Limerick’s first charter and the mayoralty

The White Manuscript, compiled by Rev. James White (1715-1768), in its list of mayors of Limerick states under 1197: “Henry Troy-Provost. This year being the 9th of Richard the first Limerick obtained a charter to choose Mayors and Bailiffs. Under 1199 it states: “Thomas Cropper-Mayor. The following ten years mayors unknown - in 1207 was made the first mayor in London by King John, which was 10 years after Limerick had one.” Following this note, the prefaces to Limerick trade directories in the early 19th century and official guides in this century invariably state “…in the year 1197, and in the ninth year of the reign of King Richard, he granted a charter to the citizens to elect a mayor, which honour was not obtained by the citizens of London till ten years after that period; nor had Dublin and Cork a mayor till the 13th century.” By the late 1950s, this had developed to: “Limerick, which is the third city of the Republic, is Ireland’s oldest chartered city. Its first charter was granted by the English crown in 1197, some decades before similar privileges were accorded Dublin or Cork. It will come as a surprise to many to learn that Limerick enjoyed a charter ten years before London.”

There is no official record of Limerick’s first charter. However, the text of it is given, in Latin, in the Sexton and Arthur manuscripts, both compiled in Limerick in the early 17th century, and both now in the British Library. The Arthur manuscript text is translated in Lenihan’s History. True copy of the first Royal Charter granted to Limerick by John, Lord of Ireland &c.

John, Lord of Ireland, Earl of Morton, to the Archbishops, Bishops, Abbots, Earls, Barons, Justiciaries, Bailiffs, and to all of his servants and faithful subjects of all Ireland, greeting: Know ye that we have given, and by this our charter confirmed, for us and our heirs, unto the citizens of Limerick, that they and their heirs do have and hold the City of Limerick, with all the appurts, and burgages, internal and external, to the City pertaining, in fee firm, by the return which was appointed by Hamond de Valois, with pleas and aigists, and that they have all the liberties and free customs aforesaid and as presented. For the rest, the charters is the word mayor used, nor is it stated how the first citizen is appointed. It is most likely that in all the royal towns, as in London, the chief citizen was appointed by the king (in Ireland, by John) or his representative. Bristol itself was in the territory of the Earl of Gloucester, and became an apanage to the crown on the death of William, Earl of Gloucester, whose daughter was married to John. It received the right to choose its mayor from Henry III in 1216, when he went to Bristol castle for security after the death of John. Dublin received the right to elect its mayor annually in 1229 in exchange for payment of a debt of £312 owed by the king to 12 Dublin citizens, the power not to come into effect until these citizens had received their payment.

After the death of Donal Mor O’Brien in 1194, Limerick was occupied by the Normans, apparently without opposition. White states under the year 1195: “We find that this year in the reign of Richard the 1st that John Spafford was the first provost or prepositus of Limerick. Whether the charter of Limerick derived from Donough, King of Limerick, or from King Richard the 1st is not mentioned, but I believe it came from the latter as the names of the magistrates seem to be English.” It is more likely that the authority came from Hamo de Valoignes, who was appointed justiciar (chief governor or viceroy) by John in 1195, as the text of the 1197 charter ratified the allocation of burgage plots which he had made, and separate grants to various individuals ratifying plots which they had been allocated by Hamo de Valoignes were made by King John between August and October 1199.

White’s titling of the chief citizen as mayor at this time appears to be an error. Limerick’s first charter simply granted the liberties already granted to Dublin, which did not include the election of a mayor. There is some doubt as to what the first citizen was called. The Arthur manuscript

by Larry Walsh

know ye that we hold as ratified and well pleasing, and established for ever, the deliverances [liberations] of burgages, with all the liberties and prescriptions which Hamond de Valois made in the city of Limerick as he let the aforesaid burgages to my citizens of the same city.

Whereof? These are witnesses,

Hugo de Valois
Richard de Force
Fulke de Carolupho
Hubert de Burgo

Killaloe, 18th day of December, in the 9th year of the reign of King Richard [A.D. 1197/8]

King John silver penny and halfpennies minted in Limerick c.1204-1211.

