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SOME ACCOUNT OF SIR AUDLEY MERVYN, HIS
MAJESTY'S PRIME SERGEANT AND SPEAKER
IN THE HOUSE OF COMMONS IN IRELAND,
FROM 1661 TILL 1666.

By JOHN P. PRENDERGAST, ESQ.,

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SIR AUDLEY MERVYN, though of not a very lofty style of character, played no undistinguished part in Ireland in the great era of the war, or rebellion, of 1641.

He was already well known as an able lawyer and an active member of the Irish Parliament at the time of the outbreak. He had been selected by the House of Commons, in the month of March, 1641, to conduct their impeachment of Sir Richard Bolton, Lord Chancellor ; Bramhall, Bishop of Derry ; Sir Gerrard Lowther, Lord Chief Justice of the Common Pleas ; and Sir George Radcliff, Privy Councillor. These were friends and ministers of the Earl of Strafford, then under impeachment by the Commons of England. The proceedings in Ireland were only in aid of the measures of Pym and the other parliamentary leaders in England, and were abandoned after Strafford's fall. Audley Mervyn, then a representative in Parliament for the county of Tyrone, was selected for a kind of eloquence much admired in that day. It was full of far-fetched similes, allusions to Scripture, and physical incidents, and stuffed with quotations taken alternately from the Roman poets and from the law-Latin of Coke upon Littleton.

It was like the language ridiculed by a poet of the time :—

“ A Babylonish dialect,
Which learned pedants much affect.
It was a party-coloured dress
Of patcht and piebald languages.
T'was English cut on Greek and Latin,
Like fustian heretofore on satin.

It had an odd promiscuous tone,
 As if he talked three parts in one,
 Which made some think, when he did gabble,
 They heard three labourers of Babel,
 Or Cerberus himself, pronounce
 A leash of languages at once."

Audley Mervyn was a captain in that army of 10,000 men raised by Strafford, in 1640, for the invasion of Scotland, in aid of the king's design of marching with his army across the border, when Strafford's forces, landing in Ayrshire, were to take the retreating Scots in flank, and were (to use Strafford's own expression) "to whip them home in their own blood."

The Earl of Ormonde was General-in-Chief, and in the list of the forces furnished to him by Sir Richard Fanshaw, the quarter-master, on 23rd April, 1640, among the captains of Sir Henry Tichbourne's regiment, raised in Ulster, whose colours were "ash colour and redd," appears Audley Mervyn.*

The king's design failed through the mutiny of his own forces, Strafford's army was dissolved, and Strafford himself arrested and impeached on his arrival in London in November, 1640, and beheaded on the 12th May, 1641. On the 23rd October in the same year the Irish rebellion broke out.

When the Courts of Law and Parliament were closed on account of the civil war, or rebellion, Audley Mervyn became, like others, again a military man, was made a colonel, and governor of Derry.

In 1660 he was made king's sergeant. In the first Parliament after the restoration he was elected speaker of the Commons' House, and in the latter capacity carried up their representations against the proceedings of the Commissioners of the Court of Claims to the Duke of Ormonde, the Lord-Lieutenant, and made a speech that so alarmed the Cromwellian soldiery that they rose in insurrection under the impression induced by this speech, that they were about to

* A list of the Officers of the Army for my Lord of Ormonde. April the 23rd, 1640. "Carte Papers," vol. i., p. 113.

lose their lands. Colonel Jephson, Colonel Edward Warren, and another, were hanged for this treason. Audley was altogether for himself, and had a shrewd intelligence of what was most for his own interest. He could comply with the times, and be a Royalist, or a Parliamentarian, even a Covenanter, as the pressure of occasion required.

The following particulars of his life may not be without interest :—

Sir Audley Mervyn's names indicate his origin. By the father's side he descended from the Mervyns of Fonthill, in Wiltshire, a seat so well-known in later times as the property of "England's wealthiest son," William Beckford. By his mother's he came from the Touchets, Lords Audley, of Heleigh Castle, in Staffordshire, one of the most ancient of the barons of England. George, Lord Audley, married Lucy, daughter of Sir James Mervyn, and was Sir Audley Mervyn's grandfather. George, Lord Audley, served with his father, Henry, Lord Audley, in the Low Countries. His father commanded 1500 men at the fight before Zutphen, 22nd September, 1586, in which he bore himself so bravely that on October 7th following he was made a knight banneret. His son, George, Lord Audley, after serving in Holland, where he was made governor of Utrecht, served also in France, and thence came to Ireland to serve in the war against Hugh O'Neil, Earl of Tyrone.

The patent (6th September, 1616*) creating him Baron Audley, of Orier, in the county of Armagh, and Earl of Castlehaven, in the county of Cork, describes him as already celebrated for his bravery and military skill, and as having passed his life from his earliest youth in arms, as well in Holland and France as in Ireland. At the siege of Kinsale, then held by a Spanish force, George, Lord Audley, as is further stated in his patent of nobility, bravely resisting a sally of the Spaniards, was severely wounded, and lost much blood.† These services did not bring him the usual reward in Ireland

* "Patent Rolls of Chancery, 14 James I."

† See also "Calendar of the Carew MSS. : " Journal of the Siege of Kinsale, 31st October, 1601, vol. iv., p. 184.

of confiscated lands; for the Lords of the Privy Council (June 30th, 1608) recommended him to Sir Arthur Chichester for preferment on account of his forwardness in the king's service, but a backwardness in making suit that had left him unprovided.* He had already, however, purchased considerable estates in the county of Cork, along the coast of West Carbery, part from Theobald Lord Bourke, of Castle Connell, called the Manor of Rosbrin, with the islands adjacent, formerly the lands of Donald O'Mahony, attainted, and part from Sir John King, consisting of the lands of Glanberigen, otherwise Castlehaven, with other lands and the islands adjacent, formerly belonging to Teige O'Driscol and Connor O'Driscol, attainted: and these lands continued to be the estate of the Lords Audley till within twenty-five years ago, at which time they were sold in the Incumbered Estates Court. Lord Audley's modesty, however, was gone in the following year. At this time the plantation of Ulster was on foot, and (10th July, 1609) he *humbly* asked for 100,000 acres in Tyrone or the adjoining parts in Armagh, and undertook to divide them into thirty-three parts, and on each part to build a castle and a town, each town to be inhabited by thirty families, comprising foot soldiers, artificers, and cottagers, with allotments of land to each.†

Sir John Davys, who was his son-in-law, expressed himself to the Earl of Salisbury as "not a little comforted to hear that Lord Audley and his son were likely to *undertake* in so large and frank a manner;" adding, "They do not in this degenerate from their ancestors; for it was an ancestor of Lord Audley's who first undertook to conquer or reduce North Wales, and was one of the first Lord Marchers there. Besides, one out of the same family," he continued, "accompanied Sir John de Cursy in the conquest of Ulster, and planted there; in testimony whereof Audley Castle is yet standing in Lecale,

* "Calendar of State Papers of James I.," vol. ii.

