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# The decline of the O'Kennedys of Ormond

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By Matthew Boland

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The O'Kennedys belonged to the ancient Gaelic Milesian dynasty who probably migrated from their home territory in East Clare in the eleventh century. There is some dispute as to their precise area of origin. According to tradition, the first person who had the name in Irish *Cinnéide* was the father of King *Brian Boroimhe*. The ancestor from whom the O'Kennedys are said to be descended was Donchuan, a brother of Brian Boroimhe and son of Cinnéide.

Donchuan's descendant (a great-grand-son) had five sons, two of whom adopted the name Kennedy; a third took the name Regan, a fourth the name Kelleher and the fifth Longargan. From one of the two sons, called Kennedy, was descended the O'Gunnings of Castleconnell; from the other son, Kennedy, descended the O'Kennedys of Ormond. Until the name of King Brian there were no family names; Brian made a law making each family choose a name, which would continue in the family by inheritance.

By the 12th century the O'Kennedys were in possession of and lords over the Ormond baronies. The two baronies over which they ruled, Upper and Lower Ormond, extended from Portumna in the North for the latter to the borders of the baronies of Ikerrin and Eliogarty for the former.<sup>1</sup> Many references to the O'Kennedys are found in the ancient records. Among them were noted clerical figures such as Donald O'Kennedy, Bishop of Killaloe and Flan O'Kennedy, Abbot of Trim, both of whom lived in the 12th century.

The annals record Bryan O'Kennedy, Lord of Ormond as being killed by the English in 1370.<sup>2</sup> The sept of O'Kennedy of Ballycapple in lower Ormond derived its name, *Sliocht Seamais na bhFeadh*, and origin from its ancestor, *Seamus na bhFeadh*, whom the genealogies of the O'Kennedys give as one of the three grandsons of Bryan. Of the descendants of the other two brothers, those of *Domhnall Caoch* cannot be located in Ormond.

With the other (*Ruaidhri*) the case is different. His son Aodh was the father of five sons, the eldest of whom, Diarmuid, held the position of *O' Cinneide Fionn* and "Chief Captain of Ormond" in the 1530s and 1540s. Three of Diarmuid's four sons can also be documented; the eldest, *an Giolla Dubh Caoch* (whose real name seems to have been Philip) became joint *O' Cinneide Fionn* (with Uaithne, son of Donncaadh Og) on the death of Brian O'Kennedy in 1588, and sole lord on Uaithne's death in 1599.

The genealogy of the descendants of Seamus na bhFeadh is set out in a deed of arbitration of 1584. One of the two lines can also be found in the genealogical collections, which name *Ruaidhre* and *Tadgh Maol*, the sons of *Mathghamha*, as son of *Donncuan*, son of *Seamus na bhFeadh*.<sup>3</sup>

The Butlers emerged in Ormond from conflicts in the 14th century with the frontiers of their lordship transformed almost beyond recognition. Little remained of the vast territories granted by John Lord of Ireland to Theobald Butler in 1185. Nenagh, once the impressive capital of the lordship, was fundamentally changed. In North Tipperary the Irish were never integrated into



Anglo-Norman society, in contrast to central and south Tipperary and Kilkenny. The rich low-lying plains of the latter areas were heavily settled by Anglo-Norman colonists. It was, along with the east coast, the most urbanised region in Ireland. To the north clans such as the O'Kennedys, O'Carrolls, MacNamaras, and the O'Kellys managed to retain their separate identities.<sup>4</sup>

The survival of the colony in the region depended primarily upon the ability of the Butlers to govern and defend it. As the power of the royal administration in Dublin dwindled, the Butlers were forced to assume its responsibilities. By the close of the 14th century the Anglo-Norman community and Kilkenny had been cast adrift. The Kings of England had too much to worry about at home to concern themselves with Ireland, and without powerful English assistance the Irish administration was helpless. Central authority began to disintegrate.<sup>5</sup>

The first stages in the decline were visible in Tipperary, the richest royal county in Ireland. The root of the trouble lay with the growing unrest of the Irish in North Tipperary and with outbreaks of disorder among the settlers themselves. In 1287 during the minority of Theobald Butler large areas of the Butler lordship in North Tipperary and Limerick were laid waste by Turlough O'Brien. The central government failed to act.

In 1328 the liberty of Tipperary was established, which transferred the responsibilities of government to James Butler, Earl of Ormond. The government meant this status only to last for his lifetime, but soon discovered it was unequal to the task. Initially the custody of the Butler lordship was given to the Earl of Desmond, which proved a disastrous decision. It was agreed that Desmond should have the custody free of rent for two and a half years, which suggests that the government was unable to assume the responsibility itself.

Instead of defending the lordship, Desmond pillaged it. When the custody was transferred to Thomas Dagworth in 1344, Desmond's constable in Nenagh had to be forcibly removed from his command. Desmond returned in 1345 to lay waste Ormond and Eliogarty. It was probably this action which prompted the O'Kennedys, O'Carrolls, O'Briens of Arra and the McGillapatricks to stage a general revolt in 1346 and 1347.

