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THE EARLS OF ORMOND & TIPPERARY'S ROLE IN THE GOVERNING OF IRELAND (1603-1641)

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Following the studied policy of service in return for royal favour, the earls of Ormond from 1328 onwards established an apparently irrevocable bond with the crown, a bond enshrined by their franchisal jurisdiction in Tipperary. In this way, they carved out for themselves a role in the governing of Ireland and by the later sixteenth century had become indispensable to the government of Ireland.

The tenth earl of Ormond (1546-1614) based his value to the administration upon his extensive and strategically important powerbase, centred on Tipperary and Kilkenny, and upon the resurrection of a blood kinship with the crown. A daughter of the seventh earl had married one Thomas Boleyn, making Thomas, the tenth earl, cousin to Queen Elizabeth. Educated at the court of Prince Edward in the protestant faith which he nominally retained, the young Earl Thomas also gained a governmental education and forged the basis of future Court alliances.

He became a shrewd politician, capable of utilising friends at Court, particularly the Cecil connection under Elizabeth. Moreover, in view of the familial link, Ormond also had the queen's personal affection, with all that that entailed. He received numerous appointments — for example, Lord Treasurer of Ireland, a post he retained until his death, and commander of the forces in Ireland during the Lord Deputy's absence.

He was also granted notable privileges. In 1569 he was awarded freedom from cess, the levy for support of the army in the locality. He received the right to have victuals at the crown price, a privilege usually reserved to the Lord Deputy. In return for these favours, Earl Thomas undertook to execute royal government on three levels.

In Tipperary his exercise of liberty jurisdiction guaranteed crown representation in an area otherwise devoid of regularly enforced Common Law. Within Munster Ormond's presence as a loyal agent of crown will provided a means of surveillance, while his personal feud with the earl of Desmond ensured that that lord might be effectively countered.

Besides his official role, Ormond was prepared to employ his influence as one of the greatest landowners in Ireland (with the wealth accruing to that position) in the provision of service to the crown. Thus he furnished an army for Elizabeth at his own expense and at a time when the crown had neither the means nor the men to execute royal will. His pre-eminence arose from a symbiotic relationship with the crown, based on faithful service in return for royal faith and reward. This successful formula had endured with minor aberrations since 1328.

However, by the closing years of the 16th century, murmurs of discontent were arising out of what was seen as Ormond's disparate role in the government of Ireland. Those New English colonists who carried forward the Elizabethan conquest of Ireland deeply resented his place beyond accountability. As they developed administrative confidence and competence, they increasingly sought to reform the government of Ireland. By his actions and by his prestigious position Earl Thomas came to be viewed as an obstacle to that reform.

This is no better illustrated than by the events surrounding the institution of a provincial presidency for Munster in 1570. It was believed that the insertion of a government

*Edited version of talk delivered at Tipperary Remembers Society Conference, Thurles, June 1985.



representative would reduce the influence of near-autonomous subjects in the localities. Royal government would thus, in theory, be advanced by disinterested agents of royal will.

However, as one of the great men against whom the plan was directed, Ormond ensured that he would not merely be consulted at the pleasure of the President of Munster. Employing Court connections, his influence with Elizabeth and considerable local prestige, Earl Thomas succeeded in first determining the selection of the Lord President and in then outlining the powers he should have. In effect, he ensured that the system as devised should not function without the direction of the resident crown representative — himself.

Actions such as these stirred up resentment and brought complaints against the mighty house of Ormond, and particularly against the mark of its specialness, the liberty of Tipperary. Administrative feeling is demonstrated by a letter of 2 November 1600, from Sir George Carew (incidentally, Lord President of Munster) to Sir Robert Cecil.

The liberty of Tipperary, whereof the earls of Ormond have of long time been palatines, hath been and ever is, a great hindrance to the service, being too great a regality to be invested in a subject . . . During this earl's time it may be permitted, but after him it were expedient it might be dissolved.¹

This may simply have been an expression of Carew's jealousy at the existence of a jurisdiction outside his brief. It may nevertheless have been typical of Dublin officers seeking to reform the administration of Ireland.

When Elizabeth died in 1603 it was expected that with friendships already formed the new king would dissolve the crown-Ormond relationship which had for so long been part of the government of Ireland. Ormond's position in Ireland would be reduced, to the advance of the service. "A new order has begun. All Ireland was to be united under an English monarchy".² Anglicisation became the watchword, and the working out of this policy may be found in the rapid alteration of the Irish judiciary.

Dr. Donal Cregan has demonstrated that in 1603, of seven justices on the Irish Bench, the majority were catholic. In 1607, when the Bench was augmented by two, Sir John Everard was the last catholic to serve, and he subsequently resigned rather than swear the Oath of Supremacy. By 1613, when the judiciary had swollen to 13, all but the conforming protestants Sarsfield and Elliott were members of the English Bench inserted into the Irish judiciary.³

Small wonder that Solicitor-General Davies could claim with pride that the judges "do now every half year (like good planets in their several spheres or circles) carry the light and influence of justice around that kingdom".⁴ Where this competent driving crown judiciary came up against an extraneous franchisal judicature, such as Ormond's liberty, antagonism was bound to result.

