

An Early-Seventeenth-Century Deed of Conveyance from Co. Clare

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This paper prints a land deed from 1614. The deed is of interest chiefly because of the involvement of members of the Gaelic learned families of Meic Fhlannchadha and Uí Mhaoilchonaire. The paper begins by presenting a background to the establishment of English legal authority in Co. Clare. This is followed by a commentary on the deed and a transcription of it.

A central element in the anglicisation of Thomond from the late sixteenth century entailed the adoption of English administrative forms and legal instruments. By the second decade of the seventeenth century, the implementation of English Common Law and sovereign authority was well established and since the proclamation of James I, had extinguished the native system of laws, otherwise known as Brehon Law.¹ Gradually, as English Common Law came to establish itself across Ireland in the sixteenth century as the sole legal system, the Irish Court of Chancery concurrently increased its remit. By the early seventeenth century, the legal system in Ireland chiefly mirrored that in England; that is, Common Law courts recognised the legal ownership of property in line with the rules of inheritance such as primogeniture succession.

The Irish Court of Chancery, in contrast to the Common Law courts, was empowered to adjudicate on matters of Equity, for example, on local customs touching on inheritance, trusts in property and other legal matters not recognised by the Common Law.² However, rather paradoxically, the operation of the Irish Court of Chancery which dispensed the Law of Equity, partly countered the extinguishment of Brehon Law by allowing pleadings based on principles of customary practice. These pleadings had their basis in contracts and decrees made under Brehon Law often under the guise of partible inheritance and proprietary interests in pledged land.

The basic legal apparatus which pertained to landholding such as contracts, indentures and mortgages, and other administrative processes such as the holding of inquisitions on the death of landowners and the granting of wardships,³ were firmly in place by the early seventeenth century. English style law and administration gathered apace after the holding of assizes in Ennis in 1576⁴ and, particularly, after the Composition of Connacht in 1585.

¹ See the remarks made about the operation of Brehon Law, especially in relation to 'tanistry', dating from 1607 in Sir John Davies, *A Report of Cases in Common Law Resolved and Adjudged in the King's Court's in Ireland: ... translated into English* (Dublin, 1762) pp 78–115. Davies' view was formed by his investigations of land tenure and his own legal reasoning about English royal authority which is outlined in the case of *Gavelkind* (1605).

² K. W. Nicholls, 'A Calendar of Salved Chancery Pleadings concerning County Louth', *Journal of the County Louth Archaeological and Historical Society*, 17: 4 (1972) pp 250–60:250.

³ The granting of wardships was an important way toward the enculturation of Gaelic elites and to encourage conversion to Protestantism. For an example of it occurring in Thomond see Petworth House Archive (Chichester), MS 3959, 'Petition of Conell O Hehir of Rahmary, co. Clare, to the Earl of Thomond seeking restoration to him of lands held in wardship, during petitioner's minority by William Brikdall'. On its general operation, see Raymond Gillespie, *Seventeenth-Century Ireland* (Dublin, 2006) pp 37–8.

⁴ James Frost, *The History and Topography of the County of Clare* (Dublin, 1893) p. 245.

The anglicisation process, led by Donough O'Brien, the fourth earl of Thomond, who attained the presidency of Munster in 1615, wrought significant change to landholding and the operation of law and administration.⁵

Most land deeds from around this time were drawn up in accordance with the Common Law. Chiefly, the format of land deeds, the type of wording employed and the use of witnesses display Common Law precepts. The establishment of Common Law jurisdiction was not without its problems however. A chancery pleading from c.1606 stated that petitioner Donnough McInerinyhein of Carrigoran in Co. Clare could not obtain justice under the Common Law because his cousin, implicated in the killing of Donnough's father in a dispute involving the lands of the Meic an Oirchinnigh, could not be tried 'by reason of his alliance among common Jurors'.⁶

Valuable information may be gleaned from these deeds. For example, the recording of witnesses can be used to identify social hierarchies among local notables while place-names, especially for those at the sub-townland level, provide a rich array of onomastic material. Names of people, occupations and signatories can point to the subtler presence of that pervasive though understudied phenomena in late medieval Gaelic society, the *aos dána*, or professional learned class. Their literacy and social status often translated into holding local administrative office in the early years of the seventeenth century and their signature affixed to a document was equivalent to that of a *notarius publicus*.⁷ In Co. Clare, members of the professional learned class were impanelled as jurors on important inquisitions, while others served as officials in local administration.⁸ This is reflected in land deeds. We read in an award in the late sixteenth century drawn up by Muiris Ó Maolchonaire that among the witnesses were unnamed persons collectively described as '*ealg[h]an Tuadh[m]hman*' (the learned of Thomond).⁹

