

the oath of the said archbishop taken at his consecration. The premisses considered may it please yo^r hono^{rs} upon the present settlement to insert this yo^r pet^{rs} case amongst the particular instances for being righted in the next free parliam^t, & he shall pray.

“Kilkenny, } By the generall assembly of the Confederate Catholics
17 Januar } of Ireland.
1648-9. }

“This Assembly doe specially recommend to his Excellency the Lord Lieutenn^t the”

The remainder is so rotten and torn that it could not be read.

It will be observed, that the minute of the assembly bears date just twelve days before the beheading of king Charles I., about which period lord Ormonde concluded the second peace, called the peace of '48, with the Confederate Catholics, by which he made greater condescensions to the Roman Catholics than at any former time, in hopes of bringing the forces of the Confederates to the king's aid, and thus averting the fatal catastrophe now seen to be approaching.

MISSING RECORDS.

No. II.

MUNIMENTS OF THE CORPORATION OF KILKENNY.

BY JOHN G. A. PRIM.

[*Read at the Meeting of May 7th.*]

At a recent meeting of this Society a highly interesting paper was read, being an inquiry as to the present existence and whereabouts of the records of the celebrated assembly of Confederate Catholics in Kilkenny. Although that paper has not yet led to the result desired, by bringing to light the important documents referred to, it is to be hoped it may yet, when given a wider circulation by being printed in the Transactions of this Society, produce that effect. But be this as it may, I believe the example set by Mr. Prendergast to be one worthy of imitation, and I therefore wish to bring under the consideration of the Society the propriety of instituting an investigation as to what has become of certain missing records formerly in the possession of the corporation of Kilkenny, with a view of ascertaining whether they are still extant, in whose custody they are, and whether it may not be possible to procure access to them, so that extracts

from, or a transcript of, their contents may be secured for the Society's library.

The documents to which I allude, though of less interest, in a national point of view, than those inquired after by Mr. Prendergast, are yet of great importance for the elucidation and illustration of local history. It is, in fact, to such records that we must look for the means of compiling a true chronicle of the times to which they refer, shedding, as they do, the most ample light on the manners and customs, and the state of intelligence, civilization, and domestic comfort of the dwellers within the municipality in the olden time; and thus enabling the writer to clothe in the most vivid and picturesque colouring, the dry details of history, which have been handed down to us in the bald and meagre compilations of our ancient annalists. The value of the records in the possession of the corporation of Kilkenny in this respect has been amply proved by the use which has been made of their contents from time to time by some of the members of this Society.

We are indebted to the liberality of the corporation, and the courtesy of the town clerk, for the ready access which those members have been afforded in consulting the records, and this may not be an unsuitable occasion to acknowledge the great care and praiseworthy solicitude with which their present worthy custodian, Mr. Watters, an efficient member of this Society, looks to their preservation and security. To his excellent father and predecessor in office, the late John Watters, Esq., the community also stands indebted for the restoration to their proper repository of several important books and documents, which, through the carelessness of their former guardians, had passed into private hands, and were withheld from the corporation, till he instituted a diligent search after them. All the lost books and documents of the town council, however, were not then restored by those into whose hands they had fallen, and it is in order to obtain information as to the existence and whereabouts of those still missing that I now seek to interest the Society.

The journals and books of record of the corporation now in the custody of the town clerk are:—

1. The "Liber Primus," a vellum book bound in oak boards, written in various contemporary hands, commencing with an entry of the year 1230, and carrying down the proceedings of the municipal body to the year 1538.

2. A thin paper book, marked "Liber 2.," deficient in the commencement. It begins in the year 1540, at folio 37; wanting eleven leaves near the end, and concluding the register of the corporation minutes with the year 1544, but having records of assizes for general gaol delivery, courts baron and piepoudre, and entries of king's letters and inquisitions, amongst which 1572 is the latest date. This interesting record has lately been discovered by the present town clerk, amongst the documents in his custody, and although evidently but a rough draft of proceedings, probably afterwards transcribed upon vellum, is of considerable historical importance. Its imperfect condition may be attri-

buted to its contents having been subsequently made matter of record, when the rough draft would, of course, become of secondary importance.

3. The "White Book," opening with the inauguration of Abel Warren, as mayor, in 1656, and bringing forward the register of the council's transactions to 1687.

4. The "Clasped Book," which was commenced on the restoration, by king William III., after the rout of the Boyne in 1690, of the civic representatives who had been displaced from office by James II. The book terminates in the year 1717.