† Articles propounded by the Lord Audley to the Commissioners for Irish Causes. "Calendar of State Papers (Ireland) of James I.," vol. iii., p. 258.

inherited at this day by one of the same surname."* Sir Arthur Chichester, however, was not so well pleased, and augured badly of Lord Audley's undertaking. "Reports and letters from England tell us," he writes to Salisbury, 13th October, 1609, "that Lord Audley has a grant from the king of 100,000 acres in Tyrone, which is more than the whole county is found by the Book of Survey. He is an ancient nobleman," he continues, "and apt to undertake much; but his manner of life in Munster, and the small cost he has bestowed to make his house fit for him, or any room within the same, does not promise the building of substantial castles, nor a convenient plantation for himself; and he loves not hospitality. Such an one will be unwelcome to that people, and will soon make him contemptible; and if the natives be not better provided for than he (Chichester) has yet heard of (in the projected plantation), he doubts that they will kindle many a fire in his buildings before they be half finished." †

But though Chichester's opposition seems to have stopped this enormous grant, Lord Audley obtained a larger share than most other undertakers in the plantation of Ulster, if we except Chichester himself, who got the whole barony of Inishowen. By patent, dated 12th March, 1612, the king granted to George, Lord Audley, and Elizabeth, his wife, 2,000 acres in the barony of Omagh, in the county of Tyrone, besides another 1,000 acres in the same county, the lands in Omagh being erected at Lord Audley's request into the manor of Stowbridge, those in Tyrone into the manor of Heleigh. By the same patent a grant was made to Sir Mervyn Touchet of 2,000 acres in Tyrone called the great proportion of the Brad (or Broad) in the barony of Omagh, and was made the manor of Stowy; and it contains another grant to Sir Ferdinando Touchet of the great proportion of Fintona, in the barony of Omagh, created into the manor of Touchet (Sir Mervyn and Sir Ferdinando being the sons of Lord Audley), and another grant of 1,000 acres, called the proportion of

* "Calendar of State Papers of James I. (Ireland)," vol. iii., p. 256.

† "Calendar of State Papers of James I. (Ireland)," vol. iii., p. 299.

Edergould, and the proportion of Carunvrackan, 200 acres to Edward Blount, erected into the manor of Harleston (Edward Blount being his son-in-law), and these grants would seem to have been taken in trust for Lord Audley ; for they all came to his eldest son, Sir Mervyn Touchet, afterwards Lord Audley, and were by him sold (except the lands in Tyrone and Armagh which had been granted by the king to George, Lord Audley and, Elizabeth, his wife, and so passed on her husband's death to her) to Sir Henry Mervyn, father of Sir Audley Mervyn. He was Sir Mervyn Touchet's brother-in-law, Sir Henry having married Mervyn, Lord Audley's sister, Christian Touchet. The lands Lord Audley had purchased along the coast of Cork, where he had built himself so sorry a castle and lived so meanly, according to Sir Arthur Chichester's view, he gave up to his son, Sir Henry Mervyn Touchet, just about the time he intended to become a planter in Ulster. By deed, dated 1st January, 1611, George, Lord Audley, in consideration of a rent-charge of £500 a year to himself and £100 a year to his second son, Sir Ferdinando Touchet, assigned to Sir Mervyn Touchet, his son and heir-apparent, his whole estate in Ireland to him and his heirs for ever, together with all his stock of cattle and corn. But this conveyance only concerned the Cork lands, for he had not yet obtained the grant of Ulster lands, which is dated 12th March, 1612, so that the Cork lands only could have passed. And that it was in view of his removal to Ulster appears probable, not only from his reserving all his utensils and household stuff, his coach and all harness and furniture for horses, but also all muskets and calivers, powder, arms, and all other ammunition, as this latter kind of furniture was still more necessary than the former in Ulster, and was also required of the undertakers among other conditions of the plantation.*

In 1617 George, Lord Audley and Castlehaven, died,† and was succeeded by his eldest son and heir, Sir Mervyn Touchet.

* "Patent Rolls of Chancery of the reign of James I.," p. 195, where an abstract of this deed is given.

† Lodge's "Peerage of England." vol. vi., p. 54.

On his father's death Sir Mervyn seems to have abandoned all wish to plant in Ulster, and sold the large grants that came to him in that province to his brother-in-law, Sir Henry Mervyn; and Sir Henry, in 1626, gave these to James Mervyn, his eldest son who, dying without issue, they came to his (James's) only brother, Sir Audley Mervyn.

From Sir Henry Mervyn's deed of gift it appears that all the Ulster lands, except those two mansions in Tyrone and Armagh, which passed to Elizabeth, Lady Audley and Castlehaven by force of King James I.'s grant of them to her husband, came to Sir Mervyn Touchet, notwithstanding the grant of two others of them to Sir Ferdinando, his brother, and Edward Blount, his brother-in-law.

By this deed, which bears date 29th August, 1626, Sir Henry Mervyn and the Lady Christian, his wife, convey to James Mervyn, and son, heir-apparent of the said Sir Henry, these four several proportions of Fintona, Edergould, the Broad, and Carunvrackan, which lately before were by Mervyn, Lord Audley, Earl of Castlehaven, conveyed to Sir Henry and his wife, and shortly before had been made three several lordships and manors, called Stowy, Touchet, and Arleston, as by patent (adds this deed) under the great seal, dated at Dublin, 12th March, 1611, appears.* In 1630 Captain James Mervyn had the lands confirmed to him, and erected into three manors, to be called 'Stoy, Tuchet, and Arleston,' with a fair and market at Trelick, in the manor of Stoy; the like at the town of Tuchet, in the manor of Touchet; and the like at the town of Omagh, in the manor of Arleston.†

In 1640, James Mervyn, who was a captain in the Royal Navy, was alive, for in that year he signed the funeral certificate of his wife,‡ but he probably died about the same time, for on the 27th October, 1641, his brother, Audley Mervyn, was dwelling at Trelick, as appears in his account of the interview that took place there between him and Rory Maguire,

* Morrin's "Patent Rolls of Chancery," 7th of Charles I., p. 577.

† *Id. ibid.*

‡ Funeral Entries, Ulster's Office, Dublin Castle.

his brother-in-law, brother of Connor, Lord Maguire, one of the principal contrivers of the rebellion, and afterwards tried and executed for it in London;—for Audley Mervyn was curiously connected by marriage or kinsmanship with the two conflicting sides in Ireland. His mother's sister, Eleanor Touchet, was married to Sir John Davys, so long Attorney-General of Ireland, who, consequently, was his uncle. She was that strange lady who fancied herself endued with the gift of prophecy, because she found in the letters that made up her name, "Eleanor Davys," the words "Reveals O Daniel," and could not be quieted till some one observed that they could equally be made into "Never so mad a lady." James, eldest son of Mervyn, Lord Audley, Earl of Castlehaven, Audley Mervyn's uncle, was a general and commander of the Irish cavalry under the confederate Catholics throughout the war of 1641. This English nobleman and leader in the Irish army was, therefore, a cousin of Sir Audley Mervyn's.

Dorothy Touchet, sister of James, Lord Audley and Castlehaven, another cousin, was married to Edmund Viscount Mountgarret, whose father was general-in-chief of the confederate Catholics in Munster, and was himself a most active soldier in the war of 1641. Frances Touchet, Dorothy's sister, was wife of Colonel Richard Butler, of Kilcash, in Tipperary, brother of the Duke of Ormonde, also engaged in the service of the confederates in the same war. She was transplanted to Connaught, but her husband, who was excepted from pardon of life or estate by the Parliament (as was also Edmund, Viscount Mountgarret), escaped to France. Audley Mervyn's own sister, Dorothy, was married to Rory Maguire, one of the rebels of 1641, whose brother, Connor, Lord Maguire, was executed for his share in the rebellion.