We also find them cooperating with English authorities in expedient and politically astute ways,¹⁰ while others continued to ply their customary roles as scribes, expert witnesses and *literati*. During this period, we see that land contracts and deeds were increasingly drawn up in English with one of the last known legal deeds written in Irish

⁵ On the anglicisation of Co. Clare see, for example, Brendan Kane, *The Politics and Culture of Honour in Britain and Ireland, 1541–1641* (Cambridge, 2009) pp 158–180; Bernadette Cunningham, 'Continuity and change', pp 61–78; Donnchadh O'Brien, 'Fourth Earl of Thomond (d.1624) and the Anglicisation of the Thomond lordship', in Matthew Lynch & Patrick Nugent (eds), *Clare History and Society* (Dublin, 2008); Patrick Nugent, 'The interface between the Gaelic clan system of Co. Clare and the emerging centralising English nation-state in the late sixteenth and early seventeenth century', *Irish Geography*, 40:1 (2007) pp 79–98; Brian Ó Dálaigh, 'From Gaelic Warlords to English Country Gentlemen: The O'Briens of Thomond 1543–1741', *The Other Clare*, 25 (2001) pp 40–42; Brian Ó Dálaigh, 'A comparative study of the wills of the first and fourth Earls of Thomond' *North Munster Antiquarian Journal*, 34 (1992) pp 48–63.

⁶ See *Chancery Bills: Survivals from pre-1922 Collection*, (B. no.228), National Archives of Ireland. The pleading is printed in Luke McInerney, 'Land and Lineage: The McEnerhins of Ballysallagh in the Sixteenth Century', *North Munster Antiquarian Journal*, 49 (2009) pp 7–32.

⁷ See 'Conor Cleanchy, notarius publicus' who appears in a deed from 1440 in James Hardiman (ed.), 'Ancient Irish Deeds and Writings Chiefly relating to Landed Property from the Twelfth to Seventeenth Century: With Translation, Notes and a Preliminary Essay', *Proceedings of the Royal Irish Academy*, 15, (1826) pp 1–95, p. 50.

⁸ For example, Boetius Clanchy was an ally of the fourth Earl of Thomond and represented Co. Clare at Perrott's Parliament in 1585 and was county sheriff. Nicholas Cahan, scion of the Meic Catháin coarbs of Inis Cathaigh, served as the coroner of Co. Clare at the time of the Spanish Armada in 1588, while Donnell O'Mulconey served as county sub-sheriff in c. 1636–7. See *Calendar of the State Papers Relating to Ireland, of the Reigns of Elizabeth*, August 1588–September 1592 (London, 1885), pp 29–31; *AFM, sub anno 1598*; Petworth House Archive (Chichester) MS 3917.

⁹ Hardiman (ed.), 'Ancient Irish Deeds', pp 34–5.

¹⁰ Boetius Clanchy was one such individual who cooperated with the New-English authorities and served as a MP for Clare in 1585. His standing was recognised in a grant of a tax free estate in 1585 of three and a half quarters around his castle residence of Knockfinn at Killilagh, in respect of his 'birth, good learning and good brin[g]ing up'. A. Martin Freeman, (ed.), *The Compassion Booke of Conought* (Dublin, 1936) p. 29.

in 1621 relating to the property of the Meic Mhathghamhna of Clonderalaw.¹¹ Although the will of Giolla na Naomh Óg Ó Duibhdábhoireann from 1675 was, perhaps predictably for a descendant of brehon lawyers, written in Irish, it largely conforms in style and substance to an English-style testament despite the partible division of the estate being compliant with customary practice.¹²

Presented here is a legal deed that conveyed land from one party to another. The deed is found among the Inchiquin manuscripts¹³ and has, to date, only received a rudimentary summary of its contents.¹⁴ Its value for the historian, however, lies in its reference to members of the professional learned class, including marriage links between the Meic Fhlannchadha brehon family of Kilmaleery, and the Uí Mhaoilchonaire historian-chroniclers of Ard Kyle where they kept a notable *'morsgol'* (i.e. large school) that specialised in *seanchas*¹⁵ in the sixteenth century. The deed also provides evidence of landholding of the important lineages prior to the settlement of New English colonists in the first half of the seventeenth century, and the confiscations and forfeitures of the 1650s.¹⁶

