

CHAP. II.

An Act for the better Execution of His Majesties gracious Declaration for the Settlement of his Kingdom of Ireland, and Satisfaction of the several Interests of Adventurers, Souldiers and other his Subjects there.

WHEREAS an unnatural insurrection did break forth against your Majesties royal Father of ever blessed memorie, his crown and dignitie, in this your Majesties kingdom of Ireland upon the 23. of October, in the year of our Lord God 1641, and manifest itself by the murder and destructions of many thousands of your said Majesties good and loyal subjects; which afterwards univerſally spreading and diffusing itself over the whole kingdom, settled into, and became a formed and almost national rebellion of the Irish papists, against your royal father of blessed memorie, his crown and dignitie, to the destruction of the English and protestants inhabiting in Ireland, the which Irish papists being represented in a general assembly chosen by themselves, and acting by a council called by them, "The supreme council of the confederate Roman Catholics of Ireland," did first assume, usurp and exercise the power of life and death, make peace and war, levie and coin money, and many other acts of sovereign authoritie, treating with forreign princes and potentates for their government and protection, and afterwards acted under a forreign authoritie, by all the said ways disowning and rejecting your royal father, and your Majesties undoubted right to this kingdom, even whilst they treacherously used his and your Majesties names in the outward forms of their proceedings, withall impiously seeming by words and shows to swear even unto that, which by the whole series of their deeds they denied; and moreover presuming to pretend his late Majesties most sacred authoritie, even for their worst actions all which they did (amongst other their evil designs) to frighten his good protestant subjects from their loyaltie, to blast his Majesties honour, and to widen the breach between his said Majestie and his seduced subjects in England; the which ends, by their said wicked stratagems, they did too successfully and mischievously effect: and whereas Almighty God hath given your Majestie, by and through your said English and protestant subjects, absolute victorie and conquest over the said Irish popish rebels and enemies, so as they, their lives, liberties and estates are now wholly at your Majesties disposition by the laws of this kingdom: and whereas several of your Majesties subjects, by whom, as instrumens, the said rebels were totally subdued, did in the time of your Majesties absence beyond the seas, for supplie of the then pressing necessities, and to prevent the further desolation of this your Majesties kingdom, enquire into the authors, contrivers and abettors of the said rebellion and war, and

14 & 15 C.
2, 12. the times enlarged.
17 & 18 C.
2, 2. explained, *scz.*
10 Will. 3.
7. estates held under these Acts confirmed.
Recital of rebellion 23 Octob. 1641, by Irish papists.
Represented in a general assembly chosen by themselves.
How styled. Their power assumed.

At same time making use of the King's name and authority.

By the King's victory over them thro' his English and protestant subjects, their lives, *scz.* at his disposal.

Several subjects by whom said rebels subdued, in the King's absence dispossessed them and distribut-

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ed the lands among those instrumental in suppressing said rebellion,

invited the King to come over,

and upon his letter from Breda, April 17. 12 C. 2. readily yeelded to his obedience.

The King's declaration 30 Nov. 12 C. 2. on consideration, and hearing the persons concerned, in order to final settlement.

Recommended to the governor, council and Parliament to be established.

Acknowledgement of the King's grace, &c.

and after much deliberation among themselves, and advices from others had thereupon, did dispossesse such of the said popish Irish rebels of their lands, tenements and hereditaments, as they found guiltie of, and to have been engaged in, the said rebellion or war aforementioned, and withall distribute and set out the said lands to be possessed by fundrie persons, their agents and tenants, who by advancing of their monies and goods, or by hazarding of their lives, had contributed unto the said conquest, or who had been otherwise useful, as having served or suffered in the suppression of the said rebellion and war: and whereas severall of your Majesties protestant subjects as soon as with much difficultie and hazard they had gotten the power of this kingdom into their hands, did according to their bounden dutie, with all humilitie and cheerfulness, invite your Majestie into this your kingdom, with a faithfull engagement to serve your Majestie with their lives and estates; and afterwards when your sacred Majestie, their Sovereign Lord and King, by your gracious letters from Breda, bearing date 17. day of April, in the twelfth year of your Majesties reign, intimated your royal intentions of returning to the exercise of your regal authoritie, they, with others of your Majesties protestant subjects, did readily and dutifullly yeeld up themselves and the said subdued people, with this your kingdom of Ireland, unto your Majesties absolute obedience and disposition, who thereupon after many months consideration, and the publick hearing of all parties concerned in, and pretending to lands and estates in this your Majesties Kingdom; as also after the receiving and weighing of expedient upon expedient, in order to an universal accommodation and final settlement, did at length in your princely wisdom, grace and justice, set forth a declaration bearing date the 30. day of November, in the twelfth year of your Majesties reign, with severall explanations and instructions relating thereunto, expressing your royal pleasure concerning the people and territories of this your Majesties said kingdom, declaring it likewise to be your pleasure, that all the particulars in the said declaration mentioned should be effectually recommended unto your Majesties chief governor or governors, privie council and Parliament in this kingdom, for the establishing the same by law. Now we the lords spiritual and temporal, and the commons in this present Parliament assembled, having well weighed and considered the nature of the rebellion and war above mentioned, together with the causes thereof, and motives thereunto, and with what industrie and malice the regal authoritie, the British interest, and protestant religion, were pursued and endeavoured to be eradicated, and being withall verie sensible of the vast expence of blood and treasure, and of the unspeakable sufferings which the British and protestants, as well severall times heretofore as of late have undergone, to reduce this your Majesties kingdom to a perfect obedience unto the crown of England, do most thankfully acknowledge, accept and admire your sacred Majesties wisdom, grace and justice towards all interests

interests in that your Majestie's said gracious declaration and instructions expressed: and forasmuch as the rapines, depredations and massacres committed by the said Irish and popish rebels and enemies are not onely well known to this present Parliament, but are notorious to the whole world; notwithstanding the many means and artifices, which for many years together have been used to murder such witnesses, suppress such evidences, and also to vitiate and imbezle such records and testimonies as might prove the same against particular persons; and lastly, for that the said rebels, since their throwing off your royal Father's and your Majestie's government, are become subdued and conquered enemies, and have justly forfeited all their rights, titles and estates in this kingdom: it is therefore enacted, and be it enacted by your most excellent Majestie, with the consent of the lords spiritual and temporal, and the commons in this present Parliament assembled, and by the authority thereof, That all honors, manners, castles, houses, places, lands, tenements and hereditaments, right, title, service, chiefrie, use, trust, condition, fee, rent-charge, chattels real, mortgage, right of redemption of any mortgages, recognizance, judgments, forfeitures, extent, right of action, right of entrie, statute, or any other estate of what nature or kind soever, in all and everie the countie, baronies, cities, towns corporate and walled townes in this kingdom, which at any time from and after the said 23. day of October, in the year of our Lord 1641. were seized or sequestred into the hands, or to the use of his late Majestie King Charles the first, or of your most gracious Majestie that now is, or otherwise disposed of, distributed, set out, or set apart, by reason of, or upon account of the said rebellion or war, or which were allotted, assigned, given, granted, ordered, disposed, distributed, demised, set out, or set apart to or for any person or persons, use or uses, for adventures, arrears, reprisals or otherwise, or whereof his late Majestie, or your Majestie that now is, or any adventurer, souldier, reparable person, or others respectively had and received the rent, issue or profits, by reason or upon account of the said rebellion or war, or whereof the adventurers, officers or souldiers now or formerly of the English armie in this kingdom, or transplanted, or transplantable persons, or anie of them, or their or anie of their heir, heirs or assigns, or any other person or persons whatsoever, upon account of the said rebellion or war, were in seizin, possession or occupation by themselves, their tenants, agents or assignes, on the seventh day of May, 1659, or which were assigned, given, granted, laid out, set apart, or reserved for or towards the satisfaction of anie the said adventurers, souldiers or other persons for or in consideration of any money or provisions advanced, lent or furnished, or for arrears of pay, or in compensation of any service or reputed services; or other account whatsoever, or reserved or mentioned to be reserved, for or in order to a reprisal or reprisals for such incumbrances, as then were, now are, or shall be

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Massacres,
Et c. by said
rebels notori-
ous, notwith-
standing en-
deavours to
conceal the
same.
Estates,
Et c. of said
rebels forfeit-
ed thereby.

Enacting
part.

Honors,
lands, titles,
Et c. forfeited
from 23 Oct.
1641, and
vested in the
real and actu-
al possession
of the King
without of-
fice or in-
quisition, not-
withstanding
former pro-
prietors not
attained.

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12.
Chanteries
and lands,
and thereto
belonging.

13.
Lands, &c.
of Ecclesiasti-
ticks let to
fee-farm,

14.
Leases by
Ecclesiasti-
ticks.

15.
Impropria-
tions, or ap-
propriate
tithes.

Not to
avoid convey-
ances since
23 October
1641, by per-
sons whose
estates would
have been
confirmed ;
nor con-
tracts for
lands in Con-
naught or
Clare set out
by decrees,
&c.

adjudged due to anie person or persons out of the said lands, tenements or hereditaments, or for any other use, intent or purpose whatsoever, or whereof any *custodiam*, lease for year or years, or unto which your royal Father, or your Majestie that now is, are anie waies entitled by reason of, or upon account of the said rebellion or war, or which are wrongfully detained or concealed by any person or persons whatsoever; as also all chanteries, and all mannors, lands, tenements, rents, tythes, pensions, portions, and other hereditaments or things whatsoever belonging to them, or anie of them, which were in the seizin, possession or occupation, and out of which any rent, dutie, tenure, or other service was reserved of anie person or persons, who by the qualifications in this act shall not be adjudged innocent persons; as also all lands, tenements, and hereditaments belonging to anie ecclesiasticall person or persons, in his or their politick capacitie, and that have formerly by them or anie of them been let in fee-farm, the right whereof, or title thereunto, or interest therein, was in anie person or persons, his or their heires or assignes, who by the qualifications in this act expressed, shall not be adjudged innocent persons; as also all leases that have been made by anie ecclesiasticall persons, of anie lands tenements or hereditaments belonging unto them in their politick capacitie, to any person or persons, their executors, administrators or assigns, who by the qualifications in this act expressed shall not be adjudged innocent persons; as also all impropriations, or appropriate tithes belonging to any person or persons, his or their heires, executors, administrators or assigns, who by the qualifications in this present act expressed shall not be adjudged innocent, are and shall be, and are hereby declared, deemed and adjudged, as from the said 23. day of October, 1641. forfeited, and to have been forfeited to your Majestie, your heires and successors; and they hereby are from the said 23. day of October, 1641. vested and settled in the real and actual possession and seizin of your Majestie, your heires and successors, without any office or inquisition thereof found, or hereafter to be found, notwithstanding that the persons who were the former proprietors, or reputed proprietors of the said estates, or anie of them, are not hereby, or have not been heretofore attainted for and by reason of the said most hainous and unnatural rebellion and war.

II. Provided, that this act shall not extend to the avoiding of anie contract, conveyance, assurance or disposition of, for or concerning anie of the said forfeited lands, tenements or hereditaments, made since the 23. day of October 1641. by anie protestant adventurer or souldier, or other person of or from such persons whose estates, if they had not so as aforesaid disposed them, would have been confirmed unto them by the rules in this act herein after limited or appointed; nor to the avoiding of anie contract for lands in Connaught or Clare, set out by virtue of decrees, made by protestants, or others

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that purchased anie lands, tenements or hereditaments from persons transplanted into the province of Connaught, or countie of Clare, or their assignes, nor to entitle your Majestie to the mean profits of anie of the said forfeited castles, manors, lands, tenements or hereditaments, since the 23. of October 1641. allotted, assigned, enjoyed or set out to anie adventurer for adventurers, or to fouldiers for arrears, to persons transplanted into the province of Connaught or countie of Clare, or their assignes, or let by the late usurpers for yearly rents, or granted by the late usurped powers, and confirmed by your Majestie's said declaration of the 30. of November 1660. and by this present act, other than such of the rents reserved on the premises, as were not paid to the late usurpers, or to your Majestie, since your Majestie's happie restauration, but are yet in arrear and unpaid, and other than forfeited lands, tenements or hereditaments concealed.

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 not to intitle the K. to the mean profits of lands allotted to adventurers, &c. or let by the usurpers for yearly rents, and confirmed:

except rents in arrear, and concealments.

III. Provided also, That this act, or anie thing therein contained, shall not be deemed, construed or taken to forfeit, or vest in your Majestie, your heirs and successors, anie honors, manors, castles, houses, places, lands, tenements and hereditaments, or chattels real whatsoever, in all, everie or anie of the counties, baronies, cities, towns corporate, and walled towns in this kingdom, on the 23. day of October 1641. belonging, in possession, reversion or remainder, unto the universtie of Dublin, or to anie archbishop, bishop, dean, prebend, dean and chapter, or other ecclesiastical person or persons in his or their politick capacitie, or to anie other colledge, hospital, church collegiate or parochial, or to the church-wardens and parishioners of anie parish-church for the use of the said church, or to anie guild, corporation, or fraternitie ecclesiastical or lay, or to anie parson, rector, or vicar of anie parish-church, or to the most reverend father in God, John, lord archbishop of Ardmagh, primate and metropolitan of all Ireland; or to James, duke of Ormond, or the lady Elizabeth, dutchess of Ormond, his wife, or to any of their children; or to James, late earl of Roscommon; William, earl of Strafford; Murrrough, earl of Inchiquin; Sir George Hamilton, Sir Richard Lane, Sir George Lane, Sir James Montgomery, or his heirs, or Thomas Radcliffe, Esquire.

Not to forfeit or vest in K. lands of Dublin Colledge, or Ecclesiasticks in politick capacity, or any college or hospital, church-wardens, corporations, &c.

IV. Provided likewise, That this act, or any thing therein contained, shall not vest nor be understood, or construed to vest in your Majestie, your heirs or successors, or otherwise be prejudiciall unto or take away any estate, right, tide, interest, service, cheifrie, use, trust, condition, fee, rent-charge, chattel real, mortgage, right of redemption of mortgages, recognizance, judgment, forfeiture, extent, right of action, right of entry, statute, or any other estate, of what nature or kind soever, from any protestant or protestants, their heirs, executors, administrators or assigns, who did not joyn with the said rebels before the 15th day of September, 1643. whereof upon the said 22. day of October, 1641. they were respectively seized

Nor any estate or right of Protestants not joining with the rebels before 15 Sept. 1643, unless seized in trust for the rebels.

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nor judgment or decree by Protestants in the late pretended Court of Claims, or the 4 Courts, or by the commissioners appointed;

nor lands, &c. of innocent papists, their innocent heirs, &c.

They, to whom lands of such protestants as above excepted, or of innocent papists distributed, shall be first reprinted.

None who enjoy said lands vested in the King, accountable till the passing this act.

Except profits by new contracts charged in Exchequer since 1650, or profits of concealed lands.

The King's declaration how said forfeited lands should be disposed of,

and commission go April, 13 C. 2. for executing the same.

or possessed, or otherwise interested or entituled, or wherein they had any other estate, use, possession, trust, reversion or remainder, other than such estate and interest whereof they or any of them stood seized or possessed for the use of, or in trust for any of the rebels aforesaid; nor unto any judgment or decree which hath been obtained by any such protestant or protestants in the late courts, or pretended courts for adjudication of claims, or in the court of Exchequer, or any other of the four courts sitting at Dublin, or for which any judgement or decree is or shall be confirmed, had or made by the commissioners heretofore appointed by his Majesty for the execution of his late gracious declaration and instructions, herein after recited, or at any time hereafter to be appointed by his Majesty for the executing of the said declaration and instructions, and this present act, who are hereby enabled and authorized to receive, hear and determine the same; nor to the vesting any of the lands, tenements, hereditaments, or *chattels real*, right, title, service, chevifry, use, trust, condition, fee, rent-charge, *chattel-real*, mortgage, right of redemption of mortgage, recognizance, judgement, forfeiture, extent, right of action, right of entry, statute, or any other estate, of what nature or kind soever, of any innocent papist, or their innocent heirs, executors, administrators or assigns.

V. And be it further enacted by the authority aforesaid, That all and every such person or persons, his and their executors, administrators and assigns, to whom any lands, tenements or hereditaments belonging unto such protestant or innocent papist, have been assigned or distributed, set out or enjoyed, shall forthwith, and before any other reprints whatsoever to be set out, be reprinted; any thing in this act to the contrary notwithstanding.

VI. Provided also, That no person or persons, their heirs, executors or administrators, who enjoyed all or any of the said lands, tenements or hereditaments, which by this present act are vested or settled in your Majesty, your heirs or successors, shall be accountable for any the rents, issues, or profits of the same, from the said 23. day of October, 1641. untill the time of the passing of this present act, other than such rents, issues and profits, as by new-contracts stand charged in his Majesty's court of Exchequer, since the year 1650. or the profits of concealed lands enjoyed without title, allowed and confirmed by this present act.

VII. And whereas your sacred Majesty hath by your said gracious declaration and instructions declared your royal pleasure and intentions, how the said honors, manors, castles, houses, lands, tenements and hereditaments, and all other the estates and interests hereby forfeited unto, and vested in your Majesty, your heirs and successors, should be disposed of, and also by commission under your great seal of this your kingdom, bearing date the 30th day of April, in the 13th year of your Majesty's reign, appointed certain commissioners for putting in execution all the matters and things in
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the said declaration and instructions contained; be it enacted by the authority aforesaid, That all the said honors, manners, lands, castles, houses, tenements, hereditaments, and all other the estates and interests hereby vested and settled in your Majesty, your heirs and successors, (except before excepted or provided for as aforesaid) shall be and remain in your sacred Majesty, your heirs and successors, to the intent to be settled, confirmed, restored, or disposed to and for such use and uses, and in such manner, as in and by the said declaration and instructions hereafter following, and by this present act, and the true intent and meaning thereof, is declared, limited, meant, intended or appointed.

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Said lands vested in the King to such uses as by said declaration and this act appointed.

His Majesty's gracious Declaration for the Settlement of his Kingdome of Ireland, and Satisfaction of the severall Interests of Adventurers, Souldiers, and other his Subjects there.

CHARLES the second, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. To all our loving subjects of our kingdom of Ireland, of what degree or quality soever, greeting; It having pleased Almighty God out of his great mercy and compassion towards us, and all our subjects, to restore us in so wonderful a manner to each other, and with so wonderful circumstances of affection and confidence in each other as must for ever fill our hearts (if we are in any degree sensible of such blessings) with an humble and gratefull acknowledgment of the obligation we owe to his Divine Providence, that he would vouchsafe to work that miracle for us himself, which no endeavours of our own could bring to pass: We think it agreeable to the just sense we have, and ought to have of the good affection of all our good subjects, who have contributed so much in bringing this unspeakable blessing upon us and themselves, that we acknowledge that our good subjects in our kingdome of Ireland have born a very good part in procuring this happinels, that they were early in their dutifull addresses to us, and made the same professions of resolution to return to their duty and obedience to us, during the time of our being beyond the seas, which they have since so eminently made good and put in practise; however it was not easy for us to make any publick declaration with reference to that our kingdome, there being many difficulties in the providing for, and complying with the severall interests and pretences there, which we were bound in honour and justice in some degree to take care of, and which were different from the difficulties we were to contend within this kingdom: we well knew the acts of Parliament which had formerly past for the security of the adventurers in that kingdom, and had heard of the proceedings which had been thereupon, by which very many officers,

Preamble of the declaration.

Acknowledgment that subjects of Ireland have born very good part in the restoration.

Difficulties peculiar to that kingdom in providing for the severall interests and pretences.

Former acts of Parliament for security of adventurers, by which many officers,

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Etc. in possession of great part of the lands.

Cessation and peace by C. 1. with Irish subjects, and full pardon upon return to duty, and vigorous assistance, from which several of quality had not swerved.

Peace by C. 2. to prevent murder of his father.

Notwithstanding the disappointment the king holds himself bound to performance.

Affection and obedience shewn by Irish subjects while the King beyond sea.

Causes of the difficulty of settlement of the kingdom.

souldiers and others, as well of this, as that our kingdom were in possession of a great part of the lands of that our kingdom, and of whose interests we resolve to be very careful.

II. We well remember the cessation, and the peace which our royal father of blessed memorie had been forced, during the late troubles, to make with the Irish subjects of that our kingdom, and by which he was compelled to give them a full pardon for what they had before done amiss upon their return to their dutie, and their promise of giving his Majestie a vigorous assistance, and that from that time divers persons of honour and qualitie had not (that we know or have heard of) swerved from their allegiance towards him or us. We could not forget the peace that our self was afterwards necessitated to make with our said subjects, in the time when they who wickedly usurped the authoritie in this kingdom, had erected that odious court for the taking away of the life of our dear father; and then no bodie can wonder that we were desirous, though upon difficult conditions, to get such an united power of our own subjects, as might have been able, with God's blessing, to have prevented that infamous and horrible parricide.

III. And therefore we could not but hold our self obliged to perform what we owe by that peace, to those who had honestly and faithfully performed what they had promised to us, though we and they were miserably disappointed of the effect of those promises, by an unhappy part of them which foolishly forfeited all the grace which they might have expected from us.

IV. And in the last place, we did and must alwaies remember the great affection a considerable part of that nation exprest to us, during the time of our being beyond the seas, when with all cheerfulness and obedience, they received and submitted to our orders, and betook themselves to that service which we directed as most convenient and behoofeful at that time to us, though attended with inconveniencie enough to themselves; which demeanour of theirs cannot but be thought verie worthe of our protection, justice and favour; and yet all these important considerations and obligations appeared so many contradictions to the present interest of our good subjects in that our kingdom, who had at this time likewise merited very much from us, and for whose securitie and advantage we held our self obliged to provide as well as for their indemnitie, and so the good settlement of that our kingdom appeared much the more difficult unto us, and even lessened and abated much of that joy of heart we found our self possessed with, for the great blessings we enjoy in the peace and quiet of this our kingdom of England.

V. But we raised our spirits again with the comfortable assurance that God who had wrought so much for us in England would graciously bring his work to the same perfection in Ireland, and not suffer our good subjects to weep in the one kingdom, whilest they rejoiced in the other; and our satisfaction was much increased, when upon

upon conference with several of our good subjects of that nation of quality and interest, who were concerned both as soldiers and adventurers, we found that they had a due sense of the obligations which lay upon our honour and justice; and were very willing, that we should comply with both, and that the foundations of the peace and security of that kingdom should be raised upon our discharge of those obligations; and after they had spent much time amongst others, who were as much or more concerned than themselves, they freely consented to such conclusions as to our understanding may reasonably take with all just interests; and we cannot doubt but that all who have merited from us, will confess that we have been so far from being failing to them, that we have as well provided for them, as after so great troubles and confusions, and after such blessed circumstances of our restoration they could reasonably expect, and that they will patiently wait for further instances of our favour and kindness towards them, from the peace, unity, and settlement of that kingdom, and from their contributing to it by a full submission to these our determinations herein, and hereafter more particularly expressed and declared.

VI. And therefore in the first place, in order to a settlement of that interest claimed by the adventurers, although the present estates and possessions they enjoy, if they were examined by the strict letter of the law, would prove very defective and invalid, as being no ways pursuant to those acts of Parliament upon which they pretend to be founded, but rather seem to be a structure upon their subsequent assent, both to different mediums and ends than the observance of those; yet we being always more ready to consult (where the prejudice can onely reflect upon ourself) with our natural inclinations to mercy (we praise God we can say so) than with the positive reason of law; we do hereby declare, that all the lands, tenements and hereditaments, of which all or any of the adventurers were possessed the seventh day of May, one thousand six hundred fifty nine, having been allotted or set out to them, or enjoyed by them as adventurers in satisfaction of and for their adventures shall be confirmed and made good to them, their heirs and assigns forever, with allowance or correction of the admeasurement, according to the tenor and directions of the respective acts of Parliament of XVII and XVIII *Caroli*, as to English or plantation measure, except as is hereafter excepted; and that the deficient adventurer, either in part or in whole, shall be satisfied out of the moiety of the counties of Limerick, Tipperary, and Waterford, in the province of Munster; the King's county, the Queen's county, and the counties of East-Meath and West-meath, in the province of Leinster; and the counties of Down, Antrim, and

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Settlement of adventurers, whose possessions, if examined by strict letter of law, would prove defective;

Reason thereof. The King more ready to consult mercy, than positive reason of law.

Declaration that lands possessed by adventurers 7th May 1659, confirmed to them, with allowance of admeasurement, according to 17 and 18 C. 1, as to English plantation measure.

Deficiencies made to appear before Sir M. Jones, satisfied out of particular lands not yet set out,

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*if those not
sufficient, out
of other for-
feited lands.*

*Officers and
soldiers hav-
ing lands set
out in satis-
faction of
arrears,*

*Which from
incompetency
of the powers
granting
might justly
be questioned.*

*The King
considering
his letter to
general Monk
from Breda,
and his decla-
rations, and
readiness of
the army to
contribute to
his restora-
tion, declares
they shall en-
joy their pos-
sessions on 7th
May, 1659, in
full satisfac-
tion of such
arrears, altho'
they had but
13s. in the
pound allow-
ed.*

*Excepting
out of all said
settlements,
where brib-
ery, forgery,
perjury, &c.
used.*

*2. Where
false admea-
surement, dif-*

Armagh, in the province of Ulster, not yet set out to the said adventurers; as also the forfeited lands in the county of Louth, (except the barony of Atherdee in the said county) and said province of Leinster; such adventurers claiming and making their deficiencies appear before the first day of May next; and in case the said lands, so for supply of deficiencies set forth, shall not be sufficient, we will appoint some other convenient forfeited lands for their satisfaction, so that all their deficiencies shall speedily be supplied.

VII. And whereas the officers and souldiers now of our army in Ireland, and that have been formerly of the army in Ireland, have had also lands set out to them respectively in satisfaction of their arrears of pay for their service in that our kingdom, and are accordingly possessors of the same by former pretended orders and powers then in being; and although the incompetency of such powers may justly render such possessions and estates liable to question, to our very great advantage, if we should measure such advantage rather by the increase of our revenue, than by the free and unbounded influence of our mercy and favour; yet in regard of our letter to general Monk from Breda, in the twelfth year of our reign, and of our several declarations and proclamations concerning the army, and of the full assurance of the forwardness and readiness of the said army, and loving subjects in Ireland to contribute, as in duty bound, all that in them lay for our restoration, we are pleased of our special grace and favour to declare, and do hereby declare, that all officers and souldiers, their heires and assignes, who have been, and are of the said army in Ireland, and to whom lands have been given out in satisfaction of their arrears for their service in that our kingdom, and have by the general convention of Ireland, or by any other publick act declared submission and obedience to us, according to our said declaration of the 17th of April last, dated at Breda, shall enjoy their respective estates conferred on them for their arrears, for service in the kingdom of Ireland, according to their respective possessions, on the said seventh day of May, one thousand six hundred fifty nine, in full satisfaction of all such arrears, for which lands were set out to them respectively as aforesaid; so that they, and every of them, having received an equal proportion with others in the like case, are and shall be for ever barred from demanding or receiving any further satisfaction therefore, although they had allowance but for thirteen shillings in the pound, or thereabouts: excepting always out of all such settlements to the said adventurers and souldiers, all and every such estate and estates, wherein, or in procuring whereof, any bribery, forgery, perjury, subornation of witnesses hath been used or practised, as also such part of any estate hereby declared to be settled as aforesaid, which by false or undue admeasurement hath

hath been set forth, such offence and crime being discovered before the twentieth day of December, one thousand six hundred sixty one. Excepting also the estate of all and every such person or persons that is or are excepted in one act past this present Parliament at Westminster, entituled, *An Act of free and general pardon, indemnity, and oblivion*. Excepting also all such lands as are commonly called church-lands, whether the same belong to arch-bishops, bishops, or other ecclesiastical persons whatsoever, that have been set out to adventurers, souldiers, or others; neither shall this extend to give any benefit to such person or persons, as have, or shall by any overt act proveably done, or to be done by him or them, subsequent to our restauration, endeavour the disturbance of the publick peace, or have manifested any aversion to our restauration and government, it being but very reasonable that the abusers of so much mercy held forth by us, should not be partakers thereof. And excepting all such estates, statutes, mortgages, judgments, leases, lands, tenements and hereditaments, and other profits and advantages, which have been decreed to any of our subjects by the respective courts of claims, and court of exchequer in Ireland, and the said decrees not since reversed, although the premises are yet possessed or withheld from those who have obtained the said decrees by adventurers, souldiers, or others, to whom the same were set out, who are to be reprised in like manner as others provided for by this declaration.

VIII. And whereas several legal incumbrances do, and may rest upon the lands set out to adventurers and souldiers as aforesaid, we are pleased further graciously to declare, that the said adventurers and souldiers shall receive satisfaction out of the forfeited lands in the county of Kildare, saving the lands and estate of Christopher Eustace, commonly called Mad-Eustace, in the said county, or elsewhere, which it is our will and pleasure be forthwith restored to him and his heirs for all statutes, recognizances, judgments, mortgages, dowers, joyntures, lease for life or lives, or for years, rent-charge, or other such incumbrances charged on their estates, such incumbrances being made appear by the twenty second of October, 1661, before such as shall be thereunto commissioned with all convenient speed after this declaration.

IX. Being sensible, that several officers who were engaged in our service in Ireland, and eminently acted and suffered therein, have by the partiality and injustice of the powers then in being received no satisfaction for the same, we are therefore further pleased graciously to declare, that all commissioned officers, their heirs or assigns, who were in regiments, troops, or companies raised in Ireland, or transported out of England, and served our royal father or ourself in the wars in Ireland, at any time before the fifth of June, 1649, other than those who have re-

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covered before
20 December,
1661.

3 Estates of
those excepted
in the English
act of oblivion.

4 Church
lands.

5 Persons endeavouring
disturbances,
and manifesting
aversion to the
restoration and
government.

6 Estates,
mortgages,
&c. decreed
by courts of
claims or the
Exchequer,
and not reversed,
altho' set
out to adventurers,
&c.

who are to be
reprised.

Where incumbrances
appear by 22
October 1661,
adventurers
and souldiers
shall have satisfaction
out of forfeitures
in Kildare.

Saving the
estate of
Christopher
Eustace.

Officers serving
before
fifth of June
1649, not
since satisfied
their pay, shall
receive satisfaction
out of
forfeited lands
following

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In Wicklow, Longford, Leitrim and Donegal.

Connaught and Clare, the mile line.

Houses in walled towns and lands thereto belonging, not set out already in satisfaction.

Satisfaction to be first made to protestants for improvements on leases.

Except houses in Wexford confirmed to Martin Noell, and John Arthur; incumbances where the lands not already set out.

Except incumbances of forfeiting persons on estate of lord Ormond or his wife.

One year's rent of lands set out for arrears in 1653, &c.

One year and a half of lands for arrears in 1655, 6, 7, as the estates yielded in 1659.

Officers before 1649, not having satisfaction, shall immediately out of the whole security above be satisfied 12s. 6d. per pound.

How remaining securities divided.

Said rents, &c. to be paid as the King shall appoint.

ceived lands or money, for their pay due unto them since the fifth of June, 1649, shall be satisfied their respective personal arrears out of the particulars following, *viz.* Out of the forfeited lands, tenements, and hereditaments, undisposed of to adventurers or souldiers, in the counties of Wicklow, Longford, Leytrim, and Donegal; out of all the forfeited lands, tenements and hereditaments, undisposed of in the province of Connaught and county of Clare, lying within one mile of the river Shanon, (or of the sea) commonly called the Mile line; out of all the houses and tenements forfeited in Ireland, in the several walled towns and corporations, and lands thereunto, belonging, not already set out to the adventurers or souldiers, in satisfaction of adventurers and arrears, satisfaction being first made to such protestants, who on leases, or contracts for leases, have built or repaired houses, or planted orchards or gardens; except the houses, tenements and hereditaments, in the town of Wexford, already set out unto Martin Noell, and John Arthur, and now in their possession, which shall be confirmed to them, their heirs and assigns; out of the benefit arising from the redemption of mortgages, statutes-staples, and judgments, where the lands are not already disposed of to adventurers or souldiers: excepting always hereout such mortgages, statutes, judgments, as any forfeiting persons of Ireland have, or had on the estate of James lord marquis of Ormond lord steward of our household, or the lady marchioness his wife; out of one years rent and profits of the lands set out to the officers and souldiers for their arrears in the year 1653; and likewise of the army now in being, according as those respective said estates yielded in the year 1659; as also out of one year and a halfs rent, and profits arising out of the lands for the arrears of those officers and souldiers who were ordered, or received satisfaction for their said arrears, in the years 1655, 1656, and 1657, according as the estates yielded in the year 1659.

X. And it is further declared, that all commissioned officers before one thousand six hundred forty nine, who have had no satisfaction in lands or otherwise, set out to them for services, since one thousand six hundred forty nine, shall be immediately, out of the whole security that is above assigned for satisfaction of arrears before one thousand six hundred forty nine, satisfied twelve shillings six pence in the pound of what is due to them; and then the remaining part of all the said respective securities to be equally divided amongst all and every the said commissioned officers, who have any arrears due for services in Ireland before one thousand six hundred forty nine; all which rents above said and profits, shall be paid in such way and manner as shall be by us appointed; and also the said houses, lands and tenements, distributed and set out in such way and manner as we shall appoint for the ends and uses aforesaid, the

the said years rent to be paid in the space of two years, by even and equal proportions half yearly; and the said year and a halfs rent in three years, by even and equal proportions half yearly; for which service, as also for stating the arrears of the commissioned officers aforesaid, not yet stated, fit persons shall be speedily by us authorized. All which said arrears, so to be stated, shall be stated before the twentie ninth day of September, one thousand six hundred sixty one: and the severall particulars for the above-security for officers, serving before one thousand six hundred forty nine, shall be immediately put out of charge in our court of Exchequer; whereof our chief baron, and other our ministers of the said court, are hereby required to take notice, and put the same in execution accordingly. And the said securities are hereby committed and entrusted into the hands of such persons for the uses aforesaid, as the duke of Albemarle, general of all our armies, and the lord marquis of Ormond, lord steward of our household, by us hereby thereunto authorized shall appoint, to be by them let and set for the best advantage, and to the ends aforesaid: and they are also to assign fit and convenient salaries for such persons as shall be employed therein, the said salaries to be assigned unto them out of the profits of the said securities.

XI. That such protestants, whose estates have been given out for satisfaction of adventurers or souldiers, or otherwise disposed of to any other persons, shall be forthwith restored to their former estates, and a reprizal of equal value, worth, and purchase forthwith assigned to such adventurers or souldiers, as shall be removed out of their said estates.

XII. Provided no person or persons shall have benefit hereof, who were in the rebellion before the fifteenth of September, one thousand six hundred forty and three, and have taken out decrees for lands in the province of Connaught, or county of Clare, in recompence of their former estates; and that such adventurer, souldier or other persons, who have been, or shall be removed from the estate of James lord marquis of Ormond, lord steward of our household, for what he possesseth thereof for adventure or arrears, shall be reprized in the county of Catherlough for the same; every person so to be removed shall not be accountable for the profits he received whilst he or they enjoy such estates.

XIII. Provided alwayes, that this our declaration, or any thing or matter therein contained, shall not extend to any lands, tenements or hereditaments, which James lord marquis of Ormond, lord steward of our household, or any of his ancestors, barons of Aerkloe, viscounts of Thurles, or earls of Ormond or Ossory, did at any time heretofore mortgage, grant or demise unto any person or persons in fee, fee-farm, fee-tail, for life or for years, or for any other estate or interest, nor to any lands, tenements

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In what time said year's rent and year and a halfs rent to be paid.

For which and stating arrears, persons authorized.

Arrears to be stated before 29th Sept. 1661.

Said securities immediately put out of charge in Exchequer, and committed to those appointed by duke of Albemarle and lord Ormond.

let to best advantage.

Salaries assigned out of profits.

Protestants restored to their estates.

Adventurers and souldiers reprized.

Who not to have benefit hereof.

Those removed from lord Ormond's estate, to be reprized in Catherlough.

Not accountable for mensprofits.

Not to extend to lands demised, &c. by lord Ormond, in whom only any forfeitable interest therein may be settled.

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Lands of
lord Ormond
and his wife
shall be held
by same ten-
ure as here-
tofore.

Earl of In-
chiquin to be
restored to his
estate; and
those remov-
ed, if capable,
repeized.

Innocent
papists by de-
crees sued,
possessed of
lands in Con-
naught and
Clare, in lieu
of estates of
which they
were disposs-
essed, shall be
restored, upon
their restoring
said lands to
the King to
repeize others,
or to satisfy
Irish proprie-
tors.
If said lands
sold, the pa-
pists out of
the estate re-
stored to pay
the purchase
money.

ments or hereditaments, held of the said James lord marquis of Ormond, mediately or immediately, as of any of his manors, whereby the forfeited or forfeitable interest of any person or persons in such lands, tenements or hereditaments, as aforesaid, may be setled in any adventurer, souldier, or any person whatsoever, other than the said James marquis of Ormond and his heirs.

XIV. Provided that this shall not extend to any of the lands held of James marquis of Ormond, or the lady marchioness his wife as of any their manors; but that all such lands shall be held of the said James and the lady marchioness, and their heirs, by the same tenure, and at the same rents and services as heretofore; any thing in this our declaration to the contrary contained notwithstanding.

XV. And whereas the earl of Inchiquin hath been dispossessed of his estate, for his eminent service, and adhering unto us, and is now by act of Parliament ordered to be restored to his said estate, we are graciously pleased hereby further to declare, that he be accordingly restored to his said estate, and that such who shall thereby be removed, and are justly capable of reprice, that they shall be repricez, as others in like cases are to be repricez.

