inhabitants of County Tipperary as to assessments [1] be inquired into. 18 July. *Ib.* ff. 316-319.

405. Ordered that the inhabitants of County Cork who have been active in prosecuting Tories, be rewarded out of the estates of the latter in that precinct. 21 July. *Ib.* f. 327.

406. Whereas the late Lord Deputy, Ireton, published a Declaration, bearing date 1st May 1651, wherein all officers and soldiers of the army are strictly forbidden to intermarry with any of the women of this nation, that are Papists, or with others that are or have lately been Papists (whose change of religion is not or can be judged to flow from a real work of God upon their hearts), upon penalty of being cashiered the army and made incapable of further preferment, and as this Declaration has been since renewed, the Commissioners of Revenue are hereby required to inquire how far it has been observed. 22 July. *Ib.* ff. 341-2.

407. The Commissioners to the Parliament.

" Whereas through the blessing of God and the endeavours of your forces here, the power of the enemy is in a good measure suppressed, and very many of the eminent actors in the murders and massacres cut off by the sword of justice and of war, and about 20,000 lately transported, and about 7000 now transporting into foreign nations, and consideration being had thereof, and of the great destructions in all parts of the nation, so as many counties are without inhabitants, and the whole country miserably wasted and destroyed, we conceived it our duty to endeavour the lessening of the charge of the Commonwealth by disbanding so many of your forces as might be spared (regard being had to the security of your Interest here), and having formerly given notice thereof to the Parliament and Council of State, with our humble desire of passing the Bill for giving satisfaction to the soldiers for their arrears, wherein (as we are informed) some good progress was made, but by reason of the great affairs lately happening, there could be no sudden despatch of that Bill. But finding necessities to press upon us here daily, we have consulted with very many of the

[1] See No. 391, note.

officers and commanders of your army, called from all parts of the nation to the head-quarter to that purpose, and advised with them both of the number that could (with safety to the whole) be well spared, and of the best way and means to give such as should be disbanded satisfaction for their arrears. The result whereof will appear by the enclosed papers and resolutions.

"And finding a general consent and approbation of those proposals amongst the officers, and there appearing no better way to us to give any reasonable satisfaction of the arrears, we intended so far to approve of them, as to proceed to the disbanding of the number of forces therein propounded, and to assign them satisfaction in lands for their arrears, and to set out the same by the nearest estimate that could be made, to be enjoyed by them *de bene esse*, upon the terms proposed, until the supreme authority of the Commonwealth were convened, and did signify their further pleasure for the confirmation or alteration of the same, and more exact surveys taken of the lands. And having begun to put the disbanding, and the way for satisfaction of arrears into a way of execution, and many of the officers being returned to their several charges, we lately received a Commission [1] under the Great Seal of England, with Instructions thereunto annexed, for setting out lands in satisfaction of soldiers' arrears, which to the utmost of our power shall be duly observed by us. But by reason the former proposals and resolutions (as is before set forth) are, in some things, inconsistent with some of the Instructions annexed to the Commission, we do find ourselves in some straits and difficulty and do humbly propose the same unto you.

"First, we find the present Instructions sent us do give us power to satisfy such arrears only as incurred since June 1649; and most of the forces, which, for many reasons appearing unto us, seemed most fit to be first disbanded were such as have been of longest continuance in your service and have most of them interest in this nation, and have most considerable arrears due to them before June 1649. Neither is there any power given us for satisfying any others for their services done in England. Besides the power now sent us limits us to five counties, which answers not the proposition made by the Council of officers in that particular.

[1] 22 June 1653.

"Second, we find the baronies in the County of Cork and the barony in the County of Louth, propounded for the places in which some of the soldiers now to be disbanded were to have their lands in satisfaction of their arrears, to be, by the said Instructions, reserved for other uses. But we conceive it of advantage to the Commonwealth that the soldiers, now to be disbanded, should be settled in those quarters where they have served and are best acquainted, and that it will be a succour and encouragement to such English, as come over to plant upon any account, to have those that served in arms to plant amongst them. And whereas the power to state the accounts of the soldiery in Ireland by the late Act reacheth but to August last, it is humbly proposed that power be given to state all arrears till the 8th of August now next ensuing.

