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your Majesty; the same to be rated, taxed and levied of all and every person and persons of what estate he or they be, according to the same rules, rates and proportions, and in the same manner and forme, and by the same persons, powers and authorities, as the said eight entire subsidies, formerly granted to your Majesty by this present Parliament, are to be paid and levied, and as in an act in this present Parliament, intituled *An Act for the grant of eight entire subsidies by the temporality*, are mencioned and expressed.

C H A P. II.

*An Act for the explaining of some Doubts arising upon an Act intituled, An Act for the better Execution of his Majesty's gracious Declaration for the Settlement of his Kingdom of Ireland, and Satisfaction of the severall Interests of Adventurers, Soldiers and other his Subjects there, and for making some Alterations of and Additions unto the said Act, for the more speedy and effectual Settlement of the said Kingdom.*

10 Wil. 3. 7.  
confirming posses-  
sions under  
this and the  
act of settle-  
ment.

10 Wil. 3.  
16. right of  
ecclesiastical  
persons saved;

and 2 Anne  
9. quieted.  
Doubts and  
difficulties  
arisen in car-  
rying the act  
of settlement  
into execu-  
tion.

So that a full  
and final set-  
tlement there-  
on cannot be  
attained.

Ends of this  
act.

Enacting  
part.

**W**HEREAS in carrying on of that service which was appointed by a former act, intituled, *An Act for the better execution of his Majesty's gracious declaration for the settlement of his kingdom of Ireland, and satisfaction of the severall interests of adventurers, souldiers, and other his subjects there*, severall doubts and difficulties have arisen, partly from the uncertain and ambiguous penning of divers clauses in the said act, and partly from other accidents, which could not then be foreseen, to the great obstruction and hinderance of the publique ends and aims intended by that act to be promoted, and the very great disappointment of severall persons and interests, which were thereby intended to be secured, insomuch that the full and final settlement of this your Majesty's kingdom can hardly be attained by any further proceedings upon the said act, as is already manifest by the experience which hath been had in the execution thereof: to the end therefore that your Majesty's most gracious and just intentions by that act declared may still be pursued as far as remains possible, the revenues of the church settled and increased, your Majesty's dutiful and loyal subjects quieted and secured in their just possessions, and the minds of all men so composed, that there may be a general and universal care and industry by building, planting, and all other ways of improvement, to repair and amend the ruins and desolations of this your Majesty's kingdom; may it please your most excellent Majesty that it may be enacted, and be it enacted by your most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and the commons in this present Parliament assembled,

sembled, and by the authority of the same, that all honors, manors, castles, houses, places, lands, tenements and hereditaments, right, title, service, chiefry, use, trust, condition, fee, rent-charge, chattles real, mortgage, right of redemption of any mortgages, recognizances, judgments, forfeitures, extent, right of action, right of entry, statute, or any other estate of what nature or kind soever, in all and every the counties, baronies, cities, townes corporate, and walled towns within this kingdom, which at any time from and after the twenty third of October one thousand six hundred and forty one were seized or sequestered into the hands, or to the use, of his late Majesty 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 late horrid rebellion or war, which began or broke out in this kingdom upon the twenty third of October one thousand six hundred and forty one, or which were allotted, assigned, given, granted, ordered, distributed, disposed, demised, set out or set apart to or for any person or persons use or uses, for adventurers, arrears, reprizals, or otherwise, or whereof his late Majesty, or your Majesty that now is, or any adventurer, souldier, reprizable person or others respectively, had and received the rents, issues and 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 army in this kingdom, or transplanted or transplantable persons, or any of them, or their or any of their heir, heirs or assigns, or any other person or persons whatsoever upon account of the said rebellion or war in this kingdom, were in seizin, possession or occupation by themselves, their tenants, agents, or assigns on the seventh of May one thousand six hundred and fifty nine, or which were assigned, given, granted, laid out, set apart or reserved for or towards the satisfaction of any 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 reprizal, or reprizals, for such incumbrances as then were, now are, or shall be adjudged due to any 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 other disposition or grant whatsoever hath been made; or unto which your royal father, or your Majestie are any ways intituled 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 chantries, and all manors, lands, tenements, rents, tithes,

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All honors, lands, &c. seized or sequestered in the King on account of rebellion in 1641, or allotted or distributed, adjudged in the real and actual possession of the King without office or inquisition.



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penfions, portions, and other hereditaments, or other things whatsoever, belonging to any ecclesiastical person or persons in his or their politick capacity, and that have formerly by them, or any of them been let in fee-farm, the right whereof, or title thereunto, or interest therein, was in any person or persons, his or their heirs or assigns, who by the qualifications in the said act expressed have not been adjudged innocent persons; as also all leases that have been made by any ecclesiastical persons of any lands, tenements, or hereditaments belonging to them in their politick capacity, to any person or persons, their executors, administrators or assigns, who by the qualifications in the said act expressed have not been adjudged innocent persons; as also all impropriations, or appropriate tithes belonging to any person or persons, his or their heirs, executors, administrators or assigns, who by the qualifications in the said act expressed have not been adjudged innocent; and also all and singular the messuages, manors, lands, tenements and hereditaments whatsoever, whereof John Fitzgerald, *alias* Fitzgerald of Innishmore, commonly called the knight of Kerry, captain John Magill of the county of Down, Geoffry Fanning of Ballingary, or any of them, or any of their ancestors whose heirs they are, or any other person or persons in trust for them, or any of them, or to their or any of their uses, were seized or possessed upon the twenty second day of October one thousand six hundred forty one, notwithstanding that the same were not seized, sequestred, or set apart upon the account of the said late rebellion or war, are and shall be, and are hereby declared, deemed and adjudged, as from the said twenty third of October one thousand six hundred and forty one, forfeited and to have been forfeited to your Majesty's royal father of ever blessed memory, and your Majesty, your heirs and successors; and they are hereby from the said twenty third of October one thousand six hundred and forty one, deemed, declared and adjudged to have been and to be in the real and actual possession and seizin of your Majesty's said royal father, and your Majesty, your heirs and successors, without any office or inquisition thereof found, or to be found, freed and absolutely discharged of and from all estates taile, and of and from all feoffments, and other conveyances made before the twenty third of October one thousand six hundred and forty one, by any person or persons being tenants in taile, where the intaile was not legally docked or barred by fine or recovery, before the twenty third of October one thousand six hundred forty one, and of and from all titles and estates derived by, from, or under such conveyances, and also of and from all and singular remainders, reversions, rights, titles, interests, services, chiefries, uses, trusts, conditions, fees, rent-charges, and

And also  
the estate of  
John Fitzger-  
ald knight of  
Kerry, and  
John Magill,  
and Geoffry  
Fanning.

free from  
all estates, T.  
not barred,  
conveyances,  
&c.

chattels real, mortgages, rights of redemption of mortgages, recognizances, judgments, extents, rights of action, rights of entry, statutes, and all other estates, challenges and demands of what nature or kind soever, to the intent that the same may be settled, confirmed and disposed of to and for such use and uses as in and by the said former act were limited and declared, and are not by this present act changed or altered, and to and for such other use and uses as in and by this present act are declared or appointed, and not otherwise; saving to your Majesty, your heirs and successors, all and singular such estate, right, title and interest, of, in and unto any lands, tenements and hereditaments within this kingdom, which your Majesty hath or ought to have in right of your crown in Ireland, other than by virtue of the aforesaid act, or this present act, and otherwise than by one or more inquisition or inquisitions of lands in the province of Connaught or counties of Limerick and Clare, and the county of Tipperary, found and returned in the time of the earl of Strafford's government in this kingdom; which said inquisition and inquisitions is and are hereby declared to have been from the time of the taking thereof absolutely null and void, to all intents and purposes, as if the same had never been had nor taken; and other than such right and title as in and by a certain act of Parliament passed in England, intituled, *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.

II. Provided alwayes that this act, or any thing therein contained, shall not be deemed, construed, or taken to forfeit unto or vest in your Majesty, your heirs and successors, any honours, manners, castles, houses, places, lands, tenements, hereditaments, or chattel real whatsoever, in all, every, or any of the counties, baronies, cities, towns corporate and walled towns in this kingdom, on the twenty third of October one thousand six hundred forty one, belonging in possession, reversion or remainder unto the university of Dublin, or to any archbishop, bishop, dean, prebend, dean and chapter, or other ecclesiastical person or persons in his or in their politick capacity, or to any other colledge, hospital, church collegiate or parochial, or to the church-wardens and parishioners of any parish church for the use of the said church, or to any guild, corporation or fraternity ecclesiastical or lay, or to any parson, rector or vicar of any parish-church, or to any other person or persons particularly named in the proviso contained in the vesting clause of the said former act, and whose estate was thereby expressly saved and excepted from being vested in your Majesty.

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to be settled and disposed of to the uses of the former act not by this altered, and the uses of this act.

Saving to the King all interests in right of his crown, other than by the said or the present act, or by inquisitions in lord Strafford's time, (which are declared void) or by the act of indemnity in England.

12 C. 2. 11.

Not to vest in the King lands, &c. of university of Dublin, or of ecclesiastical persons in politick capacity, or college, hospital, church-wardens, corporations, parsons, or of any persons whose estates excepted out of former vesting clause.



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Nor prejudicial to rights of protestants, 22 Oct. 1641, except where in trust for papists not innocent, &c.

Nor to judgments or decrees by protestants before 22 of Aug. 1663, or confirmed or made by the commissioners.

Not to vest any estate, &c. of papists by said commissioners adjudged innocent.

Persons, by qualifications in former act not innocent, shall not hereafter be reputed innocent.

III. Provided likewise that this act, or any thing therein contained, shall not vest, nor be understood or construed to vest, in your Majesty, your heirs or successors, or otherwise be prejudicial unto, or take away any estate, right, title, interest, service, chiefly, use, trust, condition, fee, rent-charge, chattels real, mortgage, right of redemption of mortgage, 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 protestant heirs, executors, administrators or assigns, whereof upon the twenty second of October one thousand six hundred forty one, they were respectively seized or possessed, or otherwise interested or intituled, 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 interest for, any Irish papist or Roman catholick, who by the qualifications in the said act hath not been adjudged innocent, or any other forfeiting person or persons, nor to any judgment or decree which hath been obtained by any protestant or protestants in the late court, or pretended court, for adjudication of claims, or in the court of Exchequer, or any the four courts sitting at Dublin, before the twenty second of August one thousand six hundred sixty three, or for which any judgment or decree hath been confirmed, had, or made by the commissioners, heretofore appointed by his Majesty for the execution of his late gracious declaration and instructions, or the aforesaid act; nor to the vesting any the lands, tenements, hereditaments or chattles real, right, title, service, chiefly, use, trust, condition, fee, rent-charge, chattle real, mortgage, right of redemption of mortgage, recognizance, judgment, forfeiture, extent, right of action, right of entry, statute, or any other estate of what nature or kind soever of any papist, who by the commissioners appointed for the execution of the aforesaid act hath been adjudged innocent, or the heirs, executors, administrators or assigns of any such papist, who hath been so adjudged innocent; and it is hereby declared, that no person or persons, who by the qualifications in the said former act hath not been adjudged innocent, shall at any time hereafter be reputed innocent, so as to claim any lands or tenements hereby vested, or be admitted to have any benefit or allowance of any future adjudications of innocence, or any benefit of articles whatsoever, but that they and every of them, and all and every person and persons claiming by, from or under them, or any of them, shall be and are hereby barred and excluded of and from all and singular claims and demands not particularly allowed and provided for in and by this present act.

IV. And whereas some question or doubt hath arisen, whether the lands of any officers or souldiers were to be confirmed to them by the said act, unless they had been formerly and were of the army at the time of the making your Majesty's declaration of the thirtieth of November one thousand six hundred and sixty: be it declared, enacted and explained by the authority aforesaid, That the word [and] used in that part of the said act which relates to them, shall be taken disjunctively, as if it had been [or] so that no such officer or souldier, his heirs or assigns, shall be excluded the benefit of the said act, or this present act, if he had been formerly of the army, and in possession as aforesaid the seventh of May one thousand six hundred fifty nine, though he were not of the army the thirtieth of November one thousand six hundred and sixty, or at any time since.

V. And to the end that the persons, estates and interests of his Majesty's protestant subjects, of whom his Majesty ever had and still hath greatest care and consideration in the settlement of this his kingdom, may be first provided for: be it further enacted by the authority aforesaid, That all and every the adventurers and souldiers, their and every of their heirs, executors, administrators and assigns, respectively, who upon the seventh of May one thousand six hundred and fifty nine, were seized or possessed of any messuages, mannors, lands, tenements or hereditaments, for or towards the satisfaction of any adventures or arrears, which by the rules of this or the said former act are allowed to be satisfied, and all and every other the adventurers commonly called deficient adventurers, whether they be deficient in whole or in part (that is to say) such adventurers who never had any lands set out to them in satisfaction of their adventures, or were never fully satisfied for the same, and the heirs, executors, administrators and assigns of such adventurers respectively, shall have, hold and enjoy, and be settled and confirmed in so much of the forfeited lands, which by this act are vested in his Majesty, as will amount to two full third parts of what they, or those under whom they claim, had, or in cases of deficiency ought to have had upon the seventh of May one thousand six hundred and fifty nine, in manner following, (that is to say) the commissioners for execution of this act shall diligently examine and compute, or cause to be computed, what quantity of land any such adventurer or souldier, or the heirs, executors, administrators or assigns of such adventurer or souldier respectively had, or were seized or possessed of on the seventh of May one thousand six hundred and fifty nine, or of right ought to have had and been seized and possessed of

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Doubt whether officers and souldiers should be confirmed in lands unless formerly and 30th Nov. 1660 they were of the army.

Explained by taking (and) disjunctively.

Protestants first provided for.

Adventurers and souldiers possessed of lands, &c. 7th May 1659, for adventurers or arrears, and deficient adventurers, shall be confirmed in two full thirds.

The commissioners shall examine, compute, and set out the same.



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To be computed by Irish measure, according to Down survey, where taken,

where not, by Strafford survey, &c. unprofitable cast in with profitable.

Said two thirds to be enjoyed according to letters patent hereafter, in satisfaction of any claim by former act.

Adventurers, soldiers, officers, serving before 1649, protestant purchasers in Connaught or Clare, before 1663 removed from lands restorable, two thirds of other lands shall be first set out.

Commissioners to settle protestants with convenient speed and in first place.

upon the seventh of May one thousand six hundred and fifty nine, in case he were a deficient adventurer, or the heir, executor, administrator or assignee, of any deficient adventurer, and shall set out and allot, or cause to be set out and allotted unto every such adventurer and souldier, his and their respective heirs, executors, administrators and assigns, so much forfeited land as in quantity of Irish profitable acres, to be computed by Irish measure according to the Down survey or Down admeasure-ment, and not otherwise, where the Down survey hath been taken, and where the Down survey hath not been taken, by the survey taken in the earl of Strafford's time, or by some other survey to be taken according to Irish measure, wherein the unprofitable land is to be cast in together with the profitable, (according to the method of the said Down survey) will amount unto full two third parts (the whole in three parts being divided) of what such person or persons to whom such allotment shall be made as aforesaid, or those under whom they claim, did hold and enjoy, or in cases of deficiency of right ought to have held and enjoyed, upon the seventh of May one thousand six hundred fifty nine; which said two third parts, so as aforesaid to be allotted, shall be held and enjoyed by the persons to whom such allotment shall be made, according to the tenor of their severall and respective letters patents herein after directed to be granted, and in full satisfaction of any right, claim, or demand which by virtue of the said former act can or may accrew for or in respect of any adventures or arrears; any retrenchment of a third part by this act or other matter or thing in the said former act contained to the contrary notwithstanding.

VI. And in case any adventurer or souldier, commissioned officer, who served before the fifth of June one thousand six hundred forty nine, protestant purchaser in Connaught or Clare, before the first of September one thousand six hundred sixty and three, his or their heirs, executors or assigns, shall be found to be in possession of any messuages, lands, tenements or hereditaments, which by virtue of any clause herein after following ought to be restored and delivered up to any person or persons herein after named, the commissioners for execution of this act, shall in the first place, and before any such restitution made, cause so much other forfeited or vested land to be set out as in quantity of acres will amount to full two third parts of the land so as aforesaid to be restored, and that the persons so to be removed be duly possessed of and settled in his said two third parts according to the rules of this act; and the commissioners for execution of this act are hereby required and enjoined to take care that the estates and interests of his Majesty's protestant subjects in Ireland be settled with all convenient speed, and that such parts of this act, as have a tendency thereunto, be put in execution

execution in the first place, and before any other parts of this or the former act which relate to other matters.

VII. And to the end there may be as little change and alteration of possessions as can consist with the ends and aimes of this present act, and that every persons improvements may be preserved unto him as much as is possible, be it further enacted by the authority aforesaid, That where any adventurer or souldier, or the heir, executor, assignee or assignes of any adventurer or souldier shall be found to have in his or their possession more lands undecreed away, than his or their full two third parts will amount to, according to the aforesaid rules of distribution and allotment, that in every such case it shall and may be lawful for him or them to continue possession of so much as the commissioners shall adjudge his or their two full third parts to amount unto, and to cut off the overplus at his or their own election, in such manner as that the overplus relinquished or surrendered by him or them may be contiguous and as near as may be within the same denomination; in which retrenchment the unprofitable lands as well as profitable are to be reckoned and parted with together in like manner and proportion as the same were set out together, according to the said surveys; and in default of due retrenchment, and cutting off the overplus in such manner as the commissioners shall approve, and within such time as the commissioners shall direct, the commissioners shall cause the overplus to be set out, and ascertain the residue, whereof possession is to be retained in such manner as they shall think fit, observing therein rules of contiguity and conveniency as much as may be, and reserving to him or them his or their house and the improvement about it; and the like rule is to be observed in the retrenchment to be made of the overplus of such lands which have been set out in satisfaction of any adventurers, upon the ordinances commonly called the doubling ordinances, and in the retrenchment which is to be made from the protestant purchasers in Connaught and Clare; and where any adventurer or souldier, or the heir, executor, administrator, assignee or assignes of any adventurer or souldier, shall be found to be possessed of less land than his or their full two third parts will amount unto according to the rules of this act, that then and in such case, it shall and may be lawful for him or them to continue and retain the possession of what he or they have, and that the residue of what is wanting to make up his or their full two third parts as aforesaid, be forthwith set out and made up out of some other forfeited land, to be allotted, set out and ascertained by the commissioners as aforesaid, and as near as may be with conveniency to the lands in his or their present possession; any thing in the former act contained to the contrary notwithstanding.

VIII. And be it further enacted by the authority aforesaid, That all and every the adventurers and souldiers, their heirs, executors,

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That as little alteration in possessions may be as consistent with this act, and persons improvements preserved to them.

Adventurers or souldiers in possession of more than two thirds may cut off overplus at their election, so that the overplus may be contiguous;

in which retrenchment, unprofitable and profitable parted with together; as set out together, according to said surveys.

In default of due retrenchment, commissioners to do it, observing contiguity and conveniency, and reserving to them their houses and improvements.

Like rule in retrenchments upon the doubling ordinances, and from protestant purchasers in Connaught or Clare.

Where in possession of less than two thirds, residue to be made up as near as may be.

To retain lands in their possession, or



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*so much as  
amount to  
two thirds,  
notwithstand-  
ing mistake  
or misnomer.*

*Those re-  
moved from  
duke of Or-  
mond's estate,  
or from lands  
in obedience  
to the King's  
letters, and  
since reprimed,  
may retain  
two thirds,  
as if possessed  
7 May, 1659.*

*Deficiencies  
to be supplied  
out of other  
lands.*

*Deficient  
adventurers,  
&c. to be sa-  
tisfied in same  
barony and  
county, or  
the nearest in  
value, if con-  
venient.*

*Chief go-  
vernors and  
council to de-  
clare the sever-  
al degrees of  
value, which  
to be a guide  
to the com-  
missioners.*

assignee or assignes, who upon the seventh day of May one thousand six hundred fifty and nine, were or ought to have been possessed of any lands, tenements or hereditaments set out for satisfaction of any adventures, or arrears not since decreed away by such decrees as are herein confirmed, shall and may retain the lands in his or their possession, or so much thereof as by the commissioners for execution of this act shall be adjudged to amount to his or their full two third parts; any mistake or misnomer of the county or barony, wherein the lands set out for adventures or arrears and so possess do lie, to the contrary notwithstanding.

IX. And it is likewise declared, That the adventurers and souldiers, their heirs, executors and assigns, who have voluntarily relinquished or been removed from the estate of James duke of Ormond, and put into possession of any other lands in the county of Catherlagh, not since decreed away from them, and all others who have relinquished any lands, whereof they were possess the seventh day of May one thousand six hundred fifty and nine, in obedience to his Majesties letters, and have since been removed to other lands not decreed away from them, shall have like liberty of retaining the lands whereof they are now possess, or so much thereof as shall be adjudged to amount to his or their full two third parts, as he or they might have had if they had been so possessed upon the seventh day of May one thousand six hundred fifty and nine, and what is wanting of two third parts shall be made up and supplied by the commissioners out of some other forfeited lands by them to be allotted.

X. And be it further enacted by the authority aforesaid, That all and every the deficient adventurers, and the heirs, executors, assignee or assignes of such deficient adventurers, who are to be satisfied for two full third parts of such their deficiencies, in quantity of acres to be set out and allotted as aforesaid, and all and every other the adventurers, souldiers, protestant purchasers in Connaught and Clare, their heirs, executors, administrators and assigns respectively, to whom any lands, tenements or hereditaments are by the rules of this act to be set out and allotted for the supply and making up of his and their full two third parts, shall be satisfied in the same barony and county, or in the next barony and county nearest in value to their respective deficiencies and allotments, if the same can conveniently be done: and in order hereunto, the lord lieutenant, or other chief governour and governours and council for the time being, are hereby enjoyned to settle and declare the several degrees of values of the respective counties and baronies, which declaration shall be a rule and guide to the commissioners in execution of any part of this act, where the considerations of values shall be necessary or material; and where any adventurer, his heirs, executors, assignee or assignes shall be found to be deficient in part, and

and yet to have more lands in one particular barony or county than his or their lot in that particular barony or county would have amounted to, it shall and may be lawful to and for him or them, to retain and keep in his or their own possession so much of the overplus whereof he or they shall be possessed in one barony or county, as shall be judged equal by the commissioners, for and towards the satisfaction of his and their deficiency in any other barony or county, so always that the whole which he or they shall so retain exceed not the due proportion of full two third parts which he or they ought to have, according to the rules aforesaid: and where any adventurer or souldier, or the heirs, executors, administrators or assigns of any adventurer or souldier, shall be found to have more lands in his or their possession than will satisfy the two third parts which he or they ought to have by the rules of this act, and yet shall have no deficiencies of their own to place upon such overplus, that there and in such cases it shall and may be lawful to and for such adventurer and souldier, his and their heirs, executors, administrators or assigns, to buy in and purchase of any other adventurer or souldier, or the heir, executor, administrator or assignee of any adventurer or souldier, his or their right and title in and to the satisfaction of any deficiencies within the same province, which are satisfiable by the rules of this act, and to be satisfied for the right and title so bought and purchased as aforesaid, by retaining the overplus land whereof he or they were seized, or so much thereof as shall not exceed the due proportion of two full third parts, which ought to be applied to the satisfaction of such deficiencies.

XI. And be it further enacted by the authority aforesaid, That where any adventurers or souldiers, commissioned officers, who served before the fifth of June one thousand six hundred forty nine, protestant purchaser in Connaught or Clare, before the first of September one thousand six hundred sixty and three, his or their heirs, executors, assignee or assignes, who are not by the rules of this act to be removed, have been already removed or kept out from the possession of what they held, or ought to have held on the seventh of May one thousand six hundred fifty and nine, yet neither by virtue of any decrees made by the commissioners for execution of the said former act, nor by virtue of any provisoe or clause in the said act contained, or any other legal proceedings, in which words legal proceedings, custodiams or any other grant or patent not confirmed or otherwise provided for by this act, and the proceedings thereupon, are not intended to be comprehended, that then it shall and may be lawful to and for the commissioners for execution of this act to order and decree all and every such person and persons, so removed or kept out as aforesaid, to be again restored and put into their possessions *pro tempore*, until the last and final decree touching the settlement of such person and persons shall be

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Adventurers may retain possession of overplus in one barony or county, to make good deficiency in another; so as the whole exceed not two thirds.

Adventurers or souldiers having more than two thirds, and no deficiencies of their own to place thereon, may purchase right of others to satisfaction of deficiencies in same province.

Adventurers, &c. not removeable, who yet have been removed or kept out of possession (not by legal proceedings) shall be restored *pro tempore*, till final settlement of two thirds.



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Sheriffs, &c.  
to see the  
same execut-  
ed.

Adventur-  
ers upon  
doubling or-  
dinances in  
1643 and  
1647, declar-  
ed adventur-  
ers for no  
more than the  
principal *bona  
fide* paid, and  
to be satisfied  
as others,

by allot-  
ment of two  
thirds.

No regard  
had to quan-  
tity of land  
possessed by  
them 7th of  
May 1659,

but they  
may continue  
possession of  
two thirds as  
others, if so  
much left not  
decreed away.

Commis-  
sioners to  
make books,  
of the two  
thirds, aug-  
mentation of  
bishopsricks,  
allotment of  
glebes, &c.

made; and the respective sheriffs, and all other officers and ministers of justice whom it may concern, and to whom any precept or other warrant in that behalf shall be directed, are hereby required and enjoyned to see the same executed accordingly, to the end that all and every person and persons, so as aforesaid removed or kept out, may by such temporary restitution be enabled to retain so much of the land whereof they shall be so possessed, together with their improvements, as their two full third parts, according to the aforesaid rules, shall or may amount unto.

XII. And be it further enacted by the authority aforesaid, That all and every the adventurer and adventurers, who adventured their money upon certain ordinances or pretended ordinances of parliament, made in the years one thousand six hundred forty three and one thousand six hundred forty seven, commonly called the doubling ordinances, shall be esteemed, and are hereby declared, adventurers for no more than the principal money, *bona fide* paid, amounts to, and that they, their heirs, executors, assignee or assignes shall receive satisfaction for the moneys really and *bona fide* paid in and advanced upon the said ordinances, or pretended ordinances, in like proportion and manner as other adventurers are to have by this act, and no otherwise; that is to say, by an allotment of so much land as may be sufficient to satisfy full two third parts of the principal money so paid in and advanced as aforesaid, and no more, to the intent that he and they may be equally gainers or loofers with other adventurers; and in the setting out of this proportionable satisfaction, no regard is to be had of the quantity of land whereof the adventurers upon the doubling ordinances, their heirs, executors, assignee or assignes were possessed the seventh of May one thousand six hundred fifty nine, but onely of the original money truly paid in as aforesaid, in the satisfaction whereof, one third part is likewise to be retrenched, and onely two full third parts to be satisfied as aforesaid; nevertheless, it shall and may be lawful for him or them to continue the possession of so much as the commissioners shall adjudge to amount unto his or their full two third parts, in like manner as other adventurers by this act are enabled to do, in case so much shall be left in his or their possession, not decreed away by the commissioners for execution of the said former act.

XIII. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall cause one or more books to be made, wherein the portion allotted to each adventurer, or souldier, or the heir, executor, assignee or assignes of such adventurer or souldier, for and towards his and their two full third parts, and the several augmentations of any archbishoprick or bishoprick, the allotment of glebes, and the provisions made for the colledge of Dublin, the maintenance of the fort at Duncannon, and the corpora-  
tion

ration of Bandonbridge, shall be particularly and fairly set down, and entred; and shall cause a duplicate thereof to be made and returned into the exchequer, there to remaine of record; and that upon a certificate under the hands and seals of the commissioners, or the major part of them, containing the lands allotted to any the persons or purposes aforesaid, or to any adventurer or souldier, or to the heir, executor, assignee or assignes of any adventurer or souldier, for his or their two third parts, and expressing the name or names of such persons, with convenient descriptions and denominations thereof, as to the number of acres, the barony, county and province wherein the same do lie, and the rents reservable, as also the tenure and services, and presented unto the lord lieutenant or other chief governour or governours of this kingdom for the time being, he the said lord lieutenant, and other chief governour or governours of this kingdom for the time being, shall be and are hereby authorized and required, upon request of the person or persons so producing and presenting the certificate aforesaid, to cause effectual letters patents under the great seal of Ireland to be passed in the usual manner of such lands, tenements and hereditaments, to the persons concerned, by advice of his Majesty's learned council in the law, or some of them, as the case shall require, without expecting any further letters or warrants from his Majesty; and for so doing, this present act shall be to them and every of them their sufficient discharge.

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return duplicate into exchequer.  
Upon certificates from commissioners with particular descriptions presented to chief governors, letters patents shall pass without further warrant.

XIV. And be it further enacted by the authority aforesaid, That all letters patents granted by virtue of this act shall be and are hereby confirmed unto the severall persons therein named, according to the severall and respective estates therein granted, against the King's Majesty, his heirs and successors, and all other persons claiming by, from, or under him or them, and shall stand and be discharged of and from all forfeitures or pretended forfeitures for non-payment of rent, or any sum of money now due, or not putting in of claims, or not bringing in field-books or surveys, and of and from all further inquiries into false admeasurements, holding of lands profitable for unprofitable, or any other qualifications whatsoever, and of and from all mesne profits, arrearages and incumbrances, not herein after excepted, and shall stand and be good against all persons, bodies politick and corporate, and discharged of all estates taile, and all other estates of freehold or inheritance, and all reversions, remainders, titles and interests whatsoever, not decreed by the commissioners for execution of the said former act, or in the said former act already allowed, whereby the patentees can or may be incumbered, and discharged of all demands, other than what are intended to be preserved by this act, and shall be reserved in the same letters patents.

Confirmation of the letters patents discharged of all forfeitures, incumbrances, &c. not already decreed or allowed, or intended to be reserved.



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but not discharged from arrears of quit rent,

nor from proportion of 30000*l.* intended to be raised,

nor mesne profits received of lands set out in satisfaction of interests by these acts not satisfiable,

nor money received on sale of estates in Connaught, by persons transplanted and since restored,

XV. Nevertheless, it is hereby declared to be excepted, and is further enacted, That no letters patents hereafter to be granted shall any way extend to discharge or acquit any arrearages of quit-rents reserved by the said former act, and still behind and unpaid; nor to acquit that part and proportion of the three hundred thousand pounds herein after mentioned, and intended to be raised, and which by the rules of this act will be payable by such patentee, and leviable upon the lands in the said letters patents contained; nor any mesne profits, which have been received of lands set out for English arrears, or in satisfaction of any adventures upon the doubling ordinances, above what the original money did deserve, or in satisfaction of any other titles or interests not satisfiable by this or the said former act; nor to discharge any sum or sums of money, which persons transplanted into Connaught received upon sale of their estates in Connaught, and yet have since been restored to their former estates, or some part thereof, by virtue of some clause in the said former act contained, or some decree or other proceedings had upon the said act, or shall be so restored by virtue of any clause contained in these presents; all which arrearages of quit-rents, mesne profits, or other sums of money as aforesaid, shall be and are hereby made due and payable unto his Majesty, his heirs and successors, and shall be leviable and recoverable against every person and persons who shall be liable thereunto, his and their heirs, executors and administrators, and all and every their lands, tenements, goods and chattels whatsoever; any grant, patent, settlement, or other disposition made in pursuance of this act to the contrary notwithstanding.

To prevent unnecessary delays and unjust charges, letters patents shall pass in six months after certificate of commissioners,

if delayed by officers, whose fees paid or tendered, patentees shall hold as if, &c.

XVI. And for the prevention of all unnecessary delays and unjust charges, which can or may happen to the subjects of this realm before their full and final settlement, be it further enacted by the authority aforesaid, That where the commissioners for execution of this act, or the major part of them, shall give any certificate under his and their hands and seals to any person or persons, bodies politick or corporate, in order to the passing of any letters patents according to this act, and shall likewise return a duplicate of such certificate into his Majesty's court of exchequer at Dublin, to be there inrolled, and the person or persons, body politick or corporate, to whom such certificate shall be given, shall immediately upon the obtaining of such certificate, and from time to time during the space of six months next ensuing the date thereof, diligently and without intermission pursue and prosecute the having and obtaining of letters patents accordingly, and in order thereunto shall pay or tender to such person or persons, to whom they shall apply themselves for their assistance towards the passing of such letters patents, their several and respective fees to them due and payable, and shall not obtain such expedition and dispatch, that their

several

several and respective letters patents may be full perfected and passed under the great seal of Ireland, within the space of six months next after the date of such certificate, but shall be thereof delayed or hindered by the neglect of any officers or ministers as aforesaid, that there and in such case the several and respective persons, bodies politick and corporate, to whom or in whose behalf such certificate shall be given or granted, shall hold and enjoy the several messuages, manors, lands, tenements and hereditaments in the several and respective certificates mentioned and allotted, according to such estate, and under such rents as are therein mentioned, as fully and amply to all intents and purposes, as if letters patents thereof had been granted and perfected according to the directions of this act; any thing in this or the said former act, and any other law, statute, or usage to the contrary notwithstanding.

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XVII. Provided always, and be it enacted, That where any souldier or souldiers, adventurer or adventurers, his or their heirs, executors, assignee or assignes, have had any lands, tenements or hereditaments formerly set out to him or them, as well in satisfaction of arrears due for service done in England, as of arrears due for service done in Ireland, or in satisfaction of adventures upon the doubling ordinances, or in satisfaction of any other titles and interests not provided for by this act, together with other adventurers, and such setting forth of lands hath been promiscuously and indefinitely as in the gross, without any particular application or distinction of the lands, shewing which part of the said lands was intended as a satisfaction of the English arrears, and which part as a satisfaction of the Irish arrears, or which part was set out in satisfaction of adventures upon the doubling ordinances, or of other titles or interests not provided for by this act, and which part for other adventures, and the whole or part of the said lands so promiscuously set out as aforesaid hath been evicted or decreed away by virtue of some proceedings of the commissioners appointed for execution of the said former act, that then and in such case the land, so evicted or decreed as aforesaid, shall be accounted in law to be such lands onely as were intended for the satisfaction of English arrears or adventures upon the doubling ordinances, or of other titles and interests not provided for by this act, so far as the same will extend, and all accompts and payments of the mean profits of the lands so evicted are to cease, for so much, from the time of such eviction or decree as aforesaid; nevertheless it is declared, that nothing herein contained shall exclude such person or persons from having their full two third parts, which are satisfiable by the rules of this act, and from retaining so much, whereof they remain possessed, for and towards such satisfaction.

Where lands set out promiscuously for English arrears, or adventures on doubling ordinances, or other interests not provided for by this act, together with other adventures, and the whole or part evicted or decreed away,

the lands so evicted accounted such as intended for satisfaction of interests not provided for by this act, and accounts of mesne profits to cease for so much,

not to exclude from full two thirds, &c.

XVIII. And to the end the subjects of this kingdom may be in some measure eased of those charges which are usual and ordi-



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Several persons may join in same letters patents, so as not above 15000 acres English in one patent.

Chief governors and council may regulate fees.

Where incumbrances by former decree charged on the two thirds, the commissioners to cast up the value, that a recompence may be out of other forfeitures;

and therein proceed by such rules as in the former act for estimate of incumbrances to be satisfied out of Kildare.

Upon incumbrances allowed by decrees, intert before 29 May, 1660, discharged:

but interest already received not repaid.

mary in passing of letters patents; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for so many of his Majestie's subjects as shall desire the same, to be joynd in one and the same letters patents, the due cautions before mentioned being therein observed, so as the lands thereby granted in case of such being joynd, exceed not the quantity of fifteen thousand acres English measure in one patent; nevertheless it shall and may be lawful to and for the lord lieutenant, or other chief governor or governours of Ireland and council there for the time being, in these and all other cases touching patents to be granted by virtue of this act, to regulate and moderate the fees of officers as they shall think fit, according to circumstances.

XIX. And be it further enacted by the authority aforesaid, That where any lands shall be allotted unto or detained by any adventurer or souldier, or the heir, executor, assignee or assignes of any adventurer or souldier, for and towards his and their full two third parts, or for any part thereof, which lands so allotted or detained as aforesaid shall be subject to any estate, remainder or other incumbrance already decreed by the commissioners for execution of the said former act, or allowed by the rules of the said former or this act, that then and in such case, the commissioners for execution of this present act shall allot so much other forfeited land, as may fully satisfy for such incumbrance, and cause the same to be entred in books returned into the exchequer, to the end that upon certificates made in manner aforesaid, letters patents may be thereof granted and passed as aforesaid; and therefore the commissioners are with all speed to cast up the value of such incumbrances, as by reason of any former decree shall charge any part of the said two third parts, that so a recompence may be provided as aforesaid; and in the estimate and valuation of such incumbrances, for which a recompence is to be provided, the commissioners are to proceed by such rules and measures as by the instructions, in the said former act contained, were given for the valuation and estimate of such incumbrances on the lands of adventurers and souldiers, as were therein appointed to be satisfied out of the forfeited lands in the county of Kildare, as near as may be, and as far as may stand with equity and justice.

XX. And it is further declared and enacted, That where any securities for money have been allowed by the decrees of the commissioners for execution of the said former act, wherewith any land set out and allotted, or to be set out and allotted, to any adventurer or souldier, his or their heirs or assigns, shall or may be incumbered, that all interest thereupon, due before the twenty ninth of May one thousand six hundred sixty, shall be and is hereby discharged; nevertheless the interest already received shall not be repaid; and from and after the twenty ninth of May one thousand six hundred

dred sixty, unto the times of the severall and respective decrees, no further or greater interest shall be satisfied or paid for any the moneys due upon the said security, than after the rate of forty shillings *per cent.* for one year; and from and after the time of the respective decrees, full interest shall be satisfied and paid; and further, that lands shall be set out in full satisfaction of what shall remain due, after such abatement made as aforesaid, according to the rate of eight years purchase, to such person or persons as shall be prejudiced by such incumbrances, by having his land liable thereunto, or by his purchasing and buying in of the same.

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From 29  
May, 1660,  
to the times  
of decrees,  
40*l.* *per cent.*  
interest: after  
that, full inter-  
est.

Lands at  
eight years  
purchase to be  
set out to  
those prejudi-  
ced by such  
incumbrances.

Other in-  
cumbrances  
void.

XXI. And that no part of the land so allotted or detained as aforesaid may be subject to, or charged with, any other incumbrance, not decreed by the commissioners for execution of the said former act, or already allowed in the said former act or this act, be it enacted, That all and every such incumbrances as against the adventurer or souldier so settled as aforesaid, other than such incumbrances as are the proper act of the party so to be settled, or those under whom he claims, be utterly voyd and of none effect.

XXII. And to the end that no person or persons, who upon the seventh of May one thousand six hundred fifty nine was in possession of any lands, tenements or hereditaments, as an adventurer or souldier, or as the heir, executor or assignee of such adventurer or souldier, may hereafter be molested or impeached in the making out of his or their title in or to the lands so possessed, or debarred of such satisfaction, and other the benefits and advantages, which by this act is given to them who were so possessed as aforesaid, for want of producing such measn conveyances, or such legal and formal assignments, as in strictness of law might otherwise be required, be it enacted by the authority aforesaid, That where any person or persons, or those under whom he or they claim, were in possession of any lands or tenements upon the seventh of May one thousand six hundred fifty nine, which were set out or reputed to be held and enjoyed, for and towards the satisfaction of any adventures or arrears, that there and in such cases no proof of the measn conveyances or other assignments shall be required, but the possession it self shall be, and so is hereby declared, a sufficient evidence of the title, unless the same lands have been likewise claimed by some other adventurer or souldier, his or their heirs, executors, administrators or assigns respectively; in which case the commissioners for execution of this act shall, upon such evidence as can be produced before them, determine the title.

Possession  
7 May, 1659,  
sufficient evidence  
of title,  
without proof  
of measn con-  
veyances or  
assignments.

Unless a  
claim by other  
adventurer or  
souldier,

which shall  
be determined  
by the com-  
missioners.

XXIII. And because there are several persons who pretend themselves able to discover much land which is detained and concealed by the adventurers and souldiers, their heirs or assigns, by false admeasurement, although it be probable that after so long a tract of time such discoveries may not produce any great effect; never-



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Chief governors and council, upon information of concealments by false admeasurement, may cause new survey.

Provided information be in three months.

Defendants first heard.

Informer to give security to answer charges, damages, and costs, if defendant not possessed of more by a tenth part than he ought.

Informer to chuse one surveyor, defendant another, both sworn.

Where books of distribution and Down survey differ not more than one tenth, no re-survey shall be.

No retrenchment where overplus exceeds not one tenth,

if it does, defendant may retrench so as contiguous of profitable and unprofitable, discharged of accounts for mesne profits.

No survey to be of any lot of a soldier, where the lot of the whole regiment exceeds not one tenth.

theless, for the avoiding the scandal of such frauds, and to give just satisfaction to all persons and interests, who may pretend themselves to be prejudiced by such concealments, be it enacted by the authority aforesaid, That the lord lieutenant, or other chief governor and governors of Ireland and council there for the time being, shall have power, upon information to them made of any such concealments by false admeasurement as aforesaid, to cause a new survey to be made of the parcels and lots wherein such false admeasurement is pretended, and observing therein these rules and cautions following :

1. That such information be given in within the space of three months next after the passing of this act.
2. That the defendant or defendants, against whom such information is given, be first heard, before any new survey be ordered.
3. That the informer or informers do first put in security by recognizance acknowledged before the lord chief justice of the common pleas for the time being, and with good and sufficient sureties to be by him allowed, to bear the whole charges of the new survey, and over and above to pay and satisfy unto the defendant or defendants his and their full damages and costs which they shall sustain by such prosecution, and shall offer to make oath of before the said lord chief justice, in case that upon the return of such survey it shall not appear that the defendant or defendants, against whom such new survey is ordered, were possess of more land by a full tenth part than he or they ought to have.
4. Where any new survey is ordered, the same shall be taken by two surveyors to be chosen for that purpose, one by the informer, the other by the defendants, and both surveyors shall be sworn.
5. Where the books of distribution and the Down survey agree in the satisfactions, which have been allotted to any regiments, troops, societies or persons, or do not differ more than in one tenth, there no resurvey shall be ordered, notwithstanding such information.
6. What overplus soever shall appear upon the new survey, if the same exceed not one tenth part of what is due to the defendant or defendants, no retrenchment shall be made.
7. If the overplus exceed a tenth, it shall be lawful to and for such defendant or defendants possessed of the overplus, to retrench the same where they think fit, so as such retrenchments be contiguous, and of unprofitable land together with the profitable, but is hereby discharged of all accompts for the mesne profits of the lands so retrenched.
8. If the information of false admeasurement be against a soldier, or his heirs or assigns, there the lot of the whole regiment, troop or company, shall be first surveyed, and if the same exceed not one tenth part of what such regiment, troop or company ought

to have, then no survey shall be taken of any individual lot or proportion.

