
By DERMO T. GLEESON, M.A., M.R.I.A.

The paper printed below was found by Dr. Curtis amongst the uncalendared MSS. in Kilkenny Castle, and, since it is outside the date limits of his investigation, he has kindly sent it to me and suggested its suitability for publication in our Journal. The actual document is in a script contemporary with the Cromwellian period, and although the date is missing from it, it is almost certainly a contemporary copy of the original. The signatures and seals are also gone, so that it is a little difficult indeed to decide whether it is an original or a copy; from the texture of the paper and the general make up, the latter seems most probable.

Colonel Thomas Sadleir was one of the leading officers of the Cromwellian army and Government in Ireland during the period 1651-1660. He was originally Governor at Wexford and later at Galway. He petitioned the Cromwellian Commissioners for the Castle of Claregalway, and special favour was shown him for the appointment of lands and the Loughrea Commissioners who had charge of this matter were told to favour him and "encourage him to plant," although their appointed function was to set out lands in Connaught to the transplanted Irish. He came to Ireland first in 1649 in command of a regiment of foot. Later in the campaign he was Adjutant General, and as such captured the castle of Poulkerr, five miles east of Clonmel, putting thirty or forty of the garrison to the sword and setting fire to the remainder who refused to capitulate. He also took Ballyedone, between Carrick and Clonmel, and Granny and Donhill, the latter four miles north of Waterford on the Thomastown road. On the Restoration he was cashiered and arrested by Broghill, on suspicion of being implicated in the antirealist plot, but seems to have been able to clear himself, for he was released. Eventually his debentures having been mainly redeemed in the Barony of Lower Ormond, Co. Tipperary, he settled down there at Kilnahaleagh, one of the ancient demesnes of the McEgans, "henceforth," per the Certificate of the Court of Claims, "to be for ever called Sopwell." He became High Sheriff of the Palatinate in 1666 and his family descendants resided there until modern times.

As to the document itself, it is a Debenture Assignment of a type very common at the time. The arrears of pay to each individual soldier were calculated, and in lieu thereof a "Debenture" was issued to each, which was in the nature of an order entitling the receiver to have set out to him in the confiscated counties, land equal to the amount or value of his debenture, according to a scale fixed for each area so divided up. In practice what happened was that the individual soldiers who had small debentures, did not consider it worth their while to "sue out" the allotments of land they would be entitled to in lieu thereof, and, as the most expeditious way of cashing them, sold them to their officers, who in many cases thus bought the right to large areas of country. Since it was part of the policy of the Cromwellian government not only to confiscate the lands of the native Irish but also to settle down upon them large numbers of English soldiers as small holders, and since this purchasing of debentures would defeat the latter policy, the sale of debentures was forbidden under penalty for a while. It was found, however, in practice impossible to get the soldiers to settle in large numbers and the purchase and sale went on. This had a very material effect on the after history of the confiscated territories for, instead of a large number of small Cromwellian proprietors as was hoped, the settlement in the end resulted in a small number of large holders from amongst the officers and those who jobbed in Debentures, and these in order to work their lands, were forced not only to employ Irish labour but to bring back on their ancient lands as tenants some of the old freeholders who had held them prior to the confiscations of 1654. In this way, in a very striking manner, the old names and the old people are still to be found in large numbers amongst the purchasing tenants under the Land Acts of our own time, on the very lands upon which their forefathers will be found to be freeholders by the Civil Survey.

Colonel Sadleir's case is one very much in point. As will be seen from this paper, he purchased the arrears of a very large number of his men, to the amount of £2,308 1s. 0d. In addition, for his own personal arrears he had an almost identical sum, £2,306 15s. 5d., making a total of £4,614 17s. 6d. The Deed recites that in respect of five-sixths of five-sevenths part of this large sum, lands in Co. Tipperary were set out
to Colonel Sadleir by the Commissioners in the year 1656. These lands were mostly situate as described in the Barony of Lower Ormond and adjacent to the modern town of Borrisokane, and thus, instead of 146 soldiers being there "set down," the effect of this assignment was that one man, Colonel Sadleir, was granted the whole large area, and, as in many other cases, this grant became the root of title of one of the modern Land Commission Estates.

