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0521650615 - Prelude to Restoration in Ireland: The End of the Commonwealth, 1659-1660

Aidan Clarke

Excerpt

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*A kind of colony*¹

On the afternoon of Tuesday, 13 December 1659, two veterans of the Irish wars, visiting the capital from their homes in County Kilkenny, walked together in the garden of Dublin Castle. Both were Englishmen. Colonel William Warden had been in Ireland since the 1640s when he had fought with Inchiquin and Broghill in Munster; Captain John Joyner, lately mayor of Kilkenny, had been in the domestic service of King Charles before coming to Ireland with Cromwell's expeditionary force in 1649. They may have reminisced, but that was not the purpose of their meeting. At about 5 o'clock they called upon the sentinel to let them out through the postern gate, recently reinforced against surprisal by the erection of an inner gate. As he did so, some thirty or forty soldiers thrust him aside, overpowered the castle guard and marched them out of the castle precincts with their hands in their pockets. Shots from the roof of the castle announced success and horse troops at once rode through the town with drawn swords, crying 'a parliament, a parliament'. At their head were two more veterans, of a different stamp. Both were Irish born. Sir Theophilus Jones, second son of the bishop of Killaloe and younger brother of the bishop of Clogher, had been cashiered from the captaincy of the lord lieutenant's life-guard in the summer; Major Edward Warren, whose father was dean of Ossory, was a serving officer of republican principles and radical religious opinions. Their objective was to secure both the commissioners who had been appointed to govern Ireland by the English parliament in the previous June and the commanders of the Dublin garrison. Captain Robert Fitzgerald, the earl of Kildare's son and Lord Broghill's nephew, seized three of these men in the council chamber in the new custom house and the other two at a religious meeting in South Werburgh Street. The first stage

¹ 'Tis true, we are but a kind of colony', Henry Cromwell to Fauconberg, April 1658. Thomas Birch (ed.), *A collection of the state papers of John Thurloe, esq.* (7 vols., London, 1742), vii, 101.

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of the coup was complete. No blood had been shed. It remained for fellow conspirators and sympathizers to follow suit throughout the garrison towns of Ireland.

This is, in the words of a contemporary royalist historian, 'one of the Curtain-Stories that cannot be pryed into as yet, as are the other abstruse contrivances of the King's restitution'.² Outwardly, the episode is easily explained. Two months earlier, to the day, the English army had expelled the parliament that ruled all three of the former Stuart kingdoms and taken control. In Ireland, both the army leaders and the civil governors were thought to be in sympathy with the military takeover and as resistance mounted in England and Scotland a group of old and new settlers came together to help to reverse it by seizing power in parliament's interest. Behind the curtain, there was not so much a different story as a number of possible stories, each with different beginnings and with endings which depended upon events that were not under local control, if they were under control at all.

There were both irreconcilable royalists and implacable republicans among the Protestant community in Ireland, but the rule of the Cromwells, whose policies had proved less repugnant than their usurpation, had served the interests of many sufficiently well to lead them to regret the overthrow of the lord protectorship by the alliance of army officers and republicans in May 1659 which had restored its predecessor, the 'rump' of the Long Parliament. The rule of the 'rump', more doctrinaire and less responsive than that of the Cromwells, brought the unacceptable features of the commonwealth back into renewed prominence. Its replacement in October by a military junta which was still more doctrinaire may have given it some retrospective attraction, but among those who called for parliament's restoration in December were many who had neither welcomed its recall in May nor been reconciled to what it had done since. A greater antipathy towards military rule served to account for that anomaly. But the catchcry of the horsemen was ambiguous. For Edward Warren and others it meant the reinstatement of the 'rump' but that was far from being its only possible meaning, in Ireland or England. Already, some were arguing for the readmission to parliament of the members

² James Heath, *A Chronicle of the late intestine war in the three kingdoms* (London, 1661), p. 432.