Though the justiciar Walter De Bermingham spent a lot of time and effort trying to restore order – he was at Nenagh in August 1347 – he achieved little; four months later Donald O'Kennedy burned Nenagh and ravaged Ormond. In spite of the part played by the justiciar in suppressing the revolt, most of the fighting was borne by the local inhabitants, and it was the Purcells who eventually captured O'Kennedy.<sup>6</sup>

The helplessness of the government in the face of this crisis prompted it to deliver the lordship to James Butler in 1347. The process of disengagement was completed when James was created Earl of Ormond and Lord of the Liberty of Tipperary. The disasters in the county during the Earl's minority indicate the ineffectiveness of the central government. Between 1287 and 1347 the county was subjected to successive devastations, most of them during Butler minorities when it was entirely dependent on the government for protection. In his short career the first Earl of Ormond demonstrated that the Butlers were the only really effective power in the country, and the second Earl proved no less capable. It was probably this fact which led to the establishment of the liberty on an hereditary basis in 1372.<sup>7</sup>

The O'Kennedys co-existed with the Ormond Butlers for centuries. A feudal landholding relationship existed between them, that of lord and chief tenant. The O'Kennedy clan are not mentioned as tenants or freeholders in the Ormond Deeds, which include mostly Anglo-Norman or Old English names. The Deeds do, however, record the special relationship which existed between the Ormonds and the O'Kennedys almost from the beginning of the Norman occupation of Tipperary. The Ormond Butlers recognised the position of the O'Kennedys as



ruling clan in their territory, with rights to tribute and allegiance from their sub-chiefs. The O'Kennedy lands had come under ultimate Butler control, but the former's landholding rights were respected. This is indicated in a 14th century deed, which though in outward form a grant actually recognizes landholding status among the Irish chiefs.<sup>8</sup>

The Ormond dominance over the O'Kennedys was a continuation of a situation that existed in pre-Norman times. The Butlers were in many respects typical gaelicized Anglo-Norman lords, continuing to tolerate and even practise many Gaelic customs. By the 16th century the O'Kennedys had become anglicized, acknowledging English law to the extent of taking leases and paying a chief rent, described in the Ormond Deeds as the *Mairt Earla*. This Gaelic term is an echo of earlier Gaelic-style tributes from minor to superior chiefs.

The term rent being synonymous with tribute can be seen in one Ormond Deed.<sup>9</sup> This rent was analogous to the chief rent or tribute due from their territory to their Gaelic overlords mentioned in the Book of Rights written about the 11th century. "The Right of Caiseal and of the King of Caiseal from territories generally down here. With the Muscraidhe in the first place, this tribute begins i.e. ten hundred cows, and ten hundred hogs from the Muscraidhe".<sup>10</sup>

The unique position of the O'Kennedys under the Butler overlordship is indicated in two other Ormond Deeds, which record the granting by the Earl of Ormond of the position of constable to individual O'Kennedy chiefs. The constable was an officer under the Earl, a privilege not recorded in the Ormond Deeds as granted to any other Gaelic clan or even Old English tenant or freeholder.

One indenture between Conoghor O'Kennedy and James, Earl of Ormond records "that the Earl has granted to Conoghor and his heirs male the office of constable of his manor or castle of Dromynyre, receiving the ancient fees, commodities, customs and profits as do the Earls other Constables of his manor Nenagh, Corkehynne and Thurles".<sup>11</sup> A constablenesship is granted of one of the Earl's manors also to James *alias* Gilleduf O'Kennedy of Ballyingarry "to have and to hold to said James and his heirs for ever . . .".<sup>12</sup>

The tenants and freeholders under the Earl of Ormond were exempted from the operation of the English government's Surrender and Regrant scheme, the purpose of which was to ensure the subjection of the Gaelic and Anglo-Irish Lords to the Crown and their total anglicization. The exemption of the O'Kennedys (as freeholders under the Butlers) from this scheme can be seen in a deed which records an indenture made between James Earl of Ormond and the sons of Donatus O'Kennedy of Killwonyn in 1542.<sup>13</sup>

Many of the land transactions between the O'Kennedys and the Earl of Ormond take the form of a local surrender and regrant. In one indenture the Earl granted to 'Bryan O'Kennedy of Lakky in Ormond' "the manors, lordships, towns, lands and seignories of Kiltfaddy and Loghene and all other lands and revenues appertaining to O'Kennedys funnet, before him held the same for term of 61 years at annual payments".<sup>14</sup>

By 1550 the Butlers had regained control of the Ormond territories, subjecting the powerful Gaelic clan of the O'Kennedys once more to their authority. Over a century of internal disputes among the Butlers ended with the settlement of the succession of Peirs Butler by Act of Parliament. The consolidation of Anglo-Norman power coincided with the renewal of a royal centralisation policy. The Gaelic clans and the Anglo-Irish throughout the country pledged loyalty to the Crown.

The Ormond territories were no exception. Piers Butler had surrendered his land to the Crown in 1528 and received them back with the title of Earl; their "chief tenant" the Gaelic O'Kennedys were among the Ormond clans who submitted to royal authority. The Butlers realised that the loose relationship with the O'Kennedys had to be tightened in keeping with



the increasing government influence. The O’Kennedys maintained their power and territory intact in 1550, but concealed that this was due to recognizing the supremacy of Butler authority in Ormond. Major conflict had been avoided between them for centuries.

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The Panel of Freeholders dated 1580 includes the main landholders of the O’Kennedy clan between 1550 and 1614.<sup>15</sup> The first name for Upper Ormond is “Conogher a Chuayn *alias* Mac Teig of Balicahill, gent”. The Gaelic chief of Upper Ormond – counterpart of O’Kennedy Fionn of Lower Ormond – was O’Kennedy Donn, or (as he is sometimes referred to) “MacTeig of the O’Kennedys”. In 1583 the Four Masters record that “MacTeig of Ormond”, i.e. Connor a Cuan, son of Teige, grandson of Mahon Donn O’Kennedy, died and that Philip, son of Dermot O’Kennedy of Roplach, succeeded him. Both these names are found on the panel and in the contemporary Ormond deeds, the former being called the Lord MacTeigue.

