹⁷ SRO, GD97/1/314B.

¹⁸ Inq. Ult., appendix; on inheritance customs, see ch. 8.

for rent payment among a number of men, preferring to keep it in the hands of one man who was easily accountable. In general, it was within a framework of family farms, which were held and inherited in severalty, that the agricultural activity of east Ulster took place. At times it was necessary that some land be held jointly, for example, if the land was poor and needed more than one family to work it. The earl of Antrim did make a number of joint leases for poor land but although two men were bound for the rent he was unwilling to allow joint occupancy. The lands of Glencorp, in north east Antrim, which was leased by two men, was to be held 'by two equal moieties'.¹⁹ Certain types of land had to be held in common, for example, bogs and some grazing land on to which cattle from communities could be moved during the corn growing season.²⁰

The extent of individual holdings varied considerably. On the Agnew lands these tended to be small, between five and thirty acres. This was due, in large measure, to the location of the estate - on poor land near one of the main entry ports for settlers - which created heavy demand for land in that area. A similar pattern is revealed by the Raven maps for north Down which show the largest holdings furthest away from the coast.

The pattern of agricultural activity on Agnew's lands was twofold, livestock and arable. The livestock population was small; cattle, especially, were scarce. Contemporaries varied in their estimates as to what an adequate supply of cattle for a farm was. One writer of the 1550s argued that each settler should have at least eight cows and a horse. A later plan suggested that a ratio of twenty cows to one plough was necessary, and by the early seventeenth century thirty sheep and cows were recommended to produce an acre of corn on a seven acre holding.²¹ By any of these standards the numbers of cattle on Agnew's lands were small, an average of 0.2 cows per acre. This situation stemmed from the fact that cattle were rare in sixteenth century Ulster, and were carefully guarded and herded. Sir Ralph Lane, a late

¹⁹ P.R.O.N.I., D2977, 4 Aug. 1637, Antrim to Gilgrove and John McDerogh; D2977, 23 July 1637, Antrim to Alexander and Donell McGee.

²⁰ On bogs: P.R.O.N.I., D1838/55A/83; Down Survey maps; on common grazing: P.R.O.I., Lodge MSS. Wardships and alienations, i, p. 133; P.R.O.N.I., T815.

²¹ SP62/1/22 I, II: B.L., Add. 31878, f 73; Royal MSS, 18A, lxv, f 1^v.

sixteenth century expert on fortification, felt that the Antrim Scots could be cut off from the earl of Tyrone by building forts which would restrict their movements and hence they would not leave Antrim 'for fear of the loss of their cows, which they love as their lives, and far better than him [Tyrone]'.²² Even when a herd was of little economic use, such as that of Sorley Boy Macdonnell's, which had 50,000 cows of which only 1,500 gave milk, it was retained because of the scarcity of cattle.²³

Cattle were of considerable importance to the settlers for manure and also for food during the early stages of the settlement until fields could be properly cultivated.²⁴ Shortages of cattle in Ireland meant that settlers were advised to bring their own livestock. Robert Blair recorded that 'an abundance of people and cattle' came from Scotland and the earl of Abercorn, a Tyrone settler, brought over large numbers of cattle to manure his estate.²⁵ Cattle also formed a large part of the trade in east Ulster in the early years of the settlement since they were easier to move long distances than grain, at a time when few markets existed. Even in the 1630s much of the trade of Bangor and Donaghadee was in cattle 'that are brought from other parts by reason of the aptness of transportation'.²⁶ This cattle shortage led to a system of coring shown on the Agnew estate where cattle were brought from as far away as Larne to pasture on land which required manuring.

It was not only cattle which were in short supply but horses also. On Agnew's lands the average number of horses per holding was 2.6, not enough to form a plough team.²⁷ This scarcity of horses was another feature of the sixteenth century economy. On one raid on a Magennis camp in 1600 Lord Mountjoy, the army commander in Ulster, seized 1,000 head of cattle and only fifteen or sixteen horses. An earlier raid in 1599 seized only ten or twelve horses.²⁸ This lack of

²² Cal. S.P. Ire., 1598-9, pp 384-5, 421.

²³ SP63/112/41.

²⁴ SP63/256/17.

²⁵ B.L., Cotton Titus X B, f 407^v; Blair, Autobiography, p. 57; Reg. P.C. Scot., 1610-13, p. 478.

²⁶ B.L. Harley, 2138, f 176; D. Woodward, 'The Anglo-Irish livestock trade of the seventeenth century' in I.H.S., xviii (1972-3), pp 489-523.

²⁷ A.T. Lucas, 'Irish ploughing practices' in Tools and tillage, ii (1974-6), pp 67-83; E.E. Evans, 'Some problems of Irish ethnology: the case of ploughing by tail' in C. Ó Danachair, Folk and farm: essays in honour of A.T. Lucas (Dublin, 1976), pp 34-5.

²⁸ Cal. S.P. Ire., 1600, p. 26.

horses was a continual source of complaint in the early seventeenth century. In 1642 Robert Munroe, the commander of the Scots forces in Ulster, complained that in Down horses were so scarce that he had to use oxen for carriage and in 1631 James Montgomery could not find a spare horse in Antrim.²⁹ This shortage was a source of concern to the central administration because it gave rise to transport problems. In 1637 Sir John Coke, one of the English secretaries of state, decreed that the replenishing of the horse population was 'a business of much importance' for Ireland.³⁰ For the settlers the problem of the horse shortage was less acute, since the demand for horses was only very heavy for spring and winter ploughing. A measure of this is the horse thefts which occurred in east Ulster: 48.4 per cent of thefts in Down and 53.8 per cent of Antrim thefts occurred in May and August, the times of ploughing.³¹ This seasonal shortage could be overcome by groups of tenants pooling equine resources. On Agnew's lands Alexander Dunlop's fifteen horses must have been a considerable pool. It was of limited value for each tenant to keep a full team of horses for only one or two ploughings since horses required stall feeding with hay, which was labour intensive in production, during winter. Since deep ploughing was only necessary to break in new land much cultivation could be done with spades. The corn ridges on Richard Bartlett's map of Inishloghan, near Lisburn, are probably spade ridges rather than produced by a plough.³² Attempts were made by landlords to improve the thoroughbred horses in east Ulster by setting up studs. By 1641 Throgmorton Totesbury, who lived near the town of Antrim, had three two year old colts of 'my Lord Conway's Spanish horse'.³³

The third element in the livestock sector of agriculture on the Agnew estate, sheep, was of considerable importance because much of the

²⁹ Gilbert, Contemp. hist., 1641-52, i, p. 423; H.M.C. Various, v, p. 140; SP63/245/82I.

³⁰ S.L., 10, no. 166/2, 170; SL24/25, no. 183.

³¹ J.F. Ferguson (ed.), 'The Ulster roll of gaol delivery' in U.J.A., 1st ser., i (1851), pp 261-6.

³² Ulster maps, c.1600, p. 11.

³³ E. Bewick, Rawdon letters, np. 1819, p.90; Cal. S.P. dom., 1631-3, p. 101; SP63/250/1597; SP63/255/12; SP63/257/25, 46.

land was well suited to sheep rearing. Sheep had the advantage of producing, along with wool, large quantities of rich manure. It is significant that the farm with the highest number of sheep on Agnew's land, that of Thomas McCoy, also had a higher quantity of grain than usual for a holding of its size on the estate.

In comparison with the livestock element in the agricultural economy the arable sector was less well developed on Agnew's land. The quantity of arable land on any farm depended on labour supply and on the production of manure by cattle and sheep. The low animal population, and hence low manure supply, has been outlined above. The human population, and therefore labour supply, was also low and hence crops which required little labour were grown. Charles Monck, the surveyor of the customs in the 1630s, observed of Clandeboy that 'the country itself consists wholly of oats which they have little labour'.³⁴ Given this situation it is not surprising that grain production was low. Contemporary estimates of how much land in Ireland should be under grain varied between a sixth and a tenth but generally favoured a high figure since arable husbandry was felt to have a 'civilising' influence by being labour intensive and hence absorbing a surplus, mobile population and producing stability.³⁵ On Agnew's lands, there was only 0.2 bolls per acre of corn, probably oats, and 0.2 pecks of barley per acre. It was rare for any holding to exceed this average and if any did it can usually be explained by the presence of large numbers of sheep producing high quality manure.

Agrarian techniques and the degree of agricultural improvement varied considerably over east Ulster as illustrated by manuring practices. Lime was not introduced to east Ulster in the early seventeenth century despite its extensive use as a fertiliser in south west Scotland. Cattle dung was used in many parts of east Ulster and in some areas it was customary to enrich it by mixing it with brine. In places where it was available wrack was used extensively, the rights of wrack in south Down being granted to the earl of Kildare in 1515.³⁶ The role of landlords

³⁴ B.L. Harley 2138, f 176; on the labour force see ch. 4.

³⁵ B.L. Royal MSS 18A, lxxv, f 1^v; B.L. Royal MSS 18A, liii, f 10.

³⁶ G. Boate, Ireland's natural history (London, 1652), p. 100; D.B. Quinn, 'Anglo-Irish Ulster in the early sixteenth century' in Belfast Nat. Hist. and Phil. Soc. Procs. (1933-4), p. 61.

in promoting agricultural change also varied considerably in east Ulster. Men who had resided in England for long periods of time, such as the second earl of Antrim, or who employed English land agents, such as George Rawdon, agent on the Conway estate, tended to introduce English style improvements. When the earl of Antrim released most of his estate in 1637 he took the opportunity to include clauses in his leases obliging his tenants to assist 'the general good of the settlement by burdening them [the tenants] to plant [trees] and bound their holding so near as may be to the manner of England'.³⁷ Lord Cromwell, also a man with strong English contacts, attempted to improve his lands in the Downpatrick area by draining bogs as did George Rawdon on the Conway estate in south west Antrim.³⁸ Lord Conway himself was making attempts to control spoliation of his woodlands as was the earl of Antrim in the 1630s.³⁹ On Conway's lands remission of rent was allowed to encourage building and the upkeep of farms.⁴⁰ Others who were less frequently in contact with English norms were less enthusiastic about this type of improvement as the example of the attempt to control ploughing by horses tail shows. By 1622 the commissioners who were inquiring into the state of plantations in Ireland could report that the earl of Antrim had 'banished that barbarous custom by holding all his tenants to the fashion of English ploughing'. Others were less improving for in 1615 the lord deputy, Sir Arthur Chichester, warned both Marmaduke Whitechurch and Sir Edward Trevor, neither of whom had strong English contacts, of the penalties incurred by continued ploughing by tail.⁴¹ Sir James Hamilton also did little to improve the agricultural practices on his lands and Charles Monck complained that on Hamilton's estate he found 'little difference or change in the country either in building or enclosing' and Sir Arthur Magennis's land in mid Down was still 'wild country, not inhabited, planted or enclosed'.⁴² In reality, whatever the landlords'

³⁷ SL, 17, f 151.

³⁸ SL, 14, f 166; Cal. S.P. Ire., 1625-32, p. 541.

³⁹ Cal. S.P. Ire., 1625-32, p. 515; for example of clauses to control spoliation, P.R.O.N.I., T529/1A, D2977, 31 Jan. 1621, Antrim to James Oge McHenry, D2977, 1 May 1634, Antrim to Archibald Stewart.

⁴⁰ Cal. S.P. dom., 1631-3, p. 390; P.R.O.I., Chancery Bills, L45.

⁴¹ B.L. Add. 4756, f 68; Bodl., Clarendon MSS, ii, no. 106.

⁴² B.L., Harley 2138, f 176; Brereton, Travels, p. 132.

attitudes, the problem was of such a scale that no individual could hope to make a major impression on it. Estates were large and, in the case of Trevor and Whitechurch, widely scattered and the will of the landlord was difficult to enforce. By June 1638 the sheer size and initially unimproved state of the earl of Antrim's lands had defeated his attempts to make substantial agricultural improvements.⁴³

The state of the rural economy of east Ulster outlined above together with the lack of improvement in the early seventeenth century caused a number of weak areas to develop in the economic structure which, at times, could be tried to crisis point. The most important of these weak areas was the total dependence on agricultural produce with little rural industry. This meant that a good harvest was required to produce sufficient surplus to be marketed to pay rent and other dues. The failure of the harvest could cause chaos. Some indication of the panic which could be caused by even the possibility of a harvest failure was demonstrated at Bangor, on the north Down coast, in 1624. Most of the grain from the surrounding area had already been gathered when heavy rain threatened to destroy the late harvest at Bangor. The whole parish fasted and prayed all day for a change of weather and when it came the whole community worked for two days without break while the minister, Robert Blair, and two neighbouring ministers fasted and prayed until all the grain was gathered.⁴⁴ The failure of the harvest had long term effects; seed corn, for example, normally reserved for the next year's sowing had to be eaten, thus decreasing the probability of a good harvest in the ensuing years. Successive poor harvests, such as those in Antrim between 1636 and 1639, meant tenants were unable to pay rent, land went out of cultivation as tenants left, and ultimately land values fell. The situation in those years was sufficiently serious to cause the remission of part of the royal subsidy because of growing poverty.⁴⁵

A good harvest was necessary to meet the increasing demands of various groups on rural society. The chief of these demands was the landlord's rent. Initially rents were low in order to attract

⁴³ SL, 18, no. 69.

⁴⁴ Blair, Autobiography, pp 62-3; W.D. Killen (ed.), P. Adair, A true narrative of the ... presbyterian church in Ireland (Belfast, 1866), p. 11.

⁴⁵ SP63/256/89; SP63/255/24.

settlers but from the late 1620s they began to rise. A second development also made a substantial harvest surplus necessary. In the early years of the settlement of east Ulster many landlords were prepared to accept part of their rent in kind. John Shaw, a tenant of the earl of Antrim, for example, paid as rent one and a half barrels of meal, two fat veals and £13.13s.4d., and on the Adair estate in mid Antrim John Stein and James Wallace paid twelve fowls, ten ducks, ten stones of butter and eight days work as part of their rent.⁴⁶ A large harvest surplus was not required for this but only enough to pay these dues. From the 1630s more landlords demanded all their rent in cash. All the leases made by the earl of Antrim during the releasing of 1637 commuted all food renders to cash. This meant that the surplus produce from farms had to be marketed. On one occasion, John Hamilton, brother of Sir James and agent on his estate, gathered all his brother's tenants together 'showing both to him[self] and to them what was due by every[one] of them, which they promised to pay with all the haste they could, praying to forebear them for some short time so that they might sell some of their commodities at some fairs which were near'.⁴⁷ It was difficult to sell small quantities of produce to merchants because of the shortage of specie and hence a larger surplus was required. Rawdon saw the problem of marketing small quantities and offered to act as intermediary for all the tenants in marketing produce to merchants who were unwilling to deal with small quantities.⁴⁸

Obligations to the landlord were not the only ones which the tenants had to meet. There were also demands by the established church in the form of tithes. Given the high number of presbyterians in east Ulster tithes were a contentious question.⁴⁹ In 1635, for example, a serious dispute flared between Mr Gwillam, vicar of Blaris, and his parishioners who withheld their tithes. Gwillam took the case to Dublin where it was tried before the bishop of Derry, John Bramhall, who granted a process

⁴⁶ P.R.O.N.I., T549/1A; LPC 1333; T1531/1/1; D929/F1/33, 34; DI04/33/5/1.

⁴⁷ P.R.O.N.I., D1071B/B/1, p. 28; Reg. P.C. Scot., 1625-7, p. 591; P.J. Bowen, The wool trade in Tudor and Stuart England (London, 1962), p. 204.

⁴⁸ SP63/250/1599.

⁴⁹ Blair, Autobiography, p. 104; P.R.O.N.I., T2171/1, D552/B/2/1/7.

against those withholding the tithes.⁵⁰ In some cases the problems which tithe collection posed were so great that the many clerics in the diocese of Down and Connor did not try to collect them 'for fear of scandal'.⁵¹ As with landlords there were moves by the clergy to collect their tithes in cash although the arrangements drawn up in 1615 had stipulated that they were to be gathered in kind. On at least one occasion a cleric refused payment in kind but an appeal to the bishop's court for collection in cash was not upheld.⁵²

A third major claim on the output of east Ulster derived from the demands of the crown. Directly these came in the form of taxation. Between 1628 and 1632 Antrim and Down paid £6978.19*s.*.5*d.* towards the maintenance of the army; the highest figure for Ulster.⁵³ The royal subsidies levied on the counties in 1635 demonstrated the scale of royal taxation. A commission chosen from non-residents of the county was appointed to assess each barony, the assessment being apportioned among the residents of that barony. Severe inequalities arose. The earl of Antrim complained that on his lands 'few of those who have indifferent good estates in that county are come off reasonable free and some of the poorer sort of them of the most part are cessed very near to as much as they are really worth'.⁵⁴ The government also imposed indirect taxation in the form of soldiers quartered on the land. In January 1627 the earl of Antrim complained that too many soldiers were billeted on his tenants and this was followed within a month by a more general complaint by most of the Antrim landholders. By May, Lord Conway complained that too many soldiers were stationed on his land 'to the disheartening of my tenants' and that some should be sent to the coast.⁵⁵ The quartering of troops was disruptive and soldiers consumed much of the tenants' harvest surplus required for the rent. This was worst in poor years, such as

⁵⁰ SP63/255/62, 64, 66, 69, 70.

⁵¹ Cal. S.P. Ire., 1633-47, p. 87; H. Leslie, A treatise of the authority of the church (Dublin, 1637); Mont. MSS, p. 54; Ham. MSS, p. 34.

⁵² SP63/254/168.

⁵³ SL, 1, ff 8, 32.

⁵⁴ SL, 15, no. 215.

⁵⁵ Cal. S.P. Ire., 1625-32, pp 203, 206; SP63/244/481.

the late 1630s, when quartering was heavy in east Ulster, due to the Covenanter disturbances. Such quartering generated considerable animosity toward the central government.⁵⁶

Given these demands it was difficult for tenants to accumulate any surplus capital. At times when capital was necessary in the rural economy, such as the provision of a dowry or the expansion or acquisition of a holding, cash was not available. In one case Quentin Moore, a tenant of Lord Cromwell, had to sell part of his farm to provide a jointure of £40 for the future wife of his second son.⁵⁷ The initial capital for a farm came from a number of sources. Robert Blair estimated in the mid 1630s that between £200 and £300 was necessary to set up a farm. This could be obtained by selling the home farm in England or Scotland or borrowing money there. One settler's wife sold her jointure in England to provide her husband with capital. Landlords could also help by staggering the rent or allowing it to remain a year in arrears.⁵⁸ Nevertheless the problem of capital acquisition was acute. One tenant wrote to Rawdon, shortly after acquiring his land, that he had stocked it with cattle and was about to plough it 'but I want money and must get it now at the right time of year'.⁵⁹

The problem of capital was exacerbated by a shortage of specie in the rural economy. In part this was part of a general shortage of coin in Ireland because there was no mint there. There was little movement of coin into east Ulster from Scotland or England. Out of twenty-three sixteenth and seventeenth century coin hoards found in east Ulster only six contain Scottish coins.⁶⁰ Scottish coin was forbidden in Ireland for fear that the debased Irish coin would be rejected in the face of the purer English and Scottish coin. The existence of this debased coin in Ireland produced uneasiness. When Ever Oge Magennis sold lands in south

⁵⁶ SP63/258/92 III.

⁵⁷ P.R.O.N.I., D1556/16/1.

⁵⁸ SL, 22, no. 134; SRO, RH11/45/5; P.R.O.N.I., D671/D8/1/48A.

⁵⁹ SP63/256/17.

⁶⁰ I.D. Brown, M. Dolley, A bibliography of coin hoards of Great Britain and Ireland (London, 1976); E.M. Jope (ed.), An archaeological survey of County Down (H.M.S.O., 1966), pp 454-7.

Down to a Dublin lawyer, Sir Jerome Alexander, Alexander insisted that payment be made in 'pure silver or gold coin'.⁶¹ Given this shortage of specie and the lack of confidence in it, it is not surprising that complex credit mechanisms evolved within the rural economy to generate capital and promote trade.

The forms of credit used by the settlers were twofold; direct loans for large transactions and, for smaller items, indirect loans in the form of delayed payment for goods or services.⁶² In the case of direct loans the main security was land in the form of a mortgage. In February 1611, for example, the bishop of Dromore leased lands to a Nottinghamshire man, John Worsley, which he subsequently granted part of to one John Cope 'for money lent'. Similarly in 1630 Alexander Houston, a tenant on Adair's estate in mid Antrim, mortgaged part of his leasehold to the earl of Antrim for £128.⁶³ Smaller sums changed hands with lesser security. In 1638, for instance, on the death of one Antrim settler, John Temple, it was found he owed £29.19*s.*0*d.* to his neighbours on bills of exchange.⁶⁴ Bills of exchange were the principal means of borrowing small sums and some took on a monetary value themselves because of the shortage of coin. Josiah Welsh, the minister of Templepatrick, accepted and dispensed promissary notes for cash and a number which he owned had passed through other assignees before reaching his.⁶⁵ Indirect credit was an important way of paying debts when small change was scarce. Debts were allowed to accumulate until there was enough to warrant the payment of a large sum. This method was risky for the creditor as it meant that in some cases debts remained unpaid for a number of years. In 1636, for example, William Bourke had to petition the lord deputy for an order to compel some inhabitants of Antrim and Down to pay for their aqua vitae, sums ranging from £2 to £35.⁶⁶

⁶¹ P.R.O.N.I., D671/D5/1/24.

⁶² B.A. Holderness, 'Credit in English rural society before the nineteenth century' in Ag. H.R., xxiv (1976), pp 79-80.

⁶³ Cal. S.P. Ire., 1625-32, p. 538; P.R.O.I., D15237.

⁶⁴ P.R.O.I., RC9/1, p. 41.

⁶⁵ P.R.O.N.I., T284.

⁶⁶ Bodl., Rawl. A237, f 213.

In many respects the rural economy was precariously balanced. Its demands were high and its base narrow. The dependence on credit was based on confidence and when this began to decline in the mid 1630s a crisis loomed for the rural economy of east Ulster.⁶⁷ In the early part of the century the economy of east Ulster had expanded rapidly. Exports from Carrickfergus rose, customs returns increased from £63 in 1603 to £264 in 1623-4. The Down customs also rose from £125 in 1603 to £260 in 1623-4. After the revaluation of customs valuations in the 1630s the rise was more spectacular; Carrickfergus to £306 in 1631-2 and the Down ports to £361.⁶⁸ After 1635 the customs returns for east Ulster, and Ireland generally, began to fall. The slowing down of the increase of population (as shown in chapter four) was largely responsible, since the expansion of the economy had been due to increased labour inputs. A further cause of decline was a series of bad harvests in Antrim and Down. Poor harvests had two effects. First the reduced supply of grain meant that marketing slowed down considerably and the limited amount of coin available circulated even more sluggishly. On Lord Conway's estate the agents took rent 'in such coin as is not current here [Ireland] yet good enough for the north' and distresses of rent were made since tenants had no coin to pay.⁶⁹ The second effect of poor harvests was a rise in discontent. The seasonal distribution of crime in east Ulster in 1613 shows it concentrated in the winter months, especially December to February, a time when food was in short supply, between the autumn and spring harvests. Other evidence of seasonal variation in crime tends to support this, wood kern being most active in these months.⁷⁰ With harvest failure food became scarcer and crime more prevalent. Some of those who rebelled in 1641 were probably like one north Antrim deponent who rose 'after the husbandry failed'.⁷¹

⁶⁷ Some people even distrusted bills of exchange. B.L., Add. 18824, no. 8.

⁶⁸ Figures from Treadwell, 'Financial administration'. Tables A-C; SL, 24/25, no. 174; B.L. Lansdown 156, f 314.

⁶⁹ SP63/255/84; SP63/250/1597.

⁷⁰ J.F. Ferguson (ed.), 'The Ulster roll of gaol delivery' in U.J.A., 1st ser., i (1851), pp 261-6; J. Thirsk (ed.), The agrarian history of England and Wales, iv (Cambridge, 1967), p. 620, table 21; Cal. S.P. Ire., 1625-32, p. 217; K. Wrightson, J. Walter, 'Dearth and social order in early modern England' in Past and Present, lxxi (1976), pp 22-42.

⁷¹ T.C.D., MSS 838, f 30.

Economic factors were not the only ones feeding the crisis of the late 1630s, for the decision by the lord deputy, Thomas Wentworth, earl of Strafford, to increase his grip on the localities (described in the next chapter) came to a head in east Ulster in May 1639 with the attempt to control the presbyterians using a strict oath of loyalty to the church and king, the 'Black Oath'. To enforce the taking of the oath the army was used and local volunteers called up. This meant quartering on tenants who, in a year of poor harvests, had little to spare for the army. Sir Edward Chichester complained to the earl of Ormonde, the military commander, that the 'poor people ... are so much impoverished that they can no longer subsist, and the plantation which was here begun and brought to some perfection is now so much ruined as there is little hope to recover it'.⁷² The calling up of local forces also placed a strain on the rural economy since it removed farmers from their holdings, a source of much complaint. The earl of Antrim complained in 1629 that his tenants were greatly troubled at having to leave their farms five times a year to attend the sessions at Carrickfergus.⁷³ The musters which summoned the local volunteers, who were bound to follow their landlord when called, who was in turn bound to attend the lord deputy, were usually called in spring at the beginning of the campaign season which coincided with ploughing and sowing.⁷⁴ Thus the political events of 1639-40 also posed a threat to the economy.

The rural economy was also severely damaged, in a more spectacular way, by political events. The imposition of the anti-presbyterian Black Oath caused many tenants and labourers to flee to Scotland for fear of persecution. In a finely balanced economy of which labour was an integral part this was disastrous. Sir Edward Chichester complained that many of the tenants from his lands around Carrickfergus had fled to Scotland carrying with them 'their horses, cows, sheep and what else

⁷² Bodl., Carte 1, f 379.

⁷³ SP63/249/1517; H.M.C., Various, v, p. 135.

⁷⁴ For example the muster of 1640; Steele, Tudor & Stuart proclaim., ii, no. 335.

they have and leave their corn standing in the ground, by which means Scotland will be well victualled and stored however these parts are left miserably poor and the country growing waste'. In Down the harvest of 1640 could not be reaped because of the shortage of labour.⁷⁵ The disturbances which followed the Black Oath were not, as some contemporaries believed, controlled from Scotland, but were rather the consequences of the heavy quartering of troops in east Ulster combined with a bad harvest which resulted in a shortage of food and seed corn.⁷⁶ The crises of the late 1630s were, in part, the result of the structure of the rural economy with all its problems of credit, inadequate development of arable, and hence insecure food supply, and the failure to develop domestic industry as even a partial alternative to agriculture.

To this point this thesis has concentrated on what can be described as the 'fixed factors' of the east Ulster settlement; the landscape, the population structure, the attitudes of the settlers and the result of the amalgamation of these three: the economic structure. On the basis of these grew up a distinct form of social structure and organisation which is to be described in the next four chapters. In this the landowner was the key. His world is described in chapter seven. His desires and attitudes were circumscribed by his reactions with other groups, his tenants (as described in chapter eight) and, more importantly, the central administration.

⁷⁵ SL, 15, no. 215; P.R.O.N.I. D1071B/B/1, pp 39-40.

⁷⁶ SP63/258/92 II.

CHAPTER 6 SCRIBES AND PHARISEES: CENTRAL GOVERNMENT AND LOCAL INTEREST

In this chapter it is proposed to examine the first of the three pivots on which rural society in east Ulster turned; the relationship of the major landholders of Antrim and Down to the central administrations in Dublin and London. The relationship was symbiotic for seventeenth century legal theory placed all land and its rights in the hands of the king who had the disposition of them. Thus the landholders of east Ulster were dependent on the whim of central government, who effectively advised the king on land grants, for their lands, the level of the rents which they paid for them, and the rights which went with them. They were also dependent on other royal services, such as the courts, to resolve disputes, and the army, for protection in times of serious trouble. In return the central government expected the greater landlords to act as their agents to enforce its instructions and maintain law and order in the counties. It is the aim of this chapter to examine how this relationship worked in practice.¹

I

In a colonial situation such as east Ulster it was necessary for the crown to establish its right to grant lands to settlers as securely as possible. An English statute of 1440 (18 Hen. VI, c.6) deemed that it was necessary for the crown to prove its title to any land before granting it. Failure by the crown to firmly establish this title before a grant could have serious repercussions for the settlers. The case of the island of Rathlin, which had been inadvertently left out of a patent to Sir Randal Macdonnell in 1603, but included in 1604, provides an example of the problems which could arise, since title to Rathlin had not been proved in inquisition. In 1617 the crown's right to grant Rathlin was challenged by George Crawford, a landholder at Lisnorris in Kintyre, who claimed that the island was part of Scotland and not Ireland. Although Sir Randal won the long and expensive legal battle which ensued the dangers of unstable royal title were clearly demonstrated.²

¹ Important studies on this problem in an English context are: P. Clarke, English Provincial Society (Harvester, 1977); T.G. Barnes, Somerset 1625-40: a county government during the personal rule (Oxford, 1961); M.E. James, 'The first earl of Cumberland and the decline of northern feudalism' in Northern History, i (1966), pp 43-4; A.H. Smith, County and court (Oxford, 1974).

² Statutes of the realm, ii, p. 306; P.R.O.I., Ferguson MSS, vii, pp 15, 36; Cal. Carew, 1603-24, pp 351-62; Marsh's Library Z1.1.13, no. 2.

The problem of crown title to Antrim and Down is a complex one. The right of the king to the lands of east Ulster rested on three supports; inheritance, church land, and the attainer of Shane O'Neill. The claim by inheritance derived from the medieval earldom of Ulster which had passed from the family of William de Burgh, fourth earl of Ulster, into the hands of Lionel, duke of Clarence, by marriage. By the marriage of his only child, Phillipa, to Edmund Mortimer, earl of March, the title passed into the Mortimer family. Two generations later the lordship passed to Richard, earl of Cambridge, grandfather of Edward IV and great great grandfather to Elizabeth I. The earldom of Ulster provided a link with the past for in 1410 the clergy and nobles of Down 'with all the faithful and true liege people of the earldom of Ulster' petitioned the crown for protection from the Irish and Scots, and in the early sixteenth century the lordship was regarded as a living entity which had declined.³ The royal claim to the lordship was pressed most forcibly in 1541 when an appeal from the lords of north Antrim, the McQuillans, who were under pressure from the Scots, 'hath called us [Henry VIII] to call to our own remembrance both what great possessions in our own right appertain to us as all the lands appertaining to our crown and state there, the earldom of Ulster'.⁴ This claim by inheritance was reinforced in 1542 when Con O'Neill and Sir Arthur Magennis surrendered most of the lands of Ulster to Henry and were regranted them.⁵

The second claim to the lands of east Ulster originated after the rebellion of Shane O'Neill, earl of Tyrone, in the 1560s. The lords, and captains of Clandeboy, the Glens of Antrim and the Route were accused of being 'at the command of the said traitor Shane O'Neill in this sharp and traitorous war by him levied against your Majesty' in the statute which attainted O'Neill in 1569 and their lands were duly declared forfeit.⁶ There was some doubt about the efficacy of the statute.

³ O'Laverty, Down and Connor, i, p. lxviii; S.P. Henry VIII, ii, pp 24-5, 55, 83; SP63/3/72.

⁴ S.P. Henry VIII, iii, pp 302, 309.

⁵ Ibid., p. 429; Cal. pat. rolls, Ire., Hen. VIII-Eliz., p. 79; for later surrenders and regrants, Perrott, Chron. Ire., 1584-1608, pp 43-4; Fiants Eliz., no. 489, 4984-5.

⁶ 11 Eliz. I, s.3, c.1 (1569) (Ir.).

Sir Henry Sidney, the lord deputy, was of the opinion that the military defeat of Shane was sufficient grounds to title of Antrim and Down but Elizabeth maintained that there was a distinction between the conquest of and the right to land.⁷ For this reason the claim by inheritance was included in the preamble to the statute as a pedigree which was 'clear sound and unspotted'.

The third support of the crown's right to the land of east Ulster was based on the Irish statute, 23 Henry VIII, c.5, which had declared that all church land from that date automatically belonged to the crown and no inquisition was needed to formally prove this. Of the three claims this was the strongest since it had been well tested by the early seventeenth century and found reliable. A number of leases of church lands in east Ulster had been made in the sixteenth century by the crown and so title was well known.⁸ Gradually the other forms of claim to Antrim and Down came into use. Most of the early patents for land in east Ulster were simply royal confirmations of private deals, such as that between Hamilton, Montgomery and Conn O'Neill, or a recognition of the status quo, such as the grants to Sir Randal Macdonnell. There was a natural reluctance by the crown to stress its title since it was unproven. By 1627 the crown had sufficient control to be able to press its claim by inheritance, attaingder and through the lands of the church.⁹ Although royal title to the lands of east Ulster had been worked out as a basis for royal authority there, the actual relationship between the government and the settlers had been less clearly defined. No guidelines were laid down for the organisation of the settlement and no clear policy of land distribution existed.

In England there was a certain reluctance by the administration to become involved in a plantation scheme after the failure of the settlement in Munster.¹⁰ James I's main concern in 1603 was to establish stability in Ulster as rapidly as possible. Since north Antrim had

⁷ D.G. White, 'Tudor plantations in Ireland before 1571' (Ph. D., T.C.D., 1969), ii, p. 246.

⁸ For example, Cal. pat. rolls Ire., Jas. I, pp 8, 10.

⁹ Cal. pat. rolls Ire., Chas. I, pp 230-31, 504; SP63/229/93; SL, 24/25, nos 295, 302; Mont. MSS., pp 43-4.

¹⁰ D.B. Quinn (ed.), 'A discourse of Ireland, c.1599' in R.I.A. Proc., xl, sect. C (1942), pp 145, 162.

proven particularly volatile in the late sixteenth century it became his first target. In the latter half of the sixteenth century the Scottish Macdonnells attempted to enlarge their interest in the area at the expense of the McQuillan sept. who resisted these encroachments. Government policy was to bolster up McQuillan as a buffer against Macdonnell and the O'Neills of Lower Clandeboy. Sir Arthur Chichester, as the main government agent in Ulster by 1603, was intent on continuing this policy into the seventeenth century. There was opposition to this, especially from Sir Randal Macdonnell, younger brother of James Macdonnell and son of Sorley Boy, who held the Route by a grant from Elizabeth. Randal's personal claim to the Route and the Glens was dubious in English law. The lands of the Route should have passed to James Macdonnell's son, Gilleasburgh, on his father's death in 1601 and not to the claimant, Sir Randal. Nor was Sir Randal's claim to the Glens of Antrim any stronger for the Glens were the inheritance, by a fifteenth century marriage, of the head of the Dunyveg branch of the Macdonnell family. In 1586, the Glens had been granted to Donal Gorm as chief, and after to his son, Angus, but by the late 1590s James Macdonnell, Angus's cousin, had made himself de facto lord of the Glens. An attempt was made in 1602 by Angus Macdonnell, the chief of the Macdonnells of Dunyveg, to reassert his lordship but Elizabeth was unwilling to ferment trouble in the Glens and the attempt failed.¹²

Chichester vehemently opposed the claim of Sir Randal Macdonnell which was sent by the earl of Mar to Elizabeth in 1601. He feared a Scots' power base in north Antrim after the activities of the Antrim Scots during the Nine Years War, which included the murder of his brother, Sir John. He also saw the difficulties which could result if a large quantity of land was concentrated in the hands of one man.¹³ Chichester's own ideas for a settlement, as expounded in his 'Notes of Remembrance' in 1607 and his reorganisation of the Monaghan settlement

¹¹ Bodl., Carte 31, ff 43, 73-4; Anon., 'Sir Henry Sidney's memoir of his government in Ireland' in U.J.A., 1st ser., v (1857), p. 310; Cal. S.P. Ire., 1600-01, pp 333, 385, 418; Cal. S.P. Ire., 1603-6, p. 503.

¹² K. Simms, 'Gaelic lordships in Ulster in the later middle ages' (Ph.D., T.C.D., 1976), pp 222, 239, 268; Hill, Macdonnells, pp 21-2; Cal. Carew, 1575-88, p. 438; G.A. Hayes McCoy, Scots mercenary forces in Ireland (Dublin, 1937), pp 276-80, 332; Cal. S.P. Ire., 1601-3, p. 445; Cal. Scot. P., 1595-7, pp 511-12.

¹³ Scots peerage, v, p. 613; Hayes McCoy, Scots mercenaries, pp 318, 324; Cal. S.P. Ire., 1600-01, pp 333, 335.

in 1605, were of small grants of land to a few settlers and a number of trustworthy natives with the retention of the natives as tenants. This was the way he wanted the settlement of east Ulster to go. He argued in 1605 that land in Antrim should be distributed in small amounts to the 'ancient gentlemen' of the county and condemned large grants of land already made, arguing that they should have been made into small freeholds. He managed his own Antrim property in this way and applauded Sir James Hamilton for selling off his scattered property in small lots.¹⁴

Chichester, created lord deputy in 1605, showed concern about the large grants of land passed to Sir Randal Macdonnell, Sir James Hamilton, Sir Hugh Montgomery, Sir Edward Cromwell and others between 1603 and 1605. In 1605 he complained to Sir Robert Cecil, James's principal secretary of state, that the king was making too many large grants of lands. James's reply came in the form of a reprimand and instructions to the lord deputy to pass the grants forwarded to him without question.¹⁵ The king wanted to encourage settlement in Antrim and Down and was prepared to make concessions to this end. In 1604, for example, the king was prepared to ease the terms under which Sir Randal Macdonnell was to receive a regrant of lands because Sir Randal had complained of burdensome terms.¹⁶ What the king envisaged was an Irish extension of his settlements in the Scottish Isles. In order to consolidate the plantation there it was necessary to restrict movement between east Ulster and the west coast of Scotland. The cheapest and best way to ensure this was to consolidate royal authority on the coasts of Antrim and Down by introducing English and Scots settlers and giving them the incentive of large estates with few obligations, save those of building.¹⁷

¹⁴ T.W. Moody, 'Ulster plantation papers' in Anal. Hib., viii (1938), pp 281-6; T.W. Moody, The Londonderry plantation, (Belfast, 1939), p. 25; Cal. S.P. Ire., 1603-6, p. 502; B.L., Cotton Titus C vii, f 56; P. Roebuck, 'The making of an Ulster great estate' in R.I.A. proc., lxxix sect. C (1979), pp 17-19.

¹⁵ Des. Cur. Hib., i, pp 462-3. This letter is undated but internal evidence, the references to the settlement of Monaghan and to a letter of the 23rd of the previous month (probably SP63/217/45), suggests early July 1605.¹⁶

¹⁶ Erck., p. 167.

¹⁷ R.P.C. Scot., 1613-16, pp 717, 769-71. On James and the Isles, R.P.C. Scot., 1599-1604, p. 17; R.P.C. Scot., 1604-7, p. 89; D.J. MacDonald, Clan Donald (Loanhead, 1978), pp 252-3. For building and planting clauses, Cal. pat. rolls Ire., Jas I, pp 78, 125; Ham. MSS., app 1; Cal. S.P. Ire., 1603-6, p. 502.

The result of this policy was a series of large estates on which the crown, although with established title, had little authority since it had devolved much of its power to the new landholders as a rapid way of establishing effective local government. No conditions, such as the Orders and conditions drawn up for the plantation of Ulster or the regulations for the later plantations in the midlands, to check the landholders' ambitions (outlined in chapter three) were laid down. The geographical isolation from the Dublin administration (as shown in chapter two) gave further encouragement to landowners to exploit the extensive rights and privileges which they had been granted. In particular many of the privileges minimised the role of royal officials by limiting their role. Sheriffs, bailiffs, justices and escheators, for example, were virtually excluded from Sir James Hamilton's lands by a clause in his patent.¹⁸

There were those whose ambition, or other factors, caused them to react to this playing down of royal authority and the increasing of their own local influence. In 1612, for example, Sir Hugh Montgomery refused to accept a royal warrant issued to two Scotsmen, James and Alexander Kennedy, for apprehending the murderer of their father; Montgomery arguing that the offence was caused by wilful resistance by the elder Kennedy, an offence which was not warrantable in Ireland. The reality was understood later as the assertion of Montgomery's right to discipline his own tenants without external interference from royal officials.¹⁹ A further example of the exertion of the rights of an estate occurred in 1627 when although Lord Conway's agent, Henry Spenser, was acquitted of manslaughter, Spenser's goods were declared forfeit to the king. Lord Conway objected strongly on the basis that all felons' goods belonged to him under the terms of his patent. The king capitulated and returned the goods to Spenser but not through Conway, making it clear to the lord deputy, Lord Falkland, that he was not doing this 'upon any nice construction of the Lord Conway's patent in

¹⁸ Ham. MSS, app. 1, pp vii, xxv.

¹⁹ Cal. S.P. Ire., 1611-14, pp 234, 241.

in that point' but for the sake of justice, Spenser being innocent.²⁰ Many of the settlers had acquired considerable lands and rights as a result of the settlement and were determined to consolidate their new positions. Given this defensive attitude to these rights it was natural that royal officials and authority should be resisted. The earl of Antrim, by his offer in 1635 to cess his own tenants for the subsidy, was trying to keep royal commissioners from entering his lands.²¹

The agents of royal authority who most commonly impinged on the settlers' lands were judicial officials. One way of minimising their influence was by maximising the use of the manorial courts, under the control of the lord, so that tenants would not make use of royal courts for minor cases and hence judicial officials were kept away from settlers' estates. The earl of Antrim achieved maximum use of his manor courts by inserting a clause in his leases that

neither the said [tenant's name] nor his heirs or assigns nor any of their undertenants shall commence any suit against any of the tenants of the said earl for any debt, trespass or any other misdemeanour not exceeding the value of thirty nine shillings sterling in any of the sheriffs' courts of the county of Antrim but shall either compound the same by order of neighbour and friends or else commence such action in the Court Leet or Court Baron under pain of forfeiture of ten shillings sterling for every such action so commenced.