5. A journal, or minute book, taking up the proceedings where the "Clasped Book" ended, in 1717, and reaching to 1730.

6. A similar book, from 1730 to 1760.

7. Journal, from 1760 to 1775.

8. Journal, from 1775 to 1826.

9. Journal, from 1826 till the old corporation was superseded by the operation of the municipal reform act, in 1843.

The means of filling up the great *hiatus* occurring between the events recorded in "Liber 2," and those taken up more than a century later by the "White Book," must be the grand desideratum of the local historian; and it is only the more tantalizing to him to be aware that such means were of access at least a century since, and might, perhaps, still be easily afforded but for the negligence and indifference of the present possessors of the documents, if, indeed, the latter are still in existence, in making known the fact, and throwing them open for consultation to historical inquirers. We have still a record of the *names*, but, unfortunately, little more, of several ancient books of the corporation of Kilkenny, which have passed out of the custody of the body for years; and they appear to have been thus lost, from being frequently borrowed or handed over for consultation to the aldermen, and other members of the council, who omitted afterwards to return them.

It appears from the "Clasped Book," that so early as 1697, some of the records were in this way alienated from their proper repository. I find on the 21st May, in that year, "Alderman Josias Haydocke, and Mr. Stephen Haydocke, ordered to bring in the Down Survey of the liberties of this City, and the Black Book, which were in the possession of their father." That this order was never complied with we may assume, for those documents are not now amongst the corporation archives, nor do we meet any subsequent mention of them. On the 17th January, 1700, I find that "Alderman Ebenezer Warren, delivered up the great Red Book, the White Book of vellum, and the book containing the translations of the Charters." The last named of these records seems to have been that which is sometimes referred to under the title of "Connell's Book," from its original proprietor, concerning whom and the record in question, we have this entry—"28th April, 1693, Alderman Richard Connell, presented the City with a book, bound in large folio, of all the city charters translated into English, and the names of all mayors, sheriffs, and other officers, so far as any record

could be had." This interesting book, as well as that designated above "the great Red Book," are not now in the possession of the corporation. In the beginning of the reign of George I. a large number of the corporation records had a narrow escape of being altogether lost to their legitimate possessors. A dissension took place in the council, one party being inclined to favour the Pretender, whilst the other were staunch supporters of the claim of the Hanoverian House. Alderman Robert Connell, the then town clerk, was in the Jacobite interest, and the views of his party being frustrated, by way of being revenged upon his opponents he carried off all the municipal records, and refused to surrender them to the body. To meet this emergency, and to put an end to the disputes in the corporation of Kilkenny, a special act of parliament passed in the year 1717, being the 4th George I., cap. 16. Under this special act Connell was sued before the King's Bench, and declared guilty of premunire, if he should refuse to deliver up the documents before the 22nd January, 1717. He complied with this decision, lodging the books and papers in court, and from the following entry we are informed what they were :

"19th February, 1717. At an assembly of the Mayor and Citizens, held this day, Mr. William Garnett reported that he had received the books, &c. of this Corporation from Mr. Justice Boat, pursuant to a former order. He then delivered the following books, &c.—1st. the Charter of King James I. to the City of Kilkenny; 2d. the old Red Book, beginning 24th March, 1590, containing 568 pages; 3rd. the White Book, beginning with the Mayoralty of Abel Warren, and ending with the Mayoralty of Richard Connell, containing 151 pages; 4th. the Clapsed Book, beginning with the Mayoralty of Edward Evans, wherein is a recognition of King George's title, on page 241, and after, on page 314, a transcript of the Grand Charter of 7th James I. in English, after which succeed several denominations of the city Revenues; 5th. one Day Book, commencing 7th June, 1712, ending the 8th November, 1715, containing 37 leaves; 6th. another Day Book, commencing 25th August, 1705, and ending the 14th April, 1711, containing 45 leaves; 7th. another Day Book, commencing the 9th January, 1715, and ending the 28th September, 1717, containing 31 leaves. Ordered, that the aforesaid charters, books, &c., be left in custody of the Mayor, until a proper officer be sworn to receive them; which were delivered up accordingly."

