

# The 1610 Cavan Town Charter: An introduction and transcription

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## Introduction

The Ulster plantation scheme devised during the early years of the seventeenth century had as one of its cornerstones the establishment of a network of towns throughout the six counties of Ulster to which the plantation scheme applied.<sup>1</sup> Learning from their experiences during the sixteenth century Munster plantation, English officials recognised that colonial efforts within Ulster would require a strong urban basis if they were to succeed. The ‘Orders and Conditions’ of the plantation scheme stated ‘there shall be a convenient number of market towns and corporations erected for the habitation and settling of tradesmen and artificers’<sup>2</sup> It was envisaged that these towns would provide the foci in aiding the subjugation and ‘civilising’ of the former Gaelic territories and its inhabitants while simultaneously supporting and augmenting the institutional, economic and military framework of the plantation scheme.

As an existing urban settlement within Ulster, Cavan was unique having being established by the O’Reilly family in the early fourteenth century.<sup>3</sup> During the early seventeenth century it became the focus of the colonial powers as a place where quick gains in terms of implementation of the urbanisation scheme could be made. During a tour of Ulster in 1606 Sir Arthur Chichester, the most prominent plantation commissioner noted that ‘in this county there is a poor town bearing the name of the Cavan, seated betwixt many small hills’.<sup>4</sup> By March 1608, he recommended that ‘the principal place to be cared for is the town of Cavan which wishes to be made a corporation, and a ballybetagh<sup>5</sup> of land (if it may) to be laid unto it out of the barony of Cavan’.<sup>6</sup> In February 1610, Chichester requested a ‘warrant to make out a fiand of grant of incorporation of the town of Cavan’<sup>7</sup> By October 1610 when no warrant had been forthcoming he reiterated his demand requesting ‘to pass to the said town, 500 acres of land’.<sup>8</sup> Finally on the 15<sup>th</sup> November 1610, Chichester’s desire was fulfilled and Cavan town was granted a charter by King James I making it the first town in the six counties to be incorporated under the plantation scheme.<sup>9</sup>

As legal documents charters put in place a framework for both the governance of the town and its economic development particularly through the granting of rights to holds

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<sup>1</sup> For detail on the network of towns established throughout Ulster see, R. J. Hunter ‘Towns in the Ulster Plantation’ in *Studia Hibernica* No. 11 (1971), pp 40-78.

<sup>2</sup> George Hill, *An Historical Account of the Plantation of Ulster* (Belfast, 1877), p.88.

<sup>3</sup> For detail regarding the origins and growth of Cavan town see Jonathan Cherry ‘Colonial appropriation of Gaelic urban space: creating the first Ulster plantation town’ in *Irish Geography* Vol. 40 (2), 2007, pp 112-127 and Jonathan Cherry ‘The indigenous and colonial urbanisation of Cavan town c. 1300-c.1641’ in Brendan Scott (ed) *Culture and Society in Early Modern Breifne/Cavan* (Dublin, 2009), pp 85-105.

<sup>4</sup> *Cal.S.P.Ire.*,1603-1606, p.565.

<sup>5</sup> Ballybetagh: a territorial unit of land division used in Gaelic Ulster, normally composed of 12 or 16 townlands. For further detail see W. J. Smyth, *Map-making, Landscapes and Memory A Geography of Colonial and Early Modern Ireland c.1530-1750* (Cork, 2006), pp 73-83.

<sup>6</sup> *Cal. S. P. Ire.*,1608-1610, p.55.

<sup>7</sup> *Cal.S.P.Ire.*,1608-1610, p.480.

<sup>8</sup> *Cal.S.P.Ire.*,1608-1610, p.514.

<sup>9</sup> Derry had been incorporated in 1604, preceding the plantation plan.

fairs and markets. The Cavan town charter outlined the rules and regulations as to how the town was to be governed; named the initial office holders; the oaths that were to be taken by the office holders; the manner in which the election of new office holders should take place; the right of the town to elect two Members of Parliament; details regarding the dates for the holding of markets; the extent of the towns jurisdiction; the extent of the towns lands and other observations regarding the regulation of civic life within the town. The charter granted by James I was the governing charter of the town from 1610-1840, with the town government styled the Corporation of the Borough of Cavan.<sup>10</sup> It is timely to publish a transcription of the charter as 2010 marks the 400<sup>th</sup> anniversary of its granting to the town. What follows is a copy of the transcription held in the Royal Irish Academy. The oaths that were to be taken by the various officers of the corporation are in italics and all other punctuation is published directly from the transcription.