Other landlords, such as Sir James Hamilton, included similar clauses in their leases in order to minimise royal interference in the running of estates.²² The geography of the gaol deliveries from east Ulster reflects the success of these measures for all the cases presented from the well consolidated estates of Hamilton, Montgomery and the earl of Antrim fell outside the jurisdiction of the manor courts. The areas from which most cases came to royal courts, such as chancery, were the poorly consolidated and inadequately run lands of Sir Edward Trevor, the Magennis family and Sir Edward Cromwell where manorial courts did not function.²³

²⁰ Cal. pat. rolls Ire., Chas I, pp 248, 259, 268, 321; Cal. S.P. Ire., 1625-32, p. 301.

²¹ SL, 15, no. 234.

²² P.R.O.N.I., D2977; LPC 133; T549/1A; T761/3, p.4.

²³ This point is further developed below, pp 151 - 2. There is a similar distribution for cases brought to the court of common pleas (T.C.D., MSS 2512).

As well as attempting to curtail the powers of royal judicial officials by replacing their functions by landlord controlled institutions, individual lords also took more spectacular action in resisting the powers of local government officials. The sheriff of Antrim, Cormack O'Hara of Crebilly complained in 1627 that it was impossible to carry out any of his duties on the earl of Antrim's estate without the earl's express permission. The earl claimed the right to approve all warrants affecting his lands or tenants and any attempt to execute a warrant without his permission resulted in the sub-sheriff being placed in the stocks. The earl attempted to manipulate the law as far as possible, threatening one man with 'a bellyfull of law' at the 1627 quarter sessions in Carrickfergus. He attempted to have the sessions for Antrim moved to his own estate at Oldstone so that he could increase his influence, pleading in mitigation that it would be less inconvenience to his tenantry.²⁴

Not only were the agencies of central government attacked by this settler position but the rights of other centralised groups such as the church were eroded in some areas. At Newry the local landlord, Henry Bagnall, refused to admit officials of the church courts to his estate claiming that when the lands were granted in the sixteenth century to his grandfather, Sir Nicholas Bagnall, marshall of the army, the grant had included all the rights and immunities of the medieval monastery of Newry. He claimed all the churches and ecclesiastical jurisdiction on his lands as his personal property. The 1622 visitation observed of his territory that:

two other bishops immediate predecessors were in possession and farmed several parcells of this living to several persons but the bishops being in England shortly after his presentment soldiers were sent to take up the tithes and two of the bishops' farmers being found upon their journey in the Newry were committed and kept prisoners until they were forced to quit and surrender their possession. The now bishop thereafter petitioned to the Judges of Assize and had order to the sheriff to put and keep him in possession. That there being one who dwelled at the Newry and tenant to Mr Bagnall, would neither put him in possession, nor give him his order back again; that he had such order appears under his hand, and under the hands of the other justices of the peace; as may be seen there are no tithes received by any clergyman, nor cure served, nor presents of recusants made, no way given to the Ecclesiastical Courts, nor to the bishops' officers, and the confusion is within the bounds of no less than sixteen miles upon the sea coast. Mr Bagnall has given several commissions to several persons to keep several spiritual courts, whereof, some of them were laymen; and several persons have fled from the censure of the bishops spiritual courts in these bounds,

and there they have immunity and escape deserved censures because the apparitors would not, nor durst not, cite any person in these bounds.²⁵

There was also a refusal to recognise the church's authority in a more discreet way by many other landlords. Nonconformist religious groups flourished in parts of east Ulster under local patrons. A sympathetic attitude by the earl of Antrim towards catholicism promoted its survival in north Antrim, and in north Down tacit support for presbyterianism by Sir James Hamilton helped its establishment there.²⁶

Thus two groups developed conflicting aims over the settlement of east Ulster. The government had established its authority over Antrim and Down by proving crown title and, as will be shown below, developing a system of local officials there to safeguard its rights. On the other hand the rapid social rise of most of the new settlers made them anxious to consolidate their new found position and exploit such concessions as had been made to them. In this situation conflict was inevitable as the central administration attempted to assert its control over the localities. In the early years of the settlement a crisis was reached over the collection of customs. In the sixteenth century the collection of customs in Antrim and Down was in local hands. The customs of Carlingford and Newry were held by the Bagnal family and those of Ardglass, Strangford and Lecale had been leased to the earl of Kildare. At Carrickfergus two-thirds of the customs revenue was leased to a succession of constables of the town at a rent of £10, the remaining third going to the corporation.²⁷ This arrangement was disrupted by the growth of new port towns in east Ulster, such as Bangor and Donaghadee, and the decision in 1613 to farm all the Irish customs to a group of financiers. In order to farm the customs the crown had to resume all the grants which had been made to individuals. Sir James Hamilton held two grants of all the customs revenue from Antrim and Down and was not prepared to surrender them.²⁸ He was

²⁵ O'Laverty, Down and Connor, i, pp 14-15; SP63/254/4; SP63/253/2074; B. Bradshaw, The dissolution of the religious orders in Ireland under Henry VIII (Cambridge, 1974), p.159. Bagnall also claimed all secular fines levied on his land were his. P.R.O.I., Thrift MSS, no. 255.

²⁶ On Antrim's catholicism C. Giblin, The Irish Franciscan mission to Scotland (Dublin, 1964); SL, 1, f 67; SL, 10, ff 131, 172; Cal. S.P. Ire., 1615-25, pp 324-37. On Hamilton's presbyterianism, Blair, Autobiography, p.78; M.Perceval Maxwell, 'Strafford, the Ulster-Scots and the Covenanters' in I.H.S., xviii (1972-3), p. 457.

²⁷ Cal. pat. rolls Ire., Eliz., p. 158; V. Treadwell, 'The Irish customs administration in the sixteenth century' in I.H.S., xx (1977), pp 407, 408; V. Treadwell, 'The establishment of the form of the Irish customs' in E.H.R., lxxxxiii (1978), pp 580-89.

²⁸ Cal. pat. rolls Ire., Jas. I, p. 201.

ordered to appear before the privy council but this failed to have any impact. The success of the administration in resuming grants in other areas, especially the case against the corporation of Dublin in king's bench during 1613, convinced Hamilton that it was wise to do a lucrative private deal with the farmers of the customs which he concluded in December 1616.²⁹

Others, less astute than Hamilton, were not prepared to lay down their rights so easily. The countess of Kildare retained the family interest in Lecale as part of her jointure, leasing it to four merchants. Although she was ordered by the Dublin administration to surrender her claim or submit to a committee of judges she refused to do either. Roger Langford, a minor Antrim landowner who held part of the Carrickfergus customs on a lease from the crown, which was not due to expire until 1626, also remained stubborn. In July 1619 the king, whose patience had been wearing thin, ordered the settlement of outstanding grants, by quo warranto proceedings if necessary. Under this pressure Langford surrendered his lease for a composition of £323.9s.4d. This did not finally resolve the problem of the Carrickfergus customs for one-third of the revenue still belonged to the corporation and it was not until 1638 that the crown purchased this. In Lecale the countess of Kildare was persuaded to make a lease of the customs to the customs farmers for her life at £70 per annum. Pressure on the family over this issue was not relaxed for after the countess's death her son, George, earl of Kildare, was summoned to the exchequer and forced to surrender his claim.³⁰

Before the 1630s there was little systematic attempt to attack the powers of the new landlords. Occasional forays were made against some. Sir James Hamilton, for example, in 1618 was required to produce all his patents, for a detailed examination of his privileges but no action was taken against him. Four years later he was attacked by the attorney general, Sir William Pyres, for abusing the rights granted to him but he

²⁹ H.M.C., Various MSS, viii, p. 191; Acts privy council, 1615-16, pp 277, 347; V. Treadwell, 'Irish financial administrative reform under James I: the customs and state regulation of Irish trade (Ph.D., Q.U.B., 1960), p. 242; Cal. S.P. Ire., 1615-25, p. 128.

³⁰ Treadwell, 'Irish financial administrative reform', p. 243; P.R.O.I., Ferguson MSS, xxvi, p. 132; Cal. S.P. Ire., 1633-47, p. 190; P.R.O.N.I., D671/D3/1/3; A. Knox, A history of County Down (Dublin, 1875), p. 434.

was acquitted. Within the next ten years the government summoned Sir Edward Chichester, the earl of Antrim and Rowland Savage on similar charges but gained no convictions. Hamilton was again summoned to the exchequer in 1639 on a charge of illegally holding an admiralty court at Croomsport but by pleading his patent of 1622 he was acquitted.³¹ The 1630s saw a more concerted policy of the establishment of royal authority in the localities by the new lord deputy, Thomas Wentworth. The contrast between royal policy in the administration of east Ulster in the 1630s and before is best seen in the case of the position of the church.

The control of the church and its wealth in the localities was an important problem for as well as being a spiritual body it was also an important political agent in the counties. A letter of 1601 containing the queen's instructions for the appointment of a new bishop of Down and Connor directed that he should have enough learning 'to instruct our people and sufficiency to govern them to the continuance of their duty and loyalty to God and us, their gracious sovereign'.³² Thus it was essential that the central administration controlled benefices and the lands that went with them so there was concern that benefices might fall into the wrong hands. The archbishop of Canterbury, William Laud, wrote of his fear 'that my earl of Antrim should get the advowson of the benefices, if he could, is no wonder to me, for being a recusant ... [he] ... might make great use of them'. The danger of private patronage was clearly shown in 1623 when Lord Clandeboy presented Robert Blair, a radical Scots presbyterian, to the living at Bangor from which Blair openly defied the ideas of the Church of Ireland.³³ Despite the importance of this issue the government was unwilling to confront the lords of east Ulster who held the rights of presentment and church lands as part of their estate. The late sixteenth and early seventeenth century saw the granting of church lands to the local landlord on long leases, a policy much favoured by the first three seventeenth century bishops of Down and Connor.³⁴ By the late 1620s the rents were no longer realistic

³¹ P.R.O.I., Ferguson MSS, xxvi, pp 58, 91, 95, 145; Bodl., Carte 30, f 234; Ham. MSS, pp 30-31.

³² Cal. pat. rolls, Ire., Eliz., p. 589.

³³ Laud, Works, vii, p. 59; Blair, Autobiography, p. 78.

³⁴ J.B. Leslie, H.B. Swanzy, Biographical succession lists of the clergy of Down (Enniskillen, 1936), p. 8.

and there was an attempt to resume these lands by the church. In 1627 the newly presented dean of Down, Henry Leslie, petitioned the king to have a 1589 lease to the earl of Kildare of the church's lands in Lecale anulled. Legal advice was sought which declared that the charter of 1610, which had reorganised the dean and chapter of Down, gave the church the right to these lands and the dean was given permission to proceed against the earl in the king's name but there is no evidence that he did so.³⁵ It was not until 1636 that any systematic campaign to recover church lands began when the lord deputy, Wentworth, established a commission to recover church lands in the dioceses of Down and Connor. Many landowners resisted this move. Lord Clandeboy, for example, claimed that the lands of Black Abbey, which lay in his estate, were not the property of the church even though they had been found for the church by an inquisition of 1623. It required a king's letter of June 1639 to compel Clandeboy to surrender the lands but only on a promise of a sixty year lease of them.³⁶ By October 1639 the government was pressing the claims of the church through a series of court cases against the earl of Antrim and Lords Clandeboy, Ards, Cromwell, Iveagh and Sir Edward Trevor. As a result of these moves the revenues of the bishoprics of Down and Connor were increased by 24³ per cent.³⁷ A similar campaign was mounted against lay impropriations, the right of local landowners to present to livings. These rights had also been granted to local landowners in the first two decades of the century by bishops. Bishop Todd, for example, made over all rights to courts and presentments in north Antrim to Sir Randal Macdonnell in 1610.³⁸ Wentworth waged the campaign for the recovery of impropriated livings with equal ferocity to that of lands but with less success.³⁹

³⁵ Cal. pat. rolls Ire., Chas. I, pp 494-5; Cal. S.P. Ire., 1625-32, p. 328.

³⁶ P.R.O.N.I., DIO4/5/1, ff 82-92; Cal. S.P. Ire., 1633-47, p. 139. Sir Edward Chichester also came to a personal arrangement.

³⁷ Cal. S.P. Ire., 1633-47, p. 226; E.P. Shirley, Papers relating to the Church of Ireland, 1631-9 (London, 1874), pp 14-16.

³⁸ T.C.D. MSS 1059, ff 161-5.

³⁹ Shirley, Papers, pp 2-3, 14-16.

This systematic attempt to reassert royal authority in the localities by Wentworth was characterised by a probing into the affairs of landowners by using the commission for defective titles and the court of wards. Both of these ideas rested on the reform of the systems of tenure in east Ulster; the conversion of common socage, a relatively light form of tenure with no obligation of wardship, escheat or license of alienation, to knight service which held all these obligations and was financially more lucrative to the crown.⁴⁰ Most of those who acquired their east Ulster lands in the sixteenth century, such as the Macdonnell and Bagnall families, held their lands by knight service, as did most of the native landowners, the O'Neill family and Cahall O'Hara. The newcomers, Hamilton, Montgomery, Chichester and Conway, for example, were all granted their lands in common socage as part of the plan to induce settlement.⁴¹ Prior to the 1630s Dublin administrators had toyed with the problem that east Ulster was not producing enough revenue and displaying resistance to royal authority because of the concessions granted in the early years of the settlement. In 1631, for instance, the crown rent from Antrim was £211.7s.4d. and that of Down £483.0s.11d. whereas the average rent from an escheated county was £736.18s.0d.⁴² Advice had been taken from the attorney general as to the legality of imposing an annual composition on Antrim and Down similar to that in the Leix-Offaly settlement but this scheme was never implemented.⁴³ These problems of finance and asserting royal authority were attacked by Wentworth through the commission for defective titles which granted new patents to landowners, thus asserting crown authority, and increasing crown rent as well as feudal incidents by changing socage tenures to

⁴⁰ For a detailed explanation of this, see H.E. Ball, An introduction to the history and records of the courts of wards and liveries (Cambridge, 1953), p. 153; J.C.W. Wylie, Irish land law (London, 1975), pp 56-7.

⁴¹ Cal. pat. rolls, Ed. VI, iv, pp 387-90; Cal. pat. rolls Ire., Jas. I, pp 93-4, 102; Erck, pp 281-4. For landlord reaction to the different tenures, see Hill, Plantation, p. 81.

⁴² SL, 1, f 19. There were, however, fewer arrears in the crown rent from east Ulster. In 1620, 4.9 per cent of the total Ulster arrears was from Antrim and 9.2 per cent from Down and only £15 was considered 'doubtful', N.L.I., MSS 8013 IV.

⁴³ N.L.I., MSS 8013 III, no. 8; Bodl., Carte 61, f 142.

to knight service. In May 1637 the first patents under the commission were passed for east Ulster.⁴⁴ Rents were increased considerably, in the case of Sir Hugh Montgomery by 320 per cent, and substantial renewal fines were imposed on the settlers for new patents, £103.17s.8d. in the case of Montgomery.⁴⁵

Reactions in east Ulster to the calling in of old patents, and hence rights, was mixed. Some who held their lands by deed, such as Sir Hugh Montgomery, Robert Adair in mid Antrim and Bernard Ward in east Down, took advantage of the commission to have their titles to land secured by obtaining a formal patent.⁴⁶ Others, mainly native Irish, showed considerable concern at the move. They feared that they were to be evicted from their lands and a formal plantation made. In a lease dated December 1637 between Conn Magennis of Newcastle and Arthur Hill, the insecurity of title was reflected by a clause stating 'that if hereafter it shall happen all or any part of the premises to be evicted, recorded or otherwise taken away from the said Arthur Hill by way of plantation or any other way' he was to be compensated.⁴⁷ Some settlers intent on protecting their rights from royal encroachment ignored the commission. The earl of Antrim, for example, feared the repercussions of not passing a patent under the commission but did not want his rights eroded. He convinced Wentworth that he was about to acquire a patent from the commission but never did so.⁴⁸

Royal authority in east Ulster should have been enhanced by the creation of more tenures in knight service in east Ulster by the commission since these would make royal officers, such as the escheator, more effective. In the late sixteenth and early seventeenth century Antrim and Down landowners had attempted to avoid feudal incidents, the payment for wardship, alienation, and marriage, as far as possible. They

⁴⁴ SP63/256/33.

⁴⁵ N.L.I., MSS 15584.

⁴⁶ P.R.O.I., Lodge MSS, Records of the rolls, vi, pp 10, 28, 40, 42, 76, 99, 118, 254, 337.

⁴⁷ P.R.O.N.I., D671/D8/1/55A.

⁴⁸ Laud, Works, vii, pp 391, 445; SL, 17, no. 236.

had attempted to avoid wardship by 'enfeoffing' land to use. This involved a father placing the use, though not the ownership, of his lands into the hands of a group of men whom he could trust, usually close relations. This meant that when a landowner died his estates could not be taken into wardship if his son was a minor since he was not possessed of his lands on his death.⁴⁹ Hence the crown could not grant the lands to a stranger who might strip the lands of its assets during the minority of their heir. When the heir came of age the lands would be conveyed to him by the group of feoffees with only the payment of a relief.⁵⁰

Attempts had also been made to avoid alienation fines; a fine paid to the supreme owner of land, the king, before it could be alienated. The officer responsible for the levying of these fines and detections of breaches in the alienation procedure was the escheator who used a series of inquisitions returned to chancery to gather his information.⁵¹ Antrim and Down fell under the control of the escheator for Ulster, George Sexton. Sexton, a secretary to the lord deputy, was appointed escheator in 1605 and in 1612 attempted, unsuccessfully, to have himself elected M.P. for Cavan.⁵² Much of his own estate, which he had accumulated piecemeal from Magennis and Con O'Neill, lay in Down. Sexton's acquisitions were of dubious legality for he used his position as escheator to ignore alienation procedures and purchase land at advantageous rates. An inquisition taken at Downpatrick in April 1632 revealed Sir Arthur Magennis had alienated land to Sexton on 29 November 1617 for which no fine was paid. In 1623 it was revealed that Magennis had alienated more land illegally to Sexton and a pardon granted to Sexton's heir after his death in 1632 detailed six alienations which were unrecorded.⁵³ With this sort of supervision evasion of feudal

⁴⁹ Bell, Courts of wards, pp 3-4, 13-14; for examples, P.R.O.I., RC9/1, no. 3; Cal. S.P. Ire., 1611-14, p. 321; Cal. pat. rolls, Ire., Chas. I, pp 520, 545.

⁵⁰ This situation could cause problems if the reconveyance was not made but only one case of this in east Ulster over Bagnall's lands, P.R.O., c3/332/15.

⁵¹ Bell, Court of wards, pp 38-45; SP63/216/4.

⁵² Cal. pat. rolls, Ire., Jas I, p. 86; SP63/232/23; Cal. S.P. Ire., 1608-10, p. 79; Cal. S.P. Ire., 1611-14, p. 443.

⁵³ Cal. pat. rolls Ire., Jas I, pp 194, 304-5; Cal. pat. rolls Ire., Chas I, pp 233, 604; T.C.D., MSS 644, f 120; Inq. Ult., Down Chas. I, no. 30; P.R.O.I., Lodge MSS, Wardships and Alienations, i, p. 131; P.R.O.N.I., D765/5. Sexton spent most of his time in Dublin. J.T. Gilbert, A history of the city of Dublin, ii (Dublin, 1859), p. 171.

incidents was easy. What was required was a general tightening of royal authority and administration in the counties; a process which was begun in east Ulster in the late 1620s and was later intensified by Wentworth.

By 1627 a number of reforms in the local organisation of wardships, such as the reorganisation of the escheatorships and the creation of central commissioners, which had been suggested by William Parsons, master of the court of wards, in 1622, began to affect east Ulster. In 1627, for example, commissioners from the reformed court of wards were inquiring into wardships in Down and in at least one case they did press to see if a wardship could be found.⁵⁴

One of the features of this new regime was the more efficient way in which the crown's land rights were monitored by inquisition. In the late 1620s a series of inquisitions in east Ulster detected unlicensed alienations of land which had remained hidden up to eleven years. For example one inquisition taken at Carrickfergus on 18 May 1628 uncovered an illegal alienation made by Shane McBriar O'Neill in September 1615.⁵⁵ One series of inquisitions taken at Ballymena and Carrickfergus between 23 August 1634 and 18 March 1635 revealed well over one hundred cases of illegal alienations, undetected wardships or liveries unsued which had been concealed by the earl of Antrim.⁵⁶ So great was the backlog of business of wardships and alienations that one inquisition post mortem held in Down on 17 September 1627 had to establish ownership of the land of Donagh Magrory who had died in August 1599.⁵⁷ Something of the impact of the reforms of the 1620s and 1630s is illustrated by the case of William Adair of Ballymena who died on 4 November 1626. Within five months his lands had been surveyed by the commissioners from the court of wards.⁵⁸ The business of the court of wards mounted rapidly in east

⁵⁴ H.M.C., Various, v, pp 124-5, 130; on this point generally, V. Treadwell, 'The Irish court of wards under James' in I.H.S., xii (1960-61), pp 15-24; H. Kearney, 'The court of wards and liveries in Ireland' in R.I.A. Proc., lvii, sect. C (1955), pp 32-7; the 'revival of feudalism' in Caroline England is yet unstudied but two articles are of value, H. Leonard, 'Distraint of knighthood: the last phase' in History, lxiii (1978), pp 23-37; G. Hammersley, 'The revival of the forest laws under Charles I' in History, xxxxv (1960), pp 85-102.

⁵⁵ P.R.O.I., Lodge MSS. Pardons of alienation, i, pp 169, 170.

⁵⁶ Inq. Ult., Antrim, Chas I, no. 14, 16-105, 109, 110; P.R.O.I., Lodge MSS. Pardons of alienation, i, pp 174-7; T.C.D., MSS 644, ff 86-9.

⁵⁷ Inq. Ult., Down, Chas I, no. 6; T.C.D., MSS 648, f 143.

⁵⁸ Inq. Ult., Antrim, Chas I, no. 4.

Ulster from the mid 1620s to reach a peak under the administration of Wentworth in the 1630s.⁵⁹ Personnel changes aided this increased efficiency, the inefficient George Sexton being replaced in April 1629 by two escheators for Ulster, Edmund Perceval, a cousin of the Dublin clerk of wards, and Jonas Querle.⁶⁰

This extension of central government influence into Antrim and Down through officials of the reformed court of wards disturbed some of the greater landowners who were zealously protective of the 'rights' which they had acquired. Arthur and Mabel Bagnall at Newry attempted to avoid wardship by nominating, in 1634, guardians for their son, Nicholas, should they die before he attained his majority but they failed in the attempt to have this arrangement recognised at law.⁶¹ Many east Ulster landlords simply refused to acknowledge that the Dublin administration had any control over their lands. Some refused to pay the semi-feudal dues demanded of them. On the death of Thomas, Lord Cromwell, in 1609 the earl of Kildare claimed part of Cromwell's lands and established an inquisition to determine the rightful heir. The inquisition upheld the rights of Edward, son of Thomas Cromwell, and levied on him a livery of £100. Edward delayed payment, presenting a number of excuses and asking for more time. This was not a state of affairs approved of by the Dublin administration and in 1617 the exchequer ordered all liveries to be paid within six days of the return of an inquisition post mortem to chancery on pain of forfeiture of the land in question. Within a week Cromwell paid his livery.⁶² The reactions of others to the demands of central administration were less guarded. The earl of Antrim, for example, by 1635 owed the king £1000 in alienation fines which he refused to pay.⁶³ Sir James Hamilton responded to the increased presence of

⁵⁹ Appendix III.

⁶⁰ Liber mun. pub. Hib., i, pt 2, p. 58; Sexton died in Mar. 1631, B.L., Add. 4820, f 239; P.R.O.N.I., D765/5; H.M.C., Egmont, i, pt i, pp viii-xi; D.N.B., sub-nomine.

⁶¹ P.R.O.I., Lodge MSS, Wards and liveries, i, p. 29.

⁶² P.R.O.I., Ferguson MSS, xi, pp 180, 181, 183, 222-3, 257-8, 262; Lodge MSS, Wardships and alienations, i, p. 96.

⁶³ Strafford, Letters, i, p. 517. By 1639 he owed £700 to the court of wards and £400 to the king, Strafford, Letters, ii, p. 358.

Dublin officials by attempting, using his influence with the king through an old friend, James Fullerton, to have escheators barred from his estates.⁶⁴ The increased government efficiency in the administration of the counties of Antrim and Down was not liked by most landlords and the Dublin administration realised that it would be impossible to keep landowners under coercion for long. Landlords had to be encouraged to see the county as the main unit of life, rather than their individual estates. Such a transformation was to be brought about by the machinery of local government, since this worked on a county basis.

Antrim and Down had had the territorial and administrative organisation for English style local government since medieval times. The central figure in this local government was the sheriff who was responsible for carrying the king's government into the county; receiving and implementing royal writs, including those for election, collecting royal revenue from his county and presiding over the quarter sessions. He had to be trusted by the local gentry and also had to wield substantial local power which central government could, hopefully, harness. This explains the appointment of Shane McBrian O'Neill as captain of Lower Clandeboy in 1583 since he was 'chief of his name'.⁶⁵ All the sheriffs of Antrim in the early seventeenth century were drawn from the major landed families of the county as were most of those of County Down.⁶⁶ A few Down sheriffs, James Peckham and Piers Pulpbereigh, were not landed proprietors in Down but were appointed due to court influence or nominated by Down landowners. This effective limitation to the few men of considerable local influence meant that some men held office a number of times; Sir Hugh Clotworthy was sheriff of County Antrim three times between 1600 and 1641 and the Hill family held this office twice.

The greater part of the work of the sheriff was carried out by sub-sheriffs, substantial landowners who were representative of their local community.⁶⁷ In 1641, for example, the sub-sheriffs for County Down were

⁶⁴ N.L.S., Delmilne MSS, 5, no. 135.

⁶⁵ Fiants Eliz., no. 4201.

⁶⁶ P.R.O.N.I., D302; Anon, 'High sheriffs of the county of Antrim' in U.J.A., 2nd ser., xi (1905), pp 78-83.

⁶⁷ A sheriff was allowed to appoint, at his own expense, four sub-sheriffs for each county who were to live not less than twelve miles apart, 10 Car I, s.2, c.25.

Sir Con Magennis of Newcastle, Daniel Oge Magennis of Glasscoe, Edmund McBrien Oge Magennis of Iveagh, Captain Patrick Owney of Kilwarlin and Michael Grave of Newry; all men of some importance but not in the upper ranks of landed society.⁶⁸ Prior to the authorisation of sub-sheriffs the sheriff was assisted by these men as in 1584 when one of the conditions of a grant to Sir Arthur Magennis was that he would assist the sheriff in his duties.⁶⁹

The sheriff was also aided in the enforcement of the law by the justice of the peace.⁷⁰ In the sixteenth century the functions of the justice of the peace in east Ulster were carried out by the governor of Clandeboye but by the early seventeenth century the office was made distinct by the efforts of the lord deputy, Sir Arthur Chichester, who saw the need for a body of reliable men to enforce peace in the localities.⁷¹ The function of the justice of the peace was the maintenance of law and order, if necessary preventing disorder before it occurred by taking recognisances for the peace from potential malefactors such as Sorley James Macdonnell, nephew of the earl of Antrim, and 'other traitorous rebels in Scotland' who arrived in Antrim during 1617. The possibility of a breach of the peace arose and so a justice of the peace, Sir Fulke Conway, demanded that Sorley's uncle enter into recognisances of the peace for his nephew.⁷² The main work of the justice of the peace was done not as an individual but as one of the body of justices at the quarter sessions. The sessions met at least four times per annum although there was no rigid rule for the sessions for County Antrim met on five occasions in 1629.⁷³ The sessions were summoned by the sheriff and met in

⁶⁸ T.C.D., MSS 837, f 12.

⁶⁹ P.R.O.I., Thrift MSS, no. 114; Ferguson MSS, xii, p. 15.

⁷⁰ The J.P. in Ireland was a sixteenth century development deriving from two medieval English statutes applied to Ireland by 10 Hen. VII, c.22, cf. R. Frame, 'The judicial powers of the medieval keeper of the peace' in Ir. Jurist, n.s., ii (1967), pp 319-22, 326. For instructions to J.P.s., Desiderata Curosia Hib., i, p. 20.

⁷¹ For example, taking pledges for good behaviour, G.A. Hayes-McCoy, Scots mercenary forces in Ireland (London, 1937), p. 252; SP63/217/67.

⁷² P.R.O.I., Ferguson MSS, xi, p. 242; Acts privy council, 1615-16, p. 632; Cal. pat. rolls, Ire., Jas I, p. 314. For other examples, B.L. Harley 2138, f 175; R. Bolton, A justice of peace for Ireland (Dublin, 1638), bk i, pp 229-46.

⁷³ Bolton, Justice, bk ii, p. 1; SP63/249/1517.

the county towns, Carrickfergus in Antrim, and, initially, Newry in Down but this was moved to Downpatrick in the 1630s. The workings of quarter sessions were demonstrated in 1641 when five sessions were held in County Down by the sheriff to deal with rebels. A jury was impannelled and sworn and then 'writs were legally indicted before a lawful jury' against the accused. Writs were then issued against the rebels to appear at a Dublin court since the quarter sessions felt the rebels' offence was too great to be dealt with locally.⁷⁴

The composition of the body of justices of the peace was determined by the commission of the peace issued to each justice after he took the Oath of Supremacy and loyalty as a justice of the peace. Justices of the peace could only be created on advice from those already in the commission and the assize judges who knew the counties.⁷⁵ A cross section of the structure of the commission is provided by a list of the mid 1620s.⁷⁶ The commission was small, only thirteen members for each county and the possibilities for expansion, as seen by the compiler of the list, were limited to three more men in Antrim and six in Down. In an English context this was a very small grouping. Cheshire, until 1625, had between sixty and eighty people on the commission after which it fell to about forty-five. The reason, as for the office of sheriff, was the limited number of gentry available to fill places. The justice of the peace had to be a substantial landholder in order to impose his authority in the localities and this included a number of prominent Irishmen such as Henry O'Neill in Antrim and Sir Hugh Magennis in Down. Significantly a number of the 'declining' families such as the Savages and the Russells were not included. Backing by an important landed magnate in a locality could ensure that a person became a justice of the peace so that Archibald Stewart, the land agent of the earl of Antrim, was a justice of the peace, as was Henry Spenser, an agent on the Conway estate. The commission to Archibald Edmonston was certainly due to the influence of his brother in law, Lord Clandeboy.⁷⁷

⁷⁴ T.C.D., MSS 837, ff 35-7.

⁷⁵ Bolton, Justice, bk i, pp 5, 7-8; Cal. S.P. Ire., 1611-14, p. 434.

⁷⁶ T.C.D., MSS 672, f 186^v.

⁷⁷ H.M.C., Various, v, p. 130.

The only time that the officials of central government impinged on the counties at regular intervals was the visitation of the justices of assize; the watchdog of central administration in the counties and the way in which central policy was explained in the localities. There were sporadic assizes in east Ulster during the late sixteenth century but it was 1605 before regular assizes made their appearance.⁷⁸ The sixteenth century assize circuit on which Antrim and Down lay was remodelled and there is definite evidence that assizes operated in east Ulster in 1605, 1609, 1611, 1612, 1613, 1615, 1616, 1619, 1622, 1624 and 1625, demonstrating a regular pattern of visitation.⁷⁹

The functions of the assize was to deal with both criminal and non-criminal cases. Most minor cases were dealt with at the quarter sessions leaving only a few to be dealt with at the assize. The assize also enforced the recusancy laws by fining recusants presented by the jury. Those jurors who refused to present recusants, such as John Magennis of Coroge, County Down, or Brian Oge Magennis, were sent to Star Chamber in Dublin to be dealt with.⁸⁰ The jury, of about sixteen men, was the key element in the assize for it was they who provided the information against the accused who was then called to the bar, judged and, if necessary, sentenced. In non-criminal cases the assize represented the Dublin courts in the counties dealing with such cases as a lord sueing for distraint of a tenant's goods or for payment of rent or to use the court to arbitrate in cases of disputed land. This was more convenient

⁷⁸ For example, Cal. pat. rolls Ire., Eliz., p. 25; SP63/171/21; Fiants Eliz., no. 5769.

⁷⁹ For the sixteenth century circuit, SP63/171/21; and the remodelling, Cal. S.P. Ire., 1603-6, pp 321, 323; for various assizes, Cal. S.P. Ire., 1603-6, p. 321 (1605); SP63/226/96 (1609); P.R.O.I., Ferguson MSS, ix, p. 15 (1611); Thrift MSS, no. 255 (1612); Ferguson MSS, ix, p. 103 (1613); Cal. S.P. Ire., 1615-26, pp 65, 127 (1615, 1616); H.M.C. Egmont MSS, i, pt i, pp 50, 53 (1617); P.R.O.I., Ferguson MSS, ix, pp 145, 147, 186, 222 (1619, 1622, 1624); Blair Autobiography, p. 78 (1625). In England assizes were normally held twice per annum (J.S. Cockburn, A history of the English assizes (Cambridge, 1972), pp 23-4). A similar order existed for Munster and Connacht (Cal. S.P. Ire., 1608-10, p. 154) but in Ulster the norm was one visit per year (J.F. Ferguson, 'The Ulster roll of gaol delivery' in U.J.A., 1853, i(1853), pp 260-61).

⁸⁰ H.M.C., Egmont MSS, i, pt i, pp 50, 53.

than going to Dublin but it was by no means cheap. The petition of Ferdoragh Magennis to the lord deputy in 1636 stated that he had spent £20.8*s.0d.* to take a case on tithes to the Down assize.⁸¹

The system in Antrim and Down appears to have been quite efficient. The return of fines from the Lent circuit of 1616 by the sheriffs of Antrim and Down showed Down returning £541.6*s.8d.* and Antrim £452.15*s.6d.*⁸² These represented the second and fifth highest of all the returns yet there is nothing to suggest that east Ulster was more lawless than any other area so the high sums probably reflect an effective judicial system. It was not, however, perfect for much depended on the actions of juries in returning people for trial. The lord deputy complained in 1627 that the common law was being threatened by the inhabitants of Antrim and Down who would not find bills of indictment no matter how strong the evidence was. The power of the local community was stronger in some cases than that of the judicial system.⁸³ Such a power was feared by two members of the Russell family, small but significant old English landowners in Lecale, who were accused in 1628 with Dr Duinegan, titular bishop of Down, of recusancy. They agreed to a trial but asked that the jury should not be drawn from County Down for they had enemies there.⁸⁴

There was a spiritual counterpart of the assize: the visitation. Visitations were held in east Ulster in 1622, 1634, 1636 and 1638.⁸⁵ On these occasions the bishops could transmit royal policy to their clergy, mainly through the visitation sermon. In 1638, for instance, Bishop Leslie of Down and Connor preached his sermon at Lisnagarvey on the evils of the Scottish Covenant and condemned laity and clergy for not enforcing tighter controls on non-conformity.⁸⁶ It was also a chance for the bishop to take stock of the state of his diocese and ensure ecclesiastical legislation and courts were operating.

⁸¹ Bodl., Rawlinson C439, ff 100, 123, 129^V, 216, 227.

⁸² SP63/243/18E.

⁸³ SP63/244/618.

⁸⁴ Cal. S.P. Ire., 1625-32, p. 330.

⁸⁵ P.R.O.N.I., T975/1; H. Leslie, A treatise of the authority of the church (Dublin, 1637); ibid., A full confutation of the Covenant lately sworn (London, 1639).

⁸⁶ Ibid., pp 2-3.

Central government was prepared to let a number of problems be dealt with at a local level. The earl of Antrim, Lords Conway and Hamilton and Sir John Clotworthy were made responsible for the apprehension of malefactors on their own estates. They were allowed to construct gaols to which suspects could be committed by the seneschal of the manor court, usually the lord's agent, and the gaol delivered at the assize.⁸⁷ The government was also prepared to allow the licensing of alehouses to be dealt with locally. In Antrim and Down John and James Clotworthy, the sons of Sir Hugh, were licensed to control the sale of wines and spirits but by 1635 this system was replaced by an assize of alehouses conducted by local justices of the peace, as was the practice in England.⁸⁸

Much of this system of local government outlined above did not work as efficiently as it might have done in Antrim and Down because of a lack of effective administrative personnel to run it and resistance to some of its activities by the landed gentry of east Ulster. Although most landlords wanted local offices for their prestige value they were less than enthusiastic about carrying out their duties. A group of professional administrators were lacking in the counties to assist the landlords. The office of clerk of the peace was a vital one for he drew up the processes and acted as clerk to the quarter sessions and so would require a sound legal training.⁸⁹ This office in Ulster was held from 1603 to 1612 by George Sexton and after this jointly with Mathew Ford.⁹⁰ There is no evidence that either of these men had any legal training, and certainly neither attended an inn of court. Sexton was also a justice of the peace for Down and a singularly inefficient escheator. The sort of problem which this could cause was illustrated in 1637 when the estate of Turlough McManus was escheated after his conviction for manslaughter. The attainer had been certified in the office of the clerk of the exchequer but nothing could be done to resume the lands because of faulty information provided by the clerk of the peace in Down.⁹¹ The shortage

⁸⁷ Report on manor courts, H.C. xv (1837), pp 291, 300, 303-4, 508; most of these rights had disappeared in England, Cockburn, Assizes, pp 27, 86.

⁸⁸ Cal. pat. rolls Ire., Chas I, p. 450; SL, 15, no. 234. 10, 11 Chas I c. 5

⁸⁹ Bolton, Justice, bk ii, p. 6.

⁹⁰ Liber mun. pub. Hib., i, pt ii, p. 173.

⁹¹ P.R.O.I., Ferguson MSS, xii, p. 383.

of settler personnel meant that natives were taken on for some minor offices. This caused some confusion, because many natives were not fully acquainted with the niceties of the common law. In 1634, for example, Henry Spencer of Inishloughin brought an action of ejectment against Francis Hill of Castlereagh and three of his tenants for the townland of Clontokelly and judgement was given for him. On an appeal to chancery in November 1634, it was revealed that the sub-sheriff involved, Rory McEver Oge Magennis, had failed to serve notice of the case to be commenced against Hill, because he did not know he had to and so the suit was void.⁹²

By 1641 the central government had made some impact on the situation which King James had created by his east Ulster grants of land and exceptional powers to ambitious men in the first decade of the seventeenth century. The administration had to feel its way delicately in its relations with the east Ulster landlords. By 1620 the crown was surer of the royal title to Antrim and Down than it had been in 1605. By the 1630s the crown's representatives for collecting revenue and monitoring land transactions in the counties were working more effectively than a decade previously. The judicial administration was working as efficiently as could be expected given the limited local resources it had. Regular royal officials, the justices of assize, were also frequently present in east Ulster. Yet little of this consolidation impinged on the major landowners. They resisted attempts by central government to erode their rights, the earl of Antrim being accused in 1638 of wanting to be a Count Palatine because of his successful resistance of royal encroachment.⁹³

⁹²P.R.O.I., Thrift MSS, no. 114.

⁹³SL, 10, f172.

II

The settlers were not the only group in Antrim and Down with which the central administration had to deal. There were also the native Irish and the remnants of the late sixteenth century settlement by catholic Scots from the Isles in the glens of Antrim. This latter group were considered synonomous with the Irish. Sir Arthur Chichester described them as 'a very savage and heathenish, speaking Irish, wavering and uncertain, better affected to this [Irish] nation than to us, liking their manners and dissolute living better than our justice'.⁹⁴ Both groups, Scots and Irish, were potentially equally disloyal and hence treated equally. The treatment of the native Irish in the early seventeenth century was governed by the late sixteenth century experience of the natives in Antrim and Down. The view of Sir Francis Stafford, the government's main source of information on Ulster in the 1590s, of the Ulster natives in 1601 was that they were 'perfidious, ungrateful and apt to wind with every innovation' and not to be trusted.⁹⁵ Stafford hoped for reformation of some natives, especially O'Hanlon and Magennis. This possibility of reformation was a significant part of the thinking of officials dealing with east Ulster. Sir Henry Bagnall emphasised how his father, Sir Nicholas, through his settlement at Newry had won over Sir Hugh Magennis from allegiance to O'Neill to hold his lands from the queen. Even Sir John Perrot believed that the Irish could be won over to hold their lands from the queen and he tried to implement such a view in the 1580s. An account of the state of the realm made by the lord deputy in 1594 went as far as to emphasise the loyalty of the Antrim and Down natives and to argue that they were only in rebellion because of pressure from Brian Mc Art O'Neill, the earl of Tyrone's nephew. In 1596 the governor of Carrickfergus, Charles Egerton, was so convinced of the loyalty of Neale McHugh O'Neill, the lord of Lower Clandeboy, that he put him in charge of Belfast Castle, a key strongpoint in the defence of the whole of east Ulster. The problem was how to win the natives away from Tyrone, a dilemma to which one of a series of questions propounded by the lords of the council in

⁹⁴ Cal. S.P. Ire., 1601-3, p 321.

⁹⁵ Ibid., p. 117.

