A Comparative Study of the Wills of the First and Fourth Earls of Thomond.

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The purpose of this paper is to highlight the value of wills in portraying an intimate picture of the historical experience. The wills of the first and fourth earls of Thomond are here examined and the insights they provide into the anglicisation process and the religious affiliations of the period 1551–1617 are discussed. The status of women and the changing social and economic conditions of the period are also commented upon. The will of the fourth earl is here published for the first time and that of the first earl for the first time in translation.

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Wills, containing as they do, an individual’s final instructions, are among the most useful and reliable of our historical documents. Apart from the straightforward genealogical information they contain, wills offer valuable understanding of the political and the religious allegiances of individuals and their families. They contain, in addition, much social history: evidence of how people lived, what relationships they formed, how they managed their affairs and the objects they prized. Wills, thus, repay handsomely the time and effort expended in their study. The wills chosen for this study are those of Murrough O’Brien¹ and Donough O’Brien² the first and fourth Earls of Thomond respectively (see Appendices I and II).

Murrough O’Brien inherited the lordship of Thomond from his brother Conor in 1539. Initially he tried to maintain the independence of his lordship and resisted the advances of St. Leger the Lord Deputy. However, by 1542 he was compelled to enter into negotiations upon what conditions he would submit to the authority of the king of England. O’Brien agreed to acknowledge Henry VIII as his sovereign and renounced the supremacy of the pope. In return he was granted the lands of the dissolved religious houses of Thomond. In 1543 he travelled to London and was created first Earl of Thomond. Owing to the general dearth of coin in Thomond, O’Brien was obliged to borrow one hundred pounds to cover his travel expenses. On his death in 1551 he was interred in the Franciscan Friary of Ennis. Murrough was among the last of the O’Brien rulers who attempted to maintain the integrity of the Gaelic lordship before it was integrated into the expanding Tudor state.

Donough O’Brien was the eldest son of Conor, third Earl of Thomond. To ensure the good behaviour of his father, Donough, like Hugh O’Neill the future Earl of Tyrone, was brought to England as a child and reared as a Protestant at the court of Queen Elizabeth. However, unlike O’Neill who rejected the indoctrination of his childhood, O’Brien’s education was to have an enduring influence upon him; he embraced English culture and civilization and became a committed Protestant. On the death of his father in 1581, Donough succeeded as

*50, Castleknock Park, Dublin 15.
¹John Ainsworth (ed.) The Inchiquin Manuscripts, Dublin 1961, no. 1480
²Petworth House Archives, West Sussex, PHA Ms 1600.
fourth Earl of Thomond. He abolished the old Gaelic institutions of his lordship and assisted with the introduction of English law and custom into the newly formed county of Clare. During the Nine Years Wars he was the staunchest ally on the English side; he suppressed the revolt of his brother Teige O’Brien and played a major part in the defeat of Hugh O’Neill at the Battle of Kinsale. When peace was restored he introduced many new English settlers onto his lands in county Clare. In recognition of his services to the Crown he was made President of Munster in 1615 a position he held till his death in 1624. Donough O’Brien has been called 'The Great Earl of Thomond' and while such an appellation can be justified with reference to the services he rendered the English interest, he caused much bitterness and division among his own people. Nevertheless he clearly was a man of ability, a man who introduced innovation and change and therefore a man deserving of our attention.

Anglicisation Process

The feature most notable in the seventy year interval between the two wills is the extent to which the Anglicisation process had taken hold. Not just in terms of language but also in terms of law, education and in the extent of the intimacy of relationships forged outside the territory of Thomond.

The first will is written in Latin, the international language of the medieval church, while the second is in English the vernacular of an emerging national state. The Irish nobleman of the 1550s spoke Gaelic and probably had a knowledge of Latin; sixty years later, however, not alone was he fluent in English but from internal evidence in the second document it is clear that the fourth earl was literate in English and so could function as an agent in the administration of the state.

The same Anglicisation process is evident in the laws governing inheritance. In 1551 the first earl divided his property in more or less equal portions among his three sons as was the practice under Gaelic law; in 1617, however, the fourth earl is careful to ensure that no division of the property occurs and that only his eldest son Henry will inherit. This he pursues to the extent of inserting a special provision in his will revoking all grants of land made to his second son Brian.