Audley Mervyn, as already mentioned, sat in the Parliament of 1640 as representative for Tyrone. In the journals of the House he appears active on committees. He was a man too careful of his own interests to oppose Strafford's tyranny while that tyrant was strong; but when the leaders of the Commons House in England, in 1641, were preparing to

impeach Strafford, and had him fast bound in prison, they suggested to their friends in Ireland that then was the time to expose his arbitrary rule in that kingdom, for thus they would aid their design of bringing his head to the block.

They had already resolved to make his arbitrary proceedings in Ireland part of their impeachment ; but they wished the public to be possessed of the chief features of his tyranny in Ireland in anticipation of his trial. It was determined, therefore, to impeach Strafford's principal friends and supporters in Ireland for their acts as his ministers, and thus to exhibit their master's tyranny. Audley Mervyn was appointed by the Commons House of Ireland to carry up and enforce their impeachment of Sir Richard Bolton, the Chancellor, of Bramhall, Bishop of Derry, Sir Gerrard Lowther, Chief Justice of the Common Pleas, and Sir George Radcliffe, a Privy Councillor, before the House of Peers. They impeached them of high treason ; firstly, for conspiring to subvert the fundamental laws and government of that kingdom, in pursuance of which they had exercised a tyrannical and arbitrary government against law, by the contrivance and assistance of Thomas, Earl of Strafford, then chief governor of the kingdom. Secondly, for having assumed to themselves regal power over the goods, persons, lands, and liberties of his Majesty's subjects of that realm, and had pronounced many false and unjust sentences and decrees in an extra-judicial manner, whereby seditions had been raised, and many thousands of his majesty's lieges had been ruined in their goods, lands, liberties, and lives, and many of them being of good quality and reputation, had been utterly defamed by pillory, mutilation of members, and other infamous punishments. Thirdly, they had laboured to subvert the rights of Parliament, and all these things were done while they were privy councillors and against their oaths.

This impeachment was entrusted to Sir Audley Mervyn, and the following was his speech :—

“ I am comanded by the Commons to present unto you Ireland's tragedy,—the grey-headed common law's funeral—

and the active statutes, death and obsequies. This dejected spectacle answers but the prefiguring type of Cæsar's murder, wounded to death in the senate by Brutus, his bosom friend, I mean in the courts of justice; and by Brutus, too, I mean by those persons that have received their beings and subsistence from those laws. So that here enters first those inseparable twins—Treason and Ingratitude.

“What, then, was the first and main question? It was the subversion of the fundamental laws of the kingdom.

“Let, then, Magna Charta, that lies prostrated, besmeared, and rolling in her own gore, discount her wounds as so many undeniable proofs.

“Though Magna Charta be so sacred for antiquity, it only survives in the rolls, but is rent and torn in practice.

“These words, ‘*Nullus liber hujus regni ejicietur e libero tenemento suo in prejudicium parium,*’ live in the rolls: but they are dead where property and freehold are determined upon paper petitions.

“These words ‘*Nulli vendemus, nulli differemus justitiam,*’—to none will we sell, to none will we delay, justice,—live in the rolls; but they are dead when the suits, judgments, and execution of the subject are wittingly and illegally suspended, retarded, and avoided.

“Shall we desire to search the mortal wounds inflicted upon the statute laws? Who sees them not, lying in their death-bed, stabbed with proclamations, their primitive and genuine tenours escheated by Acts of State and strangled by monopolies.

“Will you survey the liberties of the subject? Every prison spues out illegal attachments and commitments; every pillory is dyed with the forced blood of the subject, and *hath ears*, though not to hear, yet to prove as witnesses this complaint.

“This kingdom, personated in the sable habit of a widow with dishevelled hair, seems to petition your lordships that since she is a mother to most of us, yet certainly a nurse unto us all, that you would make some order for redress of her tyrannical oppression.

“The most vehement and traitorous encounter of Satan is lively deciphered in the true example of Job; where first I observe the dismologie. He overthrows not Job’s Magna Charta; he dis-seizes him not of his inheritance, nor dispossesses him of his leases; but only disrobes him of some part of his personal estate. When he proceeds to infringe Job’s liberty he doth not pillory him, nor cut off his ears, nor bore him through the tongue; he only spots him with some ulcers. Here Satan stains when these persons by their traitorous combinations envy the very blood that runs unspilt in our veins, and by obtruding bloody Acts, damned in the last Parliament, will give Satan “Size ace” and the dice at Irish in intrhalling the lives of the subjects by their arbitrary judicature.”*

Within six months after this speech the great Irish war, or rebellion, broke out. Audley Mervyn was at this time in possession of the late Audley estate at Trelick, in the county of Tyrone, and he gives a very graphic account of his interview with his brother-in-law, Rory Maguire, one of the leaders in that rebellion. It is to be found in an examination or deposition Captain Audley Mervyn gave to a Select Committee of the House of Commons on the 6th July, 1643, at which period the parliamentary leaders were endeavouring to possess the minds of men with the notion that the rebellion of Ireland was promoted by the king and his friends in aid of their alleged designs to subject the kingdom of England to the king’s despotic rule.

In this deposition Colonel Audley Mervyn says, that about the 27th October, 1641 (that was just four days after the outbreak), “Rory Maguire, brother of the Lord Maguire, came to Castle Trelick, in the county of Tyrone, being his (Colonel Audley Mervyn’s) house, and amongst other discourses

* “A Speech made by Captain Audley Mervyn to the Upper House of Parliament in Ireland, March, 4, 1640—1. Together with Articles of High Treason against Sir Richard Bolton, Lord Chancellor; John Lord, Bishop of Derry; Sir Gerrard Lowther, Lord Chief Justice of the Common Pleas, and Sir George Radcliff, Knt.” 4to. Printed A.D., 1641.

told him it was resolved to employ him (Colonel Audley Mervyn) in England to represent unto his majesty upon what grounds they (the Irish) had taken up arms, and what desires being granted they would lay them down."

"The reasons Rory Maguire gave," adds Colonel Mervyn, "for the present were, that the Parliament of England was fully bent to the extirpation of the Catholic religion, as was apparent in the execution of some of their priests, and that they invaded the king's prerogative, in which their greatest security reposed." Audley Mervyn then details their conversation, and the arguments they each used. Rory Maguire was about to depart, promising to bring the heads of their petition to him when he came next, when Colonel Mervyn says he called him aside, and advised him, "in respect the said Rory Maguire had married his sister, and by her got £900 per annum inheritance," to desist, and that if he did he would try to procure his pardon; but, anyhow, he hoped he would issue a proclamation to repress the fury of the rebels, which accordingly he did. And Colonel Mervyn gave notice to the Protestants about him to dispose of themselves towards Derry, and that he would adventure himself the last man.