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9. Where the lot of the regiment, troop, or company, shall exceed one tenth part of what they ought to have, there the individual parcel to be admeasured, if there be cause of retrenchment, may retrench where he thinks fit, so as such retrenchment be contiguous.

10. Whereas some lots for satisfying the army fell in a good and bad county or barony, such as Kerry and Limerick, and Dowhallow and Orrery, and whereas the souldiers, before they came to a particular dividend of their general lot, did mutually consent, that when a lot should fall in a bad county or barony, the persons, to whom it there fell, should have more acres, and when it fell in a good county, they should have less acres, or that the acres in the bad county should have a less rate or value set on them, and the acres in the good county a greater rate or value should be set on them: it is therefore declared, that no overplus of acres in the bad county shall be considered as such an overplus as is lyable to retrenchment, but with a due respect to such mutual agreements as were made in the general lot of the regiment, troop, company or society, before the persons concerned in it came to a subdivision.

Overplus in a bad county not to be considered as such as liable to retrenchment, but with respect to the mutual agreement made in the general lot of the regiment.

11. No defendant or defendants, whose lots are not to be found within the books of distribution, books of debentures, or books of Grocers-hall, shall be liable to any new survey or readmeasurement, his evidences being lost.

Defendant, whose evidences lost, not liable to readmeasurement.

Twelfthly and lastly, all proceedings in order to a new survey or readmeasurement, which shall not be finished and perfected within nine months next after passing this act, shall cease and be void, and the defendant to be discharged of all such inquiries for concealments upon such informations.

Proceedings to new survey shall be finished in nine months.

XXIV. And for the further directions of the commissioners for execution of this act in their proceedings touching incumbrances, it is hereby declared, That where the estate in any messuages, lands, tenements or hereditaments, recovered by any Irish claimant by virtue of any decree herein confirmed, is no other nor greater than for the life of such claimant only, there and in such case the commissioners for execution of this act shall give the person or persons, against whom such decree hath been made, or those who claim under them, his and their election, whether they will accept the reversion in fee of the lands so incumbered with an estate for life expectant upon the determination of the said estate, in lieu of their two third parts for the same, or will rather chuse to have their full two third parts set out and allotted to them presently, out of some other forfeited lands; and the commissioners shall give them certificates in order to their passing of letters patents, either of the reversion of the whole or of two third parts in possession, according as such election shall be made; and where the estate in any mes-

Where estate for life only recovered by Irish claimant by decree confirmed, the persons against whom, &c. shall have election to take the reversion in fee, or two thirds in other lands presently.

Certificates to be given accordingly.



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So where by such recovery an estate for life of some other person is left in them, they may chuse the same in satisfaction of one of the parts, or have two thirds in other lands, and relinquish possession of that.

Augmentations of bishopricks out of fee-farm lands held of them, as in former act.

XXV. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act do forthwith, and with all convenient speed, set out and allot, or cause to be set out and allotted, unto the archbishops and bishops, in the said former act in that behalf named respectively, and to their and every of their respective successors for ever, such augmentations and allowances, and out of such lands as were formerly held, or reputed to be held, in fee-farm of any archbishop, bishop, dean, dean and chapter, or other ecclesiastical person in his or their politick capacity, under the reservation of any chiefry, rent, or other duty or service, and in such way and manner as by the said former act is directed and appointed.

Lands not lying within security set apart for the officers serving before 1649, or otherwise disposed by these acts) granted by letters patent since former act to bishops in augmentation, shall be surveyed:

If not exceeding the value of augmentation intended, shall be enjoyed under such patents,

XXVI. Provided always, and be it enacted, That where any manors, lands or tenements, not lying within the security set apart for the satisfaction of the commissioned officers, who served in Ireland before the fifth of June one thousand six hundred and forty-nine, nor by the said former act, or this present act, otherwise disposed to any particular person or persons, have been given and granted to any such archbishop or bishop, and his and their successors, by virtue of any letters patents under the great seal of Ireland, bearing date since the passing of the said former act, for or towards his and their respective augmentations and allowances, that then and in such cases the commissioners for execution of this act, shall cause the lands so granted as aforesaid to be surveyed and valued; and if, upon the return of such survey, it shall appear that the lands so granted as aforesaid do not exceed the value of such augmentations and allowances, as by the said former act were intended to be settled

upon

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upon the respective archbishops and bishops, to whom such letters patents were granted, then the lands so granted as aforesaid shall be held and enjoyed by the severall and respective archbishops, bishops, and their successors, according to the tenor of their respective letters patents; and that the said letters patents shall be of like force and effect as any other letters patents granted to adventurers or soldiers by virtue of this act are or ought to be; but if the lands so granted as aforesaid shall exceed the value of such augmentation, as by the said former act was intended to be settled on the archbishop or bishop, to whom the said lands were granted, then the commissioners for execution of this act shall cause such retrenchment of the overplus to be made, as may leave unto the respective archbishops and bishops his and their due augmentations and allowances, with as much conveniency and contiguity as may be, and the lands and tenements so left unto the said archbishops and bishops shall be held and enjoyed by them and their successors respectively, as fully and amply as the same might have been enjoyed, in case the lands granted by the said letters patents had not exceeded the value intended by the said former act; and the said letters patents, as to so much of the lands therein contained, which shall be retrenched by the commissioners as aforesaid, are hereby declared to be null and void, and the lands so retrenched shall remain and be vested in his Majesty to the uses of this present act; and if the lands so granted as aforesaid shall fall short of the value of such augmentations, as in and by the said former act was intended to be settled, the commissioners for execution of this act shall cause the same to be supplied and made up by a further allotment out of such lands, and in such way and manner, as by the said former act was directed.

but if they exceed, the overplus to be retrenched, and vested in the King,

if they fall short, to be further supplied.

XXVII. And it is further enacted, That in lieu of such provision for glebes, as by the said former act was intended, the said commissioners shall likewise set out so many acres of lands more, as may be sufficient to endow or supply all and every the parochial churches in this kingdom with ten acres of glebe at the least (except such parochial churches as are endowed with the like, or a greater quantity of glebe already) and that the same be so allotted, as may be most contiguous and convenient to and for the severall and respective parish churches hereby intended to be endowed; in which provision parishes united or to be united by virtue of an act, intituled, *An act for real union and division of parishes, and concerning free-schools and exchanges*, are to be understood but as one parish; and parishes within great cities and walled towns are not at all intended to be comprehended; and the like care both for contiguity and conveniency is to be had in the setting out of the augmentations of the severall archbishopsricks and bishopsricks, not already provided for as aforesaid, as far as may be, without the two great prejudice of the

In lieu of the provision for glebes by former act, so many acres more shall be set out as to supply every parochial church with ten at least, except so endowed already;

contiguous and convenient.

United parishes by 14 & 15 C. 2. 10. but as one.

Parishes in walled towns not comprehended.

Care to be had for conti-



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guity, &c. in augmentations, without too great prejudice to person removed.

Commissioners to certify their proceedings to chief governors and council,

where if approved, the lands for augmentation and glebes vested, and letters

pat. to pass, as for adventurers.

Subject to quit-rents only.

Forfeited fee farms and impropriations shall remain in possession of the bishops and incumbents till their augmentations and glebes set out,

afterwards the fee-farms to uses of former act not changed by this.

The impropriations vested in incumbents, subject to reservation, &c. In former act.

2 years time limited.

Conveyances by bishops of augmentations, except for 21 years or 3 lives from commencement, and whereon a full moiety of improved rent as now worth reserved, void.

present possessor, who is to be removed; and after the lands set out for the several augmentations and glebes as aforesaid, the commissioners shall certify their proceedings to the lord lieutenant, or other chief governour and council for the time being; and in case the proceedings of the commissioners shall be there approved and allowed, then the lands, set out for augmentations and glebes as aforesaid, shall be and are hereby vested and settled respectively in the several and respective archbishops and bishops and incumbents of parochial churches, and their successors for ever, and letters patents thereof are to be passed to them, and their respective successors, in like manner as is directed in the cases of adventurers and souldiers, and to be of like effect, subject nevertheless to the quit-rents hereafter mentioned, and no other.

XXVIII. And to the end the revenues of the church may be more speedily settled; be it further enacted by the authority aforesaid, That the lands held, or reputed to be held, in fee-farm of any archbishop or bishop, dean, dean and chapter, or other ecclesiastical person in his or their politick capacity, and by this act vested in his Majesty, and the several impropriations forfeited to, and by these presents vested in his Majesty, shall be permitted to remaine and continue in the possession of the several archbishops, bishops and other incumbents, until the several and respective augmentations, endowments and glebes set out and satisfied as aforesaid; and from and after the augmentations satisfied, the residue of the lands held in fee-farm as aforesaid shall remain subject to the uses of the former act, not changed by this act, and to such other uses as in this act are limited and appointed; and all and every the impropriations or appropriate tythes vested in his Majesty by these presents, or otherwise escheated to his Majesty in right of his crown, and by the said former act vested and settled in the present and future incumbents and their successors, shall likewise remain and be vested in the present and future incumbents, and their successors, subject nevertheless to such reservations, provisos, conditions, exceptions and other limitations, authorities and dispositions, as by the said former act the same were made subject unto, so alwayes that all and every the matters and things which by the former act were limited and appointed to be done, within the space of two years from and after the passing of the said act, be likewise done within the space of two years from and after the passing of this present act.

XXIX. And be it further enacted by the authority aforesaid, That all gifts, grants, feoffments, fines and other conveyances hereafter to be made by any archbishop or bishop of any manors, lands, tenements or hereditaments, which by virtue of or in pursuance of this or the said former act, intituled, *An Act for the better execution of his Majesty's gracious declaration for the settlement of his kingdom of Ireland, and satisfaction of the several interests of adventurers, souldiers and other his subjects there*, have already been, or hereafter shall

be granted unto or settled upon any archbishop or bishop and his successors, as an augmentation of the revenue of such archbishoprick or bishoprick respectively, other than the term of twenty-one years, or three lives from such time as any such lease, grant or assurance shall begin, and whereupon the full moyety of the yearly value and improved rent, as the same are now worth to be let, shall be reserved and payable during the said term of twenty-one years, shall be utterly void and of none effect to all intents and purposes; this act, or any other act, law, custom or usage to the contrary notwithstanding.

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XXX. And the commissioners for execution of this act shall likewise set out, or cause to be set out, so many more acres of profitable land as may be of the yearly value of three hundred pounds *per ann.* or may be sufficient to answer and secure a yearly rent-charge of three hundred pounds *per ann.* to be issuing out of the same, to the intent the same may be a perpetual revenue for the support and maintenance of the provost of Trinity college near Dublin, and his successors, and be settled upon the said provost of Dublin and his successors, in such way and in such manner as the lord lieutenant, or other chief governour or governours of Ireland and council for the time being, shall direct; and the commissioners shall likewise set out, or cause to be set out, so many more acres of profitable lands, as may be of the yearly value of three hundred pounds, or may be sufficient to answer and secure a yearly rent-charge of three hundred pounds *per annum*, to be issuing out of the same, to the intent the same may be a perpetual revenue for and towards the support and maintenance of the fort at Duncannon, and be settled for that purpose in such way and manner as the lord lieutenant, or other chief governour or governours and council for the time being, shall direct; and in the setting out of the said lands the commissioners shall not be obliged to proceed by any rules of contiguity, but onely to take care that the value intended be secured; and the commissioners shall likewise set out, or cause to be set out, so many acres more of profitable lands, as may be of the yearly value of one hundred pound *per annum*, or may be sufficient to answer and secure a yearly rent-charge of one hundred pounds *per annum*, to be issuing out of the same, to the intent the same may be a perpetual revenue for the corporation of Bandon bridge, and their successors, and be granted to them by letters patents in such manner as other letters patents are herein after directed; nevertheless if any lands have been already set out for that purpose, the commissioners are to cause the same to be valued, and to retrench so much thereof as shall exceed the value of one hundred pounds *per annum*, and if the whole fall short of that value, to cause the same to be supplied by further allotments as aforesaid.

300l. *per ann.* for perpetual support of provost of Trinity college, to be settled as chief governours and council direct.

300l. for support of Duncannon fort vested in the King, his heirs, &c. by 23 & 24 G. 3. 1.

Therein the commissioners not obliged to regard contiguity.

100l. *per ann.* for Bandon bridge.

To retrench or increase lands already set out.



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Officers before 1649, and others intended to be satisfied with them, and John Bartlet and heirs of Thomas Bartlet, confirmed in lands not decreed away, and all benefits by former act, except the year and year and half rent.

XXXI. And be it further enacted by the authority aforesaid, That the protestant commissioned officers who were in regiments, troops, or companies raised in Ireland, or transported out of England, and served his Majesty or his royal father before the fifth day of June one thousand six hundred forty nine, and are not excluded by the said former act, and all others mentioned and intended by the said former act to be satisfied equally and together with the said commissioned officers out of the same security, who received no lands or money for their pay due unto them for their said service, their heirs, executors, assignee or assignees, and also John Bartlet, and the heirs of Thomas Bartlet, their heirs and assignees, shall hold and enjoy, and be continued, and confirmed in all and singular the messuages, mannors, land, tenements and hereditaments, not already decreed away by the commissioners for execution of the said former act, and in the benefit arising from the redemption of mortgages, statutes and judgements, and in all other the benefits and advantages whatsoever arising or accruing unto them by any clause in the said former act contained, other than the year's rent and the year and half's rent therein mentioned, which rents are herein after otherwise satisfied and discharged.

Explanation of the words in former act (benefits from the redemption of mortgages, &c. where the lands not already disposed to adventurers or soldiers.)

The securities to be equally distributed in proportion to arrears stated by this act.

The rate and manner in which satisfaction to be made to said persons.

12s. 6d. per £. to officers before June 1749, if it so far extends.

XXXII. And it is hereby explained, declared and enacted, that these words, "the benefits arising from the redemption of mortgages, statutes staple and judgements, where the lands are not already disposed of to adventurers or souldiers," shall be understood and expounded, and so are hereby adjudged to be meant and intended of all benefits of that nature, which on the two and twentieth of October one thousand six hundred forty and one, or at any time since, were belonging to any Irish papist or Roman catholick, not already declared innocent by the commissioners for execution of the said former act, although the lands were not actually sequestered (saving and reserving as herein after is saved and reserved) and that the commissioners for execution of this act shall cause all and every their securities for satisfaction of such arrears arising by the said former act, or this present act, to be equally divided and distributed amongst all and every the said commissioned officers and other the persons aforesaid, and the heirs, executors, assignee or assignees of such commissioned officers, and other the persons aforesaid, according to the proportion of their respective arrears stated or appointed to be stated by this act; and therein care is principally to be taken, that such officers who served before the fifth of June one thousand six hundred forty and nine, and have yet had no satisfaction for their service in land or money, their heirs, executors, assignee or assignees, may be satisfied in the first place after the rate of twelve shillings and six pence in the pound, if the same will so far extend; and if there shall be found any surplus, then the same shall be equally distributed amongst all the officers who served before the fifth of June one

one thousand six hundred forty and nine, and have any arrears due to them, as well those who have formerly had satisfaction in part, as those who have yet had no satisfaction, and amongst the respective heirs, executors and assigns of such officers; and that all and every the respective securities herein before mentioned shall be forthwith put out of charge without any fees to be therefore paid in order to the distribution aforesaid, and until such distribution made shall be managed for the benefit of the persons herein concerned, by such persons as in the said former act is directed; and in case any lands or houses within any of the securities aforesaid shall by any particular clause in this act be disposed unto, or settled upon, any person or persons not being a commissioned officer as aforesaid, nor having the same in satisfaction of arrears due for service before the fifth of June one thousand six hundred forty and nine, or by way of confirmation of some clause in the former act, the commissioners for execution of this act shall set apart so much other forfeited land as may be sufficient to reprice the said commissioned officers for such loss and damage as they shall sustain by such clause, that so the said securities may remain and continue to and for the benefit of all persons therein concerned, as full and ample as the same would have been by virtue of this act, if such particular clauses or dispositions had never been had nor made; and the commissioners shall cause the distribution of lands and houses within the security of the said officers to be fairly entred in books, as is before directed in the settlement of adventurers and souldiers, to the end that such persons, who shall be settled in any of the respective securities, may be enabled to demand letters patents of the houses, lands and tenements, rights of redemption, sums of money, and other the premisses which shall be allotted to them for their proportion, which is hereby enacted shall be granted accordingly, and shall be good and effectual in law, according to the tenor and purport of the same, but subject to the quit-rents of eighteen pence *per annum* to be paid to his Majesty, his heirs and successors for every twenty shillings, which any house, orchard or garden-plot within the security aforesaid is worth to be let according to the said former act, and to such other quit-rents as any of the land within the said security ought by virtue of the said former act, or this present act, to be charged with; saving nevertheless to all and every the archbishops, bishops, and other the ministers of the church, such right, benefit and advantage of, in and to the forfeited houses in cities, walled towns and corporations, as in and by the said former act is given, the said houses to be set out by the commissioners for execution of this act.

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if lands within said securities particularly disposed by this act, a reprisal set apart in other forfeitures.

Said distribution to be entered in books.

Letters patents to be granted.

Subject to quit-rents of 18d. every 20s. &c.

Saving to the church forfeited houses in cities, &c.

XXXIII. And be it enacted by the authority aforesaid, That the house chosen by Edward lord bishop of Limerick, in the city of Limerick, and set out to him for seven years according to the act of settlement, together with that small waste plot of ground, and two

House, &c. in Limerick annexed to the see for ever, as a mansion house for the bishop.



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Benefit of  
forfeitures by  
false certifi-  
cates, applied  
to satisfy the  
12s. & 6d. in  
the £. if said  
securities not  
sufficient, and  
then to uses in  
said act, so as  
discovery in 3  
months.

Explanation  
as to satisfac-  
tion for im-  
provements in  
corporations.

Persons not  
to have satis-  
faction for im-  
provements,  
who upon  
leases or con-  
tracts before  
the restorati-  
on were bound  
to make them,  
and actually  
enjoyed dur-  
ing the term  
agreed.

Papist, or  
person not  
taking the  
oaths, not to  
purchase hou-  
ses in corpora-  
tions, without  
licence of  
chief gover-  
nors and  
council.

ruinous tenements thereon, which the present bishop thereof now rents of the trustees at twenty shillings *per annum*, lying on the backside of the said dwelling house equal with the front thereof, down to the highway adjoining to the wall of the said city, being from the said back-side in length threescore and six yards, and in breadth twenty and nine yards, be annexed unto the see of Limerick for ever, and be a mansion house for William the present bishop thereof and his successors.

XXXIV. And be it further enacted by the authority aforesaid, that the benefit and advantage of all forfeitures by false certificates shall be in the first place applied to, and for the satisfaction of, the persons aforesaid, who ought to be satisfied twelve shillings and six pence in the pound, until twelve shillings six pence in the pound be fully satisfied, in case the securities aforesaid shall not be sufficient for that purpose, and after twelve shillings and six pence in the pound fully satisfied to the persons aforesaid, then the whole benefit of the said forfeitures shall be and remain, and shall be applied, unto such uses, intents and purposes as in and by the said former act was appointed, so as the said false certificates be found out and discovered within three months after the passing of this present act.

XXXV. And whereas by the said former act such officers or their assignes, who shall purchase any houses, lands, tenements or hereditaments within any corporation, are enjoyned to give security to satisfy such as by virtue of any lease or contract for lease have built or improved any house or garden, either in money, or else by granting to such person or persons a lease at a rent proportionable to the said improvement, so as the said proportion exceed not a fifth part of the value the same are worth to be sold, messuages built from the ground only excepted: be it enacted and explained by the authority aforesaid, that no person or persons shall be admitted to have any satisfaction or security for his or their improvements, who upon leases or contracts for leases, made before his Majesty's happy restoration, were bound to make such improvements, and have actually enjoyed the said houses, lands and tenements during the full time and term of years for which they did contract and agree as aforesaid; any thing in this or the said former act to the contrary notwithstanding.

XXXVI. And to the end that all and every the houses in corporations, being part of the aforesaid securities, may always continue in the hands of English and protestant subjects as near as may be; it is further enacted by the authority aforesaid, that no papist or popish recusant shall be admitted to purchase any of the houses in corporations from the commissioners for execution of this act, nor any other person or persons but such who shall take the oaths of allegiance and supremacy; which oaths any of the said commissioners or any justice of peace hath hereby power to administer, without

without the licence and leave of the lord lieutenant or other chief governour or governours in Ireland, and council there by act of council first had and obtained; and further that no commissioned officer who served before the fifth of June one thousand six hundred forty and nine, nor the heir, executor, assignee or assignes of such commissioned officer, or other person to whom any of the houses within the said security shall be allotted, or shall hereafter come, shall set, grant, alien, demise, lease, or otherwise dispose any house or houses within the security aforesaid to any papist or popish recusant, or person refusing the oaths of allegiance and supremacy as aforesaid, without licence aforesaid, under paine of forfeiture of double the value of every such house so conveyed or disposed as aforesaid; one moyety thereof to the king's Majestie, his heirs and successors, the other moyety to him or them that will sue for the same; to be recovered by action of debt, bill, plaint, or information in any of the four courts of record at Dublin, wherein no essoign, protection, nor wager of law to be admitted, nor any more than one imparlance; and the said houses and lands in corporations, together with the sum of one hundred thousand pounds hereinafter mentioned, are with all possible expedition to be distributed by the commissioners for execution of this act according to the rules aforesaid, that so the daily ruine and decay of the said houses may be prevented as soon as it is possible.

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nor shall they be granted or demised to such persons without licence,

on penalty of double value, half to the King, half to profeutor.

To prevent decay of said houses, they are to be distributed together with 100000l. (hereafter mentioned) as soon as possible.

XXXVII. And whereas the lord lieutenant and council of this your Majestie's kingdom have, at the humble suite of several of the said officers, conceived an order bearing date at the council board of Dublin the twelfth of January one thousand six hundred sixty and three, wherein they have set down several rules and directions for the stating the arrears of the several armies, which were employed in the service of your sacred Majestie, or your royal father of blessed memorie in your warrs in Ireland, before the fifth of June one thousand six hundred forty and nine; which order, by reason of the shortness of the time limited for stating the said arrears, and issuing debentures unto the said officers, would not be punctually observed by your Majestie's commissioners appointed for execution of the said act: be it therefore enacted by the authority aforesaid, That the said order, bearing date as aforesaid, shall be and is hereby enacted in as full and ample manner as if the same were particularly set down and recited in this act; and the commissioners appointed or to be appointed for the execution of this act, are hereby authorized and required, before they proceed to the giving out of any satisfaction for any arrears of pay due unto any of the said officers or their assignes, to take care that all the accompts of the said officers be made conformable unto the rules and directions of the said order, notwithstanding the debentures issued as aforesaid; and that all deductions, by the said order appointed to be made, be made accordingly; which

Order of council board 12 Jan. 1663, for stating arrears of army before 1649 confirmed, and the rules therein to be pursued by commissioners.



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Saving to  
lord Mount-  
rath, benefit  
of 6000l. for  
the service  
before 1649.

and to lord  
Conway satis-  
faction for  
arrears,

as if said  
order not  
made.

Maritime  
towns and  
places of  
strength  
should be put  
into fit hands,  
to carry on  
the settlement  
thereof.

The King's  
letters to that  
purpose, that  
lord Roscom-  
mon and lord  
Orrery should  
be first satis-  
fied of the  
forfeited  
houses in  
Limerick.

They are to  
have the pre-  
ference and  
first satisfac-  
tion of 50,000l.  
of their ar-  
rears out of  
said houses,  
&c. at 8 years  
purchase.

if doubt as  
to the value,  
a new survey.

being done the said commissioners are to proceed to the setting out of satisfaction to the said officers or their assigns, pursuant to the rules of this act and the said order, and not otherwise; saving to Charles late earl of Mounrath, his executors and assigns, the benefit of six thousand pounds due for service before the fifth of June one thousand six hundred forty and nine, which is hereby declared shall be satisfied and paid out of the securities aforesaid equally and in like proportion to and with any other persons who are to be satisfied their arrears, and have yet received no satisfaction for the same; any thing in the said order of the twelfth of January or herein before contained to the contrary notwithstanding; saving also unto Edward lord viscount Conway and Kilulta, the satisfaction of such arrears as are due to him for his own service, or for his father's service in Ireland, before the fifth of June one thousand six hundred forty and nine, in such manner and form as the same ought to have been satisfied, if no such order had been made by the lord lieutenant and council upon the twelfth of January one thousand six hundred and sixty three; any thing in the said order or in this act to the contrary notwithstanding.

XXXVIII. And whereas your Majesty, taking into your princely consideration of how great importance it is to the security, peace and good settlement of this your kingdom of Ireland, that the maritime towns and other places of strength should be put into such hands as are capable to carry on the plantation and settlement of those places, whereby the further ruin of the houses in those towns will be prevented, and commerce and trade recovered, to the great increase of your Majesty's revenue, was graciously pleased by one or more letters under your royal signature to direct and appoint that Wentworth earl of Roscommon, and Roger earl of Orrery, should have the privilege of preemption, and be first satisfied out of the forfeited houses of your Majesty's city of Limerick; be it therefore enacted by the authority aforesaid, That Wentworth earl of Roscommon, and Roger earl of Orrery, their heirs and assigns, in the distribution and setting forth of the security appointed for the satisfaction of the arrears of the commissioned officers who served your Majesty and your royal father in Ireland, before the fifth of June one thousand six hundred forty and nine, shall have the preference and primer satisfaction of fifty thousand pounds of their own personal arrears, or other arrears purchased by them out of the forfeited houses, lands, tenements and hereditaments in the city, suburbs and liberties of Limerick, which are part of the said securities, at the rate of eight years purchase, as they are or should be found to be really and *bona fide* worth; and if any doubt or difficulty should arise concerning the value of the said houses or lands, so as the trustees for the said officers shall not be satisfied with the return already made of the value of the same, that in such case, upon

the desire and request of the said trustees, there shall be a new survey and valuation of the said town and liberties, by such persons as shall be appointed by your Majesty's commissioners for the execution of this act, by and with the consent of the said trustees; according to which return the said houses, lands, tenements and hereditaments are to be sold, and not otherwise; and in case the said earls, their heirs and assigns, or any of them, shall offer unto your Majesty's said commissioners for the execution of this act any debentures of officers, who served as aforesaid before the fifth of June one thousand six hundred forty and nine, for or in part of payment for all, or so much of so much of the said houses and premises as shall be valued to be worth fifty thousand pounds as aforesaid, the same shall be allowed, and the said commissioners are hereby authorized and required to accept and receive the same for all or in part of the said fifty thousand pound, so as the said debentures are capable of prior satisfaction, and there has been such deductions and defalcations made as are directed by this act and the said former act, and shall not be excepted to satisfy more in the pound than the whole security will hold out to satisfy the debentures of the rest of the said officers; and the said commissioners are also required and authorized to give such certificate as is necessary for the passing of patents thereof, according to the rules in this act.

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Debentures offered by said earls allowed and accepted.

Commissioners to give certificates for patents.

XXXIX. And be it further enacted by the authority aforesaid, That all and every the protestants, who before the first day of September one thousand six hundred and sixty three, purchased lands in the province of Connaght or county of Clare, from any transplanted or transplantable person, and the heirs, executors, assignee or assigns of such protestant purchaser, shall hold and enjoy, and be continued and confirmed in such two third parts of all and singular the lands, tenements and hereditaments so by them purchased as aforesaid, whereof they are now in possession, which by the commissioners for the execution of this act shall be allotted to them, and shall hold the same for and during such respective estates as were purchased, freed and discharged from all penalties and forfeitures, and all inquiries or qualifications whatsoever, and of and from all estates, titles and interests, claims or demands, as fully and amply as any adventurer or souldier ought to enjoy his or their full two third parts herein before expressed; and that the commissioners for execution of this act do proceed with all expedition possible to the setting out of the two thirds, and cause the same to be entred in books in like manner as is before prescribed in the settlement of adventurers and souldiers, to the end that the persons concerned in the said two thirds and their settlement thereupon may be enabled to demand letters patents thereof, in like manner as any adventurer or souldier may demand for his part, which is hereby enacted shall be granted accordingly, and be as effectual to the respective persons

Protestant purchasers before 1 Sept. 1663, from transplanted persons in Connaught and Clare confirmed in two thirds,

free from all penalties, &c.

To be entered in books and passed by letters patent as adventurers and souldiers.



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They shall have benefit of improvements, and the like liberty in retrenchment and other conditions as adventurers and souldiers.

Retrenchment to remain in the King.

Where evicted by decree or clause of restitution, other forfeited lands to be allotted equal to two thirds.

To be discharged from the year's rent in former act.

Reprizals no further than what will amount to two thirds.

Except dukes of York and Albemarle, &c.

Compounders with Irish claimants before decree of innocence shall not have two thirds, or

XL. And be it further enacted by the authority aforesaid, That neither adventurer or souldier, commissioned officer, who served before the fifth of June one thousand six hundred forty and nine, protestant purchaser in Connaught and Clare, transplanted person, nor the heirs, executors, assignee or assignes of them or any of them, nor any other person or persons, body politick or corporate, who by the said former act of settlement is or are any way intituled to reprizals for or in respect of some possession which they have quitted, or of some decrees which have been made against them, or otherwise, shall at any time hereafter be enabled to demand or have the same reprizals, further than what will amount to his and their full two third parts as aforesaid, but shall be thereof for ever bared and excluded; any thing in the said former act to the contrary notwithstanding, (his royal Highness James duke of York, his grace George duke of Albemarle, and such others herein after mentioned according to the provision herein after made onely excepted.)

XLI. And be it further enacted by the authority aforesaid, That no adventurer or souldier, nor the heir, executor, assignee or assignes of any adventurer or souldier, who before any decree of innocence made by the commissioners for execution of the said act,

did by himselfe or any other directly or indirectly compound or agree with any Irish claimant, whose claime was then depending before the said commissioners, shall ever be admitted to receive or have his two third parts, or any other satisfaction for that part of his estate which he so compounded or agreed for, but as to so much of his estate for which any agreement was made as aforesaid, shall be for ever barred and excluded to demand his two third parts, as if the person so agreeing had never been seized or possessed of the same, or intituled thereunto, so as such composition or agreement be made to appear before the commissioners for execution of this act, within three monthes after their first sitting.

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other satisfaction for so much, if such composition shewa to commissioners in 3 months after first sitting.

XLII. And for the better improvement and ascertaining of his Majestie's revenue, be it further enacted by the authority aforesaid, That all lands, by this or the former act vested in his Majestie, or restored by virtue of any decrees herein after confirmed or settled, or mentioned to be disposed, restored, confirmed or settled unto or upon any person or persons, bodies politick or corporate, by virtue of any clause in this or the said former act contained, and not particularly by plain and exprefs words excepted from quit-rents in the same clause, and the lands by this act appointed to be set out for augmentation of bishopricks, for endowment of parochial churches with glebe, for the better support of the provost or of the provost and fellows of the colledge of Dublin, for the maintenance of the fort at Duncannon, and the benefit of the corporation at Bandon bridg, and all the lands enjoyed by transplanted persons in the province of Connaught or the county of Clare, and all other the lands seized, sequestered or set out by reason of or upon account of the late rebellion or war (the lands of James duke of Ormond, Elizabeth lady dutchefs of Ormond, the earl of Burlington and Cork, the earl of Roscommon, and of other the protestants of Ireland, heretofore sequestred, onely excepted) be subject and liable to such quit-rents to be paid unto his Majestie, his heirs and successors, as in the former act is directed and appointed; saving only that the lands in the province of Ulster, which by the former act were charged with one penny the acre quit-rent, shall be and are hereby charged from henceforth with two pence the acre quit-rent.

For improvement and ascertaining the revenue, the lands sequestered on account of the rebellion and not expressly excepted from quit-rents in the same clause, (except of duke and duchefs of Ormond, lords Burlington and Roscommon, and other protestants heretofore sequestered) subject to quit-rents as in former act:

Save that lands in Ulster, charged with one penny per acre, shall be charged with 2d.

XLIII. Nevertheless because it may so fall out, that in some counties and baronies of this kingdom the quit-rents, which by the rules of this act will be chargeable upon and issuing out of the lands therein lying, may exceed or at least amount to the full of value of the land therewith charged, or very neer the full value, to the great discouragement of all plantation and improvement thereupon: be it therefore enacted by the authority aforesaid, that it shall and may lawfull to and for the lord lieutenant, or other chief governour or governours and council for the time being, at any time during the space of three years from and after the passing of this present act,

Chief governours and council may during 3 years moderate the quit-rent, where so near



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the value of the land, &c. as to discourage improvement.

To raise money to buy off several interests, which if strictly demanded by the former act would hinder execution of this,

one year's rent of lands of Irish papists, as let in 1659, and of other lands confirmed to adventurers or soldiers (except those of Erasmus Smith to pious uses) to be paid at two payments to receivers,

on penalty of double the sum,

to be levied as the rents whereof lords Orrery and Massereen appointed receivers.

Receivers to account to vice-treasurer:

But the sums formerly paid to lords Orrery and Mas-

to make such abatement and moderation of quit-rents, as they in their judgements shall think fit; and that such order of council as shall be made touching the abatement of quit-rents, and enrolled in the court of Exchequer, shall be as good and effectual as if the same had been enacted by these presents; any thing herein contained to the contrary notwithstanding.

XLIV. And for the better carrying on of this present settlement, by raising such a sum of money as may be sufficient to buy off several estates and interests, which by virtue of the said former act are now in being, and if they should be strictly challenged and demanded according to the tenor of the said act, would in a great measure delay and hinder the execution of this present act, be it further enacted by the authority aforesaid, that one year's rent of all the lands in Ireland, which were returned by the civil survey to belong to any Irish papist, popish recusant or Roman catholick, according to the values of the same lands were let at in the year one thousand six hundred fifty and nine, and of all other the lands wherein any adventurer or souldier, his heirs, executors or assigns, hath any benefit of settlement or confirmation by virtue of this present act, (the lands settled by Erasmus Smith to any pious or charitable use onely excepted) be forthwith raised and paid unto the receivers hereinafter constituted and appointed, by two even and equal payments, the first payment thereof to begin upon the first day of February, which shall be in the year of our Lord one thousand six hundred sixty and five, the second payment to be upon the first day of February, which shall be in the year of our Lord one thousand six hundred sixty and six, under the penalty following, that is to say, every person liable to the payment of any part of the said years rents, and making default and failing to pay the same by the space of twenty days after any the days and times wherein the same ought to be paid, shall be chargeable and is hereby charged with double the sum which ought to have been paid as aforesaid, to be levied by process out of his Majesty's court of Exchequer, in like manner as any the rents, whereof the said earl of Orrery and lord Massereen were appointed receivers by the said former act, might have been levied; and if need so require, like course is to be taken for the ascertaining of the value of lands charged with the said year's rent, and of returning the same into the Exchequer, to remain and be a charge upon record, as in and by the said former act in case of the said other rent therein secured was appointed; and the receivers hereinafter appointed are to accompt for and pay unto Arthur earle of Anglesey vice-treasurer of Ireland, or to the vice-treasurer of Ireland for the time being, all and every the sums of money by them to be received; nevertheless it is hereby declared and enacted, that all and every the sums of money formerly paid to the earl of Orrery and lord vice-count Massereen, in pursuance of

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the said former act, shall be allowed to the person and persons so paying the same, his and their heirs, executors and assigns, in full discharge of so much of the rent payable by this act as the moneys so as aforesaid paid do or shall amount unto, and the two half years rents payable to the said earl of Orrery and lord vice-count Massereen by any adventurer and souldier, their heirs, executors or assigns, by virtue of the said former act, shall be and are hereby from henceforth discharged; and in case the moneys to be raised as aforesaid shall fall short of the sum of three hundred thousand pounds, then it shall and may be lawful to and for the lord lieutenant or other chief governour and council there for the time being, to tax and assess upon all the lands in Ireland, so much more money, as together with what hath been before raised and allowed by virtue of this act, shall make up the full and just sum of three hundred thousand pounds *sterling*, and to cause the same to be assessed, distributed, raised, and levied by such ways and means as they shall think fit, observing therein all the equality and indifferency that can be; and Arthur earl of Anglesey, vice-treasurer of Ireland, or the vice-treasurer for the time being, is hereby required and enjoyned to pay or cause to be paid out of the moneys to be received as aforesaid unto the King's Majesty the sum of fifty thousand pounds, and also unto and amongst such commissioned officers who served before the fifth of June one thousand six hundred forty and nine, and have not yet received any satisfaction in lands or money, and amongst the heirs, executors and assigns of such commissioned officers, and other persons entitled to be satisfied within their security, such sums of money as the commissioners for execution of this act, having respect to the arrears already stated, shall by any warrant under their hands and seals, or the hands and seals of the major part of them, direct and appoint, until the whole sum of one hundred thousand pounds shall be fully satisfied and paid; and the warrant or warrants under the hands and seals of the said commissioners or the major part of them, together with the acquittance or acquittances of the party or parties who shall receive any money thereupon, shall be unto the said vice-treasurer a sufficient discharge for so much as the said acquittances extend unto; which said hundred thousand pounds, so as aforesaid appointed to be paid, is hereby declared to be in lieu and recompence of and in full satisfaction for the years rent payable out of the lands of those souldiers, who had lands set out for their arrears in the year one thousand six hundred fifty and three, and the year and half's rent payable by those other souldiers, who had lands set out for their arrears in the years one thousand six hundred fifty and five, one thousand six hundred fifty and six, one thousand six hundred fifty and seven, one thousand six hundred fifty and eight, and one thousand six hundred fifty and nine; the payment of which said rents shall

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are allowed in discharge of so much; and the two half years rents payable to them by former act discharged.

If it falls short of 300,000. the chief governour and council to tax equally and indifferently all lands in Ireland to make up the same.

The vice-treasurer to pay thereof 50,000. to the King.

100,000. amongst the officers before 1649, who have not yet received satisfaction, by warrant from commissioners,

in lieu of the year's and year and half's rent, the payment of which shall cease.



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50,000l. to the duke of Ormond, in lieu of forfeited interests, &c. to which he is intitled by the declaration and former act.

XLV. And whereas several clauses in his Majesties gracious declaration of the thirtieth of November, in the twelfth year of his reign, and in the former act, do intitle his grace James duke of Ormond and the lady dutchess his wife to great quantities of forfeited lands in the counties of Catherlagh, Galloway, Waterford, Dublin, Kildare, Meath, Cork, Kerry, Kilkenny and Tipperary, and other places, and if the same were extended to the utmost would greatly obstruct and hinder the settlement now intended: be it therefore enacted by the authority aforesaid, That the full sum of fifty thousand pounds *sterling* be paid out of the moneys aforesaid, unto his said grace James duke of Ormond, now lord lieutenant of Ireland, his executors, administrators or assignes; which the said vice-treasurer is hereby required and enjoined to pay or cause to be paid out of the moneys aforesaid unto his said grace, or unto such other person or persons as his grace shall appoint; which is hereby declared to be in lieu and recompence of and in full satisfaction for all such forfeited and forfeitable estates, titles, interests, claims or demands in or to any manors, lands, tenements or hereditaments, mediately or immediately held, as of any of the manors of the said duke or the lady dutchess of Ormond his wife, or heretofore granted by his grace, or any of his ancestors, or by any of the ancestors of the said lady dutchess in fee farm or fee taile, and of all and singular the statutes, judgments, mortgages, and other real securities for money given, made, acknowledged or entred into by any person or persons holding as aforesaid, to any other forfeiting person or persons not declared innocent (to all which premises the said duke and dutchess respectively by his Majesties said declaration, and by the said former act are intituled) and of all mean rates, issues and profits thereof since incurred, and now due to his grace, other than what is already received to his use, for which he is hereby acquitted, and of all and every the reversions and remainders which the said duke or dutchess now hath or have expectant upon the said forfeited and forfeitable estates taile; which estates, interests, and other the benefits and advantages herein before mentioned are intended, and so are hereby declared to be, as against the said duke or dutchess, their heirs and assignes, utterly barred and extinguished; saving nevertheless to the said duke and dutchess, their heirs and assignes, and to such other person and persons as are concerned in the uses expressed in the *quadripartite* deed, bearing date the twentieth day of December one thousand six hundred sixty one, the full benefit and advantage of all such tenures, chief-rents and other services, as the said forfeited and forfeitable lands and tenements were held by, other than the benefits and advantages of wardships and

Saving to the duke and dutchess, and others in the *quadripartite* deed 1661, all chief rents and services (except wardships and knight service.)

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and tenures by knights service, in as full and ample manner as the said duke and dutchefs did hold or enjoy, or might have held or enjoyed the same upon the twenty second day of October one thousand six hundred forty one, or at any time since; saving also to the said duke and dutchefs of Ormond, their heirs and assigns, the benefit of all forfeited and forfeitable estates vested in his Majesty, and held of them, or either of them as aforesaid, their or either of their ancestors, and which were never allotted to any adventurer or souldier; in which words it is hereby declared, That the estates allotted or set out to any souldier for service in England or elsewhere, other than in Ireland, are not to be understood or comprehended, nor the estate of any adventurer upon the doubling ordinances, for more than such adventurer is to have by the rules of the said former act, for the sum by him disbursed, as other adventurers, nor the estate of any adventurer who claimeth for sea-service, nor the estate allotted to any person whatsoever, by the free gift of the late usurpers or of the then usurped government, but that all such estates shall be and remaine unto the said duke and dutchefs, their heirs and assigns, as they did or ought to have been at any time before the making of this act; and also saving unto the said duke and dutchefs, their heirs and assigns, the full benefit and advantage of all other matters and clauses in the said declaration and former act contained, not herein and hereby expressly changed and altered, and by the said duke and dutchefs waved and parted withall, which are hereby declared to remain and be in full force as they were before the making of this act.