Limerick Museum.
begins its list of mayors in 1215, when it
titles Swardus de Pferandona as provost, and
d.1218 titles Thomas Fitz-John Arthun
as mayor.13 The Seneschal manuscript list
does not begin until 1256, when Reynold
de Sancho Jacobo is titled as mayor.
Various titles are given to the first citizen
in the Black Book of Limerick.14 An
inquisition into the lands of the church in
Limerick taken by Meyle Fitz Henry,
Justiciar of Ireland, in 1201 lists among
the witnesses Syward, “preposito de
Limerick”.15 He has the same title as
witness to a grant by Walter Crop to the
community of Athassel, also witnessed by
Donat O’Brien, Bishop of Limerick from 1207
to 1217.16 Reynold de Sancho Jacobo is
titiled Seneschal of Limerick as witness
to an undated grant by Philip Maleden to
St. Mary’s Cathedral, also witnessed by
Roger Mey, who is listed by White as
mayor in 1210.17 Simon Herward (or
Hereward) is titled Mayor of Limerick in
three undated documents in which the
baillifs are titled “prepositis”.18 One of
these baillifs, Maurice Blund, is listed as
bailliff in 1230. Simon Herward does not
appear in the list of mayors, and may fit
into one of the gaps in the list between
1219-1230.1221-1234, 1238-1241, 1241-
1255. From this evidence it is probable
that the first citizen of Limerick was not
styled mayor until after the grant of
mayoralty to Dublin in 1229.
In 1274, the citizens of Limerick
petitioned King Edward I for, amongst
other things, clarification of their liberties
under John’s charter, and he directed
Geoffrey de Genvyille, Justiciar of Ireland:
“...He shall, moreover, inquire what
liberties the citizens of Dublin enjoy;
whether the citizens of Limerick enjoy the
same liberties; which of them they have
used, and which not; and whether it would
be to the King’s detriment that he should
grant to the latter citizens his charter
specifying the liberties as prayed”.19 The
inquisition was taken on 22 November,
1274, and sent to the Justiciar on 2 March
1276.
“...That the citizens of Limerick use all the
liberties and free customs used by the
citizens of Dublin, and that articles of
those liberties are contained in the
charter of the latter citizens; that one of
the articles frequently turns to the damage of
the King and of the country, namely,
that when one of the citizens publicly kills
[a man] in the city, and purges himself of
the deed by 40 men, he is quit of the
felony”. In a covering note sent with the
inquisition, de Genvyille recommends that
this ability to be purged of the crime of
murder on the oath of forty citizens be
withdrawn as being against right and
against the interests of the Crown. It was
contained in the Dublin charter, and he
directed that a transcript of that charter be
sent to the city.20

On 4 February 129221 Edward I granted
a charter to Limerick specifying for the
first time the liberties granted to the
citizens:

The King to the archbishops etc. The
Lord John, the King’s grandfather,
heretofore Lord of Ireland and Earl of
Morton, before he assumed the
government of England, had by his
charter granted to the citizens of
Limerick all the liberties and free
customs used by the citizens of Dublin
under charters of kings of England and
lords of Ireland, and the citizens of
Limerick had always enjoyed those
liberties and free customs, although not
expressed in the charter, from the making
thereof, as appears by an inquisition
taken thereupon by Geoffrey
de Genvyille, late justiciary of Ireland.
Having inspected transcripts of the
charter of the citizens of Dublin, sent by
the King’s order at the requisition of the
citizens of Limerick by William de Vescy,
justiciary of Ireland, the King for the bettering of that city,
and in order that all ambiguity may be
taken away from the liberties of the
citizens of Limerick, grants and confirms
to them the following liberties, namely—
that no citizen of Limerick shall plead
without the walls in any plea save pleas
of exterior tenements not belonging to the
hundred of that city, they shall be quit of
murder within the metes thereof; no
sitizen shall there wage battel touching
an appeal made against him, but shall
purg himself by the oath of 40 lawful
men of the city; no man shall take
lodging [hospicium] within the walls by
assise or livery of the marshals against
the will of the citizens; the citizens shall
be quit of toll, lastage, passage, pontage,
and all other customs throughout the
realm; none of the citizens shall be
judged in an amercement of money
unless according to law of the hundred,
namely, by forfeiture of 40s., whereof he
who is amerced shall be quit of a moiety
and give the other moiety as an amerce-
ment, excepting the 3 amercements,
namely, for infractions of the assize of
bread, beer and watch, each of 2s. 6d.;
the hundred court shall be held once a
week only; no man shall be troubled by
other things, clarification of their liberties
under John’s charter, and he directed
Geoffrey de Genvyille, Justiciar of Ireland:
“...He shall, moreover, inquire what
liberties the citizens of Dublin enjoy;
whether the citizens of Limerick enjoy the
same liberties; which of them they have
used, and which not; and whether it would
be to the King’s detriment that he should
grant to the latter citizens his charter
specifying the liberties as prayed”. The
inquisition was taken on 22 November,
1274, and sent to the Justiciar on 2 March
1276. In a covering note sent with the
inquisition, de Genvyille recommends that
this ability to be purged of the crime of
murder on the oath of forty citizens be
withdrawn as being against right and
against the interests of the Crown. It was
contained in the Dublin charter, and he
directed that a transcript of that charter be
sent to the city.