The Anglicisation process is especially evident in the links the fourth earl establishes outside the bounds of his lordship. He makes Richard Boyle, Earl of Cork, the richest man in Ireland an executor of his will. Boyle, who came to Ireland practically penniless in 1588, introduced many new settlers and skilled workers from England to his lands in Munster and no doubt the fourth earl learned by his example. The fourth earl can address Sir Arthur Chichester, Lord Treasurer of Ireland as 'my most noble and affected friend' illustrating his good relations with the administration in Dublin. Farther afield he has contact with Mr Finninge of the Exchange of London and bestows on Lord Caryc his rich armour which is in the possession of the king's armour at Greenwich. By contrast no single individual from outside the territory of Thomond is mentioned in the will of the first earl and the impression created is that of a narrow-based, inward looking, closed society. The individuals recorded are the hereditary office-holders of the lordship: McClancy the hereditary brehon or lawyer, Doctor Neylon, physician to O’Brien and McGorman the captain of his household troop. Of these three only McClancy is mentioned in the later will and then only in the form of an admonition by the earl to his sons to treat the old families of Thomond with kindness. Evidently the status of the hereditary office-holders was much reduced in the later period. The new office-holders bear English surnames; Doctor Phillip Feild replaces Doctor Neylon as O’Brien’s physician; and instead of McGorman, Sir Thomas Brown is captain of the horse troop.
The introduction of English settlers to Thomond was central to the strategy of the fourth earl in anglicising his territory; consequently English settlers are much in evidence in his will. He leaves to the Captain Nortons, two brothers who had settled on the lands of Ennis and Clarecastle, twenty pounds a piece to be paid in English cows; to Peirs Halland the profits of the lands of Inchonin provided he stays with his son Henry and to Captain Peter Wright one hundred marks sterling. English settlers were sought after because they were law abiding, they cleared the land, built houses and were skilled farmers. However, the introduction of English settlers was to cause great resentment as the native population was denied the opportunity of farming land occupied by the newcomers. The earl alert to the disruptive potential of these tensions in the community, counselled his sons to 'cherish and favour all the English amongst them'.

A name conspicuous by its absence from the will of the fourth earl is that of Tadhg Mac Daire Mac Bruaideada, hereditary historian, praise poet and official genealogist to O'Brien of Thomond. Tadhg addressed no less than five complimentary poems to the earl during his life and on his death penned his official elegy. Yet he is completely omitted from the will. Evidently, a modernising anglicised nobleman of the 17th century had little need of the services of a Gaelic praise poet.

Religious Affiliation

When the first earl recognised Henry VIII as his sovereign he renounced the authority of the pope. Officially, at least, the first earl was a Protestant. However, it is obvious, even from a cursory reading of his will, that the man was a traditional Catholic. The ideas of the Reformation had yet to penetrate the west of Ireland. Murrough asked to be buried in the friary of Ennis and rewarded the friars handsomely to pray for the salvation of his soul. Ennis was one of the monasteries that eight years earlier had been formerly dissolved on the orders of Henry VIII. Typical of the confused state of religious affiliation at this time is the case of Conellius O'Dea, the bishop who drafted the will of the first earl. By papal provision he was the Catholic bishop of the diocese of Kilmacduagh but by royal authority Protestant bishop of the diocese of Killaloe.

No such ambivalence existed under Donough the fourth earl: the bishops who appear in his will are all Protestant and English. He bequeaths to the worthy and beloved Thomas Jones, Lord Archbishop of Dublin, 'his second best basin and ewer of silver'. He enjoins his two sons to 'harken the goodly and ghostly counsel' of Bernard Adams, Lord Bishop of Limerick, and John Steere, Bishop of Killfenora. The fourth earl, rather surprisingly, makes no mention of the Bishop of Killaloe; this is a curious omission since by far the greater portion of the territory of Thomond is contained within the diocese of Killaloe. The exclusion of the principal bishop of the territory illustrates quite clearly the tensions that existed between the established church and the secular ruler. The encumbrance bishop of Killaloe, John Rider and Oxford graduate, was in dispute with the earl over several tracts of church land, which he claimed, the earl withheld illegally from him. Because of the power of the earl no jury in county Clare would uphold the bishop's title to church property in dispute.

There is good evidence in his will to suggest that the extended family of the fourth earl was not wholly committed to the reformed religion. The family of his brother Sir Daniel O'Brien while outwardly professing to be Protestant inwardly remained loyal to the Catholic

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3 Brian Ó Cuív, 'An Elegy on Donnchadh O Briain, Fourth Earl of Thomond', Celtica, 16(1984), 87-90.
5 Rev. Philip Dwyer, The Diocese of Killaloe from the Reformation to the Close of the Eighteenth Century, Dublin 1878, pp. 139-145.
faith. As an inducement to continue in the Protestant religion the earl left one hundred pounds sterling to Sir Daniel's son for his maintenance in an university nominated by the Archbishop of Canterbury, and provided his son remained strong in his religion he was to receive an income for life from the earl's estate. Sir Daniel's descendants, however, reverted to Catholicism and having fought for King James at the Battle of the Boyne lost all their lands in the Williamite confiscations.

Public Improvements

The peace that followed the ending of the Nine Years War ushered in a period of relative prosperity which allowed the fourth earl to engage in building projects and in public improvements for example, he had a stone bridge erected over the O'Garney river at Sixmilebridge. He rebuilt the parish church of Bunratty and left glass and lead towards the glazing of the cathedral church of Limerick. The disturbed conditions of the mid sixteenth century on the other hand did not allow the first earl to carry out public improvements and, apart from erecting his tomb in Ennis friary, there is no evidence that he engaged in any building activity.

