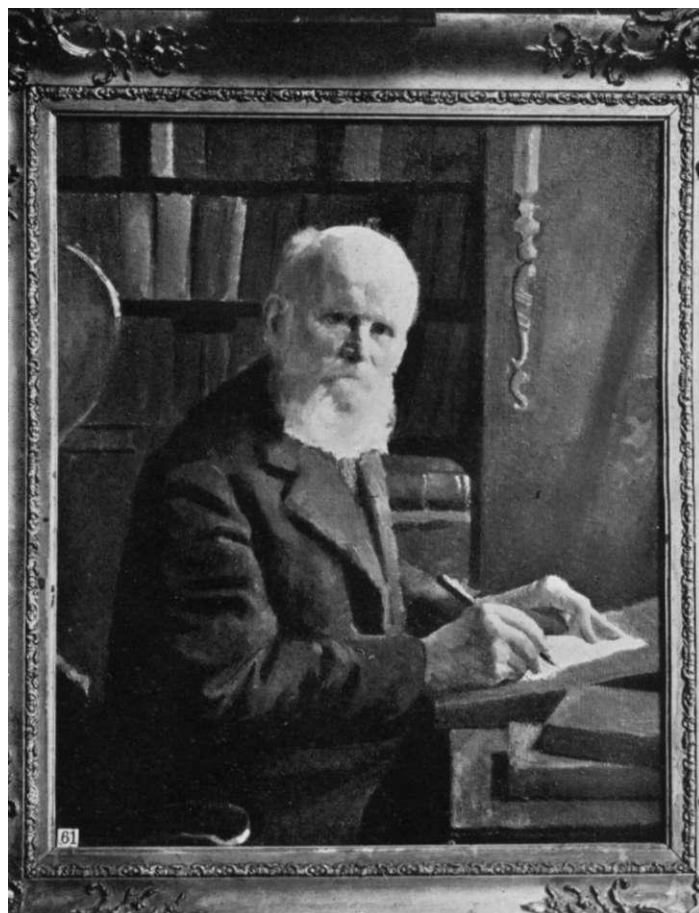


THE ORPEN FAMILY



THE AUTHOR IN HIS LIBRARY, JANUARY 1930.

By Sean O'Suilleabhain.

THE ORPEN FAMILY

BEING

AN ACCOUNT OF THE LIFE AND WRITINGS OF RICHARD
ORPEN OF KILLOWEN, CO. KERRY, TOGETHER WITH
SOME RESEARCHES INTO HIS FORBEARS IN ENGLAND
AND BRIEF NOTICES OF THE VARIOUS BRANCHES OF
THE ORPEN FAMILY DESCENDED FROM HIM

BY

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etc., etc.

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FOREWORD

AT odd times during my life I have interested myself in collecting, in a more or less desultory way, facts about the early members of the Orpen family in Ireland and about their probable forbears in England. I knew that the family was supposed to be derived from that of Erpingham in Norfolk, and without investigating the grounds of the supposition I ventured to call the newly built house which I took in Bedford Park, Chiswick, at the time of my marriage in 1880, by the name of "Erpingham." This I supposed would mean "the Home of the Erpings or descendants of Erp," and in any case I thought that "the Orpens of Erpingham" would be a distinctive and euphonious title for my prospective branch of the family!

Apart from this theory of our forbears in England, I picked up from time to time, and became more and more interested in, many authentic facts and documents concerning the first of our family known to have lived in Kerry, namely Richard Orpen, my ancestor in the fifth degree, I read in the *Kerry Magazine* his own account of the Siege of Killowen, which took place early in 1688-9,^^ I examined in the Library of the British Museum his pamphlet about the ship *Laurel of London*—how she was fraudulently abandoned in the River of Kenmare in the year 1694. At a later period I obtained an old MS. copy of certain lengthy letters or memorials written by Richard Orpen to Lady Shelburne in 1692-3, containing many biographical facts and resulting in his appointment as principal agent for the family in Kerry. Also, by the kindness of the present Lord Lansdowne, then Earl of Kerry, I was given

or lent several documents preserved at Bowood, and thus obtained a good deal of authentic information, hitherto unknown to the family, concerning the granting of the " Grand Lease " (as it was called) of Glanarought, etc., to Richard Orpen in 1696-7, and the subsequent litigation and dealings therewith. Of all this and much more I have given a full account in the course of this Memoir ; but first of all I have examined the credibility of previous statements concerning the earlier history of the family, and have put forward the results of my own independent search among the records. To aid me in this search I sought the trained assistance of " The Record Press," an organization which has great facilities for, and experience in, genealogical work, and mainly through it I have obtained about 150 references to families or individuals of the name of Orpen or Orpin, living for the most part prior to the eighteenth century in England. When employing these agents, however, I took care to say : " I do not seek an illustrious descent, but the truth " ; and whatever may be the ultimate verdict on the facts as I present them, it will, I feel assured, be recognized that my aim has been in accordance with the lofty concept of the Motto of the Orpen Family, VERITAS VINCET !

GODDARD H. ORPEN.

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CHAPTER I

The Erpingham Theory

THE theory that the Orpens were descended from certain French nobles named Erpin, etc., first appearing in the sixth century A.D., and afterwards from the family that held the fief of Erpingham in Norfolk from the twelfth to the fifteenth century, originated, I believe, with Sir Richard John Theodore Orpen, my grandfather's first cousin [*b.* 1788, *d.* 1876). As early as 1830 he appears to have been making enquiries into the origin of the family, and I have an autograph draft or copy of a letter addressed to his nephew, Francis Orpen Morris, and dated 28 August 1834, giving a summary of his theory of the descent of the family from Erpen, Count of Bourges, etc. It is however much damaged by water, and a large portion is illegible. I have also a much longer MS., mostly in Sir Richard's early handwriting, but also hopelessly damaged in its earlier parts, purporting to trace the name 'Erpen,' etc., from the sixth century A.D. in France, and in the first Crusade, and afterwards in England at Erpingham in Norfolk. The misfortunes that have happened to the above-mentioned manuscripts are however the less to be regretted as what was clearly the result of Sir Richard Orpen's researches was published in Burke's *Genealogical and Heraldic History of the Commoners of Great Britain and Ireland* (1836-38).¹ Some years later Sir Richard seems to have put his Memoir for revision into the hands of John Dalton, whose History of County Dublin appeared in 1838, and this MS. Memoir as edited by Dalton and dated 1847, was lent to me by Sir Richard's son, my cousin, the late Arthur H. Orpen of Oriel, Blackrock, and I had a typed copy made of it. This last revision by John

to Ireland in 1394-5, 'Sir Thomas Orphen,' as the name appears in Lord Berners' translation, was knighted by the English monarch after he had knighted the four provincial kings of Ireland; but it is hardly conceivable that this 'Sir Thomas Orphen,' if that is what Froissart wrote¹¹ (which is very doubtful), was identical with Sir Thomas de Erpingham, who had thrown in his lot with the Lancastrians, and four years later returned to England in the retinue of the future Henry IV and was one of King Richard's bitterest opponents.¹² This, in fact, is the only example that has been produced of the surname of the family of Erpingham in a form which might be regarded as a variant of Orpen; but the reading is too uncertain to warrant any such conclusion, and the circumstances seem to negative the possibility that the well-known Sir Thomas Erpingham was the individual intended. In another passage where Froissart does seem to designate Sir Thomas Erpingham he uses a much closer variant of the name. In the year 1388 when the King of France came to Montereau, Froissart says "there was a dede of armes done there bitwene an Englisshe knight, who was there with the Duke of Irelande [Robert de Vere], called Sir Thomas Harpyngham, and Sir Johan Barres." This individual was very probably Sir Thomas Erpingham and if so he was apparently knighted six or seven years before King Richard's first expedition to Ireland.

There is indeed an example of the name in the form 'Orpyng' on record even a couple of years earlier, namely on February 18, 1392-3, when the will of 'Emmot Orpyng, widow,' of the parish of St. Michael ad Ripam (St. Michael, Queenhithe), London, was proved.¹³ She desired to be buried in the chancel of St. Paul, London. She gave legacies for the good of her soul and to her daughter (unnamed), but there is no other genealogical detail, and nothing further to connect her with Erpingham.

It has however been suggested that the family of Harpyng, which appears before the close of the twelfth century as owning land in Durham, sprang from an early cadet of the

house of Erpingham, that Peter Harpyn, who in 1189, and again in 1190,¹⁴ witnessed charters of Bishop Hugh of Durham and was perhaps the founder of the family of that name in Durham, was a younger brother of Robert son of Peter de Herpengham (Erpingham).¹⁵ However this may be—and at present it is only a guess—I think I have obtained some actual grounds for thinking that the name 'Harpin,' which appears in a probably connected family in Yorkshire, came to be sometimes spelled 'Orpin,' thus confirming Sir Richard's conjecture that Harpin and Orpin were merely variant forms of the same name.

For several generations the family of Harpyn appears to have possessed the manor of Thornley, about 5 miles south-east of Durham. About the year 1269 William Harpyn, Knt., lord of Thornley, attested a grant from Thomas de Bellafago of lande at West Morden in the same county. Then from about 1290 we find Sir Richard Harpyn, Knight, as lord of the manor of Thornley, and his descendants heirs of the manor are known for three generations, when a female heir brought the manor to Thomas Lumley, living in 1371.¹⁶

The name however reappears in Yorkshire. Here in 1346 John Harpyn of Seacroft, Yorks (about 3 miles north-east of Leeds), appears on the Subsidy Roll as paying 17 pence.¹⁷ In 1419 John Harpyn, perhaps his son, or descendant, is witness to the will of William Canon, rector of Barwick in Elmet (about 2 miles north-east of Seacroft)¹⁸; and in 1502 Henry Harpyn, aged 88 (born therefore in 1414 and perhaps son of the last-named John Harpyn), deposed as to the bounds of the lordship of Berwyk (presumably Barwick in Elmet), and Sir William Gascoine's manor of Shadwell (4 miles north of Seacroft), and Roundhay Park (2 miles north-west of Seacroft).¹⁹

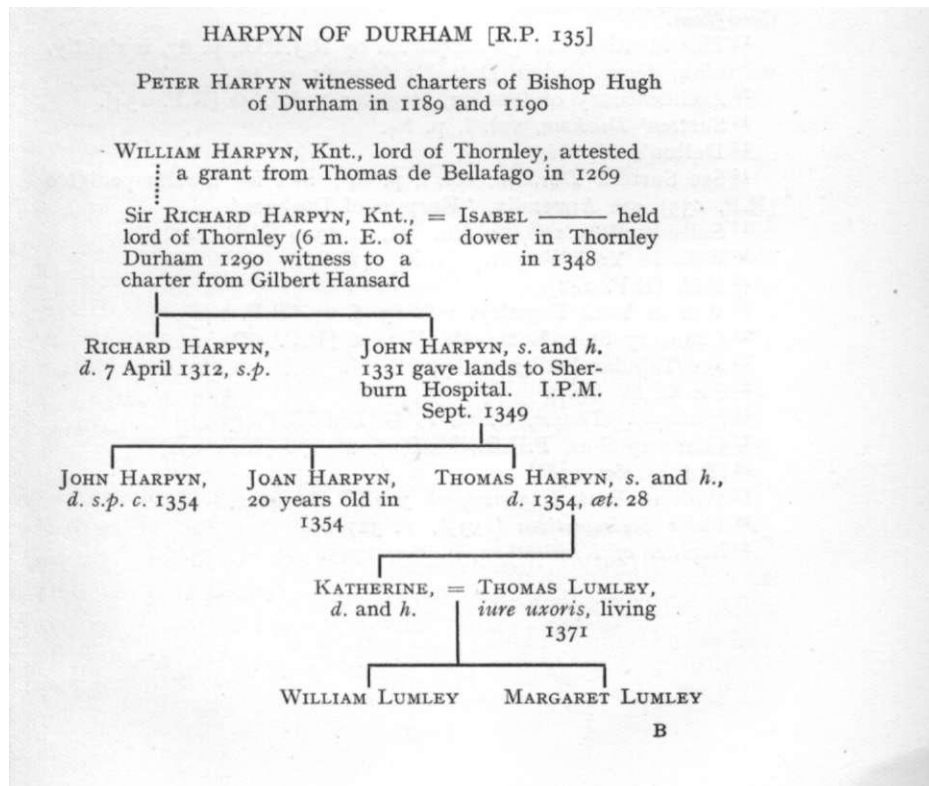
In 1545 Robert *Harpynge* of Aberford, by his will directed his burial in the church-garth of Sherborne (Sherburn, about 13 miles east of Leeds and 4 miles south-east of Aberford) and left the disposal of his goods to the discretion of John Gascoine of Lasingcroft, esquire, and another—a very unusual form of will.²⁰ While in 1565 William *Orpin* was one of 17

defendants in an action brought by Richard Gascoygne and another for entering a house at Barmbowe [Barnbow Hall, 4 miles east of Leeds] and feeding themselves and their horses with the provisions, part of the estate of one Gascoygne deceased. The defendants claimed under leases of parts of the property, which included Lasingcroft, Shippon, Barrabie, and Parlinton (i£ miles east of Barnbow Hall).²¹ On comparing these last two records it will be seen that twenty years after the death of Robert 'Harpyn' of Aberford (adjoining Parlinton and three miles west of Barnbow Hall), who left his goods to the disposal of John 'Gascoine' of Lasingcroft, we find a William 'Orpin' as one of the defendants in an action brought by a 'Gascoygne' concerning these same places, Barnbow, Lasingcroft, and Parlinton, in which the defendants, including William Orpin, claimed an interest. The probable inference seems to be, that Robert Harpyn and William Orpin were closely related, and that Orpin was an orthographical variant of Harpin, which up to the middle of the sixteenth century was the more usual form of the name. This inference, perhaps slight in itself, is strongly supported by the fact that families of the name of Orpin in Stoke Goldington and Newport Pagnell in Buckinghamshire reverted to the earlier spelling, and in the seventeenth century usually appear as Arpin or Arpyn.²² Similarly we have references to one who was sheriff of Carrickfergus in 1647 and Mayor in 1658-9 as John Orpin, or Arpin, or Erpin.²³ Again, Richard Orpyn is recorded as churchwarden of Thame in Oxfordshire as early as 1464,²⁴ while later, in 1634, we find the name Arpin occurring in the county.²⁵ Both forms occur in Gloucestershire between 1575 and 1625.²⁶

The following record probably refers to an offshoot of these Yorkshire Harpyns: "Michael Harpyn of Farnely in the parish of Almonbury, Co. York, bachelor," by his will, dated 15 July 1600, desired to be buried at Almonbury and mentioned his father Oliver, his uncle George Harpyn and wife Jennet, his brothers Peter and George, and his cousin George.²⁷ Almonbury is a suburb of Huddersfield

about 14 miles south-west of Leeds, and Farnely Tyas is a couple of miles farther south.

There are some other examples of the name of Orpin in these northern counties. In 1535 James Orpyn appears as rector of Middleton George²⁸ (6 miles south-west of Stockton on the southern border of Durham) ; while as late as 1745, Mary, wife of Edward Orpin, of East Coatham (near Redcar on the north coast of Yorkshire, about 10 miles east of Stockton), was buried at Kirkleathan in the immediate neighbourhood.²¹¹ But notwithstanding the occasional appearance in these northern counties of the form Orpin as apparently a variant of Harpyn, I have hitherto failed to find any certain link connecting these northern Harpyns or Orpins with any of the numerous families of Orpin or Orpen found farther south.



¹ Herein cited as Burke's *Commoners*.

² Herein cited as Dalton's *Memoir*.

³ Hereinafter referred to as 'Hist. R.J.T.O.' This 'final recension' was lent to me with other family papers by Sir Richard's grandson, Arthur H. S. Orpen, in 1929.

⁴ *Histoire de France*, Mezeray (ed. 1717), vol. ii, pp. 470-1. 'Hist. R.J.T.O.', pp. 1-17; Dalton's *Memoir*, p. 1.

⁵ 'Hist. R.J.T.O.', p. 23.

⁶ Mezeray (1717), vol. iv, p. 246.

⁷ 'Hist. R.J.T.O.', pp. 37, 39, 49; Dalton's *Memoir*, p. 3ft.

⁸ 'Hist. R.J.T.O.', pp. 63-9 and 83-7. Dalton's *Memoir*, pp. 6-14.

⁹ The Confessor granted the church of Erpingham to the Benedictine Monastery of Hulen in Norfolk: See Dugdale, *Mon. Angl.*, vol. 1, p. 284.

¹⁰ *Cal. of Inquisitions and Escheats*, vol. iv, pp. 83, 116 and 125. For references to the family, see Blomefield's *Norfolk*.

¹¹ The French text of Froissart, edited by Denis Sauuage (Paris, 1574), gives *Orphem*. The text printed by Kervyn de Lettenhove from the MS. gives *Ourgthem*, with the variant readings *Orphem* and *Gourghem*.

¹² This identity, though supported by R.J.T.O., p. 87, is rightly, we think, discredited in Dalton's *Memoir*, p. 16.

¹³ Archdeaconry of London, Register 1, fol. 46 [R.P. 134].

¹⁴ Surtees' *Durham*, vol. i, p. 84.

¹⁵ Dalton's *Memoir*, p. 17.

¹⁶ See Surtees' *Durham*, vol. i, p. 84; and for tabular pedigree [R.P. 135], see Appendix, 'Harpyn of Durham.'

¹⁷ Subsidy Roll, 206/14, Ed. III, c. 1346 [R.P. 142].

¹⁸ Wills in York Registry [R.P. 141].

¹⁹ *Ibid.* [R.P. 142].

²⁰ Will in York Registry, vol. 13, f. 17 [R.P. 140].

²¹ Chancery Suit, Elizabeth, N 1/56 [R.P. 18].

²² See Tabular Pedigree, App. C. II.

²³ See C. IV *infra*.

²⁴ *History of Thame*, Oxon, F. G. Lea [R.P. 82].

²⁵ Chancery Suit, P.R.O., Mitford, 86/176 [R.P. 132].

²⁶ [R-P- 5, 60, 128].

²⁷ Wills in York Registry, 28/360 [R.P. 141].

²⁸ *Valor Ecclesiasticus* (1535), V. 317.

²⁹ *Register of Kirkleathan*, Yorks, 1745.

CHAPTER II

The Supposed Traditional Descent

ABANDONING then for the present all hope of tracing the family so far back with any certitude, I thought that possibly the five generations preceding Richard Orpen of the White House of Killowen—from whom our descent is fully attested—as set forth in Burke's *Commoners* and in the 1858 Edition of Burke's *Landed Gentry*, might be substantiated. This supposed descent may be stated shortly as follows :—

(1) Francis Orpen " lived near Farleigh Castle in Somerset," married Agnes Edwards and inherited through her some lands at Stoke Goldington, Bucks. Their son,

(2) John Orpen, or, according to some, Sir John Orpen, was father to

(3) Robert Orpen Esq. who " married a daughter of Colonel Stephenson, one of whose sisters married O'Donoghue of Ross, Co. Kerry, and another was the wife of McCarthy Mor." Their son,

(4) "Richard Orpen Esq., married Mary, daughter of Henry Ley Esq. of Teffont Ewias, Wilts, sister of Sir James Ley, Lord Chief Justice of the Court of King's Bench (who was created Earl of Marlborough in 1626)." This " Richard Orpen, a devoted loyalist, fell at the battle of Naseby in 1646" (*recte* June 14th, 1645). His son,

(5) Robert Orpen Esq., " born about the year 1637, appears by an inquisition dated in 1661 to have resided at a place called Neflaherolin, sometimes named Killorglin, in the County of Kerry. He married Lucy Chichester and had issue:

(6) Richard, Robert, Rachel and Dorcas."

In July 1924 I enlisted the assistance of ' the Record

Press ' and with their help began to make extensive searches among the records and take transcripts or notes wherever the name Orpen or Orpin or other probable variants occurred prior to about the middle of the eighteenth century.¹ I soon found what was evidently the source of the first two items given above (though it does not fully bear them out), viz., a Chancery Suit² dated 1592, in which " John Orpin of Stoke Goldington, Bucks, husbandman," claimed certain lands in Stoke Goldington as having descended to him through his mother, Agnes Edwards (deceased), widow of Thomas Edwards the elder, and afterwards wife of Francis Orpin, plaintiff's father. But there is nothing to suggest that Francis Orpin lived near Farleigh Castle in Somerset, while his son John Orpin is expressly described in the Chancery suit which he brought as "of Stoke Goldington, husbandman." I found also several additional facts about this family, some of which are inconsistent with the above alleged descent. Thus I found the will, dated 3rd November 1595, of John Orpin of Stoke Goldington, Bucks, *laborar'[ius]*,³ evidently the John Orpin of the above Chancery Suit. It was proved on the following December 13. The testator desired to be buried at Stoke Goldington and gave one half of his free lands and inheritance at Stoke Goldington to his wife Whyborowe Orpin, remainder to his son Francis, etc., and small pecuniary legacies to his sons William and John and to his two daughters Margaret Orpin and Mary Norman. It is to be noted that no son named Robert is mentioned. I also found his widow's will and the wills of his sons Francis and William, and the Administration Grant of his grandson Francis.⁴ Based on all these, the table annexed⁵ may be taken as authentic, and, as may be seen, it does not bear out the above alleged descent of Richard Orpen of Killowen. As may also be seen, the name in this family seems to have been corrupted into ' Arpin,' and in every case the family seems to have ended in females, except perhaps, in the case of John, third son of John, son of Francis. Nothing more for certain has been found about this John, but he may *possibly* have been the John Arpin, Erpin or Orpin—his

name is said to have been written in these various ways—who was Sheriff of Carrickfergus in 1647^{a c 1} Mayor of the same in 1658-9.⁶ According to some MS. Records of Carrickfergus by Henry Gill (who died in 1761), edited by Samuel McSkimmin, this John Orpin, *als.* Arpyn or Erpin, "died in 1661. His son Thomas, dying in 1719, left a son John and a daughter Margaret Wisencraft," with whom the name disappears in Carrickfergus. The first John "was a plumber and pewterer and of mean descent. The way he came to improve his fortune was by being one of the executors of Lady Langford, by which he got considerable [*sic*] but not justly." The family lived in the same tenement for three generations; it was only a holding worth 2s. a year. Thomas was a glazier.⁷ Moreover, there was a family named Orpin, afterwards Arpin, in Newport Pagnell, 4 miles south-east of Stoke Goldington, which was not improbably connected with the family of the latter place.

It seems quite certain then that the Kerry family was not descended from the Orpins or Arpins of Stoke Goldington. There is nothing to connect this Francis Orpin of Stoke Goldington or his son John with Farleigh Castle in Somerset, nor had this John a son called Robert. The form of the name changed to Arpin, and the family apparently ended in females. Indeed I afterwards found that Sir Richard Orpen must have come eventually to the same conclusion, for in the latest MS. recension of his Memoir he omits all mention of Stoke Goldington and commences the more modern narrative with 'Sir John Orpen,' who is said to have "resided at Vearley Castle in Somersetshire."⁸ This or something like it, as I hope to show in the next chapter, appears to have been the way that the traditional descent of the family as preserved by Raymond Orpen, son of Richard Orpen of Killowen, was handed down, and allowing for inevitable embroidery, was probably not far removed from the fact.

Having established the extreme improbability of the descent of our family from these Stoke Goldington Orpins or Arpins, I next sought for any proof of the alleged marriage

of a Robert Orpen with a lady named Stephenson, or as it is put more particularly in Burke's *Landed Gentry* (1858), "a daughter of Col. Stephenson, one of whose sisters married O'Donoghue of Ross, co. Kerry, and another was the wife of McCarthy More." As far as dates go, this lady might have been a sister, or possibly a daughter, of Oliver Stephenson, who got a grant of Dunmoylan, County Limerick, from Queen Elizabeth in 1588 and died early in the following century or of his brother Edward Stephenson. An Elizabeth Stephenson appears to have been the wife of Donnell Mac Fineen (McCarthy) who though not properly speaking 'McCarthy Mor,' was a leading member of the clan—as appears on a memorial tablet still (in 1927) to be seen in Muckross Abbey. It is dated 1631, and was erected by O[liver] S[tephenson], probably grandson of the above-named Oliver. But no Orpen-Stephenson's marriage has been found,⁹ and the same must be said of any O'Donoghue-Stephenson marriage, though this does not prove that none such took place.

Turning now to the next generation. Is there any confirmation of the alleged marriage of Richard Orpen with a daughter of Henry Ley of Teffont Ewias, or of his death at Naseby? Henry Ley died in 1574 when administration was given to his widow Dionysia.¹⁰ According to Burke's *Extinct Baronage and Peerage* and Hoare's *History of Wiltshire*, Henry Ley's six sons were born between the years 1544 and 1551 inclusive, but no daughter is mentioned. A daughter born about this period could hardly have been wife of a man slain in battle in 1645, or mother of Richard Orpen's father who seems to have been living up to shortly before 1689.

