Likewise the same scruple is made concerning any proceedings to be had against such persons as have contrived, acted, aided and assisted the rebellion in this nation since 21st October 1641. All which we hold our duty to present to your Highness, to the end that directions may be given to your ministers here in cases of this nature." 1 March. *Ib.* f. 625.

468. SAME TO THE COMMISSIONERS AT LOUGHREA FOR SETTING OUT LANDS TO THE TRANSPLANTED.

" Having considered of your letter and queries lately sent us, and of the report of the Committee for Transplantation concerning the same, we return in answer thereunto these ensuing resolutions :—1. As to the shortness of the Abstract of surveys mentioned in the said letter, we conceive that the tenth head of your Instructions is very clear in that point, wherein you are advised to hold to such computation or admeasurement as is most for the advantage of the Commonwealth, and not to be guided by the said Abstract any further than by going below them ; and as to what lands belong to proprietors, and are not forfeited, we leave them with the Commissioners of the Revenue upon the place in case of doubt, to judge thereof, and to proceed accordingly.

" 2. As to an allowance for surveyors and other persons employed by you . . . there is a warrant already issued to the Commissioners of Revenue at Galway to issue out money for the defraying those incident charges.

" 3. And as to the rates of lands, mentioned in the said letter, to be set out, we judge the rates following to be indifferent and do not think it advisable to be over strict in that particular, lest it might tend to the hindrance of the increase of the stock of cattle ; but as to such as are not to have lands in their right as proprietors there, you are to contract with them as with tenants which take lands for rent, as well as contribution. The rates are as followeth :—That for each acre of winter corn three acres of land be allowed (summer corn and fallow being included). That for each cow, ox, or bullock (of 2 years old and upwards) three acres. That for each yearling an acre. That for each garran, nag, or mare (of 3 years old and upwards) four acres. That for each yearling colt or filly an acre and half. For every

three sheep an acre, and for goats and swine proportionably. And to every fifty acres assigned, for house and gardens two acres, and so proportionably.

"4. As to your queries we return you the following resolutions:— To the first, touching ecclesiastical lands, such lands may be set out to such persons as will become tenants to the Commonwealth for the same. To the second, we do not conceive it advisable to rely upon the Abstract of the surveys in point of the Commonwealth's interest in proprietors' lands; but leave you to be advised by the Commissioners of the Revenue of the precinct, which of those proprietors' lands are fit to be set out, and which not, and as you shall find cause to desire their opinion in it, the said abstracts being of old surveys before the Rebellion. To the third, there is a Commission gone out already for the surveying of the baronies of Tireragh and Carbury, within which the territory of Sligo is included, as we conceive. As for the lands excepted near Galway, it is advisable that you fix no persons upon such lands that border upon those excepted lands, but such as take lands from you as tenants to the Commonwealth. To the fourth, where such persons (who are not in the pay of the Commonwealth) are employed to set out lands, they may have such moderate allowance as you shall judge reasonable for that service, and if the said Order already sent to you, and the sum appointed for them therein for the defraying the incident charges fall short, you are to inform the Commissioners of the Commonwealth thereof, and what allowance you think fit to make such persons. Then further order shall be taken therein; but you are in this particular to be careful not to draw any charge upon the Treasury, but what shall be found necessary and unavoidable. To the fifth, we conceive it reasonable that fallow should be accounted part of the tillage, and therefore have advised that the proportion of three acres should be set out for every acre of winter corn, summer corn and fallow included in the three acres. To the sixth, you are to observe the seventh and eighth heads of your Instructions, and where any of those that do remove, as tenants to proprietors, desire to become tenants to the Commonwealth in lands by themselves, distinct from their old landlords, you are to admit them, except, in case upon hearing of both parties, you find good cause to the contrary; but where you find that the

landlord cannot subsist without some tenants to plant with him, and that such tenants desire to be with him, you are to admit thereof so far as it may answer their necessities. To the seventh and last query, it is not conceived advisable that any further term should be granted by you to such as shall be tenants to the Commonwealth, but from year to year, the granting of a further time being intended to the Irish upon a more strict and exact survey of the lands and settlement of proprietors within that province." 6 March. *Ib.* ff. 628-630.

469. SAME TO SAME.

" We have considered of the doubts proposed by you in yours of the 1st inst. and of the report made by the Committee for Transplantation concerning the same, and upon the whole return you these ensuing resolutions. First, For such persons, who have presented their Certificates (though after the time limited in the Declaration) you are, notwithstanding, to receive those Certificates, and to cause them to be entered according to the time of their receipt, and also to proceed in giving out lands to such persons, according to the proportion of lands due to them by their Certificates respectively. Secondly, That such persons as are to be transplanted, and claim no interest in lands, may plant themselves on any lands belonging to the Commonwealth for their best conveniency, as you shall judge fitting ; provided they sit not down within ten miles of the river Shannon or in those other parts prohibited by your Instructions, without our special licence for that purpose. And lastly, That such persons as desire to become tenants to the Commonwealth, may be accepted of although they have neglected to take out their tickets." 6 March. *Ib.* f. 631.

470. " Upon consideration had of a Report of the Committee for Transplantation, touching the removal of the Irish and Papists out of the City of Kilkenny, unto whom it was formerly referred, it is thought fit and ordered that no Irish or Papists be permitted to reside or dwell within the said City of Kilkenny, or suburbs thereof, after the 1st May next, except such artificers and labourers only, as shall, by the governor of the said city for the time being, be judged necessary to continue there, and that by