



DIOCESE OF DERRY,
A.D. 1396.

Route of Abp. Colton. —————

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METROPOLITAN VISITATION OF THE DIOCESE OF DERRY, A.D. 1397

No. 2.

IN THE NAME OF GOD, AMEN! Be it known to all men by this public Instrument, that the matters and things here following were transacted by the Most Reverend Father in God, JOHN,^a by the Grace of God, Archbishop of Armagh, Primate of Ireland, Guardian of the Spirituality and Spiritual Jurisdiction, and of the Temporality of the Bishoprick of Derry, (that Bishoprick being vacant and deprived of the benefit of a Pastor,)^b asserting his lawful rights, and actually exercising all manner of Episcopal Jurisdiction, Spiritual and Temporal, at the times and places hereinafter signified.

In the Year after the Incarnation of our Lord, according to the course and computation of the churches of England and Ireland, MCCCXCVII, in the 6th Indiction^c in the eighth year of the Pontificate of our Most Holy Father and Lord in Christ, the lord Boniface the Ninth, by Divine Providence, Pope, and on the eighth day of October, the Venerable Father aforesaid, setting forth from a certain village commonly called Termon,^d in the Diocese of Armagh, towards the Diocese of Derry, and passing with his retinue over certain mountains commonly called the Mountains of Glengavyn, came to a certain field near to a certain church called Cappagh in the Diocese of Derry, as was said: and there, taking refreshment with his attendants, he summoned before him, a certain person, the Reeve of the said church,^e and on that account, already heretofore enrolled (as he the

^a John Colton or de Colton, an Englishman; Doctor of the Canon Law, and successively Master of Gonyville Hall, Cambridge; Dean of Saint Patrick's, Dublin; Lord Treasurer and Chancellor of Ireland; and Archbishop of Armagh. To this last dignity he was promoted A.D. 1382, and resigned it in or about A.D. 1404. See *Dr. Reeves, Historical Introduction*, pp. i. &c.

^b By the resignation of Bishop John Dongan, a Benedictine Monk, who was translated by provision of Pope Boniface IX. from the See of Derry to that of Down, A.D. 1395. The see remained vacant for six years. *Ordinance Survey of Londonderry*, p. 32.

^c The Indiction of any year is its place in a cycle of 15 years, the first of which cycles commenced with A.D. 312: hence to find the Indiction, from the date A.D., subtract 312: divide the difference by 15; the remainder, if any, will be the Indiction; if there be no remainder, the Indiction is 15.—But note, that in like manner, as the year A.D. was variously calculated,—some reckoning the 25th of December, some the 1st of January, and some the 24th of March, as the beginning of the year,—so the Indiction year was by some computed as beginning on the 1st of January, and by others on the 24th of the previous September. The latter computation is followed in

this document; which explains the record of the Indiction being given as the sixth, (the Roll being dated in October,) when the rule above given would appear to make it only the fifth. The date of the Indiction is still given in Papal Bulls and Rescripts.

^d Termon, now called Termonmaguirk, is a parish lying midway between Omagh and Cookstown in the county of Tyrone and Diocese of Armagh.—Glengavyn mountain is now called Mullaghearn.

^e "The Reeve of the said church."—*ipsius ecclesie Vicarum*, not "the Vicar"—in the now common acceptation of the word; (for in this instance the *Vicarius* was the same person manifestly as the Herenach; and the Herenach, as all authorities ancient and modern agree, was a mere layman);—but the Bishop's *agent, deputy or representative*; employed, as I conceive, in collecting, on account of the Diocesan, the portion of the tithes of the parish to which he was by the custom or law of the locality entitled.—In the Diocese of Derry, down to the time of the Plantation of Ulster, the Bishop was entitled to one third of all tithes; another third was payable to the Parson, a person not usually in holy orders, though *supposed* to be pursuing his studies with a view to obtain them; the remaining third was the portion of the Vicar, or Parish

said Reeve affirmed,) Herenach^f of the herenachship of the same, by himself the said Lord Primate, by virtue of his Guardianship of the Bishoprick of Derry;—and inquired of him whether that place wherein he, the Primate, then sat, was situated in the Diocese of Derry. And when he, the Reeve aforesaid, answered in the affirmative, the said Lord Primate having summoned before him the witnesses under written and many others, in the presence of me, the Notary, and the said witnesses, openly and publicly protested, that whereas the Guardianship of the Spirituality of all the Bishopricks of the Province of Armagh within the English Pale, when vacant or deprived of the benefit of their pastors, and the Guardianship of the Spirituality and Temporality of all Bishopricks without the English Pale, during the vacancy of such Bishopricks, and, in particular, the Guardianship of the Bishoprick of Derry now vacant, or at least deprived of the benefit of its pastor, belongs at present, by most ancient approved and prescript custom, duly, lawfully, and inviolably observed, from a time whereof the

Priest, who served the cure.—To assist the Bishop in collecting his *Tertia Episcopalis*, a *Vicarius* or Episcopal Tithe-proctor was appointed, usually the Herenach where there was one;—in process of time the Proctor became the farmer of the tithe, by the substitution of fixed instead of fluctuating returns in kind: these soon became settled at a customary rate, and ultimately took the form of an annual money payment. Such was the case at the time of Archbishop Colton's Visitation, as will hereafter more fully appear; but the original name *Vicarius* was retained, though no longer strictly applicable.—I have translated it by the old English word *Reeve*, as less liable to mislead than any other I could think of.