Government rancour may be found in Sir John Davies' "Observations after a journey through Munster" (May 1606).⁵ Davies portrayed the liberty as a haven for all enemies of the crown, under Ormond's protective or negligent suzerainty. In its condition of disorder, Tipperary was probably no better or worse than the rest of Munster, recovering from the devastation of recent wars.

The vital difference lay in the fact that the franchise lay outside Dublin Castle's brief, under the headship of a sick old man, lacking in dynamism to enforce crown will. Davies clearly had cause to accentuate conditions in the liberty, particularly at this time, as Ormond suffered a prolonged and debilitating illness.

On his recovery, Earl Thomas responded to the challenge, formulating the Statutes of Clonmel (May 1608). These were principally directed against a mobile vagrant population in the liberty and, for example, asserted that "no Connacht or Ulsterman, nor any other idle or



suspect person, shall travail or wander from place to place in the said country without the pass of his master".⁶

The earl intended that the Statutes should pre-empt Dublin Castle's moves for reform, and should restore royal confidence in his ability to govern the franchise. Earl Thomas was playing to the Whitehall audience, who held that his affairs "seem to concern the public state".⁷ However, it must be said that the promulgation of autonomous legislation was not the best means to impress the Dublin administrators.

Thus a marked dichotomy of attitude emerges between Dublin and Whitehall, a divergence of motivation and methods, although, it should be stressed, not of ultimate aims in regard to the government of Ireland. Court directors of policy tended to be retrospective in adopting methods for the peaceful and economic government of the realm, and held Ormond's continued participation to be paramount. Earl Thomas's friendships at Court, consolidated within the Cecil connection, served to perpetuate this attitude.

Dublin Castle, on the other hand, was concerned with the day-to-day difficulties of governing Ireland, and tended to be more aggressive in the advance of crown service. Thus, Ormond was held to be an anachronistic barrier to reform, to be swept away as soon as possible. The earl was well aware of Dublin's animosity, and sought to counter it at every opportunity. For example, he secured Cecil's help in the adoption of a loyally protestant son-in-law, Viscount Tulleophelim, as successor to the earldom. As noted earlier, he also promulgated the Statutes of Clonmel to affirm his worth as an agent of crown will.

In the governing of Ireland there existed a see-saw of forces — Whitehall and Dublin — with Earl Thomas at the fulcrum seeking to maintain the London officers' predominance. This was a position requiring skill and a good sense of political balance. As the Dublin officers strove to persuade the crown of the value of reforming the service in Ireland, Ormond's position was one which might at any time be overthrown by the shifting weight of crown favour.

Matters came to a head in 1611 with the prospect of an Irish parliament providing the first opportunity to display the changes which had occurred in government there. Chief among these was the position of the Old English — catholic settlers pre-dating the Elizabethan conquest and colonisation. From the late 16th century they had experienced the force of anglicisation, which denied their role as the traditional guardians of English interests in Ireland.

These had been redefined as protestant, and so the Old English were effectively excluded from public life. This has already been noted in the changing constitution of the Irish judiciary between 1603 and 1613. The Old English saw the forthcoming parliament as the only means to demonstrate their loyalty to the crown and to win formal recognition of the worth of their allegiance.

In line with the drive for anglicisation, the Dublin officers determined to achieve a loyal protestant parliament and for this purpose created a number of new boroughs, particularly in the recently colonised north. For them Earl Thomas was supernumary, of no possible value in constructing the parliament. Whitehall, on the other hand, relied on Ormond as the greatest landholder in Ireland, head of the extended predominantly catholic Butler family, whose reputation should bring order and influence to the assembly.

Whitehall recognised the need for an amenable parliament, but was not prepared to alienate the Old English. The London officer sought to incorporate Ormond as a medium in representing Old English aspirations. This failed to take account of the fact that as their governmental influence diminished, and in the preparations for the parliament was seen to be totally discounted, the Old English had progressed beyond nominal representation by an aged Anglo-Irish lord.



At 80 years of age Earl Thomas was held to be a poor alternative to parliamentary assertion. Ormond was a spent force, with no resources to maintain the Whitehall opinion of his value. His influence at Court had evaporated with the death of Salisbury in May 1612 and the emergence of royal favourites, a system to which he had no means of entry. His participation in government was no longer necessary; indeed, he was too weak to attend the sitting.

However, if Earl Thomas was a spent force the liberty of Tipperary was not, and played a vital role in the parliament which ensued. With the meeting of parliament in May 1613 the Old English immediately set about securing governmental recognition of their due participation in the administration of the realm. Their first challenge came in a contest for the Speakership.