XVI. And whereas we understand, that by the late usurped powers, during the distempers of these times, several Irish proprietors of the popish religion, have been dispossessed of their estates, merely for being papists, and have sued out decrees, and are possessed of lands in the province of Connaught, and county of Clare, in compensation of their former estates, which being an act of their own, we might without any injustice deny to relieve them in, yet so willing we are that any interest intituling itself to equitable mercy might not be disappointed, that we declare, that all innocent papists, being such as shall prove themselves to have been faithful and loyal unto, and never acted against our royal father or our self since the two and twentieth day of October, one thousand six hundred forty one, though they have sued out decrees, and are possessed of lands in the province of Connaught, or county of Clare, in lieu of their former estates, shall notwithstanding be restored to their said estates by the second of May, one thousand six hundred sixty one; provided that the said lands in Connaught and Clare, so allotted to the said papists, be restored unto us to reprice others, or for satisfaction of such Irish proprietors thereof, so far as this declaration excludes them not; or if the said lands in Connaught and Clare, or any part thereof, have been sold by any such papist, that the said papist out of his estate, to which he is to be restored, shall pay the purchase money to the said purchaser, his heirs or assigns; and whosoever either by reprice or restauration shall enjoy the said lands, shall make satisfaction to the said purchaser for all necessary reparations

parations and improvements upon the said lands, before he be admitted to the possession of them.

XVII. Provided also, That whatsoever adventurer or souldier that shall be removed from his present possession, to make room for any such papist, shall forthwith have a reprice of equal value, worth and purchase, in other forfeited lands.

XVIII. Provided always, That whereas the corporations of Ireland are now planted with English, who have considerably improved at their own charges, and brought trade and manufacture into that our kingdom and by their settlement there do not a little contribute to the peace and settlement of that country, the disturbing or removal of which English would in many respects be very prejudicial; that all such of the popish religion, of any corporations in Ireland, who have been for publick security dispossessed of their estates within any corporation, shall be forthwith reprized in forfeited lands, tenements and hereditaments, near the said corporations, to the full value, worth and purchase of such estate, as he was dispossessed of within such corporation; and that particularly the popish inhabitants of Cork, Youghall, and Kingfale, shall have undisposed forfeited lands set out to them in the baronies of Barrimore and Muskerry in the county of Cork, according to their respective decrees past in that behalf; Provided that in the case of innocent papists within the said respective corporations, that were dispossessed as aforesaid, it shall remain in his Majesty's power to grant restitution in like manner, as is provided in the case of other innocent papists.

XIX. We are also graciously pleased, that the lands and houses set out to any person or persons, for satisfaction of any money lent, or publick debts incurred for provisions, arms, or ammunition, furnished for support of our army in Ireland, in the beginning of the rebellion, shall be and remain disposeable for the satisfaction of such of the said debts, and debentures for such debts, as upon examination of the respective cases shall appear most deserving consideration and satisfaction, in such proportions as shall be thought most equal and just.

XX. We are likewise graciously pleased to declare, that the lands set out to George duke of Albemarle, captain general of our armies of England, Scotland and Ireland, for his arrears and service in Ireland; as also the lands being for arrears purchased by him, and whereof he is now possessed; and the lands settled upon Roger earl of Orrery, Charles earl of Mountrath, Richard lord baron of Coloony, Chidley Coote, and Thomas Coote Esquires; the relict and heires of Sir Simon Harcourt, Sir William Penn, and the relict and children of colonel George Cook, Sir Theophilus Jones, Sir George Ayscough, and the orphans of colonel Owen O Connelly, for their service and sufferings in the war of Ireland; as also the lands set out to Richard Urial and Thomas

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Adventurers, &c. removed for such papists, to be reprized in English settled in corporations, papists dispossessed within the same shall be reprized in forfeitures near the corporations.

Particularly papists of Cork, Youghall and Kingfale.

Innocent papists.

Lands and houses, set out in satisfaction of debts for furnishing the army in beginning of rebellion, disposeable for such as upon examination most deserving.

Lands set out to duke of Albemarle for his arrears and service, and lands settled on several persons for their service and sufferings, &c. shall be settled and confirmed to them.

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 Land to be set out to Major George Rawdon for arrears and provisions furnished.

Croftthwart, of one hundred pounds *per annum*; as also all such lands tenements and hereditaments, as Arthur lord viscount of Valentia hath purchased from any persons in actual possession thereof, by virtue of any grant, order or disposition of the late usurped powers, or any of them, shall be settled and confirmed unto them, their heirs and assigns respectively; and also that land be set out to major George Rawdon, in Satisfaction of debentures due to him for arrears and provisions furnished for Ireland.

Not to weaken the legal title of any restorable:

an equal re-
 prise to be
 assigned.

XXI. Provided alwayes, and we do hereby declare, that it is not our intention thereby to weaken or avoid the just and legal title of any person, that is restorable by this our declaration; but that if any of the said estates shall be accordingly restored to the former proprietor, that then a reprice of equal value, worth, and purchase shall forthwith be assigned in lieu thereof.

In accom-
 modating the
 several inter-
 ests that jus-
 tice and merc-
 y may not
 jostle, a di-
 stinction to be
 made between
 those who
 submitted and
 adhered to the
 articles of
 peace, and
 those who did
 not:

and be-
 tween those
 who remain-
 ed, sued out
 decrees and
 received lands
 in satisfaction,
 and those who
 transported
 served under
 the King:
 the former
 not to be re-
 lieved against
 their own act.

XXII. And as we cannot but with extraordinary sadness of heart remember, and even at present behold the desolate and distracted condition that our kingdom of Ireland hath been, and is reduced unto, by the unnatural insurrection begun in the year one thousand six hundred forty one, and consequently abhor and detest the contrivers and obstinate promoters of the same against us, our crown and dignity; so we cannot, upon the considerations formerly expressed in this our declaration, deny all just and reasonable provision that may stand with the present juncture of our affairs unto such of the Irish nation, who not onely gave early evidences of their repentance for their crimes, but also persevered in their loyalty to us and our commands; and that as near as we can, our justice and our mercy, in accommodating this interest might not jostle each other, we are in a different manner to consider of such of them as are justly intitled to the benefit of those articles of peace formerly mentioned, and such who did not submit unto the same, or after a submission made a departure from the same, which two latter sorts have justly forfeited that favour which otherwise they might have received. We are also further to consider of those who embraced the said articles, and submitted to the said peace without any apostacy, in a different notion, as of those who remained in that our kingdom, who sued out decrees and received lands in satisfaction of their ancient estates, and those who being transported into foreign parts, through many difficulties united, rendevouzed, and served under our obedience; so that upon these considerations, we think fit and declare, and accordingly do declare, that as to those who imbraced the said articles, and submitted to the said peace and constantly adhered thereunto, and remaining at home sued out decrees and obtained possession of lands in the province of Connaught, or county of Clare, that they are to stand bound by them, and not to be relieved against their own act, who contented themselves to enjoy a part of satisfaction for their own, rather than to attend our restitution, or submit them-

selves

elves to our command in foreign parts as others did ; and yet if the conditions of those seem hard, they can no more reasonably expect that we should further relieve them, than our friends in England and Ireland can expect that we should pay back to them all the moneys they were compelled in the evil times to pay for their compositions, which they would have avoided had it been in their power.

XXIII. And in case any justly entituled to the said peace, have obtained decrees for the lands in the province of Connaught or county of Clare, in lieu of their former estates, and have not been possessit of lands according to such their respective decrees, we further declare, that if by the first day of November, one thousand six hundred sixty one, they shall not be possessit of such decreed lands, they shall immediately after the said day be otherwise satisfied for the same.

XXIV. And as to those who continued with us, or served faithfully under our ensignes beyond the seas, we think fit and accordingly declare, that they shall be restored to their former estates, if they by themselves or agents authorized by them, have not prosecuted and obtained decrees and lands in the province of Connaught or county of Clare, in compensation of their former estates, a reprice being first assigned and legally set out of the remaining forfeited lands undisposed of, to such adventurer or souldier, or other person before named, of equal value, worth and purchase to the estate, out of which such adventurer or souldier or other person aforesaid shall be so removed ; yet so, that if any charge, debt, or other legal, incumbrance have been due upon, or out of any such lands so to be restored, which by law or good conscience ought to be discharged by the party so to be restored, and that the said charges, debts, or incumbrances, have been discharged or satisfied by the party, his heirs or assigns, from whom such lands are now to be reprized, that such persons, their heirs or assignes may, and shall hold the said lands until they are satisfied and contented of and for the same ; and that none of the persons so to be removed, shall be accountable for the rents or profits of the estates out of which they shall be so removed, which rents and profits, and arrears of rents they are respectively to receive until they are possessit of other estates as aforesaid, as also reasonable consideration for reparations of houses and other necessary improvements made and to be seen upon the premises, wherein like regard is to be had to the respective tenants and lessees for their improvements ; but where the landlord took fine, he is to be accountable for the same towards satisfiation for their improvements who paid the said fine ; and left such restorations and reprizes, if not speedily effected, might be attended with many prejudices to all parties concerned therein, we declare that the farthest time for accomplishing thereof shall

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Those not possessit of the lands decreed in Connaught and Clare, shall be otherwise satisfied.

They who served under the King's ensignes, to be restored, if said decrees for compensation not obtained.

Adventurers, &c. thereby removed first reprized ; and if they have discharged incumbrances, shall hold till satisfied.

And not be accountable for the rents ; which they are to receive till reprized.

Allowance for repairs and necessary improvements.

Where landlord took fine, accountable towards the said allowance.

Said restorations and reprizes to be by 23 Oct. 1661.

A. D. 1662. be by the three and twentieth day of October, one thousand six hundred sixtie and one.

Chap. 2.

Divers specially meriting favour shall without further proof be restored as above.

XXV. And whereas divers persons, for most of whom a general provision is made by this our declaration, have for reasons known unto us, in an especial manner merited our grace and favour; particularly the earl of Clanricard, the earl of Westmeath, the earl of Fingal, the earl of Clancartie, the lord viscount Gormanstown, the lord viscount Mountgarret, the lord viscount Dillon, the lord viscount Taaffe, the lord viscount Ikerryn, the lord viscount Nettervil, the lord viscount Galmoy, the lord viscount Mayo, the lord baron of Dunboyn, the lord baron of Trimletstown, the lord baron of Dunfany, the lord baron of Upper Ossory, the lord Birmingham, baron of Arthunry, the lord baron of Strabane, colonel Richard Butler, Sir George Hamilton, knight and baronet; Sir Richard Barnewel, baronet; Sir Redmund Everard, baronet; Sir Valentine Brown, knight; Sir Thomas Sherlock, knight; Sir Dermot O Shaghnessy, knight; Sir Daniel O Bryon, knight; colonel Christopher O Bryan, Mr. Richard Belling, son to Sir Henry Belling, knight; Richard Lane of Tullke, esquire; Mr. Edmund Fitzgerald of Balymalo, Mr. Thomas Butler of Kilconel, Mr. ——— Macnemara of Creevagh, Mr. David Powre of Kilbolane, Mr. Donnogh O Calaghane of Clonmeen, Mr. James Copinger of Cloghane in the county of Cork, Mr. George Fitzgerald of Tirohane, Mr. Barnard Talbot of Rathdown, and Conly Geoghegan of Donore. We do hereby declare, that they and every of them, without being put to any further proof, shall be restored to their former estates, according to the rules and directions in the last foregoing clause of this our declaration, concerning such as continued with us or served faithfully under our ensigns beyond the seas, many of whose names hereafter follow, *viz.*

Names of several, who served under the King's ensigns beyond seas.

The lord viscount Muskry, colonel; lieutenant colonel Legg; serjeant major Edward Scott, captain John O Neile of Carrick, in the county of Tipperary; captain Terence Bryan of Pallace Greeny, in the county of Limerick; captain Teige Mac Carty, for mortgage onely in the county of Cork; captain Daniel Boy O Donovan of Kilcellman, in the said county; captain Edmund O Murriane of Dulish Murrian, in the county of Tipperary; captain John White of Loyhall, in the county of Limrick; captain Daniel O Keef of Drumagh, in the barony of Dullhally, and county of Cork; captain Philip Barry of Dunbagy, in the said county; captain Thomas Brown of the baronies of Bear and Bantry, in the counties of Cork and Kerry; captain Francis Hacket of Dully, in the county of Tipperary; captain Charles O Shiell, in the county of Antrim; captain Davie Dannan of Davanstown, in the barony of Fermoy and county of Cork; captain Dermot O'Brien of Carrickcouquis, in the county of Clare; lieutenant Pierce Walsh;

lieutenant

lieutenant Richard Barry of Robertstown, in the barony of Barrimore and county of Cork; lieutenant Dermot O Murraine of the county of Tipperary; lieutenant Edward Mandevill of Ballyyne, in the county of Tipperary; lieutenant Daniel O Driscoll of Carbury, in the county of Cork; lieutenant Teige O Cullaine, *alias*, Totave of the county of Cork; ensign Morris Fitzgerald of Balyne-mart, in the said county; ensign Daniel Carthy of Dunedarrick, in the said county; ensign George Cumerton of the county of Kilkenny, ensign Walter Butler of Shan-bally-duff, in the county of Tipperary; ensign Pierce Quirk, and William Quirk of the said county; ensign John Mac Teige, *alias* Mac Teige of Carbury; ensign Pierce Duff Butler in the county of Tipperary; ensign Theobald Butler of Barnane, in the said county; ensign Miles Roach of the county of Cork, and barony of Fermoy; ensign Philip Hogan of Hally, in the county of Tipperary; ensign Turlagh O Her of Balime, in the county of Clare; Owen Oge Mac Egan of the county of Cork, adjutant.

XXVI. The lord castle Connel of the county of Limrick; colonel Charles Mac Carty Rieagh of Kiltretan, in the county of Cork; colonel Richard Fitzgerald of Balenamartery, in the said county; colonel Cornelius O Driscoll of Donefaide, in the said county; lieutenant colonel William Butler of Ballifoqui; captain William Barry of Ringquaran, in the county of Cork; captain Pierce Nagle of Monaneme, in the said county; captain Arthur O Kinife of Glanifriacan, in the said county; captain Owen Mac Carty of Cloccerre, in the said county; captain Edmond Cuinny of Massanglathy, in the said county; captain Charles Mac Carthy of Cloncalaih, in the said county; captain Dermot O Shinan of the county of Limrick; captain Edmund Power of Intch in the county of Cork; captain John Fox of Baligaden, in the county of Limerick; captain Michael Morifey of the county of Clare; captain Dermot O Sullivan of Kilmalac, in the county of Kerry; lieutenant Der. O Sullivan of Fermoyle, in the said county; lieutenant Richard Stapleton of Lynestowne, in the county of Tipperary; lieutenant James Purcel of Knockinroe, in the said county; lieutenant Henry Wies of ———, in the county of Waterford; lieutenant Garret Fitzgarret of Lickfour, in the county of Kerry; ensign George Shaie of Kilkenny; ensign Philip Hogane of Aylehie, in the county of Tipperary; ensigne Moilmory O Holy of the county of Armagh; ensign Daniel O Donman of Forneife, in the county of Cork; ensign Donee O Culan of Baly Courfy, in the said county; ensign Florence O Driscoll of Ballyhan, in the said county; captain ——— Gorman; David Bourk of Barnanlahie, in the county of Tipperary.

XXVII. Captain Stephen Butler; ensign Alexander Berne of the county of Roscommon; colonel William Taaffe; lieutenant Bryan Mac Donough of the county of Sleigo; ensign Edward Dil-

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A. D. 1662. Chap. 2. lon of the county of Westmeath; lieutenant colonel James Fitzpatrick; lieutenant John Cassin; ensign Edmund Brenane; major Owen O Conner of Baylyngare, in the county of Roscomon; lieutenant Walter Costelloe of the county of Mayo; ensign Daniel O Conner of the same county; captain Walter Hope of Molingare; lieutenant Terlogh Mac Donogh of the county of Sleigo; ensign Christopher Mac Donnogh of the same; captain Gerald Ferral; lieutenant Charles Mac Donnel; ensign Richard Farral; captain Charles O Molloy; lieutenant Edmund O Molloy; ensign Alexander Mac Donnel; captain Edward Sarfield; lieutenant James Enis; ensign Phellem Dempsey; captain Brian Fitz-Patrick; lieutenant Jeffery Fitz-Patrick; lieutenant Miles Bermingham; ensign Connor Mac Gwier; captain Hugh O Conner Dun of Balin-Tober; lieutenant Robert Misset; ensign John Ferral; the lord viscount Iveagh; lieutenant Henry Tute; ensign Phellim Curtaine; captain Walter Phillips of Clunmore; ensign Hugh O Conner; captain Dudley Costello, lieutenant Roger O Conner, captain Gerald Dillon of Portleck; lieutenant John Dillon; ensign Robert Dillon; captain Mathew Mooney; lieutenant John Flanelly; ensign Owen Sullivane; adjutant Roger Brenane; adjutant John Dillon; Anthony French, judge advocate; Sir Ulick Bourk, knight and baronet of Glink, in the county of Galway; captain Fra. Berne of Rodin in the county of Roscomon; captain Hugh Oneile of the province of Ulster; captain Phelim Mac Genis of the said Province; captain Hugh Omiagnine; captain Theobald Dillon of Bracklon in the county of Roscomon; captain Mortagh Clanchy of Castlekeale, in the county of Clare; captain Cun O Neile of Ardgonel in the county of Armagh; lieutenant William Bourke of Turlagh, in the county of Mayo; lieutenant John Mac Donagh of Cusca, in the county of Sleigo; captain John Casey; lieutenant Brian Mac Genis of the province of Ulster; ensign Brian Mac Genis of the said province; ensign Lowys Mac Dowel of the county of Roscomon; ensign Thomas Birne of the said county; ensign William Talbot of Hagertown, in the county of Lowth; ensign Roger O Malreanin of Tully Mulreanin, in the county of Roscomon; ensign Owen O Keny of Clanboren, in the county of Galway; lieutenant Patrick Clenton of the county of Lowth; lieutenant Michael Mac Donagh of Coloony, in the county of Sleigo; Charles O Flyne of Celtabar, in the county of Roscomon; Nicholas Walth, esquire, of Traly in the county of Kerry; Francis Coghlane of Belclare, in the King's county; Henry Birne of Dangan, in the county of Roscomon; Patrick Mac Gwire of Balykileuny, in the county of Ineskilyn; John Brady of the county of Cavan; colonel Richard Grace; lieutenant colonel Charles Molloy; colonel Wil. Bourke; captain Stephen Molloy; captain Edmund Fitzpatrick; captain Art. Mac Terlogh Molloy; capt. John Caroll; capt. Neal Morris; capt. William Dullany; captain Edmund Bourke; captain Owen Flattery;

captain Walter Walfh; captain Walter Butler; captain Teige Carol; captain Gerrot Aylmer; captain William Mac Redmund Bourk; captain Theobald Butler; captain William Stapleton; captain Philip Kennedy; captain James Devin; captain Art. Molloy; lieutenant Patrick Dallachanty; lieutenant John Molloy; lieutenant Brian Flattery; lieutenant Alexander Dalton; Lieutenant John Mac Gerrot Molloy; lieutenant Symon Coghlan; lieutenant Daniel Kennedy; lieutenant Edward Molloy; lieutenant Nicholas Sweetman; lieutenant James Hynane; lieutenant Oliver Grace; lieutenant James Cummerford; lieutenant Thurlogh Carrol; lieut. John Molloy; lieutenant William Fogurthy; ensign Anthony Gosse; ensign Fanagh Molloy; ensign William Tute; ensign Christopher Ruffel; ensign Owen Gilmer; ensign Richard Cuddy; ensign Daniel Higgen; ensign William Carrol; ensign John Fitz Patrick; ensign Eneas Reardon; ensign ——— Kelly, ensign Piers Walle; ensign John Pyndergast; ensign Teige Carrol; ensign Thomas Butler; col. Hoyle Walfh of Arderry in the barony of Iverke, in the countie of Kilkenny; col. Wil. Brown of Balrankan, in the county of Wexford; major Oliver Fitzharryes in the county of Limrick; captain Robert Walfh of Borredstown in the baronie of Knocktofer, in the countie of Kilkenny; captain Therlagh Molloy in the barony of Balyboy, in the King's County; captain Nicholas Plunket of Dunfoghly; lieutenant John Meagher of Grange in the barony of Ikerin, in the county of Tipperary; Henry Rochford of Kildare in the county of Kildare; colonel Lewis O Farrol; Sir Connel Farol of Tirlickin, in the county of Longford, knight; lieutenant colonel captain Terence Feral of the county of Longford; captain Faghna Feral of the said county; captain Charles Kelly of Skryne, in the county of Roscomon; captain John Mac Rory Farel of the county of Longford; Charles Farel of the said county; captain Jasper Tute of the county of Westmeath; lieutenant Fariagh O Hanly of Slewbane, in the county of Roscomon; lieutenant Morogh O Flaherty of Uma, in the barony of Balenehenzey, in the county of Galway; captain Bryan Lennan of Fale, in the county of Antrim; lieutenant Con Mac Gennis of Iveah, in the county of Down; ensign Andrew Fallon of Miltown, in the county of Roscomon; captain Teige O Flaherty; colonel George Cufack; colonel Piers Lacy of the Broof, in the county of Limrick; captain James Waldon; lieutenant John Talbot of Belgard in the county of Dublin; Master Christopher Ruffel of Seaton, in the same county; Mr. William Talbot of Hagerstown, in the county of Lowth; Mr. Thomas Cufack of Carick in the county of Kildare; Mr. Harald of Kilnekeuge, in the county of Dublin; captain William Skelton; Terence Molloy of Gortachutrey, in the King's County; James Eustace of Culadain, in the county of Wexford; Owen Waddrick of Kilchele in the county of Wexford; Arthur Linch of ———, in the county of Meath; Roger Duygin of Corr, in

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A. D. the King's County; Lawrence Bellew of ——— in the county
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Reasons
that the En-
glish settled
in Ireland
should not be
dispossessed till
reprisal first
provided for.

The Irish,
for whom sa-
tisfaction in-
tended, hav-
ing been a-
broad with
the King, and
not furnished
with stock,
&c. may with
less inconven-
ience wait
for reprisal,
than to dis-
possess others.

A large pro-
portion of un-
disposed for-
feitures refer-
red for repris-
als, in a short
time to be as-
signed.

To prevent
doubt and
controversy
for preceden-
cy in restitu-
tion,
first restored,
innocent pro-
testants and
papists, who
never took a
decree or had
lands assigned
in Connaught
or Clare.

Next those
who had such
allotted.

Transplant-
ed persons dis-
possessed in
Conaught and
Clare, first re-
prisal in those
countries.

XXVIII. And though some, not sensible of the great perplexities we have laboured under to reconcile these jarring interests, may infer, That where we judge persons fitting to be restored to their estates, yet the limitation of a previous reprizal may eclipse much of our grace: to this we say, that the laying of the foundations is not now before us, when we might design the model of the structure answerable to our own thoughts; and how hard it would be, that the English after so many expensive difficulties in suits of law, and finding several officers in order to get the present possession they enjoy, and that after so many thousands of families, who have sold their interests in England, have transported and settled themselves in Ireland, and have made great improvements in buildings and other-
wise, should in the interval of those accommodations (reprisal not being first provided for) be dispossessed of their houses and their stocks (the sole subsistence of them and their families) exposed to certainty of loss (though greater inconveniencies we pretermit) may easily be judged; to this we might adde, that since the persons of the Irish for whom we do hereby intend satisfaction, are such who have been abroad with us, who probably being not furnished with stock and other provisions, may with less inconveniencies wait for a reprizal, than to dispossess others, especial since we are fully assured that a very short time may and will assign them their respective reprizals, there being so good and large a proportion of undisposed forfeited lands in our power reserved for this purpose, and we doubt not but the persons most concerned in this supposed prejudice, throughly weighing these inconveniencies, and that they will be but of a short duration, and how great and reasonable a dissatisfaction a contrary acting in us will produce, will acquiesce therein, and by such a forbearance lay the foundation of a good understanding between themselves and those other their fellow-subjects who are to be settled with them in that our kingdom. And least any ambiguity or controversy might arise for precedency in restitution to their former rights, we do declare, that first all innocent protestants, and those persons termed innocent papists (who never took out any decree, or had lands assigned to them in Connaught or Clare) be first restored. In the next place, that those innocent protestants and papists, who took out decrees, and had lands allotted to them in pursuance thereof, in Connaught or Clare, shall be restored: and that such transported persons as shall be dispossessed of their decreed estates in Connaught or Clare, by virtue of this our declaration, shall be reprized out of other forfeited lands of equal value, worth, and purchase in the said province of Connaught, or county of Clare, or elsewhere, before they be dispossessed of their said estates: and that then such of the Irish papists who constantly served under our ensigns abroad, having right to the articles of peace, are to be restored, of which if any dis-
pute

pute shall be of their capacity or privilege herein, we shall by further intimation of our pleasure to our chief governour or governours in that our kingdom and council there, give a final resolve and determination therein: yet this is alwaies so to be understood, that whatsoever person or persons in the next precedent qualifications shall find any part of his or their estates, not already disposed, or not designed to be disposed to the ends aforesaid, express in this our declaration, that such person or persons, their heirs or assigns, shall be respectively restored to his or their said estates.

XXIX. And we further declare, that in respect many have contracted very just debts for furnishing arms, ammunition, and other necessary provisions for carrying on the war in Ireland, before one thousand six hundred forty nine, for which they have given security, and so made themselves liable to suit and hazard, which in all equity ought to be provided for; that after such reprisals made as aforesaid, satisfaction shall be set forth out of the remaining lands in our disposal, to such persons, their heirs and assigns.

XXX. And we are graciously pleased further to declare, That every adventurer and souldier, their heirs and assigns, settled in lands, tenements and hereditaments, as aforesaid; and every person restored unto, or reprized for his estate, as is formerly mentioned, shall pay unto us, our heirs and successors yearly for ever, the rents following, *vis.* for every acre in the province of Leinster three pence; for every acre in the province of Munster two pence farthing; for every acre in the province of Connaught one penny half-penny; and for every acre in the province of Ulster one penny; accounting as to the payment of the said rent onely, one hundred and sixty pearches to the acre, and sixteen foot and a half to the perch: and all such as receive satisfaction for their arrears out of the houses and tenements in the severall corporations in Ireland, one shilling six pence yearly out of every twenty shillings rent, so that the rent formerly reserved on such estates so to be restored, exceed not the rent hereby reserved: but if the said rent formerly reserved do exceed the rent hereby to be reserved, the said former rent onely shall be paid, and the said estates respectively shall be discharged from payment of the rent or rents hereby reserved. And it is our further pleasure, and we do hereby declare, that all lands, tenements and hereditaments thus settled and to be settled upon adventurers, shall be held of us, our heirs and successors, in free and common soccage, as in the statute of the seventeenth *Caroli* is limited and appointed; and that all lands, tenements and hereditaments settled or to be settled on the soldiers who are out of the said act, and not provided for by it, shall be held of us, our heirs and successors by knights service *in capite*.

XXXI. All other particulars abovementioned, being fully effected, we trust, through the goodness of God, that that near ruined kingdom will be restored to peace and plenty; and that by such

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The Irish Papists serving abroad.

Disputes of their capacity or privilege, determined by further intimation to chief governor, &c.

After such reprisals debts contracted for the army before 1649, to be satisfied.

Rents reserved to the King on estates so settled, restored, or reprized.

In Leinster 3d. for acre.
Munster 2d. farthing.
Connaught 1d. halfpenny.
Ulster 1d. 160 perch. to the acre: and 16 feet and an half to the perch.

Out of houses in corporations 1s. and 6d. yearly out of every 20s. so that the rent formerly reserved exceed not: otherwise the former only to be paid.

Lands settled on adventurers to be in common soccage, as in st. 17. Car.

Lands on soldiers, out of said act, by knights service in Cap.

The good effects expected from hence.

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Parliament intended to be forthwith called in Ireland, for establishing these particulars, &c.

Then a free and general pardon, notorious murderers excepted.

Injustice and fraud in the decrees of forfeitures in Connaught and Clare.

Review thereof recommended to the governor, &c. and to confirm the just part.

Also acts confirming judicial proceedings and decrees in the court of claims, Exchequer, &c. claims of protestants.

The end thereof.

Peace and good of the subjects principally considered, the King parting with almost all the forfeitures vested in him.

Gratitude of adventurers and soldiers in contributing to relief of most eminent sufferers, one half year's full value of said lands.

signal evidences of our justice, favour and mercy, the wicked will be deterred from their wickedness, and the good encouraged and confirmed in resolutions of loyalty towards us, and peace among one another. And as in this our declaration, we have made choice of those means which in our wisdom and judgment we have esteemed most conducive to the quiet and settlement of that our kingdom, so we esteem it necessary further to declare, That it is our firm intention forthwith to call a Parliament in that our kingdom, and effectually to recommend unto our chief governour or governours, privy council, and our said Parliament, the establishing by laws there all the particulars mentioned in this our declaration, and such others as shall be found necessary for the good of our people there; and after such bills are past, that then an act of free and general pardon, indemnity and oblivion, shall be granted to all our subjects of and in Ireland, notorious murderers only excepted.

XXXII. And because we are too credibly assured, that in the decrees and judgments given for forfeited lands in the province of Connaught and county of Clare, much injustice and fraud hath been used; we shall recommend the whole review of that business to our chief governour or governours for the time being, and our privy council and commissioners, or some of them, to the end that whatever irregularity shall be found in those proceedings may, by their care and wisdom, be rectified, and the just part thereof confirmed: as also, that a suitable act for Ireland, for confirming judicial proceedings there in the Four-courts, may be there past; and another act for ratifying all decrees and judgments in the court of claims and Exchequer of Dublin, and the claims of our protestant subjects of Ireland, that so all our subjects being legally settled and confirmed in their lives, properties and estates, they may, without fear for the future, betake themselves to mend the ruines and desolations of so long and bloody war, and live in comfort and unity: and we more than hope, that by our thus proceeding, the world will believe nothing of our own advantage can come in competition with the peace and good of our subjects; for we reserve little to our Self but the satisfaction of contenting all interests, at the price of freely parting with almost all the great forfeitures vested in us by law in that our kingdom: and if by this indulgence we shall attain that desired end, it will be much more considerable unto us, than the rate at which we purchase it.

XXXIII. And we further declare, that whereas several of the adventurers and souldiers having made a thankful estimation of our grace and favour expressed by this our declaration, in settling them in a peaceable possession and right of what they enjoy, by our waving those many advantages devolved upon us by law, have voluntarily expressed their own willingness and confidence of the forwardness of all the rest of their brethren, in contributing one half years full value of the profits arising of the said lands

as aforesaid set out for their respective adventures and arrears, to be paid in one year, towards the relief and reparations of the losses of such as we shall judge have most eminently acted for and suffered with us; and that several of the adventurers having expressed their own willingness, and confidence of the forwardness of the rest of the adventurers to bestow upon us as a further evidence of that thankfulness, in consideration of our grace and favour in the aforesaid settlement, one other half years rent more of full value to be paid in one other year; we cannot but declare our acceptance of such their free and kind offer, and when a bill shall be tendred unto us upon the accompt, and for the ends aforesaid, it shall be received by us as graciously as such an evidence of their affection and respect doth deserve.

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and one
other half
year.

Acceptance
thereof as evi-
dence of their
affection.

XXXIV. And we do lastly declare, that protestant plantations shall be settled, corporations created, churches erected, maintenance for preaching ministers provided, within the limits and precincts of the land so to be settled on the adventurers and souldiers, in such manner as by the commissioners to be nominated and directed by us, shall be set down.

Commis-
sioners nam-
ed to settle
protestant
plantations,
&c.

XXXV. Provided always, that this our declaration shall not extend to any person or persons who have had any hand in the plotting and contriving the surprisal of our castle of Dublin, in the year one thousand six hundred forty one, nor to any person or persons that sate as judges in the pretended high court of justice, upon the life of our royal father of blessed memory, or who sentenced him, or signed or sealed the warrant for execution, or who were of the guard of halbertiers, assisting to put the bloody sentence of death in execution, upon the 30 of January, one thousand six hundred forty and eight.

Persons ex-
cepted who
plotted sur-
prisal of Dub-
lin castle in
1641, or sate
as judges, &c.
upon K. C. 1.
or assisted at
his execution.

XXXVI. Provided lastly, and it is hereby declared, that this declaration, or any thing therein contained, shall not extend to confirm the disposition or setting out to any adventurer, soldier or other person, any of the lands, tenements or hereditaments, belonging before the 23. of October 1641. to any city or seavtown incorporated, but that the same shall be and remain in our own hands, to be restored to such of the said corporations as shall be found fit for that our grace and favour; and the adventurers, souldiers or others who have any of the said lands, tenements or hereditaments set out unto them, shall be reprimed in like manner as is provided for them in other cases, by this declaration.

Lands be-
for 23 Octo-
ber, 1641.
belonging to
a city or sea-
town incorpo-
rated, not to
be set out,
but restored
to such of
said corpora-
tions as are
deserving.

Adventur-
ers, &c. to
whom such
set out, to be
reprimed as
above.

*Given at our court at Whitehall the 30. day of November
1660. In the twelfth year of our reign.*

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Signed CHARLES R.

INSTRUCTIONS for our right trusty and right well beloved cousin and counsellour, Richard, earl of Cork, lord high treasurer of our kingdome of Ireland, our right trusty and right well beloved cousins and counsellours, Edward, lord viscount Conway and Kilulta, Arthur, lord viscount Valentia, our vice-treasurer and general receiver of our said kingdome; Hugh, lord viscount Montgomery of the Ardes, master of our ordinance in our said kingdome, and John, lord viscount Massereene, our right trusty and well beloved counsellour; Francis, lord Angier; John, lord Kingston; Richard, lord baron of Calony; Sir James Barry, knight, lord chief justice of our court of chief place; James Donelan, esq; lord chief justice of our court of common pleas; John Byffe, esq; lord chief baron of our court of Exchequer; Sir Henry Tichburn, knight; Sir Robert Fortb, knight; Sir James Ware, knight; Thomas Pigot, esq; master of our court of wards and liveries; col. Arthur Hill, and col. Marcus Trevoor; our trusty and well beloved Sir Francis Hamilton, knight and baronet; Sir Arthur Forbes, baronet; Sir Oliver St. George, knight and baronet; Sir John Cole, baronet; Sir Richard Laue, baronet; Sir Paul Davis, knight; Sir George Laue, knight; Sir John Stephens, knight; Sir William Domville, knight, our attorney general; Sir Allen Brodericke, knight, our surveyor general; Sir Audley Mervin, knight, our chief serjeant at law; John Temple, esq; our sollicitor general; col. John Ponsouby; Henry Warren, and Dudley Cooley, esq; serjeant major George Rawden, Dr. William Petty, James Cusse and Thomas Brown, esquires, our commissioners appointed by us for the execution of our declaration of the thirtieth of November, one thousand six hundred and sixty.

C. R.

Commissioners named for executing the King's declaration of November 30, 1660.

WHEREAS by our said declaration of the thirtieth of November, one thousand six hundred and sixty, we have made provision for the settlement of our kingdome of Ireland, and satisfaction of the severall interests of adventurers, souldiers and others our subjects there, which we are minded to put in effectual execution; we have therefore hereby nominated you, or any five or more of you, whereof two of the persons following to be always present, (*viz.*) our trusty and right-well beloved cousin and counsellor, Arthur, lord viscount Valentia, our vice-treasurer and general receiver of our said realm; our trusty and well beloved counsellor, Sir James Barry; James Donelan, esq; and John Byffe, esq; Sir James Ware, our attorney and sollicitor general, our commissioners for the putting in execution the matters and things

things therein contained, according to the tenor of these following instructions.

II. You are to cast up the whole debt and demand of the adventurers, as well those that are satisfied, as those that are in part or in whole deficient, as also all the forfeited lands assigned to or for the said adventurers, according to the survey commonly called Doctor Petty's Down admeasurements; and the said demands and lands you are to compare together, and what the said lands fall short of satisfying the said adventurers, according to the rates, measures and proportions, of which all or any of the adventurers were possessed the seventh of May, one thousand six hundred fifty nine, so much of the forfeited lands in the county of Louth in the province of Leinster (except the barony of Atherdee) you are to set apart for satisfaction of the said adventurers; and if the said forfeited lands shall fall short of satisfying the said adventurers, you are then to add the forfeited lands undisposed by our said declaration in the county of Catherlogh, and if those shall fall short, then the lands remaining undisposed of in the county of Kildare, to supply all the said adventurers deficiencies; and if those lands fall short, then you are to appoint other forfeited lands in some convenient place for the end aforesaid.

III. And in order to the more particular apportioning or dividing the said lands amongst the said adventurers, and satisfying their deficiencies, and ascertaining their respective proportions, you are to cause publick proclamation to be made within the respective counties, cities, baronies and places in Ireland, thereby directing each adventurer, his assignee or assignees, or his or their agent or agents sufficiently authorized, that hath received any satisfaction in land for his adventure, within forty dayes after such proclamation to deliver unto you in writing under his hand and seal a particular of the houses, lands, tenements and hereditaments, possessed by him, together with the content or number of acres, both profitable and unprofitable, in each town-land, village, balybo or quarter of land, as the same were admeasured to him, or for his use, and in the right of whom he claimeth such adventure; and if such adventure be for houses in any city, such adventurer is to deliver in, not only the particular houses, tenements and hereditaments by him possessed, but also the value of them respectively as set out to him, or any other for his use.