When we come to Richard Orpen's father we have some independent evidence. From what Richard himself says of his father it would seem that at his death shortly before 1689 he owed £200 for iron from Sir William Petty's works, which his son Richard 'saw justly paid.' Further, there is the evidence of an inquisition taken in 1661 that one Robert Orpen, one of the jurors, held land at a place called Nefla-

herolin,¹¹ somewhere in the northern part of Co. Kerry. I have been unable to identify the place-name with any certainty, but as the property in question and the lands of the other jurors were in every case in one of the northern baronies of Kerry (including Magunihy), we must suppose that Neflaherolin was there too, perhaps, as traditionally stated, near Killorglin. It is true that Richard nowhere mentions his father's name, but Richard's children must, one would suppose, have known the names of their grandparents, and this name Robert, which Richard gave to one of his children, appears to have been traditionally handed down as that of his father. Moreover, Sir Richard Orpen expressly says : " the son of Richard Orpen [supposed to have been slain at Naseby in 1645] was Robert Orpen. His tutor had been a Kerryman, one of the Macartys (Thortane), and on his father's death he came with Mac Carty to Kerry " ; and a little further on he says " the statement respecting Robert Orpen coming to Kerry is taken from an account by the Reverend Timothy McCarthy (Thortane). " ¹² On the whole it seems probable that Richard (Robert's son) was at school in Ireland. As we shall mention more fully hereafter, he himself says that " he was taken up from school by Sir William Petty, who placed him with Mr. Rutter, chief agent in Kerry. " He had, moreover, three sisters, all of whom appear to have been married to residents in Kerry or Cork or to persons who came to reside there, viz., (1) Dorcas Orpen, married to Thomas Crumpe, Port-Surveyor at Kenmare, called ' brother ' by Richard ¹³; (2) Rachel Orpen, married to William Mabury (afterwards written Mayberry) ¹⁴; and (3) Margaret Orpen, married to Robert Bowen, whose son William was 19 years old in March 1697, when the ' Grand Lease '—in which he was one of the lives named—was executed. This Margaret then (who was probably the youngest sister, as her child was chosen for one of the lives in the lease) was married by 1677. It has not yet been ascertained in what year Richard Orpen was taken up from school by Sir Wm. Petty, but from extracts from Petty's correspondence with his chief agent

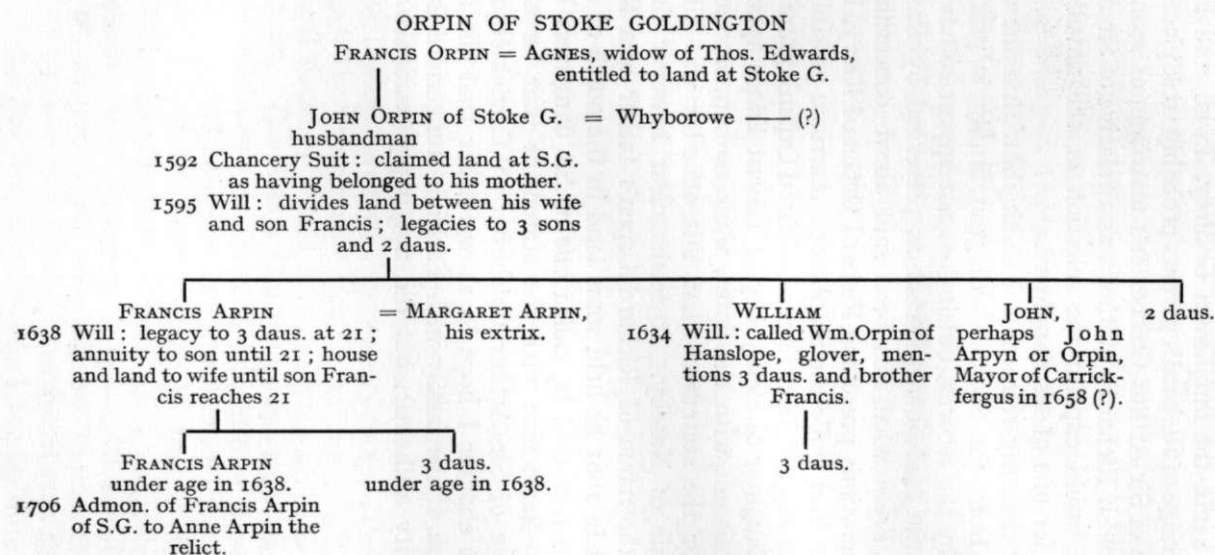
in Kerry (kindly communicated to me by Lord Lansdowne) it appears that 'little Orphin' or 'young Orpin,' as he is called, was employed in Petty's Office in Kerry as early as 1674 and possibly some years earlier. All this makes it probable that Richard Orpen's father migrated to, or at least was living in, Ireland early enough for his son to be educated and his daughters to be married there.

As we have said, Richard's children presumably knew the names of their grandparents, but, further, one of Richard's sons, namely Raymond, is stated in Sir Richard J. T. Orpen's Memoir to have been "a most indefatigable genealogist," and to have "compiled a most extensive pedigree of the family." We must therefore assume that Robert was the name of Richard's father and that his marriage with Lucy Chichester represents a genuine family tradition. Sir Richard goes on to say that the volume containing Raymond's Memoir, "called the Red Book, has unfortunately been lost, but it is from some extracts, chiefly preserved by Mr. Richard Orpen-Townsend, that part of the present history is derived."

But who this Lucy Chichester was has not been ascertained. She is elsewhere loosely said to have been "of the Donegal family," i.e. of the same family as Sir Arthur Chichester who was created Earl of Donegal in 1647. I am however informed by my research-agents that in Sir William R. Drake's comprehensive *Notes on the Family of Chichester* (1886) there is no mention of an Orpen-Chichester marriage. There is however one circumstance with which the alleged marriage would harmonize, or which it would even explain. This Arthur Chichester, who was born about 1616, married Dorcas, daughter of John Hill of Honily, Co. Warwick, and had issue one daughter, called Mary Dorcas, who married John St. Leger, father of the first Viscount Doneraile.¹⁵ Now this name Dorcas, though not a common name, appears, as we have seen, in one of Richard Orpen's sister's, viz., Dorcas Orpen who married Thomas Crumpe. Her only daughter, also Dorcas, married Henry Blennerhasset and carried the name into that family from which

it passed into the families of Godfrey, Twiss, and Palmer. The marriage of Richard's parents probably took place about the time of Sir Arthur Chichester's marriage, or soon afterwards, and if Richard's mother was a relative of Sir Arthur, the fact would explain the selection of the novel name, Dorcas, for one of his daughters.

So far then my researches I think show that the alleged descent from the Stoke Goldington family is practically refuted by the records, but it does not appear to have been part of the traditional descent as preserved by Raymond Orpen. From what has been said above concerning the four generations preceding Richard Orpen of Kerry, I think it follows that while the Stephenson marriage possibly took place, the supposed marriage of Richard Orpen's grandfather with a daughter of Henry Ley of Teffont Ewias appears to be inconsistent with the dates, while no support has been found for the statement that this ancestor was killed at the battle of Naseby. It seems clear however that, as stated, the name of Richard Orpen's father was Robert, and that in 1661 he held some land in the north of Kerry, while the fact that he called one of his daughters Dorcas seems to harmonize with the statement that he married a relative of Sir Arthur Chichester of Carrickfergus. In the next chapter I hope to show further that the alleged connexion of the family with Farleigh-Hungerford is in all probability authentic, but did not imply residence in the Castle.



¹ I give in foot-notes the references to the authorities thus obtained, adding R.P. and the number of the docket supplied to me.

² Chancery Suit, 1592, Eliz. o.³ [R.P. 21].

³ Original Will of John Orpin, 1595, in the Archdeaconry of Bucks [R.P. 88].

⁴ Original Wills in the Archdeaconry of :—Bucks of Wiboro Orpin of S.G., 1604-5, Book 27, f. 83 [R.P. 29] ; of Francis Orpin of S.G., 1638, Book 37, will 58 [R.P. 32] ; of William Orpin of Hanslope, Bucks, 1634, will vol. 35 [R.P. 48] ; Admon. of Francis Arpin of S.G., 1706, do. [R.P. 35].

⁵ See Appendix, 'Orpin of Stoke Goldington.'

⁶ *Cal. State Papers, Ireland, sub. annis.*

⁷ The above information about the family in Carrickfergus was kindly supplied to me by Mr. H. C. Lawlor of Belfast.

⁸ *Hist. R.J.T.O.*, p. 159.

⁹ Many descendants of Oliver Stephenson are enumerated by Westropp : *R.S.A.I.*, xxxiv (1904), p. 130. For the memorial tablet of Eliz. Stephenson and Donnell Mac Fineen, see *Dub. Penny Journ.*, 1832-3, p. 410 ; and *Lake Lore* by Archdeacon Rowan, p. 49 (though his identification of the persons concerned cannot be accepted). Donnell Mac Fineen of Artullagh (Ardtully) owed 62s. and 3⁴. crown debts, in 1611 : *Cal. Carew MSS.*, p. 117. According to the *Bk. of Distributions*, Col. Donough Mac Fineen forfeited Ardtully in 1641. Mrs. Elizabeth Mac Fineen forfeited some lands near Nedeen (Kenmare) which passed to Sir Wm. Petty and his friends : See *Old Kerry Records*, M. A. Hickson, 2nd ser., p. 39. Also in a List of Papal Proprietors in Co. Kerry, as returned in the civil survey of the county, 27 January, 1656, the following names (among others) appear : " Elizabeth Fyneen, *als.* Stephenson, widow, and Dermot Mac Fineen Carthy of Killowen." If this be the Elizabeth Fineen of the Muckcross tablet, she cannot, one would suppose, have been dead when it was erected in 1631 : *ibid.*, p. 37.

¹⁰ Archdeaconry of Sarum, Bk. V, fol. 194. June 8, 1574, Administration of Henry Ley, late of Teffont Ewias, to Dionysia Ley, relict, per John Creade [R.P. 14].

¹¹ *Old Kerry Records*, vol. ii, p. 246.

¹² ' *Hist. R.J.T.O.* ', pp. 160, 165.

¹³ Thomas Crumpe : see Letter of Ri. Orpen to Mr. Thomas Crumpe at Killarney, 20 ' Octr. 1692,' in *London Master*, pp. 38-9.

¹⁴ William Mabury : see his affidavit, 1 January 1692, in R.O.'s letter to Lady Shelbourne, 3rd April 1693, in which Wm. Mabury says that he was brought out of England at first to Glannerought by Sir Wm. Petty, who leased to him the farm of Drumoghty at ^25 p.a.

¹⁵ See Burke's *Peerage*, s.v.

CHAPTER III

A Renewed Quest, pointing to ' Orpen of Shaston ' and of ' Farleigh-Hungerford '

SEEING then that I could find so little confirmation of the supposed traditional descent for five generations of the Orpens of Kerry, I began to look further afield and see if I could find any clue pointing to them among the numerous families of Orpen or Orpin, etc., in England of whom I had collected or could obtain records. Now in the course of my researches, and mainly through the instrumentality of The Record Press, I have obtained abstracts of about 150 references to families or individuals of the name, mostly from records of probates of wills, grants of administration, Chancery suits, parish registers of baptisms, marriages and burials, and a few from other sources. The great majority belong to the sixteenth, seventeenth or eighteenth century, but some few, especially in the North, are earlier and some later. Besides those already mentioned from Durham and Bucks, people of the name appear in considerable numbers in Northamptonshire, mostly belonging to the yeoman or farming class, and probably all connected with each other. Then some in Gloucestershire and Oxfordshire, and a family (to be presently examined closely) found in Shaftesbury and afterwards in London, and seemingly in Farleigh-Hungerford in Somerset and at Bradford-on-Avon. Other families appear in Essex and Kent, and several isolated individuals in London and elsewhere. Very few are found in Ireland prior to the eighteenth century.

But notwithstanding the occasional appearance in the northern counties of England of the form Orpin as apparently a variant of Harpyn, the records I have obtained (to

be mentioned more fully hereafter) do not suffice to actually affiliate any of the Orpen, Orpin, or Arpin families of the southern counties with these northern Harpyns or Orpins ; yet they all appear under variants of the same name, and as this name is even now a very uncommon one, they probably were related. Indeed I think we can trace on the map the route by which the name, and presumably some branches of the family, gradually penetrated from north to south. Thus we have found the Harpyn family in Durham from 1189 to 1354, when a female heiress succeeded to the manor of Thornley. The same name then appears in Yorkshire in 1346-1600. A record of a Chancery suit shows that there was a family named Orpin in Lincolnshire ' before 1613, and another at Hawton (near Newark), Co. Notts, between 1616-44. [R-P. 148.] These and the will of Thomas Orpen of Little Ashby in Leicestershire in 1559, may indicate an earlier connexion between Yorks and Northants, where we have several records of families of the name appearing successively from north to south. Thus they appear in 1480 at Benefield near Oundle, in 1545 at Lowick (5 miles south of Benefield), in 1556-1641 at Harroden Parva (8 miles south-west of Lowick), in 1557-1631 at Earl's Barton (5 miles south of Harroden), also at Burton Latimer and Mears Ashby, both near Harroden. From Northants they seem to have spread to Stoke Goldington and Newport Pagnell in Bucks (1592-1700), and to Oxford and to Gloucestershire, in all three counties appearing in later generations as 'Arpyn.' Lastly came the probably connected families at Fisherton Anger (Salisbury) 1611, Shaftesbury 1612-45, and Farleigh and Bradford 1684. As might be expected, several individuals gravitated to London, and some, probably from thence, settled in Surrey (1693), Kent (1720), and Essex (1771).

But in none of the above groups can I find any indication of a connexion with Ireland, and only in one family have I found the name Robert at a date to suit Richard's father. This family appears at Shaftesbury and afterwards in London. Here I shall set forth, in the first place, what I

have found concerning ' Orpen of Shaston ' (Shaftesbury), giving in each case the precise reference to my authority.

As there were three successive ' Roberts ' in this family and the reader may sometimes be puzzled to know of which I am speaking, it will be well perhaps to anticipate a little and state (what I hope to prove) the relationship of each to our known ancestor Richard Orpen of Kerry. I hope to show (i) that " Robert Orpin of Shaston (Shaftesbury) merchant tailor," who died in 1645, was Richard's grandfather; (2) that Robert Orpin here called " of London, tailor " (son and administrator of No. 1), who died in 1686, was Richard's father; and (3) that Robert Orpen, usually called " of Rotherhithe, Surrey, pastry-cook " (younger son of No. 2), was one of Richard's brothers, the elder brother being John Orpen (administrator of No. 2), here called " of London merchant."

To turn now to the records I have found :—

" Robert Orpyn of Sharston (*sic*) *alias* Shaston, Shaftesbury," Co. Dorset, ' taylor,' was defendant, along with Joseph Byles of Sturminster-Newton (8 miles south-west of Shaftesbury), in certain Chancery proceedings,² dated 1 May 1635, for the recovery from them of a house and premises in Shaftesbury. The plaintiffs were two daughters of John Hayne the younger, and their husbands, and Thomas Hayne of Aldborne, Co. Wilts, gent. The defendant's answer, sworn at Sturminster Newton Castle, simply states that Robert Orpen (*sic*) had a conveyance in Michaelmas of the 10th of King James (1612).

As often happens we are not given the result, but we have the will of " Robert Orpin [I] of Shaston," dated 13 October 1645,³ by which he desires " to be buried in the churchyard of the Holy Trinity in Shaston," and gives pecuniary Legacies to his sons : Robert [II], John, and Henry, and to his daughters : Mary, Jane, Anne, and Martha, and to his grandchild, Judith Courtney. All to be paid after the decease of his wife, who is to be residuary legatee and executrix. He names ' his cousin,' John Toomer, to be overseer, and Walter Jones and John Toomer witnessed the will.

The name John Toomer is important as indicating that " Henry Orpin of Fisherton Anger (adjoining Salisbury), Co. Wilts, yeoman," was uncle of Robert Orpin I of Shaston. For on 16 April 1613 there was a grant of administration of the estate and effects of this Henry Orpin to " John Tomer and Anne his wife, daughter of the deceased." ⁴ It appears that there had been an old family of the name Toomer, Tomer or Thomer who gave their name to the manor or park of Thomer in Henstridge, Co. Somerset. The main line ended in an heiress, but this John Toomer was not improbably a descendant of a younger branch.⁵ We shall also find a connexion with Henstridge in the case of John, son of Robert Orpin I of Shaston. Henry Orpin of Fisherton Anger also appears as plaintiff in a Chancery Suit which he brought on the 17 October 1611 for the return of a bond for £10, which he was induced to give to Edward Kete, gentleman, servant to Sir Walter Hungerford, sheriff of Wilts, to obtain the office of a gaoler. " Sir Walter died five weeks later, and the plaintiff had no fees or profits." ⁶ This entry suggests a possible connexion of the family with the Orpens of Bradford-on-Avon, Co. Wilts and Farleigh Hungerford, to be presently mentioned.

Robert Orpin I of Shaston's will was proved on February 1, 1646/7 by his son, Robert II, with administration of goods, etc., left by Joanna Orpin, the executrix named.

It appears further from a Chancery Suit,⁷ under date 12 February 1647, brought by " Robert Orpin II of London, merchant taylor, administrator of Robert Orpin I, his father, late of Shaston, co. Dorset," that " complainant's father made his wife Jane (Jone ? Joanna) his sole executrix and died in November 1645. His said wife Jane (Jone) died soon after. Both died of the plague, then prevailing at Shaston, and most of their family died at the same time." In this Chancery Suit the said " Robert Orpin of London, merchant taylor," as administrator of his father, states that the deceased about six years ago lent £21 to William Rideout and Margaret Rideout his (the deceased's) sister of Henstridge, Co. Somerset (9 miles west of Shaftesbury), and

that " John Orpin, this complainant's brother, became possessed of Rideout's bond and has been induced to sell it back to them for 50 shillings or some such sum."

We shall refer hereafter to this connexion of the Shaftesbury family with Henstridge. Here we may note that on the supposition that this Robert [II] of London was father of Richard of Killowen in Kerry, and that Robert I of Shaston was Richard's grandfather, it is obvious that this sudden break-up of the family at Shaston, when father and mother (Richard's grandfather and grandmother) and probably all the daughters (Richard's aunts) were suddenly cut off, and the three sons, as we shall see, scattered far away, was calculated to cause a breach in the family tradition. According to this tradition as it has come down to us, Richard's grandfather, called however ' Richard' not ' Robert,' is said to have been killed at the battle of Naseby. No Orpen has been so recorded, but Robert Orpen of Shaston was cut off by the plague in the year (1645) that Naseby was fought. It looks as if tradition, or an unwarrantable tampering with tradition, had evolved a Richard Orpen, who fought and fell on the royalist side at Naseby (14 June 1645), out of a Robert Orpen, who died of the plague a few months later in the same year !

Turning now to the next generation, we have evidence that ' Robert Orpen II,' son and administrator of Robert of Shaston, died in the parish of St. Catherine Creechurch, London, shortly before April 3, 1686, when administration to his effects was granted to his [eldest] son ' John Orpen.'⁸ Now the father of Richard Orpen of Kerry, whose name seems to have been Robert, was clearly dead some years before 1692, when Richard himself mentions that he had seen his father's debts for iron justly paid, and was presumably not in Kerry during the troubled period of 1688-90, or he would have been mentioned in Richard's pamphlet about the siege of Killowen. So far then the few known facts seem consistent with the identification of Robert Orpen, the merchant-tailor of London, with Richard's father, but there are some other facts harder to reconcile with what we have

inferred concerning Richard's father in Ireland. These seem to show that Robert Orpen II continued to live and do business in London.

In a Chancery Suit under date 10 October 1690,⁹ " John Orpein (*sic*) of London, merchant, one of the sons [eldest son] and the administrator of Robert Orpein (*sic*) late of London, deceased," states that he had lent £100 to his father, " who had a well-furnished house and various goods used in his business of a factor," and that " about 1678, by the advice of another son, Robert Orpein III of Rotherhithe, Surrey, cook, and in order to make terms with his creditors, he [Robert the father] was induced to give the said son Robert a sham bill of sale and make a pretence of entering Whitechapel Prison " [*i.e.* as a bankrupt debtor], but that now the said son Robert " pretends that the said bill of sale was genuine and that money is due to him." To this we have the answers of the younger son, Robert III, dated 25 November 1690,¹⁰ simply stating that there was still £26 owing on the Bill of Sale of December 17, 1678, attached, of " Robert Orpen senior, citizen and merchant taylor, to Robert Orpen the younger," to secure £72.

On the hypothesis that this Robert senior was father of Richard Orpen of Kerry, it may seem hard to believe that in this eventful year, 1690, while this sordid quarrel was going on between the two elder sons, their younger brother, Richard, was serving under Duke Schomberg at the Boyne and afterwards, as he himself says, was " employed by the Government to command the Artillery-Shipping and keep the army duly furnished from the sea." And yet, were there no such sordid quarrels going on in families some members of which were risking their lives for their country's sake in the Great War ? It is, however, harder to reconcile these events in 1678 with the belief that Robert the father had migrated to Kerry before 1661 and had successfully established another son and three daughters there. Moreover, as will be shown, Robert Orpen senior died in the same parish, St. Catherine Creechurch, in London, as that from which his younger son, Robert the pastry-cook, was married

to Mary Mew in 1669. From this it would seem probable that the father's establishment in London was kept up from at least that time until his death in 1686. But we cannot say that there is any real irreconcilability; for the fact is that, with the exception of the inquisition of 1661, which certainly seems to refer to Richard's father as a juror in North Kerry, we have little or no positive evidence to show when or where he lived in Kerry. It is all matter of rather vague inference.

Let us now consider what is known about the other descendants of Robert I, the merchant-tailor of Shaston, who died of the plague in 1645. His widow and perhaps his daughters, as we have seen, seem also to have died of the plague soon afterwards, but besides his son Robert, he mentions in his will sons John and Henry. His son John, as already mentioned, was defendant in a suit brought by his elder brother Robert, as his father's administrator, about a bond from the Rideouts of Henstridge belonging to their father's estate, and we hear no more of him—unless perhaps he is the "John Orpine senior of Bradford, Cooper," whose Inventory Bond is dated 10 September 1684,¹¹ to be mentioned hereafter. Henry Orpin is probably the "Henry Orpin of [the parish of] St. Saviour, in Southwark, Surrey, Ship's Carpenter," whose will is dated 13 December 1678.¹² If so, he left a son and a daughter, who however seem to have died without issue before their mother.¹³

Of Robert II, eldest son of Robert of Shaston, only two children are mentioned, viz. John, merchant of London, his father's administrator, and Robert III, pastry-cook of Rotherhithe. The will of neither has been found. John is mentioned only in 1686 and 1690 in connexion with the administration in London. Robert however is mentioned at his marriage in London with Mary Mew in 1669, and as an executor of either William or Robert Tyrell in the years 1678, 1679, 1683 and 1690.¹⁴ At these dates he must have been in London.

It is not anywhere mentioned that there was a third brother, Richard, but as Robert, the father, did not leave a will there is no particular reason to expect Richard to be mentioned. It seems, however, to have been a tradition in

our family that Richard Orpen of Kerry had " a brother Robert, who returned to England and died there " ; and in accordance with this tradition, we have record evidence that a ' Robert Orpen ' was one of those who, in 1699, signed a memorial praying for the confirmation of a lease of confiscated lands about Killarney, which had been granted by the Irish Commissioners to Messrs. Blennerhassett and Rogers for a term in excess of the Commissioners' powers.¹⁵ The memorial failed in its object, and we hear no more of this Robert in Ireland. On losing the benefit of his lease—for he was one of the sub-lessees—he may well have returned to England and died there, according to the family tradition as generally stated ; but Robert, executor of Robert Tyrell in 1690, says of himself that " he is an illiterate man, unable to read write or cast accounts, and had to employ William Dowdeswell of London merchant to assist him," who, he goes on to plead, was now conspiring against him,¹⁶ and it may be thought hard to suppose that this illiterate man was an elder brother of Richard of Kerry, who had been taken up from school many years previously by Sir William Petty, when he was already " well versed in Latin and Arithmetic," who had since served as a land-agent highly esteemed by his distinguished employer, and who has shown by his numerous writings that he was familiar with the classics and possessed of considerable literary ability.

I have now called attention to all the facts known to me, after diligent search among the records on the question of the identity of these two Roberts, son and grandson respectively of Robert Orpin of Shaston, with Richard Orpen of Kerry's father and brother of the same name. Of all the groups of Orpins I have found in England this was the only one in which the name Robert occurred at a date to suit Richard's father, and the name occurring again in Robert's younger son, so as to suit Richard's traditional brother, makes a double coincidence, further eliminating chance. Moreover, Richard certainly called one of his sons Robert, as he might be expected to do if his father's name was Robert. In the absence of clear record evidence we must

avoid dogmatism, but the facts, so far as they have been ascertained, seem to me to point to the identity of Robert the Merchant Tailor of London and Robert the pastry-cook, on the one hand, with Richard's father and brother of the same name on the other. And this conclusion will, I think, be greatly strengthened when we take into consideration the inferences to be drawn from what has been discovered concerning the Orpen families of Farleigh-Hungerford and Bradford-on-Avon, to be presently stated.

This indeed is a great descent in the social scale from the Merovingian Kings of France, the Counts of Bourges, and the lords of Erpingham, but why should it be supposed that Richard Orpen had a more illustrious descent than, for instance, that of his illustrious patron Sir William Petty, whose father and grandfather, as we shall show, were cloth-manufacturers in the little town of Rumsey in Hampshire ? As far as I am concerned, at any rate, as I said at the outset, it is the truth I seek and not a (faked) illustrious ancestry and, after all, is it not better to rise than to fall ?

There is also a further possibility which we have hitherto only hinted at, and we put it forward, at present, only as a working hypothesis. The pedigree prepared by Richard's son, Raymond, was afterwards unfortunately lost, and "only some memoranda from it existed in possession of the late Richard Orpen Townsend," which Sir Richard J. T. Orpen tells us he 'occasionally used' in his Memoir (p. 249). In this, the latest MS. of his History of the Orpen Family, Sir Richard omits all mention of Stoke Goldington, and commences as follows : "Sir John Orpen resided at Vearley Castle in Somersetshire. His son was Robert Orpen who married the eldest daughter of Colonel Stephenson," etc. (p. 159). Also it is important to note that in the margin of what seems to be his latest rough draft, he puts 'Raymond Orpen's MSS.' as his authority for the several persons named in the pedigree here also commencing with 'Sir John Orpen.' It is therefore clear that the family tradition, as preserved by Raymond, extended no further back than a John Orpen [we may regard the knighthood as embroidery]

who resided at or rather near Vearley Castle¹⁷ in Somersetshire, i.e. Farleigh-Hungerford, 3 miles south of Bradford-on-Avon.

It was indeed this tradition that induced Sir Richard, about the year 1830, to make enquiries of the clergyman of the parish, the Rev. Benjamin Richardson, and then to pay a visit to the place, when he found that a piece of land there was still known as 'Orpen's Mead.' But I had better quote a letter, dated 7 January 1873, from Sir Richard to my father. It was apparently written in answer to an enquiry by my father concerning the portrait of Edward Orpen, Parish Clerk of Bradford, painted by Gainsborough, and then lately (in 1868) acquired for the nation and placed in the National Gallery, where it now is. A reproduction of this portrait appeared in the *Illustrated London News* for 21 November 1868, and Sir Richard Orpen commences his letter by giving this reference. This enabled my father to obtain and frame a copy of the print, and it now hangs in my library. In the course of this letter Sir Richard writes: "In a letter from Mr. Richardson [the rector of the parish] to me, dated 3 October 1830, he says 'the only entry of the name in the Parish Register is "William Orpen, the son of John Orpen and Mary his wife, was baptized 4th December in the year 1715." ' " ¹⁸ He [Mr. Richardson] says: 'The family have been supposed (I know not on what authority) to have removed to Bradford, but there was an Edward Orpen, a most respectable and ingenious man, the Parish Clerk of the town, who built the present organ and presented it to the Parish. I buried him there on 6 June 1781 and preached his funeral sermon. He was aged about 90 years, leaving a blind daughter who was organist and died soon after him. His son Thomas was a music-master in Bath, who died before the year 1800, leaving his two nephews of the name of Ashman in Bath, musical men by profession.' " ¹⁹ It was shortly after receiving this letter that Sir Richard went to Farleigh to make further enquiries for any trace of the Orpen family there. "I could find none," he says, "except that there was a piece of ground there called 'Orpen's Mead.' I called on Mr. Richardson, then

an old man, and was shown a picture (a head) of Edwd. Orpen, which I purchased after Mr. Richardson's death at the sale of his things." This appears to have been a copy of Gainsborough's portrait " which Mr. Richardson got painted in consequence of the regard he had for Edwd. Orpen."