The further effect of the assignment may be noted. As will be seen, material portions of the Habendum are missing; but it seems clear from what remains that this deed only assigns to Petty the unsatisfied balance of Debenture arrears due to Colonel Sadleir, amounting to £549 7s. 8d. The consideration sum of £100 16s. 0d. will give an idea of the contemporary valuation of debentures in the stock market of the day. Petty, of course, is the famous Sir William of the Survey. He was one of the most indefatigable purchasers of debentures, and his industry and foresight in this direction were the foundation of the present huge Lansdowne Estates in Kerry and elsewhere. This balance of £549 7s. 8d. was not set out in Ormond, for Petty had no grants there, it being a "soldiers' barony," as distinct from those assigned to the "adventurers" for land.

One other point in connection with this interesting paper may be noted. The names of the soldiers are for the most part of definitely English or Welsh origin, although many of them endure here and there amongst us to-day, such as Starr, Cardife, Diamond, etc. But it is really curious to find in this list of the soldiers of a Cromwellian regiment a "Michael Kennedy," a "Daniel Bourke," a "Charles Maghegan," a "Teige Mahany," and a "Daniel Coughland." Of these, Kennedy, MacEgan, Bourke and Coughlan, were names indigenous to the Ormond Baronies in 1650-60, and we can only surmise that in some devious way these holders of native surnames became attached to the regiment of the Cromwellian Colonel." (5)

TO ALL CHRISTIAN PEOPLE to whom these Presents shall come, Greeting.

Whereas the Commissioners appointed by Act of Parliament for stating ye Accomts of ye Army in Ireland have given forth several Debentures stated for service since June Anno Domini one thousand six hundred and forty-nine, to ye several persons hereafter mentioned (that is to say) to John Webster, one Debenture, amounting unto ye summe of £87 16s. 02½d.; to Thomas Lewis, one Debenture of £59 19s. 9d.; to John Burgis, £33 18s. 11½d.; to Thomas Jones, £48 1s. 11½d.; to John Storey, £9 10s. 8½d.; to Nicholas Haughe, als Aughe, £20 12s. 07½d.; to Patrick Harrell, £31 10s. 3½d.; to William Bell, £20 17s. 10d.; to — Bellowed, £69 3s. 11½d.; to John Drae, £37 12s. 10d.; to Thomas Evans, £15 14s. 03½d.; to Robert Edgehill, £7 11s. 7½d.; to Wm. Field, £25 14s. 3½d.; to Edward Akers, £15 14s. 03½d.; to Edward Abbott, £25 14s. 03½d.; to Richd. Adams, £25 14s. 03½d.; to John Brown, £9 8s. 5½d.; to Tho. Bellary, £9 2s. 4½d.; to John Belcher, £14 06s. 08d.; to James Petty, £9 02s. 04d.; to Thomas Petty, £25 14s. 03½d.; to Thomas Haynes, £12 15s. 11½d.; to Andrew Hutton, £10 00s. 09d.; to Thomas Cleare, £12 16s. 00d.; to George Crawley £9 2s. 4½d.; to John Carr, £10 00s. 09d.; to Luke Chapman, £8 16s. 02½d.; to Lawrence Corke, £8 16s. 02½d.; to John Dogan, £9 8s. 5½d.; to Teige Mahany, £10 06s. 10½d.; to John Bussell, als Bussey, £17 10s. 08d.; to Alex Sharleight, £7 5s. 6½d.; to Dennis Clarke, £15 14s. 03½d.; to John Carpenter, £22 08s. 10½d.; to John Creede, £6 07s. 01½d.; to Danniell Coughland, £10 6s. 10½d.; to William Adams, £25 19s. 06½d.; to Wm. Roberts, £22 12s. 4½d.; to Roger Dunne, £6 00s. 11½d.; to John Doherd,