In 1550 John O’Kennedy of Ballencalohy and two of his kinsmen, Matthew Don O’Kennedy of Balyntotty and Irriel O’Kennedy of Kiluyrne, bound themselves “to serve support and pay the king and the Earl of Ormond,” and further that “John shall induce the Lord McTeig his brother to be similarly bound to him or if he refuses shall faithfully bring his force and power to bear against him”.<sup>16</sup>

It is not surprising that, being the O’Kennedy Donn, the captain of that sept, he would be reluctant to submit completely to superior power and would have to be persuaded (or coerced) by his kinsman to do so. This reluctance can be seen in another deed dated February 1567, in which he is recorded as having “contemptuously and arrogantly” refused to make his appearance before the Lord Deputy.<sup>17</sup>

Having submitted to the Crown McTeig or Conoghor O’Kennedy managed to hold on to his lands. Ten years later he is recorded as granting lands to Philip O’Haylle of Fymoagh and Thadeus O’Muineghain of BallyMcWilliam to the use of the grantor’s son, William Kennedy, and his heirs and assigns.<sup>18</sup> William McKnoghor O’Kennedy is granted the town of Ballycahill with the castle by Thomas, Earl of Ormond, at an annual rent of 53s for 21 years in the year of his father’s death, 1583.<sup>19</sup>

Philip MacDiarmada O’Kennedy of Roplach succeeded Conoghor O’Kennedy as O’Kennedy Donn, Gaelic chief of Upper Ormond, counterpart to O’Kennedy Fionn in Lower Ormond. In a deed called “The Cess of Ormond” dated December 1592 Philip O’Kennedy *alias* McTeig is listed among the noblemen, gentlemen and freeholders of the County Palatine granting the Earl of Ormond authority to compound for the composition demanded in lieu of cess by the English government.<sup>20</sup>

The O’Kennedy chief of Upper Ormond was considered important enough to be consulted by the Earl of Ormond before he completed agreements in taxation with the Crown. He established close alliances with the Ormond family. His son Rory married Joan Butler in 1609, on which occasion the tenth Earl, Thomas Duffe (“Black Tom”), enfeoffed him with such interest as he (the Earl) had in Ballinacloough.<sup>21</sup> This deed indicates the special relationship between the O’Kennedys and the Butlers, extending to blood-relationship. Nevertheless, by a Patent of 9 Jas 1 (1612) Rapplagh is recorded as granted to Nugent, Baron of Delvin, being described as part of the estate of Morrogh MacHugh slain in rebellion.<sup>22</sup> This grant like many other patents of James 1 never became operative, the O’Kennedys of Ropplach and Ballinacloough holding on to their lands despite Stuart attempts at confiscation.



A grant is recorded in 1593 by the Earl of Ormond to Hugh MacDermot O’Kennedy of Rappalagh, Philip’s brother. The town and lands of Ballinaclough are granted “to said Hugh and his wife More ny Carroll for their lives”.<sup>23</sup> However, four years later, Hugh requests an inspeximus of the deeds relating to the estate, which indicates that he does not consider his title secure.<sup>24</sup> The following year it appears that two men from Callan, Richard Forstall and William Troddy, have taken possession of the town and lands of Ballencloghy and granted them to the Earl.<sup>25</sup> Forstall and Troddy seized these lands in a writ of entry “in the post in the cowrt of the liberty of Tipperary against said Hugh and More ny Carroll, his wife” in 1597.

The dispute is settled in a 1601 deed, in which “Hugh of Rapplagh in Ormond, Richard Forstall of Callan and William Troddy of the same, viz. that for the sum of 200 marks paid to said Hugh by the Earl of Ormond they have granted to Robert Rothe, Henry Sheeth and Walter Laules of Kilkenny all the castles, lands etc. in the town and fields of Wepprou alias Balleyclohe in Ormond”.<sup>26</sup> Hugh O’Kennedy appears to have lost his lands in Ballinaclough in a legal dispute with Old English merchant land speculators, while his brother and nephew expanded their possessions in Ballinaclough.

What were the fortunes of the major Lower-Ormond O’Kennedy chiefs recorded in the Panel of Freeholders? In 1580 (the date of the panel), Brian O’Kennedy of Lackeen was O’Kennedy Finn, chief of the sept of the main branch of the family in Lower Ormond. By the time of his death, recorded in 1588,<sup>27</sup> Brian had expanded his territories as a result of townlands granted to him by the Earl in 1573<sup>28</sup> and 1581.<sup>29</sup> These townlands, Killefaddy, Loughene Ballyauyrke and Laghensy, were part of a local “surrender and regrant” agreement operated by the Earl.

On his death a struggle for the leadership of the sept ensued, but an English Inquisition taken in 1628 records that his son John of full age succeeded him.<sup>30</sup> Here can be seen the clash of the English and Irish succession law. Succession had always been by the Brehon law until the late 16th century, but then the major O’Kennedys (as well as other Irish families in Ormond) took leases from their immediate overlord, the Earl of Ormond, so as to secure their titles in English law. After 1603 succession was mostly by English law among the leading families, although ancient tenure division persisted.

There were two major contenders for the title of O’Kennedy Finn in 1588, an *Giolla Dubh Caoch* (whose real name seems to have been Philip) and Owney, son of Donnchadh Og, of Ballyhagh. The Four Masters record the settling of the dispute between them; “they made peace by dividing the territory in two between them and the name was conferred on Owney”.<sup>31</sup> Owney was judged to be the senior of the two. *Giolla Dubh* and Owney became in fact joint O’Kenneide Fionn. There appears to be a primogeniture system of succession in operation with *Giolla Dubh*, son of Dermot of Knoye O’Kennedy Fionn and chief “Captain of Ormond” in the 1530s and 1540s succeeding to the title of Joint O’Kennedy Finn.