The effects of the closure of the monasteries were still being felt in the second decade of the seventeenth century. There were no institutions to care for the sick, the needy or the infirm. The fourth earl felt the need acutely and charged his son with the building of two hospitals, one at Limerick, the other at Ennis. The Spittle house of the poor Lazors at Limerick was to be slated and well built 'with rooms and partitions for such men either single or double with chimneys for each room'. The hospital at Ennis was to accommodate eight poor men with each receiving three pounds a year for his maintenance. However, while the fourth earl charged his son with establishing these institutions, he made no provision in his will to cover the building costs. Without provision of resources such proposed projects were no more than pious aspirations. The earl's son and heir Henry O'Brien had quite clearly other priorities and the wishes of his father were never carried out.

Status of Women

Of the sixty-two people named in the two documents just five are women. This might lead one to the conclusion that only eight per cent of the population was female! It is a good example of the invisibility of females in historical documents. Moreover the women recorded do not stand as independent persons but in a male dominated society are defined by their relationship to a particular man. Thus Helen Fitzgerald is described as the first earl's wife and Joan Fitzgerald as the fourth earl's niece.

Whether or not the status of women in Ireland improved under the English common law is an open question. In Gaelic law wives could own property independently of their husbands; whereas under the common law, a woman's property on marriage automatically became her husband's. Widows, on the other hand, fared better under the common law; they were entitled to a third of their husband's estate, whereas in Gaelic law widows were only entitled to the property they brought with them to the marriage, usually their dowry. In the will of Murrough the first earl, his wife Helen is well treated. The lands are divided between her and their three legitimate sons. All horses, cattle and sheep remain her property until her death when they can then be divided among her three sons. The first earl provides for his wife over and above what the law requires. By contrast Elizabeth Fitzgerald, the wife of the fourth earl, is not so generously treated. She is not granted the third of the estate that is hers by right, but rather an annual income of one hundred and fifty pounds and if she requires her full entitlement she must resort to law.
It is known from other sources that the first earl had several daughters, yet they are not recorded in his will. This is probably because in Gaelic Ireland daughters inherited movable property such as farm animals and household equipment rather than land. Daughters brought their inheritance with them as dowries on their marriages which is why daughters tend not to be recorded in wills. Sons inherited land, and that is why the lands the three sons of the first earl were to inherit are carefully set out in his will.

Economy and Agricultural Practice

There is every indication in our two documents that the economy of Thomond was firmly rooted in agriculture. Land and farm animals are the principal assets of both men. There is no evidence of industrial activity of any kind and even agricultural-related processes such as milling, brewing or tanning are absent. The ultimate source of all wealth was the land and the right to the ownership of this precious resource was zealously guarded and passed on to the sons of the ruling families.

While there is some evidence for tillage, pastoral farming, the raising of cattle, horses and sheep was the principal activity. The first earl rewarded the friars of Ennis by granting them the entire grain harvest of the lands of Clonroad. However, it is not bushels of wheat or barrels of corn that are the prized possessions but rather horses and cows. The fourth earl bestowed his best horses on his most trusted friends. To Sir Arthur Chichester he presented a bay gelding with a rich saddle; to Richard Boyle, first Earl of Cork, a black mare and a young bay horse. Cows also feature in the fourth earl’s bequests. To his sister Margaret he gave ten English cows and to the wife of Sir Thomas Brown twenty fair English cows. The several references to English cows is indicative of the attempts of the fourth earl to improve the quality of the cattle herds by introducing new breeds of cows from England. This must be seen in conjunction with his attempts to attract English settlers to county Clare. English settlers with their skills and improved farming techniques gave new impetus to the local economy.

Money scarcely features in the will of the first earl. The economy of Thomond in the mid-sixteenth century functioned without the use of coinage. Thus the first earl had to borrow one hundred pounds in groats to travel to London to be invested as Earl of Thomond. This was not because there was a shortage of bullion in Thomond, as we shall see, the earl had plenty of precious metal at his disposal. However, with the exception of the monasteries, all the first earl’s bequests are in the form of land, animals or household goods. The twenty shillings sterling he leaves to each of the monasteries is likely to have been paid in goods rather than actual money. In the second document it is evident, not just that money is in widespread use, but that the sums of money are much greater. Thus the fourth earl bequeaths a hundred pounds sterling to his nephew Patrick Fitzmorris, son of Lord Kerry, a boy he had reared as a Protestant in his house, and a further hundred pounds to his nephew Donough O’Brien for his education; he orders that his servants’ wages be paid and that all his horse troop receive five pounds sterling or in lieu thereof a young horse. Clearly, by the second decade of the seventeenth century the market economy was functioning in Thomond and goods and services were paid for in the normal way with money.

Material Culture

Weapons and clothes were prized as personal possessions. In a militarised society a man’s weapons and the clothes he wore were marks of distinction. The fourth earl bestowed on his

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6Ivar O'Brien, O'Brien of Thomond, Chichester 1986, p. 17.
brother in law, the Lord Dunboyn, his best sword and a long-guarded cloak; to Sir John McNamara he gave a sword and a velvet cloak laid on with six or seven laces and to his steward, Rowland Delahoyde, he gave his best satin suit and a black cloak lined with velvet or shag. In relation to what a person could earn clothes were extremely expensive and were thus passed on from one generation to the next. Another material highly prized was glass. Glass, which had to be imported, was rarely found on buildings: only the cathedral churches of the largest dioceses could afford the material. An impression of the fourth earl’s prosperity is gained by his ability to glaze the windows of Bunnatty Castle while leaving the residue to glaze the windows of St Mary’s Cathedral in Limerick.