1598 for the prosecution of the rebels in Ulster addressed itself.⁹⁶ This policy of winning the natives of Antrim and Down away from O'Neill showed itself in the 1598 grant of the castle of Belfast to Sir Ralph Lane, an inveterate coloniser and expert on military fortification, when he was instructed 'to take from the woodmen of these parts, such bonnaughts as they have answered to the earl of Tyrone or the Scots, if you can win the good will of the captains of those countries'. Tyrone, on the other hand, claimed authority over Antrim and Down and was prepared to exercise it.⁹⁷

The central government had considerable justification for this attempted reformation. In the late sixteenth century many east Ulster lords were moving away from 'traditional' gaelic culture. One Down poet, Fearflatha O'Gnimh, complained that local lords no longer patronised the poets there and in the 1580s at least one Down poet had transferred his loyalties to the O'Byrnes of Leinster. There is even positive evidence of the acceptance of English influence in a praise poem written by O'Gnimh to Queen Elizabeth.⁹⁸ The analysis was also reasonable on the basis of the political geography of Ulster in the late sixteenth century. The earl of Tyrone's lines of communication were rarely strong enough for him to reach into Antrim and Down and so these two counties were regarded as separate from his main area of control. In 1573, for example, O'Cahan in north Derry was 'wearied with Turlough Lenoghe's impositions and wanted to bring all his cattle over the Bann into Clandeboy' where he might hold his land at a fixed rent from the queen 'and be rid of Turlogh and the Scots'.⁹⁹ The Bann was seen as the dividing line. The archbishop of Cashel argued that fortifying the Bann would stop the Scots moving from

⁹⁶ Cal. Carew, 1575-88, pp 436-7; Cal. Carew, 1589-1600, pp 28, 93, 288; Perrot, Chron. Ire., 1584-1608, pp 35-6; SP63/53/46-7; SP63/188/67V.

⁹⁷ Fiants Eliz., no. 6235; Hayes-McCoy, Scots mercenary forces, p.79.

⁹⁸ L. McKenna (ed.), Aihtdiohghuim dána, i (Ir. Texts Soc., Dublin, 1938), no. 72; P. Walsh, 'Worth and virtue unrequited: an Irish poet and the English' in I.E.R., 5th ser., iii (1928), pp 10-22; P. de Brún, B. Ó Buachaille, T. Ó Conchearnaim (eds), Nua dhuanaire, i (Dublin, 1975), no. 1; T.F. O'Rahilly (ed.), Measgra Dánta, ii (Dublin, 1977), nos 54-5; S. McAirt (ed.), Leabhar Branach (Dublin, 1944), p. 363.

⁹⁹ B.L., Add. 48015, vol. 16, ff 305-15; SP63/48/58.

Clandeboy to Tyrone.¹⁰⁰ The political geography of Antrim and Down was controlled by whoever could muster the most strength at any one time. In late 1579 and early 1580 Magennis resisted attempts by Turlough O'Neill to push him into rebellion because there was an English garrison on his doorstep at Newry. In August his refusal to defect resulted in a major raid on his lands by Turlough. On 29 August he wrote to Lord Deputy Grey asking for aid but none came so by 4 September Magennis was forced into rebellion.¹⁰¹ A similar pattern of events surrounds the involvement of Magennis in the Nine Years War. In the late 1580s Magennis had repeatedly complained to Dublin that O'Neill was raiding his lands and these complaints culminated in April 1593 when he warned Bagnall that Tyrone was planning a rebellion. Rebellion broke out in late 1593 and by August 1594 Antrim and Down had been swamped by Brian McArt O'Neill although Magennis had not yet gone into rebellion he was paying 'protection money'. As Fynes Moryson observed of the outbreak of the war: 'those of Lecale and Little Ards be for the queen but overcome by Tyrone they were forced to give way to him'.

The government recognised this fluctuating state of power and attempted to keep the Irish of Antrim and Down on their side by becoming actively involved in local controversies in the hope of being able to manipulate the situation. The dispute over the Magennis succession in 1596 provides an example of government action in this way. Sir Hugh Magennis died on 12 January 1596 leaving his eldest son, Sir Arthur, appointed as a successor but Glasney McAwley Magennis of the Clanconnell branch of the family, backed by Tyrone, claimed succession by the traditional Gaelic inheritance custom of tanistry. The government in Dublin backed Sir Arthur while still conciliating Glasney McAwley so that by 1599 not only was Sir Arthur holding his father's lands but Glasney had agreed to serve the queen; all trace of Tyrone's influence in Magennis politics had gone.¹⁰² In 1575 the government

¹⁰⁰ Cal. S.P. Ire., 1588-92, p. 492.

¹⁰¹ Cal. S.P. Ire., 1578-85, pp 202, 204, 246; SP63/76/7; Bagwell, Tudors, iii, p. 64.

¹⁰² Cal. Carew, 1589-1600, pp 136, 180-81; Cal. S.P. Ire., 1592-6, p. 457; Cal. S.P. Ire., 1600, p. 25; E.D. Atkinson, 'The Magennises of Clanconnell' in U.J.A., 2nd ser., 1 (1895), p. 31; Cal.S.P. Ire., 1598-9, p. 169; Cal. pat. rolls, Eliz. p. 502,

tried to deal directly with the O'Neill faction as part of a proposal to guarantee the succession of Hugh O'Neill to the title of earl of Tyrone on the death of Turlough if he would keep to the west of the river Blackwater, in County Armagh, and leave McMahon and Magennis alone.¹⁰³ Needless to say the plan did not succeed.

Given, therefore, that the natives of Antrim and Down could be reformed if they were won away from Tyrone the mechanism of this reformation has to be discussed. The sixteenth century writers on Antrim and Down all agreed that the crucial relationship was that of master and man. In 1576 the government's response to Magennis's petition to hold his lands from the queen was that he should hold his own lands and be made a baron but that he should erect many freeholders in his country to hold lands not from him, but from the queen directly in order to counterbalance his power. Sir William Weston in his analysis of the methods for the reformation of Down in the 1590s concluded that the creation of freeholders was the best way to enforce law and order in the counties.¹⁰⁴ Large numbers of freeholders holding directly from the queen meant that the greater gaelic lords could no longer command large hostings in the field since their number of dependants were greatly reduced and it also curbed their prestige since this was measured by the numbers of their followers. There were a number of attempted territorial redistributions in the sixteenth century which tried to create freeholders. In 1589 and 1592 there was a redistribution in Clandeboy when those gentlemen who were previously lords under Shane Oge Neale O'Neill were created freeholders who owed allegiance directly to the queen.¹⁰⁵

The idea of a reformation by making the tenant less dependent on his lord than hitherto and, hence, stopping the 'tyranny' of the greater sixteenth century lords was carried into the seventeenth century. In March 1605 Chichester issued a proclamation decreeing that all the

¹⁰³ SP63/65/7; Cal. pat. rolls Ire., Eliz., p. 502.

¹⁰⁴ SP63/171/21; Cal. Carew, 1575-88, p. 36.

¹⁰⁵ SP63/140/61; SP63/167/39; Perrot, Chron. Ire., 1584-1608, p. 36; Healy, Stolen waters, pp 30-31.

inhabitants of Ulster were free, natural and immediate subjects of the king and not the natural followers of any lord, confirmed the policy of land redistribution in Monaghan and began settlements along similar lines in Cavan and Fermanagh. A new concept developed of the nature of the lord's power over his own tenants which emphasised the contractual nature of the relationship. The 1606 patent to Sir Randal Macdonnell stipulated that every tenant should be a free suitor to the manor court, a clause not included in the other two patents of 1603 and 1605, because by 1606 both Chichester and Davies were worried about the control which Sir Randal was exercising over his tenants. Chichester was complaining that on the Macdonnell estate freeholders responsible to the queen should have been created.¹⁰⁶ The manor court was a way in which the tenant could exercise his contract with the lord. As late as 1610 Chichester was committed to 'breaking the faction of great men in this kingdom'.¹⁰⁷ In Down he put this into effect using the 1606 Commission of Defective Titles.

By the early seventeenth century the only major Irish family left in east Ulster to be dealt with was that of Magennis. Conn O'Neill had already been reduced to a third of his previous territory in north Down by the settlement in 1605 with Hamilton and Montgomery. In Lower Clandeboy the problem of the natives had been solved in the late sixteenth century by splitting the lands between the two contenders for the lands, Shane McBriar O'Neill and Neale McHugh O'Neill. After Neale's death his share was split between his two sons Neale Oge and Hugh O'Neill. This meant that the O'Neill septs of Clandeboy were so fragmented that they had little power and so they could be ignored. In eastern Down the power of the McCartans was severely weakened by the sale of half their land to Lord Cromwell in 1605.¹⁰⁸ Thus by the time of the 1606 commission most of the major gaelic families had already declined and there was no necessity to reduce their power even more. The one major exception to this was the Magennis family.

¹⁰⁶ Erck., p. 247; A.B. Grossart (ed.), The work of Sir John Davies, iii ((London, 1876), p. 127; SP63/215/15; Cal. S.P. Ire., 1603-6, p. 503; Bodl., Carte, 62, f 556.

¹⁰⁷ SP63/229/108.

¹⁰⁸ Erck., pp 191, 202.

The idea of the defective title suited both native and crown, the king's letter of April 1605 to Sir James Hamilton for his lands in north Down underlined the power of the crown to grant lands in Antrim and Down. Although Magennis held his lands of the crown by patent, it could be argued that this was now invalid by virtue of rebellion. Thus it was in Magennis's interest to have his title confirmed and so, probably in June 1605, he actually requested a surrender and regrant of his lands.¹⁰⁹ The lord deputy and council appointed thirteen of Sir Arthur's most substantial freeholders to hold their lands directly from the crown. The scheme was completed by 10 January 1609 and forwarded to Sir Arthur Magennis, who was to divide the lands under the supervision of Sir Robert Jacob, the solicitor general. Jacob ensured that Sir Arthur Magennis received no more land than that stipulated by the order of January 1609. The essence of the scheme was that it 'will so weaken him and raise up so many opponents against him that he will never be able to make any strong party if freeholders patents shall once be made and the county quiet but two or three years'.¹¹⁰ This view was strongly endorsed by Lord Deputy Chichester who felt that it would keep Sir Arthur and his dependants within the rule of the common law and ensure that the crown rent was paid.¹¹¹ On 10 December 1609 the commission was issued to receive the surrender of the lands of Iveagh, the surrender being made on 8 June 1610. As soon as the surrenders had been made the king issued a letter on 26 June which was a warrant to pass the patents for the settlement which were issued between 10 December 1610 and 22 February 1611.¹¹² A second method of bringing the natives to 'civility' lay in the education of the new generation of the greater lords' sons. Arthur Magennis, son of Sir Arthur, was sent to England by the Irish privy council in order to be educated properly 'to do his majesty and his country service being a gentleman of more than ordinary note in his country, and on whom a fair inheritance is likely to descend'.¹¹³ He was sent by the

¹⁰⁹ SP63/217/47.

¹¹⁰ Cal. pat. rolls Ire., Jas I., pp 394-6; Cal. S.P. Ire., 1608-10, p. 469.

¹¹¹ SP63/226/96; SP63/229/106, 1, 114; Cal. S.P. Ire., 1608-10, p. 193.

¹¹² Cal. S.P. Ire., 1608-10, pp 469, 564; Cal. pat. rolls Ire., Jas I., pp 112, 181, 190-91, 193, 195; P.R.O.I., Ferguson MSS, xii, pp 187-8.

¹¹³ Acts privy council, 1613-14, p. 308.

privy council, to Oxford where he was to have an 'honest and religious' tutor. Three years at Oxford had little effect for 'the time he has spent there has in no way bettered him in those things which we specially desired nor had sorted to that effect as was expected', the privy council reported. Undeterred the council placed him at the Middle Temple to complete his education. A year later he returned to his father's lands at the king's command.¹¹⁴ The education of some natives had a greater measure of success for one poem of c.1630 referred to Sir Henry O'Neill of south Antrim as a man of great education and knowledge of law and learning.¹¹⁵

One way of measuring the degree of acceptance of the new systems of local government by the native Irish is the use made of its institutions to resolve disputes, especially over land. In the later sixteenth century the way in which landed disputes were settled was by arbitration by the local community who knew the traditional boundaries or, in more complex cases, such as that dispute in the 1580s and 1590s over the division of Lower Clandeboy, by bringing in an independent arbitrator, in that case the lord deputy.¹¹⁶ The new order provided an alternative method of procedure, a case in a local court or in chancery. Fifty bills of pleadings in chancery relating to Antrim and Down have survived and of these twelve (24 per cent) involve an Irishman as at least one of the litigants. It does not seem that the settlers dragged the Irish into the courts for eight of the twelve (66 per cent) suits were pursued entirely by natives. Given that a case in chancery was usually a last resort, as the procedure was long, complex and costly, this is a high figure. Acceptance of the new order to some degree was, therefore, quite widespread. When the Gilmores of Ballinclamy were attacked by the inhabitants of Hollywood shortly after the outbreak of the 1641 rebellion they did not take retaliatory action. Instead Bryan O'Gilmore, 'who was chief of the Irish which lived there upon', went to

¹¹⁴ Ibid., 1615-16, pp 157, 181, 490; H.F. MacGegge (ed.), Register of admissions to the Middle Temple, i (London, 1949), p. 490.

¹¹⁵ Lr. Cl. Aodha Buidhe, no. 23.

¹¹⁶ C. McNeill (ed.), 'The Perrot papers' in Anal. Hib., xii (1943), p. 10; Perrot, Chron. Ire., 1584-1608, p. 36; Inq. Ult., p. xlivi.

the local justice of the peace, Lord Clandeboy, who issued a warrant to prevent O'Gilmore's tenants from being molested.¹¹⁷ Other natives resorted to the common law over a wide range of matters including theft and murder.¹¹⁸

Thus by 1641 the central administration had brought the native Irish under its control. In many ways it was an insignificant triumph for the natives were declining in importance as they were forced to sell and mortgage their lands to meet increasing debts. The real problem, the growing power of settler landed society in the face of attempted centralisation by the Dublin government, remained unsolved.

¹¹⁷ T.C.D., MSS 838, f 247.

¹¹⁸ J.F. Ferguson (ed.), 'The Ulster roll of gaol delivery' in U.J.A., 1st ser., i (1853), pp 261-6.

CHAPTER 7 'THE POWER AND THE GLORY': LANDED SOCIETY.

The previous chapter analysed the reaction of 'landlords' to the activities of central government in attacking local influence. The local rights of landlords were not defined there, but it is the aim of this chapter to examine the landlords more local interests and problems and the elements which made up landed society in east Ulster. Social theorists of early modern England, such as Sir Thomas Smith or Thomas Wilson, built their classifications of society around one major theme: the ownership of land. This is hardly a surprising criterion in an inflationary age when land was the main source of wealth, political power and the principal way of storing accumulated capital. The crucial social distinction lay in the relationship between the holder of land and his immediate superior. If his immediate superior was the king then the landholder was deemed to belong to 'landed' society. In an English context Edward Gwynn described his family to Sir Simon Archer as 'anciently noble' in the early seventeenth century, yet they had only acquired their knighthood a few years previously.¹ It was, rather, the holding of land directly from the king for generations which created their nobility. Sir Francis Bacon had no hesitation in drawing a line between 'gentry', who held their land by royal patent, and 'peasantry', who held their land by lease. In an Irish context, Sir Henry Sidney, the lord deputy, described, with his English perceptions, Shane O'Neill, the landholder from the crown, and his 'peasants'.² Those who were not 'owners' of the land were, in law, workers. A gentleman, for example, was in law a husbandman if he did not hold land from the crown. John Shaw of Ballygally was described on a lease of 1634 as a 'gentleman' yet on his denization of 1625 he was a farmer.³

¹ K.B. McFarlane, The nobility of later medieval England (Oxford, 1973), p. 6.

² J.R. Lumby (ed.), Bacon's history of the reign of Henry VII (Cambridge, 1902), p. 71; SP63/16/35.

³ T. Westcote, A view of Devonshire in 1630 (London, 1848), p. 58; P.R.O.N.I., LPC 1339; W.A. Shaw, Letters of denization and naturalisation (Huguenot Society, Lymington, 1911), p. 331.

With this criterion of social stratification in operation it is clear that the primary object of those who came to east Ulster in the early seventeenth century with ambitions of social mobility (see chapter three) was to acquire land. Initially this desire was contained by grants of land in east Ulster but by the 1620s land hunger was growing again and settlers from Antrim and Down were casting their eyes elsewhere. As early as 1609 a number of east Ulster settlers, including Moses Hill, Sir Edward Trevor, Sir Foulke Conway, Lord Cromwell, and John Dalway, had expressed interest in acquiring land in the infant scheme for the plantation of Ulster, but none of them succeeded.⁴ In 1626 Lord Cromwell attempted to have lands in the plantation of Longford granted to him, but was unsuccessful and again in 1635, when proposals were made for a plantation of Connacht, he petitioned for lands.⁵ Similarly, in the 1630s the second earl of Antrim attempted to enlarge his estate by requesting that the lands between the rivers Bush and Bann, which his father had surrendered in 1610, be regranted to him, but he was unsuccessful.⁶ Others were more successful. Sir John Clotworthy, who held lands around Antrim town, acquired most of the lands of the Draper's Company in County Londonderry.⁷

Land could be acquired in three ways, by purchase, by royal grant or by mortgage. At the end of the Nine Years War the land market in east Ulster was favourable to purchasers. The finances of sixteenth century landholders were poor; most settlers being badly hit by the war. Sir Henry Bagnal, whose father, Sir Nicholas, established himself at Newry, had had his estate attacked by O'Neill, who had burnt his mills and caused tenants to flee. Sir Henry was also owed considerable sums by the crown, £4591 in 1595 for his services as marshal of the army, which the administration would not pay.⁸ By 1601 the estate was in poor condition; Sir Henry's widow, Mabel, complained that the profit from

⁴ Cal. S.P. Ire., 1608-10, pp 366-8.

⁵ Cal. S.P. Ire., 1625-32, p. 164; Bodl., Carte 64, f 3; SL, 14, f 273.

⁶ SL, 10, pt i, f 172; SL, 10, pt ii, f 22.

⁷ Moody, Londonderry plantation, p. 446.

⁸ SP63/185/21; SP63/181/27; SP63/198/8; Cal. Carew, 1589-1600, p. 116; SP63/183/34; H.M.C., Salisbury MSS, vi, pp 393-4.

the estate was small and some parts of it, such as Narrow Water, were being run at a loss.⁹ Other settlers were in a similar position. Randal Brereton, who had settled in Lecale, was having difficulty in raising the crown rent for his lands in 1592.¹⁰ The native Irish were in no better position. Conn O'Neill's, the lord of Clandeboy, uncle was imprisoned in Carrickfergus castle by Sir Arthur Chichester for debt in 1598 and Conn's father, Niall McBrian McFertogh O'Neill, was described in 1600 as 'a beggar who yesterday, being with us [Chichester and his forces], was not able to eat without the queen's entertainment'. By 1603 Conn himself was severely in arrears with the crown rent on his land.¹¹ Even after the sale of part of his lands in the early seventeenth century Conn was continually in debt. Sir Hugh Montgomery, the purchaser of a third of O'Neill's land, claimed that he had given Conn £2,000 and 'beside this Conn has received continual and daily benefits from me in money, horses, clothes and other provisions of good value and also has been chargeable unto me in divers other disbursements'.¹²

This was a situation ripe for purchase and speculation. The older inhabitants of east Ulster needed cash and the new settlers could muster it. Sir Hugh Montgomery borrowed part of the money required to purchase O'Neill's lands in Edinburgh and the rest came from a mortgage on his Braidstane lands. Sir Arthur Chichester, who purchased some land in Antrim, raised £1,700 in bonds from London and elsewhere and Sir Fulke Conway sold his English lands as well as his wife's jointure to raise money for Antrim lands.¹³ Ex-army officers, such as Sir Edward Trevor, and Lord Cromwell, who purchased land found their army pensions, payable only in Ireland, an important source of capital. Sir Edward Trevor had a pension of £96.14s.0d. per annum, which helped to build up a scattered estate in Down, and Sir Hugh Clotworthy had £91.5s.0d. as captain of the

⁹ Acts privy council, 1600-01, p. 146; Acts privy council, 1599-1600, p. 280; SP63/208/4.

¹⁰ SP63/167/66.

¹¹ Cal. S.P. Ire., 1600-01, p. 85; P.R.O.I., Ferguson MSS, ix, p. 3; SP63/102/22.

¹² J. Maidment (ed.), Letters and papers relative to Irish matters from the Balfour MSS (Abbotsford Club, Edinburgh, 1837), p. 274; Mont. MSS, pp 69-70.

¹³ Mont. MSS, p. 55; G. Robertson, A genealogical account of the principal families in Ayrshire, iii (Irvine, 1825), p. 235; B.L., Cotton Titus x B, ff 410-11v; SL, 24/25, no. 351.

king's boats in Lough Neagh.¹⁴ Others indulged in more questionable activities to raise cash for land purchase. Moses Hill, who built up a considerable but scattered estate in north Down, acquired some of his initial capital in a fraud over whiskey supplies to the army.¹⁵ Many of these early acquisitions of land in east Ulster were given the seal of respectability by being confirmed with a royal patent, such as the purchases by Sir James Hamilton and Sir Hugh Montgomery in north Down and Lord Cromwell in Lecale.

The second method of acquiring land was by direct grant from the crown by patent. To obtain a patent a king's letter had to be produced which specified the value of the lands to be granted, although by 1610 the actual lands were specified in the letter. When the king's letter was produced in chancery an inquisition was held to determine the values of the lands to be granted and when this was returned to chancery the patent was issued under the great seal. The crown's concern to establish, quickly, stability of landholding in east Ulster meant that inquisitions were eliminated and non-obstante clauses used extensively.¹⁶ This system of granting land was thus open to abuse by those who could manipulate it, such as Sir James Hamilton. The events surrounding the king's letter granted to Thomas Ireland, a London merchant, on 6 December 1604 was a case in point. Ireland paid £1,678.6s.8d. for a letter authorising a grant of unspecified land worth £100 per annum which he assigned to Sir James Hamilton on 26 February 1605.¹⁷ On this letter Hamilton obtained three large tracts of land in Antrim and Down and fragments in Meath, Mayo, Wexford, Galway, Dublin and other counties, including much church land. These large tracts were officially valued at £179.10s.11d. per annum, although worth considerably more.¹⁸ In reality the Dublin administration had little conception of land values and quality in different parts of Ireland, including east Ulster (as chapter two demonstrates). The only valuation of east Ulster prior to the early seventeenth century

¹⁴ Cal. pat. rolls Ire., Jas I, pp 101, 105, 142, 147, 367, 373.

¹⁵ Cal. S.P. Ire., 1601-3, p. 509.

¹⁶ See chapter two, pp 16-18.

¹⁷ Erck, pp 244, 83-4, 194; for Ireland's identity, Cal. border papers, 1600, p. 680.

¹⁸ Erck, pp 194-6, 210, 213-18.

had been made in 1550 and even it was not comprehensive.¹⁹ As chapter two showed the inquisition and valuation process was the product of native Irish juries whose ideas of the annual value of land were shaped not by ideas of economic rent but by the symbolic render paid to the superior lord. The 1605 jury at Antrim, for example, valued the Lough Neagh fishings at 13*s.*4*d.* per annum - a gross underestimation.²⁰

More sophisticated manipulations of the system were also possible. The system of simply granting in the king's letter unspecified lands to a certain value, much used in the early years of the seventeenth century, was open to abuse since there was no way of ensuring that the letter had not been exhausted when it was presented, short of a complete search of the patent rolls. This was difficult since record keeping in early seventeenth century Ireland was grossly inefficient, there being no central repository for official documents.²¹ Thus king's letters which had been previously used could be put through the system a second or third time. Hamilton, for example, used the letter to Thomas Ireland to pass five separate books of land and another letter, acquired in a similar way in 1605 from one John Wakeman, was still being used by him to pass land grants in the 1620s. Hamilton's activities might have remained secret but for a personal dispute which flared up in 1617 between himself and Sir Hugh Montgomery, his neighbour, and John Wilkinson, the recorder of Coleraine. As part of their case against Hamilton they brought his excessive grants to the notice of the lord deputy, Oliver St John, who ordered a list of Hamilton's lands to be drawn up but found all of them approved by royal letters.²² Suspicions were aroused and Hamilton's land acquisitions monitored so that when, in 1623, he attempted to pass a grant of lands of St Mary's abbey, near Dublin, on the Wakeman letter it was stopped.²³ Further investigations into Sir James's activities were

¹⁹ P.R.O.I., RC9/1, Ed. VI, no. 1.

²⁰ SP63/165/31 and below on native views of 'rent'; Erck, p. 213.

²¹ H. Wood, 'The public records of Ireland before and after 1922' in R. Hist. Soc. Trans., 4th ser., xiii (1930), pp 20-22.

²² Bodl., Corpus Christi 279, ff 155^v-6; Ham. MSS, p. 29.

²³ Acts privy council, July 1621 - May 1623, p. 421; P.R.O.N.I., D1071B/B/1, pp 29-30.

carried out by Wentworth, after his appointment as lord deputy, which resulted in a case in the court of exchequer. The crown resumed lands to the annual value of £79.10s.11d. granted on the Wakeman letter, which was claimed to be the value of lands passed after the letter was exhausted.²⁴ Hamilton was not alone in his manipulation of this system of royal grants. John Bramhall, the bishop of Derry and close friend of Wentworth, complained to Archbishop Laud that in Down many landlords were manipulating royal grants to acquire church land. They 'first found offices to entitle the king to this land and tithes ... [then] ... they passed them by patent from the crown, the bishops sometimes conniving'. In this way two notable Dublin speculators, John King and Thomas Hibbotts, acquired large grants of church land in Down.²⁵

The third main method by which land could be acquired was mortgage. The traditional form of mortgage in sixteenth century Ireland was the indenture of defeasance. This involved registering the debt, or principal of the mortgage, in a staple court, which was a court of record and issued a statute staple, a memorandum of the transaction. The statute staple required the loan to be guaranteed by a transfer of lands to the mortgagee.²⁶ One mortgage on the lands of Kearney in Lecale, for example, recited that Patrick Savage had mortgaged the lands from Dowltagh Smith for £90 and that the land was to be given to Savage in peaceable and quiet possession.²⁷ On the repayment of the principal the indenture of defeasance became void and the land was reconveyed to its original owner.²⁸ This system was clumsy and could lead to disputes over the value of improvements during the mortgage or the degree of damage done to the land. Tenants and small owners were reluctant to part with their land since it was their only source of income. People were reluctant to mortgage until it was really necessary.

²⁴ T.C.D., MSS 804, ff 231-2; Cal. S.P. Ire., 1615-25, p. 402.

²⁵ Shirley, Ch. of Ire., 1631-9, p. 71; Erck, pp 83-4, 24, 61-2.

²⁶ For example, P.R.O.N.I., D671/D8/1/27, 28.

²⁷ P.R.O.N.I., D552/B/1/1/38.

²⁸ For example, P.R.O.N.I., D929/F1/1A.

By the early seventeenth century the custom of mortgaging was beginning to change. Security for loans was no longer taken by physically possessing land but simply by granting the rents off any piece of land to the mortgagee by means of a deed of rent charge. The rent from the lands also paid part of the loan. In February 1634, for example, Ever Oge Magennis made a bond with Sir John Trevor for £300, in October the agreement for the passing of the rents of land was made and the deed of rent charge was drawn up in December. A similar agreement was made in 1635 between Robert Adair of Ballymena and a group of men, including James Edmonston of the Braid, in which the rent of a group of townlands was granted to the consortium until Adair's debts of £2,500 were paid.²⁹ This new custom gained wide acceptance in east Ulster. By the 1630s only five out of two hundred and twenty seven entries in the register of the statute staple, the record of mortgages under the old custom, refer to east Ulster at a time of heavy mortgaging by Antrim and Down land-holders.³⁰ The new system was easy to use at a time when most landlords needed cash rapidly, either to invest in lands or, as in the 1630s, to pay off debt. It was also closer to the English and Scottish practices of mortgaging than the older custom.³¹ This new ease of mortgaging meant that more mortgages were taken out, mainly by the declining landlords, especially the native Irish. Repayments of the principal had to be made within twenty-one years, which many native landowners failed to do, especially after the outbreak of rebellion in 1641. Failing repayment land passed permanently to the mortgagee. In this way men, such as Jerome Alexander, a Dublin lawyer, built up considerable landed estates in Down.

There were considerable legal problems with all these methods of acquiring land. A patent, for example, only granted the lands it named and in a period when townland names and boundaries were uncertain (as chapter two showed), weaknesses could be found in most land grants; a

²⁹ P.R.O.N.I., D671/D8/1/23, 25b; D929/F4/1/33; Cal. S.P. Ire., 1625-30, p. 538.

³⁰ B.L., Add. 19843 ff 3^v, 7, 33, 94, 110^v; P.R.O.N.I., D552/B/1/1/34, D929/F4/1/5.

³¹ C.F. Kolbert, N.A.M. MacKay, A history of Scottish and English land law (London, 1977), p. 319. The statute of frauds (10 Chas I, s.2, c.3 (Ir.)) gave mortgages increased legal security.

fact which Wentworth and his commission on defective titles were to exploit. Men pried into each other's grants hoping to find weaknesses which could be exploited. The title to the fishings of the Bann, for example, was reopened in 1628 by Sir Arthur Forbes, a Longford planter,³² searching Sir Arthur Chichester's land grants and finding irregularities. Loopholes in title were feared by most east Ulster settlers. John Dalway, a settler from near Carrickfergus, articulated this fear in the parliament of 1613-15 when he, noting that no act had been passed to confirm land titles, feared that settlers 'should be left prey to lawyers'; a phrase to which Sir John Everard, a prominent Pale lawyer, took exception.³³ As a reaction against this insecurity as well as against fears of central government encroachment described in the previous chapter, landholders began to consolidate their estates, including the rights and privileges annexed to the land, and entrenching the position which they had carved out in the new social order created by the settlement of east Ulster.

The physical consolidation and development of a newly acquired estate required three things: capital, tenants and a reliable system of estate management. The initial capital investment in newly acquired land, such as building, was heavy. Sir James Hamilton, for example, claimed that of £2,260 which it cost him to purchase and operate the Bann fisheries, one-fifth was spent on buildings and general improvements.³⁴ Costs for building varied on individual estates in east Ulster. At the lower end of the scale, the building at Dalway's Bawn, to the north of Carrickfergus, cost £32 for each of the four flankers in 1632; the materials not being included. John Dalway himself included a clause in a sublease of the lands of the Braid, in south-east Antrim, that a house was to be built costing at least £300. At the other end of the scale, Killeleagh castle probably cost nearer the £1,200 paid by a Tyrone settler, Sir William Stewart, for his 'fair strong castle of

³² Cal. pat. rolls Ire., Chas. I, p. 452.

³³ Commons jn. Ire., i, p. 34.

³⁴ T.W. Moody, J.G. Simms (eds), The bishopric of Derry and the Irish Society of London, i (I.M.C., 1968), pp 51-2.

stone and lime'. After a house had been built ancillary buildings, such as mills, costing about £30 each, and barns, had to be constructed. A figure of £600 was probably a realistic one for initial investment in building on an estate.³⁵

The raising of this initial capital was a major problem given the backgrounds of the east Ulster settlers (described in chapter three). Most had no lands in England or Scotland from which money could be raised, or else their estates were not large enough to provide the sums required. Even if money was raised in Scotland or England, as Montgomery and Chichester managed to do, there were problems in moving it to Ireland. In 1601 a proclamation was issued forbidding the movement of sterling to Ireland as it was feared that if too much pure English coin was moved to Ireland it would result in a loss of confidence in the more debased Irish coinage.³⁶ The instability of the Irish coinage in the early years of the seventeenth century retarded the movement of English or Scottish coin to Ireland as evidenced by the few hoards containing English or Scottish coin which are known from Antrim or Down. As late as 1629 base money, which should have been called in during 1603, was still circulating in east Ulster.³⁷ This coinage problem meant that if money was to be spent in east Ulster it had to be raised in Ireland.

Sources of capital in early seventeenth century Ireland were meagre, the main sources being the profits from speculation in land and from estates. The quickest way to accumulate capital in early seventeenth

³⁵ A.T. Lee, 'Notes on bawnes' in U.J.A., 1st ser., vi (1858), p. 131; P.R.O.N.I., D1255/3/32, box 175; R.J. Hunter, 'A seventeenth century mill at Tyrhugh' in Donegal Annual, ix (1970), pp 238-40; Perceval Maxwell, Scottish migration, pp 132-7; W.R. Scott, The constitution and finance of English, Scottish and Irish joint stock companies, ii (Cambridge, 1910), pp 338-43.

³⁶ J. Thirsk, J.P. Cooper (eds), Seventeenth century economic documents (Oxford, 1972), pp 602-3; B.E. Supple, Commercial crisis and economic change, 1600-41 (Cambridge, 1959), pp 179, 181, 187, 189, 194, 231, 250; Irish coin could not be moved to England without permission, Cal. S.P. Ire., 1625-32, p. 479.

³⁷ Steel, Tudor & Stuart proclam. ii, nos 162, 172, 173, 177; H.M.C. Various, v, p. 126; I.D. Brown, M. Dolley, A bibliography of coin hoards of Great Britain and Ireland (London, 1976), passim.

century Ireland was through land speculation. Most east Ulster settlers indulged in some speculation in the early years of the settlement to obtain capital to develop their lands. Sir Hugh Montgomery, for instance, was dealing in church land at Clogher, County Tyrone, in 1612.³⁸ The clearest example of a speculator was Sir James Hamilton, whose background as the son of an impoverished Scottish cleric meant that he had few resources to draw cash from. He had, however, a number of important personal contacts in Ireland, such as Richard Boyle, and in the English court through Sir James Fullerton, a former colleague. His influence was considerable, he even threatened to use it to stop a grant of lands to Trinity College, Dublin, if he did not receive the farm of them.³⁹ In 1604-5 he used his contacts to obtain grants of land scattered over Ireland and then, concentrating his activities on the large block of land he purchased in north Down, sold much of the scattered land to build up capital. In April and May 1606 he sold most of his lands in County Antrim to Sir Arthur Chichester, the remainder he set up as fee farm grants, probably with high entry fines, and sold his Meath lands to a Dublin official, Sir James Carroll. He speculated in land in various parts of Ireland, acquiring titles by royal grant or by finding flaws in other grantees' titles. These were then sold to build up cash reserved. By 1614 he held lands in Longford which were later surrendered to the crown for a pension of £250 per annum. He attempted to acquire lands from the imprisoned Kerry chief, Florence McCarthy Mor, in return for a pardon, but failed. The plantation scheme in the rest of Ulster also provided a fruitful field of speculation.⁴⁰

³⁸ SRO, RH 15/91/59/122.

³⁹ J.W. Stubbs, The history of the University of Dublin (Dublin, 1889), p. 33; Lismore papers, 1st ser, iii, p. 221.

⁴⁰ T.M. Healy, Stolen waters (London, 1913), pp 74-5; Cal. S.P. Ire., 1603-6, pp 72, 106, 302, 321; Erck, p. 191; H.M.C. Various, iii, p. 156; Acts privy council, 1613-14, p. 471; D. McCarthy (ed.), The life and letters of Florence McCarthy Mor (London, 1867), p. 395; P.R.O.I., CP BB 16; SI, 14 no. 201; H.M.C., Hastings, iv, p. 160.

The second main source of capital for east Ulster landlords was the resources of their own estates. In the early years of the settlement of Antrim and Down it was necessary to exploit the newly acquired lands to the maximum. Some settlers, such as Sir Arthur Chichester, leased much of their land at low rents and on long leases but with high entry fines in order to raise large sums of money quickly. Normal estate management in England fixed the entry fine at ten years purchase but in east Ulster it varied from fifty to two hundred years purchase.⁴¹ Long leases also meant that long term improvements to land and buildings could be farmed out by clauses in the lease. Other manipulations of tenurial arrangements could have a similar effect. Moses Hill, for example, used the rack rent, a flexible system of rent assessment which meant rent could be increased annually, so that by 1632 he had raised his income to almost £1,000 per annum.⁴² Most landlords exploited the incorporeal rights of their estates for potential revenue. A patent granted not only land but also rights and privileges associated with land. The 1606 patent granted to Sir Randal Macdonnell not only lands in north Antrim but

also power to have and hold the like, courts leet, view of frank-pledge, hundreds, lawdays, assizes, assizes of bread, wine and beer, waifs and strays, goods and cattle of felons and fugitives, deodans, knights fees, wards, marriages, escheats, reliefs, heriots free warrens, parties, customs ... with power also to him and his heirs to hold courts baron within each manor, and every tenant therein to be a free suitor at such court; to appoint seneschals in and for each manor and the said suitor and seneschals to do all thing customary to be done in any courts held in any other ancient manner.⁴³

⁴¹ P. Roebuck, 'The making of an Ulster great estate: the Chichesters, barons of Belfast and viscounts of Carrickfergus' in R.I.A. Proc., lxxix, sect. c (1979), pp 17, 23; E. Hopkins, 'The releasing of the Ellesmere estates' in Ag. H.R., x (1962), pp 14-28; P.R.O.N.I., T965/21; T712/3; T1030/4.

⁴² Brereton, Travels, p. 128; Mont. MSS, p. 55; E. Kerridge, Agrarian problems in the sixteenth century and beyond (London 1969), pp 46-7.

⁴³ Erck, p. 147, on this point generally, J.C.W. Wylie, Irish land law (London, 1975), pp 296-7.

Other profitable rights and customs could also be associated with land, such as the woodland rights of house boot, plowboot, hedge boot and fire boot. Similarly a deed between James Hamilton and Sir Thomas Phillips of the priory of Coleraine also included the right of one day's fishing on the river Bann:

the Monday next after the feast of St John the Baptist in every year, in which day, all fish taken in the river do of right belong to the said priory, one salmon every day, yearly, from time to time, for ever of all the fisher[men] which shall fish in said river, during the fishing time; which salmon do likewise belong to said priory. ⁴⁴

All these rights could be profitably exploited, especially the judicial ones. Manor courts could yield considerable revenues. Fines were levied on all tenants at meetings of the courts and Sir Henry O'Neill charged ten shillings for each action begun in his courts. Those who did not take their disputes to the manor courts were fined a larger sum.⁴⁵ Landlords guarded these judicial rights because of their economic value, and in times of debt sold them. This latter course was unusual for when lands were sublet the rights and profits of the courts were retained by the grantee. In 1609 when John Dalway sold the lands of the Braid, in south east Antrim, to a Down settler, William Edmonston, he retained his judicial rights. Similarly in his 1606 grant of lands to Sir Hugh Clotworthy, Sir Arthur Chichester retained the manor courts of the lands and the right to receive homage fines from all Clotworthy's tenants.⁴⁶ The profits which manor courts yielded naturally made them a source of dispute; a long running clash in the 1630s between Sir Edward Conway and another south-west Antrim landowner, Hercules Langford, centred on the right to collect the profits of the manor court of four townlands.⁴⁷ Other courts, such as the market courts, also produced considerable profit. The landlord's right to a proportion of all grain ground at the manor mill was profitable and could be leased or sold, as the earl of Antrim did, for cash. There

⁴⁴ Erck., pp 191, 231.

⁴⁵ P.R.O.N.I., D929/F2/3/9; D929/F3/3/15, 31.

⁴⁶ H.M.C., Various, v, p. 128; P.R.O.N.I., T815; D207/16/9.

⁴⁷ SP63/256/96

were limits to the exploitation of these rights. The shortage of tenants in east Ulster meant that a landlord had to shepherd those which he had acquired carefully and not exploit them. Sir Hugh Montgomery was prepared to defy the wishes of the king in 1618 because he could not 'happily wrong such tenants as are come to inhabit with me and I have set rights unto'.⁴⁸

Capital could also be obtained by exploiting the natural resources of an estate, mainly wood and iron. An English legal decision of 1568 had made most minerals, other than gold and silver, the property of the landlord and hence opened the way for exploitation. In much of east Ulster most mineral rights were farmed out by landlords in order to raise cash quickly. The salt pans and coal mines of Bonamargy, in north Antrim, were leased by the earl of Antrim to his agent, Archibald Stewart, and Henry Maxwell, the son of the archdeacon of Down, and the coal rights of Islandmagee were leased by Sir Arthur Chichester to Moses Hill.⁴⁹ Minerals which could be exploited quickly, and without heavy capital investment, such as iron, were developed. An iron works was not capital intensive, needing only a hearth where ore could be smelted between layers of charcoal. Thus iron works developed in areas where timber, ore and water were all found in close proximity.⁵⁰ Most east Ulster ironworks were small. The one at Six Mile Water in south Antrim had only three hearths which produced twenty-one hundredweight of iron per week; one ironworks in Cork could produce two hundred and fifty hundredweight per week.⁵¹ Although works were small they were also profitable. Simon Richardson, an agent on the Conway estate, around Lisburn, informed his employer that it would cost £1,000 to set up ironworks on the estate but

⁴⁸ P.R.O.N.I., T549/2; D1838/55A/83; N.L.S., Delmilne MSS 6, no. 8.

⁴⁹ P.R.O.N.I., D778/4; D778/1/1; D2977; 12 Sept. 1639, earl of Antrim to Archibald Stewart and Henry Maxwell.

⁵⁰ G. Boate, Ireland's natural history (London, 1652), ch. XVII; E. McCracken, 'Charcoal burning ironworks in seventeenth and eighteenth century Ireland' in U.J.A., 3rd ser., xx (1957), pp 123-38; *ibid.*, 'Supplementary list of Irish charcoal burning ironworks' in U.J.A., 3rd ser., xxviii (1965), pp 132-5.