Primogeniture arose through the chance operation of relative seniority. It could happen that the eldest son of a former chief was entitled to succeed by being the eldest living male of the sept at the time of the ruling chief’s death. In this case, the fact of being the eldest son of a former Ceann Finne did not suffice to obtain the title. It had to be shared between two contenders. Owney died in 1599 and *Giolla Dubh* became sole lord of the sept.<sup>32</sup> His descendants managed to hold on to their lands in the Stuart period; Philip O’Kennedy of Castletown his greatgrandson is recorded as a major landowner in the Civil Survey of 1641.<sup>33</sup>

The family of Donough Mac Rory O’Kennedy of Balyantotta can be traced over the period. They are first mentioned in a deed of 1550.<sup>34</sup> According to this “John O’Kennedy of Ballencloghy, Matthew Don of Balyntotty and Iriel O’Kennedy of Killuuyryne in Upper Ormond gentlemen admit themselves bound to Thomas Butler, Earl of Ormond.” In the same deed John



O’Kennedy promises to induce his brother the Lord McTeigue to be bound to the Lord Deputy. This indicates that Matthew Don O’Kennedy was considered an important figure among the Gaelic land-owning aristocracy. A relative of Mathew Don, Donough McRory O’Kennedy of Ballyntotty, was on the Panel of Freeholders. An inquisition of 5 April 1624 recorded that on 1 October 1583 Edmund O’Kennedy granted part of Ballentotta, Ballynelicky and Ballynemuldowney to Robert Comyn and John Prendergast on trust for his son.<sup>35</sup>

An interesting example of the survival of Gaelic land tenures is indicated by a deed recording an arbitration of 1584 between two branches of the O’Kennedy family of Ballycapple in Modereny in Lower Ormond.<sup>36</sup> This is probably the last written judgement of the Brehon on record. The main point at issue concerned the descendants of Eoghan. One branch claimed a redistribution of the lands of the sept in Ballycapple, while another (those of Donnucuan) maintained that a permanent division had been made by their ancestors long before.

Under Gaelic law the land of the sept was divided between all the adult males of the sept and was liable to redistribution either under some system on the death of a co-heir or some similar event such as the coming of age of a minor, which necessitated a change in the distribution. The document shows that whether a division had been intended to be permanent is debatable. The plaintiffs, the descendants of Eoghan, denied that the existing division (under which it would appear their share of the sept lands had been set out in other townlands such as Killone) had been intended to be permanent and declared that their father like themselves had claimed a division and that their grandfather (Conchobar) had in fact been in occupation of a share in Ballycapple.

When the defendants put forward the claim that they had been in occupation for 80 years, the plaintiffs did not dispute the fact but denied it as proof of permanent division. They had simply, the plaintiffs claimed, occupied it on account of their seniority. One of the branch of Donnucuan had always by chance happened to be the eldest of the sept, and so entitled to choose and occupy the best land. Quite often the eldest son of a chief was coincidentally the eldest living male of the sept on his father’s death, and so entitled to succeed as the “eldest and worthiest”, giving a misleading impression of primogeniture.

It was decided in this case that those who claimed a permanent division of land had been made must prove it. The decision was referred to the decision of arbitrators. The four chosen to make the arbitration were the ruling O’Cinneide Fionn, Brian O’Kennedy of Lacken, Maolruanadh O’Carroll, William son of Diarmuid O’Kennedy of Knigh and a Brehon, Cairbre MacEgan of BallymacEgan, the head of the great Ormond family of Brehons.

The arbitrators’ decision was on the side of the plaintiffs. They decided that if a permanent division had been made the castle and town of Ballycapple had not been included in it, but belonged to the *sinsear* of the sept for the time being. They then directed that a permanent division should be made between the two sides and that the existing division should not be regarded as permanent. The Ballycapple award gives interesting insights into the structure of Irish landowning. It shows the difficulty which could arise in deciding whether an existing distribution of land was permanent or temporary and shows explicit contemporary recognition of the fact that long-continued possession through seniority or temporary arrangements within a single line did not, in the absence of an acknowledged permanent division, obviate the right to redistribution of other members or branches of the sept.

The deed of arbitration of 1584 found its way into the records of the Irish Court of Chancery and to the Public Record Office through being deposited as evidence in a later Chancery suit regarding Ballycapple. Two surviving Chancery bills of Thomas Cantwell of Ballymacady, county Tipperary, relate that Teige Meale O’Kennedy of Ballycapple, one of the losing



defendants in the arbitration award was possessed (like his ancestors) of the castle, bawn, stone house and 7/8ths of a ploughland in this townland, which on his death descended to his eldest son Donnell and the latter's brothers as co-heirs according to the custom of gavelkind.

They mortgaged it to Maurice Hurley of Knocklong, county Limerick. Hurley conveyed the land to Cantwell of Moycarkey, whose family acquired land through the Ormond confiscation. Cantwell on taking possession was sued in the liberty court of Tipperary by John McBrien O'Kennedy of Killone, the plaintiff of 1584, who obtained an order from Sir Walter Butler, seneschal of the liberty to the sheriff, to put him in possession. He may have been claiming that, as he was now senior of the sept, he was entitled to ownership under the award of 1584.