Herenacum: the Latinized form of the Irish *Airchinneach*, which is said to signify literally, a *supreme chief*, and is therefore often translated into Latin by the word *Princeps*, taken in a technical sense, which no one now living need be ashamed to confess himself at a loss to understand, when the learned and inquisitive Sir John Davies, writing in 1607, while the office of Herenach was still in full vigour,—and who was called upon to determine judicially its nature and rights—confesses the same difficulty. (*Letter to the B. of Salisbury, Tracts p. 246, &c.*) The Herenach, Erenach or Eirnach, is always spoken of with reference to certain lands, connected with a Church Monastery, Bishoprick, or other Ecclesiastical Dignity.—The Herenach may at first have been a steward who cultivated these lands for the proper owner; but in process of time the return of the gross produce (if such was ever required, for authorities differ,) was universally commuted into a stated annual payment of an ascertained quantity or value, which in Bishop Colton's time had farther assumed the form of a money rent: along with which many incidental contributions were leviable. The Herenach had to pay a subsidy on the marriage of any of his daughters, and on the entry of a new Bishop into the Diocese: (*Sir J. Davies, p. 246*;) he was bound to bear one third part of the expense of keeping the parish church clean and in repair;—(although this was probably one of the incidents of his office as *Tithe-reeve*, the rest being defrayed by the Parson and the Vicar:—) he had to provide conveyance, lodging, and provisions for the Bis-

hop and his retinue when on his progress or visitation: and was obliged moreover to furnish supplies in kind, for the Bishop's table, as often as he might be called on. Dr. Reeves has given the words addressed by a Herenach to his superior, one of the Bishops of Derry. "My lord cannot change the ancient rent; but if he wants supplies of fat cattle, &c., he ought to send to us, and we are bound to furnish them to him: for we and all that we have are his."—(*See Dr. Reeves, p. 9.*) The Herenach was also bound to maintain hospitality, and to give alms to the poor for the soul's health of the founder, and to make a weekly commemoration of the founder in the parish church. (*Sir J. D.*) The herenachship, for many ages before its abolition, was transmitted by *Tanistry*; the family or clan in which it was hereditary electing a successor to each herenach during his life: and the Herenach lands were occupied by the Sept under the Brehon law of *Gavelkind*, according to which the territory was the property of the whole tribe, and a new distribution of all, except the mensal lands of the chief, took place every third, in some cases every second year. It was a maxim of the Irish law of property, that no Herenach duly discharging the claims upon him, as above specified, could be ejected from his office or possessions: if ejected for non-fulfilment, his Tanist succeeded as of right. But this tenure being unknown to English law, (so at least it was argued by the lawyers in the time of K. James I., *See Sir John Davies ubi supra. See also the Case of Tanistry, Reports of cases, p. 78, &c.*) the lands thus held, were, on the plantation of Ulster, annexed to the Bishop's sees in frank-almoyn, the Herenach and sub-tenants were declared to have no title, and were ousted without compensation. The passage in the Visitation Roll, to which this note refers, shows that, though in some sort a hereditary officer, the Herenach, on succeeding to his post, was enrolled,—(*incartatus*)—by the Ordinary; in this respect, as in some others, resembling the Copyholders of England. The Herenach-lands are called by Bishop Montgomery, (A.D. 1604,) "*Censuales terre* or Copye-hold lands which payed rent."—*Ordinance Survey, &c.*, p. 50.

memory of man runneth not to the contrary, to himself the Lord Archbishop and Primate aforesaid,^s and to his Church of Armagh, as it aforesaid belonged to his predecessors, Archbishops of Armagh, and to the Metropolitan Church of Armagh,—and especially to the lord Milo of blessed memory, lately Archbishop of Armagh and Primate of Ireland,^h his immediate and last predecessor, during the times of the vacancies of the aforesaid Bishopricks,—He, I say, the aforesaid John Archbishop and Primate, protested as above, and openly asserted that, for this cause principally and chiefly, he had turned aside and come into the Diocese of Derry, that he might actually exercise and possess all manner of Episcopal Jurisdiction whether Spiritual or Temporal, voluntary or compulsory, within the aforesaid Diocese of Derry, as Guardian of the Bishoprick of the same while vacant, agreeably to fact and to his declaration, and that he might enjoy the said Guardianship during the time of the vacancy of the said Bishoprick. Which protestation thus emitted, the said Lord Archbishop and Primate required me, the Notary underwritten, to make a public Instrument or public Instruments, of and concerning the aforesaid protestation, and concerning all and every thing which might be done by him with respect to the exercise of Episcopal Jurisdiction in the aforesaid Diocese of Derry, in virtue of the aforesaid Guardianship. Then the said lord Archbishop commanded the aforesaid Reeve and Herenach of Cappagh, that, inasmuch as the village of Cappagh had not houses enough to receive and lodge the said lord Primate and his retinue with their travelling furniture, and, therefore, the said lord Primate had determined to leave that village and proceed the same night to the Parish of Ardstraw,—he the said Reeve and Herenach should cause beef for the kitchen of the said Archbishop and Primate for the approaching night to be brought to the village of Ardstraw at the common expense of the aforesaid parish and village of Cappagh, as the inhabitants of that parish and other parishes were accustomed, and, by prescriptive usage, were bound to do, for the convenience and accommodation of the Bishops of Derry when passing through their Diocese. Which Reeve and Herenach, in obedience to the mandate of the said lord Primate, returning to the aforesaid parish of Cappagh, followed soon after the said lord Archbishop, and brought with him, and delivered unto the officers of the said lord Archbishop, one fat ox for the use and supper of the said lord Archbishop and of his retinue.

And at length the said lord Archbishop arriving with his retinue at the village of Ardstraw, and having summoned before him the Reeve and the Herenachs of the village aforesaid, commanded them

^s By the law of England, all lay revenues, lands and tenements belonging to a vacant see are immediately the right of the King, who is entitled to the custody of them, with enjoyment of the profits, till a successor be appointed. (*Blackstone's Comm.* i. p. 282.) But as, on the decline of the English power in Ireland, soon after the conquest, the King's Courts had no jurisdiction nor did his writs run in the greater part of the country,—and yet some provision was necessary to prevent waste and spoil during a vacancy,—a distinction was made between Bishopricks situated "*inter Anglicos*"—i.e. within the Pale,—and those situated "*inter Hibernicos*,"—without the Pale. In the former the King was custos of the Tem-

porality; in the latter, the Metropolitan, who was able to guard the church's possessions by means of excommunications and spiritual censures; probably the only weapons of which the Irish lords and chieftains stood in awe. The custody of the *Spirituality* of a vacant see wherever situated, was by the Canon Law, vested in the Metropolitan. The Bishoprick of Derry was considered as *inter Hibernicos*, from the rise, (or revival) of the power of the O'Neill, about A.D. 1333, till the year 1608, when the whole of Ulster was reduced to shire-ground.