⁵¹ D.R. Hainsworth (ed.), Commercial papers of Sir Christopher Lowther (Surtees Society, Newcastle upon Tyne, 1977), p. 72; T. Ranger, 'The career of Richard Boyle, first earl of Cork in Ireland' (D. Phil., Oxford, 1959), p. 148.

they would be yielding as much within the year making Killultagh, a heavily wooded area, 'a good, pleasant and flourishing country'.⁵² Three factors limited the development of iron working in east Ulster, the decline in timber by 1640, the problems in transporting large quantities of iron and the lack of skilled workers, although some settlers, such as Lord Cromwell, did import skilled iron workers.⁵³

The most important source of income for east Ulster landowners was the rents paid by the tenants on their lands. In 1627, for example, Lord Cromwell depended so much on tenant's rents that he was unable to pay his debts until rents were collected, and in 1641 some Antrim landlords were unable to pay for arms which they wished to purchase in Scotland because rents had not been paid before the outbreak of rebellion.⁵⁴ Income from rents was vital because, since demense farming was rarely practised in east Ulster due to problems of recruiting labour, landlords had to purchase their own food in markets.⁵⁵ This vital role of rent in income meant that tenants had to be selected carefully to ensure that they had the means to pay the required rent and that they would not flit, leaving large arrears. Landlords had few remedies against obstinate tenants for tenants' goods which were distrained could not be sold but only held as a pledge for debt. Sir James Hamilton advised Trinity College, Dublin, that on the basis of experience of his own lands, tenants for its estate should be 'men of good substance and means'. On the other hand they were not to be too powerful, so that they might become overmighty and troublesome. Hamilton observed: 'I had rather let it [land] to such honest men of meaner ranks, who if they do not pay me their rent shall, whether they will or not, permit me to fetch away their distress'.⁵⁶ Landlords were in a good position to select tenants since they could vet prospective tenants when they petitioned for land.⁵⁷ Once appropriate tenants had been found

⁵² SP63/250/1597; ironworks were established there by 1626, Cal.pat. rolls Ire., Chas I, p. 276.

⁵³ Hainsworth (ed.), Commercial papers, pp 67-9, 70-3; B.L. Add 4770, f 264.

⁵⁴ Cal. S.P. Ire., 1625-32, p. 271; Reg. P.C. Scot., 1638-43, pp 499-500.

⁵⁵ Cal. S.P. Dom., 1631-3, p. 387.

⁵⁶ T.C.D., MUN/P/24/4-5.

⁵⁷ SP63/255/80, 105; SP63/256/42.

the landlord had to offer them incentives to stay with him since they were in short supply so failure to offer sufficiently attractive terms could result in defection to another landlord. Although William Edmonston and James Shaw both came to Down and settled under Sir Hugh Montgomery, within a few years they had both moved to larger and better tenancies offered by John Dobbs and the earl of Antrim respectively.⁵⁸ Lords had to offer services in addition to land to retain satisfactory tenants; protection, both physical and legal, forums for settling disputes, such as manor courts, and help with marketing tenants' goods by creating local market centres.⁵⁹

In order to offer these non-material benefits the landlord had to develop ways of managing them and also ways of rent collection. Land agents were used on most estates as an effective substitute for the lord.⁶⁰ Since the agent was concerned with the running of the estate he had to be a trusted man, and was often a member of the landlord's family. Sir James Hamilton used two of his brothers as agents on his lands and his son used a younger brother. The agent on Sir Randal Macdonnell's estate in the early years of the settlement was John McNaughton, whose mother was probably a sister of Sir Randal's father, Sorley Boy. McNaughton had come to Ireland with Sorley Boy. Sir Fulke Conway employed his brother-in-law, Sir William Smith, to manage his land around Antrim town.⁶¹ If no immediate relative existed to run an estate others were pressed into service. After the death of Sir William Smith in 1632, Sir Edward Conway, Sir Fulke's nephew and heir, sent one of his English servants, Sir George Rawdon, to manage his Irish lands. Rawdon had been trained by⁶² the agents on Conway's Warwickshire lands, Foulke Reed and William Weld.

⁵⁸ Mont. MSS., pp 52, 57; P.R.O.N.I., T1030/41; T815.

⁵⁹ This point is examined in more detail in chapter eight.

⁶⁰ P.R.O.N.I., T1030/4,41 for requirements of agents on lands if the landlord was absent.

⁶¹ P.R.O.N.I., T808/2758; Ham. MSS., p. 12; A.I. Macnaughton, The chiefs of Clann Macnachtan and their descendants (n.p., 1951), pp 62-3; G. Hill, 'Gleanings in the family history of the Antrim coast' in U.J.A., 1st ser., viii (1860), p. 127; Cal. S.P. dom., 1631-3, pp 376, 378, 387.

⁶² D.N.B., sub. George Rawdon; M. Beckett, Sir George Rawdon (Belfast, 1935), pp 16-17; Cal. S.P. dom., 1627-8, p. 496; Cal. S.P. dom., 1631-3, pp 194, 240, 273, 310, 318, 325, 361, 382.

The agent was the key to a well run estate and, hence, considerable care was taken with his welfare. In 1627 when Henry Spenser, one of the assistant agents on Sir Edward Conway's estate, was accused of murder, Conway intervened on his behalf. He informed Lord Deputy Falkland that if Spenser was convicted 'my right may suffer as much as his. The interest I have in him and the much good I have heard of him move me to proceed further by way of caution than I hope there is any need to'.⁶³

The agent's brief was a wide ranging one: he had to deal with all his employer's affairs, moving about between the estate, Dublin and London. In 1635-6, for example, George Rawdon spent no more than five months in Ireland, the rest of the year was spent dealing with Irish business in England.⁶⁴ On the estate itself the agent's work was supervisory since much of the work, such as rent collection, was done by local men acting under the agent's instructions.⁶⁵ He spent a considerable amount of time in dealing with legal matters; defending the lands from legal attack by adjoining landlords, defining the legal boundaries of the estate, ensuring that patents were passed and carrying out the legal aspects of land acquisition.⁶⁶ He also presided over the manor courts.

Since the bulk of the land agent's work was legal the main framework through which he worked to manage the estate was the manor. The manorial framework was vital to the successful development of any estate in east Ulster, a fact appreciated by landlords, for Sir Randal Macdonnell insisted that a clause be inserted into his 1604 patent dividing his large estate into several manors. He was allowed:

to divide the said territories into several different precincts, each to contain 200 a[cre]s at least, and to give different names to each division, that so they may become manors to hold courts baron and appoint seneschals.⁶⁷

⁶³ B.L., Add. 11033, ff 95-95^v.

⁶⁴ Rawdon's movements may be reconstructed from Cal. S.P. dom., 1634-5, pp 377, 393; Cal. S.P. dom., 1635, pp 3, 137, 436, 454, 490, 602, 606; Cal. S.P. dom., 1635-6, pp 269, 315, 338, 357, 540-46; SP63/255/24, 62, 66.

⁶⁵ SP63/255/24, 104; Cal. S.P. dom., 1635, p. 524; SP63/250/1685.

⁶⁶ Beckett, Rawdon, p.19; SP63/256/88, 96; Cal. S.P. Ire., 1633-47, p. 199; G. Hill, The Stewarts of Ballintoy (reprint) (Ballycastle, 1976), pp 8-9. Hence many were also J.P.s, see p.98.

⁶⁷ Erck, p. 137. The king's letter for the patent did not contain this clause (Erck., pp 66-7). Manors could only be created by royal permission, Kerridge, Agrarian problems, pp 1-2; Wylie, Irish land law, pp 14, 20, 65.

The manor courts were a vital instrument in regulating the affairs of the estate and in resolving local problems. These courts also acted as a central clearing house where records, such as leases, could be enrolled for reference.⁶⁸ The keeping of such records was of prime importance since the lease was the central document controlling landlord-tenant relations and had to be produced in order to prove that it had been breached. Thus the manor court secured the landlord's legal position, it was also an economic asset, and provided a dispute settling forum for tenants.

By means of the agent and the manor courts, landlords managed to consolidate the rights of their estates and began to make them economically viable. This, however, was a long term process, and there were considerable problems. Shortage of tenants (as described in chapter four) meant that the men to whom landlords were forced to lease land were far from the ideal advocated by Sir James Hamilton. Sir James himself had a number of troublesome tenants; one even encouraged one of Hamilton's neighbours, Sir James Montgomery, a younger son of Sir Hugh, to encroach on Hamilton's lands. Another tenant of Sir James, Brian Oge O'Flynn, was twenty-two years in arrears of rent by 1629.⁶⁹ Rent collection was an unpredictable business on even the best regulated estates. Bad harvests meant that the tenants' cash surplus was small and, hence, the rent payments delayed. In 1636, for example, the poor harvests, coupled with a shortage of coin meant that rents were difficult to collect. A sub-agent on the Conway estate wrote in April 1636 to George Rawdon, the agent, informing him that if the May rent could be collected by Christmas it would be a major achievement.⁷⁰ The normal remedies of ejection or distress were used with reluctance because of the difficulty in finding new, suitable tenants. One tenant at Derryvolgie, on the Conway estate, was granted a stay of ejectment in 1636 even though he was two years behind with his rent. Landlords were also reluctant to prosecute tenants in arrears since the debts bound tenant to landlord. Thus incomes from an estate, although potentially substantial, could be unreliable. This was especially true in the early

⁶⁸ For example, P.R.O.N.I., T761/3, p. 5; N.L.W., Cross of Shaw Hill MSS, Deeds no. 174.

⁶⁹ P.R.O.I., Ferguson MSS, xx, p. 85; W. Mure (ed.), Selections of family papers preserved at Caldwell (Maitland Club, Glasgow, 1856), pp 93, 267.

⁷⁰ SP63/255/24, 104, 107, 112.

stages of the settlement when tenants were still being recruited and payments of rent were irregular while new tenants established themselves.

Despite all these problems estates developed rapidly. Sir James Hamilton estimated the value of his north Down lands increased fivefold in the early years of the settlement and Conway's land was valued at £2,000 per annum on the death of Sir Fulke in 1624.⁷¹ In English terms these incomes were still low; Hamilton estimating that in the first six years after his grant, his land did not produce £100 per annum.⁷² Sir Randal Macdonnell petitioned, in 1605, for a renewal of his grant and an abatement of the crown rent because of 'the poorness and dispeopling of his country.' The native Irish were little better off. A plea was made in 1605 by a group of them for an abatement of homage money and Sir Arthur Chichester described one of the group, Henry O'Neill of Killileagh, Country Antrim, as very poor with many dependants.⁷³ Most of the east Ulster landholders suffered financial problems in the early stages of the settlement. Sir James Hamilton, for instance, despite his speculation, described above, had to mortgage part of his lands in Down to Trinity College, Dublin by 1614 and a further part by 1618.⁷⁴

By the 1620s estates in Antrim and Down had been sufficiently consolidated and developed to begin producing a significant profit. Sir Hugh Montgomery had begun, by 1619, to channel revenue from his Irish lands into purchasing land in Scotland, around Portpatrick in Wigtonshire. Purchases continued until at least 1628. Lord Cromwell also began purchasing lands in Nottinghamshire. In Antrim Archibald Edmondston's lands produced enough of a surplus to redeem the mortgage on the family lands in Scotland and Sir James Hamilton also began to redeem mortgages on his lands.⁷⁵ This trend was dramatically reversed in the 1630s.

⁷¹ SL, 17, no. 38; Cal. S.P. dom., 1623-5, p. 412.

⁷² SL, 17, no. 38. This estimate was given as part of a defence during the claim of Daniel O'Neill on Hamilton's lands. Other sources (e.g. Ham. MSS, pp 48-59) suggest that it may have been higher but not appreciably so. For English estate incomes, Stone, Crisis, pp 324-34.

⁷³ Cal. S.P. Ire., 1603-6, pp 267, 502; Cal. S.P. Ire., 1606-8, pp 384, 403; P.R.O.I., Ferguson MSS, ix, pp 84-5.

⁷⁴ T.C.D., MUN 1P/24/26, 27, 28, 52, 62.

⁷⁵ SRO, GD237/171/1/2, 4-8, 11, 50, 51, 54; RS1/18, f 301; RS1/27, f 135; P.R.O.I., D20559; Acts privy council, July 1619-June 1621, p. 210; ibid., July 1621-May 1623, p. 165; H.M.C., Various, v, p. 137; T.C.D., MUN P/24/54. Rents on church land in this period quadrupled in some cases, S. Millsop, 'The state of the church in the diocese of Down and Connor during the episcopate of Robert Echlin' (M.A., Q.U.B., 1979), table IVa, b.

The 1630s were a period when the effects of specie shortage were fully felt and prices were also rising rapidly. Lord Conway, for example, complained that it had become expensive to live in Ireland.⁷⁶ Costs were also pushed up by non-economic factors, such as the commission on defective titles, which raised crown rents. The costs of many of the legal disputes which had begun ten years previously were now becoming unbearably heavy; Sir Hugh Montgomery alleged that one case in London had cost him £1400 and another case between him and Ever Magennis, a minor landowner in south Down, was fought 'until they were constrained by too much poverty, having no means to follow the said suit'.⁷⁷ Family commitments, such as the large dowries, which were a feature of east Ulster settler society, also served to drag landholders into debt. One daughter of the earl of Antrim received a dowry of £2,700 and the daughter of Sir Hugh Montgomery had a dowry of £600, 'a great sum in those days' as the author of the Montgomery Manuscripts observed.⁷⁸ Personal extravagance exacerbated the situation considerably. By 1640 the second earl of Antrim had accumulated debts of £39,377, of which £12,944 had been borrowed in England within the previous three years and £9,110 was acquired in Ireland. His creditors were pressing for payment and he was forced to mortgage the entire barony of Carey, in north-east Antrim. Much of these debts were due to his residence at court before the death of his father, the first earl. By 1635, for example, he had borrowed £10,000 in the court and at one session of nine pins lost £2,000. In 1638 he left the court for Ireland hoping to live more cheaply in Ireland but this was a failure.⁷⁹ The sources of income which landlords were developing were not sufficient to provide for this rising expenditure and credit problems.

By 1640 most east Ulster settlers were in debt. Lord Cromwell had a personal debt of £3550 by 1642 and creditors were pressing for payment.

⁷⁶ SP63/250/1643, 1661.

⁷⁷ N.L.S., Delmilne MSS, 6, no. 8; P.R.O.I., Thrift MSS, no. 99.

⁷⁸ P.R.O.N.I., D552/B/1/1/20, 21; Mont. MSS, p. 90; Cal. S.P. dom., 1637-8, p. 574; on English levels of dowries, Stone, Crisis, pp 637-45.

⁷⁹ P.R.O.N.I., D2977, 17 Sept. 1667, 'A declaration of Andrew Stewart'; D2977, c.1640, 'An accompt of my lord of Antrim's debts due in England'. H.M.C., 4th Report, appendix 1, p. 108; ibid., 5th Report, appendix 1, p. 6; SP63/255/48; Cal. S.P. dom., 1635, p. 385; SL, 21, no. 3; H.M.C., Denbeigh, p. 60; Laud, Works, vi, pp 471, 531; SL, 18, no. 99; Strafford, Letters, ii, pp 248, 262; P.R.O.N.I., D671/D3/2/1, 13.

As early as 1637 he had been staving them off by mortgaging part of his lands to pay debts. Lord Conway's debts in Ireland amounted to £3,655 by 1640.⁸⁰ Most settlers were borrowing money, Sir Robert Adair of Ballymena was borrowing both locally and in Dublin as was Moses Hill's son, Francis.⁸¹ Sir Hugh Montgomery was borrowing extensively from friends in Scotland and was forced to mortgage most of the Scottish land that he had acquired in the 1620s.⁸² Part of the explanation of these growing debts lay in the early years of the settlement when, in an endeavour to attract tenants and cash, landlords had leased for long terms at low rents and high entry fines, which meant that, since rents could not easily be increased, the inflated costs of the 1630s hit hard. The earl of Antrim recognised this and in 1637 attempted to improve his rental by forcing his tenants, on the pretext that leases had to be renewed after his father's death, to surrender their old leases so that new ones, at higher rents could be made. By November 1637 the process was complete with only minor objections from one tenant, Cahall O'Hara, a large tenant near Ballymoney. One lease, which had been made to Brian O'Neill for 303 years at £30 per annum in May 1632, was replaced by a forty-one year lease at £63 per annum. A lease made in 1621 to John Shaw of Ballygalley at a rent of £13.13*s*.4*d*. was increased to £24 per annum.⁸³

Rent levels were only part of the problem for there was a more general economic problem in east Ulster which affected the landlords' position, the shortage of specie and the problems of credit (which have been described in chapter five). The poor harvests of the 1630s slowed up the movement of coin considerably in east Ulster since there was less surplus produce to market. These circumstances made rent payments more difficult and infrequent, thus cutting down landlord income. The situation was worsened by credit problems. The political crises and growing debts in the 1630s diminished confidence in east Ulster landlords so that by 1638 the earl of Antrim could not raise £300 credit in Dublin. Viscount Ards, encountered a similar situation in 1640 and even credit in local towns, such as Carrickfergus, was drying up.⁸⁴

⁸⁰ Stone, *Crisis*, p. 779; H.M.C., *6th Report*, appendix 1, p. 172; SP63/256/38; SP63/258/45.

⁸¹ P.R.O.N.I., D671/D4/1/6a-c; D929/F4/11; P.R.O., C5/20/112.

⁸² SRO, GD 237/175/1/41-2; RH11/45/4; GD237/174/32.

⁸³ P.R.O.N.I., D2977, Exercise book marked 'barony of Dunluce', p. 36; D282/1; T549/1A; LPC 1339.

⁸⁴ Cal. S.P. Ire., 1625-32, p. 428; Bodl., Carte 2, f 117; Carte 1, f 267v; Strafford, *Letters*, ii, p. 278.

The native Irish landowners under the new order fared no better. The Magennis family, for example, declined rapidly in the 1630s and were forced to mortgage most of their lands to those settlers who had cash, Arthur Hill and Sir Edward Trevor, as well as Sir Jerome Alexander, a Dublin lawyer. As early as 1621 Donal Magennis, one of the minor branches of the family, entreated Sir Edward Trevor 'to lend him certain sums of money which he stood greatly in need of' and John Magennis 'having special occasion for money' borrowed heavily from Trevor.⁸⁵ The O'Neill family of Killileagh, on the north shores of Lough Neagh, were little better off. On the death of Neill Oge O'Neill it was revealed that he was heavily in debt to a Scottish settler, Sir Robert McClelland of Bombie in Kirkubrightshire. Apart from jointure land for his wife, worth £250 per annum, and land worth £40 per annum for his son, all his lands were mortgaged to pay debts. His cousin, Henry O'Neill, was also forced to mortgage all his estate to pay debts, which as late as 1664 remained unpaid.⁸⁶

This indebtedness was not confined to the native Irish for the old English group in Lecale were also in financial trouble. By 1636 Patrick Savage had mortgaged part of his lands to Viscount Ards, his father in law. He also borrowed from his father in law and from a number of Carrickfergus merchants. Patrick's will, executed in 1643, revealed the true extent of his problems, with debts of £2077.13s.0d. due and only £588 owed to him. His lands were also heavily mortgaged, bringing in only £158 in 1645 and falling to £117.17s.11d. by 1648.⁸⁷ By 1660 the eight important old English families of the sixteenth century in Lecale had disappeared because indebtedness forced them to sell their lands.⁸⁸

⁸⁵ P.R.O.N.I., D671/D7/1/3A; T588/1 ff 19, 43, 44; P.R.O.I., Lodge MSS, Records of the rolls, v, p. 361; Ferguson MSS, xii, p. 93; Thrift MSS, nos 78, 84, 87, 107, 109. Mr Harold O'Sullivan is currently engaged on an M. Litt thesis, Trinity College, Dublin, which will throw considerable light on this point.

⁸⁶ SRO, RH15/91/37/1, f 5; Cal. pat. rolls Ire., Chas. I, p. 401; SL, 14, no. 243; P.R.O.N.I., T1289/1; T473, f 65.

⁸⁷ P.R.O.N.I., D552/B/1/1/28, 30 34; D552/B/3/1/1.

⁸⁸ T.C.D., MSS, 572, f 8; 'JWH', 'The Anglo-Irish families of Lecale' in U.J.A., 1st ser., i (1853), pp 94-7.

The old English and native Irish in east Ulster had special economic problems in the early seventeenth century because of the changing ideas of land tenure. The sixteenth century system of land-holding in east Ulster did not centre on profit or on the concept of an economic rent for land but on a token render or 'ceart' to a lord who did not own any land. The land was held by family groups who paid this token sum, fixed by custom and therefore theoretically immutable, to a lord in return for services, such as protection. While some native lords began to feel that they had a right to own their lands, as suggested by the 1592 petition to Elizabeth by two of the O'Neill chiefs of Clandeboy for a direct grant of Clandeboy to them, payment for land was still token.⁸⁹ A land grant by Rowland Savage to Nicholas Fitzsimon in 1571 was made 'by the services due and of right accustomed' not an economic rent, and the inhabitants of Killultagh paid a 'token of rent' to Magennis.⁹⁰ The new settlers aimed for an economic rent for land, although, in practice, this was modified by the need to keep rents low to attract tenants. Thus payment for land rose dramatically in many areas with the move from a token payment to a near economic rent. In one case concerning church land the payment quadrupled.⁹¹ Many of the native landlords had problems in adjusting to this new order, partly because their tenants resisted change. Conn O'Neill, for example, made leases at token rents, the 1607 lease of the lands of Castlereagh, to Moses Hill in perpetuity at five shillings per annum is a case in point. O'Neill's income was accordingly low and to pay expenses he was forced to sell off much of his land, and even to break an entail on land reserved for his son.⁹²

The problem of transition from one economic system to another was difficult to resolve. Sir Hugh Magennis managed to raise the rents on

⁸⁹ Cal. pat. rolls Ire., Eliz., p. 226.

⁹⁰ P.R.O.N.I., D585/1; SP63/277/6, f 2; for the size of these rents see M. Dillon (ed.), 'Ceart Uí Néill' in Studia Celtica, i (1966), pp 4-5.

⁹¹ Cal. S.P. Ire., 1625-32, p. 538.

⁹² P.R.O.N.I., D671/D4/1/1A; D671/D8/1/1-6; SRO, GD97/1/364, for examples of native Irish fixed rents. SL, 17, no. 38; D.A. Chart, 'The breakup of the estate of Conn O'Neill' in R.I.A. Proc., xxxviii, sect. c (1942-3), pp 119-51.

part of his mid Down lands by making a series of short leases to various tenants and raising the rent on each occasion. Between 1613 and 1630 he managed to double the rent on some of his property but in comparison to settler fixed rents it was still low.⁹³ On the Savage lands in Lecale more drastic methods were used. Patrick Savage, the landlord, was despatched to the Isle of Man, so that tenants could not pressurise him, and his brother in law, Sir James Montgomery, came in to reorganise the estate. Sir James removed the old tenants by questioning the title to their holding, which they could not prove since no leases existed in the Irish landholding system, and obliged them to take new leases 'increasing rents, to be paid in money, besides the usual duties and services'.⁹⁴

Thus by 1640 the settlers' title to their lands had been established, most of the property disputes resolved, relations with tenants had been stabilised and the estates were producing cash. Admittedly the growing indebtedness of the 1630s was a problem for settlers who expected rapid returns on their lands but it was not an unsurmountable one. In these circumstances a distinct landed society began to emerge in east Ulster. By 1640 most of the settlers accorded that province first priority in their minds. The composition of settlers (examined in chapter three), mainly younger sons and ambitious men, meant that with few or no economic ties to England or Scotland, east Ulster had become their only social, economic and political power base. Any attempt to interfere with that base would be strongly resisted. Sir John Clotworthy, son of Sir Hugh, who held an extensive estate around the town of Antrim, attacked the former lord deputy, Thomas Wentworth, in the Westminster parliament of 1641, accusing him of 'some very high actions in his administration of that government [Ireland] in which the lives as well as the fortunes of men have been disposed out of the common road of justice'.⁹⁵ Even when sitting in the English parliament Clotworthy's primary interest was Ireland. In the 1640s he sat on eleven committees of the House, four of which dealt with Ireland, five with religious affairs and only

⁹³ P.R.O.N.I., D671/D8/1/54.

⁹⁴ G.F. Savage-Armstrong, A genealogical history of the Savage family in Ulster (London, 1906), pp 124-5.

⁹⁵ W.D. Macray (ed.), Lord Clarendon, History of the rebellion, i (Oxford, 1888), p. 224.

two with English matters; Clotworthy spending most of his time with the Irish committees. Even his policy on English matters was ruled by Irish interests. His membership of the 'peace party' in the English parliament of 1645-8 was guided by the need for peace in England before a reconquest of Ireland could be begun.⁹⁶ By 1640 the second Viscount Ards was in a similar position. In the early years of the settlement of Down his father, Sir Hugh Montgomery, had retained strong links with Scotland. He held office as burgess of Ayr in 1617 and a commissioner for the expulsion of Jesuits in 1629 as well as purchasing land in Wigtonshire. The 1630s saw a weakening of these links with the sale of land and no new offices were acquired. In 1641 he abandoned his Scottish interests to fight for his Irish estate. Indeed, the second viscount split with his Scottish connections in opposing the covenanting movement while they supported it.⁹⁷

While this emerging 'Anglo-Irish' attitude was predominant among east Ulster settlers by 1640 it was not universal. The earl of Antrim, for example, still retained strong Scottish connections. His main concern was the restoration of his family's fortunes in Scotland which had been eclipsed in the early years of the seventeenth century by the rising Campbells of Argyll. In April 1639 he wrote to Wentworth: 'I must confess I have a natural affection to them [the Scottish Macdonnells] allied to me by both name and blood and their safety I shall seek as much as my own' or in a more impassioned moment he asked the lord deputy 'if your lordship will not send present relief that all of my name will be cut off ... For the love of God my lord let us not sleep any longer'. Both the first earl and his son made repeated efforts to redeem their Scottish lands from the earl of Argyll. The most concerted attempt came in 1635-6 when Antrim had attempted to purchase part of his family lands from Lord Kintyre, son of Argyll, but Argyll used his influence in the

⁹⁶ Commons jn., passim; Cal. S.P. dom., 1641-3, p. 483; Cal. S.P. dom., 1644, pp 59, 229, 309; D. Underdown, Prides purge (Oxford, 1971), p. 72. He also aligned himself with the 'city' faction in the parliament of 1640 because of his Londonderry interests, D. Bruton, D. Pennington, Members of the long parliament (London, 1954), pp 126-7.

⁹⁷ G.S. Pryde (ed.), Ayr burgh accounts 1534-1624 (Scottish History Society, Edinburgh, 1937), pp 258, 261, 262, 265; Reg. P.C. Scot., 1629-30, pp 252-3, 321; M. Perceval Maxwell, 'Strafford, the Ulster Scots and the covenanters' in I.H.S., xviii (1973), p. 548; D. Stevenson, The Scottish revolution, 1637-44 (Newtown Abbot, 1973), pp 180, 249.

privy council to stop the purchase. Antrim used all possibilities to involve himself in Scottish affairs and even volunteered in 1639 to lead an expedition to Kintyre in return for which he would be regranted his family lands.⁹⁸ Sir Robert Adair of Kinhill provides a second example of a man who did not see Ireland as a permanent base. Although most of his family lands in Wigtonshire had been sold by 1630 he retained the title laird of Kinhill and sat as M.P. for Wigtonshire in the Scottish parliaments of 1639-41 and 1649-50. He was closely associated with several Scottish movements, especially the covenanters. He left Ireland during the Scottish crisis of 1639 and remained in Scotland throughout the 1640s and was active in the Presbyterian General Assembly. Adair and the earl of Antrim were untypical of most east Ulster settlers. Adair had arrived in County Antrim late in the settlement and hence had not time to shed his Scottish links by 1640. The earl of Antrim, being a catholic, was marked off from the rest of the settler community. He tended to associate with the old English of the Pale, marrying his daughters to their sons and leading the old English group's negotiations on recusancy fines in the 1630s. He also had links with the native Irish.¹⁰⁰

As the settlers shed many of their contacts in England and Scotland they found it necessary to consolidate their new social positions in east Ulster. In England, an Irish landed estate was not considered as prestigious as English or Scottish land. The mere possession of land in England was not a road to wealth; it was the evidence that wealth and status had been achieved. In Ireland the converse was true. In 1632, for example, the countess of St Albans refused a financially

⁹⁸ SL, 19, no. 14; SL, 21, no. 158; Reg. P.C. Scot., 1635-7, pp 468, 479, 493; ibid., 1638-43, p. 38; J. Haig (ed.), The historical works of Sir James Balfour, iii (Edinburgh, 1825), p. 70; A. Clarke, 'The earl of Antrim and the first bishop's war' in Ir. Sword, vi (1963-4), pp 108-15; Stevenson, Scottish revolution, pp 41-53.

⁹⁹ Balfour, Historical works, iii, pp 7, 61, 117, 121, 144, 381; Strafford, Letters, ii, pp 210-20, 226-7, 383; J.S. Reid, A history of the presbyterian church in Ireland, i (Belfast, 1834), pp 393-4.

¹⁰⁰ Cal. S.P. Ire., 1625-32, pp 201, 203, 206; P.R.O.N.I., D2977, 1627 'Marriage articles of Lady Sarah Macdonnell'; SL, 1, ff 64, 67; SL, 18, nos 144, 168, 169; Acts privy council, 1615-16, p. 261.

generous offer by the earl of Antrim for the bethrothal of her daughter to his son because the earl's lands 'so far removed my daughter from all her friends and acquaintance, the uttermost north part of Ireland, and a country so different in condition and breeding'. The second earl of Antrim acquired the court attitude to Ireland, being brought up at court, so he had 'a mighty contempt of all that is in Ireland'.¹⁰¹ Thus settlers needed more than land to consolidate their social position, and so they began acquiring offices. Office was also necessary in order to gain access to the sources of patronage and to enhance a settler in the eyes of his peers. Lord Cromwell, for instance, asked Lord Deputy Wentworth for 'some addition of power to pleasure my neighbours and tenants'.¹⁰²

Three main types of office were open to settlers. First, and most importantly, there was membership of the Dublin parliament. This brought individuals into contact with sources of patronage and also enabled them to monitor central government attitudes to the localities more effectively. There was considerable competition for this office: in 1613 both Sir Hugh Montgomery and Sir James Hamilton attempted to manipulate the elections by creating freeholders on their estates and in 1640 'diverse sham free-holders'¹⁰³ were created in Down as part of an attempt to rig the elections. The second type of office open to settlers was on local commissions, such as that on Down shipwrecks in 1637, or county offices, sheriffs, and justices of the peace.¹⁰⁴ At times these offices were not even financially rewarding for one sheriff complained in 1606 that all he had sustained during his period of office was 'loss and hindrance'.¹⁰⁵ A third form of local office much sought after was that of military commissions. The earl of Antrim, for instance, as 'a person very considerable in regard of his quality', sought an increase of numbers of horse and foot in 1625 as

¹⁰¹ Quoted in Stone, Crisis, p. 626, Strafford, Letters, ii, p. 248.

¹⁰² SL, 14, no. 251.

¹⁰³ Cal. pat. rolls Ire., Jas. I, p. 397; Mont. MSS, pp 305-7.

¹⁰⁴ For example, Cal. S.P. Ire., 1625-32, p. 254; Acts privy council, Jan.-Aug. 1627, pp 458-60; Acts privy council, Jan. 1623-Mar. 1625, p. 145.

¹⁰⁵ P.R.O.I., Ferguson MSS, ix, p. 92; cf. Advertisements for Ire., pp 48-9; Cal. S.P. Ire., 1647-60, pp 308-12.

'he does so much affect it as a mark of favour'.¹⁰⁶ The dispute between Sir John Clotworthy and Wentworth during the 1630s was, in part, the result of Wentworth's refusal to grant Clotworthy a company of horse to which he felt entitled because of his social position.¹⁰⁷

While there was considerable concern with acquiring office there was less enthusiasm about exercising it. M.P.s from east Ulster, for example, were relatively inactive in the Dublin parliament, rarely speaking,¹⁰⁸ sitting on few committees and frequently being fined for non-attendance. The two most active M.P.s were Sir James Hamilton, who was dependant on patronage and office for his advancement, having few resources in Scotland, and Sir John Clotworthy, who in the parliament of 1634-5 was closely allied to the anti-Wentworth faction and hence had a personal reason for attendance. As a result local issues were rarely raised in the commons, in contrast with the Westminster commons which spent the bulk of its time on local issues.¹⁰⁹ It was only in the 1640 parliament that any number of local issues, such as the importation of tobacco at Carrickfergus, were raised, and these as a stick to beat Wentworth with. Landlords were too concerned with building up their own interests at a local level, consolidating their lands and rights and acquiring offices to underpin their new social position, to be concerned with national politics. Their view was estate rather than county based.

The consolidation of landlord positions entailed building up a network of relations within east Ulster, mainly through judicious marriages, in order to replace the closely knit kin structure of English county or Scottish lowland society which had been disrupted in the migration. This network oiled the mechanisms of social interaction since families were the source of loans, as safe mortgagors and as arbitrators in disputes. Robert Adair, for example, in 1636 mortgaged most of his lands to his brother in law and when Patrick Savage was not able to pay an instalment on the dowry of his sister, Marie, to Cahall

¹⁰⁶ Acts privy council, March 1625 - May 1626, p. 325; Laud, Works, vii, p. 188.

¹⁰⁷ Cal. S.P. Ire., 1625-32, pp 366, 452; Cal. S.P. Ire., 1647-60, p. 180; H.M.C., 8th Report, appendix 3, p. 596.

¹⁰⁸ Appendix IV.

¹⁰⁹ G.R. Elton, 'Tudor government: the points of contact. 1 Parliament' in R. Hist. Soc. Trans., 5th ser., xxiv (1974), pp 191-6.

O'Hara, of County Antrim, he asked his father in law, Viscount Ards, for a substantial loan.¹¹⁰ Given the reluctance of east Ulster settlers to take business to the central courts (as described in the previous chapter), the family acted as arbitrators. Isobell Edmonston, for instance, arbitrated between her son, Archibald, and her son in law, Robert Adair, in November 1629 and on the Savage estate Viscount Ards arbitrated in a number of disputes.¹¹¹

Contacts also had to be made with influential families in other parts of Ireland. Richard Boyle, first earl of Cork, and his circle were much in demand as a source of marriage partners, they being the most important planter group in Ireland. Lord Clandeboy attempted to marry his son into the Boyle family in the 1630s but failed due to the stubbornness of Boyle's daughter. Sir John Clotworthy married Mary, daughter of Lord Ranelagh, one of Boyle's main allies.¹¹² Contacts with prestigious English or Scottish families were resurrected by the settlers in order to aid them in their search for social recognition. Viscount Ards discovered a distant family connection with the earl of Eglinton and attempted to revitalise it by swearing loyalty to Eglinton.¹¹³

These family networks which were created were of prime importance in the development of landlord society. Families could be fruitful recruiting grounds for settlers such as John Peacock, who succeeded William Edmonston to a tenancy at Greyabbey, when Edmonston moved to Antrim, since he was a cousin of Edmonston.¹¹⁴ Families also provided settlers with the main means of consolidating hold on land after the first generation - by inheritance. Most settler families went to considerable trouble to ensure that their lands would pass to the eldest son with little dispute. While first generation settlers had to rely on their patents for legal claim to land these second generation

¹¹⁰ P.R.O.N.I., D929/F1/1A; D552/B/1/1/19, 21, 30, 38; D552/B/3/1/1.

¹¹¹ East Suffolk R.O., HA12/A2/1/38; P.R.O.N.I., T829/9; D1430/3; D552/B/1/1/25.

¹¹² For Clandeboy, Lismore papers, 1st ser., v, pp 73, 101, 116, 363; ibid., 2nd ser., v, p. 8; on Clotworthy, G.E.C., The complete peerage, sub. Masserine; Lismore papers, 1st ser., iii, pp 61, 154, 164.

¹¹³ H.M.C., Eglinton, pp 2, 34.

¹¹⁴ H.M.C., Various, v, p. 131; P.R.O.N.I., T1030/4.

colonists had a stronger title: inheritance - a situation which could not be challenged by a possessory action at law but required the more complex writ of right. Sir Randal Macdonnell even obtained permission to introduce a private bill in parliament to ensure the succession of his lands.¹¹⁵ Younger sons were provided for in a number of ways. Most fathers provided their younger sons with a small proportion of land, like Lord Cromwell who granted his second son enough land for 'sufficient maintenance' on a thousand-year lease.¹¹⁶ Others found other outlets. All younger sons were given a good education and fitted for a profession. The earl of Antrim's sons were all sent to travel on the Continent and at least one entered the church, as did one of Sir Arthur Magennis's sons.¹¹⁷ Sir Hugh Montgomery's sons were all sent to university in Glasgow, an inn of court and finally to travel on the Continent. The second son, Sir James, was given a grant of land near Greyabbey and was to acknowledge himself well contented and 'never to seek or crave any further of his father's possessions or proceed any way to the prejudice of his father's heir'. He later acted as an agent on his father's estate and became involved in business dealings with Sir David Cunningham, an important Ayrshire landowner and London merchant.¹¹⁸

This concern with estate consolidation and the underpinning of new-found status bred a distinctive landed society in east Ulster. They protected their landed rights against encroachment from any source, especially from the central government, since it was these rights which formed the base of their new status. The society was sensitive to the nuances of status and protocol. The earl of Antrim, for example, objected strongly to being omitted from a commission on alehouses in 1636 which he considered that he had a right to sit on. Slights on a man's status were taken seriously and the earl of Antrim was involved

¹¹⁵ Bodl., Clarendon, ii, no. 68; Cal. pat. rolls Ire., Jas. I, p. 250.

¹¹⁶ P.R.O.I., D20559; native Irish adopted similar practices, O'Laverty, Down and Connor, ii, pp lxi-lxii; P.R.O.N.I., T185, f 3; E.D. Atkinson, An Ulster parish (Dublin, 1898), pp 25, 131, 134; P.R.O.I., Thrift MSS, nos 86, 113.

¹¹⁷ Cal. S.P. dom., 1624, p. 302; C. Giblin, 'Francis Macdonnell' in Seanchas Ardmhacha, viii (1975-6), pp 44-6; D.F. Cregan, 'The social and cultural background of a counter reformation episcopate' in A. Cosgrove, D. McCartney (eds), Studies in Irish history (Dublin, 1979), p. 92.

¹¹⁸ P.R.O.N.I., T1030/3; H.M.C., Eglington, p. 33; Memorials of the dead in Ireland, ii (1892-4), pp 64-5; ibid., v (1901-3), pp 180-82; H.M.C., Laing, i, pp 212, 219.

in at least two major slander cases, one of which went as far as the court of castle chamber.¹¹⁹ Display of newfound social position was crucial. Sir James Hamilton and Sir Arthur Chichester both demonstrated their social success by constructing magnificent tombs, at Dunlop in Ayrshire and in St Nicholas church, Carrickfergus, respectively. The settlers began to see themselves in their new social roles for as Sir James Montgomery put it on being offered a military command in 1641, 'I shall acquit myself of this employment as it becomes a gentleman and a soldier'.¹²⁰ The society was not England or Scotland writ small but a combination of both, shaped by other factors distinctively colonial, the reaction to the demands of central government, and the economics of acquiring tenants and developing estates in a new environment.

¹¹⁹ SL, 14, no. 234; Cal. S.P. Ire., 1625-32, p. 398; Cal. pat. rolls Ire., Chas. I, p. 399; B.L., Add 18824, nos 41, 61.

¹²⁰ Bodl., Carte 2, f 154.

CHAPTER 8 'THROUGH A GLASS DARKLY': RURAL SOCIETY

Although our best insights into the workings of society in seventeenth century east Ulster come at the level of landed society, two other important social groups also existed, the society of the tenantry in the countryside and the society of the townsmen. This chapter will attempt to examine the sort of society which evolved in the countryside and the next that of the towns.

There was not a single 'rural society' in east Ulster in the seventeenth century but a number. Different cultural groups had their own ideas of social order and stratification. The native Irish, for example, remained a distinct group with their own customs and communities. Fosterage, for example, was retained in some areas as Grilconey McItalter of Culfreightin, in north Antrim, deposed that in 1641 'he stayed with ... Ferdorach Magee for security of his life, he having been fostered to his mother's brother and tenant of his mother's kindred'.¹ Traditional rights of the Irish were remembered; thus as late as the early eighteenth century Seamus O'hUid, a descendant of the bards to the O'Neillls of Clandeboy, claimed rights in ten townlands in mid Antrim from Cormac O'Neill, the descendant of the O'Neillls.² The native Irish also used their own perceptions of status. Unlike the practice of English and Scots, an Irishman's status was not regulated by the value of his lands or education, but on the basis of his lineage. As Sir John Davies, the attorney general, observed: 'though their portions were never so small and they themselves never so poor yet they did not scorn to descend to husbandry or merchandise or to learn any mechanical art or science'.³ All these things bound the Irish in to a distinct group and even those who were almost totally integrated into settler society, such as the anonymous author, probably Irish, of the War in Ireland, could refer to the Irish as 'my countrymen'.⁴ Other groups,

¹ T.C.D., MSS 838, f 66. On fosterage in Antrim and Down in the sixteenth century, SP63/208/5, Desid. cur. Hib., vol. 1, p. 85.

² S. O'Ceallaigh, Gleanings from Ulster history (Cork, 1951), pp 95-6.

³ See appendix III, i, ii; G. MacNiocaill, 'A propos du vocabulaire social Irlandaise du bas moyen âge' in Etudes Celtiques, xii (1971), pp 512-46; H. Morley, Ireland under Elizabeth and James the first. (London, 1890), p. 292; Advertisements for Ire., p. 43.

⁴ E. Hogan (ed.), A history of the war in Ireland (Dublin, 1873), p. 4.

such as the Scots and the English, differed from each other in significant respects. The amount of land required to attain the status of 'gentleman' differed between these two groups: for example, the Scots level being lower because of the relative poverty of Scotland.

Similarly differences in literacy rates, slightly higher among the English, reflect differing attitudes to education.