Cantwell appealed to the Court of Chancery and obtained an injunction to halt execution of the order, but before it arrived the sheriff, John O'Dwyer, had put John McBrien in possession. John McBrien immediately conveyed his interest to Sir Walter Butler, a transaction which Cantwell suggested had been planned before the suit had been brought to the Liberty Court. Cantwell appealed to Chancery, but the matter was compromised and Cantwell sold his rights to Sir Walter. In 1641 the latter's grandson Richard Butler of Kilcash was proprietor of 45/64ths of the ploughlands of Ballycapple, the remainder being divided between O'Kennedys and an O'Donoghue.<sup>37</sup>

John McBrien O'Kennedy of Killone appears as the plaintiff in another surviving Chancery bill in which he seeks redress against Ogan O'Hogan of Ardcroney. McBrien claims he had been seized of the lands of Killone and Coulldirie by descent from his ancestor James McVeighe, until on 9 March 1591 he was forcibly dispossessed by Ogan of half of Killone and the whole of Coulldirie. McBrien gave a straight father-son descent between himself and James McVeighe as if by English primogeniture succession. He ignored the position of his own younger brothers who had joined with him as plaintiffs in 1584, as well as that of the founder of the rival line, Donnucan. His intention, however, was not to exclude the rights of his younger brothers. It was usual in such cases to find co-heirs in Irish gavelkind perhaps unclear of their own legitimacy, permitting the eldest to claim the title by primogeniture and then accepting conveyances from him.

John petitioned the Earl of Ormond, Lord of the Liberty, who ordered the Seneschal and Justice of Tipperary to do justice. The empanelled jury "leaning to the said Ogan 's side" found that the latter's father John O'Hogan had been seized of the lands of Coullidirie which descended to Ogan, and that Ogan had enjoyed the half of Killone by conveyance from on Owney McConogher McDonogo McAwlle, whose great-grandfather Awllie claimed to be a son of Eoghan, son of *Seamus na bhfeadh*. Awllie's descendants would therefore be entitled to a half share in the land of Eoghan's sept.<sup>38</sup>

McBrien claimed on the other hand that Awllie, having died without issue, his brother Conogher became his heir and that he had never in any case been seized of half of Killone. It is possible that both statements may have been true. Donogho McAwlle may have been of doubtful paternity, a typical situation in Gaelic Ireland, while Awllie's share of the sept lands may not have been in Killone; his brother Conchobar had held his share in Ballycapple itself. His alleged descendants do not appear in the 1584 arbitration, but they may be the "absent kinsmen" for whom the sons of Brian engaged themselves. John McBrien claimed that the jury possessed "no evidence to present the said Ogan's right but an order passed by James Oge Butler, late sheriff of the liberty, which order had been revoked and sentence given in favour of John by Nicholas Hally, Chancellor of the liberty".

Coullidirie is probably Coolderry in Ardcroney parish, included by the Civil Survey in seven ploughlands held by the O'Hogans, or possibly Coolderry in Moderenny, which the Civil





Survey includes in Ballycash, part of which belonged to Richard Butler of Kilcash. This case is an interesting example of how a rising man or local notable might intrude upon the possessions of a landowning sept by buying up an alleged kinsman's claim to a dividend. In this case Ogan appears to have been successful, as in 1641 his grandson Donnell Oge O'Hogan held seven-twelfths of Killowen, the rest being shared by three O'Kennedys.<sup>39</sup>

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How significant was Old-English land-holding involvement in the Gaelic lordship of the O'Kennedys? These are recorded in the Calendar of Ormond deeds from the 1570s to the early 1630s. In the late 16th and early 17th centuries the O'Kennedys were coming under increasing economic pressure. New agricultural methods, commercial expansion and competition were changing economic life. The earldom of Ormond, though politically autonomous, was open to these new economic influences. The towns of the earldom – Callan, Clonmel, Kilkenny – were prosperous due to the extensive trade connection with outside cities.

The prosperity of the old English merchants in the urban areas was in sharp contrast to the situation of many Gaelic landowners, including the O'Kennedys, who were experiencing economic difficulties because of their reluctance to adopt new agricultural techniques. Old English merchants in towns throughout Ireland viewed the financial difficulties of these landowners as an opportunity to add to their own wealth.

Gaelic landowners such as the O'Kennedys usually entered into mortgage agreements with those Old English speculators rather than sell their land completely. In this way, while the Gaelic chiefs remained in nominal possession, the Old English were actually in economic control of the land. These mortgage agreements frequently took the form of a trust on behalf of the prospective heir. Instances are recorded in the Ormond deeds. In 1577 McTeig or Cnoghor O'Kennedy is recorded as granting lands to Philip O'Haylle of Fymoagh and Thadeus O'Muineghain of BallymcWilliam "to the use of the grantor's son, William Kennedy and his heirs and assigns".<sup>40</sup> In the Gaelic lordship mortgages were usually passed on in the family.

Thus 46 years later in 1623 the son and grandson of the original mortgagee Cnoghor O'Kennedy, William and Connor, and the sons of the original mortgagors, came to an arrangement where for "£1100 sterling current and lawful money of England in pure silver and paid and delivered unto the said William O'Kennedy and Connor O'Kennedy", "the half plowland of Donamona in the Parish of Enagh is granted to one Clement Fanning alderman of the city of Limerick."<sup>41</sup> This deed shows the hereditary nature of Gaelic mortgage agreements, as well as the fact that economic circumstances for the O'Kennedy landholders were deteriorating and they were having to sell part of their lands.