Saving also forfeitures vested in the King, and held of them, and never allotted to adventurer or souldier.  
Explanation of those words.

Saving also all other matters not herein altered, &c.

XLVI. And whereas the most part of the houses and lands in the city of Kilkenny and in the severall towns of Clonmel, Carrick, Callin and Inistioge, Traly and Dingle, and in the suburbs and liberties of the said city and towns, were held the twenty-third of October one thousand six hundred forty one of the said duke of Ormond, either in his own right, or in the right of the said duke or dutchefs his wife, by reason whereof the forfeited and forfeitable interest of any person or persons in the said houses and lands were not by the said declaration and former act to be settled in any adventurers or souldiers, or any other person whatsoever, other than the said James duke of Ormond and his heirs; of which concession, if the said James duke of Ormond did take the advantage and full benefite, as he might, the same would tend to a great diminution of the security designed for satisfaction of the commissioned officers serving in Ireland before the fifth of June one thousand six hundred forty nine; and he the said James duke of Ormond might likewise, as a commissioned officer, charge the remain of the said security with his arrears, amounting to sixty thousand pounds *sterling*, accomplishing to the tenth of December one thousand six hundred and

Said duke to have houses and lands in Kilkenny, &c. in satisfaction of his arrears.



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fifty, yet is content to accept of the said houses and lands in full discharge of his said arrears: be it therefore enacted by the authority aforesaid, That the said James duke of Ormond shall have, hold and enjoy to him and his heirs, in full satisfaction and discharge of the said arrears, all and singular the forfeited and forfeitable houses and lands lying and being in the said city, and in the said several towns, and in the suburbs and liberties thereof, other than what hath been given out to adventurers and souldiers, and by them, their heirs or assigns, were possessed upon the seventh day of May one thousand six hundred fifty nine; any thing in this or the said former act to the contrary notwithstanding; he the said James duke of Ormond and his heirs, paying and satisfying to his Majesty, his heirs and successors yearly for ever, out of the said houses and tenements in the said city and several towns, and in the suburbs and liberties thereof, one shilling six pence yearly out of every twenty shillings yearly rent which shall be had or answered out of the said houses or tenements; and the said vice-treasurer is hereby further required and enjoined to issue out and pay the whole residue of the said three hundred thousand pounds unto such person and persons as his Majesty already hath or hereafter shall appoint, as a reward of their eminent services and sufferings for his Majesty or his royal Father.

Paying thereout to the King 11. 6d. per pound.

Residue of the 300,000l. as a reward for eminent services and sufferings.

In what manner.

First to discharge sums appointed by the King out of the said half year's rent, &c.

XLVII. And for preventing of all doubts which may arise in the issuing and payment thereof, it is hereby declared that the same shall principally and in the first place be applied to and for the payment and discharge of such sums of money as his Majesty did heretofore appoint to be paid out of the half years rent payable by adventurers and souldiers by the said former act, that is to say, to and for the payment and discharge of such sum or sums of money appointed by his Majesty to be paid to his grace James duke of Ormond, or so much thereof as is in arrear; and also for the payment and discharge of so much money as the half years rent, payable by adventurers and souldiers in the counties of East and Westmeath, Wexford and Kilkenny, would have amounted to in case the same had not been discharged by this present act, which shall now be paid out of the residue of the said three hundred thousand pounds unto the assignee of the half years rents in the counties aforesaid, deducting only what hath been already received.

Estates of regicides and persons excepted in the act of indemnity, declaration and instructions (not otherwise disposed) confirmed to Duke of York.

XLVIII. And be it further enacted, declared and explained by the authority aforesaid, That all the honors, manors, castles, messuages, lands, tenements and hereditaments of the regicides in the said former act named, and of all other seized or possessed in trust for them, or any of them, or claiming by, from, or under them, or any of them, which by the said former act were or ought to be vested in his royal highness James duke of York and Albany, earl of Ulster, &c. and his heirs, and of all other persons excepted in the act passed in the Parliament of England, intituled, *An Act of free*  
and

and general pardon, indemnity and oblivion; or his Majesties late gracious declaration and instructions in the said former act mentioned, whose estates are not otherwise disposed, other than the lands of such purchasers, for valuable consideration from any of the said regicides, who have paid their purchase money to his royal highness or his commissioners, or to the executors of such regicides, who have since answered the same upon their accounts to his royal highness, or his commissioners, and other than the lands and houses granted or intended to be granted unto James duke of Ormond and the lady dutchess his wife, or either of them, by this or the said former act, and other than the lands granted unto Michael now lord archbishop of Dublin, heretofore lord bishop of Cork, and the lands granted unto Francis lord Aungier, and other than the lands granted to Sir George Lane before, and confirmed in and by the said former act, and other than the lands settled upon Hercules Huncks by the said former act, which shall remain to them, their heirs and assigns accordingly, and other than the lands which have been decreed away by the commissioners for execution of the late act, shall be and are hereby declared to be and continue vested in his royall highness and his heirs, as fully and amply, with all the like benefit and advantage as by the said former act is mentioned, discharged of all rents, services and payments by this or the said former act reserved, created or imposed; but subject to the same rents, services and payments as other lands by this act ought to be, in case his royal highness or his heirs shall alien or demise the same otherwise than for lives or years, reserving the full moyety of the improved rent.

XLIX. And where any lands formerly set out in satisfaction of any adventures or arrears, or any other lands whatsoever due to the said regicides, or any of them, have been evicted or recovered from his royal highness, his heirs and assigns, by virtue of any such decrees as aforesaid, be it further enacted, That some other like quantity of profitable and forfeited lands, according to the Down survey, equal in number of acres to those which have been so evicted, and within the counties of Dublin, Lowth, Kildare, and Cork, or some of them, if it may be, or otherwise elsewhere, be forthwith set out by the commissioners for execution of this act, and allotted to his royal highness and his heirs, to be held as aforesaid; and further, that all deficiencies which have happened to all or any the persons whose estates by the said former act, or this present act are vested in his royal highness and his heirs, or which have happened to their or any of their estates, be fully satisfied and supplied out of some other forfeited lands to be set out by the commissioners for execution of this act, and allotted to his royal highness and his heirs, to be held as aforesaid, and that all moneys lent or disbursed by any of the said persons, or by any others for them, or any of them, for provisions, arms or ammunition for support of

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Except the lands of purchasers, who paid or accounted to the duke.

and lands and houses granted to duke of Ormond,

and to present archbishop of Dublin, lord Aungier and Sir George Lane, and Hercules Huncks.

or decreed away by the commissioners

discharged of all rents and services by this or the former act,

but subject to the same as other lands, if aliened or demised, save for lives or years, reserving moiety of improved rent,

If any of said lands evicted by such decrees, equal quantity according to Down survey to be set out.

Deficiencies to be supplied, and held as aforesaid.

Money disbursed for the army in beginning of the



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his Majesties army in Ireland in the beginning of the rebellion there, be likewise satisfied out of the lands and houses for that purpose, according to his Majesties declaration in the said act of settlement, to be set out by the commissioners for execution of this act, and allotted to his royal highness, his heirs and assigns, to be held as aforesaid; any thing in this or the said former act to the contrary notwithstanding; saving always unto Arthur earl of Anglesey such right and title of, in, and to such part of the premises as he the said earl of Anglesey hath or ought to have by virtue of the said former act, or this present act, or by virtue of an indenture of lease under the hand and seal of his royal highness, made between his royal highness of the one part, and the said earl of Anglesey on the other part, bearing date before the passing of this act; any thing in this or the said former act to the contrary notwithstanding.

rebellion, satisfied according to the declaration.

Saving to lord Anglesey his right by this or the former act, or by lease from the duke before this act.

Not to prejudice the right of duke of Albemarle.

L. Provided always and be it enacted, That this act shall not extend, or be any ways construed to take away, or be prejudicial unto any estate, right, title or interest of George Duke of Albemarle, his heirs or assigns, of, in, or to any lands, tenements or hereditaments, accrewing to him or them by virtue or in pursuance of the said former act, or one other act intituled, *An Act for the securing several lands, tenements and hereditaments to George duke of Albemarle*; any thing herein before or after expressed to the contrary in any wise notwithstanding.

Ferry at Wexford settled on him.

LI. And it is further enacted, That the ferry at Wexford, with all the profits and other the rights and priviledges thereunto belonging, or therewith used and enjoyed, shall be and are hereby vested and settled in the said George duke of Albemarle, and shall be held and enjoyed by the said George duke of Albemarle, his heirs and assigns.

To be satisfied for lands evicted by decrees, and for 800l. paid for redemption of incumbrances charged by decrees on his lands.

LII. And whereas several lands and tenements, whereof the said George duke of Albemarle was seized by virtue of one or both the acts before mentioned have been evicted or recovered from the said George duke of Albemarle, by virtue of certain decrees lately made by the commissioners for execution of the said former act, and some incumbrances have likewise by decree of the said commissioners been allowed and charged upon the lands of the said George duke of Albemarle, for redemption whereof the said George duke of Albemarle hath paid and satisfied the full sum of eight hundred pounds; be it further enacted, that the commissioners for execution of this act do forthwith set out and allot to the said George duke of Albemarle, and his heirs or assigns, out of the lands in the county of Wexford, now or lately held in *custodiam* of his Majestie by Sir Richard Clifton knight, so much other land as may be equal in quantity of profitable acres, to what hath been so decreed and evicted as aforesaid, and in value to such incumbrance as hath been recovered

recovered and satisfied as aforesaid; which lands so as aforesaid to be allotted shall be held and enjoyed by the said George duke of Albe-  
marle, his heirs and assigns, as fully and amply as the lands so  
evicted and decreed as aforesaid might have been held, in case no  
such decree or eviction had been; any thing in this or the said for-  
mer act contained to the contrary notwithstanding.

LIII. Provided always, and be it enacted by the authority afore-  
said, That the right honourable Thomas earl of Southampton, lord  
high treasurer of England; Anthony Ashley, lord Ashley, chancellor  
and under-treasurer of his Majesties court of exchequer; Sir Or-  
lando Bridgeman knight and baronet, lord chief justice of his Ma-  
jesties court of common pleas at Westminster, and Sir Henry Ver-  
non knight and baronet, shall have, hold and enjoy to them, their  
heirs and assigns, all that the castle, manor and abby of Eniscor-  
thy in the county of Wexford, and all the manors, towns, vills,  
lands, tenements, territories and hereditaments late of Robert Wal-  
lop, late of Farley-Wallop in the county of Southampton, called  
Kilbeg, Cloine, Tumsalaw and Effernock, or by what other name  
or names soever they are known or called, with their and every of  
their appurtenances in the said county of Wexford, and all other  
lordships, manors, castles, lands, tenements, rents and arrearsages  
of rents, reserved and payable upon any lease or leases for lives or  
years, or otherwise, and all reversions, remainders, services and  
hereditaments late of the said Robert Wallop, with their and every  
of their appurtenances in the said county of Wexford, and also all  
that priory or rectory and church impropriate of Selsker in the said  
county of Wexford, and all houses, edifices, barns, stables, tythes,  
oblations, obventions, profits, commodities and advantages what-  
soever thereunto belonging or appertaining, and all other tythes  
or tenth parts of corn, grain, hay, wool, lamb, fish, and other  
tythes whatsoever, late of the said Robert Wallop, yearly arising,  
coming, renewing or happening within the several parishes and  
towns, vills, fields, hamlets, tythings and tytheable places of  
St. Margaret, St. Ivern, Ihartenon, Kilmore, Killame, St. Peter,  
Carycke, Killoryn, Ballysonon, Ballnalden, Killish, Ardavan, and  
Ard-Collme, Killmallock, St. Nicholas, Takillin, Skreene, Killisk,  
Ballmestaine, Selsker and St. Toolirick, in the said county of Wex-  
ford, and also all other lordships, manors, castles, abbeyes, towns,  
vills, territories, messuages, lands, tenements, rents, and arrearsages  
of rents as aforesaid, reversions, tythes and hereditaments whatso-  
ever in Ireland, late the possessions of the said Robert Wallop;  
and also all other manors, messuages, lands, tenements, meadows,  
feedings, pastures, woods, under woods, tythes, rents, reversions,  
and hereditaments, together with all and singular courts, courts-  
leet, courts-baron, viewes of frank-pledge, and all that to courts-  
leet and viewes of frankpledge appertaineth, perquisites, and profits

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Eniscorthy  
and all the  
estate of Ro-  
bert Wallop  
granted by  
letters patents  
26 Sept. 13 C.  
2. confirmed  
to lords  
Southampton,  
Ashley, and  
Sir Orlando  
Bridgeman.



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of courts, chattels, waives, estrays, rights, jurisdictions, franchises, priviledges, commodities, advantages, emoluments, hereditaments whatsoever, to the aforesaid lordships, manors, castles, abbeys, lands, tenements, hereditaments, and other the premises aforesaid, or any of them, or any part or parcel of them, in the said county of Wexford, or elsewhere in this kingdom of Ireland, belonging or appertaining, or accepted, used, reputed, taken or known as part, parcel or member of them, or any part or parcel of them, with their and every of their appurtenances, late of the said Robert Wallop; all which premises by his Majesties letters patents under his great seal of England, bearing date the twenty sixth day of September, in the thirteenth year of his now Majesties reign, were mentioned to be granted by his said Majestie unto the said Thomas earl of Southampton, lord Ashley, Sir Orlando Bridgeman, and Sir Henry Vernon, and their heirs; and all and singular conditions, covenants, forfeitures, entries, titles and rights in any indenture or indentures of lease of the premises, or any of them specified or contained or otherwise.

LIV. And be it further enacted by the authority aforesaid, That all and singular the said castles, manors, hereditaments and premises shall be and are hereby declared and adjudged to be vested and settled in the said Thomas earl of Southampton, Anthony Ashley, lord Ashley, Sir Orlando Bridgeman, and Sir Henry Vernon, and their heirs, and that as fully and amply as if the said letters patents had been good and effectual in law, according to the intent and purpose thereof; any thing in this or the said former act to the contrary hereof in any wise notwithstanding.

LV. And be it further enacted, That Sir Maurice Eustace, knight, late lord chancellor of Ireland; Arthur earl of Essex; Roger earl of Orrery; Charles late earl of Mountrath; Richard lord baron of Coloone; Michael late lord bishop of Cork, now lord chancellor of Ireland, and lord archbishop of Dublin; John lord vicecount Massareen; Marke lord vicecount Dungannon; Robert Boyle esq; Sir Arthur Forbus; major George Rawdon, now Sir George Rawdon, baronet; and the relict and heirs of Sir Simon Harcourt; and the relict and children of colonel George Cooke; and the orphans of colonel Owen O Conelly; Sir George Lane; Sir James Waymes; Sir George Afcough; Sir Theophilus Jones; Sir Walter Plunkett; Sir George Preston; Sir John Bellew; Sir Martin Noel; Sir St. John Broderick; William Legg, esq; Edward Vernon, esq; Robert Southwell, esq; captain William Hamilton; Maurice Keating, esquire; Erasmus Smith, esquire; Sufanna Bastwick and her children; Sir William Pettie, and all others particularly provided for in the said former act, and not particularly mentioned in this present act, and other special provisions made for them, their heirs, executors and assignes, do hold and enjoy to them,

The several persons particularly provided for in the former act, and not particularly mentioned in this, shall enjoy lands settled on them (not decreed away and confirmed) notwithstanding any retrenchment or alteration by lord lieutenant and council, or any thing in this act.

them, their heirs and assignes, all and singular the lands, tenements and hereditaments in and by the said former act, settled, granted, disposed and confirmed, or mentioned, meant or intended to be settled, granted, disposed and confirmed to them, their heirs and assignes, and not already decreed away by such decrees as are herein confirmed, and all other the benefits and advantages of this present act, and the benefits and advantages in and by the said former act mentioned, in any particular clause or other provisoe relating to them or any of them, their heirs or assignes, the benefit of reprizals in the said former act granted, onely excepted; any retrenchment or alteration thereof made by the lord lieutenant and council of Ireland, or any other matter or thing in this act to the contrary notwithstanding.

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LVI. And it is further enacted, That Sir William Penn shall hold and enjoy to him and his heirs, all and singular the lands, tenements and hereditaments, situate in the county of Cork, whereof he the said Sir William Penn, by himself or his under-tenants, was upon the first day of March one thousand six hundred sixty-four in possession, as tenant to his Majestie; and in case the same shall fall short of the full value of one thousand pound *per annum* over and above all quit-rents, charges and reprizes, the commissioners for execution of this act, shall cause so much other forfeited land to be set out and allotted unto the said Sir William Penn, his heirs and assignes, as may make up the same to the full clear yearly value of one thousand pound *per annum* as aforesaid; and in case the lands held by the said Sir William Penn, his under-tenants or assignes, upon the said first day of March one thousand six hundred sixty-four, shall exceed the value of one thousand pound *per annum* over and above all quit-rents, charges and reprizes as aforesaid, he the said Sir William Penn, his heirs and assignes shall reconvey unto his Majestie, his heirs and successors, so much thereof as by the commissioners for the execution of this act shall be declared, or by any inquisition to be taken within two years after the royal assent given to this bill, shall be found to be over and above the value of one thousand pound *per annum* as aforesaid.

Lands in  
Cork held by  
Sir Wm. Penn  
as tenant to  
the King set-  
tled on him;

if less than  
1000l. *per*  
*ann.* above all  
charges, to be  
made up so  
much:

if more,  
surplus recon-  
veyed to the  
King.

LVII. And it is further enacted by the authority aforesaid, That the earl of Clanrickard, earl of Castlehaven, Morrough earl of Inchequin, the earl of Clancarty, lord vice-count Dillon, Simon Luttrell, Dudley Bagnall, esq; Henry Bagnall, Catherine Corbett, Theobald Purcell, esq; and such others who are particularly mentioned in the said former act to be restored to their estates, and therein and thereby are actually restored without any previous reprizal, and their and every of their executors and assignes shall stand and continue restored to and vested in such their estates thereby intended, and shall have and enjoy the lands, tenements and hereditaments, and all other the benefits and advantages of the said former

Persons particularly  
restored in  
former act, set-  
tled in their  
estates, truly  
belonging to  
them 22 C. 2.  
1641,



A. D. 1665. *Chap. 2.* mer act, in such manner and form, and for such estates, and with such priviledges, immunities and discharges respectively, as in and by the said former act are mentioned and expressed.

LVIII. Neverthelesse it is hereby declared, That this restitution and confirmation is not to extend to any lands, tenements or hereditaments, other than such as did truly, and without fraud, upon the two and twentieth of October one thousand six hundred forty-one, belong to, and were enjoyed by, the said persons, or some of them, their or some of their ancestors or heirs, or were in the possession and seizin of some others in trust for them, or some of them, or be particularly expressed in the severall and respective clauses of the said former act.

to make out their titles by the time limited by commissioners, and take out decrees.

LIX. And to the end it may more cleerely appear how much land the persons aforesaid are truly intituled unto by virtue of this or the said former act, and how farr the persons, who are or shall be dispossessed by them, or any of them, ought to be relieved by virtue of this act; it is further enacted, That all and every the persons aforesaid, who claime any benefit by the clauses aforesaid, shall make out such their title as to the severall parcels of land which they demand, before the commissioners for execution of this act, within such time as shall be limited by the commissioners, and take out their decrees for so much as shall be allowed upon their claims, and in default thereof shall forfeit two years value of the lands in their or any of their possessions respectively, or in the possession of their tenants or trustees, one moyety to the King's Majestie, the other to the informer, to be recovered in like manner as other forfeitures are by this act appointed to be recovered.

In default, forfeit 2 years value of their land.

half to the King, half to informer.

Thomas Pigot and Matthew Lock to have two thirds in Westmeath, with like liberty of retrenchment, &c. as if original adventurers.

LX. And it is further declared and enacted, That Thomas Pigott, esq; and Matthew Lock, esq; shall have and enjoy to them and their heirs two full third parts of the lands in Westmeath, settled on them by the said former act, with like libertie of retrenchment, retaining possession, and of demanding and having letters patents as other adventurers and souldiers ought to have, and as if the said lands in Westmeath had been in the possession of the said Thomas Pigott, and Matthew Lock, on the seventh of May one thousand six hundred fifty-nine, and had been allotted to them as original adventurers; any thing herein before to the contrary notwithstanding.

Persons restored fraudulently possessing more than belonged to them 22 Oct. 1647, (unless particularly expressed in former act) forfeit double

LXI. And it is hereby declared and further enacted, That if any of the said persons herein before-mentioned to be restored and appointed to take out decrees as aforesaid, or any others, who by virtue of any decrees heretofore made by the commissioners for execution of the said former act have been restored, shall at any time within two years next ensuing be found by colour of some clause in the said former act, or decree as aforesaid, to have entered upon and kept possession of more land than did rightfully belong unto them

them, and was in their possession on the two and twentieth of October one thousand six hundred forty-one, unless the same land were particularly expressed and given in some clause in the said former act contained, that then and in such case the person so offending shall forfeit double the value of the land so fraudulently possessed and detained, unless the said offender shall within three months next after the first sitting of the commissioners for the execution of this present act discover and declare the same to the said commissioners, and openly relinquish and surrender the possession so unduely detained as aforesaid; of which forfeiture one third part shall be to our sovereign lord the King, and the other two thirds to him or them that will sue for the same, to be recovered by action of debt, bill, plaint, or information in any of the four courts of record at Dublin, wherein no essoyne, protection or wager of law shall be, or any more than one imparlance.

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the value, unless in 3 months after commissioners sitting they discover and surrender,

one third to the King, two thirds to prosecutor.

LXII. And be it further enacted by the authority aforesaid, That all and every the clauses in the said former act contained, and not herein altered, explained or repealed, and which will consist with the execution of this act, shall be, and so are hereby declared to remaine and be of such like force and effect, as the same were before the passing of this act, and that all other the clauses which will not consist with the effectual execution of this act, shall be and are hereby repealed; any thing herein before contained to the contrary notwithstanding.

Clauses in former act not altered, and consistent with this, confirmed:

inconsistent, repealed.

LXIII. And further, That all and every the clauses in this or the said former act contained, so farr as the same remaine in force, shall be construed, expounded and taken in all courts and places whatsoever, most liberally and beneficially for the protecting, settling and establishing the persons, estates and interests of protestants, who are principally intended by these presents to be settled and secured.

Both acts construed most beneficially for protestants, who are principally intended to be settled.

LXIV. And be it further enacted by the authority aforesaid, That all decrees made by the commissioners for execution of the said former act, whereby any protestant or protestants have been declared innocent, shall be and are hereby absolutely confirmed; and also that all decrees whereby any papist or papists have been declared innocent, and which shall be taken out within three months after the first sitting of the commissioners for execution of this present act, shall be and are hereby absolutely confirmed according to the tenor, purport and effect of the same; any exception touching the time wherein the same decrees were made, and any irregularity or pretended irregularity in not pursuing the declaration, instructions, and the said former act to the contrary notwithstanding; such decrees wherein any landes are comprehended, or which any protestant or protestants was or were possessed, before the two and twentieth of October one thousand six hundred forty-one, and which were never

Decrees for innocent protestants absolutely confirmed:

so for innocent papists, if taken out in 3 months after commissioners sitting.

Except decrees for lands possessed by protestants before 1641, and not sequestered:



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and where more lands decreed than claimed; which as to so much void, if discovered in 6 months after commissioners sitting.

Subject to the penalties as to false claims, if discovered in 2 years.

Persons decreed innocent and restored, not to sue for meane profits.

seized or sequestred, or set apart upon the account of the late rebellion or warr, and such decrees wherein more lands are decreed to the claimant than were claimed by him, as to those lands so decreed beyond the claim onely excepted; which are hereby declared as for so much to be utterly void, so as the same be discovered within six monthes next after the first sitting of the commissioners; subject nevertheless to such penalties, as in this and the said former act are contained, touching false and fraudulent claims, so as the same be discovered within two years next ensuing the passing of this present act.

LXV. Provided always, and be it enacted, That no person or persons, who by the commissioners for execution of the said former act have been adjudged and declared innocent, and to whom any land, tenements or hereditaments have been adjudged and restored by the decree of the said commissioners, nor any other person or persons claiming under such decree, shall be permitted to sue or prosecute the person or persons against whom such decree was made, his or their executors or administrators, or any of their tenants or assigns, touching or concerning any meash profits of the lands and tenements so as aforesaid decreed, but that all suits, actions and demands touching or concerning such meash profits, and all prosecutions therefore, whether in law or in equity, shall be and are hereby barred and excluded, and all and every person and persons liable to such actions, molestations and prosecutions, shall be thereof for ever acquitted and discharged; any thing in this, or the said former act, contained to the contrary notwithstanding.

LXVI. And because many persons did put in their claims before the commissioners for execution of the said former act as innocent persons, thereby demanding some small parcel of land onely, or deriving his or their title to some small part from some Irish papist, and thereupon no opposition being made, the said commissioners declared the said claimant, or the person under whom the claimant derived, to be innocent since *quoad hoc*, since which time the said claimants, and the said persons under whom they derive, alleging themselves to be declared innocent, enter upon great estates in several counties, as devested out of the crown by such judgement of innocence, pretending the limitation of that innocence by the words of the decree *quoad hoc* to be repugnant and impossible, contrary to the intention and meaning of the said commissioners by them publicly declared; whereas if the whole estates, to which the said persons now pretend, had been then in question before the said commissioners, the several adventurers and souldiers therein concerned had been summoned to have taken notice thereof, and might have made such opposition, and produced such proof of their innocency as they thought fit; be it therefore enacted, That no decree wherein any person or persons have been declared innocent

Persons decreed innocent *quoad hoc* shall not enter on or enjoy more lands than particularly mentioned.

*quoad*

*quoad hoc*, shall give such person or persons any title by virtue of any such decree, to enter upon, or enjoy any more or other lands than what were particularly mentioned in such decrees, but that all other the lands of such person or persons declared innocent, *quoad hoc*, which were sequestered upon the accompt of the late rebellion or war, shall remain and continue in his Majesty, to the uses of this and the said former act; any thing in either of the said acts to the contrary notwithstanding.

LXVII. Provided also, and be it enacted, That nothing herein contained shall extend in any wise to ratify or confirm the decree made by the commissioners for execution of the said former act, wherein and whereby Oliver earl of Tyreconnel hath been declared to be innocent, but that the said decree, and every part thereof, shall be and so is hereby declared to be null and void, as if the same had never been had or made, and that the said Oliver earl of Tyreconnel, and all others who upon the three and twentieth of October one thousand six hundred forty-one, or at any time since, were or are seized to his use, or in trust for him, or in trust for Sir Thomas Fitz-Williams, late vice-count Meryon, father to the said earl, or Christopher Fitz-Williams, uncle to the said earl, or in trust for the countess of Tyreconnel, wife of the said earl of Tyreconnel, and for her separate maintenance, or claiming by, from or under him the said earl of Tyreconnel, shall be and continue in such like estate and condition, and no other nor better than he or they ought to have been, in case no such decree had ever been made, subject nevertheless to such quit-rents as by this act are imposed; any thing herein, or in the said former act, contained to the contrary notwithstanding.

LXVIII. And be it further enacted, That the said Oliver earl of Tyreconnel shall hold and enjoy, to him and his heirs, the lands in Cappock in the county of Dublin, and Hanlaxton and Athronan in the county of Meath, mortgaged by the lord vice-count Fitz-William his father, now forfeited to his Majesty; and that his Majesty's letters patents under the great seal of England, bearing date the eighth day of June in the sixteenth year of his Majesty's reign, containing his Majesty's gracious pardon to the said earl of Tyreconnel, and a clause of restitution of all the lands and tenements of the said earl, shall be and is hereby confirmed, and shall be held and enjoyed accordingly, subject to quit-rents as aforesaid.

LXIX. Provided always, and it is hereby enacted and explained, That no lands, whereof the provost, fellows and scholars of the college of the holy and undivided Trinity of Queen Elizabeth, near Dublin, were seized in fee in the year one thousand six hundred forty-one, and are now in their actual possession, nor any lands held by virtue of any grant, lease or fee-farm from the said provost, fellows and scholars, and forfeited to his Majesty, shall

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Decree declaring lord Tyreconnel innocent, void.

Restitution of his estate and pardon by letters pat. 16 C. 2. confirmed.

Lands of Trinity college in 1641, and now in their actual possession, and lands held by lease or fee-farm from



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them and forfeited, shall remain in them for ever, subject to quit-rents.

Several persons decreed innocent left to law for recovery of their possessions, by trying their titles.

The defendants must in 3 months after setting elect whether to abide the trial, or relinquish the land, and resort to other forfeitures for their two thirds, and satisfaction for improvements;

from which they shall be excluded, if no election made, or if upon trial judgment for Irish claimant;

Who shall give in evidence no other title than that alleged before the commissioners.

be disposed by virtue of this or the said former act, but that they, and every of them, remaine and be in said provost, fellows and scholars, and their successors for ever, subject nevertheless to the payment of such quit-rents for the said forfeited lands, as adventurers or souldiers by virtue of this or the former act ought to pay; any thing in this or the said former act contained to the contrary notwithstanding.

LXX. And because several persons have been decreed innocent, but nevertheless have not been restored to the lands which they claimed before the commissioners for execution of the said former act, but have been left to the course of law for the recovery of their possessions, by trying their titles, grounded upon the validity of those evidences by which they pretended to claime; be it therefore enacted by the authority aforesaid, That all and every person and persons, who were defendant or defendants in the suit or claim upon which such decree was made as aforesaid, and those claiming by, from and under them, shall within three months next after the sitting of the commissioners for execution of this act, declare and make his and their election by writing under his and their hands and seals, or under the hands and seals of his and their attorneys or agents thereunto lawfully authorized, whether they will immediately deliver up and relinquish the possession of the lands in controversy unto the King's Majesty, and resort to their proportionable satisfaction out of other forfeited lands, which if they do elect, they are to be admitted accordingly, and shall be satisfied his and their full two third parts, and so much more as may be equivalent to his and their buildings and improvements, and then shall part with the said lands, or whether they will rather abide the tryal at law, which if they do elect, and the Irish claimant should fail to prosecute his title, or a verdict or judgment shall be given against such Irish claimants, or the person or persons who shall derive under such Irish claimant, then shall such adventurer or souldier, or other person or persons, his or their heirs, executors or assignes, who shall be concerned in that suit, for ever and finally hold the said land in question, and every part thereof to him and his heirs; but in case verdict or judgment be given for the title of the Irish claimant, or no such election be made as aforesaid, the adventurer or souldier, or other person, his or their heirs, executors or assignes, shall be excluded from demanding or having his two third parts, or any other satisfaction, which otherwise he might have had in respect of such land so recovered as aforesaid.

LXXI. Nevertheless it is hereby declared, That no other title shall be admitted to be alleaged or given in evidence by such Irish claimant, or any claiming under them, but such title as was alleaged in the claim exhibited before the commissioners for the execution of the said former act: provided that if any secret agreement

ment be made between the Irish claimant and the partie concerned as aforesaid, directly or indirectly, and the person so agreeing shall obtain any satisfaction for or in respect of the lands so agreed for, that then and in such case the party so offending shall forfeit double the value of the lands so obtained, one moyety to the King's Majesty, the other moyety to the informer, to be recovered in like manner as other forfeitures are herein appointed to be recovered.

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If secret agreements, double the value of the lands thereby obtained forfeited.

LXXII. And be it further enacted, That all and every person and persons, who now have any grants or patents of any lands, tenements or hereditaments, or of any titles of honour or dignity, or of any annuity, pension, office or employment within this kingdom, not already enrolled, do cause the same to be enrolled in the chancery of Ireland, within the space of two years next after the royal assent to this bill actually given, under pain of forfeiture of two years value of any lands, tenements, annuities, pensions or offices whereof the patents shall not be enrolled as aforesaid; one moyety to the King's Majesty, his heirs and successors, the other moyety to him or them that shall and will sue for the same, to be recovered by action of debt, bill, plaint or information in any court of record, wherein no essoyne, protection or wager of law to be allowed, or any more than one imparlance; and that all and every person and persons having any patents touching or concerning any title of honour or dignity not already enrolled, or to be enrolled within the time aforesaid, shall forfeit and lose the sum of one hundred pounds *sterling*; one moyety thereof to the King's Majesty, his heirs and successors, the other moyety to him or them that shall and will sue for the same, to be recovered as aforesaid.

Letters pat. to be enrolled in 2 years,

on pain of 2 years value of the lands, annuities, pensions or offices;

on pain of 100 l. if of titles of honour or dignity.

LXXIII. And it is further enacted by the authority aforesaid, That all letters patents, hereafter to be granted of any titles of honour, offices or lands whatsoever, shall contain in the same letters patents a clause, requiring and compelling the said patentees to cause the said letters patents to be enrolled in the Chancery of Ireland within a time therein to be limited, and all letters patents, wherein such clause shall be omitted, are declared to be utterly voyd and of no effect.

A clause in all letters pat. requiring enrollment by a time: otherwise void.

LXXIV. Provided alwayes, and be it enacted, That nothing in this or the said former act contained shall extend to prejudice or alter the right, title or interest which Elizabeth countess of Guilford hath, or ought to have, in the manors, castles, towns, villages, messuages, lands, tenements or hereditaments, lying or being in the county of Corke, and now in the actual possession of her the said countess, or her assignes, as the jointure or dower of her the said countess, the relict of the late lord vice-count Kynalmeaky, but that the same be possessed and enjoyed by her the said countess, and her assignes, in the same state and condition and no other, as

Not to prejudice the jointure of lady Guilford in Cork.



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Lord Fitz-Harding to hold under letters pat. to late lord Falmouth.

LXXXV. And be it further enacted by the authority aforesaid, That Charles lord vice-count Fitz-Harding, treasurer of his Majesty's house-hold, shall hold and enjoy to him and his heirs, all and singular the lands, tenements and hereditaments, lately granted or mentioned to be granted unto Charles late lord vice-count Fitz-Harding, afterwards earl of Falmouth, and his heirs, in and by certain letters patents thereof passed under the great seal of Ireland.

Those removed from Connaght or Clare satisfied two thirds as other adventurers, &c.

LXXXVI. And it is hereby declared, That the adventurers and souldiers, and protestant purchasers of lands in Connaght and Clare, their heirs and assignes who shall be thence removed, shall be satisfied his and their two third parts, in like manner as any other adventurer or souldier ought to be satisfied by the rules of this act.

Lord Fitz-Harding to hold lands granted by letters pat. till 20000l. paid him by the King in 2 years.

LXXXVII. Provided alwayes, That if his Majesty shall, at any time within the space of two years next and immediately ensuing, pay, or cause to be paid, unto the said Charles lord vice-count Fitz-Harding, his heirs or assignes, the sum of twenty thousand pounds, at or in the middle Temple-Hall in London, upon notice thereof first given to the said Charles lord vice-count Fitz-Harding, and his heirs, by the space of one week before such payment, then all and singular the lands in the said letters patents mentioned shall return to and remaine in his Majesty, his heirs and successors, to the uses of this act; and that until the whole sum of twenty thousand pounds shall be paid and satisfied as aforesaid, it shall and may be lawfull to and for the said Charles lord vice-count Fitz-Harding, and his heirs, to retaine and keep possession of the premises, and the profits thereof to receive and convert to his and their owne use, without any account to be therefore made; any thing herein before to the contrary notwithstanding.

Lord Clanmaltra's claim of innocence not being allowed, the reversion after his estate tall, granted to lord Arlington by letters pat. 14 C. 2. shall take effect presently, and said letters pat. confirmed.

LXXXVIII. And whereas Lewis lord vice-count Clanmaltra being but tenant in tail of certain lands in Ireland, exhibited his claim before the commissioners for execution of the said former act, but the same remained undetermined, and no other claime was exhibited by any other person to any part of the lands of the said Lewis lord vice-count Clanmaltra, either in possession or reversion, or remainder, except only the claim of Sir Henry Bennet knight, now lord Arlington, his Majesty's principal secretary of state, to the reversion thereof in fee, being granted to him the said Sir Henry Bennet, now lord Arlington, by his Majesty's letters patents, bearing date the fifth day of November in the fourteenth year of his Majesty's reign, which claim was by the said commissioners allowed, in so much that the estate and interest of such adventurers and souldiers,

fouldiers, who were formerly planted thereupon, are become very doubtful, and that as at the best they were not to continue longer than during the said estate tail, so now it may be doubted in law whether they be of any continuance at all, and whether the said estate tail be not extinct in law by the forfeiture of the said lord Clanmalira, whose claim of innocence hath not been allowed, and so by consequence the reversion granted to Sir Henry Bennet now lord Arlington as aforesaid, come to take effect in present possession: be it further enacted by the authority aforesaid, That the said Sir Henry Bennet, now lord Arlington, shall and may enter into and upon, and shall have, hold and enjoy, to him and his heirs, all and singular the messuages, mannors, lands, tenements and hereditaments, whereof Lewis lord vice-count Clanmalira, or any other person in trust for him was seized, or possessed the twenty-second of October one thousand six hundred forty-one, in as full and ample manner as the said Sir Henry Bennet, now lord Arlington, might have held or enjoyed the same by vertue of the said letters patents, in case the said estate tail had been spent or expired, or otherwise determined or extinguished; which said letters patents, and all and every the clauses therein contained, are hereby confirmed and declared to be good, valid and effectual in law to all intents and purposes; and that all and every the adventurers and fouldiers, their heirs, executors, assignee or assignees, who are to be removed in order to the quiet and peaceable possession of the said Sir Henry Bennet, now lord Arlington, shall be satisfied their full two third parts respectively in like order and manner to and with other adventurers and fouldiers; any clause, matter or thing, in this or the said former act contained, to the contrary in any wise notwithstanding.

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Adventurers and fouldiers thereby removed to be satisfied two thirds with others.

LXXIX. And whereas Francis lord Aungier in and by the said former act was intituled unto some part of the premisses amounting to the value of two hundred pounds *per annum*, or thereabouts, which, as is alleaged, lyeth so intermixt with the residue of the said estate, that the same cannot, without great inconvenience, be continued in the possession of the said Francis lord Aungier in such manner as now it is held; be it therefore enacted, That the said Sir Henry Bennet, now lord Arlington, his heirs or assignees, shall before the first day of January next ensuing convey and assure unto the said Francis lord Aungier, his heirs and assignees, so much of the premisses as Arthur earl of Anglesey, and Roger earl of Orrery, or the survivor of them, shall, by any writing under his or their hands and seals before that time to be made, declare and appoint, in lieu and recompence of the estate of the said Francis lord Aungier, of and in the premisses; and in default of such declaration and appoint-

Lord Aungier, having about 200*l.* *per ann.* intermixt therewith, shall have land from lord Arlington in lieu thereof;

as by lord Anglesey and lord Orrery appointed.



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ment, or of the performance thereof, the said Francis lord Aungier shall hold and enjoy to him and his heirs the messuages, lands and tenements, whereof he is now in possession, and to which he stands intituled by the said former act, according to the tenor thereof; any thing in this present act contained to the contrary notwithstanding.

Register to  
the commis-  
sioners, Sir  
John Percival  
for life.

LXXX. And be it further enacted by the authority aforesaid, That there shall be and is hereby constituted and erected an office or place of register to the commissioners for execution of this act, who shall take care that due entries be made of all retrenchments of any third part, or other proportion of lands to be cut off from any adventurer or souldier, their heirs and assignes, and the valuations thereof, and of all decrees and certificates to be made by the commissioners for execution of this act, and of all other the proceedings in order to the service of this act, which

His office.

are fit and proper to be registered; and that the said office, or place shall be held by Sir John Percival baronet during his naturall life, to be exercised by himself or his sufficient deputy; and that the said Sir John Percival by himself or his deputy, shall be, and is hereby impowered and required to have the care and custody of all claims, certificates, plots, surveys, (except such as relate to the office and imployment of the surveyor general) debentures, duplicates, entries, and copies of them, returns of commissions, valuations, examinations, affidavits, reports, rolls, and all other publique books, papers, writings and records whatsoever, which any the commissioners, or sub-commissioners for the service of this act, shall use in such office or place wherein they sit, and which shall be dependant on the said service, or relating thereunto; and all persons who have any of the like books or papers aforesaid, which have been used in or towards the execution of the said former act, shall forthwith deliver the same, or cause the same to be delivered to Sir John Percival: and to the end that no fraud or deceit may be used herein, nor any of the said writings or records be imbeizeled, the lord lieutenant, or other chief governour or governours of Ireland for the time being, and the council there, shall have power to send for any person or persons, whom they shall suspect to have any of the writings or records aforesaid, and to examine him or them upon his or their oathes touching the same, and to commit to prison such person or persons as shall refuse to be examined, or being examined shall refuse to deliver such books, papers, and records relating to the service of the said former act, as shall appear to be in his or their hands, or which they can come by: and further, the said Sir John Percival, by himself or his deputy, and by such under clerks, for which he will be responsible, shall from  
time

C. govern-  
nor and coun-  
cil to examine  
and commit  
persons sus-  
pected to have  
custody of pa-  
pers or re-  
cords relating  
to this service.

time to time attend such commissioners, and transcribe, copy, prepare, register, enter, draw up, and enroll, or cause to be transcribed, copied, prepared, registered, entred, drawn up and enrolled, all and every the decrees, judgments, orders, warrants, summons, injunctions, reports, and certificates of any of the commissioners, or sub-commissioners, for execution of the said former act, not already enrolled or entered, or of any of the commissioners, or sub-commissioners for the service of this act for the time to come, and shall also act and do, or cause to be acted and done, all and every the matters and things which doe or may any way concern the office of register, or other the premises, as fully and amply as any register or registers to the commissioners for execution of the said former act, and his and their clerks, did or ought to have done, he and they taking therefore such fees onely and no other, as by the lord lieutenant or other chief governour or governours of Ireland for the time being shall be held reasonable; which fees he and they are hereby enabled to receive and recover accordingly.

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Register's fees.