Despite these variations some general statements can be made about the nature of social organisation. Society in east Ulster was by no stretch of the imagination as egalitarian as some advocates of plantation suggested.⁵ It was a society in which a man's title was important, for it decreed how much respect and obedience he was due. The funeral of Viscount Ards in 1636 was organised so that the mourners followed the coffin in order of their social rank and, in the case of a less spectacular activity, the taking of the Covenant at Holywood in 1644, the social order was demonstrated by the order in which men were allowed to sign.⁶ This system of social regulation was strongly approved of by the central government which saw it as promoting stability and ordering society. In 1608 an attempt had been made by the central administration to regulate the status of servants in Tyrone by ordaining that all those under fifty years who did not possess goods valued at £6 were to be compelled to labour. Those who did not have a one-eighth share in a plough were ordered not to employ servants but to labour themselves. The law also attempted to regulate the status of various groups by limiting their rights; a servant, for example, could not carry arms unless accompanied by his master.⁷

In a colonial setting, such as east Ulster, there were problems in assigning a man to his place in the social order. Many had risen in material terms from their old place in society by migration and there was no tradition of status such as Sir Thomas Smith recorded when he

⁵ For example, Sir Robert Gordon, 'Encouragements for such as shall have intention to be undertakers', Edinburgh, 1625, in D. Laing (ed.), Royal letters, charters and tracts relating to the colonisation of New Scotland, 1621-38 (Bannatyne Club, Edinburgh, 1867).

⁶ P.R.O.N.I., D627/1; T 776.

⁷ Cal Carew, 1603-24, p. 29. The lowest status of employer in east Ulster was a yeoman, T.C.D., MSS 838, f 257; R. Bolton, A justice of the peace for Ireland (Dublin, 1633), bk 1, p. 22; Stone, Crisis, pp 21-35.

observed: 'we do not call any man a yeoman till he be married and have children and have as it were some authority among his neighbours'.⁸ A major factor in assigning status was a man's wealth, as measured by the value of his land.⁹ On the earl of Antrim's estate in 1638 the rent which a gentleman paid for his lands generally lay between £9 and £20 while a yeoman's rent fell below this although rents for the Irish were more erratic.¹⁰ Other factors determined status, the most important of which was tenure since it demonstrated the security of economic position in a society where land was the major factor of production. At times tenure was more important than land value. In a rental of the north west part of the earl of Antrim's estate made in 1641, the average rent paid by a yeoman was £16.2 while that of the next social group, the husbandman, was £18.6.¹¹ In some cases the differences in rent were considerable, the lowest yeoman paying £8 against £11 paid by the lowest husbandman. These differences are explicable in terms of tenure, for while all the yeomen held their lands directly from the earl all but one of the husbandmen were sub-tenants.

Other, less tangible, factors played a part in placing a man in the social hierarchy. There was, for example, a correlation between a man's status and his degree of literacy but the exact connection is unclear. The literacy rates were much lower than those of contemporary England, 29 per cent of deponents in 1641 for Antrim and 43 per cent for Down.¹² This may simply be the result of the pattern of migration rather than a product of the social structure.

⁸ L. Alston (ed.), De Republica Anglorum (Cambridge, 1906), p. 45. On the problem generally, M. Smith, 'Pre-industrial stratification systems' in N. Smelser, S.M. Lipset (ed.), Social structure and mobility in economic development (London, 1966), pp 141-76; K. Wrightson, 'Aspects of social differentiation in rural England, 1580-1660' in Jnl peasant studies, v (1977), p. 35.

⁹ For this point, T.C.D., MSS 838, ff 30-37; Bodl., Carte, 61, f 354; Strafford, Letters, ii, p. 219.

¹⁰ See appendix V, i.

¹¹ B.L., Harley 430, ff 111-15^v.

¹² Appendix V, i, ii, iii. On the measurement of literacy, R.S. Schofield, 'The measurement of literacy in pre-industrial England' in J. Goody (ed.), Literacy in traditional societies (Cambridge, 1968), pp 319, 324; L. Stone, 'The educational revolution' in Past and Present, xxviii (1964), pp 43-4.

The main factors controlling a man's place in the social hierarchy were the value of his lands and the tenure by which they were held, both factors in the control of his landlord. Since landlords' leasing policies varied considerably over Antrim and Down, the social structure must have varied from estate to estate. In order to examine this variation it is useful to examine the nature of arms held by the tenants as recorded on the muster roll of c.1630, since the criterion for the allocation of arms purchased by the landlord was a man's social status.¹³ The 1560 Commission for Musters in Ireland ordered that arms were to be noted according to a man's status and in Scotland a muster was called in the wake of O'Doherty's rising, ordering men 'to provide themselves with arms according to their rank'. In 1626 the Scottish privy council went as far as to lay down arms appropriate to each rank.¹⁴ The correlation holds up well on the earl of Antrim's estate, where Randall Buithill, one of the largest landowners, was also the best armed.¹⁵

On some estates, such as those of Dalway and Clotworthy, there was a total lack of arms due to the landlord's incompetence but apart from these the picture is clear.¹⁶ On the Adair estate in mid Antrim, 79 per cent of all the armed men had simple weapons such as a sword, pike, halbert, or a combination of these, the other 21 per cent holding more complex weapons, such as muskets or other guns. Adair in the 1630s was pursuing a policy of building up his newly acquired lands; giving large proportions on good terms to those who could afford them and hence creating quite a sizeable upper stratum of tenants. On Lord Clandeboy's lands in north Down the pattern was different, for only 7 per cent of the armed men had the most advanced weapon, the snaphance. On Adair's

¹³ B.L., Add MSS 4770. For an outline of the mustering system, R.J. Hunter, 'The settler population of an Ulster plantation county' in Donegal Annual, x (1971-3), pp 124-6; for landlords purchasing arms, Cal. pat. rolls Ire., Chas I, p. 201; Steele, Tudor and Stuart, ii, no. 260.

¹⁴ H.M.C., 15th Report, appendix 3 (Halliday MSS), p. 84; Reg. P.C. Scot., 1607-10, p. 79; ibid., 1625-7, p. 419; For English examples see 4 & 5 Philip & Mary, s.1, c.2 (Eng.); Stone, Crisis, p. 28; M. James, Family, lineage and civil society (Oxford, 1974), pp 36-8.

¹⁵ B.L., Add. MSS 4770, f 161^v; P.R.O.N.I., L.P.C. 1031; L.P.C. 1059; T549/3.

¹⁶ Appendix V, iv. For discussions of arms see C.G. Cruikshank, Elizabeth's army, 2nd ed. (Oxford, 1966), pp 113-16.

lands 16.5 per cent of armed men held snap-hances as did 20.2 per cent on Viscount Ards's estate in north Down. From the beginning of the settlement Clandeboye had shown a reluctance to create a large stratum of well off tenants for fear that they would pose problems for him later and thus a group of 'gentlemen' never grew up there.¹⁷

In this type of society, where status was important and in the gift of the leasing policy of the landlord, there was a considerable amount of physical movement in search of upward social mobility. John Shaw of Greenock, for example, came to Down with Sir Hugh Montgomery and received a grant of four townlands in the Ards, but by 1622 he had moved to the earl of Antrim's land at Ballygally, increasing his estate in the process. William Edmonston also came to Down with Montgomery, who granted him the townland of Ballybrian. By 1609 Edmonston had seized a chance of moving upwards socially by acquiring the lands of the Braid, in south-east Antrim, from John Dalway subletting part of his Down lands.¹⁸ Some of the native Irish managed to rise socially as a result of the landlord's power to determine the social structure of their estates. The O'Hara family of Crebilly, County Antrim were such a group. In the sixteenth century the O'Hara influence in Antrim was slight. Loughguile, which was to become their seat in the seventeenth century, was in the hands of the McQuillans in 1556. During the late sixteenth century Cahal O'Hara had attached himself to the rising family of Macdonnell and by 1611 was rewarded by a lease of four townlands, including Loughguile, from Sir Randal Macdonnell. O'Hara's position was further strengthened in 1629 when he interrupted the passage of a new patent to the newly created earl of Antrim by demanding these lands as of right. Antrim conceded the point. O'Hara had added to his lands by purchase of part of the church land of Kells from Sir Arthur Chichester, and also part of the lands of Crebilly, to make him one of the most important native landholders in east Ulster by 1630.¹⁹

¹⁷ T.C.D., MUN.P/24/4; Ham. MSS, p. 36.

¹⁸ Mont. MSS, p. 52; Ham. MSS, p. xiv; P.R.O.N.I., LPC 1339; T815; SRO GD97/1/328.

¹⁹ On the O'Hara genealogy, L. McKenna, The book of the O'Hara (Dublin, 1951), pp xiii, xxi; Cal. Carew, 1575-88, p. 438; Cal. S.P. Ire., 1574-85, p. 577; Cal. Carew, 1515-74, pp 259-62; Cal. pat. rolls Ire., Jas I, p. 94; Cal. pat. rolls Ire., Chas I, p. 504.

Landlord influence could cause downward social mobility as well as promotion. Landlords could grant their newly acquired lands on which Irish lived to new settlers thus forcing the natives into the position of subtenants. In 1635, for example, Sir Patrick Agnew granted part of his lands, on which the family of O'Gneeve were living, to Captain Alexander Dundas, forcing O'Gneeve downward to the level of a subtenant.²⁰ Carbery McCann 'chief of his name', suffered a similar reversal of fortune and left his lands in the barony of Orier, County Armagh, which had been reallocated under the plantation scheme, to become a subtenant to Conn O'Neill in Down.²¹

Other factors could also create downward mobility. The expansion of the Macdonnell family in north Antrim during the late sixteenth century forced the McQuillan family downward in the social scale. By 1555 the McQuillans had already lost the castle of Dunluce to Sorley Boy Macdonnell and by 1568 two of their southern strongholds, Ballylough and Ballybeg, had been occupied by the O'Neills of Clandeboy. The Dublin administration attempted to bolster McQuillan up to act as a buffer against the Scots by partitioning the lands of the Route in north Antrim between him and Sorley Boy but this restriction of Macdonnell expansion only created more discontent. The political expedient of granting all the land of north Antrim to Sir Randal Macdonnell in 1603 meant the complete extinguishing of McQuillan influence there, although in 1608 they were compensated by a grant of the town of Clangartity in mid Antrim. By 1619 Rory oge McQuillan had sold these lands, probably due to increased indebtedness, to Faithful Fortescue who in turn sold them to William Adair. Rory oge had to live for the remainder of his life on a royal pension and a number of loans from Adair.²²

Rural society, therefore, was a tightly stratified one but one in which there was considerable mobility due to the availability of land, extensive landlord influence and the vagaries of Irish politics. Within

²⁰ SRO, GD 154/509/5

²¹ R.J. Hunter, 'Plantation in Armagh and Cavan', p. 318.

²² G. Hill, 'The MacQuillans of the Route' in U.J.A., 1st ser., ix (1861-2), p. 63; D.B. Quinn (ed.), Calendar of the Council Book, 1581-6 in Anal. Hib., xxiv (1967), p. 138; Cal. S.P. Ire., 1515-75, pp 265, 377, 418; Hill, Macdonnells, p. 198, n.15; N.L.I., Harris Collectanea, vol. 18, f 216; Cal. S.P. Ire., 1596-7, p. 181; Cal. Carew, 1575-88, pp 427-8; Cal. Carew, 1600-3, p. 490; Cal. S.P. Ire., 1603-6, p. 503; Cal. pat. rolls Ire., Jas I, pp 114, 363, 367; Inq. Ult., Antrim, no. 1; E. Suffolk R.O., HA12/A2/3/11a-b.

this social framework men sought to answer the problems of a colonial society; the need for strong leadership, protection and units of social organisation. Rural society found three structures especially useful to adapt to its new environment: the lordship, the local community and the family. It is to these three structures on which this stratified yet mobile society articulated itself that we must now turn.

The largest unit with which most rural dwellers in the early seventeenth century ever had contact was their landlord's lordship, the combination of rights and property which made up an estate. Most of the tenants on an estate were bound either to the landlord or to a larger tenant by a contractual bond: the lease. In this agreement the greater landholder provided land and a number of services to the tenant in return for a cash payment or a combination of cash and kind: the rent. As a lease of 1632 between Rory Magennis and Donnell Magennis explained:

the said Rory for himself his heirs executors administrators and assigns doeth hereby covenant promise and grant to and with the said Donell that he the said Rory all and singular the premises with the appurtenances unto him the said Donell during the said term, fully and absolutely freed acquitted and discharged of and from all and all manner of former contracts, bargains, sales, feoffments, jointures, dowers, statutes, staples, recognizances and forfeitures whatsoever had made or done of for or concerning the premises or any part thereof. And of an from all and all manner of troubles eviction or molestacion of him the said Rory or any other person or persons whatsoever for or concerning the same, shall warrant acquit and defend the said Donell paying the rents as aforesaid, doing and performing all and whatsoever herein contained which on his ... part is to be performed and done ...²³

In a society where population was low, land abundant and the tenant the main source of revenue to the landowner it was necessary for the landlord to offer incentives, such as low rents or services, to attract tenants to him.²⁴ These services took a number of forms. The lord worked within the framework of his patent and used the manor court as a service for tenants as well as a source of profit to himself. The court was used as a forum for settling disputes and providing a meeting point for tenants. Secondly the patent, by giving the lord undisputed title to

²³ P.R.O.N.I., D671/D8/1/22.

²⁴ Robert Kinaston, for example, deposed in 1643 that he had lost £40 p.a. from his lands due to the loss of tenants, T.C.D., MSS 837 f 8.

his lands, enabled the landlord to protect his tenants legally and physically. As the earl of Antrim wrote in 1629/30 during a dispute involving some of his tenants and those of an adjoining estate. 'where I have the power the tenant shall not be wronged'.²⁵

The protection offered by a lord to his tenants was twofold, legal and physical. Legal protection was particularly important to the security of a tenant's lands. As chapter two suggested, land boundaries of landholding units were poorly defined and hence some measure of security (as well as the lease) was required to ensure the integrity of a holding. The problem is well demonstrated in a chancery case of 1627 over the lands of Tullyorier, in the barony of upper Iveagh, which had been granted to Arthur Magennis. A neighbour, Gilladuff McBryan, also possessed of lands called Tullyorier, claimed possession of both town-lands since the divisions were not distinct.²⁶ Hence the lease was not an end in itself and most landlords had to promise to provide further legal security if required within a fixed period of time.²⁷

As an extension of the idea of securing tenure the landlord also offered the service of securing a tenant 'in peaceable possession' by acting as the legal agent for his tenant.²⁸ In the sixteenth century, when landlord control was weak, tenants had acted for themselves, as in 1579 when the 'gentlemen and freeholders of Lecale' sought their own redress against Peter, lord of Trymlestiston, for illegal exaction through an agent, Nicholas Fitzsimon.²⁹ In the seventeenth century redress was sought by the tenants' landlord, as Sir Arthur Magennis did for his tenants who had been 'disturbed and molested' by his neighbour, Art McGlassine Magennis, in 1628. Similarly Thomas Barnwall sued six men in chancery for unlawful impositions on his tenants of church lands in Lecale.³⁰

²⁵ H.M.C., Various, v, pp 140-41.

²⁶ P.R.O.N.I., T588/1, f 11.

²⁷ For example, P.R.O.N.I., D104/33/5/1; D778/1A, T1030/3; T185; D207/16/9; T956/21.

²⁸ For use of this phrase, T.C.D., MSS 644, ff 118, 169; P.R.O.N.I., D671/D4/1/2; D671/D7/1/61; D929/F2/3/27.

²⁹ Cal. pat. rolls Ire., Eliz., pp 25-6, 57.

³⁰ P.R.O.I., C.P.082, G15.

The lord also became responsible for the physical protection of his tenants in an era where kern attacks were frequent. The author of the Montgomery Manuscripts recorded that on the death of the first Viscount Ards in 1636 the tenantry 'loudly lamented for their loss of him because he had been in general careful to protect them all (within his reach) from injuries'.³¹ So normal was the expectation of protection that on the outbreak of the rebellion in 1641 most tenants looked to their landlord for protection. Even after such an event as the 'massacre' at Islandmagee, in east Antrim, the tenants did not bind together for defence but went to Carrickfergus in order to ask 'their master', Moses Hill, for protection.³² Tenants looked to their landlord to organise defence when rebellion broke out, as he had done through the mustering system in times of peace, and in some areas the landlord responded. Alexander McKay, for example, organised those of his tenants who remained loyal on the outbreak of rebellion into a relief force to lift the siege on Archibald Stewart's house in Cushendun. Other landowners used the older ways and absorbed their tenants into their regiments, so that Viscount Ards's force which lay at Comber in 1641 was composed of his tenants armed with 'scythes, cornforks, staffs and a few pikes'.³³ In most cases the scale of the rebellion was such that local lords were incapable of protecting their tenants adequately and with this breakdown 'protection groups' grew up. At Ardglass, in Lecale, the failure to provide protection by the lord resulted in a number of men paying one Cormac McGuire for protection and in the parish of Magheragall, in south-west Antrim, offers of protection by Colonel James Macdonnell were followed by a servant to collect payment.³⁴

The lord also provided a link with the wider world for his tenants. On a national level the earl of Antrim was the vehicle for complaints by

³¹ Mont. MSS, p. 144.

³² T.C.D., MSS 838, f 200. Similarly, in Down, Phelim Smith deposed that Redmond Fitzsimmons told him that he 'would not come home safe with his life without a protection or a pass from the Lord Viscount Clandeboy', his landlord, T.C.D., MSS 837, f 61.

³³ T.C.D., MSS 838, f 35^v; H.M.C., Eglinton MSS, p. 48; W. Frazer, Memorials of the Montgomeryes, i (Edinburgh, 1895), p. 244.

³⁴ T.C.D., MSS 837, ff 89, 91; T.C.D., MSS 838, f 237.

his tenants to the Dublin administration about the assessment of the 1634 subsidy.³⁵ More important was the lord's contacts at a county level which could be used for the benefit of the tenantry. A tenant appearing before any county official, a justice of the peace for example, would usually enjoy the support of his landlord: thus, after some of the earl of Antrim's tenants appeared before a justice of the peace in 1630, Antrim wrote thanking him 'for taking so much pains to do right between my tenants which I will requite if any of your tenants come before me'.³⁶ As the previous chapter suggested, east Ulster was composed of individual autonomous lordships. The best means of communication between them was through the individual landlords. Tenants could be recommended for advancement by letters between lords, and in the absence of an effective policing system lords could help tenants to find malefactors by their network of contacts. As Viscount Clandeboy wrote to William Edmondston from north Down to south east Antrim, 'the bearer, Robert Clyd, has two horses stolen from him which he thinks are carried to that side [Antrim]. I entreat you on his behalf to lay out all means for searching after the said horses, which he will give you the marks of'. More serious cases could also be dealt with in this way for Clandeboy sent Margaret Stewart to Edmonston with a letter informing him that she 'has been informed that some residing under you can give her some light towards the finding out of those that have lately murdered her husband'.³⁷

While this network was of importance it was the services which the landlord supplied to regulate the day to day working of the estate which were of more significance to the bulk of the tenants. The most important of these was the manor court which provided the tenantry with a means of resolving disputes without the trouble and expense of going to the quarter sessions or assizes. In the sixteenth century disputes had been resolved either by arbitration or by a local fight. In one case reported by the commissioners for the perambulation of Iveagh the response to ploughing over a boundary was 'Bryan McVicar O'Fegan did

³⁵ SL, 15, no. 215.

³⁶ H.M.C., Various, v, p. 135.

³⁷ H.M.C., Various, v, pp 126, 127, 135, 136. It was the responsibility of the wronged party to arrest in most cases. R. Bolton, Justice of the peace, bk i, pp 24, 28-9.

break the plough there for ploughing the same'.³⁸ The manor courts, created by the patents to the new settlers, allowed 'every tenant to be a free suitor at such court' and hence disputes could be settled there and grievances could be aired.³⁹ There were two types of manor court, the court leet and the court baron. The former was a franchisal jurisdiction dealing with criminal offences but was, in theory, becoming redundant with the rise of the justice of the peace and quarter sessions. The latter dealt with small debts, trespasses and actions up to the value of forty shillings, above which sum a writ was required. In practice these nice distinctions were abandoned for the earl of Antrim commanded his tenants to commence all small actions in 'the court leet or court baron'. Similar orders were made in the case of Sir James Hamilton's tenants.

Manor courts were held on most of the estates in Antrim and Down presided over by the landlord or his agent, and appear to have been effective.⁴⁰ In August 1630, George Rawdon, agent on Lord Conway's lands in south-west Antrim, wrote that he had just held a court day at which he had settled a large number of disputes among the tenants.⁴¹ The measure of the courts is how few problems they left unresolved which made their way to a higher court, chancery. While chancery suits were long and expensive, tenants could sue 'in forma pauperis' and were doing so to an increasing extent in England.⁴² Some sixty-four pleadings in chancery relating to early seventeenth century east Ulster have survived and of these only seven (6.9 per cent) relate to landlord/tenant disputes and a further eight (12.5 per cent) relate to disputes

³⁸ Inq. Ult., p. xlivi.

³⁹ The phrase is taken from the patent to the earl of Antrim in 1604. Erck, p. 137.

⁴⁰ For examples of courts being held see P.R.O.N.I., T588/1, f 38; SRO GD 154/668; P.R.O.I., Ferguson MSS, xxvii, p. 35; SP63/251/1764; H.M.C., Various, v, p. 128; Mont. MSS, p. 120.

⁴¹ SP63/251/1764.

⁴² E. Kerridge, Agrarian problems in the sixteenth century and after (London, 1963), pp 19, 72-3; W. Jones, The Elizabethan court of chancery (Oxford, 1967), pp 323-8, 487-8; W.G. Hoskins, Provincial England (London, 1963), p. 84. For some indication how Irish chancery worked, P.R.O.I., Ferguson MSS, viii, pp 9-12; xix, pp 18-9; G.J. Hand (ed.), 'Rules and orders to be observed in the proceeding of cause in the high court of chancery in Ireland' in Ir. Jurist, n.s. ix (1974), p. 110, n. 2.

between tenants. Most of these came from the areas of Lecale and mid-Down where estates were scattered, landlord influence weak and the institutions of lordship, including the manor courts, poorly developed. The estates of Sir Edward Trevor were scattered, having been acquired piecemeal and those of Lord Cromwell in Lecale so badly managed during his long absences that the agent had to be dismissed.⁴³

Where manor courts were ineffective customs and social practices were changed to meet the deficiency. The absence of manorial courts in mid Down partly accounts for the differences in inheritance customs in this area. In east Ulster the normal method of passing land between generations came on the death of a father when, normally, the eldest son presented himself in the manor court, proved his right to the land, paid a heriot, which was enrolled on the court roll, and then entered into the land. In mid Down and Lecale where the manor courts could not enforce this system, confusion could arise. On the death of one Lecale tenant, Dermot Knevin, one Simon Knevin entered his lands but as Dermot's son, also Simon, pointed out, he was 'of the same nation of the suppliant but of no alliance in any way'.⁴⁴ To resolve this problem the practice grew up of granting land to the eldest son before his father's death to ensure a smooth transfer, although in most contracts of this nature the father retained the use of the land until his death or had his own name inserted jointly with that of his son as owners in the transfer.⁴⁵

Thus the institutions of lordship penetrated deep into rural society, even to its most sacred act, the transmission of property. This meant that the relationship between landlord and tenant became not an economic nexus but a more paternalistic relationship. Tenants came to expect more than simply land from their landlord; they expected other rights. The tenants of the earl of Antrim, for example threatened to leave him if they could not have the right to fish in the Bann and the threat was repeated in 1627 if the earl would not reduce the number of soldiers quartered on his lands.⁴⁶

⁴³ SL, 14, no. 251; R.E. Parkinson, The city of Down (Belfast, 1927), p. 35.

⁴⁴ P.R.O.I., CP. A180.

⁴⁵ P.R.O.I., Lodges records of the rolls, v, p. 333; P.R.O.N.I., D265/33; Inq. Ult., Antrim, Chas I, no. 43.

⁴⁶ SP63/219/13; Cal. S.P. Ire., 1603-6, p. 519; SP63/224/557.

The services of the lordship were only used by the tenantry when required but the outlook of most tenants did not normally extend as far as the manor. The two groups which most shaped the everyday working of rural society were the local community and the family. Rural society in east Ulster was an extremely localised one. In this colonial environment local issues predominated over all else. As one officer in a state of distraction wrote to his commander, the earl of Ormonde, during the rebellion of the 1640s in east Ulster, 'we could not (by an means) draw them [the settlers] together from their own towns either to assist one another or to oppose the enemy in any other place where their own particular interests did not evidently press them unto it'.⁴⁷ Out of this localism came a number of tight knit communities bound together by bonds of kinship, debt (as outlined in chapter five), and solving problems in what appeared to settlers, a strange land. Coherence was also fostered by a number of institutions which provided regular contact for the members of the local community. The church, for example, provided a regular meeting point for members of the parish and the alehouse provided a profane counterpart where business could be done and gossip exchanged. It was in an alehouse that the abortive rebellion of 1615 was planned.⁴⁸ These communities resisted any encroachment on their members. In the case of the natives juries drawn from local groups refused to present recusants as in 1617 or, as Lord Deputy Chichester complained of the strength of ties in east Ulster, 'the common law is eluded by the subtlety of these people who will not find a bill of indictment be the evidence never so pregnant'.⁴⁹

The tight knit community had a number of important advantages for its members. There were a number of problems which could only be solved by the local community acting together, such as the allocation of bog or common land to individuals. The local community also provided a mutual support system and encouraged joint action, as in the parish of Bangor when the weather threatened to destroy the autumn harvest of 1624. The

⁴⁷ Bodl., Carte 2, f 203.

⁴⁸ B.L., Royal MSS, 18A, 1xv, f 2^v; T.C.D., MSS 672, ff 83, 91^v, 73, 63, 69^v; Blair, Autobiography, p. 67; SP63/255/144.

⁴⁹ H.M.C., Egerton, i, pt 1, pp 50, 53; SP63/244/618.

whole community bonded together and worked continuously until all the corn was gathered.⁵⁰ The tight community was of most use in the preservation of law and order. In small groups people were well known to each other, a fact Sir Edward Chichester appreciated when in reporting a prison escape in 1636. He did not issue descriptions of the wanted men as they would be well known.⁵¹ In such a situation the degree of social control was high and public humiliation was an integral part of the punishment. In 1576 a Captain Lloyd was punished for insulting the mayor of Carrickfergus by being 'disarmed in the market place as a note of infamy'. Stocks, for example, existed in most east Ulster towns for humiliation. Even in executions public humiliation preceded death; criminals were first 'to be led to the gallows' through the streets of the county town.⁵² The presbyterian communities in Antrim and Down exploited this system to the full by drawing their disciplinarians, the elders, from within the communities unlike the anglican courts with their paid officials. Robert Blair, the presbyterian minister at Bangor, recorded the story of an adulterer who had escaped ecclesiastical sanction by bribing the bishop's official but was reported to Blair by an elder from the community.⁵³ Discipline under the presbyterians was not in a remote court but before the local community. When a case of demon possession was uncovered near Bangor, Blair called on 'one man of the village who was under the reputation of a godly man to him I imparted the whole matter desiring him to convene the people of that village' who assembled in the church to witness the penance of the possessed 'to the great edification of the whole congregation'.⁵⁴ The tight community could also identify those whom it felt undesirable and keep a special watch on them. At the outbreak of rebellion in north

⁵⁰ Blair, Autobiography, pp 62-3.

⁵¹ SL, 19, no. 92.

⁵² On stocks, Mont. MSS, p. 120; T.C.D., MSS 837, f 11^v; S. Miskimmin, History and antiquities of Carrickfergus (Belfast, 1909), p. 28; J.F. Ferguson, 'The Ulster roll of gaol delivery' in U.J.A., 1st ser., i (1853), p. 265.

⁵³ Blair, Autobiography, p. 61.

⁵⁴ Ibid., pp 65-9. For other cases, W.T. Latimer, 'The old session book of Templepatrick presbyterian church' in R.S.A.I. jn., xxv (1895), pp 130-34, xxxi (1901), pp 162-75, 259-72.

Antrim, the parish constable of one parish was ordered by the parish council to keep a special watch on the house of one Rory Duff McCormick because 'at that time all the parish where he dwelt were very suspicious of him, in regard he had been arraigned at the bar at Derry before for villainy, and also did know him to be a man of very bad carriage'.⁵⁵

These controls did not remove tensions from the local community and many of these boiled over camouflaged by the events of the 1640s. Cormac McGuire, for example, fled from his home in Lecale at the outbreak of the rebellion, 'for fear of his life', because of a dispute between himself and a brother of Thomas Dixon of Bishopscourt. His fears were justified for he was murdered by Thomas a fortnight after his return to Ardlgass. In north Antrim Margaret Erwin, a servant of Mr Haughton of Aghadowey, was left alone in the house with her master's children because he had fled to Lisburn for fear of a neighbour with whom he was in dispute, Collo McKnogher. Other types of tensions boiled over, such as those behind the accusation that Jeanette Dilson of Ballintoy was a witch and had protected the village by witchcraft against the rebels.⁵⁶ Yet the system was effective in controlling the eruption of these tensions into violence, for of all those delivered from east Ulster gaols in 1613, few had committed violent crimes near their homes. The social links between criminal and victim were always weak, the attacker being usually a stranger in the place where the assault took place.⁵⁷

A structure of even more importance than the local community in social regulation was the family which was the basis of control, cooperation and regulation in all areas. Unfortunately it is extremely difficult, for lack of sources, to have any real insight into the workings of the family in rural society but some light can be shed on it by examining the ways in which it disposed its most precious resource, land, among its members.⁵⁸ Since a will was not recognised at common law in

⁵⁵ T.C.D., MSS 838, ff 41, 79^v; McCormick attacked the constable and broke out of the house. Also in 1615 James McEdmond had deposed that Teige O'Leenan was 'a bad liver', T.C.D., MSS 672, f 73.

⁵⁶ T.C.D., MSS 838, f 273; E. Hogan (ed.), A history of the war in Ireland (Dublin, 1873), pp 93-4; T.C.D., MSS 837, ff 144, 79.

⁵⁷ Based on Ferguson, 'Gaol delivery'.

⁵⁸ J. Goody, J. Thirsk, E.P. Thompson (eds), Family and inheritance (Cambridge, 1978), pp 1-9.

Ireland before 1635 the main means of devising land was by arrangement within the family and their arrangements reveal the family structures.⁵⁹ Such arrangements transgressed all cultural boundaries since they were responses to common problems of devising land. The techniques described below were used by both settler and native.

Four main patterns of devising land can be shown for east Ulster. The first was simple primogeniture, the land being passed on the father's death to his eldest son.⁶⁰ Sons might have to wait for some time under this system for when Richard Fitzharris's father died in February 1630 his son was thirty years old and already married. The second way of devising land was a variant on this; the land being placed in the hands of the eldest son before the father's death.⁶¹ The main reason for this was the failure of the manorial courts in this area to provide guarantees for the succession of lands as discussed above. A third inheritance custom was that of partible inheritance but this was rare in east Ulster, only two cases being known,⁶² where land was divided unequally among a number of sons. Both of these occurred in the poor land of mid Down where it was necessary to retain younger sons on the lands for their labour. A fourth custom involved the devising of land to daughters if there was no son. If the daughters were not married the land was usually divided amongst them equally. If the daughters were married, the inheritance was distributed equally among them and was absorbed by their husbands. Most of the lands of the Boyd family of north Antrim came in to the family through the marriage of Hugh Boyd, the rector of Ramoan parish, to Rose, the only daughter of Hugh McNeill of Duneany.⁶³

⁵⁹ Wills became recognised by the statute of wills, 10 Chas. I, s.2, c.2.(1). The church could administer wills before this in the perogative court but this was little used in east Ulster, only four wills being passed. A. Vicars, Index to the perogative wills of Ireland (Dublin, 1879), pp 310, 110, 269. The indices of the diocesan courts in P.R.O.I. show only one pre 1641 will for Connor proved there, five for Down and none for Dromore.

⁶⁰ Inq. Ult., Antrim, Chas I, no. 31; Antrim, Jas. I, nos 7, 13, Chas I, nos 6, 56.

⁶¹ Inq. Ult., Down, Chas. I, nos 52, 56; P.R.O.I., Thrift MSS, no. 79.

⁶² P.R.O.I., C.P. G411; Inq. Ult., Down, Chas. I, no. 89.

⁶³ O'Laverty, Down and Connor, iv, p. 41; P.R.O.I., RC6/2, p. 109; J.C.W. Wylie, Irish land law (London, 1975), p. 12.

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This evidence from inheritance customs suggests a tight knit family structure which did not like alienating lands outside the immediate family and preferably kept intact in the hands of the eldest son. This impression is confirmed by other evidence; unlike England there was little intra family violence, no cases being recorded on the gaol delivery roll. There were internal tensions, such as those which arose over the allocation of the profits from a land sale between two daughters at Ballysport in the Ards, but these were resolved within the framework of the family or the normal legal procedures.⁶⁴ The cohesion of the family is also shown in the low incidence of marital breakdown and infidelity. In the early seventeenth century marriage could only be dissolved on grounds of adultery or desertion. The church laid down that marriage was a holy institution sent from God to provide companionship and freedom from fornication. The state reinforced these views with legislation on bigamy, adultery and buggery.⁶⁵ Only one case of formally dissolved marriage is known from east Ulster before 1640.⁶⁶ The incidence of sexual misdemeanours was also low: the Antrim meeting session book for the years 1654-8 recorded sixty-three cases of adultery, of which six were unproved, sixty seven of fornication and ten of bigamy, desertion or wrong marriage.⁶⁷ Most of the marital offences were the result of the confusion of the 1640s, spouses wrongfully believing their partners dead and remarrying. By the standards of contemporary England the incidence of adultery and fornication were low and even sexual misdemeanours were kept within the family for in six of the cases of adultery the partners came from the same family group.⁶⁸ George Hunter,

⁶⁴ For this case, P.R.O.I., RC6/2, p. 109. For comparison with higher rates in England, J.A. Sharpe, 'Domestic homicide in early modern England' in Hist. Jnl., xxiv (1981), pp 29-48.

⁶⁵ L. Stone, Family, sex and marriage in England (London, 1977), pp 37-8; K. Thomas, 'The puritans and adultery' in D. Pennington, K. Thomas (eds), Puritans and revolutionaries (Oxford, 1978), pp 257-77; Westminster Confession, ch. XXIV; 10 Chas I, s.2, c.20 (Ir.); ibid., c.21(Ir.).

⁶⁶ D. Campbell, The clan Campbell, viii (Edinburgh, 1917), pp 77-8.

⁶⁷ P.R.O.N.I., D1759/1A/1.

⁶⁸ Stone, Family, p. 632; F.G. Emmison, Elizabethan life: morals and the church courts (Chelmsford, 1978), p. 6; S.J. Davies, 'The courts and the Scottish legal system, 1600-1747' in V.A.C. Gatrell, B. Lenman, G. Parker, Crime and the law: the social history of crime in western Europe since 1500 (London, 1980), p. 124.

for example, committed adultery with his niece and Isobel Atcheson of Ballyclare with her nephew and brother in law. All these indicators point to a tight knit family structure with considerable emphasis on the eldest son.

An integral part of the household, if not the family, was the servants. A strong dividing line was drawn between master and servant. There is, for example, only one case of fornication between mistress and servant in the Antrim session book.⁶⁹ Domestic servants, such as those in Jane Ellis's house in Antrim, were needed to run the house and servants were also needed on the farm. Shepherds and cowherds were needed as was a ploughman. At peak times in the agricultural cycle temporary servants were hired to help with the harvest.⁷⁰ The relationship between the master and servant was similar to that between landlord and tenant described above. The bond was a contractual one which could be disregarded if the employer did not also provide favourable conditions. The master could sublet land to his servants to provide for them or keep them in his own household but if they were not kept properly they would leave as the servants of the dowager countess of Antrim threatened to do in 1641 because she would not make their whiskey strong enough.⁷¹ Although such action was a felony it was unlikely that any of the absconding servants would ever be caught because of the lack of an effective policing system.

The evidence of the position of servants only serves to confirm that the family was tightly knit together and resisted outsiders. The master may have had legal responsibility for his servants but there the severely contractual obligation ended. This family structure is what might have been expected given the circumstances. Settlers and natives were both attempting to consolidate their positions in the early seventeenth century. They wanted their lands, whether newly acquired or to

⁶⁹ P.R.O.N.I., D1759/1A/1, p. 114.

⁷⁰ For examples, T.C.D., MSS 837, ff 51, 65, 30, 103, 105; T.C.D., MSS 838, ff 51, 85, 126, 161; Mont. MSS, pp 64, 135; Cal.S.P. dom., 1631-2, p. 263; SL, 24/25, no. 51.

⁷¹ For examples of servants on land, T.C.D., MSS 838, f 80^v; P.R.O.N.I., D671/D8/1/19A specified that the land mentioned on that lease was not to be sublet 'except to manual labourers residing in and upon the premises'. For indoor maintenance, P.R.O.N.I., D265/27; T.C.D., MSS 838, ff 23^v, 62.

be defended, to remain with the family and even within that not to be split but to remain concentrated in one person, the eldest son. Land was the main source of wealth and control for the head of the family and these had to be passed down intact since the settler lacked the main bulwark of authority in contemporary England: age.⁷² This structure, though solving one problem, could create a number, especially the provision for widows and younger sons. Some solutions were built in to the tight family for they would provide for each other. A widow, for example, could be taken in to her son's household, as was the case with the Thompson household at Glenarme.⁷³ The eldest son was also expected to provide for his younger brothers, as Bryan Magennis did in 1636.⁷⁴ Other means were used to provide. A widow had her marriage portion under the arrangements of the marriage and if the land was freehold she could also claim as a dower one-third of the lands. Lands could also be leased to a widow which she could then sublet for an income.⁷⁵ Younger sons also fared better than might be imagined for land was easily available in east Ulster with its low population and hence they could move well away from the parental home. The younger sons of George Camack, who in 1610 settled at Ballymoney, in north Antrim, went to England, Dromore and Dervock to set up for themselves and by 1641 Manus O'Cahan, a younger son of Gilduff of Dunseverick, had left his father's lands and moved into the town of Dunluce.⁷⁶

⁷² For the age structure, see appendix I, iii; K. Thomas, 'Age and authority in early modern England' in Brit. Acad. Proc., lxii (1976), pp 205-48.

⁷³ T.C.D., MSS 838, f 225; T.C.D., MSS 837, f 112.

⁷⁴ P.R.O.I., CP N157. The land granted was acquired later than the main block of Bryan's father's land and may have been acquired for the younger son, Inq. Ult., Down, Jas. I, no. 7.

⁷⁵ P.R.O.I., CP N157, X16; Wylie, Irish land law, pp 12, 77, 128; P.R.O.N.I., D265/53, 62, 67; D263/23; Inq. Ult., Antrim, Chas. I, nos 38, 40, 87, 107, 115, 140, 141.

⁷⁶ T.C.D., MSS 838, ff 155-6; Inq. Ult., Antrim, Chas. I, no. 43; F.O. Fisher, Memoirs of the Camacks of Co. Down (Norwich, 1897), p. 75; B.L. Harley 1514, f 68^v.

The general picture of rural society in east Ulster in the early seventeenth century is of small close knit communities bound together by bonds of kinship, geography and common interest. These communities were composed of tight knit families concerned to establish themselves in a society where land transfers were rapid. All this was held together by the lordship, the rights and land of the landlord, which provided a framework of dispute settling mechanisms, protection, both legal and physical, and a control on social mobility. Initially this society was heavily influenced from Scotland. Bonds of debt, kinship and land ownership still held many of the settlers to Scotland but by the 1620s these were being broken as land was sold in Scotland and debts paid off.⁷⁷ The cutting of these links is a testimony that the rural settlers in east Ulster had found a satisfactory way of organising themselves for their new activities in the new land.

⁷⁷ SRO, RH11/45/5; RS12/7, ff 279, 63-4, 484; RS12/3, ff 372, 374, 574, 581; RS12/4, f 58; RS40/2b, f 30; RS40/4a, f 304; M.H. Sanderson, 'Kilwinning at the time of the reformation' in Ayrshire archaeological and natural history collections, 2nd ser., x (1970-72), p. 123; W. Lamont (ed.), An inventory of the Lamont papers (Edinburgh, 1914), p. 138; W.J. Fullerton (ed.), T. Pont, Topographical account of the district of Cunningham (Glasgow, 1858), p. 209.

CHAPTER 9 ISLANDS IN A RURAL SEA: URBAN SOCIETY

Rural society was only part of the picture of east Ulster in the early seventeenth century for a similar process of making structures in which the everyday life of a colonial society could operate was going on in towns. Towns were clearly delineated from the countryside in seventeenth century east Ulster. Some, such as Carrickfergus, Newry, Ardglass and Downpatrick, still had walls as remnants of their medieval origins. The newer towns such as Belfast and Bangor, had no walls but their areas of jurisdiction, as defined by the charters, marked them off from the surrounding countryside. In October 1617 the jurisdiction of Belfast was spelled out by the corporation as being three miles from the edge of the borough.¹ Within this area the institutions of the town operated; the corporation, the town courts and the apprenticeship system. Although these institutions affected only a few - perhaps as little as 10 per cent of the east Ulster population were urban dwellers - the significance of towns in establishing a settlement was considerable in the eyes of early modern commentators. Edmund Spenser remarked in 1596:

for nothing doth sooner cause civility in any country than many market towns, by reason that people repairing often thither for their needs will daily see and learn civil manners
Besides there is nothing doth more stay and strengthen the country than such corporate towns, as by proof in many rebellions hath been proved..... And lastly there doth nothing more enrich the country than many towns.²

All these elements were in the minds of those in the central government dealing with east Ulster. When a market town was created at Dundrum in 1629 the patent declared that it was to be

for the public good of the inhabitants residing in or near Dundrum; and with the intention that they may have free trade and commerce among themselves and with other liege subjects, in buying, selling and exchanging commodities and merchandise by which the rude and country people of that region may be led to a more humane and civil mode of life and the more easily procure a provision of all necessities.³

¹ P.R.O.N.I., T811/3; R.M. Young, The town book of the corporation of Belfast (Belfast, 1892), p. 7.