### **Cavan Town Charter<sup>11</sup>**

James by the Grace of God King of England Scotland France and Ireland defender of the faith. To all men to whom these appoint shall come greeting whereas the town of the Cavan is now and long since hath been the only place of trade and commerce within that county and the only town wherein our justices of assizes and gaol delivery may conveniently hold their public session and whereas the inhabitants of the said town did in the time of the late general rebellion supply our garrison of soldiers residing there with many necessaries and performed good and acceptable services unto our late dear sister Queen Elizabeth from time to time according to their best abilities so as we hold the same a fit and convenient place to be made a corporate town and to be endowed with reasonable franchises and liberties. And whereas our commissioners authorised for the plantation of the late escheated lands in Ulster have upon the distribution of the lands in the said county reserved and set out eight polls of land containing by estimation four hundred acres next adjoining the said town to be granted unto the said corporation for the better maintenance of the same know ye that we of our special grace certain knowledge and mere motion by the advice and consent of our right trusted and well beloved counsellor Sir Arthur Chichester knight our deputy general of our said realm of Ireland and according to the intent and effect of our tres under our hand and privie signett bearing date at Westminister the third day of April in the seventh year of our reign of England France and Ireland and of Scotland the two and fortieth and now enrolled in the Rolls of the High Court of Chancery in our said realm of Ireland do for us our heirs and successors ordain and by this first charter give and grant to the said inhabitants of the said town of Cavan, that the said town and place called the Cavan in the said county of Cavan and all that circuit and extent of land lying within the compass of one mile every way around (see Plate 1.1) and about the said town to be measured from and taken from the stone house or castle wherein Walter Brady, Gent now dwelleth<sup>12</sup>, the Castle of Cavan commonly called O'Reillys Castle and the two polls of land called Rosscolgan excepted shall from henceforth be called and be the borough and town of Cavan and that there shall be a corporation and body politic made and created of the inhabitants

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<sup>10</sup> T.S.Smyth, 'Phases of the History of the town of Cavan' in *Brefine* Vol.5 No.19 (1979), p.358.

<sup>11</sup> RIA Charters of Irish Towns, MS 24 Q.10 Volume IV, pp 130-152. A photostat copy of the original charter of James I to the town of Cavan is held in the National Library of Ireland. NLI, D.22955.

<sup>12</sup> T. S. Smyth, *The Civic History of the Town of Cavan* (Dublin, 1938), p.20 suggests that Walter Brady's house was located on Upper Main Street.

of the said town. And the same shall consist of a sovereign<sup>13</sup>, two portreeves twelve burgesses and of so many as are now free and inhabiting in or of the said town or borough and of so many freemen as the said sovereign portreeves and burgesses shall for the time being shall hereafter think fit to choose according as the multitude of the inhabitants shall increase and grow from time to time. And to the end it may appear to posterity that the said corporation is now upon this establishment thereof made and compounded of civil persons we of our special graces certain knowledge and mere motion by the advice and consent aforesaid do by these appoint for us our heirs and successors make ordain constitute and appoint our well beloved Walter Brady to be sovereign of the said town for the first year beginning from the feast day of St. Michael the Archangel<sup>14</sup> now last past before the date hereof and do likewise make and constitute Farrell McErigules and Owen Brogan to be Portreeves of the said town for the first year beginning as aforesaid. And we do likewise make and constitute Hugh Culme, Walter Talbot, Patrick Brady, Thomas Brady, Philip Tuite, Farrell McRegelles, Owen Mor O'Brogan, Owen Begg O'Brogan, James O'Murree, Turlough O'Dolly, Patrick Fitzwilliam Brady and Donagh O'Brogan alias Brogan to be burgesses<sup>15</sup> and of the common counsel of the said town and such to be freemen and to exercise free trade and traffic in the said town or now dwelling or inhabiting in the said town or borough. And such others as the said sovereign portreeves and chief burgesses of the said town for the time being shall from time to time admit or receive into the freedom of the said town and further of our special grace certain knowledge and mere motion by the advice aforesaid we do by these appoint for us our heirs and successors give and grant unto the said sovereign portreeves burgesses and freemen of the town and borough of Cavan and that they and their successors shall from henceforth for ever be one body politic and incorporate in deed and in name and do by these fully and absolutely make create constitute and establish and unite the said sovereign portreeves burgesses and freemen into one body politic and corporate to endure and continue forever and them and their successors do declare accept and follow for a perfect corporation and body politic forever. And that the said corporation and body politic shall be called and known for ever by the name of the sovereign portreeves burgesses and freemen of the town and borough of Cavan and that by that name they and their successors for ever shall be able persons in the law to make all manner of contracts, and to make receive and take all manner of gifts grants and purchases as any other natural persons or body politics is able to make receive or take by the laws of this realm. And that they and their successors shall and may by that name implead any other person or persons or be impleaded in any court or courts in all and in all manner of causes and actions real and personal or mixture of what kind or nature so ever and claim and demand their liberties and franchises before and judge or judges ecclesiastical and or secular and otherwise do and execute all of every act or act thing and things whatsoever which any other leige of men which are enabled and made capable of the benefit of our laws within our realms of England and Ireland can or may lawfully do or execute. And further of our special grace and mere motion by the advice aforesaid we do by these appoint for us our heirs and successors give and grant unto the said Walter Brady and his successor sovereigns of the said