"And so, by the blessing of God," he adds, "many were saved, and himself, his wife, two sisters, and children, escaped in the night, saving nothing but their lives." Colonel Mervyn then details a discussion he had with Rory Maguire about the impossibility of the final triumph even if they had temporary success; because the English and Scots would avenge the loss of their kinsmen in Ireland. "I remember well his reply," says Colonel Mervyn: "'Come, come, brother, deceive not yourself,'" said he, "'in being too wise. All Ireland is at this instant in our hands. I will show you all the places of strength—to what person their surprisal is assigned. This great undertaking was never the act of one or two giddy fellows:—we have our party in England, we have our party in Scotland, that shall keep them busy from sending you aid. I can assure you it is well if they can save themselves, and

before you can get thither you will find them, if they be not so already, as deep in blood as ourselves.' He further added," 'continues Colonel Mervyn, "' If you will resolve to go (with the remonstrance), I will come within three or four days, and then you shall know all. If you will not, I will convey you and yours safe to the next port, and see you embarked—provided you swear never to come over to fight against us.' But I," says Audley Mervyn, "fearing this was to sound me, and that so many lives depended upon my demeanour, replied, 'Bring your heads,—the sooner the better,' but unwilling to trust to any further courtesies, escaped before his return."*

Colonel Audley Mervyn, driven from his home at Trelick, took up his residence at Derry. In 1643 the successes of the Royalists against the Parliament in England induced the Parliament to call in the aid of the Scots a second time. This was only given on the engagement of the Parliament by treaty that they would enforce the taking of the Covenant in England, and would establish there the Presbyterian form of worship. By the Covenant they were "to preserve the reformed religion of the Church of Scotland, and to promote the reformation of religion in England according to the Word of God and the example of the best reformed churches, and to bring the churches of God in the three kingdoms to uniformity of church government, and (without respect of persons) to endeavour the extirpation of popery and prelacy."

In 1644 the Scots sent over missionaries to Ulster to preach up the Covenant to the English forces, and thus to detach them from the king's cause, which was the cause of prelacy. These men preached up the Covenant in all places to be as necessary to salvation as the Sacrament of the Lord's Supper,

* "The examination of Colonel Audley Mervyn, given on the 5th day of July, 1642, unto a Select Committee of the House of Commons, and attested under his hand." A collection of all the Public Orders, &c., of both Houses of Parliament from 9th March, 1642, till December, 1646. Folio. London: Edward Husband, Printer to the House of Commons, A.D., 1646.

and would allow this to be given to no man who refused the other.*

Colonel Mervyn had been made governor of Derry by Ormonde, confiding in his loyalty, and considering him a man of a voluble tongue and capable of doing service. He relied upon him for resisting the imposition of the Covenant. The town, however, was full of factions and seditious persons, who had on former occasions torn the Book of Common Prayer and thrown libels about the streets, and threatened anybody who should dare to use it; so that the mayor, when he went to church, was forced to take a strong guard of English soldiers of his own company and plant them about the reader's desk, to secure himself from being insulted and the book from being torn.† Colonel Mervyn, after some opposition, though he had declaimed more in Parliament against the Covenant than any one else, soon after took it. He could not otherwise enjoy his government, or be able to subsist (as he wrote to the Marquis of Ormonde), and said he was "convinced that those who took it had really good intentions to the honour and happiness of the king."‡ "He might, if he had been a Roman Catholic, have said as much for the Oath of Association," said Ormonde. The truth was, that he resolved always to comply with the times to suit his own interests. Consequently, he was amongst the first to worship at the rising sun of the Restoration; and the first House of Commons in Ireland after the Restoration—composed altogether from Cromwellians—knowing his dexterity, elected him their Speaker, on which occasion he made a characteristic speech, on being presented to the three Lords Justices, Sir Maurice Eustace, the Earl of Orrery, and the Earl of Mountrath, as the choice of the Commons, in which he had not the slightest compunction to denounce the Presbyterian regimen which he had so lately adopted by taking the Covenant, and to preach

* Carte's "Life of Ormonde," vol. iii., p. 32. New edition, 8vo., Oxford, 1851.

† *Id. ibid.*

‡ *Id. ibid.*

up prelatical episcopacy, which he had then coupled with popery, and as fit to be extirpated. He reminded the House of Peers of the saying, "No bishop, no king."

The following are some extracts from Sir Audley's speech on this occasion:—

"Most Great and Honourable Lords,—“The Commons passing by many persons of signal abilities and long experience, have fixed their eye of favour and affection upon me, the meanest member of that assembly. They know, however (such is the prudence and circumspection of that House), that they can suffer no prejudice by the disabilities of any one person serving and observing their commands.

“Thus have I seen a tender parent placing one of his little ones before him in the saddle, and seemingly entrusting the reins in his hands, when secretly the command rested in his own. Upon my election I offered my aid-prayer that no further proceedings should be herein—*Rege inconsulto*—and then blushing led them into such recesses where my ambushed infirmities had so long secured themselves (though without drawing of the curtains, the scene of my errors was too visible). Wherefore, most honourable lords, with confidence equal to my humility, I beg your lordships to give me a *supersedeas* and discharge from a burthen disproportionate to my strength. Give me leave to put off Saul's armour before you, and lay your commands upon the Commons to improve their second inquiry among themselves (there is many a Saul, taller by a head and shoulders than myself, hidden among such stuff), and to present a person upon whose very appearance in this place your lordships may warrantably conclude, ‘This is the man whom the House of Commons delighteth to honour!’”

(Here the Lord Primate of Ireland, Speaker of the House of Lords, declared in a sharp and pithy speech, the Lords Justices' approbation of the speaker, who then proceeded):—

“Most Great and Honourable Lords,—I find my aid-prayer overruled, and a *procedendo* issued. I crave leave to chide myself: I only considered *Terminus ad quem* when I ap-

pealed to Cæsar, and reflected not upon *Terminus a quo*, the House of Commons.

“Here I might wind up, but give me leave to recollect myself. Can I be in this mount of transfiguration and not say, Let us build three tabernacles, and put on this inscription, “*Bonum est esse hic?*” Your lordships being three persons of honour, yet making up the representation of one, and that the best of monarchs. Let no man be offended that I call it a mount of transfiguration. Have we not these many years been walking through a wilderness without a Moses, without an Aaron? Hath not the Parliament of this kingdom been carried into captivity, and our senators that should be, become peripatetics and pilgrims to titular conventions? And is not this place now a mount of transfiguration? Where were those regalia we now behold? That robe of majesty before your lordships was the garment for which they cast lots: that sword, of which it may be said, ‘*Non est alter talis,*’ whose point was steeled, whose edge was sharpened by a heavenly sanction, was transformed into a bloody axe to behead three kingdoms at one stroke. That single cap of maintenance could never fit that *bellua multorum capitum*.

