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J. P. WHITNEY, D.D., D.C.L.

# IRELAND, 1494-1603

BY THE REV.

ROBERT H. MURRAY, LITT.D.

HELEN BLAKE SCHOLAR, TRINITY COLLEGE, DUBLIN

AUTHOR OF "REVOLUTIONARY IRELAND AND ITS SETTLEMENT (1688-1714),"

"ERASMUS AND LUTHER: THEIR ATTITUDE TO TOLERATION,"

EDITOR OF "THE JOURNAL OF JOHN STEVENS"

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## PREFACE

MR. DUNLOP in "The Cambridge Modern History," vol. iii., pp. 852-859, compiled an exhaustive bibliography of this period. Of course, since it was written in 1904, some important books have appeared. I may be permitted to refer to my "Public Record Office, Dublin," for guidance to the documents in that institution. For example, in that book I deal with the Privy Council, and consequently omit this subject in the present book. I should like to add that Miss C. Maxwell is about to give us valuable extracts from sixteenth-century documents.

ROBERT H. MURRAY.

11, HARCOURT TERRACE,  
DUBLIN.

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# IRELAND, 1494—1603

## PARLIAMENTARY RECORDS, 1494—1603.

It is not possible to secure a printed edition of all the statutes of the sixteenth century. In 1569 James Stanishurst, the Speaker of the House of Commons, suggested that there should be an edition of the statute law of Ireland, and he authorised James Hooker, alias Vowell, the Exeter antiquary, to print the statutes at his expense. The patent issued to Hooker laid down that "divers Parliaments have been holden in Ireland, and divers statutes and acts made in the same, which laws being never put into printe have been altogether turned into oblivion."<sup>1</sup> Still, the matter came to nothing. In 1621 Sir Richard Bolton, afterward Lord Chancellor of Ireland, published in one folio volume the first collected edition of the statutes. In 1765 B. Grierson, the King's printer, commenced the issue of "The Statutes at Large passed in the Parliaments held in Ireland from the third year of Edward II., A.D. 1310, to the first year of George III., A.D. 1761, inclusive." The statutes passed after 1621 had been regularly printed, but Grierson ignored many of the medieval statutes—*e.g.*, those contained on the extant rolls of Parliament from the reign of Edward II. to the seventh year of Edward VI. Even all the statutes of the reign of Henry VII. are not set forth. Dr. Twiss (or Berry) is supplementing these grave omissions, but the last of the three volumes he has published only comes down to the days of Edward IV. There are transcripts of the Irish statutes preserved in the Record Office, Dublin. These the student must read in order to understand the whole field of the activities of Parliament. Transmisses were the Bills sent by the King in Council to the Council Board in Ireland, as having the King's sanction to be debated and passed by the Parliament in Ireland. The Bills took their rise then with the Lord Deputy and Council of Ireland, and were sent over for approval of the King in Council in London. On approval there they were transmitted to Ireland as sanctioned by the King, and

<sup>1</sup> "Calendar of the Carew Manuscripts," vol. i., p. 387.

hence their name as "Transmisses." These Transmisses range from 27 Henry VIII. to 1800.

The Journals of the Lower House afford no help in eking out the scanty records, for they only commence with the year 1634. The obscurity of the early history of Parliament is obvious from the consideration that in 1613 Sir John Davis, the Speaker, could not ascertain the procedure of the House. If the reader turns to the twentieth chapter on Parliamentary Antiquities in the third volume of Bishop Stubbs's "Constitutional History of England," he will at once see how widely different was the position of the English Speaker. The influence of Westminster was actively felt in Dublin. For in 1495 the Irish House of Lords insisted that the robes worn by its peers must be of the same pattern as those worn by the English peers.<sup>1</sup>

An odd chance dispels some of our ignorance. In 1569 the historian Campion was stopping with the Speaker, Stanihurst, and he gives us a report of the speech of the Lord Deputy, Sir H. Sydney, at the opening of Parliament, and that of the Speaker to the Lord Deputy. The speeches of these two officials at the prorogation concerned the education of the people. Stanihurst was able to congratulate his audience on the passing of an Act for the erection of Free Grammar Schools, though he regretted that "our hap is not to plant yet an University here at home." So much for the matter of the 1569 Parliament.

The manner of ceremony in use demands attention. Here we are fortunate, for Robert le Commaundre, Rector of Tarporley in Cheshire, happened to be present. He records the scene in the House of Lords on the opening day in January, 1569: "The Lord Deputy of Ireland sat under the cloth of estate in his own robes of crimson velvet, representing the Queen's Majesty's most royal person. Item, Robert Weston, doctor of laws, and Dean of the Cathedral Church of St. Patrick's, Dublin, Lord Chancellor of Ireland, sat on the right side of the said Lord Deputy. Item, Thomas Butler, Earl of Ormond and Ossory, Viscount Thurles, High Treasurer of Ireland, sat on the left of the said Lord Deputy. Memorandum, that these two lords sat

<sup>1</sup> 10 Henry VII., c. 16.

severally above by themselves, one either side of the said Lord Deputy, having their seats enrailed about, and hanged or covered with green; and the said Lord Deputy had steps or gresses (stairs) made and covered for the seat of the estate, being richly hanged. . . . Memorandum, that the Chief Justices of the one bench and the other, the Chief Baron, the Master of the Rolls, and the Queen's Majesty's Attorney-General and her Highness's Solicitor, did sit together at a table in the midst of the Parliament House (*i.e.*, Christ Church Cathedral). Memorandum, that Mr. Stanihurst, Recorder of the City of Dublin, was Speaker of the Lower House, and did wear for his upper garment, when the Lord Deputy sat in the higher house under the cloth of estate, a scarlet gown; and this Mr. Stanihurst was a very wise man and a good member of the Commonwealth of Ireland."

In Plantagenet Parliaments the Lord Chancellor and the High Treasurer were accorded the precedence they still kept in the Elizabethan Irish Parliament. How much English procedure influenced Irish is evident from the preamble to the early Acts of the Irish Parliament, for according to the preamble the Legislature was composed of "the Lord Deputy, the Chancellor and Treasurer, and all the lords spiritual and temporal, and the King's Council in Ireland." The Egerton MS. provides us with a list of the lords spiritual and temporal in the Irish Parliament, 1568-69.<sup>1</sup>

<sup>1</sup> John Hooker, uncle of the famous theologian, wrote a diary or journal, January 17 to February 23, 1568-69,<sup>2</sup> supplementing the account of the ceremonies which Commaundre gives. It is noteworthy that Hooker, like Grattan and Flood, was a member both of the Irish and the English Legislatures, and no doubt he used his influence to bring the ceremonial of Westminster and Dublin into closer accord.<sup>3</sup> For the information of his fellow members he drew up the book of the orders of the Parliaments

<sup>1</sup> Reprinted in C. Litton Falkiner, "Essays Relating to Ireland," pp. 233-236. The Egerton MS. is a British Museum MS., 2642, No. 29, f. 282.

<sup>2</sup> C. Litton Falkiner, "Essays Relating to Ireland," pp. 237-240. The Journal is now in Cambridge University Library.

<sup>3</sup> Bagwell, "Ireland under the Tudors," vol. iii., p. 142; Mountmorres, "Ancient Parliaments of Ireland," vol. i., p. 87.

employed in England, which is printed in his contribution to the Irish portion of Holinshed's "Chronicles."<sup>1</sup> Hooker's "Order and Usage how to keep a Parliament in England" shaped Irish procedure. His diary furnishes us with what is in effect the first unofficial extant Journal of the House of Commons. He gives us the figures in the divisions which took place on the main questions debated. These questions turned on constitutional issues, and among them were the validity of the sheriff's return to the writ of summons, the title of certain members to be returned to Parliament, and the like. On the latter matter the judges gave their decision, but the Parliament required them to appear in person. The first nine leaves of the Carte MS. 61, gives us the earliest formal Journal of Parliament: it records the proceedings of Sir J. Perrot's Parliament, May 3, 1585, to May 13, 1586.<sup>2</sup> Unlike Hooker's, it is not written in narrative form and is not in the first person. It gives the days of meeting, the prorogations, the readings, and the success or the failure of measures.

On the sixteenth century there are seventeen volumes of calendars of State Papers published. Eleven of these volumes consider the state of Ireland from 1509 to 1603: these have been edited by H. C. Hamilton (vols. i.-v.); by E. G. Atkinson (vols. vi.-x.); and by R. P. Mahaffy (vol. xi.).<sup>3</sup> J. S. Brewer and W. Bullen edited six volumes of the Carew Papers,<sup>4</sup> which are preserved in Lambeth Library: they cover the period from 1515 to 1624. There is much unpublished matter in the Record Offices, Dublin and London. In the latter there are the documents dealt with in the Calendars above named—viz., Letters and Papers, 1509, March, 1603, 248 volumes; an Entry Book, April, 1597, to March, 1599, 1 volume; an Entry Book of Correspondence, 1587-90, 1 volume; Dr. M. Hanmer's Collection of Historical Notes, 1 volume; Accounts and Valors, 1536-46, 4 volumes; Revenue Accounts, 1547-51, 1 volume; a Coinage Account,

<sup>1</sup> 1586-87. No place of publication.