3. See "Book of Survey and Distribution." A facsimile of an original Debenture can be seen in Prendergast, op. cit. supra.
4. Per Certificate of the Court of Claims in favour of Colonel Sadleir in Reps. His. MSS. Commission, 1821-25. It is still so called, the old name being now lost.
5. There is at Kiltoby amongst Lord Duralleys papers saved from the fire in 1822 what appears to be a muster roll of Colonel Sadleirs regiment. When I saw it in 1830 I had not then seen this paper; and so have not had an opportunity of comparing them, but some of the names were undoubtedly identical. The entry of "Thomas alias Corkey Smith" has a decidedly modern flavour.
£14 06s. 08d. to Thomas David, £9 2s. 4d. to Symon Diamond, £15 14s. 34d. to James Miller, £15 14s. 03d.; to David Magazene, £15 14s. 34d.; to John Loye, als. Filoye, £11 11s. 54d. to Robt. Flemman, £8 16s. 02d.; to Wm. Fowler, £26 06s. 02d.; to Wm. Loye, als. Filoye, £15 14s. 03d.; to John Greene, £6 19s. 44d.; to Andrew Golgea, £13 15s. 04d.; to Charles Gilon, £9 14s. 07d.; to Andrew Gribble, £25 14s. 34d.; to John Glassnes, £6 00s. 113d.; to Walter Hill, £9 02s. 04d.; to Walter Powell, £11 17s. 07d.; to David Rice, £9 02s. 04d.; to Wm. Rice, £9 2s. 4d.; to Walter Jones, £15 05s. 1d.; to Rowland Jones, Senr., £15 14s. 03d.; to Rowland Jones, £6 13s. 03d.; to Henry Jeffes, £15 14s. 03d.; to Thomas Ingleton, £20 12s. 05d. to John Kingson, £15 9s. 03d.; to Bryan King, £15 02s. 01d.; to Joseph Kent, £15 14s. 03d.; to Richard Lott, £15 14s. 03d.; to John Lindlise, als. Lindley, £9 02s. 04d.; to Jacob Merbeck, £15 14s. 03d.; to Richard Leach, £18 05s. 05d.; to Morgan Thomas, £9 02s. 04d.; to Thomas Thornton, £9 17s. 08d.; to Wm. Vaughan, £15 14s. 03d.; to Hugh Vaughan, £9 8s. 54d.; to Patrick Morris, £17 10s. 05d.; to Wm. Newland, £15 14s. 03d.; to Zachariah Nathaniell, £9 14s. 07d.; to Arthur Nelson, £10 00s. 09d.; to Philip Noyle, £12 15s. 09d.; to John Neale, £9 8s. 54d.; to Riche. Oyster, £25 11s. 23d.; to Thomas Osburne, £25 14s. 03d.; to Samuel Powell, £27 16s. 9d.; to Matthey Pray, £25 14s. 34d.; to Robt. Patterson, £9 8s. 54d.; to Ralph Perry, £9 2s. 4d.; to Edw. Randle, £27 16s. 9d.; to Tobias Stapleton, £10 00s. 09d.; to William Thomas, £9 2s. 4d.; to Teige Turner, £10 19s. 02d.; to Roger Thomas, £14 06s. 08d.; to Alexander Trueman, £9 2s. 4d.; to John Warnock, £10 00s. 09d.; to Thomas Wilde, £15 2s. 014d.; to Meredith Williams, £9 2s. 4d.; to John Weston, als. Whetsen, £12 16s. 00d.; to Pierce Symott, £61 17s. 11d.; to Thomas Harrison, Senior, £14 12s. 09d.; to John Chapman, £17 10s. 05d.; to Robert Trustan, £3 3s. 04d.; to Miles Bourne, £3 11s. 104d.; to Michael Kenedy, £4 11s. 024d.; to Wm. Porter, £3 16s. 03d.; to Wm. Quinn, £3 3s. 11d.; to Roger Magennis, £2 17s. 10d.; to Ralf E restless, £7 19s. 104d.; to Philip Stafford, £11 19s. 06d.; to Nicholas Doyle, £5 13s. 0d.; to James Ashe, £3 3s. 11d.; to Thomas Rowland, £4 11s. 2d.; to Charles Macshegan, £3 3s. 11d.; to Wm. Sshie, £3 10s. 0d.; to Richd. Lewis, £1 01s. 00d.; to Francis Roe, £12 14s. 24d.; to Edward Lewis, £7 16s. 02d.; to George Fowkes, £5 6s. 11d.; to Antony Dobbs, £10 3s. 09d.; to Thomas Hoye, £9 18s. 114d.; to Arthur Powell, £7 17s. 09d.; to Thomas Cartwright, £24 19s. 114d.; to Christopher Bellson, £81 18s. 06d.; to William Stone, £65 02s. 00d.; to Thomas Jones, £17 10s. 08d.; to Tho. Evans, £15 08s. 01d.; to Thomasarrison, £14 12s. 09d.; to Edward Merwick, £15 08s. 01d.; to Richard Haven, £26 