“Draw near, you House of Commons; behold a king! Do you not yet see him? Why then feel him? What say your lives? Do they not feel the influence of his mercy? Hath not every chest a pardon, as well as a patent, in keeping? What say your estates? Do not they feel him? Have not the greatest part of your estates in this kingdom felt his power of creation, raising up estates out of nothing?” *

Sir Audley Mervyn was entrusted by the Cromwellian officers with their interests in the discussions in London that preceded the issuing of the king’s declaration of 30th Novem-

* “A speech made by Sir Audley Mervyn, the 11th day of May, 1661, in the House of Lords, when he was presented Speaker by the Commons before Sir Maurice Eustace, Lord Chancellor of Ireland, Roger, Earl of Orrery, and Charles, Earl of Mounteath, his Majesty’s Lords Justices of Ireland.” Ordered by the House to be printed. 4to. William Bladen: A.D. 1661.

ber, 1660, for the settlement of Ireland ; and he took good care not only of them, but of himself ; for he was named one of the thirty-six commissioners for executing this declaration, and contrived to get a king's letter under Privy Seal (February 27th, 1661). Each commissioner was to be provided with a forfeited house in Dublin, the better to execute the commission, and they were to have each as much land in the baronies of Coolock and Balrothery, in the county of Dublin (being the choicest situation in the kingdom) as they should chance to have to yield up of their Cromwellian lots to any of the king's friends, and thus get as good as they gave up.* As these commissioners were all interested in the Cromwellian settlement, being all possessed of lots given them by Cromwell, the Irish protested against them, and prayed the king to revoke their commission and appoint others, because, being parties, they ought not to be judges.† It was in vain to hope for relief from this tribunal. Francis, Lord Aungier, himself one of the commissioners, writes to Ormonde, that "self-interest and partiality, not justice, is the rule for judging there," and wishes that some other judges, who were not parties, might determine causes. "For (says Lord Aungier) Sir Audley Mervyn, who always gives the rule in this Court, is the most partial judge on earth."‡ During their time of office they did not scruple to become purchasers of debenture lands, though the title to those lands were to be tried before themselves. Lord Ormonde speaks of these transactions as "their odd kind of purchases." In some "good information concerning the Court of Claims" (endorsed in Ormonde's hand,—“Lands purchased by commissioners for executing the declaration”) Sir Audley Mervyn, it is stated, "hath purchased of adventurers, and taken for the securing of the titles of others, above £2,500 per annum ; some in Mr. Rowley's name, and some in the names of

* "Carte Papers," vol. xli., p. 360.

† Presented to the King in Council, 19th July, 1661. Collections relating to the Act of Settlement. Record Tower, Dublin Castle, vol. viii.

‡ Letter dated 27th April, 1661. "Carte Papers," vol. xxxi. p. 95.

persons, nobody knows who, but are pretended to be in England." *

These commissioners were at length superseded, when their partiality and corruption had discredited the declaration itself,† and five new commissioners—men of unquestionable reputation for their religion, integrity, and abilities,‡ were appointed for executing the Act of Settlement. No sooner, however, did they proceed to give judgments of innocency to some Roman Catholic claimants than they were called "enemies of the English interest," and styled, in derision and contempt, "McRainsford, O'Beverley, McChurchill, and O'Broderick." §

Rainsford, Beverley, Churchill, and Broderick were the names of the commissioners thus travestied. A few passages from the papers of the period may convey more insight into the state of the planters' dispositions than a long disquisition. They were all discontented at having lost some or all of their lands to Innocents, or through having yielded them up to the old proprietors, on the king's letters under Privy Seal; for many of the Irish who had been serving under the king's ensigns in France or Spain, or had shared his friendship and misfortunes in exile, got letters of restitution, and these the Cromwellians did not at first dare to disobey. The following is from an intercepted letter of a Cromwellian soldier—a Scot—who had his allotment in Tipperary. His daughter was about to marry, or perhaps had married, and he found himself unable to provide her with the portion he had promised:—

"Here we are (he writes to his friend in Scotland) in a *starveing* condition. There is manie of the English here that lose their estates daylie, and I, among the rest, have lost

* "Carte Papers," vol. xlv., p. 354.

† King's Letter, under Privy Seal. "Carte Papers," vol. xliii.

‡ *Ibid.*

§ "Treatise, or Account of the War or Rebellion of Ireland since 1641," styled, by Carte, "Plunket's History" sec. 746. "Carte Papers," vol. lxiv., pp. 418-431.

a good share of myne, and the rest upon a tryal within this month, which doth very much disenable me in every particular, and specially in that wherein I was most bound to doe for my daughter Barbara. When you see them, be pleased to tell them so much. Your affectionate cozin to serve you.”—John Campbell, from Tullaghmaine, to his honoured cozin, Dougal Campbell, of Inderath.*

He was unable to provide a portion for Barbara! If they were told that they must wait for reprisals, they still continued desperate, as they “looked upon reprisals as a mere whim.”† The House of Commons, composed altogether of Cromwellians, shared in the common discontent of that interest, and after several hot debates framed a set of resolutions reflecting upon the Court of Claims, and resolved that these resolutions should be presented to the Duke of Ormonde, Lord Lieutenant, by the Speaker, accompanied by the House.

The following passages from Sir Audley’s speech on the 11th of May, 1663, in the Presence Chamber, Dublin Castle, before the Lord Lieutenant, may serve to give some notion of his oratory on this occasion, when he that had been reflected on for his gross and open partiality, attacked men of integrity with ridicule and invective.

“May it please your Grace,—This solemnity of the House attending your Grace may carry the signification of a hand in the margent, to point out something more than of ordinary observation. This is with us as a sheet anchor, which is never made ready but when we discern a cloud. This makes this address of that importance that the House have not thought fit to entrust it to the bare expressions of a Speaker (had he been of the greatest abilities), therefore they have committed it to this instrument (their resolution) that it might remain as a record of their endeavours, that the hard fate and ruin of an ‘English interest’ might not bear date under the best of kings, under so vigilant a Lord Lieutenant, under the

* “Carte Papers,” vol. xxxii., p. 259.

† Boyle, Bishop of Cork, to Ormonde, 29th May, 1663. “Carte Papers,” vol. xxxii., p. 296.

first (and if not prevented, likely to be the last) Protestant Parliament that ever sat in this kingdom.

“There is a time to speak, and a time to hold our peace. This, then, is the critical time when the established religion is in danger to be undermined by casting the predominancy of temper upon a popish interest.

“His Majesty hath called us by his writ to no other end but to offer up our humble advice, *Ne quid detrimenti respublica capiat*, that the state may receive no harm.

“And if ever the advice of subjects may be serviceable to their prince, this is the time when this poor, miserable, unfortunate kingdom, fruitful by the blood of English, and placed as a greedy grave to bury their treasure in from age to age, is upon its new model. It is now in its mintage, and our care must be that the mitre be not stamped instead of the crown.

“It is not long since the sale of this kingdom was offered to the mitre, as His Majesty’s interest was prostituted to every Roman Catholic power, so that it may be said of Ireland as Jugurtha said of Rome,—‘*Venalem Hibernian, mox perituram, si modo emptorem invenerit.*’*

“Did I say His Majesty called us? May His Majesty’s days be long and prosperous; were we weltering in our blood we must hold water while he washes his hands in innocency. It is in the body politic as in the natural; the brawny and fleshy members can admit a discontinuity of parts, though not without pain, yet without danger. But the apple of the eye is so tender that the least dust is offensive to it. We enjoy the benefit of many good and wholesome laws. But the Act of Settlement is the law of laws; it is the Magna Charta Hiberniæ. This is the apple of the eye, and must be printed with this motto, ‘*Nemo me impune lacessit,*’—‘No one touches me without danger.’ Our strength lies in this as Sampson’s in his locks. If these be cut we are as weak as others, when the Philistines shall fall upon us.

* An allusion to the attempts of the Irish to obtain the aid of the Pope, and then that of France, and afterwards that of the Duke of Lorraine.