<sup>2</sup> *E. H. R.*, vol. xxix., pp. 104-117. In an able article Mr. F. J. Routledge deals with this Parliament, and gives the Journal *in extenso*. Cf. Russell and Prendergast's "Report on the Carte Papers" (1871), p. 24. The rest of MS. 61 consists of official papers of Sir John Davis and Sir Arthur Chichester for the year 1613.

<sup>3</sup> London, 1860-1912.

<sup>4</sup> *Ibid.*, 1867-73.



1559, 1 volume; and Miscellaneous Accounts, 1581-85, 2 volumes. These documents bear on the general course of the history of the country, but there is a great deal of parliamentary material scattered among them. One fact emerges from them, and that is the conservatism of the Irish Parliament.

The fact that Parliament met so irregularly during the sixteenth century goes to show that it was not the governing force. For example, no Parliament sat from 1586 to 1613. Influence rested with the Lord Deputy and the Privy Council. As a matter of fact the Secretary of State controlled the course of Irish affairs. Wolsey and Thomas Cromwell, Burghley and Sir Robert Cecil<sup>1</sup> exercised paramount power. There is no book, like A. V. Dicey's "Privy Council,"<sup>2</sup> describing the work of the Privy Council. Such a volume is a desideratum for Ireland.

None of the older books are of much value in elucidating the past of the Irish Parliament. Viscount Mountmorres's "History of the Principal Transactions of the Irish Parliament from 1634 to 1666"<sup>3</sup> is simply an analysis of the contents of the printed Journals. His "Preliminary Discourse of the Ancient Parliament of that Kingdom" is largely a reprint of John Hooker's "Order and Usage how to keep a Parliament in England." T. Beatson gives the hereditary honours, public offices, and persons in office from the earliest times to 1806. His third volume records Irish information.<sup>4</sup> On the subject of Beatson's book there is the all-important "Liber Munerum publicorum Hiberniæ, 1152-1824"<sup>5</sup> of J. Lascelles. In his sixth volume T. H. B. Oldfield deals with the Irish boroughs.<sup>6</sup> Monck Mason's "Essay on the Antiquity and Constitution of Parliaments in Ireland"<sup>7</sup> is a book with a purpose. It is written to refute the opinion of Sir John Davis that there was no separate Parliament for Ireland for 140 years from the time of Henry II. William

<sup>1</sup> See his letters, edited by J. Maclean. Camden Society. London, 1864.

<sup>2</sup> London, 1887.

<sup>3</sup> London, 1792, 2 vols.

<sup>4</sup> "Political Index to the Histories of Great Britain and Ireland." London, 1806.

<sup>5</sup> London, 1824. Indexed in Appendix III. to the Ninth Report of the Deputy Keeper of the Public Records in Ireland. Dublin, 1877.

<sup>6</sup> Representative History of Great Britain and Ireland. London, 1816.

<sup>7</sup> Dublin, 1820.

Lynch's "View of the Legal Institutions, Honorary Hereditary Offices, and Feudal Baronies of Ireland"<sup>1</sup> scarcely reaches the Tudor period. Sir William Betham's "Origin and History of the Constitution of England and the Early Parliaments of Ireland"<sup>2</sup> stops with the reign of Richard III.

In the seventh chapter of the first volume of Mr. Bagwell's "Ireland under the Tudors"<sup>3</sup> there is an able sketch of the Irish Parliament. Of course, it is no more than an outline, but it is a good outline. In the "Irish Legislative Systems"<sup>4</sup> of the Right Hon. J. T. Ball there is in the first chapter a survey of the course of the early Parliaments. In its twenty pages the author brings us down to the year 1613. By far the best account is that of Mr. E. Porritt in his "Unreformed House of Commons."<sup>5</sup> It is based on adequate knowledge, and this knowledge is presented in masterly chapters. Like Mr. Ball's book, its strength lies in the survey of the eighteenth century. At the same time the hints on the sixteenth century are illuminating, and at the moment it is easily the best book in existence. The late Mr. Litton Falkiner had pondered the past of our Parliament long and deeply. In his "Essays relating to Ireland"<sup>6</sup> there is an essay on "Irish Parliamentary Antiquities,"<sup>7</sup> which is packed with ideas and with information. Mr. G. P. Gooch calls him the best-equipped scholar in the field of modern Irish history since Lecky,<sup>8</sup> and an essay like this proves how sound is such a judgment. He is the only writer who spends his strength on the sixteenth century. Mr. J. G. Swift MacNeill published "The Constitutional and Parliamentary History of Ireland till the Union."<sup>9</sup> His book suffers seriously from the plan on which it is written. He takes the speeches delivered in 1782 at once into consideration. Such speeches are not the source to which an historian goes when in search of exact information. There is no addition to our knowledge of the past history of Parliament in a book which is essentially a pamphlet written from a Nationalist point of view. It is a pamphlet good of its kind; still, it is a pamphlet.

<sup>1</sup> London, 1830.    <sup>2</sup> *Ibid.*, 1830.    <sup>3</sup> *Ibid.*, 1885.    <sup>4</sup> *Ibid.*, 1889.

<sup>5</sup> Cambridge, 1903, vol. ii.    <sup>6</sup> London, 1909.    <sup>7</sup> Pp. 193-240.

<sup>8</sup> "History and Historians in the Nineteenth Century," p. 400.

<sup>9</sup> London, 1917.

One fruitful source of inquiry is to ascertain how far the Irish Parliament was influenced by the Scots and English. There are parallels with the Scots, for Poyning's Law and the Committee of Articles are similar in their effects. The Scots Parliament was never modelled on that of the English, whereas the Irish undoubtedly was. The Mother of Parliaments had for her first offspring the Irish Parliament. We pass by the fact that the English and the Irish Parliaments possessed upper and lower chambers, but it is significant that the representative system by which the Irish House was elected was practically identical with the electoral system of England as affected by that epoch-making measure, the statute of 1430, which remained in force to 1832. The forty-shilling freehold lay at the basis of both English and Irish county representation. As in England, each county in Ireland had two knights of the shire to represent it, and these knights were chosen in the county court. In borough representation there had been developed the freeman franchise; the franchise controlled entirely by municipal corporations; the potwalloper franchise, which closely resembled the potwalloper franchise of England; and the freehold franchise in manor boroughs, which resembled the burgage franchise of the boroughs of England. In Mr. Porritt's<sup>1</sup> opinion, a history of the procedure and usages of the Irish House of Commons would tell only of the adoption of English orders and usages. He holds that "it is not possible to discover in the Irish Journals any procedure which had not its origin in Westminster."<sup>2</sup> Mr. Litton Falkiner also takes this position.<sup>3</sup>

The first person to be really styled the Lord Lieutenant seems to have been Lionel, Earl of Ulster and Duke of Clarence, who came to Ireland in 1361. It became usual for a member of the Royal Family to be sent as Lord Lieutenant, though he discharged the duties of his office by means of a deputy. In time the title of Deputy was bestowed on the Governors of Ireland, even when there was no Lord Lieutenant actually appointed. The real influence lay in the hands of the Lord Deputy. Thus from 1478 to

<sup>1</sup> "The Unreformed House of Commons," vol. ii., p. 404.

<sup>2</sup> *Ibid.*, p. 404.

<sup>3</sup> "Essays relating to Ireland," pp. 202, 203.

1526 the rulers of the country were the Earls of Kildare, who were Lords Deputy. They through the Privy Council controlled the doings of Parliament.

The method of electing the Speaker, certainly from 1568, was the same as in England. On the assembling of a new Parliament the Commons adjourned to the House of Lords. When the Lord Deputy had made a speech, the Lord Chancellor ordered them to return to their own House in order to elect a Speaker. English usage determined the choice of the House, and the Speaker-elect came to the Lord Deputy for approval. As at Westminster, he begged that "some man of more gravity and better experience, knowledge and learning might supply the place."<sup>1</sup> The first Speaker whose name we can ascertain is John Chever, Master of the Rolls, and his date is 1449. In 1541 Sir Thomas Cusake, Chancellor of the Exchequer, was Speaker, and in 1557 he was succeeded by James Stanihurst, who was thrice elected. In 1585 Stanihurst was succeeded by Sir Nicholas Walsh, Chief Justice of Munster and Second Justice of the Queen's Bench. The Speaker was always a Crown nominee, and for the most part he reflected faithfully the behests of the Lord Deputy. Speaker Cusake nominally vindicated the liberties of his order, but at the same time he insisted on the authority of the Crown and the respect due to the royal prerogative. Unlike the English customs, the Speaker did not ask that a favourable construction might be put upon his actions, though he claimed the usual liberties of the Commons—freedom from arrest and freedom of speech. Unlike the English custom, he did not require freedom of access to the person of the Sovereign, though he did require that if a member misconducted himself, the punishment should rest exclusively in the control of the House over which he presided.<sup>2</sup> In the reign of Edward IV. privilege was regulated by statute. In 1463 a measure was passed, modelled upon the law of the English Parliament, under which members were to be "impleaded, vexed, nor troubled by no man" from forty days before until forty after a session of Parliament.