^h This was Milo (or Miles) Sweteman, who filled the see from A.D. 1361 to A.D. 1380.—*Dr. Reeves.*

to make speedy provision for the supply of things needful both to the men and horses: as also for a sufficient night-watch for the person, goods, and things of said Archbishop and his retinue. Who, obediently submitting to his commands, caused to be brought and furnished at the common expense of the Herenachs and inhabitants of said village, bread, butter, milk and flesh-meat: halters, straw and corn for the horses, for each house where men and horses of the said Archbishop were lodged, according to the number of men and horses lodged in their houses: and with great diligence placed night watches of men through different parts of the village aforesaid, and especially around the house where the aforesaid lord Archbishop was lodged.^k

Witnesses present at the Acts of this day, Doctor Maurice O'Corry, Dean of Armagh; Brother Nicholas O'Loughran, Abbot of the Monastery of the Apostles Peter and Paul at Armagh; Doctor Thomas O'Loughran, Canon of Armagh; Sirs, Robert Nottyngham, Cross-bearer to the Archbishop and Primate aforesaid, Rector of the Parish of Ardmacash, [now Slanes,] in the Diocese of Down; Richard Waspayn, Rector of Balsoon, in the Diocese of Meath: Brother John Brown, one of the Brethren of the House of St. John, at Ardec, and William Botyller, *Presbyters*; Masters, Thomas Talbot, Richard Bagot and Richard Whyte; John Wolf, John Sandale, and Richard De La Foe Tour, [*De la Vautour*, i. e., Vavasour?] *Clerks*, and many others.^l

In the Year, Indiction, and Pontificate aforesaid, and on the ninth day of the month of October aforesaid, the aforesaid Lord Archbishop, consenting at the urgent request of Sir Laurence O'Boyle, Vicar of the church, and of the Herenachs, and parishioners of Ardstraw, to re-consecrate^m the ceme-

^l "For each house."—Lat. *unicuique domui*: so I doubt not it will found that the passage ought to be read.—Dr. Reeves reads and prints "*unicuique domui*:" and, as the first of these words is certainly not Latin, he suggests that it may possibly be a Latin form of the Irish word *uaimhin* "an oven," for the house where the men and horses were lodged.—The matter is of little importance, but the context does not favour such an interpretation.

^k The ancient church of Ardstraw (*Ardstratha*,) deserves more than a passing notice, on account of its great antiquity, and long continued eminence. It was founded by Eugene or Eoghain, a Bishop, who is by some said to have been a disciple of St. Patrick; though this must be a mistake, as he lived till A.D. 618. (*Lanigan's Ecclesiastical History of Ireland*, ii. p. 190, &c.) With the church Eugene connected a monastery: and some writers seem to think that he also planted a Bishoprick in the same place. But although some of the Abbots of Ardstraw, in succeeding times, undoubtedly were of episcopal rank, (which in the early period of Irish church history was not unusual,) yet several others were mere presbyters: and no regular succession of Bishops in that place can be traced, till the date of the Council of Rathbreasail in the year 1118. At that time it certainly became the seat of a regular Bishop having territorial jurisdiction, and canonical succession. The see being transferred to Rathlury or Maghera, the monastery became once more the principal ecclesiastical establishment of the place, and continued to the dissolution

of religious houses in Ireland. The remains of the old church are still traceable.

^l After some hesitation as to the manner of expressing the honorary titles prefixed to these names, I have thought myself justified in rendering as above, "*Magister*" by the term "*Doctor*;" because, in the 14th and 15th centuries, a Doctor of Divinity was always accented by the form "*Magister Noster*." Persons of the rank of Bachelor in any of the Faculties, are still honoured with the title "*Dominus*" in University records: this is translated into English by the word *Sir*; as "*Sir Fitzgonald*," "*Sir Dogherty*;" and as this usage was, in former times, not confined to the precincts of the Universities, [as, in the *Merry Wives of Windsor*, the Welsh parson is called "*Sir Hugh*,"]—I have thought it allowable, and found it necessary, to adopt the same formula.—"*Domicellus*," as the diminutive of *Dominus* I have rendered "*Master*:" for which precedents in abundance may be found in the old Dramatists, and elsewhere.

^m *Reconciliare volens*. The form of reconsecrating an altar, church or burying-ground, which had been polluted by homicide, bloodshed, or any other abomination, was called *Reconciliatio*: and several forms for the ceremony are found in the MSS., and printed editions of the *Pontificale*, or as it was sometimes called, (e.g. in this Roll.) the *Liber Pontificalis*. One of them is given at full length from a MS. *Pontificale* of the 12th century, formerly the property of Abp. Ussher, by Dr. Reeves in his *Appendix B*, pp. 93-106: together with a copious selection of extracts from the Irish Annals, shewing the frequen-

tery, of said church, polluted, as was stated, by the shedding of blood, having taken his station in front of the said cemetery reverently read and said certain prayers: then entering the church he blessed the letanies, (so called,) the salt, the ashes, the water, and the wine; and sprinkled holy water throughout the said cemetery, as is contained in the Pontifical Book. The re-consecration being finished, certain horses having been brought by the Herenachs of the said villages, to the number of seven horses or thereabouts, and loads of the provisions and baggage of the aforesaid Lord Archbishop and his attendants having been placed on each of the horses aforesaid, the said Lord Primate proceeded with his retinue to the village or parish of Urney, in the said Diocese of Derry: taking with him *gratis*, and without any cost paid or to be paid by the said Primate, but at the common expense of the Herenachs and inhabitants of the parish, (i.e., of Ardstraw,) the horses so loaded as aforesaid. And arriving there, (i.e., at Urney,) Donald O'Carolan, Rector,—the Herenachs and inhabitants of the said village of Urney, being summoned into the presence of the said Lord Primate,—at his command, gave directions concerning provisions for the men and horses, and the night-watch as is said above with reference to the preceding night; and supplied the same in and throughout all things *gratis*, without any payment whatsoever. Witnesses present at the Acts of this day, Dr. Maurice, and the others above written.