“Your Grace well remembers the struggling twins* in the womb of this Act. Never prince sat upon the throne endured so many pangs and throes to give his Protestant subjects a birth and life as Charles the Second did. And we shall never forget the fainting expectations of the people for this birth of Ireland, when everyone’s soul looked out at the casement of his eyes, as Sisera’s mother, with a ‘Why are the wheels of his chariot so long in coming?’ But now, sir, with as great a sorrow, we behold the driving of the chariot to be like the driving of Jehu, the son of Nimshi, that drove so furiously.

“We come not this day to reflect on the commissioners for executing the Act: but I shall never forget the words of His Majesty in a full Council. “My justice,” said he, “I must afford to you all: but my favour must be placed on my Protestant subjects,” and in sending over those commissioners that were of our own country and religion, His Majesty warrantably judged that if difference were between Israelite and Egyptian, Moses would lean to the Israelite.

“Upon the whole the knights, citizens, and burgesses have judged that without some speedy instructions be given to those gentlemen, the lands forfeited for rebellion and freely granted by His Majesty to the English (to improve and enrich which, they have beggared themselves) will be taken out of their possession, and themselves, wives, and children, exposed to mockery and misery; and actual rebels, that yet survive, or the heirs and blood of those that died active in that rebellion be restored to the same.”

Among other rules suggested for the guidance of the Court of the Commissioners was one, that the title deeds of all who failed in their claim of innocence should be retained in Court, there to be impounded for ever. Upon this rule the following are Sir Audley’s observations:—

“As to that part that desires the writings of innocent persons to be left in Court, it cannot work a prejudice to them; for the lands being adjudged against them, to what purpose

* An allusion to the two interests, the English and the Irish, that produced such long debates before the king in council at Whitehall.

will the writings operate in their hands? But, Sir, I correct myself. They *will* have an operation. And this puts me in mind of a plain but apt similitude. Sir, in the north of Ireland the Irish have a custom in the winter, when milk is scarce, to kill the calf and reserve the skin; and, stuffing it with straw they set it upon four wooden feet, which they call a "Puckan," and the cow will be as fond of this as she was of the living calf. She will low over it, and lick it, and give her milk down, so it stand but by her. Sir, these writings will have the operation of this "Puckan;" for, wanting the lands to which they relate, they are but skins stuffed with straw. Yet, Sir, they will low after them, lick them over and over in their thoughts, and teach their children to read by them instead of horn-books; and if any venom be left, they will give it down upon the sight of these Puckan writings, and entail a memory of revenge though the estate tail be cut off."*

This was familiarly known as the Speaker's Puckan Speech from the image used by Sir Audley Mervyn; of which it was remarked by some one to Lord Ormonde, "If the Speaker's 'Puckan' may give that satisfaction which is supposed, why should not the disconsolate proprietor have that poor relic of comfort left him, instead of his lands, to refresh himself withal"?† But if this speech was insulting and offensive to the Irish, it conveyed to the English the presage of the loss of their lands. It was idle to argue with them about the justice of the commissioners' judgment. "What your Grace remarks," says Michael Boyle, Bishop of Cork, to Ormonde, "is very true; but innocency or nocency is not their concern; but their possessions is what they look to; and to be ousted of them by others, by right or otherwise is of the same considera-

* "The Speech of Sir Audley Mervyn, Knight, His Majesty's Prime Serjeant-at-Law and Speaker of the House of Commons in Ireland, delivered to His Grace the Duke of Ormonde, Lord Lieutenant of Ireland, the 13th day of February, 1662, in the Presence Chamber in the Castle of Dublin." Dublin: Printed for William Bladen, 1663, 4to. 39 pp. Ordered by the House of Commons to be printed.

† "Carte Papers," vol. xxxii., p. 322.

tion. And this is proved by nothing more than that they do not charge the commissioners with particulars, but generals."*

The Cromwellian soldiery, incited by the notorious Colonel Blood, and headed by Colonel Jephson, Colonel Edward Warren (who feared to lose Dangan, in the county of Meath near Trim, which had been confiscated from Valerian Wesley, the Duke of Wellington's ancestor), and others, had arranged a rising, but were betrayed, and the plot failed. Amongst the information given to Lord Ormonde of the temper of the conspirators, the following was sworn concerning Colonel Jephson:—"About the Easter previous (1662), Alexander Jephson, talking at his own table to his wife, how that the Irish lads were restored to their estates, told her, 'Sweetheart, it will not be long ere I be in the necks of the rogues once more.' " †

On the 19th of May following (1663), passing through Lucan on his way to Dublin to head the conspirators, Colonel Jephson paid a visit to Colonel Sir Theophilus Jones. They were old fellow-soldiers under Cromwell. "Being entered in the hall," says Sir Theophilus Jones, in his deposition "he espied some preparations for dinner, and said, 'I cannot dine with you, but if you and I may go into some room I have something to say to you.' On which," says Sir Theophilus, "I led him into the buttery, being the room next at hand, calling for a tankard of ale and a bottle of cider, with a dish of meat for him. And while these things were in preparing, he said to me, 'I know you love the English!' and thereupon, laying his hand on a large sword which he then had by his side, he said that he had not worn that sword for thirteen years before, and that he had made his will, and left his wife and thirteen children behind him, and was then going to Dublin, where he said that he and many more were resolved to venture their lives, and that before 7,000 years were over"—this was his expression, said Sir Theophilus—"they doubted not to secure the English interest, which was now on ruining, and that they were

* "Carte Papers," vol. xxxii., p. 322.

† *Ibid.*, p. 389.

assured of the castle of Dublin, and of Cork, Limerick, Waterford, and Clonmel."*

In the following manifesto, intended by the Cromwellians to be issued on their taking of the castle of Dublin, they do not fail to reckon the Speaker's speech, and the sanction of it by the House of Commons as among the strongest incitements to overthrow the Government. This document was seized by the Duke, and was never allowed to see the light.

"We had long expected (says this declaration of the conspirators) the securing to us of our lives, liberties, and properties as but a reasonable recompense of that industry and diligence exercised by the Protestants of this kingdom in the restoring of His Majesty to the exercise of his royal authority in the three kingdoms; instead of which, we find ourselves, our wives, and little ones, with our estates, delivered up as a prey unto those barbarous and bloody murderers (whose inhuman cruelty is registered in the blood of 150,000 Protestants at the beginning of the rebellion in this kingdom), which doth appear by these ensuing sad and infallible symptoms, viz., that His Majesty hath suffered himself so far to be seduced by evil counsellors, that even those aforesaid bloody Papists that were the leaders of the people into that barbarous massacre were the first that tasted of his real clemency, in having their justly forfeited estates at his first coming in, by paper orders, taken from the Protestants illegally, and conferred upon them (the Papists); and those that had them not, received salaries (pensions) out of the exchequer until they were restored, although the poor suffering Protestants despoiled by them never had any recompense for their losses. Secondly, that the Lord Lieutenant to whose protection we are committed, doth not only execute the same practices, but hath owned his keeping of an intimate correspondence with several of the

* "A narrative of what passed in discourse between Alexander Jephson, of Trim, in the county of Meath, and Sir Theophilus Jones at Lucan, on Thursday, May 19th, 1663, whereof I, Sir Theophilus Jones, gave an account to Sir George Lane for the Duke of Ormonde, Lord Lieutenant of Ireland, on Wednesday, May 20th, 1663." MS. Trin. Coll. Dub.