On 4 February 1292 Edward I granted
a charter to Limerick specifying for the
first time the liberties granted to the
citizens:

The King to the archbishops etc. The
Lord John, the King’s grandfather,
The text in this charter specifying the liberties granted combines that of John to Dublin, 1192, and the grant of mayorality to Dublin by Henry III, 15 June 1229, subsequently incorporated under the name Limerick for that of Dublin. There is additional text at the end, repeating some of the liberties, not abstracted in the Calendar of State Papers Relating to Ireland, but translated in Fitzgerald and McGregor's History of Limerick.

"Wherefore, we will and firmly enjoin for us and our heirs, that the aforesaid citizens of Limerick and their successors, citizens of the said city, for ever may have all the liberties and free customs aforesaid, and that they may elect by themselves one Mayor yearly, and that they may have all their tenures within the walls of the said city, to be held in free burgage, via. by langable service, and that every of them may better house himself in building, and not wish on the bank in the said city, and that they may have and possess all lands and waste places in the aforesaid liberty at their will, and for the commodious building of the said city, saving to us and our heirs, the pleas to our Crown appertaining to that for ever...

The purpose of this additional text was to insert the reservation 'saving to us and our heirs the pleas to our Crown appertaining', which had been added by King John in his confirmation of the charters of Dublin in 1215, in effect removing the right granted in the charter for a citizen to purge himself of murder by oath of 40 men, trial for murder being reserved to the Crown court.

In 1291, Cork received a confirmation of its charter of 1242, for which the city paid 100s. It is probable that Limerick paid a similar sum for its charter.

The White Manuscript states under the year 1199: "King John granted a charter to the City of Limerick which is recited in that granted by Elisabeth in 1293". This is repeated in Ferrar's History. Fitzgerald and McGregor's History states, p.33 under the year 1199: "To conciliate the affections of the inhabitants, King John granted a Charter to the City of Limerick, which is recited in that conferred by Queen Elizabeth", and in a footnote on the same page: "In the appendix will be found an abstract of this curious document, which is recited in the Charter granted in the 20th year of Edward I. It is the oldest Charter of Limerick on record in Bemingham Tower, and is now published for the first time." Lenihan's History, in a note before the translation of the 1197 charter, states: "Fitzgerald gives only the recitation of an abstract of John's second charter." He does not list it among the principal charters of Limerick in Appendix A (p.739), but in a footnote on that page states that the charter of Elizabeth "sets forth in full the charter of John, Earl of Morton".

The text of the inquisition of 1275 and the preamble to Edward's charter make it clear that there is, in fact, no 1199 charter from John. The inquisition states that "articles of those [Limerick's] liberties are contained in the charter of the latter [Dublin] citizens", and the preamble to Edward's charter states that Limerick's liberties from John were not expressed in the charter. "Edward's charter was the first specification of the liberties of Limerick, taken from the accumulated liberties of Dublin up to then. Queen Elizabeth's charter does not recite any charter of John, but rather that of Edward.

Of the city's historians, Ferrar does not refer to the mayorality of Limerick; Fitzgerald and McGregor state that the Chief Magistrate of London did not obtain the title of Mayor till 1207, while Lenihan notes 1189 as the year assigned by some authorities to the adoption of the title. Edward's charter was the first charter to Limerick, taken from the accumulated charters of Dublin.

IN SUMMARY:
1. Limerick was first incorporated in 1195, probably on the authority of the justiciar, Hamo de Valonyges.
2. John's charter to Limerick of 1197 granted the privileges already granted to Dublin. It did not include the right to elect a mayor.
3. There is no Limerick charter of 1199. The first detailing of the privileges granted to Limerick was in the charter of Edward I, 1292. Between 1197 and 1292, the citizens of Limerick assumed the rights granted in successive charters to Dublin.
4. There is doubt about when the chief citizen of Limerick was first titled mayor. It is probable that it was not until after the mayorality was granted to Dublin in 1229-30, but if the title was adopted before that, it was done without authorisation.

SOURCES:
4. Maurice Lenihan: Limerick, Its History and Antiquities, 1866, p.47
10. Lenihan: op. cit. p.691.
12. ibid. p.25.
13. ibid. p.98.
14. ibid. p.53.
15. ibid. ps.36, 37, 51.
17. ibid. p.214, 2189.
18. C.R. Cheney: Handbook of Dates, Cambridge University Press, reprint 1995. The date given in local histories for this charter is 1291. However, the 20th year of Edward's reign ran from 20 Nov. 1291 to 19 Nov. 1292, although at that time, the year was reckoned as beginning on 25 March.
23. 19th century copy, in English, of the charter in Limerick Museum, verified by the Keeper of the Rolls (reg. no. LM4392).