Sir John Davies, arch-proponent of anglicisation, represented the government. He was opposed by Sir John Everard, the member for Tipperary. Everard was of an Old English family and a devout catholic. He had served as justice of King's Bench until 1607, when he had chosen to resign rather than swear the Oath of Supremacy. Nevertheless he was recognised as one loyal to the government, and was one of only two recusant pension-holders in this parliament.

From the Whitehall point of view Everard might perhaps have been a good choice for Speaker, satisfying the Old English, but fiercely loyal to the government; a suitable guide for an amenable parliament. One notable fact which should not be overlooked is that Everard served as justice of the liberty of Tipperary. He was closely allied to Earl Thomas and served in the liberty courts with the seneschal, his fellow-member for Tipperary, Sir Walter Butler.

The eruption of Old English sentiment which followed Davies's election to the Speakership saw Everard physically placed in the Speaker's chair by Sir Walter Butler and others. Failure to reverse the election decision brought the withdrawal of recusant members from the Commons, followed by the recusant Lords, including the Butler lords, Mountgarrett and Cahir. The Old English opposition, "strong in numbers and skilfully led"⁸, demanded acceptance of their allegiance to the crown and protection from moves to ostracise them from government.

It seems possible that the opposition may have been engineered to convince the government of Old English ability to paralyse parliament, and to extort concessions from Chichester outside the assembly. If so, the conspiracy may have centred on the Butler lords and Tipperary M.Ps. As liberty officers, Everard and Butler had worked together and knew at first-hand the effects of Dublin Castle's anti-recusancy, evinced by Everard's resignation.

The Butlers certainly played a prominent role in the petitions which followed. Sir Walter Butler and lords Mountgarrett and Cahir were chief among the signatories. We must conclude that, if it was not a conspiracy, the Tipperary members and Butler lords expressed a feeling common to many and were simply better organised than most, being sufficiently well-acquainted to combine in expressing dissatisfaction.

A dichotomy again emerges. Dublin Castle was outraged by Old English behaviour and Whitehall, alarmed (but anxious to maintain a *modus vivendi*) refused to negate the Old English role. Thus recusant delegates received a sympathetic hearing at Court. For the London officers, solution of their difficulties must lie in the succession to the Ormond lordship by a strong protestant earl, able to hold Old English respect as the heir to Earl Thomas.

This belief was rocked when in 1613 Viscount Tulleophelim died and succession to the vast Ormond earldom fell to that same Walter Butler who had led the Old English opposition. Dublin Castle determined that Sir Walter should not be permitted to succeed to an unrestricted patrimony. This would be to nullify their plans and reforming aspirations since 1603.

Whitehall felt that the Old English had demonstrated that Ireland could not be peacefully



governed without their co-operation. They believed that (as in English experience) parliamentary opposition was merely an expression of the price of loyalty. When Earl Thomas died in November 1614 Walter Butler was confirmed in his land, titles and privileges as the eleventh earl of Ormond.

Sir Walter Butler was a dynamic soldier and administrator and was a devout catholic. Until 1613 these qualities were restricted to local service, but his emergence at the head of Old English parliamentary opposition and as lord of the greatest Irish earldom brought dynamism to a national level. Dublin Castle would not countenance this potential set-back to anglicisation, and actively connived at the situation which developed in the Ormond lordship. Tipperary became a microcosm of Irish affairs.

Elizabeth Butler, Earl Thomas's daughter and the widow of Viscount Tulleophelim, claimed her share of the Ormond estates as heir-general, challenging Walter Butler's accession to the entire lordship. Familial wrangling was bad enough, but the conflict was sharpened by the lady's re-marriage. This was at Walter Butler's suggestion, for he stood responsible for Tulleophelim's debts and hoped to off-load them on to an unsuspecting bridegroom.

Elizabeth Butler married King James's choice, Richard Preston, Lord Dingwall, a Scottish protestant and royal favourite. Impoverished and severely indebted, he was anxious to enhance his new wife's inheritance. In 1615 legal battle was commenced between Dingwall and Ormond – a conflict which was symptomatic of and central to the struggle between the recusant Old English and the recent colonists now dominant in the government of Ireland.

Despite Ormond's profession of loyalty to the crown, which was, after all, the touchstone of the Old English position, he remained that "half-subject" of vociferous parliamentary opposition. He could not overcome royal preference for protestant subjects who provided loyal service without compromising the anglicisation of government. Moreover, Dingwall was closely associated with the Villiers connection at Court. His daughter was betrothed to Buckingham's nephew, Fielding, thus drawing the king towards reform and inherently strengthening the case against Ormond.