² Spenser, View, ed. Renwick (1970), p. 165; Sir John Davies, 'A discovery of the true causes' in H. Morley, Ireland under Elizabeth and James (London, 1890), pp 340-1; B.L., Add 39853, f 7; B.L., Add 31878, ff 73v-4.

³ Cal. pat. rolls Ire., Chas I, p 452.

Central government saw towns as vital to all aspects of the settlement.⁴ As early as 1607 James I was prepared to grant corporations at Belfast, Bangor, Coleraine and Carrickfergus to the north Down landlord, Sir James Hamilton 'for the better settling and encouraging of the new colonies of English and Scotch which do daily endeavour to make civil plantation within the counties of Down and Antrim'.⁵

As well as a necessary precondition of 'civility' towns had the more practical purpose of being military strongpoints in case of rebellion. As early as 1550 it had been stressed that the towns of Antrim and Down were vital as strategic centres. In 1573 the earl of Essex was keen to erect a corporate town at Belfast because of its importance in guarding the pass between upper and lower Clandeboye.⁶ During the rebellion of the earl of Tyrone the towns of east Ulster acted as centres for the supply of food, arms and as entry ports for troops during the military campaigns. Carrickfergus, for example, was responsible for supplies of food and munitions to Belfast, Masserine, Toome and Inishloughlin, all forts within marching distance of it, and during a campaign of 1602 against Brian McArt O'Neill, a rebel leader in Down who had retreated to the Dufferin, supplies for the army were shipped from Carrickfergus to Lecale.⁷

The functions of defence and promotion of 'civility' were the urban roles emphasised by central government. Landowners viewed towns in a different light, as important social and trading centres where local gentry could gather and merchants could sell and buy goods. Landowners in east Ulster were keen to establish market rights in the towns which lay on their estates since markets were profitable for them. Their perspective on urban growth was profit orientated and many of the new towns of the seventeenth century owed their birth to a desire by land-owners to maximise profit.

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R.J. Hunter, 'Towns in the Ulster plantation' in Studia Hib., xi (1971), pp 40-46.

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Cal. S.P. Ire., 1606-8, pp 133, 233.

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SP63/2/57, 58; Cal. Carew, 1515-74, pp 229, 448, 475; Benn, History, p. 41, n. 3.

7

Cal. Carew, 1589-1600, pp 216, 271; P.R.O.I., M2441, ff 6, 8, 20-21, 22, 34, 56.

Towns were not a new phenomenon of the seventeenth century. Ardglass, Dundrum, Strangford, Newry and Carrickfergus had been important medieval trading ports and Dromore and Downpatrick were ecclesiastical centres.⁸ Many of these towns declined in importance during the sixteenth century. The ports of Ardglass and Strangford were hit by the troubles of the 1540s and never recovered, and in 1573 Lord Deputy Fitzwilliam complained that Carrickfergus was almost deserted.⁹ Despite this decline there was considerable traffic between towns and the countryside in the sixteenth century. In 1549, for example, Sir Nicholas Bagnall noted that the rebuilt town of Newry had become a centre of marketing for native Irish as far away as Armagh, and in the 1596 negotiations for a cessation in the Nine Years War the earl of Ormond and the archbishop of Cashel, the two representatives of the English forces, promised 'that the English should not encroach upon them [the natives] beyond the boundary, excepting those who were in Carlingford, Carrickfergus and Newry, who were at all times permitted to deal and traffic'. The movement of goods was not exclusively from settler to native, for later in 1596 Shane McBrian O'Neill 'made proclamation throughout his country that none of his followers, upon a pain, shall bring any victuall to that town [Carrickfergus]', demonstrating that native Irishmen did market their goods in towns.¹⁰

This sixteenth century base provided solid foundations for urban expansion in the early seventeenth century. There was, for example, considerable expansion of trading activity with royal grants of fairs and markets rationalising the legal basis of trade. Older functions of towns, as garrisons for instance, began to decline. By 1631 Newry and Carrickfergus, the main garrison towns of the sixteenth century,

⁸ E.M. Jope (ed.), *An archaeological survey of County Down* (H.M.S.O., 1966), pp 391-2, 405, 411, 430, 435; *Cal. pat. rolls, 1476-85*, pp 20, 39, 160; *Cal. pat. rolls, 1467-77*, pp 161, 193, 583, 596.

⁹ R.C. Parkinson, 'Downpatrick, the medieval city' in *Proc. Belfast Nat. Hist. and Phil. Soc.*, viii (1970), pp 32-7; E. McCrum (ed.), S. Miskimmen, *History and antiquities of Carrickfergus* (Belfast, 1909), pp 23, 379, 384; *Cal. S.P. Ire., 1598-9*, pp 25, 70; D.B. Quinn, 'Anglo-Irish Ulster in the early sixteenth century' in *Proc. Belfast Nat. Hist. and Phil. Soc.* (1933-4), pp 60, 62-3.

¹⁰ SP 61/2/39; *A.F.M.*, sub 1596; *Cal. S.P. Ire., 1596-7*, p. 69.

were both poorly supplied with arms; Carrickfergus having no arms and Newry only 0.62 per cent of the Irish total. A similar situation existed with gunpowder.¹¹ This decline in older functions was compensated by the rise of new urban roles. With the revival of central government interest in local administration in the early seventeenth century (as described in chapter six) centres in which royal government could be based were required. Hence, certain towns became important as regional administrative centres. In County Antrim, Carrickfergus and Ballymena were favoured centres, the former in the south of the county and the latter in the north. At these two centres 148 of the 152 Antrim inquisitions carried out in the early seventeenth century were taken. In County Down, Newry, Downpatrick and Dromore, each of which served a distinct part of the county, accounted for 114 of the 126 early seventeenth century Down inquisitions. These towns provided points of contact between central government, local government and the governed. A proclamation of 1633 on the quartering of the army was to be proclaimed in 'shire towns, county towns, market towns' so that it would be heard.¹² As new functions grew up around certain towns they became more complex in their government, social structure and economy. Others never achieved the predominance of this first group but remained important regional centres. Below these groups of substantial towns there was a myriad of small markets and villages whose history is unclear. Most is known about the towns which became important. They had a complex government structure set up by charter, and power was exercised by a corporation. They acted as regional capitals and as administrative, trading and residential centres. To understand the urban structure of east Ulster it is important to appreciate the history of these towns.

I

Towns of the first rank in east Ulster grew rapidly in the early ~~seventeenth~~ century. Bangor, on the north Down coast, had forty-four households, or 226 people, in 1625. By 1630 the population had

¹¹ SL, 1, f 36.

¹² Steele, Tudor & Stuart proclam., ii, no. 302.

increased to 987.¹³ A near neighbour, Holywood, reflects a similar pattern for in 1611 it had twenty households which had increased to thirty-six, or 183 people. By 1625 and at the time of the muster roll its population stood at 656. In 1611 the Plantation Commissioners recorded that Dromore, in west Down, was a small settlement with only a few recently built houses, yet by 1630 it had a population of 184 and was a flourishing market centre. Such expansion was due to two factors: the absence of plague which, due to poor sanitation and high population density, could decimate a town's population, and continuing migration into towns. Of these immigration was the more important. Migrants came from both England and Scotland as well as the surrounding countryside. Most of the Scots migrants whose origins can be traced had an urban background and so provided expertise in the running of towns. William Montgomery, a burgess of Irvine, settled in Donaghadee and William Barclay, also a burgess of Irvine, moved to Bangor.¹⁴ Although there was some movement from the surrounding countryside to apprenticeships in the towns the bulk of the urban population was settler in origin. A 1639 survey of the inhabitants of Belfast, on the basis of their surnames, suggests that 43.5 per cent of the town's population were Scots, 41.3 per cent English, 6.5 per cent Irish, the remainder being untraced.¹⁵

Towns expanded rapidly mainly because they offered profitable speculation for landlords. Rents were much higher from towns than from agricultural lettings because towns concentrated a higher number of rent payers on a small area of land. The land on which the town was built was often waste since all a town site required was good drainage, accessibility and a water supply. A 1575 rental of the Bagnall estate shows that the town of Newry alone accounted for 25 per cent of the total rental.¹⁶ In 1630 the incomes from the towns of Belfast and Carrickfergus amounted to

¹³ P.R.O.N.I., T811/3; B.L., Add. 4770, ff 238-45; for the techniques used to derive these figures, see chapter 3.

¹⁴ W. McLeod (ed.), 'The protocol book of Robert Brown' in Arch. and hist. coll. relating to Ayrshire and Galloway, vii (1893), pp 198-201, 139-141; viii (1894), pp 107-11; ix (1895), pp 193-5.

¹⁵ R.M. Young (ed.), The town book of the corporation of Belfast (Belfast, 1892), pp 11-12.

¹⁶ Bodl., University College 103, f 142. This is increased to 29 per cent if allowance is made for irregular income such as heriots and for the customs revenue of the town.

34 per cent of the income from all Sir Edward Chichester's extensive lands in east Ulster. The town of Belfast alone was the fifth most productive unit of all the Chichester's Irish property.¹⁷ Towns also brought other sources of income apart from rents, notably the market dues.

Despite this incentive to expansion the towns of east Ulster were smaller than their English counterparts. Belfast, when it was enclosed by a rampart in 1642, covered eighty-six acres or one-seventh of a square mile; Downpatrick, the largest of the medieval towns in Down, was only one quarter of a square mile and Carrickfergus, even after an expansion during the rebuilding of the walls in 1610, was only one-thirty-eighth of a square mile.¹⁸ This was due not to lack of enthusiasm by land-owners but rather to the generally low levels of population in east Ulster.

By 1611 the construction of towns in Antrim and Down was well under way. Artificers at Belfast were building 'good timber houses with chimneys after the fashion of the English pale'. Bangor, in north Down, and Dunluce, in north Antrim, were being built in a similar way.¹⁹ In the case of Belfast the report of the Plantation Commissioners makes it clear that the landlord, Sir Arthur Chichester, laid out the building plots but it was the responsibility of the tenant to erect the building. This was also the case at Bangor and Templepatrick. This device, known as the building lease, was used to minimise the outlay of the landlord by giving a short lease to a tenant which obliged him to build and clauses were inserted in subsequent leases to keep the property in repair.²⁰

This type of small, mainly wooden built, town had a number of serious problems. Fire was a particularly serious threat. Newry, for example, was burnt down in 1600 as a result of an accident while distilling whiskey.²¹ Bangor almost suffered a similar fate in 1623

¹⁷ P.R.O.N.I., D389/4; T712/5.

¹⁸ Benn, History, p. 276; Jope (ed.), Archaeological survey, p. 273; P.R.O., MPF 98.

¹⁹ P.R.O.N.I., T811/3.

²⁰ P.R.O.N.I., T811/3; D929/F2/3/15; on building leases. L. Stone, Crisis, pp 357-63; N.L.W., Cross of Shaw Hill MSS, Deeds no. 174.

²¹ Cal. S.P. Ire., 1600, p. 226.

when the presbyterian minister, Robert Blair, set his house on fire while reading but fortunately the fire was controlled.²² The corporation of Belfast did try to take some preventative measures against fire when in March 1638 they ordered that anyone who did not replace their wooden chimneys with brick ones should be fined forty shillings.²³ There were other natural hazards; in 1624 part of Bangor was blown down by wind and it was feared that the whole town would be demolished.²⁴ By far the most serious problem was disease which spread rapidly in densely settled towns with poor sanitation. For four months in 1643 disease swept through the towns of Coleraine, Carrickfergus, Belfast and Lisburn, killing over 11,000 persons.²⁵ Urban authorities in Belfast did attempt to alleviate the more acute infection problem by fining those who dumped manure and carrion in the streets and river and in 1642 they employed a man to bury carrion.²⁶

The town was dominated, architecturally and otherwise, by the local landlord's house. Sir William Brereton commented that Chichester's house at Carrickfergus was 'very stately or rather like a prince's palace'. To Brereton, Belfast castle was 'the glory and beauty of that town' though less impressive than the house at Carrickfergus.²⁷ The civic and commercial life of east Ulster towns resolved around the landlord's house and the church. In the case of Belfast the market place was situated beside the castle as was also the case in Newry and Downpatrick. In Carrickfergus the old church/market place relationship remained as Joymount, Chichester's house, was on the outside of the town.

A second important element in urban topography was the town fields. Since towns were particularly vulnerable when cut off from their rural hinterland an alternative source of food had to be available for years of poor harvests when there was little surplus from the countryside.

²² Blair, Autobiography, pp 59-60.

²³ Young, Town book, p. 11.

²⁴ Blair, Autobiography, p. 63.

²⁵ D. Harcourt, The clergies lamentation (London, 1644), p. 9.

²⁶ Young, Town book, pp 16, 23; Benn, History, p. 195.

²⁷ Brereton, Travels, pp 127, 128.

This alternative source was found by granting townsmen land near the town on which they could grow some grain. In the case of Carrickfergus Sir Henry Sidney, the lord deputy, noted in 1570 that 'the inhabitants of Carrickfergus have certain corn growing on the ground beside the said town of Carrickfergus which they, and their adherants, have sown to their no small charge'.²⁸ Commons were also provided near some towns on which cattle could be grazed.

The ways in which the town fields were managed varied from town to town. At Carrickfergus they were vested, as were the lands of the county of Carrickfergus, in the hands of the corporation by a royal grant of 1601.²⁹ The corporation leased holdings in the town fields to individual inhabitants of the town. Tenants were granted land in fee farm and were obliged to enclose their land within three years. They were also granted grazing and turbary rights.³⁰ The making of perpetuity leases by the corporation was an attempt to raise money by charging high entry fines in return for long leases. These long leases led to speculation in the town fields which became concentrated in fewer hands. Richard Dowdell, for example, purchased some of another burgess's lands, Henry Ockford's, in 1596 and in 1603 he bought the rest of Ockford's land. Similarly by 1627 Ingrahan Horsham, who held no land in 1603, had bought up the holdings of three individuals. One of these, Thomas Wyttter, had been granted one and a half shares in the town fields in 1606. By 1620 he had added a further two shares to this and finally sold all the lands to Horsham for £104.³¹ Such speculation and consolidation was not unique to Carrickfergus: Lord Clandeboy complained in 1652 that at Killileagh:

his father, in his lifetime, had purposely laid off the common belonging to Killileagh for the only benefit of those which had not town acres either for corn or grass, which good intention of his towards them they had become deprived of, since the breaking out of the rebellion, by the richer and abler sort.³²

In east Ulster Carrickfergus was unique in having its own lands vested in the corporation. Most of the major towns were the outcome of landlord enterprise and thus the landlord owned and ran the town lands.

²⁸ Miskimmin, Carrickfergus, p. 288.

²⁹ Cal. pat. rolls Ire., Eliz. pp 607-17.

³⁰ Miskimmin, Carrickfergus, pp 296-301; P.R.O.N.I., T686; T1107/1-4; LPC 253; LPC 1246.

³¹ P.R.O.N.I., T686/1/1-3; T686/2,4,6; D1905/2/155B.

³² Ham. MSS, app. VII, p. lxxii.

At Belfast Chichester allocated the lands of the sixteenth century castle for the use of the townsmen and at Bangor, Dundonald and Killileagh Sir James Hamilton set aside lands: 'parcels laid to the townsmen' and commons for their cattle.³³ The usual method of allocating plots in the town fields was to link each tenement in the town to a parcel in the fields.³⁴ Just as the manor court regulated the lands of a manor so the corporation of a town, acting for the landlord, sitting as a court could regulate the use of the town fields. In 1619, for example, the corporation of Belfast ordered that all those who had not enclosed their holding in the fields should be fined two shillings which was to be used to appoint a surveyor to supervise the erection of fences.³⁵ In the case of Carrickfergus it was the corporation, sitting as a court, which leased the town's lands.

It is difficult to discover much about the occupational structure of the east Ulster towns as only two corporation books and one faulty set of freemen's rolls have survived. The urban base was not well enough developed in early seventeenth century east Ulster to support much occupational specialisation and every man had to be able to do a number of things: brew beer for domestic consumption, work land in the town fields and possibly engage in two or more other occupations. Much urban employment was seasonal and so many urban dwellers had to have a range of skills to carry them over a full year. Tanning, for example, depended on good drying weather as well as the supply of skins and so the corporation of Belfast would not permit the sale of leather produced in winter time since it proved inferior.³⁶ In one indenture of apprenticeship made in 1648 John Rigby, a Belfast tanner, took his brother, Thomas, as an apprentice 'in the art, craft, mystery and occupation of a tanner and also in all other faculties, labours, works, occasions and businesses of the said John Rigby' indicating that John had more than one occupation.³⁷

³³ Benn, History, pp 41-2. The boundaries of the town fields of Belfast are in leases of the late seventeenth century, P.R.O.N.I., T811/1-2; T870.

³⁴ P.R.O.N.I., T761/3; M.A.K. Garner, 'North Down as displayed in the Clanbrassil lease book' in Proc. Belfast Nat. Hist. and Phil. Soc., viii (1970), pp 24-5; Benn, History, pp 275, 283-4; P.R.O.N.I., T549/3; LPC 1058; D929/F2/3/15.

³⁵ Young, Town book, p. 7.

³⁶ Ibid., pp 55-6.

³⁷ Ibid., pp 59-60.

The survival of the freemen's rolls for Belfast makes it possible to gain some insight into the occupational structure of the town.³⁸

The occupational structure of Belfast fell into well defined groups reflecting the different functions of the town. The high percentage (12.5 per cent) of gentlemen who were freemen of the town, for example, indicates the town's importance as a social centre. Patrick Adair, a presbyterian minister, commented that Belfast was 'the place where country gentlemen and officers then most haunted'.³⁹ This high proportion of wealthy inhabitants was also reflected in a 1643 Belfast assessment for highways in which 37 per cent of the town's population were assessed above the mean of four shillings and 10 per cent paid over ten shillings.⁴⁰ Much of the attraction of Belfast lay in its being the Ulster residence of the Chichester family, the founder, Sir Arthur, being lord deputy from 1605 until 1615. This conferred prestige on the town and hence attracted local gentry. Some gentlemen who were enrolled as freemen of Belfast, such as Humphry Norton, Sir Moses Hill and Henry Le Squire, all held land outside the town as well. Many of these men had close personal ties with Sir Arthur. Other towns had important gentry contacts. Despite owning considerable estates in Antrim and Down, Sir Fulke Conway, Herculese Langford and Moses Hill all retained houses in Carrickfergus.⁴¹ Downpatrick, as the county centre for Down, also had a number of houses belonging to local landowners. These county centres were particularly important for the gentry since it was here that they met for the assize and quarter sessions to deal with the problems of the region.

The impact of this gentry group on the economy of towns was significant. The assize, for example, could bring considerable wealth to a town by attracting local gentry. When the assize was moved from Newry to Dromore in 1628 Newry was 'much impaired by its removal' and so the summer assize was restored to it.⁴² A high proportion of gentry

³⁸ Appendix VI.

³⁹ W.D. Killen (ed.), P. Adair, A true narrative of the rise and progress of the presbyterian church in Ireland (Belfast, 1866), p. 168.

⁴⁰ Young, Town book, pp 25-7.

⁴¹ P.R.O.N.I., T1107/4; T.C.D., MSS 838, f 312; SP63/249/1549.

⁴² Cal. pat. rolls Ire., Chas. I, pp 415, 558.

in a town meant a heavy demand for consumer goods. Carrickfergus, for example, imported large quantities of luxury goods, such as silks, which were not imported into other east Ulster ports. Imports of wine reveal a similar demand for luxury goods in Carrickfergus which imported £300 worth of customable wine in 1640 while Donaghadee and Bangor, towns with a small gentry population, imported only £11.16s.3d. worth.⁴³ A nucleus of gentry in a town conferred a certain prestige on it and hence attracted other groups. Newry, for example, was the main centre of merchant activity in Down yet the town was a bad port, goods being landed at Carlingford and shipped to Newry in small boats. The merchants chose Newry because it was the local assize town and the seat of the major local landowning family, the Bagnalls.⁴⁴ Lord Mountnorris, the comptroller of the king's works, recorded the importance of this phenomenon in the development of Belfast:

when Carrickfergus was constituted a port in this kingdom there was hardly a house in Belfast except Lord Chichester's castle. Afterwards his lordship coming there to live, several British families did come to settle, upon which, for the good of the English interest his lordship did prevail with James of blessed memory who gave it a charter. It had few or no merchants trading beyond the seas. Now by the encouragement of the earl of Donegall and the industry with God's blessing, upon the endeavours of the merchants the trade imported and exported at Belfast is at least seven eighths parts of the whole customs and excise taken at Carrickfergus.⁴⁵

Merchants formed the second most important occupational group in early seventeenth century Belfast. The importance of the merchant group can be measured by the fact that they comprised a quarter of all admissions to freedom for 1635-9 in Belfast. Many of these men were not resident in the town, such as John Wright, a freeman of Holywood, who actually lived in Wexford, but were freemen in order to gain trading rights in towns.⁴⁶ Belfast had become an important port by the early seventeenth

⁴³ Leeds City Library, TN/P07/1/1-4; Syon House, Northumberland MSS, Y.11.26 (N.L.I., p3482/7).

⁴⁴ B.L. Harley 2138, f 169^v; Gilbert, Contemp. hist., 1641-52, i, pp 419, 575.

⁴⁵ Cal. S.P. Ire., 1647-60, p. 336.

⁴⁶ T.C.D., MSS 837, f 18. Men were fined for trading from towns in which they were not freemen. Young, Town book, p. 15; D. Woodward, 'The Anglo-Irish livestock trade in the seventeenth century' in I.H.S., xviii (1973), p. 504.

century due to the expansion of its hinterland as far as Lisburn and by the decline of its rival Carrickfergus in the 1630s. By 1632 Christopher Lowther, a Whitehaven merchant with a link in Dublin, felt Belfast was sufficiently important to base his partner, Rowland Jackson, there.⁴⁷ Many of these freemen merchants moved about considerably. In 1635 Robert Barr established himself trading between Ireland and Scotland as 'a great trucker and tumbler of commodities' in Londonderry, where he also ran the customs, but the lord deputy, Thomas Wentworth, regarded him as unsuitable for the position. By 1638 he had moved to Belfast where he was exporting iron until forced to flee to Scotland in 1639. He remained in Ayrshire and purchased lands there.⁴⁸ The case of another Belfast merchant, George Martin, demonstrates greater mobility. In 1633 he was based in Carrickfergus shipping corn to England and from there moved to Belfast shipping iron along the coast to Drogheda and Dublin. By 1637 he had moved to Lisburn where he was dealing in tobacco with a local agent, John McDowell, who later became a merchant in his own right at Newtownards. At the time of his death in 1639 Martin had moved back to Belfast, dealing in tobacco, and had married into land at Drumbeg, to the east of the town.⁴⁹

Just as merchants tended not to trade from one special centre they did not specialise greatly in their cargoes. They acted as intermediaries between producer and consumer and hence dealt with anything in demand. Robert Kile, an Irvine merchant, imported ten hogsheads and fourteen barrels of white salt, twelve firkins of soap and two bottles of aqua vitae into Belfast in 1629. The goods of William Clugston, a Belfast merchant, in 1639 were as varied as eighteen dozen needles, six dozen knives and a firkin of treacle.⁵⁰

⁴⁷ D.R. Hainsworth (ed.), Commercial papers of Sir Christopher Lowther, 1611-44 (Surtees Society, Newcastle-upon-Tyne, 1977), *passim*.

⁴⁸ SL, 15, no. 22; Bodl., Carte 66, f 8; Strafford, Letters, ii, p. 227; G. Robertson, A genealogical account of the principal families of Ayrshire, ii (Ayr, 1824), pp 302-3.

⁴⁹ Bodl., Carte 67, f 7; P.R.O.I., Ferguson MSS, xii, p. 242; B.L., Harley 2138, f 180; P.R.O.N.I., T761/8; P.R.O.I., RC9/1, Chas. I, no. 2.

⁵⁰ Young, Town book, p. 11; P.R.O.I., RC9/1, p. 37, no. 2.

Given the problems of shortage of specie in the early seventeenth century many of the merchants' transactions were done on credit, as were most financial dealings in town. The will of Robert Boyd of Carrickfergus demonstrated a complex web of debts for work done by him. Similarly the Belfast merchant, Robert Barr, was described by Wentworth as having a large number of debtors.⁵¹ Much of an urban merchant's wealth was held in debts, goods and investments in projects. William Clugston, a Belfast merchant, on his death, held £30.11s.8d. in goods, owed £11, and was owed £100. George Martin had goods and debts owing to him to the value of £75; indeed one of the problems of settling Martin's estate on his death was the amount of money tied up in debt.⁵²

Various techniques were used to manage this complex network of debt. The most usual way took the form of an obligation of debt, acknowledged by the debtor and to be paid at a future date.⁵³ More complex was the bill of exchange, which laid down a time scale for repayments. The time laid down could be anything from three days to a year and the bills could be discounted at any place.⁵⁴ This gave a merchant breathing space to sell part of his goods to pay debts. Bills of exchange were crucial to the working of the merchant community. Developments in the law of contract in the sixteenth century made bills easier to obtain by not requiring them to be made under seal. Towns provided an important service for merchants in registering, discounting and enforcing these more easily drawn up bills through the market court and the corporation.⁵⁵ Many bills were registered in the corporation book of Belfast in order to provide a formal record of them and a legal base to the confidence that they would be honoured. Credit could operate on a simpler level, through the issuing of tokens by merchants themselves. Many traders had shops in Belfast where a wide range of goods such as tobacco and

⁵¹ P.R.O.N.I., T828/4; SL, 19, no. 74.

⁵² P.R.O.I., RC9/1, p. 37, no. 2; RC9/1, Chas I, no. 2; SL, 19, no. 74.

⁵³ M.S. Shaw (ed.), Some family papers of the Hunters of Hunterstown (Scottish Record Society, Edinburgh, 1925), p. 80, nos 8,9.

⁵⁴ Hainsworth (ed.), Commercial papers, pp 29, 45; Young, Town book, pp 29, 33-4, 57-8.

⁵⁵ On changes in the law of contract, A.W.B. Simpson, A history of contract at common law (Oxford, 1975), *passim*.

leather could be purchased.⁵⁶ Such purchases were too simple to warrant bonds or bills and so in the absence of small change merchants struck their own in the form of tokens on discs of copper.⁵⁷ In this way merchants contributed significantly to the development of the east Ulster economy in easing the cash problem by building up credit networks instead.

Besides the merchants a number of other, less important, occupations developed in the towns of Antrim and Down. One of the distinctive features of the regional centres, such as Belfast or Carrickfergus, was the appearance of an infrastructure to provide services for local gentry, travellers or visiting government officials. The most important of these was the inn. As early as 1611 an inn had been established at Belfast. By the 1630s most important towns, such as Newry, Carrickfergus, Bangor, Lisburn and Dromore had inns which provided lodging, ale and a meeting point in the towns.⁵⁸ A second important Belfast industry was clothing. Shoemakers, clothiers, tailors and glove-makers, accounted for 32.5 per cent of all freemen before 1640. Items such as gloves and shoes were luxuries in early seventeenth century Ireland and so the gentry influence may be detected here. The high proportion (41.6 per cent) of leather workers in the clothing industry reflects a high degree of integration within the occupational structure since they were linked with two other of the important groups in Belfast, butchers and tanners. The main food processing group was the butchers. By the 1630s Belfast was sufficiently noted for its meat for Christopher Lowther to send his partner there to purchase meat to be shipped to Bristol.⁵⁹ The butchers not only produced meat but also skins which were sold to the tanners. There was little tanning in Belfast until the 1640s when Thomas Waring moved his father's tannery from Toome, on the north shore of Lough Neagh, to the outskirts of the town and

⁵⁶ For example, P.R.O.N.I., T671/8.

⁵⁷ G. Benn, 'Notices of local tokens issued in Ulster', in U.J.A., 1st ser., ii (1854), pp 29-31, 230- 2.

⁵⁸ P.R.O.N.I., T811/3; T808/12455; P.R.O.I., Chancery bills L46; Brereton, Travels, pp 126-9, 132; Blair, Autobiography, p. 67.

⁵⁹ Hainsworth (ed.), Commercial papers, pp 12, 15, 51, 121.

established an extensive business.⁶⁰ Tanning, in turn, was linked with the iron workings which developed around the town; at Newforge by 1630 and at Ardoye and Stranmillis by 1640.⁶¹ Oak bark, which was left over from the making of charcoal used in iron smelting, was the raw material of tanners.

There was little industrial development in Belfast. Two smiths enrolled as freemen by 1640 provide the only example of heavy industry and they were probably linked with the local iron industry outside the town. They also provided a service for the surrounding countryside by producing agricultural implements. Tuck mills at Belfast and corn mills at Carrickfergus and Newry by 1600, also provided services for the countryside.⁶² Shipbuilding developed in Belfast on a small scale; in 1636 a group of presbyterians attempted to leave Bangor for America in a small ship built at Belfast.⁶³

Thus the occupational structure of Belfast was geared both to the demands of the gentry inhabitants for luxury items and to the processing of the products of the countryside. As a result it developed, by English standards, a very restricted occupational structure. An English provincial centre, such as Norwich, had over a hundred trades in the early seventeenth century and most market towns had between twenty and thirty.⁶⁴ Belfast, at maximum, could only muster twenty occupations, and these were mainly service industries. Other towns, due perhaps to greater antiquity, such as Newry, could boast a rope maker, tailor, dyer, miller and large farming, gentry and merchant communities.⁶⁵

The main aim of those who worked in towns was to invest the money that they earned there in the most secure way possible in the sixteenth century: land. This option was made doubly attractive by the status value of

⁶⁰ McCracken, Ir. woods, p. 83; Benn, History, p. 249.

⁶¹ McCracken, Ir. woods, appendix 3; L.A. Clarkson, 'The leather crafts in England' in Ag. H.R., xiv (1966), pp 29-30, 32, 38; Cal. S.P. Ire., 1608-10, p. 89; Benn, History, p. 273.

⁶² H.D. Gribbon, The history of water power in Ulster (Newtown Abbot, 1969), pp 39, 55; P.R.O.I., Ferguson MSS, xx, p. 64.

⁶³ Adair, True narrative, p. 42. The development of shipbuilding in Belfast had also been suggested in 1583 by the lord deputy, Sir John Perrot, Cal. Carew, 1575-8, p. 37.

⁶⁴ P. Clarke, P. Slack, English towns in transition (Oxford, 1976), p.5. Lurgan, a market town in Co. Armagh, had 20 occupational groups in 1622.

⁶⁵ T.C.D., MSS 837, ff 2, 4, 12.

land. From the late sixteenth century the inhabitants of towns in east Ulster had been purchasing lands near the towns or speculating in town fields. By 1592, for example, John Lugge of Carrickfergus held four townlands in the Ards.⁶⁶ It was usually merchants who managed to accumulate enough capital to purchase land. By 1607 Christopher Fleming, a Newry merchant, had acquired a substantial estate in Monaghan by purchase and a smaller amount in Armagh. Thomas Creelly, another Newry merchant, acquired extensive lands in mid Down from Sir Arthur Magennis.⁶⁷ The availability of land resulting from the breakup of Conn O'Neill's estate in north Down allowed a number of townsmen to acquire substantial tracts of land there. These included Moses Hill of Carrickfergus, Michael Whit, a mayor of Carrickfergus in 1611, and Henry Le Squire of Belfast.⁶⁸

This drive for land outside towns was an important impetus for the colonisation of east Ulster. Many of the colonists first settled in the towns there because, initially, they needed less capital to move to a town than to an estate. Moses Hill acquired most of his lands from Carrickfergus, where he was sheriff in 1594 and mayor in 1603. John Dalway, a south-east Antrim settler, was mayor of Carrickfergus in 1592 and 1600, and Sir Fulke Conway, who held land around the town of Antrim, had been mayor of the town in 1608 and 1609 as well as governor in Sir Arthur Chichester's absence.⁶⁹ Towns acted as reservoirs for settlers in the early stages of the colonisation and provided a necessary foothold for the importation of settlers to east Ulster.

This urban economic structure was held together by the apprenticeship system which controlled admissions to trades and hence occupational mobility. The basis on which the system was founded was the English

⁶⁶ SP63/167/52.

⁶⁷ Cal. S.P. Ire., 1606-8, pp 169-71; R.J. Hunter, 'The Ulster plantation in counties Armagh and Cavan' (M.Litt, T.C.D., 1967), p. 34; P.R.O.I., Lodge MSS, Wards and liveries, p. 85; Lodge MSS, Records of the rolls, vi, pp 392-3; Cal. pat. rolls Ire., Jas. I, p. 12.

⁶⁸ P.R.O.N.I., D671/D4/1/2; SL, 17, no. 38; Benn, History, p. 237.

⁶⁹ Miskimmin, Carrickfergus, pp 411-12, 474-5; A.T. Lee, 'Notes on bawnes' in U.J.A., 1st ser., vi (1858), p. 129; SP63/217/94.

statute of artificers (5 Eliz.I, c.4(Eng.)) which, although never enacted in Ireland, formed the basis of early seventeenth century thought on the problems of labour shortage and social mobility. No system of craft guilds was created in Antrim or Down during the early seventeenth century and so the apprenticeship regulations were enforced by the corporations who enrolled apprenticeship indentures in their records and supervised their enforcement.⁷⁰ Under the terms of his indenture the apprentice promised to serve his master for seven years, or on some occasions eight, and in return the master was to provide for him 'meat, drink, clothes and apparel and all other necessaries fitting for an apprentice of profession and faculty'. At the end of the apprenticeship the master was to ensure that the apprentice was made a freeman and help set the apprentice up with either 'such help of tools' or a sum of money. This provision of capital was important because there was so little cash available that capital accumulation was difficult. For this reason trades usually ran in families. An agreement on the estate of John Smith, a Belfast smith, made in 1647 observed that half [of the smithy] was given unto him [William Partridge, Smith's son in law] in marriage with his [Smith's] daughter and also all the work tools was likewise given unto him by his said marriage'.⁷¹ For those without family connections to provide fixed capital the apprenticeship system was vital.

The political structure of these important towns, on the other hand, was held together by the charter. It defined the government and politics of a town by creating a civic elite, the burgesses, and regulating its relationship with local and national authorities. The charter defined the rights and privileges of the borough and hence was carefully protected. In 1603 the corporation of Carrickfergus provided 'for the safer and better keeping of the town charter' a chest with three or four locks, the keys of which were to be dispersed among four people and were not to be taken out of the liberties of the town. In 1638 the corporation was forced by central administration to exhibit its charter before claiming its privileges.⁷² In the sixteenth century the powers of the corporation of

⁷⁰ P.R.O.N.I., T707, ff 37-41. Some guilds appeared in the later part of the century; for example in Carrickfergus the Tailors and Grovers Guild (1680) and Shoemakers (1674), Mun. corp. Ire., rep., app. II, pp 316-17.

⁷¹ Young, Town book, p.48. Similar provisions were made in England, D.Paliser, Tudor York (Oxford, 1979), pp 86, 150. For examples of fathers taking sons into apprenticeship, P.R.O.N.I., T707, ff 32, 41; Young, Town book, pp 59-60.

⁷² P.R.O.N.I., T707, f 37; P.R.O.I., Ferguson MSS, xxvi, p. 110.

Carrickfergus had grown considerably due to a series of bye-laws made by the corporation so that by the latter part of the century it was clear that its powers would have to be controlled.⁷³ In 1581, for example, Sir Geoffrey Fenton remarked to Lord Burleigh that more care should be taken in the selection of the Carrickfergus corporation. Control was also exercised by modifying patents. The Carrickfergus charter of 1402, modelled on that of Drogheda, was invalidated by the simple expedient of its seizure in 1578 by the lord deputy, Sir Henry Sidney. It was replaced by a charter which modified considerably the town's rights in the collection of customs and increased the queen's rent from the town.⁷⁴ In the early seventeenth century new charters were issued to most of the east Ulster towns to help elections for the parliament of 1613-15. These charters standardised the government of towns; each was to be governed by twelve burgesses and a sovereign, referred to in some towns as a provost. This group constituted the corporation and was charged with the running of the towns.

From the beginning these corporations were faced with two major problems: the recruitment of men of sufficient standing who were prepared to serve as burgesses and the enforcement of their authority. The problem of recruitment was a serious one. In England, town government was frequently controlled by a small merchant oligarchy but in east Ulster the merchant community was smaller than its English counterpart and much more mobile, many merchants only becoming freemen of a town for trading rights. Other merchants were interested in profit, not political involvement.⁷⁵ Many offices in urban government were expensive and troublesome and hence there was considerable reluctance by residents to accept them. By 1627 Belfast corporation had to pass a bye-law that anyone refusing the office of sovereign would be fined £5, which suggests that refusal of the office was becoming an all too frequent occurrence.⁷⁶

⁷³ Miskimmin, Carrickfergus, pp 377-8, 385-6; P.R.O.N.I., D162/1.

⁷⁴ SP63/81/41; O'Laverty, Down and Connor, iii, pp 29, 44; Cal. pat. rolls Ire., Eliz., pp 607-11.

⁷⁵ Clark, Slack, English towns, pp 129-30.

⁷⁶ Young, Town book, p. 8.

If landlord control of a town was strong this could have considerable influence on the appointment of the sovereign, thus further restricting the numbers eligible for office. The charters of 1612-13 named the first twelve burgesses of the town from lists sent by landlords. Subsequently the burgesses elected men to their own ranks. The sovereign was chosen annually by the landlord from a list submitted to him by the burgesses.⁷⁷ The sovereign, already a powerful figure since he was a justice of the peace, clerk of the market, and escheator for the town, could become the landlord's personal representative in the town. In the case of Belfast, the early seventeenth century sovereigns were connected with the Chichester family. Henry Le Squire, for example, was Sir Edward Chichester's land agent and on his death left £10 worth of plate to Sir Edward. Chichester was also a pall bearer at the funeral of William Leathers (sovereign 1638).⁷⁸ The loyalty of Thomas Theaker, sovereign in 1643, was demonstrated when he was faced with a petition from the commonalty of Belfast for the free election of burgesses and the Covenant to be made compulsory in the town he fled to Chichester, who was at Dublin, with the petition.⁷⁹ Thus it is not surprising that in Belfast and Carrickfergus the sovereigns were drawn from a small number of families and that burgesses were 'imported' to make up numbers. In Belfast the first twelve burgesses included Moses Hill, Thomas Hibbets, Sir Fulke Conway and Humphry Norton, all of whom lived outside the town and were closely linked to Chichester. This problem of a shortage of working burgesses in Belfast was partly solved by creating a new body which was referred to in a bye-law of 1635 as the 'grand jury representative of the commonality of the said corporation'; a sort of substitute corporation to deal with the normal running of the town.⁸⁰

In other towns, where landlord control was less strong there was more danger from competing political factions since a strong hand was not kept on the government of the town. In the 1630s at least one major

⁷⁷ Bodl., Carte 62, ff 157, 207, 216.

⁷⁸ Benn, History, pp 239, 243.

⁷⁹ T.C.D., MSS 838, ff 1-2.

⁸⁰ Benn, History, pp 193-4. This body had no legal standing.

dispute occurred in Downpatrick. Even in strongly controlled towns the absence of the landlord could lead to serious disputes as in 1607 when an election for the mayoralty of Carrickfergus degenerated into a riot in the absence of Sir Arthur Chichester.⁸¹

The main function of the corporation, apart from returning two M.P.s, was to represent the freemen in matters affecting the common good of the town. The corporation also acted for the town in the distribution of town fields, in regulating social practices, such as meting out punishment to scolds, and controlling the abuses of ale houses.⁸² All this was done by making bye-laws as when the freemen of Carrickfergus came to the burgesses in May 1576 and 'made humble request for certain good orders to be set down to the advancement of a common weal, which for that they were commodious were granted accordingly'.⁸³ Breaches of these bye-laws were dealt with by the corporation sitting as a court. In 1630 two Belfast men, Ralph Dyson and Thomas Donnington, were disenfranchised and fined twenty-five and twenty shillings respectively for refusing to obey the 'customs of the town' as laid down by the corporation.⁸⁴

Two of the most serious problems with which this machinery had to deal were violence and poverty. In the towns of east Ulster street brawls were frequent. For example in 1642, one Mr Porters 'was fearfully beaten by the wives of Belfast', and in 1646 John Stewart, a merchant, used 'scandalous words' and physical violence against a burgess of Belfast, Mr Hannington, in public.⁸⁵ More serious than simple street brawls were acts of violence or contempt directed against officials of the corporation while they were executing their official duties. On 1 March 1644 the corporation of Belfast ordered:

That if any person or persons whatsoever shall at any time or times hereafter be refractory or disobedient to any lawful good and honest law order or decree which shall be ordered decreed made & established for the good and peaceable government of this corporation and for the necessary affairs thereof or shall wittingly or willingly by act or deed or by any malignant or contemptuous words abuse and disobey

⁸¹ SL, 15, no. 303; the Carrickfergus case is examined in R. Gillespie, 'Urban oligarchies and popular protest in the early seventeenth century: two Ulster examples' in Retrospect (1982), pp 54-7.

⁸² P.R.O.N.I., T707, ff 1, 7, 9.

⁸³ P.R.O.N.I., T707, f 13.

⁸⁴ Young, Town book, pp 4-5.

