shall find the officers and soldiers upon the place unwilling to come to a re-admeasurement of their respective proportions as aforesaid, and that the sub-division agreed by them among themselves was not made with regard to the quality of the lands, but according only to the quantities which were given in by the gross estimate, you do allot to him the said 312 acres out of such other lands in some convenient place of the same barony,[1] as shall be discovered by him to belong to the Commonwealth, and to have been hitherto wrongfully detained from the public." 30 Oct. Letters of the Lord Deputy and Council A/30. 28. f. 11.

548. Ordered that the Surveyor-General and Register for forfeited lands in Ireland do prepare a particular of all Crown and Bishops' lands upon the return of surveys. 3 Nov. Orders A/5. 5. f. 30.

549. By the Lord Deputy and Council.

" Know all men that we, in pursuance of the power and trust to us given etc., do, by these presents nominate etc. Richard Pepys Esq. Chief Justice of the Upper Bench in Ireland and one of the Council there, Miles Corbett Esq. one of the said Council, John Cook Esq., John Reading Esq., William Allen Esq., Roger Ludlow[2] Esq. and Philip Carteret Esq., jointly and severally to be Commissioners for the receiving, hearing and determining of all claims in or to forfeited lands in Ireland; and the said Richard Pepys etc. are to receive all and every claim and claims, that have or shall be made in pursuance of the former Proclamations made by the late Commissioners of the Commonwealth concerning such claims, and all other claim and claims of any person or persons, or the heirs, executors or assigns of any person or persons, who on the 23rd October 1641, had any lawful right, title or interest in or out of any

[1] Viz. Fermoy.

[2] Roger Ludlow, the cousin of Edmund, was born in 1591, and was by profession a lawyer. For some time he held the post of assistant to the Massachusetts Bay Company, at Dorchester. In 1635 he removed to Connecticut, and was entrusted with the drafting of its constitution. He left America owing to some dispute or other, and was appointed a member of the Court of Claims. He apparently quitted Ireland before the Restoration. See Life in *Dict. Natl. Biog.*

the lands, rents and hereditaments of any the rebels in Ireland, or any the lands in Ireland forfeited by any Act, or Acts, Ordinance or Ordinances of Parliament made the 17th year of the reign of the late King Charles, or since, or out of any the lands, tenements or hereditaments lately belonging to the Crown in the year 1630 or since, or out of any lands etc. lately belonging to any Archbishops etc. or other officers belonging to that Hierarchy in Ireland, and to cause all such claims to be entered, and, immediately after the entering of such claims, to proceed to examine, hear and determine the same as shall be agreeable to law and justice, and that they cause copies of such determinations, under the hands of any three or more of them to be sent unto the Register for the forfeited lands, to be by him annexed to the survey of those lands, touching which such claims shall be made, and to do or cause to be done all and every other act and acts, thing and things, for and concerning the hearing and determining of such claims as abovesaid, as are mentioned and contained in one Commission, under the Great Seal of England, bearing date at Westminster the 22nd June 1653, to the said late Commissioners, directed and since confirmed by Parliament. . . ." 3 Nov. Commissions and Instructions A/26. 24. ff. 15-16.

550. Oliver Cromwell to the Lord Deputy and Council.

"The condition of the Earl of Aunendale [1] hath been represented to us by persons of much credit and worth to be such as that, if the rule for transplantation be strictly put in execution in reference to his Lordship, he is like to suffer extreme prejudice in his estate in Ireland, and therefore we are induced to recommend his Lordship's condition to you, that as much favour may be shown to his Lordship in permitting the natives, who are his tenants, to continue the holding and manuring of his Lordship's lands as may consist with the peace and safety of that county." 6 Nov. Letters of the Lord Protector and Council of State A/28. 26. f. 44.

[1] This was James Murray, 2nd Earl of Annandale. He died without issue in 1658, and the title became extinct. His father, John Murray, was an Ulster undertaker, and the property acquired by him comprised nearly all the lands belonging to the MacSweenys in the baronies of Boylagh and Kilmacrenan, co. Donegal.