There is even recorded in the Ormond deeds the case of a Dublin merchant investing the O'Kennedy lands. In a deed of November 1629 an agreement is made between the same hereditary mortgagees and mortgagors with Christopher Potte of the city of Dublin; that William O'Kennedy and John Butler, in consideration of the sum of 300 paid to O'Kennedy by Potte "have given, granted, bargained unto the said Christopher Potte all the land tenements which the said William O'Kennedy and John Butler have or ought to have in Ballycahill, Ballyphilip, Lithylime, Dromeoma, Moneenrouane and Gortriogh in the barony of Upper Ormond".<sup>42</sup>

Another indication of the strength of Old English involvement in land ownership in the Gaelic lordships is seen in a deed of June 1634, which records an agreement in which

Christopher Potts grants lands on lease to William O'Kennedy of Ballicahill.<sup>43</sup> This is evidence that not only have the Old English financial control of Gaelic land by mortgage but also own and sell land in the lordship to Gaelic landowners.

The methods by which Old English speculators gained control of Gaelic land could be quite complicated. This can be seen in the case of two surviving bills of Thomas Cantwell of Ballymacady, which relate that Teige Meale O'Kennedy of Ballycapple, one of the losing defendants in the arbitration award, was possessed like his ancestors of the castle, bawn, stone house and 7/8 of a ploughland in this townland, which on his death descended to his eldest son Donnell and the latter's brothers as coheirs according to the custom of gavelkind.<sup>44</sup> They mortgaged to Maurice Hurley of Knocklong, county Limerick, who conveyed the land to Cantwell of Moycarkey, whose family obtained land through the Ormond confiscation.

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By the last decade of the 16th century the Catholic Gaelic aristocracy of the O'Kennedys had maintained their grip on their lands in Ormond. Neither the Norman settlement nor the Reformation and consequent distribution of the church lands had seriously affected it. Their relations with their overlord Thomas, the 10th Earl, were on the whole satisfactory. This ensured that there was comparative peace in their 'territory'. In the preceding 40 years (1550 – 1590) the O'Kennedy chiefs had abandoned to a great extent their Gaelic tenures, taken leases from the Earl, and secured their titles to their holdings according to English law. Gavelkind had been to a large degree replaced by father-to-son succession, and the two systems of land succession had begun to clash.

The great Brehon clan of the MacEgans of Ballymacegan had by this time had turned to the study of English legal procedure. In 1610 they entered into a complicated deed designed to safeguard their title under the new dispensation. In 1580 Carbry MacEgan of the panel of freeholders had helped in preparing the last notable Brehon Law judgement in Irish history.<sup>45</sup> These changes from the traditional practices must have caused much resentment, particularly among the younger O'Kennedys, which was probably to some extent responsible for the part played by so many of them in the Tyrone rebellion.

In 1594 the Ulster chiefs, led by Hugh O'Neill and Hugh Maguire, went into revolt against the English government, and war began to spread throughout the country. This was due to the initial successes of O'Neill and his lieutenants, culminating in the great defeat of the English under Sir Henry Bagenal at the Yellow Ford in 1598. O'Neill's manifesto to the southern chiefs to rise and the support of Owny O'More of Leix brought out the Ormond chiefs, including the O'Kennedys, in rebellion in the Autumn of 1598. Even the Earl of Ormond's nephew went out in revolt.

According to the Four Masters, this was the year a chief called Redmond Burke first played a part in the war. "Redmond Burke, the sone of John of the Shamrocks", went to O'Neill with some kinsmen to complain to him of the answer he had received from his father's brother, the Earl of Clanricarde.<sup>46</sup> Redmond, who claimed the barony of Leitrim in Galway, would have been a neighbour of the O'Kennedys of Lower Ormond. This explains his subsequent close connection with them. The Four masters record that: "O'Neill harkened to the complaint of Redmond and gave him the command of some hundreds of soldiers with permission to plunder and devastate any part of Ireland which had connection or allegiance with the English".<sup>47</sup>



Redmond Burke joined Captain Tyrell, one of the leading captains of O'Neill, and Owney O'More. These were soldiers of fortune rather than rebels. Burke and Tyrell travelled through Ossory and Westmeath in search of allies. They were joined by Calvagh O'Carroll and then came to "the two Ormonds". The Earl of Ormonde wrote to the Privy Council in October 1598 concerning this revolt in his territories: "concerning the general revolt in Munster, I pursued by night the traitors Onie McRory, Redmond Burke, the Baron of Upper Ossory's nephew with most of his country, the O'Carrolls, O'Mulrians, O'Kennedys and others of the Irishry in the county of Tipperary, understanding they were before encamped and hoped to have had the overthrow of them in McBrien O'Gonaght's country, were it not for secret intelligence they had the same night I marched towards them".<sup>48</sup>

It is clear from the Inquisitions Post Mortem of James I that many of the O'Kennedys and their sub-chiefs joined Burke and Tyrell, many of them sons of those whose names appeared on the Panel of Freeholders.<sup>49</sup> Two significant events followed the arrival of Burke and Tyrell into Ormond, which explain a division of opinion about the wisdom of joining him, although it is possible that they were due merely to one of these minor causes which so often in Irish history divided native families against themselves.

In 1599 *The Annals of the Four Masters* record without comment that "John son of *Goilla Dhuw* son of James O'Kennedy of Ballingarry was slain by Hugh son of Morrogh O'Kennedy from Ballyquirke". This is followed by an entry that the Prior of Lothra (John O'Hogan) was murdered by a party of the O'Kennedys in July.<sup>50</sup> Ogan O'Hogan of the Panel of Freeholders and head of the family had died in 1598. He was a brother of the prior. The O'Hogans were probably in dispute with the O'Kennedys over who should head the family after Ogan had died. The O'Kennedys tried to force their will on the O'Hogans by having the favourite successor killed and a chief more amenable to their influence installed instead.