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who had been purged by Colonel Pride eleven years earlier, so that the 'rump' that had executed the king would be reconstituted as the House of Commons that had fought the civil wars. Others called for fresh elections to a 'free parliament'. In both cases, the intended outcome was usually a return to monarchy. How complete that return should be was a vital point of difference, but only those who wished to preserve the gains that had been fought for in the civil wars were at liberty to state their position plainly.

In retrospect, the December *coup d'état* became the defining moment when Protestants in Ireland 'declared for the Happy Restoration of his Majesty'.³ At the time, its purposes were more circumscribed. The capture of the castle, the government and the army leaders was not the work of a close group united behind a political programme, but of a consortium of men with different interests and different preferences, practising different degrees of pragmatism and dissimulation. What they had in common was a determination to seize the opportunity to wrest power from extremists, recreate acceptable governmental and political processes and find a way of allowing the political nation to arrive at decisions. Once they had done that, they competed with one another to influence the decisions that were to be made. Their disagreements, however, were contained by their realization that the large decisions, which extended to England and Scotland as well as Ireland and ultimately embraced the relations of the king with all three, would be made elsewhere. They could hope to influence what happened, but not to determine it. They concentrated on keeping control of the local situation in their own hands by 'remodelling' the command of the army, establishing an executive and summoning a representative convention to legitimate the initiative that they had taken. While in England the 'rump' gave way in February to a reconstituted Long Parliament, with the purged members in the majority, and this gave way in its turn in April to an elected parliamentary convention which restored the king in May, the dominant group in Ireland paced their response to the emerging possibilities and extended the range of local political activity and choice in rough step with developments elsewhere. They kept a watching brief on the 'abstruse

³ Public Record Office, State Papers, Ireland, 63/305. 6a. S. J. Connolly, *Religion, law, and power: the making of Protestant Ireland, 1660–1760* (Oxford, 1992), pp. 5–6.

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contrivances' of others and individually engaged in some of their own, but their common concern was to police the Irish boundaries of the political flux which was beyond their control.

It cannot be claimed that their activities contributed directly to the king's return. But there is a local story to be told, because the central issue of the kingship did not stand alone in Ireland. Entangled with it was the question of how the restoration of the monarchy would affect a Protestant community which had changed fundamentally in character and fortune as a result of the recent conquest, the immigration that had accompanied it, and the massive transfer of property that followed. As the return of Charles became increasingly probable, old and new colonists alike were united in their determination to ensure that the restoration of the old regime did not entail the restoration of the old Catholic proprietors and upset the land settlement fashioned by the usurpers in the 1650s. The political means that they had improvised to protect themselves against the king's enemies were adapted to preserving their new estates against the possibility of royal reprisal for the disloyalty or collusion to which their gains testified. Their achievement, before normal decision-making procedures were formally resumed on 18 June, when the king granted an audience to a delegation from the Irish Convention and negotiations commenced, was unity. Although the established Protestant colonists and those who joined them in the 1650s had little enough in common, in the last year of the commonwealth both learned to understand that they must subordinate their differences to their shared interests and cooperate to meet the challenge of the restoration 'all as one body'.

The collective stake that Protestant political action was designed to preserve in 1660 had its origins eighteen years earlier when investors were invited in February 1642 to contribute to the cost of subduing the Irish rebellion in return for a share in the land that would become available through forfeiture when it was over. Some £300,000 was subscribed by about 1500 'adventurers', geared up to a liability of £360,000 by the terms of a special offer made to investors in a doubling ordinance in 1643.⁴ Later, when the English civil wars were over and the new republic turned its attention to establishing its authority in Ireland, it was decided to meet the

⁴ Karl Bottigheimer, *English money and Irish land* (Oxford, 1971), pp. 55, 121–2, 143.

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pay costs of conquest in the same way. Arrears were allowed to accumulate and officers and soldiers were paid in Irish land to the value of the services they had given, an arrangement which enhanced the security of both countries by ensuring that the soldiers were not demobilized in England. After the conquest, the distribution of confiscated estates amounting to more than half of Ireland in fulfilment of these obligations transformed the political and social geography of the country. The framework of the settlement was established by an initial decision that landownership in the provinces of Ulster, Leinster and Munster should be reserved to Protestants and, accordingly, that Catholics who were able to establish their innocence should be required to surrender their estates in return for land in Connacht and County Clare.