<sup>1</sup> Hooker's account in *Mountmorres*, vol. i., pp. 71, 72.

<sup>2</sup> *Holinshed*, vol. vi., pp. 342, 353. Cf. *Stubbs*, vol. iii., p. 472.

There was no struggle between the Irish House of Commons and the Irish House of Lords such as that which marks the annals of Westminster. One reason is that the Irish Upper House was a small and feeble body. Another was that it possessed no power to originate a money Bill, and it possessed no right to alter or amend such Bills. With this fruitful source of trouble removed, there was little likelihood of conflict. The English Bills of 1405-6, of 1427, of 1429, and of 1444, regulated the machinery for Irish elections. There was only one Irish law of the sixteenth century—that of 1542—which attempted to legislate on this topic. By the Bill of 1542 a sheriff who returned a member contrary to its provisions as to landed qualification and residence was liable to a penalty of a hundred pounds.

It is difficult to ascertain the position of the clergy in Parliament before 1537. That year the 28 Henry VIII., c. 12, took from their proctors the right of "voice or suffrage," and ordered that they should attend only as "counsellors and assistants." This in effect extinguished their influence, which had long been extinguished at Westminster. The clergy assessed their own taxes, and in 1538 granted the King an annual twentieth of all their promotions, benefices, and possessions. During the Reformation there was an attempt to employ proctorial influence to defeat the legislation of Henry VIII.'s advisers. It was urged that the proctors enjoyed a status like that of the prelates: what the proctors were in the Lower House the bishops were in the Upper. The bishops of Ireland supported the proctors in this position. The Deputy referred the question to the judges, and they decided that the proctors had no voice in Parliament.<sup>1</sup>

Like the Parliaments of England and Scotland, it was some time before the Irish Parliament acquired a fixed home. The Plantagenet Deputies convoked it to meet at Trim, Kilkenny, and Drogheda. Other places of meeting were Naas, Wexford, Limerick, Baldoyl, Castledermot, Waterford, and Cashel. In the reign of Elizabeth Dublin

<sup>1</sup> State Papers, Henry VIII., vol. ii., pt. iii., p. 438: Gray and Brabazon to Cromwell, May 18, 1537.

became its home, although even in the metropolis it met in places like the Hall of the Carmelites in Whitefriars Street, Kilmainham Priory, and Christ Church Cathedral. The Parliaments of 1568-71 and 1585-86 met in Dublin Castle.

Before the changes introduced by James I. there were only forty-four boroughs. Here there is obscurity. For there is no extant list of members between 1382 and 1559. In 1382 there were eighteen counties or districts and eleven towns represented, and in 1559 there were ten counties and twenty-eight cities and boroughs returning two members each. In 1541 the Upper House was the more important of the two, and was attended by four archbishops, nineteen bishops, and twenty temporal peers.

The Lancastrian and Yorkist kings summoned Parliament quite often. Under Henry VII. there were at least six Parliaments assembled. As deputy for the Lord Lieutenant, Jasper, Duke of Bedford, the Archbishop of Dublin, Walter, held the first in 1492. There was the Parliament held by Sir Edward Poynings at Drogheda in 1494, two held by Lord Gormanston at Trim and Drogheda respectively, one by Gerald, Earl of Kildare, at Castledermot in 1498, and one held by another Earl of Kildare which met at Dublin and later at Castledermot. Ware in his "Annals" regrets the fact that the laws of the 1498 Parliament were not upon record in his time. He tells us that one Nangle was imprisoned in England on a charge of having surreptitiously removed the Rolls.

The noteworthy Parliaments held were those which met in 1494, 1508, 1533, 1536-37, 1541-42, 1556, 1559, 1568-69, and 1585-86. The 1536-37 Parliament is the one which passed the Reformation measures, though the proctors of the clergy offered stout opposition, especially objecting to the King being declared supreme head of the Church. The 1541-42 Parliament declared Henry VIII. King of Ireland. Domestic legislation in it was modelled on English lines. In the 1568-69 House there was so much confusion that it was more "like to a bear-baiting of loose persons than an assembly of grave and wise men in Parliament." It was then that Hooker proffered assistance to Speaker Stanihurst.

## POYNINGS' LAW.

Behind all these assemblies lay the fact that they were not a sovereign body, for Poynings' Law controlled all their affairs. Now there is no statute so seriously misunderstood. Take the work of such a scholar as A. G. Richey. He represents it as "the most disgraceful Act ever passed by an independent Legislature, and wrung from this local assembly of the Pale," binding "future Parliament for three hundred years."<sup>1</sup> Of course, P. W. Joyce follows this opinion.<sup>2</sup>

Poynings' Acts are two in number. By the first it is laid down, in 1494, that no future Parliaments should be held in Ireland, "but at such season as the King's Lieutenant and Council there first do certify the King under the great seal of that land (*i.e.*, Ireland), the causes and considerations, and all such Acts as then seemeth should pass in the same Parliament, and such causes, considerations, and Acts affirmed by the King and his Council to be good and expedient for that land, and his licence thereupon, as well as affirmation of the said causes and Acts as to summon the said Parliament under the great seal of England, had and obtained. That done, a Parliament to be had and holden after the form and effect afore rehearsed, and if any Parliament be holden in that land hereafter contrary to the form and provisions aforesaid, it be deemed void and of none effect in law." The second Act, which is of minor importance, provides that all public statutes "later made within the said realm of England" apply to Ireland.

The clue to the understanding of the measure is to note what evils it was meant to cure in the eyes of contemporaries. The history of the two generations preceding 1494 immediately reveals the fact that the Lord Deputy was fast assuming the powers of a Sovereign. The Kildares declared peace and war as if they were kings. Lords Deputy, like them, had assented to Bills without any reference to England or to English policy. Differences between the

<sup>1</sup> "A Short History of the Irish People," p. 232.

<sup>2</sup> "A Short History of Ireland," pp. 348-349. Dr. Bonn also misconceives the working of this law. *Cf.* his "Der englische Kolonisation in Irland," vol. i., pp. 108, 163.

policies of Dublin and Westminster were becoming prominent. The Lord Deputy summoned Parliament when, where, and how he willed. The truth, then, is that the far-reaching enactment of 1494 was meant as a protection to the Anglo-Irish, and they at once regarded it in that light. Deputies used to commit treason, and all the Anglo-Irish were held responsible. Now the Deputies could no longer do as they please. The native Irish felt no restrictions from the new measure, for it was only enforced within the Pale. The origin of Poyning's Law was simply the desire of the Irish Parliament to confine the authority of the Deputies within bounds.

As all the ordinary histories repeat the mistakes of men like Richey, it is worth while to elaborate the *raison d'être* of the 1494 Act. The Irish unpublished statutes of the Yorkists reveal the fact that the history of Ireland turns on the rivalry of the Houses of Butler and FitzGerald. When a Butler was Lord Deputy he occupied his time in seeking revenge on his rivals, and of course the Anglo-Irish endured much hardship in the process. Under Edward IV. the Kildares continue this story. The climax was reached in the Simnel affair when "the ladde," as an Irish statute puts it, was crowned. It was plain that if the authority of the King of Ireland was not to vanish, the Lords Deputy must be brought under strict control. That control came with effect in 1494, and the Anglo-Irish hailed Poyning's statute with delight.

The remedy to an evil always reveals some inconvenience due to it. Poyning's Law hampered the Deputy, but it also hampered the work of government. In the sixteenth century there were no telephones, and sudden emergencies could no longer be met by the Lord Deputy himself. A letter took a month for an answer, and much might happen in the interval. It is evident from a letter from Audeley, the English Chancellor, to Thomas Cromwell that this inconvenience was felt in 1533. "I have seen," Audeley writes, "the Act made in Ireland in Poyning's time. I do not take that Act as they take it in Ireland; nevertheless . . . I have made a short Act that this Parliament and everything to be done by authority thereof, shall be good



and effectual, the said Act made in Poyning's time, or any other Act or usage of the land of Ireland notwithstanding."<sup>1</sup> Accordingly, in spite of the 1494 measure, the Acts of Lord Leonard Gray's Parliament of 1533 should be deemed valid. How temporary and limited was the nature of the suspension is clear, for it only applied to Bills required for "the King's honour, the increase of his Grace's revenues and profits, and the commonweal of the land and dominion of Ireland." Popular opinion disliked this use of the dispensing power so strongly that it did not affect the property of individuals or of corporations. Poyning's Act was also suspended in 1537 and 1542.

