

1155

A VIEW
OF THE
Legal Institutions,
Honorary Hereditary Offices,
AND
Feudal Baronies,
ESTABLISHED IN
IRELAND
DURING THE REIGN OF HENRY THE SECOND.

DEDUCED FROM COURT ROLLS, INQUISITIONS, AND OTHER ORIGINAL RECORDS.

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&c. &c. &c.

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ing his own reign, as during the reign of his father John, and of his grandfather, King Henry the Second.

The most ancient records now existing of legal proceedings, had either in England or Ireland, are to be found on the Rolls in the Tower of London. Those Rolls commence in the year 1199, or in the first year of King John's reign; and as some of the earliest entries on them relate to Ireland, and to judicial proceedings then in progress in that country, they show most satisfactorily that John on his accession to the throne found the laws of England, as might be expected from what has been already stated, in full operation within his Irish dominions.

On the Roll of the first year, for instance, we find William de Nans paying the King 100 marks *fine* for having a writ of *mort d'ancestor* against the Abbot of Baltinglas. Master Anic pays 20 marks for having a *trial by writ of novel disseisin* against Theobald Walter, the ancestor of the Earl of Ormond; but the said Theobald afterwards pays the King 80 marks that the trial may take place, not in Ireland, but before his Majesty in England—an indulgence much sought for, and productive of great revenue to the Crown. Richard Gille Michel pays 66 marks 2s. 3d. for permission to compound the *appeal* which Owen Brien had instituted against him for the death of his father. On the Roll of the second year, Robert Fitz Richard pays 100s. (*primer seisin*) to have seisin of the estate which belonged to his father, whose heir he is; and Henry de Ressebir pays 10 marks that the suit between him and William Petit (Lord of Donibryne) for lands in Meath should proceed and not be delayed by the charter the said Petit had obtained, which exempted him from being sued any where but before the King. In that roll also is the King's order that no *outlawry* be made in any court in Ireland, but in his the King's Court there only. In the same year the King appoints Meyler Fitz Henry his Justiciary of Ireland, reserving however *all pleas* belonging to the Crown. Affric de Curtun gives 30 ounces of gold for a *trial by twelve free and lawful men*, whether Hugh de Lacy had unjustly and without judgment disseised

Oblata
Roll,
T. L.
1 John.

Oblata
Roll,
T. L.
2 John.

Charter
Roll,
T. L.
2 John.

in the Earls of Shrewsbury; and in consequence they were summoned to and sat in the Parliament of Ireland. Francis Earl of Shrewsbury, in particular, we find was one of the Irish Peers mentioned in the writ of King Charles the Second, dated 13th October, in the 18th year of his reign, and who are thereby described as "*quosdam Proceres et Magnates dicti regni nostri Hibernie qui locum et vocem habent in Parliamentis dicti regni nostri Hibernie et modo infra regnum Anglie resident;*" and his Lordship having been certified by James Duke of Ormond and the Privy Council to be an Irish Peer as Earl of Waterford, &c. he was obliged to pay his proportion of the assessment then rated on the Parliamentary Nobility of Ireland, amounting on eight several occasions to £160. But it has not been yet ascertained whether any of his successors in the Earldoms executed subsequently the hereditary dignity of Seneschal or Steward of Ireland.

SECTION IV.

CHIEF BUTLER.—Amongst the ancient honorary officers of the English Court was the *PINCERNA REGIS*, or KING'S BUTLER, which dignity was conferred by William the Conqueror on the family of De Albeniaco or Albini, Earl of Arundel: the duty of this officer was to attend the King at his solemn Coronation, and present the first cup of wine, for which as his *honorarium* he had several pieces of the King's plate, and for further support of the dignity, received from the Crown a grant of the prisage of wines, or *butlerage*; which consisted in the right of taking from every ship importing twenty or more tuns of wine, two tuns, one from before, the other from behind the mast. We can form some idea of the estimation in which this high dignity was held, from the circumstance of King Henry the Second having attended on his son as Chief Butler at that Prince's coronation.

In Ireland, as is stated in the early records, the office or dignity of Hereditary Chief Butler has been enjoyed by the ancestors of the Earls of Ormonde from *time immemorial*, and was conferred upon Theobald Walter soon after 1170 by Henry the Second, who, as we find by ancient writings in

Ireland, as well as in Camden, "hoped to redeem his credit in the world after the murder of Thomas Becket archbishop of Canterbury, by preferring his relations to wealth and honours, and this family of le Boteler were nearly related to the Archbishop, being descended from his sister."

Pipe Roll,
31 H. 2.
Somerset
House,
London.

Theobald the first Chief Butler having returned into England, afterwards accompanied Prince John into Ireland in the year 1185, and for the freight of his "*harnesium*" the sum of 66s. 8d. is charged in the public accompts amongst the other expences of the Prince's voyage to that kingdom. He was possessed of the baronies, cantreds and territories of Upper Ormond, Lower Ormond, Elyogarty, Ikerin, Owey, Kilnarnagh, Kilnalongurty, Ileagh, Dow, Arra, &c. as was found by an inquisition held before Thomas Viscount Wentworth; and some of the deeds by which he endowed the Abbey of Furness in Lancashire, are still preserved amongst the records of the Duchy Court, with his seal in green wax, on which are inscribed the words "*SIGILLUM THEOBALDI WALTERI*."