LXXXI. And it is hereby declared and enacted, That the said Sir John Percival shall, yearly and every year during the execution of this and the former act, account for and pay unto the lord lieutenant, or other chief governour and governours of Ireland, one full third part of the cleer annual profits of the said office, the necessary charges to be expended in and about the execution thereof being first deducted; and the said lord lieutenant, or other chief governour or governours of Ireland, are hereby required to cause all the moneys so as aforesaid, received, to be issued out and paid from time to time to such person or persons as his Majestic already hath appointed or hereafter shall appoint: and it is further declared, That an acquittance or receipt signed with the sign manual of the said lord lieutenant, or other chief governour or governours of Ireland, shall be for so much as is therein contained a sufficient discharge unto the said Sir John Percival, his heirs, executors and administrators, and every of them; and for the more just regulation of proceedings in this office, the commissioners for execution of this act are hereby impowered and required to administer an oath to the said Sir John Percival, and all others, who shall be employed in any ministerial office or employment relating to the service of this act, in these words following:

Sir John Percival to pay yearly to C. governor 1-third of the clear profits of the office.

To be paid as by the King appointed.

*You shall swear that you shall well and truly execute the place of*  
*according to the best of your skill and knowledge, and therein you shall spare no person for favour and affection, nor any person grieve for hatred or ill will,*

Oath of the register and other ministerial officers.

*so help you God.*



A. D. LXXXII. And whereas there is one clause contained in the said former act in these words following, "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 or governours and council of Ireland for the time being, from time to time and at all times hereafter, during the space of seven years to be accounted from the first day of May one thousand six hundred sixty and five, to make and establish such rules, orders and directions for the better planting with protestants the lands by this act vested in his Majesty, and not appointed to be restored to innocent persons; 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 onely payable; and so as the penalty for breach of the rules to be made touching corporations do not extend further than to the removall or disfranchisement of such persons 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 and by the said rules, orders and directions shall be limited and appointed:" And whereas some doubt doth arise whether the lord lieutenant, chief governour or governours and council of Ireland for the time being, may make and establish rules, orders and directions for the better regulating of such cities, walled towns and corporations as have been anciently incorporated, or onely for the better regulating such corporations as shall or may hereafter be created according to the tenor and purport of his Majesty's gracious declaration for the settlement of his kingdom of Ireland, and satisfaction of the severall interests of adventurers, souldiers, and other his Majesty's subjects there; for the clearing whereof, be it further enacted, and it is hereby declared and enacted by the King's most excellent Majesty, by and with the

Recital of a clause in former act by which chief governor and council during 7 years may make rules for better planting with protestants, lands not restored to innocents,

and for regulation of corporations, and inflict penalties for breach of such rules: so as not more than treble the quit-rents of the lands,

nor further than disfranchisement of offenders.

Doubt thereupon.

Such rules to extend to all corporations, new and old.

advice and content of the lords spiritual and temporall and the commons in this present Parliament assembled, and by the authority of the same, that it shall and may be lawful to and for the lord lieutenant, or other chief governour or governours and council of Ireland for the time being, from time to time and at all times to come, during the space of seven years, to be accompted from the twenty ninth day of September one thousand six hundred sixty five, to make and establish such rules, orders and directions for the better regulating of all cities, walled towns and corporations both new and old, and such as shall be created within this kingdom, 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, orders and directions to be made touching such corporations, do not extend further than to the removall and disfranchisement of such persons as shall be found guilty of the breach thereof; and such rules, orders and directions, so to be made as aforesaid, shall be as good and effectual in law to all intents and purposes as if the same had been specially and particularly 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; any thing in the said act or otherwise to the contrary thereof in any wise notwithstanding.

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And as effectual as if by this act specially established.

LXXXIII. And whereas the officers and souldiers who served in Ireland, since the fifth of June one thousand six hundred and forty nine, and the Connaught purchasers, for the better furtherance and management of their common interest, have by their humble address represented the necessity of raising of monies, and supplicated leave for so doing, as was formerly granted to the adventurers and their assigns in the like case, and least some of the said officers and souldiers or some of their respective assigns, may prove to be refractory in paying and allowing their just proportions of money for the said ends and for defraying of the publique charge thereabout, it being nevertheless very expedient that a service of such a publique and common advantage should be equally born by all persons concerned therein; be it therefore enacted by the authority aforesaid, That the said officers and souldiers, and Connaught purchasers, their heirs and assigns, shall allow, satisfy and pay such sum and sums of money, as Arthur earl of Anglesey, Roger earl of Orrery, the lord vice-count Conway, lord Kingston Sir John Skeffington baronet, Sir Thomas Clarges knight,, Sir Thomas Stanley knight, Sir Richard Kerle, Sir William.

Officers serving since 1649 and Connaught purchasers shall pay towards publick charges such sums assessed by certain persons named that said charges may be equally born.



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Not ex-  
ceeding 2d.  
every profita-  
ble acre.

for default  
double the  
sum,  
levied by  
distress and  
sale.

Lands of  
Erasmus Smith  
intended for  
charitable  
uses, not al-  
ready decreed  
away, shall  
be applied  
thereunto,

where evic-  
ted, removed,  
or charged, to  
be repris'd  
in Lowth,  
or elsewhere,

Petty, doctor Robert Gorges, Henry Nicoll, John Brett, and Miles Cooke esq; or any three or more of them meeting at Dublin the first Thursday in Hillary term one thousand six hundred fifty and five, or any other term after, at the four courts in Dublin, between two and five of the clock in the afternoon, shall think fit and assess; which said sum or sums, so to be assessed and raised, shall not exceed two pence for every profitable acre, which shall be by virtue of this act confirmed unto them, their heirs and assigns, now in their possessions, or at any time hereafter shall be confirmed upon them respectively, and shall be paid unto the receivers herein after mentioned, and shall be disposed by them, or any three or more of them, for and toward the end aforesaid, and not otherwise.

LXXXIV. Provided always, that of the three there be always one of the peers and two of the commoners before specified; and for default of payment of any sum or sums so assessed, it shall and may be lawful to and for the persons aforesaid, or any three or more of them, or such other person or persons as they shall direct and appoint, to levy, by distress and sale of the goods and chattles of such person or persons so making default, double the sum that shall be upon him or them assessed and in arrears, rendering the overplus to the partie distrained.

LXXXV. And whereas amongst several bills certified and transmitted under the great seal of Ireland, unto his Majesty in his high court of chancery in England, by a certificate bearing date at Dublin the thirteenth day of May, in the sixteenth year of his Majesties reign, a bill is transmitted, intituled *An Act for settling of certain lands of Erasmus Smith esq; for charitable uses*; be it further enacted by the authority aforesaid, That all the lands, tenements and hereditaments in the said bill mentioned, and thereby intended to be disposed for charitable uses, and not already decreed away by the commissioners for execution of the said former act, shall be continued and applyed unto, and preserved intirely for such pious and charitable uses; and that the commissioners for execution of this act, shall not allot or distribute the said lands, or any part thereof, or suffer the same to be allotted or distributed to any adventurer or souldier in pursuance of this act; and where any of the lands set out by the said Erasmus Smith to pious or charitable uses have been evicted, recovered, or charged by any decrees which are confirmed by this act, the commissioners for execution of this act shall cause a like quantity of forfeited and profitable acres within the county of Lowth, if so

much can there be found, or otherwise elsewhere, to be set out and allotted to the same pious uses, as may be sufficient to recompence the losse which hath happened by such decrees as aforesaid; any thing in this or the said former act to the contrary notwithstanding.

LXXXVI. And whereas several lands and tenements in the county of Tipperary, heretofore in the possession of Erasmus Smith, upon the seventh day of May one thousand six hundred fifty and nine, and claimed by him as an adventurer, according to the rules of his Majesties late gracious declaration, and the said former act, were after the said declaration, and before the passing of the said act, granted by his Majesties letters patents unto Sir John Stephens and his heirs as lands concealed, which grant nevertheless might at any time by the rules of the said former act have been revoked by his Majestie, if his Majestie had not been pleased since the passing of the said act to release his power of revocation, by reason whereof great suits and controversies are likely to arise between the said Erasmus Smith, and the said Sir John Stephens, and such as do or may hereafter claim under them respectively: to the end therefore that speedy right and justice may be done, and the said controversies appeased and determined; be it enacted by the authority aforesaid, That the commissioners for execution of this act shall examine the right and title of the said Erasmus Smith, and of the said Sir John Stephens, in and to the said lands and tenements, and if they shall find that the said Erasmus Smith, or those under whom he claims, were on the seventh of May one thousand six hundred fifty and nine, seized or possessed of all or any the said lands, as an adventurer or adventurers, or as the heir or assignee of any adventurer, then they shall forthwith restore the possession to the said Erasmus Smith, to be held by him, and his heirs and assignees, in like manner and proportion as other adventurers ought to enjoy their several and respective proportions according to this act; in which case the said Erasmus Smith is hereby enabled to sue for and recover the mesne profit thereof received; but if they shall find the said lands to have been held by the said Erasmus Smith without any such title as aforesaid, and that the same were concealed from his Majestie at the time of the passing of the said letters patents, then they shall adjudge the said lands, or so much thereof as they shall find to be so concealed, to Sir John Stephens and his heirs, to be held by him and his heirs according to the tenor of his said letters patents; and such judgments and decree, as the said commissioners shall make touching the premises, shall be and is hereby made concluding to

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Commissioners to examine the title of Erasmus Smith and of Sir John Stephens to lands in Tipperary.

If the former found in possession 7th May 1659 as adventurer, to be restored to him, and mesne profits recoverable,

but if without title, and the lands concealed, to be enjoyed by Sir John Stephens according to his letters patents,

Commissioners judgment final.



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the said Erasmus Smith, and the said Sir John Stephens, their heirs and assigns; any thing in the said letters patents or in the said former act contained to the contrary notwithstanding.

William Montgomery having purchased debentures, and placed them on his estate since decreed to him as innocent protestant, shall be satisfied said debentures in other forfeited lands.

LXXXVII. And whereas William Mountgomery of Rosemount in the county of Down esq; did purchase of several persons certain debentures which were due for service done in Ireland since the fifth of June one thousand six hundred forty nine, and placed the same in and upon the purchase of a part of his own estate, called or known by the name of the mannor of Florida in the county aforesaid, then set out or set apart by reason of or upon accompt of the said late rebellion or war, since which time the said William-Mountgomery hath by the commissioners for execution of the said former act been declared and adjudged an innocent protestant, and thereupon the said mannor of Florida, together with the rest of the estate of the said William Mountgomery, hath been decreed unto him, by reason whereof the debentures so purchased and placed thereupon as aforesaid do remain wholly unsatisfied: be it therefore enacted by the authority aforesaid, That the commissioners for execution of this act shall set out or cause to be set out unto the said William Mountgomery so much forfeited land as may be sufficient to satisfy the said debentures in like manner and form, and according to such rates and proportions, as any other like debentures ought by the rules of this act to be satisfied, as fully and amply as any other purchaser or assignee of the said debentures ought to have been satisfied, in case the same had been placed on the said mannor so evicted or decreed as aforesaid.

John Fitzpatrick shall enjoy benefit of his clause in former act, notwithstanding office or inquisition found 19  
7. 1.

LXXXVIII. And whereas in and by a certain clause in the said former act colonel John Fitzpatrick, of Castle-town in the Queens county, is restored in blood, and also 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, remainders and leases, whereof the said colonel John Fitzpatrick, 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 and one lawfully seized or possessed, upon which words seized or possessed, some doubt or question in law may arise how far the said clause may avail the said colonel Fitzpatrick, by reason that a certaine office or inquisition was found in the nineteenth year of King James, by which his Majesty is or may be intituled, or pretended to be intituled to the whole territory of Upper Ossory, within  
which

which place the lands intended to be restored to the said colonel John Fitzpatrick do lye, and so by consequence the seizen and possession thereof, which was in the said colonel John Fitzpatrick's grandfather at the time of the said office or inquisition found, may be from the said nineteenth year of King James conceived to have been in the King's Majesty, and not in the said colonel Fitzpatrick's grandfather, or other any in trust for him, although he or some of them were then in the actual possession and occupation thereof, and received the profits; be it therefore enacted and explained by the authority aforesaid, That the said colonel John Fitzpatrick shall hold and enjoy to him and his heirs the full benefit of the clause and proviso in the said former act contained; the said office or inquisition, or any other matter or thing in the said former act or this present act to the contrary notwithstanding.

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LXXXIX. And it is hereby declared and enacted, That all and every the adventurers and souldiers, their heirs and assigns, to whom any lands or tenements in the Queen's county were set out and allotted, and whereof they were possess'd the seventh of May one thousand six hundred and fifty nine, the lands of the said John Fitzpatrick excepted, shall hold and enjoy such part of the said lands and tenements as will be due to them by the rules of this act, the said office or inquisition in the nineteenth year of King James to the contrary notwithstanding.

Adventurers and souldiers confirmed in lands in Queen's county notwithstanding inquisition 19 J. 1.

XC. Provided always that all and singular the clauses in the said former act contained, wherein or whereby any manners, lands, tenements or hereditaments are granted to or vested in Theobald earl of Carlingford, or whereby any other benefit or advantage can or may accrue unto the said earl of Carlingford, shall be and are hereby again confirmed, and shall be enjoyed by the said earl of Carlingford, in as full and ample manner as in the said act is contained; any retrenchment, change, or other alteration thereof made by the lord lieutenant and council of Ireland, and any other clause, matter or thing in the said former act, or this present act contained to the contrary thereof in any wise notwithstanding.

Lord Carlingford confirmed as by former act, notwithstanding any retrenchment or alteration.

XCI. Provided always and it is hereby declared and enacted, That Sir Richard Ingoldsby knight of the Bath, and Sir Henry Ingoldsby baronet, shall hold and enjoy to them and their heirs, all and singular the lands within and contiguous to the Mile-line in the county of Clare, which were set out to them, or either of them, in satisfaction of fifteen hundred and fifteen pounds eleven shillings two pence, with their houses and gardens in Limerick, and also all and every their lands of which they or either of them were possessed by

Sir Richard and Sir Henry Ingoldsby shall hold lands within and near the mile line in Clare, and houses, &c. in Limerick, &c. except as decreed away.



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themselves or their tenants the seventh of May one thousand six hundred and fifty nine, such part of the premises onely excepted, as have been decreed away by the commissioners for execution of the said former act; any thing in this or the said former act contained to the contrary notwithstanding.

Henry Finch is Nov. 1641 raised a company in Londonderry, and maintained three years.

Disbanded in 1648 without satisfaction,

his arrears not stated, and why.

His arrears to be stated before any distribution to the officers before 1649 and his administrators satisfied with the others, as if stated in time.

XCII. And whereas captaine Henry Finch, late of Londonderry, deceased, in pursuance of a commission from Sir William Parsons, and Sir John Birlacy, sometimes lords justices of Ireland, did in the month of November one thousand six hundred and forty one, levy and arm a company of foot, consisting of one hundred men besides officers, in the county of the city of Londonderry, and maintained the said company for three years at his own charges, and continued in the command of the said company against the rebels from the month of November one thousand six hundred and forty one, until the month of October one thousand six hundred and forty eight, and was then disbanded without receiving any the least satisfaction, and yet nevertheless the arrears due to the said Henry Finch, for his service before the fifth of June one thousand six hundred and forty nine, have not been cast up, nor stated by the commissioners for execution of the said former act, partly by reason of some doubt conceived that the said company was not upon the establishment of the Ulster army, whereas in truth the said company was received into the said establishment, though the order whereby the same should be made appear could not then be produced, and partly by reason of other accidents: be it therefore enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith and before any distribution made of the houses, lands, tenements, hereditaments or sums of money herein before appointed for the security and satisfaction of such commissioned officers as served before the fifth of June one thousand six hundred and forty nine, cast up and state the arrears, which were due to the said Henry Finch deceased, for the service aforesaid, and that after the arrears so stated, William Finch and Henry Finch, sons and administrators of the said Henry Finch deceased, shall be satisfied and paid, and are hereby enabled to demand, and receive satisfaction equally and proportionably, having respect to the arrears stated, and in like manner as any other commissioned officer who served before the fifth of June one thousand six hundred and forty nine, and whose arrears are stated and allowed by the commissioners for execution of the said former act, may or ought to be satisfied, and as fully and amply as if the arrears which were due to the said Henry Finch deceased, had been stated and allowed within the time

limited

limited by the said former act; any thing in the said former act, or this present act contained to the contrary notwithstanding.

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XCIII. And whereas Alice countess dowager of Barimore would have been lawfully intituled unto the payment of and satisfaction for the severall and respective arrears which were due unto David late earl of Barrimore her husband, and to James Barry her son deceased, as commissioned officers, for service done in Ireland before the fifth of June one thousand six hundred and forty nine, if the same had been duely stated and allowed within the time limited by the said former act; and whereas also Denny Muschamp esq; would have been lawfully intituled to the payment of and satisfaction for the arrears which were due to Agmondisham Muschamp esq; his deceased father, as lieutenant of the ordnance in Munster, and a commissioned officer for service done in Ireland before the fifth of June one thousand six hundred and forty nine, if the same had been duely stated and allowed within the time limited by the said former act: and whereas also Sir Alexander Keith knight, would have been lawfully intituled to the payment of and satisfaction for the arrears due to lieutenant colonel George Keith, as a commissioned officer for service done in Ireland before the fifth of June one thousand six hundred and forty nine, if the same had been stated and allowed within the time limited as aforesaid: and whereas also captain John Annesley served in Ireland as a commissioned officer before the fifth of June one thousand six hundred and forty nine, and ought to be satisfied and paid the arrears due to him for such service, if the same had been timely stated and allowed as aforesaid: and whereas also Margery Symmes, the relict of major John Symmes, would have been lawfully intituled to the payment of and satisfaction for the arrears which were due to the said major John Symmes her deceased husband, as a commissioned officer for service done in Ireland before the fifth of June one thousand six hundred and forty nine, if the same had been duely stated and allowed within the time limited by the said former act: and whereas also colonel Robert Broughton and widow Cooper, late wife of Josuah Cooper, major in Sir Foulke Hunks regiment, would have been lawfully intituled to the payment of and satisfaction for the arrears, which were due to them the said Robert Broughton and Josuah Cooper for service done in Ireland, before the fifth of June one thousand six hundred and forty nine, that is to say, from the twenty fourth of May one thousand six hundred and forty two, until the twenty sixth of January one thousand six hundred and forty three, if the same had been duely

Several persons intituled to satisfaction of arrears for service as commissioned officers before fifth of June 1649, if stated in time.  
Lord Barimore and James Barry,

Agmondisham Muschamp,

Sir Alexander Keith,

John Symmes,

Robert Broughton, Josuah Cooper,



A. D. 1665. stated so far, and allowed within the time limited by the said act: and whereas Horatia Woodhouse, brother and administrator of Sir Michael Woodhouse, would have been lawfully intitled unto the payment of and satisfaction for the arrears which were due to him the said Sir Michael Woodhouse, for service done in Ireland, as a commissioned officer before the fifth of June one thousand six hundred forty nine, if the same had been duly stated and allowed within the time limited by the said act; which several arrears could not be stated or allowed within the time limited by the said former act for stating arrears, by reason that the commissioners for execution of the said former act was freightned in time when they entred upon that work, and by reason of some other accidents which did intervene; be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith, and before any distribution made of the securities set apart for the satisfaction of the commissioned officers who served before the fifth of June one thousand six hundred and forty nine, cast up and state the respective arrears which were due to David late earl of Barrimore, James Barry, Agmondisham Muschamp, and lieutenant colonel George Keith, and captain John Annelly, Major John Symmes, colonel Robert Broughton, and Josuah Cooper, and Sir Michael Woodhouse, for service as aforesaid; and after the arrear so stated, the said Alice countess of Barrymore, Denny Muschamp, and Sir Alexander Keith, captain John Annelly, Margery Symmes, colonel Robert Broughton and widow Cooper, and Horatio Woodhouse, respectively shall be satisfied and paid for all and every the respective arrears, to which they are mentioned to be intitled as aforesaid, as fully, amply, and in like proportion and manner as any other commissioned officer, who served before the fifth of June one thousand six hundred and forty nine, ought to be, and as if the said respective arrears had been stated and allowed within the time limited by the said former act; any thing in this or the said former act to the contrary notwithstanding.

Not stated by reason of commissioners being freightned in time, &c.

Said arrears shall be cast up and satisfied with the other officers.

Grant of lands in Cork by letters pat. to Sir Henry Tint confirmed, where not decreed away.

XCIV. Provided alwayes, and be it enacted, That all and singular the lands, tenements and hereditaments in the barony of Imokelly in the county of Cork, granted or mentioned to be granted by his Majesty in and by certain letters patents under the great Seale of Ireland, bearing date

unto Sir Henry Tint, deceased, which have not been decreed away by the commissioners for the execution of the said former act, shall be held and enjoyed by the lady Mable Tint, relicf of the said Sir Henry Tint, for and during her life, and after her decease, by the son and heir of the said Sir Henry Tint,

Tint, and his heirs, during the estate granted by the said letters patents; and that where any of the lands in the said letters patents mentioned have been evicted, or hereafter shall be evicted, by virtue of any decrees made by the said commissioners, it shall and may be lawful to and for the lord lieutenant, or other chief governour or governours and councill there for the time being, to make and order such proportionable defalcation of the rent reserved in and by the said letters patents, as they in their judgement shall think fit; and such order of defalcation enrolled in his Majesties court of Exchequer, shall be as good and effectual as if it had been enacted by these presents; any thing in the said letters patents, or this act to the contrary notwithstanding.

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if any eviction, a proportionable defalcation of rent reserved, by order of chief governor and council, enrolled in Exchequer.

XCVI. Provided also and be it enacted, That Francis Lye of Rathbride, esq; son of John Lye deceased, shall hold and enjoy to him and his heirs, all and singular the lands, tenements and hereditaments, situate in the county of Kildare, or elsewhere in the kingdom of Ireland, granted or mentioned to be granted in and by certain letters patents under the great seale of Ireland, bearing date the tenth day of May in the fifteenth year of his Majesties reign, and not since decreed away by the commissioners for execution of the said former act, in as full and ample manner as in and by the said letters patents is mentioned; any thing in this or the said former act to the contrary notwithstanding.

Francis Lye's patent in Kildare confirmed, not decreed away.

XCVII. And whereas Nicholas lord vice-count Netterville, who claimed an estate taile to him and the heirs males of his body of and in certain lands in Ireland, was by the commissioners for execution of the said former act adjudged innocent, but the younger brothers and sisters of the said lord vice-count have by the judgment and decree of the said commissioners recovered their several and respective remainders expectant upon the death of the said lord vice-count without issue male, and also their several and respective portions, chargeable on the estate of the said lord vice-count, and by reason thereof were entituled to the present possession of the said estate, in order to the satisfaction of their respective portions, and when the said portions should be satisfied, Edward Smith, esq; Sir Courtney Pool, baronet, and other the persons intituled to the said estate, so long as the said lord vice-count shall have issue male of his body, were still to continue their possession; nevertheless his Majestic being desirous that all just interests should be provided for, and being willing to extend his mercy unto the said Nicholas lord vice-count Netterville, as far as may stand with his justice, is graciously pleased that it may be enacted, and be it enacted by the authority aforesaid, that the commissioners for execution of this act doe forth-

Lord Netterville adjudged innocent, restored to his lands, after setting out two thirds to Edward Smith and others,



A. D. 1665. *Chap. 2.* with set out unto the said Edward Smith, esq; Sir Courtney Pool, baronet, and other the persons intituled to the lands of the said lord vice-count, their heirs and assigns, their severall and respective two third parts, which by the rules of this act they ought to have, and after such two third parts set out, shall restore the said lord vice-count Nettervill unto the possession of all and singular the manors, castles, lands, tenements, reversions, remainders and all other hereditaments, right, title and interest whatsoever in the said kingdom of Ireland, with his deceased father and grandfather, 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, or any other or others to whom he may or can derive as heir, or otherwise had, held or enjoyed, or of right ought to have held or enjoyed on the twenty second of October one thousand six hundred forty and one, (rectories and parsonages, impropriated and appropriate tythes excepted) and that the said lord-vicecount shall hold and enjoy all and singular the lands, tenements and hereditaments so restored, according to such estate, right and title as he ought to have had in the same, in case he had been adjudged innocent, and no other; and also shall be, and is hereby restored in blood to all intents and purposes; any thing in this present act or the said former act, or any other act, law, statute, ordinance, order, outlary, attainder, record, provision, sequestration, distribution, allotment, judgment, conviction or decree, or any other matter, clause, or thing to the contrary notwithstanding.

Rectories,  
impropriations,  
&c. ex-  
cepted,

and restored  
in blood.

In the clauses vesting estates in persons particularly named, the right of all those not particularly barred, saved.

XCVIII. And because the estate, right, and inheritance of in and unto severall lands, tenements and hereditaments is by severall clauses in this act vested and settled in, or otherwise disposed of unto severall persons in the said severall and respective clauses particularly named and mentioned, whereby great prejudice may arise unto others, whose right was not intended to be barred or extinguished, if a timely remedy be not provided: be it therefore enacted by the authority aforesaid, That in all and every such clauses it shall be understood, and so is hereby declared, that all the right, title and interest, either in law or equity, which any person or persons, body politick or corporate, their heirs, executors, successors or assigns, or any of them had on the two and twentieth day of October one thousand six hundred forty and one, or at any time since, other than 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, by vertue of this or the said former act, and other than such person or persons, bodies politick or corporate, their heirs, executors, successors and assigns, whose right is particularly mentioned

tioned to be barred and excluded, shall be and is hereby preserved unto them, their heirs, executors, successors and assigns respectively, as fully and amply as if a particular saving of rights had been annexed to and repeated in every such clause; any thing in this act contained to the contrary notwithstanding.

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XCIX. And whereas in and by the said former act, the fractions of odd pounds, shillings and pence, were to be struck off and deducted out of all sums of money, debentures, certificates or decrees for arrears, adventures, publick debts, reprints, or other allowed interests, which according to the said act were to be ascertained, stated or settled, and the fractions of odd acres, roods, and perches were also to be deducted out of the respective proportions of lands, which should be granted or settled in satisfaction of any of the aforesaid interests, so as such deductions did not exceed the hundred part of the money or lands out of which such deductions were to be made; which deductions were appointed to be satisfied as intirely as might be, in such convenient proportions and places as the chief governour or governours of Ireland for the time being should appoint, and reserved to be disposed to such uses as his Majestie, his heirs or successors, should appoint: his Majestie is graciously pleased that it may be enacted, and be it enacted by the authority aforesaid, That no fractions of odd pounds, shillings or pence, or of odd acres, roods or perches, or any satisfaction for the same, be at any time hereafter made or given unto his Majestie, his heirs or successors, or unto any other person or persons claiming the benefit thereof by virtue of any patent, grant, or other assignment from his Majestie, but that the same be for ever released and discharged; and that all and every the clauses in the said former act touching and concerning the giving or reserving such fractions, and the satisfaction thereof unto his Majestie, his heirs and successors, shall be and are hereby repealed and made void, to all intents and purposes, as if the same had never been had nor made; any thing in this or the said former act to the contrary notwithstanding.

Clause in former act deducting fractions of odd money and acres, and reserving satisfaction thereof to the King, repealed.

C. And whereas the survey and admeasurements of certain lands in Ireland was heretofore undertaken and finished by Sir William Petty, knight, upon an agreement made with the souldiers to have for his pains one penny for every acre so surveyed and admeasured as aforesaid, whereof part hath been already paid, and some doth still remain in arrear; to the end therefore that satisfaction be made to Sir William Petty for what remains unpaid by the souldiers, their heirs or assigns, and for his better encouragement to finish the several maps and descriptions

One penny per acre reserved to Sir William Petty for his survey, shall be satisfied, and warrants issued by chief governors and council to levy so much as not paid by distress and sale.



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criptions of this kingdom, be it further enacted by the authority aforesaid, that the lord lieutenant, or other chief governour or governours of Ireland for the time being, with any six or more of his Majestie's privy council, shall have power to examine how much of the said penny the acre hath been already paid, and for what lands, and how much thereof remains behind and unpaid, and to give order or orders, warrant or warrants, for the levying and receiving one penny *per* acre out of all the lands in the admeasurement whereof he was employed, that have been or shall be appointed to be set out for satisfaction of arrears, out of which such acreage was agreed or ought in justice to be paid, and hath not been already paid, and to give such further encouragement to the said Sir William, for the finishing of the said maps, as they shall think fit; and that it shall and may be lawfull to and for Sir William Petty, his executors, administrators or assignes, from time to time, as often as any such order or warrant shall be made, to enter into all and every the lands in such order or warrant mentioned, and to levy the respective sums therein appointed to be paid, not exceeding one penny the acre, by distress and sale of such distress as shall there be found belonging to the occupiers of the said lands, returning the overplus, and whatsoever the tenants or occupiers of the lands shall pay, or shall otherwise be levied upon them as aforesaid, not exceeding one penny the acre, shall and may be deducted out of the rents by them respectively payable, and for so much they and every of them shall be and are hereby discharged against their severall and respective landlords.

tenants to  
deduct the  
same out of  
their rents.

So much of  
the clause  
giving lord  
Kildare pre-  
emption of  
forfeitures  
held of and  
intermixed  
with his es-  
tate, or ap-  
pointing sa-  
tisfaction for  
his personal  
arrears, re-  
pealed,

CI. And because the settlement now intended, and endeavoured to be perfected, would be very much obstructed if the heirs or assigns of Wentworth late earl of Kildare should hold and enjoy the full benefit of a certain clause in the said former act contained, whereby the preemption of all forfeited estates and interests held of or from Wentworth earl of Kildare, or George earl of Kildare, or either of them, and of all other lands lying intermixt with the said earl of Kildare's estate, is given to the said Wentworth late earl of Kildare, his heirs and assigns; and further the arrears due to George earl of Kildare for service before the fifth of June one thousand six hundred forty and nine, were appointed to be satisfied in the county of Kildare, and elsewhere lying most convenient to the said earl of Kildare's estate, as the said Wentworth late earl of Kildare should make choice of: be it therefore enacted by the authority aforesaid, that so much of the said clause as concerns the preemption of forfeited estates and interests held of and intermixt with the earl of Kildare's grant as aforesaid, or appoints the satisfaction of personal

arrears

arrears for service to be within the county of Kildare, or elsewhere at election as aforesaid, shall be and is hereby repealed; which arrears of the said George earl of Kildare, now belonging to Sir James Shaen, knight and baronet, administrator of the said George earl of Kildare are to be satisfied, as in and by another clause herein after following, and providing for the satisfaction of the interests of the said Sir James Shaen, is declared; and that in lieu and satisfaction of those privileges and advantages in and by the said clause given or intended to be given, the commissioners for execution of this act shall forthwith set out, or cause to be set out, unto John now earl of Kildare and his heirs, so much undisposed forfeited lands as shall be of the clear yearly value of five hundred pounds *per annum*, over and above all charges and reprises, and therein shall take care that the same may be set out as near unto the said earl's estate, and as contiguous to the lordship of Kilka in the county of Kildare, as the same can conveniently be done; and after such allotment and setting forth, the same shall be granted by letters patents under the great seal of Ireland unto John earl of Kildare, and the heirs male of his body, and for want of such issue to remain and be to Robert Fitz Gerald, esq; uncle of the said John earl of Kildare, and the heirs males of his body, and for default of such issue, to the right heirs of Wentworth late earl of Kildare for ever; subject nevertheless to the payment, reimbursement, and discharge in the first place of all such sum and sums of money, with interest for the same, as upon any contract or bargain heretofore made by the said Wentworth late earl of Kildare, touching the benefit of the said former proviso, or touching the benefit of any part thereof, have been paid unto the said late earl, or shall be paid hereafter to such contractors during the minority of the said John earl of Kildare, and lyable also to such other charges and payments as shall be necessarily made and disbursed in and for the settling and securing the premises; and that the letters patents, so as aforesaid to be granted, shall be of like force and effect as any other letters patents herein before appointed to be granted are or ought to be.

CII. Provided always, and be it enacted by the authority aforesaid, That out of the estates of John Fitz-Gerald, John Magill and Geoffrey Fanning, before by this act vested in his Majesty, his heirs and successors, it shall and may be lawful for the lord lieutenant, or other chief governours of Ireland, to restore unto and settle upon them and their heirs respectively such part or parts of the said respective estates as they shall think fit.

CIII. Provided also, and be it further enacted by the authority aforesaid, That Sir John Stephens, knight, governour of

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Sir James Shaen his administrator satisfied said arrears as hereafter, and in lieu of said privileges 500l. *per annum* to be set out of undisposed forfeitures,

as near as may be to lordship of Kilka in Kildare, and settled by letters patent.

Subject to repayment of money with interest paid on contracts with late lord Kildare, and other necessary disbursements.

John Fitzgerald, John Magill, and Geoffrey Fanning to be restored to such part of their estates as chief governor shall think fit.

Sir John Stephens to have Sir Brice Coghran's



A. D. 1665. Chap. 2. his Majestie's Castle of Dublin, shall and may have, hold and enjoy to him, his executors and assigns, all and every the lands, tenements and hereditaments in the county of Cork, which at any time were reputed to belong to Sir Brice Coghnan, by colour of any grants or gifts of the late usurped powers, and which are or have been possessed by the said Sir John Stephens, by virtue of letters patents under the great seal or otherwise, for and during such time and term of years, and under such rents onely as in the said letters patents are expressed, and no other, so as he the said Sir John Stephens do place or cause to be placed upon so much of the premises as shall be found to be within the securities set apart for satisfaction of the commissioned officers who served before the fifth of June one thousand six hundred forty and nine, so much of the stated arrears due to such officers which are satisfiable, and for which no satisfaction hath yet been given, as the value of the premises may amount unto; any thing in this or the said former act to the contrary notwithstanding.

placing thereon so much of the stated arrears due to officers before 1649, for which no satisfaction yet given, as the value of the premises may amount to.

Money due to the King formeine profits of lands set out in satisfaction of interests not satisfiable,

and for sale of lands in Connaught, by transplanted persons since restored,

shall be paid to vice-treasurers,

who shall pay thereout to lord Inchiquin 8000*l.* in consideration of his sufferings, to lord Berkeley 4000*l.*

CIV. And be it further enacted by the authority aforesaid, That all and singular the moneys, which by virtue of this or the said former act shall or may grow due unto his Majestie for or in respect of the meafne profits of those lands which have been set out and received in satisfaction of any arrears for service done in England, commonly called English arrears, or for or in respect of the meafne profits of those lands which have been set out to any person or persons in satisfaction of any adventurers upon the ordinances, commonly called the doubling ordinances, or for or in respect of any other meafne profits which by this act are made due and payable unto his Majestie, as being received out of lands set out in satisfaction of interests not satisfiable by this or the said former act, and also all and every the sums of money now due unto his Majestie, which any person or persons transplanted into Connaught, and since restored, or hereafter to be restored, to his former estate, did or might have received upon the sale of the lands in Connaught, to which he or they were transplanted, shall be paid unto the receivers herein after constituted and appointed; who shall account for and pay the same over unto Arthur earl of Anglesey, vice-treasurer of Ireland, or to the vice-treasurer of Ireland for the time being, and that the said Arthur earl of Anglesey, or the vice-treasurer of Ireland for the time being, shall thereout issue and pay these several sums following: that is to say, to Morough earl of Inchequin, the full sum of eight thousand pounds *sterling*, as a marke of his Majestie's favourable and gracious consideration of the losses and sufferings of the said earl; to John lord Berkeley, the sum of four thousand pounds; to Charles lord vice-count Fitz-Harding,

ing, treasurer of his Majesty's household, the sum of two thousand pounds; to Henry Coventrey, esq; groom of his Majesty's bedchamber, the sum of two thousand pounds; to colonel William Legg the like sum of two thousand pounds; in full satisfaction of all the right and interest which they the said Henry Coventrey or William Legg can or may have of, in, or to any fractions of odd acres, pounds, shillings or pence, in or by the said former act reserved to his Majesty, and by this present act released and discharged as aforesaid; to colonel Edward Villiers, the sum of one thousand pounds; to Elizabeth Terrill, the wife of Sir Timothy Terrill, the sum of three thousand pounds; to colonel Marmaduke Darcy, the sum of three thousand pounds; to Sir Connel Farrell, the sum of two thousand pounds; to colonel Daniel Trefwel, captain of his Majesty's guard of battle axes, the sum of one thousand pounds; Sir William Armorer, the sum of five hundred pounds; Nicholas Bayly, esq; the sum of two thousand pounds; Thomas Lynch, the sum of one thousand pounds: and if any more moneys shall arise out of the premises than will be sufficient to discharge the respective sums herein before mentioned, the same shall remain in his Majesty's Exchequer at Dublin, to be further applied and disposed as his Majesty being informed thereof shall direct and appoint.

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Lord Fitzharding 2000.  
H. Coventry and Wm. Legg 2000.  
each for their right to fractions.  
Ed. Villiers 1000.  
Eliz. Terrill 3000.  
Marm. Darcy 3000.  
Sir Connel Farrell 2000.  
Dan. Trefwel 1000.  
Sir Wm Armorer 500.  
Nich. Bayley 2000.  
Thomas Lynch 1000.  
R. sicut in- to the Exchequer.

CV. And whereas the towns and lands of Shamaclone, Garonsbury, Garrane, Lishanacone, Bailifoukin, Ballimoran, Balliwill in the barony of Conello and county of Limerick, and also fifteen hundred acres in Garundeny in the barony of Slew-margye in the Queen's county, were allotted to Charles Lloyd, esq; now Sir Charles Lloyd, baron: as an adventurer for lands in Ireland, the rents, issues and profits of which lands have notwithstanding by Samuel Avery and other adventurers been wrongfully received, or in the hands of the tenants of the said lands detained: be it therefore enacted, and it is enacted by this present Parliament, That the said Sir Charles Lloyd, shall have, receive and recover all and singular the rents, issues and profits of the said lands, remaining in the hands of the respective tenants thereof, or in the hands of their executors or administrators, which have grown due since the lands were allotted as aforesaid; any thing in this present act, or in any other act of Parliament contained to the contrary in any wise notwithstanding.

Sir Charles Lloyd to recover rents of lands allotted to him in Limerick and Queen's county.

CVI. And it is hereby further enacted and ordained by the authority aforesaid, That the commissioners for execution of this act shall forthwith restore Sir Richard Bellings, knight, unto the present and actual possessions of all and singular the manors, castles, lordships, lands tenements, reversions, remainders, and all other hereditaments, interests, conditions, pow-

Sir Richard Bellings restored.



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ers of redemption, right and title whatsoever in the said kingdom of Ireland, which Sir Henry Bellings, knight, grandfather to the said Sir Richard Bellings, and Richard Bellings father of the said Sir Richard Bellings, 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 twenty second day of October one thousand six hundred forty and one; and that from and after such restitution as aforesaid, the same shall be granted by letters patents, and settled upon and confirmed unto the said Sir Richard Bellings, the grandson, and his heirs and assigns for ever; this present or any other act, ordinances, order, outlary, attainder, record, or any other matter, cause or thing to the contrary notwithstanding.

Lord Kingston to have benefit of former act confirmed.

Except lands decreed away, and benefit of reprisals, and lands confirmed to lord Fitzharding.

His letters patents confirmed.

if his lands therein exceed 700*l.* per annum, and two thirds of the

CVII. Provided always, and be it enacted by the authority aforesaid, That John Lord Kingston shall hold and enjoy to him and his heirs for ever all and every the lands, tenements and hereditaments in the said former act ratified and confirmed unto him, and all other the benefits and advantages of the said act (the lands decreed away by the commissioners, and the full benefit of reprizals, and the lands herein granted or confirmed unto Charles lord vice-count Fitz Harding, formerly granted to Charles the late lord vice-count Fitz Harding, earl of Falmouth, onely excepted) as fully and amply, and with the like confirmations, privileges, immunities and exemptions, as any adventurer or souldier by this or the said former act may or ought to hold and enjoy any of the lands, whereof they or any of them respectively were possessed the seventh day of May one thousand six hundred and fifty nine, and as if the several clauses and provisoes in the said former act on that behalf had been in this act particularly recited and enacted; and shall also have, hold and enjoy to him and his heirs for ever, all and every the towns, lands, tenements and hereditaments given, granted and confirmed, or mentioned to be given, granted and confirmed unto him, in and by his Majesty's letters patents under the great seal of England, bearing date at Westminster the five and twentieth day of January in the sixteenth year of his Majesty's reign; and that the said letters patents, and all clauses and things therein contained, shall be and are hereby ratified and confirmed, and shall be taken most beneficially to and on the behalf of him the said lord Kingston, his heirs and assigns, according to the tenor and purport thereof, to all intents and purposes, and as if the same letters patents, and every clause therein, had been in this act fully and at large recited and particularly enacted: but in case the lands in the said letters patents mentioned, which shall be possessed and enjoyed by the said lord Kingston,

Kingston, and not recovered or granted away from him by this or the said former act, shall exceed the present clear yearly rent of seven hundred pounds, and two full third parts of all the lands recovered against him the said lord Kingston, by any decrees herein confirmed, then such overplus shall be reconveyed to such as the commissioners for execution of this act shall appoint.

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lands recovered against him, overplus to be reconveyed,

If deficient, to be made up.

CVIII. And be it also enacted, in case the said lands shall not be sufficient, that then the commissioners, or such person or persons as are or shall be appointed for execution of this act, doe and shall forthwith cause to be set out and delivered unto him the said lord Kingston, his heirs and assignes, so much more other lands, tenements and hereditaments in the counties of Cork, Limerick, and Tipperary, which by virtue of this act shall or may be retrenched from any adventurers, souldiers, their heirs, executors or assignes, or of other forfeited lands within the said counties, or within the counties of Dublin and Kildare, or some of them, as together with the lands in the said letters patents granted, or mentioned to be granted, to him as aforesaid, and as shall be possessed and enjoyed by him, and not recovered or granted away from him by this or the said former act, are of the said present clear yearly rent of seven hundred pounds, and as over and above the said yearly rent are equal in value, worth and purchase, unto two full third parts of all the lands recovered against him by virtue of any decrees herein confirmed, or that have been delivered up or parted with to William lord vice-count Dungannon, and others, in observance of his Majesties letters, to the end that like effectual letters patents may thereof also be granted unto the said John lord Kingston and his heirs, as are herein before appointed to be granted to other adventurers and souldiers of respective allotments; any matter or thing whatsoever in this or the said former act, or any other act contained otherwise to the contrary in any wise notwithstanding; saving unto Charles lord vice-count Fitz Harding and his heirs, such right and title in and to any of the premisses, as he or they can or may claim by virtue of any letters patents thereof granted unto Charles late lord vice-count Fitz Harding, after earl of Falmouth, by his Majestie; any thing herein before contained to the contrary notwithstanding.