IV. And if any adventurer, or the assignee or assignees of such adventurers as aforesaid, shall neglect to return a certificate as aforesaid, or shall wittingly make and deliver a false certificate of the sums he was to be satisfied, according to the several acts past in the Parliament begun at Westminster the third day of November, in the year of our Lord one thousand six hundred and forty, and in the sixteenth year of the reign of our royall Father, entitled, *An act for the speedy and effectual reducing of*

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Instructi-

on.
to cast up
the whole de-
mand of ad-
venturers, sa-
tisfied or not
and the forfei-
tures assigned,
according to
Down survey.

Deficiencies
to be supplied
out of forfei-
tures in
Louth, A-
therdee ex-
cepted,

then out of
those in Ca-
therlogh,
then in
Kildare,

then out of
others in some
convenient
place.

Proclama-
tion in order
thereto,

that adven-
turers, assign-
ees or agents,
in forty dayes
deliver in
writing under
hand and seal
the particu-
lars possessed
by them.

And if hou-
ses in cities,
the respective
value.

Adventur-
ers neglecting,
or returning
a false certifi-
cate of the
sums they
were to be sa-
tisfied accord-
ing to several
acts in 16 C.
1. Reg.

A. D. 1662. Chap. 2. *the rebels in his Majesty's kingdom of Ireland, to their due obedience to his Majesty and the crown of England; an act for adding unto and explaining of certain clauses in another act made this Parliament, intituled, An act for the speedy and effectual reducing of the rebels in his Majesty's kingdom of Ireland, to their due obedience to his Majesty and the crown of England; An act for the further advancement of an effectual and speedy reducing of the rebels in Ireland, to the obedience of his Majesty and the crown of England; An act for a speedy contribution and loan towards the relief of his Majesty's distressed subjects of the kingdom of Ireland; An act to enable corporations and bodies politick, to participate of the benefit of an act lately passed, intituled, an Act for the speedy and effectual reducing of the rebels in his Majesty's kingdom of Ireland, to their due obedience to his Majesty and the crown of England. Or shall neglect to return a certificate as aforesaid, or willingly make and deliver a false certificate of the town-lands, villages, balyboes, quarters or other denominations of land assigned or given out for satisfaction of the said debt or demand, or of the content or number of acres, according as the same was set out to him or them, such adventurer, or his assignee, shall forfeit for three years the rents and profits that such houses, lands, tenements, hereditaments shall yield, that he shall omit to certify, or that he shall not rightly certify; such forfeiture to be one moiety to us, and the other to be for and towards the defraying the charges in executing this our commission.*

16 C. 1. 33.
16 C. 1. 34.
16 C. 1. 37.
16 C. 1. 30.
16 C. 1. 33.

Forfeit 3 years profits,
one moiety to the King,
one to defray charges.

Discovery before 23d October 1663.

Adventurers, &c. having surveys, to bring them in with the field books, to be compared with surveys by the late powers.

If a considerable difference, to be ascertained by the survey most for advantage of the King and this service.

Those aggrieved may have re-survey, paying for the same, and if without cause, to forfeit so much as claimed.

V. Provided a discovery be made thereof before the three and twentieth of October, one thousand six hundred sixty three.

VI. That such of the said adventurers and souldiers as have taken surveys of their lands, do at or before the nine and twentieth day of September, one thousand six hundred sixty two, bring in to you the said surveys or duplicates thereof, together with the field-books, (if in their possession) the which you are carefully and exactly to compare with the surveys taken by order of the late pretended powers; and if you shall find any considerable difference between the said surveys, you are to ascertain such adventurers and souldiers possessions by such of the surveys as shall appear most for our advantage, and furtherance of this service; yet so, that if such adventurer or souldier shall think himself aggrieved thereat, you shall appoint one or more sworn surveyors to re-survey the said lands in question, such surveyor returning his field-book to some other sworn surveyor, to examine, cast up, and make up the same, such adventurer or souldier paying the said surveyor for their said work, and in the mean time such adventurer and souldier to be continued in possession according to the survey which shall appear as aforesaid most for our advantage; and if any one shall without cause complain, and obtain a re-survey, he shall, as a penalty for so do-

ing, forfeit so much land as he claimes to want, and shall not be found wanting; and if any suggestion or information shall be made to the lord lieutenant, or other chief governour or governours of Ireland for the time being, that profitable lands are held and possessed as unprofitable, the same shall be inquired of by a jury, and such lands as were surveyed and set out to adventurers and souldiers, or their assigns, as unprofitable, and shall by such inquiry be found profitable, shall be re-assumed to supply deficiencies or make reprizals: out of which said certificates and surveys, and by such other lawfull wayes and means as you shall think fit, you are to make up books of what is due to each adventurer, and to ascertain the possession of such to whom lands are assigned, therein expressing who was the former proprietor, who forfeited the same the three and twentieth of October, one thousand six hundred forty one, or since; the town-land, village, balyboe, quarter, or other denomination of land, the content, or number of acres, the parish, baroney, county and province, in which such lands do lye respectively; and where you shall find any adventurer, or his assign to have more lands than will satisfie his adventure, and that such adventurer be in any other place deficient, or shall buy the right of any deficient adventurer, that such overplus lands shall be assigned unto him towards satisfaction of such deficiencies: and having brought things to this certainty, you are to set out lands to the deficient adventurer, in such way as shall be most indifferent and impartial, and pursuant to the acts of Parliament.

VII. Whereas we have been graciously pleased to appoint the forfeited lands in the county of Kildare, for satisfaction of incumbrances on the estates of adventurers and souldiers, according to our said declaration, in the satisfying thereof you are to observe these following directions, viz.

VIII. To examine in the Books and records of the late court of claims or Exchequer, or other courts, what decrees or judgments were passed and allowed to be satisfied out of the estates of the said adventurers and souldiers, the adventurer and souldier claiming satisfaction for such incumbrance, shall make it appear, that the said decreed lands are set out unto him as part of his lot, and he thereby entituled to the reprize for the said incumbrance: if such incumbrance be by mortgage, statute staple, judgment, recognizance, or of any sum of money, on the payment whereof the land so incumbered is to be free and discharged, you are then to set out lands in the said countie of Kildare, for satisfaction of the said incumbrance, after the rate of ten years purchase, to be ascertained by inquiry, in way and manner as is hereafter directed for the reprize of such adventurers and souldiers as shall be removed from off their present estates, or according to such other particular directions as you shall receive herein

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Jury to inquire upon information that profitable lands are held as unprofitable, if so found, to be reassumed for deficiencies and reprizals.

Books to be made out of said certificates and surveys, of what due to each adventurer, and to ascertain the possession, &c.

Overplus land assigned in satisfaction of deficiencies.

Directions as to the forfeitures in Kildare for satisfaction of incumbrances.

Adventurers, &c. must shew himself entitled to reprize for the incumbrance, that the lands charged were allotted to him.

If incumbrance by mortgage, statute, judgment, recognizance or money to be paid, at 10 years purchase.

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How if by
rent-charge.If by lease
not above
seven years,
or the damage
thereby not
one third of
the profits,
no reprice.Certificates
to be given of
the lands re-
quired to
them,to be re-
corded in
Exchequer,
which is to
order sheriffs
to put into
possession.To inquire
and return
certificates of
estates of the
regicides, to
be seized to
King's use.Except
John Cook's
estate grant-
ed, and which
with other
lands shall be
confirmed, to
Sir George
Lane.

from us, or from our chief governour or governours and council of that our kingdom for the time being, agreeable to our said declaration: If such incumbrance be a rent-charge, or yearly rent, issuing or payable out of the estates of the said adventurers or souldiers for ever, or for years, or for life, you are then to put a rate or value on such rent-charge, not exceeding ten years purchase, for an estate for ever, or six years purchase if for life, or for any term under ten years, or seven years purchase if for two lives, or any term above ten years, and under twenty one years, or eight years purchase for any term above twenty one years, and under thirty one years, and nine years purchase for all above thirty one years, which shall be satisfied out of the said forfeited lands in the said county of Kildare, after the rates afore-going. If such incumbrance be by lease or leases for term of years, or for life or lives, you shall, as is before directed, inquire after the damage such adventurer or souldier sustains by virtue of such lease; and if the said term shall not exceed seven years, or the damage be not one third part of the full value of the said lands set out to him, you shall not assign any recompence or reprice; but if such damage be for above seven years, or above one third part of the profits of such estate, satisfaction is to be given, in way and manner as in the preceding instructions is directed. The which lands being thus set out, allotted, and distributed to the said adventurers, and re-prized to the said adventurers and souldiers, you are to give unto them respectively, a certificate of what lands are so set out unto them, with the number of acres, denominations of the said lands, the parish, baronie and countie such lands are in, and who forfeited the same; which certificate the said adventurers and souldiers are forthwith to record in our court of Exchequer, upon which our said court is to give order to our respective sheriffs to put the said adventurers and souldiers, their assigns or agents, into the possession of such lands so allotted, divided, and set out, or re-prized as aforesaid.

IX. Whereas by our said declaration, the estates of every person or persons that sate as judges in the pretended high court of justice upon the life of our royal Father of blessed memorie, or who sentenced him, or who signed or sealed the warrant for execution, or who were of the guard of halberteers, assisting to put the bloodie sentence of death in execution upon the thirtieth of January, one thousand six hundred forty eight, are not confirmed: You are therefore to enquire what estates any of the said persons had, and to return certificates thereof into our court of Exchequer, which court is hereby required to seize the same to our use, and for the increase of our revenue, except so much of the same lands, tenements and hereditaments lately belonging to John Cook, as by our letters of the twenty fourth of November last, was granted by us to Sir George Lane, knight, for his faithful service, which it is our will and pleasure shall be confirmed to him, his heires and assigns accordingly;

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accordingly; and that all proceedings necessary for the finding our title thereunto, and to the lands, tenements and hereditaments of Philip Hoare of Kilsalchan, in the same letter to the said Sir George Lane granted, be speedily made up by our officers and ministers intrusted in that behalf; and that thereupon letters patents be past thereof, or of any other forfeited lands, tenements and hereditaments, given or granted by our said letters in lieu thereof under our great seal of Ireland, to the said Sir George Lane, his heirs and assigns, according to the direction of our said letters, in the most large, favourable and benigne acceptation thereof. You are by the best way and means you can, to inquire after all forged debentures, or bills on which any lands have been set out, either to adventurers or souldiers, and forthwith certifie such forgeries into our court of Exchequer, that such persons may be proceeded against according to law; the like you are to doe after the estates of such as have procured or obtained the possession of any estate by perjurie, bribery, or subornation of witnesses, or false or undue admeasurements, to our prejudice; to the end such estate or estates so unjustly obtained, may be seized, according to the tenor of our said declaration.

To inquire, &c. of forged debentures, and of estates procured by bribery, perjury, subornation or false admeasurements.

X. And whereas many being conscious of their own guilt or evil intentions, with respect to the most heinous rebellion begun the three and twentieth of October, one thousand six hundred forty and one, have made private settlements of their estates, and many of our protestant subjects having formerly mortgaged their houses, lands, tenements, and hereditaments, unto such as have forfeited the same in these evil and unsettled times, have notwithstanding entered upon and kept possession of our right, you are therefore, in the best way and manner you can, to make a discovery of all such, or any other concealments to our prejudice; in order whereunto, our officers in our four courts of Dublin, or in the office for probate of wills, are required to be aiding and assisting to you herein, and from time to time to search after such matter or things as you shall judge for our service, to inquire after, and to attend you with such records as you shall judge needful.

To discover concealments, as private settlements with a view to the rebellion, and mortgages by protestants to such as forfeited and entered upon by them.

XI. Whereas by our said declaration, several innocent protestants and papists are to be restored to their estates, and a reprice of equal value, worth, and purchase, is to be assigned to such adventurers and souldiers, and other persons as do possess the same; in the doing thereof, you are to observe these following directions, viz. Not to restore any as an innocent papist, that at, or before the cessation which was made upon the fifteenth day of September, one thousand six hundred forty and three, were of the rebels party, nor any, who being of full age and sound memory, enjoyed their estates real or personal in the rebels quarters; provided that where any citizen or inhabitant of the city of Cork, or of the town of Youghal, or any other person or persons were not permitted to live in the English Quarters, but were expelled

Directions as to restoring innocents, and reprisals.

Persons not to be restored as innocent papists. Rebels before the cessation 15 Sept. 1643, enjoying estates in rebels quarters, unless expelled from English quarters.

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Roman ca-
tholick confe-
derates before
articles, 1648.
Adherents
to the nuncio,
&c.

Correspond-
ing with the
rebels.

treating
foreign papal
power, &c.

Adventur-
ers, &c. re-
moved to be
reprized
forthwith.

If they to
be restored,
disturb adven-
turers, &c.
till they cease,
and account
for damages,
no benefit of
this grace.

from thence, and driven into the quarters of the rebels; that then and in such case, such inhabiting in those quarters, and there receiving any benefit of their estates, shall not be construed or adjudged any bar or impeachment of their innocence; nor such as entered into the Roman-catholick confederacy, at any time before the articles of peace concluded, one thousand six hundred forty and eight, nor such as at any time adhered to the nuncio's or clergies party, or papal power, in opposition to the King's authority; nor such as have been excommunicated for adhering to the King's authority, and afterwards owned their offences for so doing, and were relaxed thereupon from their excommunication; nor such who derived their titles to their estates from any who dyed guilty of any the aforementioned crimes; nor such as pleaded the articles of peace for their estates; nor such as being in the quarters which were under the authority of our royal Father, or our self, held correspondency with, or gave intelligency to such as were then in opposition against our said royal Father, or our Self, in Ireland; nor such as before any of the peaces in one thousand six hundred forty and six, or one thousand six hundred forty and eight, sate in any of the confederate Roman-catholick assemblies or councils, or acted upon any commissions or powers derived from them, or any of them; nor such as impowered agents or commissioners to treat with any foreign papal power beyond seas, for bringing into Ireland foreign forces, or were persons which acted in such negociations; nor such persons as have been wood-kerns or Tories, before the marquess of Clairrickards leaving the government of that kingdom.

XII. You are to take care that the adventurers and souldiers in the possessions of the estates of any innocent protestant or papist, restored to his said estate by our said declaration, be forthwith reprized, as in our said declaration is directed therein, observing the signification of our pleasure in our said declaration, for the reprizing such as shall be removed from the estates of innocent protestants or papists, at the time they shall be so removed.

XIII. In the next place you are to take care that the adventurers, souldiers, or other persons possessed of any of the estate or estates of such persons, to whom we have by our said declaration assigned a particular favour, and are in a distinct branch thereof by name expressed, be reprized as in our said declaration is directed; and the said persons restored to their former estates, from the time that such adventurers or souldiers shall be so reprized, observing always the further cautions and provisions in our said declaration expressed, referring to the said persons restoration; if any, who by our said declaration are to be restored to their former estates, have, or shall without order molest, disturb, or inquiet any of the adventurers, souldiers, or other persons in possession of their respective estates, or for the mean profits thereof, contrary to what

is directed and provided for in our said declaration, such person or persons, until they shall surcease such disturbance, or having taken possession, shall re-deliver the same to the person so dispossessed, and account and satisfy unto him the damages sustained thereby, shall have no benefit of the grace and favour held forth by our said declaration, to him or them respectively: and in case any person or persons that hath so disturbed or dispossessed any adventurer or souldier, or their assignes, of any houses, lands or tenements, formerly assigned for adventures or arrears, and by such adventurers or souldiers quietly enjoyed, shall not, as aforesaid, quietly resign the possession of such lands to such adventurers or souldiers, or their assignes; that you do then forthwith give order to our respective sheriffs to put such adventurers, souldiers, or their assignes, into quiet possession of such estates, which orders of yours our said respective sheriffs are hereby required strictly to observe accordingly.

XIV. Provided nevertheless, that where such person or persons so dispossessed, and to be restored to his or their former estates, by the next preceding instruction, shall be contented to submit to a reprice; that in such cases, you are forthwith to set out land in some convenient place for the reprizing him or them accordingly. You are to take care that all, that by our said declaration are to be restored to their former estates, do, before such restauration to their said estates, under their hands and seals, exhibit unto you the ground upon which he or they claim the benefit of our said declaration, and a particular of their respective estates, in which you are to take care that they claim no other lands than what did rightfully belong to them, and were in their real possession the two and twentieth day of October, one thousand six hundred forty and one.

XV. And if any one so to be restored shall make a claim, that he or they are not entitled unto, or make and deliver unto you a false particular of his said estate, and therein include other lands than what he or they were so entitled unto, and possessed of as aforesaid, or having to any Irish papist, or person excepted from confirmation of his estate in our said declaration, mortgaged or otherwise encumbered his or their said estates, either before the said two and twentieth of October, one thousand six hundred forty and one, or since that day; or have sold the same to any such Irish papist, or excepted person, and shall not particularly express the same in the said particular so to be delivered, in all such cases, such person or persons offending herein, for such offence shall forfeit the full value of the land so endeavoured to be gained, out of any other lands to be restored to him by vertue of our said declaration.

XVI. You are forthwith to reprice such adventurers, souldiers and other persons, who are now in the possession of the estate of the earl of Clancarty; as also to satisfy Erasmus Smith, esq; his

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If they do not quietly re-deliver possession, sheriffs strictly required to give possession:

Unless those dispossessed contented with a reprice. Before restoration the ground of the claim to be particularly exhibited under hand and seal, to claim none but what is their real possession 22d. October, 1641.

For a false claim, or the not expressing in the particular the having mortgaged, incumbered or sold their estates to Irish papists or person excepted. Penalty, full value of the land endeavoured to be gained, out of other lands restored.

Adventure, &c. in possession of lord Clancarty's estates to be forthwith repriced.

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Alfo Erasmus Smith, to be satisfied his deficiency to accept a surrender of an Island near Ros.

How to proceed in re-
prizing.

Books to be made of all forfeitures undi-
posed.

Lands in Catherlagh by themselves, of Barrimore and Muskry.

One for reprisal of those removed from lord Ormond's estate, the other to satisfy innocent papists of Cork, Youghal and Kingale.

That reprises (where not particularly appointed) may be made indifferently, fit persons, where these estates are, to be named to examine and return a certificate, distinguishing the value from the improvements, then the value of other forfeitures to be inquired, and assigned as in the declaration

deficiency as an adventurer, in some convenient forfeited lands in the county of Lowth, that he may be better enabled and encouraged to answer those publick pious uses in incorporating five free-schools within that our kingdom, for which he hath petitioned for our license, and to reprove him, the said Erasmus Smith, such lands now or lately in his possession, that are restored or restorable to the former proprietors; and to accept from Peter Wallis, esq; a surrender of the great island near Ros in the county of Wexford, and reprove him the same in the county of Cork, on the lands now in the said Peter Wallis his possession, not exceeding the yearly value of what the said island may be set for.

XVII. And to the end you may the more readily proceed in re-
prizing such as in our said declaration are to be reprov'd, being to be removed from off the estate of any person or persons to be restored to their former estates, you are forthwith to make up books of all the forfeited undi-
posed lands in Ireland, and not before assigned for satisfaction of the deficient adventurers, or reprov'd the adventurers and souldiers the incumbrances on their estates, in which you are carefully to set down all the forfeited lands in the county of Catherlagh by themselves, and all the forfeited lands in the baronies of Barrimore and Muskry by themselves; the one being appointed for the reprov'd of such as are removed from off the estate of James, lord marquis of Ormond, lord steward of our household, and the other to satisfy decrees of the innocent papists, inhabitants of Cork, Youghal, and Kingale; in the doing whereof, you are to appoint what quarter or point of the said county of Catherlagh, and the said baronies of Barrimore and Muskry to begin withal, and accordingly to make up the said book or catalogue of the said lands, by way of contiguity, with as much indifferency and impartiality as may be.

XVIII. And to the end the said adventurers and souldiers, so to be removed, may be reprov'd with all indifferency, as in our said declaration is directed, where we appoint not a particular reprove, you shall forthwith nominate and appoint fit and indifferent persons in each corporation, county, and place in Ireland, where any of the said estates are, to examine upon oath, and by all other good ways and means, the value of such estates, and the improvements made thereon, and to return a certificate thereof, under their hands and seals, to you accordingly in due form, therein distinguishing the value of such estate from the improvements made thereon by the said persons to be removed, the same to be returned unto you by a short time to be by you limited; upon return whereof, you are by like ways and means to inquire of the value of some other forfeited lands, not already disposed of, and forthwith assigne the same to such adventurers, souldiers, or other persons so to be removed, as in our said declaration is expressed, taking care to reserve the forfeited lands

in the county of Dublin, till all other forfeited lands be disposed of, unless we shall otherwise direct, to the end such of the inhabitants of any corporation as have been removed for security may be reprimed, as far as our declaration provides, for his or their estates in such corporation, in some convenient place near such corporations.

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Reserving those in county of Dublin.

Inhabitants of corporations to be reprimed near the same.

Except of Cork, Youghal, and Kinsale, already reprimed.

Separate list of those removed from lord Ormond's estate.

Another for those of Cork, Youghal and Kinsale.

Reprimed in Catherlagh, Barrimore and Muskry.

XVIII. You are to take care that the undisposed forfeited lands near such corporations be preserved to reprimed such inhabitants; except the lands near Cork, Youghal and Kinsale, for which lands are assigned as aforesaid.

XIX. You are to prepare an exact list of the respective adventurers, souldiers, and others removed from off the estate of James lord marques of Ormond, lord steward of our household, by themselves; and another of such of the inhabitants of the said town of Cork, Youghal, and Kinsale, whose decrees for lands are by our said declaration to be satisfied, and to appoint how the said adventurers, souldiers, or other persons and inhabitants aforesaid, shall be reprimed respectively; and accordingly so much of the lands in the said county of Catherlagh as will suffice shall be set out to the said adventurers and souldiers removed from off the lord marques of Ormonds estate as aforesaid; and so much in like manner of the said baronies of Barrimore and Muskry as will suffice set out to the inhabitants aforesaid.

XX. Whereas we have been graciously pleased to make provision for the satisfaction of the personal arrears of such protestant officers who served in our kingdom of Ireland at any time from the three and twentieth of October, one thousand six hundred forty and one, as by the partiality of the times have received no satisfaction for their service before the fifth of June, one thousand six hundred forty nine, and for the stating the arrears of such of them as have not had their arrears stated, as in our declaration of the thirtieth of November one thousand six hundred and sixty is provided for; you, or any five or more of you, as aforesaid, are therefore to observe and follow therein these instructions following, *viz.*

Provision for protestant officers serving from 1641, and receiving no satisfaction before 5 June, 1649.

XXI. You shall state the accompts or arrears of such commissioned officers, or their assigns, as are not stated, for their own personal service in Ireland, during the time of their service, every such commissioned officer whose accompts you shall so state, shall evidence his being an officer, and his quality, either by his commission or commissions, or by muster-rolls, or by the certificates of two or more commissioned officers, whereof one to be a field-officer, such certificate to be under the hands and seals of such officers.

Their arrears to be stated, upon evidence of their being officers, by their commissions, muster rolls, or certificates of commissioned officers.

XXII. Every such officer whose accompts you shall state shall exhibit unto you, under his own hand and seale, the state of his own accompt, therein expressing the time of his service, the money or pay received in the regiment, troop, company, or garrison, or

Officers to exhibit their own accounts under hand and seal.

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Penalty for false certificate, their arrears, and lands to be set out for the same.

XXIII. If any officer shall knowingly produce a false or counterfeit certificate, thereby attempting to misguide you in the stating his arrears, such person producing such false certificate, and also the person giving the same, shall forfeit their respective arrears, and all lands, tenements and hereditaments to be set out to such officer for his arrears.

Accounts of officers allowed as in 16 C. 1. Debentures for the sums due to be given to them.

XXIV. You shall allow the accompts of such officers but according to their commissions, and establishment of pay allowed by our royal Father, or by both houses of the Parliament at Westminster, begun in the sixteenth year of our late royal Fathers reign, for which accompts or arrears so stated, you are to give unto every such officer, or his assigns, one or more debentures under your hands and seals for the respective summes that shall be due to him or them, to be satisfied out of the securities appointed by our said declaration for such officers aforesaid that served in Ireland within the time aforesaid.

To be satisfied out of securities in declaration for such officers.

Any difficulty to be certified to the governor and council; who are to give further directions in writing.

XXV. If any obstruction or difficulty shall happen in stating the accompts of the said officers, not hereby provided against, you are from time to time, in all such cases, to certify the same to our chief governour or governours for the time being, and our privy-council in Ireland; who are hereby authorized to set down, and in writing give unto you such further rules and directions therein, as to them shall seem meet, the which you are hereby required to observe.

To ascertain rents payable by adventurers, &c. persons to be named to prepare and return rent rolls as in 1659, above all reprisals.

XXVI. In order to the ascertaining the rents, as well payable by the adventurers, as by the officers and souldiers now or late of the army in Ireland, towards the present satisfaction of arrears and other uses, in our said declaration expressed, you shall nominate and appoint fit persons to be employed in the respective counties, baronies, cities and places in Ireland, where any houses, lands, tenements or hereditaments are already disposed of, either to adventurers or soldiers, or other persons, with fitting instructions unto them to prepare a particular and distinct rent-roll of what the same did yield above all reprises for the year one thousand six hundred fifty nine, the which, within a certain time to be limited and appointed, are to be returned unto you; and if any mistake shall happen to be in the said rent-roll so returned, you are to amend the same in such way and manner as shall be just, therein distinguishing the houses, lands, tenements and hereditaments set out to the adventurers from those set out to souldiers; and those of the souldiers now of our army in Ireland, or disbanded in the year one thousand six hundred fifty three, from those souldiers formerly of the army in Ireland, who received satisfaction for their arrears in the years one thousand six hundred fifty five,

To amend mistakes, distinguishing the lands of adventurers from the soldiers, and the soldiers now of the army or disbanded in 1653, from those who received satisfaction for arrears in 1655, &c.

one thousand six hundred fifty six, one thousand six hundred and fifty seven, which rent-rolls are fairly to be ingrossed.

XXVII. And in case our chief governour or governours for the time being in Ireland shall judge it for our service, he or they shall order the issuing forth commissions under our great scale of that our kingdom of Ireland, for the ends and to the persons so to be nominated and appointed as aforesaid, that in order to the discovering the full value of the premises, every such adventurer, officer, souldier, or other person, the confirmation of whose estates is held forth by our said declaration, shall within forty dayes after publique notice by you to be given deliver in writing, under his hand and seal, to the persons to be employed in the respective counties, baronies, cities and places, a particular of their estates, with the respective names of their tenants, and the rents they were to pay in the said year one thousand six hundred fifty nine; and the respective tenants to every such adventurer, souldier, or other person, shall also deliver to the said persons a particular of the lands and tenements held by them, with the names of the landlords, and the rent they were to pay for the said year one thousand six hundred fifty nine.

XXVIII. That if any adventurer, officer, or souldier, or other persons so returning the value and profits of his said estate, shall faile to return the full value thereof, or any part thereof, that for such offence he shall forfeit half a years rent of the estate so concealed, one fourth part to the person discovering the same, and the other three parts towards the relief and support of such as have suffered for our royal Father, or our Self: and for the better discovery of the truth in the premises, our chancellor of Ireland for the time being is hereby authorized and required to issue forth commissions from time to time as occasion shall require, to impower and authorise you, or such as shall be by the chief governour or governours of that our kingdom for the time being and our council there nominated thereunto in the respective counties, baronies, cities and places as aforesaid, to administer an oath or oaths, as often as it shall be needful.

XXIX. And you, and such as shall be employed as aforesaid, shall as often as occasion shall require send for persons, leases, papers, and records, that any way tend to the discovery of the full value of the said estates, or any other matter or thing hereby committed to your trust; and then you are to return duplicates fairly ingrossed under your hands and seals, or the hands and seals of the major part of you, of the aforesaid rents, and to such persons as we shall nominate to be the receivers of the several rents and sums of money payable by our said declaration, and also to our said vice-treasurer and receiver general.

XXX. You are also to prepare a particular of all the forfeited houfes, lands, tenement and hereditaments within the coun-

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Rent rolls to be ingrossed.

The governor may issue commissions to the persons nominated.

Adventurers, &c, in forty days after notice to deliver particulars, and likewise the tenants, with the rents payable for 1659.

Penalty on those who return not the full value, half a year's rent of the estate concealed.

One fourth to discoverer. The other three to relief of sufferers.

The chancellor to issue commissions authorizing & administer oaths.

Power to send for persons, papers and records,

and to return duplicates of the said rents.

To prepare a particular of forfeitures in

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Wicklow,
Longford,
Leitrim, Do-
negal, Con-
naught and
Clare, the
Mile Line,
and in corpo-
rations, and
by inquest,
&c. put a just
value,
deducting
for improve-
ments. upon
survey.

To prepare
account of ar-
rears of offi-
cers serving
before 5 June
1649, who re-
ceived not
satisfaction,
and estimate
of securities
for satisfac-
tion.

To value
the lands, &c.
at eight years
purchase, de-
ducting value
of improve-
ments.

To propor-
tion equally
and indiffe-
rently, if said
security will
not satisfy
12s. and 6d.
per pound.

Then, after
notice, to ex-
pose said
lands, &c. to
sale, making
special provi-
sion that offi-
cers purchas-
ing in corpo-
rations enter
security to sa-
tisfy for im-
provements.

To deter-
mine contro-
versies.

ties of Wicklow, Longford, Leitrim and Donegal; as also of the forfeited lands, tenements and hereditaments not already disposed of in the province of Connaught and county of Clare, lying and being within a mile of the river of Shannon, or of the sea, commonly called the mile-line, and within any corporation in Ireland (except as in our said declaration is excepted) and by inquest, or other lawfull means, put a reasonable and just value on all and every the said houses, lands, tenements and hereditaments; first deducting what shall be made appeare to have been laid out by any person on leases, or contracts for leases in any corporation, in building or improving houses, or in planting orchards, or gardens; all which said improvements shall be ascertained in a moderate way, either by the surveys formerly taken of them, or that shall hereafter be taken, where you shall see cause to appoint the same.

XXXI. That you do with all possible speed prepare an account of the personal arrears of such officers or their assigns, serving before the said fifth day of June, one thousand six hundred forty nine, and who have not received any lands or monies in satisfaction for their arrears before or since the said fifth day of June, one thousand six hundred forty nine; as also an estimate of the respective securities appointed by our said declaration for satisfying the said arrears: in order whereunto, you are to value the houses, lands, tenements and hereditaments at eight years purchase, deducting the value of such improvements as shall appear as aforesaid to have been made on houses, orchards, or gardens: and if by the said estimate you shall find the said security will not extend to satisfie twelve shillings and six pence in every pound of the said arrears, you are to proportion the said satisfaction according to the said security with equality and indifferencie. You shall then expose all such houses, lands, tenements and hereditaments to sale, first giving publique notice of the time and place of such sale, to the end that all persons concerned may give their attendance; in which sale you are to make special provision that such officer or officers, or their assigns, who shall so purchase any of the said houses, lands, tenements or hereditaments within any corporation, do enter security before you grant to him or them any certificate, as is hereafter directed, to satisfie such as by virtue of any lease, or contract for lease, have built or improved any house, or planted any orchard or garden, either in money, or else by granting unto such person or persons a lease or leases of the premises, at a rent proportionable to the said improvements; and that if any controverfie shall happen therein, the same shall be determined by you, or such as the chief governour or governours of that our kingdom for the time being and our council there shall appoint upon the place to hear and determine the same.

XXXII. You are to sell all the said houses, lands, tenements and hereditaments publickly, and at the time and place appointed, to such

such person or persons who will give most for the same; which being sold, you shall forthwith enter such sales in books for that purpose to be prepared and provided: nevertheless, that no such sale shall be good or allowed, where the purchase shall not amount unto eight years purchase, or upwards, according to the rates set by you on such houses, lands, tenements and hereditaments, deductions or allowance being made for the improvements as aforesaid.

XXXIII. Provided always, That there be for every twenty shillings that such house, orchard, or garden-plot is worth to be let, eighteen pence yearly reserved to us, our heirs and successours for ever; and you are to return duplicates of our said books to our vice-treasurer and receiver-general: you are to take care that all such officers who shall purchase any of the said houses, lands, tenements or hereditaments, do within fourteen days after the contract or bargain for the same deliver up unto you so many debentures as such purchase doth amount unto, which debentures you shall cancel; and if any thing remain above the purchase-money, give unto them others for the remaining part not satisfied; the which debentures so delivered upon the said purchase shall at the making of the contract be fairly entered in books for that purpose to be kept; and if any such purchaser or purchasers shall fail so to deliver up debentures according to his purchase as aforesaid, such sale or purchase shall not be good or allowed unto such purchaser or purchasers, nor such officers debentures admitted in any other purchase.

XXXIV. Provided always, That where any purchaser shall purchase with money, he shall pay down one fifth part of the money at the making the said contract, and the remaining part within eight and twenty dayes; and failing of the said payment within eight and twenty days, he shall forfeit the said fifth part paid, and the purchase shall be void; and the money so paid in purchase shall be towards satisfaction of the arrears of the said officers. The said purchase being fully perfected in manner as aforesaid, you are to give unto such purchaser or purchasers, a certificate of the particulars thereof, which certificate such persons shall forthwith record in our surveyor generals office; whereupon our court of Exchequer shall forthwith grant an order for the quiet possession of the premises. For your more full information, as well of the particulars aforesaid, as in the value, worth, quantity, quality, situation of such houses, lands, tenements and hereditaments so to be sold, you are to have recourse to the surveys taken of them; and where you shall suspect such surveys faulty, you are to appoint fit persons to re-survey and certify the same unto you.

XXXV. Whereas the corporation of Bandon-bridge having formerly issued several sums of money and provisions for the pay and support of the army in Ireland, to whom in consideration of the said monies and provisions lands have been assigned and set out, upon the

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Said sales to be publick, to those who give most, and forthwith entered in books, at 8 years purchase or upwards, as aforesaid.

To reserve to the King 18d. per pound yearly.

To return duplicates of said books.

Officers in 14 days afterwards to deliver up debentures according to the purchase to be cancelled, other debentures given for remainder not satisfied, otherwise the purchase not allowed, nor such debentures admitted in any other.

One fifth of purchase money paid down; and forfeited, and purchase void, if remainder not paid in 28 days, and go towards the arrears.

Said purchase perfected, certificate of the particulars given to purchaser, to be recorded, and order out of Exchequer for quiet possession.

To have recourse to surveys taken, and if suspected to appoint re-survey.

To examine lands assigned to corporation

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of Bandon
bridge for
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To confirm
lands fet out
to Suf. Baf-
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Directions
as to incum-
brances, where
the lands not
difpofed to
adventurers
or fouldiers, for
fatisfaction of
arrears of offi-
cers before 5
June 1649.

Recourte to
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cumbered,
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receipt of which lands they have delivered up their vouchers; you are therefore to examin what lands have been assigned and fet out to them; and to fettle fo much thereof upon the faid corporation as fhall amount unto the clear yearly value of one hundred pound by the year; you are alfo to take care that the lands fet out to Sufannah Baftick and her children be accordingly confirmed to them.

XXXVI. And whereas we have by our faid declaration assigned the benefit arifing from the redemption of mortgages, ftatute ftaples, and judgments, where the lands are not already difpofed of to adventurers or fouldiers, for and towards the fatisfaction of fuch officers who received no fatisfaction for their arrears before the fifth day of June, one thousand fix hundred forty nine, you are therein to obferve thefe following direftions:

XXXVII. You are to have recourte to the records of the late court of claims and our court of Exchequer, or other courts, the better to ascertain your knowledge what lands were fo incumbered; as alfo if you fhall fee caufe, you are to make inquiry in all places within our kingdom of Ireland, for the difcovery of fuch mortgages, ftatute ftaples, judgments, and other incumbrances; and after fuch particular knowledge of the premiffes obtained on the remaining term, you are to make a juft efimate according to the rates currant of what the fee-fimble of fuch lands, tenements and hereditaments, lying under the faid incumbrances are worth, alwayes deducting the moneys to be paid in order to difcharge the faid incumbrance, and the fame particularly and diftinctly to enter into one or more books fitted for that purpofe; and if the perfon intituled to the incumbrance will pay what the lands amounts to in value above the moneys payable in difcharge of the faid incumbrance, then fuch perfon is to have the abfolute eftate of the faid lands legally fettled to him and his heirs; but if fuch perfon fhall refufe to pay the faid over-plus, then if any officer interefled in the faid fecurity will purchafe any part thereof, he fhall, after difcharge of the incumbrance out of the common ftock of the faid fecurity, enjoy the fame as far as his debenture or fo much thereof as he fhall place thereupon fhall reach: and for fuch part of the benefit arifing out of fuch incumbered lands, which fhall not be purchafed by any officer as aforefaid, it fhall be put to fale, and the moneys by fuch fale fhall be for the fatisfaction, as is in our declaration expreffed.

XXXVIII. And whereas we have assigned a years rent, and a year and a halfs rent payable by the foldiery in Ireland, towards the fatisfaction of fuch as in our faid declaration are expreffed; you are therefore to take care that the faid moneys and rents be paid unto fuch perfons as we fhall particularly appoint to receive the fame; who are hereby authorized and impowered from time to time, by proclamation or otherwife, to caufe publick notice to be given to the refpectve adventurers, fouldiers, and others, who are to pay the

said monies, of the manner and place for payment thereof; and if any adventurer, souldier, or other person shall refuse or neglect to pay his or their moneys in way or manner, and at the place so to be appointed; the lands, tenements and hereditaments, of such person so failing shall be seized into our hands, and so continue for security and satisfaction of the said severall rents. And the said souldiers are to pay the said moneys unto such persons as we shall appoint to collect and receive the same, who are to pay over the same unto our right trusty and well beloved cousin and counsellour, Arthur, lord viscount Valentia, our vice-treasurer of that our kingdom, who is hereby required to issue forth the same according to such warrants or orders as he shall from time to time receive from any five or more of you as aforesaid for and towards the satisfaction of the aforesaid arrears: and to the end our said vice-treasurer may know what summes of money he is to receive, all acquittances given by those appointed to collect and receive as aforesaid, are to be entered and signed by the severall officers of the exchequer in the accustomed manner for acquittances.