In the Year, Indiction, and Pontificate aforesaid, and on the tenth day of the month of October, aforesaid, the same Venerable Father, rising early and having heard mass, and having had horses brought to him by the Herenachs of the aforesaid village of Urney, to carry the victuals and baggage of the said Father, to the number of seven horses or thereabout, the said horses being loaded as is before said, *gratis*, and without any price paid, or to be paid by the said Father, but at the common charges of the Herenach and inhabitants of the village of Urney, proceeded to a certain parish, vulgarly called Leck Patrick, but in Latin, *Lapis Patricii*, (i.e., the Rock of Patrick,) and there the Herenachs and inhabitants of the aforesaid parish and village, because their own horses were then scattered in the fields, and the aforesaid Father could not conveniently wait until these horses should be caught, promised, and found sureties to pay to the Herenachs and inhabitants of Urney, a certain price agreed upon between them, for carrying the victuals and baggage of the said Lord Primate, on to the city of Derry. Which being done, the said Venerable Father, with his retinue, and with his baggage, proceeded towards Derry, and, having crossed the river by means of boats, advancing towards the city, Doctor William M'Camayll, Dean of the Cathedral church of Derry, with many others, clerks, friars, and laymen, reverently came forth to meet the said Father, and conducted the said

cy of the crime, the effects of which the act of Episcopal Reconciliation was designed to avert. Dr. Reeves justly remarks upon the melancholy view of the state of society, at the close of the fourteenth century, which we catch through the fact recorded in this Roll,—that it was necessary for Archbishop Colton,

in this Progress, to reconcile not fewer than three Convent or Parish Churches, in the small portion of the Diocese of Derry through which his route conducted him;—all of which had been defiled by bloodshed, apparently within the space of two years, for which period alone the see had been vacant.

Father to the monastery of Canons Regular, called the Black Abbey of Derry," and reverently lodged him and his attendants, and placed them in suitable chambers and place. He also procured and caused provisions in abundance to be supplied for the said Lord Primate and his retinue, and for their horses, and that, even till the Saturday next following, *gratis*, and without expense to the said Archbishop. Witnesses present at the Acts of this day, Doctor Maurice O'Corry, and the others above-written.

In the Year, Indiction, and Pontificate aforesaid, and on the 11th day of the same month of October, the aforesaid Venerable Father, entering the choir of the church of the Canons aforesaid,—after one mass solemnly sung, and another heard without singing,—the aforesaid Venerable Father, sitting on his Tribunal in the choir aforesaid, the Canons of the said house having been summoned to his presence, the said Venerable Father charged them that if they knew of anything relating to the state or government of the said house, which required reformation, they should declare it unto him. Which Canons, having withdrawn themselves apart, and having held some discourse among themselves,—returning to the said Father, one of them,—constituted, as he asserted, the organ of the voices of the rest,—complaining before the said Father, presented that a certain brother, Hugh M'Gillivray O'Dogherty, ° a Canon of their convent, and who, after the resignation of their monastery by a certain brother, Reginald O'Hegarty, their last Abbot, had been, by consent of the convent aforesaid, deputed as Guardian of the said monastery, had usurped to himself the Common Seal of the aforesaid monastery, which, according to the statutes of their order, ought to be, and had formerly customarily been, in the custody of the convent under three keys. Wherefore he begged, presenting in the name of the convent aforesaid, that a fit remedy should be provided for himself and the convent by the Venerable Father aforesaid. Which matter being propounded and heard, the said Venerable Father inquired of the aforesaid brother, Hugh M'Gillivray, the Guardian, being then and there present, if the case were so or not. And when he answered and judicially confessed that he had the said Common

^a "The monastery of Canons Regular, called the *Cella Nigra de Deria*, or Black Abbey of Derry," was the original monastery founded by St. Columbkille, about A.D. 546; which obtained the name of *Duibh Regles, Cella Nigra*,—the Black Abbey, in or after the year 1164. It stood outside the walls of the modern city, very nearly on the site of the present Catholic chapel; and adjoining it was one of the ancient Round Towers, the origin and use of which have been so much controverted. The buildings of this monastery, though often injured by fire and violence, were always re-erected on the same spot, till the year 1568, when an English garrison which had been stationed in Derry, having converted the church into a magazine for powder, it was blown up during, or shortly after, an assault made upon the town by Shane O'Neill. (*O'Sullivan, His. Cathol. Hib. vol. ii. l. 4.*) The English garrison having departed, the monks returned, and appear to have erected a new convent on a different site. I presume that the "Augustinian Church" which stood within the existing walls, and which was repaired and used

by the Londoners until the erection of the present Cathedral, (*Ordnance Survey, p. 26.*) was built on this occasion. It stood on what is now a part of the Bishop's Garden, near the King's Bastion.—The ancient monastery of Derry was no doubt subject to the same rule as the other houses founded by St. Columbkille: in the year 1203 its Abbot, Amhalsaidh O'Ferghail was apparently regarded as the head of the whole Columbian Order: (*Annals of the Four Masters, A.D. 1203.*) Hence Ware is undoubtedly mistaken in speaking of Gelasius as an "Augustine Canon of the monastery of Derry" in 1137. It had however, abandoned the rule of the Columbian Institute, and adopted that which bears the name of St. Augustine—(that of the Order of Canons Regular,)—at some time between A.D. 1203 and the date of this Visitation:—probably at or near the time when Derry became the regular see of the Diocese. See *Introduction*.

^o This name is in the Roll, *Odo M'Gyllebrayd O'Dochgr-tyr*.—The *pre-nomen* appears to be a Latinized form of the Irish *Aodh*, i.e. Hugh.

Seal, the said Venerable Father commanded him, under penalty of law, to deliver the same unto himself, the said Venerable Father, to be effectually kept until he should order something else to be done with it. Which brother Hugh, at the command of the said Venerable Father, delivered and yielded up the Seal aforesaid to the said Venerable Father, before a full assemblage of clergy and people. And the said Father receiving it, retained and kept it in his own custody till the Lord's day, then next ensuing, viz., the 14th day of the same month of October. After whose surrender of the Sea aforesaid to the aforesaid Venerable Father, the Canon aforesaid, constituted, as he asserted, the organ of the voices of the rest, in the name of his brethren then present proposed several complaints concerning the discipline of the said house, praying the said Venerable Father to constitute and ordain certain Definitions on and concerning all of them; and so prayed all the Canons then standing by: and also the Dean of the Cathedral Church of Derry, and many other clergy of the diocese of Derry then standing by, presented the same prayer. And the said Venerable Father, assenting to their supplications, did afterwards constitute certain Ordinances and Definitions, concerning the state and discipline of the said house; as will hereafter appear.—Witnesses present, the aforesaid Doctor Maurice, Doctor William, Dean of Derry, and the others above-written.