Besides the information to be gleaned from the letter of the Rev. Richardson and from the Parish Registry of Farleigh, I have collected, through the agency of ' The Record Press,' extracts from several records concerning Orpins or Orpens of Bradford, Farleigh, and the City of Bath, and these I have put together in tabular form, marking by dots instead of lines those affiliations which are matters of inference only.²⁰ Unfortunately the available records do not go far enough back to cover the period of 'John Orpin of Vearley,' with whom the traditional pedigree commences, but it is noticeable that at a much later period a John Orpen (*sic*) in 1721 owned lands at Castle Farleigh, including what was still known more than a century later as ' Orpen's Mead,' and this indicates that these ancestral lands still descended in the family.

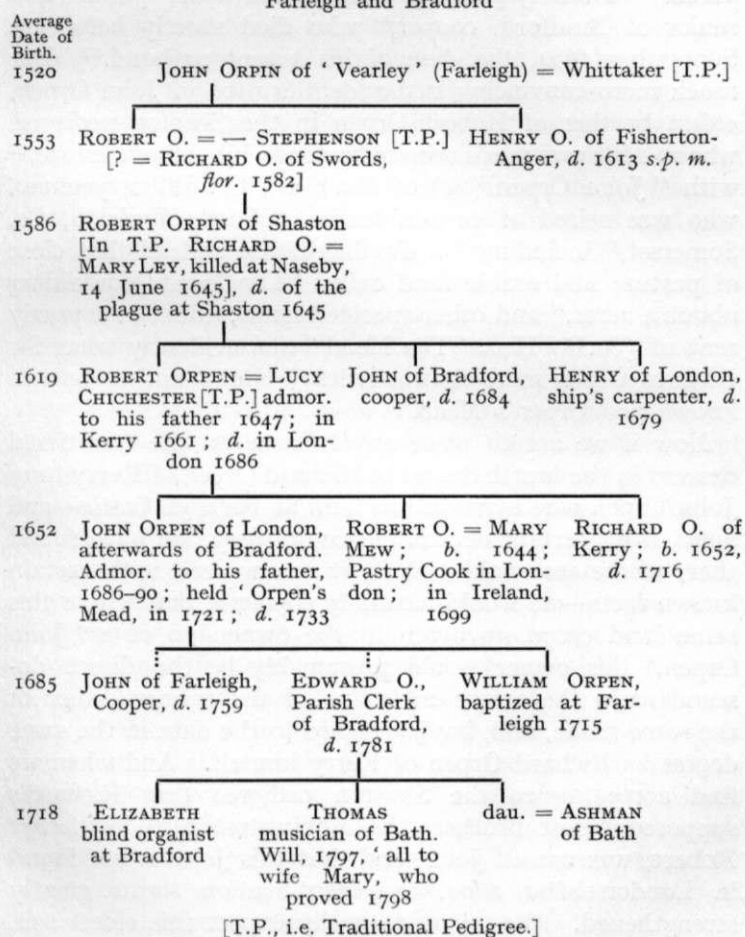
Let us now see how this John Orpin of Vearley and the traditional pedigree agrees with the pedigree we have made out of Robert of Shaston. We have seen that Robert of Shaston's father was a brother of Henry Orpin of Fisherton Anger (Salisbury), and what is possibly of some importance as an indication of their connexion with Somerset, that a daughter of each brother married into the families of Toomer and Rideout respectively, who lived at Henstridge in Somerset, a town about 22 miles south of Farleigh. Now according to the traditional pedigree John Orpin of Vearley was ancestor in the fourth degree of Richard of Kerry, i.e. was grandfather of Robert of Shaston: names and dates, as far as they go, agree very well with the traditional pedigree, except that, as already noted (p. 32), the traditional Richard Orpin killed at Naseby in 1645 should probably be Robert Orpin who died of the plague in Shaston in that year.

Next let us combine with this conjoint pedigree such names in the ' Orpin of Bradford and Farleigh pedigree ' as are connected with Farleigh and the Orpin lands there.

Also taking 1652 as the approximate date of the birth of Richard Orpen of Kerry, and allowing the average of thirty-three years for each generation, let us supply the approximate dates of birth so calculated. Here follows the result stated briefly in tabular form, with the exact dates of death as recorded in nearly every case :—

TENTATIVE PEDIGREE

Being an attempt to combine the traditional descent of four generations with the pedigrees so far as known of Orpen of Shaston and Orpen of Farleigh and Bradford



As may be seen, we have introduced John Orpin of Bradford as a younger brother of Richard Orpen's father. He is mentioned, as already noticed in the Shaston pedigree in 1647,²¹ "defendant in a suit brought by his brother Robert, the administrator, about the bond given by his aunt Margaret Rideout and her husband of Henstridge to his father, of which he (the defendant) had become possessed, and, it was alleged, had sold back to them at an under-value."²¹ He may possibly be identified with "John Orpin senior of Bradford, cooper," who died shortly before 15 September 1684, the date of his inventory bond.²² But much more convincing is the identification of John Orpen, eldest brother of Robert Orpen in the Shaston pedigree, who in 1686 was made administrator to his father's estate,²³ with "John Orpen (*sic*) of Bradford, Co. Wilts, yeoman, who was seised of certain lands at Castle Farleigh, Co. Somerset," including "a dwelling-house and all that close of pasture and arable land called 'The Mead' containing about 4 acres," and other specified lands, all let at a yearly rent of £80.²⁴ Here 'The Mead' was evidently what Sir Richard Orpen more than a century later found to be still known as 'Orpen's Mead.'

Now if we are to place any reliance on the traditional descent in the fourth degree of Richard Orpen of Kerry from John Orpen who owned some land at Farleigh Castle—and apart from certain detachable embroidery, we have found that, where we could test it, it harmonized with certain known facts—we would naturally conclude that where this same land crops up again in the ownership of a 'John Orpen,' this owner would presumably be the direct descendant in the senior male line of the former owner of the same name, and, having regard to the date in the same degree as Richard Orpen of Kerry himself. And when we find according to the Shaston pedigree that Richard's supposed eldest brother, the administrator of his father Robert, was named John, and that this John is not found in London after 1690, the identification seems greatly strengthened. We might naturally expect this eldest son,

on the evident failure of his father's business as 'a factor,' to fall back upon the small ancestral property in land which had descended to him and perhaps take a farm in the neighbourhood.

That Richard Orpen of Kerry was not the eldest son in the family might, I think, be inferred from his own statement (already referred to) that he "took care *to see justly* paid" the £20 which his father (at his death) owed for iron. The form of this statement, I think, shows that he was not his father's executor or administrator. Had he been so, he would have simply said "which I took care to pay." But as one who was clearly engaged in the Ironworks, perhaps as manager, though not legally liable for his father's debts, he no doubt felt morally bound to see this debt paid. Hence the form of the expression, and from this we may infer that he was not his father's executor or administrator and presumably not his eldest son.

There is a further argument arising from the spelling of the name whether 'Orpin' or 'Orpen.' Now it is true that there are a few examples in the records where the same person's name is sometimes spelled one way and sometimes the other, and Richard Orpen of Kerry's name is sometimes spelled by his contemporaries Orpin, but I have a great number of Richard Orpen's own signatures to his deeds and letters, and they are all written plainly 'Orpen,' and this is the spelling followed by all his descendants. Again, while in the many other groups of which I have records the name is nearly always spelled 'Orpin,' unless it has degenerated or reverted to 'Arpin,' etc., and even in the groups of Shaston and Bradford (with which I now link Richard Orpen), prior to the middle of the seventeenth century the name is usually written 'Orpin,' yet after that period in those families it is nearly always written Orpen. Thus in the Shaston pedigree the name is generally spelled Orpin up to the generation of Richard Orpen of Kerry when his supposed two senior brothers appear as Orpen, except in one Chancery Suit where a compromise with the clerk seems to have been effected and the name appears as 'Orpein.'

Similarly in the Bradford and Farleigh pedigree the name in the eighteenth century usually appears as Orpen. In particular the John Orpen who held 'The Mead' at Farleigh and whom I take to be Richard's eldest brother always appears as 'Orpen' and so does his younger son William. The same is the case with the Orpen family who were bakers at Bradford and were probably closely connected with the others. As regards the Parish Clerk, Sir Richard Orpen quoting from Mr. Richardson's letter always spells his name as 'Orpen' but Mr. Ditchfield in his book *The Parish Clerk*, spells it 'Orpin,' possibly as being the more familiar way of writing the name.

There is another minor point I must not omit to mention, namely the appearance of the name Abraham in this period among the Bradford and Bath Orpens.²⁵ As in the case of the name Robert, Richard Orpen calls one of his sons by this rather rare name.

If the cumulative effect of all these facts and inferences be carefully considered—noting in particular how the traditional four generations starting with John Orpen of Farleigh-Hungerford, the proved pedigrees of Orpin of Shaston, and the probable pedigrees of the Orpens of Farleigh and Bradford, all fit into, confirm, and supplement each other, while harmonizing with certain known facts, names and dates concerning Richard Orpen himself—I think the conclusion will be found almost irresistible that we have here, in the Orpens of Somerset, Dorset and Wilts, the group from which Richard Orpen of Kerry sprang.

At the same time I do not go so far as to say that the above Table is correct in all particulars. The finding of further records may show that some individuals are wrongly placed and possibly even that some important links are faulty. In the pedigree of the Orpens of Farleigh and Bradford, for instance, it must be admitted that there is some doubt about the position of "John Orpen of Farleigh, Cooper," and of Edward Orpen the Parish Clerk of Bradford. I have tentatively placed them as the two elder sons of the John Orpen of Bradford who brought the suit about



EDWARD ORPEN,
1692-1781.
Parish Clerk of Bradford-on-Avon.

From Gainsborough's Portrait in the National Gallery, London.

'Orpen's Mead,' etc., in 1721 and, according to my suggestion, was the eldest brother of Richard Orpen of Kerry. My reasons for so placing them are (1) because names and dates correspond with the position assigned; (2) because John Orpen of Bradford by his will in 1726 "left all his goods and chattels to *his youngest son* William " and made him sole executor.²⁶ Presumably therefore he had elder sons who were already provided for. These I suppose were John of Farleigh, the eldest, who would succeed as heir to the land, and Edward who, as Parish Clerk and Organist of Bradford, was independent; and (3) because Mr. Richardson, the clergyman of Farleigh, writing in 1830, says "the family (of Farleigh) have been supposed to have removed to Bradford," where lived Edward Orpen the Parish Clerk whom he buried in 1781, as already mentioned, and where his 'interesting old house' is still pointed out near the parish church.

It must, however, be noted that Mr. P. H. Ditchfield, F.S.A., in his book entitled *The Parish Clerk* (Methuen, 1913), when telling about this Parish Clerk of Bradford, always spells his name Orpin, though he belonged to a period after the family had adopted the spelling Orpen. Whether he was right or wrong in this (Sir Richard Orpen quotes Mr. Richardson as spelling the name 'Orpen'), his account of Orpin the Parish Clerk is so interesting that I cannot close this chapter without quoting some passages therefrom. In this book Mr. Ditchfield has collected a vast amount of information concerning this fast disappearing functionary. I quote nearly in full what he says on the subject of Gainsborough's celebrated picture in his chapter on 'The Clerk in Art,' pp. 150-1.

"The finest portrait ever painted of a parish clerk is that of Orpin, clerk of Bradford-on-Avon, Wilts, whose interesting old house still stands near the grand parish church and the beautiful little Saxon ecclesiastical structure. This picture is the work of Thomas Gainsborough, R.A., and is now happily preserved in the National Gallery. Orpin has a fine and noble face upon which the sunlight is shining

through a window as he turns from the Divine Book to see the glories of the blue sky.

" Some word of life e'en now has met
 His calm benignant eye ;
 Some ancient promise breathing yet
 Of immortality.
 Some heart's deep language which the glow
 Of faith unwavering gives ;
 And every feature says ' I know
 That my Redeemer lives.' "

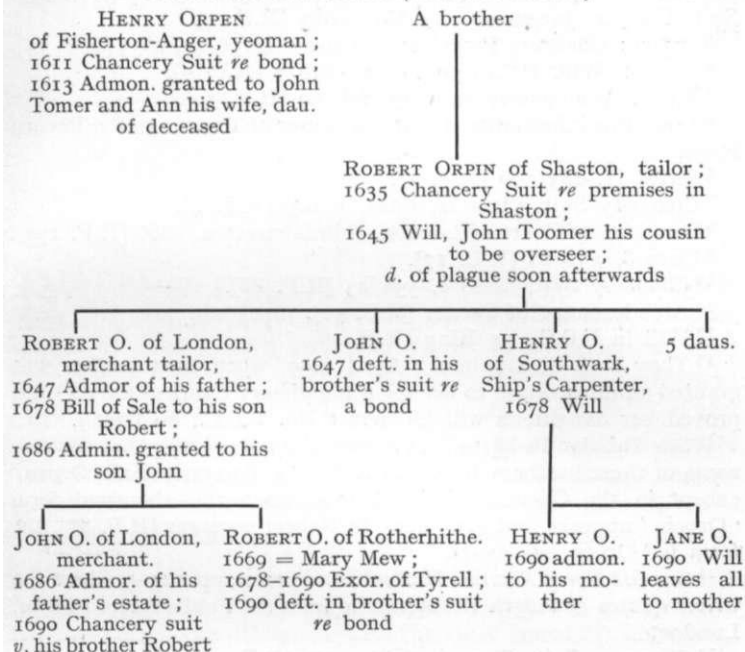
" The size of this canvas is four feet by three feet two inches. Orpin is wearing a blue coat, black vest, white neck-cloth, and dark breeches. His hair is grey and curly, and falls upon his shoulders. He sits on a gilt-nailed chair at a round wooden table, on which is a reading-easel, supporting a large volume bound in dark green, and labelled ' Bible, vol. i.' The background is warm brown.

" Of this picture a critic states : ' The very noble character of the worthy old clerk's head was probably an additional inducement to Gainsborough to paint the picture. Seldom does so fine a subject present itself to the portrait-painter, and Gainsborough evidently sought to do justice to his venerable model by unusual and striking effect of lighting, and by more than ordinary care in execution. . . . '

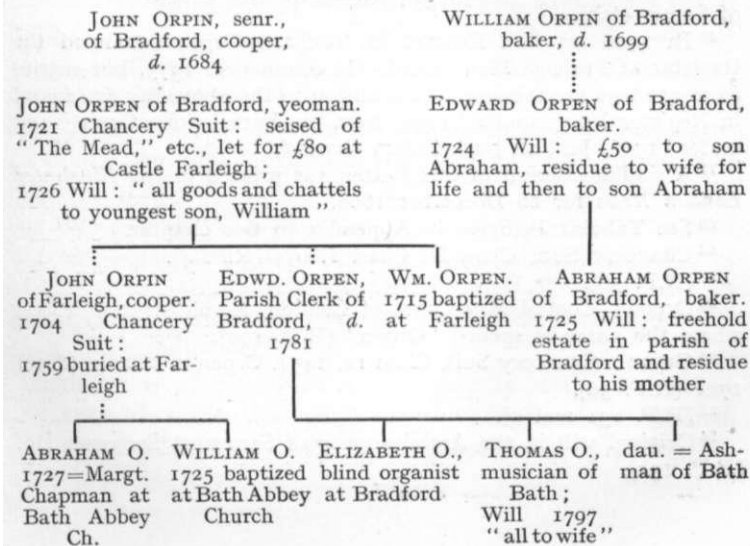
" The history of the portrait is interesting. It was painted at Shockerwick, near Bradford, where Wiltshire, the Bath carrier, lived, who loved art so much that he conveyed to London Gainsborough's pictures from the year 1761 to 1774 entirely free of charge. The artist rewarded him by presenting him with some of his paintings . . . and probably the portrait of Orpin was one of his gifts. It was sold at Christie's in 1868 by a descendant of the art-loving carrier, and purchased for the nation by Mr. Boxall for the low sum of £325."

I could not resist giving so fully this pleasing account of Gainsborough's portrait of Edward Orpin, Parish Clerk of Bradford, and incidentally of him who sat for it. I like to think that the musical talent which ran through his family and has also appeared in members of my own family, had somewhere a common source.

ORPIN OF SHASTON (SHAFTESBURY)



ORPEN OF FARLEIGH AND BRADFORD



¹ Thomas Orpin of Leake, Co. Lines, yeoman, complainant in Chy. Suit, Class 2, James o/s, 13 May 1613 [R.P. 2].

² Orpen : Chancery Proceedings, Class 2, D, 38/41, 1635 [R.P. 7A].

³ Orpin : Will, P.C.C. 30 Fines, 1646/7 [R.P. 7].

⁴ P.C.C. Administration, 1613, fol. 99 [R.P. 30].

⁵ I owe this information about the manor of Thomer to the Record Press.

⁶ Series II, 283/100 [R.P. 1].

⁷ Chancery Suit, Class II, Chas. I, o/e [R.P. 4].

⁸ Commissary Court of London, Administration, 1686 [R.P. 17a].

⁹ Class 8, 351/88 [R.P. 17].

¹⁰ Chancery Suit, Class 8, 530/25 [R.P. 86].

¹¹ Archdeaconry of Sarum [R.P. 56].

¹² Will in P.C.C., 35 King [R.P. 46].

¹³ They both died before 7 April 1690, when their mother was granted administration to her son (Commissary Court of Surrey) and proved her daughter's will (Somerset Ho. P.C.C., 60 Dyke).

¹⁴ See Tabular Pedigree. It is specially noteworthy that the surname of these brothers John and Robert is always spelled 'Orpen,' except in the Chancery Suit of 1690 when the abnormal form *Orpein' appears, but even here, in Robert's answer [R.P. 86], the form is 'Orpen' as usual.

¹⁵ See *Old Kerry Records*, Hickson, 2nd Series, pp. 123-5, where the writer quotes at length the Memorial from the Public Record Office, London.

¹⁶ Chancery Suit, Class 6, Collins [R.P. 3].

¹⁷ The spelling 'Vearley' is due to the pronunciation in the dialect of Somersetshire.

¹⁸ In 1926 my son Edward R. Richards-Orpen examined the Register at Farleigh-Hungerford. It commences 1673, but entries from 1728-36 are missing. In addition to the above my son found in Register No. 3 under '1759, Nov. 20, buried John Orpin' and under '1766, Jan. 28, buried Mary Orpan'.

¹⁹ A similar account of this Letter was printed in the *Illustrated London News* for 26 December 1868.

²⁰ See Tabular Pedigree in Appendix to this chapter.

²¹ Chancery Suit, Class II, Chas. I, o/e [R.P. 4].

²² [R.P. 56].

²³ Orpen : Commissary Court of London, Administration 1686; where the name is spelled 'Orpen' [R.P. 17a].

²⁴ Orpen : Chancery Suit, Class 12, 1454, Orpen v. Marvin (date) 1721 [R.P. 36].

²⁵ [R.P. 131 and 6].

²⁶ Original will in the Archdeaconry of Sarum at Somerset Ho. [R.P. 131].

CHAPTER IV

The Name in Ireland

BEFORE we proceed to collect the authentic materials for the biography of our known ancestor, Richard Orpen of Kerry, and in order to leave no possible field unsearched, we had better examine whatever references there are to the name in Ireland prior to the middle of the seventeenth century. Unfortunately the recent wholesale destruction of records in Ireland greatly reduces any chance of success in such a search. Apart from the doubtful reading 'Sir Thomas Orphen,' who, as already mentioned, is stated by Froissart to have been knighted by King Richard II when in Ireland in 1394-5, and who probably came from England with the King, almost the only mention known to me of the name in Ireland prior to the middle of the seventeenth century is contained in the Patent Roll of 25 Elizabeth (1582/3) and concerns Richard Orpen of Swords. It is "a feoffment made by Walter FitzSymons of Ballinadroght in the county of Dublin to Richard Orpen of Swords and James Jans of Dublin of the lands of Ballinadroght, Landenstown, and Curduff, in the county of Dublin, To hold for ever of the chief lord of the fee."¹ The next entry in the Roll explains that the above feoffees were to stand seised in trust for the use of Walter FitzSymons and Alice, daughter of Edward FitzSymons of the Grange of Baldoell (Baldoyle) in the county of Dublin, his wife, for life, with remainder to their heirs male, etc.

The family of FitzSymons is frequently mentioned about this time in, and in the neighbourhood of, Dublin. In 1556 Edward FitzSymon[s] was given a pension of £4 "during his aboode at his studie in Englande in the Inns of Court."²

He was afterwards Sergeant-at-law and Keeper of the Rolls in Dublin.³ In 1577 he was granted a lease of the Grange of Baldowill (Baldoyle) at a yearly rent of xl. /i.⁴ James Jans was a Dublin merchant-citizen and in this very year (1583) obtained for the payment of £4 a discharge from the office of Sheriff of the city.⁵ I have not found any further notice of Richard Orpen, but as he is described as of Swords, and as he was chosen by Walter FitzSymons as a trustee of his marriage-settlement of some land in and adjoining the barony of Swords, we may perhaps infer that he was a near neighbour and trusted friend of Walter FitzSymons. As far as surname and dates go he might have been great-grandfather of Richard Orpen of Kerry, but according to the traditional pedigree attributed to Raymond Orpen this great-grandfather's name was Robert, and he is said to have married a sister of Oliver Stephenson which gave him a certain connexion with Ireland. Now we have already noted that Richard's grandfather, who is said, on the same traditional authority, to have been named Richard and to have been killed at Naseby (14 July 1645), was really Robert Orpin of Shaston, who died of the plague four months after that date. One feels inclined to think that the names Robert and Richard have become interchanged in the traditional pedigree, and that perhaps this Richard Orpen of Swords was really the great-grandfather of Richard of Kerry, and the husband of the Stephenson lady, and as such lived for a time in Ireland.

Although no record of an Orpen killed at Naseby has been found, notices of two officers of the name about this period have been preserved. Of one of these, William Orpin, all we know is that he was one of the so-named ' 1649 officers,' i.e. officers who had fought in Ireland prior to that year on behalf of the King and to whom in compensation land in Ireland was adjudicated after the Restoration.⁶ Unfortunately the original enrolments appear to have been destroyed and only a printed list of the names of those in whose favour adjudications had been made remains. The other officer first appears as ' Commissary Orpin ' to whom

warrants for sums of money to be paid to specified persons were issued on 28 June 1645, 4 August 1645, and 13 February 1645/6.⁷ This Commissary Orpin is also mentioned as Commissary General of Victuals under Sir Thomas Fairfax under date 1642/3 (succeeded by Commissary Cowling). This entry is taken from *Army Lists of the Roundheads and Cavaliers* (1642), edited by Edward Peacock. Curiously enough, the next name on the list is " Captain Cook (slain at Naseby)." But it is certain from the dates of the above warrants that Commissary Orpin survived Naseby, also that if he fought at Naseby he served under Fairfax and not on the royalist side. Moreover, there can be little doubt that Commissary Orpin is to be identified with the Captain Edward Orpin of the following entries in the State Papers :

(1) " 1647 Sept. 20. Lands etc in Woodhouse parish Northumberland, bought by Capt. Edw. Orpin for Col. Horton's brigade, being part of £1,000 a year assigned them by Parliament."

(2) 1651 Sept. 8 : Captain Orpyn is mentioned in a Letter from Cromwell to Wm. Lenthall, Speaker of the Parliament of England, as bearer of the Letter and of " the colours taken in the late Fight," i.e. the Battle of Worcester, fought on September 3.⁸

(3) 1651 Sept. 10 : " That 100 *li* be given to Capt. Edward Orpin as a gratuity from Parliament for taking at the fight at Worcester the colours which he brought with him to the Bar." Followed next day by an order to pay the same.⁹

(4) 1658 27 May : Letter of Privy Seal granted by Oliver Cromwell, " Capt. Edward Orpin in satisfaction of several summes of money by him dispersed for supply of the army in 1644 and att the storming of the Garrison of Lincoln and siege of York, amounting in the whole to the summe of 202[^] 13[^] 6J*—hee to receive the sd summe out of such discoveries as hee, the sd Capt. Orpin, or Wm. Merford of Linn Regis in the county of Norfolk, merchant, hath already made or shall hereafter make." ¹⁰

Nothing further has been discovered for certain concerning this Captain Edward Orpin, but it is not improbable that he

was the "Edward Orpyn of Fulham, Middlesex," who brought a Chancery Suit on 9 November 1655 concerning some land in Hammersmith held of the manor of Fulham¹¹; and he was perhaps the father of Mary Orpin of the parish of Fulham who on 25 March 1657 married John Tull of the same parish.¹² So far as appears, then, there is nothing to connect Captain Edward Orpin with the Kerry family.

We have already mentioned John Orpin, Arpyn or Erpin, Sheriff in 1647, and then Mayor in 1658, of Carrickfergus, and shown that though he may have been one of the Stoke Goldington Orpins, whose name afterwards came to be spelled Arpin, he certainly was not an ancestor of the Kerry family.

When we turn to the family of Orpen which appears in Kerry in the latter half of the seventeenth century we are at last on firm ground. Our principal authorities here may be grouped as follows:—

I. Two pamphlets written and published by Richard Orpen himself: (a) 'An Exact Relation' of what happened in 1689, when Richard Orpen and his father-in-law, the Revd. Thomas Palmer, with 42 protestant families, their friends and neighbours, were besieged in the White House of Killowen at the head of the Kenmare River and barely escaped by sea with their lives¹³; (b) "The London Master or the Jew Detected," being a true account of how the ship *Laurel of London* was fraudulently cast away in the river of Kenmare in the year 1694.¹⁴

II. Contemporary copies of two long Letters addressed by Richard Orpen to Lady Shelburne and dated respectively 1 April 1692, and 3 April 1693, together with a Petition to the same and to the Right Honorable Charles Lord Shelburne, all sent on the latter date, the copies occupying 111 pages bound together in book form.¹⁵ The object of these letters was to obtain or regain the Kerry agency which, while Richard Orpen was serving in the war, had been given to Robert Topham. They throw a good deal of light on the history of the district and preserve a few facts in the personal history of Richard himself.

III. Various deeds and documents kindly given or lent

to me by the present Lord Landsdowne from the collections at Bowood, including the counterpart of the Grand Lease of 1696/7 to Richard Orpen in trust for John Mahony. This lease was similar *mutatis mutandis* to the lease granted at the same time to Richard Orpen for his own benefit. Also many sub-leases granted by Richard himself after he got the Grand Lease. Also a Case to be put before counsel for Lord Shelburne concerning the litigation to annul the grand lease in 1717 (herein referred to as 'Case against Orpen 1717/ See Chapter XII). Also a "Case put before counsel concerning the validity of Mahony's lease and the Solicitor-General's opinion thereon, dated 24 October 1761 (referred to as 'Case against Mahony 1761.' See Chapter XV). Also a still fuller statement of the case, but not quite finished, at about the same date (referred to as 'Case against Crosbie 1761.' See Chapter XV).