XXXIX. You are also from time to time to take a perfect accompt from such persons so to be employed of all the particular receipts and payments relating to the premisses; which accompts so taken are to be kept in a faire book, and returned into our court of Exchequer, that so they may be ready to be produced for the satisfaction of such as may be concerned therein.

XL. Before you admit any debenture of any officer who hath arrears satisfied since June, one thousand six hundred forty nine, you shall satisfy such whose arrears you shall state, and such whose arrears are stated, and have not received satisfaction for their service before or since June, one thousand six hundred forty-nine, twelve shillings and six pence in every pound of their said arrears, and then out of the remaining security, as far as it will extend, you are to satisfy the remaining part of the arrears of such as hereby are to receive twelve shillings and six pence in the pound, as also the arrears due before one thousand six hundred forty nine, of such who have received satisfaction for their arrears due since one thousand six hundred forty nine; and this to be done without any priority or distinction in an equal proportion; after that you have first made up the deficiency of those who have been satisfied in part since one thousand six hundred forty nine, but have not yet lands set out to them to the full of that proportion which they were to have had at the time when the rest of the lands were set out unto them and others as aforesaid: we having by our said declaration assigned the forfeited houses, lands, tenements and hereditaments, not already disposed of, within any corporation in Ireland, or in the counties of Wicklow, Longford, Leitrim and Donegal, and within a mile of the river Shannon, commonly called or known by the name of Mile-Line, for satisfaction of such officers who served our royal father, or our self in Ireland,

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half's rent

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the soldiery

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Lands, &c.

of persons not

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Collectors

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to Lord Valen-

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rears.

Acquittances

by collectors

to be entered

and signed by

the Exche-

quer.

Accounts

of receipts and

payments to

be taken and

returned into

Exchequer,

ready to be

produced.

In what

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tisfaction for

said arrears to

be made.

Certain for-

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cularly ap-

pointed for

officers serving

before 5 June,

1649.

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before the fifth of June, one thousand six hundred forty nine, as in our declaration is directed: In order thereunto our court of exchequer in Ireland is hereby authorized and required to put the premises out of charge from the three and twentieth of October last past, without fee or other charge for the same.

Money received by major Cadogan, &c. for the rents in Wicklow, Leitrim, Longford, Donegal, and the Mile Line for several years past, to be paid as aforesaid.
To audit and examine the accounts.

XXI. And towards the carrying on the work hereby appointed, and all the contingent charges thereof, the moneys received by major William Cadogan, and others, for the rents of the counties of Wicklow, Leitrim, Longford and Donegal, and for the lands in Cunnought and Clare commonly known or called by the name of Mile-Line, for several years last past, shall be paid into the hands of such persons as we shall, as aforesaid, appoint to receive the moneys payable by the adventurers or souldiers, and the accompts thereof forthwith delivered unto you; the which accompts you are hereby required to audit and examine.

To whom rents of the lands directed to be sold shall till sold be paid, and for what ends,

by warrant of any five to the vice-treasurer.

Lands set out for public debts for arms, &c. before 1644, so much thereof to be assigned as according to ten years purchase the said debts with interest at 6 per cent till the lands were set out, will amount to, deducting improvement since.

XXII. All the rents and profits of the houses, lands, tenements and hereditaments, by our said declaration appointed for satisfaction of the said officers before the fifth of June, one thousand six hundred forty nine, untill the same be sold as is before directed, shall be paid into the hands of such persons as we shall appoint as aforesaid, to collect and receive the same, for the ends and uses above mentioned, as also towards the satisfaction of such persons as are to receive satisfaction for their improvements in building or repairing houses, planting orchards or gardens; all which said moneys shall be paid by warrant from you, or any five or more of you aforesaid, directed to our said vice-treasurer, for the ends and uses aforesaid.

XXIII. Whereas several lands have been set out for satisfaction of money lent, or publick debts incurred for provisions, arms and ammunition, furnished before the year one thousand six hundred forty four, the which lands so set out we have by our said declaration reserved for that purpose; and to the end the persons to whom the said lands are so set out may receive satisfaction for their said moneys and provisions, according to the tenor of our said declaration, you are to compute the money that ought to have been paid for the said provision, arms and ammunition, together with the interest for the same unto the time the said lands were set out, after the rate of 6 pounds *per centum per annum*: you shall inquire of the value of the said lands what improvements there are made since they were set out, what worth to be sold when set out at the rate of ten years purchase, and who now in possession, and under what title. You shall assign so much of the said lands so set out as according to ten years purchase the aforesaid money for the said provision, &c. with the interest thereof as aforesaid, will amount unto; first deducting the improvements made on the premises since they were set out as aforesaid.

XLIV. And

XLIV. And whereas James duke of Ormond, lord steward of our household, together with Sir Philip Percival and Sir George Lane, knights, and also others at the instance and request of the said duke of Ormond became bound for certain moneys lent, and publick debts incurred for provision, arms and ammunition, and furnished and delivered in provisions and other necessaries, in order to the carrying on of the war in that our kingdom, whereby they have made themselves, their heirs, executors and administrators, lyable to suit, hazard and loss, if not provided for and satisfaction set out for the same, which in all equity ought to be done: you are therefore required forthwith to set out forfeited lands in the counties of Kildare and Dublin, or one of them, for satisfaction of the said debts, provisions, and other necessaries according to the last fore-going rules; and that in the mean time neither the said duke of Ormond, nor any other bound for the said debts at his instance and request, their heirs executors or administrators, be sued, molested, or troubled for or concerning the same; and if any of the said lands already set or which shall be set out be restored to former proprietors, you are forthwith to assign other lands of equal value, worth and purchase in lieu thereof: you are likewise after the same rate of ten years purchase to assign and set out some convenient forfeited lands unto major George Rayden, in satisfaction of debentures for arrears and moneys paid by him for provisions furnished as aforesaid, and for which no satisfaction as yet hath been assigned; as also to doctor William Petty for his deficient debentures, according to the direction of our letter of the second of January, one thousand six hundred and sixty.

XLV. Whereas there is a rent payable to us out of every acre of land assigned or to be assigned to any adventurer, souldier, or other person, as by our declaration appears, in order to the ascertaining thereof, you are to observe these following directions, *viz.*

XLVI. Where there is no certain record of the lands assigned or set out to the souldiers or other persons, so that the rent payable to us cannot be ascertained, in all such cases you are to cause proclamation to be made and certificates to be returned of all such respective possessions, debentures, and debts, for which the said lands were set out to them in way and manner as by our aforesaid instructions is directed, with respect unto the method to be observed concerning the lands assigned unto the adventurers, wherein you are expressly to distinguish betwixt what lands are set out for satisfaction of arrears grown due in England, from what is set out for satisfaction of arrears grown due in Ireland; you are out of the said certificates, and out of the surveys and books of debentures, or books of distributions, or subdivisions of lands to any office or place in Ireland, forthwith to cause fair books to be made up of all the houses, lands, tenements and hereditaments set out to the adventurers, souldiers, and other persons whose estates are confirmed by our said declaration, together

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Forfeitures in Kildare or Dublin to be set out for satisfaction of debts for arms, &c. incurred by duke of Ormond, Sir P. Percival, and Sir G. Lane, who mean time shall not be molested.

Satisfaction of major G. Rayden, at ten years purchase. Likewise to Dr. Wm. Petty for deficient debentures.

Directions as to the rent payable to the King where no certain record of the lands: How said rent to be ascertained.

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The mea-
sure of lands
set out to be
reduced.

If a greater
rent formerly
paid, the
greater to be
reserved.

Books to
be prepared,
and dupli-
cates kept by
the remem-
brancer.

Sub-com-
missioners
how appoint-
ed.

Settling
protestant
plantations,
corporations,
churches,
maintenance
for ministers,
refer'd on ac-
count of in-
tricacy and
general con-
cern, to par-
liament.

Decrees of
estates in Con-
naught and
Clare to trans-
planted per-
sons confirm-
ed to purchas-
ers from them,

paying one
year's value
to the King
as in declara-
tion,

with the rents and profits payable unto us, according to our said declaration, by such adventurers, souldiers and others; and you are carefully and exactly to reduce the measure of such lands as were set out by plantation-measure, of twenty one foot to the perch, and one hundred and sixty perches to the acre, to sixteen foot and an half to the perch, and one hundred and sixty perches to the acre, and accordingly to ascertain the rent payable to us; the which you are likewise to doe of all the estates we are graciously pleased to restore unto any papist, whose estates were formerly disposed of, or remained undisposed of in our hands.

XLVII. Provided such estates did not formerly pay unto our royal father a greater rent, in which case the said greater rent is to be reserved and paid to us for the future; which books so made up you are to lodge as our court of Exchequer shall direct with some officer of our revenue, that the rents may be given in charge; and that no prejudice may be to us, or uncertainty in our revenue, you are also to prepare duplicates of the said books to be kept in the office of our chief remembrancer and treasurer's remembrancer.

XLVIII. And whereas in the execution hereof it will be necessary to imploy several persons for the enquiry into and preparing several matters hereby committed to your trust, you are therefore hereby authorized and impowered from time to time to nominate and appoint such person or persons as you shall find necessary for our service herein, unto whom our chancellor for the time being for that our kingdom is hereby required and authorized to grant one or more commissions under our great seal of that our kingdom for the purposes aforesaid.

XLIX. And whereas we have by our said declaration provided that protestant plantations shall be settled, corporations created, churches erected, maintenance for preaching ministers provided, within the limits and precincts of the lands to be settled on the adventurers and souldiers, the same being subject to many intricacies and of universal concernment to that our kingdom; we do therefore refer the whole consideration thereof unto our Parliament for their advice therein.

L. And you are hereby strictly required to take special care that the decrees, and the estates in lands set out in satisfaction of the same in the province of Connaught and county of Clare, to any transplanted or transplantable person, and purchased from them or any of them, by Charles, earl of Monmouth; John, lord baron of Kingston; Richard, lord Coot, baron of Coloony; Carey Dillon, esq; Sir George Bingham, baronet; Sir Oliver St. George, kt. and baronet; Sir John Cole, baronet; Sir James Shaen, knight; major Arthur Gore; Sir George St. George; Sir James Cuffe; John Eyres, esq; Henry Waddington, esq; captain Robert Parks; capt. Robert Morgan, and capt. Owen Lloyd, be confirmed unto them, and every of them, their heirs and assigns respectively; they paying one full years,

years value of the profits of such estates to us, our heirs and successors, in two years space in such manner and for such uses as in our late declaration is offered to be contributed by the adventurers and souldiers, and accepted by us, and that they be not removed from any such estates in lands they have so purchased by virtue of such decrees until they be duly reprimed out of other forfeited lands of equal value, worth and purchase, in the said province of Connaught or county of Clare, or elsewhere, as in our said declaration is directed for adventurers and souldiers.

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and not to be removed till reprimed.

LI. Provided that this shall not be construed to confirm the decree of any person for so much thereof as was obtained by injustice, fraud, irregularity, or oppression in the proceedings; but especially of any person who had no right nor title by the rules given for making those decrees to the estate, in compensation whereof such decree was granted; if the same shall be made appear unto you before the five and twentieth day of March, one thousand six hundred sixty and three; and in such case it is our pleasure that any of the aforesaid persons, who hath purchased lands upon any such insufficient decree, shall or may place some other unsatisfied or reprimable decree upon such lands.

Exception, not to confirm decrees obtained by fraud, &c. if shewn before 25 Mar. 1663

Purchasers upon such insufficient decree may place some other reprimable decree thereon.

LII. Provided also, That this clause shall not extend to confirm unto the said persons any lands that are restorable by our declaration to the former proprietors, reprimals being given in lieu thereof, as in the declaration is appointed.

Not to confirm lands restorable upon reprimals.

LIII. Provided also, That such transplanted persons, who being within rules of reprimall have been removed from the lands to which they have been transplanted without any reprimall therefore first given, be forthwith reprimed in the first place, and before all other reprimable persons.

Transplanted persons removed to be forthwith first reprimed.

LIV. And that the lands set out unto Sir Thomas Herbert, and Benjamin Worlly, esq; for their salaries in Ireland, in relation to their employments about the satisfaction of the souldiery, in stating their arrears, or surveying or setting out lands, be confirmed unto them, and their heirs, and assigns, severally and respectively. And if the said lands, or any part thereof, shall be restored to the former proprietors, that a reprimall be forthwith assigned and set out unto them, their heirs and assigns, severally and respectively, in lieu thereof in like manner as is provided for such adventurers and souldiers as shall be removed from off their present estates.

Lands of Sir Tho. Herbert and Ben. Worlly for their salaries confirmed.

To be reprimed if said lands restored.

LV. And whereas some ambiguity or doubt may arise under what qualifications such persons may be comprehended who submitted unto our articles of peace, and inviolably observed the same, yet neither attended us in foreign parts, nor sued out decrees for lands in Connaught or county of Clare; you are in order to their settlement to proceed in the same way and method, as by our declaration is held forth for those that submitted to our articles, and inviolably observed the same, and attended us in foreign parts.

They who submitted and observed articles of peace, yet neither attended abroad nor sued out decrees, to be settled in same manner as those who attended abroad.

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The feve-
ral interchs
to be secured
by letters pa-
tent.

LVI. And for the better quieting, settling and securing the several persons, and their interest, for whom provision is made in our said declaration and instructions, and this present act, the lord lieutenant, lord deputy, lords justices, or other chief governour or governours of that our kingdom for the time being, upon certificate signed by you, or any five or more of you as aforesaid, expressing the name or names of such persons, the quality of their estates, the number of acres, the barony, county and province, in which such estates are, and the rents reservable, as also the tenure and services, are hereby authorized and required, upon request by the person or persons so concerned, to cause effectual letters patents under the great seal of that our kingdom to be passed in the usual manner of such lands, tenements and hereditaments, to the persons aforesaid, by advice of our learned council in the law for that our kingdom, or some of them, as the case shall require, without expecting any further letters or warrants from our self; and for so doing these our directions shall be to them, and every of them, their sufficient warrant and discharge.

The decla-
ration and in-
structions to
be the funda-
mental rule
of settlement.

LVII. And whereas we, not apprehending that we should arrive at a settlement of our kingdom of Ireland so soon and with so general satisfaction to all interests as we have done, did upon the petitions of several persons asserting their innocence grant our letters for the repossessing such petitioners of their former estates, or any part thereof, which letters may possibly not answer to our said declaration and instructions, which now we look upon as the positive and fundamental rule for the settlement of that our kingdom: the chief governour and governours of that our kingdom for the time being, and our privy council there, are therefore in executing the contents of such our letters to observe the same as they shall fall under our several rules in our said declaration, and agreeable to the same, and as in these our instructions are more particularly expressed, and not otherwise.

Fees of
commission-
ers, &c. 1*d.*
per acre.

1*s.* for every
estate re-
sided, worth
2*ol.* per ann.

1*s.* every
certificate for
lands.

1*d.* per pound
every debenture.

Clerks and
contingent
charges out of
securities for
officers before
1649.

LVIII. For your pains and labour herein, and for the pains and labour of such sub-commissioners as you shall employ as aforesaid, we do hereby authorize you to ask, demand and receive from every adventurer, souldier or other persons, his or their heirs or assigns, now in possession, or to be put in possession, of any houses, lands, tenements or hereditaments, one penny for every acre of land, as admeasured, assigned, or set out to him or them, for ascertaining their respective possessions; and likewise for every one to be reprinted an estate worth twenty pounds *per annum*, the sum of ten shillings, and after the same rate for greater or smaller reprints; and for every certificate for lands to be possessed, the sum of ten shillings; and one penny in the pound for every debenture that shall be satisfied by you; and for the clerks and officers to be employed by you, and the contingent charges relating thereunto, that the same be paid out of the moneys that shall be received of the rents due and payable out of the securities

securities appointed for the officers before one thousand six hundred forty and nine.

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LIX. In the ascertaining, stating and settling of any sum or sums of money, debentures, certificates, or decrees for arrears, adventures, publick debts, reprints, or other allowed interests pursuant unto our said declaration, you are to strike off and deduct all fractions of odd pounds, shillings and pence; and likewise in the ascertaining and settling out of the respective proportions of lands which shall be settled or granted in satisfaction of any of the aforesaid interests, you are to strike off and deduct all fractions of odd acres, roods and perches, taking care that there be not above the one hundred part of any such sum or sums of money or proportions of lands, respectively deducted from any one person without his own consent, and that you do keep an exact and particular account of all the said deductions in money or lands, and cause the same to be satisfied as intirely as may be in such convenient proportions, and in such places, as the chief governour or governours of our said kingdom for the time being shall appoint, which proportions are to be reserved to be disposed of unto such use or uses, as we, our heirs or successors, shall appoint.

To deduct all fractions of money or lands.

Not above rooth part from any one without consent.

Account of deductions to be kept, and satisfied as intirely as may be.

LX. The aforesaid adventurers and souldiers being satisfied, and the reprints made, and the severall busineses finished, as before is directed, you are to deliver up your books, not before in these instructions otherwise disposed of, unto our auditor general of that our kingdom of Ireland, and duplicates of the same to our surveyor general, in their offices to remain as of record.

The books delivered to the auditor.

Duplicates to surveyor-general.

To remain of record.

LXI. In the management of which said trust, you are from time to time, as the case shall require, to give an account to our chief governour or governours for the time being, and our council in Ireland, of your proceedings, and to observe and follow such further directions as you shall from time to time receive from us, or from them pursuant to this act.

To give account from time to time to the governor and council, and observe their directions.

LXII. And for the more due and impartial execution of our said declaration and these instructions, it is our will and pleasure that no commissioner or other person employed, acting in this service, shall, till the work be finished, purchase by themselves or others in their behalf, or to their use, or in trust for them or any of them, any of the lands, tenements and hereditaments, that are to be settled, confirmed, reprinted, or restored by virtue of our said declaration, but shall, before they enter upon this trust, respectively give in lists under their hands of such lands, tenements and hereditaments, as they are intitled to, or possess of, to the lord lieutenant, or other chief governour or governours, and council for the time being, who are to take care for the observing this instruction.

No commissioner, &c. till the work finished to purchase any of the lands,

but before they enter on the trust, to give in lists of their estates to the governor, &c.

LXIII. And you are hereby further required, to reprint John lord viscount Massarene and his heirs, with an estate of like yearly rent in the province of Leinster to that of which he stands seized

To reprint lord Massarene in Leinster for Dunluce in Antrim.

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Executing
the King's let-
ters of 1660
and 1661 for
his satisfaci-
on.
Then to de-
liver said es-
tate to Dan.
O Neil.

in the barony of Dunluce, in the county of Antrim, and to cause our letters dated the eighteenth day of December, one thousand six hundred and sixty, and the fourth of August, one thousand six hundred sixty and one, to be put into speedy execution for the full satisfaction of the said lord Massareene to all intents and purposes; which being done, you are then to cause the said estate whereof the said lord Massareene is seized in the barony aforesaid, to be delivered to Daniel O Neil groom of our bed-chamber, in satisfaction for an incumbrance of a much greater value wherewith the barony of Dunluce set out to the adventurers stands charged for the behoof of the said Daniel O Neil.

To reprice
lord Massa-
reene in Coun-
ty of Dublin
for the Es-
tate of Hen-
ry O Neil in
Antrim.

LXIV. And for the better satisfaction of the lord Massareene for the estate of Henry O Neill of Killileagh in the county of Antrim esq; which he is also to part from, you are likewise out of the forfeited lands in the county of Dublin to reprice the said lord Massareene and his heirs, with an estate of equal value, worth and purchase, to that which the said lord Massareene stands now seized of, and which did formerly belong to the said Henry O Neil, to hold to him the said lord Massareene and his heirs; which being done, you are then to deliver to the said Henry O Neil the estate formerly belonging to him, whereof the said lord Massareene is seized as aforesaid as an adventurer.

Liberty re-
served to lord
Massareene
as to deduc-
tions.

LXV. Nevertheless the said several adventurers shall be subject to such deductions as other lands, according to the rules of his Majesty's declaration and instructions, and this present act; reserving always liberty and licence to the said lord Massareene to place and be satisfied on the said deductions such sum of money as the deductions before-mentioned shall amount unto, out of what shall be due to him for deficiencies, incumbrances or arrears, before the year one thousand six hundred forty and nine; the arrears to be in such case and manner, and at such rates as are allowed to others before the said year one thousand six hundred forty and nine; and the deducted lands upon which such deficiencies, incumbrances or arrears shall be so placed, shall be enjoyed by the said lord Massareene and his heirs, as if they had been given out for an original adventure.

Lord Massa-
reene to be re-
priced as other
adventurers.

LXVI. And the said lord Massareene shall enjoy the several lands wherein he shall be so as aforesaid repriced to him and his heirs, subject to the like rents, services, payments and tenures as other adventurers for lands within the province where the reprice shall be given are subject unto, and with the like benefit of new reprice in case of restitution, removal or incumbrance, as other adventurers are to have by this present act.

If St. Wol-
stan's or any
part of Sir
Thomas Al-
len's estate
found forfeit-
ed, to be de-

LXVII. And in case the manor, castle, town and lands of St. Wolfstown's, alias Allen's Court, in the county of Kildare, or any other the castles, manors, towns, lands, advowsons, tenements and hereditaments in the county of Kildare, and county of Dublin, or
either

either of them, formerly the inheritance of Sir Thomas Allen knight deceased, or now belonging to the lady Allen his wife, for term of life or years yet to come, and the remainder or remainders thereof, unto Robert Allen, John Allen, William Allen, and James Allen, some or one of them, shall upon inquiry be found to be forfeited, you are hereby required to cause the same to be delivered unto our right trusty and right well beloved cousin and counsellor Hugh earl of Mount-Alexander, to have and to hold to him the said Hugh earl of Mount-Alexander, his heirs and assigns for ever; subject nevertheless to the payment of the like rents and services, as the adventurers for lands in the Province of Leinster are subject unto, and with the like benefit of reprisal in case of restitution, as any adventurers, their heirs and assigns, have or ought to have, and also with benefit of reprisal, in case any adventurer be intituled to the same or any part thereof.

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livered to
Lord Mount-
Alexander, as
to other ad-
venturers.

LXVIII. Provided always, That whensoever we shall declare under our great seal of England or Ireland our will and pleasure to revoke the estate hereby granted, in all or any part of the premises, that then and immediately from and after such declaration the estate so revoked shall cease and determine, and remain subject unto the rules and ends of this declaration, as if this grant had not been made.

Proviso of
revocation, as
if this Grant
not made.

LXIX. And whereas Sir Charles Lloyd baronet became an adventurer for lands in Ireland, upon the acts passed in the reign of our royal father, and afterwards according to the rules and method used in the late times of usurpation had a lot for nine hundred pounds, parcel of the said adventure fallen within the barony of Slewmary in the Queen's County, and for one thousand pounds residue of the said adventure, had another lot fallen unto him in the barony of Conello in the county of Lymerick, and certificates delivered unto him accordingly: notwithstanding all which proceedings, no possession hath ever been yet delivered unto the said Sir Charles Lloyd, but the same hath been detained from him by others, who have left their own lots to enter upon his; our will and pleasure therefore is, that you cause speedy right to be done to the said Sir Charles Lloyd, and possession to be delivered to him according to the rules formerly used, to have and to hold to him the said Sir Charles Lloyd and his heirs under the like rents and tenures, and with the like benefit of reprisals as other adventurers ought to have.

Sir Charles
Lloyd an ad-
venturer upon
the acts of
C. 1.

To have
speedy posses-
sion delivered,
as other ad-
venturers.

LXX. Provided also, and be it further enacted by the authority aforesaid, That all and singular the forfeited lands, tenements and hereditaments of, or within the half barony of Iris in the county of Mayo, wherein the harbour of Broad Haven is situated, together with all the mines and mineral therein, and all fishings on the sea-coasts of the same, as also on the loughs and fresh rivers thereunto in any wise belonging or appertaining, be, and they are hereby

Half baro-
ny of Iris in
Mayo vested
in the King.

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Not to proceed upon return of commission of enquiry before first of March 1661, till new commission issued and returned, then to proceed on either.

The governour may issue such other commission as necessary.

Declaration and instructions enacted and confirmed with additions, &c.

The King may from time to time appoint other commissioners for executing this act.

Acts of said commissioners declared effectual, and confirmed, to the final settlement.

vested, settled and continued in your Majesty, your heirs and successors, to be disposed of to such use or uses as your Majesty shall think fit; any thing in this act contained to the contrary in any wise notwithstanding.

LXXI. And you are hereby required not to proceed upon the return of any commission of inquirie after the value of estates to be restored or reprized issued out before the first of March, one thousand six hundred sixty and one, until the lord lieutenant, or other chief governour or governours of our kingdom of Ireland for the time being, shall have issued out new commissions of inquiry, which we do hereby authorize him or them to do: and that such commissions shall be likewise returned, and after the return of such new commissions you are then to proceed either upon the former or latter returns, as you in your discretions shall judge to be most expedient.

LXXII. And we do hereby give further power and authority to the lord lieutenant, or other chief governour or governours of our said kingdom for the time being, to issue or cause to be issued such other commission of inquiry as shall be necessary for the information and instruction of the commissioners to be appointed for the execution of the said declaration, instructions and this act.

LXXIII. And be it further enacted by the authority aforesaid, That the said declaration, instructions, and all and every article, clause and thing, powers and authorities therein or thereby given or contained with and under the provisos, additions and alterations in this act mentioned and expressed, be and are hereby enacted, ratified and confirmed.

LXXIV. And be it further enacted by the authority aforesaid, That notwithstanding any mention of commissioners names herein before made, it shall and may be lawful for the King's most excellent Majesty, his heirs and successors, from time to time, to nominate and appoint such and so many other commissioners as his Majesty shall think fit, for putting in execution his Majestie's said declaration and instructions, and this present act; which commissioners so to be appointed from time to time, and no other, or so many of them as by his Majesty, his heirs and successors, shall be therein directed, shall have full power and authority to put the said declaration and instructions, and this present act in execution according to the tenour and effect thereof, and to administer oaths; and further, that whatsoever act or acts, thing or things any commissioners heretofore lawfully authorized have done or caused to be done, or any other commissioners hereafter to be appointed as aforesaid shall do, or cause to be done according to and in pursuance of the said declaration and instructions, and this present act, shall be hereby judged and declared and are hereby judged and declared to be good, firm and effectually in the law to all intents and purposes; and that they and every of them shall be and are hereby ratified and confirmed to the final settlement of every such person or persons, their heirs and assigns,

assigns, according to such decrees, sentences, orders or judgments, as have been or shall be by the said commissioners as aforesaid respectively given for or concerning any matter cognizable by them, against his Majesty his heirs and successors, and all and every other person or persons whatsoever, their heirs or assigns; any thing in the said declaration or instructions, or in this present act to the contrary notwithstanding.

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LXXV. And be it further enacted by the authority aforesaid, That all and every person and persons, who shall at any time hereafter be nominated and appointed by his Majesty his heirs and successors to serve in the place of a commissioner for the putting in execution the said declaration and instructions, and this present act, shall before they act any thing in the execution of the said commission take an oath before the lord chancellor, or lord keeper, or commissioners for the custody of his Majesty's great seal of his kingdom, or before the lord chief justice of his Majesty's court of chief place of this kingdom for the time being, or before the lord chief justice of his Majesty's court of common pleas of this kingdom for the time being, or before the lord chief baron of his Majesty's court of Exchequer of this kingdom; which oath, they or any of them have hereby power from time to time, as there shall be occasion, to administer in these words following:

Oath to be first taken by commissioners.

You shall swear, that you shall to the best of your skill and knowledge truly and impartially administer justice between his Majesty and the subject, and between party and party, in the place of a commissioner for putting in execution his Majesty's gracious declaration and instructions for the settlement of Ireland, according to an act intituled, An act for the better execution of his Majesty's gracious declaration for the settlement of this kingdom of Ireland, and satisfaction of the several interests of adventurers, souldiers, and other his subjects there, so long as you shall continue in that employment.

The oath.

So help you God in Christ Jesus.

LXXVI. And be it further enacted by the authority aforesaid, That all and every the persons who shall be appointed to serve in the offices or employments of register, clerk, surveyor or any of them, or in any other ministerial office or employment, relating to the service of his Majesty's commissioners to be appointed as aforesaid, shall before they enter upon any of the said offices or employments, take an oath before some of the commissioners to be appointed as aforesaid; which oath the said commissioners, or any two of them have hereby power to administer in these words following:

Oath to be first taken by clerks and ministerial officers.

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You shall swear, That you shall well and truly execute the place of knowledge, and therein you shall spare no person for favour and affection, nor any person grieve for hatred or ill will.

So help you God in Christ Jesus.

Their fees to be appointed by chief governor.

LXXVII. And be it further enacted by the authority aforesaid, That it shall and may be lawfull to and for all and every the registers, clerks, surveyors and other the ministerial officers which at any time hereafter shall be used or employed in the service of his Majestie's commissioners, to be appointed for execution of the declaration and instructions, and this present act, to take as a recompence for their respective pains and industries, such fees, salaries or rewards onely, and no other, as by the lord lieutenant, or other chief governour or governours for the time being, shall be limited and appointed.

Time for adventurers to claim and shew deficiencies enlarged to 29th September 1662.

LXXVIII. And whereas by the said declaration of the thirtieth of November, one thousand six hundred and sixty, the time limited for adventurers claiming and making their deficiencies appear was the first day of May now last past; be it enacted, and it is hereby enacted, that that time be enlarged to the nine and twentieth day of September, one thousand six hundred sixty and two.

For discovering bribery, forgery, subornation and false admeasurement, to 23d October 1663.

LXXIX. And whereas by the said declaration the time limited for discovering bribery, forgery, subornation of witnesses, and false or undue admeasurement, is the twentieth day of December, one thousand six hundred sixty one; be it enacted, and it is hereby enacted, that the time being be enlarged to the three and twentieth day of October, which shall be in the year one thousand six hundred sixty three.

For shewing incumbrances to be satisfied in Kildare, to 29 Oct. 1662.

LXXX. And whereas by the said declaration legal incumbrances, resting upon lands set out to adventurers and souldiers, are to be satisfied out of forfeited lands in the county of Kildare, except as in the said declaration is excepted, such incumbrances being made appear by the three and twentieth of October, one thousand six hundred sixty one; be it enacted, and it is hereby enacted, that that time be enlarged to the three and twentieth day of October, one thousand six hundred sixty two.

For stating arrears of officers before 1649, to first May 1663.

LXXXI. And whereas all commissioned officers before one thousand six hundred forty nine, whose arrears were not stated on the thirtieth day of November, one thousand six hundred and sixty, are by the said declaration to have their arrears stated before the nine and twentieth day of September, one thousand six hundred sixty one; be it enacted, and it is hereby enacted, that that time be enlarged to the first day of May, one thousand six hundred sixty three.

For restoring innocent papists, to first of August 1662.

LXXXII. And whereas by the said declaration all innocent papists are to be restored to their estates by the second of May, one thousand six

fix hundred sixty one; be it enacted, and it is hereby enacted, that that time be enlarged to the first day of August, one thousand six hundred sixty two.

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LXXXIII. And whereas by the said declaration it is declared, That in case any justly intituled to the peace in the said declaration mentioned have obtained decrees for lands in the province of Connaught or county of Clare, in lieu of their former estates, and have not been possessed of lands according to their respective decrees, that if by the first day of November, one thousand six hundred sixty one, they shall not be possessed of such decreed lands, they shall immediately after the said day be otherwise satisfied for the same; be it enacted, and it is hereby enacted, that that time be enlarged to the first day August, one thousand six hundred sixty three.

For satisfying those not possessed of lands decreed in Connaught or Clare to first of August 1663.

LXXXIV. And whereas as to those who continued with his Majesty, and served faithfully under his ensigns beyond the seas, who were by the said declaration to be restored to their former estates, a reprize being first assigned and legally set out of the remaining forfeited lands undisposed of to adventurer or souldier, or other person, as in the said declaration is mentioned; and that the furthest time for such restorations and reprizes is by the said declaration limited to be by the twenty third day of October, one thousand six hundred sixty one; be it enacted, and it is hereby enacted, that that time be enlarged to the three and twentieth day of April, one thousand six hundred sixty three.

For restoring those who served abroad, and for reprizes to 23d April 1663.

LXXXV. And be it further enacted, and it is hereby enacted by the authority aforesaid, That all other persons, bodies politick and corporate, who have not already put in their claims before the commissioners heretofore appointed for execution of the said declaration, do put in the same within the space of one and thirty dayes next and immediately after the day which shall be appointed by a proclamation made, or caused to be made, in the city of Dublin by the lord lieutenant, or other chief governour or governours of Ireland for the time being; which proclamation shall not be made until such time as the commissioners appointed by his Majesty for the execution of the declaration and instructions, and this present act, shall be arrived at Dublin, and shall have assembled and met for the execution of their commission, but shall be made as soon after as conveniently may be; and that after the said time shall be expired, no claims shall be received, but the parties left without remedy and debarred for ever, without his Majestie's special order in that behalf upon accidents or emergencies where justice shall require the same.

Claims to be put in within 31 days after proclamation, otherwise not received, without special order upon accident or emergency.

Proclamation to be made as soon as conveniently may be after commissioners assembled at Dublin.

LXXXVI. And whereas in the respective securities herein and hereby designed and allotted unto the several officers serving before the fifth of June, one thousand six hundred forty and nine, who have received no satisfaction for their said services, there is allotted to them satisfaction out of all the forfeited lands, tenements and hereditaments, in

Doubts, concerning certain words in the clause for respective securities allotted to the officers before 5th June 1649.

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the counties of Wicklow, Longford, Leytrim, and Donegal, and out of the lands forfeited and undifposed of in the province of Connaught and county of Clare, lying within one mile of the river Shannon, or of the sea, commonly called the Mile-line; and out of the houses and tenements forfeited in Ireland in the several walled towns and corporations, and lands thereunto belonging, not already set out to adventurers and souldiers; and out of the benefit accrewing out of the redemption of Mortgages, statute staples, and judgments where lands are not so given out to adventurers and souldiers; and out of one year's rent and profit of the lands set out to the officers and souldiers for their arrears in the year one thousand six hundred fifty three, and likewise of the army then, (*viz.*) on the thirtieth of November, one thousand six hundred and sixty, in being, according as those respective said estates yielded in the year one thousand six hundred fifty nine; as also out of one year and a half's rent and profits arising out of the lands for the arrears of those officers and souldiers who were ordered or received satisfaction for their said arrears in the year one thousand six hundred fifty five, one thousand six hundred fifty six, and one thousand six hundred fifty seven, according as the estates yielded in one thousand six hundred fifty nine; whereupon some doubt have been made concerning the words [forfeited and undifposed] and concerning the words [several walled towns and corporations] and concerning the words [lands thereunto belonging] and concerning the words [mortgages, statute staples, and judgments;] and some doubts have also arisen concerning the limitation of time from whence the said year, and the said year and a half shall commence. It is therefore hereby declared and enacted, that the said word [forfeited] shall be deemed and taken not onely of such lands, tenements and hereditaments, as are already forfeited by judgment, confession, verdict or out-lawry, but such as by reason of any act or acts of the said rebellion already committed by the several and respective proprietors hereof shall or may be forfeitable: and that the word [undifposed] shall be intended and taken for undifposed by this act; and that the several words [walled towns and corporations] shall be construed to extend to all cities and corporate townes within the kingdom of Ireland; and that the words [lands thereunto belonging] shall be construed to extend to all lands forfeited, or reputed to be forfeited in manner as aforesaid, lying and being within the said cities, walled towns or corporations, or within the suburbs and liberties thereof, and not set out to adventurers or souldiers, or other protestants mentioned to be preserved in the said declaration; and that the words [mortgages, statute staples and judgments,] shall be construed to extend to statutes merchant, recognizances, *elegits*, and all conditional and defeazable estates, and to all incumbrances whatsoever within the kingdom

Explained.
The word
forfeited.

Undifposed.

Walled
towns and
corporations.
Lands there-
unto belong-
ing.

Mortgages,
statute staple
and judg-
ments.

of

of Ireland not otherwise disposed of, according to the said declaration.

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When said year and year and a half shall commence.

LXXXVII. And it is further declared and enacted, That the said year, and the said year and a half shall commence from the nine and twentieth day of September, one thousand six hundred sixty and two, as to such as shall then enjoy the lands set out to them for their adventures and arrears; and for such as shall be removed and not reprimed by the said nine and twentieth day of September, one thousand six hundred sixty two, the said year and the said year and a halfs rent shall commence within six months after such time as such persons shall be reprimed respectively; the said payments to be paid half yearly at Easter and Michaelmas by even and equal portions.