Original
Charters,
Town
Clk's Off.
Dub.

Prince John, during his residence in this part of the empire, granted various charters, to most of which Theobald Walter is a subscribing witness; the same Prince, as Lord of Ireland during his brother's reign, confirmed and enlarged by charter the corporate privileges of the City of Dublin, which instrument is witnessed by Lord Theobald Walter, who is therein expressly styled "*Pincerna*," as will appear in that ancient charter, the original whereof is yet extant. Prince John, it should also be added, thereby reserved to himself a liberty, "that out of each ship that thither should happen to come, his officer might choose two hogsheads of wine for his use for 40s., that is to say, for 20s. each hogshead, and nothing more, unless at the pleasure of the merchant. From the words of this reservation it may be concluded, that the right of prisage of wines then appertaining to the Crown in Ireland was more extensive and valuable than in England, since in the latter country it was limited to vessels importing twenty tuns or upwards, whereas in the former no such limitation occurs, but the duty could be exacted out of every ship.

Theobald
low, and
fifty marks
against him
he died be
was grante
Pembroke,
lands was
widow Ma
Warne, sh
To The
Theobald,
the year 13
and had a
experiences
occurs in t
a special l
his beloved
another let
occasion.
Verdon, 1
Verdon ju
as great B
writs of
them also
Shrewsbu
In the y
Barons to
horses; at
in the year
The dig
heir, The
grandson,
cal record
there.
Theoba
fifth Chie
death with

came to Lionel Duke of Clarence, son of King Edward the Third, from whom it was inherited by Edmund Earl of March. It descended afterwards to Richard Plantagenet, Duke of York, whose son Edward becoming King of England as Edward the Fourth, the seigniority and honour of Ulster merged in the Crown.

Life of
King Henry the Second.

The largest district in the South, namely, that of Cork, was granted by Henry the Second to Milo de Cogan and Robert Fitz Stephen, and the charter for this purpose was published by Lord Lyttelton from Sir James Ware; the copy thus printed there has been no opportunity of comparing with any original or official enrolment, but the Escheators' Inquisition in the Tower of London, No. 104, and many other records, afford conclusive evidence that King Henry the Second granted Cork by charter to Fitz Stephen and De Cogan hereditarily to be held by military services therein specified.

Close Roll,
T. L.
7 John.

Original
Exemplification
Trin. Coll.
Dub.

As to the other great section of the island, namely, Connaught, Hoveden has preserved the "Finis et Concordia," whereby King Henry the Second, in the year 1175, confirmed it to "Roderick King of Connaught," who it was then agreed should hold it, and be a King under him King Henry, "quod sit Rex sub eo paratus ad servitium suum," &c. After his death, we find King John acquainting the Justiciary that the then King of Connaught had offered to hold one-third of that country in fee by the name of a *Barony*, "nomine Baroniæ," &c.; and other curious documents respecting that district subsequently occur; but ultimately, after many previous charters, it was confirmed on the 21st of May in the 11th of Henry the Third, to Richard de Burgo for his homage and service, as forfeited to the Crown by the transgression of Æthi (Hugh) *quondam Regis de Connoht*: to hold to the said Richard and his heirs by the service of ten knights.

While Richard de Clare Earl of Pembroke was Deputy to Henry the Second in Ireland, on behalf of the King he made the following grant of the seigniority of Bray to Walter de Riddelsford.

ed, that some writers in the reign of James the First formed the wildest conjectures about those persons who in their time were styled Lords and Barons, but had no voice or seat in Parliament; those writers called them Palatine Barons, without considering that most Peers then in the House being as fully entitled to that appellation, such a name could not account for this apparent anomaly in the Peerage. Again, it was said they were Bannerets and not Barons; but in this case it was not recollected that the dignity of Banneret, which was bestowed in the field, might be conferred on the highest Peer, and could not diminish the rights, parliamentary or otherwise, of those who won it. This latter instance, however, of want of acquaintance with the nature of one of the most remarkable and ancient titles of honour known in England, will best account for the ignorance of those writers as to this class of the Irish Baronage; and it may be sufficient to observe that by charters, patents, inquisitions and entries on the public rolls, it does appear the Barons above-named who were excluded from Parliament, or gave up their parliamentary privilege after the reign of Edward the Third, had previously ranked amongst the most ancient and perhaps most potent Peers of English descent in the kingdom.

CHAPTER XI.

WRITS OF MILITARY AND PARLIAMENTARY SUMMONS.
 PROOFS OF SITTINGS. FINES FOR ABSENCE. WRITS
 OF SUMMONS, WITH CLAUSES OF CREATION, &c.

IT was originally intended to embody in this work a perfect collection of all the writs of Military summons which issued from the Crown to the Baronage of Ireland; but after that collection had been made, those writs were found to be so voluminous, as to preclude their publication at the expense of an individual. In consequence the original design was unavoidably relinquished, and only a few of those documents are now inserted. For a similar reason, the numerous and valuable writs from the Crown to the Nobles for their "auxilium et consilium" on new accessions to the Throne, on appointments of Chief Governors, &c. are also excluded; but in their stead, the writs of Parliamentary summons, wherever diligent research could discover them, many proofs of sittings, fines for absence, and such other evidences respecting the Feudal Baronage, as must be important in the absence of regular Parliamentary journals, were collected and are now published.