IV. Some records and documents printed in Miss Hickson's *Old Kerry Records* and *The Kerry Magazine*.

Now in the first place Richard Orpen's Petition, addressed in 1693 to "Elizabeth Lady Baroness of Shelburne and to the Right Honorable Charles, Lord Baron of the same," commences by showing as follows: "that your petitioner was taken up from School by Sir Wm. Petty, and finding him practised in the Latin and arithmetick hee prescribed unto him neccessary Studdys and placed him with Mr. Rutter, chief agent in Kerry, after his death with Mr. Crookshank, and lastly with Mr. Waller, and by his letters always declared his intention of promoting your petitioner." ¹⁶ This was clearly the turning-point in Richard Orpen's life, and indeed in the cultural position of the later Orpen family, and it is obviously most important to ascertain, if possible, the place, or at least the country—whether England or Ireland—where this school was situated, and the date when Richard was taken up from it. Unfortunately certainty seems unattainable. We cannot rely on the statement in one of Sir Richard Orpen's earlier draft memoirs that he had a premium gained in Dublin by his ancestor in question, for the premium is not forthcoming, no description was given

of it, and the statement is omitted, and indeed is inconsistent, with the corresponding passage of the latest version of Sir Richard's memoir.¹⁷ It seems probable therefore that the statement was a hasty inference afterwards withdrawn. Nevertheless, from the fact that a Robert Orpen, agreeing with the tradition concerning Richard's father, is found residing in North Kerry in 1661, and that Richard's three sisters appear to have married Kerry or Cork residents, point to the probability that the father had these children at an early age living with him in Kerry.

Next as regards the date when the boy Richard—he may have been about 15 years of age—was placed under Mr. Rutter, Petty's chief agent in Kerry, we are met with a statement in the "Case to be laid before Counsel on behalf of Henry Earl Shelburne" about the year 1717, that "Orpin the lessee" (i.e. Richard Orpen, lessee of the Grand Lease of March 1696/7, the validity of which was in dispute) "was Steward and Receiver of the Leasehold premises and in Sir William's family for forty years before he tooke the lease." This statement, if true, would point to the year 1657 as that in which Petty "took him up from school," and to about the year 1642 as that of his birth; but seeing that even in 1674 Richard, as we have mentioned, was referred to in Petty's correspondence with his agents as 'little Orphin' or 'young Orpin,' he cannot possibly have then been thirty-two years of age, and the statement in 'the case' must be a great exaggeration—probably quite ten years too much. Moreover, though some lands in Tuosist were assigned to Petty as early as 1657, there could have been no inducement for Protestants to settle there until after the Restoration, and Richard himself says that it was about the year 1670 when the ironworks and fisheries were first set up there. ['Exact Relation.'] Again we have seen that Richard's sister Margaret was married and had a son by 1677, and this points to the early fifties for her birth. Altogether we can hardly be far wrong in supposing Richard to have been born within the same period—say about 1652—and to have been 'taken up from school' about 1667.

Before proceeding further some account of the life of Sir William Petty, and in particular of his efforts to form an industrial colony on his Irish lands, will be appropriate here, and will form an historical background for such biographical facts as we have ascertained more directly concerning Richard Orpen himself.

¹ *Pat. Roll*, 25 Eliz. (Motrin, p. 56). The lands in question seem to be Corduff in the parish of Lusk, and Newbridge and Lanestoun in the adjoining parish of Donabate in Swords barony.

² *Cal. Ancient Records of Dublin*, vol. i, p. 455.

³ *Cal. of Pat. Rolls* (Morrin), Elizabeth, pp. 12, 71, 145 and 269.

⁴ *Cal. of Ancient Records of Dublin*, vol. ii, pp. 116, 143.

⁵ *Cal. Ancient Records of Dublin*, vol. ii, pp. 177, 180.

⁶ *Fifteenth Report on Irish Records*, anno 1666: Inrolments of adjudications in favour of the '1649' officers in the Office of the Chief Remembrancer of the Exchequer, Dublin; Orpin, William, Roll 1, m. 55.

⁷ Extracts from *State Papers, Domestic*, Charles I, 1646, supplied in June 1872 by Hans C. Hamilton, then Deputy-Keeper of the Records, to a Mr. Orpin of Dublin, but not appearing in the printed 'Papers.'

⁸ See *Cromwell's Letters and Speeches*, ed. Thomas Carlyle (1872), vol. 5, p. 213.

⁹ [R.P. 20].

¹⁰ *Fifth Report* of the Deputy Keeper of the Public Records, 1844.

¹¹ Chancery Suit, Class 7, §ff> 1655 [R.P. 16] and cf. Chancery Suit, f-J> 1656.

¹² Kensington Parish Register, 1657.

¹³ This has been reprinted in the *Kerry Magazine*, vol. iii, No. 26, 1 Feb. 1856. I consulted the original pamphlet in the London Library. I could not find it either in Trinity College or in the King's Inn, Dublin, though previous writers have spoken of it as in those Libraries. Referred to as 'Exact Relation.'

¹⁴ See Chapter XI; referred to as 'The London-Master.'

¹⁵ See Chapters IX and X. Referred to as 'R.O. Letters.'

¹⁶ 'R.O. Letters,' p. 105.

¹⁷ 'Hist. R.J.T.O.', p. 191.

CHAPTER V

Sir William Petty and his Industrial Colony in Kerry : 1623-1687

THE following sketch is of course based on the excellent *Life of Sir William Petty*, by Lord Edmund Fitzmaurice (1895), herein referred to as 'Life,' but some further facts have since transpired and are noticed. Indeed my own researches through the 'Record Press' have disclosed the Will of Sir William's grandfather, namely John Pettie,¹ which was quite unknown before. It is dated 10 April 1613. The testator desired to be buried in the parish church of Rumsey, mentions several of his family, and leaves "all his looms and furniture" to his son Anthony [Sir William's father]. Thus Sir William's ancestors for two generations carried on at Rumsey the business of Cloth Manufacturers, and in the course of their business may have known the Orpens of Shaftesbury, who were Merchant-tailors, about 24 miles distant. The school from which Richard Orpen was taken up by Sir William Petty may therefore, after all, have been in England. A search in the Register of the Merchant Taylors' School in London disclosed the name of John Pettie (1640), presumably Sir William's cousin of that name; Henry Orpen, born 29 October 1659, probation 11 March 1672/3, not improbably the grandson of that name of Robert Orpen of Shaftesbury; and Gabriel Orpin, born 9 January 1665, probation 11 March 1676/7, who has not been identified; but no Richard Orpen is mentioned, so that the site of Richard's school remains in doubt.

William Petty, third son of Anthony Petty, a clothier and dyer of clothes at Rumsey in Hampshire, was born in 1623. He was entirely a self-made man, and he took pride in telling

how his fortunes grew from one shilling in 1636 to £13,000 in 1656.² He went to school in Rumsey where he learnt " a competent smattering of Latin " by his twelfth year, " and was entered into the Greek before 15." While still a mere lad he went to sea, but after ten months he broke his leg and appears to have been abandoned by the sailors at an inn on the French coast near Caen. Here he was known as " le petit matelot Anglois qui parle Latin et Grec." Soon afterwards he obtained admission to the Jesuit College of Caen by the aid of some Latin verses, wherein he begged to be once more received as a fosterling of the Muses, so that he who lately lay with broken limbs might rejoice, and might bless the ship which bore him to the coast of Caen.³ In his will he affirms that " at the age of fifteen years he had obtained the Latin, Greek and French tongues, the whole body of Common Arithmetic, the practical Geometry and Astronomy conducing to Navigation, Dialing, etc., with the knowledge of several mathematical trades—all which, and his having been at the university of Caen, preferred him to the King's Navy, where at the age of twenty years he had gotten up about three score pounds, with as much Mathematics as any of his age was known to have had."

Petty was no soldier, however, and in the years 1643-6, during the civil war, he was abroad in France and the Netherlands, where he vigorously pursued his studies, especially that of Medicine, at Utrecht, Leyden, Amsterdam, and Paris. In Paris he made the acquaintance of Thomas Hobbes, and the influence of that independent thinker may be detected in some of Petty's views regarding politics and economics. He was already in correspondence with Dr. Pell and other distinguished mathematicians and scholars. He returned to England in 1646, invented and patented a copying-machine, and wrote a treatise containing (*inter alia*) some remarkably modern views on education. This he dedicated to Master Samuel Hartlib, to whom, three years earlier, Milton had dedicated his Tractate on Education. When sending Petty's pamphlet to Robert Boyle, the natural philosopher, Hartlib speaks of the author in the

following high terms : " The author is one Petty, twenty-four years of age, a perfect Frenchman, and a good linguist in other vulgar languages, besides Latin and Greek ; a most rare and exact anatomist and excelling in all mathematical and mechanical learning ; of a sweet natural disposition and moral comportment. As for solid judgment and industry, altogether masculine." Petty's acquaintance with Hartlib and Boyle and other members of the London Philosophical Society probably induced him to go to Oxford, where in 1649 he obtained the degree of Doctor of Physic and in the following year was elected a Fellow of Brasenose, while in 1651 he succeeded Dr. Clayton in the Chair of Anatomy.

Soon afterwards Petty entered on a new stage of life. On 10 September 1652 he landed at Waterford as " Physician General to the Army in Ireland and to General Ireton, the Commander in Chief," at a salary of £365 a year. Ireton was, however, already dead, but Petty retained his post under General Fleetwood, who married Ireton's widow, Cromwell's daughter. The civil war was now over, and in 1654 Petty's plan for a mapped survey of Ireland ' with a view to the distribution of the forfeited land was accepted, and this gigantic task was practically completed according to the contract in thirteen months from 1 February 1655. He had not himself been concerned in the original quarrel, and he now simply regarded himself as a servant of the State called upon to perform a definite duty. While he disapproved of much that had been done, his work, he thought, would at least prove of permanent value to the nation, and the nature of it appealed to his imagination and his scientific tastes.³ But he made many enemies for himself in the course of this and subsequent undertakings for the Government, and instead of returning to the study of natural philosophy, as he had hoped to do, he had to defend himself against attacks and to struggle to maintain his rights. One of his most pertinacious enemies was Sir Hierome Sankey, a soldier of distinction, but an Anabaptist fanatic, who claimed miraculous powers of healing and exorcism, which laid him open to Petty's gibes. But we need not here attempt

to disentangle the rights and wrongs of this intricate dispute.⁶

In 1657 the lands of Tuosist, a parish of about 40,000 statute acres on the southern shore of the Kenmare estuary (and other lands elsewhere which he afterwards lost), were assigned to Petty as part payment for his work on the Survey, and he subsequently bought up some soldiers' debentures, by which he gained much additional land in the neighbourhood, so that he eventually held the greater part of the three baronies of Glanarought, Dunkerron and Iveragh, lying on both sides of the estuary.

The Protector died on 3 September 1658, and the attacks on Dr. Petty, who was now the trusted Secretary of Henry Cromwell and Clerk of the Council, were renewed. "His mind," as his biographer says, "was that of a disciple, not of Calvin, but of Bacon," and hence he incurred the undying enmity of the fanatical sects whom he described as "the worms and maggots in the guts of the commonwealth."⁷ In 1659 with the fall of the Commonwealth Petty was dismissed from all his appointments. At the Restoration, however, he was favourably received by the King, probably through the friendly offices of the Marquis, now Duke, of Ormonde. On the incorporation of the Royal Society, of which he and his friend Robert Boyle were original members, he was knighted. In 1661 he was a Member of Parliament for Inistioge, and in 1662 he was appointed on the Commission for carrying out the Act of Settlement. By this Act and the Act of Explanation which followed it his lands in Kerry were confirmed to him. He, however, lost the lands in Limerick which had been assigned to him, but were now claimed by the soldiers of 1649. Sir Alan Brodrick, one of these claimants, "a sort of second edition of Sir Hierome Sankey," challenged Sir William Petty to a duel. Being the person challenged, it lay with Petty to name the place and weapon. "As he was very short-sighted, he claimed, in order that his adversary might have no unfair advantage over him, that the place should be a dark cellar and the weapon a great carpenter's axe. This turned the challenge

into ridicule, and Sir Alan declined so unexpected a form of contest." ⁸

Petty's troubles with the Kerry property were not over. It was at that time the custom to farm out the Royal revenues from Ireland to the highest bidder, and these farmers appear to have claimed " arrears of rent from the present holders as due to the Crown for the whole period of the Civil Wars." ⁹ This and other extortions ¹⁰ Petty resisted. Also through the jealousy of English farmers and traders the importation into England of Irish cattle, wool and meat was prohibited, and Ireland was excluded from the benefit of the Navigation Acts. Against these restrictions Petty strongly exerted himself. He was always in favour of the Legislative Union of the two kingdoms. " It was useless," he said, " to have broken the power of the chiefs and lazing friars, if the English Parliament was to throttle all the natural industries of Ireland." ¹¹ How much happier the subsequent history of Ireland would have been had these views prevailed !

Petty himself set an example of promoting the development of Ireland by establishing an industrial colony of English Protestants at Kenmare. He set up ironworks and sea-fisheries, opened lead mines and marble quarries ¹² and carried on a trade in wood. It is hard to fix exact dates, but the ironworks were clearly a going concern by 1669. There are tokens of this date designed for the works in the National Museum, Dublin. The best preserved (numbered 486 in the Catalogue) has on the obverse " a kiln with flames issuant," and the inscription I.R. IRON WORKES, and on the reverse two kiln entrances (?) and the letters D.I. surrounded by the inscription GLANAROUGH 1669. Moreover, according to a Report ¹³ by Lord Herbert of Cherbury on the State of Kerry, dated 27 May 1673, in the three baronies of Glanarought, Dunkerron and Iveragh, consisting of thirteen parishes, there were not at that time, in eleven of the said parishes, above one Protestant family to 150 families of papists, " nor were the other two parishes (i.e. Kenmare and Tuosist) better furnished, till within these four years Sir

William Petty erected some iron-works there." The Report also states that between the years 1657 and 1668 there had been " a strange destruction of woods, and vast number of pipe hogshead and barrel staves exported " by unauthorized persons. In 1666 Sir William Petty directed his agent, Mr. Cheesey, to regulate the shipping of timber from the woods of Glanarought and Dunkerron, to prevent the cutting of any wood but by his order, and to bring in English and Protestant workmen in the greatest number possible.¹⁴ This was in accordance with one of the remedies afterwards advocated by Lord Herbert in his Report, viz. : " that all possible endeavours be used to encourage the English and Protestant party to live in the parte especially about the sea-coasts upon the account of fishing, as also upon some central inland part of the whole, upon some proper manufacture, so as instead of 150 Irish families for one of English now in the eleven parishes before mentioned, there may not be above six for one, as in the two other parishes already planted by Sir William Petty."

As regards the ironworks, it has been wrongly stated that all the iron-ore smelted about Kenmare was imported. Lord Lansdowne informs us that " the Petty MSS. relating to these ironworks show that the ore was found on the spot, though later on in the eighteenth century the supplies became exhausted and there is no iron in the country to-day. The native ore was however generally mixed in the proportion of 5 to 1 with red ore from Wales, in order (as it is explained) to make the metal ' less brittle.' " ¹⁵ Further, in answer to my enquiries as to the situation of the ironworks, Lord Lansdowne kindly wrote : " The first of these smelting works seems to have been at Kenmare on the north side of the estuary, but the timber in that vicinity was exhausted in 1674. . . . The later (eighteenth century) accounts show that there were furnaces at Derreen (Glenmore), ruins of which are still standing ; at Gortalinny on the Sheen, half a mile from my house [Richard Orpen, as we shall see, had ' a foarge ' in connexion with his farm at Gortalinny] ; at Blackwater, Dromore, and at Blackstones, Glencar, on the

Caragh River, where remains of both furnace and forge may be seen." From the above we may conclude that a strong Protestant settlement had been established in the vicinity of Kenmare and ironworks established there by 1669, and that probably there were some Protestant tenants there from soon after the Restoration.

In 1666 Petty's house and property in Lothbury was destroyed in the Great Fire of London, but with characteristic energy he at once set about rebuilding. In 1667 he married Lady Fenton, widow of Sir Maurice Fenton and daughter of Sir Hardress Waller, the well-known Cromwellian officer. According to Evelyn she was "an extraordinary witt as well as beauty, and a very prudent woman."¹⁶ Probably about this time, and certainly by 1671, Lady Petty's brother, James Waller, became Sir William's principal agent in London. In the latter year Petty gave some directions to Waller about reducing the housekeeping expenses. Crookshank is mentioned as one of eleven employees in the family, "not counting Rutter or several agents in the country."¹⁷ Richard Orpen is not named, but he was presumably one of these agents under Rutter.

In the years that followed his marriage and up to 1682, Petty spent much of his time in Ireland. Writing in 1671, Lady Petty says: "He has expended about £5,000 in Kerry without a penny return,"¹⁸ and in the following year, being in Ireland, Petty says that he was "providing employment for 300 useful artisans and labourers without profit to himself."¹⁹ Meanwhile he occupied whatever time he had to spare from fighting for his rights against the Exchequer, etc., in writing his *Political Arithmetic* and *Political Anatomy of Ireland*. We need not, however, follow him in all his versatile pursuits. He lived long enough to anticipate, if not actually to see, the undoing of his labours towards the civilization of Kerry under the regime of Richard Talbot, Earl of Tyrconnel. When writing in March 1687 to his old friend Sir Robert Southwell, he exclaimed in his quaint way: "O God, cousin, how does my foot slip when I consider what Providence has winked at in its dispensations

of Ireland." He died on the following December the 16th,²⁰ and twelve months later, as we shall see, the plundered remnants of his colony in Kerry were abandoning their scattered homes and desperately fortifying themselves at Killowen, in the vain hope that help would come before they were overpowered by their foes.

John Evelyn, who knew Petty well, gives some account of his career, and a noteworthy appreciation of his abilities. Among much else he says : " There is not a better Latine poet living when he gives himself that diversion ; nor is his excellence less in Council and prudent matters of state. . . . There is not in the whole world his equal for a superintendant of manufacture and improvement of trade, or to govern a Plantation." After telling how Petty avoided a duel with Sir Alan Brodrick, Evelyn gives an amusing account of his powers of mimicry, by the exercise of which he sometimes made enemies. " He never could get favour at Court because he outwitted all the projectors that came near him. Having never known such another genius, I cannot but mention these particulars amongst a multitude of others which I could produce. . . . In a word, there is nothing impenetrable to him." ²¹ Pepys is equally appreciative and says of him, " He is one of the most rational men that ever I heard speak, having all his notions the most distinct and clear." ²²

Petty was certainly a man of extraordinary and varied ability. In an age of narrow views, he was broadminded and far-seeing. Though a great stickler for his own rights and relentless in his opposition to those who infringed them, he was ever true and generous to his friends and relations, and was animated by a sense of justice rare in his time. His writings in Latin and English fill some formidable lists.²³ They contain many original and sagacious ideas on a wide variety of subjects. His essays on Economics entitle him to a leading place among the pioneers of a rational system of Political Economy in opposition to the now exploded Mercantile System ; and to him, it appears, belongs the credit of being the first to apply the statistical method of

reasoning—of being, in fact, the inventor of the Science of Statistics.*

Sir William Petty's widow was created a peeress for life by James II five days before his flight from England, and became Baroness Shelburne in the Peerage of Ireland. His sister Dorothy married (c. 1660) James son of Nathaniel Naper of Co. Meath, and became ancestress of the present family of Naper of Loughcrew in that county. Of his two sons, Charles was born in 1673 and died in 1696, and Henry was born in 1675 and died in 1751. Both were created successively Barons Shelburne, and both died without issue. Sir William's only daughter Anne, born in 1672, suffered, when an infant, from smallpox. In 1692 she married Thomas FitzMaurice, 1st Earl of Kerry, descended from a long line of Geraldine ancestors. Her second son John succeeded to the Petty property in 1751 and was created Earl of Shelburne in 1753. His son William (2nd Earl Shelburne, Prime Minister in 1782, and created Marquis of Lansdowne in 1784), referring to his grandfather, the 1st Earl of Kerry, wrote with remarkable frankness: "He married, luckily for me and mine, a very ugly woman, who brought into his family whatever degree of sense may have appeared in it, or whatever wealth is likely to remain in it." Some of Sir William Petty's property in Kerry remains with the present Marquis of Lansdowne, and we may suppose that some of the great ability of the family is derived from the same source.

¹ Petty: Will at Somerset Ho. P.C.C. 34 Lawe, 1613. [R.P. 146].

² 'Life,' pp. 294-6 and p. 319.

³ See his *Palinodia*, 'Petty Papers,' vol. ii, pp. 245-6; where, however, there seem to be some errors in transcription.

⁴ Petty's *History of the Down Survey*, written c. 1659, has been published for the Irish Archaeological Society and edited by T. A. Larcom, R.E. It was called the 'Down Survey' simply "to mark its distinction from former surveys (called the Civil Survey and Groes Survey) by its topographical details being all laid down by admeasurement on Maps." See Preface, p. vii.

⁵ 'Life,' p. 44.

⁶ See 'Life,' Chapter III.

⁷ 'Life,' p. 90.

⁸ 'Life,' p. 152. This story is told by Evelyn, *Diary*, 22 March 1675. Alan Brodrick died in 1680. His brother St. John Brodrick was ancestor of the present Earl of Midleton.

⁹ 'Life,' p. 137.

¹⁰ It appears from Lord Herbert's Report, cited below, that " by a mere misunderstanding of the Survey," and " contrary to the intentions of the explanatory Act, ten times more quit rents were charged than the lands were worth."

¹¹ 'Life,' p. 145.

¹² A considerable quantity of grey marble from the island of Cappanacushy was manufactured by Petty : Smith's *Kerry*, p. 90.

¹³ Printed in the *Kerry Magazine*, vol. iii, pp. 1-4 (1856). The Report gives a graphic account of the desolation, poverty and lawlessness of this part of Kerry at the time with some recommendations for the remedy thereof.

¹⁴ 'Life,' p. 150.

¹⁵ *Petty Papers*, vol. ii, p. 125.

¹⁶ *Evelyn's Diary*, 22 March 1675.

¹⁷ 'Life,' p. 157.

¹⁸ 'Life,' p. 158.

¹⁹ 'Life,' p. 158.

²⁰ 'Life,' p. 289.

²¹ *Evelyn's Diary*, 22 March 1674/5.

²² *Pepys's Diary*, 27 January 1663/4.

²³ *Petty Papers*, vol. ii, C. XXVI.

²⁴ *Ibid.*, C. XXVII.

CHAPTER VI

Richard Orpen as Agent to Sir Wm. Petty : i670-1687

WITH this outline of Sir William Petty's life as a background we shall be able the more effectively to fill in the few facts which have been ascertained concerning Richard Orpen prior to the famous Siege of Killowen. We have already inferred that he was born about 1652, and was " taken up from school " by Sir William Petty about 1667, and then or soon after placed under Mr. Rutter, the chief agent in Kerry ; that Robert Orpen, believed to have been his father, held some land in the northern part of Kerry which qualified him to sit as a juror, in 1661, on an inquisition touching the lands of Daniel Chute of Tullygarran, near Tralee, who died in 1648 ; that Richard's three sisters, Rachel Maybury, Dorcas Crump and Margaret Bowen prior to 1675 had all married persons who settled in Ireland ; and that the probable inference is that by 1661 Robert had already settled in the northern part of Kerry with his son Richard and three daughters, while his elder sons John and Robert remained in England.

In an eloquent passage in his *History of England*,¹ Lord Macaulay describes the district within which Sir William Petty started his industrial Colony : " The south-western part of Kerry," he says, " is now well known as the most beautiful tract in the British Isles. The mountains, the glens, the capes stretching far into the Atlantic, the crags on which the eagles build, the rivulets brawling down rocky passes, the lakes overhung by groves in which the wild deer find covert, attract every summer crowds of wanderers sated with the business and the pleasures of great cities. The

beauties of that country are indeed too often hidden in the mist and rain which the west wind brings up from a boundless ocean. But on the rare days when the sun shines out in all its glory, the landscape has a freshness and a warmth of colouring seldom seen in our latitude. The myrtle loves the soil. The arbutus thrives better than even on the sunny shores of Calabria. The turf is of a livelier hue than elsewhere ; the hills glow with a richer purple ; the varnish of the holly and ivy is more glossy ; and berries of a brighter red peep through foliage of a brighter green." But, as Macaulay goes on to state, during the greater part of the seventeenth century " this paradise was little known to the civilised world, and was inhabited by the wildest of wild Irishmen."

As we have seen, however, by 1670 Sir William Petty's English colony in the vicinity of Kenmare was well established, and the ironworks were a going concern.² In 1674, if not earlier, there is an allusion in the correspondence of Petty's agents to ' little Orphin,' and Petty himself, writing to Crookshank who succeeded Rutter as chief agent, says : " I have a good opinion of young Orpin, especially if you can get him for your ordinary servant ; for he writes well, and I think hath arithmetic enough, and was honest and diligent formerly. This you may do unless he shall be found more useful upon the place " (i.e. Petty's vast estate in Kerry). It is clear that from the early seventies Richard Orpen held some subordinate position in the agency. Later notices show that he was sometimes entrusted with the management, and that his services were highly esteemed,³ yet his salary does not seem to have exceeded the £20 per annum which was further secured to him by Petty's will until all Petty's children were of full age.

It may be gathered from Richard Orpen's writings, and we can well believe, that to one who faithfully pursued his master's interests the office of agent was attended with great peril, especially after the accession of James II to the throne. This part of Kerry was exceptionally wild and inaccessible to such scanty forces of law and order as existed at the time

in south-west Ireland. In his petition to the Baroness Shelburne in 1693 Richard Orpen mentions among his former services, the "Taking of O'Sulevan More, MacFinin, etc., which was not done by any other person,"⁴ but unfortunately he gives no account of the circumstances. O'Sullivan Mor was the former hereditary chieftain of a large tract of country north of Kenmare River which was confiscated after 1641. By MacFinin it is doubtful whether he meant an offshoot of the MacCarthies who formerly held the parish of Kilgarvan, or MacFineen Duff, an offshoot of the O'Sullivans whose territory lay about the harbour of Kilmackilloge in the parish of Tuosist.⁵ He goes on to say that "he quasht traversst and removed (at no cost of his Masters) sundry unjust taxes (as appeares upon record) which were brought upon your Honour's Estate by the Irish Grandees for their owne proper Lucre." These unjust taxes were, no doubt, the exactions which the former Irish chieftains were accustomed to levy. In his Report on the state of Kerry in 1673 Lord Herbert says that "the chiefs of the Sullivans, namely O'Sullivan Mor, O'Sullivan Beare, and MacGillycuddihy, although not adjudged innocent, nor having any benefit of the late Act of Settlement, do nevertheless, *viis et modis*, enjoy considerable parts of their late estates, and that without paying quit rent . . . as even Innocents were obliged to do."⁶ The facts were, no doubt, well known to the Baroness Shelburne, and it was enough to allude to them.