said murtherers during their hostility, as appears by his certificates in their behalf to the Court of Claims ; *to which may be added the House of Commons of this kingdom's apprehensions declared in the Speaker's speech to the Duke.* By all which circumstances we may undoubtedly (as David did) conclude that evil is determined against us ; and before it is executed (when it would be too late), we are resolved to use our utmost endeavours for our self-preservation, and like the people with Saul when he intended to requite the incomparable deserts of Jonathan with death, to stand up and say, 'As the Lord liveth Jonathan shall not die.' And to the end that no well-minded Protestants in the three kingdoms be discouraged to stand by us in this our just quarrel, we do declare we will stand for that liberty of conscience proper to every one as a Christian, for the establishing of the Protestant religion in purity according to the solemn league and covenant, the restoring each man to their lands as they held them in the year 1659, the discharging the army arrears, and repairing those breaches made in the liberties and privileges of the Corporations in these three kingdoms. In all which we doubt not but the Lord of Hosts, the mighty God of Jacob, will strengthen our weak hands."*

The Duke of Ormonde was of the belief that Sir Audley Mervyn was engaged in the conspiracy, but Audley was too cunning and too careless of the public interest to venture on such a career. On the approach of the trial of Colonel Alexander Jephson and Colonel Edward Warren, Sir Alan Broderick, on 6th January, 1664, wrote thus to Lord Clarendon :—

"Six of the conspirators will be tried within these fourteen days and executed ; we all bewail Shapcoot is not among the number, nor are there yet sufficient proofs against Massareen and the Speaker, though his Grace knows, by in-

* A paper endorsed, "Heads of a declaration intended to be set forth after the surprise of the Castle. Recd. the 11th Dec., 1669." "This is a true copy of the original remaining in my custody. W. Domville, 3rd December, 1669." "Carte Papers," vol. xxxvii., p. 64.

dubitable circumstances, they were both privy to the conspiracy, and doubts not to find sufficient proof ere long, to the condemnation of Shapcoot, and the exclusion (at least) of the other two from the benefit of the Act of Settlement."*

The Commons further shewed their temper by throwing out the heads of a Bill ignominiously which had been sent from the king in Council for extending the time of hearing claims.

The king accordingly, at Ormonde's suggestion, wrote a letter complaining of the insult of throwing out a Bill without as much as being admitted to a second reading, and that some (to whom we have been but too gracious) had reflected upon it with scruples and unworthy expressions; that his commissioners, chosen by himself, had been threatened with charges of treason, and ignominiously traduced for nothing, as he could yet hear of, but putting their commission into execution according to their duty, by those he did not intend should ever be their judges, as he by no means approved that the same men should be makers of law, judges, parties, and witnesses—all which he found they intended to be. Nor could he without resentment think upon their presumption in offering rules and directions as orders for his commissioners' proceedings, and their ordering their Speaker's speech to be printed. He therefore authorised Ormonde to let the House of Commons know his sentiments, and that he had given him power to dissolve the Parliament if they did not make amends.†

Sir Audley Mervyn and the Parliament laughed in their sleeves at all this indignation, knowing perfectly well that Ormonde could not trust the army against their companions, and that he did not dare—as he informed the King—to call upon the Irish in the several districts to aid the sheriffs, as it would bring on a renewal of civil war.

They had, in fact, gained their object; for although Colonel Jephson and Colonel Warren were executed, Ormonde did not dare to bring in another Bill in favour of the Innocent Papists:

* "Clarendon Papers," MS., unbound. "Bodleian Papers," Oxford.

† King's Letter, under Privy Seal, dated February, 1663. "Carte Papers," vol. xliii., p. 64.

so that if ever men died to save their companions, Jephson and Warren did, and may be held up as the successful champions of the Cromwellian planters in whose service they fell. The House of Commons were now ready to expunge their resolutions, and, having done so, the king (May 26th, 1663) expressed his satisfaction that they had vacated their order reflecting on the commissioners, so that no memory of it might remain.*

But the poor Irish Innocents remained unheard and undressed, and the Court of Claims continued closed for more than two whole years, and when it opened again (on 3rd January, 1666) it was under a new Act of Parliament called "The Act of Explanation," which forbade the commissioners to pass any further Decrees of Innocence.† The new Court of Claims, opened in 1666, was confined altogether to Protestants. The conflict there was principally between the "adventurers," and "soldiers" (those "two brethern in iniquity," as Sir William Domville, Attorney General of that day did not hesitate to style them in a private letter to the Duke of Ormonde)‡. The Protestant officers who fought against the Irish from 1641 till 1649, when the king was beheaded and the monarchy overthrown (called shortly "the '49 officers), and some few other classes all Protestants or English.

In the second Court of Claims, opened in 1666, Sir Audley Mervyn found full employment as a leading lawyer. When the Duke of York's agents used the name of their master to oppose every motion there under the pretence that it might infringe on the reprisals he was entitled to for losing Oliver Cromwell's allotment, which was granted to him by the Act of Settlement among other regicides' lands, Sir Audley Mervyn was employed to denounce these iniquitous agents, the head of whom was Sir Jerome Alexander. They had a

* "Carte Papers," vol. xliii., p. 108.

† 17 & 18 Charles II., chap. ii., sec. 3.

‡ Sir A. Domville to Ormonde, 8th of March, 1661-2. "Carte Papers," vol. xxxi., p. 266.

private gain in delay, for it enabled them to let such lands as they claimed for His Royal Highness, and to take the fees on each yearly letting. For Oliver Cromwell's lands in Meath they claimed a reprise, not because they had been given back to the old proprietors, but because the king had bestowed them in the Act of Settlement on John Russell, of Chippenham, in Cambridgeshire, a Royalist, but cousin of Henry Cromwell's wife.*

There were 5,225 acres set out in the county of Meath for Oliver's arrears, for his nine months' campaign in Ireland.†

Colonel Cooke, one of the commissioners, writing to Ormonde on the discontents caused by the duke's agents, says, "This morning (26th May, 1668), at our first meeting almost, we were saluted with petitions from suitors by the hands of Sir Audley Mervyn, who backed them in a most pertinent speech, setting forth the sufferings of the nation by the delays, and the causes of them. He came to the tempters and the tempted. Thornhill and his accomplices were the former; the commissioners the latter." And so he goes on to describe the scene as already given in the account of Sir Jerome Alexander in the former volume of these "Transactions."

He was more honourably employed thus than in persuading adventurers he could get them their moneys allowed, which they had advanced on the doubling ordinance, and taking from them twopence and threepence per pound,‡ which he had no chance of effecting, or in purchasing up lands whose title as commissioner he was sure to be called to decide upon.

Of his public life there are no further notices. The Parliament of the Restoration was dissolved in 1666, as soon as it had passed the Act of Explanation, and the Court of Claims closed on 3rd January, 1669. No Parliament was again summoned till the Revolution. In 1675 Sir Audley died. He was twice married; first to Mary Dillon, by whom he

* 14 & 15 Charles II., Irish.

† Clarendon Papers MS., Bodleian Library.