In 1557 another emergency arose, and the Earl of Sussex, who called the only Parliament of Mary's reign, brought forward a measure, "declaring how Poyning's Act shall be expounded and taken." "Forasmuch," it points out, "as many events and occasions may happen during the time of Parliament, the which shall be thought meet and necessary to be provided for, and yet at or before the time of the summoning of the Parliament, was not thought nor agreed upon," it is proper to provide for the extension of Poyning's Act to legislation formulated during the session. In 1557, unlike 1533, the Act is not suspended. Sussex was Deputy in the first Parliament of Elizabeth, and he takes care in it not to infringe the provisions of the 1494 Act.

In the time of Elizabeth the Irish Government pressed for the suspension of Poyning's Law. The English in Ireland opposed this pressure vigorously. Their feeling is clear in the Act passed in 1569 for safeguarding Poyning's Act. It declares that before 1494 Acts were passed in the Irish Parliament "as well to the dishonour of the prince as to the hindrance of their subjects." In order to increase their security it was declared that for the future there "be no Bill certified into England for the repeal or suspension of the said statute," unless the same Bill be first agreed on in a session of the Irish Parliament "by the more number of the Lords assembled in Parliament, and the greater number of the Commons House."

It is remarkable that in writing to Sir H. Sydney, January

<sup>1</sup> State Papers, Henry VIII., vol. i., pt. ii., p. 440.

16, 1557, Elizabeth uses language implying the customary view of the 1494 Act. "Whereas," she wrote, "we understand you are desirous to have authority to call a Parliament, the rather for the receiving of our subsidy there . . . before we assented thereunto we could have been contented to have had advertisement from you what other matters you thought most meet to be commended in the same for the benefit of our service. For, except the same might appear very necessary, we have small disposition to assent to any Parliament. Nevertheless, when we call to remembrance the ancient manner of that our realm, that no manner of thing ought to be commended or treated upon, but such as we shall first understand from you, and consent thereunto ourself, and consequently return the same under our great seal of this our realm of England, we are the better minded to assent to this your request. And I authorise you to devise with our council there only of such things as may appear beneficial for us and that our realm."<sup>1</sup>

In spite of this letter Sydney, knowing the course taken by his predecessors, Gray, St. Leger, and Sussex, adopted their plan of suspending the operation of Poynings' Act. In Dublin he realised the difficulties of the course proposed by his royal mistress. The Irish Parliament would warmly resent the removal of the protection Poynings had afforded them. The safer method was to introduce new members for the boroughs, and he nominated them for boroughs under the control of the Crown. Irish opinion was as hostile to any tampering with their protection as of old. In spite of the borough members, the opposition to Sydney's Bill for suspension waxed strong. Hooker's diary informs us that it passed the first reading without a division, that on its second reading there were 50 votes for it and 40 against it, but on the third reading there were only 44 for it and 48 against it. Lord Chancellor Weston wrote, February 17, 1569, to Cecil: "The first Bill that was read was touching the suspending of Poynings' Act; a good and profitable Bill, and worthy of much favour; and so we thought it would have found. But it was handled as things are used to be that fall into angry men's hands; without good advice

<sup>1</sup> C. S. P., "Ireland, 1509-73," p. 324.

and consideration it was with great earnestness and stomach overthrown and dashed."<sup>1</sup>

The Commons had gained a notable victory, and the cost was the inability to pass any legislation—if Parliament did not accept unaltered the Bills approved by the English Privy Council. In the opinion of the judges, amendments were out of order on the ground that they would change the measures, and hence they could not be said to have had the approval of London. Driven by the force of circumstances, on February 21 the Commons, after prorogation, passed the Act for the suspension of Poyning's Act. In so doing they asserted the ideas of 1494 by passing an Act "that there be no Bill certified into England for the repeal or suspending of the statute passed in Poyning's time before the same Bill be first agreed on in a session of Parliament holden in this realm by the greater number of the lords and commons."

This incident by no means stands alone. In the last Parliament of Elizabeth, called by Sir John Perrot on May 3, 1585,<sup>2</sup> the repeal of the Act of 1494 was mooted. The ministers tried to show how the Irish Parliament was hampered by it, for it was "shut up and forbidden to make any law or statute unless the same be first certified into England." Perrot proposed to confer with the Commons concerning any measures introduced. It was all in vain. Two popular leaders, Burnell and Netterville, members for Dublin County, protested vigorously. By the large majority of 35 the Bill was thrown out.<sup>3</sup> Like Sydney, Perrot prorogued Parliament and it met at Drogheda, where no business was transacted. He brought the Bill forward again at Dublin, and a second time it was rejected. It is plain that the majority regarded Poyning's Law not as a badge of servitude, but as the mark of their protection from the tyranny of the Lord Deputy.

<sup>1</sup> C. S. P., "Ireland," vol. xxvii., No. 25.

<sup>2</sup> Cf. "Historical Tracts by Sir John Davis," p. 306, edition 1786. Lists of members of both Houses of the Parliaments of 1560 and 1585 are printed in "Tracts relating to Ireland" (Irish Archaeological Society, Dublin, 1843). Cf. C. S. P., "Ireland, 1574-85," p. 561.

<sup>3</sup> C. S. P., "Ireland," vol. cxvi., No. 56.

## THE REFORMATION.

The State Papers, English and Irish, and the Carew Papers testify plainly to the deplorable state of religion years before the Reformation. In 1515 an Irishman and a deeply religious man testifies: "Some sayeth that the prelates of the Church and clergy is much cause of all the misorder of the land; for there is no archbishop ne bishop, abbot ne prior, parson ne vicar, ne any other person of the Church, high or low, great or small, English or Irish, that useth to preach the Word of God, saving the poor friars beggars; and where the Word of God do cease, there can be no grace; and without the special (grace) of God this land may never be reformed. And by the preaching and teaching of prelates of the Church, and by prayer and orison of devout persons of the same, God useth alway to grant his abundant grace; ergo, the Church, not using the premises, is much cause of all the said misorder of this land."<sup>1</sup> He proceeds to show that "the noble folk of Ireland oppresseth, spoileth the prelates of the Church of Christ of their possessions and liberties; and therefore they have no fortune ne grace, in prosperity of body ne soul. Who supporteth the Church of Christ in Ireland save the poor commons?" There is need for an investigation of the self-denying efforts in the regular work of the seculars and in the irregular work of the Spanish, French, and English friars.

Archdeacon H. Cotton compiled an invaluable "Fasti Ecclesiæ Hibernicæ."<sup>2</sup> The Rev. St. J. D. Seymour gives "The succession of parochial clergy in the united diocese of Cashel and Emly,"<sup>3</sup> and tells the history of "The Diocese of Emly."<sup>4</sup> M. Archdall's "Monasticon Hibernicum" recounts the history of the abbeys, priories, and other religious houses in Ireland.<sup>5</sup>

There are documents in J. Bale's extraordinary "Vocacyon of Johan Bale to the Byshopperyecke of Ossorie"<sup>6</sup>; N.

<sup>1</sup> C. S. P., Henry VIII., vol. ii., p. 15.

<sup>2</sup> Six vols. Dublin, 1851-78.

<sup>3</sup> Dublin, 1908.

<sup>4</sup> *Ibid.*, 1913.

<sup>5</sup> London, 1786. There is an edition by P. F. Moran and others, Dublin, 1873.

<sup>6</sup> Rome, 1533. It is also in the Harl. Miscell., vi., 402-28. London, 1745.