The doubts hitherto raised as to the period when the Common Law was introduced into Ireland, rendered it necessary that satisfactory evidence should be adduced on that subject; and therefore there may be also seen in the following collection a series of writs and royal ordinances which have never yet been printed, and which not only throw much light on

the Commune Concilium, courts and jurisdiction of the Irish Baronage, but also clearly establish that the Common Law was in full operation in Ireland long before King John's second visit in the year 1210.

[Charter Roll, T. L. 2 John, m. 28. dors.]

Rex &c. Archiep̃is &c. Sciatis qđ multum cōmendā^o dilc̃m et fidelem ñrm M. fit Henr̃ et bonum servicium suum qđ nob̃ fec̃ et ei tanq̃m dilc̃o et fideli ñro cōmisimus curam et custodiam tocius t̃re ñre Hib̃nye et ip̃m inde CAPITALEM JUSTIC' constituimus Et ideo voſ mandam^o qđ ei tanq̃m Capitali Justic' ñro sitis intendentes et negocia ñra scđm qđ ip̃e voſ dixerit pmoveatis Sciatis aut̃ qđ retinuimus ad opus ñrum oīa placita Hibernye spectantia ad Coronam ñram et Monetam et Cambiū Et ideo voſ phibem^o sup Forisfacam ñram ne de plātis talibus aut Moneta aut Cambio vos de cetero intromittetis. T.

[Charter Roll, T. L. 2 John, m. 28. dors.]

Rex &c. Arch̃ &c. Sciatis qđ nolum^o qđ aliq̃ Recogñ fiat in Hyb̃n nisi in Curia ñra nec aliq̃s sit utlagat^o nisi p Curiam ñram Quare voſ mandam^o et phibemus ne de hiis de cetero vos intromittatis. T. me ipo ap̃d Berkeley xxvii^o die Octob̃.

[Patent Roll, T. L. 3 John, m. 8.]

R. &c. Baroñ de Mida salt̃ Mandam^o voſ q̃tinus fidē fiat̃ hiis q̃ M. fit Henr̃ Justic' ñr et W. de Burgo si p̃t inlesse et G. de Costentiñ voſ dicent ex pte ñra. T. me ipo ap̃d Sc̃am Bar̃ ij^o die Novēb̃.

[Charter Roll, T. L. 5 John, m. 15. dors.]

Rex &c. Archiep̃is Ep̃is Abb̃ibz P̃ioribz Archid̃ et uniṽso cleŃo p Hib̃ constitutis salt̃m. Satis nostis sič et tot^o mund^o qđ Rex Franc̃ q̃a dñm et rōnē et q̃a cartam suam et jurañtū nos warrare et ex̃hedacōem ñram q̃r'e nō cessat. Nos aut̃ pp̃t hoc venim^o in Angl̃ g̃ra Dei sani et icolumes ubi oīms de regno Angl̃ nos honorifice recepunt sič dñm q̃ libal̃ et benigne habita considacōe ad urgentissimū neġm ñrum nob̃

[Close Roll, T. L. 5 H. 3. m. 6. dors.]

Rex Thome fit Antoñ salū Fidelitati v're volum^o innotesce
 qđ p^o mortē bone memorie Dñi J. Reg^{is} prisⁱ nri de dñicis vel
 redditibus assisis vł escaetis t're n're Hybñ nichomnino pce-
 pim^o de quo nō imito movemur & miramur Galfr^o quid de Ma-
 risē Justicⁱ n'r Hybñ cū ī psencia n'ra constitut^o ī Anglⁱ finē
 fecisset nobiscū p satisf^ocōe nob faciēda de hiis q̄ min^o egat
 & diē nob constituisset de fine illo nob reddendo convē-
 cionādo nob firmi^o qđ custodibus castroz nroz et sūptibus
 eoz moderañe ipon^{et} & de ipis custodibus nos securos red-
 deret p obsides & cartas eoz de illⁱ amovendis & aliis p volū-
 tate n'ra substituendis & de fidei eoz svicio & h omia tā
 jurañto q^a sc̄pto int^o nos confco cui appēsa sūt Dñi Dublin
 Archiepi & ipius Galfrⁱ sigilla firmasset nichⁱ hoz omniū
 observare curavit Immo cū nos firmi^o pcepissem^o & eē in
 convencōe pđca insertū qđ omis t're n're Hybñ pvent^o tam de
 finibus q^a de oibus aliis ad mañ Thaurarii nri & ceſoz Bailloz
 nroz Secⁱⁱ nri Dublin devenirent & p eozdē mañ fieret inde
 qđ pcepem^o dēus Galfrⁱ de Marisē nichomin^o dēos pvent^o in
 sua fecit recipi Camā potius p volūtate sua inde disponēs q^am
 nris mandatis obtēpans Unde mīto ad hoc pvocati ut ipm
 t're n're Hybñ de ceſo preesse n̄ velim^o de Cōi Consilio nro &
 assensu Magnatū et fideiū nroz Anglⁱ statuim^o & volum^o qđ
 ve. p^r H. Dublin Archieps t're illi^o custodiā fiat & curā sub
 nob don^o aliud inde statuim^o Et ido voſ mādam^o firmi^o
 injūgētes q^atin^o eidē Archiepo tamq^a Ballivo nro in oibus
 respōdētes sitis & intēdētes. T. H. &c. ap Westm. xvij^o
 die Jul.