In the Year, Indiction, and Pontificate, aforesaid, on the 12th day of the same month of October, the aforesaid Venerable Father and Lord, John, Archbishop of Armagh and Primate of Ireland, being seated on his Tribunal in the Choir of the church of the aforesaid Canons, there appeared before him a certain reverend religious man, Brother Reginald O'Hegarty, Canon of the said house, and lately Abbot of the same, and humbly supplicated the aforesaid Venerable Father, that he the said Venerable Father would be graciously pleased to ratify and confirm the resignation of the said Abbey aforesaid made by him Reginald, as has been above set forth:—yea, that he would be pleased to accept anew, and *ex-abundanti*, the resignation of the said monastery from him the said Reginald. Which the said Venerable Father shewed himself extremely reluctant to do, and urgently prayed the said Reginald to exercise the office of Abbot continuously, or at least to undertake it anew; to which the said Reginald utterly refusing to consent, resigned the said monastery, the charge and dignity of the same, into the hands of the aforesaid Father; many religious persons, clerks and laymen, standing present. And the said Venerable Father overcome by importunity of the prayers, as well of the said Reginald, as of others standing by, accepted as Judge Ordinary, and Guardian of the Spirituality of the aforesaid Bishoprick of Derry, the resignation of the said monastery thus made by him the said Reginald. But afterwards, a long and lengthened interval having elapsed, the Canons of the house aforesaid, appearing together in presence of the aforesaid Lord Primate, unanimously besought him that he might be pleased to confirm the election of a certain brother, Hugh McGillivray one of their Canons, by them harmoniously agreed upon, to the said monastery so vacant as aforesaid, by the resignation of the said Reginald. And the aforesaid Venerable Father inquired of each of them, the said Canons individually, whether he consented to the said Brother Hugh as his future Abbot. And all and every one unanimously replying that they consented to him as their future Abbot, the afore-

said venerable Father caused a public proclamation or cry to be made and set forth in the same place; that if any person wished to object against the aforesaid Brother Hugh, thus elected, or against the form of the election made concerning him, he should, on the next day following, viz., on the 13th day of this month of October, legally appear in the Cathedral Church of Derry, at the usual hour of the sitting of the court, and should legally object and oppose at his own pleasure.—Witnesses present Maurice, Dean of Armagh, Doctor William, Dean of Derry, and the others above-written.

In the Year, Indiction, and Pontificate, aforesaid, and on the 13th day of the month of October aforesaid, the aforesaid Venerable Father and Lord, John, Archbishop of Armagh, Primate of Ireland, Guardian, as he asserted, of the Spirituality and Temporality of the Bishoprick of Derry, having personally taken his place in the Choir of the Cathedral Church of Derry^p after high mass solemnly sung, and sitting on his Tribunal, in a place honourably prepared by the officers of the said church;—and certification having been made on the part of Doctor William McCamayll, Dean of Derry, by testimony *viva voce*, concerning a certain mandate of the said Venerable Father, the Archbishop and Primate, Guardian as aforesaid, directed to him the said Dean, in which mandate it was contained that he the said Dean of Derry should summon, or cause to be summoned, peremptorily, on imminent peril of their souls, the Archdeacon, and all and every one, the members of the Chapter of Derry, as likewise all whatsoever of the clergy of Derry, promoted to dignities or ecclesiastical benefices, or to holy orders, as also the Herenachs, and all officers whatsoever, of the Bishoprick of Derry, to appear on the aforesaid 13th day of October, before the said Lord Primate, Guardian as aforesaid, in the Cathedral Church of Derry aforesaid: and then and there to exhibit their Letters of Dignities, Benefices, Orders and Dispensations; as likewise their Charters or Letters of Herenachships, lands, possessions, and offices of whatsoever kind; and to do and to receive what might be just and agreeable to reason: concerning which mandate, I the Notary underwritten have full and perfect knowledge. And Certification having been given, as is above set forth, viz., that all and every one, in the above mandate contained, had been duly and lawfully summoned to appear, exhibit, do, and receive as the tenor of the mandate exacts and requires; the said Venerable Father caused the Archdeacon, and others of the Chapter of Derry, to be called by the crier. And when they did not appear, he graciously awaited them in the same place, until the hour immediately after the None^q of

^p "The Cathedral Church of Derry" was the *Teampull Mor*, or Great Church, erected by the Abbot Flahertach O'Brolchain, (or Flaherty O'Brollaghan,) in the year 1164. In 1150 "the Visitation of Kinel-Boghain," [including the modern counties of Londonderry and Tyrone, and part of Donegal,] "was made by Flahertach O'Brolchain, *Comharba*," [i.e. Successor] "to Columbkille: and he received a horse from every nobleman, a cow from every two *Biataigh*," [i.e. persons who held land by the tenure of exercising hospitality:] "a cow from every three freemen, and a cow from every four common people."—(*Annals of the Four Masters*.) Similar visitations of other districts were made in 1151, 1153 and 1161; and with the contributions thus gathered, the *Teampull Mor*

was built. It was eighty feet long: and its walls were erected in forty days. It stood close to the more ancient church of *Durib Regles*, and with it was blown up in the explosion of 1565; but its foundations were visible at the time of the siege in 1688, and are marked on the maps of that period. On the transference of the Bishoprick from Rathlury to Derry, the *Teampull Mor* became the Cathedral church of the Diocese, and a Chapter consisting of a Dean, an Archdeacon and ten Secular canons, seems to have been soon afterwards organized.