Sanders' "De origine ac progressu Schismatis Anglicani"<sup>1</sup>; P. Lombard's "De Regno Hiberniæ Commentarius"<sup>2</sup>; E. O'Duffy's edition of "The Apostasy of Myler Magrath . . . about 1577"<sup>3</sup>; J. Garvey's edition of "The Conversion of P. Corwine . . . anno 1589"<sup>4</sup>; R. Verstegan's "Theatrum Crudelitatum Hæreticorum nostri temporis"<sup>5</sup>; R. Ware's "Historical Collections of the Church in Ireland, etc., set forth in the Life and Death of George Browne"<sup>6</sup>; Bishop Rothe's "Analecta sacra et mira de rebus Catholicorum in Hibernia . . . gestis"<sup>7</sup>; A. Bruodin's "Propugnaculum Catholicæ Veritatis libris x constructum"<sup>8</sup>; J. Hartry's "Triumphalia Chronologica Monasterii Sancti Crucis in Hibernia"<sup>9</sup>; P. Adair's "True Narrative of the . . . Presbyterian Church in Ireland"<sup>10</sup>; A. Theiner's "Annales Ecclesiastici (1572-85)"<sup>11</sup> and his "Vetera Monumenta Hibernorum et Scotorum Historiam illustrantia, 1216-1547"<sup>12</sup>; L. Renehan's "Collections on Irish Church History"<sup>13</sup>; P. F. Moran's "Spicilegium Ossoriense: being a collection of Original Letters and Papers illustrative of the History of the Irish Church"<sup>14</sup>; E. Hogan's "Ibernia Ignatiana, seu Ibernorum Societatis Jesu Patrum Monumenta collecta, etc., 1540-1607"<sup>15</sup>; and E. P. Shirley's "Original Letters and Papers . . . during the Reigns of Edward VI., Mary and Elizabeth."<sup>16</sup>

Among the older histories there are P. O'Sullivan Beare's "Historiæ Catholicæ Ibernæ Compendium"<sup>17</sup>; N. Orlandino and F. Sacchini's "Historia Societatis Jesu"<sup>18</sup>; F. Porter's "Compendium Annalium Ecclesiasticorum

<sup>1</sup> Cologne, 1585. There is an English translation with notes by D. Lewis, London, 1877.

<sup>2</sup> Edited by P. F. Moran. Dublin, 1868.

<sup>3</sup> Cashel, 1864.

<sup>4</sup> Dublin, 1681.

<sup>5</sup> Antwerp, 1587.

<sup>6</sup> London, 1681. It is also in Ware's "Antiquities," 1705, and in the Harl. Miscell., vol. v.

<sup>7</sup> Two vols. Cologne, 1617-19. Edited by P. F. Moran, Dublin, 1884. Rothe was Bishop of Ossory.

<sup>8</sup> Prague, 1669. It covers from Henry VIII. to James I.

<sup>9</sup> Edited by D. Murphy, who translated it into English. Dublin, 1891.

<sup>10</sup> Edited by W. D. Killen. Belfast, 1866.

<sup>11</sup> Three vols. Rome, 1856.

<sup>12</sup> Rome, 1864.

<sup>13</sup> Vol. i., Dublin, 1861. Renehan was President of Maynooth College.

<sup>14</sup> Vols. i. and iii. Dublin, 1874-84.

<sup>15</sup> Vol. i. Dublin, 1880.

<sup>16</sup> London, 1851.

<sup>17</sup> Lisbon, 1621. Dublin, 1850.

<sup>18</sup> Antwerp, 1620, etc. Parts i.-iii.

. . . Hiberniæ."<sup>1</sup> Perhaps the ablest modern book on the Roman Catholic side is A. Bellesheim's "Geschichte der katholischen Kirche in Irland"<sup>2</sup>: it is well documented. M. J. Brenan's "Ecclesiastical History of Ireland"<sup>3</sup> is written for edification: it is unindexed. C. P. Meehan's "Rise and Fall of the Irish Franciscan Monasteries" is a poor book.<sup>4</sup> W. M. Brady writes with all the zeal of a convert in his "Clerical and Parochial Records of Cork, Cloyne, and Ross,"<sup>5</sup> "The Irish Reformation,"<sup>6</sup> "State Papers concerning the Irish Church,"<sup>7</sup> and his "Episcopal Succession."<sup>8</sup> There are sidelights in P. Boyle's "Irish College in Paris, 1578-1901."<sup>9</sup> A similar book on the Irish College in Rome is wanted. J. D'Alton compiled "Memoirs of the Archbishops of Dublin,"<sup>10</sup> and H. C. Groves "The Titular Archbishops of Ireland."<sup>11</sup> Cardinal P. F. Moran wrote a "History of the Catholic Archbishops of Ireland"<sup>12</sup>: there are documents in the appendix. - O. J. Burke dealt with the "History of the Catholic Archbishops of Tuam."<sup>13</sup> G. Boero sketched the lives of two Jesuits in his "Vita del Servo di Dio P. Pascasio Broet"<sup>14</sup> and his "Vita del Servo di Dio P. Alfonso Salmerone."<sup>15</sup> On Elizabethan times there is also E. Hogan's "Life, Letters and Diary of Father Henry Fitzsimon."<sup>16</sup> M. O'Reilly raises the "Memorials of those who suffered for the Catholic Faith in Ireland"<sup>17</sup>; D. Murphy describes "Our Martyrs: A Record of those who suffered for the Catholic Faith under the Penal Laws in Ireland"<sup>18</sup>; and A. Zimmerman discusses "Die irischen Martyrer unter Königin Elisabeth."<sup>19</sup>

On the Church of Ireland side there are the solid volumes of Bishop R. Mant's "History of the Church of Ireland"<sup>20</sup> and R. King's "Primer of the History of the Church of Ireland."<sup>21</sup> Both writers used documents, but it is a pity

<sup>1</sup> Rome, 1690.

<sup>2</sup> Three vols. Mainz, 1890-91. Vol. ii. deals with 1509-1690.

<sup>3</sup> Two vols. Dublin, 1840.

<sup>4</sup> Dublin, 1869.

<sup>5</sup> Three vols. Dublin, 1864.

<sup>6</sup> Fifth edition. London, 1687.

<sup>7</sup> London, 1868.

<sup>8</sup> Rome, 1876-77.

<sup>9</sup> Dublin, 1901.

<sup>10</sup> *Ibid.*, 1838.

<sup>11</sup> *Ibid.*, 1897.

<sup>12</sup> *Ibid.*, 1864.

<sup>13</sup> *Ibid.*, 1882.

<sup>14</sup> Florence, 1877.

<sup>15</sup> *Ibid.*, 1880.

<sup>16</sup> Dublin, 1881.

<sup>17</sup> London, 1868.

<sup>18</sup> Dublin, 1896.

<sup>19</sup> *Katholik* (1888), ii., 179-200.

<sup>20</sup> Two vols. London, 1840.

<sup>21</sup> Second edition. Three vols. Dublin, 1845, 1851.

that their style is not livelier. The Rev. H. Holloway has written a useful account of "The Reformation in Ireland"<sup>1</sup> from the point of view of ecclesiastical legislation. Like so many others, he does not understand the working of Poynings' Law. He has not used Mr. R. Dunlop's survey of "Some Aspects of Henry VIII.'s Irish Policy."<sup>2</sup> Mr. Dunlop is one of the greatest of living authorities on the history of Ireland, but in this article he unduly minimises the effects of the legislation of Henry VIII. Perhaps it is a useful corrective to the bias shown in J. A. Froude's "History of England."<sup>3</sup> Dr. H. J. Lawlor has written a remarkable study of "The Reformation and the Irish Episcopate."<sup>4</sup> From the Presbyterian standpoint J. S. Reid describes the "History of the Presbyterian Church in Ireland"<sup>5</sup> and W. D. Killen "The Ecclesiastical History of Ireland."<sup>6</sup> Both writers go to the sources.

#### THE PLANTATIONS.

Shakespeare wrote that England was "that utmost corner of the west."<sup>7</sup> He was quite wrong, for the discovery of America by Columbus completely altered her position to Europe. Formerly she had been at the edge of affairs: now she was in the very heart of them. The position of Ireland was also fundamentally changed. Before 1492 she acted as a breakwater between England and the ocean, but now she lay athwart English trade lines between the New World and the Old. He who controls her harbours controls English commerce. From this point of view the discovery of America was fatal to the aspirations of the Irish. The control of Ireland was vital to England, and sixteenth-century statesmen soon perceived that this control must be effective: hence the confiscations and plantation which now begin to mark the history of Ireland. Mr. Dunlop wrote two able articles on "The Plantation of

<sup>1</sup> London, 1919.

<sup>2</sup> In "Historical Essays by Members of the Owens College, Manchester," pp. 279-306. London, 1902.

<sup>3</sup> Twelve vols. London, 1899.

<sup>4</sup> London, 1906 (published by the S. P. C. K.).

<sup>5</sup> Edited by W. D. Killen. Three vols. Belfast, 1867.

<sup>6</sup> Two vols. London, 1875.

<sup>7</sup> *King John*, Act II., Scene I.