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<sup>13</sup> For details relating to the position of sovereign, portreeves, burgess, recorders / town clerks and sergeants of the mace in Cavan town, see Smyth, *Civic History of the Town of Cavan*, pp 25-32.

<sup>14</sup> The feast day of St Michael the Archangel is September 29<sup>th</sup>.

<sup>15</sup> It is interesting to note the dominant Gaelic composition of the first corporation of Cavan. For further detail see Cherry, 'Colonial appropriation of Gaelic urban space', pp 118-19 and Hunter, 'Towns in the Ulster Plantation', p.42 and p.69.

town and borough of Cavan for the time being that he and his successors for ever shall have the charge and free government of the said town and borough of the town of Cavan during the time of his or their bearing of the said office in as absolute and ample manner as the sovereign of Kells hath or ought to have of or in the said town of Kells by any charter lawful or inscription whatsoever. And further because the said sovereign for the time being may many times have just occasion to be absent from the said town either for the public affairs thereof or for his own private respects we do by these appoint give unto the said Walter Brady and his successors sovereigns full power and authorities from time to time during his year of government with the consent of the burgesses of the said town for the time being to substitute in his absence some discreet and substantial person being one of the number of the said burgesses inhabiting in the said town or borough to be his vice-sovereign of the said town during the absence of the said sovereign. And such vice- sovereign for the time being we do by these appoint fully and absolutely authorise to do and execute all things whatsoever belonging to the said office or place of sovereign in as large and as ample of manner as if the said sovereign himself for the time being were personally appointed. And we do further by these appoint give and grant unto the said sovereign portreeves burgesses and freemen of the said town of Cavan and their successors for ever that he the said sovereign and any two or more of the said burgesses of the said town for the time being shall and may lawfully hold and keep from three weeks to three weeks a court within the said town of Cavan and therein shall have full power and authority to hold plea of all manner of debt covenant trespass accomplice detains demands and all other actions as well real and mixed as personal of any matter or matters thing or things whatsoever arising and growing only within the said town and borough or the limit thereof so as the same do not exceed in debt or damages the sum of twenty pounds sterling. And shall also have the same jurisdiction as the said sovereign and burgesses of the said town of Kells or any other person named or authorised with him or them have or ought to have in the court of civil pleas or court of piepowder<sup>16</sup> holden within the said town of Kells cognisance of plea only excepted. And further of our special grace certain knowledge and mere motion we do by these appoint for us heirs and successors give and grant unto the said sovereign portreeves burgesses and freemen of the said town of Cavan and their successors for ever that they and their successors shall have a common seal under which they shall pass all grants warrants deeds and specialities of or concerning the said corporation which shall engraven with such form and inscription as shall be devised by the said sovereign portreeves and burgesses of the said town of Cavan. And that the said sovereign portreeves burgesses and freemen of the said town of Cavan shall and may build or cause to be builded in some convenient place a common hall or toltshall to be called by the name of the toltshall of Cavan<sup>17</sup> wherein the said sovereign portreeves burgesses and freemen shall and may from henceforth for ever lawfully assemble themselves to deliberate and consult touching the public welfare of the said town of Cavan and that they and their successors shall and may from henceforth be a free guild mercatoire and that they or the greatest part of them and their successors shall

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<sup>16</sup> The Court of piepowder was used to settle disputes primarily amongst traders and buyers which occurred at markets and fairs.

