sioned by the horses being quartered the last winter for forage upon the country, by which means the people were discouraged to sow oats, believing they should be no more masters of it this year than formerly. But the course now taken, and which we shall also practise hereafter, we hope may remove that impediment for the future." Kilkenny, 14 Oct. Domestic Corresp. A/90. 50. f. 308.

280. Same to the Council of State.

"Finding your affairs here (through the blessing of God) reduced to some degree of settlement, we look[1] upon it as our duty to proceed to the trial of such murderers, as God by his providence had put into our power; but upon consideration had of those Instructions which we formerly received, we found ourselves not clearly empowered thereunto, and therefore did apply ourselves to the Parliament therein. But finding that obstruction removed by the late Commission sent us from the Parliament, we have erected an High Court of Justice for the trial of such as are guilty of blood, a copy of which Commission we have sent your Lordships here enclosed [wanting]. Divers of the enemy in Ulster have again agreed upon terms for their submission but [we] expect that some of them will fall from their engagement. Above 400 of the droppings of Connaught forces have lately submitted upon terms agreed on by Col. Russell.[2] Some protected people in Ir-Connaught, being dissatisfied with the qualifications (as they pretend) have lately risen and surprised a small castle or two. They put two files of men to the sword contrary to their engagement (as we hear). Col. Stubbers is marched towards them, and Sir Charles Coote is gone to look after them, and to attempt something on Innisboffin, if he finds it advisable upon the place. He looks upon that enemy in Ir-Connaught as inconsiderable. We humbly pray you to be mindful timely to provide us caddoes and corn. We desire you will hasten over those commissioners,[3] whom the Parliament have appointed for the stating of the soldiers' arrears here. Many of your officers are already gone to their charges,

[1] ? looked.

[2] Col. Robert Russell.

[3] The commissioners appointed by the Act for stating the accounts of the army, passed on 25 Aug., were Nicholas Domville, Robt. Jeffreys, Robt. Harding, Rowland Wilson, John Gray, Thos. Dancer, Rowland Oakley and Jas. Standish, with Thos. Herbert as Register, at an annual salary of £500. See Firth and Rait, *Acts and Ordinances*, ii, pp. 603-612.

the rest are hastening away, as soon as the Court of Justice have made some progress in their business, and when they (*sic*) have despatched some things that are upon our hands we intend (God willing) to remove to Dublin, where your commands shall be expected by." Kilkenny, 14 Oct. *Ib.* f. 309-10.

281. Same to the Parliament.

" Since our coming to this place very many of the officers of your army have given us a meeting, and after some consultations in order to the carrying on your affairs here, the greatest part of them are gone to attend their several charges. There are already gone out of this nation, of such of the Irish as have been in arms, about 7000 of the parties of Fitzpatrick, O'Dwyer, the Lord of Muskerry and Murtogh O'Brien and Fitzgerald; and at this present there is preparation for the carrying over of many others by Sir Walter Dungan, the Lord Westmeath and several other officers of the Irish party. This day we have received intelligence of 400 of the Connaught party, that hitherto have been out in rebellion, are come in, and last week did lay down their arms. But in Ir-Connaught, which is part of the County of Galway and next to Innisboffin, there are some that formerly submitted, have run out again. Sir Charles Coote is gone from us to Connaught to have an eye upon them. The most considerable enemy, that is still out, is the Ulster party. Sir Phelim O'Neill and the most of the officers with him, being guilty of blood and of the first rebellion, do head them and hold them together, and though a considerable part of them did condescend to some articles, yet it is doubtful of their continuance; but Col. Venables on the one side, and the Commissary-General Reynolds on the other are to attend them, and by the help of the Lord, we hope will give account of them.

" In our last unto you we humbly offered to have an Act in order to the trial of the murders done since 1641 by a High Court of Justice; but upon perusal of the powers by our last instructions granted to us, and upon consideration that our gaols in this place and some parts of Munster were full of them, and that delay might be of prejudice, we have granted commission to several persons of integrity and trust, that have this day begun to sit and execute their commission.[1] We cannot but present unto you the waste and sad condition of this country

[1] At Kilkenny. See Prendergast, *Cromwellian Settlement*, p. 287.