The petition goes on to mention the "Punishing of Robbers, thieves, Murtherers, and tempering the insolencys of several greate proprietors, whereby your petitioner at length became soe much the envy of the ill-designing Gang that they brought the Torys upon him to murther and robb him, and at another time they stabb'd him in the darke, and after that they rose up openly against him with diverse false accusations and brought him upon his Tryall and prosecuted him with the utmost severity and Mallice before his Master and Superior, vizt. before Mr. Waller anno 1679, before Sir Wm. Petty anno 1680, and anno 1683, and at every tryall his bookes, papers, and keys were first seiz'd and taken from

him. But the manner of prosecution discovered the villanous designs of the prosecutors, and they were repuls't with disgrace, and your Petitioner grew up more and more into favour."

Some of these or similar events are referred to more fully in Richard Orpen's pamphlet entitled *An Exact Relation*, etc. (1689),⁷ where, in accounting for the animosity of his popish neighbours at the time of the siege of the White House of Killowen, to be presently mentioned, he says (writing in the third person) : " They were much bent against him, because that in the very height of Popery in that Kingdom, he stood vigorously for the Protestants and their Religion, and because he had brought to Condign Punishment several of the Papists for wrongs done to the Protestants of that place ; particularly Daniel Mac Teig Carthy,⁸ one of those that murdered Edward Gilks, a smelter, for endeavouring to defend himself from being Robbed at Noon-day of forty shillings, which they knew he had about him, in the Year 1680—Owen Sulwan [Sullivan],⁹ a loose Gentleman, for coming unawares behind R[ichard] O[rpen] in a Dark Night, and running him through the Body with a Sword, for offering to recover a debt due to him from Sulwan's Friend in the Year 1680—Teige a Glanna [Gleannach] and others, that Murdered the Pursivant, for daring to come into that part of the Country to arrest a Papist, at the suit of Sir William Petty, or of any Protestant whatever, in the year 1685.—Daniel Mac Dermot and half a score of others for Robbing a parcel of French Protestants that, having escaped out of France, were by Stress of Weather forced into the River of Killmare [Kenmare], in the year 1686.—Daniel Cruoly and seven more Tories that in the year 1687 attempted to Murder and Robb R[ichard] O[rpen] and his Brother,¹⁰ but without success, their Captain having received a Shot in the Head, and two more of the chief of them in the Shoulder and Thigh ; being made Prisoners they lived until they were hanged at the Assizes following. The greatest part of these Malefactors were severally prosecuted by R[ichard] O[rpen], some of them were Hanged, some Burnt

in the Hand, some remained in Gaol, and the rest disperst and fled out of the country."

But it must not be supposed that life in the region about the Kenmare River during this period of Richard Orpen's agency was all a series of conflicts with Tories and Rapparees. These incidents were collected in Richard Orpen's writings as evidence of his services to his employer and towards the preservation of law and order in the district, and to account for the animosity which had been aroused against him. For the most part indeed they occurred only in the years that followed the accession to the throne of James II. Prior to that time, as Richard Orpen says in his account of the Siege of Killowen, the colony of Protestants planted there by Sir William Petty had "very much improved the unfertile country" and "lived plentifully" up to 1685, when all power, administrative, judicial, and military, was taken from the Protestants and given to the Papists. Indeed from Richard Orpen's account of his losses on that occasion it is evident that between his farm, his cattle, and his ironworks, he had become a very substantial man with a considerable income, and together with his future father-in-law, the Reverend Thomas Palmer, had acquired the leading position in that part of Kerry.

It was apparently shortly before the fateful Siege of Killowen that Richard Orpen married Isabel, eldest daughter of the Rev. Thomas Palmer, who had been appointed minister of the scattered Protestants in the parish of Kenmare and many surrounding parishes. There is some mystery about his parentage. It has been asserted that he was a younger brother of Roger Palmer, afterwards created Earl of Castlemaine by Charles II, and whose wife, Barbara Villiers, became the King's mistress about the time of the Restoration. There is also a tradition that he was at one time a page of Anne Hyde, wife of the Duke of York. Seemingly well authenticated is the statement by one of his descendants that "in 1670, as appears from a document in the Rolls Office, Court of Chancery, Dublin, he was appointed through royal favour to the Crown livings

of Kilmare (now Kenmare), Kilgarvan, Templenoe, Kilcrohan, and Cahirciveen (Diocese of Ardfert and Aghadoe)." ¹¹ The same writer tells us that in 1669 Thomas Palmer married Jane Mary, daughter of Sir William (or Sir Richard) Aldworth, of Newmarket, Co. Cork. By her he had two sons and four daughters, of whom the eldest, as we have said, married Richard Orpen shortly before they linked their fortunes with the remnant of the colonists in the strong house of Killowen.

Sir Richard Orpen says of Mr. Palmer that he was "remarkable for his enormous size, and had a semicircular piece cut out of the table to enable him to sit at his meals. He was Justice of the Peace for the county of Kerry, and Judge of the Ecclesiastical Court of the Diocese, and also of the Court of Admiralty having jurisdiction over the western part of Kerry. He was the first Protestant clergyman who ever preached the Gospel in those parishes, where there was at that time no Church. He assembled his flock in a room over his wine-cellar, and there used to perform Divine Service : from hence the name of ' Preaching Parson Palmer ' is applied to anyone who entertains his Company with long stories over his wine after dinner instead of passing round the bottle quickly." ¹²

Sir Richard has also preserved the following anecdote concerning the courtship of his great-grandfather :

" While Richard Orpen was paying his addresses to Miss Palmer, he one day rode with her and her sisters to pay a visit to Mr. Babington, who then resided at Ardtully. Richard Orpen rode, as was then the custom, with Pistols in his holsters and took his pistols with him when he went into the house. Mr. Babington, perceiving him warm from his ride, said he had some very good cider of which he would be happy to give him and the ladies some to drink, but unluckily he had no means of broaching the cask. ' Shew me the Cask,' says Orpen, and immediately cutting a piece of wood to fit the bore of his pistol, he shot a ball into the cask, inserted the plug, and enabled Mr. Babington's hospitality to have full vent. When Miss Palmer after-

wards repeated this story to her father he said, ' Bell you ought to marry this man. He will never let his wife want for anything.' " ¹³ And it seems that she took his advice !

¹ Vol. ii, p. 307 (ed. 1864).

² Some of the copper tokens of the Glanarought ironworks dated 1667-9 are extant. There is a specimen in the National Museum, Dublin, showing on one side a forge, on the other two kilns.

³ Thus Dance writing to Orpen on 11 February 1686 says : "I must leave the management in Kerry to you, and I must needs say that if you had not been there I could not tell who else to trust in the affair." And again writing to James Waller on 3 July 1686 Dance says of Orpen : "I can say that he is very active and serviceable in Kerry, and that since you are not upon the place yourself I propose a little happiness to myself that you have left one that does so well in your absence." I am indebted to Lord Lansdowne for the above extracts from the Office Letter Books.

⁴ ' R.O. Letters,' p. 106.

⁵ See the Map of the Lordship of MacCarthy Mor in *Gleanings from Irish History*, by Dr. William F. T. Butler (1925) ; and Smith's *Kerry*, p. 80.

⁶ *Kerry Magazine*, vol. iii, p. 3.

⁷ Reprinted (in modernized spelling) in the *Kerry Magazine*, vol. iii, pp. 21-8, this rare pamphlet is preserved bound up with others in the London Library and marked ' Pamphlets 1451.' Also in the British Museum. I have recently obtained a copy.

⁸ Daniel MacTeige Duff (MacCarthy) seems to have been one of the proprietors in the parish of Kilmaire (Kenmare) whose land was confiscated after 1641 : See *Gleanings from Irish History*, by Dr. W. F. T. Butler, p. 60, *note*.

⁹ Was this the famous Rapparee Owen O'Sullivan who haunted the cave shown to tourists and still called *Labbig Owen*, i.e. Owen's Bed, on the cliff known as Foiladowne, i.e. *Faill a' deamhain*, the Demon's Cliff, in Glenflesk ? See *Old Kerry Records* (Hickson), vol. ii, pp. 128-32. Probably the spelling, ' Sulwan,' is a printer's error.

¹⁰ This was really his brother-in-law, Thomas Crump, as appears in a letter printed in the appendix to *The London Master*, pp. 38, 39, and addressed to ' Mr. Thomas Crump at Killarney,' signed ' yr. affectionate Brother, Ri. Orpen ' and commencing ' Dear Brother,' in which he alludes to the time when " the Tories set upon you and me, when I took four and had them hanged, except one that died of his wounds in Gaol in Cork."

¹¹ See *Genealogical and Historical Account of the Family of Palmer of Kenmare*, 1872 ; compiled from old Family Documents, etc., in the

possession of Edward Orpen Palmer, Killowen, Kenmare, by his son, the Rev. A. Henry Herbert Palmer, (then) of Monkstown, Co. Dublin.

¹² 'Hist. R.J.T.O.', p. 168.

¹³ 'Hist. R.J.T.O.', p. 179.

CHAPTER VII

The Siege of Killowen : 1688/9

RETURNING to the year 1685, we may recall to mind a few matters of history. The accession of James II in February of that year caused great apprehension among Protestants both in England and Ireland. The revocation of the Edict of Nantes in October and the flight of Protestants from France were discouraging signs. In Ireland Ormonde had to retire from the vice-royalty, and Clarendon, his successor, though the king's brother-in-law, had little influence. Richard Talbot, now created Earl of Tyrconnell, was the King's chief adviser and soon acquired complete control in Ireland. The Protestant militia was disarmed, and the army was rapidly 'purged' of English and Protestant officers. In March 1687 Tyrconnell was made Lord Deputy, and Sir Alexander Fitton, a convert to Rome who had been imprisoned for forgery, was soon afterwards made Lord Chancellor. The Municipal Charters were annulled or remodelled, with the result that two-thirds of each corporation were Roman Catholics who could be trusted to return members of their own persuasion to Parliament. The Judicial Bench, the Privy Council, the shrievalty and the magistracy were all similarly 'purified.' In short, all offices of authority were committed to Papists. With power thus placed in the hands of their bitter enemies, the terror of a new Irish massacre spread fast among the humbled Protestants, and many hundreds, especially in the South, forsook their homes and fled to England. Those who remained were subjected to robbery and depredation. In November 1688 William of Orange landed in England and in the following month James II fled to France ; but three

long years had to pass before there was anything like peace and order in Ireland.

We are concerned only with the little Protestant colony about Kenmare, and for its fortunes during the anarchic period of 1688-9² have, happily, the contemporary account of Richard Orpen himself. The pamphlet¹ in which his account is given was printed at about the close of 1689 and is very rare. I quote or summarize the passages containing the salient facts from an original copy preserved in the London Library, and follow the old spelling and profuse employment of Capitals.

" Finding that most People do admire [i.e. wonder] why so many of the Protestants have left the Kingdom of Ireland," instead of concentrating " in some strong Hold (like those of Londonderry), . . . "I have writ," he says, " the following Narrative to satisfy all People " that the Protestants about Kenmare " did what was possible for them to do. . . ."

" The Colony of Protestants planted by Sir William Petty very much improved the unfertile Country where they Inhabited and lived plentifully under care of one T[homas] P[almer], their Minister, one of the Justices of the Peace for that County, some time Judge of the Ecclesiastical Court and of the High Court of Admiralty for some of these western parts, and under one R[ichard] O[rpen], Gentleman, agent for the Lady Petty (now Baroness Shelburne) and James Waller, Esq., until the year 1685, when the general Calamity, by taking the Sword, the Law, and in a manner all kinds of Power and Magistracy whatever out of the Hands of the Protestants, began throughout that Kingdom."

Matters became worse about November 1688, when " the Officers of the new raised Levies, being Persons of broken and desperate Fortunes, not able to maintain themselves or their Souldiers, were forced to filch and steal black Cattle and Sheep all over the Kingdom for their Subsistence ; and more especially in the County of Kerry.² . . . But of all the County the Protestants in Killmare (Kenmare) have endured the greatest persecution . . . so that by the begin-

ning of January following [1688/9] they were bereft of all their Cattle and Haggards of Corn, their Barns and Granaries stripped and robbed, and all the substance they had without Doors forced from them, and nothing left them to live upon but what little Provision they had in their Houses."

Whereupon Thomas Palmer and Richard Orpen, on behalf of the community, complained of their wrongs and losses to Lieutenant-General Justin McCarthy,¹ governor of the province, and to Sir Valentine Browne,² governor of the County of Kerry, who, though they expressed much concern for their petitioners' injuries, after 6 days' delay merely returned to them warrants to arrest the malefactors—"remedies which at such a juncture did not lie well in the power of the Petitioners to apply."

Meanwhile "six of their Houses were in one Night Rifled and Plundered of all that was in them," and the defenceless people, calling to mind the massacres of 1641, began to fear for their lives also. They consulted Thomas Palmer and Richard Orpen, "who sent an Express forthwith to Newmarket [in Duhallow, Co. Cork] to their Friend, Sir R[ichard] Ald[worth],"³ to seek for news and advice. He sent answer "that an Army was expected every day to Land out of England," and that in the meantime the Protestants in County Cork were seeking shelter with the nearest garrison, and that "he thought it well to follow their Example." But seeing that forty miles of difficult country lay between the Protestants of Kenmare and Bandon, the nearest town where they could expect to join a Protestant body, and that all their horses, except about twelve which Richard Orpen had managed to preserve, were stolen, they determined rather to concentrate and defend themselves on the spot, and wait as long as they could for relief.

Upon the river a little above Kenmare, Sir William Petty had built a strong house for his chief agent. It stood upon a rock at a place called Killowen, where the tide flowed almost round it, making a peninsula capable of fortification.

The house was forty-four feet in length, twenty-two in



THE WHITE HOUSE OF KILLOWEN.
In ruins.

breadth, and two storeys and a half high. It contained only four large rooms and a garret.⁶ Into this house they resolved to crowd themselves and their families, bringing with them what arms and provisions they had. To render it more defensible they put forth timber balconies at two of the opposite corners of the house, where men might keep watch and on occasion shoot. They numbered forty-two families consisting of 180 persons, of whom about 75 were fighting men.

We must pause here for a moment to correct a mistake made by Macaulay in his *History of England* (ed. 1864, Vol. ii, p. 307), where he quotes these figures as if describing the Protestant Colony in the days of its prosperity, but Richard Orpen, in his booklet entitled *The London Master or the few Detected*, states (p. 1) that the Colony planted

by Sir William Petty, as it was before the war, consisted of " 815 souls of English Protestants." Doubtless, in the disturbed state of the country in the two years preceding the Siege of Killowen, many of these had abandoned their farms and fled from the wrath to come ; and still later, when ' the London Master ' was written (1694), " not above 75 of those Protestants were left in being."

To resume our narrative : Their arms and ammunition were blunderbusses, "musquets," carbines, and fowling-pieces, 40 ; cases of pistols, 20 ; swords, 36 ; pikes, 12 ; and scythes, 6. Finding themselves much crowded they built between the 16th and 24th of January, with the help of some of their former labourers, a clod-wall round half an acre of land about the house. The wall was " fourteen feet in height and twelve in thickness, with Flankers, etc., in the manner of an Irregular Pentagon," and within it they built temporary wooden huts for some of the families. They all took the following oath of association : " We the undersigned do hereby, in Defence of our Lives and Religion, Associate ourselves in a Body within the Fort of Killowen against the Enemies of the Protestant Church ; And will from time to time, to the utmost of our Power, behave ourselves according to all such Directions as shall be given us by T[homas] P[almer] and R[ichard] O[rpen] for our Management and Safety, until we are received into Command of his Highness the Prince of Orange ; in Testimony whereof We have taken our Oaths upon the Holy Evangelists, and put our Hands and Seals this last day of January 1681."

Having as they thought secured themselves within this their fortification, they acquainted Lieutenant-General McCarthy and Sir Valentine Browne therewith, who approved thereof, but did nothing to suppress the malefactors. Richard Orpen then resolved to execute the warrant previously obtained, and going out one night with a party took six of the known robbers, who were found with some of the lately stolen goods, and " delivered them to some Officers appointed by the Governors to take charge

of them, but they were soon set at liberty again upon insolvent Bail."

" By this time the 25th of February was come, being the day appointed for disarming all the Protestants of the Kingdom.⁷ At one o'clock in the morning, the Irish soldiers to the number of 3,000, commanded by Captain Phelim McCarthy, and several other Captains, came to the Gates of the Garrison with intent to have surprised the Garrisoners in their Beds, but by a shot made by one of the Watch they were alarmed, and the soldiers stood off. When it was light the Garrisoners sent forth to know what they were and their business ? and admitted one of the Irish Captains into the Garrison, who told them plainly that his Errand was to have them their Horses, Arms, and Ammunition, and delivered a letter from Sir Valentine Browne to T[homas] P[almer] and R[ichard] O[rpen] importing the same and promising, if they would surrender, to make good whatever conditions they should make with their Officers; and produced an Authority under the Hand and Seal of the Governours, empowering the Irish Captain, in case of resistance, to compel submission by Fire and Sword. The Garrisoners refused to submit and put themselves in readiness to receive the onset of the Besiegers, who still lay before the Garrison. A spy was sent abroad into the County of Corke, who in four days time returned with an account that the Protestants of Corke were Disarmed, that *Castle-Marter* was surrendered, and that *Bandon* was in little better condition."

Richard Orpen here interrupts his narrative (1) to explain the grounds for expecting speedy succour from England which, though they proved to be delusive, induced them to defend themselves on the spot; (2) to show the futility of the plan of holding Bandon against so powerful an enemy, and of the design of seizing and holding Cork ; and (3) to answer the question why they did not repair to Londonderry or anywhere in the north by stating that " all the Passes thither were secured by Papists." That this last was a fact we know from the unfortunate experience of Sir Thomas

Southwell and 208 Protestants of Munster, who early in March tried to make their way to Sligo to join Lord Kingston, but were intercepted near Loughrea, and, contrary to the terms of their capitulation, imprisoned in Galway for 14 months. They were then removed to Dublin and only gained their freedom from the victors of the Boyne.⁸ As for Bandon, both it and Castlemartyr surrendered to Lieutenant-General McCarthy before 14 March. At Bandon McCarthy agreed to take an indemnity of £1,500. Nevertheless, some of the defenders were afterwards indicted for high treason.⁹ Castlemartyr was defended by Colonel Henry Boyle with about 140 gentlemen and servants. They surrendered on the promise that neither their persons nor estates should be molested, nevertheless the house was plundered and Colonel Boyle and others carried prisoners to Cork.¹⁰

To return to Killowen. All hopes of a speedy relief from England, of which till then they were very confident, being blasted, and " finding themselves unable to make a long defence, when the Cannon (not being otherwise diverted) could be brought against them by water," the besieged garrison capitulated on the terms that their goods were not to be plundered, that they were to retain their swords, and that they were to have liberty to remain in their garrison or in their own houses and to depart from the kingdom when they pleased. But they had no sooner delivered up their horses, arms and ammunition, than " they found the Old Proverb of not keeping Faith with an Heretick preferred before strong promises and perfected Articles of Agreement " ; for the officers filled the garrison with soldiers and having plundered the garrisoners of all their provisions and goods, " turned them out in a most miserable and starving condition." Later on Richard Orpen states his losses and those of Thomas Palmer as follows : His own losses were " his estate worth about £170 per annum, and iron-works furnished with mine, coals and a stock of bar and sow iron worth £1,500 sterling ; in black cattle, horses and book debts, £1,200 ; in bonds for money at interest,

[amount not stated]. The losses of Thomas Palmer are his livings worth £200 per annum; in cattle, goods, and debts, £550. The rest of the Protestants lost among them in black cattle, horses, debts etc., £1,100 sterling."

Sir William Petty, as we have seen, died more than a year before this calamity befell the colony of his creation, but fortunately James Waller, Lady Petty's brother, foreseeing the probability that the Protestants of Kenmare would not be allowed to remain in the country, left behind him two small barques of near 30 tons each to carry them off. Into these two vessels they were all packed, with the exception of eight families whom the officers compelled to stay behind to carry on the ironworks, which the natives were not skilful enough to do. But now another trick was played upon the unfortunate fugitives. The sails were taken away from the ships, so that they could not put to sea, and they were kept for eight days "packed like Fish one upon another"—for owing to the violence of the weather they had to keep the hatches closed—until "at last Maurice Hussey," Captain-Lieutenant to Governor Browne, a Man somewhat more compassionate than the rest, told them that, notwithstanding their Articles, they were stopped for fear they would go to England. Whereupon R[ichard] O[rpen] was forced to pass a Bond for £5,000 conditioned that they would Sail for Corke," and deliver themselves up to the Governor of that city. At last on the 10th of March they got away, and ignoring the forced bond, resolved to sail for Bristol. Fortunately they did not meet King James who, escorted by a strong French squadron, landed at Kinsale on March the 12th. Their troubles, however, were not yet over. "The masters of the ships were not expert in navigation, but were skilful only in coasting about those western ports, so that Thomas Palmer and Richard Orpen, having some insight therein, took upon themselves to shape the course, and after some delays from calms and contrary winds both ships arrived at Bristol on March 25."

The Mayor of Bristol caused collections to be made for their relief. As may be imagined, they were in a pitiable

plight. Three of them died from exposure and hardship, and most of them were affected with various distempers. The account concludes, in the present tense, as follows : " The greatest part of them being come up to London are many of them Relieved and Entertained by the Right Honorable the Lady Baroness of Shelborne; some are waiting before the Commissioners for distributing Relief to the Distressed Protestants of that Kingdom ; and the rest, according to their several Capacities, have disposed of themselves in the Army designed for the reducing of Ireland."

So ends the account of the " Siege of the White House of Killowen," as it has been called. It is on the face of it a plain and truthful narrative, and as such has been accepted by historians.

We shall here insert an incident related by Sir Richard Orpen touching the surrender of Killowen :

" At the time of the surrender of the White House to the troops of Phelim McCarthy, a considerable sum of money was concealed under the floor of the parlour. One of the party, named McHugh, having gotten some information on the subject, commenced a search for the money by ripping up the floor, and after a considerable time came at last near the spot where the money was concealed. Mrs. Orpen at this laughed at them and ridiculed their want of success with such apparent unconcern that McHugh desisted from his work for the moment. At the time Mrs. Orpen was expecting her first baby and sat in a large easy chair in a corner of the room. He with curses ordered her to move. This she stoutly refused to do. McHugh cursed her and swore he would rip out the young heretic that stirred within her unless she allowed him to search where she was sitting, and on her refusal he fired his pistol at her, but her husband at the moment pushed the pistol aside, and the ball lodged in the wall of the room." ¹² We are left to suppose that nothing was found and the robbers were baffled.

As further evidence of how reckless of human life was this

McHugh, it was said of him that seeing a sailor aloft on the top-mast of a trading-vessel at Glengariff, he observed what a nice shot it would be to bring him down, and there-upon fired and killed the poor stranger for the mere pleasure of destruction. On another occasion McHugh, accompanied by Owen Mighull (of whom we shall hear again) and others, went to the Castle of Carrigadrohid near Macroom, then in possession of the Bowens, and obtained admission by the following stratagem: They collected a number of geese and turkeys close to the door of the Castle, where their cackling being heard by a female servant she supposed that some of her own fowl had been inadvertently left out at night. Accordingly she opened the door for them, when all these desperadoes rushed in and plundered the Castle.¹³

To resume our narrative : On the **7th** of May 1689 James's famous Parliament met in Dublin. It repealed the Acts of Settlement and Explanation and passed an Act of Attainder attainting of High Treason some two thousand persons believed to favour the Protestant and Williamite Cause. Of course amongst these were " Richard Orpin of Gortkinlinny, Gentleman " (recte, ' Orpen ' and ' Gortalinny'), and "Thomas Palmer of Gortaglan, Clerk"¹⁴; but fortunately for the families of Orpen and Palmer and many another all these attainders were virtually annulled by the Battle of the Boyne.

¹ Its cumbrous title commences : " An/Exact Relation/of the/Persecutions, Robberies, and Losses,/sustained by the Protestants of/Killmare in Ireland: With/an Account of their Erecting a Fortress to/Defend themselves against the Bloody Insolencies/of the Papists," etc., etc. It has been summarized in Smith's *History of Kerry* (1756), pp. 317-21 ; and in Bagwell's *Ireland under the Stuarts*, vol. iii, pp. 202-6.

² Compare *Ireland under the Stuarts* (Bagwell), iii, 200.

³ Justin McCarthy was a younger son of Donough, Earl of Clancarty, who regained most of his property after the Restoration. He was uncle of Donough, the 4th Earl. He became Major-General in April 1686, when Tyrconnell was made Lieutenant-General, and like him was sworn of the Privy Council. In March 1689 he received the submission of Castle Martyr and Bandon. He sat for Cork in James's Parliament, and was created Baron Mountcashel on 3 June. He

was defeated and taken prisoner at Newtown Butler on 31 July, but was well treated, and in March 1690 he was sent with Irish troops to France in exchange for French troops under Lauzun. This was the nucleus of the famous Irish Brigade. See Bagwell, *ubi supra*, iii, 220, 256; *Revolutionary Ireland* (R. H. Murray), pp. 82, 128; *Kerry Magazine*, ii, 112; iii, 22, 48-9.

⁴ Sir Valentine Browne (b. 1637) * * * created Viscount Kenmare by James II after his abdication. He forfeited his estates, but they were restored to his descendants and the 5th Viscount was created Earl of Kenmare in 1801.

⁵ Presumably Thomas Palmer's brother-in-law.

⁶ When I visited the place in September 1927 the end walls and parts of the side walls of the house were standing much as in the old photograph here reproduced.

⁷ Cf. King's *State of the Protestants* (1691), p. 113.

⁸ Bagwell, iii, 186; King's *State of the Protestants*, pp. 170-1 and App. No. 16. The full story of their ill-treatment is told, from documents, in *Kerry Magazine*, iii, 37-42.

⁹ *Revolutionary Ireland*, Murray, p. 82; Bagwell, iii, 202.

¹⁰ Smith's *History of Cork*, ii, 197.

¹¹ He was member for Tralee in King James's Parliament in 1689. Some letters written between 1702 and 1713 by Colonel Maurice Hussey to Joshua Dawson, the secretary at Dublin Castle, are given in Miss Hickson's *Old Kerry Records*, ii, 129-43. She says of him "Although a Roman Catholic, he was undoubtedly favored and trusted alike by the Whig Government of William and by the Tories in the reign of Queen Anne." "The probability is," she adds, "that he was at heart an ardent Jacobite waiting on Providence, until the death of Queen Anne and the arrival of King George shattered the hopes of his party."