Household plate is also much in evidence. The fourth earl leaves his great bowl of silver to Sir Arthur Chichester and his second best basin and ewer of silver to the Archbishop of Dublin. The first earl also leaves bowls of silver to the Bishop of Killaloe and to Captain McClancy. However, more intriguingly the first earl appears to have a large quantity of silver plate in his house. After his bequests, the remaining silver was to be divided in three: one third going to his wife and the other two thirds divided equally among his three sons. The question that inevitably arises is where did the first earl get so much silver plate? The silver being divided was probably the residue of the Kildare plate which was brought by Silken Thomas to O’Brien’s residence at Clonroad after the fall of Maynooth Castle in 1537. Silken Thomas resided at Clonroad for six months before surrendering to the Lord Deputy. In the early sixteenth century a detailed inventory was made of the silver in Maynooth Castle; it contained over one hundred vessels of silver. Following the execution of Silken Thomas, O’Brien was allowed to keep the silver plate. Regrettably, no piece of household silver from this period survives and we may only speculate as to the place of manufacture of these vessels, their shape and the style of ornamentation they carried.

References to furniture, wall-hangings, family portraits, books and manuscripts are absent from both wills. This is not because such items did not exist in the households of Gaelic lords. For example, a portrait of one of the sons of the first earl and his wife survives as does a portrait of the fourth earl himself. They are among the earliest Irish family portraits. Such items, however, were not recorded because they were not deemed to be of sufficient value in a culture that prized its land, cattle and horses above all else.

Burial Monuments

Through good fortune the burial monuments of both men survive. The first earl asked to be buried in the tomb he had built for himself in the choir of Ennis Friary. I suggest that the tomb called traditionally the Inchequin Tomb is in fact the tomb of the first Earl of Thomond (Illus. 1). When Murrough O’Brien was created Earl of Thomond he was also granted the title of baron of Inchequin. Baron of Inchequin was the title inherited by the first earl’s descendants. The friar, Anthony MacBrody writing in Prague in 1669, recounts that ‘in the choir of the Franciscan church in Ennis, the founder had a marble tomb built for himself and his descendants; it is known as the burial place of the O’Brien barons of Inchequin’. The Inchequin tomb today stands in the choir against the south wall to the right (Epistle side) of

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Illus. 1. The now-vacant Inchiquin tomb in Ennis Friary, erected by the first Earl of Thomond in 1551.
(Photo: Courtesy, Office of Public Works).
Illus. 2. Monument to the fourth Earl of Thomond in St. Mary's Cathedral Limerick, erected by his son Henry the fifth Earl; destroyed in 1642, and re-erected by Henry the seventh Earl in 1678.

(Photo: Courtesy, Office of Public Works).
the main altar. This is the place of honour in the church, the place usually reserved for the tomb of the founder. There can be little doubt therefore that the Inchiquin tomb is the monument referred to in the first earl's will and can be dated to 1551.

The positioning of the tomb in the choir emphasises the enhanced status of the secular ruler in the wake of the Reformation. Before the earl's monument could be erected the tomb of the founder of the friary, Turlough Mor O'Brien who died in 1306, had first to be cleared away. The earl had been part of the commission that officially closed down the monastery in 1543. Clearly by 1551 the insecurity of the friars was such that they were not in a position to resist the advances of the earl and his wish to site his own burial monument in the position of honour in the church.

The tomb is an unhappy design resembling a fireplace more than a burial monument. In style it has more in common with the sculptural tombs of the medieval period rather than those of contemporary renaissance Europe. By contrast the fourth earl is concerned that his monument is built in the latest style and leaves detailed instructions for its erection. He charges his son to set up his tomb in St. Mary's Cathedral, Limerick, and to decorate it in the same fashion as Sir Francis Vere's tomb in Westminster Abbey.\(^{11}\)

The tomb of the fourth earl as it survives today bears little resemblance to the original design (Illus. 2). When the city of Limerick fell to the Irish in the uprising of 1641, the tomb of the earl was attacked and his effigy and that of his wife smashed. That the tomb of the fourth earl should receive such rough treatment less than twenty years after his death is an indication of the depth of hatred there was towards the man. Clearly during his life, he had attempted to introduce too much change too quickly and had failed to appreciate the degree of resentment his actions were provoking. He underestimated the ability of the native population to assimilate the settlers, and in the end failed to appreciate the extent of the cultural divide that existed between native and newcomer.

Acknowledgements

I am deeply indebted to Mr. Michael O'Meara, formerly of St. Flannan's College, Ennis, for his translation of the will of the first Earl of Thomond; the will of the fourth earl appears courtesy of Petworth House Archives, West Sussex: Appendices I and II respectively. I am also grateful to the honorary editor for his assistance and for his attention to detail.