The text

The text of the deed adopts the standard legal terminology of the period. Its interesting fact lies not in its function as a deed of conveyance *per se*, but that it is a contract between four members of learned lineages and another individual. The deed was between Dermot Mc Clanchy (Diarmuid Mac Fhlannchadha) and his wife Margaret ny Clanchy (Máirgh-réad Nic Fhlannchadha) and another couple, Meallmorey O Mollconrey (Maolmhuire Ó Maolchonaire) and his wife Una ny Clanchy (Úna Nic Fhlannchadha). These two couples were contracting land with a non-kinsman, namely, Connor O'Brien.

The lands, which they conveyed to Connor O'Brien and thus relinquished their title to, were chiefly situated in Kilmaleery parish and for the most part can be identified on modern maps. 'Cohercoban' of the deed is the modern Carrowbane while 'Cleanagh more' is easily identifiable as a large division of Clenagh, while Balleveicknavin is surely Ballymacnevin (*Baile Mhic Cnáimhín*). These divisions are easily discerned on the Down Survey map of c.1658.¹⁷ The reference 'Lismore in Cahercoban' can be identified as 'Lysmoyle' which is recorded in the *Books of Survey and Distribution* immediately after Carrowbane, to which it must have adjoined.¹⁸ In 1641 its proprietorship had reverted back to the Meic Fhlannchadha and the owner recorded as John Clanchy at that time.¹⁹ The deed also makes mention of 'Ballynacloghey' and its castle, which we can take for the modern Stonehall (*Baile na Cloiche*) in Kilconry parish. In 1570 and 1574 the Meic Fhlannchadha were in possession of Stonehall castle,²⁰ and a Royal Irish Academy manuscript credits them with erecting the original castle probably during the sixteenth

¹¹ Gearóid Mac Niocaill, 'Seven Irish Documents from the Inchiquin Archives', *Analecta Hibernica*, 26 (1970) pp 47–69.

¹² Brian Ó Cuiv 'A seventeenth century legal document', *Celtica*, 5 (1960) pp 177–85.

¹³ NLI MS 45,669/5. The deed is not found in John Ainsworth (ed.), *The Inchiquin Manuscripts* (Dublin 1961).

¹⁴ Dr Brian Kirby, *Collection List No. 143: Inchiquin Papers* (2009) p. 607.

¹⁵ Robin Flower, *Catalogue of Irish manuscripts in the British Library* (reprint Dublin, 1992), ii, p. 67.

¹⁶ On New-English settlers in Co. Clare see Bernadette Cunningham, 'Newcomers in the Thomond Lordship, c.1580–c.1625' in *Dal gCais*, 11 (1993) pp 103–111.

¹⁷ *Down Survey map of Ireland: Bunratty Barony*, [c.1656–1658].

¹⁸ R.C. Simington (ed.), *Books of Survey and Distribution, Clare* (Dublin, 1967) p. 163.

¹⁹ *Ibid.*

²⁰ It is recorded as 'Baleneclough' in 1574. See R.W. Twigg, 'Edward White's Description of Thomond in 1574', *North Munster Antiquarian Journal*, 1:2 (1910) pp 75–85:79 & see Martin Breen, 'A 1570 List of Castles in County Clare', *North Munster Antiquarian Journal*, 36, (1995) pp 130–8:132.

century.²¹ The reference in the deed to ‘Druimbane’ is obscure and cannot be positively identified; it is likely that it was a minor denomination that situated in either Kilmaleery or Kilconry parish. Judging from the lands surveyed in the *Books of Survey and Distribution* a rough calculation would indicate that the quantity of land conveyed in the deed was greater than c.400 plantation acres (i.e. c.640 statute acres).²²

From the deed we may glean interesting miscellanea. For example, the reference to ‘sixtene dayes of arable land in Ballewicknavin’ indicates that tillage was practised in this area of Co. Clare in the early seventeenth century,²³ despite the widespread practice of pastoralism in Gaelic regions.²⁴ The reference also implies land quantity based on the amount of ploughing days. One of the conveying parties, Meallmorey O Mollconrey of Ardcoill, was surely attached to the Uí Mhaoilchonaire historian-chroniclers who held Ard Kyle near Bunratty until 1616 when their chief representative, Muiris Ó Maolchonaire, was forced by the earl of Thomond to exchange Ard Kyle for lower quality land at Shandangan in the parish of Kilmurry.²⁵ It is possible that Meallmorey was the son of Muiris, the latter being distinguished as a notary and sometime secretary to Donough O’Brien, fourth earl of Thomond.²⁶ We may also submit that Meallmorey O Mollconrey appended his signature in Irish characters (*cló Gaelach*) at the bottom of the deed, indicating his status as a member of the Gaelic literate class. The names of the other parties are found in the same hand as the main text of the deed, and are written as phonetic renderings of their Irish forms.

