ARTICLES agreed upon the third day of October, one thousand six hundred and ninety-one.

Between the right honourable Sir Charles Porter, knight, and Thomas Coningsby, Esq., lords justices of Ireland; and his excellency the baron de Ginckle, lieutenant general, and commander in chief of the English army; on the one part.

And the right honourable Patrick earl of Lucan, Percy Viscount Gallmoy, colonel Nicholas Purcel, colonel Nicholas Cusack, Sir Toby Butler, colonel Garret Dillon, and colonel John Brown; on the other part.

In the behalf of the Irish inhabitants in the city and county of Limerick, the counties of Clare, Kerry, Cork, Sligo and Mayo.

In consideration of the surrender of the city of Limerick, and other agreements made between the said lieutenant general Ginckle, the governor of the city of Limerick, and the generals of the Irish army, bearing date with these presents, for the surrender of the said city, and submission of the said army: it is agreed, That,

1. The Roman catholics of this kingdom shall enjoy such privileges in the exercise of their religion, as are consistent with the laws of Ireland; or as they did enjoy in the reign of King Charles the Second: and their majesties, as soon as their affairs will permit them to summon a parliament in this kingdom, will endeavour to procure the said Roman catholics such farther security in that particular,
as may preserve them from any disturbance upon the account of their said religion.

II. All the inhabitants or residents of Limerick, or any other garrison now in the possession of the Irish, and all officers and soldiers now in arms, under any commission of King James, or those authorised by him, to grant the same in the several counties of Limerick, Clare, Kerry, Cork and Mayo, or any of them; [and all such as are under their protection in the said counties;]* and all the commissioned officers in their majesties quarters, that belong to the Irish regiments, now in being, that are treated with, and who are not prisoners of war, or have taken protection, and who shall return and submit to their majesties obedience; and their and every of their heirs, shall hold, possess, and enjoy, all and every their estates of freehold and inheritance; and all the rights, titles and interests, privileges and immunities, which they, and every or any of them held, enjoyed, or were rightfully and lawfully intituled to, in the reign of King Charles II. or at any time since, by the laws and statutes that were in force in the said reign of King Charles II. and shall be put in possession, by order of the government, of such of them as are in the king's hands, or the hands of his tenants, without being put to any suit or trouble therein; and all such estates shall be freed and discharged from all arrears of crown-rents, quit-rents, and other public charges, incurred and become due since Michaelmas.

* The words within the crotchetts not in the original articles, being omitted through mistake, were confirmed in England by King William.
aelmas 1688, to the day of the date hereof: and all persons comprehended in this article, shall have, hold, and enjoy all their goods and chattels, real and personal, to them, or any of them belonging, and remaining either in their own hands, or the hands of any persons whatsoever, in trust for, or for the use of them, or any of them: and all, and every the said persons, of what profession, trade, or calling ever they be, shall and may use, exercise, and practice their several and respective professions, trades, and callings, as freely as they did use, exercise, and enjoy the same in the reign of king Charles II. provided that nothing in this article contained be construed to extend to, or restore any forfeiting person now out of the kingdom, except what are hereafter comprised: provided also, that no person whatsoever shall have or enjoy the benefit of this article, that shall neglect or refuse to take the oath of allegiance, made by act of parliament in England, in the first year of their present majesties, when thereunto required.

III. All merchants, or reputed merchants of the city of Limerick, or of any other garrison now possessed by the Irish, or of any town or place in the counties of Clare or Kerry, who are absent beyond the seas, that have not borne arms since their majesties declaration in February 1688, shall have the benefit of the second article, in the same manner as if they were present; provided such merchants, and reputed merchants, do repair into this kingdom within the space of eight months from the date hereof.

IV. The following officers, viz. colonel Simon Luttrell,
Luttrell, captain Rowland White, Maurice Eustace of Yermansfown, Chievers of May-
stown, commonly called Mount-Leinster, now
belonging to the regiments in the aforesaid gar-
risons and quarters of the Irish army, who
were beyond the seas, and sent thither upon
affairs of their respective regiments, or the
army in general, shall have the benefit and
advantage of the second article, provided they
return hither within the space of eight months
from the date of these presents, and submit to
their majesties government, and take the a-
bove-mentioned oath.

V. That all and singular the said persons
comprised in the second and third articles, shall
have a general pardon of all attainders, out-
lawries, treasons, misprisions of treason, pre-
munires, felonies, trespasses, and other crimes
and misdemeanours whatsoever, by them, or
any of them, committed since the beginning
of the reign of king James II; and if any of
them are attainted by parliament, the lords
justices, and general, will use their best endea-
vours to get the same repealed by parliament,
and the outlawries to be reversed gratis, all
but writing-clerks fees.