<sup>17</sup> It may be suggested that the toltshall (town hall) of Cavan was also used as the town's courthouse during the 18<sup>th</sup> century and perhaps from an earlier date. In that eventuality it was located on the western side of Main Street according to cartographic evidence from 1785, see National Archives, CAV BR 17/10 A map of the town of Cavan... situate in the parish of Urney and county of Cavan. Surveyed in 1785 by John Piers.

and may from time to time in their public carefully freely and lawfully make and establish all such ordinance statute orders or by laws as may tend to the good and wholesome government of the said town and to the public benefit of the inhabitants of the same not being repugnant to the common laws or statutes of this realm and such ordinance and by laws statutes or decrees as shall be made by the said sovereign portreeves burgesses and freemen or the major part of them we do by these appoint for us our heirs and successors ratify confirm and allow as good and effectual to bind all the inhabitants of the said town. And do express will and command by these appoint that the same be duellie put in execution. And further for the more orderly government of the said town according to the form of the best governed towns and corporations of this kingdom we do by these appoint for us our heirs and successors give and grant unto the said sovereign portreeves burgesses and freemen of the said town of Cavan full power to elect and nominate some one discreet and sufficient person learned in the laws to be recorder and town clerk of the said town of Cavan during the pleasure of the said sovereign portreeves burgesses and of such person and persons as they shall choose to be recorder and town clerk of the said town of Cavan we do by these appoint for us our heirs and successors make ordain and constitute recorder and town clerk of the said town. And do authorise the same recorder and town clerk to use and exercise all such jurisdiction and authority as the recorder and town clerk of the town of Drogheda and Kells doeth or may lawfully use in the said towns of Drogheda and Kells. And further we do by these appoint for us our heirs and successors make and ordain and constitute the said sovereign of the said town of Cavan for the time being and the vice sovereign in the absence of the said sovereign to be justice of the peace within the bounds and limits of the said town. And do hereby give him full power and authority to do and execute all and every act or acts thing and things whatsoever within the said bounds and limits of the said town and borough in as absolute and ample manner as any justice of the peace within the said county of Cavan may or ought to do by the laws and statutes of this realm. And we do further for our heirs and successors give and grant unto the said sovereign and burgesses of the said town of Cavan for the time being and to their successors for ever full power and authority to nominate and appoint from time to time one sergeant of the mace and all other inferior officers and ministers which they shall think to be convenient and necessary for the service of the said town. All which officers being from time to time appointed by the said sovereign and burgesses as aforesaid we do for us our heirs and successors by these appoint constitute and establish the several offices. And do give them and every of them full power and authority to use and exercise the same within the said town and borough and within the limits of franchise thereof during the pleasure of the said sovereign and burgesses as fully and freely as any other the like officers in or of the said town of Kells lawfully may or ought to do in the said town of Kells. And that the said offices of sovereign and portreeves shall from henceforth for ever be appointed and that the said sovereign portreeves burgesses and freemen shall from henceforth for ever have franchise and free election in the said Toltshall as well of the said sovereign and two portreeves to be chosen yearly out of the number of the twelve burgesses as also of the said burgesses and all others the said officers and ministers out of the number of freemen and inhabitants of the said town as needs shall require according to the use and practice of the said town and corporation of Kells. And our will and pleasure is that from henceforth the Monday next after the feast of St. John the Baptist<sup>18</sup> and yearly shall be for ever the

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<sup>18</sup> The feast day of St John the Baptist is June 24<sup>th</sup>.