Eodē m^o sc̄bit^r.

R. Regi Connač

O. Regi Keneleon

Dunekan Obren

Muriardac Obren

Deremođ Macarathi

Loueth Mac Donewhod

Walſ de Lascy

Thoñ de Galiwoie Coñ de Athoyl

Rob de Mandevill
 Wal de Logan
 Joñes de Cestr
 Rog Pipard
 Galf de Costentin
 Wal de Ridelesford
 Riç Tyrel
 Milo le Bret
 Rog Waspail
 Ph de Predegast
~~Thom fil Antõ~~
 Riçs de Cogan
 Odo de Barry
 Riç de Burgo
 Rob de Karrew
 Patriç de Curcy
 Rob de Poher.

sic in orig.

[Close Roll, T.L. 12 H. 3. m. 8.]

Rex dilco & fideli suo Riç de Burç Justiç suo Hibñ salm
 Mandam^o voñ firmit^r p̄cipietes q̄tin^o c̄to die & loco faciatis
 venire corā voñ Archiepos Epos Abbes Piores Comites & Ba-
 rones Milites & libe tenētes & Ballios singloꝝ comitatuū &
 corā eis publice legi faciatis cartā dñi J. R. p̄ris n̄ri cui
 sigillū suū appensū est quam fī fec̄ & jurari a Magnatibꝫ Hibñ
 de legibꝫ & q̄suetudinibꝫ Angl ob̄svand ī Hibñ Et p̄cipiatis
 eis ex pte n̄ra qđ leges illas & q̄suetudīes in carta p̄dca
 q̄tentas decelo f̄mit^r teneāt & ob̄svēt & hoc idē p singlos
 comitat^o Hibñ clamari faciatis & tenē phibētes f̄mit^r ex pte
 n̄ra & sup forisfcurā n̄ram ne quis cōt^a hoc mandatū n̄m
 venire p̄sumat eo excepto qđ n̄ de morte n̄ de catallis Hib-
 nensiū occisoꝝ nich̄ statuāt ex pte n̄ra cit^a Q̄ndecim dies a
 die S̄ci Mich̄ anno r̄ n̄ xij sup quo respectū dedim^o Magna-
 tib^o n̄ris Hibñ usq̄ ad t̄minū p̄dcm T. R. ap̄d Westm̄ viij
 die Maij anno xij^o.

[Close Roll, T. L. 13 H. 3. m. 1. dors.]

... salū Sciatis qđ cū fuissem^o apđ Portesm̄ a die
 S̄ci Mich̄is ī xv dies pati ad t̄nsfretand̄ siĉ firmit̄ pposuam^o
 venit illuc ad nos Comes Britan nob̄ fecit ibid de
 Britannia tenenda de nob̄ Cumq̄ de t̄nsfretacōe n̄ra inl̄ Com̄ &
 Barones n̄ros long^o h̄ret^r t̄ctat^o tandē p consiliū pd̄coz . . .
 Britanū distulim^o passagiū n̄rm usq̄ ad instans clauš Pasch̄
 anno &c. xiiij^o unde nō optet qđ ad p̄sens ad nos veniatis in
 Angl̄ siĉ p̄us voſ man . . . dno īdubitanl̄ sum^o t̄nsfretaſ
 ad p̄d̄cm t̄minū clauš Pasch̄ voſ mandam^o f̄mit̄ injun-
 gentes in fide q̄a nob̄ tenemini q̄tin^o n̄llo m^o
 ap̄ Lond̄ die D̄nica in ramis Pal̄m̄ anno &c. xij^o te q̄nto
 Militū ita pati eq̄s & armis ad t̄nsfretand̄ cū corpe n̄ro qđ
 voſ ad multiplices gr̄az teneam^r xxvj^o die
 Oct̄ anno &c. xiiij^o.

... veniret in
 xv dies & videlicet

Waltus de Lascy se q̄nto	Joh̄ de Clahull se al̄o
Huġ de Lascy se v̄to	Steph̄ de Hēford sol ^o
Waltus de Ridelēford se al̄o	Huġ Tyrel se al̄o
Maur̄ fit Gerold se t̄cio	Patcius de Curcy se al̄o
Math̄ f ^r Griffin se al̄o	Riĉ de S̄co Mich̄ sol ^o
Ph̄ de Bar̄ se al̄o	Joh̄ f ^r Thōm̄ solus
Wif̄s de Lascy se al̄o	Gerold de Rupe sol ^o
Theob̄ Pinĉna se t̄cio	Joh̄ fit Dormot sol ^o
Wif̄ de Marisco se al̄o	David Basset
Gerold de Pūdegast se al̄o	Niĉ Pvus.
Wif̄ de Wigorn̄ se al̄o v̄l sol ^o t̄n pat ^o	

... Galweya & Alano de Galweya qđ ip̄i
 sint ad eund̄ t̄minū cū equis & armis ad t̄nsfretand̄ cū R.