Earl Walter had come to represent all that was anathema to the governors of Ireland, whether in Dublin or London. In the ensuing investigation of Ormond's possessions, and particularly, that possession considered ripe for reform, the king sided publicly with Dingwall. On 25 April 1616, a case was presented by the lords justices as to "whether the county palatine (of Tipperary) be fallen into His Majesty's disposal since the death of the late earl".⁹

Royal faith now lay with Dublin Castle as the former see-saw of forces toppled. Not surprisingly, when King James undertook adjudication of the Ormond-Dingwall dispute his award, made on 3 October 1618, transferred a substantial number of the earldom's principal possessions to Earl Walter's protestant relatives. The earl refused to accept conveyance of these estates, covering a half-skin of close writing. Forfeiting a bond for 100,000 pounds, given for compliance, he was imprisoned in the Fleete in June 1619.

These events may be viewed as a reflection of the conflict in Irish governmental life, between the Old English and the New English and Scots. Earl Walter was unfortunate in savouring defeat earlier than his Old English fellows, a defeat which arose from his parliamentary opposition, his great landed position and possession of a franchisal jurisdiction. In a sense, by opposing the personal consequences of anglicisation, Earl Walter was again acting as a representative of the Old English.

However, while for the moment the government could not negate Old English aspirations, it could react to a challenge by an individual. In his opposition to the royal judgement of October 1618, Ormond smashed the basis of the Old English credo, demonstrating disloyalty and



insensitivity to royal pleasure. The result was imprisonment and penury. Dublin Castle was triumphant and joined with Dingwall in pursuing advantage. The king's award had upset the political economy which Whitehall had struggled to preserve.

The London officers now strove to keep sufficient faith with the Old English, to permit the unhindered progress of anglicisation. However, certain agents in Whitehall, persuaded of potential profit, were prepared to go along the Dublin officer's path to reform, and while Buckingham called the tune, Lord Deputy Falkland was prepared to dance.

Under these circumstances, the Dublin officers were able to sit back as King James and his loyal subject, Richard Preston (created earl of Desmond in 1619) set about dismantling the mighty house of Ormond. The liability of Ormond's remaining estates were evaluated for satisfaction of the forfeited bond, and in June 1620, following failure to reply to a *quo warranto*, the liberty of Tipperary was seized to the crown. Government disavowal of Ormond's Old English allegiance was now complete.

The new English held crown faith as completely as they dominated the Irish administration and judiciary. The position of the Old English in general was preserved in limbo by the constraint of James's pursuit of a Spanish marriage alliance. The king sought to "encourage the protestants without driving the recusants to the edge of revolt".¹⁰ In return for proffered acceptance of their allegiance, the Old English must co-operate with (not participate in) government, and within their designated passive role.

As an individual, Earl Walter had passed over the edge, was removed and relegated from his power-base, then ignored. For almost five years the earl sought to explain his refusal to comply, persistently petitioning the king for release from the Fleete. His case was a cautionary example of Old English abasement by a self-interested body of protestant colonists.

The king's protestant subjects in Ireland were promoted. For example, Desmond infiltrated the Ormond position in the franchise, in a heavy-handed and unpopular manner, even receiving the wardship of Ormond's grandson, James, Viscount Thurles. Recusant aspirations were ignored and, with the return of Charles and Buckingham from Spain, were in danger of being actively negated.

In pursuing a marriage alliance with Spain, James I had despatched Charles and Buckingham to Madrid, with the intention of wooing the Infanta. A serious breach of Spanish protocol — the scaling of a wall to surprise the Infanta and her ladies — resulted in the two being dismissed from the Court in disgrace.

James's enthusiasm for the Spanish match was swamped by Buckingham's determination to avenge the insult sustained in Madrid. In March 1624 England was at war with Spain, with all the possibilities of persecution that must hold for recusants. Perhaps fearing that should the Old English position deteriorate his own must reach a nadir, Earl Walter sought to restore himself to royal grace. In August 1624 he offered absolute compliance in the royal adjudication of 1618. Here was the former leader of Old English parliamentary opposition giving formal recognition that protestant allegiance in Ireland was now of greater value than that of the catholic Old English.

Ormond's untimely submission was a matter of some embarrassment to the crown. Aligned with his New English representatives in Dublin Castle, and tied to Buckingham's foreign policy, James did not wish to be seen to favour disloyal recusants. Indeed, it was not until March 1625, as one of his last actions, that the king directed Earl Walter's release for the perfecting of the award.

The new king brought a slight alteration in attitude towards Ireland. He was determined to re-establish political economy there, that is, to secure a satisfactory working relationship with



all parties, without political indebtedness to any. Charles was a pragmatist. He recognised recusant strength and, with England at war against France and Spain, feared an invasion of Ireland by a hostile catholic force.

Thus policy must satisfy the New English without alienating the recusants, and must arouse Old English hopes without actual concessions. The last thing Charles needed was to be called to account for religious policy in Ireland. The king was seen to deal fairly with the Old English, ending recusancy fines, receiving their agents at Court in pursuit of matters of His Majesty's grace and bounty.

As part of this ambiance, Charles sought an amicable resolution of the long-running Ormond-Desmond dispute. By the autumn of 1627 this had been secured, and Earl Walter's expectations were running as high as his Old English fellows', based on a belief that he was restored in royal faith.