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\(^{11}\) Henry the fifth Earl of Thomond erected a monument in Honour of his father in St. Mary's Cathedral, Limerick, and inserted a detailed provision in his own will (PHA B26/W16) in 1639 for the erection of his statue upon his father's tomb:

'Item I do ordain and charge my executors to cause my own statue, carved in robes, sword and crownnet, to be erected and placed standing at the head of my father's statue from the ground up, and my brother's statue according to his degree standing at my father's foot, and that they cause my grandfather and great grandfather's statues to be erected upon the broad stone that is fixed over my father with an altar between them kneeling, on both sides thereof, in their parliamentary robes, swords and crownnets according to their degree, and this and all needful reparations fitting for the further beautifying of the monument at Limerick to be done by my executors.'
APPENDIX I

WILL OF MURROUGH O'BRIEN, FIRST EARL OF THOMOND

Translated from the original Latin by Michael O'Meara.
(Inchiquin Ms 1480)

In the name of God amen the twenty sixth day of the month of June the year of our Lord 1551 and also the fifth year of the most illustrious king of England, France and Ireland Edward the sixth. I, Murrough, Earl of Thomond being of sound mind and perfect memory (God be praised) make my last will and testament in manner following:

Firstly I give and leave my soul to God my almighty father, to the blessed Mary and all the saints and my body to be buried in the church of Enish in the tomb which I have made in the choir of the same church.

Likewise for the benefit of my soul I leave to the priests of the same church of Enish all my ploughing of my residence of Clanraudd.

Likewise I leave to the priests of Quinhe twenty shillings sterling.
Likewise I leave to the college of Anskettin twenty shillings sterling also.
Likewise to the priests of Athdare I leave twenty shillings.
Likewise I leave to the priests of Kilconil twenty shillings.

Also I divide and leave my temporal goods, mobile and immobile, between my legitimate heirs Dermod, Teige and Donough O'Brien, and between those heirs and my wife Helen, during her life.

Firstly I give and leave to my elder son Dermod the castle of Ensiquine with five quarters of Foedi: that is to say the quarter of Reigh, half of the quarter of Balmaruiff and another half of the quarter of Anchalin, the quarter of Balligauin and half of the quarter of Caragh Blahuick, half of the quarter of Fanamore and the quarter of Nafanchille.

Likewise to the same Dermod I leave the castle of Pontus\(^1\) with ten quarters whose names are: that is to say the five quarters of Urehaury and the two quarters of Fahy, the quarter of Ensylshir and the two quarters of Portcrossy.

Also to the same Dermod I leave the castle of Diriown with the two quarters attached to the same and the quarter of of Bealenmonyn and half of the quarter of Fian and the quarter of Rinceaha.

Furthermore to the same Dermod I leave the castle of Ahereynagh with a half of one quarter looking towards (speciatans ad) the same castle and the quarter of Ceapacha and half of the quarter of Claneboy.

Also to the same Dermod I leave half of the quarter of Ballimullory.

Again to the same Dermod I bequeath the castle of Dunogan and the quarter of Nacorrah and the quarter of Audnuli and the quarter of Shan ....\(^2\) Sheanbohy, so the said Dermod will have the castle of Dunogan and the aforementioned lands attached to the castle itself up to the end of his life, except the lordship of Thomond falls to him, and if it happens that Dermod were to hold the lordship of Thomond or if he completes the days of his life at last, then [I stipulate]\(^3\) that he leaves the castle of Dunogan with its appurtenances to Teige [and if he in turn obtains the lordship] that in the same [way] he do [the same] for Donough.

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\(^1\) In the published Latin version of the will the word Pontus appears thus: Pontus (?) The grammar appears to be wrong - one would expect Pontum.

\(^2\) This placename is partly erased in the original manuscript.

\(^3\) The phrase prout se ipse praesenta eius is puzzling here; the text may be corrupt; left untranslated.
Also I leave to my second son Teige the castle of Bahneill with three quarters and half of one quarter: that is to say the quarter of Martry, half of the quarter of Dreyney and half of the quarter of Bahneil and the quarter of Karownamire and Diorah and half of the quarter of Balliconnaally.

Also to Teige I leave half of the quarter of Ballikahsye and another half quarter, Caraghnhelley.

Also to the said Teige I leave the castle of Balleogowne with three quarters; that is to say the two quarters of Ballingowin and the quarter of Ballintarsna.

Also to the said Teige I leave three quarters with the half of a seysy⁴ in the district of Bonus (*in campo Bont*): that is to say: the quarter of Balligastle and the two other quarters called seysy, that is to say: the seysy of Cloinuohine and [the seysy of] Ballichassonmore and the seysy of Ballidonchow and half of the seysy of Balliteige.

Also to the said Teige I leave the castle of Ballincashone with its appurtenances....⁵

Again to the same Teige I leave the place commonly called Kearuncilohy with two quarters of Ballilaine and a half of the aforementioned....⁶ me Logland.

Likewise to the same Teige aforementioned I leave an equally fertile (*iulecta potentem?*)⁷ quarter with half of the Balli Ivuydy and half of the quarter of Cluniconnery and the half quarter of Affermaly and the half quarter of Killebany.

Also to the other third son, Donough, that is to say, I leave the castle commonly called Leamnue with five quarters contiguous to it the names of which are these: namely the three quarters of Knockloun and Carahskrine along with the quarter in Clunein and half of the quarter of Carahblonke and half of the quarter of Fahafaire.