The curious reference to Brian McBrody who was charged to ‘delliver actual possession livrie, and seissen’ of the lands to Connor O’Brien can be identified as a member of the chronicler-poet lineage, Clann Bhruaidealha.²⁷ This high status learned kindred had family branches settled in Ibrickan, Kilraghtis and Moynoe in the seventeenth century.²⁸ Clann Bhruaidealha feature prominently as a learned lineage in the sixteenth century, first appearing in the annals in 1563, although a poem to Mathghamhain Ó Briain by Seán Buidhe Mac Bruaidealha dates from c.1365-69.²⁹ One of their learned kinsmen, poet Tadhg mac Dáire Mhic Bhruaidealha, had close ties with Donough O’Brien, fourth earl of Thomond. It is claimed that Tadhg mac Dáire acted as a personal tutor to the young Donough O’Brien and that Tadhg mac Dáire’s sister, Finola, who was married to Conchubhar Mac Fhlannchadha of Ennis, fostered Donough.³⁰ In later years

²¹ RIA MS 24 D 10 p. 70. They were also responsible for erecting Urlanmore, Urlanmaol, (i.e. Urlanbeg), Ballysallagh (i.e. Castlekeale) and Clonloghan tower houses.

²² This is excluding Druimbane which cannot be positively identified.

²³ Evidence that tillage was common in this part of Co. Clare can be found in the 1585 (*recte* 1586) inquisition into the lands of John McNamara (Seán Mac Conmara Fionn). His rents from Kilnasoolagh and Kilmaleery as chief overlord were calculated in ‘sertaine pecks of otts’. Luke McInerney, ‘The West Clann Chuiléin Lordship in 1586: Evidence from a Forgotten Inquisition’, *North Munster Antiquarian Journal*, 48 (2008) pp 33–62:60.

²⁴ On agro-pastoralism in Gaelic areas see Kenneth Nicholls, ‘Gaelic society and economy in the high middle ages’, in Art Cosgrove (ed.), *A New History of Ireland: Volume II, Medieval Ireland 1169–1534* (Oxford, 1987) pp 397–438.

²⁵ See Petworth House Archive, (Chichester), MS 5402 (‘The humble petition of Daninel oge O Mulconnery to the Right Honourable the Lord Deputy’) printed in Luke McInerney, ‘Documents from the Thomond Papers at Petworth House Archive’, *Archivium Hibernicum*, 64 (2011) pp 7–55:35–7.

²⁶ *Ibid.*, pp 35–7. Muiris also drew up land deeds for the earl, see *Ibid.*, p. 38.

²⁷ On this learned family see Luke McInerney, ‘Lettermoylan of Clann Bhruaidealha’, *North Munster Antiquarian Journal*, 52 (2012) pp 81–113.

²⁸ See Luke McInerney, *Clerical and learned lineages of medieval Co. Clare: a survey of the fifteenth-century papal registers* (Dublin 2014), pp 154–62.

²⁹ *AFM*, *sub anno*, 1563. Also see *Dlighidh ollamh urraim riogh* (‘An ollamh should be respected by his prince’) in Láimhbheartach Mac Cionnaith (ed.), ‘Dlighidh ollamh urraim riogh’, in *Dioghluim Dána*, (Baile Átha Cliath, 1938) pp 252–6. Also see a translation of the poem in L. McKenna, S.J. ‘Poem to Ó Briain’, *The Irish Monthly*, 49 (1921) pp 112–7.