That effectual letters-patents may be granted to him, as to other adventurers, &c.

Saving to lord Fitzharding his right by letters patents.

CIX. Provided always, and be it further enacted by the authority aforesaid, That Sir John Percival, baronet, his executors, administrators and assignes, shall and may hold, possess and enjoy the town and lands of Kinfales in the county of Dublin, for the term of sixty one years from the first day of May one thousand six hundred and sixty three, according to the tenor and full effect of an indenture of lease under the great seal of Ireland, to him

Sir John Percival to enjoy lands in Dublin for 61 years, according to lease under great seal.



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Lord King-  
ston's grant  
not to enable  
him to hold  
lands within  
the securities  
for officers  
before 1649,

unless he  
places thereon  
debentures for  
their arrears,  
after rate of  
eight year's  
purchase.

Daniel  
O'Brien re-  
stored, with-  
out previous  
reprisal.

Certificates  
for passing let-  
ters patents  
to be granted  
to him.

Till final  
settlement, he  
may enter and  
retain.

thereof made, and under the rents, covenants and conditions thereby reserved, expressed and limited; any thing in the last precedent clause or in this present or any other act to the contrary thereof in any wise notwithstanding.

CX. Provided also, that nothing in this act, or the letters patents granted to the said lord Kingston, shall enable him the said lord Kingston, his heirs or assignes, to hold or enjoy any mannors, lands or tenements, lying or being within the securities set apart for satisfaction of the commissioned officers who served before the fifth of June one thousand six hundred and forty nine, unless he the said lord Kingston, his heirs or assignes, shall cause so many debentures for arrears due to the said commissioned officers, as are satisfiable by the rules of this act, and have not been satisfied in part, to be placed thereupon, as after the rate of eight years purchase may be sufficient to purchase the premises; any thing herein before contained to the contrary notwithstanding.

CXI. And be it further enacted by the authority afore-  
said, That all and singular the messuages, castles, mannors, lands, tenements, and other the hereditaments whereof Sir Daniel O Bryen, now Daniel lord vice-count O Bryen of Clare, or his brother Tige O Bryen, esq; or Connor O Bryen, esq; son and heir apparent to the said lord vice-count, or Morough O Bryen, one other of the sons of the said vice-count O Bryen, or any other person or persons whatsoever to their or any of their use, or in trust for them, or any of them, were upon the two and twentieth day of October one thousand six hundred and forty one lawfully seized of any estate of freehold or inheritance, or possess for any term of years yet in being, as also one stone house in the city of Limerick (impropriations and appropriated tithes excepted) shall be by the commissioners for execution of this act set out and allotted unto and placed in the present and actual possession of Daniel O Bryen, esq; son and heir apparent of the said Connor O Bryen, and the heirs and executors of the said Daniel O'Brien respectively, without and before any previous reprisal; any clause, matter or thing in the said former act, or in this present act herein before or after contained to the contrary notwithstanding; and that the commissioners for execution of this act, shall grant unto the said Daniel O Bryen such certificates as may be necessary in order to the passing of letters patents of the premises; and further, that until such final settlement and allotment as aforesaid, it shall and may be lawful and for the said Daniel O Bryen to enter upon and retaine and keep possession of the premises; and all and every the adventurers and souldiers, protestant purchasers of lands in Connaught or Clare,  
and

and commissioned officers who served before the fifth of June one thousand six hundred and forty nine, their heirs, executors, administrators and assigns, who shall be removed to make way for such restitution, or be prejudiced thereby, shall, after such restitution made, be satisfied by the allotment of some other forfeited and undisposed lands, as may be equal to their several and respective two full third parts of what they depart from, or may be prejudiced in, according to the rules of this act; and all and every the persons transplanted into and upon any part of the premises, their heirs and assigns, shall have full satisfaction out of the forfeited lands undisposed of to the English protestants, as the lord lieutenant and council of Ireland shall think fit, after the several interests of his Majesties protestant subjects in Ireland have been fully settled and satisfied according to this act.

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Persons  
thereby re-  
moved or pre-  
judiced, to be  
satisfied in  
other lands.

CXII. Provided always, and it is further enacted by the authority aforesaid, That the commissioners for execution of this act shall restore James Fleming of Staholmock, esq; unto all the lordships, castles, houses, lands, tenements, rents, reversions, remainders, hereditaments, right, title, interest and estate whatsoever, whereof the said James Fleming, or any others in trust for him, or to his use, were seized or possessed the three and twentieth of October one thousand six hundred and forty one; and that after such restitution, the said James Fleming shall hold and enjoy the same to him and his heirs; this act or any other act, record, outlawry, attainder, or any other matter or thing to the contrary notwithstanding.

James Flem-  
ing restored.

CXIII. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act, shall restore unto captain Charles Farrel, all and singular the lands, tenements and hereditaments in the county of Longford, whereof he the said Charles Farrel, or his father, or any other in trust for them, or either of them, were seized upon the two and twentieth day of October one thousand six hundred and forty one, or at any time since; and that after such restitution made, the said Charles Farrel shall hold and enjoy the same to him and his heirs; subject nevertheless to the quit-rents by this or the former act imposed, and lyable to all and singular the statutes, mortgages, debts, charges, and all other the acts and incumbrances whatsoever of him the said Charles Farrel, or his father; any thing in this or the said former act to the contrary notwithstanding.

Charles Far-  
rel restored in  
Longford.

Subject to  
quit-rents and  
incumbran-  
ces.

CXIV. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall, out of such forfeited lands as shall remain undisposed, after all the English interests herein provided for shall be satisfied, set out and allot unto Frances Darcy, widow, so much land as shall be of

Frances Dar-  
cy satisfied  
(after all Eng-  
lish interests)  
for her joint-  
ure.



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4500*l.* arrears stated to be due to lord Ranelagh before 1649, to be paid in trust for his daughters.

like yearly value as the lands which she the said Frances Darcy formerly held, or ought to have held for her jointure, to be held and enjoyed by the said Frances Darcy during her life; any thing herein contained to the contrary notwithstanding.

CXV. And be it further enacted by the authority aforesaid, That the sum of four thousand five hundred pounds due for service done in Ireland, before the fifth of June one thousand six hundred and forty nine, unto Arthur lord vice-count Ranelagh, by debentures already stated and allowed by the commissioners for execution of the said former act, shall be paid and satisfied out of the securities thereunto lyable by this present act unto Richard earl of Burlington and Cork, lord high treasurer of Ireland, Arthur earl of Anglesey, Roger earl of Orrery, and Sir John Skeffington baronet, and the survivors and survivor of them, and that they and the survivors and survivor of them, and the heirs of the survivor, shall have, hold, receive and enjoy to his and their heirs, all and singular the manors, lands, tenements and hereditaments, and all other the satisfaction whatsoever, or of what nature or kind soever, which shall or may be hereafter appointed, allotted, or otherways set out and assigned for the satisfaction of the said four thousand five hundred pounds; nevertheless in trust to and for the only use, benefit and advantage of Frances Jones and Elizabeth Jones, daughters of the said Arthur lord vice-count Ranelagh, their executors and assignes, and to and for no other use, intent or purpose whatsoever; any thing in this or the said former act contained to the contrary notwithstanding.

Forfeited leases not above three lives or 31 years on 23<sup>d</sup> October 1641, the next reversion or remainder belonging to innocent protestant, shall cease.

CXVI. Provided alwayes, and be it further enacted, That all leases, terms and estates, which upon the twenty third of October one thousand six hundred and forty one did not exceed three lives or thirty one years, and are forfeited to or vested in his Majesty, whereof or whereupon the next and immediate reversion or remainder doth or shall appertain to any innocent protestant, be and are hereby declared to be ceased, determined, null and void; any thing in this or the said former act contained to the contrary notwithstanding.

Not to prejudice any right of Lau. Hide by incumbrance on lands in Tipperary.

CXVII. Provided alwayes, and be it enacted, That nothing in this present act, nor in the former act, shall be taken or any ways construed to weaken or make void all or any of the right, title and claim which Laurence Hide of Henton Dawbney in the county of Southampton, esq; hath by virtue of any statute-staple, mortgage or otherwise, unto the towns and town lands of Ballihenukin, Knockanabby, and part of Chancellors-town in the barony of Iffa and Offa, and the lands of Quarter-crofs, parcel of the town and lands of Clare, nor unto two acres great country

country measure in Burdens-Grange in the barony of Middlethird, in all containing about eight hundred acres, lying and being in the county of Tipperary; but that it shall and may be lawfull to and for the commissioners for execution of this act, to examine the right and title of him the said Laurence Hide of, in, and to the said lands and tenements, or to any sum of money which can or may be levied thereupon, and to make such order and decree for the said Laurence Hide or his assigns, to hold and enjoy all and singular the premisses, untill he or they shall be fully satisfied and paid the moneys to him due as aforesaid, together with what interest shall be due for the same, as they shall think fit; any thing in this act or in any former act to the contrary notwithstanding.

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Said right  
to be examined,

to hold till  
satisfied.

CXVIII. And whereas colonel Christopher O Bryen was appointed by his Majestie in his late gracious declaration to be restored unto his estate, as one who in an especial manner had merited his Majestie's grace and favour, and was afterwards, in pursuance of his Majestie's orders, put into possession thereof by the sberiff of the county of Clare, in which county the said estate doth lye; notwithstanding which, if the same should be strictly examined according to the rules of the said former act, it may be doubted whether such delivery of possession were legal, and whether the lands so delivered do not still remain subject to the uses of the said former act and this present act: and whereas the said Christopher O Bryen is lately dead without issue, and all his estate, right, title and interest descended unto and upon Morogh earl of Inchequin, his next and immediate brother and heir, be it therefore enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith restore unto the said Morogh earl of Inchequin and his heirs the present and actual possession of all and singular the castles, houses, manors, lands, tenements and hereditaments, which the said colonel Christopher O Bryen, or any other in trust for him, or to his use, had, held, or enjoyed upon the twenty second day of October one thousand six hundred forty and one, or at any time since, the lands, tenements and hereditaments formerly belonging to the said Christopher O Bryen, and now in the possession of Peirce Creagh except, which are hereby granted and confirmed unto the said Peirce Creagh and his heirs; and shall likewise set out and allot unto the said earl of Inchequin and his heirs, so many acres more undisposed and forfeited lands as may be equal in quantity of acres to the said lands held by the said Peirce Creagh; and from and after such restitution and allotment so made as aforesaid, the said Morogh earl of Inchequin shall hold and enjoy to him and his heirs, all and singular the messuages, lands, tene-

Lord Inchequin restored to estate of Christopher O Brien, to whom possession had been delivered by the sberiff, upon doubt whether such delivery strictly legal.

Except the lands enjoyed by Peirce Creagh, and confirmed to him.

Lord Inchequin to have other lands allotted.



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Persons  
transplanted  
there, to have  
satisfaction  
out of for-  
feitures undi-  
posed to Eng-  
lish protest-  
ants.

Sir Thomas  
Sherlock's  
fidelity and  
sufferings.

Taken by  
the rebels,  
and forced to  
subscribe their  
oath of asso-  
ciation; but  
as soon as his  
liberty there-  
by gained, he  
repaid to the  
lord lieu-  
tenant.

Declared  
by the King  
to be restored  
without fur-  
ther proof.

Adjudged  
*nocent* by the  
commissioners  
on account of  
such subscrip-  
tion:

So severe a  
decree should  
not stand.

His son  
Paul Sherlock  
restored with-  
out previous  
reprisal to his  
principal feat,  
and one third;  
tithes except-  
ed.

ments and hereditaments so as aforesaid restored and allotted; and all and every the persons transplanted into and upon any part of the premises, their heirs and assignes, shall have such satisfaction out of the forfeited lands undiposed of to English protestants as the lord lieutenant and council of Ireland shall think fit, after the severall interests of his Majesty's protestant subjects in Ireland have been fully satisfied and settled according to this act; any thing in this or the said former act contained to the contrary notwithstanding.

CXIX. And whereas Sir Thomas Sherlock, knight, deceased was in his life time a very dutifull and loyal subject, and from the time of the first breaking out of the said rebellion and war unto the last end thereof behaved himself with great courage and diligence in his Majesty's service, and suffered great hardships and extremities from the said Irish rebels, by reason of such his fidelity and obedience to the crown of England, until at last being taken prisoner by them, he was forced, for fear of his life, to subscribe their oath of association, and having so gained his liberty did immediately fly unto Dublin, and there submitted himselfe to the now lord duke, then lord marqués of Ormond, his Majesty's lord lieutenant of Ireland, and continued there, ever after serving his Majesty and his authority to the uttermost of his power; the consideration whereof inclined his Majesty to mention the said Sir Thomas Sherlock in his late gracious declaration amongst the names of those few persons, whom his Majesty was pleased to appoint to be restored to their former estate without any further proof of their innocency; which said Sir Thomas Sherlock was afterward by the commissioners for execution of the said former act adjudged a nocent person, upon no other grounds or evidence than the enforced subscription of the oath or association as aforesaid; his Majesty therefore being very unwilling to proceed with such rigour and strictness towards any of his good subjects, or to suffer a decree so severe to continue any longer in force to the ruine of the said Sir Thomas Sherlock and his family, is graciously pleased that it may be enacted, and be it enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith, and without any previous reprizall, restore unto Paul Sherlock, esq; sonn and heir of the said Sir Thomas Sherlock, and his heirs, the possession of the principal and capital messuage or seat, and also one third part of all and singular the messuages, mannors, lands, tenements and hereditaments, whereof the said Sir Thomas Sherlock or any other person or persons in trust for him or to his use, were seized or possessed upon the two and twentieth of October one thousand six hundred forty and one (impropriations and

and appropriate tithes excepted) and shall also with all convenient speed restore the whole residue of the said lands and tenements (impropriations and appropriate tithes excepted) the respective adventurers or souldiers, their heirs or assignes now in possession thereof, or claiming the same, being first satisfied their respective two third parts, and for their several and respective improvements which will be due to them by the rules of this act; and from and after such restitution so made as aforesaid, the said Paul Sherlock shall hold and enjoy to him, his heirs and assigns, all and singular the lands and tenements so restored, in as full and ample manner as he or they might have done, if no such decree had never been had or made; any thing in this or the said former act contained to the contrary notwithstanding.

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Satisfaction to the adventurers or souldiers for their two thirds and improvements.

CXX. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall restore unto Nicholas Burke of Limerick, son and heir of James Burke, his heirs and assignes, the principal and capital messuage whereof he the said Nicholas or his father, or any other in trust for them, or either of them, or to their use, were seized or possessed the two and twentieth of October one thousand six hundred forty and one, and also two thousand acres thereunto adjoining, or so much thereof as they or either of them, or any other to their use, were seized or possessed of on the said two and twentieth of October; and that so much other forfeited and undisposed land be likewise set out and allotted unto the said Nicholas Burke and his heirs, and within such county and barony as the lord lieutenant, or other chief governour and governours of Ireland and council there, shall direct and appoint.

Nicholas Burke of Limerick restored to capital messuage of his father, and 2000 acres adjoining.

and so much other land allotted as chief governor and council direct.

CXXI. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith restore unto the lord vice-count Gormanston and his heirs, all and singular the messuages, mannors, lands, tenements, rents, reversions, remainders and hereditaments, to which he is not already restored by some decree of the commissioners for execution of the said former act herein confirmed, and all other the estate, right, title and interest whatsoever, whereof the said lord vice-count Gormanston, or Nicholas late lord vice-count Gormanston his father, or any other person or persons to their use, or in trust for them, or either of them, were seized or possessed the two and twentieth of October one thousand six hundred forty and one, (impropriations and appropriate tithes excepted) the heirs or assignes of Charles late earl of Mountrath, now having or claiming the same, being first satisfied by an allotment to them and their heirs of so much forfeited lands as may be equall in quantity and number of profitable acres to the lands so as aforesaid

Lord Gormanston restored.

Heirs or assignes of lord Mountrath (now in possession) being first satisfied.



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said to be restored, and being also first satisfied and paid, or otherwise secured for the rents, issues and meane profits received and detained by the said lord vice-count Gormanston and his agents, since his entry on the premisses, or to be received and detained until such allotment shall be made as aforesaid, according as the same shall be ascertained by the commissioners for execution of this act, and at such times and in such manner as they shall appoint; and from and after such restitution made as aforesaid, the said lord vice-count Gormanston shall hold and enjoy to him, his heirs and assignes, all and singular the lands, tenements and hereditaments so restored; this act or any other act, record, utlary or attainer, or any other matter or thing to the contrary notwithstanding.

Richard and John Grace restored, adventurers and soldiers first satisfied.

CXXII. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith restore unto John Grace of Court-stown, esq; and colonel Richard Grace, and their respective heirs, all and singular the messuages, lands, tenements and hereditaments, except impropriations and appropriate tithes, and except the houses in Kilkenny, which they or either of them respectively, or any other person or persons in trust for them, or either of them, respectively had, held, or enjoyed upon the two and twentieth of October one thousand six hundred forty and one, and which are not already restored to the said Richard Grace by some decree of the commissioners for execution of the said former act herein confirmed; the respective adventurers or souldiers, their heirs or assignes, now in possession thereof, or claiming the same, being first satisfied their respective charges and proportions, and for their severall and respective improvements, which will be due to them by the rules of this act; and from and after such restitution so made as aforesaid, the said John Grace shall hold and enjoy to him and his heirs all and singular the lands, tenements and hereditaments, so to be restored, and the said Richard Grace shall hold and enjoy to him and his heirs the lands so to be restored; any thing in this, or the said former act, contained to the contrary notwithstanding.

Patrick Archer restored; adventurers and soldiers first satisfied their shares and improvements.

CXXIII. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith restore unto Patrick Archer, merchant, all and singular the lands, tenements and hereditaments, which he, or any other person or persons in trust for him, had, held, or enjoyed upon the two and twentieth of October, one thousand six hundred forty and one; the respective adventurers or souldiers, their heirs or assignes now in possession thereof, or claiming the same, being first satisfied their respective shares and proportions, and their severall and respective improvements, which will be due to them by the rules of this act;

a<sup>c</sup>t; and from and after such restitution so made as aforesaid, the said Patrick Archer shall hold and enjoy to him and his heirs all and singular the lands, tenements and hereditaments, so to be restored; any thing in this, or the said former a<sup>c</sup>t, contained to the contrary notwithstanding.

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CXXIV. And whereas upon the passing of certain letters patents under his Majesty's great seal of England, bearing date the eighth day of April, in the fourteenth year of his Majesty's reign, unto Richard earl of Clanrickard, and his heirs, any use was therein limited, or some other provision thereby made, for the better securing unto Charles late lord vice-count Muskry the sum of ten thousand pounds, by the yearly payment of two thousand pounds *sterling per annum*, for and during the term of five years next ensuing the date of the said patent; and so far as it may so fall out by reason of fundry emergent occasions, that the payments thereby secured may not be fully compleated within the said term of five years, according to the true intent and meaning of the said letters patents: be it therefore enacted by the authority aforesaid, That the term of five years, in the said letters patents mentioned, shall be and is hereby enlarged unto the term of three years more next after the said five years ended and determined, and that if the several payments in and by the said letters patents intended to be secured shall be made and determined within the time hereby enlarged, the same shall be as good and effectual in law, as if they had been made within the said five years; and that in all other uses, limitations, matters and things, the said letters patents, and every clause and article therein, shall be as good and effectual in law, and of like force and effect, as the same were before the making of this a<sup>c</sup>t; any thing in this, or the said former a<sup>c</sup>t, contained to the contrary notwithstanding.

Lord Clanrickard's letters patents confirmed; but the term of five years for paying 10000l. to lord Muskry enlarged to three years more.

CXXV. And to the end that no person or persons, who is or shall be restored or intituled unto, or confirmed in, any messuages, mannors, lands, tenements or other hereditaments, by virtue of any clause in this a<sup>c</sup>t contained, or by virtue of any letters patents, grant, restitution, or other disposition or allotment herein made, or hereafter to be made, in pursuance of this a<sup>c</sup>t, may, by pretence of such new title, avoid the payment of any just debts, to which they, or their respective testators or ancestors, were or ought to have been liable: be it therefore explained and enacted by the authority aforesaid, That all and every person and persons, their heirs and assignes, having and holding, or claiming to have and to hold, any messuages, mannors, lands, tenements and hereditaments as aforesaid, shall be and are hereby made subject unto, and charged with, all and singular the debts and sums of money now due and owing by them, or any other person or persons, whose heirs,

Payment of debts of testator or ancestor shall not be avoided by pretence of new title.



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The lands,  
&c. account-  
ed assets in  
law for pay-  
ment thereof.

Heirs or af-  
signs of late  
lord Moun-  
trath shall en-  
joy lands, &c.  
of which he  
was in pos-  
session 7 May  
1659, except  
as decreed or  
restored, for  
which they  
shall be re-  
prieved.

All advan-  
tages by these  
acts confirm-  
ed to the late  
earl shall be  
divided a-  
mong his chil-  
dren, pursuant  
to decree by  
lord lieuten-  
ant and  
council  
1663.

Speaker of  
house of lords  
and clerk of  
the council  
comprehend-  
ed in the  
clause in for-  
mer act, pro-  
viding remedy  
for fees upon  
bills for grants  
or restitu-  
tions.

executors or administrators they are, and under whom they claim their several and respective allotments, as heir, executor or administrator, whether the same debts be due and owing by virtue of any specialty or matter of record, and that all and every the messuages, lands, tenements and hereditaments, so held and claimed as aforesaid, shall be held and accounted as assets in law, and are hereby declared to be assets for and towards the satisfaction and payment of all such debts, to which the first takers thereof are in their own right, or as heirs, executors or administrators of any other person or persons, made liable by this act; any thing in this, or the said former act, or any other law, matter or thing to the contrary notwithstanding.

CXXXVI. Provided always, and be it further enacted, That the heirs or assigns of Charles late earl of Mountrath shall have, hold, and enjoy all such lands, tenements and hereditaments, which were settled upon or granted unto the said late earl by any letters patents of the late usurped powers, whereof he was in possession the seventh of May one thousand six hundred fifty and nine, except such as have been decreed, or shall be by this act, or restored unto the Irish proprietor, for which he or they shall forthwith have the like quantity of profitable acres set out unto him or them respectively; and that all the lands, tenements and hereditaments, and other the advantages by this or the said former act intended to be given, granted, or confirmed unto the said late earl of Mountrath, his heirs or assigns, shall stand and remain disposed and divided among and between the now earl of Mountrath, the relict and younger children of the said late earl, subject and liable unto such limitations, uses, debts, portions and legacies, as are expressed and contained in a decree made by the lord lieutenant and council, bearing date the

day of October one thousand six hundred sixty and three; any thing in this, or the said former act, to the contrary notwithstanding.

CXXXVII. And whereas Sir Audley Mervin, knight, speaker of the house of commons, Sir George Lane, knight, clerk of the house of lords, Philip Ferneley, esq; clerk of the house of commons, and other the attendants on either of the said houses, do claime certain fees, to be due and payable to them for every bill, containing any grant or restitution of any forfeited lands to any person or persons, bodies politick or corporate, their heirs or successors, touching the ascertaining whereof, and giving due remedy for the recovering of the same, some provision was made in and by a clause in the said former act, in which clause the speaker of the house of lords and the clerk of the council of Ireland are not mentioned: be it therefore explained and enacted

by

by the authority aforesaid, That the speaker of the house of lords, and clerk of the council of Ireland, shall be deemed and adjudged to be comprehended in the said clause, and that the said speaker and clerk of the council, and Sir Audley Mervin, Sir George Lane, Philip Ferneley, and others mentioned in the said clause contained in the said former act, be paid by such person and persons, bodies politick and corporate, their heirs and successors, who receive any grant of or settlement in any forfeited lands, tenements or hereditaments, by virtue of or in pursuance of this act, or of the said former act, not set out to them in satisfaction of adventures or arrears, or of purchases made in Connaught, or any restitution to any lands, tenements or hereditaments, the incumbents of the severall parochial churches excepted, such fees, and no other, as the lord lieutenant, or other chief governour and governours of Ireland and council there, shall think fit and appoint, and that after the same fees so as aforesaid ascertained, like remedy shall be given for the recovery thereof, as in and by the said former act is provided; any thing in this, or the said former act, contained to the contrary notwithstanding.

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Fees appointed by chief governours and council.

CXXVIII. Provided always, and be it enacted, That no lease or *custodiam*, made or granted by the King's Majestie unto Edward late lord bishop of Limerick, now lord bishop of Corke, Cloyn and Rosse, or unto any other person or persons, of any lands, tenements or hereditaments, in the baronie or baronies of Conello and Pople-Bryen in the county of Limerick, or either of them, whereof William Barker, esq; by himself, his agents or undertenants, was in possession the seventh of May one thousand six hundred fifty and nine, shall any way prejudice the right, title, interest or possession of the said William Barker, of, in, or to the same, but that it shall and may be lawful to and for the said William Barker, his heirs or assignes, to enter into, and take possession of, all and singular the said lands and tenements in the said baronies, or either of them, whereof he was so in possession, not decreed away by the commissioners for execution of the said former act, and the same to have, hold, and enjoy to him the said William Barker, his heirs and assignes; and that the said William Barker and his heirs shall have like priviledge and advantage in retaining the possession of the premisses, and in retrenching the third part thereof, or placing such deficiencies thereupon as are satisfiable by the rules of this act, as any adventurer or souldier ought to have; and that the commissioners for execution of this act shall proceed to give such certificates thereof, in order to the passing of letters patents, as may be necessary for the final settlement of him the said William Barker, his heirs

William Barker to enjoy his lands in Limerick, of which he was in possession 7 May 1659, as any other adventurer, notwithstanding any *custodiam*, &c.



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and assignes, in lieu and satisfaction of his purchase of Gilbert Marshall, in as full and ample manner as he the said William Barker, his heirs or assignes, might have held and enjoyed the same, if he the said William Barker had still continued in possession, and as if no such lease or *custodiam* had ever been made or granted; subject nevertheless to such quit-rents, services and payments, as other adventurers in the said county of Limerick ought to pay, and with like benefits and advantages as other adventurers ought to have by this act; any thing in the said *custodiam*, or in a certain clause for confirmation of the patent granted to John lord Kingston herein mentioned, or any other matter or thing in this or the said former act contained to the contrary notwithstanding.

Treasurers appointed to raise and receive such sums as shall be appointed by committee at Grocer's hall, not exceeding 20 per £. adventured, towards the public charge,

CXXIX. And whereas it was provided by the said former act, That every of the adventurers, whose estates were to be confirmed, should pay such sum or sums of money as the committee of adventurers sitting at Grocers-hall, London, or any five or more of them should appoint, not exceeding two pence for every twenty shillings adventured, towards defraying of such publique charges as would conduce to the settlement of that interest: and whereas the same is to be levied upon such persons as shall make default, by distress and sale of their goods, the generality of such persons making default not living in this kingdom, the said provision hath been hitherto rendered very much fruitless: be it therefore enacted by the authority aforesaid, That for better answering of those ends, and raising the said sums, the several persons hereafter named, *viz.* Sir Charles Lloyd, baronet, Sir Stephen White, William Barker, esq; Gower, esq;

Ridge, esq; Renthall, esq; Radcliffe,

Edward Smith, esq; or the major part of them, or the survivors or survivor of them, be and are hereby authorized to be treasurers of the said moneys, and shall and may, by order under their hands and seals, levy, or cause to be levied, any sum or sums of money that the said committee of adventurers, or any seven or more of them, shall think fit and appoint, upon all and every the adventurers for lands in Ireland, their lands, tenements and hereditaments, lessees, tenants or assignes, by distress and sale of their goods, rendering the overplus to the owners; which said lessees, tenants or assignes, shall be discharged of, and may retain so much of their rents in their hands, as the said sum to be levied shall amount unto; such sum or sums of money, so to be levied, not exceeding two pence for every twenty shillings originally paid and adventured, and that shall be satisfied in lands in this kingdom: provided always that neither this nor any thing herein contained, shall extend to charge any person or persons,

by distress and sale.

Tenants paying the same may retain so much of their rents.

sons with any sum or sums of money, that hath been paid to any person or persons upon the account of the two pence in the pound in the said former act granted, but that such person or persons, who received the same, are to stand and be chargeable with and accountable unto the said treasurers for all the money by him or them received, and the said treasurers are to take care to employ persons of integrity and trust for levying and collecting the said sums, under very good security, for whom they will answer, and not to dispose of any sum or sums without order from the said committee, or any seven or more of them, to whom alone they are made accountable.

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Persons who received under former act accountable to said treasurers, who are to employ persons of integrity and trust, and are accountable to the committee.

CXXX. And be it enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith, and without staying for any previous reprizal, restore unto Sir Henry O Neil, his heirs and assigns, all and singular the lands, tenements and hereditaments in the county of Antrim, whereof the said Henry O Neil, or any other person in trust for him, or to his use, were or ought to have been seized or possessed upon the two and twentieth day of October one thousand six hundred forty and one; and that after such restitution, in lieu and satisfaction thereof, the said commissioners do likewise, with all convenient speed set out and allot, or cause to be set out and allotted unto John lord vice-count Massareen, his heirs and assigns, so much other forfeited lands as may be of equal value, worth and purchase, to the lands so as aforesaid to be restored out of the lands in the county of Lowth, or if there shall not be found sufficient in that county, then out of other lands to be disposed of by this act, and that such further satisfaction be given the said lord Massareen, and his heirs, as is appointed by the said former act, and will stand with the rules of this act, so that the said lands may as near as may be lye contiguous; and that like effectual letters patents be thereof granted to the said John lord vice-count Massareen, his heirs and assigns, as any other adventurer or souldier by the rules of this act ought to have; any thing in this or the said former act contained to the contrary notwithstanding.

Sir Henry O Neil restored,

and lord Massareen re-  
prised,

and to have letters pat. as other adventurers.

CXXXI. Provided also, and be it further enacted, That the town and lands of Artain, *alias* Tartain, with the appurtenances in the county of Dublin, containing by estimation two hundred and twenty five acres, be they more or less, be granted, ratified and confirmed unto Sir Nicholas Armourer, knight, his executors, administrators and assigns, according to the tenor and effect of your Majesties letters patents under the great seal of Ireland, bearing date the nineteenth day of November, in the fifteenth year of your Majesties reign; any thing in this, the former or any other act, matter or thing, to the contrary notwithstanding.

Sir Nich. Armourer confirmed in Artain, according to letters pat. 15 C. 2.



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Bishop of  
Cloyne settled  
in lands be-  
queathed to  
K. C. 1. by  
Sir John Fitz-  
Edmund Ge-  
rald,

except rec-  
tories and im-  
propriations  
settled on in-  
cumbents  
serving cure.

Presentation  
to the church-  
es to be in the  
King's pa-  
tronage.

Residue of  
said lands vest-  
ed in the King.

Lease 31  
years to bishop  
of Cork and  
Sir William  
Flower for  
their pains in  
discovering  
the King's ti-  
tles,

paying treble  
quit-rent.

CXXXII. And be it further enacted by the authority aforesaid, That all and singular the messuages, mannors, lands, tenements and hereditaments, whereof Sir John Fitz-Gerald, knight, dyed seized, and whereof Sir John Fitz Edmund Gerald, knight the grandchild dyed seized or possessed in the year one thousand six hundred and forty, and which were then belonging and of right appertaining to the bishop of Cloyne, and his successors, and were by the last will and testament of the said Sir John Fitz Edmund Gerald, and the schedule and codicil thereunto annexed, dated the first of September one thousand six hundred and forty, given and bequeathed, or mentioned to be given and bequeathed to his late Majestie King Charles the first, shall be and are hereby vested and settled in the now bishop of Cloyne, and his successors for ever, the severall rectories and impropriate tythes therein and thereby bequeathed unto his said late Majestie onely excepted; which said rectories and impropriate tythes are hereby declared to be vested and settled in and upon such of the present and future incumbents, and their successors, who have or shall have actual cure of souls in those respective parishes wherein such impropriations are, and such impropriate tythes do arise and renew, and in default of an actual incumbent, then in the respective persons now serving the cure and their successors, who for that end shall be and are hereby made actual incumbents, and capable to take them and their successors; and the presentation to the respective churches, so as aforesaid endowed, shall be for ever, and the patronage thereof, in the King's Majestie, his heirs and successors; and that all other the lands, tenements and hereditaments, so given and bequeathed as aforesaid, and not formerly belonging or appertaining to the bishoprick or fee of Cloyne, shall be vested and settled in his Majestie, his heirs and successors.

CXXXIII. And whereas the right reverend father in God Edward lord bishop of Cork, Cloyn and Ros, and Sir William Flower, knight, have been at great pains and charges in discovering of his Majesties title to the premisses, as well precedent to the forfeiture by the late rebellion, as by reason and upon the account of the said rebellion: be it therefore enacted, That the lord lieutenant of Ireland, or other chief governour there for the time being, do cause a lease of so much as is hereby settled in his Majestie, to be passed under his Majesties great seal of Ireland unto the said Edward Bishop of Corke, Cloyne and Ros, and Sir William Flower, their executors and assigns, for the term of one and thirty years, rendering yearly unto his Majestie, his heirs and successors, after the rate of treble such quit-rent as the adventurers and the souldiers do pay for the like proportions within the said province of Munster; any thing in this or the said former act contained to the contrary hereof in any wise notwithstanding: saving

aving and reserving nevertheless to Edmund Fitz Gerald of Ballymalowe, and his heirs, all such right and title which he the said Edmund Fitz Gerald had unto the premises, or any part thereof, upon the two and twentieth of October one thousand six hundred forty and one.

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CXXXIV. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act, shall set out and allot unto the provost, fellows and schollars of the colledge of the holy and undivided Trinity near Dublin, the six hundred sixty six acres, two roods and twenty six poles English measure, in the county of Tipperary and barony of Elioguarty, heretofore allotted to William Sheeres for his father's adventure of three hundred pounds, which in pursuance of a decree in the high-court of Chancery in England, were since conveyed or mentioned to be conveyed to the said provost, fellows and schollars of the colledge of the holy and undivided Trinity near Dublin, towards the satisfaction of a charitable bequest devised to them by Elias Travers doctor of divinity deceased; and that like effectual letters patents shall be thereof granted unto the said provost, fellows and schollars, and their successors for ever, as any adventurers or souldiers by the rules of this act ought to have, to be held by them the said provost, fellows and schollars, and their successors, without any default or deduction whatsoever, subject nevertheless to the quit-rents by this act imposed; any thing in this act to the contrary in any wise notwithstanding.

Lands in Tipperary to be set out to Trinity college, pursuant to a decree of Chancery in England, towards satisfaction of bequest to them by Elias Travers.

Letters patent thereof to be granted, as to adventurers.

subject to quit-rents.

CXXXV. Whereas Richard earl of Arran hath purchased from Erasmus Smith, esq; his interest, which he had as an adventurer, in the isles of Arran, commonly called or known by the names of the Great Island, the small East Island, and the island of Inishmaine: be it therefore enacted and provided by the authority aforesaid, That the said isles of Arran, commonly called by the several names aforesaid, lying and being in the half barony of Arran, in the county of Galway, together with all the royalties, mineralles, (royal mines excepted) fishings, profits and apputenances whatsoever thereunto belonging, or therewith enjoyed by the former proprietors thereof, before the two and twentieth of October one thousand six hundred forty and one, be and are hereby vested in, settled upon, and confirmed unto the said Richard earl of Arran, his heirs and assigns for ever; any thing in this act or in the said former act to the contrary notwithstanding; subject nevertheless to such quit-rent payable to his Majesty, his heirs and successors, as other the lands lying and being in the province of Connaught allotted to adventurers or souldiers are lyable to.

Isles of Arran purchased from Erasmus Smith by lord Arran, confirmed to him.

Subject to quit-rent.

CXXXVI. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act, shall forthwith,

Lord Dunfany restored without previous reprisal to the capital messuage, and



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one third, and the residue after the adventurers or soldiers satisfied for their shares and improvements.

Tithes excepted.

with, and without any previous reprimand, restore unto Patrick lord baron of Dunfany and his heirs, the possession of the principal and capital messuages or seat, and also one third part of all and singular the castles, lands, tenements and hereditaments, rents, reversions, remainders, right, title, interest and estate whatsoever, which he the said Patrick lord baron of Dunfany, or any other person to his use or in trust for him, were seized or possessed of upon the two and twentieth of October one thousand six hundred forty and one, except impropriations and appropriate tithes; and shall also with all convenient speed restore the whole residue of the said lands and tenements, impropriations and appropriate tithes excepted, unto the said lord Dunfany and his heirs: the respective adventurers or souldiers, their heirs or assigns now in possession thereof, or claiming the same, being first satisfied their respective shares and proportions, and for their several and respective improvements which will be due to them by the rules of this act; and from and after such restitution so made as aforesaid, the said Patrick lord baron of Dunfany, shall hold and enjoy to him, his heirs and assigns, all and singular the lands and tenements so restored; any thing in this or the former act contained to the contrary notwithstanding.

Eliz. Massam's title to 1000 acres in Slane to be examined, and if good, allotted to her, tho' not in possession 7 May, 1659,

if Sir Robert Forth's title thereto found good, satisfaction to be made as for other adventurers.

CXXXVII. And whereas one thousand acres of forfeited lands in the barony of Slane, were heretofore set out in satisfaction of an adventure of six hundred pounds advanced by Sir William Massam, baronet, deceased, and, as is alleged, was possessed accordingly until about Michaelmas in the year one thousand six hundred fifty and eight, at which time the said Sir William Massam being dead, and the interest to the said adventure being come unto Elizabeth Massam, the widow and relict of William Massam, esq; son and heir of the said Sir William, and then deceased; also Sir Robert Forth, knight, pretending some interest in the said lands, got possession thereof by an execution or executions issued upon a judgment or judgments in an action of ejectment, being, as is alleged, surreptitiously obtained without any due notice or legal proceedings, the said Elizabeth, by reason thereof having no possessions upon the seventh of May one thousand six hundred and fifty nine, could claim no benefit of confirmation by the said former act, and it is much to be doubted whether she could demand any satisfaction as a deficient adventurer, the lot being once set out and enjoyed: for remedy whereof, be it enacted by the authority aforesaid, That the commissioners for the execution of this act shall forthwith examine the truth of the allegations aforesaid, and if they shall find the possession of the premises to have been wrongfully taken from the said Elizabeth Massam, they shall cause the said Elizabeth Massam to be put into possession thereof; and the said Elizabeth

Massam

Maffam shall hold the same to her and her heirs, as fully as any other adventurer by this act ought to do, until the commissioners for execution of this act shall set out and allot to her and her heirs so much thereof as they shall adjudge to amount to her proportion; and if the said commissioners shall find the said Sir Robert Forths title to possess the said lands to be good and valid, then they shall set forth such satisfaction of land for the said adventure, as shall be according to the rules and proportions limited for other adventurers by this act, and letters patents shall be thereof granted to the said Elizabeth, and the said Elizabeth shall enjoy the same to her and her heirs and assigns accordingly; any thing in this or the former act to the contrary notwithstanding.

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CXXXVIII. And whereas Captain John Wakeham and lieutenant Richard Wakeham were seized or possessed, before the seventh of May one thousand six hundred fifty and nine, of certain lands set out to them in satisfaction of their arrears, and were thereof put out and dispossessed before the said seventh of May, by virtue of an extent: be it therefore enacted by the authority aforesaid, that the commissioners for execution of this act shall set out and allot to the said John Wakeham and Richard Wakeham, their heirs and assigns, so much forfeited and undisposed land, as may be equal in quantity of acres unto two full third parts of the lands whereof they were so possessed, as fully and amply as if they had been thereof possessed upon the seventh of May one thousand six hundred fifty and nine; any thing in this or the former act contained to the contrary notwithstanding.

John and Rich. Wakeham, dispossessed before 7 May 1659, by an extent, to have two thirds in other lands.

CXXXIX. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall restore unto James Reynold of Loghscurr in the county of Lestrin, esq; and his heirs, the possession of all and singular the lands, tenements and hereditaments, which the father of the said James Reynolds, or any other person to his use, or in trust for him, were seized or possessed upon the two and twentieth of October one thousand six hundred forty and one, or at any time since; the respective adventurers or souldiers, their heirs or assigns now in possession thereof, or claiming the same, being first satisfied their respective shares and proportions, and for their several and respective improvements which will be to them by the rules of this act; and from and after such restitution so made as aforesaid, the said James Reynolds shall hold and enjoy to him, his heirs and assigns, all and singular the lands and tenements so restored; any thing in this or the former act contained to the contrary notwithstanding.

James Reynold restored after satisfaction to the adventurers or souldiers.



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The King's  
title by es-  
cheat to es-  
tate of Con  
O Rourk in  
Leitrim saved.

CXL. And be it further explained and enacted by the authority aforesaid, That nothing in this or the said former act contained shall any way extend to barr any right or title of escheat, which his Majesty hath unto the lands, tenements and hereditaments of Con O Rourk in the county of Leitrim, lately deceased without heirs, and which is found by inquisition now remaining upon record in his Majesties high court of Chancery; but that his Majesties right and title thereunto by escheat as aforesaid be fully saved and preserved unto his Majesty, his heirs and successors; any seizure or sequestration of the premises, or any part thereof, upon the account of the said late rebellion or warr, or any other matter or thing in this or the said former act contained to the contrary notwithstanding.

Mary Cogh-  
lan to be satis-  
fied for her  
jointure, after  
all English in-  
terests satis-  
fied.

CXLI. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall out of such forfeited lands as shall remain undisposed, after all the English interests herein provided for shall be satisfied, set out and allot unto Mary Coghlan, widow, the relict of Terence Coghlan of Kilcolgan in the King's county, esq; deceased, so much land as shall be of like yearly value as the lands, which she the said Mary Coghlan formerly held or ought to have held for her jointure; to be held and enjoyed by the said Mary Coghlan during her life, any thing herein before contained to the contrary notwithstanding.