[Patent Roll, T. L. 28 Hen. 3. m. 5.]

R. Comitibz Baronibz & aliis p̄bis hōibz & Comunitati
 tocus Hib̄ salū Sciatis qđ concessum voſ qđ s̄vicium quod
 a voſ exigimus ad presēs ad veniendum ad nos ad expedicōem
 exēcit^o n̄ri sustentand̄ si contingat qđ fī debeat ext^a Hyb̄n

impositum non verteret voſ in conſequenciam v̄l p̄judicium
libtatis v̄re prius uſitate. In cui⁹ &c. T. R. apud S̄cm
Albañ xjº die Juñ.

R. om̄ibz &c. ſal̄m Sciatis qđ ſviciū qđ Magnates n̄ri
& alii fideles n̄ri de Hybñ ad preſens nob̄ facient veniendo
cū equis & arm̄ nob̄cū in expedicōe in Scō contra Regē
Scō ḡtis & ſpontanea voluntate ſua id nob̄ conceſſerūt & ne
ḡra iſta q̄m nob̄ faciēt ip̄is aut heredibz ſuis poſſit impositum
p̄judicium generare aut trahi in conſuetudine id p̄ſenſium
tenore proteſtamr. In cui⁹ &c.

R. om̄ibz &c. ſal̄m Sciatis qđ oēs priſas quas Mauric̄ fil
Geſ Juſtic̄ n̄ri Hybñ capiet ad expedicōm exercit⁹ n̄ri Hybñ
quem ad p̄ſens fecimus vocari ſuſtentand & miſas q̄ ad ſus-
tentacōm ejusdem ex̄cit⁹ p̄ viſum & testimoniū p̄boz et leḡ
hominū ponet reddi & eidem allocari faciemus. In cui⁹, &c.

R. Theſ & Baronibz de Scc̄io ſuo Dub̄ ſal̄m Allō
p̄bis hom̄ibz n̄ris de Dublin Drocheda Waterford & Cor̄
in firma ſua tam de tempore moderno q̄m futuro id quod
poſunt in ex̄citū n̄ro & totum id quod p̄ Hybñ captum fūit
p̄ viſū & testimoniū leḡ hom̄iū ad d̄cm excercitum ſuſtentand
de Theſ n̄ro Hybñ plene reddi faciatis. In cui⁹, &c.

[Close Roll, T. L. 28 Hen. 3. m. 7. dors.]

Rex Dovenald Regi de Tirchuniſt ſal̄ Cum p̄vocante nos
injuria Reḡ Scō j̄a nos p̄paraſimus inſurgē in ip̄m p̄ plibz
transgreſſōibz q̄s nob̄ fecit ulciſcendis n̄ ip̄as ḡtis nob̄ emen-
dare volūit de diſciōe v̄ra cōfidentes qđ in hac expedicōe n̄ra
auxiliū v̄rm nob̄ denegare nō velitis voſ mandamus rogantes
quatinus una cum Juſtic̄ n̄ro Hybñ & aliis fidelibus n̄ris
Hybñ qui in p̄ximo ad p̄tes Scō vent̄i ſūt ad inimicos n̄ros
ibidem ḡvandos talem & tam potentē ſuccurſum nob̄ im-
pendere velitis p̄ſonalit̄ veniendo cum ip̄is bona gente muniti
qđ in neceſſitate v̄ra ad nos confidencius confuēge debeatis
Noſq; p̄ ſuccurſu v̄ro ad preces voſ impendendo ḡram quam
a nob̄ pecieritis libenci⁹ voſ teneamur imptiri cum ſpeciali
ḡraꝝ accione. T. R. apud Staunford vijº die Juñ.

Felimno filio quondā Reḡ Oraly
O Hanlan

Bren Onel Regi de Kineluñ

O Chatañ

O Hynery

Dovenald Mackadinel

Mac Anegus

Mac Kartan

Mac Gilemuri

O Flen Regi de Turteri

Mac Mathaven

Mac O Calivery

• Conehor O Briū fit Dunetaū Carbrach de Thodmond

• Cormaclethañ Macardhy de Dessemoñ

• Ros O Felan de Dessia

• Riço Machermekan de Dessia

Corc Ocheuñ de Fermuy

Shonethor Olafferty de Coñract

Macthulan O Kellye de Ochonyl

Murchod Macbrin de Natherlach.

R. G. de Predegast salm Licet de fideli svicio v̄ro prius plūmum confideremus tamen inde decto si fieri possit plus confidimus eo qđ in negocio n̄ro ad servicium n̄m ita potent accinxistis parati ad mandañ n̄m inimicos n̄ros g^{av}are & tras eoꝝ viriliter invadere sup quo voſ uberes referim^o g^{ra}ꝝ acciões pnam h̄ntes voluntatem vos p tempore condigne respicere & p meritis multipliciter honorare Quia vero A. Rex Scoē illustris ad honorem & placitum nostrum & Magnatū n̄roꝝ se nob̄cum pacificavit bñ potestis ad presens ad ppria remeare rogamus tñ attencius fidelitatem v̄ram q^atinus vos preparetis ad svicium n̄m cont^a estatē futuram ad inimicos n̄ros invadendos q^ando & ubi voſ scire faciemus. Ita qđ multiplices honores & dignas remuneracões a nob̄ inde merito reportare debeatis. T.