³⁰ Cornel O’Mollony, *Anatomicum Examen Enchiridii Apologettici* (Prague, 1671), pp 112–3.

when Donough was appointed President of Munster, Tadhg mac Dáire was vigorous in his poetic contention with the northern poets and defending his O'Brien patrons, an event known to history as *Iomarbhágh na bhfileadh*.³¹ It is difficult to identify which branch of Clann Bhruaideadha Brian McBrodhy belonged to, but it is likely that he was connected to the Dysert (i.e. Kilkee) sept.³² He appears in numerous contemporary land deeds and was active as both an expert witness to land agreements and as an arbitrator, making binding awards in land transactions.³³

Marriage links also created networks between learned families and enlarged land-holding and strengthened scholastic connections. The deed is remarkable because the chief contracting parties represent individuals from the *aos dána* class, including two women. Hitherto, females rarely featured in the genealogies and records of the Gaelic learned class so their inclusion in this deed is noteworthy. The conveying of land usually occurred between persons of high status or substance in Gaelic Ireland as it was such owners of land who had the means to provide cultivators, seed and stock to exploit the land fully. The individuals who were party to this land transaction certainly were of a high social status; a fact commensurate with their kinship to the Meic Fhlannchadha brehons who had erected tower houses and held certain lands rent-free on account of professional privilege.³⁴

In the absence of detailed genealogies that include females it is difficult to ascertain precise relationships. However, it is possible that Dermot Mc Clanchy and his wife Margaret ny Clanchy were related kin. Una ny Clanchy may have been a sister or another close relative of Margaret and the involvement of these women could indicate that they held a proprietorial interest in the lands either by pledge or inheritance, perhaps receiving a share from a male relative or it was pledged to them as dowry. The fact that three members of the Meic Fhlannchadha were party to the conveyance of lands that were situated near to their lineage's chief residence at Urlanmore lends credibility to the view that the lands were hereditary among the Meic Fhlannchadha. In a chancery pleading that recites the landholding of the family from 1623, it refers to three generations of the lineage who were 'seised of a qr. of land called Clenaghmore in the barony of West Clancullan in Thomond'.³⁵ From this it would appear that Clenaghmore, a land parcel that appears in the deed of 1614, constituted part of the hereditary lands of the Meic Fhlannchadha in the sixteenth century when one of their leading kinsmen, Congher McGlanghy of Urlanmore, possessed it.³⁶ The marriage between Una ny Clanchy and Meallmorey O Mollconrey is a reminder of the sorts of links between learned families that could be exploited for professional purposes. Marriage ties between the Meic Fhlannchadha brehons and the Uí Mhaoilchonaire chroniclers would have been a fitting match given the landed estates of both families in *Tradraighe* and the patronage of their professional activities by the earls of Thomond and the Meic Conmara Fionn of Dangan-i-viggin (*Daingean Uí Bhigín*).

³¹ Lambert McKenna (ed. & trans.), *Iomarbhágh na bhfileadh: The Contention of the Bards*, 2 vols (Dublin, 1918, 1920).

³² This assumption is based off the reference in a deed from 1622 to 'Bryen McBrodhy of Killenan'. This is probably Killenan of Dysert parish. Ainsworth (ed.), *Inchiquin Manuscripts* (no.1025), p. 331.

³³ *Ibid.*, (no.1021), p. 330.

³⁴ On the rent-free status of the Meic Fhlannchadha lands in Corcomroe where an important branch of the lineage resided see Hardiman (ed.), 'Ancient Irish Deeds', pp 36–43, where it states in the fifteenth-century *Suim Ciosa Ua Briain* ('rental of O'Brien'), that the lands around Killilagh were commuted from rent due to 'immunities of the race of Flanchy', ('*A ta na sairsi ac Sil Flannc[h]ad[h]a*').

³⁵ *Chancery Bills: Survivals from pre-1922 collection* (J. no.55) [undated chancery bills], National Archives of Ireland.

³⁶ *Ibid.*

This deed affords us a glimpse of the type of landholding contracted in the early seventeenth century. It also serves to highlight the role of learned families and their familial connections. The deed was essentially contracted on the basis of English Common Law and it notably omits references to pledges and redemption of land and other idiosyncratic Gaelic practices such as customary divisions ('gavelkind inheritance'), the latter of which apparently occurred on the estates of the Meic Fhlannchadha.³⁷ Pledges in land remained an important mechanism to acquire legally a proprietary interest in land, which might deepen if the pledger experienced financial distress or was burdened with debt. Redemption on mortgaged land features frequently in the land transactions of the seventeenth century, one such example being the contract between Sir Roger O Shaughnessy of Gort and Sir John McNamara of Mountallon in 1627, which allowed for redemption of mortgaged lands.³⁸ It is therefore notable that this deed does not contain conditions for redemption, emphasising that it is a transfer of title without disabling restraints.