"Third, by the Instructions sent us provision is made for such as have right to forfeited lands to make their claims within twenty days after publication; but there is no direction given to bar those claims that are not made.

"*P.S.*—The enclosed paper [wanting] from the Commissioners for stating the accounts of the soldiers, states the defects in the Act lately passed for that service, which we desire may be supplied." 22 July. Domestic Corresp. A/90. 50. ff. 517-519. *Enclosed.*

407 (i). THE PROPOSALS OF THE OFFICERS FOR DISBANDING, AND TOUCHING PLACES FOR ANSWERING THE ARREARS.

"At a general Council of Officers held at Dublin Castle the 9th of June 1653, the General being President, and the officers hereafter nominated present, viz. Lt.-General Ludlow, Major-General Sir H. Waller, Sir C. Coote, Cols. Theo. Jones, Sankey, Axtell, Barrow, Phaire, Foulke, Sadler, Lawrence, Advocate-General Carteret, Auditor-General Roberts, Lt.-Cols. Brett,[1] Disney, Warren,[2] Flower,[3] Majors Morgan, Bolton, Meredith,

[1] Lt.-Col. John Brett, a '49 officer, noted, according to Ludlow, for his zeal for Cromwell, was joined (Dec. 1659) with Col. Redman in command of the Irish Brigade in England. He afterwards returned to Ireland and obtained a command in Sir John Clotworthy's regiment of foot. In 1661 he was returned M.P. for Thomastown borough, co. Kilkenny.

[2] It is very difficult to distinguish the different Cols. Warren serving in Ireland. There was a Col. William Warren in the Confederate army, who conducted an Irish regiment into England to assist the King. Then there was the

Smith,[1] Aske, Walters,[2] Jones, Richardson,[3] Ormsby,[4] Stanley.[5] Resolved:

"That it be offered to the Commissioners of the Commonwealth that all arrears, both English and Irish, be stated to the time of disbanding.

"That such as are to be disbanded be put in present possession of lands, by estimation sufficient to satisfy their arrears, according to such rates, rules and instructions as have been lately voted by the Parliament for satisfaction of soldiers' arrears in Ireland; and, if any other rates, rules and instructions shall be hereafter held forth for further advantage to the soldiers, in order to the satisfaction of their arrears in Ireland, that the benefit thereof may be extended to such as are now to be disbanded, and the said lands may be enjoyed by them *de bene esse*, until the said rules and instructions be put in execution, and the said lands admeasured and set out unto them

abovementioned Col. Warren, who served the Commonwealth and who, in the commotions that preceded the Restoration, at first sided with Coote against Ludlow and then went over to Sir Hardress Waller. He is probably to be identified with the Col. Edward Warren who was arrested for disaffection by Coote in October 1660, and who was afterwards executed in July 1663 for his share in Blood's plot. See a curious note in Prendergast, *Cromwellian Settlement*, p. 267.

[3] (p. 365) Lt.-Col. Henry Flower, a '49 officer, was the son of Sir William Flower and grandson of Sir George Flower, the first of the family to settle in Ireland in Elizabeth's reign. He was a Coote-Broghill man and prepared the way for the Restoration in Ulster. The lands he received in satisfaction of his arrears he sold to Viscount Shannon. He married in 1654 Anne Hawtrey, and died without issue in 1678.

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[1] Major Bryan Smith served both in England and Ireland on the side of the Parliament, in Fleetwood's regiment of foot, and was one of the Commissioners for the surrender of Limerick. He obtained satisfaction for his arrears in the barony of Glenarm, co. Antrim; but having apparently opposed the King's Restoration and been imprisoned for several months, he sold his interest and left the country.

[2] Major George Walters was afterwards actively engaged in transporting the Irish to Spain. He received his satisfaction in co. Cork and exerted himself to establish an English settlement on his property at Bantry. He was included in the general pardon at the Restoration and afterwards appointed governor of the fort at Bantry (cf. *Cal. State Papers*, Irel., 1660, p. 241; 1661, p. 283).