Like clause  
for lady Slane.

CXLII. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall out of such forfeited lands as shall remain undisposed, after all the English interests herein provided for shall be satisfied, set out and allot unto Anne, lady dowager of Slane, so much lands as shall be of like yearly value as the lands she formerly held or ought to have held for her jointure, as widow and relict of the lord Delvin her former husband; to be held and enjoyed by the said lady dowager of Slane during her life, any thing herein before contained to the contrary notwithstanding.

John Tal-  
bot of Mala-  
hyde restored.

CXLIII. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act do forthwith restore to John Talbot of Malahyde, all and singular the lands, tenements, and hereditaments in the county of Dublin, which he the said John Talbot held and enjoyed upon the two and twentieth day of October one thousand six hundred forty and one, or at any time since; such person or persons who purchased the same of and from Susannah Bastwick or her children, or their assigns, being first satisfied out of the forfeited lands undisposed by this act, by an allotment of so many profitable acres as may be equal in value, worth, and purchase to the lands so to be restored,

The pur-  
chasers from  
Sus Bastwick  
being first sa-  
tisfied out of  
forfeited lands  
undisposed.

stored; and after such restitution so made as aforesaid, the said John Talbot shall hold and enjoy, to him and his heirs, all and singular the lands, tenements and hereditaments so restored, but subject to quit-rents; any thing in this or the said former act contained to the contrary notwithstanding.

A. D. 1665. Chap. 2. subject to quit-rent.

CXLIV. And be it further enacted by the authority aforesaid, That Sir George Harbert of Dorrow in the King's county, knight and baronet, shall, by the commissioners for execution of this act, be forthwith restored unto, and placed in the present actual possession of, all and singular the lands, tenements, and all other hereditaments, right, title, and interest whatsoever in the said kingdom of Ireland, which he the said Sir George Harbert, or his uncle Sir Jasper Harbert, deceased, 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 of October one thousand six hundred forty and one, or at any time since; the respective adventurers or souldiers, their heirs or assigns now in possession thereof, claiming the same, being first satisfied their respective shares and proportions, and for their several and respective improvements which will be due to them by the rules of this act, and from and after such restitution so made as aforesaid, shall hold and enjoy all and singular the lands, tenements, and hereditaments so to be restored unto him and his heirs, by such tenures, rents and services, and no other, (tenures in *capite* or by knights service excepted) as the same were held by on the said two and twentieth day of October one thousand six hundred forty and one; any thing in this or the said former act contained to the contrary notwithstanding.

Sir G. Harbert restored, after satisfaction to adventurers or souldiers in possession.

CXLV. And be it further enacted by the authority aforesaid, That Sir Henry Tichborne, knight, shall hold and enjoy to him and his heirs all and singular the lands, tenements and hereditaments, which were set forth unto him in recompence and satisfaction of money, and other provisions, by him furnished for relief of the army in Ireland, between the years one thousand six hundred forty and one and one thousand six hundred forty and three, which have not been decreed away by the commissioners for execution of the said former act; and that the commissioners for execution of this present act, shall, out of the forfeited lands which shall remain undisposed by this act to adventurers or souldiers, set out and allot unto the said Sir Henry Tichborne so many acres of profitable land as may be equal in quantity to the lands so decreed away, to be held and enjoyed by the said Sir Henry Tichborne and his heires, and that like effectual letters patents shall be thereof granted; any thing in this or the said former act to the contrary notwithstanding.

Sir H. Tichborne confirmed in lands set forth to him for his disbursements to the army between 1641 & 1643.

except what decreed away, for which he is to be satisfied out of forfeitures undisposed,

and to have letters patent.



A. D. 1665. CXLVI. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall, out of such forfeited lands as shall remain undisposed, set out and allot unto Mabel countess dowager of Fingall so much lands as shall be of like yearly value as the lands which she the said countess dowager of Fingall formerly held, or ought to have held, for her jointure; to be held and enjoyed by her the said countess dowager of Fingall for and during the term of her life, any thing herein before contained to the contrary notwithstanding.

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Lady Fingal to be satisfied, out of forfeitures undisposed, for her jointure.

Samuel Avery's adventure in Limerick vested in the King, (so far as not decreed away) in discharge of an Exchequer debt of 10000l. excepted out of the act of indemnity, 12 C. 2. 11 Eng.

CXLVII. And whereas Samuel Avery late of London, alderman, was in his life time an adventurer for lands in Ireland, and did subscribe and pay in the sum of one thousand one hundred pounds or thereabouts; the satisfaction of which adventure was afterwards set out and allotted unto him, the said Samuel Avery, in the barony of Conello and county of Limerick, who notwithstanding such allotment quitted the possession of his own lot, and entered upon the lot of Sir Charles Lloyd, baronet, another adventurer, satisfied in part within the same barony of Conello; which lot continued in the possession of the said Samuel Avery, his heirs and assigns, until the same was lately restored unto the said Sir Charles Lloyd: and whereas the said Samuel Avery did also in his life time contract and agree with the late usurpers in England for the farm or receipt of certain customs or impositions upon merchandize exported or imported, then and there usually paid, and upon such his contract and undertaking became indebted and stood charged and chargeable with the sum of ten thousand pounds or thereabouts, as in and by the records thereof remaining in the court of Exchequer in England more fully appears; which said debt and duty stands excepted out of the act of Parliament passed in England, entituled, *An Act of free and general pardon, indemnity and oblivion*, and remains vested in his Majesty, and is still unsatisfied, no lands or tenements, goods or chattells of the said Samuel Avery, whereupon the said debt might be levied, being to be found in England, and the whole adventure of the said Samuel Avery, and the lands therefore set out in the said barony of Conello, although no defalcation thereof be made, are too little to satisfy the said debt so long behind and unpaid: to the end therefore that full satisfaction may be made unto his Majesty for his said debt as farr as by the said adventure is possible; be it enacted by the authority aforesaid, That all and singular the lands, tenements and hereditaments in the barony of Conello, set out and allotted unto the said Samuel Avery as aforesaid, not already decreed away by the commissioners for execution of the said former act, into whose hands soever the same be come by any right or title derived by, from, or under the said Samuel

Samuel Avery, his heirs or assigns, shall remain and continue vested in his Majesty, his heirs and successors, in satisfaction and discharge of the said debt; and if any part of the said lands have been decreed away by the commissioners for execution of the said former act, the commissioners for execution of this act shall forthwith assigne unto his Majesty by deed under their hands and seals, to be enrolled in Chancery, so much more as may be equal in quantity and number of acres to the lands so decreed away; which lands so assigned shall be and are hereby vested in his Majesty, his heirs and successors, and discharged of the uses or trusts in this or the said former act expressed; any thing in this or the said former act, or any other act, matter, or thing to the contrary notwithstanding.

CXLVIII. And be it further enacted by the authority aforesaid, That the fifty four persons hereinafter named, that is to say, the earl of Westmeath, the lord vice-count Ikerryn, the lord baron of Dunboyne, the lord baron of Trymletstown, the lord baron of Upper Ossory, the lord Bermingham baron of Athunrey, colonel Richard Butler, Sir Richard Barnwell baronet, Sir Redmund Everard baronet, Sir Dermott O Shagnussey knight, Master Edmond Fitz Gerald of Ballymalo, master Thomas Butler of Killcomell, master ——— Macnemara of Crevagh, master David Power of Kilbolane, master Donnogh O Callaghan of Clonmeen, master Barnard Talbot of Rathdown, Conly Geoghagan of Donore, who were mentioned amongst the thirty eight persons in his Majesties late gracious declaration, and were restored after reprizals set out, and for whom no provision hath yet been made; and also the heirs of Sir Lucas Dillon, knight; the heirs of Sir Vallentine Blake, baronet; Sir Robert Talbott, knight; Sir Richard Blake, knight; doctor Gerrard Fennel, Geoffry Brown, John Brown of the Neale, John Walsh, Thomas Terril, Edmund Dillon, Francis Coghlan of Kilcolgan in the King's county, Robert Nugent of Cartlanstown, Sir John Bourke of Derry Maclaghney, Thomas Arthur, esq; doctor in physick; Gerald Fleming of Castle-Fleming, and Bartholomew Stackpoole, esquires; who were also mentioned in the said former act to be restored to their former estates as aforesaid, and for whom no provision hath yet been made; and also the lord baron of Brittas, master Tute, son to Andrew Boy Tute of Cullamore, in the county of Westmeath, esq; master ——— Walsh, heir of David Walsh of Baly-beaghan in the county of Tipperary, esq; Sir Edmund Bourke, baronet, son of Sir Ulick Bourke of Gliusk in the county of Roscommon, baronet, deceased; Sir Thomas Esmond, baronet; Sir Lucas Dowdall, knight, son of Lawrence Dowdall of Athlumney in the county of Meath, esq; master ——— Walsh, heir of Walter Walsh of Castle Hoyle

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if any part  
decreed away,  
an equal quan-  
tity to be  
vested in the  
King.

54 persons  
named to be  
restored to  
their princi-  
pal seats, and  
2000 acres  
adjoining.



A. D. 1665. Chap. 2. in the county of Kilkenny, esq; Edward Wall of Ballinikill in the county of Catherlagh, esq; master ——— Butler, son of Theobald Butler, son of James Butler of Derry-Luscan in the county of Tipperary, esq; James Tobyne of Killaghee in the county of Tipperary, esq; Richard Butler of Ballinikill in the county of Tipperary, esq; Philip Purcell of Ballyfoyle in the county of Kilkenny, esq; Sir Edmund Fitz Gerald of Clanlish in the county of Limerick, baronet; Peirce Walsh of Abbey-Owhney in the county of Limerick, esq; John Power of Doneile in the county of Waterford, esq; Peirce Power of Money-Largy in the county of Waterford, esq; William Brabazon, the heir of Anthony Brabazon of Balinallo in the county of Roscommon, esq; Daniel O'Brien of Dnogh in the county of Clare, esq; lord vice-count Iveagh; Sir Edward Fitz Harris of Clogh-Notefoy, in the county of Limerick, baronet; John Cantwell of Mokarky in the county of Tipperary, esq; and their heirs and assignes, shall, by the commissioners for execution of this act, be restored unto their severall and respective principal seats, that is to say, unto their severall and respective principal messuages, houses or castles, (Kilmedan and the lands thereunto belonging excepted) or in case they have severall messuages, houses or castles, to such of their severall messuages, houses or castles (Kilmedan and the land thereunto belonging excepted) as they shall respectively choose within two months after the first sitting of the commissioners for execution of this act, and unto two thousand acres of land thereunto adjoining, if they or any of them, their or any of their ancestors, or any other in trust for them, or any of them, or to their or any of their use, were seized or possessed of so much upon the twenty second of October one thousand six hundred forty and one, and were thereunto lawfully and rightfully intituled; and in case they or any of them, their or any of their ancestors, or any other in trust for them or any of them, or to their use, were not seized or possessed upon the two and twentieth of October one thousand six hundred forty and one, of two thousand acres as aforesaid, then unto so much thereof as they were seized or possessed of as aforesaid, and which lyes contiguous to their respective principal seats; and if any of the four and fifty persons herein before named shall be found to be in possession of any messuage and lands thereunto adjoining, which to them or any of them did rightfully belong upon the said twenty second day of October one thousand six hundred forty and one, and the lands so possessed shall be found to exceed the quantity of two thousand acres, it shall and may be lawful to and for the lord lieutenant, or other chief governour or governours of Ireland and council there for the time being, to cause so much thereof as shall exceed the quantity of two thousand acres, to be retrenched

if they have severall houses, &c. to such as they shall chuse in 2 months,

if lawfully intituled to so much 22 Oct. 1641,

if not seized of 2000, to so much as they were seized of, contiguous to their seats,

if in possession of more than 2000, the surplus retrenched, and vested in the King, to uses of this act.

retrenched and cut off in such way and manner as they shall think fit, and the land so retrencht, shall remain and be vested in his Majesty, to the end that the same may be further disposed to the uses of this act.

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CXLIX. And for the better support of such of the fifty four persons herein before named, who shall not have two thousand acres near adjoining and lying contiguous unto his and their respective seats to which they are to be restored, or having two thousand acres shall not be thought to be thereby sufficiently provided for, it is further declared and enacted, That it shall and may be lawfull to and for the lord lieutenant, or other chief governour and governours of Ireland and council there for the time being, upon due consideration had of the severall and respective cases and merits of the persons aforesaid, to direct and appoint the commissioners for execution of this act to set out and allot, or cause to be set out and allotted, unto any of the persons aforesaid, or their heirs, so much of the forfeited lands, which shall remain undisposed after the severall protestant interests herein before provided for shall be satisfied, as the said lord lieutenant or other chief governour or governours and council shall think fit.

Those not sufficiently provided for shall have allotted to them by chief governours and council so much of undisposed forfeitures, after protestant interests provided for as on consideration of their respective cases and merits thought fit.

CL. Provided alwayes that nothing herein contained shall extend to restore or intitule the said Sir Thomas Esmond, baronet, to the possession of any messuages, manors lands, tenements or hereditaments, whereof George duke of Albemarle is now in possession by himself, or his under-tenants, or any ways intituled thereunto; but that the same shall be held and enjoyed by the said George duke of Albemarle, his heirs and assigns; any thing herein before contained to the contrary in any wise notwithstanding.

Sir Thomas Esmond not to be restored to what in possession of duke of Albemarle.

CLI. Provided also, that if any person or persons shall, within the space of six monthes next after the royal assent to this bill actually given, allege, before the lord lieutenant or other chief governour or governours of Ireland and council there, that the said Sir Edward Fitz Harris hath committed any massacre, murder, or other such like heynous crime, or cruelty upon the persons of any of his Majesties good subjects, and shall prove the same by such witnesses, or other evidence, as the said lord lieutenant or other chief governour or governours and council there shall think good proof, that then and in such case it shall and may be lawfull to and for the said lord lieutenant, or other chief governour or governours and council there, by order of the council, to declare and adjudge him the said Sir Edward Fitz Harris to be guilty of the crime or cruelty so alleged and proved as aforesaid, and upon such declaration

If in six months after royal assent Sir Edward Fitz Harris proved and adjudged guilty of massacre, murder or other cruelty incapable of benefit by this act.



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and judgment the said Sir Edward Fitz Harris and his heirs shall be and are hereby made incapable of any benefit or advantage in and by this present act given, or of any restitution as aforesaid, but shall remaine and be, to all intents and purposes, in the same plight and condition as he or they would have been, if the said Sir Edward Fitz Harris had not been named in this present act; any thing herein before contained to the contrary in any wise notwithstanding.

Those removed for the restitution of said 54 persons to be first satisfied in other forfeitures of equal value.

CLII. And it is further enacted, That all and every the adventurers, souldiers and commissioned officers, who served before the fifth of June one thousand six hundred forty and nine, their heirs and assigns, who are to be removed to make way for the restitution of the four and fifty persons herein before named, or any of them, shall be first satisfied by some other forfeited lands, to be set out and allotted to them by the commissioners for execution of this act, equal in value, worth and purchase, to the messuages, lands, tenements and hereditaments from whence they are to be removed; and all and every the protestant purchasers in Conaught and Clare shall be first satisfied by an allotment of land equal in value unto the lands, from whence they are to be removed.

And also protestant purchasers in Conaught and Clare.

CLIII. And be it further enacted and declared by the authority aforesaid, That where any person or persons, now in the possession of any messuages, lands, tenements, or hereditaments, ought to be reprized for the same, and, after reprizals first set out, to be removed thence, to make way for the restitution of any of the fifty four persons herein before named, their heirs or assigns, or for the restitution of any other person or persons herein before or after mentioned, who by the rules of this act is made restorable after previous reprizals, that there and in such case it shall and may be lawful to and for all and every the person or persons, so as aforesaid appointed to be removed, to have, receive, and keep the rents, issues, and profits of all and singular the messuages, lands, tenements and hereditaments, whereof they are now in possession, to their own use and behoof, without any accompt to be therefore made or rendered, until the commissioners for execution of this act shall have set out and allotted unto the person or persons, so as aforesaid appointed to be removed, such forfeited lands, by way of reprizal, as they shall adjudge to be due to them by the rules of this act; and all and every person and persons, who, after reprizals, set out and allotted by the commissioners, shall refuse to accept of such reprizals, and shall detain and keep the possession of the lands from which they ought to be removed, shall account for and pay unto the person who ought to

Persons to be reprized before removal, not accountable for the profits till reprizal set out, unless they refuse to accept thereof and detain possession.

to be restored, all the rents and profits received from the time of setting out such reprints, until the restorable person shall be put into actual possession of the same; any thing herein before or after contained to the contrary notwithstanding.

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CLIV. And be it further enacted, That all and every the leases which have been made *bona fide* of any the lands or tenements, which by virtue of any clause in this act are to be restored, shall be held and enjoyed by the several and respective tenants during their respective leases, they paying the rents and services thereupon reserved, and performing the covenants and agreements therein contained unto the person or persons, to whom the reversion thereof shall appertain; but if such leases have been made in consideration of a fine paid, and by reason thereof a lesser rent hath been reserved than otherwise the premises were worth to be let, then the person to be removed shall pay or cause to be paid, unto the person to be restored, the said fine, and shall be satisfied for such fine so paid by such an allotment of so much other forfeited lands as after the rate of eight years purchase may be equivalent thereunto; and it is further declared, that no restitution made unto any of the persons herein before named, (the restitution of Francis lord Bermingham baron of Athlunry excepted) shall any way extend to alter or diminish the right which the officers, who served before the fifth of June one thousand six hundred forty and nine, can or may claim, by virtue of this or the said former act, to the benefit arising from the redemption of mortgages, statutes staple, and judgments which do or may incur the premises so to be restored; nevertheless the four and fifty persons so as aforesaid to be restored, their heirs and assigns (the lord Bermingham excepted) shall have full power and authority, at any time within the space of two years next after the royal assent to this bill given, to redeem all and every the mortgages, statutes, and judgments which have been entered into by any forfeiting person or persons not decreed innocent, and do incur the premises; so as the moneys thereupon due and owing for such part of the incumbrances as are within the security set apart for the commissioned officers, who served before the fifth of June one thousand six hundred forty and nine, be paid and satisfied unto their use; the payment whereof shall be and is hereby declared a sufficient discharge of such incumbrance; and no possession is to be delivered of the premises until the respective forfeited incumbrances thereupon lying be paid and satisfied as aforesaid; and all and every the mortgages, statutes, and judgments which have been entered into to any forfeiting person or persons not declared innocent,

*Leases bona fide made of land to be restored, confirmed.*

But if a fine taken, and less rent reserved, the fine to be paid to the person restored by him removed, to be satisfied out of other forfeitures at eight years purchase.

No restitution to the persons named (lord Bermingham excepted) shall alter the right of officers before 1649 to benefit of incumbrances.

But said 54 persons may redeem in two years said incumbrances, so as the money paid to use of said officers.

Possession not to be delivered till incumbrances satisfied.



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Incumbrances on lord Bermingham's part shall be extinguished, and the officers satisfied out of other forfeitures.

Protestants removed in satisfaction of improvements may have leases for 3 lives or 21 years at moderate rent, not above three fourths of the true value,

except for a capital messuage, for which they shall have such lease or full value in money, upon refusal they may re-enter and retain till so done.

Commissioners to be appointed for settling differences as to the value or improvements.

Said 54. not to be restored to impropriation or glebe lands.

and do' incumber the premises or any part thereof herein before appointed to be restored unto the said Francis lord Bermingham, baron of Athlunry, shall be and are hereby released, barred, discharged and extinguished; and the commissioners for execution of this act are to set out so much other forfeited land as may be sufficient to satisfy the officers who served before June one thousand six hundred forty and nine, for the several forfeited incumbrances within their security and extinguished as aforesaid.

CLV. And to the end that the protestants, who, upon or since the seventh of May one thousand six hundred fifty nine, have been in the actual possession of any messuages or lands which by virtue of this act shall be restored or given unto any person or persons herein before or after named, may not wholly lose the benefit and charges of their respective improvements; be it further enacted by the authority aforesaid, That all and every the protestants so to be removed shall be and are hereby enabled to demand, and shall upon their requests have, leases made to them of all and singular the messuages and lands in their manual occupations, for three lives, or one and twenty years, at a moderate rent, not exceeding three fourths of the true value of the lands, in satisfaction of their improvements, except it be a capital messuage, and then the party to be restored shall either make such lease as aforesaid, or pay unto the person to be removed, in ready money, the full value of such improvements; and in case of default or refusal to make such lease as aforesaid upon request, or to give such satisfaction in money, shall be and are hereby enabled to re-enter, and to retain the said lands, until such lease made or satisfaction given as aforesaid; and to the end there may not be any difference touching the values of the lands so to be demised, or of the improvements to be satisfied as aforesaid, the lord lieutenant, or other chief governour or governours and council for the time being, are hereby enabled, upon the petition of the parties concerned, to appoint such commissioners from time to time as they shall think fit to settle the difference aforesaid.

CLVI. Provided always and it is enacted, That nothing herein contained shall enable any of the four and fifty persons herein before mentioned to demand or have, or to be restored unto, any impropriations or appropriate tythes, or to any glebe lands parcel of any rectory impropriate, but that the same shall remain and be to such uses, as they would have been by this and the said former act, if the said fifty and four persons, or any

of

of them, had not been named; any thing herein contained to the contrary notwithstanding.

CLVII. And be it further enacted by the authority aforesaid, That those, who were in possession of any lands or houses upon the two and twentieth day of August one thousand six hundred sixty and three, to which they were restored by virtue of any his Majesties letters, if they or any of them, their or any of their ancestors, or any other in trust for them, or any of them, were thereof seized or possessed upon the twenty second of October one thousand six hundred forty and one, and thereunto rightfully intitled, and are not otherwise provided for by this act, shall by the commissioners for execution of this act be restored unto and put in possession of such houses, and so much of the lands lying contiguous and thereunto adjoining, as shall not exceed the quantity of two thousand acres; in the doing whereof the commissioners are to proceed by the same rules, orders and directions, and in like manner and form, as they ought to proceed in the settlement and restitution of any of the four and fifty persons herein before named, and not otherwise.

CLVIII. And be it further enacted by the authority aforesaid, That nothing in the said act former act, or in this present act, herein before or after contained shall be understood to give, restore, or confirm to any Irish papist or popish recusant, or any other person seized or possessed in trust for any such Irish papist or popish recusant, any advowson or right of patronage of or in any ecclesiastical benefice or promotion, or any right of nomination, presentation or collation to, or donation, of any such ecclesiastical benefice or promotion; but that all and every such advowsons and rights of patronage, and the rights of nomination, presentation or collation to, or donation of any such ecclesiastical benefice or promotion, but that all and every such advowsons and rights of patronage, and the rights of nomination, presentation, donation or collation of or to any such ecclesiastical benefice or promotion, shall vest, remain, and continue, and so are hereby adjudged to rest, remain, and continue in his Majestie, his heirs and successors, untill such Irish papist or popish recusant, or the right heir of such papist or recusant shall come to church, and receive the sacrament according to the rights of the Church of England, and from and after such conformity shall be again revested in the person so conforming, and his heirs; any thing in this or the said former act contained to the contrary notwithstanding.

CLIX. And be it further enacted by the authority aforesaid, That Sir Edward Smith knight, chief justice of his Majestie's court of Common Pleas, Sir Edward Dering baronet,

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Persons restored by King's letters, if rightfully possessed 22d Oct. 1641, and not otherwise provided for by the act, shall be put in possession of houses and 2000 acres contiguous in like manner as the 54.

Papists not to have advowsons, presentation to benefices, &c. which shall be vested in the King till conformity.

Commissioners named.



A. D. 1665. Chap. 2. Sir Allen Broderick, Sir William Churchill, knights, and Edward Cooke esq; and such others as upon the death or removal of them, or any of them, shall be appointed by his Majesty from time to time, shall be commissioners, and that they, or any three or more of them, shall have power to put in execution all and every the matters of this present act, and of the said former act, which remain still in force, and are directed to be done by commissioners, or are not particularly entrusted to some others by the said acts, and that they and every of them shall, before they act any thing in execution of the said commission, take an oath before the lord chancellor or lord keeper of the great seale of Ireland, or before the lord chief justice of his Majesty's court of chief place, or the lord chief justice of his Majesty's court of common pleas, or before the lord chief baron of his Majesty's court of Exchequer, for the time being, which oath they or any of them have hereby power to administer, as there shall be occasion, in these words following;

Their oath. *You shall swear, that you shall to the best of your skill and knowledge, truly and impartially execute the place and duty of a commissioner for putting in execution an act, intituled, [An act for the explaining of some doubts arising upon an act, intituled, An Act for the better execution of his Majesty's gracious declaration for the settlement of his kingdom of Ireland, and satisfaction of the several interests of adventurers, souldiers, and other his subjects there, and for making some alterations of, and additions unto the said act, for the more speedy and effectual settlement of the said kingdom:] and of so much as is still in force, and remains to be executed, of an other act, intituled [An act for the better execution of his Majesty's gracious declaration for the settlement of his 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, and therein you shall spare no person for favour and affection, nor any person grieve for hatred or ill will.*

*So help you God.*

Commissioners within two years to acquaint chief governors and council of doubts or defects in the act.

whose explanation and direction made in the two years, and enrolled in chancery, shall be binding.

And that in all cases which shall happen before the commissioners within the space of two years next after their first sitting, wherein the construction of this or the said former act shall appear doubtful to them, or that the act it self shall be found defective in some points necessary for the carrying on of the intended final settlement, and not clearly enough determined and provided for by this act, the commissioners, or any three or more of them, shall and may, by writing under their hands and

seals, acquaint the lord lieutenant, or other chief governour and governours of Ireland and council there for the time being with their proceedings and the doubts arising thereupon, and the defects appearing in this present act; and such order of amendment, enlargement of periods, explanation or direction, as shall be thereupon made by the lord lieutenant or other chief governour or governours and council, by act of council in writing, for the better and more easy execution of this act, and for promoting the ends thereof onely, shall be as binding to the commissioners and all other persons, and effectual, as if the same had been part of this present act; so alwayes that the said act and acts of council be made within the said two years, and inrolled in the high court of chancery.

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CLX. And be it further enacted by the authority aforesaid, That the time and space of two years, to be computed from the day of the first sitting of the commissioners for execution of this act, shall be and is hereby allotted unto the said commissioners for putting this act in execution, and for performance of the several matters and things hereby intrusted to them; and in case the same shall not then be finished, it shall and may be lawfull for the lord lieutenant, or other chief governour or governours of Ireland and council there for the time being, to enlarge the time for the ends and purposes aforesaid, to such other and further periods as they by any act of council, and inrolled in the chancery of Ireland, shall think fit to declare, so as such enlargement of time exceed not the space of one year from the expiration of the two former yeares; and that such order, as to the enlarging of periods of time, shall be as good and effectual in law, as if it had been particularly expressed and enacted by these presents.

And who may enlarge the time for executing this act one year from the expiration of two former years allowed the commissioners.

CLXI. And be it further enacted by the authority aforesaid, That all sheriffs, mayors, bayliffs, and all other officers and ministers of justice, shall well and truly execute all orders and decrees to be made by the said commissioners, or cause the same to be executed, and shall also from time to time obey and execute all such precepts, warrants or other commands, as by the said commissioners to them or any of them shall be directed; and that the commissioners shall have such like power of proceeding in the cases of contempts and misdemeanours committed in open court, or of willful neglect or disobedience, as any of the four courts at Dublin do or may lawfully use.

Sheriffs, &c. to execute orders of commissioners.

who may proceed as the Four Courts, in case of disobedience or contempt in court.

CLXII. And be it further enacted by the authority aforesaid, That in all suites and proceedings at law, wherein the authority of this act may any way avails the tenant or defendant in such suite, it shall and may be lawfull to and for such tenant or defendant to plead the general issue, and to give this

Defendants may plead general issue, and give this act in evidence.



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and have double costs if a nonsuit, or verdict for defendants.

Fees for commissioners and sub-commissioners 2*d*. every profitable acre set out, &c. and such other as chief governor and council appoints.

act and the proceedings thereupon in evidence; and if upon the tryall a verdict pass, or upon demurrer judgment be given, for the tenant or defendant, or the plaintiff or demandant be nonsuit, that in all and every such case the party or parties tenants or defendants shall recover his or their double costs and damages.

CLXIII. And be it further enacted and ordained by the authority aforesaid, That the commissioners, appointed or to be appointed by his Majesty for the execution of this present act, shall and may receive for themselves and for the sub-commissioners, which they shall choose to attend and assist them therein, the fees hereafter mentioned, and no other; that is to say, two pence for every profitable English acre, which by any sentence, judgement or decree hereafter to be made by the said commissioners, shall be granted, assigned, set out, restored or confirmed to any adventurer, souldier, old proprietor or other Irish papist, or to any patentee or grantee, or any other person or persons, bodies politick or corporate whatsoever, in pursuance of any part of this present act, or of the said former act, or of any proviso or grant therein made, or by the same or these presents ratified or confirmed, and such other fees, salaries and rewards, for and in recompence of their pains and endeavours in the execution of such other parts of this and the said former act which are intrusted to them, as the lord lieutenant, or other chief governour and governours of this kingdom for the time being, and the council shall think fit and appoint.

John Paine, notwithstanding his acceptance of 100*l*. for his subsistence in the time of the usurpers, shall have full satisfaction for his arrears before 1649, with the other officers.

CLXIV. Be it hereby further provided and enacted by this present Parliament, and by authority of the same, That no prejudice or damage whatsoever shall arise to or befall John Paine esq; for or by reason or in respect of his being necessitated to accept of an hundred pounds or thereabouts, in the time of the late usurpers, for the present subsistence of himself and family then residing in Dublin, but that as to his full arrears, due before the fifth of June one thousand six hundred and forty nine for service in Ireland, the said John Paine, his heirs and assignes, shall be admitted to have, ask, demand, and receive as full and ample satisfaction for the same, out of the security by this act set apart for satisfying the arrears of the commissioned officers before the fifth of June one thousand six hundred and forty nine, to all intents and purposes as if he were to that end named and provided for, and saved in his Majesties 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 and forty nine, and hath hitherto received no part of satisfaction for such his service,

service, shall, may, or ought to receive; any clause, article, matter or thing whatsoever in this present act, or any other act mentioned or contained to the contrary thereof notwithstanding.

CLXV. Provided alwayes, and be it further enacted, That all arrears of pay grown due before the fifth day of June in the year one thousand six hundred and forty nine, for which Sir Thomas Gifford baronet, deceased, was to have received satisfaction in case he had now been living, shall be satisfied unto Dame Martha Gifford, the relict and sole administratrix of the said Sir Thomas Gifford, her heirs and assignes, in such and the same manner as the same should or ought to have been satisfied to the said Sir Thomas Gifford; any thing in the aforesaid act or this present act contained, or any other matter or thing, to the contrary notwithstanding.

CLXVI. And whereas in and by the said former act, the manor, castle, town and lands of St. Woolstownes, *alias* Allens Court, were intended to be settled upon Hugh earl of Mount-Alexander and his heirs, with benefit of reprisal in case of restitution, as adventurers by the said former act ought to have had, as in and by the said former act more at large appears; since which time the commissioners for execution of the said former act have by their decree adjudged James Allen to be innocent, and restored the said lands to the said James Allen and his heirs, against which decree and appeal was made to his Majesty by a petition exhibited by William Montgomery esq; on the behalf of the now earl of Mount-Alexander an infant, son and heir of Hugh late earl of Mount-Alexander; on hearing of which case, and on the defence made by colonel Richard Talbot, to whom part of the lands restored by the said decree were for good and valuable considerations, and by sufficient assurances in law, legally conveyed by the said James Allen, his Majesty thought not fit to alter the said decree, or weaken any of the said assurances: his Majesty is therefore graciously pleased that it may be enacted, and be it enacted by the authority aforesaid, That the commissioners for execution of this act shall set out and allot, or cause to be set out and allotted, unto the now earl of Mount-Alexander, his heirs and assignes, so much other undisposed forfeited lands as may be equal in quantity of acres unto two full third parts of the lands so evicted and recovered by decree as aforesaid; and that letters patents shall be thereof passed in like manner, and shall be of like effect, as any other letters patents granted by virtue of this act are or ought to be.

CLXVII. And whereas in and by certain letters patents passed under the great seal of Ireland, and bearing date the seventh day of March in the twelfth year of the reign of his Majesties royal

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Widow and administratrix of Sir Thomas Gifford to be satisfied for his arrears.

Lord Mount Alexander to be repossessed of St. Woolstan's estate from him upon a decree of innocence of and conveyance by James Allen.

No sequestration or allotment of lands in Wicklow granted



A. D. 1665. Father, the territories and precinct of Feartry in the county of Wicklow, and certain other manners, lands and tenements in the said letters patents contained, were thereby given and granted unto Sir John Coke, knight, and his heirs, his late Majesties principal secretary of estate; and whereas Thomas Coke, late of Grayes-Inn in the county of Middlefex, his Majesties sollicitor General, son of the said Sir John Coke deceased, was in his life time lawfully seized of, or otherwise intituled unto, the said territory and precinct of Feartry and other the lands and tenements in the said letters patents contained, the inheritance whereof, after the death of the said Thomas Coke deceased and did descend and come, or of right ought to have descended, and came unto — Coke an infant, only son and heir of the said Thomas Coke deceased: be it therefore enacted by the authority aforesaid, That no sequestration or allotment of any of the lands or tenements, in the said letters patents contained, to any adventurer or fouldier, shall any way barr or weaken the right or title of him the said — Coke in or to the said lands or tenements, but that he the said — Coke shall and may hold and enjoy the same to him and his heirs, according to the tenor and effect of the said letters patents; any thing in this or the said former act contained to the contrary notwithstanding.

Sir Simon Harcourt's heir to have 400*l*. per ann.

CLXVIII. And whereas in this and the said former act great care is taken of the relief and heirs of Sir Simon Harcourt knight deceased, upon whom his Majesties royal Father did, by letters under his privie signet, appoint that lands of the value of four hundred pounds *per annum*, to be taken out of the forfeited estate of Luke Nettervil, should be settled, part of which estate, together with certain houses in Dublin, were set out accordingly; and the relief and heirs of Sir Simon Harcourt thereof possessed at the time of his Majesties late gracious declaration, and so still are; which lands and houses together are, as is alleaged, still short of the value of four hundred pounds *per annum*, intended to be settled as aforesaid: it is therefore explained and enacted by the authority aforesaid, That it shall and may be lawfull to and for Sir Philip Harcourt, knight, son and heir of Sir Simon Harcourt, knight, to hold and enjoy to him and his heirs, the houses in the city of Dublin, so as aforesaid set out and possessed, so as the houses and lands together do not exceed the value of four hundred pounds *per annum*; any thing in this or the said former act contained to the contrary notwithstanding.

1555 acres in Tipperary and Limerick, set out to Thomas Cunningham and

CLXIX. And whereas Thomas Cunningham and captain Lewis Dick, in the year one thousand six hundred and forty two, pretended to have performed acceptable services against the then rebels in Ireland, by hindering provision coming to them

by

by sea, and by relieving the English garrisons which were in distress, wherein they so far gained belief, as that they obtained from the treasurer for the Irish adventurers an acknowledgement that they paid in seven thousand pounds as money adventured, and for which they likewise had a certificate from the committee of adventurers sitting at Grocers-Hall in London: and howbeit the said Thomas Cunningham and captain Lewis Dick never did any service on the coast of Ireland, according to the said undertaking, nor paid in any money as other adventurers did; yet by colour of the said certificate, there were set out for the said seven thousand pounds the number of fifteen thousand five hundred and fifty five acres of land in the county of Tipperary and Limerick, whereof they the said Thomas Cunningham and captain Lewis Dick, or their assigns, were possessed the seventh of May one thousand six hundred fifty and nine: now, least by the general rule of the present settlement the said number of acres, or two third parts thereof so unduly obtained as aforesaid, should be secured to the said Thomas Cunningham and captain Lewis Dick, or their assigns, his Majesty is graciously pleased that it be enacted, and be it enacted by the authority aforesaid, That the said fifteen thousand five hundred and fifty five acres so set out as aforesaid, for and on pretence of the said seven thousand pounds, shall be, remaine and continue, and are hereby vested in his Majesty, his heirs and successors for ever: provided nevertheless that if the said Thomas Cunningham and captain Lewis Dick, their heirs or assigns, shall within two months after the royal assent shall be actually given to this present bill, make it appear by full and cleare proof before the lord lieutenant, or other chief governour or governours and council of Ireland, that the said adventure-money of seven thousand pounds was really and *bona fide* issued and paid in, pursuant to the severall acts made by his late sacred Majesty for reducing the rebels of Ireland, then they shall have the like benefit and advantage by the said adventure, and out of the said fifteen thousand five hundred and fifty five acres, as other adventurers are to have by virtue of this present act.

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Lewis Dick  
for pretended  
services in  
1647, and  
adventure of  
7000<sup>l</sup>. vested  
in the King,

unless in  
two months  
they prove  
said 7000<sup>l</sup>. to  
have been  
really paid.

CLXX. 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, shall and may assess any sum, not exceeding three pence per acre, in and out of every acre of profitable land of plantation measure, which is by the late court of claims, or shall be, pursuant to this or the former act, decreed or confirmed, or set out or delivered unto any person or persons of the popish religion in this kingdom, and the same to cause to be levied by distress or otherwise, and to be paid unto the re-

Three pence  
for every pro-  
fitable acre set  
out to papists  
to be levied,



A. D. 1665. Chap. 2. Receivers herein after mentioned, to the intent that five thousand pounds be paid to Milo Power, esq; his executors, administrators and assignes, and that the residue may afterwards be issued out unto such of the Roman catholicks of this kingdom, who, as agents or otherwise, since his Majestie's most happy restitution, shall by the lord lieutenant or other chief governour or governours be judged meriting the same, and that in such proportions as the said lord lieutenant or other chief governour or governours shall think fit and direct.

5000<sup>l</sup> there-  
out to Milo  
Power,

Residue to  
such papists,  
as agents, &c.  
as chief go-  
vernors judge  
meriting.

Cary Dillon  
being dispos-  
sessed of lands  
of 350<sup>l</sup>. per  
ann. whereof  
he was pos-  
sessed 7th of  
May 1659,  
confirmed by  
former act, to  
be reprized  
two thirds of  
what he lost,  
with advan-  
tages of  
building, &c.

CLXXI. Whereas colonel Cary Dillon hath been dispossessed of two thousand six hundred and four acres of land, whereof he was possessed the seventh of May one thousand six hundred fifty and nine, as being set out unto him for service in Ireland, and which were confirmed unto him by the said former act, amounting to three hundred and fifty pounds *per annum*; and whereas the late lords justices had, by their two orders bearing date the eighteenth and nineteenth of July one thousand six hundred sixty and two, assigned certain lands in the county of Galway unto the said colonel Cary Dillon for his reprizal of the whole, and also for satisfying of him three hundred and fifty pounds *sterling*, which was one years rent of what he had lost, grown due unto him from the time he had been dispossessed, but the said colonel Dillon received no benefit thereby: be it therefore enacted by the authority aforesaid, That the commissioners appointed to put in execution this act shall forthwith set out and allot unto the said colonel Cary Dillon, his heirs and assignes for ever, one thousand seven hundred and thirty five acres of profitable forfeited lands, of twenty one foot to the perch, being two third parts in quantity of what he hath already lost as a souldier, and that the same do in present yield two full third parts of three hundred and fifty pounds *per annum*, being the value of what he hath lost as aforesaid, with as much convenience of building and other advantages thereon as they can, in regard of the considerableness of the places and buildings from whence he is removed, which shall be granted unto him by like letters patents as any other souldier by this act are to have; and if the said commissioners shall think it necessary that a commission be issued for the inquiry into the value of any lands, castles, tenements or other hereditaments, in order to the setting out of the said reprize, the chancellor, or keeper of the great seal for the time being, are hereby required to issue the same; any thing in this act or the said former act to the contrary notwithstanding.

if necessary,  
the chancel-  
lor to issue  
commission of  
inquiry.

Lord An-  
trim without  
grounds de-  
creed inno-  
cent,

CLXXII. And whereas upon a solemn hearing before his Majesty at his council board in England, upon a petition exhibited by several adventurers and souldiers against Randal lord marquis of Antrim,

Antrim, and against the judgement and decree given by the major part of the late commissioners for execution of the said former act, whereby the said marquis was adjudged innocent, his Majesty, after much time spent in the examination of the case, declared that he saw no cause why the said marquis should be adjudged innocent, much less that the commissioners, not at all considering the proofs which they heard against the said marquis, should lay the whole weight of their judgement upon his Majesty's certificate, the said certificate being onely to declare that the marquis was employed into Ireland to procure what forces he could from thence to be transported into Scotland for his late Majesty's service under the late marquis of Montros, to the end that the conversation of the said marquis of Antrim in the rebels quarters, which was necessary for that service, might not, according to the letter of the former act, render him criminal, if that had been the onely, as it was the least objection against him; and therefore his Majesty resolved that the said marquis of Antrim should undergoe a new tryal; to prevent which, the said marquis of Antrim, by an humble petition to his Majesty, did acknowledge himself guilty, and humbly besought his Majesty, that he might be supported by his mercy, as being not able to support himself by his own innocence: therefore his Majesty is pleased that it may be enacted, and be it enacted by the authority aforesaid, That the said decree, and all and every clause therein contained, shall be and so is hereby declared to be null and void to all intents and purposes, as if the same had never been had or made.

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Chap. 2.

principally upon his Majesty's certificate. Causes of such certificate.

The King intending a new trial, he threw himself on mercy, acknowledging his guilt,

said decree declared void.

CLXXIII. Nevertheless, his Majesty reflecting upon the many services heretofore performed by the said marquis towards his royal Father of blessed memory, and some eminent services done by the said marquis for his Majesty himself, the said marquis having, besides assisting him with arms and ammunition when he was in the west, furnished him with ships to make his escape into forraign parts, when his armies were defeated in the west, and considering that his Majesty's mercy is by this act extended to some who have as much demerited, is graciously pleased that it may be further enacted, and be it further enacted by the authority aforesaid, That the commissioners for execution of this act, shall forthwith, and without staying for any previous reprizall, set out, restore, and allot unto the said marquis of Antrim, or cause to be set out, restored, and allotted unto the said marquis of Antrim, all and singular the honors, manners, castles, messuages, lands, tenements and hereditaments, and all other the estate, right, title and interest, whereof the said Randall lord marquis of Antrim, or any other person in trust for him, or to

But considering his eminent services to the King and his Father, and that mercy has been extended to some who as much demerited,

he shall without previous reprizal be restored to an estate tail.