In contrast, the Earl of Desmond and the New English were experiencing doubts and difficulties. Dublin Castle's reforming alliance with the crown had been wrong-footed by King Charles's aloofness, and shattered by the assassination of Buckingham in August 1628. Lord Deputy Falkland no longer had an all-powerful patron at Court; hence Desmond influence, in Dublin as in Whitehall, was diffused. With the Earl of Desmond's death in October 1628 (drowned on his way to seek royal favour at Court) the way was apparently clear for Ormond to seek reconstruction of the crown-Ormond bond. Similarly, the destruction of that pervading and exclusive Whitehall-Dublin alliance meant that Old English might hope for reconciliation with a sympathetic king.

With the period of alliance shattered the dichotomy of crown agents emerged once more. The Dublin officers retained their rigidly anti-recusant line in the promotion of reform, and held that the factors determining royal policy in Dublin had altered to bring it into alignment with that advocated by crown agents there.

For example, the dissolution of the English parliament in March 1629 removed all supply for war. The king must make peace and, with the reduced possibility of an invasion of Ireland, the Dublin officers saw no further need to conciliate Irish recusants. In contrast, Whitehall feared that lack of parliamentary supply augmented the need for a pacified Ireland, and continued to counsel *rapprochement* with the Old English.

Earl Walter was ready to take advantage of this situation, seeking a marriage alliance with the Desmond heiress to re-unite the Ormond lands, petitioning for the restoration of his franchisal jurisdiction and securing a further suspension of activities by the Court of Wards in Tipperary. For the Dublin officers, the potential existed for an unwelcome return to the basis of the old crown-Ormond alliance which had largely devalued their position. They determined to stem Ormond's progress towards redemption in crown faith.

In August 1629 Falkland at last departed, under a shadow of mismanagement, and the administration of Ireland fell to two strident colonial lords justices, Adam Loftus and Richard Boyle, earl of Cork, the latter perhaps the most prominent exponent of the English interest in Ireland. Nevertheless, Earl Walter remained set on course as a contrite and dutiful subject, bound up in the pursuit of royal favour for fulfilment of his needs. For example, in October 1629 Walter petitioned for the restoration of his liberty jurisdiction.¹¹

Although for the moment King Charles was anxious to portray a loving and impartial role to his Old English audience, he must have realised that those other spectators in Dublin Castle did not consider acquiescence in Old English demands to be "impartial". Charles was not about to upset the balance of government in Ireland (nor upset important protestants there) by re-establishing a leading recusant lord in a unique franchisal jurisdiction. In the light of rule without parliament, the king could not afford to alienate the powerful New English and,



moreover, was in need of supply.

As a result, the Dublin officers were free to pursue royal service as they saw fit. The directing of Irish affairs was translated to Dublin Castle with crown supervision. The Dublin officers decided to take advantage of this and sought to provide the king with an incentive to side with reform.

From the time of his imprisonment, and with the subsequent activities of the Irish Court of Wards, envious eyes had been cast over Earl Walter's estates in the hope of finding opportunity for profit. The plantation of Munster stood as an example of the gain to be made by adventurers. By the autumn of 1629 the Court of Wards had raised sufficient doubt as to the title of certain of Earl Walter's lands — the centres of Upper and Lower Ormond.

Speculative interest was aroused among those close to the king, anticipating royal intentions to plant areas of uncertain title. Lord Justice Cork had made a personal fortune from plantation and confidently predicted the reaction of Ormond's tenants to the scheme.

. . . they so cast their eyes upon the property of some late plantation in the neighbouring countries, as they would more willingly embrace it than be subject to the king's tenures and to service and payments to the earl of Ormond.¹²

Despite Cork's optimism proof of title lay with Ormond, so that the scheme must proceed with his co-operation. Having just re-united his estates, Earl Walter was unlikely to participate in the alienation of his patrimony. Plantation was held to be a vital means of advancing anglicisation. For example, writing to Lord Dorchester on 17 July 1630, Lord Esmond (incidentally Ormond's brother-in-law) suggested that the plantation of Ormond "will put the English interest in the command of the Shannon from Athlone to Limerick".¹³ This is an interesting comment on what constituted English interests in Ireland, for surely Earl Walter held that it was he who represented that body in Ormond.

The denial of this premise carried the earl of Ormond and his Old English companions out of royal favour, and into the realm of anglicisation to the satisfaction of Dublin Castle. In defence, Earl Walter sought to employ a crown-Ormond bond which, if it had briefly existed, was now fast dissolving in the tide of correspondence promising royal profit. Ormond refused to acknowledge that a shift had occurred in responsibility for Irish affairs; but if Earl Walter was myopic as to the truth of Old English status, the administration had overlooked the fact that he alone possessed the deeds of entitlement to the Ormond Cantreds.