Futhermore I leave to the said Donough the castle of Balliconilly and also the castle of Drumolune with the quarter of Balliconilly and the quarter of Drumollun and the four quarters of Lattune and the two quarters Rine-nusly Merry and Ruit maclarn na Cealrneach and half of the quarter of Lisduff and the fourth part of one quarter of Ballinakragie, [I do that] so the said Donough will not be able to molest my legitimate wife Helen or to annoy her, to the end of the life of Helen herself, over the castles of Balliconilly and Drumolune, nor about the neighbouring aforementioned lands listed above⁸ because I bequeath (them) to the same aforementioned Donough also in the present will.

Likewise also I leave my silver plate and other household goods (*localia*) as follows: firstly I leave my gold chain (*catheram*) and silver bowl⁹ as of choice to Dermot O'Brien subject nevertheless to this prior condition that the same Dermot leave the chain and bowl to Teige O'Brien after the death of Dermot himself, [and] that Teige also to think it proper to do the same with Donough O'Brien.

Also I have left to my said wife Helen two vessels of silver as the bishop of Killaloe and Captain MacClancy well know.

Also I leave to my said wife Helen a third part of all the plate that is left apart from those two.

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⁴ Seysy is the most likely a Latinised form of the Irish *seisreach* meaning a ploughland.

⁵ The text here is *pro his pro his ... ad ... obligatur*. Because of the repetition of *pro his* and the two gaps in the text no attempt is made to translate. *Pro his* would mean 'on behalf of these' or 'in place of these'.

⁶ Some such word as 'land' *terra* is missing here.

⁷ I translate *potentem* as 'fertile' here instead of powerful. It could mean either.

⁸ *Et ibi numeros*; a puzzling phrase but possibly *numerous* should be *numeratus* in which case it would mean 'therein listed' or 'listed above'.

⁹ The phrase describing the bowl is *cyphum argentii elegationes* which literally means '[my] bowl the pick of my silver'.

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Also I leave the other two parts to be divided equally between my three sons: Dermod, Teige and Donough.

Likewise I also leave all my cows, horses, sheep and my other animals to my said wife Helen to the end of her life (suam vitae)\textsuperscript{10}, and after the death of my aforementioned wife [I stipulate] that she leave the same animals to my sons according to (secundum) what I say and what I leave.

Also in the same way as I possess the castle of Cullanefy with its appurtenances with the land of Tuohogonilla I leave [that] to my aforementioned son Donough.

In witness and confirmation of which, all and singular, I Cornelius bishop of Killaloe\textsuperscript{11} have written this text of the will with my own individual hand and I have attached my seal to this [document] in the district of Balliconilly, and at the aforementioned time in the presence of these witnesses:

Captain MacClancy, Master Doctor Nelan and the Lord Bishop of Kilfenora\textsuperscript{12}; also Teige O’Nelan, the aforementioned Helen, and Captain MacGorman and other sundry individuals.

This is a true copy compared with the original and examined before us whose names ensue, the 21st of August 1585 in the 27th year of the reign of Elizabeth, our queen.

Mauritius Lanenesis\textsuperscript{13}
Willielmus Riane
Richard White.

This is a true copy compared with the original examined by us whose names are subscribed.

Richard White
Thomas Linch Fitz John
James O’Coine

A true copy agreeable to the original
Sr Therlaugh O’Brien
Christopher Comine
Thadeus O’Brien

APPENDIX II

WILL OF DONOUGH, FOURTH EARL OF THOMOND

(Petworth House Archives, West Sussex, PHA 1600)

In the name of God Amen. I Donatus Earl of Thomond being in bodily health, sound in mind and of good and perfect memory (the holy name of God be blessed for it) do make and ordain this my last will and testament in manner and form as followeth:

\textsuperscript{10} Suam vitae seems wrong grammatically it should read suae vitae; since the possessive adjective suae must agree with its accompanying noun vitae.

\textsuperscript{11} Cornelius O’Dea, Bishop of Killaloe 1546-c. 1551.

\textsuperscript{12} John O’Neylan, Bishop of Kilfenora 1541-1572.

\textsuperscript{13} Maurice McBrien or O’Brien-Arra, Bishop of Killaloe 1570-1612.
First I commend my soul to almighty God my glorious Creator and gracious Redeemer; my body to be buried and interred in my tomb or burial place within the cathedral church of St Marie within the city of Limericke, which I lately purchased there, according to my honour and degree, as the Right Honourable the Lord Deputy of Ireland and the now Lord Chancellor of the same shall think fit.

And I do constitute and ordain my son and heir Henry Lord Bryen to be my sole executor and charge him on my blessing to pay all my due debts; and the right honourable the now Lord Archbishop of Dublin and Lord Chancellor of Ireland, the Lord of Kierry and Licksnaw, the Lord Boyle and Sir Thomas Browne, Knight to be my overseers, commending my said executor upon my blessing to be ruled and governed by their wisdom in all things.

For my earldom I leave it to my eldest son Henry, whose rightful inheritance it is, beseeching almighty God to grace and guard him in it, that he may hold and defend it with as much honour and valour and love as either myself or any his predecessors have done.