Eodem modo scribitur Joñ de Cogañ

Joñ fit Thom

Ade de Stauntoñ

R. fit R. fit Nich

P. de Bermingh

R. Tut.

G. de Norhach

R. de Cogan &

B. Flemenġ

Et omnibꝫ ꝑscriptis Hyberniensibꝫ.*

* One of the above Writs has been copied into the new edition of Rymer's *Fœdera*; but as the preceding document addressed to the Irish Chiefs is not also given, the record appears in an imperfect and unsatisfactory form. The occasional introduction of some detached and generally unimportant instruments relative to Ireland into that work, is much to be regretted, as it must tend to an erroneous impression, that the edition embraces all necessary documents relating to that country, and may hereafter prevent the publication of a regular series of State Records, or *ACTA REGIA*, for Ireland. Such a collection would be of considerable importance, from the following reasons:—Some of the earliest and most authentic expositions or declarations that we now have of the ancient Common Law of England, are principally to be gathered from state documents issued for Ireland; most of the public events, transactions, and negotiations in which the English kings were engaged at home or with foreign powers, are detailed in writs and other records also transmitted to that country; and during the reigns of John and his immediate successors, the records bearing on Ireland disclose many essential *data* as to the history of dignities and of public rights generally in both countries. Now, few of the records alluded to appear in this last edition of Rymer, and until they be published, we must lament the want of such valuable information. Laws and rights well known and observed formerly in England were not recorded, unless under particular or perhaps accidental circumstances; but when such were transmitted for execution or observance to a distant kingdom, they were of necessity committed to writing, and preserved by registration for posterity: impressed with this opinion, the Author long since conceived that no enquiry into the Baronial or Legislative History of England could be satisfactorily completed, without strict examination of all records relating to Ireland previous to the middle or end of the fourteenth century. This idea strengthened as he proceeded in the present work; and after seeing the important collections made on those subjects by one individual, (Mr. T. D. Hardy,) he found the correctness of his opinion fully established. Whenever the *Acta Regia* for Ireland may be undertaken, it is sincerely hoped that Government will not permit it to be executed by a system of *deputation*, but that its execution be entrusted to the most zealous and intelligent officers of the several record departments, each of whom should have full credit for his individual labours; by this means, and by excluding all modern and erroneous copies of records as authorities where originals could be found, with due attention to the orthography of proper names, such officers possessing the necessary qualifications, would have every desire to produce a creditable public collection.

23 Ea. 1.
1295

vatis totam predcā vram nram Vascoñ in manū suam seisiri fecit & eam adhuc nob̄ detineat maliciose in exheredacōem nri & Corone Angl̄ manifestam ac nos in istis rebz recuperandis consilium apponere non possumus sine Dei et bone gentis nre quam istud fcm tangit cōiter & alioz amicoz nroz consilio p̄ quod vos rogamus & req̄rimus in fide & homagio quibz nob̄ tenemini firmit̄ injungentes qđ sitis ad nos in ppria psona v̄ra London j^o die Septemb̄ cum equis & armis ita decent̄ parati & p̄mpti ad transfretand̄ nob̄cum qđ ex eo vobis teneamur reg^atiari & qđ de vob̄ possim^o nos specialiter comēdare. Ita videt̄ qđ t̄re v̄re scđm qđ opus fore videritis custodite remaneant & munite. Et istud negocium sicut comōdum & honorem nrm diligitis & sicut de vob̄ confidim^o nullo modo omittatis. T. R. apud Portesmouth xxix^o die Junii.

Eodem modo de verbo ad verbum mand̄ est subscript̄ vid̄.

Riço de Burgo Comiti Ulton

Theobaldo le Butiller

Thome fil̄ Mauricii

Johi Cogān

Johi de Barry.

[Close Roll, T. L. 23 E. 1. m. 3. dors.]

Mand̄ est Johi Wogan Justic̄ Hibñ qđ de pbioribz et validioribz hōibz t̄re p̄dce equitibz ad etum numū juxta discretionem suā & peditibz usq; ad decem millia sine ditone eligi faciat ita qđ eos heat p̄mptos & paratos & armis competētibz munitos ad etos diem & locum ad t̄nsfretand̄ & pfisciscend̄ in obseq̄ū R. put R. p̄dco Justic̄ injunxit ore ten^o Proviso qđ t̄ra p̄dca nichilominus remaneat sufficient̄ munita. T. ut sup^a apud Westm̄ xvij^o die Octobr̄

[Same Roll, m. 3. dors.]

R. dī & fī suo Johi Poer salm̄ Cū injūxim^o dilco & fid̄ nro Johi Wogan Justic̄ nro Hibñ aliqua vob̄ ex pte nra vive vocis oraculo plenius referenda vob̄ mandam^o in fide & dileccōe quibz nob̄ tenemini firmit̄ injūgētes qđ eidē Johi in hiis que ex pte nra vob̄ duxit exponenda fidem credulam p̄beat̄. T. R. apud Westm̄ xvij^o die Octobr̄.