Munster, 1584-89"<sup>1</sup> and "The Plantation of Leix and Offaly, 1556."<sup>2</sup> In the first chapter of his thoughtful book, "Confiscation in Irish History,"<sup>3</sup> Mr. W. F. T. Butler examines the Tudor confiscations. In his "Die englische Kolonisation in Irland"<sup>4</sup> Dr. M. J. Bonn inquires into what he calls the retrogression of the English colonial interest in Ireland, and he raises the question whether a policy of colonisation is in any case possible in a country inhabited by a vigorous native population. He begins with the earliest times and comes down to the present day. He, by reading twentieth-century notions into the sixteenth, holds that instead of the English imposing Protestant civilisation on the natives, they ought to have allowed them to develop on the basis of their national characteristics. To work out this idea was foreign to the mind of all sixteenth-century statesmen. At the same time it is remarkable to note that some form of it entered the brain of Henry VIII., who tried to meet the Irish half-way. The trouble was that English civilisation was more highly developed than Irish, and this rendered it increasingly difficult for London and Dublin to see eye to eye. The Irish were unable or unwilling to conform to the new environment. Of course, the Reformation complicated the whole question, yet it is significant that in the plantation of Leix and Offaly—or indeed in any of the sixteenth-century plantations—there was no weight attached to the religion of the planter. These considerations Dr. Bonn thrusts on one side. Moreover, he is too inclined to treat an unauthorised suggestion as if it had official sanction. In her brilliant volume, "The Making of Ireland and its Undoing, 1200-1600,"<sup>5</sup> Mrs. A. S. Green violently attacks the policy of the English. Dates are so mixed that it is difficult to follow the arguments advanced. The use of the term "Irishmen" is puzzling. Sometimes it means what the author calls Gaels, and sometimes it means persons of Norman or English descent. Her handling of evidence is most unfair. Here

<sup>1</sup> *E. H. R.*, vol. iii., pp. 250-269.

<sup>2</sup> *Ibid.*, vol. vi., pp. 61-96. Cf. *ibid.*, *E. H. R.*, vol. xx., p. 309, for his article on "Sixteenth-Century Maps of Ireland."

<sup>3</sup> Dublin, 1917.

<sup>4</sup> Two vols. Stuttgart, 1906.

<sup>5</sup> London, 1908. Second edition, 1909.



is an instance. She quotes the statement of Captain Cuellar on the work and housekeeping of the women of Connaught. She does not quote his statement that he invariably terms the Irish "savages," and that they live "as brute beasts among the mountains." He says that the chief employment of the Irish is to rob and plunder each other. He, a shipwrecked Armada commander, was robbed, stripped naked, beaten, and forced to work. And this was done to an ally of the Irish, one who had come to fight on their behalf.

#### THE OLDER SOURCES.

Among these the following deserve close attention: "The Annals of Ulster, 1155-1541"<sup>1</sup>; "The Annals of Lough Cé, 1041-1590"<sup>2</sup>; "Annala Rioghachta Eireann,"<sup>3</sup> commonly called the "Annals of Ulster"; T. Dowling's "Annales Breves Hiberniæ"<sup>4</sup>; Camden's inaccurate "Annales rerum Anglicarum et Hibernicarum"<sup>5</sup>; Sir J. Ware's "Rerum Hibernicarum Annales regnantibus Henrico VIII. . . . Elizabetha,"<sup>6</sup> his inaccurate "Historie of Ireland collected by . . . M. Hanmer, E. Campion and E. Spencer,"<sup>7</sup> and his "Antiquities and History of Ireland."<sup>8</sup> Harris made considerable alterations in the last book.<sup>9</sup>

Other noteworthy volumes are J. Derricke's "Image of Ireland, 1578"<sup>10</sup>; T. Churchyard's "Services of Sir William Drury . . . in 1578 and 1579"<sup>11</sup> and his "Scourge for Rebels"<sup>12</sup>; H. Allingham's edition of "Captain Cuellar's Adventures in Connacht and Ulster, A.D. 1588"<sup>13</sup>; H. D. Sedgwick's edition of Captain Cuellar's "Letter to Philip II., 1589"<sup>14</sup>; R. Payne's "Brief Description of Ireland, 1590"<sup>15</sup>; S. Haynes' "The Description of Ireland . . . in Anno

<sup>1</sup> Vols. iii. and iv. London, 1866.

<sup>2</sup> Edited by W. M. Hennessy. Vol. ii. London, 1871.

<sup>3</sup> Edited by J. O'Donovan. Vols. v.-vii. Dublin, 1851.

<sup>4</sup> Edited by R. Butler. Irish Archæological Society, Dublin, 1849.

<sup>5</sup> London, 1615. It is particularly valuable on the Elizabethan insurrections.

<sup>6</sup> Dublin, 1664. Translation, 1704-5.

<sup>7</sup> Dublin, 1633. Republished as "Ancient Histories." Two vols. Dublin, 1809.

<sup>8</sup> Edited by R. Ware. Dublin, 1704.

<sup>9</sup> Edited by W. Harris. Two vols. Dublin, 1764.

<sup>10</sup> London, 1581. In Somers' "Tracts," i. London, 1809. Edited by J. Small. Edinburgh, 1883.

<sup>11</sup> London, 1580. <sup>12</sup> *Ibid.*, 1584.

<sup>13</sup> London, 1897. Cuellar's narrative is in C. F. Duro's "La Armada Invencible."

<sup>14</sup> London, 1896.

<sup>15</sup> Edited by A. Smith. Irish Archæological Society, Dublin, 1841.

1598<sup>1</sup>; J. Dymmok's "Treatice of Ireland," c. 1600<sup>2</sup>; R. Beacon's "Solon his follie; or, a politique discourse touching the reformation of common weales, conquered, declined, or corrupted"<sup>3</sup>; H. Harrington's "Nugæ Antiquæ, being a collection of original Papers . . . written . . . by Sir J. Harrington"<sup>4</sup>; W. Harris's "Hibernica: or Some Ancient Pieces relating to Ireland"<sup>5</sup>; S. Hayman's "Unpublished Geraldine Documents"<sup>6</sup>; H. F. Hore and J. Graves' "Social State of the Southern and Eastern Counties of Ireland"<sup>7</sup>; R. Stanihurst's "De Rebus in Hibernia gestis,"<sup>8</sup> and his "Description of Ireland"<sup>9</sup>; J. Lodge's "Desiderata Curiosa Hibernica: or a Select Collection of State Papers . . . during the reigns of Queen Elizabeth"<sup>10</sup> (to Charles I.); A. Collins' edition of the "Letters and Memorials of State . . . written and collected by Sir Henry Sydney"<sup>11</sup>; J. O'Donovan's edition of "Sir Richard Bingham's Account of Connacht and Narrative of Sir H. Docwra's Services in Ulster"<sup>12</sup>; Sir Thomas Stafford's "Pacata Hibernia"<sup>13</sup>; J. Hooker's "Life and Times of Peter Carew"<sup>14</sup>; Fynes Moryson's "Itinerary in three parts."<sup>15</sup> The second part containeth the Rebellion of Hugh, Earl of Tyrone<sup>16</sup> and "Unpublished Chapters of the Itinerary"<sup>17</sup>; Sir J. Davis's "A Discoverie of the State of Ireland"<sup>18</sup> and his "Historical Tracts"<sup>19</sup>;

<sup>1</sup> Edited by E. Hogan. Dublin, 1878.

<sup>2</sup> In "Tracts relating to Ireland." Irish Archæological Society, Dublin, 1842.

<sup>3</sup> Oxford, 1594.

<sup>4</sup> Three vols. London, 1779. The papers go from Henry VIII. to James I.

<sup>5</sup> Dublin, 1770.

<sup>6</sup> Four parts. Dublin, 1870-81.

<sup>7</sup> Dublin, 1856.

<sup>8</sup> Antwerp, 1584.

<sup>9</sup> Holinshed's "Chronicles." Vol. ii. London, 1587.

<sup>10</sup> Two vols. London, 1772.

<sup>11</sup> London, 1746.

<sup>12</sup> Miscell. Celtic Soc. Dublin, 1849.

<sup>13</sup> London, 1633. Reprinted, Dublin, 1810; London, 1896.

<sup>14</sup> Edited by J. Maclean. London, 1857.

<sup>15</sup> London, 1617. This is of the utmost importance.

<sup>16</sup> Dublin, 1735. Cf. Spedding's "Bacon." Vols. ii. and iii.

<sup>17</sup> London, 1903.

<sup>18</sup> London, 1612.

<sup>19</sup> London, 1786. Complete works. Edited by A. Grosart. Three vols. London, 1869-76. There is a cheap edition of some of the writings of Spenser, Davis, and Fynes Moryson. H. Morley edits it under the title of "Ireland under Elizabeth and James the First." London, 1890.