Item I give unto the Lady Elizabeth fitz Gerald my wife, to whom the lord be merciful as to me, her jointure of one hundred and fifty pounds per annum or it that satisfy not then what she can get or can have and may recover by law.

Item I give and bequeath to the Right Honourable Sir Arthur Chichester, Knight, Lord Treasurer of Ireland, my most noble and affected friend, my great bowl of silver double gilt and my bay gelding with my rich saddle.

Item I give and bequeath to the Right Reverend and worthy beloved Lord Chancellor of Ireland the Lord Archbishop of Dublin my second best basin and ewer of silver being parcel gilt and one goshawk.

Item to my true and trusty well willer Barnard, Lord Bishop of Limericke, a young gelding, the chiefest of the five which I left for myself.

Item to my son Henry my horse called Grey Chichester and all other my horses and mares, excepting those which herein I have bestowed and disposed of.

Item I legacy and bestow upon my nephew Patrick fitz Morres one hundred pounds sterling.

Item I give all the glass and lead in my house at Bonratty, being not set up in the windows there, towards the glassing of the cathedral church of Limericke aforesaid, reserving only as much glass as will glass the windows of the church of Bonratti newly edified by me.

Item I will that my son Henry shall pay unto Mr Finninge of the exchange of London four score pounds sterling if there be good specialty to show for it.

Item I give my long guarded cloak and my best sword to the Lord of Dunboync.

Item I give to Captain Peter Wright one hundred marks sterling and the lease of Courtbracke during his life with a young ambling gelding.

Item to my servant Richard Keatinge one young gelding and his farm of Ballynekaagy and the island of McKnaven during his life free.

Item to my servant Teage O'Ruddane the half quarter of land he hath in Ballyarilly and the three pounds reserved out of Ballimncashell for his own life free.

Item to Teige O'Quin the farm which he hath, to hold it during his life free.

Item I do straightly charge my son Henry to use my brother Sir Daniell O'Bryen with the best and kindest regard he may and ought to his uncle and that he abridge him of nothing which I have given him and to give him my second best horse.

Item I will that Sir Nicholas Mordant shall have and enjoy his farm during his life free.

Item I bequeath my black mare and my young bay horse to my honourable good friend the Lord Boyle.

Item I bequeath and give to my Lord Carye that my rich armour which is in a chest at Mr
Pickering's the king's armourer at Greenwich.

Item I give and bequeath to my sister the Lady Dunboynne ten fair English cows and a bull.

Item I give to Joan fitz Gerratt my niece, daughter to the Lord Kierry and Licksnawe thirty cows and twenty stud mares.

Item I bequeath the parsonage of Oamulleid for which Rowland Delahoide payeth me ten pounds per annum to his eldest son Oliver during his natural life.

Item I will that my servants' wages be all duly paid unto them and all the gentlemen of my escort that wait on me to see them duly paid of their entertainment and that each of them be paid of five pounds over and above their entertainment, sterling, upon their departure or of a young gelding in lieu of each five pounds. I charge my son and heir to pay my foot company in good sort what is due to every of them.

Item I will that my son Henry do assist Rowland Delahoyd in passing the Tarmon lands called Keildonelivalla and found lately by an office of inquisition to the use of the said Rowland and his heirs as in a deed is specified to which I have put my hand.

Item I require my sons Henry and Bryan upon their duties and my blessing as ever they regarded me that they use Sir John Mc ne Mara knight, Boetius Clanchy Esq. and Rowland Delahoyd Esquire as I their father have done in all things, graceing and countenancing them in all lawful causes and courses as much as in them lies and that my son Henry suffer Sir John to enjoy all such casualties and amerceaments as I have given him during his life without contradiction or interruption and to give him the said Sir John a velvet cloak laid on with six or seven laces, a sword and my best third horse and to give unto the said Rowland Delahoyde my best satin suit and a black cloak lined with velvet or shag.

And further that my said sons Henry and Bryan be true, respective and honourably affected towards the gentlemen and inhabitants of Thomond, whom I have ever found as honest and faithful followers to me as any nobleman had and so assure ... they will grow to my children if they be wisely and honourably ... which I here carefully enjoin my said sons to do; as also that the[y] cherish and favour all the English amongst them as old father Petite and the rest and especially both Captain Nortons to whom I bequeath twenty pounds apiece to be paid unto them in English cows and a gelding to each of them both.

Item also I do charge, and, as earnestly as I may, require both my said sons upon my blessing and by that filial naturalness whereby they now do or ever ... their father, that they embrace and love my tried and faithful well willers and theirs Barnard Lord Bishop of Lymerick and John Lord Bishop of Killfenora, assisting and defending them in all lawful causes and courses to their uttermost and that they harken to their goodly and ghostly counsel continually, whereby they may be strengthened and confirmed in that religious profession of a lively and unfeigned faith without any admission or mixture of idolatry wherein I have ever comfortably lived and do constantly desire to die, and wherein I have carefully brought them up that after the vanity of this life ended, they may enjoy with me the glory of the life to come, whither I am cheerfully and desirously passing, wheresoever my sweet Saviour shall gather me to be installed amongst those glorious saints and soldiers in heaven who have fought a good fight before me and have finished [in] the faith, whose blissful society and company I heartily long for above all that can be wished and therefore join voice with those holy ones that lie and cry under the altar: 'Come Lord Jesus, come quickly into whose sole saving hands I commend my spirit'.