^q "*Nonam [horam] diei*:"—the ninth hour of the day, counting from sunrise: about three o'clock, p.m. according to our computation. The Canonical hours were *prime*, (6 o'clock) *tierce*, (9 o'clock) *sext*, (12 o'clock) and *none*, (3 o'clock.)

day. But very many others, beneficed and non-beneficed, Presbyters and also Herenachs, being summoned by the crier, appeared personally, exhibited their Letters of orders and benefices, and their Charters of herenachships and lands and offices, as is more fully contained in a certain roll remaining in the Archives, concerning which, I the Notary underwritten have full and perfect knowledge. Which exhibitions being so made, the Canons Regular of the Black Abbey of Derry, with great urgency begged of the aforesaid Venerable Father a confirmation of the election by them made, of Brother Hugh McGillivray, one of their Canons, to be their Abbot. And the said Venerable Father having held some discourse with the Dean of Armagh and others of the clergy present, again *ex abundantis* caused and made a public cry to be made, that if any one wished to propound or object anything against the aforesaid election, or against the form of his election, he should do the same forthwith or never after be heard. And no one appearing or objecting, the same Venerable Father, as Guardian of the Spirituality and Spiritual Jurisdiction of the Bishoprick of Derry, whereof he then and there made public protestation, judicially confirmed before a large assemblage of clergymen and people, the election of the aforesaid Brother Hugh to the aforesaid monastery, called the Black Abbey of Derry; and authoritatively instituted the said Brother Hugh as Abbot of the aforesaid monastery; and by the delivery unto him of his ring, invested him with the same, committing to him the care and government of the aforesaid monastery: and caused the said brother Hugh to take an oath of obedience and fidelity to be yielded and kept unto him the said Venerable Father, as ordinary of the Bishoprick of Derry, by virtue of the Guardianship aforesaid, and to his successors the Archbishops of Armagh, Primates of Ireland, the see of Derry being vacant; and also to the future Bishops of Derry, canonically entering.

Which things thus transacted, the same Venerable Father came to the monastery aforesaid, and having taken refreshment, again came to the cathedral church of Derry about the hour immediately after the None, and there sitting on his tribunal, caused the Archdeacon and the other members of the chapter of Derry to be separately and singly summoned by the crier; who having been waited for, but not appearing in any manner, nor any one of them, the aforesaid Venerable Father pronounced them all and every one contumacious; and for punishment of their contumacy, (proof having been given of the malicious and fraudulent latitation of them and each of them, by Dr. Thomas O'Loughran, Canon of Armagh, and Instructor or Promoter of the office of the aforesaid Venerable Father) the said Venerable Father decreed that they and each of them should be cited by public edict of citation in the church of Derry aforesaid, in presence of the clergy and the multitude of people there being, so that the knowledge of the aforesaid citation might and ought probably to come to them and each of them, that they and each of them should appear before the aforesaid Venerable Father or his com-

* This declaration involved the sentence of excommunication, *ipso facto*: and the person so excommunicate was interdicted from taking part in any of the sacred

mysteries, or even being present at them; as appears from the subsequent portion of this Register.

missary, one or more, in the village of Dermot O'Cahan in the diocese of Derry, on the Monday then next ensuing, to do and receive as is contained in the former mandate directed to the Dean of Derry, of which mention is made above. Which public citation of the said Archdeacon and the other members of the Chapter of Derry, and of each of them, having been made, singly and by name, with loud and intelligible voice by the crier in the same place, in presence of a large multitude of the clergy and people, the said Venerable Father withdrew from the church aforesaid.—Witnesses present at the acts of this day, the Venerable Father Cornelius, by the Grace of God, Lord Bishop of Raphoe, Dr. Maurice, Dean of Armagh, Dr. William, Dean of Derry, Dr. Florence, Dean of Raphoe, Brother Nicholas Lochlinnach, Prior of the house of the Preachers^s [i.e. the *Dominicans*] at Derry, and the others above-written.

In the Year, Indiction, and Pontificate, aforesaid, and on the Lord's Day next before the Feast of St. Luke the Evangelist, viz. on the 14th day of the month of October, the Venerable Father the Lord Archbishop and Primate aforesaid, having taken his place in the presence of me the Notary and the witnesses under-written, at a certain parish church of St. Breacan, situate in the lands of Clooney, in the Diocese of Derry, near the river of Derry, [i.e. *the Foyle*,] on the eastern side thereof, (which lands are known to belong to the Church of Armagh,) Dr. William McCamaill, Dean of Derry, and Rector as he asserted, of that parish of Clooney, appeared before the said Venerable Father, and humbly supplicated the Venerable Father aforesaid that he would reconsecrate that church and its cemetery, polluted as he said, by the shedding of blood, and afterwards would deign to celebrate a solemn mass before the thousands of people there assembled out of respect for the said Father. And the said Venerable Father, assenting to the prayers of the aforesaid Dean, reconsecrated the said church and cemetery according to ecclesiastical rule; and an altar for the celebration of mass having been prepared with becoming respect, outside the western door of the said church, there appeared the Archdeacon and the other members of the Chapter of Derry, through the mediation of the Reverend Father Cornelius, Lord Bishop of Raphoe, humbly supplicating the said Venerable Father the Lord Archbishop, Primate, and Guardian aforesaid, that he the said Father Archbishop might deign to absolve them, the Archdeacon and other members of the Chapter, from the sentences of excommunica-

^s *Dominican Abbey and Church.* The Dominicans or Pre-
dicants had a house in Derry—"These buildings were
founded in 1274. * * * The number of friars in this
house previous to its suppression, was generally 150. It
had the honour of supplying two Bishops to the see of
Derry, and, according to O'Daly and De Burgh, of send-
ing forth five martyrs. * * * Its site is not now ac-
curately known. * * * A convent of the order was
maintained at Derry till a late period, which in 1750
contained nine brothers."—*Ordnance Survey of London-
derry*, p. 25. There is no mention of any inquiry into
the state of this monastery by Archbishop Colton: the
Dominicans being exempt from Episcopal Jurisdiction
since the middle of the 13th century.

^t This was manifestly the Church of which the ruins
are laid down in Captain Neville's Map illustrative of
the siege of Derry in 1688, and therein named "*Columb-
hill's Chapel in Ruins*;" it was situated on the bank of
the Foyle nearly opposite to Pennyburn; and its gables
are still standing. See Capt. Neville's map in *Sampson's
Statistical Survey of Londonderry*, p. 410.—The present in-
strument shows that the name given to the ruins by Capt.
Neville was erroneous; but it is still retained, the adjoining
villa and grounds being called St. Columb's.—"In the pa-
tent of the See-lands of Derry, the King grants to the Bi-
shop of Derry the Erenach-land of Clooney, containing 4
balliboes, [or townlands,] out of which two marks a year,
are reserved to the Archbishop of Armagh."—*Reeves*.