In the Act of Satisfaction, passed in 1653 by 'Barebone's parliament', a nominated assembly convened by the army after it had forcibly dissolved the purged parliament – the 'rump' – which had abolished the monarchy, the land forfeited in the ten counties of Antrim, Armagh, Down, Meath, Westmeath, King's County, Queen's County, Tipperary, Limerick and Waterford was designated as the resource from which the state's debts were to be met. One half of the baronies in each county was to be set aside to satisfy the claims of the adventurers and the other allocated to meeting army arrears.⁵ The baronies were sorted into two groups by lottery in January 1654 and a preliminary survey of the extent and location of the forfeited land in each county was made. It was on the basis of this information that the claims of the adventurers, or in many instances those to whom they had assigned the benefit of their investment, were dealt with in the first instance. Lots were drawn and entitlements were conveyed to a total of 1,043 individuals, but the difficulty of the task and the inadequacy of the survey prolonged the business; an exact match between the amount of land allocated to adventurers in particular counties and the amount of confiscable profitable land actually available proved impossible to achieve, and perhaps 10 per cent of the total value of the adventurers'

⁵ The amount of forfeited land in these counties varied: the Ulster counties were to meet 12.5 per cent of the adventurers' claims, the Munster counties 30.5% and the Leinster counties the remainder. In total, these claims amounted to about 17% of the debt to be discharged, and this is approximately the proportion of the available land that was assigned to meet them. Bottigheimer, *English money and Irish land*, pp. 143, 153.

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claims was left unsatisfied, or 'deficient'.⁶ In mid-1657 their spokesmen were still complaining that 'few or none of them can to this day find any such settlement as will admit them with security to build plant or bestow their industry upon their proportions'.⁷ In an effort to expedite the business, they agreed late in 1658 that the details of their settlement should be redrawn in accordance with the later and more sophisticated survey directed by William Petty, which had been used to allocate land to the soldiers, but the business was still unfinished when the Cromwellian protectorate was overthrown and the 'rump' was recalled to its duties in May 1659. The adventurers' settlement had not been at a standstill: some had established themselves on their property, while others had realized their assets or remained at home as absentees, but many waited with increasing impatience for the completion of the administrative process and the final confirmation of their new holdings.

In the meantime, the claims for arrears owing to some 35,000 officers and soldiers, most of them demobilized in the successive disbandments of army units between 1653 and 1656, proved larger and more complicated than the original scheme could contain. The original allocation of forfeited land in the ten counties designated for this purpose had been intended to meet the payments due for service in Ireland after 5 June 1649, which was the accounting date for the commencement of Cromwell's expedition. Disbandment began in June 1653, however, with men who had accumulated arrears for service in Ireland before that date. Additional resources were needed to satisfy these supernumeraries, among whom were many established settlers who had fought on parliament's side as well as members of earlier expeditionary forces from England. The land forfeited in County Cavan and in selected baronies in Fermanagh, Monaghan, Louth, Longford, Kilkenny, Cork and Sligo was assigned to the payment of these '49 arrears, as they came to be known, with the intention of settling those involved, so far as was practicable, in the areas in which they had been stationed, which were also in many cases the places where they had formerly resided. Thus a rough distinction between two categories of military claimant, the pre-Cromwellian and the Cromwellian, was incorporated into the geography of the settlement. As the disbandment of large

⁶ *Ibid.*, pp. 143–52.

⁷ *Calendar of state papers relating to Ireland, 1647–60*, p. 640. PRO, SP Ire., 63 / 287. 45.