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Glanarme  
restored to  
Alexander  
Mc Donnell,  
and tithes ex-  
cepted,

Subject to  
debts and in-  
cumbrances,  
22d October  
1641, and to  
leases, &c.  
for creditors,  
by former act,  
and to quit-  
rents.

Adventur-  
ers, &c. re-  
moved, to be  
repaired two  
thirds.

To enable  
lord Antrim  
to pay his  
debts, the re-  
version in fee  
taken out of  
the crown,  
and vested in  
Alexander  
Mc. Donnell.

his use, was seized or possessed on the two and twentieth of October one thousand six hundred forty and one (the lands in the barony of Glanarme herein after mentioned to be restored to Alexander Macdonell, and also all impropriations and appropriate tithes excepted) and that the said marqués of Antrim shall hold and enjoy all and singular the lands, tenements and hereditaments so restored unto him the said marqués of Antrim (except before excepted) and the heirs males of his body begotten; any thing in this or the said former act contained to the contrary notwithstanding: subject nevertheless to such debts and other incumbrances as the same were or ought to have been subject unto upon the said twenty second day of October one thousand six hundred forty and one, and to such leases and estates thereof made for satisfaction of creditors as are provided for in and by the said former act, and to the payment of such further quitrents as any other lands within the same county or province are subject unto; and the commissioners for execution of this act are hereby required, with all convenient speed, to set out and allot unto all and every the adventurers and souldiers, their heirs and assignes, who shall be dispossessed by the restitution of the said marqués, so much other forfeited land as may be sufficient to reprice and satisfy the persons, so to be removed, for their severall and respective two full third parts which will be due to them by the rules of this act.

CLXXIV. And for the better enabling the said marqués of Antrim to pay his debts, when he shall be restored, by sale of land or otherwise, which cannot well be done unlesse the reversion or remainder in fee, expectant upon the said estate tayle, be taken out of the crown: it is therefore enacted by the authority aforesaid, That all and singular the lands and tenements, so as aforesaid appointed to be restored, and all and every the reversion and reversions, remainder and remainders thereof, shall be and are hereby vested and settled in Alexander Mac Donnell, brother of the said marqués, and his heirs, as a remainder in fee expectant upon the death of the said marqués without issue male.

CLXXV. Provided always, and it is hereby enacted, That no fine, recovery, or other act or thing whatsoever to be done or suffered by the said marqués, (other than leases for one and forty years or three lives in possession and not in reversion, whereupon the highest improved rent which the same were let for in the year one thousand six hundred thirty and five, shall be reserved) touching or concerning any the messuages, lands, tenements or hereditaments situate, lying within the barony of Donluce in the county of Antrim, shall any way extend

extend to barr, discontinue, defeat or incumber the remainder thereof intended by this act to be settled upon the said Alexander, but that the said messuages, lands, tenements and hereditaments in the barony of Donluce in the county of Antrim, shall after the death of the said marquis without issue male of his body, remain and be in the said Alexander Mac Donnel and his heirs; any such fine, recovery, or other act or thing done or suffered to the contrary notwithstanding: nevertheless it is hereby declared, that as to all other the lands and tenements, so as aforesaid to be restored, it shall and may be lawful to and for the said marquis, by fine, recovery, or any other way he shall think fit, to bar, discontinue, defeat or incumber the remainder thereof so limited and settled as aforesaid.

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Lord Antrim may bar or incumber the remainder in all said lands, except Donluce, which shall only be incumbered by leases 41 years or 3 lives, in possession, wherean the highest rent as let in 1635 reserved.

CLXXVI. Provided always and it is enacted, That nothing herein contained shall any way extend to restore the said marquis of Antrim to the possession of any lands, which he the said Marquis, or his father, did heretofore grant or convey in fee farm to any forfeiting person or persons not declared innocent, or to the possession of any lands whereof he the said marquis, or his father, did make any lease for lives or years to any forfeiting person or persons not declared innocent, during the lawful continuance of such lease; but that the lands so granted in fee farm, or demised as aforesaid, shall be put into the possession of such person and persons, for and towards the satisfaction of their two third parts, as would have been intitled to the same, if the said decree had not been made, nor the said marquis hereby restored; any thing herein before contained to the contrary notwithstanding; saving to the said marquis and his heirs, the rents and services due and to be due for the premises.

Not to be restored to fee farm or leases to forfeiting persons not declared innocent, which shall go to persons intitled in satisfaction of their two thirds.

Saving lord Antrim's rents and services.

CLXXVII. Provided also that nothing herein contained shall any way extend to bar or hinder Rose lady marquis of Antrim of her right and title of dower of, in, or to any the lands, tenements, or hereditaments so as aforesaid to be restored; but that it shall and may be lawful to and for the said lady marquis, after the death of the said lord marquis her husband, to sue for and recover her dower of the said lands and tenements; any thing in this or the said former act contained to the contrary notwithstanding.

Lady Antrim's dower not barred hereby.

CLXXVIII. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith, and without staying for any previous reprisal, set out, restore and allot, or cause to be set out restored and allotted, unto the said Alexander Mac Donnel and his heirs, all and

Alexander Me. Donnel restored without previous reprisal to Glanarm,



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Tithe excepted. subject to debts, quit rents, and a proportion of rent charge to lady Antrim.

singular the lands, tenements and hereditaments in the barony of Glanarm in the county of Antrim, which were settled or intended to be settled upon him the said Alexander Mac Donnel by his late father, and all other the estate, right, title, and interest whereof he the said Alexander Mac Donnel, or any other in trust for him, was seized or possessed upon the twenty second day of October one thousand six hundred forty and one (impropriations and appropriate tythes excepted) subject to the debts and incumbrances of him the said Alexander Mac Donnel, and such other debts as were thereupon charged by the father of the said Alexander, and lyable to a proportionable part of the rent-charge granted to Alice countess of Antrim, and to such quit-rents as by this act are payable for lands in the same province; any thing in this or the said former act contained to the contrary notwithstanding.

To prevent disturbances, so much shall be retained as in possession the 1st July 1665, till restitution by commissioners.

CLXXIX. And to prevent all riots or disturbances, which may happen in taking or keeping possession of the premises, before the final settlement thereof; it is further declared, that so much of the premises hereby intended to be restored to the said marquess, whereof the said marquess by himself or his undertenants was in possession upon the first of July one thousand six hundred sixty and five, shall remain and continue in his and their possession, until restitution be thereof made by the commissioners as aforesaid; and that the adventurers and souldiers, their heirs and assignes, may retain so much of the premises hereby intended to be restored to the said marquess, and the said Alexander Mac Donnel, whereof they were in possession the said first of July one thousand six hundred sixty and five, until restitution be thereof made by the said commissioners, as aforesaid; and that Alexander Mac Donnel may enter upon all the premises hereby intended to be restored to him, which are not in possession of adventurers or souldiers, their heirs or assignes, and the same to retain and keep in his possession until restitution thereof be made by the commissioners as aforesaid.

Lady Antrim to enjoy the lands bequeathed to her by her father.

CLXXX. And be it further enacted by the authority aforesaid, That the mannor of Edenduffarick, and all other the lands, tenements and hereditaments in the baronies of Toom and Antrim, which were given and bequeathed to Rose lady marquess of Antrim, by the last will and testament of Sir Henry O Neile her deceased father, shall be held and enjoyed by the said lady marquess and her heirs; any prosecution had against the said lord marquess her husband, or any other matter or thing in this or the said former act contained to the contrary notwithstanding.

CLXXXI. Whereas by a decree of the late court of claims, Patrick Colclough was restored to an estate in the county of Wexford, in remainder after the death of Dudley his father, part of which was by a clause in the said former act vested in Robert Clayton and John Morris in trust for Sir John Cutler and others in the said act mentioned, and had before that time been purchased from souldiers or other reprizable persons, in order to the erecting of iron works which have since accordingly been erected, and are of publicque benefit to this nation, and the increase of his Majesties revenue, and if the said decrees should remaine in full force, the said advantages might be lost: for the preservation thereof, it is therefore enacted, and be it enacted by this Parliament, That the said John Morris and Robert Clayton shall and may have, hold, and enjoy such part of the lands contained in the said Patrick Colclough's decree, as they were formerly seized of, against the said Patrick and Dudley, and their heirs, and against the said decree made as aforesaid.

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Robert Clayton and John Morris to hold lands in Wexford (vested in them by the former act) against Patrick Colclough restored thereto by decree of court of claims, iron works being erected there, which are of publick benefit.

CLXXXII. And it is further enacted, That in lieu and compensation thereof, the said Patrick Colclough shall have the full benefit of the reprizal due to the said John Morris and Robert Clayton upon the said decree; and that until the said reprizals shall be set out, that the said lands, hereby settled on the said John Morris and Robert Clayton, shall be chargeable and are hereby charged with the annual rent of one hundred pounds payable yearly on the first dayes of May and November, and made lyaible to the distress of the said Patrick upon non payment thereof at the said dayes of payment; and that as soon as the said reprizals shall be set out as aforesaid, the said yearly rent shall cease and absolutely determine.

Colclough to have the benefit of reprizal,

till when lands chargeable with 100l. per annum to him.

CLXXXIII. And to the end that the said iron works may be kept up, it is likewise enacted, that if the said former or ancient proprietor, or his heir, of any the lands, whereof the said John Morris and Robert Clayton are now seized in the said county of Wexford, shall be or is by this act restored to his estate, then and in such case the said John Morris and Robert Clayton and their heirs shall notwithstanding have, hold and enjoy such part of the said former proprietors estate as they now stand seized of, and the said proprietor for so much is elsewhere to be reprized; any thing in this present act, or any other act of Parliament contained to the contrary in any wise notwithstanding.

To keep up said iron works, Morris and Clayton shall hold former proprietor's estate, who is to be elsewhere reprized.

CLXXXIV. Whereas his Majestie by several letters patents under his great seal of Ireland, whereof one patent was dated the sixteenth of February one thousand six hundred and sixty in

Sir George Lanes agreement with Philip Hore confirmed.



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the thirteenth year of his Majesties reign, the other dated the tenth day of July one thousand six hundred and sixty three in the fifteenth year of his Majesties reign, did amongst other things give, grant and confirm, or mentioned or intended to give, grant and confirm unto Sir George Lane knight, and his heirs, all the castles, manors, houses, lands, tenements and hereditaments, and other interest whatsoever, which Philip Hore late of Kilsalchan, attainted of high treason, was seized or possessed of at the time of his said attainder, since which time two several decrees have been made in the late court of claims in this kingdom, to the prejudice of the said grants, one at the suite of the son and daughters of the said Philip Hore attainted, for portions, and the other at the suite of the sons of Philip Hore the younger, son to the said Philip attainted, for several remainders, which decrees were, upon a petition exhibited to his Majestie by the said Sir George Lane, questioned, and on hearing of the cause it was ordered that the said Sir George Lane should be at liberty to impugne the said decrees by any matter in fact or law that he could object against them, whereupon the said Philip Hore the younger, who made defence in the said cause before his Majestie, and the said Sir George Lane did mutually agree, for avoiding of all future differences touching that matter, that all the said estate and interest should be divided, and a share thereof settled on the said Sir George Lane and his heirs, for quitting his whole pretense and right to that estate, and the remain thereof settled on the said Philip Hore the younger and his heirs for all his pretenses, and the pretenses likewise of his brothers, sisters and children to that estate; which agreement the said parties did by their joint petition humbly desire to be established by several provisos in this act: whereupon his Majestie was graciously pleased that it should be enacted by the authority aforesaid, and it is hereby enacted, that the said several decrees be and are hereby made null and void, as if there had never been any such, and that the said Sir George Lane shall be and is hereby restored unto, settled, confirmed and established in the present and actual seizin and possession of the manor, castle, town and lands of Kilsalchan, with a windmill and six messuages, containing by estimation three hundred acres of land, be it more or less, within the county of Dublin, with a court leet and court baron to be held within the said manor of Kilsalchan; the meadow called the lords mead in the fields of Stradbally; a messuage and ten acres of land in Stradbally aforesaid in the fields thereof next adjoining to the lords mead aforesaid; and all other the said Philip Hores lands in Stradbally aforesaid,

Part of the estate of Philip Hore the elder (attainted) settled in Sir George Lane,

aforefaid, now or late in the tenure or poffeffion of John Murphy, John Quin and Walter Ryan, or one of them; one meffuage and forty acres of land with the appurtenances in Swords; one meffuage and five acres of land in Rolls town; two meffuages, one pigeon houfe, one hundred acres of land, ten acres of meadow, and ten acres of paffure, with the appurtenances in Ardlaw; nine meffuages, nine gardens, and one hundred acres of land, with the appurtenances in Stradbally, commonly called Bealings land in Stradbally; the village, hamlet and lands of Great Kingfton, with the appurtenances, containing by eftimation one meffuage and fourfcore acres of land, two houfes with gardens, and a park or orchard, commonly called Pond park, to them belonging, in Newftreet in the fuburbs of the city of Dublin; one clofe or park commonly called Barries park, without Bongans Gate, all lying and being in the parifh of St. Nicholas, barony of Uppercrofs, and county of Dublin; fifty fhillings yearly rent iffuing out of the mannor of Weftpalftown; nine pence chief rent out of the lands of Criuferath; nine pence chief rent out of the lands of Knightfield; and thirteen fhillings and four pence chief rent out of Dowdes land, Bealings land, and Talbots land in Stradbally aforefaid; the town and lands of Pallockes-town and Maces-town in the aforefaid county; the town and lands of Kilmore in the barony of Coolook and county aforefaid, by virtue of a mortgage from one Chriftopher Nugent of Robins-town, in confideration of one thoufand four hundred pounds; all which lands, tenements, hereditaments and chief rents, are ffituate, lying and being within the county of Dublin aforefaid; and alfo of three meffuages, two ftables, one piece of wafte ground, one garden, and other edifices near the faid ftable, in the parifh of St. Bridget, fometimes in the poffeffion of William Badger, or his undertenants, within the county of the city of Dublin, and fuburbs or liberties thereof; two meffuages with the appurtenances in Oxmantown, in the parifh of St. Michans, fometimes in the poffeffion of Peter Decofter; one brick houfe, three meffuages covered with ftraw in Oxmantown aforefaid, which Patrick Martin and Peter Decofter fometimes held; one meffuage or tenement in Mary Lane in Oxmantown aforefaid, which James Lewelly fometimes held; one flated meffuage, and one ftable in Pill Lane in Oxmantown, which the aforefaid James Lewelly fometimes held; one brick houfe with the appurtenances in Pill Lane in Oxmantown, fometimes in the poffeffion of Margaret Lewelly deceafed; one other brick houfe and garden, two feveral cottages upon Cock-hill near St. Mary Abbey, which John Fifher Taylor formerly held; one meffuage with the ap-

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purtenances in Mary Lane in Oxmantown, sometimes in the possession of John Arundell; one messuage with the appurtenances in Mary Lane aforesaid, sometimes in the possession of Barbara Bath; two messuages with the appurtenances in Pill Lane in Oxmantown, which Edward May deceased sometimes held; one shop or room in Highstreet under the house wherein Robert Dowling formerly lived, which shop was held by John Jourdan; one thatch't house or messuage with the appurtenances in St. Mary Abbey, in the parish of St. Michans, which John Hore sometimes held; a messuage with the appurtenances in Highstreet, in the parish of St. Michaels, sometimes in the possession of Richard Barry of Dublin Alderman; one piece of waste land in Bull Lane in Oxmantown, formerly in the possession of John Moore merchant; one piece of waste ground whereon two messuages were built in St. Francis Street, formerly in the possession of William Lock; one messuage or tenement with one garden and the appurtenances in Oxmantown neer Fishers Lane, in the possession of George Carleton esquire; one garden or waste plot of ground in Cookstreet, in the parish of St. Audeons, upon which are now houses built by one Robert Eustace, and now in the possession of Bryan Jones esquire; one messuage or tenement with the appurtenances on the merchant quay, in the parish of St. Audeons, sometimes in the possession of John James and others, which the said Philip Hore held from Christopher Chilham of Drogheda merchant for certain years yet to come, yielding thereout yearly to the said Christopher and his heirs nine pounds *sterling*, at the feasts of Easter and St. Michael the Archangel, which rent the said Christopher did mortgage unto the said Philip for ninety pounds *sterling*; one piece of ground called the bean yard in Oxmantown in the parish of St. Michans, late in the possession of Sir Antony Morgan knight; one house on the pavement in Oxmantown aforesaid, leading to Youngs castle, sometimes in the possession of Walter Scanlon; all which houses, tenements and premises are situated, lying, and being within the city and county of the city of Dublin, or in the county of the city of Dublin, or in the suburbs or liberties thereof, together with all other the houses, lands, tenements, and interest formerly belonging or in any ways appertaining to the said Philip Hore within the said city and county of the city of Dublin, the suburbs and liberties thereof; and also the town and lands of Bulls-town, the town and lands of Clatters-town, with a water-mill and pigeon-house, and part of the town and lands of Cales-town, the towns and lands of Bewtown and Swines-deane, all lying and being in the county of Meath; and all other the lands,

lands, tenements and hereditaments formerly belonging or appertaining to the said Philip Hore in the said county of Meath; and that he the said Sir George Lane, his heirs, executors or administrators respectively, shall have, hold, possess and enjoy all and singular the premises, with all the rights, members and appurtenances, rents, issues and profits, and all other advantages whatsoever to them and every of them belonging or appertaining, to the use of him the said Sir George Lane, his heirs, executors, administrators and assigns respectively, subject to such rents and services as the same are liable unto by this act; and the said several and respective letters patents, as to all things therein contained, and not herein after changed or altered, shall be and are hereby ratified and confirmed; any thing in this present act, or any other former act, cause, matter or thing to the contrary notwithstanding.

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CLXXXV. And be it further enacted by the authority aforesaid, That the said Philip Hore, the son, shall be and is hereby restored to his blood, and shall and may derive his pedigree and descent from all and every of his ancestors lineal and collateral, other than as to the premises so settled on the said Sir George Lane as aforesaid; and that he the said Philip Hore shall be and is hereby restored unto, settled, confirmed and established in the actual and present seizen and possession of the town and lands of Castlenock and Irishtown, with a mill and salmon wyer thereunto belonging on the Liffy, Hartstown, Stahenny, Castle-Curragh, *alias* Curragh, Ballidowde, Rickinhead, Balliboggon, Lusk, *alias* Lufks land, Rath, Lucastown, The Logh, *alias* Lohes Hill, *alias* Bullogs land, the Rath of Killofery, *alias* Ahborn-Rath; two Watermills in the town of Killofery, with three acres of land thereunto belonging: Blackhall, containing sixty acres, lying in the parish of Killofery; Beauford with twenty acres thereunto adjoining, late in the tenure of Walter Ryan and John Ryan, and now leased by the said Philip Hore to Richard ——— Shoomaker; Correstowne sixty acres, Coolcoigh, Dunmucky; and the twenty acres, *alias* Thornetown, Chappell Midway; one shilling chief rent out of Killmartin, eight pence chief rent out of Ashtowne in the county of Dublin; as also shall be and is hereby restored unto, settled, confirmed, and established in the actual and present seizen and possession of one burgage in St. Maryes parish in the town of Wexford; one toft called Allens walls in St. Peters parish in the said town of Wexford; one waste messuage and fifteen acres of land called Farrans-town, *alias* Lackans land in Taghmon; the manors of Skallrith, *alias* Ballimaskalrith, and Kildowan, containing the castle, town and lands of Drinagh, Ablinstown, Stapolef-

Part in  
Philip Hore  
the younger,  
restored in  
blood.



A. D. town, Doumstowntown, Mill-town, Whits-town, Levets-town, Rows-  
 1665. town, Kellis-town, Synotts-town; in Great Killian twenty acres,  
 Chap. 2. in Whits-town called Morrifgate, forty acres, in Jackets-town,  
 little Ballifenack, Morrens-town, Gurtchyninog, Quoans-town,  
 Polebreane, Fardeles-town, the commons of Drynagh contain-  
 ing sixty five acres, Bogganstown, Carran in Carne, containing  
 two acres, Callentragh, a plott of ground on the castle hills  
 in Wexford, Ballehellan, Martells-knock, Graighhallagh, little  
 Johnstown, the Dirr, Youngestown, Harviestown, and the mill  
 thereunto belonging, Pole-Hore, Bolgerstown, and Muchy-wood,  
 and Mullinderry with the appurtenances, all lying and being in  
 the county of Wexford; and that he the said Philip Hore shall  
 have, hold, possess and enjoy all and singular the premises to  
 him and his heirs against the King's Majesty, his heirs and  
 successors, and against the said Sir George Lane and heirs,  
 and all claiming by, from, or under them, or any of them by  
 virtue of this or the said former act, with all the rights, mem-  
 bers and appurtenances, rents, issues and profits, and all other  
 advantages whatsoever to them and every of them belonging  
 and appertaining, to the use of him the said Philip Hore, his  
 heirs, executors and administrators respectively for ever, subject  
 unto such rents and services as the same are lyable unto by  
 this act; this present act, or any other act, law, statute, or-  
 dinance, order, grant, decree, outlawry, attainder, record, pro-  
 vision, sequestration, distribution, allotment, judgement or con-  
 viction, or any other clause, matter or thing to the contrary not-  
 withstanding.

Sir George  
 Hamilton to  
 have 5000l.  
 arrears for his  
 services, tho'  
 not stated,  
 but by con-  
 sent between  
 him and other  
 officers serv-  
 ing before  
 1649, re-  
 duced there-  
 to.

CLXXXVI. His Majesty having taken to his princely consider-  
 ation the many faithfull and acceptable services of Sir George Ha-  
 milton, knight, performed aswell to his late Majesty of glori-  
 ous memory, as to himself in the wars of Ireland, and that in  
 several qualities, as captain of horse, colonel and captain of foot,  
 governour of the castle of Nenach, and other capacities, for  
 which there were arrears to great value accrued to the said Sir  
 George Hamilton before and after the fifth of June one thou-  
 sand six hundred forty and nine, which, though not stated, are,  
 by agreement and consent between him and other the com-  
 missioned officers and trustees serving in Ireland before that time,  
 reduced to five thousand pounds *sterling*: be it therefore enacted  
 by the authority aforesaid, That the said Sir George Hamilton  
 shall in full satisfaction of all personal arrears due unto him for  
 his service in Ireland, in the several employments he had there  
 before and after the said fifth day of June one thousand six hun-  
 dred forty and nine, be satisfied the sum of five thousand pounds  
*sterling*, out of the security set apart and designed by this, and  
 the

the said former act, for satisfaction of the arrears of such commissioned officers as served his Majesty or his said royal father in the wars of Ireland at any time before or after the fifth of June one thousand six hundred forty and nine, in such manner as by the said agreement is directed; this act, or any other act, or matter to the contrary notwithstanding.

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CLXXXVII. Provided always, and be it enacted by the authority aforesaid, That where any lands, tenements or hereditaments, which were seized, sequestered, or set apart upon account of the late rebellion or war, have been given and granted by any particular clause or provision in the said former act mentioned, or by any letters patents under the great seale of England, or under the great seal of Ireland, to any person or persons, whose estates therein were confirmed by the said former act, or are confirmed by this present act, and whereof a third part hath not been already evicted by some decrees herein confirmed, (the lands granted to his royal Highness James duke of York, George duke of Albemarle, Arthur earl of Anglesey, Roger earl of Orrery, Charles late earl of Mountrath, Richard lord baron of Coloony, Charles late earl of Falmouth, Theobald earl of Carlingford, Henry lord Arlington, John lord Kingston, Chidley Coot and Thomas Coot, esquires, the relict and heirs of Sir Simon Harcourt, and the relict and children of colonel George Cook, Sir William Penn, Sir Theophilus Jones, Sir George Ayscough, the orphans of colonel Owen O Conell, Sir George Rawdon baronet, Sir George Lane, Edward Vernon, esq; Erasmus Smith, esq; and the lands conveyed or mentioned to be conveyed by John Parker to certain trustees for pious uses, which trustees are hereby made responsible to the lord lieutenant, or other chief governour and governours and council there for the time being, touching the execution and performance of the said charity, and the lands granted to any person or persons in satisfaction of arrears due for service done in Ireland, or in satisfaction of any debt owing to them for provisions for the army or navy in Ireland, and the lands which by the said former act are restored to former proprietors onely excepted) that there and in such cases, the said provisoes, clauses, grants and letters patents shall be understood, and so are hereby declared to be good and valid for no more than two full third parts of the lands, tenements and hereditaments therein mentioned, and thereby granted, and as to one third part of the lands, tenements, and hereditaments therein contained, shall be and so are hereby declared to be null and void; any thing in the said provisoes, clauses, letters patents, or in the said former act, or in this present act contained to the contrary notwithstanding; nevertheless such grantees, and all those who claim under them, shall have like liberty of retrenchment, and

Grants by particular clauses in the former act, or by letters patents, and confirmed by this, whereof a third hath not been already evicted, shall be good for two thirds only.

Particular grants excepted.

but the grantees to have like liberty of retrenchment as adventurers, &c.



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Third part  
vested in the  
King to be  
disposed as  
other forfeit-  
ures.

Out of lands  
decreed to  
Irish papists  
by decrees,  
not grounded  
on particular  
proviso in  
former act, and  
made after 2  
July 1663, one  
year's rent (as  
let in 1659)  
to be levied  
by two pay-  
ments,

double the  
sum on de-  
fault.

Receivers  
to pay to the  
vice-treasurers,

to be issued  
out, as chief  
governors di-  
rect, to such  
Irish papists as  
served under  
the King a-  
broad, particu-  
larized in the  
declarati-  
on, and intit-  
led to lands  
23 October  
1641, to  
which not yet  
restored.

in like manner and form as adventurers and souldiers are to have by the rules of this act; and the third part, so as aforesaid to be retrencht, shall remain and be vested in his Majesty, his heirs and successors, to be disposed and applyed to such uses as other forfeited lands by this act ought to be; any thing herein before contained to the contrary notwithstanding.

CLXXXVIII. Provided also, and be it enacted by the authority aforesaid, That out of all the lands which have been decreed to any Irish papist, popish recusant, or Roman catholick, by virtue of any decrees not grounded upon some particular proviso in the said former act, and made by the commissioners for execution of the said former act, after the second day of July in the year of our Lord one thousand six hundred sixty and three, and herein confirmed, one year's rent according to the values the same were let at in the year one thousand six hundred fifty and nine, over and above all other the rents and payments by this act imposed or made levyable, shall be raised and levyed, and paid unto the receivers hereinafter mentioned, by two even and equal payments; the first payment thereof to begin upon the first day of November, which shall be in the year of our Lord one thousand six hundred sixty and seven; and the second payment thereof to be upon the first day of November, which shall be in the year of our Lord one thousand six hundred sixty and eight, under the penalty following; that is to say, every person lyable to the payment of any part of the said years rent, and making default, and failing to pay the same by the space of twenty days next after any the days and times wherein the same ought to be paid, shall be chargeable and is hereby charged with double the sum which ought to have been paid as aforesaid, to be levyed by process out of his Majesties court of Exchequer, in like manner as any other the rents herein before imposed or appointed to be levyed; and the said receivers herein after mentioned are to pay the moneys by them received from time to time unto Arthur earl of Anglesey, vice-treasurer of Ireland, or unto the vice-treasurer of Ireland for the time being; and the said Arthur earl of Anglesey, or the vice-treasurer of Ireland for the time being, is hereby appointed to issue out and pay all and singular the moneys which by virtue of this clause shall be received and paid in, or otherwise levyed as aforesaid, unto such Irish papists, popish recusants and Roman catholicks, as served under his Majesties ensigns abroad, and are particularly mentioned in the late declaration, and were seized of or intitled unto any lands, tenements or hereditaments, upon the three and twentieth of October one thousand six hundred forty and one, to which they are not yet restored, and in such parts and proportions as the lord lieutenant

or

or other chief governour or governours of Ireland for the time being shall direct and appoint.

CLXXXIX. And whereas in the said former act it is provided, that the sum and sums of money which have been forfeited by any adventurer or adventurers, by reason he or they did not satisfie or pay in their full proportions or sums of money respectively subscribed by them, according to the tenor of the acts of Parliament of the seventeenth and eighteenth of King Charles the first, be and are hereby vested and settled in his Majestie, his heirs and successors, as in and by the said act more fully appeareth; which forfeited subscriptions, adventures or sums of money are commonly called by the name of lapsed money: and whereas his Majestie for the better increasing of the stock of undisposed forfeited lands, and to the end that more of the ancient and former proprietors may come to be restored, is graciously pleased to relinquish his satisfaction of the said lapsed money by or out of any forfeited lands to be therefore set out, and to accept of the sum of thirty thousand pounds *sterling*, to be paid unto his Majestie in lieu and recompence thereof: be it therefore enacted by the authority aforesaid, that his Majestie's right and title in and to any forfeited lands, in recompence of and satisfaction for the said lapsed moneys shall be and is hereby released and discharged; and further, that it shall and may be lawful to and for the lord lieutenant, and other chief governour or governours of Ireland and council there for the time being, to assess and impose upon all and every the lands, tenements and hereditaments, which by virtue of this act shall be restored or confirmed to any former proprietors of the popish religion, or granted to any the Roman catholicks of Ireland, such further and other sums as they shall think fit for the raising and levying of thirty thousand pounds *sterling*, in the most equal and indifferent way that may be, to be paid unto the receiver hereinafter mentioned by two even and equal payments, the first payment thereof to begin upon the first day of May, which shall be in the year of our lord God one thousand six hundred sixty and six; and the second day of payment to be upon the first day of November, in the year of our Lord one thousand six hundred sixty and six; and in case any person or persons lyable to the payment of any part of the said thirty thousand pounds, so as aforesaid to be assessed and imposed, shall make default of payment by the space of one and twenty days next after any the days and times wherein the same ought to be paid, then the person so making default shall be chargeable and is hereby charged with double the sum which ought to have been paid as aforesaid; and the vice-treasurer of Ireland for the time being shall issue out and pay,

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To increase the stock of undisposed forfeitures, and that more old proprietors may be restored, the King releases his right to forfeited lands in satisfaction of lapsed moneys by forfeited subscriptions vested in the King by former act,

chief governours and council to raise 30,000l. upon lands restored to old proprietors or granted to Irish papists,

in most indifferent way, by 2 equal payments,

defaulters to pay double.

Vice-treasurer to pay the out 3000l. to Rd. of Stratford,



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the residue  
to such per-  
sons and uses  
as by letters  
patents.

or cause to be issued out and paid, unto Richard Stratford of London, gentleman, his executors, administrators and assigns, the sum of three thousand pounds *sterling*, and the residue thereof being twenty seven thousand pounds, and all other the forfeitures and penalties which shall be incurred for non payment of the said thirty thousand pounds, unto such person and persons, and to and for such uses as the said lapsed moneys, or the lands to be set out in satisfaction of the same, were or ought to have been granted in pursuance of his Majesties severall and respective letters under his royal signet, bearing date upon the tenth, or eleventh, or the twelfth day of February in the fourteenth year of his Majesties reign, and in the year of our Lord one thousand six hundred sixty and two, or by any other letters under his Majesties royal signet, or by any letters patents to Roger earl of Orrery or others; any thing in this or the said former act contained to the contrary notwithstanding.

Customs of  
Strangford  
and Ardlafs  
sold by lord  
Kildare to the  
King, con-  
firmed to him.

CXC. And be it further enacted by the authority aforesaid, that all the customs, duties and impositions of what nature or kind soever, which are or shall be due for any goods, wares or merchandize imported into, or exported out of the ports and havens of Strangford and Ardlafs, or either of them, or any the members thereof, or creeks thereunto belonging, heretofore the inheritance of Wentworth late earl of Kildare, and by him sold unto his Majestie, shall be and are hereby vested in the King's Majestie, and shall be held and enjoyed by his Majestie, his heirs and successors; any defect in the conveyance thereof to his Majestie, or other matter or thing to the contrary notwithstanding.

Chappel-  
Izzod sold by  
Sir Maurice  
Eustace to the  
King, con-  
firmed to him  
on payment of  
residue of pur-  
chase money.

CXCI. And be it further enacted by the authority aforesaid, That the capital messuage, mills mannors, towns and lands of Chappel Izzard, *alias* Izzod, with all the rights, members and appurtenances thereof heretofore conveyed, or mentioned to be conveyed, or contracted for, by or in behalf of the King's Majestie, and agreed to be conveyed by Sir Maurice Eustace, knight, late lord chancellor of Ireland, unto the King's Majestie, and for which part of the purchase money hath been paid by the King's Majestie unto the said Sir Maurice Eustace in his life time, shall upon payment of the residue of the purchase money unto the lawful executors of him the said Sir Maurice Eustace, be and is hereby vested in the King's Majestie, his heirs and successors, and shall be held and enjoyed by his Majestie, his heirs and successors, against the said Sir Maurice Eustace and his heirs, and all and every other person and persons claiming by, from or under him or them, or any of them; any defect in the conveyance or assurance of the premises, any thing in the said former act or

this present act, and any other matter or thing whatsoever to the contrary in any wise notwithstanding.

CXCII. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall set out and allot, or cause to be set out and allotted, unto Major John Neil so much of the undisposed and forfeited lands in the barony of Barrymore in the county of Corke, as may be sufficient to reprice him the said John Neil for the houses in Waterford, whereof his father was seized and possessed the two and twentieth of October one thousand six hundred forty and one; any thing in the said former act, or this present act, contained to the contrary notwithstanding.

CXCIII. And be it further enacted by the authority aforesaid, That the commissioners for execution of this present act shall restore unto Sir Luke Bath, baronet, and his heirs, all the castles, houses, manors, lands, tenements and hereditaments, rents, reversions or remainders, right, title, interest and estate whatsoever, which he the said Sir Luke Bath, or his deceased father James Bath, or any other in trust for them, or either of them, or to their or either of their use, was seized or possessed on the two and twentieth day of October one thousand six hundred forty and one, (except the houses and lands within the city of Dublin and liberties thereof, and also except all impropriations and appropriations tythes) which said manors, lands, houses and hereditaments, so as aforesaid to be restored, shall after such restitution be held by the said Sir Luke Bath, and his heirs and assigns, and shall be subject to such quit-rents, services, and other payments as the same are made lyable unto by this act, and would have been charged with, in case the same had continued in the possession of any the adventurers or souldiers, or of their, or any of their heirs or assigns: and it is hereby declared and enacted, That the commissioners for execution of this act shall forthwith set out and allot unto the said Sir Luke Bath and his heirs so much forfeited lands in lieu of the said houses and lands in Dublin, formerly belonging to him the said Sir Luke Bath or his father, and to which he is not to be restored, as may be sufficient to reprice him the said Sir Luke Bath and his heirs for the houses and lands aforesaid: and the said commissioners are also to set out and allot unto his royal highness James duke of York, and his heirs, so much other forfeited lands as may be equal in value, worth and purchase, for what he hath in *custodiam* of the estate of Sir Luke Bath, and that the adventurers and souldiers, and the officers who served before the fifth of June one thousand six hundred forty and nine, and all other who are possess of, or intitled unto, any of the estate of the said Sir

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John Neil  
reprice in  
Barrymore in  
Corke for hou-  
ses in Water-  
ford.

Sir Luke  
Bath restored,

except  
houses and  
lands in Dub-  
lin, and tithes,

lyable to  
quit-rents,  
&c.

to be re-  
priced for said  
houses and  
lands.

Duke of  
York and o-  
thers to be re-  
priced, before  
Sir Luke re-  
stored.



A. D. Luke Bath, according to this act, shall be likewise reprimed in two  
 1665. full third parts of the value of their respective interests, before  
 Chap. 2. the said Sir Luke Bath be restored to such part of his estate from  
 whence they are to be removed; any thing in this act, or the  
 former act, or any other law, statute, ordinance, utlary, attainder,  
 record, sequestration, allotment, or any other cause, matter  
 or thing to the contrary notwithstanding.

Garret  
 Moor resto-  
 red,

CXCIV. Provided always, and be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith, and without staying for any previous reprimial, restore unto Garret Moor of Mourueene in the county of Mayo, esq; his heirs and assigns, all and every the mannors, castles, lands, tenements, reversions, remainders, and all other hereditaments, right, title, condition, and other interest and estate whatsoever, which he the said Garret, or his father, or any other in trust for them, or either of them, or for either of their uses, had, held, possessed or enjoyed, or ought to have had, held, possessed or enjoyed on the twenty second of October one thousand six hundred forty and one, and that after such restitution, and in lieu and satisfaction thereof, the commissioners do likewise with all convenient speed set out and allot, or cause to be set out and allotted, unto the adventurers and souldiers, their heirs, executors and assigns respectively, who shall be removed to make way for such restitution, their severall and respective two third parts out of some other undisposed forfeited lands; any thing in this or the said former act contained to the contrary notwithstanding.

and after-  
 wards the ad-  
 venturers,  
 &c. reprimed  
 in two thirds.

Lord  
 Mountgarret  
 without pre-  
 vious reprimial  
 restored to  
 capital mes-  
 suage and ap-  
 purtenances,  
 and also to  
 lands not pos-  
 sessed by ad-  
 venturers, &c.  
 tithes ex-  
 cepted.

CXCV. Provided always, and be it further enacted by the authority aforesaid, That the commissioners for execution of this act do forthwith, and without staying for any previous reprimial, restore unto Edmond lord vice-count Mountgarret, his heirs and assigns, his and their principal and capital messuage with the appurtenances; and shall also forthwith restore unto the said Edmond lord vice-count Mountgarret, his heirs and assigns, all and singular other the messuages, mannors, castles, lands, tenements, reversions, remainders, and other hereditaments, right, title, condition, and other interest and estate whatsoever, which he the said Edmond lord vice-count Mountgarret, or his father, or any other in trust for them or either of them, or for either of their uses, had, held, possessed and enjoyed, or ought to have had, held, possessed or enjoyed on the two and twentieth of October one thousand six hundred forty and one, and whereof no adventurer or souldier, nor the heir, executor, administrator or assignee of any adventurer or souldier, is now in possession (impropriations or appropriate tythes only excepted) and that all and

and also to  
 those possessed  
 by adventu-  
 rers, &c. after  
 reprimed in  
 two thirds.

every the lands, tenements and hereditaments whereof the said Edmond lord vice-count Mountgarret, or his father, or any other person or persons in trust for him, or to his use, were seized or posselt on the said two and twentieth day of October one thousand six hundred forty and one, and which are now in the possession of any adventurer or souldier, or of the heir, executor, administrator, or assignee of any adventurer or souldier, shall, after their severall and respective full two third parts to them set out and allotted out of other forfeited and undisposed lands in satisfaction of their severall and respective interests, be likewise set out and allotted unto and placed in the possession of him the said Edmond lord vice-count Mountgarret and his heirs; any thing in this or the said former act to the contrary notwithstanding.

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CXCVI. Provided always, and be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith restore unto colonel Lucas Taaffe, and Elizabeth his wife, all and singular the jointures, portions, lands tenements and hereditaments and other interest whatsoever, which the said Elizabeth, or any other in trust for her, or for her use had, or ought to have had, held, possessed or enjoyed the two and twentieth of October one thousand six hundred forty and one, or at any time since; any thing in this act, or any other act, contained to the contrary notwithstanding.

Lucas  
Taaffe and  
his wife resto-  
red to estate  
in her right.

CXCVII. Provided nevertheless, that no reprobable souldier, adventurer, officer, serving before the fifth of June one thousand six hundred forty and nine, or protestant purchaser in Connaght or Clare, be removed out of any part of the premises, which they are to have by the rule of this act, before they be first reprobized for the same according to the said rules.

Adventu-  
rers, &c. re-  
probized before  
removed.

CXCVIII. And be it further enacted by the authority aforesaid, That Richard earl of Burlington and Cork, lord high treasurer of Ireland, his heirs and assignes, in the distribution and setting forth of the security appointed for the satisfaction of the arrears of the commissioned officers, who served your Majesty and your late royal father in Ireland before the fifth of June one thousand six hundred and forty nine, shall have the preference and preemption of all the forfeited houses, lands, tenements and hereditaments, in the town of Youghill or the liberties thereof, belonging unto and which are part of the said securities, at the rate of eight years purchase, as they are or shall be found to be really and *bona fide* worth; and that Arthur earl of Anglesey, vice-treasurer of Ireland, his heirs and assignes, shall have like preference and preemption of all the forfeited houses, lands, tenements and hereditaments, in the town of Rosse in the county of Wexford, or the liberties thereof, belonging unto and which are part of the

Lord Bur-  
lington to  
have preem-  
ption in Youg-  
hill, part of  
the securities  
for officers  
before 1649,  
at eight years  
purchase.

Lord Angle-  
sey to have  
like preem-  
ption in Rosse.



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 said securities, at the rate of eight years purchase, as they are or shall be found to be really and *bona fide* worth; and if any doubt or difficulty shall arise, concerning the value of the said houses or lands, so as the trustees for the said officers shall not be satisfied with the return already made of the value of the same, that in such case, upon the desire and request of the said trustees, there shall be a new survey and valuation of the said towns and liberties thereof, by such persons as shall be appointed by the commissioners for the execution of this act, by and with the consent of the said trustees; according to which return the said houses, lands, tenements and hereditaments, are to be sold, and not otherwise; and in case the said earls, their heirs and assigns, or any of them, shall offer unto the said commissioners for the execution of this act any debentures of officers, who served as aforesaid before the fifth of June one thousand six hundred forty and nine, for or in part payment for all, or so much of the said houses and premises in the said several towns as shall be by them respectively contracted and agreed for, that the same shall be allowed, and the said commissioners are hereby authorized and required to accept and receive the same for all or in part of the purchase money, so as the said debentures are capable of prior satisfaction, and there has been such deductions and defalcations made as are directed by this act, and the said former act, and shall not be accepted to satisfy more in the pound than the whole securities will hold out to satisfy the debentures of the rest of the said officers; and the said commissioners are also required and authorized to give such certificates as are necessary for the passing of patents thereof, according to the rules of this act.