Item I will that my son Henry shall finish the stone bridge by me built and made over the water of the Six Myle Bridge well caused at both the ends thereof for passage of carts and travellers and futher do charge my eldest son to build the bridge of the Guorneagh with stone.

Also I do require and charge my said son Henry to repair, finish and make up my tomb at
Limerick and to lay upon it my picture in alabaster in robes and in the top of the tomb all pieces of armour as is upon Sir Francis Vere's tomb in Westminster; and two earls and two barons in their robes to be the supporters of the said uppermost stone as the said Sir Francis his tomb is erected; and also to hang and bedeck the said tomb (by order of heraldry) with my coat [of] armour and all other rights due and appertaining to an earl.

Item I bequeath twenty pounds sterling for the adorning of the choir of our Lady's church in Lymericke as the same shall be disposed of by the mayor, bishop and dean of Lymericke.

Item I will that Phillip Feild, physician, shall have, hold and enjoy, to him during his natural life, free, the quarter of land which was late in the possession of William Mc Shane Oge, and which I lately bought off his son and the rightful inheritors thereof.

I bequeath to my worthy friend Sir Thomas Browne, Knight, one of my overseers and commander of my horse troop, a hundred pounds sterling, the white satin doublet, my black satin hose, my cloak laid on with silk and silver lace and lined with unshorn velvet and my silver sword with his girdle and hangers; and twenty fair English cows to his lady my gossip.

Item I charge my son and my overseers to see all my workmen paid of their wages and of all other the monies due unto them for any work that has been done unto me (Thomond).

Item I bequeath to my nephew Donogh O'Bryen, son of my brother Sir Daniel O'Bryen, the sum of one hundred pounds sterling towards his maintenance in any of the universities where the most reverend father in God, the Lord Archbishop of Canturbrie, shall appoint him to study, in England and my said nephew continuing firm and sound in his religion, I bequeath unto him the rent that Dermot McConsidghe owes for the lands which he holds in Kilroe and Clonwhite during the said Donogh's life.

Item I bequeath to my uncle Sir Terlaigh O'Bryen of Dowharra one of my young horses and twenty good English cows, the best black satin suit I have with a black cloak and my black sword and dagger with their suitable girdle and hangers and ten stud mares to his son Donogh.

Item I ordain and appoint my said son and heir and heirs and my overseers to build and erect the Lazors' house called the Spitle house of the poor Lazors, hard by the south gate of Lymericke, strongly and sufficiently and well covered and slated, with rooms and partitions for such men either single or double, with chimneys for each room as the overseers thereof shall think fit and that the living thereunto belonging shall be improved and what shall want thereof for the said reparation and building to be made; I charge my son and heir upon my blessing to see it nobly and freely performed at his own charges without delay and I charge the overseers of my will to see this executed and no ways slackened as they will answer it before God, and as ever the[y] tendered the love which they bore unto me.

Item I do hereby revoke and call back, cancel and disanull all the deeds and writings which I made to any feoffees of trust to the use of my son Bryen of all or any manors, castles, towns, lands, tenements or hereditaments within the county of Clare called Thomond and in especial[y] of and in Castlebankes, Downeass, Annaghmore, Annaghbegg, Phonierlye and Glan munitiy malowny and all other lands by what name or names so ever within the said county of Clare.

Item I do charge my son and executor on my blessing and my overseers to see all the debts due on me either by specialty or good proof, duly paid and satisfied out of my goods and chattels.

All my other goods and chattels movable or immovable of what nature, kind or quality whatsoever they be, together with my household stuff at Catherlogh, I bequeath, legacy and devise to my said executor.

Item I will and ordain that my said executor shall maintain unto my servant Francis
Hardwich the parsonage of Killnecfariboy, which I have formerly bestowed on him during his natural life.

Item I bequeath unto my good fried Sir Oliver Lambert one of my best ambling nags.

Item I charge my son and heir Henry, Lord Bryen, Baron of Ibraccon, or any other whom it shall please God to succeed me in my earldom, to build and erect a house in nature of an hospital at Inish for eight poor men and to allow and to give unto each of them three pounds sterling yearly for ever out of my living and lands for their maintenance.

In witness whereof I the said Donatus, Earl of Thomond, have to this my last will and testament set my hand and seal dated at Lymericke the 28th day of November, Anno Domini 1617 (Thomond).

I charge my son and heir to maintain to my servant Peirs Halland the living of Inescronas which I gave unto him if he stay with my son or heir, or three years profit if he will not stay.

Being present when the said Donatus Earl of Thomond signed and sealed this and declared the same to be his last will and testament, we whose names ensue: John Stritch, Mayor, Bishop [of] Lymericke, Daniell Bryen, John Fourbs[?], George Andrew, Nicholas Arthur, Samuel Norton, Peirs Creagh, John Sarsfeild, Francis Hardwick.