¹² 'Hist. R.J.T.O.', p. 220.

¹³ 'Hist. R.J.T.O.', p. 223.

¹⁴ King's *State of the Protestants* (1691 ed.), p. 251. Other residents in Kerry attainted were: Robert Blennerhassett of Killorglin and his two sons John and Robert; also John Blennerhassett of Ballyseedy; William Gun of Rattoo and his son and heir Richard; Joseph Taylor of Killowen, who married Mary sister of Isabella Palmer; John and Thomas Ponsonby of Stackstown; Arthur Dillon of Ardtully; Robert Topham of Gortaglas; Pierce Crosbie, eldest brother of Raymond Crosbie who afterwards married Mary daughter of Richard Orpen; and several others.

CHAPTER VIII

Richard Orpen's Military Service : 1689-1692

AMONG those of the Kenmare refugees who, in Richard Orpen's words, "disposed of themselves in the army for reducing Ireland," was Richard Orpen himself. Unfortunately, with one important exception, we have little contemporary information concerning the part he took in the eventful years that followed. The exception is his own statement, incidentally made in a letter to a friend, to whom he had shown the pamphlet he proposed to publish in vindication of his conduct concerning the ship *Laurel of London*, to be hereafter more particularly described. His friend (who appears only under the initials R.T.), while suggesting a little more caution in some of Richard's remarks about particular persons, wrote, "I hope that none of the army can take ill your defending yourself, especially while you do it so directly against a particular enemy only," meaning one Captain Gregory, who was at the time Commander of Ross Castle on the Lake of Killarney. Richard Orpen in the course of his reply to his friend's suggestions says : "But why should you think that any of the Army would resent my holding of Captain Gregory's Glass before him ? I am confident I stand well with them, or at least with so many as know me ; for when I was employed by his Grace the late Duke of Schomberg, and afterwards by the Government to command the Artillery-Shipping, I kept the coast to and fro, as the Army advanced and retired during the late War, and furnished them duely from Sea ; and so I did the Sea-port Garrisons ; which I performed from time to time to the satisfaction of the Government and the Generall Officers, as by their ample Certificates may appear." '1

From the above statement we may reasonably infer that Richard Orpen returned to Ireland in Schomberg's army which arrived in Belfast Lough on 13 August 1689. As our historians tell us, "the men who fled from the rule of Tyrconnell and the Irish factions received a hearty welcome on their arrival in England. . . . Those fit for war were to be allowed to serve in the army, and Commissions were given to those qualified." ² The siege of Derry had been raised on the 1st of August, and about the same time the Enniskilleners had gained a great victory over Justin McCarthy, now Viscount Mountcashel, at Newtown Butler. It seemed as if the tide of victory was beginning to turn. There was, however, no decisive fighting under the patient and perhaps over-cautious Duke of Schomberg. Carrickfergus indeed surrendered to him on 28 August, and early in September he advanced southwards through Newry to Dundalk, the Irish garrisons retreating before him. He refused, however, to meet James's army in the field, and James refrained from attacking him behind his entrenchments. Disease took a huge toll from both armies during the wet autumn, and Schomberg lost half his forces before retiring to Ulster for winter-quarters. In January 1690 the Duke of Wurtemberg arrived with 7,000 Danes, and further reinforcements came in May, while, on the other side, Lauzun landed at Kinsale on March the 2nd with 7,000 French troops ; and it was not until the 14th of June, when William himself landed with a strong army, that the decisive campaign opened.

On the 1st of July the Battle of the Boyne was fought. It is an old tradition in the family that Richard Orpen fought at this battle and was near Schomberg when the latter was killed ; also that Richard was wounded in the thigh and arm and had always a slight lameness afterwards. The following story relating to Richard at this battle was told by an old man named William Sullivan (said to have been aged 100 years when he died) whose father was in the action at the Boyne : " Soon after the battle, while Richard Orpen was making arrangements for providing forage for the horse, some of King James's partisans came up to set fire to the

hay, and called out to him in Irish to know which party had gained the day. Orpen replied in the same language, ' We have, don't spoil what the troops will want just now.' They, supposing him to have been one of James's officers, desisted from their intention and passed on."³ Another family tradition seems to link Richard Orpen with this eventful day. He is described as a man of great personal courage and activity, of a dark complexion, and of a strong muscular frame, but disfigured by an accident which caused him to be known by the name of ' Humpty Dick.' This infirmity was presumably due to the wound received at the Boyne, though according to another version it is referred to the wound inflicted upon him by Owen O'Sullivan, ' the loose gentleman ' who ran him through the back, as before mentioned. But the defect, we are told, caused him also to be known by the name of ' Luxembourg.'⁴ Now on the very day on which the Battle of the Boyne was fought a victory was gained at Fleurus near Charleroi in Hainaut over the Prince of Waldeck, one of the allies of William of Orange, by Francois Henri de Montmorency, Due de Luxembourg, who henceforth became famous as the first soldier in France. Now Luxembourg was a hunchback (*bossu*), and the coincidence of dates may have suggested the application of the soubriquet to Richard Orpen.⁵

Next followed in July and August the abortive attacks on Athlone and Limerick, and on the **4th** of September William departed for England, leaving Lord Sidney and others as Lord Justices to form and regulate the new civil government. Waterford and Duncannon had already surrendered, and the principal towns in Leinster and about the valley of the Suir had been garrisoned ; but it was not until October that Marlborough had taken Cork and Kinsale, and that the southern coast passed into the hands of the English.⁶ It is possible that Richard Orpen's brief statement quoted above was intended to make a distinction between his employment in the army under Duke Schomberg, and his subsequent command of the artillery shipping under the Government, and that it was only after the Battle of the Boyne that he

" kept the coast, to and fro, as the army advanced and retired, and furnished them and the sea-port garrisons as required." Certainly prior to that battle the only coast he could have served was that between Lough Foyle and Dundalk Bay. He probably held this post until some time after the capitulation of Limerick on 3 October 1691, when his services would no longer be required. As a matter of fact, as will presently appear, he was at Limerick near the close of that year, just before he returned to take up the broken threads of his life in Kerry.

¹ See *The London Master* (1694), PP- 5°-4-

² *Revolutionary Ireland* (R. H. Murray), p. 130.

³ 'Hist. R.J.T.O.', p. 229.

⁴ Sir R. J. T. Orpen's draft memoir.

⁵ Macaulay, vol. iii, pp. 175 and 364; *Histoire de l'Europe* (Taillifer et Vast), 7th ed., p. 318.

⁶ *Revolutionary Ireland* (Murray), pp. 167, 179-85. *Council Book of Cork* (Caulfield), pp. xxvi-xxvii ; The 29th Septr. to be kept as an Anniversary Thanksgiving Day in Cork, p. 208. *Council Book of Kinsale*, pp. lx, lxi.

CHAPTER IX

First Letter to the Baroness Shelburne : 1692

IT appears that immediately after the war was over, Robert Topham, who at one time had been employed by Sir William Petty, but had apparently been dismissed by him, managed, while Richard Orpen was still absent on military service, to get himself appointed as chief agent in Kerry by or on behalf of Charles Petty, who, though still a minor, had been created Baron Shelburne by King James. Consequently when Richard Orpen returned to Kerry after the war he found himself displaced as agent by Robert Topham. Richard made some remonstrance through the intercession of some 'considerable friends,' but without success. Afterwards he wrote two long letters to Lady Shelburne, the first dated 'Dublin, 1st April 1692,' the second 'Glannerrought, 3rd April 1693,' and a Petition addressed to both Lady Shelburne and Charles Lord Baron of the same. Copies of these letters and petition, amounting in all to in closely written pages of small quarto size, with a short Introductory Letter, all in a contemporary hand and bound up in book form, are now in my possession. The book can be traced back at least to my grandfather. Moreover, what appears to be the original Letters and Petition, in the handwriting of Richard Orpen himself, which were actually despatched to Lady Shelburne, have been lent to me for comparison by the present owner, Mr. Arthur H. S. Orpen.¹ The two letters, though a year intervened between their dates, were presented to Lady Shelburne with the petition at the same time, i.e. in April 1693. This appears from the introductory letter in the course of which the writer says : " Your Ladyships and my Lord's of the nth of

February last [i.e. 1692/3] doe afford some allowance for my appearing now with the two following Letters : the one of the 1st of Aprill 1692, which for some reasons (but mostly for want of encouragement) was never presented to y^e Ladyship's hands ; the other is of the third of April 1693."

The general purport of these letters was (1) to defend the writer against his traducers, who had caused the loss of his employment as agent, and to rehabilitate himself in the eyes of the widow and son of his former employer, by showing that he had always acted with energy, courage and success in their interests; (2) to show that Robert Topham's previous conduct was not in his favour, and that he was now discouraging and ill-treating the former tenants of Sir William Petty, especially the English and Protestant tenants, and was currying favour with the old forfeiting Irish proprietors, to his own advantage, but to the ruin of the Protestant Colony, and against the interests of Lord Shelburne ; (3) to show the great falling away in the prosperity of the estate as indicated by a comparison of the rent-roll, number of tenants, and stock, etc., of 1692 with that of 1688 ; **(4)** to indicate how this state of depression might be remedied and the general lawlessness of the district corrected—all clearly with a view to getting himself reinstated as agent. It must here suffice to quote or condense the principal points made in these letters, while paying particular attention to autobiographical details.

Richard Orpen commences his first letter by intimating his conviction that someone must have traduced him and inculpated him in he knows not what, otherwise he would not have suffered the loss of his employment. " Whatever it is," he says, " had his Lordship been pleased to have heard me to it, I don't doubt but to have appeared like the glimering candle which being snuff't burns the clearer." He then proceeds as follows :

" From Lymerick I went forth as at other times, but wist not that my Strength was taken from me among the Philistins, and in Kerry I proceeded to enquire into the whole affair in order to sett the land, etc., and finding the

country groaning under the terror of Brigadier Levison I obtained Colonel Pack's² order to delay collecting the thirds, while I writt to Mr. Dance³ to gett a peremptory order in Dublin ; and notwithstanding that my Lord moved therein before he [the Brigadier] left the Kingdom, yett Mr. Bush⁴ and other well-wishers to his Lordship will say that the Lords justices admired that no petition was preferred against the Brigadier untill he was just going for England about the middle of February (near 4 months after he began his pranks in the 3 barronyes) and could not be stopt then, nothing being brought against him materially at my Lord's suit all the while before. Now whether Topham's pretences of not getting affidavits in Kerry time enough, or whether his expectations of buying the cattle at a cheap rate, were the reall causes of this remissness I shall only think," but his excuse for the delay—that no justice of the peace was yet sworn before whom the affidavits could be taken—is not valid, for the sheriff could have taken the affidavits.

The above passage is important as indicating approximately the date when Richard returned to Kerry after the war, and some of the circumstances in which he lost for a time his position as agent there. The facts, barely alluded to above, were, no doubt, well known to Lady Shelburne and her son, and Richard Orpen had no occasion to state them more fully. The following facts and considerations will help to elucidate the doubtful points. In the first place it is clear that after his service in the war it was from Limerick that Richard Orpen returned to Kerry. The date of his leaving Limerick must have been some considerable time before the middle of February 1692 when Brigadier Levison was just going to England, as it is clear that after Richard wrote to Dance there was great delay (which Richard suggests was Topham's fault) before the petition was presented. This makes it highly probable that Richard was at Limerick at the time of the capitulation (i.e. 3 October 1691), having probably brought supplies up the Shannon to the camp there, and that he left Limerick for Kerry as soon as he was free

from his military service, perhaps in November. He was certainly in Kerry before Captain Topham arrived there, and had already written to Mr. Dance, but as he says further on : " 111 news flyes with wings, and I had soon an account that my employment was taken from me, whereupon I withdrew out of Glannerrought, though I could have sett the lands before Captain Topham reacht thither, and began earlier with Brigadier Levison about the thirds." Later, in his Petition, Richard Orpen says: " Captain Topham immediately after the Warr, haveing given out that your Petitioner was engaged in some other service and had declined his former employ, did thereby undermine your Petitioner and gott his employment over his head."

From the *Life of William of Orange*, by Walter Harris, we can glean some information about the Brigadier. On 21 August 1691, Brigadier Levison with 700 horses and Dragoons was sent by General Ginkell to North Kerry, where he was active for a couple of months against large bodies of Irish soldiers and rapparees. His head-quarters were at Lixnaw, where he was assisted by William FitzMaurice, son of the 20th Lord of Kerry.⁵ Besides his military activities, he was employed in collecting cattle for the use of the camp at Limerick. It was however believed that " he had disposed of a vast number of cattle without sending them to the camp," and from a letter of his, dated the 22nd of September, there seems reason to believe that he was working in collusion with the Treasurer of the army for their private interests. However this may have been, he dispersed or obtained the submission of the Irish in the northern part of Kerry, and having been reinforced by some foot-soldiers under Colonel Packe " he put the affairs of Kerry into a further degree of quiet." ⁶

Harris tells us nothing more of the Brigadier's movements, but from what Richard Orpen says we gather that near the end of October he transferred his cattle-seizing operations to ' the three baronies ' about the Kenmare River, and continued them long after the camp at Limerick was broken up. This seems to have been the grievance about the " collection

of the thirds," against which Lord Shelburne petitioned too late. It was perhaps a levy on every landholder of a third of his cattle. The Brigadier, as we have seen, was suspected of having trafficked in some of these for his own benefit, and Richard Orpen rightly or wrongly suggests that the real cause of Topham's remissness was "his expectation of buying the cattle at a cheap rate."

Richard Orpen naturally felt very sore at having been supplanted in his absence, especially by one whom he considered unworthy of his master's confidence. To aggravate the wound, 'the first thing' that Topham did on arriving in Kerry was to plough up 'the only field' Richard had "for corne to relieve his wife and child." It appears from affidavits by Thomas Gill set forth in Richard's second letter, and from other sources, that this land was at Gortalinny near Kenmare, and that though it was included in the lands passed by patent to Sir William Petty, it and some other of Petty's lands had been previously granted to Trinity College, Dublin; that rather than have a contest with the College, Petty farmed the College lands at the low rent of £15; that the lease expired in 1692, but was then renewed to Lord Shelburne for 21 years; and that Topham thereupon claimed to set the land afresh, and to dispossess the former occupiers in favour of certain Irishmen.⁸ Richard naturally characterized this proceeding as very hard on him, adding "and I fear other matters will hereafter appear wherein my Lord is imposed upon, being not yett sufficiently verst in his owne affairs."

He continues thus: "Had my Lord knowne that I was there upon the place and the necessity of continueing me at least to settle and gett in the arrears while even the very labourers' pocketts were lyned with guinnys gott by plundering the English, I suppose his Lordship would not [have] putt another man over my head that neither knew nor would do anything in that matter."

He then contrasts Topham's record with his own as follows: "Neither was his Lordship advised to enquire back to see how Topham suffered his father to runn in arrear for

Gurtagass above £30, and for severall quantities of Iron which his father had and he himself upon the ballance of his owne account when he succeeded Mr. Crookshank, and for the lands of Doughill^o which he threw up in a heartlesse condition, without performing one article in the lease. . . . For this kind of behaviour and for his wonted treacheryes he was at length dismisst out of all employments, whereas I did from time to time clear all accounts of Iron, Rent etc for my father and my self, and was preferrd for my true performances, and never had any base or ill thing laid to my charge in all my time, except when I attempted som considerable service, as when I made appear to Captain Waller (at his first entring upon the management of this country) in what the great cheat of the Iron works consisted, or when I raised the rent of som lands which I conceived had been sett too cheap, or when I brought in old debts and arrears as I did about £800 in one summer, then they put their heads together and plotted against me, one while to gett me out of my employment, one while to take away my life. But failing therein they resolv'd a more effectuall expedient, and having way-laid me in the dark one of them gave me a most dangerous Stabb so that I kept my bed about 4 months. This and much more I have suffered for my sincerity and integrity, and all this I value as nothing in respect of the wound which I conceive from my Lord's displeasure." ¹⁰

The above passage is important from the biographical point of view as being the only place in Richard's extant writings in which he mentions his father. He goes on to say : " Now to explaine further what is meant by my clearing all accounts of iron and rent for my father and my self. My father had above £200 worth of Iron from Mr. Crookshank and after him from Topham, which I tooke care to see justly paid, and [that] is more than can be said of any one Iron merchant. As for rent, not to mention what I paid yearly out of Killagh, I have raised the rents of lands which others refused to take at their values," ¹¹ etc.

The ' Killagh ' mentioned is now presumably the town-

lands of East and West Killaha, in the parish of Tuosist, on the south side of the Kenmare River. After obtaining the Grand Lease of 1697, as hereinafter mentioned, Richard Orpen by two deeds (now through the courtesy of Lord Lansdowne in my possession) granted these two townlands under the names of " East and West Killagh " to Cornelius Downy and John McOwen Burnell respectively, on terms similar to those in the Grand Lease. The natural inference from the above passage seems to be that Richard's father at some former time held these lands of Sir William Petty and dealt in iron from his ironworks in the neighbourhood—but there are other possibilities. Richard proceeds to charge Topham with further shortcomings and misdemeanours thus : " But more may be spoken of Topham yett, for it's very manifest that he has not been true to his trust in greater things, as when he was entrusted to take MacFinin, MacGillicuddy, etc., he passt away whole nights in their conversation and never took them, but [they] were afterwards taken by me. He had also a mark't writt or Execution against Captain Stillgo, and though he was every day in his company did not take him. But Stillgo happening to be at Topham's wedding where I observ'd Captain Waller and Topham discoursing apart, and perceived by their countenance that 'twas upon some important matter, I made bold a little after to ask Captain Waller what it was ; who told me that Topham had for severall dayes an instrument against Stillgo for £1,100 and costs and wonderd that it was not executed. I desired that it might be given to me, and I would take him prisoner in the house without respect to the solemnity of the wedding. Whereupon Topham was ordered to give it to me, who went into a room to look for it in his other pockets. At length it was given to me, but notice was first given to Stillgo, who took to his heels and Gallopt away presently through thick and thin clear out of the country. When Sir William had an account of the escape he blamed Captain Waller abundantly, and I remember somewhat in these words : ' God help us in the after-Game, for wee have been too remiss and too credulous in the Fore-Game.' So that by this trick the

money was not onely lost, but he was like to have moved Sir William to censure Captain Waller."

One may here remark that however remiss Topham may have been on other occasions, he can hardly be blamed for not executing the writ on the spot against his wedding guest.

Another complaint against Topham must be noticed as it shows in what light smuggling was regarded at the time and indicates the deficiency of civic sense in even the highest in the land. The letter proceeds as follows : " Another piece of his ingenuity being very remarkable it will not be amiss to insert it here. A ship comes into the River of Killmare having on board some tobacco and other goods vendible in those parts. The master sold the goods to severall of the English in the Glinn, and delivered them on shore clandestinely and in the night time, whereby they saved the duty which was considerable. Topham having som account of it, and greedy of shareing in the seasures and ruine of the English, informs the Waiter of the whole matter, and a Serch was made, but the goods being well hidden nothing could be found. Whereat Topham was highly enraged and being resolved to be aveng'd on the Waiter, whom he suspected was not dilligent enough in serching, he went to Mr. French, the chief Collector of the county of Kerry, and acquainted him therewith, enveighing vehemently against the Waiter for his remissness. Whereupon an office or Court was called at Killarney, the Waiter was summons'd to receive his tryall and sentence, and Topham appeared and prosecuted him with the utmost severity. It held some high debate for a while, but for want of sufficient witnesses to secure the accusative allegations it came to nothing, save that Topham stunk of an informer for a long time after. I suppose I need not trouble your Ladyship with the ill consequences that through the discouragement of shipping and tradeing-men might have ensued the successe of this prosecution, which in this case is, the buyers are to loose what they bought and be fined besides ; the master to be fined and imprisoned, and the ship and goods to be forfeited." ¹²

From the above it would appear that not only were the English gentry in Kerry at this time ready to co-operate with smugglers in defrauding the revenue, but that Lady Shelburne and her son were expected to approve of their conduct and condemn the informer. 'The Waiter,' or local revenue officer, was Thomas Crump, brother-in-law of Richard Orpen, and even he had no hesitation in swearing the following affidavit in support of Richard Orpen's statement concerning Robert Topham's action in this matter :

" Affidavit of Thomas Crump 10th of March 1691. Being duely sworne etc saith upon oath that lately, before the warrs, there being a parcell of ships in the River of Killmare, and one of the masters having putt on shore som goods privately to several of the English in the Glinn, Mr. Robert Topham made information thereof to Mathew French Esq., Chief Collector of Kerry, and used all prosecution imaginable against this deponent (who was then Officer of the district of Killmare), for the same, even to a triall, with intent to have the deponent cashear'd, the buyers fin'd, the ship and goods forfeited, and the master to be fin'd and imprisoned, and further saith not." ¹³

When, however, we talk of a 'deficiency of civic sense' in such cases in Ireland, we are really judging the attitude towards smuggling as if the circumstances were the same in the seventeenth and eighteenth centuries as they were after the Union. But if we seek the *fons et origo mali* we shall find it in the commercial policy of England with regard to Ireland at the time, a policy both selfish and stupid, against which Sir William Petty inveighed, which restrained Ireland from engaging in a lucrative commerce in wools and woollen goods and some others things which she could produce cheaply, and by which she could have honourably got what she could now only obtain by countenancing smuggling.¹⁴

We may note here that it was clearly this Thomas Crump (and not 'Francis Crump,' as stated in Burke's *Landed Gentry*, 1912) who married Richard Orpen's sister, Dorcas, for a letter transcribed in the Appendix to 'The London Master,' pp. 38-9, dated at "Glannerrought 20th Octr. 93,"

and addressed to " Mr. Thomas Crumpe, Killarney," commences ' Dr Brother,' and ends " Your affectionate Brother, Ri. Orpen."

Richard Orpen goes on to contrast his own faithful services with Topham's various shortcomings and iniquities, and ends as follows : " Humbly beseeching your Ladyship to weigh the reasonableness of what I write, and left not the first thing that my Lord has don concerning that country be the downfall and confusion of a stedly faithfull and the oldest servant of all, etc."

This first letter occupies eighteen pages in the MS. Letter-Book.

¹ This version of the Letters, also bound in similar quarto size, bears on the first supernumerary page the name " John Windele, Sundays Well, Cork." Of this booklet Sir Richard J. T. Orpen wrote in a letter to my father, dated 10 June 1873, that he had " purchased it in Cork from an antiquary [no doubt, John Windele] in exchange for a copy of Smith's *History of Kerry*." How the original letters came into the possession of John Windele does not appear, but from a comparison of the handwriting with Richard Orpen's known signature, and from the following fact, I am satisfied that these are the identical letters despatched to Lady Shelburne. Pages 30 to 56, being copies of affidavits, are in a different handwriting from the rest, and on p. 57 is written in the same handwriting as the Letters proper : " This page serves onely to begg y^r Lap^s pardon for useing another hand ; mine was not well then, nor very well yett, neither is my eye-sight (at y^e best) very strong." This note was of course omitted in my copy, and serves to show that the Letters in John Windele's book were the originals. Moreover, I am informed by Lord Landsdowne that the originals are not now at Bowood.

² For Colonel Pack, see below.

³ Thomas Dance was Lord Shelburne's agent then resident in Dublin.

⁴ This Mr. Bush was probably Arthur Bushe of Dangen, Co. Kilkenny, who was Secretary to the Commissioners of Revenue. He was a cadet of the house which afterwards produced the famous advocate and orator, Charles Kendal Bushe, C.J. (See Burke's *Landed Gentry*.)

⁵ This William FitzMaurice was younger brother of Thomas FitzMaurice, afterwards 1st Earl of Kerry, who in 1692 married Anne, only surviving daughter of Sir William Petty.

⁶ *Life of William Henry, Prince of Orange*, etc., by Walter Harris (1749), pp. 341-3.

⁷ This child was presumably Mary Orpen, born about 1691. She is stated to have been six years old at the date of the Grand Lease (22 March 1696/7). She married Raymond Crosbie, but died without issue in 1763. She is not mentioned in Burke's *Landed Gentry*, 1912.

⁸ See 'R.O. Letters,' pp. 47-8 and 54 ; and 'Case Against Orpen,' c. 1717-18.

⁹ Gortagass and Doughill are both townlands in the parish of Kenmare.

¹⁰ • R.O. Letters,' pp. 7-8.

¹¹ 'R.O. Letters,' p. 9.

¹² 'R.O. Letters,' pp. 12-13.

¹³ 'R.O. Letters,' pp. 52-3.

¹⁴ As I write, the *Irish Times* is daily giving an account of the general smuggling that goes on across the boundary between Northern Ireland and the Free State—itself also the result of a stupid policy.

CHAPTER X

Second Letter to the Baroness Shelburne : 1693

THE second letter from Richard Orpen to the Baroness Shelburne occupies 80 pages of the MS. Letter-Book. It commences as follows :

" GLANNEROUGHT

" *3rd April 1693.*

" May it please your Ladyship,

" Though my former Letter be true in all its parts, yett I was cautious of haveing it presented to your Ladyship's hands, hoping to have had my businesse without columniating any of my Lord's Servants or any person for whom his Lordship might have a kindness ; Well knowing besides that such accounts have the lesse regard or creditt when the same are had from a prejudiced person. Especially should it be said, who knows but Topham might put off the old man and put on the new ? . . . But no sooner had he got his foot into the stirrop again than away he rides . . . with the prime enemyes of Sir William Petty and the very Cankerworms and Caterpillars of my Lord's Estate about him, whilst the English, which cost many hundreds the bringing into the country, were utterly slighted . . . untill now that I see him getting into my Lord's favour more and more, and extirpating the most profitable tenants, and setting up a tribe of the old proprietors to the utter ruin of the most industrious and laborious people, and the utter impoverishment of my Lord's Estate. . . . So that seeing I am now upon my Lord's account as also for my own justification, bound to open this man's behaviour since his being lately entertained in my Lord's service, I most humbly hope that this and my former Letter will be taken as my

dutimnesse to his Lordship, and not altogether to answer my own private ends." ¹

Then after giving a formidable list of some of the ' Gifts ' or bribes, mostly horses that Topham had received, the Letter reproduces a large number of affidavits, occupying twenty-six pages of the manuscript, by various tenants or dispossessed tenants concerning Topham's harsh conduct, disregard of his employer's interests, and general unfitness for the position of agent. Many of these refer to the high-handed proceedings of O'Sullivan Bear and other forfeiting proprietors who had turned out the former small farmers and burned their homes, so that many were reduced to beggary and some died of starvation, while no redress could be obtained from Topham. Others refer to Topham's efforts to discourage Protestant settlers. For details we must refer to the Letter-Book itself, but we may quote part of ' William Mabury's ' affidavit, as he was presumably the William Mayberry ² (not John Mayberry as stated in Burke) who married Richard Orpen's sister, Rachel.