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numbers of men who had come with or after Cromwell got under way in 1655, the land which had been assigned to them in the ten counties proved to be insufficient to meet the amounts due, which had grown incrementally since the original calculations had been made.⁸ The forfeited land in Londonderry, Tyrone, Wexford and Kerry and in assorted baronies in Fermanagh, Monaghan, Kilkenny and Sligo was added to the pool. There were also obligations to some of these men arising out of unpaid arrears due for previous service in England: parts of County Mayo were appropriated to these.

The reality of the settlement in the 1650s was not as tidy as the paperwork envisaged. This was partly due to technical deficiencies. There were innumerable disputes arising from challenges to the classification of individual liability to forfeiture, from the redemption of confiscated property by the payment of composition fines or from the shortcomings of the surveys on which the distribution was based. A more fundamental reason was the untidiness of human behaviour. Many of the original adventurers had sold their interest before the settlement began, and most of those who received land under this heading never came to settle in Ireland. Likewise, it had not been unknown for army men recalled to England to sell their arrears.⁹ Above all, the great majority of the demobilized officers and soldiers converted their entitlements into as much capital as they could realize and went home, most at the first opportunity, others after they had inspected their new property. 'They have high expectations till they see the country', explained one of the many established colonists who looked forward to expanding their holdings at bargain prices.¹⁰ Perhaps one in five of the army beneficiaries stayed in Ireland, and by no means all of these retained the property assigned to them.¹¹ There was a lively buyer's market in land, in adventurers' lots and in the greatly depreciated soldiers' debentures, as the instruments which conveyed entitlement to forfeited land of a stated value were known. Army officers were particularly well

⁸ After Henry Cromwell's arrival in July 1655, thirty-six companies of foot and fifteen companies of horse were disbanded. *Calendar of state papers, Adventurers, 1642-59* (London, 1903), p. xxxiii.

⁹ *Cal. SP, Ire., 1647-60*, p. 496.

¹⁰ *Cal. SP, Ire., 1647-60*, p. 625. *SP Ire., 63/287*. 9.

¹¹ It was reckoned that of those who remained in the army 'not one in fifty of them hath one foot of land in Ireland'. Memorandum on the north of Ireland. *SP, Ire., 63/305*. 113.

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placed to accumulate soldiers' portions, 'being well stored with money, and the soldiers greatly wanting the same',¹² but purchases were made by old colonists as well as by newcomers. As a result, involvement in the arrangements was far from being confined to the nominal beneficiaries and vested interest was spread widely throughout the older Protestant community. The pattern of settlement was disturbed by these uncontrolled variables, while its density was not only uneven but random, depending as it did both on variations in the amount of forfeited land available in different areas and on the totality of the decisions made by individuals, to come or to stay as the case might be. None the less, a significant number of newcomers did settle in Ireland. Most of these acquired relatively small amounts of land and the number of proprietors increased sharply as estates were subdivided into soldiers' portions. A significant number of officers, however, availed of the opportunity to assemble cut-price estates which were inestimably larger than the realizable value of their arrears would have purchased for them in England. The configuration of the scheme, though greatly modified in application, provided the structure of the new colonial Ireland. There were differences of interest between those who had been disbanded and those who remained in arms, but the ex-army component of this settlement process was by no means fully differentiated from the army itself. Those officers who remained in service had shared in the distribution of lands, though their claims had not been met in full. Many of them had received temporary grants of land from government reserves, known as custodians, to provide for their support and some had received grants as security for their unpaid arrears.¹³ Conversely, disbanded officers and soldiers remained as an essential reserve force in the security system.

Formally, the army in Ireland had been reduced to eighteen regiments by 1659, six of horse, one of dragoons and eleven of foot, but, in real terms, the military establishment was not clearcut in either composition or structure. The arrangements were complicated by a proliferation of 'loose' companies and troops, free from regimental associations, and often commanded by senior officers. In some instances these were dedicated to

¹² F. R. Bolton, 'Griffith Williams, bishop of Ossory (1641–72)', *Journal of the Butler Society*, 2 (1984), p. 329. ¹³ *Cal. SP, Ire., 1660–2*, p. 243.