day of election of all and every the said sovereign and portreeves which shall yearly succeed in the said corporation unless the said sovereign and portreeves or either of them for the time being happen to die or be lawfully removed within the year in which case our pleasure is that the said burgesses shall within three days after the death or removal of any such sovereign or portreeve for the time being speed to the election of some others of the said burgesses to supply the place of sovereign being void as aforesaid. And some others of the said burgesses to supply the place of portreeve being void as aforesaid. And that the said sovereign so elected on the Monday next after the feast of St. John the Baptist as aforesaid shall be sworn and take his oath upon the Monday next after the feast of St. Michael the Archangel then next following. And we do further require the said Walter Brady that at the next general session to be holden within the said county of Cavan by our justices of assizes and gaol delivery authorised by special commission under the great seal of Ireland or before one of our barons of the Exchequer he the said Walter Brady do in the presence of the said commission take the ancient oath of a justice of the peace and the oath of allegiance hereunto annexed. And also this oath following upon the holy evangelist viz. *I shall hold and be true to our sovereign lord the King his heirs and successors and to perform unto his majesty his heirs and successors all duties and allegiance and faithfully hold and keep the said town and franchise of Cavan aforesaid for his majesty his heirs and successors to the uttermost of my power against all rebels and enemies of the crown of England and duly and truly execute the office of sovereign within the said town and franchise of Cavan aforesaid and do right as well unto the poor as the rich and to the rich as the poor and be counselled by the burgesses of the said town and the victuall within the said town and oversee no person receive into the franchise of the said town contrary to the ordinance thereupon made so help me God.* And the said Walter Brady having taken the said oaths to be given in his presence unto such person or persons as he the said Walter Brady shall at any time during his government appoint to be his vice sovereign in the absence of the said Walter Brady as aforesaid. And after the end of the said Walter Brady his government, our will and pleasure is that every sovereign of the said town that shall be hereafter duly elected in the manner and form aforesaid and shall upon the Monday next after the feast day of St. Michael the Archangel next after the said election take the said oaths before the said sovereign and the recorder before two at the least of the most ancient burgesses of the said town. And further our will and pleasure is that the said Walter Brady after he hath taken the said oaths shall likewise cause an oath to be given in his presence to the several portreeves of the said town in such manner as the portreeves have been and yet accustomed to make in the said town of Kells. And that the said sovereign haven taken his oath as aforesaid shall cause an oath to be given in his presence to the recorder of the said town in form following viz. *I shall true liege man to our sovereign lord the King his heirs and successors and true to the franchise of the said town of Cavan and the same truly maintain with all my might and power and truly obey the sovereign of the said town in all things lawfully and truly exercise the office of recorder of the town of Cavan and also all that to the same appertaining so help me God.* And that the said oath shall for ever hereafter be administered to all and every person or persons which shall from time to time bear the said office of recorder within the said town of Cavan in presence of the said sovereign or vice sovereign of the said town for the time being moreover the said Walter Brady being sworn as aforesaid shall cause an oath to be given in his presence unto every of the said burgesses of the said town of Cavan in the following form viz. *I shall be ready as one of the twelve burgesses of this town to do my best endeavour for the public good*

*thereof and come upon due warning unto me made by the sovereign of the said town for the time being and give my true advice and counsel in anything I am required touching the franchises well government and good rule of this town as often as the case shall require and shall be assistant and attendant to the sovereign of this town for the time being for the observation of the peace as far as the franchise of this town shall stretch before all other persons and the councils and all ordinances made by the said sovereign portreeves and burgesses or by the greatest part of them shall truly keep and perform so help me God.* And every burgesses of the said town hereafter to be made and elected shall take the same oath in the presence of the sovereign or vice sovereign of the said town for the time being as aforesaid lastly the said Walter Brady having taken the said oaths shall cause one other oath to be given in his presence to every freeman of the said town in form following viz. *I shall be obedient profitable and true to our sovereign lord the King his heirs and successors and to the commonality of the said town of Cavan and truly the franchises thereof maintain with all my might and power and give and yield with my sovereign and neighbours after my living worship my elders and their counsel keep and not be affecting or abetting to a confederence or conspiracy against the said town or my neighbours and not to be retained to any other man but only the said sovereign for the time being and these articles well and truly keep so help me God.* He and every freeman hereafter to be admitted into the said corporation shall take the same oath in the presence of the sovereign or vice sovereign for the time being. And further for the better grace of government of the said corporation we do by these appoint grant and allow unto the said sovereign portreeves burgesses and freemen of the said town of Cavan and their successors for ever that they and every one of them shall and may wear such or the like robes habit and liveries according to the several degrees as they the sovereign portreeves burgesses and freemen of the said town of Kells may or do usually wear in the said town of Kells. And further of our special grace certain knowledge and mere motion according to the effect our tres patent of commission under our great seal of our said realm bearing date at Dublin the twelfth day of July now last past before the date hereof we do by these appoint for us our heirs and successors give and grant unto the said sovereign portreeves burgesses and freemen of the said town of Cavan and their successors for ever all that the town of Cavan aforesaid and all singular the lands tenements and other herditaments of or in the several towns villages polls or parcels of land following lying in the barony of Loughtee in the said county of Cavan viz. Tullymongan at Cavan being two polls of land Kilnevarrowe being two polls of land Dromgoone alias Dromdoone being two polls of land and Dromealah being two polls of land. And also fourteen acres of land parcels of the two polls of Roscolgan and lying next to the ford of Bealacreigh and with all and singular their and every of their rights and appurtenances whatsoever except only and out of this grant always reserved the said castle of Cavan commonly called O'Reillys castle and the green piece of land lying east and south east from the said castle enclosed with ditch containing fourteen acres or thereabouts being parcel of the two polls of Tullymongan aforesaid and also except for the reside of the said two polls of land called Roscolgan with appurtenances.<sup>19</sup> To have hold and enjoy the said lands tenements and hereditaments