This event could also be explained, as could the killing of the son of *Giolla Dhuw*, as resulting from bitter disputes over the advisability of renouncing longstanding loyalty to the Butlers and joining with two soldiers of fortune – Redmond Burke, pretender to the Barony of Leitrim, and the Englishman Captain Tyrell. The arrival of Burke and Tyrrell could have exacerbated an already tense situation leading to the rebellion of the majority of the Irish clans to remedy suppressed grievances against increased anglicization.

However, not all the Gaelic clans thought it necessary to rebel. The O'Kennedys were among the larger freeholders who joined the rebels, but other major Gaelic land holders – notably the leading Mac Egans and the O'Meara – did not. The MacEgans even fought for the Earl. Even before the war had spread to Ormond it could have had an effect on internal events in the area. Some of the O'Kennedys could have seen the initial victories of Tyrone and his allies as an incentive or opportunity to further their own aims at the expense of loyalist members of the clan.

Struggle against anglicization could have provided a convenient pretext to advance their territorial power ambitions. Internal territorial disputes may have been a factor behind the event recorded in a deed in which "Philip O'Kenedy of Ballynecloghie within said liberty, gentleman, was lawfully seized in his demesne at a fee of half of one castle, 10 messuages and 40 acres of land with appurtenances in Ballynecloghie when Hugh O'Kennedy of the same gentleman (brother to Philip?) Cnochor O'Cone and Brien McSwyny of the same, kerns and other malefactors unknown on the 20th day of February in the 36th year of Elizabeth unlawfully entered the premises by force of arms and forcibly expelled said Philip and disseised him therefrom in branch of the Queen's peace and the peace of the liberty, and against the form of the Statute of the 8th year of Henry VI in such case provided, which statute



was enacted in Ireland in the 10th year of Henry VII".<sup>51</sup> Was the peace of the earldom of Ormond beginning to be affected?

Redmond Burke remained in Ormond for nearly two years. Of the major Gaelic chiefs of Ormond who fought with him during this time, the O'Kennedys stood by the rebel cause longer than any of the others. Two of Burke's Gaelic allies turned against him – the O'Dwyers of Kilnamanagh and Calvagh O'Carroll. The forces of Burke and Tyrrell were estimated at 1,110. With their arrival in Ormond the rebellion, until then mostly confined to Ulster and Connacht, broke out in Munster.<sup>52</sup> An alliance was then made between O'Neill and the Desmond families of the South and the "Sugán Earl" was recognized by the rebels.

Between Burke's original entry into Ormond and the collapse of the war after 1601 the Butlers undertook two military expeditions into Ormond, one by Earl Thomas himself in 1599 and the other by Sir Walter Butler in 1601. The Earl had a garrison continuously in Nenagh and no doubt well armed allies in some of the larger landowners such as the Graces of Tyone and Carney and John Cantwell of Dromineer. The O'Kennedys were an exception, being large landowners and in rebellion against the Butlers. Most of the others were to be found supporting the Earl between 1598 and 1601, and they assisted in such guerrilla warfare as was waged in Ormond during all this period.

The main evidence of this guerrilla warfare (there was no engagement on a larger scale) must be sought in the Inquisitions Post-Mortem of James and Charles I.<sup>53</sup> A series of articles are found there concerning individual chiefs of the O'Kennedys who went into rebellion and were killed or executed. In all this conflict no outsider intervened; it was a war between Earl Thomas and his vassals.

One encounter of some importance was at Ballycolleton in Lower Ormond. The local chief, Owney O'Kennedy, with a large number of others are recorded in the Inquisitions as having been killed there. In 1599 there are entries of individual rebels having been killed in different parts of Ormond and on 11 August of that year the Earl in person laid siege to Ballinaclough "a strong castle and won it and has killing of divers of the O'Kennedys and took pledges of the loyalty of several of the inhabitants of Ormond".<sup>54</sup>

He does not seem to have penetrated deep into Lower Ormond at this time and this expedition had negligible effect on the strength of Redmond Burke's forces, which presented a problem to Carew over twelve months later. Moryson calculated the forces of the O'Kennedys at 500 foot and 30 horse, the largest single assembly of all the Munster rebel forces. In the next year (1600), O'Neill himself came from the North to Holy Cross, passing to the east of Ormond by Slieve Bloom and Templemore and returning by the same route. The Earl of Ormond was taken prisoner by Owney O'More, and Tyrrell and Burke and their allies remained in Ormond unhindered as a result.

This whole area became a retreat from the revenge of Carew, who was making great progress in reducing the rest of Munster. According to Moryson, "the rebels fled out of Munster into Tipperary and Ormond".<sup>55</sup> The situation had by this stage turned clearly in the Government's favour. It is an indication of the personal prestige of Earl James, that despite the large rebel forces still there and within easy attacking distance, Carew was reluctant to enter Tipperary. Apart from the extreme southwest, Burke and the O'Kennedys alone held out for O'Neill.