LXXXVIII. And whereas it doth remain in his Majesties power to grant restitution to such of the innocent papists, who have been dispossessed for publick security of houses and lands within any of the said corporations: And whereas also other innocent papists are by his Majestie's said declaration restorable to their estates, part of whose estates may fall within the said securities: and whereas likewise his Majestie in the said declaration hath appointed certaine persons by name to be restored to their ancient estates, part of whose estates may likewise happen to fall within the said securities of the said officers, whereupon some doubt hath arisen concerning the reprimals, which in cases for restitution are to be given to the said officers; be it therefore enacted by the authority aforesaid, That in case any such person or persons shall be so restored, whose estate or estates, or any part thereof, lies within the said securities, that the like courses shall to all intents and purposes whatsoever be taken for the reprimals of the said officers, as in the said declaration is prescribed for the reprim of the said adventurers and souldiers.

Doubt concerning the reprimals to said officers upon restitution.

Where the estates to be restored lie within the securities aforesaid, like course for reprim of adventurers and souldiers.

LXXXIX. And be it further enacted, and it is hereby enacted by the authority aforesaid, That Charles earl of Mountrath, who hath so eminently merited in the late transactions in this kingdom, shall be paid his arrears due for service in Ireland before the fifth day of June, one thousand six hundred forty nine, equally with the said officers before one thousand six hundred forty nine, out of the security aforesaid, so as the said arrears exceed not the sum of six thousand pound; any thing in this act to the contrary notwithstanding.

Lord Mountrath's eminent merit.

To be paid his arrears before 1649 equally with said officers. So as not exceeding 6000l.

XC. And whereas his Majestie is graciously pleased to declare, That the forfeited lands and houses already set out for satisfaction of money lent, or publick debts incurred for provisions, cloaths, arms, ammunition, and all other necessaries for the support of the army in Ireland, shall remain disposable for satisfaction of the said debts; and in case they shall fall short, then to have satisfaction

Persons who supplied the army before 16th September 1643, to be satisfied out of the securities allotted for publick debts, &c.

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tion allotted to them out of the remaining lands and houses set out for satisfaction of the arrears of the commission-officers due before one thousand six hundred forty nine, in the counties of Wicklow, Longford, Donegal, Leytrim, the Mile-Line, in Connaught and Clare, and the houses in the cities, walled towns, and corporations in Ireland. It is enacted, and be it enacted, That all such persons, and all and every their heirs, executors, administrators and assigns of such persons who have lent money, or furnished any provisions, cloaths, arms or ammunition, for the support of the army in Ireland before the sixteenth of September, one thousand six hundred forty three shall be satisfied their just debts of the aforesaid securities.

And till satisfaction made not to be prosecuted upon bonds, &c. given by them for said debts.

XCI. And be it further enacted, That all such persons, their heirs, executors and administrators, who have entred into bonds, or given any security by bills of exchange, or otherwise, for the debts afore-mentioned, shall be in the mean time, till satisfaction be made and granted as aforesaid, saved, discharged and kept harmless, and not liable to any suit or prosecution against them or any of them, their heirs, executors, administrators or assigns respectively.

Lands in Cork set out to Sir St. John Broderick in 1654, settled on him.

XCII. Provided alwayes, and it is hereby enacted, That the town and lands of Ballyanin, Garriduff, East Ballivodicke, West Ballivodicke, and West Ballintobride in the barony of Barimore and county of Corke, set out and disposed to Sir St John Broderick knight, in the yeare of our Lorde one thousand six hundred fifty foure, and now in his possession, shall be and are hereby vested in, and settled upon, the said Sir St. John Broderick, his heirs and assigns for ever, by and under such tenures, rents and services as are appointed by your Majesties said gracious declaration, and this act, for lands set out in the province of Munster in satisfaction of arrears for service in Ireland.

Chief governour to apportion charges of commissioners &c. to be equally satisfied by all adventurers, officers and soldiers.

XCIII. Provided neverthelesse, and it is hereby declared and enacted, that your Majesties lieutenant, deputy, justices or justice, or other chief governour or governours of this kingdom for the time being, shall and may and hereby are impowered and authorized to apportion and divide from time to time the cost and charges which have been or shall be necessarily expended by the commissioners or others, in, for and concerning the execution of the said declaration, that the same shall be equally satisfied by the whole adventurers, officers, and souldiers that have or shall have lands for adventures or arrears, either before one thousand six hundred forty nine, or since, without any distinction; and that the officers who served in Ireland before the fifth of June, one thousand six hundred forty nine, or their securities, be not charged with more than their rateable shares, and due proportion; any thing herein formerly mentioned to the contrary thereof notwithstanding.

And

XCV. And whereas the committee of adventurers sitting at Grocers-hall London, for the better management of their affairs in relation to their adventures, are necessitated in order thereunto to endeavour the raising of a considerable sum of money of and from the said respective adventurers, as well for paying of the debts already contracted, as for the defraying the publick charges for the better carrying on of the said service for the future: and for as much as some of the said adventurers may prove to be refractory in paying and allowing their reasonable proportions of money towards the charges aforesaid, it being neverthelesse expedient that a service of such publick and common advantage should be equally born and paid by all persons concerned therein, according to their respective interests; be it therefore further enacted by the authority aforesaid, That every of the said adventurers, their heirs or assignes, whose estates are to be confirmed, pursuant to your Majesties said gracious declaration, shall allow, satisfie and pay such sum and sums of money as the said committee or any five or more of them shall think fit and appoint for the carrying on of the said service, such sum and sums of money not exceeding two pence in every twenty shillings adventured by such adventurer; and in default of such appointment, that two pence in every twenty shillings adventured by such adventurer, be raised and levied; and that the same shall be paid to Erasmus Smith esq; Martin Noel of London esq; William Barker of London esq; Thomas Gower of St. Mary Wooll-Church of London esq; Edward Smith of St. Mary Overies esq; and Hugh Ratliffe of St. Martins esq; or to such person or persons as they the said committee of adventurers sitting at Grocers-hall, or any five or more of them, from time to time shall direct and appoint; and in default of payment thereof, it shall and may be lawfull to and for the persons aforesaid, or any of them, or such other person or persons as they shall direct or appoint, to levy by distress and seale of the goods and chattels of such persons so making default, double the sum in arrears, rendering the overplus to the party distrained.

XCV. And whereas Sir Francis Willoughby knight, lately deceased, by the tyranny and oppression of the late usurpers was in his life time cast out of all commands in this kingdom, and enforced to give up all his debentures and warrants of full pay for his service in Ireland before the year one thousand six hundred forty-nine, they assigning him onely two thousand acres in the county of Clare for two thousand pounds in full satisfaction of his whole arrears: be it hereby further provided and enacted by this present Parliament, and by the authority of the same, that no less prejudice or damage whatsoever shall arise to or befall dame Elizabeth Willoughby the relict and sole executrix of the said Sir Francis Willoughby, for or by reason or in respect of her said husbands necessitated accepting of the said lands

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Adventurers whose estates confirmed to pay such sum as the committee at Grocer's-hall appoint.

Not exceeding 2d. per pound.

To persons named or by said committee appointed.

In default of payment, to levy double by distress and sale.

Sir Francis Willoughby forced by the usurper to accept 2000 acres in Clare for 2000l. in satisfaction of all arrears.

His widow not prejudiced by such acceptance, but shall receive the residue of arrears as the officers before 1649.

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in the county of Clare, in satisfaction of all his said debentures or warrants of full pay in manner as aforesaid, other than the abating out of his whole arrears the aforesaid sum of two thousand pounds, and the issues or profits of the said lands and tenements, since the time of the said abatement and acceptance had and received. But as to the residue of the said arrears due unto the said Sir Francis Willoghby before the fifth of June, one thousand six hundred forty nine, for his service in Ireland, the said dame Elizabeth Willoghby and her assigns, according to your Majesties gracious intentions declared by your letters of the thirtieth of March, one thousand six hundred sixty one in her behalf, shall be admitted and accepted to have, ask, demand and receive as full and ample satisfaction for the same, out of the securities by this act set apart for satisfying the arrears of the commissioned officers, before the fifth of June, one thousand six hundred forty nine, to all intents and purposes as if she were to that end named, provided for and saved in your Majesty's declaration of the thirtieth of November, one thousand six hundred and sixty, and as any commissioned officer or officers whatsoever who served in Ireland before the year one thousand six hundred forty nine, and hath hitherto received no part of satisfaction for such his service, shall, may or ought to receive; any clause, article, matter, or thing whatsoever in this present act mentioned or contained to the contrary thereof notwithstanding.

Not to pre-
judice heirs of
Walter Bag-
nel.

XCVI. Provided alwayes, and be it further enacted by the authority aforesaid, That any clause, sentence, matter or thing in this act, or in any other act or acts passed or made, or to be passed or made in this present Parliament, contained, mentioned or expressed, shall not or may attain, or convict, or be otherwise prejudicial unto Dudley Bagnel esq; son and heir of Walter Bagnel, late of Dunlickny in the county of Catherlogh, esq; deceased, nor to Henry Bagnel brother of the said Dudley, nor to Catherin Corbet, alias Bagnel sifter of the said Dudley, nor to the heirs or issues lawfully begotten of the said Walter Bagnel, Dudley Bagnel, Henry Bagnel or Catherin Corbet, alias Bagnel, nor of any or either of them; and that the said Dudley Bagnel, Henry Bagnel, and Catherin Corbet, alias Bagnel, and every of them, and the heirs and assigns of every of them respectively, shall have, hold and enjoy their respective estates and interests in law or equity in all and every the castles, lordships, manors, seignories, lands, tenements, rents, reversions, remainders and hereditaments, with their and every of their appurtenances, which did of right belong or appertain unto the said Walter Bagnel, or whereof he was seized, as of his estate of inheritance in use, possession or remainder, on the three and twentieth day of October, in the year of our Lord, one thousand six hundred forty one, or at any time after; any act or

acts, ordinance or ordinances, matter or matters, thing or things, done or to be done in this present Parliament, or otherwise at any time since the three and twentieth day of October, one thousand six hundred forty one, to the damage, prejudice or harm of the said Walter Bagnel, his heirs or assigns, to the contrary notwithstanding.

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XCVII. Provided always, and be it enacted, That neither this present act, nor any thing therein contained, do any wayes prejudice or tend in any manner to alter any right, title, interest, mortgage or lease that Sir John Temple master of the rolls in this kingdom, or his late mother the lady Temple had in the year one thousand six hundred and forty, to any lands, tenements or hereditaments, belonging to Walter Bagnel esq; late father of the said Dudley Bagnel, lying or being within the county of Catherlogh; saving nevertheless to all and every person and persons, bodies politick and corporate, their heirs, executors, successors and assigns, such right and title either in law or equity, and such benefit and advantage of redemption, which they or any of them could or might have had either in law or equity, as fully and amply as if the proviso herein last before mentioned had never been had or made; any thing in the said proviso to the contrary hereof notwithstanding.

Not alter the right of Sir John Temple or his mother.

Saving to all persons the benefit of redemption, as if the last proviso not made.

XCVIII. Provided also, That so much of the forfeited lands in the towns and lands of Lispopel, Nuttstown, Wegestown, and Cordenstown, with their and every of their appurtenances, situate in the barony of Balrothery in the county of Dublin, containing according to the Down survey one thousand two hundred forty nine acres, shall be held, possessed and enjoyed by George Rawden esq; his heirs and assigns for ever, as shall amount unto a full and just satisfaction of the publick debts due to him by debentures, for provisions and money disbursed for the use of the army in Ireland, according to his Majesties gracious declaration and instructions; which principal debt, with the interest thereof cast up according to the rate of six pound *per cent.* amounteth unto two thousand three hundred twenty four pounds ten shillings four pence; and that in case the said lands, or so much thereof as will amount unto a full satisfaction of the said sum be not forfeited, or if it shall happen that so much thereof shall be restored as that the residue shall not be sufficient to satisfy him the said George Rawdon, that then he be satisfied and reprieved for the same by some other forfeited lands in the county of Dublin.

Forfeitures in Balrothery to be enjoyed by Sir George Rawden for publick debts due to him by debentures, amounting at 6l. per cent. to 2324l. 10s. 4d.

If said lands not forfeited, or if restored, he is to be reprieved in county of Dublin.

XCIX. Provided, That this act, or any thing therein contained, shall not extend, nor be construed to extend to the prejudice of any protestant or protestants, or innocent papists, their innocent executors or administrators, holding tythes by lease or leases derived from the crown, for or by reason or occasion of any advantage or forfeiture which may be taken for the non-payment of the rents reserved to the crown by such leases for the time past, but that every such protestant

Protestants and innocent papists's lessees of tythes from the crown not prejudiced by non payment of the rents for time past.

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and protestants, innocent papists, their and every of their executors and administrators, holding any of the said tythes, shall and may have, hold and enjoy the said respective tythes during the respective terms of years thereof yet unexpired, without any advantage to be taken against them, or any of them for non-payment of the said rents for the time past, as if this act had never been made.

Not to prejudice Sir Robert or Sir William Meredith.

C. Provided, That this act, nor any thing therein contained, shall not extend or be expounded to extend to the prejudice of Sir Robert Meredith knight, nor his son Sir William Meredith, baronet, nor their heires or assigns, nor any persons possessed or interested in their behalfs in the lands, tenements or hereditaments of Green Hills, heretofore called Bishops Court, near the Liffie in the county of Kildare, nor any part, member, or parcel thereof.

Forfeitures assigned to Sir William Petty confirmed.

CL. And be it further enacted, That all the forfeited lands, tenements and hereditaments set out, assigned or delivered unto Sir William Petty knight, by the name of doctour William Petty, and by him possessed on the seventh day of May, one thousand six hundred fifty nine, be settled upon, and confirmed unto him, his heirs and assigns for ever; any thing in this act, or in his Majesties instructions of the nineteenth of February, one thousand six hundred and sixty, to the contrary notwithstanding; the same to be held according to such tenures, rules, rents, services, and under such limitations and directions for reprizal and otherwise, as in his Majesties declaration of the thirtieth of November, one thousand six hundred and sixty, is set down and expressed concerning such as were then of his army in Ireland.

To confirm and enlarge the intended bounty of K. C. 1. to the church.

All lands of ecclesiastical persons in 1641 restored.

CII. And whereas his sacred Majesty, having under his serious consideration the present settlement of this kingdom, is very desirous to confirm and enlarge the designed bounty and goodness of his late royal father of ever blessed memory, by adding to the revenue of the church of this kingdom; be it therefore enacted and ordained by the King our soveraign lord, with the assent of the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, That all and every the manners, lands, tenements and rents whereof any archbishop, bishop, dean, chapter, or any other ecclesiastical person or persons whatsoever in his or their politick capacity, or any of them, were actually seized, or by themselves or their tenants possessed, in the year of our Lord God one thousand six hundred forty one, and out of which, or any part thereof, they or any of them, through the fury and violence of the late times, have been since dispossessed, be forthwith restored, settled and delivered into the quiet and peaceable possession of the respective archbishops, bishops, deans, deans and chapters, and other ecclesiastical person and persons, and their successors; saving to all and every person and persons, bodies

politick and corporate, their heirs and successors, and the heirs and successors of every of them, (other than such person and persons, their heirs, executors, administrators and assigns, who are not or shall not according to the qualifications in this present act, be adjudged innocent papists) a liberty to implead, sue for, and recover by due course of law, any right, title, claim and interest, which they or any of them lawfully have, or of right ought to have, in all or any part of the said restored manners, lands, tenements and rents; any thing in this act to the contrary notwithstanding.

CHL. And be it further enacted by the authority aforesaid, That all and every lease and leases set or demised for any certain term of years yet unexpired by any archbishop, bishop, dean, dean and chapter, or other ecclesiastical person or persons, or their successors in their politick capacity, of any lands, tenements or hereditaments, so unto them belonging or appertaining, and that are by this present act forfeited or vested in his Majesty, that all and every such land so forfeited, and the remainder of the term of years yet to come and unexpired of such lease or leases, shall be and are hereby given, assigned, assured and confirmed unto the respective sees or bodies politick to whom the reversion after such lease or leases do or shall of right belong; except and always reserved out of this act the remainder of the term of years yet in being, upon any such forfeited lease or leases of any of the lands before-mentioned or intended, which lye within such parts of the counties of Wickloe, Longford, Leitrim and Donegal, and the Mile-line, as are by this present act assigned unto the officers that served before the fifth of June, one thousand six hundred forty-nine, they and their respective executors, administrators and assigns, paying such rents and performing such covenants to the said respective sees reverfioners, as the several lessees in such respective leases paid, or ought to have paid in the year one thousand six hundred forty one, during their respective terms unexpired; excepting also all forfeited leases that exceeded the term of sixty years of any chantry lands or houses, lying within the security of the said officers who served his late Majesty before the fifth of June one thousand six hundred forty-nine, and were not surrendered nor sentenced to be surrendered to the church in, or before the years one thousand six hundred forty, or one thousand six hundred forty-one; the remainder of which term unexpired, is to be esteemed as part of the security of the said officers; they paying and performing during the respective terms yet unexpired, all such rents and duties unto the respective sees or churches from which those leases were held, as were paid or performed, or ought to be paid and performed in the year one thousand six hundred forty-one, or two shillings in the pound at the improved value (to be ascertained as aforesaid) at the election of the bishop of the diocess.

CIV. And be it further enacted by the authority aforesaid, That out of the lands, tenements and hereditaments belonging to

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Saving the right of others.
Except persons not adjudged innocent papists.

Leases by bishops, &c. forfeited given to the respective sees, &c.

Except they lye within the lands assigned to the officers before 1649, they paying the rents, &c. as in 1641.

Except also leases above 60 years of Chantry lands, or houses within security of said officers; paying as before, or 2s. per pound at the improved value, at bishops election.

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Fee farm
grants by bi-
shops, &c.
forfeited, a
proportion
thereof given
to several fees
named, for
their better
support.

any archbishop, bishop, deane, dean and chapter or other ecclesiastical person or persons, or to his or their successors in their politick capacity, which have been by them or any of them granted or conveyed in fee-farm, under the reservation of any chiefry, rent, or other duty or service, and by this act are forfeited and vested in his Majesty, his heirs and successors, such a proportion of them be allotted and set out for the better support and maintenance of such archbishops and bishops, their and every of their successors, as are hereafter particularly named, which shall be and are hereby given, assured and confirmed unto them and every of them, their and every of their successors for ever; that is to say, To the most reverend father in God James lord archbishop of Dublin, and his successors archbishops of Dublin for ever, so much of the said forfeited lands, as shall make up the rent of that arch-bishoprick and the bishoprick of Glendelough thereunto united, of the cleare yearely value of two thousand pounds *sterl.* over and above the mansion-house and gardens of St. Sepulchers in and near Dublin, and demesne lands of the mannor of Tallaght, and the mensal lands thereunto belonging: To the right reverend father in God Thomas lord archbishop of Cashell and his successors for ever, three hundred pounds *sterl. per annum*: To Thomas lord bishop of Kildare and his successors for ever, seven hundred pounds *sterl. per annum*: To William lord bishop of Clonsfert and his successors for ever, two hundred pounds *sterl. per annum*: To Robert lord bishop of Fern and Loughlin and his successors for ever, three hundred pounds *sterl. per annum*: To Edward lord bishop of Limrick and his successors for ever, three hundred pounds *sterl. per annum*: To Griffith lord bishop of Ossory, four hundred pounds *sterl. per annum*: To Edward lord bishop of Killalaw and his successors for ever, two hundred pounds *sterl. per annum*: and to the Provost of Trinity colledge near Dublin out of the forfeited lands in the archbishoprick of Dublin, and to his successors for ever the sum of three hundred pounds *per annum*.

And to pro-
vost of Trinity
College pool.
per annum.

Every bi-
shop's respec-
tive proporti-
on to be set
out within
their own bi-
shoprick, if
the forfeiture
sufficient.

If not, to
be made up
out of the
others.

Setting out
and valuation
of said lands
directed by
the chief
governour.

CV. And be it also further declared and enacted, That if in every of the said arch-bishopricks and bishopricks there be of the said forfeited lands sufficient to set out to every such arch-bishop and bishop their respective proportion of lands within their own bishopricks, that then it shall be so set forth unto them; and if there be not sufficient therein, that then such arch-bishoprick and bishoprick as is deficient shall have so much lands more set out and allotted unto it out of the forfeited lands belonging to the bishopricks that do super-abound, and which is most contiguous and convenient, as will make up such deficiency in proportion to the values aforesaid.

CVI. And for the setting out of the said lands with most conveniency to every bishoprick as is aforesaid, or provostship, and the valuation of them, be it also hereby declared and enacted, That the same shall be performed and done in such way and manner as the lord lieutenant, or other chief governour or governours of
this

this kingdom for the time being shall prescribe and direct, before any part of the said lands be otherwise disposed of. And that out of all and every the said lands so to be set out the same rent is and shall be reserved and payable to his Majesty as by this present act is reserved and payable to him by the adventurers and souldiers; to be held of his Majesty, his heirs and successors, by the tenure of frank almoigne, or other service and tenures, as the same were held before the making of this act.

CVII. And be it also enacted by the authority aforesaid, That all and every impropriations or appropriate tythes forfeited or vested in his Majesty, his heirs and successors by this act, or otherwise forfeited or escheated to his Majesty in right of his crown, if there be no lease or leases thereof in being unforfeited or otherwise, as soon as the unforfeited lease or leases shall be expired or otherwise determined, are hereby given to the church for ever, and hereby are and for ever shall be settled and established upon the present and future incumbents and their successors, which have or shall have actual cure of souls in those respective parishes wherein such impropriations are, and such impropriate tythes do arise and renew; reserving such a proportion of them to be disposed and settled upon the vicars and quire-men of each cathedral church, as an additional provision for the increase of their maintenance, as to the lord lieutenant or other chief governour or governours and council for the time being at any time before the first of January, one thousand six hundred sixty-four, shall be thought fit and convenient; they the said incumbents and their successors paying to his Majesty, his heirs and successors for the same, such rents, reservations and duties as formerly were paid for the same, with such increase of rents as by the lord lieutenant or other chief governour or governours of this kingdom for the time being, with six or more of the council, shall be adjudged reasonable and convenient, within the space of two years from the passing of this act, and not after, or from the said expiration of the said unforfeited leases respectively.

CVIII. Provided, that neither this act, nor any thing therein contained, shall extend to the disposing or altering of any impropriate rectories or tythes, or rents, now or lately enjoyed or possessed by or settled on the lord lieutenant, or other chief governour or governours of this kingdom for the time being, or which at any time hath been or now is enjoyed, possessed or received by the lords presidents of Munster and Connaught in the right of their respective places; any thing in this act to the contrary in any wise notwithstanding. And that the lord chief justice of his Majesty's court of King's bench, the lord chief baron of his Majesty's court of Exchequer, and the master of the rolls, or any other of his Majesty's officers of this kingdom for the time being, shall and may have and receive such port-corn of the several rectories which formerly have been paid and reserved.

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Reserving same rent paid by adventurers, &c. to be held by same tenure as before.

Impropriations or appropriate tythes forfeited, given to the church for ever, and settled on the incumbents.

A proportion for the vicars and quire of each cathedral church.

Said incumbents paying the former and such increased rents as the governour, &c. see fit.

Not to extend to the possessions of the chief governour, or lords presidents, in right of their places.

The King's officers to receive the port-corn formerly paid.

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Reasonable recompence out of said impropriations allotted to those to whom they would have been restored if no such annexation to the church made.

CIX. And to the end that this present annexation of the said rectories impropriate unto the severall and respective churches as aforesaid may not be too prejudicial unto those persons who by the rules of this present act might otherwise expect to be restored thereunto; it is hereby further declared and enacted, That it shall and may be lawfull to and for the lord lieutenant, or other chief governor or governours of Ireland, for the time being, to allot, assign and appoint unto all and every person and persons, who by the rules of this present act shall or may be restored thereunto in case no such annexation hath been made, such recompence and satisfaction out of the said respective impropriations as to him or them shall be thought most fit and reasonable; which recompence and satisfaction so as aforesaid to be assigned shall be by virtue of this present act received and enjoyed accordingly.

For erecting churches and maintenance of ministers, as by stat. at Westminster 1649, and the declaration.

Out of every hundred acres forfeited, not yet distributed, two most convenient for the severall parish churches shall be set apart for glebe.

As to those already distributed, the possessors shall pay so much as sufficient to purchase.

Same rent reserved to the King by incumbents enjoying said glebes.

Out of forfeited chauntries set out to officers serving before 1649, they shall pay the rent formerly paid to the church, or

CX. And whereas by act of parliament held at Westminster the third of November, in the year of our Lord God one thousand six hundred and forty, intituled, *An act*, &c. as also by his Majestie's gracious declaration of the thirtieth of November, one thousand six hundred and sixty, it was carefully provided amongst other things, That care should be had for erecting of churches, and that maintenance for preaching ministers should be provided; in pursuance whereof, be it enacted by the authority aforesaid, That out of every one hundred acres of forfeited and escheated lands vested in his Majesty by this act, which are not yet actually disposed and distributed, two acres shall be allowed and set apart for glebe in every parish, barony and county, as shall be most contiguous and convenient for the severall parish churches in such places situate, or to be situated; and that out of all forfeited and escheated lands, so vested as aforesaid, which are already disposed, distributed, or assigned, and by this act confirmed to the respective possessors, their heirs or assigns, the said respective possessors, their heirs and assigns shall pay so much moneys as shall be sufficient to purchase such a number of acres of the aforesaid measure, and of the same quality, within the said parish, as the land out of which the said acres should have been taken, and assigned for glebes at that present, shall be adjudged; the same rent to be reserved payable to his Majesty, his heirs and successors, and in the same manner by the respective incumbents, and their successors, enjoying the said lands so to be assigned to them for glebes, as the said forfeited or escheated lands, out of which they are taken, shall be and are by this act ordained for to pay.

CXI. And be it further enacted by the authority aforesaid, That out of all forfeited chauntries, and all lands, tenements and hereditaments belonging unto the said chauntries, and vested in his Majesty, his heirs and successors, by this act, that are by this present act set out, assigned, or intended to be set out or assigned to any commissioned officers, their heirs or assigns, who served his Majesty

or

or his royal Father of ever-blessed memory in the late wars of Ireland, at any time before the fifth of June, one thousand six hundred forty-nine, and received no satisfaction for the same, and which paid any rent to the church in the years one thousand six hundred and forty, and one thousand six hundred forty and one, there shall be paid for ever, by such officer or person, his heirs or assigns, so enjoying the said chauntries, or the lands, tenements or hereditaments to them belonging, the rent and all other duties formerly upon or out of them paid or received unto the church, or in lieu and satisfaction thereof, two shillings for every pound of improved value, at the election of the bishop of the dioceses; which rents are to be ascertained with all convenient speed by the chief governor or governors of Ireland, for the time being, and six of the council, or whom they shall appoint; and the rent so payable by such officer or person, his heirs or assigns, to the church, shall be paid to such rectory or vicarage that either is or shall be of the church wherein such chauntry was erected, or otherwise to such ministers of the said dioceses, as the bishop thereof shall judge most convenient; and such rents payable as aforesaid are to be in lieu of all crown rent and other challenges and acknowledgments whatsoever, payable by the said officers out of such chauntries or lands belonging to them.

CXII. And be it enacted by the authority aforesaid, That out of all and every the lands, tenements and hereditaments set in fee-farm by the bishop of the dioceses wherein such lands, tenements and hereditaments are, upon which any rent was paid unto the church in the years one thousand six hundred and forty, or one thousand six hundred forty one, and which are forfeited and vested by this act in his Majesty, his heirs and successors, and that are by this present act set out, assigned or intended to be set out and assigned unto any commissioned officer or officers, that served his late Majesty before the fifth of June, one thousand six hundred forty-nine, as aforesaid, his or their heirs or assigns, there shall be paid for ever by such commissioned officer or officers, his or their heirs or assigns, in lieu of all crown-rents, and all other acknowledgments whatsoever, due or payable out of the said lands, the sum of two shillings in the pound, at the improved value to be ascertained as aforesaid, of such lands and tenements so possessed and enjoyed by him or them, his or their heirs or assigns, of which they were or shall be respectively holden.

CXIII. And be it further enacted by the authority aforesaid, That out of the several houses forfeited and vested in his Majesty by this act being in several walled towns, cities, corporations and burroughs in this kingdom, and by this act are set out, assigned and allotted for the satisfaction of the commissioned officers, their heirs and assigns, as aforesaid, that all and every archbishop and bishop, and minister, whose houses in any of their respective sees or

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2s. per pound of improved value, at election of the bishop.

Said rents ascertained by chief governor, &c.

payable as by the bishop directed.

Said rents in lieu of all crown rent, &c. out of said chauntries.

Said officers to pay same rent in same manner for forfeited fee farm, by bishops set out to them.

Out of houses in corporations assigned to said officers, bishops and ministers, whose houses therein not habitable, to have an hand-

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some conven-
ient house
rent-free,
save rent to
K.

Bishop to
have his
choice of the
best forfeited
house and
garden.

How if no
house therein
belonging to
their fees or
rectories.

Acts of com-
missioners
having ex-
press refer-
ence to the
church and all
their proceed-
ings in pursu-
ance of com-
mission, as ef-
fectual as if
particularly
mentioned.

Recompence
to be given
for improve-
ments by Pro-
testant officers
before 1649,
not to exceed
a fifth part of
the real value
if sold, new
buildings ex-
cepted.

church-livings, within their said town or suburbs, are waisted or not habitable, shall have set out unto them an handfom convenient house rent-free, other than the rent payable to his Majesty, which by the said archbishop, bishop, his or their successors, and by the ministers aforesaid, is hereby payable to his Majesty during the said term, at and according to the same values that shall be set upon the yearly rent of such houses set out and given into the possession of such archbishop or bishop, his or their successors, as also to such ministers as above said, for the space of seven years, to begin from the day such possession is given; such house or houses to be in the most convenient place for the minister's residence, and every archbishop or bishop to have his own choice of the best forfeited house and garden within the city or suburbs where his cathedra is, during the aforesaid time; and if such archbishop or bishop, or other minister have no house or house-stead belonging to their fees or rectories, lying within the said town, that then a convenient house out of the houses aforesaid, or house-stead at the election of the bishop or minister, shall be set out to such archbishop, bishop or minister, his or their successors for ever, under the rent reservable to his majesty out of such house or houses by this act to be paid to his Majesty by such archbishop, bishop or minister, his or their successors for ever.

CXIV. And also be it ordained and enacted by the authority aforesaid, That the commissioners to be appointed by his Majesty for the execution of the said declaration and instructions, and this present act, shall have full power and authority by virtue of this act and of the said commission, with the greatest indifferance that may be to all persons therein concerned, to do and execute all and every act and acts, thing and things, as may conduce to the manner of executing all and every clause or clauses contained in this act that have express reference to the settlement of the interests of the church, and that all manner of proceedings and orders to be made by the said commissioners, in pursuance of their commission, and according to the said declaration and instructions and this present act, shall by virtue of this act be as good and effectual in the law to all intents, constructions and purposes, as though the same had been particularly and distinctly mentioned, or set down by authority of this present Parliament.

CXV. And be it further enacted by the authority aforesaid, That the recompence or satisfaction to be made or given by any of the Protestant officers who served in the Irish wars before the fifth day of June, one thousand six hundred and forty-nine, for or in respect of any buildings or reparations of any messuages or tenements herein before appointed as a security for their respective arrears, shall not exceed a fifth part of that sum which is the true and real value of such messuages and tenements, in case the inheritance thereof were to be sold, (messuages new built from the ground onely excepted)

cepted) nor shall any recompence or satisfaction be made or given for or in respect of any buildings or reparations which have been begun since the thirtieth day of November one thousand six hundred and sixty.

CXVI. And it is hereby further enacted, That where choice or particular lands or houses, within the said security, are or shall be appointed for satisfying arrears of any officers, the same may be set out to them in all other things according to the valuation and rules given by your Majesty for setting the rest of the security, not otherwise; excepting the houses and lands granted to Sir George Lane knight.

CXVII. And whereas there have been several baronies referred to reprise such inhabitants and natives of cities and walled towns in Ireland as were excluded from their proprieties in the said towns or cities, some of whom may perhaps be restorable by this act to their ancient proprieties: be it therefore enacted by the authority aforesaid, That if any such shall be restored to their ancient proprieties, that then so much of the lands referred in those baronies of equal value worth and purchase to the lands and houses so to be restored to the said inhabitants and natives, be and shall be reprized to the said officers serving before the fifth of June one thousand six hundred forty-nine, for and in lieu of what lands and houses shall be so restored back to the said former proprietors.

CXVIII. And be it further enacted by the authority aforesaid, That where any burroughs, corporations, or towns being and continuing actually incorporated in the year one thousand six hundred forty one, and were allotted and set out to adventurers or souldiers, not as burroughs, corporations or towns corporate, but measured as part of their land assigned them, the said boroughs, corporations and towns corporate respectively, are hereby assigned towards the satisfying the arrears of the said officers before the fifth of June, one thousand six hundred forty-nine.

CXIX. And be it hereby further declared and enacted by the authority aforesaid, That James duke of Ormond, the earl of Inchiquene, the executors of Sir Philip Percivall knight deceased, late commissary of the victuals in Ireland, who are to be satisfied for what disbursements were made to the other commissaries and officers in the establishment belonging to the said employment, by the said Sir Philip Percivall and others, who were general officers, staffe-officers, officers of the train, colonels, and majors of dragoons and lieutenant-colonels of horse, be and are hereby intended, according to the several commissions for satisfaction of their said respective arrears for service as aforesaid, before the fifth of June one thousand six hundred forty-nine, among the rest of the said officers out of the aforesaid security, and are equally to enjoy all benefits and advantages in all particulars whatsoever, with any other commission-

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No recompence for improvements begun since 30 Nov. 1660. Particular lands, &c. for satisfaction of said arrears to be set out by said rules as the rest.

except Sir G. Lane's. If any inhabitants or natives of cities restored, said officers to be reprized out of the baronies referred for such.

Corporations set out to adventurers, &c. as part of their lands, are assigned towards satisfaction of arrears of said officers.

Duke of Ormond, lord Inchiquin, executors of Sir P. Percivall, to be satisfied with the other commission officers before 1649.

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In stating
said arrears
what allowed
service in Ul-
ster.

Protestant
officers serv-
ing between 5
June 1649, &
10 Dec. 1650,
and never
since but un-
der the King,
may have ar-
rears stated
and satisfac-
tion for that
time also.

Adventu-
rers, &c. to be
reprized for
duke of Or-
mond's lands
out of Cather-
logh & moi-
eties of the ten
counties,

those re-
moved by re-
storing lord
Roscommon
to be reprized
as others.

Persons sub-
scribing as ad-
venturers ac-
cording to
acts 16 C. 1.
and not hav-
ing certifi-
cate from
Grocers-hall,
shall upon suf-
ficient proof
receive satis-
faction as o-
ther adventu-
rers.

officers serving before the fifth of June one thousand six hundred forty-nine, mentioned in this act according to their respective establishments.

CXX. And be it further enacted by the authority aforesaid, That in the stating of the said arrears no officers be allowed for service in Ulster, but such as were of the army called The British Army, and within the establishment of the said army, and that no company or troop be allowed but those that were regimented or mustred by the commissary of the musters, as a non-regimented company or troop, and actively served during the whole time they pretended unto and received pay and quarters with the rest of the army.

CXXI. And be it hereby further enacted, That James duke of Ormond, the earl of Inchiqueen, and such Protestant officers as served faithfully under his Majesty's lord lieutenant of Ireland at any time between the fifth of June one thousand six hundred forty-nine, and the tenth of December one thousand six hundred and fifty, and never served in any army since but under his Majesty's authority, may have their arrears stated for that time also, and may be allowed satisfaction for the same as for the rest of their respective arrears, and that the debentures to them respectively for those arrears be for the whole time without distinction.

CXXII. And be it also enacted, That all adventurers, fouldiers, their heirs and assigns, whose adventures and lots were set out of the lands of James duke of Ormond, and who have not been yet reprized, shall be satisfied out of the remaining forfeited lands in the county of Catherlogh, and also out of the respective moieties of the ten counties appointed for satisfaction of adventurers and fouldiers: and further, That such adventurers or fouldiers, their heirs or assigns, as have been or shall be removed upon, or by reason of the restitution of the earl of Roscommon, shall be reprized in such sort as deficient and other adventurers are by this act intended to be satisfied.

CXXIII. And be it enacted, That the right honourable Arthur earl of Essex, son and heir of the right honourable Arthur late lord Capel, who in his life-time subscribed and paid in his money as an adventurer for lands in Ireland, and the right honourable Thomas lord Culpeper, son and heir of the right honourable John late lord Culpeper, who also in his life-time subscribed and paid in his money as an adventurer on certain propositions, for lands in Ireland, and all and every other person or persons, their heirs or assigns, who subscribed and paid in their moneys as adventurers for lands in Ireland, according to the act or acts passed in the Parliament begun and held at Westminster on the third day of November, in the sixteenth year of the reign of our late Sovereign Lord Charles the first, of ever-blessed memory, and have not yet had certificates from any five or more of certain persons late sitting at Grocers-hall, shall upon the producing the original receipts of the moneys so paid in, or making

good and sufficient proof therein before the commissioners to be appointed for execution of the declaration and instructions and this present act, be enabled and intituled to ask, demand, receive and have his and their respective satisfaction for their moneys by a full and equal proportion of lands out of the moyeties of the ten counties heretofore set out for adventurers, or elsewhere, as fully and amply as any other adventurer can or may justly claim by vertue of any certificate or certificates whatsoever, unless he or they have received or accepted satisfaction for the original moneys so adventured out of church-lands, crown-lands, or other lands formerly exposed to sale in England.

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unless satisfied formerly.