Conſ tre dirigunt ſbſcriptis videlt

Riço de Burgo Comiti Ulton	Willo Cadell
Galfro de Geynvill	Johi de Vaſ
Theobaldo de Verdon	Thome fit Mauř
Petro de Brymmyngſim de	Eustachio le Poer
Thetmoye	Johi de Poer
Petro de Brymmyngſim de	Huğ Porcel
Anery	Johi de Cogan
Jordō de Exon	Theoß le Butiller
Adē de Staunton	Johi de Barry
Simōi de Pheybo	Willo de Barry
Walto de Lascy	Mauř de Carreu
Riço de Exon	Georgio de la Roche
Johi Pipard	Mauř de Rocheford
Johi fit Thome	Mauř fit Thome de Kery.
Walto Lenfaunt	

[Black Book, Christ Church Cathedral, Dublin.]

Justiciarius hic de Communi Consilio Domini Regis in hac terra ad pacem firmiter stabiliendam ordinavit et statuit generale Parliamentum hic ad hunc diem. Et mandatum fuit Archiepiscopis Episcopis Abbatibus & Prioribus quorum presentia videtur ad hoc esse necessaria necnon & Comitibus Baronibus & aliis Optimatibus terre hujus viz. unicuique eorum per se quod essent hinc ad hunc diem, &c. Et nichilominus preceptum fuit Vicecomitibus Dublin Loueth Kildarie Waterford Typperarie Cork Lymerick Kerry Connacie & Roscommon necnon & Senescallis Libertatum Midie Weyfordie Katherlogh Kilkenny & Ultonie quod unusquisque eorum per se viz. Vicecomes in pleno Comitatu suo & Senescallus in plena Curia sua Libertatis sue per assensum Comitatus sui seu Libertatis eligi faceret duos de probioribus & discretioribus Militibus de singulis Comitatibus et Libertatibus quod hic nunc interessent plenam potestatem habentes de tota Communitate Comitatus et Libertatis &c. ad faciendum & recipiendum &c. & quod quilibet Vicecomes & Senescallus fuissent hic in propriis personis &c.

singla fac que pfati Justic Canē et Barones seu aliqui ex
ip̄is quos ad hoc vacare contigerit sup pmissis & ea
viderent facienda In cujus rei testimonium has lras nras fieri
fecimus patentes. T. meipso apud Glydam xvij^o die Januā
anno Regni nri xxvij^o.

Mandavit & consimilia bria omibz Civitatibus & Burgis
per totam Hib propter que Justic summoñ fecit generale
Parliamentum apud Dublin in quindeñ Pascē vidētt qđ
Prelati & Magñ omnes venirent ibi in ppriis psonis &c. et
qđ Communitates Comitatum per duos tres vel quatuor ad
hoc p ipsos electos & specialem potestatem habentes ac si
omēs fuissent presentes & similiter Communitates Civitatum
& Burgorum per duos vel tres &c.

Set Justic ante Parliamentum illud decrevit alloqui Ma-
jores & Probiores Homines Civitatum & Burgoꝝ occone pre-
dicti subsidii.

Et primo venit apud Drogheda scilt in vigiñ Dominice in
Ramis Palm̄ ubi porrectis litteris Dñi Regis Majori & Com-
munitati Burgi illius p ipsum Dominum Regem directis &
habito cum eis super hiis diligenti tractatu pdēi Major Balli
& Communitas ex utraque parte aque ad pñend benevo-
lenciam Dñi Regis et grām de mercandis que emerunt per
monetas inhibitas &c. optulerunt Domino Regi cclx marcas
unde super villam ex parte Uriel cc marcē & super villam
ex parte Mid lx marcē Et exinde pfatus Justic circūvit
Civitates et Burgos &c. Et Major Balli & Communitas
Civitatis Dublin &c. [The other proceedings of the Justi-
ciary and the Parliament then assembled follow on the same
Roll.]

[Chief Rememb. Roll, Dub. 3, 4 E. 2.]

Dñs R. mandavit bre suū sub p̄vato sigillo Justic Hibñ
in hec verba.

Edwardus &c. Johi Wogan Justic suo Hibñ saltm Cum
ad maliciā & p̄viam Robti de Brus inimici & pditoris nri &
suoꝝ cōplicū & fautoꝝ qui magnam ptem tre nre Scocie jam
cont^a nos pdiçonalit occuparūt civitates villas & castra nra
in ptibz illis existencia obsidendo necnō incēdia dep̄dacōes &