Thus the progress of plantation was arrested. The appointment of a new Lord Deputy in January 1632 added to this uncertainty, and although he did not come over until July 1633, Wentworth's appointment undermined Cork's role in the government and in the scheme for plantation. Earl Walter was content to play for time, with a precise awareness of his own worth. Until his death in February 1633 he remained hopeful that he might place his cause before the new Lord Deputy, with a resultant renaissance of royal faith.

Earl Walter's Tipperary had served as a mirror of forces affecting the Old English in Ireland as a whole. Once Earl Walter made his peace with the crown in late 1624 the alliance between the crown and its agents in Ireland began to collapse. Indeed, it only held together while Buckingham and Desmond provided a conspiratorial link. Their deaths brought the revival of crown sympathy for Ormond, whose situation only deteriorated when King Charles was enticed to return to the Dublin Castle alliance by the lure of profit from plantation.

The success of anglicisation, achieved through manipulation by protestant interests in the administration as in the kingdom, and by spectators in the English court, left no room for a retrospective creed. Thus, Earl Walter suffered under the first Stuarts as their government of Ireland became accustomed to an administration of plantation and colonisation. Ormond's



attachment to the Old English as the guardians of English interests in Ireland was a dangerous federation in time for change and was anachronistic. Yet, he could do nothing else, and became the first of the English to be ranked with the Irish.¹⁴ Despite this nadir in Ormond fortunes under Earl Walter's successor, James, twelfth earl of Ormond, Tipperary became important as the basis of one of Ireland's leading administrators.

On his succession to the neglected and penurious earldom Earl James saw his task as the resurrection of Ormond fortunes. He determined on the restoration of the crown-Ormond bond. The new earl was an anglicised protestant, removed from the "harmful" influence of his recently disgraced grandfather and his catholic parentage. Following his father's death in 1619 he was placed first in the care of the earl of Desmond, and then transferred to England to George Abbott, Archbishop of Canterbury, under whose guidance from 1621 to 1626 what education Ormond received was at least grounded in the Established Church.

He had been raised in proximity to the Court, disposed to and influenced by the necessity of loyalty to the crown. For Ormond, carefully nurtured as a faithful crown servant, the road towards the recovery of his house must pass through the Dublin administration. If this obstacle might be traversed, the earl might arrive at the consummation of the crown-Ormond bond and the full restoration of the house of Ormond. The new earl might not easily impose himself on the alliance existing between King Charles and his representatives in Ireland.

Aged just 22, Earl James had no experience in government. He had, however, some striking advantages. He was the greatest landholder in Ireland, with the prestige and influence thereto accruing. He was the first of his house who had never held the franchisal jurisdiction — a positive factor in seeking credibility with a Dublin administration troubled by recusancy, financial constraint and from mid-1633, an omnipotent Lord Deputy.

Moreover, the earl's co-operation was a requisite factor in proving title for the planting of Ormond, and might prove to be a saleable commodity in the planned restoration of the house of Ormond. Earl James quickly recognised that if the Whitehall officers formulated policy for Ireland, they did so under the constraint of New English predominance. Dublin Castle was now the fulcrum of Irish affairs. The new earl was prepared to work from this premise, and in place of courtly connections sought an alliance with the king's representative, Thomas Wentworth.

In his relationship with the earl of Ormond, Wentworth was in a difficult position. Upon his departure for Ireland he had received very specific royal instructions to perfect the plantation of Ormond. Yet he dared not move against the powerful protestant earl, whose value and influence might extend beyond plantation to the forthcoming parliament. On 3 August 1633, shortly after his arrival in Ireland, Wentworth recommended several Irish lords for royal favour, including the former lords justices and the new earl of Ormond.¹⁵

Already Ormond's territorial and religious significance had drawn a governmental response, while the earl himself was identified with the leading administrative agents. Besides judicious use of patronage in constituting an amenable parliament, Earl James might prove useful in Wentworth's plan to create an independent Irish executive, with the ability to make policy without recourse to the various interests in Ireland. Ormond must be anxious to display his fidelity and Wentworth was prepared to employ this to advance crown service. If the restoration of power to the house of Ormond was to be part of that service, there was nothing Dublin Castle could do but recognise that fact and acquiesce.

A dichotomy of interest no longer existed simply between Whitehall and Dublin. There was now a divergence within Dublin Castle. Whereas recent Lord Deputies had relied on their Court connections with incumbent patronage to reinforce control of the administration, Wentworth saw proficiency as the only necessary qualification for government. He sought to



promote that efficiency through a close circle of English officials such as Christopher Wandesford, Master of the Rolls, and “independents” such as Ormond, whose presence must add respectability to a regime otherwise tending towards bureaucracy.

The New English, who had seen their ascendancy acknowledged by the appointment of lords justice Loftus and Boyle, now saw their position nullified by Wentworth’s moves to create a government party. The seeds of disaffection were sown in Dublin Castle, throwing Wentworth back upon his circle of friends, among whom he counted James, earl of Ormond. Wentworth hoped to draw on this friendship to advance the discovery of sufficient crown title for Ormond. Indeed, he persuaded Earl James to declare himself for the project.