" The Affidavit of William Mabury, ³ 1st January, 1692/3. Being duely sworne and examined saith upon oath, that he is one of the protestants that fled for England from Glannerought in March -^{ns}- and being near Bristoll about February 169J and [having] provided himself to come over again to Glannerought (where he was brought at first out of England by Sir William Petty) and enter upon his old farme of Drumoghty which was sett to him and his partners before the warr for £25 a yeare, and enjoyed it until driven out by King James's people, and for which one of the old proprietors, who was Leasee to the same before this Deponent had it, paid but £10 a year, and when this deponent had put himself in readiness to go aboard for Ireland one Richard Johnson, Brother-in-law to Captain Topham, gave this Deponent to understand that Captain Topham was now sole agent throughout all my Lord Shelburne's affairs in the Kingdom of Ireland and did also very much discourage this deponent from coming over, amongst other things that

Orpen had nothing to do in Glannerought, and if Orpen should have anything to do there that this deponent should not find any friendship from him as formerly, but on the contrary much inveteracy and malice. . . . Whereupon this Deponent delayed his voyage until he had written to Captain Waller, and then he received further encouragement not only from him, but also from my Lord Shelburne in a letter from Mr. Cornelius Downy, to goe for Ireland and carry with him as many English as he could, and saith that he spoak to severall English to come over with him who came to him to Bristoll, but upon the like discouragement from Mr. Johnson disperst themselves and would not come over. However this deponent came for Ireland and to Glannerought about Lammas last [ist August 1692] and found his farme sett unto one Teig Sulivane, nephew to one of the old proprietors deceased, and found also that what the said Johnson had spoaken of Orpen was false, and as soon as he saw Orpen he askt him how it came to pass that he was turned out of his farme, haveing writt to him the said Orpen long before the surrender of Limerick to secure the same for him. Whereto the said Orpen answered that he had given an instrument under his hand to Mr. Mahony's son,⁴ empowering him to take that farm for him [Mabury] from Captain Topham, which accordingly was done, but afterwards taken away about May last [1692] and sett to the said Teige Sullivan by Captain Topham. . . .

" The Deponent further deposeth 31 January 1691⁵ and saith upon oath that on Friday the 27th instant Captain Topham came to Glannerought from Dublin with a letter of attorney, as he says, to sett Iverah and Dunkeron for lives or 21 years and Glannerought for **4** years and give **4** years time for debts and arrears. Whereupon this Deponent went to him and desired that he might have his old farme, who after he had railed violently at him, this deponent, he told him plainly that neither he this deponent nor any of his sort should have a foot in my Lord Shelburne's Estate, that he had put Teige Sullivan in, and God damn him but he would keep him there in spite of the world,

and most enviously askt this Deponent why should any of them com out of England to expect land here ; all which confirms this deponent's opinion that the former discouragements from Mr. Johnson were contrived by Captain Topham. And now this deponent seeing no hopes of encouragement is resolv'd to-morrow on his journey for England, but promises with God's help to returne to justifie all these things (when my Lord Shelburne desires it) before Captain Topham's face, and further saith not."

William Mabury returned to Kerry after Richard Orpen recovered the agency and obtained the Grand Lease. I have in my possession deeds executed by Richard Orpen and dated in 1697 and 1703 which were witnessed by William Mabury.

We may also quote the following affidavit as it refers to Richard Orpen's own property :—

" Affidavit of Thomas Gill, the 31st of March 1693.⁶ The Deponent being duly sworne saith upon oath that upon the 17th of January last, as he was at plough in Mr. Orpen's field of Gurtalinny, Captain Topham's wife came to him and warned him from work and told him he must not plough there, for her husband had got a lease of all the Colledge Lands and that field was part of it. Whereto he reply'd that Mr. Orpen had employ'd him to plough there, and that he would plough on. She told him againe that he should not, and caused her man to force the fore-horse out of his harness, and commanded him to cut the harness to pieces, and being sorely vexed at the plow-men she went away; and Roger Topham came presently with his Gunn and finding the plow going on still he threatned to shoot the fore-horse if they would not leave off ploughing imediately. But they ploughed on still. Whereupon the said Roger flew into a great rage, and with his Gunn in one hand and his Cudgell in tother he fell on and beat the horses like a madman and forced them out of the ground. Then the deponent ran about a quarter of a mile to Mr. Orpen and told him all that had past; upon that Orpen went forthwith to the place and askt the said Roger what made him disturb the

plough. Roger told him that his Brother had got a Lease of all the Colledge Land, and therefore (that being part of it) that nobody else should plough there. Whereto Orpen told him that he did not believe that my Lord Shelburne had given away the field over his head to any person, and that himself had a Lease of that field. Roger said that Orpen's Lease signified nothing, for that Sir William's old Lease was out. Orpen told him that my Lord never intended to put such things on his servants. Roger swore by God they should not plough there. Orpen swore by God they should, and with his sword in his hand forced the horses into the ground againe and settled them and the deponent to ploughing againe. And further deposeth that Captain Topham came himself in person at severall times afterwards and forbid him to plough there, and often threatned the deponent that he should never sowe there, and if he did he should never reap what he sow'd in that Ground, for that he had a Lease of all the Colledge Lands, and further saith not."

Richard Orpen eventually recovered this farm, as in the 'Grand Lease' and in the leases granted by him in 1697 he is always described as "of Gortaliny in the county of Kerry, gent." In 1702, however, he is described in a Lease granted by him to one Falvey as 'of Killowen House,' which henceforth became the family residence (*teste* Sir R. J. T. Orpen).

Commenting on all the affidavits transcribed in his second letter Richard Orpen says: "It is very manifest that Topham has for rewards and bribes deluded ruined and turned out of my Lord's Estate many able families to begg and starve, besides severall others who, tho they are not turned quite out of my Lord's Estate, are forced out of their houses and farms in a starving condition, and through meer necessity are forced to filch and steal for their liveing, and better it were that they had been packt away with the rest than remaine (as they now are) perfect enormitys to the country, and som of them to be hanged for stealing, and are already comitted to prison against the next Generall assizes and Gaol delivery, who had wherewithal! to live decently about

Christmas 1691, that the great ones fell upon them afresh after Captain Topham came to the country, who often gave them fair promises of redress, and as often sold them out of all their worldly substance and out of their farms too. And nothing is more evident then that he and the heads [i.e. the old proprietors aforesaid] have been the destroyers of most of the profitable Limbs throughout my Lord's Estate, partly because they will make their owne potts boil out of the ruines of the undertennants, and partly because the poorer they render their farmes the cheaper they hope to get long leases."⁷

After some further charges and recapitulations the writer says : "I will now begin to consider of methods to be moved in Parliament and otherwise for the speedy repeopling and stocking of my Lord's Estate, and for the bringing in againe of the English, and for the further encouragement of trade, and will first proceed to set forth how every individual farme in the Barony of Glannerought was tennanted Stockt plough'd and rated in the year 1688 and how the same is now in the year 1692." This last he does in an interesting table showing for the specified denominations of land in the barony the annual rent, the number of souls [people], the number of collops,⁸ and the acreage of corn for the two years respectively. The depreciations under each head in the latter year being very marked. The totals being as follows :—

		f ⁿ nno 1688.	Anno 1692.
Rent	. . . .	£502 : is	£ 163
Souls	. . . .	2,347	1,219
Collops	. . . .	4,283	1,523
Corn	. . . .	1.263	545

while if the land had been fully stocked in 1688 it would have borne 1,025 additional collops, yielding at the same rate an additional rent of £85 8s. <\d. This, he says, " would be about the full value of the land, without the Iron-works, while the same is tenanted with no more the 2,347 souls."

After commenting on this unsatisfactory result, he proceeds to make suggestions to the following effect for settling

the land to the best advantage and for remedying certain abuses and the evil conditions of the estate :

(1) That the former tenants, on giving proper security, be encouraged to take up their old farms, and that those who had intruded be ordered to withdraw, with liberty to bid for waste lands.

(2) That the old proprietors, who had exacted " money cows and horses on account of Rent in the warr time, contrary to the declarations of either King," should be made to make speedy satisfaction.

(3) That those who paid little or nothing towards the thirds exacted by Brigadier Levison should contribute to compensate those who had paid more than their share.

(4) That to protect the English who had come, or who may be expected to come to Glanarought from the thieves and robbers who abound and are harboured by the Irish, it may be moved in Parliament to this effect: " That whereas Sir William Petty, deceased, did about the year 1670 sett up severall considerable fisheryes, open'd the lead-works, the trade of rape seed, built a forge and furnace (and many good buildings besides) for makeing of barr-Iron, and running of divers sorts of mines and metalls upon the river of Killmare, where above 1,000 Irish were for one Englishman, and planted a colony of protestants there which he brought out of England etc at his expence of above 10 thousand pounds sterling, whereby that country became a place of great trade and well inhabited with English tradesmen : all which works and emprovements were totally destroyed and demolisht in the late calamitous times, and the said plantation of English utterly disperst and ruined by the Irish, and that part of the kingdom in a manner has become desolate and wast, while the natives do still persist in their wonted inhumanityes and barbarities of murdering robbing filching and stealing to the great discouragement of all tradeing-men. Now forasmuch as the Right Hon^{ble} Charles, Lord Baron of Shelburne, son and heir of the said Sir William Petty, doth purpose and resolve forthwith to renew the said severall factories of rape-seed, Lead-mines,

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Iron-works and nsheryes, and to bring in a fresh plantation of protestants out of England etc, to the general enrichment of the province of Munster and the great augmentation of their Majesties' Revenue. Be it therefore enacted that whatsoever Robberies or Stealths which shall hereafter happen to be comitted upon any of the English . . . shall be forthwith leavy'd by way of applotment from the Irish throughout the severall baronyes situate on both sides of the said River of Killmare," etc.

(5) That a local court be given jurisdiction in cases of perjury.

(6) That an improved method of summoning the Grand Jury be adopted instead of the existing oppressive practice.

(7) That in future, if any murder shall be committed within the said three baronies, " the Clergy, Gentlemen, and Chieftains of the Irish residing within each of the said three Baronyes " shall be responsible for bringing the malefactor to justice, or shall be liable as for harbouring him.

With these two long Letters was presented Richard Orpen's Petition to the Baroness Shelburne and her son. Its earlier passages have been for the most part already quoted as bearing on Richard's early life (p. 51). In it he further says : " That your petitioner, valuing the mark of favour left him by his never to be forgotten Master above all employments in the world, is resolved, if duly encouraged, to sell what little interest he has in Munster and bring all his effects to Glannerought, and to bring in some English, who along with him will lay out £600 immediately in build-ings, emprovements, wayers, fisherys, mills, and such other trades as that countrey is capable off, being above £400 more than the whole barony besides is able to spare, and will lay out yearly more than the rent of that barony comes to, and will give good rents for the wast land or for any other lands that the Tennant refuses to take at their value, and will also help to stock other farms, all which will be a means to enrich the undertennants and to increase the rents." . . . And he concludes as follows : " That your Honors will please not to oppose him (as Captain Topham

has said [he would]) to be the mark and reproach of those whom he has made his enemys by his true service, and that your Honors will cause all the people of the whole Barony to be called, and all others within 40 miles round may be enquired, to find who has been a sufferer by your petitioner besides Highwaymen, thieves, Murderers, and the grand Enemys of his Employers ; to the end that it may be known who has suppresst and who conquered all sorts of malefactors, who has saved many from starving and who has turned them out in winter to starve, who has promoted trade and who has destroyed it, who built hives for the laborious Bees and who gave away all their Hony to the Drones.

" In all which your Petitioner most humbly submits to your Honors, and shall ever pray," etc.

These letters and petition speedily gained their object, for in the following year, 1694, when we next hear of Richard Orpen, he speaks of himself as being " in his Lordship's service." This appears from his pamphlet entitled (shortly) *The London Master ; or, the Jew Detected*, which we must next consider.

¹¹ ' R.O. Letters,' pp. 22-4.

² In the Pedigree of the Orpen Family compiled by my great-uncle Emanuel H. Orpen, the descendants of Rachel Orpen and William Mayberry are traced for many generations. In the senior male line their great-great-grandson John Mayberry, who in 1802 married Honora Mahony, lived at Greenlane, near Kenmare, where their descendant (?) Dr. Mayberry lives at present (1918).

³ ' R.O. Letters,' p. 36 *et seq.*

⁴ This was probably Daniel, son of John Mahony of Dunloe, afterwards one of ' the lives ' in the Grand Lease of 1697.

⁵ ' R.O. Letters,' p. 40.

⁶ ' R.O. Letters,' pp. 53-4.

⁷ ' R.O. Letters,' pp. 60-1.

⁸ Collop : Irish, *Colpa* — a full-grown animal, whether cow or horse, taken as a unit for grazing animals, equivalent to six sheep (Direen).

CHAPTER XI

" The London-Master : or the Jew Detected " : 1694

THIS pamphlet is very rare. I could not find a copy in the Libraries of either Trinity College or the King's Inn, Dublin ; but there is one in the British Museum. Of this I have had a photostat reproduction made, and it now lies before me as I write. I have already quoted from it the passage showing that prior to the Battle of the Boyne Richard Orpen served under Duke Schomberg and afterwards under the Government in command of the artillery-shiping, and furnished the army and the sea-port garrisons from the sea. In view of its general subject, the pamphlet might have been called " The Self-wreckers in Kenmare River, 1694," but its lengthy title page is as follows :

THE LONDON-MASTER: OR THE JEW DETECTED.

Containing

- I. A True Discovery by what Tricks and Devices the Ship *Laurel of London*, with a rich Cargo, worth several thousand pounds, was cast away in a most horrible manner in the River of *Killmare in Ireland*.
- II. The evil Motives of Lucre that instigated them to that Wickedness.
- III. Their bloody Designs to have Sixteen Innocent Persons question'd for their Lives, for pretended Felony and Treason.
- IV. A brief Apology to the Clergy, the Army, and the London-Masters.

V. An Appendix to prove every Allegation, directed by the Margent.

Qui color albus erat, nunc est contrarius albo.

Printed at *Dublin*, and are to be sold at the Treasury Coffee-House in *Crane Lane*, at Mr. *Norman's* in *Dames Street, Dublin* ; at Mr. *Jones's* in *Cork*, and at Mr. *Letcher's* in *Tralee*. And the Original Vouchers are to be seen at the said Coffee-House. 1694.

The first four headings are dealt with in 87 pages, and the fifth section containing the affidavits in support occupies 45 pages. The pamphlet is dedicated to the Right Hon^{ble} Charles Lord Shelburne, in whose service the writer was.

It is impossible to give a complete analysis of this remarkable pamphlet in a reasonable space, but we shall tell the story, as briefly as may be, in Richard Orpen's own words, and it must be borne in mind that every detail in the writer's narrative appears to be fully verified by the affidavits, and that all the more important points are confirmed by persons of undoubted credit. To anyone who studies the whole pamphlet it will be sufficiently clear that the first design of the ship-master, the Jew Myars, and their co-conspirators was to wreck and abandon ship and cargo and make off with a large store of gold and silver which they had on board, and that when this scheme failed—through the action of the Rapparees in robbing them of the gold—they endeavoured to hide their misdeeds by throwing all the blame for the loss of the cargo on Richard Orpen, who had really been the instrument of saving all that was in fact saved.

Richard Orpen commences his narrative by describing the river of Kenmare (or Killmare, as it was then called) and telling of Sir William Petty's plantation of " 815 souls of English Protestants " on its borders—his fisheries, Iron-works, Lead-mines, etc.—" all which were demolish'd and destroy'd by the last Wars, and not above 75 of those Protestants left in being . . . where now again, ever since the last

War, 20, 30, and sometimes 100 at a time of Toryes, have march'd openly in Arms up and down that Country, and upon the approach of any considerable part of the Army, have disperst themselves into smaller companies and are concealed among the Glins and Fastnesses ; where if any of the Inhabitants are suspected as Discoverers, they and their Friends are immediately destroyed by burning their Houses, cropping their Ears, and cutting out their Tongues, and sometimes keeping them Prisoners whole Nights, stark naked, in the open Fields." This description is relevant as showing the condition of the county at the time—a condition which unhappily has not been wholly without parallel within my memory.

Into this river, or more properly estuary, on 27th January 1694, came from Jamaica the *Laurel of London*, a ship of 150 tons burden, bound for London and " laden with Sugars, Logwood, Fastick,¹ Lyme-Juice, Indigo, Ginger, Cotton, Paint, Pemento,¹ and great store of Gold and Silver, and divers Ingots besides." She had on board Christopher Lyell, master, a crew of 9 men and 2 boys, and as passengers Jacob Myars (the Jew), Peter Row and Mr. Spyers : the last-named " said to be son-in-law to one of the owners, but so indisposed and sickly that it is doubtful whether he was concerned in the Stratagem or not."

They gave an account that on the morning of the 27th they were 4 leagues west of the Bull, Cow, and Calf (islands off Dursey Head, the extremity of the south-western boundary of Kenmare River), and though they had resolved to go to Kinsale—which, the wind being at the west, they might as easily have done—they were driven by stress of weather, as they pretended, into Kenmare River, and came to anchor in the evening under Rossmore Point about mid-way up. " Next morning they cut their cable, pretending that she would not ride for want of the Mizen-Mast, for they had taken care to cut that by the board, before she came into the River, to prevent her yawing as she sailed before the wind, as though nothing could prevent it but the cutting away of the Mast." They had also " wounded and hacked

the main-yard, the fore-yard, and the fore-top-sail-yard in several places about the middle," the manifest object being that " they might break in sunder when the sails should fill with the violent winds, and thereby make the greater show of distress." The cable having been cut, the ship drove before the wind towards Blackwater Harbour, where the whole ship's company, taking their treasure of gold and silver with them, abandoned their ship and went ashore in their long-boat. Having sunk their boat, they marched about two miles to the house of Dermot MacOwen at Cappanacossy (Cappanacush).²

Unluckily for their design, however, the ship did not sink, but without a soul on board followed them, like another Frankenstein, to Cappanacush, where she drove to and fro with the tide on a shallow sandy bottom all that day. The local gentry advised the master to betake himself to the ship, seeing that, as she floated, she must be tight. But he declared with an oath that " she was good for nothing and a wreck . . . and that he would never lay his leg over her side again." Some mariners offered to take the ship off to a safe place, but he told them to hold their tongues and mind their own business. However, he afterwards sent for some rum and sugar from her to make merry with the country people, but no attempt even to anchor the ship was made. The master, passengers and crew divided the gold amongst themselves, and their greatest concern was to provide horses and conveniences to carry themselves and their treasure out of the country. At length the master was persuaded to write to the Rev. Thomas Palmer, who lived about 3 miles up the river-side. He came the same evening and told the master that the ship was in very little danger and could be saved without difficulty, and promised him assistance. " But," says Mr. Palmer in a solemn affirmation,³ " the Master seemed to have no mind to go on board her any more, or to have any regard to her Preservation, until, understanding that they had some Bags of Money and Treasure with them ashore, I told them that the Country abounded with Tories and ill people and desired

them to carry their Money on board and stick to their Ship . . . that she was the best garrison in the Country. Upon which apprehensions of the Tories they hastened on board again with their Money." They passed the night drinking, but refused the help which Mr. Palmer immediately sent to fetch the ship away to a safe harbour.

" Next morning [the 29th] about 10 o'clock," continues Mr. Palmer, " the Mate one Mr. Myars a Jew, Peter Row, and one Mr. Spyers, with several of the Ship's company came ashore to my House, and brought with them two or three Sea-Chests, wherein I concluded were some Changes of Clothes to refresh themselves ashore, not in the least thinking they had brought their Money in these Chests, having before told them that their Ship was the best Garrison in the country; and after they had eaten and drank I rode down to the Ship along with Mr. Myars, and took along with me my son-in-law, Mr. Orpen, who had judgement in Shipping, to advise the Master to get the Ship into a harbour."

Leaving Mr. Palmer, who was a corpulent man, ashore, Mr. Orpen went on board with Mr. Myars. He examined the pump, and finding that " the water was black and stunk," he told the Master that the ship was tight and in no danger, also that Mr. Palmer was sending men to lighten her and get her off. He recommended removing the heavy guns from the deck, but the Master would not agree though they were quite useless for defence. Nor would he anchor the ship, nor, when she began to float with the rising tide, would he attempt to get her off. Most of his men indeed were still on shore, and in the evening six of them took their share of the treasure from Mr. Palmer's house to Roughty Bridge about 2 miles off. Mr. Orpen left after sunset, and presently Mr. Palmer's men came in stout boats to bring the ship off, the night being very fine, but the Master with angry threats dismissed them.

That night Mr. Palmer's house was attacked and burnt ; but we had better recount the circumstances in Mr. Palmer's own words, which will not be questioned : " That Night,

being the 29th, about midnight the Tories came and set my House on fire in several places, and fired several Shots in at the Doors and Windows, and we fired at them again ; but the fierceness of the Fire increased, and, the Key being lost, we were forced to break open the Door and submit ourselves to the Tories, who forthwith entered the House, and Mr. Myars showed them the Chest which had the Treasure, and they dragged it out and broke it open and carried away what they found in it. All this time Mr. Myars, or any other body, never told me that they had brought this Treasure to my House, until after my House was Burnt and Robbed. The next day, being the 30th, I was told the Master quitted the Ship and left her to the Country. All this *in verbo sacerdotis* I aver to be true, as Witness my Hand, June the 5th 1694. *Tho. Palmer."* ⁴

When the Master on the morning of the 30th heard that Mr. Palmer's house was burnt and the money lost, he " fell to cursing and damning and railed at his own self for suffering it to be put ashore before the ship was in danger, and said that there could no better come of bad designs . . . and commanded one of the men to slip the warp that she rode by . . . and the Master bid every man aboard to save what they could for themselves for all would be lost before next tide."—It appears that in the night the Master had caused three holes to be bored in the ship's bottom, as he afterwards acknowledged, saying it was to keep her from beating !—The men Mr. Palmer had sent the evening before had come again to take off the ship, but the Master would not consent, and " wished she would split in a thousand pieces." He allowed them, however, to take off nine casks of indigo for themselves, " as well as two casks which he desired them to save for himself to bear his charges out of the country." When everything was ready the ship, which now had five feet of water in her hold, was left to take her chance, and they all came ashore at Killowen, where the indigo was stored at the house of Joseph Taylor,⁶ another son-in-law of Mr. Palmer.

When the Master came on shore he met Richard Orpen,

Bryen Kelly, and others, and " he told Mr. Orpen that all the Goods would be lost that Tyde, and that the Ship would inevitably split in pieces out of hand, and he desired the said Orpen to go with what hands he could make and save what they could." " Mr. Orpen accordingly despatched several persons to the ship and amongst them Mr. Bryen Kelly, but first he sent the latter to the Master to get a note under his hand of what was to be given for salvage. The note was as follows :

" January the 30th 1693[4]

I do hereby Certifie to all whom it may concern, That I have Impowered and Authorised Richard Clark, Samuel Aldwell, Bryen Kelly, Charles Carthy, Dermot Sullivan and Dermot Sullivan Junior, to go on board the Ship Laurell, to possess and make use of all what they can find there, as also the Ship and Riggings thereto belonging, and do Promise and Oblige myself to give the said Parties the one Moiety of the said Ship and Goods as Salvage. Given under my hand,

CHRISTO. LYELL.

Witness,

ENOCH HOARE."

Afterwards, on 23 February 1694, all the said persons named signed a declaration referring to the said document and stating : " We do, for the Manifestation of Justice and Truth, hereby aver and declare to have been no otherwise concern'd therein, then as friends of Mr. Richard Orpen, and Employ'd by him upon that service, to whom we attribute the true Right of Salvage of what was saved from the said Ship and Goods." "

It seems important to set out these documents, as it was afterwards contended that Richard Orpen had no authority to interfere with the Ship and Cargo.

The same evening Richard Orpen's men brought the deserted ship from the shoals of Cappanacush to a convenient creek, and next morning, the 31st, Richard Orpen came with men and boats and set to work with tackle and can-hooks

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to discharge the cargo and put the goods in a safe place. This was a work of some difficulty, " for the Rabble and Rapparees crouded into her in great Numbers, insomuch that Mr. Orpen was forced to bring his people to their arms—he had some soldiers with him—and thereby expelled the intruders." In the night following the ship was again attacked, so that there was hot work to defend her. In short, according to the depositions of those present, " had not Mr. Orpen beaten them off, they had undoubtedly destroyed both ship and cargo."

On February the 1st the Master came on board for a short time, and Mr. Orpen showed him that the water was in her hold within a foot and a half of the beam, whereupon the Master ordered that a hole should be made to let it out, but he would not stay to take an account of things, or to see the holes stopped, nor would he send any of his men to help, and returned not again until five days later.

On the 2nd of February Captain George Gregory, Commander at Ross Castle, and Mr. James Bland,* Minister of Killarney, came to the ship and left after two hours " with full assurance . . . that the master passengers and company had wilfully destroyed ship and cargo for the lucre of the gold and silver." Next day, however, Mr. Bland wrote to Mr. Thomas Crump, the King's officer, suggesting that " two firkins of Lime-juice and whatever else you think worthy of his acceptance should be sent to Capt. Gregory as a gratuity for his soldiers' service," adding, " I take leave to tell you as a friend that as you may incur his Favour by this, so you may his Displeasure by the neglect of it, which may prove more dangerous than you imagine. My service to Mr. Orpen." "

Richard Orpen replied that " the Soldiers must be paid if they did any service ; and as cases stood he would not dispose of anything, but hoped in a little time a division would be made, and as soon as he had his share set out which was due to him for Salvage he would pay his respects to them with Presents of every sort; which unsatisfying answer not suiting well with the covetousness of the Captain

and the Parson, proved of ill consequence to Mr. Orpen and Mr. Crump. For the Captain and Mr. Bland set up for the Master and Crew, making them now Saints whom but lately before they had condemned for Devills. They incensed Edward Herbert¹⁰ the High Sheriff, a man of no small power, and Charles Monk Esq. Collector of the County of Kerry, against Mr. Orpen and Mr. Crump, as though they were the only persons that had destroyed the Ship and Cargo and had forced the Master by head and shoulders out of the ship."

On 12 February the Sheriff and Captain Gregory came to Killowen " where they found the Master, the two passengers, and Mr. Orpen very friendly together." The Sheriff told the former " that they were under some censures for casting away their Ship and destroying her Cargo, and that he, and only he, could set them right with their Owners in England and with the Government in Ireland." He also claimed that by law all 'wreck' should be in the custody of the Sheriff. Captain Gregory, too, asserted his authority and " advised them to quit all others and stick to the Sheriff." In short, Master and passengers were induced to turn against Richard Orpen and seek to hide their delinquencies from the owners by casting on him all blame for the loss.