CXXXIV. And be it further enacted, That where any adventurer hath delivered up his original receipt, and taken certificates from any five or more of certain persons late sitting at Grocers-hall, such certificates shall be as effectual in the law, and as available to all intents and purposes, as if the original receipt had been produced; and all and every person and persons having and producing such certificates, shall be, and are hereby enabled to have, receive, possess and enjoy so much and no more forfeited lands out of the moyeties of the ten counties aforesaid, or elsewhere, and such number of acres English or Irish measure respectively, as by vertue of the said certificates shall be certified to be due to him or them respectively.

Certificates from Grocers-hall as effectual as original receipts.

CXXXV. Provided always, That if it shall be clearly proved before the said commissioners, that the said certificates do contain a greater quantity of acres than ought to be given and allowed for the original money paid, that then such certificates shall not intitle them to any more lands than are justly due for the original subscription and money paid.

Certificates containing greater quantity than allowed for the original money, shall not intitle to more than justly due.

CXXXVI. Provided always, That nothing in the declaration, instructions, or this present act herein before or after-mentioned, shall be expounded, construed or taken to give any right or title to any adventurer or adventurers, who adventured their moneys upon certain ordinances or pretended ordinances of Parliament, made in the years one thousand six hundred forty-three, and one thousand six hundred forty and seven, commonly called The Doubling Ordinances, nor to the heirs or assigns of any such adventurer or adventurers, to have, hold or enjoy any further or other satisfaction out of the forfeited lands aforesaid, than according to the moneys really and bona fide paid in and advanced upon the said ordinances, or pretended ordinances; which moneys shall be satisfied with the like proportion of forfeited lands, according to Irish measure, as other adventurers, their heirs or assigns, who advanced their moneys upon the act passed in the Parliament held at Westminster, the first day of November in the sixteenth year of the reign of Charles the first, intituled, *An act for the further advancement of an effectual and speedy reduction of the rebels in Ireland, to the obedience of his Majesty and the crown of England*, may and ought to have any certificate,

Not to give right or title to adventurers upon pretended ordinances, (called Doubling Ordinances) further than according to money really advanced thereon, to be satisfied as other adventurers upon the act 16 C. 1. 37. Eng.

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Adventurers upon said ordinances, as to overplus of lands allotted to them, may retain to make good deficiencies, incumbrances, or arrears, according to same rules with other arrears before 1649.

Possessions by concealment, false admeasurements, or doubling ordinances beyond satisfying money advanced, shall be cut off, but in contiguous proportions, &c.

Privilege of Parliament taken away.

allotment, distribution, or other possession thereof, upon the seventh of May, one thousand six hundred fifty-nine, or any other matter or thing to the contrary hereof in any wise notwithstanding.

CXXVII. Nevertheless, it is hereby further enacted and declared, That it shall and may be lawful to and for all and every the adventurers upon the said ordinances, their heirs and assigns, to receive so much of the overplus of those lands which have been allotted to them in satisfaction of their said adventures, and shall be sufficient to satisfy and make good any deficiencies of other adventures, any right of recompence or satisfaction for incumbrances, intended to be satisfied out of the county of Kildare, or any arrears of pay before the year one thousand six hundred forty-nine, due by debentures for the aforesaid British army to the said adventurers, their heirs or assigns, or any of them, or purchased by them or any of them, and to be satisfied according to the same rules and rates with the other arrears before one thousand six hundred forty-nine.

CXXVIII. And be it further enacted and declared by the authority aforesaid, That if it shall happen that any adventurer, or the heir or assignee of any adventurer shall be possessed of any lands by concealment, false admeasurements, or by pretence of the doubling ordinances, over and above what will satisfy the principal moneys advanced upon the said ordinances, according to Irish measure as aforesaid, and shall not have any deficiencies, incumbrances, or arrears to place thereupon, or be otherwise intituled to retain the same, that then and in such case the lands to be cut off or taken away from such person or persons shall, as neare as may be, be taken away and cut off in such parts and proportions as lie most contiguous, and so as the person or persons to be removed from such overplus as aforesaid, may still retain and keep the benefit of his and their respective improvements.

CXXIX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners to be appointed by his Majesty for the execution of the declaration and instructions, and this present act, to proceed in the execution of their commission from time to time, against all and every person and persons now having, or in this or in any other Parliament hereafter to be held, claiming to have any privilege, and against all and every the lands, tenements and hereditaments, and other the premises whatsoever hereby vested in his Majesty, his heirs and successors, or charged or chargeable with any yearly rent, or other sums or payments whatsoever to be issuing out of the same, and all rules, orders, judgments and decrees of the said commissioners, made in pursuance of and according to the declaration and instructions and this present act, and all other process and proceedings whatsoever for the better leaving of any rents or sums of money charged or chargeable as aforesaid, shall be obeyed and executed forthwith, as fully and amply against all and every person or persons, and all and every

every their lands, tenements, goods and chattles, as the same ought to have been if no Parliament had been then sitting; and all officers and ministers of justice, and all other persons whatsoever any way aiding and assisting in the execution thereof, shall be and are hereby indemnified and saved harmless; any priviledge of Parliament, or other immunity or exemption to the contrary hereof in any wise notwithstanding.

CXXX. Provided always, and be it further enacted and ordained, That the severall grants and letters patents made unto Sir Maurice Eustace knight, lord chancellor of Ireland; Edward Vernon, esq; Michael, lord bishop of Cork, and Sir George Lane, and all and singular other the letters patents, whereby any of the premises hereby vested have been given or granted by his Majesty unto any other person or persons, bodies politick or corporate, under the great seal of England, or under the great seal of Ireland, before the thirtieth day of November one thousand six hundred and sixty, or since the thirtieth day of November, one thousand six hundred and sixty, by vertue of any bills, warrants, or other commands, under his Majesties signet or sign manual, dated before the said thirtieth day of November, one thousand six hundred and sixty, shall be and are hereby ratified and confirmed, and shall be deemed and taken to be good, valid and effectual in the law, according to the tenor and purport thereof, against the King's Majesty, his heirs and successors, and against all persons, bodies politick and corporate, whose rights are not saved by this act; any thing in this act contained to the contrary hereof in any wise notwithstanding.

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Letters patents to Sir M. Eustace, Ed. Vernon, Bp. of Cork, Sir G. Lane, and others, void against the King and all whole rights not saved by this act.

CXXXI. Nevertheless, it is hereby enacted and declared, That all and singular the lands and tenements given and granted, or mentioned to be given and granted in and by the severall letters patents herein before confirmed, shall be and remain, and continue subject to such rents and payments, and shall be held by such tenures and services as any other lands intended to be confirmed by his Majestie's gracious declaration or instructions, or by this present act, ought to yield, pay, render, or perform. And in case any of the aforesaid grants or demises be made at a less rent than such a proportion of acres ought to pay according to this direction, then a survey being first taken, an addition is to be made to the reserved rent, of so much as will equal it therewith, and make it agreeable to this rule, without any further prejudice to the said grants or demises: saving to all and every person and persons, bodies politick and corporate, their heirs, executors, successors and assigns, (other than to the King's Majesty, his heirs and successors and other than to such person or persons, bodies politick and corporate, who by the qualifications in this act expressed shall not be adjudged innocent, and other than to such person or persons who shall or may claim to the use of, or in trust for them, or any of them, and other than to John Blackwell, his heirs and assigns,

But their lands to be held by same tenures, rents and services as other lands.

If said grants made at a less rent than they ought, addition, upon a survey, to be made.

Saving the right of lands thereby granted of all others, except the King, persons not innocent, and John Blackwell, and those claiming under him any part of Clantarf.

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Letters patent since 30 November 1660, confirmed in like manner.

CXXXIII. And be it further enacted, That all letters patents whatsoever, whereby any of the premises hereby vested have been given or granted under the great seals of England or Ireland respectively since the thirtieth of November, one thousand six hundred and sixty, by virtue of any bills, warrants, or other commands, under his Majesties signet or sign manual, dated since the said thirtieth day of November, one thousand six hundred and sixty, shall be and are hereby ratified and confirmed, and shall be held and enjoyed in like manner, and under the like rents and payments, tenures and services, and subject to the like saving of rights and interests; as any other letters patents herein before mentioned to be confirmed are subject unto.

Power of revocation reserved to the King as to letters patent since said 30 November.

CXXXIII. Provided nevertheless, That if his Majesty, his heirs or successors, or any of them, shall think it fit or expedient for the better promoting of the ends of the declaration and instructions, and this present act, to revoke, determine, or make void all or any the said letters patents granted since the said thirtieth day of November, by virtue of any warrants or commands under his Majesties signet or sign manual, dated likewise since the said thirtieth of November, and shall under the great seal of England or Ireland, signify or declare his or their royal will and pleasure to revoke, determine, or make void them or any of them, that then, and immediately from and after such signification or declaration of his or their royal will and pleasure, such and so many of the said letters patents as shall be therein declared to be void shall cease and determine, and become utterly void and of none effect; and all and singular the lands and tenements in the said letters patents mentioned, shall be again vested in his Majesty, his heirs and successors, for and to the same intent and purpose as the other lands hereby vested are vested and settled; any thing in this act contained to the contrary notwithstanding.

Former possessors of lands restored or disposed of, discharged as to mesne profits.

CXXXIV. Provided always, and it is hereby further declared and enacted, That where any lands or tenements shall be disposed of, or any person or persons shall happen to be restored unto his or their lands or tenements by virtue of this present act, or by virtue of any order, sentence or decree, made by the commissioners for the execution thereof, that then and in such case, all and every the person and persons formerly seized or possessed of any the lands or tenements so as aforesaid restored or disposed of, shall be and are hereby

hereby discharged and indemnified of and from all suits, actions, prosecutions and demands whatsoever, touching or concerning the mean rents, issues and profits of the same; this act, or any other law, matter or thing to the contrary notwithstanding. Saving nevertheless unto all innocent persons, their heirs, executors and assigns, the right and title to the mean profits of their respective lands and tenements which have been received since the time of their several and respective claims put in before the commissioners heretofore appointed.

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Saving to innocent persons the right to these profits since their claims before commissioners

CXXXV. Provided always, and be it enacted, That the forfeited houses, lands, tenements and hereditaments in the town and county of Galway, and elsewhere within the province of Connaught, now or late in the possession of Sir Thomas Clarges, knight, or his assigns, shall remain and continue in his Majesty, his heirs and successors, to be disposed of as he or they shall think fit; any thing in this act contained to the contrary notwithstanding.

Lands of Sir Tho. Clarges in Connaught remain in the King, to be disposed as he pleases.

CXXXVI. And be it further enacted by the authority aforesaid, That all and every the adventurers, their heirs and assigns respectively, and all and every other person or persons having or claiming to have any lands or tenements for and towards satisfaction of moneys adventured for lands in Ireland, or having or claiming to have as an original adventurer, or by, from or under any adventurer, his heirs or assigns, any benefit of settlement, confirmation, or reprizal, or any other advantage whatsoever, by vertue of this present act, shall pay, or cause to be paid unto the King's Majesty, one full year's value of the profits arising out of the lands possessed and enjoyed, or to be possessed or enjoyed as aforesaid, to be paid at two several payments within the space of two years, by even and equal payments; the first payment thereof to be upon the first day of November, which shall be in the year of our Lord one thousand six hundred sixty two, and the second day of payment to be upon the first day of November, which shall be in the year of our Lord one thousand six hundred sixty and three.

Adventurers to pay to the King one years value, at two payments in two years.

CXXXVII. And be it also enacted by the authority aforesaid, That all and every the souldiers, their heirs and assigns respectively, and all and every other person or persons having, or claiming to have any lands or tenements in Ireland, for and towards satisfaction of any arrears or debentures, or having, or claiming to have as a souldier, or by, from, or under any souldier, his heirs or assigns, any benefit of settlement, confirmation or reprizal, or any other advantage whatsoever by vertue of this present act, shall pay, or cause to be paid unto the King's Majesty, one full half years value of the profits arising out of the lands possessed or enjoyed, or to be possessed and enjoyed as aforesaid, to be paid at one entire payment, upon the first day of November which shall be in the year of our Lord, one thousand six hundred sixty two: and if it shall happen that any adventurer or souldier, or any other person claiming by, from or under

Souldiers, &c. to pay half a year's value, at one payment, 1 Nov. 1662.

On default of said payment, in 20

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days, to lose
all benefit of
this act.

Commissions
may issue to
other persons
to inquire the
value of said
lands, as in
1659.

whose de-
claration and
order there-
upon to be
entered, and
duplicate re-
turned into
Exchequer,
which shall be
a charge
thereon, and
intitle the
King to said
payments,

them, or any of them, shall make default of payment of all or any part of the said years value, or half years value respectively, herein before mentioned to be paid, by the space of twenty days after any of the said respective days or times wherein the same ought to be paid, that then, and immediately from and after such default made, all and every the benefit and advantage, which by vertue of this present act doth or may accrue unto the person so making default, his heirs, executors or assigns, shall cease, determine, and be utterly voyd and of no effect; and that it shall and may be lawful to proceed against such person and persons, his heirs, executors and assigns, and against his and their lands and tenements, whereof he or they stand possessed, as fully and amply as if he or they had not been comprized within this present act; any thing in this act herein before contained to the contrary in any wise notwithstanding.

CXXXVIII. And to the end a due care may be had for the assessments and ascertaining the several and respective sums which ought to be paid by the adventurers and souldiers, and those who claim by, from, or under them, or any of them, and likewise for the safe and orderly receipt and collection thereof; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty at any time hereafter, according to his good pleasure to issue out such other commission and commissions, to be directed to such other persons, not being any of the commissioners for execution of the declaration and instructions, and this present act, as his Majesty shall think fit; which said other commissioners, so as aforesaid to be appointed, or so many of them as in the said commission or commissions shall be directed, shall have power and authority by vertue of this act, to impanel juries, and examine witnesses to administer oathes to the parties concerned, to cause the lands to be viewed and surveyed; and by all or any of these ways, or by any other lawful way or means whatsoever, to inquire into, and inform themselves of the true yearly value of all and every the messuages, manors, lands, tenements and hereditaments possessed by any adventurer or souldier, or any other person claiming by, from, or under them, any benefit by vertue of this present act, as the same were worth in the year one thousand six hundred fifty nine, and to order and declare the true and full yearly value of the same; which declaration and order of the said commissioners, or of so many of them as shall be thereunto impowered, shall be entred in a book to be kept for that purpose, and a duplicate thereof shall be returned into his Majesty's court of Exchequer, there to remain as a record, and shall be, and is hereby made a charge upon all and every the messuages, lands and tenements therein mentioned, described or referred unto, and shall be sufficient to entitle his Majesty to have and receive a years value, or a half years value, according to that rate, and in such manner as is herein before limited; which several and respective sums so ascertained as aforesaid,

said, shall, under the penalties herein before mentioned, be paid unto the right honourable Roger earl of Orrery, and John lord viscount Massarene, whom his Majesty hath appointed to be his receivers of the same, or to such other persons as his Majesty shall hereafter appoint for that purpose, who shall account for and pay unto his Majesty in his court of Exchequer, all and every the sums of money by them received.

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to be received by lord Orrery and lord Massarene, &c. to be accounted for in Exchequer.

CXXXIX. And it is hereby further declared and enacted, That the receivers for the time being, shall observe and follow such directions and instructions as his Majesty hath heretofore given, or at any time hereafter shall give.

CXL. Provided nevertheless, and be it enacted, That all lands, tenements and hereditaments, which are or shall be before the first day of May, one thousand six hundred sixty and two, settled or conveyed by Erasmus Smith, esq; for any pious or charitable use, shall be and are hereby exempted and freed from paying the year's rent, or full year's value of the profits herein before assessed, imposed or reserved; any thing in this present act contained to the contrary notwithstanding.

Lands conveyed by Erasmus Smith to charitable uses, exempted from the said year's value.

CXLI. Provided always, and it is hereby further enacted, That where any lease or leases of any messuages, manors, lands or tenements, whereof the next or immediate reversion or remainder doth or shall appertain to any innocent protestant or papist, not exceeding the time and term of one and thirty years or three lives, from the three and twentieth day of October, one thousand six hundred forty one, or other sooner time of making thereof, are forfeited to and vested in his Majesty; it shall and may be lawful to and for the lord lieutenant or other chief governour or governours for the time being, by any deed under his or their hands and seals, to grant the rest and residue of such lease or leases unto such innocent person or persons as are or shall be intituled unto the next or immediate reversion or remainder, which grants shall be sufficient to intitle the persons, to whom they shall be respectively made, to enjoy the said lease or leases against us, our heirs and successors, and against all and every other person.

Residue of forfeited leases for 31 years or three lives, from 23 Oct. 1641, &c. where immediate reversion in an innocent protestant or papist, may by deed be granted by chief governor to such person.

CXLII. And be it further enacted by the authority aforesaid, That Donnough earl of Clancarthy, and Charles viscount Muskry his son, and both of them respectively, shall be and are hereby restored unto their blood and honour, and shall and may derive their pedigree and descent from their and every of their ancestors, lineal and collateral, and shall be and are hereby restored unto, and shall and may have, hold, possess and enjoy unto them and their heirs respectively, all and singular the titles of honour, dignities, honours, manours, castles, lordships, lands, tenements, reversions, remainders, and all other hereditaments, right, title, and interest whatsoever in the said kingdom of Ireland, which he the said

Lord Clancarthy and his son restored in blood and honour.

A. D. 1662. Donnough earl of Clancarthy, or the said Charles viscount Muskry, or either of them, or any other person or persons in trust for them, or either of them, or to their or either of their use or uses, had, held or enjoyed, or of right ought to have held or enjoyed on the two and twentieth day of October, one thousand six hundred forty one, or at any time since, according to, by, and under the same tenure, rents and services, as the same were then held, and by and under no other tenure, rents or services; this present or any other act, law, statute, ordinance, order, outlawry, attainder, record, provision, sequestration, distribution, allotment, judgment or conviction, or any other cause, matter or thing to the contrary notwithstanding: saving to all and every person or persons, bodies politick and corporate, their heirs and successors, other than to his Majesty, his heirs and successors, and those who shall or may claim by, from, or under his Majesty, his heirs and successors, or any of them, all such right, title or interests, which they or either of them had before the passing of this act.

Saving the right of others.

Persons thereby dispossessed reprimed.

Sir Connel Farrel restored to lands belonging to him and his father, 22d October, 1641, for his faithful services, under former rents and tenures.

CXLIII. And be it further enacted, That all such persons as are or shall be dispossessed of any part of his or their estates, in order to the said earl of Clancarthy, and lord viscount Muskry's restitution, who are reprimable by the rules of his Majesty's declaration, shall be forthwith reprimed in lands of equal worth and value.

CXLIV. Be it further enacted by the authority aforesaid, That Sir Connel Farrel, knight, for his faithful and eminent services, and constant adherence to us in the parts beyond the seas, be and hereby is restored to and settled in so much of the manners, towns and lands of Tullickin, Lackin, Kiltaffery, Lisaniſky, in the county of Longford; the towns and lands of Rosmore and Ferry-Glas, in the county of Leytrim; the towns and lands of Loghil, Ederagh, Creagh, Carrmoare, Linnen, Derryartwood, Ballyglaslan, Mullacorney, *alias* Mullaghwerny, and Larach, in the said county of Longford, as were belonging to John Farrel, father to the said Sir Connel, and unto him the said Sir Connel, or either of them, the two and twentieth day of October, one thousand six hundred forty one, or at any time since, to have and to hold unto the said Sir Connel Farrel, his heirs and assigns for ever, under such rents, tenures and services as they were formerly held.

Robert Meredith and others, to whom said lands given for arrears, reprimed.

CXLV. And it is further enacted by the authority aforesaid, That cornet Robert Meredith, and such others to whom the premises were set out for arrears, be forthwith reprimed for the same, by other forfeited lands of equal value, worth and purchase, by our commissioners appointed or to be appointed for putting our gracious declaration and instructions in execution, and that the lands so to be set and given for reprimals unto the said cornet Robert Meredith, and the others interested in the lands aforesaid, be by the authority aforesaid, on the setting out thereof, vested and settled in the

the said Robert Meredith, and the rest of the said persons to be reprized, and their heirs respectively.

CXLVI. And be it further enacted by the authority aforesaid, That Sir William Pen shall be forthwith reprized to the full yearly value, worth and purchase of the lands by him heretofore possessed, and according to the value of the said lands, in the barony of Muskry, whereof he hath been dispossessed in order to the restitution of the earl of Clancarthy, at the time of his surrender, and his improvements of the same, and for the arrears of rents quitted to the said earl, as also for the rent that would or might become due, until the said Sir William Pen shall be possessed of a full reprize as aforesaid, out of such forfeited lands and possessions as he now holdeth as tenant to his Majesty in the said county of Cork, so far as the same will extend thereunto; and in case of defect or restitution of any of the said lands, the same to be made up out of other forfeited lands, of a good and clear title, and unincumbered, with the first that shall be reprized: and if the title of any of the lands by which he shall be so reprized, shall be defective, or that the said lands be liable to incumbrances, that forthwith upon discovery of the same, his reprize shall be made up fully by other forfeited lands of a clear title and free from incumbrances, and so from time to time, till the said reprize be completed as aforesaid.

CXLVII. And whereas there was formerly intended to be settled on the orphans of colonel Owen O Connely, particularly mentioned in the declaration, lands to the value of two hundred pounds *per annum*, as a recompence for the father's services performed in the discovery of the rebellion, which begun the three and twentieth of October, one thousand six hundred forty one; be it therefore enacted by the authority aforesaid, That the commissioners to be appointed for the execution of this act shall and are hereby empowered to set out for the use of Arthur and Martha O Connely, orphans of the said Owen O Connely, their heirs and assigns, out of the forfeited lands of Murragh, Lecstown, Westpertown, Bernonstown, Artaine, Bremore, *alias* New Haven, in the baronies of Balruddery and Clonlocke, or elsewhere in the county of Dublin, an estate of the value of two hundred pounds *per annum*; which estate of two hundred pounds *per annum*, so to be set out for their use, shall be chosen out of such of the aforesaid lands as are forfeited, for the best conveniency of the orphans, under the like rents and tenures, and with the like benefit of reprizals in case of restitution, removal or incumbrance, as adventurers are to have by virtue of this present act; which lands so to be set out as aforesaid are to be settled upon the said orphans, their heirs and assigns, in such manner and proportions, and according to such rates and values as the lord lieutenant, or other chief governour or governours of Ireland for the time being, shall direct and appoint.

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Sir William Pen to be forthwith reprized for lands in Muskry restored to lord Clancarthy, according to the value at the time of his surrender, and his improvements, &c. in Cork, if said lands defective or restored, then out of other forfeitures till the reprize complete.

Lands of 200l. *per ann.* in Dublin, to be settled on the orphans of col. Owen O Connely, for his discovery of the rebellion,

with like benefit of reprizal, as for adventurers,

to be settled as the governour directs.

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1662.
Chap. 2.

Not to pre-
judice lady
Clanrickard's
jointure.

nor the
grant by K. C.
1. to Sir
George Ham-
ilton of the
lands of John
Draycot in
Meath at-
tainted.

Captain
William Ham-
ilton to be
satisfied his
arrears out of
lands of Sir
Phelim O
Neil, accord-
ing to ten
years pur-
chase free
rent, subject
as the lands of
officers before
1649.

if not suffi-
cient, out of
Longford.

Lands set-
tled on Sir Ri-
chard, and Sir
Henry Ing-
goldby in sa-
tisfaction of
1515, 112, 2d.

CXLVIII. Provided always, That neither this act, nor any thing therein contained, shall be construed or extend to prejudice Anne, marchioness dowager of Clanrickard, her right unto any the lands or hereditaments settled upon her for her jointure, but that the said marchioness of Clanrickard, her tenants and assignes, shall forthwith enter into, possess and enjoy the said lands and hereditaments, according to her title unto the same, in the same manner and form as she and they might have done if this act had not been had nor made; this act or any thing therein contained notwithstanding.

CXLIX. Provided always, That neither this act, nor any thing therein contained, shall be construed to prejudice the grant made by his Majesty's late father of ever glorious memory, unto George Lane, esq; in trust for Sir George Hamilton, of the lands, tenements and hereditaments whereof John Draycot of Mornontown in the county of Meath, esq; attainted of high treason, and since deceased, was seized, or some other person or persons in trust for him, or to his use, in the year one thousand six hundred forty one, but that the same shall be of such and no other effect, as if this act had not been made.

CL. Provided also, and be it enacted by the authority aforesaid, That captain William Hamilton of Lough Currine in the county of Tyrone, his heirs and assigns, be forthwith satisfied for all such arrears, as upon stating thereof shall appear to rest due unto him, either in his own right, or as heir, executor, administrator or assign to others, for his or their respective services in the war of Ireland, out of the lands, tenements or hereditaments lately belonging or reputed to belong unto Sir Phelim O Neil of Kinard, knight, lying and being in the barony of Dungannon in the county of Tyrone, according to the rates of ten years purchase, free rent, over and above all incumbrances and reprises whatsoever, subject nevertheless to the like rents, payments, tenures and services, as either the lands of officers who served before June, one thousand six hundred and forty nine, are subject unto within that province; and if in case the said lands, tenements, and hereditaments belonging unto the said Phelim O Neil, at the rate aforesaid, shall not amount to a full satisfaction of the said arrear or arrears, then the remaining part of such arrear or arrears, shall be satisfied and set forth to him the said William Hamilton, his heirs or assigns, out of the forfeited lands, tenements and hereditaments, lying and being in the baronies of Ardagh and Granard in the county of Longford, at the like rate and in like manner as aforesaid; any thing in this act contained to the contrary in any wise notwithstanding.

CLI. Provided always, That such forfeited and unrestorable lands within and contiguous to the Mile-line in the county of Clare, that were set out unto Sir Richard Ingoldby, knight of the Bath, and Sir Henry Ingoldby, baronet, or either of them, in satisfaction of one thousand five hundred and fifteen pounds eleven shillings and

two pence, with their now dwelling houses and gardens in Limerick, of which they or either of them were possessed, by themselves or tenants, the seventh of May, one thousand six hundred fifty nine, in consideration of their great expence by improvement on the premises, be hereby vested, settled and assured in and upon them, their heirs and assigns for ever; they or either them delivering up to the lord chancellor of Ireland, who is hereby impowered to receive the same, so many debentures for pay due to officers before one thousand six hundred forty nine, as at the rate of twelve shillings six pence in the pound, shall amount unto the full sum of two thousand pounds, in lieu of the said one thousand five hundred and fifteen pounds; the same to be held and enjoyed by such tenures, rents and services, as other lands and houses set out for services, in the year one thousand six hundred forty and nine, are or shall be held by this present act; and in case they shall be disposed of any of the said houses or lands by virtue of the declaration, or any clause in this act, that they shall have reprizal for the same, in such manner as other persons are reprizable by this act; any thing in this act to the contrary notwithstanding.

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in and near the Mil-
Line, and in Limerick, they delivering up debentures to lord Chancellor, as at 12s. and 6d. per pound amount to 2000l.

to be re-
prized as o-
thers.

CLII. Provided also, and be it further enacted, That out of the several parcels of land of and in Cloenogha, Lacklenagh, Clenefore, Capprogge, and Cloonederage, with their members and appurtenances, in the county of Longford, lands to the clear yearly value of fifty pounds *per annum* be settled upon and granted unto John Farrel, esq; your Majesty's servant, and his heirs, to be held *in capite*, and by the yearly rent of twenty shillings a year; any grant, clause, matter or thing herein contained to the contrary notwithstanding.

Certain lands of sol. *per annum*, settled on John Farrel *in capite*, at 20s. tent.

CLIII. And forasmuch as captain John Bartlet and captain Thomas Bartlet have been eminently serviceable in and upon the coast of Ireland to your Majesty and to your royal father of blessed memorie; be it further enacted by the authority aforesaid, That the said John Bartlet, and the heir of the said Thomas Bartlet, their heirs and assigns, be equally satisfied and paid whatsoever is due unto them, or their heirs or assigns, for their or either of their disbursements in the said service, before the fifth day of June one thousand six hundred forty nine, according to such accompts and stating thereof as shall be allowed by the lord lieutenant and council of Ireland, out of the lands, houses, and other the security appointed or set apart for satisfaction of the commission-officers that served in our kingdom of Ireland before the said fifth day of June one thousand six hundred forty and nine, and in such manner as they or any of them are appointed to be satisfied and paid in or by his Majesty's gracious declaration of the thirtieth of November one thousand six hundred and sixty, or any act or acts made pursuant thereunto; any thing herein before mentioned to the contrary notwithstanding.

John Bartlet and heirs of Tho. Bartlet, satisfied for disbursements as officers, before 1649.

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Not to extend to lands of Sir Andrew Aylemer.

Nor of lord Castle Haven, who shall be immediately restored, and the persons removed re-prized.

Col. John Fitzpatrick restored in blood and estate.

Persons removed re-prized.

Not to prejudice grant to Sir George Preston of forfeited mills, &c. on the Shannon and sea coast in Conaught.

CLIV. Provided alwayes and be it enacted, That this act, or any thing therein contained, shall not extend or be construed to extend to any manors, castles, towns, villages, messuages, lands, tenements or hereditaments, which are or were of Sir Andrew Aylemer of Donnada in the county of Kildare, knight and baroner, but that he the said Sir Andrew Aylemer, his heirs and assigns, shall and may have, hold, and enjoy all and every such manors, castles, towns, villages, messuages, lands, tenements and hereditaments whereof he was so seized or possessed the two and twentieth of October, one thousand six hundred forty one, according to such right and title therein as he or they respectively then had; any thing in this act contained to the contrary thereof notwithstanding.

CLV. Provided alwayes, and be it enacted by the authority aforesaid, That this act, or any thing or matter therein contained, shall not extend to any lands, tenements or hereditaments whereof James lord Audley, earl of Castle-haven, was seized or possessed of in this kingdom, on the two and twentieth of October, one thousand six hundred forty one, nor to prejudice or avoid any right, title or interest that the said earl, his heirs or assigns had or might have to or in any lands, tenements or hereditaments in this kingdom, but that the said earl, his heirs, executors or assigns may be and are hereby restored to all and singular such lands, tenements and hereditaments, whereof he or they were lawfully seized or possessed; and that all and every person or persons, their heirs, executors or assigns, that have had all or any part of such lands, tenements or hereditaments set out unto them, are hereby immediately to be removed, and that such who shall be so removed, and are justly capable of re-prize, be re-prized as others in like cases are to be re-prized; any thing in this act to the contrary notwithstanding.

CLVI. And be it further enacted by the authority aforesaid, That colonel John Fitz-Patrick of Castle-town in the Queen's county shall be and is hereby restored in blood, and enabled to make and derive his pedigree from any ancestor lineal or collateral; and shall also be restored unto and vested in the real and actual possession and seizin to him and his heirs of all and every the castles, manors, lands, tenements and hereditaments, reversions and remainders and leases whereof the said colonel John Fitz-Patrick or his father, or any other in trust for them or either of them, or to their use, were at any time before the two and twentieth of October, one thousand six hundred forty one, lawfully seized or possessed; any thing in this act or otherwise notwithstanding: and that all and every the persons to be removed from any of the premises, shall be forthwith re-prized for the same, according to the merit of his case.

CLVII. Provided alwayes, That this act, or any thing therein contained, shall not extend to prejudice his Majesty's grant under the great seal unto Sir George Preston knight, and his heirs, of the forfeited mills, wares and fishings upon the river of Shannon, or

upon any part thereof, and upon the sea coast in the province of Connaught and in the county of Leitrim, but that the same shall be of such and no other force and effect than as if this act had not been made.

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CLVIII. And whereas Thomas Cooper and William Row are purchasers of certain lands in the barony of Denifore in the county of Westmeath, for which they paid five thousand pounds, or thereabouts, to Edward Carey, late of the Middle Temple esq; who had formerly purchased the same of divers other adventurers; and the said Thomas Cooper and William Row, their heirs and assigns, being in possession upon the seventh day of May in the year one thousand six hundred fifty and nine, may happily expect, according to some general words in his Majesty's declaration and those his Majesty's former instructions contained, that their estates should be made good to them as well as to any other adventurers or their assigns: nevertheless his Majesty, being well assured that the purchase made by the said Thomas Cooper and William Row was only in trust for the wife and children of Archibald Hamilton then newly executed for treason in Scotland, and the moneys laid out in that purchase for the wife and children were given by Cromwel as a reward of those treasons, hath thought fit to distinguish this case from the case of other adventurers and their assigns; be it therefore enacted by the authority aforesaid, That the said Thomas Cooper and William Row be removed from the possession of the premises, and all other persons claiming by, from, or under them; and that the same be delivered unto Thomas Pigott esq; master of our court of wards and liveries in Ireland, and unto Matthew Lock esq; to have and to hold to them and their heirs; subject nevertheless to the payment of the like rents and services as the adventurers for lands in the province of Leinster are, and granting to them the like benefit of reprisals in cases of restitution, as the adventurers or their assigns should have had in case they had still enjoyed the same.

Thomas Cooper and William Row removed from lands in Westmeath purchased by them for 5000l. in trust only for representatives of Archibald Hamilton executed for treason, as a reward for which said money was given by Cromwel.

Granted to Thomas Pigot and Mathew Lock, subject as other adventurers.

CLIX. Provided alwayes, and be it enacted by the authority of this present Parliament, That one grant or lease made by Randal now marquis of Antrim, on or about the one and twentieth day of November, in the year of our Lord one thousand six hundred thirty seven, of the barony of Carey, the lordship of Bally Castle, and the island of Rachlins, and all his lands and hereditaments within the said barony, lordship and island, or any of them, unto Alexander Mac Donnel, John Moore, Archibald Stewart and John Trayleman, for ninety nine years, from Michaelmas, one thousand six hundred thirty seven, which lease was made in trust for payment of and counter-security against his debts, shall be and remain of the like effect and force in law, and no other, as the same was before the making of this act; any thing in this act before contained to the contrary notwithstanding. And that the said estate and term of years of and in the said demised premises, shall be and is

Grant or lease by lord Antrim for 99 years from Michaelmas 1637 in trust for his debts, as effectual as before.

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Transferred
and settled to
Martin Noel,
Thomas
Carleton,
and John
Bradborne,
for said pur-
pose.

Persons re-
moved there-
by reprinted.

Lands of
Robert Wal-
lop in Wex-
ford confirm-
ed to lord
Southamp-
ton, lord
Ashley, Sir
Orlando
Bridgman,
and Sir Henry
Vernon.

Sir Richard
Ingoldby to
receive the
rents and
goods forfeit-
ed by attain-
der of Sir
Hardress
Waller, till
paid 2000.
and interest
from 1658.

hereby transferred from the aforefaid leſſees unto and veſted and ſettled in Martin Noel eſq; Thomas Carleton citizen and mercer of London, and John Bradborne of the Middle Temple London, gentleman, who ſhall hold and enjoy the ſaid demifed premiſſes from henceforth, for and during ſuch intereſt as they legally have by the ſaid leaſe, upon this truſt reſoſed in them, the ſaid Martin Noel, Thomas Carleton and John Bradborne, that they, their executors and adminiſtrators, ſhall from time to time diſpoſe and employ ſuch moneys as they ſhall raiſe or receive by or out of the ſaid premiſſes for and towards the ſatiſfaction and payment of all ſuch debts of the ſaid marqueſs as are yet unpaid, and were intended by the ſaid leaſe of ninety nine years to be ſecured; and that all and every perſon and perſons now ſeiſed or poſſeſſed of any part of the premiſſes, and reſprizable by the rules of the declaration and inſtructions and this preſent act, ſhall be forthwith reſprized for ſo much as ſhall be adjudged from them by virtue of the ſaid leaſe.

CLX. Provided alwayes, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the right honourable Thomas earl of Southampton, lord high treaſurer of England, Anthony Ashley, lord Ashley, Sir Orlando Bridgman knight and baronet, lord chief juſtice of his Maſteſtie's court of common pleas, and Sir Henry Vernon, to have, hold and enjoy to them and their heirs and aſſigns all that the caſtle, mannor and abbey of Eniſcorthy in the county of Wexford, and all thoſe manors, townſhips, lands, tenements, territories and hereditaments, late parcel of the poſſeſſions, of Robert Wallop, commonly called or known by the name of Kilbeck, Clony, Turneſallough, and Efferneck; and alſo all that the priory or rectorſy and church impropriate of Salſker, in the ſaid county of Wexford, late parcel of the poſſeſſions of the ſaid Robert Wallop, with all tythes, oblations, obventions, and all other profits whatſoever thereunto belonging, and all other the meſſuages, lands, tenements, tythes, rents, reverſions and hereditaments whatſoever in the kingdom of Ireland, granted or mentioned to be granted unto the ſaid earl of Southampton, lord Ashley, Sir Orlando Bridgman, and Sir Henry Vernon, and their heirs, in and by certain letters patents bearing date the fix and twentieth day of September, in the thirteenth year of his Maſteſtie's reign, which ſaid letters patents ſhall be and are hereby ratified, confirmed and approved according to the tenor and purport thereof any thing in this preſent act contained to the contrary thereof in any wiſe notwithstanding.

CLXI. Provided alwayes, and be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for Sir Richard Ingoldby knight of the Bath, to receive and take to his own uſe the rents, iſſues and profits of all and ſingular the meſſuages, lands and tenements formerly belonging to Sir Hardreſs Waller, and

and now forfeited by the attainder of the said Sir Hardres Waller for high treason, and also all and singular the goods and chattels formerly belonging to the said Sir Hardres Waller, and now forfeited, wherefoever the same shall be found in the kingdom of Ireland, untill the said Sir Richard Ingoldfby shall out of the rents and profits, or by reason of the said goods and chattels be fully satisfied and paid the sum of two thousand pounds with the interest thereof since the year one thousand six hundred fifty eight, or so much thereof as remains yet unsatisfied, he the said Sir Richard Ingoldfby accounting for and paying the full overplus thereof (if any shall be) unto our sovereign lord the King; any thing in this act before contained to the contrary notwithstanding.