VI. And whereas these present wars have
drawn on great violences on both parts; and
that if leave were given to the bringing all
sorts of private actions, the animosities would
probably continue, that have been too long on
foot, and the public disturbances last: for the
quieting and settling therefore of this kingdom,
and avoiding those inconveniences which
would be the necessary consequence of the con-
trary, no person or persons whatsoever, com-
prised
prised in the foregoing articles, shall be sued, molested, or impleaded at the suit of any party or parties whatsoever, for any trespasses by them committed, or for any arms, horses, money, goods, chattels, merchandizes, or provisions whatsoever, by them seized or taken during the time of the war. And no person or persons whatsoever, in the second or third articles comprised, shall be sued, impleaded, or made accountable for the rents or mean rates of any lands, tenements, or houses, by him or them received, or enjoyed in this kingdom, since the beginning of the present war, to the day of the date hereof, nor for any waste or trespasses by him or them committed in any such lands, tenements, or houses: and it is also agreed, that this article shall be mutual and reciprocal on both sides.

VII. Every nobleman and gentleman comprised in the said second and third article, shall have liberty to ride with a sword, and case of pistols, if they think fit; and keep a gun in their houses, for the defence of the same, or for fowling.

VIII. The inhabitants and residents in the city of Limerick, and other garrisons, shall be permitted to remove their goods, chattels, and provisions, out of the same, without being viewed and searched, or paying any manner of duties, and shall not be compelled to leave the houses or lodgings they now have, for the space of six weeks next ensuing the date hereof.

IX. The oath to be administered to such Roman catholics as submit to their majesties government, shall be the oath above said, and no other.
X. No person or persons who shall at any time hereafter break these articles, or any of them, shall thereby make, or cause any other person or persons to forfeit or lose the benefit of the same.

XI. The lords justices and general do promise to use their utmost endeavours, that all the persons comprehended in the above-mentioned articles, shall be protected and defended from all arrests and executions for debt or damage, for the space of eight months next ensuing the date hereof.

XII. Lastly, the lords justices and general do undertake, that their majesties will ratify these articles within the space of eight months, or sooner, and use their utmost endeavours that the same shall be ratified and confirmed in parliament.

XIII. And whereas colonel John Brown stood indebted to several protestants, by judgments of record, which appearing to the late government, the lord Tyrconnel, and lord Lucan, took away the effects the said John Brown had to answer the said debts, and promised to clear the said John Brown of the said debts; which effects were taken for the public use of the Irish, and their army; for freeing the said lord Lucan of his said engagement, past on their public account, for payment of the said protestants, and for preventing the ruin of the said John Brown, and for satisfaction of his creditors, at the instance of the lord Lucan, and the rest of the persons aforesaid, it is agreed, that the said lords justices, and the said baron De Ginkle, shall intercede with the king and parliament, to have the estates secured to Roman catholics, by articles and capitulation in this kingdom, charged.
charged with, and equally liable to the pay-
ment of so much of the same debts, as the
said lord Lucan, upon stating accounts with the
said John Brown, shall certify under his hand,
that the effects taken from the said Brown a-
mount unto; which account is to be stated,
and the balance certified by the said lord Lucan
in one and twenty days after the date hereof:

For the true performance hereof, we have
hereunto set our hands,

Present,      CHAR. PORTER.
SRAVENMORE.   THO. CONINGSBY.
H. MACKAY.     BAR. DE GINCKLE.
T. TALMASH.

And whereas the said city of Limerick hath
been since, in pursuance of the said articles, sur-
rrendered unto us. Now know ye, that we
having considered of the said articles, are gra-
ciously pleased hereby to declare, that we do
for us, our heirs, and successors, as far as in us
lies, ratify and confirm the same, and every
clause, matter, and thing therein contained.
And as to such parts thereof, for which an act
of parliament shall be found to be necessary;
we shall recommend the same to be made good
by parliament, and shall give our royal assent
to any bill or bills that shall be passed by our
two houses of parliament to that purpose. And
whereas it appears unto us, that it was agreed
between the parties to the said articles, that
after the words, Limerick, Clare, Kerry, Cork,
Mayo, or any of them, in the second of the
said articles, the words following, viz. "And
all such as are under their protection in the
said counties," should be inserted, and be part
of the said articles. Which words having been
casually omitted by the writer, the omission was not discovered till after the said articles were signed, but was taken notice of before the said town was surrendered: and that our said justices, and general, or one of them, did promise that the said clause should be made good, it being within the intention of the capitulation, and inserted in the foul draught thereof. Our further will and pleasure is, and we do hereby ratify and confirm the said omitted words, viz. "And all such as are under their protection in the said counties," hereby for us, our heirs and successors, ordaining and declaring, that all and every person and persons therein concerned, shall and may have, receive, and enjoy the benefit thereof, in such and the same manner, as if the said words had been inserted in their proper place, in the said second article; any omission, defect, or mistake in the said second article, in any wise notwithstanding. Provided always, and our will and pleasure is, that these our letters patents shall be enrolled in our court of Chancery in our said kingdom of Ireland, within the space of one year next ensuing. In witness, &c. witness our self at Westminster, the twenty-fourth day of February, anno regni regis & reginae quarto. Nos autem tenorem premiissor. predict. Ad requisitionem attornat. general. domini regis & dominae reginae pro regno Hiberniae. Duximus exemplificand. per presentes. In cujus rei testimonium has literas nostras fieri fecimus patentes. Testibus nobis ipsis apud Westmon. quinto die Aprilis annoq. regni eorum quart.