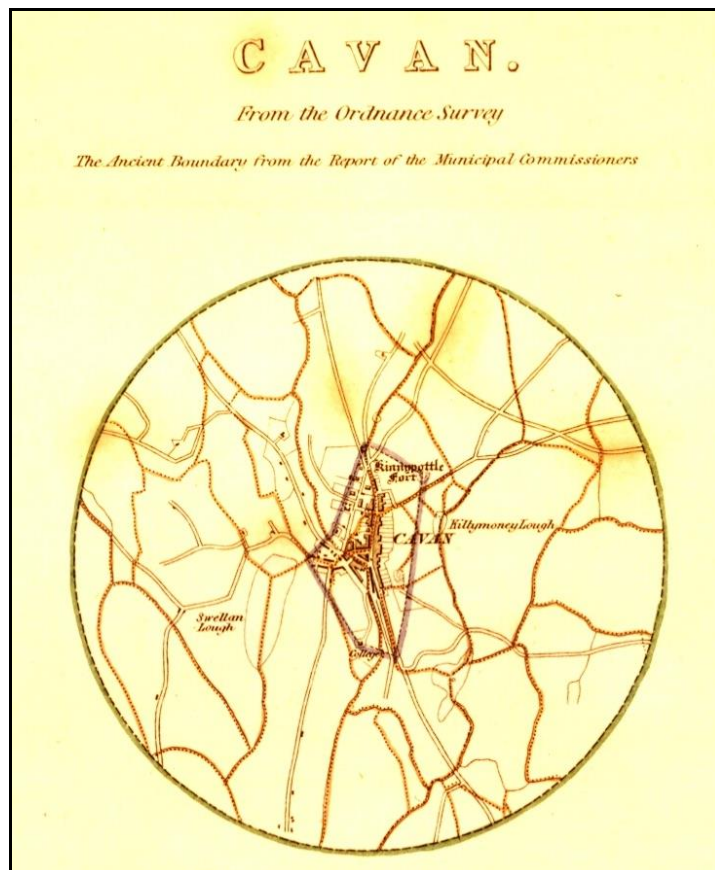
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<sup>19</sup> Cavan was the only town in the Ulster plantation scheme to have its lands granted to the corporation. The other plantation towns were to be developed under Chichester's idea of the principal gentlemen of the area acting as superintendents of the development of towns. See Hunter, 'Towns in the Ulster Plantation', pp 43-45. The contemporary townland names are Burgess Acre, Drumalee, Kilnavara, Roscolgan, Swellan Lower, Tullymongan Lower and Tullymongan Upper.