CLXII. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for Sir George Lane knight, his heirs and assigns, to have, hold, possess and quietly enjoy to the use of him the said Sir George Lane knight, his heirs and assigns, all the lands, tenements and hereditaments wherein the said Sir George Lane had any estate in possession, reversion or remainder, on the fifteenth day of September, one thousand six hundred and fifty; and also all the castles, manors, lands, tenements and hereditaments which he the said Sir George Lane, or any other person or persons in trust for him the said Sir George Lane, or to his use hath or have purchased of or from Thomas Dutton, esq; son and heir of Sir Thomas Dutton knight deceased, and also of and from Sir John Norton of Rotherfield in the county of Southampton baronet, situate, lying and being in the counties of Longford and Leitrim, containing by estimation two thousand six hundred acres of profitable land, be it more or less; and also all other the messuages, lands, tenements and hereditaments whereof John Cook and Philip Hore lately attainted for high treason, or either of them, or any other person or persons to the use of, or in trust for them, or either of them was or were seized or possessed on the day they the said John and Philip respectively committed their several treasons, or at any time since, and which were given and granted, or mentioned to be given and granted by his Majesties letters patents under the great seal of Ireland, unto the said Sir George Lane, and his heirs, according to the purport and meaning of the said letters patents; all which said manors, castles, lands, tenements and hereditaments are to be held and enjoyed by the said Sir George Lane, his heirs and assigns, with like benefit of reprizal in case of restitution, as any adventurers ought to have; saving to all and every person and persons, bodies politick and corporate, their heirs, executors, successors and assigns, other than to the King's Majesty, his heirs and successors, and other than to the said Thomas Dutton, Sir John Norton, John Cook and Philip Hore, or any of them, or the heirs, executors, administrators or assigns of them, or any of them, and other than such person and persons, their heirs, executors, or assigns, as do or may

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tainted, and
those not in-
nocent.

Estate of
Sir G. Lane
confirmed to
him

with like
benefit of re-
prizal.

Saving the
right of o-
thers, except
the King,
vendors, the
persons at-
tainted, and
those not in-
nocent.

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claim to the use of or in trust for them or any of them, and other than to such person and persons, their heirs, executors and assigns, who shall not be adjudged innocent according to the qualifications of this present act, all such estate, right, title, and interest either in law or equity, as they or any of them had before the making of this act; any thing in this act contained to the contrary notwithstanding.

Duke of
Albemarle's
lands confirm-
ed to him in
feccage, as of
the castle of
Dublin by
fealty and col-
rent.

CLXIII. Provided always, and be it enacted, that the lands, tenements and hereditaments now in the possession of George Duke of Albemarle, or his assigns, which are or shall be confirmed to him, his heirs and assigns, by or in pursuance of this or any other act of this Parliament, or any other grant from his Majesty, his heirs and successors, shall be, continue and remain to him, his heirs and assigns for ever, to be held in free and common feccage, as of his Majesties castle of Dublin by fealty, and the yearly rent of ten pounds payable at the two most usual feasts in the year (*viz.*) Saint Michael the Archangel and our Lady-day, by two most equal portions at his Majesties receipt of the exchequer, and freed and discharged from all other rents, accompts, or other services to his Majesty, his heirs or successors; any thing in this or any other law, statute or ordinance to the contrary in any wise notwithstanding.

Mollingar,
Esq. settled on
Sir Arthur
Forbes, ac-
cording to
grant in 13th
year of his
said Majesty.

CLXIV. Provided also and be it enacted, That the town of Mollingar in the county of Westmeath, with all the houses, castles, tenements, lands and commons thereunto belonging and forfeited to his Majesty, be, and they are hereby settled upon Sir Arthur Forbes baronet, and his heirs for ever, according to a grant thereof passed unto him by letters patents under his Majesties great seal of Ireland bearing date the seven and twentieth day of July in the thirteenth year of his said Majesties reign.

Arrears of
duke of Or-
mond and lord
Leicester to
be satisfied as
the arrears of
officers be-
fore 1649.

CLXV. And whereas some doubt may arise upon the words of that clause relating to the satisfaction of such commissioned-officers, their heirs or assigns, who were in regiments, troops or companies raised in Ireland, or transported out of England, and served his late royal Majesty of glorious memory, or his now Majesty in the wars in Ireland, at any time before the fifth day of June, one thousand six hundred forty nine, whether provision be thereby made for satisfaction of the arrears due to James duke of Ormond, Robert earl of Leicester, according to their several commands they bore in the said kingdom of Ireland; be it therefore enacted by the authority aforesaid, That all and several arrears due to the said James duke of Ormond, and Robert earl of Leicester, or either of them, by or upon all or any their entertainments or allowances, according to their commands aforesaid, be and shall be satisfied out of the lands, tenements and hereditaments, and other securities by this present act laid out and ascertained for the satisfaction of such officers
unto

unto the said duke and earl, their heirs or assigns, according to the same rate, and in the same manner as such arrears by this present act are to be satisfied; any clause or thing in this act to the contrary notwithstanding.

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CLXVI. And for the better satisfaction of Robert Southwel of Kingsale in the kingdom of Ireland esq; the sum of seven hundred pounds by him heretofore furnished for the supply of our fleet, in the year one thousand six hundred forty eight, being then in the port of Kingsale aforesaid; be it therefore enacted by the authority aforesaid, that the forfeited lands late the freehold and inheritance of Philip Barrioge, lying in the liberty of Kingsale and barony of Kinalea in the county of Cork in the said kingdom of Ireland, situate, lying and being in the several plow-lands and places herein after mentioned; one plow-land called Rincorran, one plow-land called Raghmore, and one plow-land called Preehaus lying in the liberty of Kingsale, one half of a plow-land called Toghermethim, half a plow-land called Currentry Leshane, half a plow-land called Knockenaffe, half a plow-land called Ballineclashy, and one quarter of a plow-land called Ballinvallin, lying and being in the barony of Kinlealea in the county of Cork, all containing by estimation one thousand three hundred seventy and two acres; as also parcel of the forfeited lands of James Melliphont (*videl.*) one plow-land called Southwaters land, wherein is the place called Gilly and Benson's Cow, containing about one hundred and sixty acres, and lying and being in the said liberty of Kingsale, be held and enjoyed by the said Robert Southwel, his heirs and assigns, in satisfaction and full recompence of his said debt, to hold the same to the said Robert Southwel, his heirs and assigns for ever, subject nevertheless to the like rents and services, and with like benefit of reprizal in case of restitution as any adventurer ought to have, and also with like benefit of reprizal, in case the same be due to any adventurer or souldier by virtue of this act; any thing in this present act contained to the contrary notwithstanding.

Lands of P. Barrioge and James Melliphont settled on Robert Southwel in satisfaction of 700l. furnished for supply of the fleet in 1648 in Kingsale.

Subject to like rents, with benefit of reprizal, as adventurers.

CLXVII. Provided alwayes, and be it enacted by this present Parliament, and by the authority of the same, That the lordships of Templetown, Mooretown and Mouchlogh in Cowly in the diocess of Ardmagh, the lordship of Kilfaran, the rectories of Monasterboies, Desert, Clougegan, and the lands and hereditaments of Terman Feigham Douller and Downam, or by what other name or names they or any of them are known or called, with their and every of their appurtenances, shall be and are hereby settled and vested in William Legge esq; one of the grooms of his Majesties bed-chamber, his executors and assigns, for the term of ninety nine years to be accounted from the determination of one or more lease or leases heretofore made unto Sir Thomas Plunket, lord of Lowth, or to any other person or persons under such yearly rents and services as any adventurers ought to pay within the province where the premises do

Lands vested in Wm. Legge for 99 years from determination of leases made to others, under rents payable by adventurers, unless the former rent greater.

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Carey Dillon to receive for his arrears father and equal satisfaction with other officers before 1649.

CLXVIII. And whereas there was set out and assigned unto colonel Carey Dillon certain lands, tenements and hereditaments within the Mile-line of Connaught and Clare, in satisfaction of a small part of his arrears due unto him for service in Ireland, before the fifth of June one thousand six hundred forty nine, and by the declaration confirmed unto him; be it therefore hereby further provided and enacted by the authority aforesaid, That the said Carey Dillon, his heirs, executors, administrators and assigns, shall and may receive for the remainder of his arrears unsatisfied for service in Ireland, before the fifth of June one thousand six hundred forty nine, farther and equal satisfaction, with other the commissioned officers that shall or are to receive satisfaction for their respective arrears, due before the said fifth of June, one thousand six hundred forty nine, by virtue of this act; any thing in this act contained to the contrary in any wise notwithstanding.

Saving the interests of innocent persons, notwithstanding the disposition and settlement of several lands to particular persons.

CLXIX. And whereas several clauses, articles, instructions, provisions, and other matters herein before and after mentioned, do relate to particular persons, and concern the disposition and settlement of several lands and tenements to them, wherein and whereby divers innocent persons, bodies politick and corporate, their innocent heirs, executors, successors or assigns, may receive great loss and prejudice, if due care be not had for saving their just rights and interest; be it therefore enacted and declared, That the several and respective estates, rights, titles and interests, belonging to any innocent person or persons, bodies politick or corporate, or to their innocent heirs, executors, successors or assigns, shall be and is hereby saved unto him or them respectively; any clause, article, instruction, proviso, or other grant or disposition thereof herein made to the contrary notwithstanding.

Duke of Ormond's signal loyalty and disinterested adherence to the crown.

CLXX. Whereas James duke of Ormond, in the time of his being lieutenant general and general governour of this his Majesty's kingdom of Ireland, hath from the beginning of the rebellion here in a most eminent manner acted in the suppression thereof, and the reducing the persons involved therein unto their due obedience, and hath upon the most abstracted considerations of honour and conscience faithfully adhered to his Majesty and to the crown of England, without any regard had to his own estate and fortune; and whereas divers estates in tayle for life or years whereof the reversions and remainders in fee, or fee tayle is, or are in the said duke, or in Elizabeth dutchess of Ormond his wife, are by means of the said rebellion, or by virtue of this present act, or otherwise become forfeited or vested in his Majesty, and divers other mortgages, leases, statutes, judgments, and other securities for moneys have been made and acknowledged by the said duke, or some of his ancestors, unto persons whose estates are by this present act or other-

wife

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wife vested in his Majesty, and his Majesty is thereby intituled unto the same, of which if his Majesty should take advantage, the same should not onely be very prejudicial to the said duke, in respect of his own estate, but also in respect of the estates which he holds and enjoys in the right of his said dutchefs, and would very much hinder the said duke and dutchefs in the settling of their estate in such manner that he may provide for the payment of his debts, and make provision for his children. And whereas the said duke of Ormond, and the lady Elizabeth dutchefs of Ormond his wife, have heretofore made one or more conveyance or conveyances, thereby intending to settle their estates in the said kingdom of Ireland in their posterity, and to provide for their younger children, which conveyance or conveyances is, or are by means of the late troubles in the said kingdom lost, or otherwise miscarried; and divers changes and alterations relating to their said estates have happened since the making thereof as well by the deaths of some of the children of the said duke and dutchefs, provided for thereby, and by the birth of other children not yet provided for, and divers debts have been since contracted by the said duke, which he in honour and justice holds himself obliged to pay, but by reason of the said former conveyances and settlements, if they should hereafter rise up in proof, or come to light, questions and differences might arise thereupon. And whereas the said duke and dutchefs in and by one indenture *quadrupartite*, purporting a deed of grant or feoffment, bearing date the twentieth day of December, one thousand six hundred sixty one, in the thirteenth year of his Majesty's reign, and made or mentioned to be made between the said duke and dutchefs of the first part, Hugh earl of Mount-Alexander, Sir George Lane, and Sir William Flower of the second part, Donagh earl of Clancarthy, Sir Paul Davys, and George Carr esq; of the third part, and Thomas Harman, Edward Butler, John Bourden, and Laurence Walsh of the fourth part, have settled and limited, or made mention to settle and limit the honours, castles, manors, lordships, lands, tenements and other hereditaments in that *quadrupartite* indenture mentioned, to such uses and in such manner as are therein mentioned. And whereas his Majesty, to shew his gracious acceptance of the service and hazards by him undergone and performed, is willing not only to restore the said duke and dutchefs to all their honours, dignities, signiories, manors, castles, lands, tenements and hereditaments, which by the general scope of this act, and by some construction that might thereupon be made, by reason of some distribution or allotment that hath been made thereof by the late usurped powers, might be vested in his Majesty, but also to confer upon the said duke, and free both his and the estate of the said dutchefs, from all estates in tayl, mortgages, leases, statutes, judgments and other securities which are become forfeited, and are vested in his Majesty as aforesaid, and to which the manors, lands, or estate in

Former settlement by the duke and dutchefs, not now appearing; but upon which, if afterwards come to light questions might arise; divers changes having since happened, and debts contracted by the duke.

Settlement by them 20 Dec. 1661, by indenture quadrupartite.

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Said duke and
dutchess re-
stored to their
honours and
possessions.

possession, reversion or remainder of the said duke and dutchess, or either of them, are or may be subject and lyable; and his Majesty is also willing that the said duke and dutchess should settle their estate in such manner as the same is or are mentioned to be settled by the said indenture *quadrupartite*: for all which ends and purposes, be it enacted by the authority aforesaid, That the said James duke of Ormond, and the lady Elizabeth dutchess of Ormond his wife, shall be and are hereby restored unto, and shall and may have, hold, possess and enjoy all and singular the titles of honour and dignities which they had, or of right ought to have held the two and twentieth day of October, in the year of our lord God, one thousand six hundred forty and one, or at any time since, and shall be also restored unto, and are hereby restored unto, and shall and may have, hold, possess and enjoy all and singular the feignories, manors, castles, lordships, lands, tenements, hereditaments, reversions, remainders, and all other hereditaments and interests whatsoever in the said kingdom of Ireland, which he the said James duke of Ormond and the said lady Elizabeth dutchess of Ormond his wife, or either of them, in right of the said duke or of the said dutchess, or otherwise, or any other person or persons in trust for them, or either or any of them had, held or enjoyed, or of right ought to have, hold or enjoy, on the said two and twentieth day of October one thousand six hundred forty and one, or at any time since, as fully and freely, and for such estate and estates as they or any in trust for them then had, held or enjoyed the same, together with all the rents, issues and profits thereof, since the four and twentieth day of April, in the year of our Lord God one thousand six hundred and sixty, in as large, ample and beneficial manner and form to all intents and purposes as he the said James duke of Ormond, and the said lady Elizabeth dutchess of Ormond, or either of them, or any other person or persons in trust for him or her, or to his or her use had, held or enjoyed; this present act, or any other act, law, statute, ordinance, order, attainder, record, provision, sequestration, distribution, allotment, judgment or conviction, or any clause, matter or thing had, made, transacted or done to the contrary notwithstanding.

CLXXI. And to the end that the said duke and dutchess may have, hold, possess and enjoy their estate or estates, free from all estates taylor, mortgages, leases, statutes and judgments, and other securities for moneys forfeited to his Majesty, to which their estate or estates are or may be lyable; be it therefore further enacted by the authority aforesaid, That all estates tail for life or lives, or for years, and all other estates whatsoever, whereof the said duke or dutchess of Ormond, or any other person in trust for them or either of them, had the reversion or the remainder, the two and twentieth of October, in the year of our Lord one thousand six hundred forty and

Free from
estates tail,
mortgages,
leases, judg-
ments and se-
curities for-
feited to the
King, all
which are
vested in and
given to said
duke.

and one, or at any time since, and which by virtue of this present act or otherwise are become forfeited to his Majesty; and all judgments, statutes, recognizances, and all other securities for money of any kind or nature whatsoever, which may in any kind impeach, charge, or incumber any of the feignories, manors, castles, lordships, lands, tenements, reversions, remainders, or other hereditaments or interests whatsoever of the said duke or dutchefs of Ormond, or of any other person or persons in trust for them or either of them in the said kingdom of Ireland, which by this present act or otherwise are become forfeited or vested in his Majesty, shall be vested, settled and given, and are hereby vested, settled and given to the said duke of Ormond, as fully and amply, and in as large, ample, beneficial manner to all intents and purposes, and for such estate and estates in fee-simple or otherwise, as his Majesty by virtue of this present act, or any clause therein contained, or by any other means had or might have had, held or enjoyed the same; any former or other clause or provision in this present act, or any other act, law, statute, ordinance, order, attainder, record, provision, sequestration, distribution, allotment, judgment or conviction, or any other cause matter or thing had, made, transacted or done to the contrary notwithstanding.

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CLXXII. And to the end that the estate and estates of the said duke and dutchefs may be settled in such manner as the same by the said *quadripartite* indenture are intended to be settled; be it therefore further enacted by the authority aforesaid, That all and every conveyance and conveyances, settlement and settlements, assurance and assurances whatsoever, at any time heretofore made by the said duke and dutchefs, or either of them, by themselves or jointly with any other persons trusted on behalf of them, or any of their children, for the settling of any the honours, feignories, castles, lordships, manors, lands, tenements, or any other of the hereditaments in the said *quadripartite* indenture mentioned upon the said duke or dutchefs, or either of them, or upon their or any of their children and blood, with or without remainders to any other person or persons whatsoever, shall be revoked, repealed, adnulled and made void, and are hereby revoked, repealed, adnulled and made void.

All former settlements by them revoked.

CLXXIII. And be it further enacted by the authority aforesaid, That all and singular the honours, feignories, castles, lordships, manors, lands, tenements and hereditaments, mentioned in the said indenture *quadripartite*, and intended to be granted, settled or conveyed, or mentioned to be thereby granted, settled or conveyed, shall be by the authority of this present act vested, settled and established, and are hereby vested, settled and established in the several respective persons, and for the several respective estate and estates, use and uses and intents, and under and subject to the same powers, limitations and trusts as are expressed touching the same,

Said estates settled to uses of said *quadripartite* indenture.

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as fully as
if executed by
fine, &c.
and as if
particularly
recited,
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standing the
dutchess a
Feme covert.
Saving the
right of
others.

and contained in the said *quadripartite* indenture, as fully as if the said *quadripartite* indenture were executed by fine, common recovery, livery of seizen, attornment of tenants, or by any other way or means whatsoever requisite or necessary for the doing thereof, and as fully as if the said *quadripartite* indenture had been particularly recited, expressed and enacted in this act, notwithstanding the said Elizabeth dutchess of Ormond be a *feme covert*, and although there be no other execution of the said *quadripartite* indenture than the power and authority of this present act; any other matter or thing whatsoever to the contrary notwithstanding: saving to all and every person and persons, bodies politick and corporate, their heirs and successors, other than to his Majesty, his heirs and successors, and other than to such whose estates are forfeited to his Majesty, or are by this act vested in his Majesty, and those who claim by, from or under his Majesty, or them or any of them, all such right, title or interest as they or any of them had before the passing of this act; and also saving to all and every person and persons, bodies politick and corporate, other than the children of the said duke or dutchess, and such others as claim any estate or estates in trust for them or any of their children, and such as claim estates in remainder, in tail or fee-simple by virtue of any conveyance or conveyances at any time heretofore made of the said honours, castles, lordships, manors and lands, in and by the said *quadripartite* indenture settled or mentioned, or intended to be settled, all such right, title and interest as they or any of them had before at the passing of this act.

Lord Kildare shall have the pre-emption of forfeited interests in lands held of him,

CLXXIV. Provided always, and be it further enacted by the authority aforesaid, That Wentworth earl of Kildare, his heirs and assigns, shall and may have the pre-emption, and be preferred unto the purchase of, and enjoy the forfeited interest and estates in and of all such lands, tenements and hereditaments by this present act vested in his Majesty, his heirs and successors, and not restored to the former proprietors as were or are held of or from George, late earl of Kildare, or the said Wentworth, Earl of Kildare, or either of them, or of their or any of their manors, or without chief rent, service or duty, was or is reserved unto the said George, earl of Kildare, Wentworth, earl of Kildare, or either of them, as also of any other lands, tenements or hereditaments surrounded by, or intermixt with the said earl of Kildare's estate, which he the said earl shall desire by placing thereon such adventurers, arrears, decrees, incumbrances, or other publick debts or interests as are confirmed and allowed by this present act, and according to the tenor thereof are satisfiable thereupon; and that the personal arrears of George, late earl of Kildare for service in Ireland, before the fifth day of June, one thousand six hundred forty nine, be satisfied out of such forfeited houses, lands, tenements or hereditaments, and other security lyable to the satisfaction of such arrears in the coun-

and also of other estates intermixt with his.

Arrears of the late earl before 1649) satisfied out of securities in Kildare, as he shall chuse.

ty of Kildare, and elsewhere in the kingdom of Ireland, lying most convenient unto the estate of the said earl of Kildare, which he the said Wentworth eal of Kildare shall make choice of; all which said satisfactions are to be made at the same rates and proportions, and according to the same rules as are directed by this act in cases of the like nature; any thing in this present act, or any clause therein contained to the contrary in any wise notwithstanding.

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CLXXV. Provided always, and be it further enacted, That all such adventurers who are or shall be removed from any of the lands, tenements and hereditaments belonging to Theobald Purcell of Loghmoe in the county of Tipperary, lately deceased, shall be only reprinted out of surplusage lands within the security of the adventurers; any thing in this act to the contrary thereof in any wise notwithstanding.

Adventurers removed from Theobald Purcell's estate, reprinted only out of surplus lands within security of adventurers.

CLXXVI. Provided always, That nothing in this act contained, shall prejudice the right, title, or interest of Martin Noel or John Arthur in any of the forfeited houses, tenements or hereditaments in the town of Wexford; and it is hereby enacted, That such of the said houses, tenements and hereditaments in the said town of Wexford, as shall be found to be forfeited, and already set out unto the said Martin Noel and John Arthur, shall be and are hereby vested in and settled upon the said Martin Noel and John Arthur, their heirs and assigns for ever, under such rents and according to such respective rules, as were set down in his Majesty's said declaration and instructions.

Not to prejudice Martin Noel and John Arthur's interest in forfeitures in Wexford settled on them.

CLXXVII. Provided always, That this act, or any thing therein contained, shall not extend to any person or persons, bodies politic or corporate, any manors, lands, tenements, rents, reversions, services or hereditaments which did belong unto any hospital, almshouse, lepers or lazars, or other charitable use within the said kingdom of Ireland, on the two and twentieth day of October, in the year of our Lord one thousand six hundred forty and one, but that all such manors, lands, tenements, rents, reversions and hereditaments, and every of them, shall be restored, settled and disposed to the respective hospitals, almshouses, lepers, lazars, or other charitable use, to which they or any of them did belong, before the said year one thousand six hundred forty and one, and that to be done by the inspection, direction and regulation of the lord lieutenant or other chief governour and governours, and council for the time being; any thing in this act contained to the contrary thereof in any wise notwithstanding.

Lands restored to hospitals and charitable uses,

under inspection of chief governour and council.

CLXXVIII. Provided also, and be it further enacted, That Arthur, now earl of Anglesey, and lord viscount Valentia, his heirs and assigns, in his and their respective settlements and satisfactions pursuant to this act, shall and may enjoy the full benefit and advantage of his Majesty's respective gracious letters in the behalf of the

Lord Anglesea to enjoy benefit of his letters patents, so far as consistent with the declaration.

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Not to extend to lands of Thomas Luttrell, who shall enjoy, without and before any reprisals, at the autient rents and tenures.

John Bellew shall enjoy in as large a manner as Sir Christopher Bellew, this act notwithstanding.

John Morrish and Robert Clayton shall enjoy lands in Wexford, of which they were seized in trust for purchasers, according to the deeds, with benefit of reprisal, &c.

faid lord viscount Valentia, under his Majesties royal signet, inrolled in his Majestie's high court of Chancery in Ireland, so far forth as the same are consistent with his Majesties said declaration; any thing in this act to the contrary notwithstanding.

CLXXIX. Provided always, and be it enacted by the authority aforelaid, That this act, or any thing therein contained, shall not extend or be construed to extend to any manors, castles, towns, villages, messuages, houses, lands, tenements or hereditaments, whereof Simon Luttrell of Luttrellstown in the county of Dublin, esq; deceased, or Thomas Luttrell, son of the said Simon or either of them were or was seized in fee, or fee-tail, in use, possession, remainder or reversion, on the two and twentieth day of October one thousand six hundred forty and one, or whereof they or either of them, or their or any of their tenant or tenants was or were dispossessed, expelled or removed by or under colour of any actings of the late usurped power in the kingdom of Ireland, but that the said Thomas Luttrell, his heirs and assigns, shall and may from henceforth have, hold and enjoy all and singular the said manors, castles, towns, villages, messuages, houses, lands, tenements and hereditaments with appurtenances, without and before any previous reprisals, and at the ancient rents and tenures; any thing in this act contained to the contrary thereof notwithstanding.

CLXXX. Provided always, and be it hereby enacted, That John Bellew of Castletown in the county of Lowth, esq; his heirs and assigns, shall have, hold, possess and enjoy all the houses, lands, tenements, rents, services and hereditaments whatsoever, which did belong in possession, reversion or remainder, to Sir Christopher Bellew late of Castletown aforelaid, knight, father to the said John, on the two and twentieth of October, in the year of our Lord God one thousand six hundred forty and one, in as large and ample manner as the said Sir Christopher, or any other in his right or to his use enjoyed the same; subject nevertheless to such charges and incumbrances as were justly laid upon, or issuing out of the said estate before the said two and twentieth day of October, one thousand six hundred forty and one; any clause, proviso, matter or thing in this act whatsoever to the contrary notwithstanding.

CLXXXI. Provided always, That John Morrish and Robert Clayton, and their heirs, executors and assigns shall have, hold and enjoy all and singular the forfeited manors, lands, tenements and hereditaments in the county of Wexford in Ireland, whereof they or one of them stand seized or possessed in trust for Sir John Cutler, knight and baronet, Sir Edward Heath, knight of the bath, Thomas Yate, doctor of divinity, Robert Abbot, gent. Didier Fouchant, gent. and Timothy Stamp, esq; and whereon or on some part whereof iron-works and other necessary improvements have been erected and made, and which were formerly purchased

purchased or taken in lease in the names of any of the parties above-named from officers, souldiers or others, to whom the same were set out or allotted in satisfaction of adventures or arrears, or did otherwise of right appertain, according to the effect and purport of the severall and respective deeds of purchase and demise, and with such benefit of reprizal in case of restitution or incumbrance, and with such other advantages as any adventurer or souldier, their heirs or assignes within the province of Leinster ought to have; any thing herein contained to the contrary notwithstanding.

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CLXXXII. Provided always, and be it further enacted, That the lands and estate formerly set out in the county of Cork unto Hercules Hunckes, esq; for his arrears due for his service in Ireland, be established on and confirmed unto Edward Adams of London, merchant, his heirs and assignes for ever, according to such tenures, rents and services, and under such limitations and directions for reprizal, as are set down and expressed for any other officer or souldier in this present act; any thing herein to the contrary notwithstanding.

Lands in Cork set out to Hercules Hunks for arrears confirmed to Edward Adams.

CLXXXIII. And whereas severall of the inhabitants and proprietors of the city of Dublin and town of Drogheda, who constantly adhered unto the royal authority, until the withdrawing thereof from the kingdom of Ireland, in the year one thousand six hundred forty seven, were since expelled from their habitations and estates in the time of the usurped power: be it further enacted by the authority aforesaid, That such of the inhabitants and proprietors of the said city and town as constantly adhered to the royal authority untill their respective deaths, or withdrawing of the same royal authority from the said kingdom, in the year one thousand six hundred forty and seven, and did not at any time after adhere to the papal clergy, or other the Irish rebels in opposition to the royal authority, and the heirs and widows of such of them as are dead, shall be restored unto, and have and enjoy as of their former estates, all and every their and every of their houses, lands tenements and hereditaments, freedoms and immunities respectively in the said city of Dublin and town of Drogheda, and elsewhere; any thing in this act or in any other act contained to the contrary, or any other matter or proceedings against them or any of them, at any time since the said withdrawing of the royal authority until his Majesties restitution notwithstanding.

Inhabitants of Dublin or Drogheda, adhering to royal authority till the withdrawing it in 1647, their heirs and widows restored.

CLXXXIV. And for the better prevention of all future rebellions, and to the end our good subjects of Ireland may be likewise secured against all insurrections or attempts for the time to come, and the said kingdom be the better planted and improved; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the lord lieutenant, or other chief governour and governours and council of Ireland for the time being, from time

The governour and council during 7 years may make rules for better planting with protestants the lands not restored.

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And also for regulating corporations, &c.

with penalties for breach, but not further than treble the value of quit-rents of the lands planted otherwise :

and as to corporations, the removal and disfranchisement of those guilty of breach.

Lands in Ulster not to be set out for deficient adventures, but wholly reserved for reprisals.

Lands granted by the King, and confirmed, chargeable with a year's, or a year and a halfs rent and quit-rents, &c. at the lands of adventurers or soldiers.

But where greater rent reserved than the quit-rents would amount to, that shall be duly answered, and no other quit-rents.

CLXXXV. And for the better regulation of cities, walled towns and corporations, and the electing of magistrates and officers there, and to inflict such penalties for the breach thereof as they in their wisdom shall think fit, so as the penalties for breach of the rules of plantation do not extend further than to treble the quit-rents due for the lands, which shall be planted otherwise than those rules shall direct ; the said penalties to continue and be yearly paid to the King, his heirs and successors, till the said rules of plantation be performed, and thenceforth the rent by this act reserved to be only payable ; and so as the penalties for breach of the rules to be made touching corporations doe not extend further than to the removal and disfranchisement of such person as shall be found guilty of the breach thereof ; which rules, orders and directions so as aforesaid to be made, shall be as good and effectual in law to all intents and purposes, as if the same had been established by authority of this present Parliament, and shall remain, continue and abide in force for such and so long time as in the said rules, orders and directions shall be limited and appointed.

CLXXXVI. Provided nevertheless, That no undisposed nor unconfirmed lands, tenements or hereditaments in the province of Ulster, which are or shall come unto your Majesties hands, shall be set out in satisfaction of deficient adventures ; but that the same may be wholly reserved and disposed of for reprisal, according to the full value, worth and purchase of the same, unless the forfeited lands in other provinces shall not be found sufficient to satisfy those deficiencies.

CLXXXVII. And be it further enacted by the authority aforesaid, That all and singular the lands and tenements in Ireland, given and granted by his Majesty under his great seal of England or Ireland, and any way ratified, confirmed or approved by this present act, shall stand charged and be chargeable with a years rent, or a year and halfs rent, and such like other quit-rents and annual payments wherewith any the lands of adventurers or souldiers stand respectively charged, to be raised, levied and paid in like manner as other the like rents and payments by this act before mentioned are appointed.

CLXXXVIII. Provided always, That where any greater rent is reserved upon any such grants and letters patents as aforesaid than the quit rents reserved by this act would amount unto, that then and in such case the rent reserved by the said letters patents shall be duly answered and paid, and no other quit-rents ; any thing

before contained to the contrary notwithstanding; saving to his Majesty, his heirs and successors, all and singular the estate, right, title and interest of, in and to any honors, manors, castles, lands and tenements which his Majesty's royal father had upon the two and twentieth day of October, one thousand six hundred forty and one, in right of his crown of Ireland, and which were then, or at any time within ten years before in charge in his Majesty's court of Exchequer, otherwise than by any inquisition of lands in Connaught, found and returned in the time of the earl of Strafford's government, and which have not since been granted or disposed by his Majesty or his royal father, by letters patents under the great seal of England or Ireland, and other than such rights and titles as in and by a certain act of Parliament passed in England, intitled, *An Act of free and general pardon, indemnity and oblivion*, are mentioned or intended to be barred or extinguished; any thing in this act contained to the contrary notwithstanding.

CLXXXIX. Provided also, and be it further enacted by the authority aforesaid, That Theobald earl of Carlingford, and Thomas lord viscount Dillon, shall be and are hereby restored unto, and vested in all and singular the messuages, manors, lands, tenements and hereditaments respectively, whereof they, or either of them, or any other person or persons to the use of, or in trust for them or either of them, were seized or possessed upon the two and twentieth day of October one thousand six hundred forty and one, or at any time since; and that such persons, and their heirs and assigns to whom any of the lands belonging to the said earl of Carlingford and lord viscount Dillon, or either of them, have been set out, and who are by this act reprimable for the same, be forthwith reprimed out of the first lands that shall come unto his Majesty in the province of Connaught or county of Clare, either by the restoring of any persons to their estates, who were formerly transplanted, or otherwise; any thing in this act contained to the contrary notwithstanding.

CXC. Provided nevertheless, and be it further enacted by the authority aforesaid, That this act, or any thing therein contained, shall not extend to settle upon or give, or be construed to settle upon or give, unto all or any of the said adventurers, any benefit, part or portion of such sum or sums of money as have been forfeited by any adventurer or adventurers, by reason he or they did not satisfy or pay in their full proportions or sums of money respectively subscribed by them, according to the tenor of the said respective acts of *decimo septimo* and *decimo octavo Caroli*; but that all such forfeited subscriptions be, and they are hereby vested and settled in your Majesty, your heirs and successors, and be set out and satisfied according unto the respective rates in the said acts mentioned within the aforesaid security set apart or designed for satisfaction of the adventurers immediately after the other adventurers,

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Saving to the King rights of King C. 1. on the 22d October 1641, in charge 10 years before, except by inquisition of lands in Connaught in lord Strafford's time, and not since granted, and except rights barred by the act of indemnity, 12 C. 2. 11. Eng.

Lord Carlingford and Lord Dillon restored.

Reprimals out of the first lands coming to the King out of Connaught or Clare.

Not to extend to give to said adventurers any part of forfeited subscriptions by 17 and 18 C. 1.

vested in the King, and set out according to the rates in said acts, after other adventurers who paid their subscriptions.

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Adventurers, &c. removed from duke of Ormond's lands, confirmed in their reprisals.

Which lands immediately put out of charge, reserving the chief rents according to the declaration.

Lands appointed to Erasmus Smith for his adventures, confirmed.

To be first reprized in Lowth, if such lands restored, or in some convenient place.

Lands vested in Duke of York.

who have duly paid in the respective sums by them subscribed in pursuance of the said acts, are satisfied; and that the same be granted and disposed of by your Majesty unto such uses, and in such manner as your Majesty shall think fit; any thing in this or any other act to the contrary notwithstanding.

CXCI. And be it further enacted, That those adventurers and souldiers, their heirs or assigns, whose adventures or lots were set out of the lands of James duke of Ormond, and have been since removed from the same, and have had by his Majesty's commissioners for executing his gracious declaration other lands set out, ordered, or appointed in the county of Catherlogh, towards their reprizal and satisfaction, be and are hereby confirmed in so much of the said lands, in their respective orders named, as shall be equal in value, worth and purchase with those from which they have been removed as aforesaid, and shall hold and enjoy the same to them, their heirs and assigns for ever; which said lands shall be immediately put out of charge in his Majesty's court of Exchequer in Ireland, reserving the chief rents according to his Majesty's declaration; any thing in this present act contained or otherwise to the contrary thereof in any wise notwithstanding.

CXCII. Whereas lands in the county of Lowth have been appointed by the lords justices of Ireland to Erasmus Smith, esq; towards satisfaction of his adventures for lands in Ireland, and the possession thereof ordered accordingly; be it enacted, that the lands so ordered and appointed be settled, confirmed and established to and upon him the said Erasmus Smith, his heirs and assigns, with all advantages and priviledges allowed by this act to adventurers; any thing in this act contained to the contrary notwithstanding.

CXCIII. Provided nevertheless, that if any of the said lands be restored pursuant to the rules of this act, or otherwise, to any person restorable, the said Erasmus Smith, his heirs and assigns shall be first reprized for such lands so restored by other lands in the said county of Lowth, and for want thereof by other forfeited lands in some other convenient place of equal value, worth and purchase. Provided that by colour hereof no more lands be settled and confirmed to the said Erasmus Smith, his heirs and assigns, than according to the rates for satisfying of adventurers.