However, it is doubtful that the earl was sincerely committed to the idea. It must be remembered that he had experience of the scheme during his grandfather’s time — that grandfather who had struggled long and hard to secure the return of Ormond lands and reunification of his house. Earl James would be reluctant to permit the planting of his patrimony. Moreover, had he wished to advance plantation, it would have been relatively simple to surrender his title to the crown.

That he did not, despite his desire to win royal approbation, suggests that Earl James was determined to retain the lands of his earldom intact. The tactics of “persuasion” employed in Connacht could not be applied to a great protestant lord who, if coerced in plantation, might not be inclined to support Wentworth’s government elsewhere. In view of this constraint, Wentworth must trust to Ormond’s fidelity and good sense.

Young in years, Earl James had quickly aged in terms of political reasoning. The anglicised earl had embarked on an amicable working relationship with the Lord Deputy. For Wentworth, the earl’s ascent would only be a consequence of the overall plan to promote the service in Ireland, most immediately by achieving an amenable pro-government parliament. He therefore expressed his good intentions towards the young earl, who shrewdly expressed loyalty and willingness to serve, for the diminution of the effects of royal policy upon his lordship.

In the parliament which assembled in 1634 Ormond’s influence over members of the Commons and his presence in the Lords contributed to the smooth passage of six subsidies by 6 August. An indication of the favour and respect now commanded by the earl of Ormond may be found in a letter of 17 September 1634. Earl James thanked the Lord Deputy for permitting the “laying down” of moneys owed to the crown,

... for this and many other great favours done me for which I find no reason in my own merit but all in your nobleness towards me I can only wish for an occasion that may show how I am affected to be your lordship’s faithful and humble servant . . .¹⁶

Ormond’s links with the administration were confirmed. It would appear that Wentworth was genuinely impressed by the earl of Ormond’s behaviour in parliament, as by his religious and territorial influence, writing to Coke in December 1634.

In the higher house, there is my lord of Ormond that hath as much of the rest in judgement and parts as he hath in estate and blood . . . he is young, but take it from me, a very staid head . . . besides it will be imposible without his lordship to find a title for the crown in Ormond, so as without him, no plantation neither, in which respect, it were good to take him in.¹⁷

Clearly, Ormond’s value to government lay in his ability to advance anglicisation in Ireland. In January 1635 he was promoted to the Irish Council, officially entering Wentworth’s circle for the government of Ireland. This conciliar appointment came none too soon for Ormond. In April 1635 his planned revival had received a blow as one forum for the demonstration of his worth was removed. At the king’s insistence and having provided the necessary supply, the



Irish parliament was dissolved.

Earl James was thrown back upon the reputation gained therein as the basis of his influence with Wentworth. However, in the Irish Council his affiliation with the Lord Deputy served as a counter to New England opposition. The colonists' resentment of "outsider" placemen who interfered in Ireland had at last spilled over. In response to Ormond's support Wentworth sought to delay implementing an "Irish" policy against a faithful, anglicised subject of consequence. That he succeeded in doing so until August 1637 is a measure of the value placed on the relationship.

Despite plantation, indeed because of his enlightened attitude towards the scheme, Ormond was held in high esteem in government circles. With the matter of title neatly circumvented by Ormond's promise to seek out evidence in his possession for crown title to the Ormond cantreds, there was little to divert the earl's receipt of honour. Indeed, Wandesford, writing on 26 October 1637, asserted Wentworth's inclination, "to respect you in all things which you desire from him".¹⁸ Ormond had successfully completed the first stage of his journey towards restoration of his house.

Furthermore, the reciprocal bonds between the Lord Deputy and the loyal earl were strengthened as the king became embroiled in political unrest and opposition in England and Scotland. Wentworth's administration became increasingly autonomous in the fullest expression of "thorough". However, while Ormond was prepared to reap the rewards of alignment with the English faction in Dublin Castle he wished to do so through loyalty to King Charles, not to Wentworth. His determination to establish a more direct relationship with the king was carried forward by the ensuing events.

By the summer of 1638 the developing unrest in Scotland had come to a head, and the king was seriously considering military action against the Covenanting rebels. Yet neither his finances nor his military capabilities were equal to the task. He turned to Ireland for support, persuaded of the advantage of raising an army under Wentworth's vigilant eyes and out of sight of the English opposition.

In this situation, the crown required a potent example of allegiance and a dependable servant. Ormond was appointed lieutenant-general of the Horse. The initial crisis passed, but by March 1639 the Covenanters had taken up arms to enforce their views and had seized Edinburgh. An Irish army was prepared to act in defence of the king, who nevertheless still hesitated to involve a catholic Irish army in a war against presbyterian Scots. In the event, the English army suffered ignominious defeat and the humiliating treaty of Berwick. Smarting from defeat, Charles considered this to be no more than a stop-gap and, preparing for a fresh campaign, recalled Wentworth.