[3] Major Richardson settled down near Lisburn, where he kept a famous racing stud.

[4] Major Robert Ormsby of Sir C. Coote's regiment, described by Ludlow as "an officer of courage and honesty," was arrested and imprisoned in 1659 for some time by Coote for opposing the Restoration. He afterwards settled down at Redhill in co. Mayo.

[5] Major Thomas Stanley, sometime Governor of Clonmel, ran a course with Ormsby and Warren, and like them was for some time imprisoned by Coote for disaffection to the Restoration.

accordingly, and if the lands so estimated fall short upon survey, the same is to be made up unto them out of other lands.

"That if such estimate upon such admeasurement falls to be more than their proportion, then to pay for the same in money after the rates paid by them for their arrears; and that the papers and reasons formerly offered to the Parliament, touching the rates and ways of giving satisfaction to the soldiers in lands, be recommended to such as are in authority in England to be considered of by them, and wholly left to their determination.

"That such officers and soldiers as shall be put into present possession of lands upon their disbanding, as is mentioned in the foregoing propositions, may enjoy the same upon the terms following, *i.e.* that such lands as have lain waste, and yielded not any rent or assessment to the Commonwealth upon the 1st of February last may[1] be enjoyed by them until 1st November 1654, free from payment of any rent, tythe, tax or assessment to the Commonwealth for the same, and afterwards upon such terms (in relation to public taxes and charges) as the Adventurers are to have for the enjoyment of their lands; and that such lands, as did yield rent or assessment to the Commonwealth upon the said 1st February last, may be enjoyed by them chargeable with the highest rent or assessment that the same was liable to pay to the Commonwealth upon the said 1st February last, until there be a general settlement of lands unto the soldiers for their arrears: and that then they may enjoy the same according to the said general settlement.

"That such as are now to be disbanded may be advised to plant together and not dispersedly, if it may stand with the convenience of their own affairs, *i.e.* the officers and soldiers of each troop and of each company together for their better security and the maintenance of the public peace, and their respective interests.

"That indemnity be held forth to such as served the Commonwealth for what they acted in time of war in Ireland, in pursuance of their duty, or for the service of the Commonwealth, that they may not be molested for the same in Civil

[1] The document breaks off here abruptly. The remainder is supplied from *Mercurius Politicus*, p. 2557. I owe the reference to Professor Firth.

Courts of Justice; and to that end that the Acts, Ordinances, and Orders of Parliament may be pleaded in Ireland.

"That the commissioned officers to be disbanded shall have one month's pay.

"That the non-commissioned officers and soldiers which are to be disbanded shall have six weeks' pay.

"That it be proposed that 5000 foot be at present disbanded.

"That it be proposed that 3000 horse and dragoons be at present disbanded.

"That out of the 5000 foot and 3000 horse and dragoons to be reduced, the forces which are to stand be made up 18,000 foot and 5000 horse, and 1000 dragoons.

"That Quartermaster-General Vernon go as an agent into England, to solicit the concernments of the army.

"That it be proposed to the Commissioners of the Commonwealth that such officers and soldiers as shall be reduced may have liberty to set up and follow their several callings in any city or town in Ireland, without oaths or other molestations.

"That it be proposed to the Commissioners of the Commonwealth to write to the authority in England for a confirmation of the lands, which the soldiers shall be allotted for their arrears.

"That if lands assigned for the satisfaction of arrears shall not prove the State's, and be otherwise encumbered, that in such cases they may be repaired in every particular by the State.

"That it be proposed to the Commissioners of the Commonwealth to consider the condition of wounded soldiers, orphans, and widows

"That there be care taken for present satisfaction of the officers formerly reduced, cashiered, or discharged by Courts-martial with the rest that are now to be disbanded.

"That it may be offered to the Commissioners of the Commonwealth that the officers and soldiers may have sufficient timber allowed them out of the State's woods for building, and plough-boot, for the better carrying on of the plantations." 9 June.

408. Ordered that Lord Broghill be authorised to transport such of the Irish, as now are or have been in arms against the Commonwealth of England and their forces in Ireland, into any parts beyond the seas in amity, except two or three persons, now standing out, who have most eminently violated