⁸⁵ P.R.O.N.I., T1547/17; Young, Town book, pp 43-4; P.R.O.I., Ferguson MSS, ix, p. 103.

the sovereign or burgesses or any of them or any other person or persons which shall be lawfully put in authority or in any place or office for the affairs of this town shall suffer imprisonment until they submit themselves by humble petition unto the bench and shall forthwith pay such fine and further imprisonment as by the sovereign and burgesses shall be legally ordered.⁸⁶

indicating that the situation was so out of hand that it merited such an order. Between 1569 and 1640 the corporation book of Carrickfergus recorded nineteen cases of violence, all of which, save one, involved a member of the corporation. The mayor was most likely to be attacked physically but was rarely slandered. Other officers were attacked both physically and verbally. The problem of disrespect for the corporation and its officers was a severe one.

The second major problem was that of poverty. In early seventeenth century England a combination of the official poor law and local poverty relief schemes, such as those at London, Bristol, Norwich and York, ameliorated the problem.⁸⁷ In Ulster no such schemes existed and corporations attempted to solve the problem by punitive measures to keep the poor out of towns. The corporation of Belfast decreed in June 1620 that 'no burgess or free commoner within this corporation shall take into their houses any sub tenant or inmate without leave of the sovereign under pain of ten shillings for every such default'.⁸⁸ The lack of official local schemes meant that the initiative on poor relief was left to individuals. In 1590 George Carlton of Carrickfergus left £30 to provide for 'poor sailors', and in Belfast in 1631, Edward Holmes left £40 to the poor of the town.⁸⁹ Holmes's bequest was to be administered by the corporation who failed to use it for its intended purpose but speculated with it, with the result that in November 1647 they had to threaten legal action against those they had loaned it to in order to obtain the interest and security for the loan.⁹⁰

⁸⁶ Young, Town book, pp 43-4.

⁸⁷ J. Pound, Poverty and vagrancy in Tudor England (London, 1971), ch. 5.

⁸⁸ Young, Town book, pp 7-8; the Carrickfergus corporation did this in 1625, P.R.O.N.I., T707, f 51.

⁸⁹ Mun. corp. Ire., rep., app. II, p. 325.
R.M. Strain, Belfast and its charitable society (Oxford, 1961), pp 5-6.

⁹⁰ Young, Town book, pp 73-4; Strain, Charitable society, pp 6-9.

The problems of violence and poverty illustrate the limitations on corporate towns in east Ulster during the early seventeenth century. The first was the scale of the problems which they faced and the limited manpower available to tackle them. Only one man, the constable, was employed to enforce the corporation's bye-laws. In many cases responsibility for carrying out the decisions of the corporation was farmed out to groups as in 1600 when defence arrangements were being made in Carrickfergus and the aldermen from each ward had to supervise progress in their own ward. Similarly the construction of the Carrickfergus town wall in 1577 demonstrated a lack of general supervision. Money was given to each householder who held lands butting on to the wall and he was required to build a section of wall on his land.⁹¹

The second major limitation on urban government was that of finance. The English corporate town could draw up to half its income from its lands but the town lands in east Ulster, with the exception of Carrickfergus, were in the hands of local landlords, thus considerably impoverishing towns.⁹² In the case of Carrickfergus the lands had been let out on long leases at low rents and hence there was little chance of raising rents. Similarly since towns were landlord owned the corporation neither received rents nor the profits from the market courts. The courts of the merchant staple never effectively operated in Antrim or Down, thus eliminating another source of revenue. Yet the corporations had to provide the salaries of their officers and maintain the facilities of the towns, such as roads. In some cases ad hoc taxation was resorted to but this proved inadequate.⁹³ Many towns fell into debt. By 1625 the corporation of Carrickfergus was imposing severe economies on its officers; the sheriff's entertainment allowance was discontinued as was the town clerk's expenses and the grant of one-third of the customs to the mayor. At the same time the machinery for

⁹¹ P.R.O.N.I., T707, ff 16, 26.

⁹² W.T. McCaffrey, Exeter, 1540-1640 (Harvard, 1975), pp 58-9; W.G. Hoskins, 'An Elizabethan provincial town: Leicester' in J.H. Plumb (ed.), Studies in social history (London, 1955), p. 10; R.J. Hunter, 'Towns in the Ulster plantation' in Studia Hib., xi (1971), pp 50-51.

⁹³ P.R.O.N.I., T707, f 51; Young, Town book, pp 11-12, 19-20.

collecting the town's debts was reviewed and overhauled; new debt collectors were appointed, for example. The corporation remained in debt and in 1637 was forced to sell its customs rights to the crown. Another concerted attempt was made in 1640 to recover debts and raise revenue but again this was ineffective as the town was still severely in debt in 1644.⁹⁴ Part of this was due to the shortage of specie but the root cause of the growing debt was inadequate financing.

By 1640 these corporate towns found themselves with considerable problems. Their small size, despite rapid growth, did not fulfil the settlers' expectations, their economic structures had failed to diversify due to the social composition of urban populations, they had only a limited income and had severe law and order problems. Most seriously no town had developed a stable merchant community which would generate trade, capital and, hence, investment. The towns which did succeed in east Ulster in the early seventeenth century were those of the second rank.

II

Towns of the second rank were less complex. They had, for example, no complex corporations for they lacked charters and their influence was felt in a more restricted area. In County Antrim, Larne, Dunluce, and Glenarne all fell into this category and in County Down there was Ardglass, Strangford and a rapidly growing Dromore. The main function of these towns was as trading centres, most having patents for markets and also fairs (see map five). Dunluce even had a resident merchant, William Kidd, a burgess of Irvine. A customs surveyor reported in 1636 that 'the merchants and pedlars discharge at Glenarne and fill the county full of commodities The pedlars out of Scotland take advantage of such unguarded creeks and swarm about the country in great numbers, and sell all manner of wares'.⁹⁵ The best example of this group of towns is Donaghadee. George Monck, the customs surveyor, commented that it had been 'raised for the most part by cattle that are brought from other parts by reason of the aptness of transportation'.

⁹⁴ P.R.O.N.I., T707, ff 54-61, 62-3.

⁹⁵ B.L., Harley 2138, f 180.

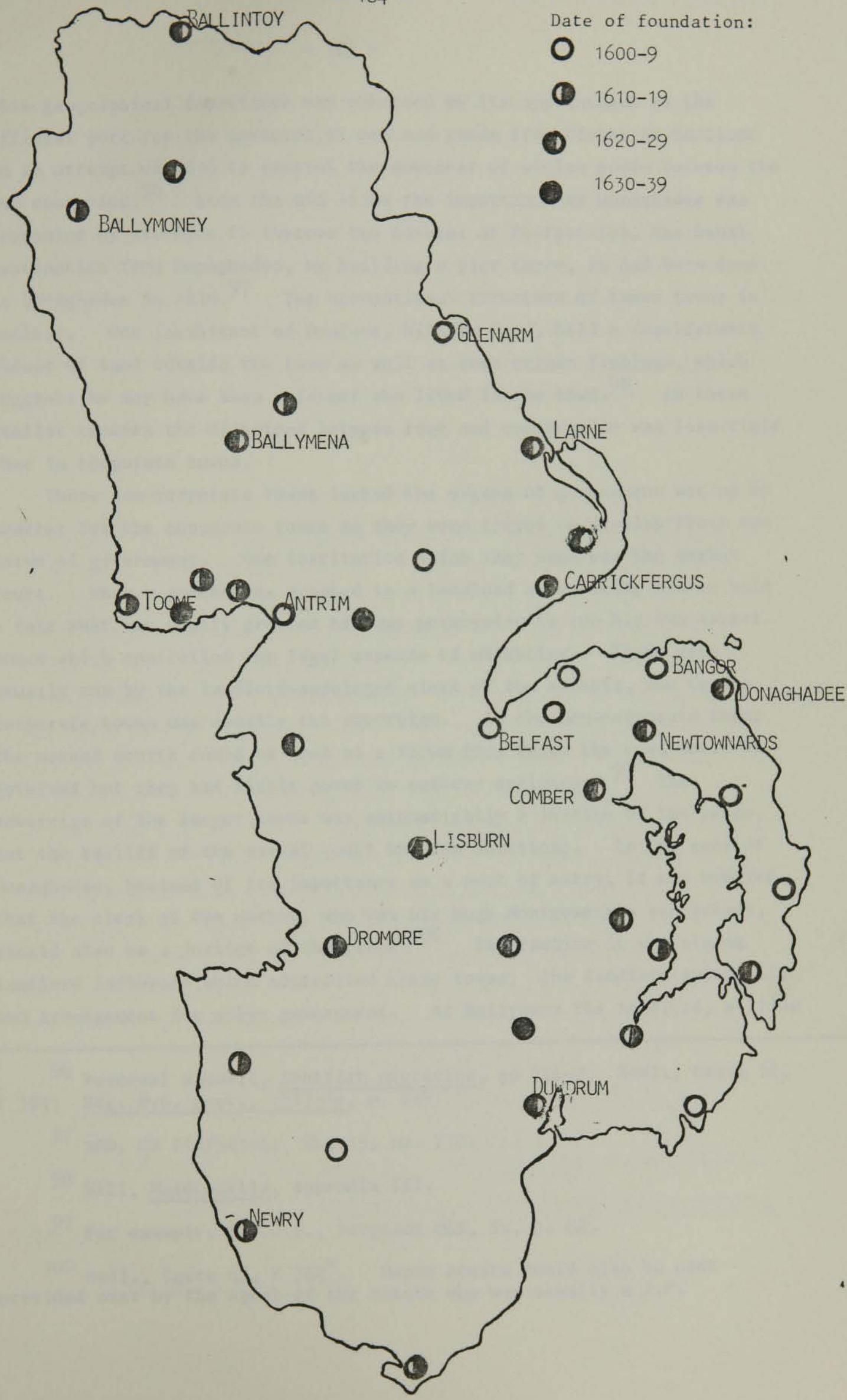
Date of foundation:

○ 1600-9

● 1610-19

■ 1620-29

■ 1630-39



This geographical importance was enhanced by its appointment as the official port for the movement of men and goods from Ulster to Scotland in an attempt of 1616 to control the movement of stolen goods between the two countries.⁹⁶ From the mid 1630s the importance of Donaghadee was increased by attempts to improve the harbour at Portpatrick, the usual destination from Donaghadee, by building a pier there, as had been done at Donaghadee in 1616.⁹⁷ The occupational structure of these towns is unclear. One inhabitant of Dunluce, William Boyd, held a considerable amount of land outside the town as well as some salmon fishings, which suggests he may have been a farmer who lived in the town.⁹⁸ In these smaller centres the dichotomy between town and countryside was less rigid than in corporate towns.

These non-corporate towns lacked the organs of government set up by charter for the corporate towns so they were forced to develop their own forms of government. One institution which they used was the market court. When a patent was granted to a landlord authorising him to hold a fair what was really granted him was permission to run his own market court which controlled the legal aspects of marketing. These were usually run by the landlord-appointed clerk of the markets, who in the corporate towns was usually the sovereign. In the non-corporate towns the market courts could be used as a forum from which the town could be governed but they had little power to enforce decisions.⁹⁹ The sovereign of the larger towns was automatically a justice of the peace, but the bailiff of the market court had few sanctions. In the case of Donaghadee, because of its importance as a port of entry, it was ordered that the clerk of the market, who was Sir Hugh Montgomery's seneschall,¹⁰⁰ should also be a justice of the peace. In practice it was strong landlord influence which controlled these towns; the landlord making his own arrangement for urban government. At Ballymena the landlord, William

⁹⁶ Perceval Maxwell, Scottish migration, pp 246-7; Bodl., Carte 62, f 384; Reg. P.C. Scot., 1613-16, p. 429.

⁹⁷ SRO, GD 214/503-4; SL, 15, no. 270.

⁹⁸ Hill, Macdonnells, appendix III.

⁹⁹ For example, P.R.O.I., Ferguson MSS, ix, p. 82.

¹⁰⁰ Bodl., Carte 62, f 384^v. Manor courts could also be used presided over by the agent of the estate who was usually a J.P.

Adair, obliged most of his urban tenants to look after various aspects of town government by including appropriate clauses in their leases.¹⁰¹ This meant that in these non-corporate towns landlord power was considerable. In Dromore, for example, the bishop's power over the town was so great that in 1641 all the inhabitants, save one merchant, left with him and refused to return until he did so.¹⁰² The landlord could even go as far as to organise the whole economic life of the town, as was the case in Lisburn, a landlord planned town, which acted as an inland centre for Belfast merchants. Here, in 1630, the landlord suggested that he might act as intermediary between seller and merchant, thus developing the town.¹⁰³

III

Below this group of second grade towns with no corporate status there were small, local market centres. Many of these may have been of medieval origin; in the case of Muckamore, in south-west Antrim, the first formal grant of a market and annual fair was in 1430.¹⁰⁴ The number of these marketing centres grew rapidly in the early seventeenth century, especially in the second and third decades of the century during the early part of the settlement. By 1640 there were forty-one weekly markets and thirty-one annual fairs in east Ulster.¹⁰⁵ The distribution of these was controlled by agricultural activity; markets being densest in important grain areas. Grain was costly and difficult to transport and hence many landlords were reluctant to take grain surplus as rent so that it had to be marketed locally to raise cash. Cattle, on the other hand, were more mobile and could be walked to the local town for sale to butchers or merchants. Many landlords developed villages on their estates because of their importance as marketing centres. They

¹⁰¹ For example, P.R.O.N.I., D929/F2/3/15, 31.

¹⁰² Cambridge, U.L., Add 4352, ff 29-30; Brereton, Travels, p. 129.

¹⁰³ P.R.O.N.I., T343; Cal. S.P. Ire., 1625-32, pp 497, 515-16.

¹⁰⁴ L. McKeown, 'The abbey of Muckamore' in Down and Connor Hist. Soc. Jn., ix (1938), p. 67.

¹⁰⁵ See map 5 for markets.

took out patents for markets so that they could hold a market court which regulated weights and measures and provide a legal framework for marketing. Sir James Montgomery developed Portaferry from 'some fishermen's cabins and an old Irish castle' for his brother in law, Patrick Savage, by beginning a market there.¹⁰⁶

Below this group of small marketing towns were villages. The settlement at Dundrum, for example, had twelve cottages outside the castle in 1601 and a similar settlement near the town of Antrim had, in 1641, thirteen houses, a church, a mill and a number of associated buildings, a kiln and at least four barns. One occupant of the village, Throgmorton Totesbury, possessed £10 worth of plate, three trunks of clothes, some bedding and 'an abundance of household goods'.¹⁰⁷ Most of these settlements were probably sixteenth century in origin, growing up around castles or abbeys.

By 1640 it was clear that most of the corporate towns in east Ulster were experiencing severe problems with finance, personnel and their economic structure, other forms of urban life were flourishing. A chain of non-corporate marketing centres had developed in the countryside as the central government had hoped. These developed on a firm sixteenth century foundation of small, periodic market centres which the settlers regularised through royal grants of market rights which placed the trading system in a formal legal framework. In this respect the settlement created a new urban society bound together by links of debt, trading and legal obligations. Even if the corporate towns were experiencing difficulties in the 1640s they, and the smaller urban centres, had made a fundamental contribution to the success of the east Ulster settlement by establishing social bonds between the inhabitants.

¹⁰⁶ Steele, Tudor & Stuart proclam., nos 249, 251, 278; Mont. MSS., p. 304.

¹⁰⁷ O'Laverty, Down and Connor, i, pt i, p. 68; E. Berwick (ed.), Rawdon letters (London, 1819), pp 87-8; SP63/30/90.

CHAPTER 10 ANTRIM, DOWN AND THE WIDER WORLD

After this detailed examination of society in east Ulster during the early seventeenth century it is important to consider to what extent the patterns of one local study can be imposed on a more general Irish picture. It is a truism to say that society in early modern Ireland was regional in its outlook, yet it is crucial to appreciate this regional perspective in the early seventeenth century. There were wide variations in dress, language and customs throughout Ireland.¹ An important binding force in the country was the expansion of Dublin as a centre of government, law, the army and social and economic organisation after 1603. Smaller regional centres, such as Cork, Galway and Limerick, also served to bind regions together and create interdependence. Despite this, men's minds and experiences were rarely lifted from local affairs and it was only when central government policies, which were disagreed with, were prosecuted in the localities by the use of Dublin officials or the army that strong local reactions could be expected. This was especially true in the interrelated cases of land and religion, as illustrated by the local reactions to the plantation of the Byrnes country in 1615, the attempted plantation of Galway in 1639, and the persecution of the Ulster presbyterians in 1638-40. Within this local perspective society was knit together by a delicate series of bonds and alliances. Richard Bellings, a secretary to the supreme council of the Confederation of Kilkenny and old English in origin, recognised the crucial role of these bonds in providing social cohesion and regulation; 'the colonies were as perfectly incorporated, and as firmly knit together as frequent marriages, daily ties of hospitality and the mutual bond between lord and tenant could unite any people'.² The nature of the social bonds, and of the checks and balances which regulated social, economic and political activity in the localities, varied considerably according to the character of settlement in various parts of Ireland. Some areas,

¹ On dress, H.F. McClintock, Handbook on the traditional old Irish dress (Dundalk, 1958), pp 2-12; on language, T.F. O'Rahilly, Irish dialects past and present (Dublin, 1976), ch. 20; for a poetic expression of this regionalism, L. McKenna (ed.), Iomarbhágh na bhfhléadh (Ir. Texts Soc., London, 1918).

² Gilbert, Ir. confed., i, p. 2.

such as most of Ulster, Counties Leitrim, Longford and the province of Munster, were subjected to formal plantation schemes and therefore had basic guidelines for their social structure laid down by the various rules for plantation. Secondly, other areas, such as Counties Antrim, Down, Monaghan and Sligo, were subjected to a more informal process of colonisation as new settlers purchased land from natives and slowly infiltrated into these counties. This group exhibited a wide variation of settlement; the landlord's control over his lands depended on how scattered or consolidated they were. These first two groups were by no means discreet. The midlands, for example, were subjected to extensive colonisation before the formal plantation. Thirdly, there were those areas which experienced little settlement and were left to adapt to the new order as best they could. The earls of Clanrickard and Thomond provide excellent examples of men who made the transition from Gaelic to English organisation with little settlement on their lands. Fourthly, the counties of the pale were a unit of social organisation with a different historical experience, economic structure and greater involvement with the Dublin administration than the rest of Ireland.³ The aim of this chapter is to measure to what extent the society which evolved in east Ulster during the early seventeenth century was exclusive to that region or whether the conclusions of this thesis are applicable to other areas. It is intended to do this by examining in a wider context three of the themes crucial to the understanding of east Ulster society, the landlord's society, the landlord's relations with the Dublin administration and his relations with his tenants.

I

Landed society in early seventeenth century Ireland was composed of three cultural elements: the settlers, the Anglo-Irish, and the remains of the native landowners. The backgrounds of each group considerably influenced their behaviour. In the case of the settlers, the forces at work prompting emigration from England or Scotland were socially selective. Most migrants tended to be drawn from the socially downward mobile who wanted to reverse their fortunes, or from small landholders wanting to

³ L.M. Cullen, The emergence of modern Ireland (London, 1981), p. 204.

rise in the world. As Sir Arthur Chichester explained to Lord Salisbury, the principal English secretary of state, in 1610 that the settlers for the Ulster plantation were disappointing: 'those from England are, for the most part, plain country gentlemen If they have any money they keep it close; for hitherto they have disbursed but little The Scottish come with greater part and better accompanied, but it may be with less money in their purses'. Chichester's impressions were confirmed by a survey of the wealth of the undertakers finally chosen; none of them had an income of more than £2,000 per annum and only 19 per cent of those who provided income figures had over £1,000 per annum.⁴ A similar picture could be drawn for Sir Nicholas Malby's attempted settlement in Roscommon in the 1580s, where the settlers were 'the scum of their countries', and Mathew de Renzi's settlement of the 1620s in the midlands.⁵ Most settlers in Ireland were younger sons, who had little hope of advancement at home, those interested in speculation or social advancement, or those imbued with the taste for colonisation. One settler, an apothecary and alderman of Canterbury, described his reasons for migrating in the 1630s as 'his hopes are that Ireland may be better to him than England'.⁶ At the close of the Nine Years War, Lord Cecil, principal secretary of state in England, received many petitions for Irish lands from speculators, younger sons, colonisers; a typical one being that of Lord Audley, later a prominent planter in Armagh and Tyrone, who wanted 'to advance the ruin ... of an old and decayed house'.⁷ There were those settlers who fled from ruin in England, such as Mathew de Renzi, a German cloth merchant, whose business had collapsed during the slump of 1603.⁸ Younger sons also played a significant part in the colonisation of Ireland. Beckingham Butler from Nottinghamshire, for example, mortgaged part of his own estate to send his younger brother,

⁴ SP63/229/135, 150.

⁵ SP63/77/60; B. McCuarta, 'Newcomers in the Irish midlands, 1540-1640' (M.A., U.C.G., 1980), p. 47.

⁶ SL, 16, no. 132; for speculation SP63/254/117; Moody, Londonderry plantation, p. 327.

⁷ H.M.C., Cecil, xvi, p. 52; ibid., xv, p. 110; ibid., vi, p. 394; ibid., xi, p. 547.

⁸ H.M.C., Salisbury, xviii, pp 10, 24, 239, 323.

Stephen, to Ulster as an undertaker at Belturbet, County Cavan.⁹ Also among the migrants to Ireland were those inveterate colonisers who invested in most plantation schemes for speculation, adventure or to promote 'civility'. Some 12 per cent of those who considered investing in the plantations of Londonderry and Munster also held shares in other colonial enterprises.¹⁰ Cecil Calvert, later Lord Baltimore, held land in Longford as well as America and the founder of the Nova Scotia colony in Canada, Sir William Alexander, earl of Stirling, also held land in Armagh and Donegal. The supreme example of this lust for adventure was Captain Ennis who, in 1636, wanted to see Ireland because he had already seen Jerusalem, Constantinople and Cairo, and wanted a new challenge.¹¹

Conditions in Ireland favoured an expansion of settlement. Many native landholders were in financial trouble and were willing to sell land and after 1603 English control extended over the whole country, opening up new regions. Many pale families took advantage of this situation and expanded westwards.¹² The backgrounds of these families were little more auspicious than those of the immigrants, for many pale families were suffering from dwindling finances. The acts of supremacy and uniformity cut many of them off from the profits of office and the Nine Years War had reduced the merchants' profits. Increasing population in the Pale also imposed a strain on resources, leading to increased pauperisation for many social groups there.¹³

The social origins of all settlers, migrant or immigrant, meant that all experienced the problem of finding enough initial capital to establish themselves, as was also the case in east Ulster. Most men had problems in the setting up of their estates. John Baxter, an Elizabethan soldier

⁹ B.L., Add. 18824, no. 63; Hill, Plantation, pp 281, 465-6; J. Thirsk, 'Younger sons in the seventeenth century' in History, liv (1969), pp 358-61, 368; D. Laing (ed.), Royal letters, charters and tracts relating to the colonisation of New Scotland (Bannatyne Club, Edinburgh, 1867), p. 42.

¹⁰ T.K. Rabb, Enterprise and empire (Harvard, 1967), pp 118, 156-7.

¹¹ Strafford, Letters, i, pp 179-80; Hill, Plantation, pp 507-8, 562-3; SL, 16, no. 73.

¹² SP63/99/37; SP63/223/65; M. O'Dowd, 'Landownership in Sligo, 1580-1641' (Ph.D., U.C.D., 1980), pp 403-4; McCuarta, 'Newcomers' pp 12-15.

¹³ N.P. Canny, 'Early modern Ireland' in Ir. ec. and social hist., iv (1977), p. 62.

who acquired lands in Sligo, failed to raise enough money to make his estate viable and he was finally forced to sell it off. In Londonderry the London companies had considerable difficulty in raising enough cash to develop their lands, losing £40,500 by this failure. Most settlers in the midlands were forced to mortgage some part of their lands in order to raise capital.¹⁴

These financial problems were not unique to settlers for many native Irish and old English were experiencing similar problems of lack of capital. The native Irish were especially badly hit because of the introduction of the new economic principles by the settlers. The Irish system of land tenure had not involved the payment of an economic rent, since the freeholders owned their lands, but involved an historically immutable, nominal tribute or 'ceart'. These small sums were badly hit by the growing predominance of a market economy in sixteenth century Ireland. By 1588 the right paid by O'Sullivan to McCarthy Mor in Kerry was regarded as 'but little worth nowadays', indeed the whole revenues from the extensive McCarthy Mor lordship were only £266.5s.10d. in 1598.¹⁵ Most native Irish lords failed to exact economic rents from their tenants during the early seventeenth century and hence fell into debt. By 1616, for example, many of the native landholders in Sligo were in severe financial straits and the O'Reillys of Cavan were experiencing problems at the same time.¹⁶ As a result of these problems many native landholders, such as those of Monaghan, were forced to sell out to settlers by 1641.¹⁷ Some sixteenth century lords, such as the earls of Clanrickard and Thomond, did manage to make the transition to the new order although as late as 1637 Clanrickard's rents were described as the lowest in Ireland.¹⁸ The transition was easier for those of

¹⁴ P.R.O.I., CP. AA III; Moody, Londonderry plantation, pp 335, 339; McCuarta, 'Newcomers', pp 128-9, 131-2, 152; J. Ainsworth, 'Reports of documents in private hands' in Anal. Hib., xx (1958), pp 59, 67, 70.

¹⁵ Butler, Gleanings, pp 14, 34 n.19; Inchiquin MSS, no. 1321; A.S. Green, 'Irish land in the sixteenth century' in Eriu, iii (1907), p. 178.

¹⁶ O'Dowd, 'Landownership', pp 238-40, 244-56, 337-8; for other areas, McCuarta, 'Newcomers', p. 125; Inchiquin MSS, nos 1418, 1301; J. Carney (ed.), Poems on the O'Reillys (Dublin, 1950), no. 3.

¹⁷ New Hist. Ire., iii, pp 170, 289.

¹⁸ B. Cunningham, 'Social and political change in the lordships of Clanrickard and Thomond, 1585-1641' (M.A., U.C.G., 1979), pp 233-4.

Anglo-Irish origin, such as Clanrickard or the McWilliam Burkes in Mayo, because they had never fully adopted native systems of land tenure. The Seanchas Burcacha, a sixteenth century compilation of poetry, genealogy and land rights, recorded that 'it is on the land that MacWilliam's [Burke] rent is derived' and not on followers and that land was devised 'according to the testimony of stewarts and of the charters' not by tradition as in Gaelic polity.¹⁹ Others who made the transition to the new order were small sixteenth century landholders who rose to prominence with the collapse of the older lords. These men had neither respectable ancestry, nor a well defined place in the native Irish social hierarchy and, hence, were much satirised by the bastions of Gaelic tradition: the poets.²⁰

If the initial economic problems of landlords were not exclusive to east Ulster neither was their sequel. After an initial period of expenditure in the early years of the seventeenth century, Irish landed finances seem to have been healthy until the 1630s when a crisis, similar to that in Antrim and Down, hit. In Cavan, Charles Lambert was forced to mortgage his estate for £4,000 and in the Pale the newly created earl of Westmeath, Richard Nugent, feared that this new dignity could bankrupt him.²¹ This crisis hit hardest at those whose political or other activities had entailed high expenditure. The finances of Richard Boyle, earl of Cork, were showing strain by the 1630s because of his political activities and the earl of Clanrickard, who spent most of his life at the English court, was in debt by £25,000 in 1637. Even the Irish lord chancellor, Adam Loftus, was complaining of the excessive strain which political activity was putting on his purse.²² Political activity was

¹⁹ T. O'Raghallaigh (ed.), 'Seanchas Burcach' in Galway Arch. Soc. Jn., xiii (1925-8), pp 111, 117.

²⁰ N.J.A. Williams (ed.), Pairlement chloinne Tomáis (Dublin, 1981), pp 22-3, 83; N.J.A. William (ed.), Dánta Mhuiris Mhic Dhaíbhí Dhuibh Mhic Gearailt (Dublin, 1971), p. 51; A. de Blácam, Gaelic literature surveyed, 2nd ed. (Dublin 1973), pp 149-51; P. de Brun, B. Ó Buachalla, T. Ó Concheanainn (eds), Nua dhuanaire, i, (Dublin, 1975), p. 18; D.F. Gleeson, The last lords of Ormond (London, 1938), p. 130.

²¹ SL, 15, no. 33; SL, 14, f 286.

²² T. Ranger, 'The career of Richard Boyle, first earl of Cork, in Ireland' (D.Phil., Oxford, 1959), pp 253, 388; SL, 16, nos 70, 143; SL, 17, no. 125; Cunningham, 'Social and political change', p. 239; H.M.C., 9th Report, appendix 2, p. 294.

not the cause of indebtedness. The cause, as in east Ulster, was related to the availability of credit, in a cash starved economy. As early as 1629, when the earl of Desmond's land was showing signs of financial strain, it was shown that he could afford to bear his debts but had liquidity problems.²³ The key lay in the lack of credit facilities. The earl of Clanricard showed special concern for his land titles both before and after the attempted plantation of Connacht for he feared an unsound title would affect his credit, and Andrew Stewart, an east Tyrone planter, pleaded with Wentworth in 1637 for cash as his credit was at stake. Boyle circumvented the credit problem by using his ironworks to generate credit for trading purposes.²⁴

Landlords attempted to resolve this cash crisis in two ways. Following a period of sluggishness they began to raise rents in the 1630s. In Counties Londonderry, Tyrone, Armagh, the province of Munster and the Pale rents rose rapidly.²⁵ This process proved counter-productive for it resulted in increased poverty among tenants and, ultimately, falling estate revenues because tenants could not pay the higher rents. In some areas the poorer sections of the tenantry were forced to sell corn while it was still in the ground.²⁶ Secondly, landlords began to look for ways of turning fixed capital into liquid assets and resorted to mortgaging as a way of doing this. The result was a simplification of the mortgaging process with the introduction of the deed of rentcharge (as outlined in chapter seven) to replace the older customs.²⁷ By the late 1630s the deed of rentcharge was prevalent in Connacht, although in the pale and Munster the older form survived

²³ B.L., Add. 18824, no. 8; Cal. S.P. Ire., 1633-47, pp 8, 85.

²⁴ SL, 17, no. 34; SL, 18, no. 1; SL, 19, nos 61, 62; Ranger, 'Richard Boyle', pp 163-6.

²⁵ Moody, Londonderry plantation, p. 332; R.J. Hunter, 'The Ulster plantation in Armagh and Cavan' (M. Litt., T.C.D., 1969), pp 280, 343, 400-1; Cal. Carew, 1603-24, p. 410; Herbert corresp., nos 118, 119, 163; Ormonde MSS, n.s., i, pp 20-21; H.M.C., 9th Report, appendix 2, p. 294; P. Dwyer, The diocese of Killaloe from the reformation (Dublin 1878), pp 133-8, suggests rents for church land rose between four and ten times in the 1630s.

²⁶ Herbert corresp., nos 157, 161; Moody, Londonderry plantation, p. 404; SL, 16, f 39.

²⁷ For older forms, P.R.O.I., C.P. BB 149; RC9/1, p. 276.

longer, mainly due to the accessibility of the staple courts, at Dublin, Drogheda and Cork, which were vital to operating the old form of mortgaging.²⁸

Landlord attitudes to Ireland varied considerably. Many settlers felt unstable and insecure in their new environment; most having risen rapidly from relatively lowly status in England or Scotland had to adjust to a position of newfound wealth which was, in the eyes of their former neighbours, of dubious value.²⁹ The erection of a lavish tomb in St Patrick's cathedral, Dublin, by the earl of Cork, formerly a penniless younger son, was regarded by Wentworth as a symptom of his 'vanity and insolent novelities' characteristic of the ~~nouveaux~~ riches.³⁰ Most settlers craved after local and national office, as many east Ulster settlers did, in order to underpin their newfound position.³¹ There was considerable concern with status, rank and privilege. Treatises began to appear on protocol and the precedence of the Irish nobility, and in the Dublin parliament questions of precedence were hotly debated.³²

These attitudes were not uniform and varied considerably according to local circumstances. Where no coherent group of landlords developed, as in Sligo, where estates were widely scattered, there was little concern with such matters as precedence and the enrolment of funeral certificates.³³ In areas where a coherent landed society did develop it did not emerge until the 1620s, when most of the initial speculation had

²⁸ W. O'Sullivan (ed.), The Strafford inquisition of County Mayo (I.M.C., 1958), *passim*; B.L., Add. 19843; J. Ainsworth, 'Survey of documents in private keeping' in Anal. Hib., xxiv (1967), pp 151-2.

²⁹ T. Ranger, 'Strafford and Ireland: a reevaluation' in Past and Present, xix (1961), pp 26-45.

³⁰ SL, 6, f 34; SL, 8, ff 59-60.

³¹ McCuarta, 'Newcomers', p. 30; many settlers felt divorced from civility, P.R.O.I., CP A145, B48, G206.

³² Bodl., Rawlinson C.921; R.D. Edwards (ed.), 'The letter book of Sir Arthur Chichester' in Anal. Hib., viii (1938), p. 172; Lords jn. Ire., i, pp 21-2; There was also considerable debate as to their position in relation to the English nobility, S.M. Reynolds (ed.), The table talk of John Selden (Oxford, 1892), pp 106-7.

³³ O'Dowd, 'Landownership', p. 183.

passed and the landowners who remained settled down to adjust themselves to the colonial circumstances.³⁴ In areas with a high degree of continuity of ownership after 1603 and compact estates, such as east Ulster, parts of Munster, and Connacht, these attitudes tended to emerge earlier.

The landed society of the pale was rather different to that described above. The old English group there regarded themselves as a colonial elite. They had been settled in Ireland since medieval times, had adjusted to the environment and tended to be more 'Irish orientated' than the seventeenth century settlers who were preoccupied with profit and advancement. Sir Richard Shee, a Kilkenny landowner, demonstrated his concern with issues other than personal ones when, in 1603, he recorded in his will that Marcus, his son, was to be sent to an inn of court 'in hope that he may be the better member of the commonwealth'.³⁵ A similar attitude was expressed in some clauses in the Graces which demanded reforms so that Ireland would be better governed. All these forms of landed society reflected differing attitudes to what was the crucial problem of the age: the local landlord's concern with his rights and privileges in an era of growing centralisation.

II

The relationship between local lords and the central administration determined how powerful a local magnate could become. Royal policy in the sixteenth century had been to create powerful, trustworthy magnates in key areas of Ireland who could act as centres of loyalty and stability in a fluctuating political climate. In 1575, for example, the earl of Essex had been granted a strategically important area of Monaghan, the barony of Farney, with considerable powers to control it and the earl of Kildare's position in Leinster had been strengthened by a series of regrants of his lands each with wider powers.³⁶ This policy was continued

³⁴ McCuarta, 'Newcomers', p. 141; Perceval Maxwell, Scottish migration, appendix I, II; New Hist. Ire., iii, p. 205.

³⁵ J. Ainsworth, 'Survey of documents in private keeping' in Anal. Hib., xx (1958), pp 228, 232.

³⁶ SP63/54/33; Ormond deeds, 1584-1603, pp 26-8; Ormonde MSS n.s. i, p. 2; O'Dowd, 'Landownership', pp 114-15.

into the early seventeenth century as James I attempted to establish stability in Ireland and also reward followers.³⁷ It was, however, becoming clear that this policy had difficulties. Sir Francis Bacon, for example, considered it detrimental because 'the bane of plantation is when the ... planters make such haste to a little mechanical present profit, as disturbeth the whole frame and nobleness of the work for times to come'. Such a view was strongly endorsed by key new English administrators such as Sir John Davies, the attorney general, and Sir John Dunham, the chief justice of king's bench.³⁸ So by 1610 government attitude to these power blocks began to change, but not before a substantial number had been created. Lord Deputy Wentworth observed in July 1639 that 'it has been the constant endeavour of this state to break the dependancies which great lords draw to themselves of followers, tenants and neighbours'.³⁹ The powers of the lords were to be limited by the enforcement of the common law which regulated the relationship between lord and tenant. Thus lords could not build up followers who might act as a threat to local government. Secondly, the Dublin administration attempted to keep a tighter control on land grants to prevent an individual accumulating too much property. The escheator system was remodelled and the escheator general's power divided among four officials. The 1606 commission on defective titles was an attempt to enforce these new measures but it backfired and was used by those who had built up substantial estates in the sixteenth century, such as Richard Boyle, to have their titles confirmed.⁴⁰ Thirdly, the Dublin administration began assaults on any power block which it considered a threat. The medieval palatinate jurisdiction of Tipperary was attacked.

³⁷ SP63/215/111.

³⁸ J. Spedding (ed.), The life and letters of Francis Bacon, vi (London, 1872), p. 206; J. Davies, 'A discovery of the true causes' in H. Morley (ed.), Ireland under Elizabeth and James I (London, 1890), p. 276; SP63/233/25; Cal. S.P. Ire., 1603-6, p. 378.

³⁹ SL, 21, no. 199; B.L., Harley 3292, f 278; Add. 34313, ff 49-50; Add. 4784, f 113; Bodl., Rawl. D.922, f 49.

⁴⁰ Ranger, 'Richard Boyle', pp 64-5; other reforms, such as the abolition of 'books' of land, Cal. S.P. Ire., 1603-6, pp 299-300 and reform of escheator, Cal. S.P. Ire., 1606-8, p. 108.

The powers of towns, which in Munster had refused to accept religious conformity in defiance of Dublin's instructions in 1603, were attacked and the presidency courts of Munster and Connacht were run down.⁴¹

Such moves were not welcomed by any landlord grouping in Ireland (the reactions of those of east Ulster were described in chapter six). The natives and old English, whose land tenure was weak, feared increased monitoring of their activities. The desire of the settlers was for a laissez faire environment in which they could develop their own lands, driven by the desire for upward mobility. As Wentworth expressed it, the settlers were 'private men ... whose sole ends and aims have been their own enriching and such who have had no hand here in public affairs have only been prosperous for themselves and compassed much wealth'.⁴² Given this attitude it is not surprising that most landlords resented government interference. The earl of Cork complained in 1624 of 'the troublesomeness of the times wherein every action is narrowly looked into'. Many settlers refused to admit government officials onto their lands. Sheriffs could not collect M.P.'s wages in 1614 and in Donegal a riot erupted in 1625 over the right of a sheriff to enter lands.⁴³

The ability of individual landlords to resist the influence of central government varied considerably over Ireland. In east Ulster settlers with large, compact estates succeeded in retaining a large measure of autonomy. Men in other parts of Ireland also succeeded in maintaining their own power base. The earl of Clanrickard, for example, was accused in 1639 of being a 'count palatine' because of the power block he had built up. As well as a large estate he had absorbed into his own hands the presidency of Connacht and even when he resigned that office in 1616 he ensured that his lands would remain free from

⁴¹ V.H.T. Delaney, 'The palatinate court of the liberty of Tipperary' in Am. jnl of legal history, v (1961), pp 102-3; O'Dowd, 'Landownership', p. 122; D.J. Kennedy, 'The presidency of Munster under Elizabeth and James I' (M.A., U.C.C., 1973), chs 8, 9; Cal. S.P. Ire., 1600, pp 402-3; Acts privy council, 1599-1600, p. 45.

⁴² SL, 21, no. 79, f 13; SL, 8, f 11; Ranger 'Richard Boyle', pp 265-70.

⁴³ Lismore MSS, 2nd ser., iii, pp 120-25; Commons' jn. Ire., i, pp 69, 73, 81, 82; B.L., Sloan 3827, f 62.

government influence by securing the office of governor of Galway for himself.⁴⁴ His neighbour, the earl of Thomond, pursued a similar end more vigorously. From the late sixteenth century Thomond had been resisting the right of sheriffs to enter his lands so that by 1628 it was complained that his lands had become a refuge for the lawless because of Thomond's effectiveness in excluding royal authority. He even claimed all fines levied by justices on his lands. Like Clanrickard he attempted to manipulate the office of the presidency, in his case that of Munster, and when his plans came to nothing in 1602, he attempted to have his estate removed from the jurisdiction of the presidency. He eventually secured the office in 1615.⁴⁵

Even in areas where the government had sanctions against the building up of such power blocks, such as the conditions for plantation, consolidation still went on. In Ulster the earl of Abercorn, chief undertaker for the barony of Strabane, complained in 1610 that men he had not approved of were allowed to settle in that barony, and in 1617 his power there was recognised by putting him in sole charge of the plantation in that barony. By that stage he had introduced his relations as planters, binding his neighbours to him by ties of kinship.⁴⁶ The earl of Cork used similar techniques to build up a sphere of influence in Munster. Sir Arthur Chichester and the earl of Ormond both attempted to use this method but were stopped by the activities of the central administration.⁴⁷ In some other planted areas the problem was less acute; the largely absentee landlord population of the midland plantations cared more about revenues than rights and hence never properly consolidated themselves. In Sligo absenteeism and the scattered disposition of estates meant that it was

⁴⁴ SL, 21, no. 199; Cunningham, 'Social and political change', pp 54-5, 57-8, 62-3, 210-12; SP63/219"/157; O'Dowd, 'Landownership', pp 119-21.

⁴⁵ Cunningham, 'Social and political change', pp 49-53, 113-15; Cal. S.P. Ire., 1615-25, pp 111-12; Cal. S.P. Ire., 1625-32, p. 64; SP63/219/99, 101.

⁴⁶ N.L.S., Delmilne MSS, iii, no. 45; B.L., Add. 39853, f 101; Perceval Maxwell, Scottish migration, p. 369.