John Desaroy was mayor at the time, and upon retiring from office, on the 7th October, 1718, he delivered all the books and documents above specified, to his successor, John Cooksey, and a town clerk having been soon after elected, the documents were transferred to his custody, where if they had been permitted to remain, we might not have to lament their loss to-day. But they were soon removed from their proper custodian. At a meeting of the corporation, held on the 10th February, 1747, I find it—"Ordered that the City Books, now in the town clerk's office, be delivered up to the mayor (which was accordingly done), and that this order be his authority for the same. The books now delivered up were the Red Book, the White Book, the Clapsed Book, Desney's Book, three paper books, and the Green Book. The reason of the mayor's taking them being the deputy town clerk's

being often out of town, so that the books cannot always with readiness be inspected into." At that time Joseph Evans was mayor, and as some of the books here mentioned are not now forthcoming, and we have no subsequent trace of them, it is not impossible that they remain in the possession of his descendants to the present day. On the 29th September, 1753, Harvey Morres, then mayor, delivered up to the board several charters, together with "the small white vellum book, called *Liber Primus*, the large white paper book about the grants of the corporate lands and tithes, and the large red vellum Clasped Book." The two first of these are now in the town clerk's office, but the last has disappeared, and it was probably one of those which soon after passed into the custody of Sir John Blunden, then recorder of the City. At an assembly of the mayor and citizens held on the 2nd November, 1781, it was—"Ordered, that the Town Clerk do forthwith apply to Sir John Blunden, Bart., for the city books in his hands; and that said Town Clerk do take his answer in writing and report the same to the Mayor." The titles of the books are not specified, and if the town clerk ever made the application and took the answer in writing, or reported it to the board, the fact was not stated on the minutes. It is reasonable to believe that the demand was neglected to be made, and Sir John died soon after, as it appears that Sir Henry Wilkinson, in consequence of his decease, was appointed his successor in the recordership, on the 21st January, 1783. This is the last memorandum concerning the lending of the City books which I have found.

Should any of the records have descended to the possession of the present representative of the Blunden family, I have no doubt that the worthy baronet will not hesitate in permitting the members of this Society to consult them in order to the illustration of local history; and I trust that any other gentleman in whose family such documents may have been handed down from ancestors who were members of the old corporation, will, upon reading this inquiry concerning them, afford all possible information on the subject. The books, of the former existence and subsequent loss of which I am aware, are "Desney's Book," the "Green Book," the "Black Book," "Connell's Book," and the "Red Book." As to what the contents of the three first may have been, I am uninformed. The fourth I have identified pretty clearly, in the possession of Sir William Betham, Ulster King-of-Arms, who, with that courtesy and kindness of disposition which have ever characterised his bearing towards all inquirers after historic or antiquarian lore, has permitted the Secretaries of this Society to have access to the book, and make such extracts as they deemed necessary. Sir William was made a present of the volume twenty years ago, but does not recollect by whom. It answers fully to the description given of Connell's Book, in the record of its presentation in 1693, before quoted.

But the "Red Book" seems to have been the most valuable record of all, as, commencing in the reign of queen Elizabeth, and continuing down to the middle of the seventeenth century, it nearly filled up the

present *hiatus* in the proceedings of the municipal body, between the termination of the "Liber 2" and the beginning of the "White Book," still extant. A summary of the contents of the "Red Book" was made for his own use, by alderman William Colles, treasurer of the corporation, about the year 1747, from whom it came down, through his grandson, the late counsellor James, to an efficient member of our Society, Dr. James, who has most kindly permitted us to make full use of it. In the absence of the book itself, this summary is most valuable—so valuable, however, as to make the reader long the more for a perusal of the original. It appears to have contained most interesting references to the doings of that curious civic officer of the olden times, styled "the lord of bull-ring," notices of the ancient religious plays, termed "mysteries," acted at the market cross on holidays, at the expense of the corporation; regulations for the old fairs, which, like Donnybrook lately, used to last nearly a whole week; the particulars of the formation of the burghers of the various trades into guilds; by-laws for sanitary purposes, and for regulating the costume of the inhabitants, the wages of workmen, and price of victuals. It was particularly rich in its record of the squabble between king James I. and the town council, when he introduced his "New rules for Corporations," and deposed all mayors who declined taking the oath of supremacy, in 1611; as well as his subsequent begging epistles, in which he requested the inhabitants to assemble and each subscribe "something in proportion to his means," to relieve the necessities of the royal beggarman, his majesty having been "at great expense in entertaining the kings, princes, and ambassadors of all the princes of Christendom, marrying his daughter Elizabeth to the elector palatine, and maintaining a great army in Ireland." The book closed in the middle of the memorable sittings of the council of Confederate Catholics, and doubtless would throw much light on that interesting period of our national history, if it could be recovered.

Should any reader of the Transactions of the Kilkenny Archæological Society have in his possession, or be aware of any person who has in his keeping, the "Red Book of Kilkenny," or any other ancient record or document connected with the municipality, I trust that he will follow the example so worthily set by Sir William Betham and Dr. James, and will not hesitate for a moment to communicate the fact to the Secretaries of the Society, in order that the proper use may be made of the contents, by applying them to the illustration of local history.