12s. 08d.; to Richard Manerin, £17 10s. 08d.; to Richd. Parry, £17 10s. 03d.; to Robt. Hasswell, £57 19s. 10d.; to Cadwallader Ellis, £15 08s. 01d.; to Zachariah Evans, £25 14s. 03d.; to John Fryar, £26 09s. 074d.; to John Bryan, £15 14s. 03d.; to Richard Davus, £14 06s. 08d.; to Symon Keagon, £14 18s. 114d.; to Wm. Mahon, £17 16s. 02d.; to Daniell Bourke, £14 12s. 094d.; to Wm. Starr, £14 12s. 09d.; to Edmd. Miller, £14 12s. 094d.; to Tho. als. Corky Smyth, £17 10s. 08d.; to Tho. Stephans, £25 14s. 34d.; to Henry Williams, £14 06s. 8d.; to Bryan Stephens, £15 14s. 034d., which said Debentures amount to ye summe of two thousand three hundred and eight pounds one shilling. And Whereas ye said persons or some others lawfully impowered have by certaine assignments under their hands and Seals respectively, grannated bargained sold assigned and sett over unto Co. Thomas Sadler of ye City of Gallway his heirs Executors Admors. or assigns for ever respectively all ye aforesaid Debentures and Awards and all their goodwill right title interest and chance of, in and unto ye lands and every part hereof; and all their claimey interest and title of in and unto all lands howses Tenements and hereditaments whatsoever which are already sett out or which hereafter shall be sett out and allotted in lieu and satisfaction of ye said Debentures and every part and parcel of the land; as by ye said Assignments (relation thereunto being had) more at large it may appear And Whereas ye said Coll. Tho. Sadler received two Debentures for his owne service in Ireland amounting to ye sume of £2,306 15s. 5d. And Whereas ye Commrs. for setting out lands to ye Army did in the yeare 1656 assign and sett out unto ye said Coll. Tho. Sadler severall lands in ye County of Tipperery in satisfaction of £2,746 18s. 4d., being the 5/6 parts of 5/7 parts of £6,414 17s. 5d., which is the whole debt before specified consisting as well of his said own Debentures as of those by himself purchased as aforesaid: And Whereas there yet remains £549 7s. 8d., being ye 1/6 part of ye 5/7 parts of the said Debentures to be sattisfied unto ye said Coll. Tho. Sadler his Executors, Admors. and Assigns to make up his respective satisfaction equall with that proportion of 5/7 whereunto the Army is intended to be sattisfied, NOW KNOW YEE that I the said Coll. Thomas Sadler doe acknowledge and acquit the
said William Petty, his heirs, exors., admors., and assigns of the same and every part and parcel thereof and for divers and considerations me thereunto moving I have given granted bargained sold sett over and by these presents doe for me, my heirs Exors and Admors fully and absolutely bargain sell assign and sett over unto the said Willm. Petty his heirs Executors assigns all ye abovementioned sum of £549 7s. 8d. and every part being ye 1/6 of 5/7 parts yett unsatisfied of all ye Debentures aforesaid housing in ye whole unto ye sum of £4,614 16s. 5d. all my respective interest right title Claime and Demand whatsoever in and unto 5/7 parts yett unsatisfied of ye said Debentures and all Lands, houses, tenements and whatsoever sett out or to be sett out in lieu and satisfaction of ye same or any part of TO HAVE AND TO HOLD the above bargained premises and every part and pcell thereof unto Petty his heirs, Exors, Admors. and Assigns for ever

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Note.—Blanks in above are due to left hand portion of last page of Mss. being missing.