⁴⁷ Ormond MSS, n.s., i, p. 26; Ranger 'Richard Boyle', pp 118, 352; Tanner letters, pp 63-4; Cal. S.P. Ire., 1606-8, p. 617.

too difficult to consolidate effectively and so the problem of power blocks never arose. Many Sligo settlers were Galway merchants who simply wanted grazing land and others were new English speculators whose aim was profit rather than power, and many of the old English settlers had a power base in the pale and sought mainly profit.⁴⁸

The breaking down of such power blocks as existed in early seventeenth century Ireland was essential for effective government. The central administration had given the problem some thought on an ad hoc basis. In Sligo, for example, commissions of 1610 and 1616 had investigated land titles and attempted to ensure the effective working of local government. Similar moves had been attempted in Munster but, because many of the settlers had become entrenched during the sixteenth century, were unsuccessful.⁴⁹ There were considerable problems in recognising and dealing with local landlords' activities; communications were poor and knowledge of administrative and landowning boundaries was scant, especially about those lands which continued to be held by the native Irish. Chichester, for example, complained that the earl of Tyrone had granted the barony of Strabane, County Tyrone, to Turlough O'Neill 'by what deed I know not but I think by word rather than writing'.⁵⁰ There were also considerable problems with the workings of local government in counties, the chief problem being the shortage of adequate personnel. There were rarely enough settlers in any area to make up a jury; the institution which was crucial to the working of common law. As a result native jurors were used and many of these refused to present accusants or their friends.⁵¹ It was also difficult to find enough men to fill royal offices in the localities effectively.

⁴⁸ In the midlands a significant exception was Mathew de Renzi who introduced settlers, McCuarta, 'Newcomers', pp 26-7, 29, 46, 48, 50-51, 57, 133; O'Dowd, 'Landownership', p. 347.

⁴⁹ O'Dowd, 'Landownership', pp 99, 125-33, 163-4, 403.

⁵⁰ J.H. Andrews, 'Geography and government in Elizabethan Ireland' in Ir. geog. studies, pp 178-91; New Hist. Ire., iii, p. 167; Advertisements for Ire., p. 33; Bodl., Carte 61, f 440; H.M.C., Salisbury, xx, p. 121.

⁵¹ SL, 10, f 49; SL, 16, no. 23; Cal. S.P. Ire., 1611-14, pp 373-4, 378, 418-19; Cal. S.P. Ire., 1615-25, pp 270, 588; Cal. S.P. Ire., 1625-32, pp 59, 220; Dwyer, Diocese of Killaloe, p. 143.

In Leitrim eight men from seven families held the office of sheriff between 1605 and 1641, in Clare twelve men from ten families held the office and in Cork which was better, although unevenly, supplied with settlers, nineteen men from fifteen families were sheriffs in forty years.⁵² The office of justice of the peace was also affected for in 1633 there were not enough Clare justices of the peace to form a quorum.⁵³ The central administration had little alternative but to appoint the few local men available to royal office regardless of quality. In Londonderry one man, Richard Kirby, was sheriff four times despite grave breaches of the law and procedure by him while sheriff.⁵⁴

The government was more effective with irregular methods of controlling landlords. Initially, many of these, such as the court of wards, had been run by landowners themselves who had manipulated them for their own ends but during the 1620s this began to change as these institutions were reformed.⁵⁵ The court of wards was reorganised and by the mid 1620s new escheators were operating in most parts of Ireland collecting alienation fines and investigating wardships. This process was assisted by the Graces which persuaded the old English and native Irish to enrol alienations and liveries in the court.⁵⁶ This process of reformation of institutions and growth of central government influence in the counties reached its zenith under Lord Deputy Wentworth who exploited these methods, with considerable success, against the greater landlords. By 1636 his commission on defective titles had forced over one hundred landowners to take out new patents with

⁵² J. Meehan, 'List of high sheriffs of Leitrim, 1605-1800' in R.S.A.I. jn., xxxviii (1908), p. 386; H.F. Berry, 'Sheriffs of County Cork' in ibid., xxxv (1905), pp 47-8; T.J. Westropp, 'Notes on the sheriffs of County Clare' in ibid., xxi (1890), pp 70-71.

⁵³

SL, 13, no. 90; figures were low for most counties, T.C.D., MSS 672.

⁵⁴ Moody, Londonderry plantation, pp 282, 286-7, appendix F.

⁵⁵ T. Ranger, 'Richard Boyle and the making of an Irish fortune' in I.H.S., x (1957-8), pp 257-97; V. Treadwell, 'The Irish court of wards under James I' in ibid., xii (1960-61), pp 1-27.

⁵⁶ Kearney, Strafford in Ire., pp 76-7; J. Ainsworth, 'Report of documents in private keeping' in Anal. Hib., xx (1958), p. 61.

increased crown rent and, occasionally, reduced jurisdictions.⁵⁷ The culmination of this policy was to be an attack on the earl of Clanrickard by a proposed plantation of Galway but it failed and with it Wentworth's scheme.⁵⁸

In reality there was little that the central administration could do to clip the wings of the great landlords who grew up in some areas, including east Ulster. The real threat to these landowners was that posed from within: the relationship with their tenants. If the tenantry refused to assist with the process of estate consolidation trouble could ensue, as happened to the earl of Thomond. Similarly, a breakdown in landlord-tenant relations, such as happened to the earl of Cork in the late 1630s, was potentially dangerous because it opened rifts which could be exploited by royal officials, a feature of the fall of the earl of Tyrone.⁵⁹ The lord's relationship with his tenants was crucial not only from an economic but also a political perspective.

III

The government scheme for landlord-tenant relations rested on the common law idea of a contractual bond, the lease. This would limit landlord influence since a tenant could resort to law if the landlord became too despotic. Nicholas Elcock, for example, the mayor of Drogheda, found himself charged by one of his tenants, Walter Chevers, of 'divers intolerable exactions' in 1591.⁶⁰ A lease also bound a tenant to his land for a fixed term, hence cutting down on mobility which the government felt was dangerous. As late as 1625 Donegal landowners were ordered to deliver the names of their tenants, for whom they would remain legally responsible, to the sheriff.⁶¹ What actually developed

⁵⁷ Kearney, Strafford in Ire., appendix 3; Herbert corresp., no.121.

⁵⁸ Cunningham, 'Social and political change', ch. 6.

⁵⁹ For Thomond, P.R.O.I., CP. BB162, AA186, G208; N.P. Canny, 'Hugh O'Neill and the changing face of Gaelic Ulster' in Stud. Hib., x (1970), pp 23-4; Cunningham, 'Social and political change', pp 278-9.

⁶⁰ P.R.O.I., CP. A47.

⁶¹ B.L., Sloan 3827, f 62; Bodl., Rawlinson A237, ff 115-16; B.L., Royal 18A, lvi, f 18^v; Edwards (ed.), 'Letter book', p. 161.

was not this standard relationship but a patchwork of agreements which were the response to socio-economic conditions over various areas. In the pale tenants were plentiful and the tradition of a contractual agreement well established. There was little estate consolidation in the seventeenth century and hence it was not necessary to keep a tight rein on tenants. Pale lands were leased, usually, for a cash rent and few labour services. In return landlords provided few services for their tenants; manor courts, for example, functioned only irregularly. Unlike east Ulster there was no legal protection for pale tenants and tenants had to fight their own legal battles.⁶² In some pale areas landlord control over tenants was significant. The bishop of Leighlin appreciated this when, in 1615, he approached one landlord over a matter concerning the lord's tenants. Landowners could even insist on the type of tenant which they wanted. The bishop of Leighlin complained that catholicism only survived in his diocese because certain landowners would only take catholic tenants.⁶³

In most other areas tenants were scarce. Robert, earl of Essex, complained that on his Monaghan lands 'good land which should be well planted by his [majesty's] subjects is only grazed on by sheep'.⁶⁴ The socially selective nature of the migration to Ireland meant that good tenants were even harder to find. Landlords tried to vet tenants, as far as possible, to obtain good ones who would not exploit their land but develop it. Lady Elizabeth Preston, daughter of the earl of Desmond, was asked for good tenants which, it was claimed, would greatly improve land.⁶⁵ The earls of Clanrickard and Thomond both monitored the activities of their tenants carefully to ensure that none of them would become too powerful.⁶⁶ Potential tenants applied to a lord with a bid

⁶² This is based on H.M.C., 9th Report, appendix 2, pp 306-11; A.J. Otway-Ruthven, C. McNeill (eds), Dowdall deeds (I.M.C., 1960); Ormonde deeds, iv-vi; C.A. Empy, 'The Butler lordship in Ireland, 1185-1515' (Ph.D., T.C.D., 1970), pp 492-3.

⁶³ Second report from commissioners on the public records of Ireland (1812) (Dublin, 1815), p. 264.

⁶⁴ SL, 17, no. 2.

⁶⁵ Ormond MSS, n.s., i, pp 20-21; on shortage of tenants, SP46/91, f 10^v; SP63/164/26, 39.

⁶⁶ Cunningham, 'Social and political change', pp 200-7.

for a tenancy which the lord accepted or rejected. In Fermanagh, for example, the bids of the native Irish were usually accepted as the rent offered was higher than that of the settlers.⁶⁷ To persuade tenants of sufficient quality to apply for land, which was plentiful, landlords offered extra inducements. The earl of Cork offered loans at little or no interest to make his tenants dependant on him and in Tyrone, Sir George Hamilton provided houses to attract tenants. The lord also provided services such as legal protection as was the case in the countess of Kildare's attempt to stop recusancy fines being levied on her tenants.⁶⁸

Thus bonds grew up between landlord and tenants which were neither economic nor legal. Francis Lloyd, a servant on Lord Herbert's estate in County Kerry complained of the loyalty of tenants on disputed land to Lord Baltinglass, and in Monaghan Thomas Petre, a Dubliner who purchased land there, complained that not only would his tenants not pay rent but they would not 'acknowledge him for their landlord' because their loyalty was to the previous owner.⁶⁹ Tenants expected 'good lordship' from their landlord and failure to exercise this by not providing facilities for them or behaving in a tyrannical manner meant that they would leave him.⁷⁰ Conversely, a good lord would receive the loyalty of his tenants and fulsome praise from them. The settlers on the Grocers' proportion in County Londonderry said of the Grocers' agent, Robert Harrington, that 'so kindly and so uprightly hath he dealt with us that we cannot but much desire we may never change him for any other whatsoever'.⁷¹

The low population levels in most of the settled areas of Ireland combined with the landlords' desire to obtain a tight hold over their tenants for political reasons meant that a quasi-legal, paternal relationship, such as that described above, sprang up in many areas.

⁶⁷ Herbert corresp., no. 161; Ormond MSS, n.s., i, pp 22, 24; P. O'Gallachair, 'A Fermanagh survey' in Clogher Record, ii (1957-9), pp 296, 310; Cunningham, 'Social and political change', p. 232.

⁶⁸ Ranger, 'Richard Boyle', pp 114, 181; H.M.C., Hastings, iv, p. 171; Bodl., Rawlinson C 439, n.f., n.d., Lord Deputy Falkland to countess of Kildare.

⁶⁹ Herbert corresp., no. 127; N.L.I., 'Reports on special collections', no. 142, p. 1326.

⁷⁰ Herbert corresp., no. 94; Moody, Londonderry plantation, pp 325-6; O'Gallachair, 'Fermanagh survey', p. 302.

⁷¹ Moody, Londonderry plantation, p. 324.

In some places where landholding was scattered, such as Sligo, it was difficult to establish but it did take root. The reaction of the central administration to this relationship was hostile since it resembled the lord-follower situation which, it was held, caused many sixteenth century rebellions. Oliver Cromwell condemned it as 'injustice, tyranny and oppression of landlords' and, in County Londonderry, allegations were made during the inquiry of 1631 that the companies had subjected their tenants to a tyranny unsurpassed by even that of the Inquisition.⁷² The tenants' reactions to the system were very different. Many exploited it for their own ends. Patrick Groome O'Dufferin, for example, realised the lack of suitable tenants on Sir Claud Hamilton's estate in Tyrone and so accumulated all of it into his own hands within three years and subsequently sublet it. In other areas, such as the Herbert estate in Kerry, substantial middlemen played on this lack of suitable tenants to engross more land into their hands and many small Connacht landowners took the opportunity to enlarge their holdings by becoming middlemen.⁷³

IV

The economic base on which all these social arrangements rested varied considerably throughout Ireland. There was considerable variation in natural resources, social practices and the sixteenth century basis for agriculture throughout the country. Munster, for example, specialised mainly in cattle and sheep during the early seventeenth century. The pale grew more corn and in the areas around the major towns, Dublin, Cork and Galway, agriculture tended to be more commercialised.⁷⁴ In all areas the pace of agricultural change was slow. The main engine of change, population, grew unevenly and the total population was still small by

⁷² W. Abbott (ed.), The writings and speeches of Oliver Cromwell (Cambridge, Mass., 1939), ii, pp 186-7; Moody, Londonderry plantation, p. 263.

⁷³ Edinburgh Univ. Lib., Laing MSS II, no. 5; Herbert corresp., no. 161; J. Graham, 'Rural society in Connacht' in Ir. geog. studs., pp 200-01.

⁷⁴ N.L.W., Powis Castle, Deeds and documents, nos 14611, 15290; J. O'Donovan, An economic history of livestock in Ireland (Cork, 1940), p. 35.

1641. One commentator complained 'that there are not enough [men] therein [Ireland] to maintain agriculture or manufacture'. Indeed, one of the main reasons why the proposed plantation of Connacht in the late 1630s failed was lack of settlers. Labour was short and settlers had considerable problems in obtaining household and agricultural servants.⁷⁵ There was some pirating of apprentices from Middlesex in 1616 when Richard Lightfoot of High Holborn, London, was accused of enticing apprentices from their masters to go to Ireland.⁷⁶ The distribution of population was uneven. By the 1620s Munster had sufficient people to spare to supply migrants to America. In Connacht population rose significantly in the early seventeenth century as a result of migration from the pale and England. This increased population caused modification of agricultural activity, especially in field systems as previously scattered strips were consolidated to provide for more labour intensive and efficient farming. This was paralleled by a move towards primogeniture and the breakdown of the older gavelkind system in some western areas.⁷⁷

The role of the landlord in agricultural change is difficult to assess. Most landowners in early seventeenth century Ireland made some attempt to improve their estates, especially if they had been in contact with English society, such as the earl of Clanrickard. Clanrickard introduced improving clauses in his leases, as did many landlords, but it was difficult to enforce them; many tenants in County Cavan simply ignored the clause and eviction was difficult since it was hard to find new tenants.⁷⁸ In the midlands and County Sligo landowners introduced

⁷⁵ B.L., Egerton 2533, f 121; New hist. Ire., iii, p. 263; McCuarta, 'Newcomers', pp 32, 42-3; P.R.O.I., CP. AA 56.

⁷⁶ W.H. Hardy (ed.), Calendar of the session records (Middlesex), 1612-18, n.s., iii (London, 1941), pp 175-6.

⁷⁷ SP63/164/39; SP63/158/22; SP63/146/32; SP63/189/48; G. MacNiocaill (ed.), 'Seven Irish documents from the Inchiquin archive' in Anal. Hib., xxvi (1970), pp 48, 55; Cunningham, 'Social and political change', p. 158; O'Dowd, 'Landownership', pp 484-5, 523-9.

⁷⁸ Cunningham, 'Social and political change', p. 231; Cal. S.P. Ire., 1633-47, p. 3; R.J. Hunter, 'English undertakers in the plantation of Ulster' in Breifne, iv (1973-5), p. 483; on this point in an English context, M. Havinden, 'Lime as a means of agricultural improvement: a Devon example' in C.W. Chalkin, M.A. Havinden (eds), Rural change and urban growth, 1550-1800 (London, 1974), pp 126-9.

new agricultural techniques such as liming and marling and also brought in new breeds of sheep and cattle.⁷⁹ Innovation spread slowly and sixteenth century practices such as ploughing by horse's tail and pulling wool off sheeps' backs remained, mainly because they were well adapted to the environment. Contemporaries argued that an English horse collar impeded ploughing because the soil was so heavy.⁸⁰ In one area of improvement east Ulster fell behind other regions: the development of minerals by landlords. The earl of Cork, for example, developed the iron deposits on his Munster lands. In other areas of Munster searches were made for gold, copper and silver. Searches were begun in other places for minerals, such as alum and glass-making was started in the midlands and soap-making in County Londonderry. In general processing industries for agricultural products were not developed and most raw material, such as linen and wool, was exported for processing.⁸¹ On balance east Ulster fared little worse than most areas in economic development. Throughout the country most landlords did not have capital to invest. The failure of towns to expand throughout the early seventeenth century and the lack of stable merchant communities for trading and investment purposes all stunted the development of agriculture. By 1623 there were even complaints that the food supply of Ireland was not keeping pace with population growth.⁸²

V

It is tempting to compare east Ulster with other colonial areas such as the contemporary Virginian settlements but such a comparison would not

⁷⁹ McCuarta, 'Newcomers', pp 160-61; O'Dowd, 'Landownership', pp 542-3; Ranger 'Richard Boyle', pp 97-8, 118.

⁸⁰ Bodl., Clarendon MSS ii, nos 61, 62, 80, 99; Cal. S.P. Ire., 1611-14, p. 432.

⁸¹ Ranger 'Richard Boyle', ch. 5; Cal. S.P. Ire., 1633-47, pp 5, 85; Moody, Londonderry plantation, p. 344; Advertisements for Ire., p. 8; Cullen, Emergence of modern Ireland, p. 112; N.P. Canny, The Elizabethan conquest of Ireland (Hassocks, 1976), pp 6-7.

⁸² New hist. Ire., iii, pp 175-6; Commons' jn. Ire., i, p. 32; R.J. Hunter, 'Ulster plantation towns, 1609-41' in D. Harkness, M. O'Dowd (eds), The town in Ireland (Hist. Studs XIII, Belfast, 1981), pp 67-78; O'Sullivan, Econ. hist. Cork city, ch. 5; SP63/231/436; Advertisements for Ire., p. 33.

have been approved of by contemporaries. While they saw Ireland as part of a general colonial spread they made no more detailed comparisons between their colonies.⁸³ Sir Francis Bacon, for example, considered the settlement of Virginia as 'an enterprise in my opinion differing as much from this [the settlement of Ireland] as Amadis de Gaul differs from Caesar's Commentaries'.⁸⁴ It is true that many problems were common to settlers in east Ulster and America; the problem of property boundaries, the low levels of population and indigenous inhabitants, for example. Some reactions to the new environments were similar. American settlers bound themselves into tight communities with rigid social codes as did the east Ulster settlers (as described in chapters eight and nine).⁸⁵ Most of these resemblances are superficial for in environment and structure the two settlements were totally different.⁸⁶ While east Ulster became an extension of west Scotland, America remained isolated with few contacts with the homeland. Ties of landownership, kinship and debt were irrevocably broken by the traumatic Atlantic crossing. Ultimately, the American colonist's solution to his problems were different to his counterpart in east Ulster. He was not constrained, except in Baltimore, by a manorial structure nor was he hemmed in by the application of English statute law. The colonists were allowed to frame their own law codes and work within them.⁸⁷ The problems with natives are also incomparable since the Indian was an unknown force to the American settlers while the natives of east Ulster had been well known for four hundred years, and there was considerable trade with them in the sixteenth century. In many ways the American experience was complementary to the Irish one; a migration of considerable distance as against a short move, a different demographic and economic structure

⁸³ W.J. Smyth, 'The western isle of Ireland and the eastern seaboard of America' in Ir. geog., xi (1978), p. 1.

⁸⁴ Spedding, Life and letters, iv, p. 123.

⁸⁵

D.F. Konig, 'Community, custom and the common law: social change and the development of land boundaries in seventeenth century Massachusetts' in Am. jnl legal hist., xviii (1976), pp 133-77.

⁸⁶ Smyth, 'Western isle', pp 2-3, 10-14; J.T. Lemon, 'Early Americans and their social environment' in Jnl Historical Geography, vi (1980), pp 115-31.

⁸⁷ W.M. Billings, 'The transfer of English law to Virginia' in K.R. Andrews, N.P. Canny, P.E.H. Hair (eds), The westward enterprise (Liverpool, 1978), pp 215-44.

and a new world as opposed to one known to the English since the twelfth century.⁸⁸

What east Ulster represents is neither early seventeenth century Ireland nor America in microcosm. There were no 'laws' for plantation, simply the adjustment of settlers to a new environment and the consequent building of a social, economic and political structure to suit it. Inevitably east Ulster shared many of the problems of the rest of colonial Ireland and adopted similar solutions, as I have demonstrated above, but it had its own distinctive features arising out of its own problems. It is only by a series of studies of different areas, in social, economic and political terms, and by relating these to the activities of the central administration that a balanced picture of early modern Irish society will emerge.

English rule, were unwilling to give up their ancient ways however. Conflict was inevitable as the central government attempted to impose

⁸⁸ N.P. Canny, 'The Anglo-American colonial experience' in Hist. jnl, xxiv (1981), p. 489.

such structures as they had in the 1600s, which originated from the good old days of the reigns of King James and Queen Elizabeth, a period which was too quiet and demographically healthy. Efforts to diversify the economic base of the settlement, which was still heavily on the great harvests of flax and wool, took it right into the conflict and other communities were all drawn into the structure of the settlement. The emergence of a political class in the 1600s, the Black Death and the Counter-Reformation, with its religious and increasing landlord debt, shortage of labour and poor harvesting posed a serious problem for the structure of society. In fact there was a general crisis caused by the collapse of confidence in God and a plan of major power restructuring Irish society.

By the later seventeenth century, society in east Ulster was radically different from its pre-1600 counterpart. Both the size of the population and the dynamics of growth had changed significantly by 1660. Most of the greater settled land had to be replaced with new colonisation. The structure of local government had been revolutionised by the Cromwellian administration and the actions of the Ordnance and Surveyors had established the foundations of the Ulster landscape, and landlords were faced with financial problems

EPILOGUE

The aim of this thesis has been to demonstrate that in east Ulster, and to a lesser extent Ireland generally, a special type of social organisation developed in the early seventeenth century. The society described was characterised by a period of consolidation of landed, political and economic interests in the early years of the seventeenth century as both settler and native attempted to adjust to a changed political situation after 1603 with the subjugation of all Ireland to English control. Initially this process was supported by the central administration, who were prepared to grant considerable privileges to local landowners in return for the imposition of stability and order quickly and cheaply. By the end of the first decade of the century this policy had been reversed, but large power blocks remained in the countryside. Landlords, most of whom had been driven to Ireland by ambition or a chance of financial gain, were unwilling to give up their newfound power bases. Conflict was inevitable as the central government attempted to tighten its hold on the localities in the 1620s and 1630s, especially under Lord Deputy Wentworth. These political tensions coincided with a series of social and economic crises in the 1630s, which resulted from the poor economic foundation of the settlement of Antrim and Down. A population which was too small and demographically badly structured, a failure to diversify the economic base of the settlement, which was hit severely by the poor harvests of 1635-40, and a lack of capital within the landlord and urban communities were all severe flaws in the structure of the settlement. The coincidence of a political crisis in the 1630s, the Black Oath and the Covenanter disturbances, with an economic one; increasing landlord debt, shortage of labour, cash and poor harvests, posed a serious problem for the structure of society in east Ulster. A more general crisis caused by the outbreak of rebellion in 1641 was to play a major part in restructuring Irish society.

By the later seventeenth century, society in east Ulster was radically different from its pre-1641 counterpart. Both the size of the population and the dynamics of growth had altered appreciably by 1660. Most of the pre-1641 settlers had left to be replaced with new colonists. The structures of local government had been overhauled by the Cromwellian administration and the effects of the Cromwellian and Restoration land settlements had undermined the confidence of the Ulster landlords. Most landlords were in a weak financial position

in the 1660s for the rebellion of the 1640s and the burdensome local taxation of the 1650s had taken a heavy toll on already shaky finances. Old landlords sold out and new settlers, such as George Rawdon, later earl of Moira, William Waring and John Magill, took their place. Older settler families previously of minor importance, such as the Wards of Castleward in Lecale, rose to significance. It was the task of these men to shape a new society within the legal, social, economic and political parameters of their own age.

APPENDIX I: VITAL STATISTICS

I:i Age and marital status of heirs on father's death in east Ulster.
Source: Inq. Ult.

Age group	Antrim		Down	
	married	single	married	single
0-15	0	9	0	3
16-19	0	4	0	2
20-4	1	2	2	1
25-9	1	0	1	0
30-4	0	0	6	0
35-9	1	0	0	0
40-4	1	0	0	0
45	1	0	1	0
Total	5	15	10	6

I:ii Letters of denization sued for east Ulster settlers, 1605-35.

Source: W.A. Shaw, Letters of denization and acts of naturalization, (Huguenot Society, Lymington, 1911.)

1605-9	4
1610-14	9
1615-19	104
1620-24	26
1625-9	22
1630-35	24

I:iii '1641 ages' of east Ulster deponents.

Sources: T.C.D., MSS 837, 838

<u>age group</u>	<u>number of deponents</u>
20-4	5
25-9	8
30-4	16
35-9	6
40-4	16
45-9	5
50-4	9
55-9	4
60-4	6
65 +	2
Total	82

I: iv Distribution of Irish forces during the Nine Years War

- Sources: (a) Cal. Carew, 1589-1600, p. 73
 (b) Cal. Carew, 1589-1600, p. 287
 (c) Cal. S.P. Ire., 1599-1600, p. 73
 (d) Cal. Carew, 1589-1600, p. 199

Lordship	1592 (a)		1598 (b)		1599 (c)		1599 (d)	
	h.	f.	h.	f.	h.	f.	h.	f.
Killultagh	20	100	-	-	-	-	-	-
Kilwarlin	10	120	-	-	} 140	} 1000	10	60
Iveagh	122	610	80	200			40	300
Upper Clandeboy	80	400	} 120	} 300	} 120	} 800	50	80
Lower Clandeboy	116	760					20	100
Route	90	700	} 60	} 600	} 140	} 800	100	100
Glynnnes	-	200					-	-

I: v Distribution of pardons, 1590-1625

Sources: Fiants Eliz.; Cal. pat. rolls Ire., Jas.I.

	<u>Antrim</u>		<u>Down</u>
North Antrim	224	Ards	144
Mid Antrim	176	Iveagh	305
South Antrim	128	Kilwarlin	20
Killultagh	37	Lecale and Dufferin	151
		West Down	32

APPENDIX III AGRICULTURAL ACTIVITY

III: i Values of stock on farms in east Ulster, 1641

Sources: T.C.D., MSS 837, f. 80; TCD., MSS 836, ff 1-15; E. Berwick, Rawdon letters, n.p., 1819, BC9/1, p. 41; P.R.O.N.I., T284, D1905/2/155B.

Where numbers of stock are given, they have been converted to cash equivalents using the valuations in T.C.D., MSS 837, f 14.

Name	Location	Cattle	Horses	Sheep	Pigs	Poultry	Corn
		£	£	£	£	£	£
<u>Down</u>	Christopher Crow	Drumbashelane	20	3	£2.17.0	-	18
	George Hodgkison		7	7	-	-	-
	Christopher Jessen	Newry	9	-	-	-	-
	Arthur Magennis	Ballinlary	total	agricultural losses £125	6.13.4	4	125
	Henry Smith	Aghaderick	180	28	-	-	6
	Robert Kinaston	Saul	-	-	-	-	-
<u>Antrim</u>	Hugh Cunningham	Townburgh	20	8	-	-	185
	Throgmorton Totesby	Antrim	✓	✓	-	-	800 ³
	John Temple	Tullycranagh	400	14	-	-	2
	Josiah Welsh	Templepatrick	90				-
	John Mitchell	Letticeland	1340				-
	John McMyre	Creeverny	490	9			74

¹ Cattle, etc., known to be present but no value given.

2 8 Barrels oats, 2 barrels barley, 1 peck barley.

3 13 barrels wheat, 4 stacks wheat.

4 13 barrels wheat, 4 stacks wheat.

Tenant	farm size (acres)	corn (bolls)	barley (pecks)	horses	cows	heifer	bullock	pigs	sheep
William McCayley	5	2	6	1	4	-	-	6	-
Alexander Dunlop	33	8	10	15	6	4	2	-	40
John Knox	20	2	6	1	5	-	-	-	10
Patrick Agnew	25	7	4	1	4	-	-	-	6
Alexander Russel	30	4	4	2	3	-	-	-	4
Thomas McCoy	7	7	3	2	2	-	-	-	12
John Archbold	15	3	2	-	-	-	-	-	4
Thomas Sillsman	1	1	-	-	-	-	-	-	-
John Mitchell	16	4	4	2	1	1	-	-	14
John Andrew	15	2.5	3	1	1(2) ¹	-	-	-	-
John Barnett	15	2.5	3	1	2(1)	-	-	-	3
Alexander Leech	30	6	6	2	3(1)	-	-	-	6
Adam Bottoun	33	8	10	4	4	4	4	4	40
William Cun	15	3	4	2	2	2	2	1	6
John Cumbill	10	2	2	1	4	-	-	-	-
William Tampson	30	6	5	2	6	-	-	-	10
Caun Mure	10	2	1	1	-	-	-	-	-
Hugh Perbelly	15	2.5	3	1	7	-	-	-	11
John Munopense	18	4.5	3	2	1	-	-	-	12
Total	343	77	79	40	64	11	3	6	178

¹ The figures in brackets indicate how many cows on the lands when the survey was made.

APPENDIX III THE BUSINESS OF THE COURT OF WARDS

Sources: T.C.D., MSS 643, 644, 645, 648; P.R.O.I., Lodge MSS, Wards and Liveries 1.

	Antrim			Down		
	wards	liveries	alienations	wards	liveries	alienations
1605-6	-	-	-	1	-	3
1607-8	-	-	-	-	1	1
1609-10	-	-	-	-	-	4
1611-12	-	-	-	1	-	-
1613-14	1	-	-	-	-	-
1615-16	-	-	-	-	-	-
1617-18	-	-	-	-	1	2
1619-20	-	-	-	-	-	-
1621-2	-	-	1	-	-	-
1623-4	-	-	1	-	1	3
1625-6	-	-	-	-	-	-
1627-8	-	-	1	2	2	2
1629-30	-	-	1	-	1	1
1631-2	-	-	2	-	2	9
1633-4	-	1	5	-	4	5
1635-6	-	8	6	2	-	12
1637-8	2	5	6	1	1	5
1639-40	-	1	8	-	-	3
1641	-	-	-	-	1	3

John Arbuthnott

Walter White

Percy Reynolds

Sir Thos Meredith

APPENDIX IV THE ACTIVITIES OF EAST ULSTER M.P.s, 1633-40

Source: Commons' Jn. Ire.

Numbers of committees sat on

1613-14

	<u>sess. 1</u>	<u>sess. 2</u>
Sir F. Conway	2	0
Moses Hill	2	0
Thos Hibbots	0	0
Humphry Johnston	0	0
J. Blennerhasset	1	0
George Trevilian	0	0
Sir J. Hamilton	4	5
Sir H. Montgomery	3	1
Richard Wingfield	0	0
Richard West	0	0
Arthur Bassett	1	0
John Leigh	0	0
Edward Brabazon	0	0
John Dalway	0	1
Edward Trevor	1	0
John Hamilton	0	0
George Cunningham	0	0
James Cathcart	0	0

1634-5

	<u>sess. 1</u>	<u>sess. 2</u>	<u>sess. 3</u>	<u>sess. 4</u>
Hugh Montgomery	4	4	0	0
Sir Edward Trevor	3	3	4	4
Arthur Chichester	1	0	0	0
Sir John Clotworthy	0	5	6	1
Henry Upton	0	0	1	1
Sir Thomas Hibbots	0	0	0	0
Charles Price	0	0	0	0
Thomas Bramston	0	0	0	0
James Hamilton	0	0	0	0
Edward Kinaston	0	0	0	0
William Billingsly	0	0	0	0
Robert Loftus	0	0	0	0
Sir A. Terringham	3	0	1	2
Sir Arthur Bassett	0	2	1	0
Mathew Brabazon	0	0	1	0
Walter White	0	0	0	0
Paul Reynolds	0	0	0	0
Sir Thos Meredith	1	0	0	0

APPENDIX V STATUS AND LITERACY IN RURAL SOCIETY

V: i Status and rent level on the earl of Antrim's estate, c. 1635

Sources: P.R.O.N.I., D 265; D2977; T549/3; LPC 1031;
LPC 1059; D282/1; LPC 263; D1835/56A/85; D556/10;
D828/2A-C; T1531/1/1.

Rent (in £)	Irish		Scots		Eng.	
	gent.	yeo.	gent.	yeo.	gent.	yeo.
0-4	5	3	1	0	0	2
5-9	6	5	1	1	2	0
10-14	6	5	7	1	1	2
15-19	2	3	2	1	0	0
20-24	2	2	5	0	4	0
25-9	3	2	1	0	1	0
30-34	0	1	5	0	2	0
35-9	0	0	0	0	0	0
40+	3	1	3	0	1	0
Total	27	22	25	3	11	4

V: ii Status and literacy on the earl of Antrim's estate, c. 1635

Sources: As III: i

	Irish		Scots		Eng.	
	gent.	yeo.	gent.	yeo.	gent.	yeo.
sign	12	5	20	0	10	2
mark	8	17	4	3	1	2
Total	20 ¹	22	24	3	11	4

¹ The discrepancy between these totals and those of III:i is due to seven leaves being torn or worn at the bottom.

V: iii Literacy and sex in east Ulster, c.1640

Sources: T.C.D., MSS 837, 838

		Irish		Scots		Eng.		Total
		m.	f.	m.	f.	m.	f.	
<u>Antrim</u>	sign	15	0	6	0	4	1	26
	mark	32	9	8	6	5	1	61
	total	47	9	14	6	9	2	87
<u>Down</u>	sign	11	0	7	0	12	0	30
	mark	13	2	10	0	14	1	40
	total	24	2	17	0	26	1	70

V: iv Arms on estates c.1630

TYPE OF ARMS

Landholder	no arms	sword	sword & pike	sword & hussar	sword & hussar & snap-hance	sword & hussar & halbert	sword & hussar & halbert & target	snap-hance	musket	culver	total
Earl of Antrim	506	374	4	0	0	1	4	1	0	1	1548
Adair	45	44	32	2	14	1	3	8	0	4	157
Clotworthy	229	0	0	0	0	0	0	0	0	0	229
Dalway	38	0	0	0	0	0	0	0	0	0	38
Edmondston	46	21	31	0	1	0	0	0	0	0	125
Hill	11	0	0	0	0	0	0	0	0	0	11
Redding	17	0	0	0	0	0	0	0	0	0	17
Upton	88	0	2	0	0	0	0	0	0	0	92
Montgomery	559	339	0	113	0	1	0	0	0	0	1234
Hamilton	0	0	611	212	67	0	0	38	0	0	928
Kildare	48	76	1	0	0	0	0	0	0	0	125
Cromwell ¹	170	239	9	0	3	1	0	80	1	0	505
Melville	34	12	3	0	0	0	1	0	0	0	52
Bishop of Down and Savage	48	14	9	0	1	2	0	0	0	2	74

¹ Not including the force at his ironworks.

APPENDIX VI OCCUPATIONS OF BELFAST FREEMEN, 1635-44

Source: R.M. Young, The town book of the Corporation of Belfast, Belfast, 1892.

<u>Occupation</u>	<u>1635-9</u>	<u>1640-44</u>
Gentleman	5	11
Merchant	10	10
Shoe maker	4	1
Carpenter	1	0
Joiner	2	0
Clothier	4	0
Weaver	1	0
Tailor	2	1
Glove maker	1	0
Felter	1	0
Tanner	0	2
Wheelwright	1	0
Smith	2	0
Brazier	0	2
Candlemaker	0	1
Glazier	1	0
Chandler	1	0
Inn keeper	0	1
Butcher	2	0
Husbandman	1	1
Servant	2	1
Soldier	0	5
Unknown	11	47
Totals	52	83

BIBLIOGRAPHY

This bibliography is, of necessity, select. I have not included all the works cited in J.G. Simms, 'Bibliography' in New hist. Ire., iii, since full bibliographical references to standard works will be found there. In the case of manuscripts where a title to a collection exists it has been given. I have not described volumes of miscellaneous papers.

Arrangement

- I Manuscript sources
 - II Contemporary pamphlets
 - III Printed sources
 - IV Secondary works
-

I MANUSCRIPT SOURCES

A Bodleian Library, Oxford

Carte MSS
Clarendon MSS
Corpus Christi College MSS 297
Laud MSS
Rawlinson MSS
University College MSS 103

B British Library, London

Additional 4756	Report of 1622 commission
4770	Muster roll of Ulster <u>c.</u> 1630
4787	Ware MSS
4820	Funeral entries, 1634-1729
11033	Letter book of Lord Deputy Falkland, 1620-33
11328	
18824	Letter book of Lord Deputy Falkland, April 1628 - July 1629
19837-42	Chancery recognisances, 1570-1634
19843-4	Register of the statute staple, 1638- 62
19848	
34313	
39853	Cornwallis MSS
40815-7	Yelverton MSS
41613	
Cotton	Titus X B
	XII B
	XIII B
	Augustine I
Egerton	2333

Harley	430	Lord Deputy Wentworth's petition book, July 1637 - March 1638
	2099	Letters patent to the earl of Antrim
	2138	Charles Monck's survey of the customs <u>c.1637</u>
	2183	
	3292	Letters patent to the earl of Antrim
	4297	Commission on ecclesiastical affairs, 1633-4
	5938	
Landsdown	156	
Royal	18A LIII	Tracts re Ulster
	18A LXV	Ibid.
Sloan	1856	
	3827	

C Cambridge University Library, Cambridge

Additional 4352
KK.1. 1.5 Sixteenth century state papers re
Ireland

D Devon County Record Office, Exeter

1262M Chichester MSS

E East Suffolk Record Office, Ipswich

HA 12 Adair MSS

F Edinburgh University Library, Edinburgh

Laing MSS

G Leeds City Library, Leeds

TN/P07 Papers relating to Irish customs, 1612-15

H Marsh's Library, Dublin

Z1.1.13, Z3.2.5, Z3.2.6

I National Library of Ireland, Dublin

MSS 8013-15 Rich MSS
MSS 8792 Hamilton MSS
MSS 15584 Copy of patent to Lord Viscount Ards, 1638
Harris's 'Collectanea de rebus Hibernicis'

J National Library of Scotland, Edinburgh

Delmilne MSS

K National Library of Wales, Aberystwyth

Cross of Shaw Hill MSS
Powis Castle, Deeds

L Public Record Office, London

C.	Chancery Bills
SP46	State papers, misc.
SP62, SP63	State papers, Ireland
MPF	Maps

M Public Record Office of Ireland, Dublin

C562	Hamilton patents
C564	Hamilton patents
D20559	Cromwell deeds
Papers relating to the Colville family: C3446-7, C3450,	
D15237-40	
M2445	Letter book of Lord Deputy Falkland, 1629-33
M13856	Victualling rolls for army, 1600-3
C.P.	Chancery pleadings
R.C.	Records of the Record Commissioners
Ferguson MSS	
Lodge MSS	
Thrift MSS	

N Public Record Office of Northern Ireland, Belfast

Papers relating to the Adair family:

D929
D1430
D828

Papers relating to the earl of Antrim:

D265	LPC 1246
D282	LPC 1333
D350	LPC 1339
D1835	T473
D2171	T549
D2977	T1531
LPC 253	T2490
LPC 1058	

Papers relating to the Chichester family:

D389	T666
D778	T712
D811	T956
D1905	T1009

Papers relating to the Clotworthy family:

D207	T472
D562	T966
D685	T1139

Papers relating to the Conway family:

T268
T343
T744

Papers relating to the Cromwell family:

D546	LPC 1633
D1556	T646
LPC 137	

Papers relating to the Edmonston family:

D1255

T815

T1030

Papers relating to the Hamilton family:

D1071B T893

T761 T1065

T776 T1128

T808/2758 T1878

T870

Papers relating to the Hill family:

D671

Papers relating to the Magennis family:

T185

T588

Papers relating to the Montgomery family:

D556 T1030

D646 T1089

Papers relating to the O'Neill family:

T1287

T1289

Papers relating to the Savage family:

D558

D585

Papers relating to the Trevor family:

D778

D1255

Papers relating to towns:

(a) Newry T618

(b) Carrickfergus T668 T707
T686 T1107

Papers relating to the church:

DI04 T975

T284 D1759

T808/15309 T1275

Other material relating to east Ulster:

D302 T835

D765 T1110

T695 T1180

T765 T2171

T811 Mic 1/3

O Scottish Record Office, Edinburgh

CC9 Ayrshire wills

GD8 Boyd MSS

GD10

GD25 Ailsa Muniments

GD26

GD27 Dalquaharran writs

GD39 Glencairn Muniments

GD86

GD90 Yule papers

GD97	Dunreath Muniments
GD103	Society of Antiquaries, Scotland papers
GD109	Bargany papers
GD138	Galloway charters
GD149	
GD154	Agnew papers
GD180	Cathcart of Greenock MSS
GD214	
GD219	Murray of Murraythwaite papers
GD237	
RH9	
RH11	Deed book of Kilwinning
RH15/39	Haddington papers
RH15/91	Maxwell of Orchardtown papers
RS	Registers of sasines
	Acts and decrees of the Lords of Session

P Sheffield City Library, Sheffield

Wentworth Woodhouse MSS

Q Syon House, Northumberland

MSS Y.11.26 (N.L.I. microfilm p. 3682)

R Trinity College, Dublin

MSS 570	
MSS 572	
MSS 664	
MSS 672	
MSS 743	
MSS 804	
MSS 837	1641 Depositions, Co. Down
MSS 838	1641 Depositions, Co. Antrim
MSS 1059	
MSS 2512	Index to fines in the court of common pleas, 1603-84
Mun. P.	College muniments

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