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a specific purpose, usually garrison duty under the command of a formally disbanded officer who had settled in the vicinity; in others, they served as appendages to prominent individuals whose status and influence they both signified and upheld. Structurally, moreover, the operational deployment of the army diluted the impact of the nominal lines of command. Policy dictated that the soldiers should live in quarters and security demanded the presence of force everywhere. There was a minimum of fifty-seven garrisons to be manned,¹⁴ and fifteen administrative precincts to be serviced. In these conditions few if any of the regiments, horse or foot, existed as a coherent entity. As a matter of course, the various troops or companies were dispersed over the area of the regiment's responsibility, if it had one, and often beyond, for units and officers were routinely detached for special duty in distant places, so that Carrickfergus, for example, was governed by the lieutenant-colonel of a regiment stationed in north Munster. Some regiments were literally nominal in character: they consisted of unrelated companies grouped together for administrative purposes, and had neither territorial base nor corporate identity. Senior officers commonly combined garrison commands with their regimental duties, and many carried out onerous local, regional or national administrative functions as well. The interests that most had acquired in landed property absorbed some of their energies and some spent a good deal of time in the political centres of Dublin or London. In these circumstances, the degree of devolution was large and the real distribution of authority might bear little relation to the simple pyramid of military line management.

With the implementation of the land settlement and the institution of regular machinery for the government of the country came the elaboration of a bureaucracy. Although many of the administrative and executive tasks were carried out by army officers, the train of ancillary officials and administrators who came to assist in the administration of Ireland in the 1650s constituted a further element in the new population, alongside the 'adventurers and debenturers' whose interests they came to share,

¹⁴ *Cal. SP, Ire., 1647–60*, pp. 687–8. This was an assessment of the strategic requirements: it was alleged that in reality the garrisons were 'most partially placed, not according to the Commonwealth's interest but as relations or friends can procure them'. HMC, *Report on the manuscripts of the earl of Egmont* (3 vols., London 1905–23), i, 560.

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partly because a portion of their salary was often paid in debentures and partly because opportunities to acquire property were readily available.¹⁵ A motley collection of opportunists and job seekers, merchants, lawyers, ministers and other professionals among them, contributed to the profile of the new colonists.

The predicament of the old colonists in 1659, in wishing to be rid of the usurping regime while preserving some of its works, had been adumbrated in the confusions of the 1640s. When civil war in England had impeded the suppression of rebellion in Ireland after 1642, Protestant loyalty to King Charles I had been strained by the fact that his policy of arranging a truce and coming to terms with the rebels in order to concentrate on winning the civil war was less attractive than parliament's policy of containing the rebels while it lasted and defeating them after it was over. At various times and places, circumstances or inclination led Protestant colonists to cooperate with the king's enemies against the Confederate Catholics.¹⁶ This posture briefly received implicit official sanction in the aftermath of the king's defeat in England when his lord lieutenant, the marquess of Ormond, made the same choice and surrendered Dublin to the victorious parliament before leaving Ireland in 1647.¹⁷ When he returned late in the following year and brought the royalist cause into an incongruous coalition with that of the Catholics, the issue was less clear than it seemed because the Irish and English dimensions of royal policy were in conflict. The question for Protestants in Ireland could not be confined to whether they were for or against the king; they had also to determine whether it was proper or wise to join with Irish Catholics against English Protestants in an effort to prevent the decisive conquest of Ireland and secure the free exercise of the Catholic religion and the retention of Catholic political influence. In that dilemma, some followed Ormond and some did not. It was not until after August 1650, when Charles II restored the rebellious status of the Catholics in arms by repudiating the terms on which the coalition was based and Ormond once

¹⁵ Civil List, 1654–55. British Library, Add. MS 19,833.

¹⁶ In 1660, Captain Fulke Rokely claimed to have been the only commissioned officer under Sir Charles Coote's command in Connacht who had remained consistently loyal to the king. *Cal. SP, Ire., 1660–2*, p. 65.

¹⁷ Ormond to Charles, 17 March 1647. Bodleian Library, Oxford, Carte MS 29, f. 153.