After the Earl of Ormond was released, owing to the death of his countess, he sent his nephew Sir Walter Butler and captain Marberry with a force into Ormond. The Ormond forces were surprised in January 1601 in Ikerrin on the River Nore and totally defeated.<sup>56</sup> This was the end. Burke left Ireland; Sir Walter continued his campaign into Ormond and the recitals in the Inquisitions of the death of others of the O'Kennedys in 1601 testify to its punitive nature.<sup>57</sup>



The O’Kennedys never fought again as ‘Captains of their Nation’, although they can be found later as individual officers in the Confederate army. It was probably in those years that many of the old castles were dismantled or reduced to the ruins recorded in the Civil Survey. Great numbers of the chiefs and fighting men – the sons and nephews of the freeholders of the Panel of freeholders – were killed. They were confronted for the first time not only by the forces of the Queen and the Earl, but by the enmity of their Norman neighbours and some of their own clan. The danger to the Earldom of Ormond had heretofore come from the Gaelic clans. Hereafter it was to come only from the greed and jealousy of the English kings and their favourites.

#### FOOTNOTES

1. J. Gleeson, *History of Ely O’Carroll Territory* (Dublin, 1915), pp. 279-281.
2. *Ibid.*
3. Kenneth Nicholls, ‘Gaelic landownership in Tipperary in the light of surviving Irish deeds’ in William Nolan (ed.), *Tipperary History and Society*, (Dublin, 1985) p. 92.
4. C.A. Empey, ‘The Butler Lordship’, *Journal of the Butler society*, Vol. 1, No. 3 (1970-1971), pp. 174-187.
5. *Ibid.*
6. *Ibid.*
7. *Ibid.*
8. *Ormond Deeds*, (hereafter “OD”), 1172-1350, p. 298s.
9. *OD*, Volume 3, p. 212.
10. *Book of Rights* (Dublin 1847), pp. 29, 42.
11. *OD*, 1509-1547, p. 357.
12. *OD*, 1547-1584, p. 104.
13. *OD*, 1509-1547, no. 269.
14. *OD*, 1547-1584, p. 236.
15. Dermot Gleeson, *Last Lords of Ormonds* (London, 1938), pp. 233-235.
16. *OD*, 1547-1584, p. 50.
17. *OD*, 1547-1584, pp. 166-167.
18. *OD*, pp. 288-289.
19. *OD*, p. 325.
20. *OD*, 1584-1603, pp. 51-52.
21. Quoted in Gleeson, *Last Lords of Ormond*, p. 40.
22. Pat 9 Jas 1, p. 220.
23. *OD*, 1584-1603, p. 56.
24. *OD*, p. 93.
25. *OD*, pp. 93-94.
26. *OD*, p. 94.
27. *Annals of the Four Masters* (hereafter “AFM”), Vol. 5, p. 1875.
28. *OD*, 1547-1584, p. 236.
29. *OD*, p. 310.
30. Quoted in Gleeson, *Last Lords of Ormond*, pp. 110-111.
31. AFM, Vol. 5, p. 1875.
32. *Ibid.*
33. *Civil Survey 1654*, Vol. 11 Tipperary, p. 309.
34. *OD*, 1547-1584, pp. 50-51.
35. Quoted in Dermot Gleeson, *Last Lords of Ormond*, p. 126.
36. Nicholls, *op. cit.*, pp. 92-97.
37. *Ibid.*



38. Ibid.
39. Ibid.
40. *OD*, 1547-1584, p. 288.
41. *OD*, 1623 (D3676).
42. *ibid.*, 1629 (D3740).
43. *OD*, June 1634 (D2956).
44. Nicholls, *op. cit.*, pp. 92, 97.
45. Gleeson, *Last Lords of Ormond* (London, 1938) p. 17.
46. A.F.M. VI, p. 2055.
47. A.F.M. VI, p. 2057.
48. *Cal. S.P. Ire.*, 1598, p. 333.
49. Quoted in Dermot Gleeson, *Last Lords of Ormond*, pp. 236-7.
50. A.F.M.
51. *Cal Ormond Deeds*, Vol. 1, p. 92.
52. Moryson *Hist.*, 1, p. 61.
53. Quoted in Gleeson, *Last Lords of Ormond*, pp. 236-237.
54. *Cal S.P. Irel* 1599, p. 135.
55. Moryson *Hist.*, p. 271.
56. Gleeson, *Last Lords of Ormond*, pp. 236-237.
57. *Ibid.*

#### BIBLIOGRAPHY

- National Library of Ireland*: Ormond Ms. 1623 (D3676), 1629 (D3740), 1634 (D3956).
- Calendar of Ormond Deeds*, ed. E. Curtis, 6 Vols. IMC (Dublin 1932-1941).
- Irish Patent Rolls of James I*, facsimile of the Irish Record Commissioners Calendar prepared prior to 1830 (foreword by M. C. Griffith, I.M.C.) (Dublin 1966).
- Calendar of State Papers relating to Ireland, 1509-1670*, 24 Vols. (London, 1860-1912).
- Books of Rights*, ed. John O'Donovan (Dublin, 1847).
- Annals of the Four Masters*, ed. John O'Donovan (Dublin 1848).
- The Civil Survey, A.D. 1654-1656*, ed. R. C. Simington, County of Tipperary, 2 Vols. (Dublin 1931-34).
- Moryson: *A history of Ireland, from the year 1599 to 1603* (Dublin 1735).
- Matthew Boland: *The decline of The Ormond O'Kennedys, from 1550-1650*, Unpublished B.A. Thesis (Maynooth College 1990).
- Dermot Gleeson: *Last Lords of Ormond* (London, 1938).
- John Gleeson: *History of Ely O'Carroll Territory* (Dublin, 1915).
- Kenneth Nicholls: *Gaelic Landownership in Tipperary in the light of the surviving Irish deeds*, in Nolan (ed.), *Tipperary History and Society* (Dublin, 1985).
- C. A. Empey: 'The Butler lordship', in *Journal of Butler Society*, Vol. 1, No. 3, (1970-1971) pp. 174-187.