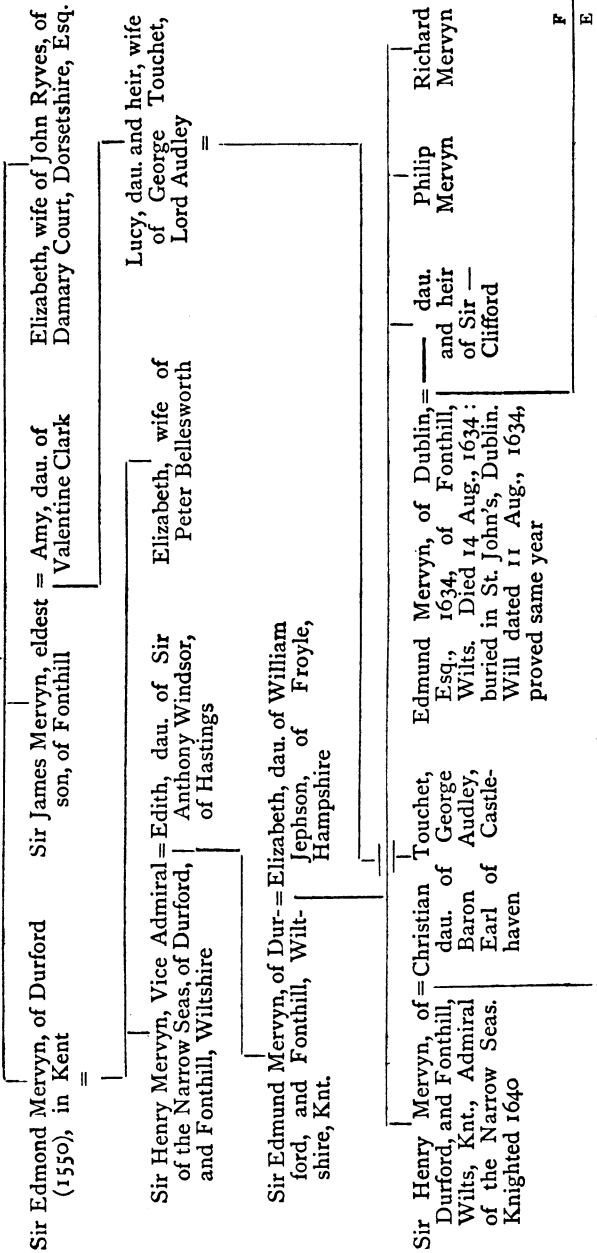
‡ William Hill to Lord Whanton. Dublin, 20th April, 1661. "Carte Papers," vol. lxxx., p. 465.

had one son, Henry, and a daughter, Lucy, who died unmarried. He married, secondly, Martha, daughter of Sir Hugh Clotworthy, sister of John, Earl of Massareen, who died 24th August, 1685, and by her had other issue.

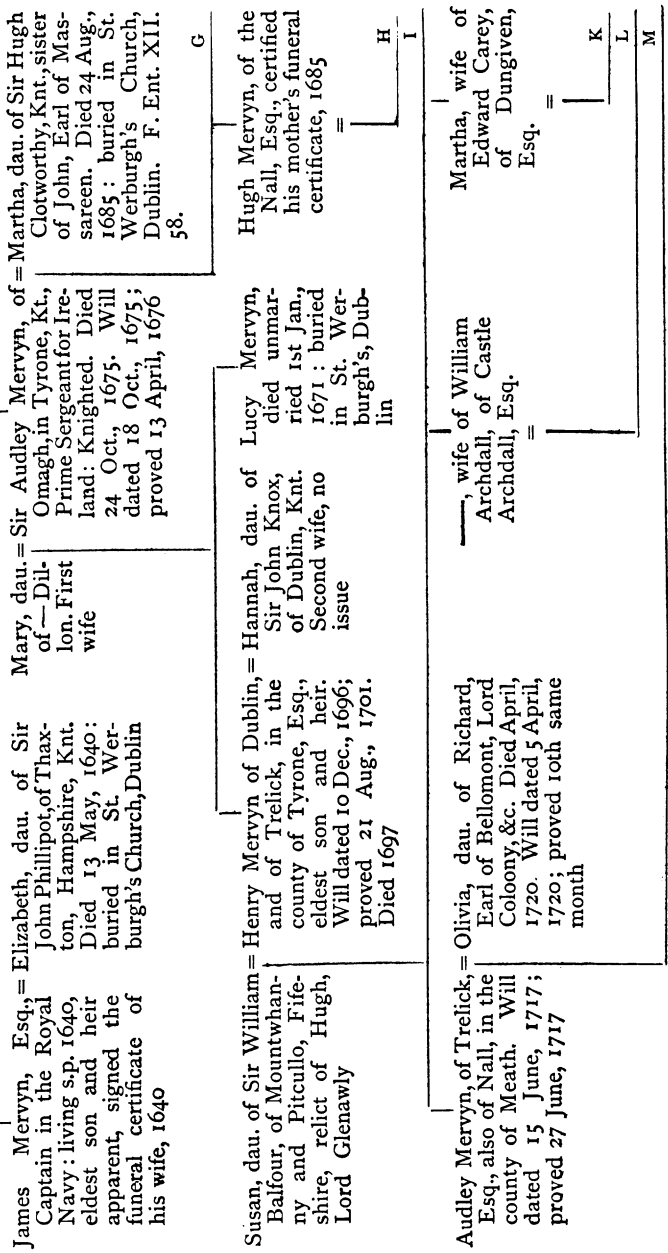
In the funeral entries he is described as 'of Omagh,' so that he must have changed his residence from Trelick, which, however, is to this day in the possession of one of his descendants, Captain Mervin Archdall. The pedigree annexed shows Sir Audley Mervyn's descent.

M E R V Y N.

SIR JOHN MERVYN, Kt. = Jane, dau. of Sir Phillip Baskewell



F
E



S	R	P	O	N	K	L	M
Henry Mer- vyn of Tre- lick, Esq. Will dated 7 Jan., 1747; proved 4 June, 1765. Died with- out issue	Mary, dau. of—Tich- borne. Married 1771; lic. dated 21 December	Audley Mer- vyn, of The Nall, Esq. Died without issue	Theophilus Mervyn. Died without issue	James Mervyn. Died without issue	Jane	James Richard- son, of Castle- hill, in Tyrone, Esq. Assumed the name of Mervyn. Will dated 7 April, 1753; proved 13 April, 1753. 2nd husband	Anne = Hugh Edwards, co-beir to her brothers of Castlegore, in the county of —, Esq. 1st husband
Richard Esq. Assumed the name of Mer- vyn, ob. int. adm. 25 October, 1776, s.p.	Letitia Richardson, only daughter	Earl = of Ross	Olivia Edwards	James Edwards	Elizabeth Edwards	Anne, wife of Barnes	Olivia Wellesley Harman =

Wentworth Harman

S
R
P
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K
L
M
T

Wentworth = Lucy Mervyn
Harman
T

Elinor, wife of Christopher Irvine, Esq., of Castle Irvine

Mervyn Archdall, Esq., a Colonel in the army

Henry Cary

John = Rebecca M—

Sarah, wife of Charles Stewart, Esq.

Ann, wife of George Gledstone

Thomas Harman

William Irvine
Henry Irvine

Olivia
Mary
Elinor

S
R
P
O

Frances Mervyn

Letitia, wife of — Hogan

Arthur = Jane Cartwright, widow, mar. 1768 : lic. dat. 19 January
nat. son

Audley Mervyn, born before 1683

Elinor

William Cecil

Robert Cecil

Extracted from "BETHAM MSS.," Vol. XII., pp. 215—219.
ULSTER'S OFFICE, DUBLIN CASTLE.