J. Chamberlain's "Letters"<sup>1</sup>; Sir J. T. Gilbert's "Calendar of Documents relating to Ireland,"<sup>2</sup> and his "Facsimiles," parts 3 and 4<sup>3</sup>; and Sir R. Wilbraham's "Journal."<sup>4</sup> It is obvious that the bulk of these sources concern Elizabethan times. There is another one deserving of mention, and that is William Farmer's "Chronicles of Ireland from 1594 to 1613."<sup>5</sup>

#### MODERN BOOKS.

At the head of these stand the three volumes of Mr. R. Bagwell.<sup>6</sup> He belonged to the small band of Irish historians of the class of A. G. Richey, W. E. H. Lecky, and C. Litton Falkiner. His long life was devoted to the investigation of the past of Ireland, and the labours of none have been more fruitful. He begins his narrative with the first Tudor and continues it to the fall of the last Stuart King at the Battle of the Boyne. That is, he covers the history of the sixteenth and seventeenth centuries at first hand, using manuscript evidence throughout. Moreover, he is a pioneer historian, for no one had covered these centuries before him. True, party pamphlets had been compiled from the Unionist or the Nationalist point of view, but for the first time Mr. Bagwell told the truth as it might have been if the voice of pure reason were heard. We read and we re-read his six volumes with ever-increasing admiration for the impartiality displayed in them. Lord Rosebery has felicitously observed that "the Irish question has never passed into history, because it has never passed out of politics." In this case the Irish question has emphatically passed out of politics, for Mr. Bagwell endeavoured, with complete success, to attain an impartial standpoint. It is a great feat to have accomplished. No one can call these six volumes colourless, but no one can call them partisan. There are some authors whose books are so eminently helpful, their sympathy so wide, their judgment so broad,

<sup>1</sup> Edited by S. Williams. Camden Society, London, 1861.

<sup>2</sup> Second Series, 1509-1600. London, 1860-63.

<sup>3</sup> London, 1882.

<sup>4</sup> Edited by H. S. Scott. Camden Society, London, 1902.

<sup>5</sup> *E. H. R.*, January, 1907, pp. 105-130; July, 1907, pp. 528-552.

<sup>6</sup> "Ireland under the Tudors." Three vols. London, 1885-90, "Ireland under the Stuarts and during the Interregnum." Three vols. London, 1912 ff.

their temper so fine, that one is lifted, as it were, into serener air. Such a man was Richard Bagwell.

Just as George Meredith is the novelists' novelist, so Mr. Bagwell is the historians' historian. They are well aware that the secret of his power lies in his sincerity, the sensitive feelings that enable him to understand the point of view of the men of the past, while his amazing and accurate acquaintance with the original materials enabled him to grasp what were the tendencies at work during the age he was investigating. The manuscript evidence, the tracts, the pamphlets at home and abroad, were thoroughly familiar to him. The fatal defect of the average Irish historian is that he sees events purely through the atmosphere of Dublin. The signal merit of Mr. Bagwell was that he saw events from a cosmopolitan aspect. He could not forget that policies not only in London, but also in Paris, Madrid, and Vienna, were shaping the course of affairs in Ireland. For wellnigh sixty years he laboured as an historian without haste and without rest. More fortunate than S. R. Gardiner, he set his heart on reaching the fall of the House of Stuart at the Battle of the Boyne, and his sixth volume reached the end he had planned in early manhood. We have mentioned Gardiner, and no one can read Mr. Bagwell's books without recalling the labours of the English historian. What Gardiner accomplished for the first half of the seventeenth century Mr. Bagwell accomplished for the whole of the sixteenth and for virtually the whole of the seventeenth.

Two-thirds of Mr. A. G. Richey's "Short History of the Irish People"<sup>1</sup> concerns our period, and this book is worthy to be placed alongside Mr. Bagwell's. This gifted and judicial writer possessed that power of selecting and disposing of incidents which belongs only to the front rank of historians. He knew how to show forth great events and their moving impulses by the presentation of salient characteristics suggestively related. Unlike so many Irish historians, he never allowed his narrative to be drowned in detail. The accuracy, the thoroughness, and the judicial

<sup>1</sup> Edited by R. R. Kane. Dublin, 1887. Cf. chapter xvii. in H. A. L. Fisher's in vol. v., and chapter xxii. in A. F. Pollard's in vol. vi. of "The Political History of England" (London, 1910).

temper displayed make us regret that Mr. Richey did not afford us more results. From large books we go to a small one, "A Review of Irish History,"<sup>1</sup> by Mr. J. P. Gannon. Though it covers the whole field it is so suggestive in relation to the social development of the sixteenth century that we mention it here. The comparative standpoint is never out of Mr. Gannon's mind, and the reader cannot fail to gather the connection between events in the Netherlands or in Spain and events in Dublin. It is easy to speak of the harshness of the English rule, and it was harsh. What Mr. Gannon does, with conspicuous success, is to enable us to grasp the motives of the governors and the governed alike. He perceives that behind the Tudor wars lay ecclesiastical reasons. The gold of Spain and the unwearied efforts of the Friars and the Jesuits were behind all the rebellions. The Roman Catholic Powers of Europe were fighting Elizabeth, and she naturally fought them, and, in spite of herself, was inevitably thrown into the arms of the Protestants. It is worth while emphasising what Mr. Bagwell has taught us, that the Elizabethan conquest of Ireland was cruel mainly because the Crown was poor. Just as Oliver Cromwell, had his life been prolonged, would have seen his foreign policy crash because he pursued an eighteenth-century policy on a seventeenth-century revenue, so Elizabeth saw much of her policy in Ireland, for similar reasons, undone. The Irish State Papers bear witness to the large sums she sent to Ireland, but they would have been larger had she not to contend with the treasure of France and Spain.

It sometimes happens that in a book dealing with foreign policy invaluable light is thrown on the progress of affairs in Ireland. This is notably the case with Major M. A. S. Hume's "Treason and Plot."<sup>2</sup> In spite of its title, this book is packed with ideas. The defeat of the Armada no more finally destroyed the might of Spain than did the Battle of Trafalgar annihilate French naval designs. There were several other Armadas, and that of 1596 was notable. In spite of the medal of Elizabeth, the victory of 1588 was largely due to the efforts of commanders and men. It was in 1596 that the winds blew, and the enemy were scattered.

<sup>1</sup> London, 1900.

<sup>2</sup> *Ibid.*, 1901.

The author thinks that "if it had not been for the providential storm which caught Adontelado's fleet off Finisterre on October 28, there would have landed early in November on one of the fine harbours on the Irish coast a Spanish force very much stronger than any army which the English could have brought against it, and in all probability Tyrone would have been victorious and Protestant England in deadly peril."

In old books like J. Curry's "Historical and Critical Review of the Civil Wars in Ireland"<sup>1</sup> and in new books like P. W. Joyce's "Short History of Ireland from the Earliest Times to 1608"<sup>2</sup> we miss considerations of this nature. The latter so fixes his eye on Dublin that he cannot understand that it is at least as important to grasp the plans of Philip II. of Spain as those of Mary I. At the same time we must not forget that within the limits he marked out for himself Mr. Joyce accomplished a great deal of useful work. He was a fair-minded man, and he put forth a readable narrative. Where he is weak R. Hassencamp in his "Geschichte Irlands"<sup>3</sup> is strong. The latter practically begins his tale with the accession of Elizabeth, and his book deserves perusal. He can note, as few Irish historians can, how the local history of Ireland merges in the general history of not only England but also of Europe and *vice versa*. Mr. G. B. O'Connor writes a valuable account of "Elizabethan Ireland, Native and English": it has John Norden's map.<sup>4</sup>

Mr. P. Wilson's "Beginnings of Modern Ireland"<sup>5</sup> investigates the history of the sixteenth century to the accession of Elizabeth. Here and there the language is extravagant, yet this ought not to disguise the fact that the author has consulted many authorities, published and unpublished. He verifies everything, states what he finds without reserve, and states it with lucidity. It is indeed so promising a piece of work that we hope Mr. Wilson will redeem the promise in his preface, and give the world another volume. Even yet such old books as J. Mac-

<sup>1</sup> Dublin, 1810.

<sup>2</sup> London, 1895.

<sup>3</sup> Leipzig, 1886. There is an English translation. London, 1882. Obviously there was an edition of "Geschichte Irlands" before that of 1886.

<sup>4</sup> Dublin, 1906.

<sup>5</sup> *Ibid.*, 1912.

Geoghegan's "Histoire de l'Irlande"<sup>1</sup> and T. Leland's "History of Ireland"<sup>2</sup> deserve consultation. The day is over for general histories on this scale. There is so much to be unravelled that it is utterly out of the power of any man to be master of all the matter pouring forth in articles and monographs. Father D'Alton has courageously essayed this task, and has published a general history in six volumes.<sup>3</sup> He has kept abreast of recent research so far as one man can cover a large field. Of course, there are lapses, but this arises from the wide extent of the ground he traverses. It is curious that it does not seem to occur to him that Irish chiefs were guilty of treason when they invoked the aid of France or Spain. For example, on April 25, 1566, Shane O'Neill writes, styling himself Defender of the Faith, to Charles IX., King of France, for 5,000 or 6,000 well-armed men, to assist in expelling the English from Ireland. On February 1, 1567, he writes to the Cardinals of Lorraine and Guise, to use their influence with the French King to send an army to assist him to restore and defend the Roman Catholic faith.