The Lord Deputy's recall provided Ormond with an opportunity to build on his ascendancy, while breaking Wentworth's regulating grip. Through his allegiance and proven capabilities, Earl James had secured Wentworth's admiration and the king's trust, making himself indispensable to the government of Ireland. In March 1640, following the profitable convening of the Irish parliament and in recognition of his invaluable military skills, Ormond was appointed lieutenant-general of the army. The army was assembled at Carrickfergus in July 1640, but again was not employed.

With inadequate military capacity and dogged by pessimism, the English army was less than successful. The resulting Treaty of Ripon placed the king at the mercy of his parliament and made the Irish army a superfluous embarrassment. In the reckoning which followed, Wentworth was executed and the Irish army disbanded, "a very acceptable service unto us for all which you may be assured of our royal favour and gracious acceptance". (Charles to Ormond, 5 May 1641).¹⁹



The government of Ireland was given over to the New England lords justices Borlase and Parsons. It seemed that Ormond's opportunity for greatness had passed him by. He slipped back into the ranks of royal office-holders in the New English administration, although undoubtedly one with a special place in the king's trust.

Ormond continued to profess his allegiance to his royal master, turning his unique position to his advantage — being in the administration yet not quite of it. He worked to establish a relationship with King Charles, based upon secret negotiations for the restoration of the Irish army. For example, on 6 September 1641 Ormond expressed his fidelity, thanking Charles for “that high and undeserved honour descending from your majesty upon me . . . ever since I could desire to offer at your feet something worthy of the name of service.

Although serving to reinforce the crown-Ormond bond, the correspondence came to nothing, and was in any case overshadowed by a greater conspiracy. Faced by insurrection, Charles turned to his most loyal servant in Ireland, appointing Ormond commander-in-chief to reduce the rebels. Ormond was symbolic as an independent.

New English faith in his demeanour may be found in the depositions which followed the rebellion and Cromwellian wars. Despite the actions of his brother Richard in leading the assault and subsequent massacre of protestants in Clonmel, Earl James retained his epithet “most honoured earl of Ormond.” He remained the king's man through and through declaring his devotion to Charles in a letter of 1 December 1641 , “all that I am or can, is devoted to you”²¹

The centuries-old crown-Ormond alliance had been restored. Earl James had breathed new life into the tradition he represented, creating conditions for the continuing participation in government and restoring the house of Ormond to pre-eminence in Ireland.

FOOTNOTES

1. Sir George Carew to Sir Robert Cecil, 2 November 1600, P.R.O.*, S.P. 63/207.
2. Edmund Curtis, *History of Ireland* p.222, (Dublin 1936, reprint 1965).
3. Donal F. Cregan: Irish recusant lawyers in the reign of James I; in *Irish Jurist n.s.*, V 1970, pp. 307-08.
4. Beckett, *Modern Ireland*, p.34 (London 1966, reprint 1970).
5. Sir John Davies; Observations after a journey through Munster, May 1606, P.R.O., S.P. 63/218.
6. Statutes of Clonmel, 8 May 1608, N.L.I. Ormond Papers, MS 11,044.
7. Henry Lok to Salisbury, 28 May 1606. *Salisbury MSS*, Vol. 18, pp 146-7.
8. Curtis, *op city*, p. 233.
9. Lords justices' opinion as to crown right to the liberty of Tipperary, 25 April 1616, P.R.O., S.P. 63/234.
10. Beckett, *op cit*, p. 56,
11. Petition of Walter, earl of Ormond for restoration of his liberty jurisdiction, October 1629, N.L.I., Ormond papers, MS. 11,044.
12. Earl of Cork to the lord treasurer, undated 1630, A.B. Grosart (ed.) *Lismore Papers* Vol. 3 (2nd series), pp 163-70 (5 vols, 1887-8).
13. Esmond to Dorchester, 17 July 1630, P.R.O., S.P. 63/251.
14. Ormond to Dorchester, 5 January 1631, P.R.O., S.P. 63/251.
15. Wentworth to Secretary Coke, 3 August 1633, William Knowler (ed.) *Letters and despatches of the earl of Strafforde*, Vol. I, pp 97-100 (2 vols, Dublin 1740).
16. Ormond to Wentworth, 17 September 1634, *Strafford Letter Book* Vol 14, fol. 167.
17. Wentworth to Coke, 16 December 1634, Knowler, *Letters and Despatches*, Vol. I. pp. 352-3.
18. Wandesford to Ormond, 26 October 1637, *Ormond MSS*, n.s. Vol. 1.
19. King Charles to Ormond, 5 May 1641, Bodl., *Carte MSS*, Vol. 1, (MS 10447) fol. 237.
20. Ormond to the king, 6 September 1641, Bodl., *Carte MSS*, Vol. I (MS 10447) fol. 450.
21. Ormond to the king, 1 December 1641, P.R.O., S.P. 63/260.

*PRO refers to PRO, London — *Editorial note*.



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