CXCIV. Provided always, and it is hereby further enacted, That nothing in this act contained shall extend to vest in his Majesty, his heirs or successors, any the honours, castles, messuages, manors, lands, tenements and hereditaments, whereof Oliver Cromwel deceased, Henry Ireton deceased, John Jones deceased, Daniel Axtel deceased, Gregory Clement deceased, Isaac Ewer deceased, John Bradshaw deceased, Thomas Andrews deceased, Thomas Hamond deceased, Sir Hardress Waller, John Newson, Miles Corbet, Thomas Wogan, Edmond Ludlow, Edward Denby, John Lisle, William late lord Mounson, Cornelius Holland, Henry Smith, Owen Row, Edmond Harvey,

Harvey, Nicholas Love, Edward Whaley, Thomas Pride deceased, William Say, Valentine Walton, John Berkstead, Sir Michael Livesey, John Okey, William Gouffe, Thomas Challinor, William Cawley, John Dixwel, Andrew Braughton, Thomas Harrison, Adrian Scroop, John Carew, Thomas Scot, Hugh Peters, Francis Hacker, Isaac Pennington, Henry Martin, Gilbert Millington, Robert Tichburn, Robert Lilborn, John Downs, Vincent Potter, Augustine Garland, George Fleetwood, Simon Mayn, James Temple, Peter Temple, Thomas Wait, Sir John Danvers, John Blackston, Sir William Constable, Richard Dean, Francis Allyn deceased, Peregrine Pelham, John Aldred, *alias* Alured, Humphrey Edwards, John Wynn, Anthony Stapely, Thomas Horton, John Frey, James Challinor, Sir Henry Mildmay, Sir James Harrington, John Phelps, or any of them were at any time heretofore seized or possessed in their own right, or any other in trust for them or to their use, or which at any time heretofore were given and granted, allotted, assigned, distributed, disposed or conveyed to them or any of them, or any other in trust for them or any of them, or to any other person or persons claiming by, from or under them or any of them in satisfaction of any adventures or arrears due unto them or any of them, or for any other recompence or reward whatsoever, but the same and every of them, other than the lands and tenements given and granted unto Michael lord bishop of Cork, and other than the lands and tenements hereafter disposed to Francis lord Angier, shall be and are hereby vested and settled in and upon his Royal Highness James duke of York and Albain, earl of Ulster, &c. to have and hold to his said Highness, his heirs and assigns, freed, exempted and discharged, so long as the same remain in the possession of his Highness, or his heirs, of and from any new or increased rent, services and payments, in and by this act assessed, imposed and reserved, but with like benefit and advantage of reprisal in case of restitution as any adventurer or souldier by vertue of this present act may or ought to have; and also with further and other benefit of reprisal for so much of the premises as by vertue of the declaration and instructions or this present act shall be held or enjoyed by any adventurer or souldier: and if his Royal Highness, or his heires shall grant or alien all or any the lands or premises herein before-mentioned, otherwise than by lease or leases for lives or years, upon which the full moiety of the improved rent shall be reserved, then so much as shall be aliened or granted shall be subject to and charged with such tenures, rents, services, and other payments as other lands by this act ought to be subject to and charged with.

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Except those given to bishop of Cork and lord Angier,

free from increased rent,

with benefit of reprisal.

If aliened (save by lease on which a moiety of improved rent reserved) then to be subject to same rents, &c. as other lands.

CXCV. Provided, and it is enacted by the authority aforesaid, That all such forfeited lands, tenements and hereditaments, with their appurtenances, and all and every the estate, right, title and interest therein, which were heretofore set out in the said kingdom of Ireland to John lord Kingston baron of Kingston, or to Sir Robert

Lands of lord Kingston confirmed to him,

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liable to directions for restitution.

But the lands set out upon the doubling ordinance, over and above the money paid, not confirmed to lord Kingston without delivering up or discharging certificates, receipts, or debentures, to the value for which such proportion of lands set out to adventurers in Leinster.

Lord Kingston reprimed in Dublin, Cork, and Kildare, for lands claimed by him and restored, as now with to be let.

Lands of Sir Hardress Waller and Isaac Ewer on seventh May 1659, in Westmeath and King's county vested in lord Angier, subject to like rents, &c. as adventurers,

King his late father deceased, or which were purchased by them or either of them from any adventurers, souldiers, transplanted or transplantable persons, their heirs and assigns, and set out unto or possessed by them or any of them on the seventh day of May one thousand six hundred fifty nine, shall be and are hereby ratified and confirmed unto the said lord Kingston, his heirs and assigns, liable to such rules and directions as are hereby prescribed for restoring of lands to former proprietors.

CXCVI. Provided and it is declared, That such part of the lands aforesaid as were set out upon the ordinance, commonly called The Doubling Ordinance, over and above the money paid thereon, are not intended to be hereby confirmed to the said John lord Kingston and his heirs, without delivering up or discharging such receipts or certificates of deficient adventurers, or such part of his own, his late fathers arrears or other debentures for service in Ireland, before the fifth day of June one thousand six hundred forty and nine, provided for by this act, as shall amount unto the value or sum for which such proportion of lands were or are to be set out to adventurers in the province of Leinster, but that upon delivering up or discharging such certificates, receipts or debentures amounting to such sum or value, the said lands and every part thereof are hereby ratified and confirmed as aforesaid, and shall stand, remain, and be unto the said lord Kingston, his heirs and assigns for ever.

CXCVII. And be it further enacted by the authority aforesaid, That for all such lands and tenements claimed by the said lord Kingston set out to or possessed by adventurers, souldiers, transplanted or transplantable persons, their heirs or assigns on the said seventh day of May one thousand six hundred fifty and nine, whereof George lord baron of Strabane, Sir Henry Talbot, Sir William Dungan, and Thomas Harman, esq; or any other former or other proprietor is, are or shall be possessed or restored unto, he the said lord Kingston, his heirs and assigns, shall be speedily and effectually reprimed for the same out of such lands and hereditaments of the like yearly rents and profits in the counties of Dublin, Cork and Kildare, or some of them, as the said lands so possessed, restored or to be restored are now worth to be letten; any thing in this act contained to the contrary notwithstanding.

CXCVIII. Provided alwayes, and be it further enacted by the authority aforesaid, That nothing in this act contained shall extend to vest in his Majesty, his heirs and successors, the forfeited lands, tenements and hereditaments in the counties of Westmeath and the King's county, whereof Sir Hardress Waller, Isaac Ewer, or any of them, or any other person or persons in trust for them or any of them, or claiming by, from or under them, or any of them, were on the seventh of May one thousand six hundred fifty-nine, seized or possessed; but that the same, and every of them shall be and are hereby vested in Francis lord Angier, and his heirs, subject to the like

like tenures, rents, services and payments, as any adventurers within that province, wherein the forfeited lands hereby granted do lie, are subject unto, and with like benefit of reprisal in case of restitution or incumbrance, as any adventurer ought to have; any thing herein contained to the contrary in any wise notwithstanding.

CXCIX. Provided also, and be it enacted, That all and every sum and sums of money due unto John lord Kingston, Richard lord baron of Coloony, Sir Theophilus Jones, Sir Oliver St. George, Sir John Cole, and Chidley Coote, esq; for their respective arrears for service in Ireland before the fifth of June one thousand six hundred forty-nine, shall be stated and satisfied unto them, their executors or assigns respectively, out of the security in this act appointed for satisfying arrears before one thousand six hundred forty-nine, in the same manner and by the same rules and rates, as before in this act is provided for such as have arrears due to them before one thousand six hundred forty-nine, and received no satisfaction for any arrears since that time, although the said persons or any of them have received lands for arrears since the said fifth of June one thousand six hundred forty-nine; any thing in this act contained to the contrary notwithstanding.

CC. Provided always, and it is hereby enacted, That Sir Paul Davys knight shall have, hold and enjoy to him, and his heirs and assigns for ever, all and every the towns and lands of Londonstown formerly belonging to William Fitz-gerrald attainted; Barretstown, formerly belonging to Christopher Eustace attainted; Johnstown, formerly belonging to James Flatburry, attainted; and Palmerstown, formerly belonging to the said James Flatburry, all situate, lying and being in the county of Kildare, with their and every of their members and appurtenances, whereof the said late proprietors respectively were seized, or any other persons were seized for their uses, or in trust for them respectively, on the dayes of their respective attainders, or at any time since; the said Sir Paul Davys, his heirs and assigns, yielding and paying therefore yearly to your Majesty, your heirs and successors, such and the like rents as are appointed to be paid by adventurers for lands in the province of Leinster, by the act made in the Parliament begun at Westminster on the third day of November one thousand six hundred and forty, intituled, *An act for the speedy and effectual reducing of the rebels in his Majesty's kingdom of Ireland to their due obedience to his Majesty and the crown of England*, unless the rents formerly reserved on the premises to the crown on the three and twentieth of October one thousand six hundred forty-one, did exceed that rent; in which case, the rent to be the same it was on the three and twentieth of October one thousand six hundred forty-one; and the premises to be held of your Majesty, your heirs and successors, by the same tenure which by the said act is appointed for adventurers for lands in Ireland; any thing in this act contained to the contrary, or any other act, matter or thing whatsoever to the contrary notwithstanding.

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with like
benefit of
reprisal.

Lord King-
ston and o-
thers satisfied
for arrears be-
fore 1649,
tho' they re-
ceived lands
for arrears
since.

Lands in
Kildare of
certain per-
sons attainted
settled on Sir
Paul Davys,
subject to like
tenure and
rents as ad-
venturers by
the act 1649,
16 C. 1. 33.
Eng. unless the
rents reserved
23 Oct. 1641
exceed that
rent.

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Officers in
Munster under
duke of
Ormond in
1648, who
betrayed pla-
ces to the
usurper, ex-
cluded from
arrears before
1669, unless
in two years
they shew
their faults
repaired.

Settled on
the King, his
heirs and suc-
cessors by 23
& 24. G. 3. c.
51. l. 1.

Reprisal.

Lands vested
in bishop of
Meath in na-
tural capaci-
ty,

Subject to
like rents and
tenures as
adventurers.

Reprisal.

CCL. Whereas several officers in Munster, who engaged themselves in his Majesty's army in the kingdom of Ireland, under the command of his excellency the lord duke of Ormond, in the year one thousand six hundred forty-eight, were afterwards instrumental in the betraying of several considerable towns and garrisons into the usurper's hands or his forces; be it therefore enacted by the authority aforesaid, That all such betrayers and their actual assistants, the heirs, executors, administrators or assigns of them or any of them, shall be wholly excluded from any benefit from this act of Parliament, as to their enjoyment of any lands for their arrears, before June one thousand six hundred forty-nine, or any part of them, other than such who within twenty-four months after the date of this act shall make it appear to the lord lieutenant of that kingdom, or the chief governour or governours thereof, with six of the council, that they made some repair for their former faults, by their timely and seasonable appearance for our restitution in the year one thousand six hundred and sixty.

CCL. And be it further enacted by the authority aforesaid, That the commissioners for execution of this present act shall forthwith set out, or cause to be set, so much of the forfeited lands as do amount unto the clear yearly value of three hundred pounds *per annum*, and are nearest adjacent and lie most contiguous unto the fort of Duncannon; which lands so as aforesaid to be set out, shall be reserved unto his Majesty, his heirs and successors, to the intent that the rents, issues and profits thereof may for ever be employed for and towards the better support and maintenance of the fort aforesaid; and all and every the adventurers and souldiers and other reparable persons, to whom any of the said lands so as aforesaid to be set out, have been heretofore allotted or disposed, shall be forthwith reprized out of some other forfeited lands of an estate of equal value, worth and purchase; any thing herein before contained to the contrary notwithstanding.

CCH. Provided always, and be it further enacted, That all and singular the forfeited messuages, manors, lands, tenements and hereditaments, whereof Henry Jones lord bishop of Meath, or any other person or persons in trust for him, or to his use, were seized or possessed on or before the nine and twentieth day of May one thousand six hundred and sixty, shall be and are hereby vested and settled in, and confirmed unto, the said Henry lord bishop of Meath in his natural capacity, and shall be held and enjoyed by him the said Henry lord bishop of Meath and his heirs subject to the like rents, tenures and payments as any adventurer for lands in the province of Leinster ought to be; and in case any of the forfeited lands hereby vested in the said lord bishop of Meath, did heretofore belong to any restorable person, other than innocent persons, that then and in such case no restitution shall be made until the said Henry lord bishop of Meath be first reprized with an estate in value, worth and purchase, equal to that which ought to be restored; any thing in this act to the contrary notwithstanding.

CCIV. Pro-

CCIV. Provided always, and be it enacted and declared by the authority aforesaid, That nothing in this act contained shall extend to the disposal of any lands, tenements or hereditaments, whereof the provost, fellows and scholars, of the holy and undivided Trinity near Dublin of the foundation of Queen Elizabeth, were seized in fee in the year one thousand six hundred forty-one, and are now in their actual possession; but that the said lands, tenements and hereditaments, together with the right, title and interest of all and every person and persons to any of the said lands, tenements and hereditaments, which they held by virtue of any grant, lease or fee-farm, from the provost, fellows and scholars of the said colledge, and which is forfeited to his Majesty by the late rebellion, shall remain and are hereby granted and confirmed to the said provost, fellows and scholars and their successors for ever, paying for the same such rents as adventurers ought to pay for lands within the provinces where the lands hereby granted and confirmed lye; any thing in this act contained to the contrary thereof in any wise notwithstanding.

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Not to extend to dispose of the lands of Trinity Colledge, to whom forfeited leases thereof are granted and confirmed,

paying rents as adventurers.

CCV. And whereas there are fees claimed to be due to Sir Audley Myrvin knight, speaker of the house of commons, Sir George Lane knight, clerk of the house of lords, Philip Fernly, esq; clerk of the house of commons, and other attendants on either of the said houses out of every bill past in Parliament, wherein or whereby any person or persons, bodies politick or corporate receive any grant of, or restitution to, any forfeited lands, tenements or hereditaments to them or any of them, their heirs and successors, being particularly named or included in the said bill; be it therefore enacted by the authority aforesaid, That the ascertaining the respective fees payable by the said persons, bodies politick and corporate, not particularly named by this act, though included therein, both as to the sum and sums, and the way, time, manner and paying thereof, be and is hereby left to the consideration of the lord lieutenant, or other chief governour or governours and council of Ireland for the time being, after advice therein had with both houses of Parliament there, and what order or orders shall be by them after such advice resolved upon and recorded in the high court of Chancery, shall be as good, effectual and binding to all intents and purposes for the demanding, levying and payment of the said fees to the persons aforesaid, their and every of their executors and assigns, as if the said order or orders were particularly and distinctly set down and expressed in this present act.

Fees for speaker, clerks, &c. of Parliament upon grant or restitution of forfeitures, ascertained by chief governours and council after advice with both houses, and recorded in Chancery.

CCVI. Provided also, that any thing in this act contained shall not avoid the grant of a remainder of a term of years in certain lands, tenements and hereditaments, lying in the parish of Finglasse and county of Dublin, forfeited by William Hewlet, and passed by letters patents under the great seal of this kingdom to Sir Timothy Terril knight; but the same are hereby confirmed for and during the term aforesaid to the said Sir Timothy Terril, his executors, administrators and assigns.

Lease for years of lands in Finglass passed by letters pat. to Sir T. Terril, confirmed.

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Lord Antrim to be restored as lord Nettervil and others in the declaration.

CCVIII. Provided always, and be it further enacted by the authority aforesaid, That Randal, now marquis of Antrim, shall be restored to all and singular the manors, lands, tenements and hereditaments, whereof he or any other in trust for him, stood seized or possessed upon the three and twentieth day of October, in the year of our Lord one thousand six hundred forty one, in such manner and form, and according to such order and method, and no other, as the lord viscount Nettervil and the lord viscount Galmoy, and the rest with them in the declaration herein before mentioned ought by virtue of the said declaration and this present act to be restored to their respective estates; any thing herein contained to the contrary in any wise notwithstanding.

Sir James Shane to be paid 8000*l.* for half barony of Iris, sold in the King,

CCIX. Provided also, and be it further enacted by the authority aforesaid, That the sum of eight thousand pounds *sterling* shall be fully satisfied and paid, at such times and in such way as your Majesty or your successors shall appoint or direct, unto Sir James Shane, knight, his executors, administrators or assigns, for and in recompence of his estate in the half barony of Iris, which by this act is absolutely vested and continued in your Majesty, your heirs and successors; and that in the mean time until the same be fully satisfied, Arthur earl of Anglesey, your Majesty's vice-treasurer and receiver general, or any other vice-treasurer or receiver general of this kingdom that hereafter shall be, and is hereby authorized and required from time to time, out of the accruing rents, issues, fines and profits which shall come into the receipt of your Majesty's exchequer, for or by reason of the licencing or permitting the sale of wine, *aquavita*, or strong-waters, or any of them by retail in this kingdom, pay or cause to be paid without further delay, order or directions, unto the said Sir James Shane, his executors, administrators or assigns, half yearly every Michaelmas and Easter, the current interest of the said eight thousand pounds, or so much thereof as shall remain unsatisfied; the first payment of the said interest money to be made at Michaelmas one thousand six hundred sixty two; and that the said Sir James Shane, his heirs and assigns shall have and enjoy the full benefit and advantage and effect of your Majesty's gracious letters under your royal signet, bearing date the twenty fifth day of March one thousand six hundred sixty two,

and receive the interest till paid out of the profits by licencing sale of liquors by retail.

Letters patents to him, 25th March, 1662, confirmed, so far as consistent with the declaration.

in the fourteenth year of your reign, for granting of several houſes and lands unto him, his heirs and aſſigns, in ſatisfaction of adventurers and other intereſts, according to the rules of the ſaid declaration; ſo far forth as the lord lieutenant, or other chief governour or governours of this kingdom for the time being, ſhall judge the ſeveral matters and things therein contained to be conſiſtent with your Maſteſtie's ſaid declaration, excepting onely what relates unto his ſaid eſtate in Irriſ; any claufe, proviso, ſentence, matter or thing whatſoever in this act contained in any wiſe notwithstanding.

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CCX. Provided alſo, and be it further enacted by the authority aforeſaid, That the lord lieutenant or other chief governour or governours of this kingdom for the time being, by and with the conſent of the privy council, ſhall have full power and authority out of the lands, tenements and hereditaments veſted by this act in his Maſteſty, and which ſhall be ſettled or reſtored by virtue thereof, to ſettle ſuch a yearly allowance for ever, not exceeding one thouſand pounds *per annum*, for the founding, erecting and endowing of hoſpitals and work-houſes, for ſouldiers maimed or wounded in the ſervice of Ireland; and in caſe of deficiency of ſuch perſons, then towards other publick and pious uſes, in ſuch manner and in ſuch places as they ſhall think moſt equal and fit.

A thouſand pounds *per annum* to be ſettled for founding hoſpital and work-houſes.

CCXI. Provided alſo, that whereas ſuch papists as by ſpecial grace are reſtorable unto their eſtates by this act ought in ſome meaſure to manifeſt their gratitude unto your Maſteſty for the happineſs and advantage which they enjoy by your Maſteſtie's wonderful reſtauration, and thereby the better enable your Maſteſty to reſtore or ſatiſſie divers perſons who have ſuffered much in your Maſteſtie's ſervice, and for want of reprizals may not be reſtored to their eſtates; be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the lord lieutenant or other chief governour or governours and council for the time being, to charge for the uſe of your Maſteſty the eſtates of the perſons ſo reſtorable, not exceeding the proportions following, *viz.* All papists who took no lands in Connaught, one half year's value, and ſuch as took lands in Connaught, one year's value of the eſtates unto which they are or ſhall reſpectively be reſtored; what they ſhall be ſo charged with to be paid in the ſame manner and proportion as the reſpective ſums payable by the adventurers or ſouldiers are made payable by this act, and that the ſame ſhall be paid unto the receipt of his Maſteſtie's Exchequer, to be diſpoſed of for ſatiſſying the ſaid unreſtored perſons, or for the buying and purchaſing of reprizes, adventures, arrears, incumbrances, or other allowed intereſt, confirmed by this act, from ſuch perſon or perſons as ſhall be willing to ſell their reſpective rights thereunto, whereby the lands deſigned for reprizals may the better hold out to anſwer the ends of your Maſteſtie's ſaid declaration; any thing in this act notwithstanding.

Papists by ſpecial grace reſtorable to be charged; thoſe who took lands in Connaught a year's value; thoſe who took none there half a year's.

To be paid as by adventurers.

for ſatiſſying unreſtored perſons, or by purchaſes to enlarge the fund for reprizals.

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If reprisals fall short, the governor and council may make distribution of the satisfaction or restitution allotted; considering the condition and pretences of the several persons.

But according to the declaration, particularly as to previous reprisal.

Such appointment final.

Lands in Sligo purchased in trust for lord Strafford and Sir G. Ratcliffe, vested in the King, until the governor and council adjudge to whom they belong, upon hearing the persons concerned.

Such judgment as effectual as if particularly enacted.

CCXII. Provided also, and be it further enacted by the authority aforesaid, That in case reprisals shall fall short, whereby persons mentioned and appointed in the said declaration and this act to be restored, without being put to any further proof, cannot or shall not obtain or receive the full benefit intended them; then it shall and may be lawful for the lord lieutenant or other chief governor or governours and council for the time being, and they are hereby authorized to order, appoint and make distribution amongst them of the satisfaction or restitution allotted them, in such proportions and method as they shall judge most equal and just; consideration being had of the conditions and pretences of the several persons concerned; nevertheless, according to the rules and directions of the declaration concerning them in all other points, and particularly in that of previous reprice or reprisals; which order and appointment of theirs shall be final, and observed by the commissioners appointed or to be appointed for the execution of this act; any thing therein contained to the contrary notwithstanding.

CCXIII. Provided always, and be it hereby further enacted, That all such castles, manors, lands, tenements and hereditaments in the county of Sligo, as have been purchased by Sir Philip Percival, knight, deceased, or any other person or persons in trust for Thomas, late earl of Strafford, and Sir George Ratcliffe, knight, deceased, or either of them and their heirs, or the heirs of either of them, and whereof they or either of them, or any other person or persons to their or either of their uses, or in trust for them or either of them, were seized or possessed at any time before the three and twentieth day of October one thousand six hundred forty one, shall be, and are hereby vested in his Majesty, his heirs and successors, and so remain and continue until the lord lieutenant or other chief governor or governours of Ireland for the time being, and the council there, shall upon hearing of the said purchasers; their heirs or assigns, and the heirs and assigns of the said late earl of Strafford, Sir George Ratcliffe, and also upon hearing of the persons, their heirs or assigns, who sold the premises, or any part thereof, declare and adjudge whether the same do belong to Sir Philip Percival, his heirs or assigns in trust for William earl of Strafford and Thomas Ratcliffe, or either of them, or to any other person or persons, his or their heirs or assigns, of whom the same are pretended to be purchased as aforesaid; which declaration and judgment shall be as good and effectual in law, to all intents and purposes on behalf of the person or persons for whom the same shall be made, as if the same had been particularly enacted by these presents; any distribution or allotment thereof during the late times of usurpation to any adventurer or souldier, any defect of conveyance or assurance to the said Sir Philip Percival, or other the trustees of the late earl of Strafford and Sir George Ratcliffe, any right or title in his Majesty, by

virtue

virtue of the office or inquisition in the time of his royal father, for vesting land in the province of Connaught, or any other matter or thing herein contained to the contrary notwithstanding.

CCXIV. Provided always, and be it enacted by the authority aforesaid, That Maurice Keating, esq; son and heir of Edmond Keating of Norraughmore in the county of Kildare, esq; shall and may have, hold and enjoy to him and his heirs, all and every the manors, towns, villages, lands, tenements and hereditaments in the King's county, purchased by or in trust for his said father before the three and twentieth day of October one thousand six hundred forty one, from John Carrol, esq; if the lord lieutenant or other chief governour or governours of Ireland and council thereupon hearing the parties concerned shall think fit to adjudge the same accordingly; any thing in this act or in any other act contained to the contrary thereof notwithstanding.

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Maurice Keating to hold land in King's county, purchased by his father, if the governour and council on hearing adjudge so

CCXV. Provided always, and be it further enacted, That Theobald, lord viscount Taaff, earl of Carlingford, shall have, hold, possess and enjoy to him and his heirs, all those the lands, manors, tenements and hereditaments in the county of Lowth, whereof the said Theobald upon the first day of August in the year one thousand six hundred sixty one was possessed, or were set out, assigned or granted to the said Theobald by way of *Custodiam* or otherwise, in order to a further settlement thereof, to and on the said Theobald and his heirs, for and lieu of the estate of Colony in the county of Sligo; and also that the said Theobald shall have and enjoy to him and his heirs the manors, lands tenements and hereditaments whereof Christopher Taaff of Braganstown, and Theophilus Taaff of Cookestown, or either of them, or any of their ancestors, or any other person or persons to their use, or in trust for them, or any of them, stood seized or possessed upon the two and twentieth day of October one thousand six hundred forty one; all and singular which premises the said Theobald, lord viscount Taaffe, earl of Carlingford, shall hold to him and his heirs at and under the same or like tenures, rents and services as the officers and souldiers by this act are to hold; any thing in this act contained to the contrary notwithstanding.

Lord Carlingford to hold lands in Lowth, &c. by like tenure and rents as officers and souldiers.

CCXVI. And whereas your Majesty by your letters patents under your great seal of England, bearing date the eighth day of April in the year of our Lord one thousand six hundred sixty two, and in the fourteenth year of your Majesty's reign, was graciously pleased to grant to Richard, earl of Clanrickard, and his heirs, the honours, castles, lordships, signories, abbeys, abbey-lands, and impropriate tyths, lands, tenements and other hereditaments, to the uses and in such manner as is therein mentioned; provided therefore, that this act, or any thing therein contained, shall not extend to, or be construed to extend to vest in your Majesty, your heirs or successors, any honours, castles, manors, lordships, seignories,

Not to extend to lands, &c. by letters patents 8th April, 1662, granted to lord Clanrickard.

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ries, abbeyes, abbey-lands, impropriate tyths, or other lands, tenements or hereditaments whatsoever, which are granted or intended, or mentioned to be granted by the said letters patents; any thing in this act contained to the contrary notwithstanding.

The lands vested in him to uses thereof, without previous reprisal or incumbrance,

CCXVII. And be it enacted by the authority aforesaid, That all and singular the honours, castles, manors, lordships, seignories, abbeyes, abbey-lands, impropriate tyths, lands, tenements, and other hereditaments whatsoever which are granted, or intended or mentioned to be granted in or by the said letters patents, shall be immediately, without any previous reprisal or incumbrance whatsoever, vested, settled and established, and are hereby vested, settled and established in the said Richard earl of Clanrickard and his heirs, to and for the uses, intents and purposes, and in such manner as is expressed and set forth in and by the said letters patents, and to no other use, intent or purpose, or in any other manner whatsoever; and that the said Richard earl of Clanrickard, and his heirs, shall and may have, hold, occupy and enjoy the same, to the uses, intents and purposes, and by and under the rents and services in and by the said letters patents mentioned and reserved, and by no other rents or services; any thing in this act, or any other act, law, statute, ordinance, order, attainder, record, provision, sequestration, distribution, allotment, judgement, conviction, or any cause matter or thing had, made, transacted or done to the contrary notwithstanding: saying to all manner of persons, bodies politick and corporate, other than your Majesty, your heirs and successors, and such as shall or may claime from, by or under your Majesty; and other than such whose estate would have vested or been in your Majesty, by the general scope, words or intent of this act, if the above proviso were not had, made, inserted or mentioned in this act; and other than such who had held or were possessed of any of the lands, tenements, or hereditaments by the said letters patents granted, by or under any defeazable right, title or estate; and other than such as shall or may pretend or claim any right or title thereunto, in prejudice of any of the uses limited in and by the said letters patents, by descent, or by virtue of any estate or remainder in tail from any the late earls of Clanrickard, all and every the right, title, estate and interest.

under rents and services therein, and no other.

saving the right of others.

Reprisals out of the first lands coming to the King out of Connaught and Clare.

CCXVIII. Nevertheless it is hereby declared and enacted, That such persons, their heirs and assigns, to whom any of the lands belonging to the said earl of Clanrickard have been set out, and who are by this act reparable for the same, be forthwith reprized out of the first lands that shall come unto his Majesty in the province of Connaught and county of Clare, either by restoring of any persons to their estates, who were formerly transplanted, or otherwise; any thing in this act to the contrary notwithstanding.

CCXIX. Provided also, and be it further enacted by the authority aforesaid, That the lord lieutenant or other chief governor or governours of this kingdome for the time being, by and with the consent of the privy-council, shall have full power and authority to erect another colledge to be of the univerfity of Dublin, to be called by the name of the King's Colledge, and out of all and every the lands, tenements and hereditaments vested by this act in his Majesty, and which shall be settled or restored for vertue thereof, to raise a yearly allowance for ever, not exceeding two thousand pounds *per annum*, by an equal charge upon every one thousand acres or lesser quantities proportionably, and therewith to endow the said colledge, which said colledge so as aforesaid to be erected shall be settled, regulated and governed by such laws, statutes, ordinances and constitutions as his Majesty, his heirs or successors, shall under his or their great seal of England or Ireland declare or appoint.

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Governor
and council to
erect a col-
lege, called
King's col-
lege.

To raise
2000 *per*
ann. for the
endowment,

regulated
by statutes of
the King's
appointment.

CCXX. Provided nevertheless, and be it enacted by the authority aforesaid, That Robert Boyl, esq; his executors, administrators and assignes, shall and may for and during the term of thirty one years, have, hold and enjoy all and singular the impropriations of or belonging to the respective abbies, late dissolved monasteries, religious houses, priories or parishes of Ballytabber in the county of Mayo, Knockmoy, Kilcreulta, Oran, *alias* St. Marie's, Athenry and Dunmore in the county of Galway, and Tyhone in the county of Tipperary, or any of them, together with all the impropriate tyths and rectories, and appurtenances of the said impropriations, tyths and rectories, or belonging thereunto, which belong unto or by this act are vested in your Majesty to any of the aforesaid uses, according to the tenor and effect of such grant or grants as hath or have been, or hereafter shall be, past unto him thereof by your Majesty's letters patents in that behalf; he or they paying yearly for the same double the exchequer or crown rent reserved thereupon in the year one thousand six hundred forty one.

Robert Boyl
to have for 31
years the im-
propriations
of certain dis-
solved monas-
teries, accord-
ing to letters
patent, paying
double the
crown rent re-
served there-
on in 1642.

CCXXI. Provided always, and it is further enacted by the authority aforesaid, That in all cases of grants of lands made since the date of his Majesty's declaration and instructions, or in case of provisos in this act which give reprisals to any person or persons of meer grace, that could not claim reprizals by virtue of the said declaration or instructions, (and not as adventurers or souldiers) the person or persons concerned in such grants or provisos shall not have benefit of reprisals till after such persons and interests reprizable by the said declaration and instructions be first reprized.

No benefit
of grants since
the declara-
tion and in-
structions, or
of reprisals
thru' mere
grace, till af-
ter the others
reprized.

CCXXII. And whereas during the passing of this present act Charles earl of Mountrath died, whereby some questions have arisen between the countess dowager of Mountrath, and the heirs

Lands of
late lord
Mountrath to
remain in the
King, till the

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governor and council on examination of his intentions, finally determine, and grants thereupon as valid as if particularly mentioned.

and younger children of the said Charles earl of Mountrath, concerning the settlements and dispositions of the said Charles earl of Mountrath, and his intentions to dispose of his new acquired estate; be it further enacted by the authority aforesaid, that all and singular the manors, lands, tenements, and hereditaments, and all benefits of reprizals and other the advantages by this act intended to be given, granted or confirmed unto the said Charles earl of Mountrath, shall accrue unto and remain, be and continue in his Majesty, his heirs and successors, untill such time as the lord lieutenant, or other chief governour or governours of Ireland for the time being, and the privy council there, shall upon examination of the settlement, and the last will and testament of the said Charles earl of Mountrath, if any such will there be, and of any other matters or things whereby the intentions of the said Charles earl of Mountrath, in disposing of his said estate may appear, and according to such dispositions as the said Charles earl of Mountrath did make in his life time, make a final judgment and determination therein, and that such judgment and determination, and all grants and letters patents that shall be thereupon made, shall be as good and as effectual in law to all intents and purposes, as if the same had been particularly mentioned in this present act.

Such determination to be made within 2 months after setting of the commissioners,

CCXXIII. Provided always, That if such judgment and determination shall not be made within two months after the sitting of the commissioners for execution of this act in Ireland, that then all and singular the manors, lands, tenements and hereditaments, and all other the benefits and advantages by this act intended to be given, granted or confirmed unto the said Charles earl of Mountrath, shall go and enure, according to the general purport, provision and meaning of this act herein before expressed, to such person or persons as by this act can make best title thereunto, and that in such case the foregoing clause shall be of no effect and utterly void, and that in the mean time the possession of and in the premises hereby vested in his Majesty shall not be disturbed, but be and remain where it now is; and that the arrears of rent and mean profit of the same shall and may be received by those that are in possession thereof, subject to the said final judgment and determination; any thing in this act to the contrary thereof in any wise notwithstanding.

otherwise the foregoing clause void.

Lands of Hen. Cromwel in Meath, settled on Sir William Russel and Dr. Goddard, in Connought on John Russel.

CCXXIV. And be it further enacted by the authority aforesaid, That all the lands, tenements and hereditaments, lying in the baronies of Dunboyne and Rathtooth, and county of Meath, whereof Henry Cromwel was by himself, his tenants or assigns, possessed the seventh of May, one thousand six hundred fifty nine, be settled upon and confirmed unto Sir William Russel of Laughorn, baronet, and Dr. Jonathan Goddard, their heirs and assigns for ever; and that the lands, tenements and hereditaments, lying in the province of Connought,

Connaught, whereof the said Henry Cromwel was in the like manner possessed on the said seventh of May, be settled upon and confirmed unto John Russel of Chipuham, esq; his heirs and assigns for ever; any thing in this act to the contrary notwithstanding: the same together with all arrears of rent to be had and held by and according to such rents, tenures and directions for restitutions, incumbrances, and reprizals, as by his Majestie's declaration of the thirtieth of November, one thousand six hundred and sixty, is expressed concerning such as were then of his army in Ireland; and moreover, that eight hundred and fifty pounds be satisfied unto the said John Russel as an adventurer, in such manner as by this act is appointed in the case of any other adventurers.

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Sccl. to
John Russel as
adventurer.

CCXXXV. Provided also, and it is enacted by the authority aforesaid, That the heirs of Sir Lucas Dillon, knight, Sir Robert Talbot, baronet, the heirs of Sir Valentine Blake, baronet, Sir Richard Blake, knight, Dr. Gerral Fennel, Geoffry Brown, John Brown of the Neal, John Walth, Thomas Terril, Edmund Dillon, John Talbot of Mallahide, Francis Coghlan of Kilcolgan in the King's county, Robert Nugent of Cartlanstown, Sir John Bourk of Derry MacLagney, Thomas Arthur, esq; Dr. in physick, Gerral Flemming of Castle Fleming, Luke Bath of Ackarne, and Bartholomew Stackpoole, esqrs. who, or their respective fathers, have eminently suffered for their adhering to the authority of his Majesty, or his late father of blessed memory, in this kingdom, against the nuncio and his party, shall be forthwith restored to their former respective estates, houses, manners, lands, tenements, hereditaments, rents, priviledges and services by them claimed as respective inheritors and proprietors, or as heirs to their respective fathers, and whereof they, or any of their said fathers were dispossessed by the late usurped power, and be therein settled and quieted in possession to them and their heirs respectively, as fully, freely and beneficially, and with the same advantages, benefits and assurances to all intents and purposes as the lord visc. Nettervil, and the lord visc. Galmoy, and the rest with them in the declaration herein before mentioned, ought by virtue of the said declaration and this present act to be restored to their respective estates; any thing herein contained to the contrary notwithstanding.

Several eminent sufferers for their loyalty restored; as fully as lord Nettervil and others in the declaration.

CCXXXVI. Provided always, That as to all and every the clauses and priviledges herein before mentioned, wherein or whereby the estates or interests of any private persons are settled and confirmed, and the several and respective grants thereby made to any person or persons, it shall and may be lawful for the lord lieutenant, or other chief governor or governors and council of Ireland for the time being, at any time before the first day of December, one thousand six hundred sixty two, to suspend the execution thereof, or of any of them, till they have examined and informed themselves concerning the same; and such of them as they shall find contrary to, or inconsistent with the aforesaid declaration and instructions, or inconvenient for the general

Governor and council may before the Dec. 1662, suspend execution of any clause as to interests of private persons till examination,

and retrench, alter, or disallow such as inconsistent

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with declaration, or inconvenience for the general settlement.

Such directions to be final and obeyed by commissioners, whose proceedings as valid as if so particularly appointed.

neral settlement hereby intended to be allowed in their full latitude, they have full power and authority hereby granted to them to retrench, alter or change, and by their direction or order to the commissioners for execution of this act to disallow such of them as they shall think meet, in part or whole, or to order how far and in what manner the same shall be executed or observed; which direction or orders of the said lord lieutenant, or other chief governour or governours and council, shall be final and are to be obeyed by the said commissioners, whose proceedings thereupon, or in pursuance thereof, shall be as valid to all intents and purposes, as if they had been particularly appointed or directed by this act; any thing therein contained to the contrary notwithstanding.

C H A P. III.

An Act for making all Hosslers, Inholders and others, answerable for such Horses, Geldings or Mares as they shall take upon them the Charge and Keeping of, in Stables or Out-grounds.

Hosslers,
Inholders,
Es. e. answer-
ble for horses
delivered to
be kept.

WHEREAS hosslers, inholders, and others who take upon themselves to keep inns or stables or both, and out-grounds for grazing of horses, are many times very negligent in keeping such horses as are committed to their charge, and much the more negligent, because it is conceived that they are not answerable for any horses which are turned by them to graze, as for those which they keep within stables, whereby many gentlemen and others are many times disappointed of their horses, and often do lose them upon pretence of health and the like, whereas sometimes they are conveyed away by the practice and privity of those who are intrusted with the keeping of them: may it therefore please your Majesty that it be enacted, and be it enacted by your Majesty, with the assent and consent of the lords spiritual and temporal, and commons in Parliament assembled, that all and every hossler, inholder or others, who do or shall at any time hereafter take upon them the charge and keeping of horses, geldings or mares in stables or out-grounds, shall be henceforth answerable for such horses, geldings or mares which shall be delivered to them to be kept; any law, custom or usage heretofore to the contrary notwithstanding.

C H A P. IV.

Private bill. An Act for securing of Sir Maurice Eustace, knight, in his Lands of Inheritance and Leases for Years.

C H A P. V.

Private bill. An Act for the naturalizing of Lewis Desminieres, Merchant; Derrick Westera, Peter Westera, Merchant, Son to the said Derrick; Warner Westera, Merchant; Albert Groston, Merchant; William Hailett and John Griell.