One of the puzzles of the time is why the Irish did not sweep out the English. The latter paid "black rent" to the former. Why were the English not driven out? The reasons seem to be these. The Pale came to mean the four counties of Louth, Meath, Dublin, and Kildare. The chieftains were so desirous of attacking one another that they were unable to combine. Each cared for his own particular part of the country, but none, not even Tyrone, cared for the whole country. The weak government extended protection to tribes which sought it. It was the aim of Henry VIII. to permit and expand this system. This legalisation of the tribal chief persisted throughout the sixteenth century, and explains some enigmas. Everything is local, and everything is tribal. We are almost back to the days of the Tain Bó Cúalnge, when the usual oath took the form of "I swear by the god my tribe swears by."

<sup>1</sup> Three vols. Paris, 1758-62.

<sup>2</sup> *Ibid.*, London, 1773.

<sup>3</sup> Dublin, 1910.

## BIOGRAPHIES.

There are none in the first rank, though there are some useful books among the following: W. B. Devereux, "Lives and Letters of the Devereux, Earls of Essex, in the Reigns of Elizabeth, James I., and Charles I., 1540-1646"<sup>1</sup>; A. Capel, "The Earl of Essex"<sup>2</sup>; G. Hill, "An Historical Account of the Macdonnells of Antrim, including Notices of some other Leinster Septs"<sup>3</sup>; E. Hogan, "Distinguished Irishmen of the Sixteenth Century"<sup>4</sup>; J. Hooker, "The Life and Times of Sir Peter Carew"<sup>5</sup>; D. MacCarthy, "The Life and Letters of Florence MacCarthy Reagh, Tanist of Carbury"<sup>6</sup>; T. M. Madden, "The Maddens of Hy-Many"<sup>7</sup>; C. P. Meehan, "The Fates and Fortunes of the Earls of Tyrone and Tyrconnell"<sup>8</sup>; J. Mitchel, "The Life and Times of Hugh O'Neill, with some account of Con, Shane, and Tirlough"<sup>9</sup>; L. O'Clery, "The Life of Hugh Roe O'Donnell"<sup>10</sup>; D. O'Daly, "Initium, incrementa, et exitus Familiæ Geraldinorum Desmonia Comitum Palatinorum Kyerria in Hybernia, ac persecutionis hæreticorum descriptio"<sup>11</sup>; J. O'Donoghue, "Historical Memoirs of the O'Briens"<sup>12</sup>; P. L. O'Toole, "The History of the Clan O'Toole"<sup>13</sup>; R. Rawlinson, "The History of . . . Sir John Perrott"<sup>14</sup>; E. C. S. (? Sir E. Cecil), "The Government of Ireland under Sir John Perrott, 1585-88"<sup>15</sup>; R. Sainthill, "The Old Countess of Desmond"<sup>16</sup>; T. Strype, "The Life of Sir Thomas Smith"<sup>17</sup>; and J. H. Wiffen, "Historical Memoirs of the House of Russell."<sup>18</sup> In the light of new

<sup>1</sup> Vol. i. London, 1883.

<sup>2</sup> Dublin, 1770.

<sup>3</sup> Belfast, 1873.

<sup>4</sup> First Series. London, 1894.

<sup>5</sup> Edited by J. Maclean. London, 1857.

<sup>6</sup> London, 1867.

<sup>7</sup> Dublin, 1894.

<sup>8</sup> Second edition. Dublin, 1870. It is a very rhetorical book. It is indexed, and there are documents in the appendix. The bibliography in Mr. Dunlop's fine article on Tyrone in the *D. N. B.* reveals the information in the British Museum and in the Reports of the Hist. MSS. Com.

<sup>9</sup> Dublin, 1846.

<sup>10</sup> Edited by D. Murphy, and translated by E. O'Reilly. Dublin, 1893. The original MS. is in the R.I.A. There is a copy of the translation in the British Museum, Egerton MS. 123.

<sup>11</sup> Lisbon, 1655. Translation with Memoir and Notes by C. P. Meehan. Dublin, 1847.

<sup>12</sup> Dublin, 1860.

<sup>13</sup> *Ibid.*, 1900.

<sup>14</sup> London, 1728.

<sup>15</sup> *Ibid.*, 1626.

<sup>16</sup> Dublin, 1861.

<sup>17</sup> London, 1698.

<sup>18</sup> Vol. ii. London, 1833.



documents there is need of fresh biographies of Essex, Mountjoy, and Tyrone. With Essex it is necessary to remember that Ireland was in a most critical condition, and that all Europe was aware of this. The country would have been a province of Spain had it not been for the determination of Tyrone not to attack till the troops of Philip II. had arrived. With Mountjoy in command the situation so altered that in 1600 Tyrone contemplated seeking safety in flight, an intention put into effect seven years later. No biographer has brought out with sufficient emphasis the fact that the aims of Tyrone were tribal, not national. He never dreamt of attaining supremacy over all Ireland.

#### FAMILY HISTORIES.

These are valuable on account of the letters and papers they sometimes contain. Among them are the Earl of Belmore, "The History of Two Ulster Manors"<sup>1</sup>; M. J. Blake's fine volume on "Blake Family Records"<sup>2</sup>; the Duke of Leinster, "The Earls of Kildare"<sup>3</sup>; the O'Connor Don (C. O.), "The O'Conors of Connaught"<sup>4</sup>; J. C. O'Meagher, "Some Historical Notices of the O'Meaghers of Ikerrin"<sup>5</sup>; and Viscount Powerscourt, "Muniments of the Ancient Family of Wingfield."<sup>6</sup> We add remarks on two of them. Mr. Blake adds considerably to our understanding of the social changes in the west of Ireland from 1300 to 1600. The Blake family has been long and honourably connected with Galway, and though the history of this town is well known through the excellent history of J. Hardiman,<sup>7</sup> yet Mr. Blake illuminates the whole period. The volume of the O'Connor Don is somewhat too genealogical for the average reader. Still, it enables us to watch the slowness of the Tudor conquest in reaching the O'Conors in the sixteenth century. It had overtaken the O'Conors of Offaly, the O'Moores of Leix, and the princely house of

<sup>1</sup> Dublin, 1881; London, 1903. The Manors are Finagh (co. Tyrone), and Coole (co. Fermanagh).

<sup>2</sup> First Series. London, 1902. The index to this series is in the second series.

<sup>3</sup> Second edition. Dublin, 1858. The addenda of this edition are absent in the third edition. Dublin, 1858.

<sup>4</sup> Dublin, 1891.

<sup>5</sup> London, 1886.

<sup>6</sup> *Ibid.*, 1894.

<sup>7</sup> "History of the Town and County of Galway." Dublin, 1820.

Desmond. The turn of the west came. Hugh O'Connor eagerly accepted a knighthood from Sir John Perrot and a confirmation of his claims to his immense domains. But in the end he too went under before the increasing authority of the Tudor.

Among the officials there are such illustrious names as Sir Walter Raleigh and Edmund Spenser. Sir John Hennessy wrote an interesting volume on "Sir Walter Raleigh in Ireland,"<sup>1</sup> and in it he gives letters of Raleigh bearing on Irish affairs. With inimitable charm Dean R. W. Church sketched the life and work of Spenser, and in his fourth chapter he discusses the career of Spenser in Ireland.<sup>2</sup> It is an unsatisfactory chapter largely because the writer was not familiar with the trend of events in Ireland, and he did not discern their influence on the composition of the "Faerie Queene." This was done by C. Litton Falkiner in a delightful essay on "Spenser in Ireland."<sup>3</sup> This essay is at least as valuable to the student of literature as to the student of history. The reference to literature suggests education. The Rev. T. Corcoran edits "State Policy in Irish Education, A.D. 1536 to 1616, exemplified in Documents selected for Lectures to Post-Graduate Classes."<sup>4</sup> Some of these documents are in Blue Books and publications of the Record Office, and one-quarter of them have never appeared in print. Books like these will render it possible, some day, to write a history of Irish thought. In her "Making of Ireland" Mrs. Green has essayed this task and met with conspicuous success. The Right Hon. D. H. Madden in his "Classical Learning in Ireland"<sup>5</sup> has furnished an inspiring sketch.

<sup>1</sup> London, 1883.

<sup>2</sup> R. W. Church, "Spenser." London, 1894.

<sup>3</sup> "Essays Relating to Ireland," pp. 3-31.

<sup>4</sup> Dublin, 1916. <sup>5</sup> London, 1908.

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