tion under which they had been laid by the said Father as Guardian of the Spirituality of the Bishoprick of Derry, for their contumacy and disobedience: that so, without scruple of conscience, they might be present at the solemn mass, there to be celebrated by the said Archbishop. And the said Archbishop, assenting to their prayers and to the request of the said Lord Bishop of Raphoe, commissioned *vivâ voce* the said Lord Bishop of Raphoe that he, by authority of the said Primate and Guardian, should absolve them and each of them according to the church's rite:—under pain and condition nevertheless of falling a second time under the same sentences, if they did not afterwards obey the mandates and ordinance of the aforesaid Lord Archbishop. And the said Lord Bishop of Raphoe accepting this commission, absolved, in due form of law, them, the Archdeacon, and other members of the Chapter, there present, having first administered to them, and each of them, an oath to abide by the mandates of the church. Which being done, the aforesaid Venerable Father Archbishop and Primate, performing the solemnities of the mass, in the course of the solemnities of the said mass solemnly blessed the aforesaid Brother Hugh, Abbot of the monastery called the Black Abbey of Derry, aforesaid, according to the rite and custom of the church. And the mass and benediction being finished, the same Venerable Father, with consent of the whole convent, and by advice of the Dean, Archdeacon, and Chapter of Derry, delivered and yielded up the Common Seal of the aforesaid convent, which the aforesaid Father had in his custody, to a certain Brother, Donald O'Hegarty, a canon of the said house, on behalf of the whole convent,—commanded the said Brother Donald, the canon aforesaid, and the whole convent, under penalty of the greater excommunication, to replace, as soon as they conveniently could, and to keep the said Common Seal in the common chest, under three keys and locks;—and to deliver the said keys unto certain regular persons of the said convent, to be chosen by the whole convent, that is to say, one key to each person, to be by him kept;—and enjoined the said Abbot, that he, at no future time, should usurp to himself singly, the custody, the carrying or handling of the said Seal; which Abbot promised, under debt of oath, to do as enjoined. Which matters thus transacted, the aforesaid Venerable Father and Primate, proceeded with his retinue to the village of Dermot O'Cahan.—Witnesses present at the acts of this day, the Venerable Father, Cornelius, Lord Bishop of Raphoe, and the others last above-written.

In the Year, Indiction, and Pontificate aforesaid, on the Monday next before the Feast of St. Luke the Evangelist, viz., the 15th day of the month of October, the Dean, Archdeacon, and other members of the Chapter of Derry, appearing in the presence of the aforesaid Lord Archbishop and Guardian in the village of Dermot O'Cahan in the Diocese of Derry, prayed him that he would grant

^u *Villa Dermittii O'Cathan.* Dr. Reeves considers Dermot O'Cahan a chieftain living at the time of the visitation; which is probable, as the death of a distinguished person of that name "Lord of Ceannachta and Croibh" is recorded by the Four Masters as having occurred A.D. 1428:—but it appears that the chief of the sept of O'Cahan, at the time of this visitation, was called *Magonius*, i.e. Magnus: (or as the name is now commonly pronounced and written, *Manus*, as will be hereafter seen.)

and the expression *Villa Dermittii O'Cathan*,—the *Village of Dermot O'Cathan*—may have been then, as part of it is still, the mere proper name of a place: for the parish in which the *Villa Dermittii* was situated, is to this day called Clondermot or Clandermot. The ruins of the ancient church are situated on the banks of a small lake now called Ainagh Lough, about three miles from Derry, on the road to Newtownlimavady.

unto them, the Tuesday next following, in the parish church of Bannagher, in the same Diocese of Derry, for doing, expediting, and receiving, all and each of the things unto which they had formerly been summoned. Which Lord Archbishop, Primate and Guardian aforesaid, prescribed and assigned unto them the day and place aforesaid, viz., the 16th day of the month of October, in the church of Bannagher, within the Diocese of Derry, to do and receive as unto law should appertain. Subsequently, on the same day, and at the same place, viz., on the 15th day of October, and in the village of Dermot O'Cahan, came to the said Lord Primate, a certain lady, Una O'Connor, saying that she was the lawful wife of Magnus O'Cahan, the chieftain of her sept; and that she had been by him put away without the judgment of the church, and another taken in her stead: wherefore she prayed of the aforesaid Lord Primate that fitting redress should be granted to her upon the case.^v Which thing being heard, the said Lord Primate and Guardian commanded and caused the said Magnus O'Cahan, being there close at hand, to be peremptorily summoned, on account of the imminent peril of souls, to appear before him immediately, to answer the petition of the said Una, in cause matrimonial, to be amenable to law, and to do and receive as justice should direct. Which Magnus O'Cahan, humbly appeared in presence of the aforesaid Venerable Father, sitting on his tribunal; and the said Lord Primate, as Judge Ordinary of the Bishoprick of Derry, by virtue of the Guardianship afore-

^v There were two septs or families of the name of O'Connor connected with the district: one, (of a different extraction from the O'Cahans,) which possessed the principality of Ciansaichta from the beginning of the seventh till the eleventh century; when it gave place to the O'Henerys, who in turn yielded to the O'Cahans.—The other family was a junior branch of the O'Cahan line, being descended from Loingseach grandson of Cathan, from whom the sept derived its patronymic Ua-Cathain, i.e. O'Cahan, now commonly written and pronounced O'Kane, sometimes Kane: and in a few well known instances, Kean and Keane. (See *Dr. Reeves*, p. p. 367, *note*.) Dr Reeves regards the lady Una as of the former family: I think, from her calling her husband, *suæ nationis capitaneum*, "the chieftain of her line," it is evident that she belonged to the other stock. However this may have been, she was wedded to a chief of ancient lineage, and ample domains. Magonius or Magnus O'Cahan was the chief of Ciannachta and Croibh, two districts which included the modern Baronies of Tirkeerin, Kenaght, and Coleraine in the county of Londonderry, or about two thirds of the whole shire, extending from the Foyle to the Bann, and as far southwards as the mountains of Cairntogher and Moneyeeny. The family of O'Cahan was an offshoot of the O'Neills, feudatory to the Tyrone (or O'Loughlin) branch; and like it, and the O'Donnells of Tyrconnell, descended from Niall, King of Ireland at the end of the 4th century, commonly called Niall of the Nine hostages. The principal seat of the family, at the time of the Archbishop's visitation, was a castle situated near the ancient church and monastery of Ainagh; but at a later period it possessed another residence, in the very centre of its territories, a little to the south of the present town of Newtownlimavady; of