Other forms of conciliatory agreements and awards that typified Gaelic landholding right up to, and indeed into, the seventeenth century are also absent, allowing us to conclude that the land was being alienated permanently under English Common Law, a process which incidentally under Brehon Law required the consent of the alienator's kin.³⁹ In this respect it is not surprising that three of the four alienator's who consented to the land transfer were themselves of the Meic Fhlannchadha; a point that assured all parties that the intent and spirit of the deed would be honoured.

³⁷ Ibid. The chancery pleading alludes to the operation of 'gavelkind' in land inheritance among the Meic Fhlannchadha of Kilmaleery, as is evidenced by the reference to members of the family 'seised thereof by division according [to] the custom of the country'.

³⁸ *Chancery Bills: Survivals from pre-1922 collection* (no.6), National Archives of Ireland.

³⁹ Gearóid Mac Niocaill, 'Land-transfer in 16th-century Thomond: the case of Domhnall Óg Ó Cearnaigh', *North Munster Antiquarian Journal*, 17 (1975) pp 43–45:45.

Appendix 1: transcription⁴⁰

To all Christian People to whom thes presents shall com. Dermod McClanchy of Clonena= heilly in the county of Clare gent: Margrett ny Clanchy wyff to the said Dermod Meallmorey O Mollconrey of Ardcoill in the said county gent: & Una ny Clanchy wyff to the said Meallmorey sendes greetings in our lord god and lasting know = yee that we the said, Dermod McClanchy, Margrett ny Clanchy his wyff, Meallmorey O Mollconrey, & his wyff Una ny Clanchy for dyvers good consideracions us therunto moving, and specially for fiftie pounds sterling coraunt, & lawfull money in = England of pure silver to us before hand paied & by us received have given granted, bargained sold, & confirmed like as by thes presents wee doe heareby give grante bargaine sell, & confirm unto Conoghor O Brian of Collean in the aforesa[id] county gent: all that, & those Lismore in Cahercoban half a quarter, three quarters = mire of Cohercoban, a quarter mir of yortneare[?] in Killmallyry, & sixtene dayes of arable land in Ballewicknavin in Killvallirey,⁴¹ half a quarter of land in Cleanagh more, a quarter of land in Ballynacloghey which have halff or moytie of the castle therof, the third part of a quarter of land of Druimbane,

sett lying, and being in the Baroney of Bonratey in the aforesaid county with all the tenants, and all of right tytle estate, & interest, revercion⁴² and revinous rents, services of all, & everie the premisses heareby granted, & to have, and to hold, all, & ever the premisses heareby granted unto the said Conoghor O Brian his heires, and assignes forever to the use of the said Conoghor O Brian his heires and assignes, & wee the said Dermod McClanchy, Margrett his wyff, Meallmorey O = Mollconrey, & Una his wyff, & our heires, all & ever the premisses unto the said = Conoghor O Brian, his heires, & assignes, against us our heires, and assignes, and against all men claiming by from or unter our estate, & tytle, shall save warrant, acquite, & deffend forever by these parties, & further knowe yee that wee the said Dermod McClanchy, Margrett his wyff, Meallmorey O Mollconrey, & Una his wyff = have like by these parties apointed, constituted, & ordained our wellbeloved, Brian McBrody to delliver actual possession livrie, and seissen of and in all, & ever the premisses, with [?]= names unto the said Conoghor O Brian, according the form, and effect⁴³ of this deed = Inwittnes wheareof we have heareunto subscribed our names, and leave our sealles the thurtinth of October, 1614

Margrett Ny Clanchy

Maol Mure O Maoil
Chonaire⁴⁴

Una Ny Clanchy

Her mrk

His marke

Her mrk

[Four seals affixed]

⁴⁰ Original spelling preserved but contractions silently expanded into standard spellings. Illegible words indicated by parentheses.

⁴¹ This surely must be an alternative form for Kilmaleery. The placename in Irish is *Cill Mhaoilfhithrigh* so the form in the deed may represent the genitive form of the name, written phonetically in English.

⁴² A 'reversion' (*recte* reversion) was the right, generally of the original owner or their heirs, to possess or succeed to property on the death of the current possessor or at the end of a lease. The insertion of this term ensures that ownership and possession – including possible future ownership and possession – was granted fully without restraints to Conoghor O Brian.

⁴³ The common wording 'form and effect' in such deeds was also adopted directly into Irish language deeds. We read in a deed from 1542 the adopted term *foirm agus eifecht* phonetically written in Irish. Hardiman (ed.), 'Ancient Irish Deeds', p. 55.

⁴⁴ Written in Irish characters.