4 Ed. 11.

1310

homicidia inhumanit^r comittendo cū Dei adjutorio virilit^r rep^mend di^vsos Magnates & fideles n^os Hibⁿ quoz noīa in quadam cedula vo^b mittim^o. p^sentibz int^lclusa p^r fr^{as} n^oras duxerim^o req^rendos q^d ipi in fō Nativitatⁱ S^ci Johⁿis Bap^ti p^xio futū^r sint apud Novū Castrū sup Are cū equis & armis q^{nto} potencius pot^{unt} ad p^fiscend^o exinde nobiscū & cū aliis fidⁱ n^oris cont^a inimicos & p^ditores n^os p^dcōs ad ipoz excogitatā maliciā repellendā & cū Dei potencia virilit^r confendam vo^b mandam^o q^d tam dil^cos & fidⁱ n^os Ri^cm de Burgo Com^o Ultoⁿ Edmund le Botiller Johⁿem fit^r Thome & Eustachⁱ le Poer quibz jam huj^omodi fr^{as} n^oras dep^catorias misim^o q^m alios Magnates & fidⁱ n^os in p^dcā cedula noīatos coram vo^b venire fa^c & in ipoz oīū p^sencia fr^{as} n^oras p^dcās quas vo^b mittim^o singularit^r singul^o eo^z quibz directe fu^{er}int libetis instantes penes quemlibet eo^zdem p^r se cau^ori & meliori modo quo videritis faciend^o q^d vo^b respondeat de eo q^d ad n^oi rogatū fa^ce vo^b in hac pte. Et nob^{is} de responsionibz huj^omodi distincte & apte sub sigillo v^oro cicius quo pot^{er}itis constare fa^c Et hoc nullatenus omittatis. T. me ipo apud Brustwyk^r xj^o die Novemb^r a^o rⁱ n^o l^cio.

p^r b^re de p^rivato sigillo.

Parliamentum de Kilkenny.

R. Ri^co de Burgo Com^o Ultoⁿ sal^um Quia sup quibusdam arduis negociis nos & statū t^re n^ore contingentibz vobiscū h^{er}e volum^o t^retatū sp^alem vobis mandam^o q^d sitis in pp^r p^osoⁿ v^ora apud Kylkenⁿ die Lune in octabis Pu^r B^e Marie ad t^retand^o & pliam^ontand^o cū Justicⁱ n^oro Hibⁿ & aliis de Con^s & cū c^etis p^oceribz & magnatibz t^re n^ore sup eis^o negotiis Et hoc nullaten^o omittat^r in fide qua nob^{is} tenemini Et h^{er}eat^r ibi hoc b^re T. J. Wogan &c. apud Dub^o viij^o die Jan^o anno rⁱ n^o l^cio.

Consimilia b^ria mandata sunt di^vsis hōibz in Hibⁿ videl^t

Joh ⁿ i de Barry	Matho de Caunteto ⁿ
Joh ⁿ i de Cogan	Wil ^l o de Caunteto ⁿ
Mau ^r de Carru	Reymūdo Lercedekne
Mau ^r de Rocheford	Nic ^h o de Cury
Joh ⁿ i le Poer de Donyll	P ^h o de Barry de Carrigdonegan
Joh ⁿ i le Wyte Poer	P ^h o de Barry de Kalbarri

adjutorio virilit'
libñ quoz noia in
elusa p tras ñras
t Sçi Johis Bapti
cū equis & armis
de nobiscū & cū
os pdcos ad ipoz
potencia virilit'
fid ñros Riēm de
nem fit Thome &
ñras depeatorias
lca cedula noiatos
a tras ñras pdcas
ubz directe filiint
p se cauçori &
respondeat de eo
t noē de respon-
illo vro cicis quo
omittatis. T. me
ñ scio.
le pivato sigillo.

ia sup quibusdam
entib vobiscū fiere
sitis in ppř pson
Puř Bē Marie ad
& aliis de Conē &
eisē negotiis Et
nemini Et heatis
iij^o die Jan anno ř

us in Hibñ videlē
toñ
oñ
ekne
Carrigdonegan
Kalbarri

Rošto de Barry
Riço le Waleys
Jacobo de Ketyng
Riço de Valle
Walšo de Valle
Wiffo de Sço Leodegar
Walšo le Bret
Wiffo de Burgo
Jordaň de Exoň Senior
Jordaň de Exoň Junior
Simoni de Genvill
Riço de Exonia
Nigello le Brun
Johi de Staunton
Walšo de Lacy
Hugoni de Lacy
Johi Tuyt
Riço fit Johis
Walšo de Cusak
Johi de Bonevyl
Galfřo le Bret
Regiň Russel
Přo Xpofre
Miloni de Curey
Nicho fit Mauř
Simoni Feypo
Riço Taaf
Thome de Maundevill
Hugoni Byset
Johi Byset
Alano fit Warini
Přo de Maundevill
Walšo de Sey
Wiffo le Fyz Waryn
Thome le Fyz Wař
Pagano de Eledoune
Rošto P'sone
Nicho le Blund

Wiffo Strangbowe
Ediň de Penbrok
Hugoň Byset
Petro de Maundevill
Roço de Sço Bosco
Michi de Kyltenan
Walšo Sarefyn
Hugoni de Balydovonald
Henř of Clogher
Wiffo Taaff
Johi fit Martini de Maundevill
Ade de Logan
Přo de Lorquei
Henř le Flemyng
Johi Sargyl
Thome le Taillur
Matřo fit Hugoň de Hanewode
Johi fit Alani de Logan
Miloni de Eldoune
Johi Talbot
Riço le Savage
Wiffo Calf
Alano de Insula
Wiffo Byset
Georgio de Rupe
Walř de Rupe
Johi fil Th Lengleys
David de Sço Albino
Riço Tuyt
Wiffo de Londoň
Baldewyno le Flemyg
Riço
Miloni de Swordes
Hušto Byset
Hušto le Waleys
Johi de
Johi