which I take the following account from Mr. Sampson's *Statistical Survey of the County of Londonderry*, p. p. 462-3. —"The principal residence of chief, O'Cahan or O'Kane was at the beautiful range on the bank of the Roe, now called the Deer-parc. The site is well known, and even the ruins of the strongly posted castle were lately discernible; it was on the verge of a perpendicular rock hanging over the river, and near 100 feet high. On the land side, the defence consisted of a moat: the terrace, orchards, fish-ponds and pleasure grounds may still be traced. * * * The whole scenery of this spot is delightful: among the rest the cascade of the River Roe, called the Dog-leap, (*Lum-na-mhady*,—Limnavady,) is well worthy of the pencil."—This cascade is within a few hundred yards, and in full view of the remains of the Castle. The chief O'Cahan being in 1607 "implicated" in the "rebellion" of the Earls of Tyrone and Tyrconnell,—of which the sole proof was an anonymous letter dropped in the *Council Chamber of the Castle of Dublin!*—was thrown into prison,—where, apparently, he was kept a long time: and his estates, being found by an Inquisition which was sped at Limavady in the year 1609, to have been vested in the crown by the Act of II. Q. Eliz., attainting Shane O'Neill and his confederates,—which in law they certainly were, (though forty years' possession meanwhile might have been somewhat regarded,)—were granted to the City of London, and other undertakers.—I cannot refrain from adding the following extract, also taken from Mr. Sampson.—"The Duchess Dowager of Buckingham, being, after her widowhood, married to the Earl of Antrim, had raised 1,000 men among her lord's yeomanry in the County of Antrim, in aid of K. Charles I. The Deputy Lord Wentworth, had directed her Grace to have these recruits marched by

said, articulated and objected unto the said Magnus O'Cahan, of his office and for his soul's health, that he had formerly contracted marriage with the aforesaid Una by words of the present tense, and had confirmed the same by cohabitation, and had begotten offspring of her, and that he had afterwards, of his own temerity, without the judgment of the church, put her away, and adulterously joined himself to another; wherefore the said Father inquired of him if he could show any cause why he ought not to be compelled to take her back, and to do canonical penance for so great an enormity. And the said Magnus O'Cahan, asked for time to deliberate upon his answer; which being granted, after some discourse held with his council, he answered and said that he had never contracted matrimony with the aforesaid Una. Wherefore the statements of the parties upon the matter in question being mutually contradictory, ^w and being sworn to by them respectively, the aforesaid Father enjoined the aforesaid Una to produce witnesses in support of her charge, if she had any ready; and the said Una immediately produced two witnesses, viz., Donald O'Cahan, and Sir Simon O'Feenaghty, canon of the cathedral church of Derry; who having been sworn in form of law, in presence of the aforesaid Magnus O'Cahan—and the aforesaid Una having waived all further right of producing witnesses—the said Father assigned to the parties next day, viz., the 16th day of October, at Bannagher, in the parish church, for publication (if the canon law hinder not) and the meanwhile for examination.—The other matters which concern this suit are elsewhere recorded. ^x—And afterwards there came unto the aforesaid Lord Primate, a certain other woman, viz., Catherine O'Dogherty, asserting that she had contracted matrimony with a certain Magnus McGilligan; ^y and that she had been judicially and definitively adjudged the lawful wife of the said Magnus McGilligan by the Archdeacon of Derry and a certain other Doctor John McKaig, judges appointed in the aforesaid cause matrimonial; but that the said Magnus McGilligan, notwithstanding the premises, had divorced her without any reasonable cause, and taken other women in her stead; wherefore she sought of the aforesaid Lord Primate, that a remedy be for her provided. Wherefore the said Lord Primate judicially articulated unto the aforesaid Magnus McGilligan, summoned and appearing. And the said Magnus McGilligan denied as well the matrimonial contract as all adjudication of the kind alleged; and oath being administered to both parties as to the charge, the said Catherine O'Dogherty called, as witnesses to sustain her assertion, the Archdeacon of Derry aforesaid, and Doctor John McKaig, Canon of Derry, formerly judges in this

the route of Limavady. In passing through this village, curiosity induced her Grace to visit the wife of O'Cahan, whose castle had been demolished, and himself banished." (This I conceive to be a mistake.) "In the midst of this half ruined edifice was kindled a fire of branches. The window-casements were stuffed with straw to keep off the rigours of the season. Thus lodged the aged wife of O'Cahan. She was found by her noble visitant, sitting on her bent hams in the smoke, and wrapt in a blanket." (*Sampson's Survey, &c.*, p. 463)—The name of O'Kane or Kane is still very common in the neighbourhood: it is chiefly borne by persons moving in the humbler walks of life.

^w Instead of *Unde lite negative contra*,—which is neither sense nor grammar, I read and translate,—*Unde lite negata e contra*.

^x As there is no more mention of this case in the Instrument, we may suppose it to have been settled by the parties without the farther intervention of the court.

^y The sept of McGilligan was of note in Ciannachta: having bequeathed its name to the parish of Tamlaghtard, now called Magilligan. Of this Parish, 40 Balliboes, or Townships, (being the whole of the Parish except one township,) were herenach-land: the McGilligans were the hereditary Herenachs.

cause ; who, by command of the said Lord Primate, being immediately summoned and appearing before him, were, as to the aforesaid adjudication which is pretended to have been made by them, secretly and singly examined by the said Lord Primate, in the presence of me the Notary, and of two witnesses, viz., the Dean of Armagh, and Doctor Thomas O'Loughran, who concurrently deposed that they had made such adjudication ; and a day was given to the aforesaid Catherine to reproduce her witnesses in the church of Bannagher ; viz. the morrow, the 16th day of this month of October.

These things being thus transacted, the aforesaid Venerable Father having taken with him horses provided by, and at the expense of the Dean of Derry, for the carriage of his victuals and baggage, proceeded together with his retinue, and with the Dean, Archdeacon, and others of the Chapter of Derry, to Bannagher, in the Diocese of Derry ; at whose arrival, the Herenachs and inhabitants of that place, made arrangements, at their own expense, for provisions to the men and horses of the said Venerable Father, and of his officers, as also for the night-watch.—Witnesses present at the acts of this day, as above.

(To be concluded in the next Number.)