with the appurtenances except before excepted unto the said sovereign portreeves burgesses and freemen of the said town of Cavan and their successors for ever to the only use and benefit of the said sovereign portreeves burgesses and freemen for ever. To hold of us our heirs and successors as of the castle of Dublin in free and common socage by fealtie only rendering and paying thereof the yearly unto us our heirs and successors of the receipt of our exchequer in the said realm of Ireland or to the hand of the vice receiver or general receiver in the said realm of of Ireland the sum of twenty shillings current money of England at the feast of Easter and St. Michael the archangel by even portions. And further of our special grace certain knowledge and mere motion we do by these appoint for us our heirs and successors give and grant unto the said sovereign portreeves burgesses and freemen of the said town of Cavan and to their successors for ever that they the said sovereign portreeves burgesses and freemen and their successors shall and may from henceforth for ever hold and keep one free market within the said town on Tuesday in every week and two fairs within the said town at two several times of the year viz. The one to begin and be holden within the said town upon the fourteenth day of September and to continue the day following yearly forever and the other of the said fairs to begin and be holden upon the feast day of All Saints and to continue the day following unless the said days happen to Saturday or Sunday in which we do give and grant that the said fairs shall begin and be kept on the Monday then next ensuing and each fair to continue for two days respectively with several court of piepowder and the office of clerk and entries and all things thereunto belonging together with all and singular the profit issues customs tolls fees commodities jurisdictions and emolument to the said court fairs and markets any ways belonging to the or appertaining and yielding and paying there out yearly unto us our heirs and successors at the receipt of the exchequer aforesaid or to the hands of our said vice receiver or general receiver for the time being the sum of ten shillings current money of Ireland on the said feast of Easter and St. Michael the Archangel yearly by even portions provided that the said markets and fairs be not prejudicial to any other fairs or markets kept near or unto the said town of Cavan and we do further by these appoint for us our heirs and successors give and grant unto the said sovereign portreeves burgesses and freemen and to their successors for ever that the sovereign or in his absence the vice sovereign of the said town for the time being shall be coroner and clerk of the market within the said town and the liberties thereof. Giving and hereby granting unto the said sovereign or vice sovereign for the time being full power and authority to exercise and execute the said office and offices of coroner clerk of the market in the said town and liberties thereof in as large and ample manner as any other coroner or clerk of the market doeth or may lawfully execute the like office in any other town or liberty within this realm prohibiting and hereby also forbidding all and every coroner or coroners clerk or clerks of the market to intermeddle in or about the execution of the said offices or either of them in the said town of Cavan or the liberties thereof. And further of our special graces certain knowledge and mere motion by the advice and consent aforesaid we do hereby appoint for us our heirs and successors give and grant unto the said sovereign portreeves burgesses and freemen of the said town of Cavan and their successors for ever that they and their successors shall and may from time to time return and send two discreet burgesses of the said town and borough unto every parliament and parliaments hereafter to be summoned and holden within this realm which burgesses so returned and sent shall be received into the lower or common house of parliament as members of the said house to have and enjoy all such privileges as other burgesses so returned and sent from other ancient borough or boroughs of this realm have had



and enjoyed in any former parliament holden within this kingdom. And lastly our express will and pleasure is and we do by these appoint for us our heirs and successors give and grant unto the said sovereign portreeves burgesses and freemen and their successors for ever that these our tres or the enrollment thereof shall be good available and effectual in the law to all intent, constructions and purpose against us our heirs and successors without any other licence grant or confirmation from us our heirs and successors hereafter by the said sovereign portreeves burgesses and freemen of the said town of Cavan or their successors or any of them to be had and obtained notwithstanding the non recital or misrecital not naming or misnaming of the said offices franchises castles messuages lands tenements hereditaments and the other premises or any of them. And not withstanding that no writ of ad quod dampnu<sup>20</sup> hath issued forth to enquire of the premises or any of them before the ensembling of these appointed. Any other matter or thing whatsoever to the contrary notwithstanding. In witness whereof we have caused these our tres to be made patent witness our said deputy general of our realm of Ireland at Dublin the fifteenth day of November in the eight year<sup>21</sup> of our reign of England France and Ireland and of Scotland the four and fortieth.



**Plate 1.1 The extent of the jurisdiction of Cavan Corporation**  
**Source: Reports and Plans on Municipal Corporation Boundaries (Ireland), 1837.**

<sup>20</sup> Ad quod dampnu: also referred to as ad quod damnum in legal terms. A Latin phrase meaning ‘according to the harm’ or ‘appropriate to the harm’.

<sup>21</sup> James I succeeded Elizabeth I on 24 March 1603. His eight regnal year ran from April 1610 to March 1611. I am indebted to Dr Marian Lyons, Department of History, St Patrick’s College, Drumcondra for clarifying the date.

**Biography:**

Jonathan Cherry (PhD) is a lecturer in the Department of Geography, St Patrick's College, Drumcondra, DCU. He is joint compiler of the Royal Irish Academy *Irish Historic Towns Atlas* for Cavan town with Brendan Scott. His main research and teaching interests are in historical geography and cultural geography.