If doubt or difficulty as to the value, trustees for said officers may have new survey.

If said earls offer debentures of officers before 1649 in part of payment, to be accepted.

so as the debentures capable of prior satisfaction; and deductions made, and so as not to satisfy more in the pound than the whole will hold out for the rest.

Earl of Cork to enjoy lease of Cork house in Dublin.

CXCIX. And whereas there is a lease granted of a house in Dublin, called Cork-house, with the appurtenances, unto the right honourable Richard earl of Corke and Burlington, by the name of Richard earl of Cork, lord high treasurer of Ireland, from James Margetson, doctor of divinity, treasurer of the cathedral church of St. Patrick's Dublin, by the approbation of the archbishop of the same diocese, and in obedience to his Majesties letters of recommendation to that purpose, dated the twentieth of July one thousand six hundred and sixty, and confirmed by the several deans and chapters, both of the holy Trinity Dublin, and St. Patrick's Dublin, bearing date the twenty third of January one thousand six hundred and sixty, for the term of forty years, from the feast of the nativity of our blessed Saviour then last past, which was made upon good and valuable considerations: be it therefore enacted, and it is hereby enacted and ordained by the authority aforesaid, That the said Richard earl of Cork and Burlington, his executors and assigns, shall and may have, hold and

and enjoy the said house, with the appurtenances mentioned in the said lease, for and during the years therein mentioned, at the reservations thereby reserved; any thing in this act, or any other former act or statute to the contrary notwithstanding.

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CC. Provided alwayes and be it enacted, That all and singular the lands, tenements and hereditaments, which Arthur lord vice-count of Valentia and earl of Anglesey hath purchased from any person or persons in actual possession thereof, by virtue of any grant, order or disposition of the late usurped powers, or any of them, the lands and tenements decreed away by the commissioners for the execution of the said former act only excepted, shall be settled, and are hereby granted and confirmed unto him, his heires and assignes, and he and they shall have, hold and enjoy the same; and that for such of the said estates, or any part thereof, as have or hath been decreed away as aforesaid, or shall be decreed away in pursuance of this act by the commissioners appointed or to be appointed for the execution thereof, the said earl, his heirs and assignes, shall forthwith be fully reprimed for the same and without any retrenchment, by the said commissioners, by so much forfeited lands as may be sufficient to make up and supply unto the said Arthur earl of Anglesey, his heires and assignes, what was or is granted or intended to be granted by the said act, or by this act; and the said earle, his heirs and assignes, shall have, hold and enjoy, all other the benefits and advantages in and by the said former act given, granted or provided, or intended to be given, granted or provided to or for the said earl, his heirs or assignes; any thing in the said former act or in this present act, or otherwise to the contrary notwithstanding.

Lord Anglesey to enjoy his purchase from persons in possession from the usurpers.

Except what decreed away,

for which said earl to be reprimed without retrenchment,

and to enjoy all other benefits of former act.

CCI. And be it further explained, declared and enacted by the authority aforesaid, That all and every payment and payments, sum and sums of money, which are and shall be made by any adventurer, officer and souldier, Connaght purchasor, Irish papist, popish recusant, Roman catholick or others, out of or for any of the said forfeited, vested or escheated lands, tenements, hereditaments and estates, by virtue or in pursuance of his Majesties said declaration, instructions, the said former or this present act, or by all, every or any of them, to or for any use or uses, intent, end or purpose therein respectively mentioned, expressed, declared, limited or appointed; excepting onely the quit-rents and other chief rents reserved and payable unto his Majestie, his heirs and successors, and such other sums as are herein otherwise directed to be paid, shall be paid for the said uses, intents and purposes, into the hands of John Bence and Alexander Bence, esquires, or either of them, who are hereby constituted and ap-

John and Alex. Bence collectors of all money payable out of said lands, &c.

Except quit and chief rents and sums otherwise directed.



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To be entered and signed in Exchequer,

payable to receiver general and vice treasurer, for the uses specified.

Accustomed fees to be paid to vice treasurer and collectors.

Officers before 1649 not to pay fees for debentures to John and Alex. Bence.

Who are to receive recompence as lord lieutenant and council direct. Lord Mayo restored to capital messuage and appurtenances with-

CCII. And to the end our said vice-treasurer may know what sums of money he is to receive, all acquittances, which shall be given as aforesaid, are to be entered and signed by the several officers of the Exchequer, according to the accustomed manner of acquittances; all which payments, sum and sums of money, the said receiver or receivers are to accept for and pay over unto Arthur earl of Anglesey, his Majesties receiver-general, and vice-treasurer of this kingdom, or to the receiver-general, and vice-treasurer of this kingdom for the time being, to be disposed of, issued and paid out by him to and for the several uses, intents and purposes, unto which and in such manner as the same are respectively designed, limited or appointed, and to no other intent, use or purpose; upon the issuing whereof, the said earl of Anglesey, or the vice-treasurer for the time being, shall take the usual accustomed fees payable for other monies; and the said collector or collectors, receiver or receivers, for their pains, care and service herein, shall have, take, receive and deduct out of and for the respective payments, sum and sums of money which they shall so receive, pay over or accept for, such fees as were formerly allowed unto and taken by the former receivers of the money payable by the adventurers and souldiers; any thing in the said former or this present act to the contrary in any wise notwithstanding.

CCIII. Nevertheless it is hereby declared, That the commissioned officers, who served before the fifth of June one thousand six hundred forty and nine, shall be and are hereby discharged of and from the payment of any fees due and payable unto the said John Bence and Alexander Bence, receivers aforesaid, for or out of any debentures due to the said commissioned officers, but that the said John Bence and Alexander Bence shall, in lieu of and satisfaction for the same, receive such compensation and recompence out of the rents, issues and profits of the security appointed for satisfaction of the said debentures, as the lord lieutenant and council shall think fit.

CCIV. Provided always, and be it further enacted by the authority aforesaid, That the commissioners for execution of this act do forthwith, and without staying for any previous reprimand, restore unto Theobald lord-vice-count Mayo, his heires and assigns,

his

his and their principal and capital messuage, with the appurtenances, and shall also forthwith restore unto the said Theobald lord vice-count Mayo, his heirs and assigns, all and singular other the messuages, manors, castles, lands, tenements, reversions, remainders, and all other hereditaments, right, title, condition, and other interest and estate whatsoever, which he the said Theobald lord vice-count Mayo, or his father, or any ancestor whose heir he is, or any other in trust for them, or any of them, or for any of their uses, had, held, possessed, or enjoyed, or ought to have had, held, possessed or enjoyed on the twenty-second of October one thousand six hundred forty and one, and whereof no adventurer or souldier, nor the heir, executor, administrator, or assignee of any adventurer or souldier, is now in possession (impropriations or appropriate tythes only excepted) and that all and every the lands, tenements and hereditaments, whereof the said Theobald lord vice-count Mayo, or his father, or any other ancestor whose heir he is, or any other person or persons in trust for them, or any of them, were seized or possess on the said twenty-second day of October one thousand six hundred forty and one, and which are now in the possession of any adventurer or souldier, or of the heir, executor, administrator or assignee of any adventurer or souldier, shall, after their several and respective full two third parts to them set out and allotted out of other forfeited and undisposed lands in satisfaction of their several and respective interest, be likewise set out and allotted unto, and placed in the possession of him the said Theobald lord vice-count Mayo and his heirs; any thing in this or the said former act to the contrary notwithstanding.

CCV. Provided always, and be it further enacted by the authority aforesaid, That nothing herein contained shall in any sort prejudice the right, title or interest of captain Owen Mac Carthy of Clogheroe in the county of Cork, unto any of the lands, tenements or hereditaments in the said county mentioned or specified in his claim, upon which he was adjudged innocent by the late commissioners, but left to the law for the recovery of the same; and that the lands so claimed by him shall continue and remain in his Majesty's hands undisposed of for the space of twelve months next after the passing of this act, to the end that the said Owen Mac Carthy may within that time make out his right and title thereunto, if any he have, and cause the same to be adjudged and determined by due course of law; and in case the said right and title be not made to appear, and be determined as aforesaid within the time aforesaid, then all and singular the said lands shall and may be disposed of as any other forfeited

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out previous  
repeal: and  
to lands not in  
possession of  
adventurers,  
&c.

Tithes ex-  
cepted,

and to lands  
in their pos-  
session after  
repeal in  
two thirds.

Owen Mac  
Carthy upon  
his claim to  
lands in Cork  
adjudged in-  
nocent, but  
left to law.

The lands  
to remain in  
the King and  
if he makes  
not out his  
title in twelve  
months, to be  
disposed as  
other forfei-  
tures.



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Executors of  
lord Clanric-  
ard to be satis-  
fied his ar-  
rears before  
10 Dec. 1650,  
out of securi-  
ties or said  
officers,

and allowed  
to state said  
arrears before  
any distribu-  
tion of said se-  
curities.

Recital of  
lord Muskry's  
services.

The King's  
letter 15 C. 2.  
appointing to  
him lands in  
Cork.

held of the  
estate of lord  
Clancarty his  
father,

his losing his  
life in expedi-  
tion against  
the Hollander.

Said lands,  
not set out to  
adventurers or  
soldiers or re-  
stored to be  
allotted to his  
son in tail, re-

lands by this act ought to be; any thing in the said former act, or this present act, to the contrary in any wise notwithstanding.

CCVI. And be it further enacted by the authority aforesaid, That the arrears due unto the late marquess of Clanricard, for the several times and employments he had in this kingdom, before the tenth of December one thousand six hundred and fifty, be allowed and satisfied to the executors or administrators of the said marquess of Clanricard out of the securities set apart for satisfaction of the commissioned officers, who served before the fifth of June one thousand six hundred forty and nine; and that the said executors and administrators be and are hereby admitted and allowed to state all the said arrears due to the said marquess of Clanricard before and until the tenth day of December one thousand six hundred and fifty, before the commissioners for execution of this act, before any distribution made of the said securities; any thing in this act, or the said former act, contained to the contrary notwithstanding.

CCVII. His Majesty taking into consideration the many good and faithful services performed by Charles late vice-count Muskry in foreign parts, and particularly that in consequence of the disposition of Dunkirk, the state of his Majesties affairs did not admit the continuance of the pay of the regiment of foot commanded by the said Charles vice-count Muskry, was therefore graciously pleased, by his royal letters of the sixth of April in the fiftenth year of his reign, to direct and appoint that all the lands in the barony of Muskry, in the county of Cork, forfeited to his Majesty, and not set out to souldiers or adventurers, nor restored to the former proprietors, the greatest part whereof were held of the estate of Donogh earl of Clancarty, the said Charles his father, should be by one or more grant or grants passed under the great seal of Ireland unto the said Charles late vice-count Muskry, his heirs and assigns for ever, to his and their use and uses, without any accompt to be given for the same to his Majesty, his heirs or successors, as by the tenor of the said letter more at large may appear; since which time the said Charles late vice-count Muskry hath ended his long continued services by the loss of his life in the late expedition at sea against the Hollander, his Majesty is therefore graciously pleased, pursuant to his said former royal intentions, that it be enacted, and be it enacted by the authority aforesaid, That the commissioners for execution of this act shall set out and allot unto Charles-James Mac Carthy, now vice-count Muskry, son and heir to the said Charles vice-count Muskry, all the forfeited lands in the said barony, not set out formerly to adventurers and souldiers, nor restored

flored to the former proprietors; and that the said commissioners shall quiet and establish the said Charles-James vice-count Muskry in the possession thereof, which he is to hold, possess and enjoy to him and the heirs males of his body, and for want of such issue, the remainder to the said Donogh earl of Clancarty, and the heirs males of his body begotten, the remainder in fee to the right heirs of the said earl; any thing in this act, or the said former act, to the contrary notwithstanding; and that certificates be thereof granted in order to the passing of letters patents.

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remainder to the grandfather lord Clancarty, &c.

Certificates to be granted for letters pat.

CCVIII. Provided nevertheless, That the said Donogh earl of Clancarty, grandfather to the said Charles-James, now vice-count Muskry, or the now countess of Clancarty, if she survive the said earl, may by way of lease for years of any part of the premises, or by grant of a rent-charge for years out of the premises, or otherwise, as to him the said Donogh, or to her the said countess, if she survive, shall seem meet, afford such relief out of the premises to the former proprietors thereof, as he or she shall find do best merit the same, and what he or she shall do therein is hereby allowed of, and made good and valid in law.

Power to lord Clancarty or his lady by lease for years or rent charge to afford relief to old proprietors.

CCIX. And whereas Sir Philip Percival, knight, deceased, for and on the behalf of Thomas late earl of Strafford, and Sir George Radcliffe knight, deceased, and their heirs, in or about the year one thousand six hundred thirty and six, did contract and agree with Teige O Connor Sligoe, uncle and heir in taile to Donogh O Connor Sligoe then lately deceased, and also with Edmond Mac Jordan and Dorothy his wife, sole sister and heir general to the said Donogh, for divers lordships, manors, castles, lands, tenements and hereditaments, in the county of Sligoe, being formerly the estate of the said Donogh O Connor Sligoe, whereupon several sums of money were paid, disbursed and secured to be paid by the said Sir Philip Percival to the said Teige O Connor, Edmond Mac Jordan and Dorothy his wife, and to some other person or persons, by their or some of their consent, direction or appointment, for the freeing, discharging and disengaging the said premises of or from some mortgages, leases, or incumbrances thereupon, or some of them, but no legal conveyance were or could then be made or perfected to him the said Sir Philip Percival, by reason of the grand office then lately found in the province of Connaght, whereby his Majesty was intitled to the said lands amongst divers others in the said province: be it therefore further enacted by the authority aforesaid, That all and singular the said lordships, manors, castles, lands, tenements and hereditaments, with the appurtenances formerly belonging to the said Donogh O Connor Sligoe and the said Teige

Sir P. Percival for lord Strafford and Sir G. Radcliffe in 1636 contracted with Teige O Connor Sligoe, &c. for lands in Sligo.

Money paid and secured in discharge of incumbrances

no legal conveyance then made by reason of the grand office in Conaught intitling the King,



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O Connor Sligoe, or to either of them, shall be, and are hereby settled upon William earl of Strafford, son and heir of the said Thomas earl of Strafford, and Thomas Radcliffe, esquire, son and heir of the said Sir George Radcliffe, and their heirs, under the rents and services due and payable thereout to his Majesty in the year one thousand six hundred forty and one; and that they the said William earl of Strafford, and Thomas Radcliffe, and their heirs, be forthwith settled in the possession of all and singular the said lordships, manors, castles, lands, tenements and hereditaments, by the commissioners appointed or to be appointed for the execution of this act; any thing in the aforesaid act, or in this act, contained to the contrary in any wise notwithstanding.

Said lands to be settled in Wm. lord Strafford and Tho. Radcliffe, and their heirs under the rents and services in 1641.

Depositions in a cause before lord lieutenant and council to be used as proof relative to said lands.

CCX. And be it further enacted, That all depositions and examinations of witnesses, that have been taken in a cause lately depending before the lord lieutenant and council of Ireland, between the said William earl of Strafford, and Thomas Radcliffe, esq; and Sir John Percival, plaintiffs, against Martin O Connor, grandson and heir to Teige O Connor Sligoe, esq; deceased, Richard lord baron of Coloony, and others, defendants, shall and may be read and made use of as good proof for all such lands, tenements and hereditaments, as by the said depositions have been proved to be part of the said Donogh O Connors estate.

Money due towards purchasing said incumbrances in six months to be paid.

CCXI. And be it further enacted by the authority aforesaid, That the said William earl of Strafford, and Thomas Radcliffe, or either of them, their heirs or assigns, shall, within six months time after the passing of this act, pay, or cause to be paid, all such sum or sums of money, as shall, within the time of the said six months, be made appear to be justly due from the said Teige O Connor Sligoe, Edmond Mac Jordan and Dorothy his wife, Sir Philip Percival, Thomas late earl of Strafford, and Sir George Radcliffe, or any of them, their heirs or assigns of any of them, and not by them, or some of them, already paid for and towards the purchasing and buying off of any of the said mortgages, leases or incumbrances, which were upon the estate of the said Donogh O Connor at the time of the said contract made as aforesaid; which sum or sums of money, so made appear to be due as aforesaid from the said Teige O Connor, Edmond Mac Jordan and Dorothy his wife, Sir Philip Percival, Thomas late earl of Strafford, and Sir George Radcliffe, their heirs or assigns, or any of them, or by them, or any of them deposited in the clerk of the councils hands in order to the buying off of any of the said mortgages, leases or incumbrances, shall be and are hereby vested in and made payable unto his Majesty, his heirs and successors, to be disposed of by his Majesty,

and vested in the King,

jestie, as by his signet and sign manual he shall declare and appoint; saving and accepting hereout such sum and sums of money as shall appear to be justly and legally due by one mortgage upon part of the said estate, made by the said Donogh O Connor to certain feoffees to the use of the children of Sir Francis Blundell, their heirs or assignes.

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to be disposed as the King appoints Except money due on a mortgage to use of Sir F. Blundell's children.

CCXII. Provided that the adventures, commissioned officers, who served before the fifth of June one thousand six hundred forty and nine, and souldiers, who are now in possession of all or any the said lands, or ought to have the same according to the rules of this act, and are by virtue hereof to be removed from the same, shall have so much other forfeited lands set out to them, by the commissioners for the execution of this act, as may be sufficient to reprice and satisfie them for two full third parts of the lands from whence they are to be removed, and certificates shall be thereof granted in order to the passing of letters patents, which shall be of like force and effect as any other letters patents granted in pursuance of this act are or ought to be; and they and every of them are hereby likewise discharged for them, their heirs and executors respectively, of and from all arrears of rent and mesne profits received or to be received by them at any time before they shall be removed as aforesaid.

Adventurers &c. to be re-priced in two thirds.

Certificates for letters pat. to be granted,

discharged from arrears and mesne profits.

CCXIII. Provided also, That the town and lands of Bradcullen, and so much lands contiguous about the same as may amount unto three thousand acres of profitable land, with the appurtenances, which by the said contract made with the said Teige O Connor were to have been given or assured to the said Teige O Connor and his heirs, shall be, and are hereby excepted from being settled upon the said William earl of Strafford and Thomas Radcliffe, and their heirs, or any of them, and shall remain disposeable between Sir Francis Gore, knight, and captain Robert Parkes, according to their several proportions of what they respectively possess of the said estate, and what by the rules of this act shall belong to them respectively, and are to be reckoned and numbered out of such lands which are now in their or either of their possessions, most contiguous to the said town of Bradcullen, in pursuance of the said contract.

Bradcullen and 3000 profitable acres contiguous, which by said contract were to be assured to Teige O Connor, excepted,

and disposeable between Sir F. Gore and Rob. Parks.

CCXIV. And whereas the said Sir Philip Percival and Sir George Radcliffe, or one of them, did (besides the said Donogh O Connor's estate) in like manner purchase some other small parcels of lands, tenements and hereditaments, in the said county of Sligoe, from several other persons: be it further enacted by the authority aforesaid, That the said William earl of Strafford and Thomas Radcliffe shall be and are hereby restored to all the estate, right and title, which the said Thomas late

Lord Strafford and Tho. Radcliff to be restored to other purchases in Sligo.



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Commissioners to hear and determine said purchases, and reprize adventurers, &c. if evicted, discharged of arrears and meane profit.

Half barony of Erris and other lands in Mayo and Roscommon forfeited in 1641, granted to Sir Robert Vyner, &c.

CCXV. And be it further explained, declared, and enacted by the authority aforesaid, That all and singular the lands, tenements, and hereditaments, and other estates, with their and every of their members and appurtenances, of, within, or appertaining to the half barony of Irris, *alias* Irrus or Erris, and the parish of Dunfyny, *alias* Ducuni, adjoining unto Irris in the county of Mayo and the parish of Termon-barry, *alias* Tearmon-beary in the county of Roscommon, and all and every or any of them, vested in, settled on, forfeited to, or belonging, upon the said three and twentieth of October one thousand six hundred forty and one, at any time since, unto your Majestie or your royal Father, together with all the mines and minerals therein (royal mines excepted) and all fishings on the sea coasts of the same, as also on the loughs and fresh rivers and waters thereunto in any wise belonging or appertaining, be, and they are hereby, as

from the five and twentieth day of March one thousand six hundred sixty and five, in the seventeenth year of your Majesty's reign, vested in, settled on, and granted unto Sir Robert Vyner knight, Thomas Vyner esq; James Temple, Henry Lewis, and Silvanus Hyde of London gent. their heirs and assignes for ever, to be held of your Majesty, your heirs and successors, as of your castle of Dublin, in free and common foccage, at and under the yearly rent of fifty pounds, to be paid into your Majesty's exchequer at Michaelmas and Easter, by equal portions; and that Thomas earl of Ossory, Richard earl of Burlington and Cork, Roger earl of Orrery, and Richard earl of Arran, Robert Boyle esquire, their heirs and assigns for ever, shall possess and enjoy the full benefit, advantage and effect of your Majesty's gracious letters, under your royal signet bearing date the five and twentieth day of March one thousand six hundred sixty two, in the fourteenth year of your Majesty's reign, for granting of several houses and lands unto Sir James Shaen, his heirs and assignes for ever, in, for, and towards satisfaction of adventurers, or arrears for service done in Ireland, and other interests confirmed, allowed, or satisfied by, or intended to be allowed, confirmed, or satisfied by, or in pursuance of your Majesty's said gracious declaration of the thirtieth of November one thousand six hundred and sixty, and other concessions consistent with, and agreeable to the same; and also to have, hold and enjoy to them, their heirs and assigns for ever, the full benefit, advantage and effect of your Majesty's letters, under your royal signet bearing date the four and twentieth day of July one thousand six hundred sixty five, in the seventeenth year of your reign, in trust for and to the uses, intents and purposes therein expressed, mentioned and declared, excepting onely what concerns the lands and premises in Irris, Dunfyny, and Tearmonbeary, or any of them; any other clause, provisoe, sentence, matter, or thing whatsoever, in the said former or this present act contained, or any retrenchment, order, or other matter or thing to the contrary in any wise notwithstanding; so far forth as the lord lieutenant, or other chief governour or governours of this kingdome for the time being, shall finde the several matters and things herein contained to be consistent with, or agreeable unto your Majesty's said declaration, the said former or this act, or any of them.

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to be held of the King, as of the castle of Dublin, in common foccage, at yearly rent of 50l. Lord Ossory, &c. to have benefit of the King's letters 25th March 1662, granting to Sir James Shaen lands, in satisfaction of adventures and arrears,

and letters 24th July 1665.

excepting what concerns Erris, &c.

so far as consistent with the declaration, this or the former act.

Francis Ferrall, adjudged innocent, and restored,

CCXVI. And be it further enacted by the authority aforesaid, That nothing in the said former or this present act may or shall in any sort impeach the innocency of, or otherwise prejudice, Francis Ferral of Mornine in the county of Longford esq; but that he shall be and he is hereby restored unto all and every the lands, tenements and hereditaments claimed by him, whereof



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notwith-  
standing his  
taking lands  
in Connaght,  
&c.

Sir Connel  
Farrel re-  
stored, and to  
have benefit  
of former act.

Robert Me-  
redith and o-  
thers repriv'd  
two thirds.

John Kelly  
restored with-  
out previous  
reprisal.

Adventu-  
rers, &c. re-  
moved there-  
by to have  
two thirds in  
other lands.

he was possessed the three and twentieth day of October one thousand six hundred forty and one, and thereunto rightfully intituled, and are particularly recited and mentioned in his decree from the late commissioners, whereby he is adjudged an innocent person, notwithstanding his taking of lands in Connaght, or any other cause, matter or thing to the contrary.

CCXVII. And be it further enacted by the authority afore-  
said, That the commissioners for the execution of this act shall forthwith set out and restore to Sir Connel Farrall knight, and his heirs, all and singular the messuages, mannors, lands, tenements and hereditaments, which in and by the said former act were granted and restored, or mentioned, meant, or intended to be granted and restored unto the said Sir Connel Farrell, and all other the benefits and advantages of the said former act; and that certificates be thereof granted unto the said Sir Connel Farrell, in order to the passing of letters patents accordingly: and the said commissioners are likewise to set out to cornet Robert Meredith, and all others who were or are seized or possessed of any of the said lands, tenements, or hereditaments, in satisfaction of any adventures or arrears, such other forfeited lands as may be equal in quantity of acres unto two full third parts of the lands so to be restored; any thing herein before contained to the contrary notwithstanding.

CCXVIII. Provided also, and be it further enacted, That the commissioners for execution of this act shall forthwith, and without staying for any previous reprizal, restore unto colonel John Kelly of Skryne in the barony of Athlone and county of Roscomon, his heirs and assignes, all and every the mannors, castles, lands, tenements, reversions, remainders, and all other hereditaments, right, title, condition, and other interest and estate whatsoever, which he the said John Kelly, or any other in trust for him, or to his use, had, held, possessed or enjoyed, or of right ought to have had, held, possessed or enjoyed, upon the two and twentieth day of October one thousand six hundred forty and one; and that after such restitution, and in lieu and satisfaction thereof, the commissioners do likewise, with all convenient speed, set out and allot, or cause to be set out and allotted unto the adventurers, souldiers, protestant purchasors of lands in Connaght and Clare, before the first day of September one thousand six hundred forty and nine, or their trustees, and their heirs, executors and assignes respectively, who shall be removed to make way for such restitution, their severall and respective two third parts, or such other satisfaction as will be due to them by the rules of this act, out of some other forfeited and

undisposed

undisposed lands; any thing in this or the said former act contained to the contrary notwithstanding.

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CCXIX. And whereas his Majesty, in and by certain letters patents under the great seal of Ireland, did give and grant unto Sir Henry Talbott knight, certain lands in Connaught, in exchange of and for certain other lands of his the said Sir Henry Talbott adjoining to the castle of Dublin, and convenient for his Majesty's service: it is therefore hereby provided and enacted, That it shall and may be lawfull to and for the said Sir Henry Talbott to have, hold, and enjoy to him and his heirs, all and singular the lands, tenements, and hereditaments in Connaught, in and by the said letters patents granted, according to the tenor and effect of the same letters patents; any thing in this act contained to the contrary in any wise notwithstanding.

Sir Henry Talbot confirmed in lands in Connaught, granted in exchange for lands near Dublin castle.

CCXX. And be it further enacted by the authority aforesaid, That the commissioners for execution of this act shall forthwith set out and allot unto all and every the adventurers, souldiers, and commissioned officers, who served before the fifth of June one thousand six hundred forty and nine, their heirs and assignes, who now are seized or possessed of any castles, houses, lands, tenements and hereditaments, rents, interests and estates whatsoever in this kingdome, which Nicholas Plunkett of Balrath in the county of Meath esq; now Sir Nicholas Plunkett knight, rightfully had and enjoyed upon the two and twentieth of October one thousand six hundred forty and one, so much other forfeited lands as may be equal in value, worth and purchase, to two full third parts of the lands whereof they are so possest, if they shall be willing to accept of such reprice, and to be removed from the same; and that all and every the messuages, lands, tenements, and hereditaments, for which they or any of them shall accept of such reprice, and from which they or any of them shall be removed as aforesaid, and the other third part of the premises, and all other messuages, lands, tenements, and hereditaments, rents, interests, trusts and estates whatsoever, which at the time aforesaid did belong to the said Nicholas Plunkett, shall be by the said commissioners set out and allotted and granted unto James Hamilton esq; one of the grooms of his Majesty's bedchamber, and his heirs, executors, administrators and assignes respectively: and in case any person or persons seized or possessed of the premises, or any part thereof, shall not be willing to be reprized for or removed from the same as aforesaid, the commissioners for execution of this act shall forthwith set out and allot unto the said James Hamilton and his heirs, so much forfeited lands in some other convenient place, as may be equal in value, worth, and purchase, to the

Sir Nicholas Plunkett's estate granted to James Hamilton,

adventurers, &c. thereon to be reprized two thirds, if willing to be removed and accept the same;

if not willing, James Hamilton to have so much other forfeited lands of equal value.



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said lands, tenements, and hereditaments, or to so much thereof as the said adventurers and souldiers, or other persons aforesaid, shall be unwilling to be removed from; and herein they are required to proceed with all convenient speed; any thing in the said former or this present act to the contrary notwithstanding.

The clause  
impowering  
the King to  
restore inno-  
cent papists to  
their houses in  
corporations  
repealed.

CCXXI. And whereas in and by the said former act, and the declaration therein recited, it was provided, that it should and might be lawfull to and for his Majestie to restore any innocent papists, who were dispossessed of their houses in corporations, to their severall and respective houses within the said corporations: his Majesty is graciously pleased that it may be enacted, and be it enacted, that the said clause, and the power thereby referred to his Majestie, shall be, and is hereby repealed, released and discharged.

Richard  
Stephens to  
hold lands in  
Kells of  
which he was  
possessed 7th  
May 1659,  
and lying  
within the se-  
curity for of-  
ficers before  
1649,

CCXXII. Provided always, and it is hereby enacted, That it shall and may be lawfull to and for Richard Stephens the younger to hold and enjoy to him and his heirs, all and singular the messuages and lands, tenements, and other the hereditaments, situate, lying and being in and about the town and corporation of Kells in the county of Eastmeath, whereof he the said Richard Stephens the younger, by himself or his undertenants, was seized or possessed upon the seventh of May one thousand six hundred fifty and nine, and which lie within the securities set apart for the satisfaction of the commissioned officers who served before the fifth of June one thousand six hundred forty and nine, he, the said Richard Stephens, placing thereupon so many debentures for arrears due for service done before the said fifth day of June one thousand six hundred forty and nine, for which no satisfaction hath yet been given, and which are satisfiable by the rules of this or the said former act, as do amount unto the full sum of three hundred pounds; any thing in this or the said former act to the contrary notwithstanding.

placing  
thereon un-  
satisfied de-  
bentures for  
arrears before  
1649, to  
amount of  
300l.

CCXXIII. And whereas Sir Theophilus Jones knight was heretofore settled in and planted upon a messuage and certain lands in and about Lucan, and now, by virtue of some decree made by the commissioners for execution of the said former act, and herein confirmed, is onely to enjoy the said messuages and lands during the life of Patrick Sarsfield, who was declared nocent, after whose death the said lands are declared to come unto William, son of the said Patrick, an infant, and the heirs male of his body; by reason whereof, the said Sir Theophilus Jones is likely to sustain great prejudice, if due consideration be not had of his improvements: be it declared and enacted, That the commissioners for execution of this act shall forthwith set out and allot unto the said Sir Theophilus Jones and his heirs, so  
much

Sir Theoph.  
Jones decreed  
to hold lands  
in Lucan only  
during life of  
Pat. Sarsfield,  
declared no-  
cent,

afterwards  
to William  
Sarsfield in  
tail.

Sir Theophi-  
lus to be fully  
repaired for  
the same and  
improve-  
ments.

much forfeited land as may be sufficient in value, worth, and purchase, fully to reprice the said Sir Theophilus Jones for the messuage, lands, and improvements, which have been so evicted and decreed away from him; any clause, matter, or thing in this or the said former act to the contrary notwithstanding.

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CCXXIV. Provided always, That it shall and may be lawful to and for Pierce Creagh to hold and enjoy to him and his heirs all and singular the messuages, lands, tenements and hereditaments in the province of Connaught and county of Clare, or either of them, whereof he the said Pierce Creagh is now in possession by himself or his under-tenants, and into which the said Pierce Creagh was transplanted by the late usurpers; any thing in this or the said former act to the contrary notwithstanding.

Pierce Creagh to enjoy lands in Connaught and Clare, into which transplanted by the usurpers.

CCXXV. And because the adventurers and souldiers are by this act exempted from payment of such fees to the officers attending both houses of Parliament, and others, as in and by the said former act might have been demanded, or pretended to, as due: be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the lord lieutenant or other chief governour or governours of Ireland and council there, to assess and impose upon all and every the adventurers and souldiers, who by the said former act were lyable or might be pretended to be lyable to the payment of such fees, such further and other sums of money, not exceeding five thousand pounds, as they shall think fit, and to cause the same to be levied in such manner as any other the sums herein before imposed are levyable, and to be paid to the receivers aforesaid, to the end the same may be issued out unto and distributed amongst such officers, in such manner, and according to such proportions, as the lord lieutenant or other chief governour and council, after the advice of both houses of Parliament thereupon had, shall direct and appoint.

Chief governors and council to impose on adventurers and souldiers by former act liable to payment of fees, sums not above 5000l.

to be levied and paid to receivers aforesaid.

CCXXVI. Provided always, and be it further enacted by the authority aforesaid, That colonel William Leg, one of the grooms of his Majestie's bed-chamber, shall, in lieu of what hath been retrenched of his proviso in the former act, have, hold, and enjoy to him and his heirs for ever all and singular the lands, tenements and hereditaments, by his Majestie's letters patents to him granted, and passed under the great seal of Ireland, pursuant to, and according to the tenor and effect of his Majestie's letters under his privy signet and sign manual, bearing date at Whitehall the nineteenth day of January one thousand six hundred sixty and three, without any retrenchment or defalcation

Will. Leg, in lieu of what retrenched, to enjoy the lands granted by letters patents, without defalcation.



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James Fitz-gerald to have like advantages as said 54 persons.

CCXXVII. And be it further enacted, That James Fitz Gerald of Laragh in the county of Westmeath, and his heirs, shall have the like restitution, priviledges, advantages and benefits in all respects, as any of the fifty four persons provided for by this act; any thing therein contained or otherwise to the contrary notwithstanding.

John Arthur restored:

CCXXVIII. His Majesty being fully satisfied of the constant loyalty and innocence of Robert Arthur deceased, late of Dublin alderman, and of John Arthur his son and heir, who were both inhabitants of Dublin, is graciously pleased that it be enacted, and be it further enacted by the authority aforesaid, That the said John Arthur shall be by the said commissioners restored unto, settled, and established in the quiet possession, and shall thenceforth have, hold, possess, and enjoy to him and his heirs, executors, administrators and assigns respectively, all and singular the manners, houses, castles, lands, tenements and hereditaments, reversions, remainders, leases, rights, titles, interests and estates whatsoever in the kingdom of Ireland, which the said Robert Arthur, or any other person or persons in trust for him, or to his use, had, held or enjoyed on the twentieth second of October one thousand six hundred forty and one, or at any time since; except what thereof is in the hands of adventurers or soldiers, or is in the city of Dublin, for which the said John is to be forthwith reprized elsewhere, to the full value thereof, as near and contiguous to the said city as conveniently may be; and the said John Arthur is likewise restored unto, and is hereby enabled to demand, recover, and receive to his own use, all and singular the debts and sums of money, which at any time heretofore were due and owing to him the said Robert Arthur, and are still unpaid; this present or any other act, clause, matter or thing therein to the contrary notwithstanding.

except to what in hands of adventurers, &c. or in Dublin, for which to be fully reprized near Dublin, enabled to recover debts due to Robert Arthur.

Lord Antrim's debts compounded.

Lease by lord Antrim for 99 years, from Michaelmas 1637, for payment of debts in a schedule, and as counter-security to lessees engaged for him;

CCXXIX. And whereas Randall marquis of Antrim did, on or about the twenty first day of November in the year of our Lord one thousand six hundred thirty and seven, demise and grant the barony of Cary, the lordship of Ballycastle, and the island of Ratchline, and all the lands, tenements and hereditaments within the said barony, island and lordship, unto Alexander Macdonnell, John Moore, Archibald Steward, and John Trayleman, for the term of ninety nine years, from Michaelmas one thousand six hundred thirty and seven, in trust for payment of certain debts in a schedule thereunto annexed, for which the said Alexander Macdonnell, John Moore, Archibald Steward, and John Trayleman, or some of them, were joyntly bound for

the

the said marqués, and for their counter security against those engagements; which said lease of ninety nine years was in and by a clause in the said former act enacted to be of the effect and force in law, and no other, as the same was before the making of the said act, and was also therein and thereby transferred from the said leasees unto and vested and settled in Martin Noell, then esq; now Sir Martin Noell knight, Thomas Carleton citizen and mercer of London, and John Bradburne of the Middle Temple London gentleman, in trust to dispose the rents and profits thereof towards the payment of all such debts as were intended by the said lease to be secured, which debts are yet but very ill secured, in regard the said marqués was but tenant in taile of the premises at the time of the making of the said lease, and so still continues, by reason whereof the said lease will become of no force and effect in law after the death of the said marqués: nevertheless, to the end that some more certain and lasting provision may be made for the payment of such debts as were thereby intended to be secured, in such proportions, and upon such terms and conditions as are herein after mentioned, be it enacted by the authority aforesaid, That the reversion and inheritance of all and singular the premises shall be and hereby is vested and settled in Martin Noell esq; son and heir apparent of the said Sir Martin Noell, George Blake and John Robinson of the city of London esquires, upon these trusts following; that is to say, if any person or persons, their executors, administrators or assigns, to whom any debt is owing, which was intended by that lease to be secured, will, at any time before the nine and twentieth of September one thousand six hundred sixty and seven, accept of one moiety or half of his or their principal money due, and have interest for the said moiety from the time of such acceptance, at the rate of ten pounds *per centum*, in full satisfaction of his or their whole debt intended by the said lease to be secured, and shall declare his or their acceptance by writing under their hands and seals, to be acknowledged before the lord chancellor, master of the rolles, or any master in chancery either in England or Ireland, and to be registered in the rolls of either kingdom; and if the said marqués shall happen to dye after such acceptance declared, and before the said moiety of the principal money, interest at the rate aforesaid, be fully satisfied and paid, then the said trustees of the reversion and inheritance of the premises, the survivor and survivors of them, and the heir of the survivor, shall, out of the rents, issues, and profits thereof, pay, or cause to be paid, the said moiety of the principal, with interest as aforesaid, or so much thereof as at the time of the said marqués death shall be

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transferred by former act, in trust for payment of debts intended to be secured.

Lord Antrim only tenant in tail:

to make more certain and lasting provision,

the reversion and inheritance vested in trustees.

If any creditors before 29 September 1667, accept a moiety in satisfaction under hand and seal and registered,

and if Lord Antrim should die before,

trustees shall pay the moiety out of rents, &c.



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If lord Antrim before 29 September 1667, pays the full composition money, the reversion, &c. vested in him.

No settlement or act by said trustees without his consent, shall give continuance to said lease beyond his life.

CCXXX. Nevertheless it is hereby declared and enacted, That no settlement of the reversion and inheritance by this act, nor any fine, recovery, or other act or thing done or suffered, or to be done or suffered, by the said trustees of the reversion and inheritance of the premises, without the privity and consent of him the said marquess, shall any wayes extend or be construed to give any strength or continuance to the said lease for ninety nine years, further than during the life of the said marquess, but that the said lease, from and after the death of the said marquess, shall be, and so hereby is declared to be fully determined both in law and equity, to all intents and purposes.

Creditors not compounding not admitted to the benefit:

CCXXXI. And it is further declared, That no creditor, who shall refuse to come in and compound as aforesaid, shall be admitted to have any benefit in or by the trust of the reversion and inheritance as aforesaid.

and the other moiety of the debt vested in lord Antrim.

CCXXXII. And where any debts secured by the said lease shall be compounded and agreed at one moiety of the principal, with interest as aforesaid, to the end that such composition may not avail or profit such other creditors who shall refuse to compound as aforesaid, it is further declared and enacted, That the other moiety of the said principal debt, with the interest thereof, shall be and is hereby vested in and made payable to the said marquess, and that he the said marquess shall have the like benefit for the payment and satisfaction thereof, out of the lease of ninety nine years, as any other creditor refusing to compound can or may have; and the trustees of the said lease shall pay and satisfy the said marquess's executors and administrators the other moiety of the said debt so compounded, with the interest thereof, equally, and in like manner and proportion, as the not compounding creditor can or may be satisfied; this act, or any other law to the contrary notwithstanding.

His sureties discharged.

CCXXXIII. And it is further declared by the authority aforesaid, That the said Alexander Mac Donnell, John Moor, Archibald Steward, and John Trayleman, sureties for the said marquess, and counter secured by the said lease for ninety nine years,

untill the same was transferred as aforesaid, and every of them, their and every of their heirs, executors and administrators, shall be and are hereby discharged of and from all actions, suites, executions and demands which can or may be had against them, or any of them, their or any of their lands, tenements, goods or chattells, for or in respect of any of the said debts intended by the said lease to be secured as aforesaid.

A. D.  
1665.

CCXXXIV. His Majesty taking notice of the barbarous and uncouth names, by which most of the towns and places in this kingdom of Ireland are called, which hath occasioned much damage to diverse of his good subjects, and are very troublesome in the use thereof, and much retards the reformation of that kingdom, for remedy thereof is pleased that it be enacted, and be it enacted by the authority aforesaid, that the lord lieutenant and council shall and may advise of, settle, and direct in the passing of all letters patents in that kingdom for the future, how new and proper names more suitable to the English tongue may be inserted with an *alias* for all towns, lands and places in that kingdom, that shall be granted by letters patents; which new names shall thenceforth be onely names to be used, any law, statute, custome, or usage to the contrary notwithstanding.

New names more suitable to English tongue to be inserted, as directed by lord lieutenant and council, in letters patents, with an *alias* for towns and places.

and only used henceforth.

C H A P. III.

*An Act for the Confirmation of Marriages.*

WHEREAS by virtue or colour of certain ordinances, or certain pretended acts or ordinances, divers marriages since the beginning of the late troubles have been had and solemnized in some other manner than hath been formerly used and accustomed within this kingdom: now for the preventing and avoiding of all doubts and questions, which may be made touching the same; may it please your Majesty that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and the commons in this present Parliament assembled, and by the authority of the same, that all marriages had or solemnized in this kingdom of Ireland since the first day of May, which was in the year of our Lord Gode one thousand six hundred forty and two, before any justice or reputed justice of the peace of this your Majesty's kingdom of Ireland, and by such justice or reputed justice so pronounced or declared, and all marriages within this kingdom since the same first day of May, in the said year of our Lord God one thousand six hundred forty and two, had or solemnized according to

12 C. 2.  
33. Eng.

Marriages unusually solemnized during the troubles, to avoid all disputes, such marriages since 1 May 1642, to be of same force as if duly solemnized.