The Sheriff now wrote to the Government giving his narrative of the affair and asking for an order to seize both ship and goods. No such order came. Indeed, as Master and crew landed safely, the Government had no claim to the wreck.¹¹ But under pretext of looking for the goods, Captain Gregory " harassed the country about Kenmare as though it had been Enemies Quarters." Mr. Myars was now sent to Dublin to back up the Sheriff's letter and on 7 March was examined before one of the Barons of the Exchequer. This examination was concealed from Richard Orpen, who did not hear of it until the end of May, when a copy came to his hands from a friend in London. It represents Mr. Orpen as having without authority seized the ship, turned the captain and his men ashore, and sold the goods to every one who would buy. In the pamphlet Mr. Orpen answers

it point by point, and shows how utterly false it was in all essentials.¹² The Government however at the time conceived it necessary to take cognizance of it, and Sir Richard Pyne, Chief Justice of Common Pleas, then upon the Munster Circuit, was directed to enquire into it. Richard Orpen was arrested and brought to Tralee and examined on 23 March and bailed to appear on the 26th, " which was but very short time to provide himself with his witnesses " ; nevertheless he was again at Tralee with several witnesses on the day named. " But his Enemies having informed themselves who they were, made interest to have them all accused of Felony," and procured warrants for their apprehension " to put them off with Fear and Expense from giving their testimonies." ¹³

On the 28th the trial came on. The indictment against Orpen and Crump was " for taking two hogsheads of Sugar and eight hogsheads of Lime Juice of the proper goods of Peter Row out of the Ship Laurel." The Master, Bryen Kelly, and Mr. Aldwell were sworn on behalf of the prosecutors. The Master gave his account of how the ship was forced by stress of weather into the River. He admitted that he cut the cable and afterwards bored holes in the ship " to set her fast from beating," but " denied that ever he desired Mr. Orpen to save anything belonging to her, and [said] that he went into her without his consent and turned out those whom the Master had employed, viz. O'Sullivan More, Captain Carthy, Mr. Aldwell, and Mr. Clarke." Mr. Aldwell swore that he did not go on board " until after the ship was brought safe into the creek; that Mr. Orpen did not turn him out, but employed him to help to save the goods ; that he never pretended any power from the Master ; . . . and that had not Mr. Orpen taken the matter upon him the Ship and Cargo had been destroyed." Bryen Kelly swore " that he was present when the Master desired Mr. Orpen to go on board and save what he could, who thereupon employed him and others ; But sent him to the Master for a note under his hand which the Master gave ; That none of the persons which the Master pretended to have employed

by himself came unto her until others employed by Mr. Orpen had brought her safe to the creek."

For the Traversers three gentlemen of the neighbourhood, Joseph Taylor, Charles Mansfield, and Timothy Murphy, gave evidence supporting generally the narrative as already given, the two last-named swearing that they were present when the Master "desired Mr. Orpen to go and save what he could." There were fourteen other witnesses for the traversers, but "Bryen Kelly being snubbed in Court by the High Sheriff for giving any evidence in favour of the Traversers, and the rest of Mr. Orpen's witnesses being frightened by the warrant for pretended Felony, they held their tongues. Thus though the judge indicated by some of the questions he put to the Master that he distrusted his evidence, Richard Orpen complains "that he had no manner of liberty for a fair trial, by which means the Court remained misinformed of the whole affair."¹⁴

The Jury soon returned to the Court with two Verdicts : "First that Crump was not guilty of anything, but Orpen was guilty of the whole cargo except the Lime-juice (though indicted only at the suit of Peter Row for two hogsheads of sugar and eight of Lime-juice). Secondly that he was guilty of two hogsheads of sugar and no more." Nothing appears to have been done in pursuance of these contradictory verdicts—probably the first was held bad as going beyond the indictment—nor were any proceedings taken against the fourteen witnesses. But soon afterwards "the Master, Captain Gregory, Major Steers, etc. met together in Dublin, and upon their consult a Writ marked ten thousand pounds was taken out of the King's Bench against Mr. Orpen at the Master's suit " ; and lest bail should be given to him they framed a new accusation against him, "that he had traitorously connived the Burning of (his father-in-law's) Mr. Palmer's House," and a warrant of Treason was procured against him. They also took out fresh warrants of felony to awe all those who might serve as witnesses."¹⁵

But the whole conspiracy failed, or in Richard Orpen's phrase—which by the way he adopted from his late revered

master, Sir William Petty—" their Mountain-belly'd conceptions ended only in an abortive Mouse." For after having him " brought seven score miles in custody upon this Warrant of Treason," Mr. Myars made " a violent prosecution against him," and then " took an occasion to slip away immediately out of Court and so out of the Kingdom, leaving the Judges of the Land to consider the horridness of his Judicial Informations." " Tu fixo aculeo fugis ! " exclaims Mr. Orpen, quoting, I think, from Cicero : " You having planted your sting run away ! "—" and so the Treason came to nothing, save that Mr. Myars savoured of a False Informer in the nostrils of Common Justice." ¹⁶

In the foregoing summary of this remarkable pamphlet I have let Richard Orpen and his witnesses speak for themselves, but for brevity's sake I have omitted many points which further bear out their case : in particular Richard Orpen's detailed exposure of Jacob Myars' false Informations when examined at the outset of the proceedings, and the absurd charge of his conniving at the burning of Mr. Palmer's house. But no one can read the whole statement, supported as it is on every essential point by independent witnesses, without concluding with the writer, " that it's plainly proved that all had been lost had not he and his men taken upon him to save and defend the same, as appears under the hands and oaths of those very people whom the Master pretends were employed by himself and turned out by Mr. Orpen, and by the oaths not only of the most indifferent or mean people, but likewise of the most credible Gentlemen of that Country."

There are only two comments that I shall make. First, lest it should be thought that I have allowed natural piety towards my distinguished forbear to affect the judicial impartiality of my summing up, I would call attention to what seems a technically weak point in his case. In the Note under the Master's hand authorizing certain persons to board the ship and dispose of the goods and promising a moiety for salvage it will have been observed that Richard Orpen's name is not mentioned. But seeing that there were

many witnesses to the Master's verbal request to Richard Orpen " to employ people to save what he could," and that Bryen Kelly swore that he got the said persons to be named along with himself because he knew them to be friends of Mr. Orpen, and that all the persons so named declared that they were no otherwise concerned in the matter than as friends of Mr. Orpen and employed by him, to whom they attributed the true right of salvage, the omission would appear to be an oversight in the hasty drafting of the note, the main object of which was to fix the amount of salvage. Thus the objection is without force in truth and equity.

Secondly. It may be asked how came it that men in the positions of Edward Herbert the High Sheriff, Captain Gregory the Commander at Ross Castle, and the Rev. James Bland of Killarney, took sides against Richard Orpen and his friends ? On this point we must bear in mind that the remote Kerry coast had of old an evil reputation for its lawless treatment of wrecks, and this may have influenced them and urged them to show their zeal. In particular we may well believe that Mr. Bland, a young Englishman who had quite recently come to Ireland as chaplain of Lord-Deputy Sidney, was sincerely anxious to put down the lawless, not to say inhuman, practice, and may have let his zeal outrun his discretion in coming to some hasty conclusions in this case. But the following solemn declaration by Captain Charles MacCarthy of Nedeem (Kenmare), chief of the Irish Gentry of that name on the River of Kenmare, shows that the High Sheriff was not above seeking a bribe to influence his official conduct, and that he would have followed a very different course if Richard Orpen had stooped to give it.

" 2nd April 1694.

" I Captain Charles Carthy do hereby declare and aver that Edward Herbert High Sheriff of Kerry did about the 1st of March last desire one Mr. Bryen Kelly and myself to go to Mr. Richard Orpen, and to advise him the said Orpen to give him the said Sheriff twenty guineas ; and that

he the said Sheriff would compose all differences between Mr. Orpen and Christopher Lyell, the Master of the Laurell, and [that] would be above three score Guinnyes in Mr. Orpen's way, and would settle matters with Mr. Lyell to Mr. Orpen's content; And the Sheriff did further promise Mr. Kelly and myself, That we should have share of what he could get from Mr. Orpen. And that the said Mr. Kelly and myself did accordingly speak to Mr. Orpen; whose answer was, That if the Sheriff would do him any service he would deal with him like a Gentleman, all which I will Justine upon Oath if need be.

"CHA. MACCARTHY." ¹⁷

Captain Gregory too, as we have seen, sought to obtain from Richard Orpen "a gratuity," to purchase his favour, and an example of his readiness to compound for what he regarded as felony is given in another affidavit. Moreover, while the Captain's duty was to keep order in the district, there are several affidavits ¹⁸ which show that it was his inclination not to press with any vigour against the Tories and Rapparees, who were the chief law-breakers there. We can therefore well believe that Richard Orpen, whose energies had long been fearlessly engaged in bringing large numbers of these law-breakers to justice, was not a *persona grata* with Captain Gregory. Quoting Ovid after his manner, Richard Orpen says that, like Hercules, it was "the labour of his cradle to strangle the snakes": "*Cunarum labor est angues superare mearum*," ¹⁹ and that "he had taken and sent to gaol 92 most bloody murderers and robbers."

I reproduce the next sentence exactly as it was at first written down by me as follows: "And though Captain Gregory has not brought in one during the whole time of his Governing in that Country, yet he se[Thus far I had written in my Library at Monksgrange at about 6.30 o'clock on the vigil of Armistice Day 1922, when my wife came hurriedly into the room to say that I.R.A. men were knocking at the hall-door. Under threats we had to let them in.

They searched the house "for arms and military equipments," as they said. There were none to be found, but they took away my three best overcoats and twenty blankets, etc. *Tetnpus non animus mutatur* *yves* now as an Informer to impeach him for a Traytor that brought in the 92." ²⁰

In another passage Richard Orpen says that by the frequent incursions of Captain Gregory "that part of the Country about Killmare was harass'd as though it had been the Enemys Quarters ; for he had always a ravenous pack at his heels, who prey'd upon the Country day and night, without paying for the Provisions which they exacted from the poor People in their continual marches under the notion of searching for the Ship's Goods. Tumbling and tossing all their little householdry, and janting it in their manner from house to house, they beat and wounded the Men, Ravish'd Women and Maids, and set Houses afire." ²¹

But apart from this harassing of the countryside under pretext of searching for the goods of the ship *Laurel*, other military exactions had to be endured. We have already mentioned Richard Orpen's description of the district, in the winter of 1691-2, as groaning under the terror of Brigadier Levison and the hardships caused by the seizure of cattle for payment of 'the Thirds.' It seems that only Irish Catholics could legally be made liable for this exaction, but the soldiers were not particular as to the religion of their victims. Nor did these military exactions cease with the departure of the Brigadier. The Parliament summoned by Lord Sidney in 1692 claimed the right to originate money bills, and refused to grant all the supplies claimed by the Government who ignored this right. But without supplies the army could not be paid, and therefore it continued to live at free quarters.²² But even worse than these exactions were the lawless depredations of those who had forfeited their holdings for rebellion, while continuing to extort their living out of the district.

Here is what Froude ²³ says : " On the breaking up of James's army the Tories and Rapparees, from which it had been recruited, fell back to their old haunts and their old

work. The forests and mountains were again peopled with political banditti, who carried on a guerilla war against their conquerors. 'Out on their keeping,' as the legal phrase described them, they lived, like their forefathers, on plunder, but on the plunder of their invaders. They beset the high roads. They came down at night on the outlying farmer, houghed his stock, burnt his haggard, or cut the throats of himself and his family. To put these villanies down by a regular police was found impossible, the Popish inhabitants choosing rather to suffer strangers to be robbed and despoiled of their goods than apprehend the offenders, the greater part of whom were people of the same country and harboured by the inhabitants."

If Ireland was to be a civilized country brigandage must in some way be ended; and the methods hitherto found effectual were again resorted to. The baronies were made responsible, and the Catholic inhabitants were required to make good any loss or injury inflicted within their boundaries; persons presented by grand juries as 'on their keeping' were to be proclaimed; and unless they surrendered to take their trials they were outlawed. To conceal or harbour them was made felony, and anyone who would bring in a proclaimed Tory, dead or alive, might claim a reward of twenty pounds.

¹ 'Logwood' and 'Fustic' were red and yellow woods respectively used as dyes, and 'Pimento' was a kind of pepper.

² Page 5.

³ App., PP- 42-3-

⁴ App., p. 43.

⁵ He afterwards lived at Dunkerron Castle in the parish of Templeenoe, but at this time he seems to have been living at Killowen. See App., pp. 24-6. He married Mary, 2nd daughter of Rev. Thomas Palmer.

⁶ Bryen Kelly's affidavit, p. 9; confirmed by Charles Mansfield of Killowen, gent., p. 4, and by John Kelly of Grenano, p. 15, and others.

⁷ App., pp. 31-2.

⁸ Ancestor of the Blands of Derryquin. He went to Ireland in 1692 as chaplain to Lord-Deputy Sidney. His granddaughter Lucy Bland m. George Orpen, 4th son of the Rev. Thomas Orpen of Killowen (Burke).

⁹ pp. 22-3.

¹⁰ pp. 23 and 24. Edward Herbert of Mackruss *m.* 1684 Agnes, daughter of Patrick Crosby of Tubrid (Burke). His niece Agnes, daughter of Arthur Herbert of Currens, *m.* the Rev. Thomas Orpen, eldest son of Richard Orpen.

¹¹ See *Early Statutes of Ireland* (Berry), 13 Ed. 2, p. 53.

¹² PP- 55-76.

¹³ PP- 35-6-

" pp. 36-9.

¹⁵ pp. 40-2.

¹⁶ p. 49-

¹⁷ App., p. 33.

¹⁸ See affidavits by William Sanford and Hugh Hutchinson, English gentlemen, Appendix, pp. 35-7. This Hugh Hutchinson was father of Samuel and Emanuel Hutchinson. Hannah, daughter of the latter, *m.* in 1774 John Herbert Orpen, grandson of Richard Orpen.

¹⁹ The quotation is from Ovid's *Metamorphoses*, IX, 67 ; where the words are spoken by Hercules in reference to his strangling snakes in his cradle.

²⁰ 'London Master,' p. 85 ; and cf. affidavit by Luke Parker, Appendix, pp. 33-4.

²¹ 'London Master,' p. 32.

²² See Froude's *English in Ireland*, vol. 1, pp. 228-9 ; Murray's *Revolutionary Ireland*, pp. 249, 291.

²³ *The English in Ireland*, vol. 1, p. 236, and cf. *Irish Statutes*, 7 William III, cap. 21.

CHAPTER XII

' The Grand Lease ' : 1697

IN this deplorable state of the countryside, when the tenants on Lord Shelburne's estate were being harassed and impoverished first by military exactions and then by the lawless depredations of the Rapparees, it is not surprising that James Waller, brother of the Baroness Shelburne and uncle of Henry Petty, the new owner, should have considered that Richard Orpen, whom he knew well and who had spent his life on the spot, was the only person with sufficient courage, integrity and adequate knowledge to manage and protect the estate with any prospect of success, and that in the interest of the absentee lord the best thing to do was to grant to him a long lease of the whole estate on terms at the time advantageous to Lord Shelburne. This was accordingly done by what is called the ' Grand Lease' of the 22nd of March 1697;. As this lease (or, rather leases, for there were two of them : one to Richard Orpen personally and the other nominally to him, but really in trust for John Mahony, a Papist) became the subject of a lengthy litigation, we must state the circumstances of the grant and of its subsequent history with some particularity.

In the year 1918, by the courtesy of the then Earl of Kerry, now (1929) the Marquis of Lansdowne, I was enabled to learn the principal facts concerning these leases as attested by documents preserved at Bowood. I have not, however, been able to avail myself of the earl's offer to allow me to examine all the documents in his possession concerning the Kerry property, but he has kindly given me notes from some of them, and has presented me with the following, all of which are in my possession as I write :

(1) Copy, in, I think, Richard Orpen's handwriting of the Grand Lease dated 22 March 169£ from James Waller to Richard Orpen, intended, however, to be in trust for John Mahony of Dunloe, as appears by the copy endorsement, dated the next day, in the same handwriting.

(2) Eleven original Indentures of Lease, being sub-leases of lands in Glanarought granted to various persons, in February and March 169I, by Richard Orpen, by virtue of the Grand Lease of the previous March.

(3) Copy of a Case, apparently to be laid before Counsel for Lord Shelburne, c. 1717-18, in a matter between Isabel Orpen, widow and executrix of Richard Orpen Esq., plaintiff and the Right Honourable Henry Earl of Shelburne defendant, *et per contra* (cited herein as the 'Case against Orpen').

(4) Letter dated 23rd February 1756 from the Rev. Thomas Orpen, eldest son of Richard Orpen, to Henry Lord Shelburne.

(5) Case for Counsel's opinion on the validity of the 'Mahony Lease,' with Mr. Solicitor-General's answers to Queries therein. "Signed C. York, Oct. 24 1761." (This was after the death on 10 May 1761 of Earl Henry.) Cited herein as 'Case against Mahony.'

(6) A statement of the case between Arthur Crosbie Esq. against William Earl of Shelburne and others. And the said Earl and others against the said Crosbie and others, continued to 1760 ; cited herein as 'Case against Crosbie.'

The original Power of Attorney given by Henry Petty to James Waller is not forthcoming, but it is transcribed at length in the case against Mahony, and again in the same words in the case against Crosbie, from a copy given to Earl Henry's agent. In the margin of the latter Case it is stated that the original was produced and read in 1719 at the hearing of a Cause in the Exchequer between Isabel Orpen and Lord Henry touching the lands of Killowen. The transcript, about the accuracy of which no question was raised, runs as follows :

" Know all men by these presents that I Henry Petty of the City of Dublin Esq^r- Have made ordained authorized

and deputed my Honour'd Uncle James Waller Esq. to be my true and Lawful Attorney and Deputy for me and in my Name and to my own proper use and Benefit to contract for Demise set and Let to Farm for Years or Lives all or any part of my Estate Lying in the County of Kerry to such persons and for such Rents and on such Conditions as my said Attorney shall think fitt and in Default of Payment or Delivery of any Rents so to be Reserved for or upon the Premises or any part thereof or any other Sum or Sums of Money now already due to me to use all Lawful Ways and Means for the Recovery thereof by Action etc as fully in every respect as I myself might or could do if Personally Present and to Sue Prosecute and Defend as the Cause shall require and to Inter-meddle in all Actions Affairs and Business concerning me as my Agent or otherwise giving and granting unto my said Attorney full Power and Authority in the Execution of the Premises and to give any Discharge upon the Receipt of any Debt Rent or Sum of Money or other thing whatsoever as the Cause shall require And whatsoever my said Attorney shall lawfully do about the Premises by Virtue of these Presents I do hereby promise to Allow Ratify and Confirm In Witness, etc."

In pursuance of this Power of Attorney James Waller on the 22nd of March 1698* granted two long leases to Richard Orpen : one concerning the lands in Glanarought (apparently about 45,000 plantation acres), herein called 'Orpen's Lease,' and the other concerning the lands in Iveragh and Dunkerron (comprising over 150,000 acres), herein called 'Mahony's Lease.' Much of the land was comparatively worthless mountain-land. The copy of Mahony's Lease, now in my possession, written in Richard Orpen's handwriting, bears an indorsement dated the following day and executed by Richard Orpen, to the effect that he had taken the lease in trust for John Mahony of Dunloe in the County Kerry, and that he thereby assigned the same to the said John Mahony his heirs, etc.

I have not seen a copy of Orpen's Lease, but in the Case against Crosbie it is stated " that there is no difference

between the two leases except as to the denominations and the rents," and in the Case against Orpin the recital of the lease to him, after reciting shortly the above Letter of Attorney, continues as follows : " Now this Indenture etc witnesseth that the said James Waller (by virtue of the sd letter of attorney) for and in consideration of the severall houses which the sd Orpin is to build on the demised premises to the value of £400 sterling and the yearly rents etc. and for divers other good causes and considerations him the sd James Waller (on behalfe of the sd Henry Petty) thereunto moving hath demised granted sett and to farme lett etc unto the sd Richard Orpin his executors administrators and assigns all that and those the townes and lands of the two quarters of Nedeem ' etc To have and to hold etc the demised premisses unto the sd Richard Orpin his executors etc from the first day of May next ensuing the date of the sd Indenture for the terme **99** yeares If Mary Orpin [aged six years, daughter to the sd Richard Orpin] William Bo wen [aged nineteen years, nephew to the sd Richard Orpin] ² and Daniell Mahony [aged twenty years, son to John Mahony of Dunloe] soe long should live. Yielding etc for the first three years the yearly rent of £233 6s. 8d. the next three years £333 6s. 8d. and for the remainder of the sd term £433 6s. 8d. yearly."

On this the following comment is made in the Case : " Thus the lease runs and is mentioned to be made between James Waller on behalfe of Henry Petty of the one part and Richard Orpin of the other part, and the name Henry Petty is subscribed to the lease—Wherefore the lease was *ab origine* absolutely void—and therefore Lord Shelburne in 1716 brought his ejectment, and the said Richard Orpin filed his bill for two things, vizt : first for a legall execution of a lease pursuant to what is contained in sd indenture wherein is also a clause of renewall, and for a defalcation for lands that were evicted from Lord Shelburne, which said Orpin holds under pretence of the sd lease. And the case as to the evicted lands stands thus :

" The College of Dublin had several lands granted to them

by Queen Elizabeth which lye intermixt and joining with the defendants estate, and after the rebellion of 1641 and the Act of Settlement was made Sir William Petty, Lord Shelburne's father, past patent for parts of the denominations, which part whereof had been granted as aforesaid to the College, and being coarse indifferent ground, rather than have a contest with the College, Sir William Petty farmed the College lands at £15 per annum, which was a low rent. After Sir William's death the sd lease was renewed by Charles Lord Shelburne, Sir William's eldest son, in 1692, and the said College lands sett and left by his Lordship's agent, Mr. Orpin, who was forty years concerned in the family."

This is not quite accurate, as it is clear from 'R.O. Letters' and the affidavit of Thomas Gill (*supra*, p. 101) that in the years 1692 and 1693 Robert Topham was agent and got a lease of the College lands and endeavoured to prevent Richard Orpen from ploughing his land at Gortalinny. Richard, however, must have afterwards recovered this land, as in his grants of sub-leases made after getting the Grand Lease of March 169[^] he is described as of Gortalinny. Also, as we have seen, the statement that Orpin was forty years concerned in the family appears to be an exaggeration.

The Case continues : " Mr. Orpin afterwards taking the whole estate included the College lands and enjoyed them till 1713, at which time the lease of 1692 expired, and the College filed a bill and recovered the possession of the ploughlands which, as they allege, is what belongs to them.

" By the rise of lands in Ireland the College lands are valued and were sett at £166, which is the defalcation the plaintiff Orpin expects.

" Lord Shelburne has Judgement at law, and Orpin an injunction till hearing.

" In the lease made by Mr. Waller to Orpin there is a clause for renewalls which is as follows : vizt. ' And the sd James Waller by virtue of the sd letter of attorney for himselfe his heirs etc for and on behalfe of the sd Henry Petty his heirs etc Doth covenant with Richard Orpin etc

that when either Mary Orpin William Bowen or Daniell Mahony shall happen to dye then the sd Henry Petty his heirs or assignes upon the decease of the person soe happening first to dye and upon the request of the sd Richard Orpin his executors or assignes shall and will perfect a new lease for **99** years to commence from the next gale day after the death of the person soe happening first to dye as aforesaid nameing and inserting in such new lease another person in the roome of the person soe dying in which new lease shall be contained the same and such condicions covenants provisoes and agreements as in these presents contained and noe other (and soe reserves halfe a yeares rent for a fine payable in four payments in two years after the death of the life so dying) etc. And at the request of the sd Richard Orpin his heires etc the sd Henry Petty his heires etc, shall from time to time and at all times hereafter upon the death of any of the sd persons which shall be named and inserted in manner aforesaid for lives grant and perfect a new lease unto the sd Richard Orpin his heires executors administrators and assignes of the hereby demised premisses with a continuation of renewing leases for ever under the same rents covenants clauses etc as expressed and comprised in these presents etc. . . . And if the sd Henry Petty his heires executors or assignes shall refuse or neglect to give or renew a lease or leases upon the decease of the sd life or lives according to the condicion before mentioned or exprest that then and in such case this present lease and all and every the lands and premisses thing and things whatever herein and hereby granted and demised shall stand good and firme unto the sd Richard Orpin his heires executors administrators and assignes for and during the sd terme of ninety-nine yeares under the yearly rent and rents herein reserved to commence from the first day of May next ensueing the date of these presents.' "

Up to this date it is noted that none of the lives had dropped.

The following comments are then made on the above Case :
" From the words of the letter of attorney it is apprehended

his Lordship intended noe more than that his attorney should sett his owne Estate of Inheritance, and if his attorney tooke upon him to sett or include in the lease the College lands it ought not to prevail against my Lord longer than for the terme he had unexpired in them. The next thing is that his attorney should not sett for longer than three lives without renewalls, or for such a competent terme of yeares as according to the common acceptation of the words would be equivalent to those lives, such as 21 or 31 yeares.

" Upon these principles the cause stands at issue and at hearing, and the proofs and circumstances of the case as they rest on the pleadings and urged on both sides are as near as can be collected as follows : first my Lord Shelburne objects as it appears on the face of the letter of attorney and the lease that his power was not duely executed, and his attorney exceeding his power it should not bind him and the lease ought to be set aside, and if not in the whole he apprehends it ought at worst to determine on the death of the three lives first inserted in it.

" And as an ingredient of Equity for soe doing it appears in the cause that Orpin the lessee was Steward and receiver of the leasehold premisses and in Sir William's family for forty yeares before he tooke the lease [as already mentioned (seep. 52), this statement appears to have been a considerable exaggeration].

" And its in prooffe that Mr. Orpin sett part of his leasehold lands the yeare before he tooke it at a certain low rent, and that in the yeare after he tooke it he doubled that rent on his tenant, which the Deponent swears he believes he did to lessen the value of the Estate that he may get it the cheaper.³

" Another deponent swears that the whole Estate, which was sett to Mr. Orpin at £1,300 per annum, was worth to be sett to solvent tenants £2,700 per annum at that time. Note Mr. Orpin holds but one third of my Lord's Estate in Kerry at ^ of the sd £1,000 per annum upon the rising rent, the other two thirds were leased to him in trust for one John Mahony.

" Orpin objects that tho' the letter of attorney was not literally pursued, yet my Lord's acquiescence and receipt of the rents ever since after this length of time precludes him and establishes every agreement in Mr. Waller's lease to all intents and purposes, and further they produce some letters of my Lord to Mr. Waller, wherein my Lord expressed some acknowledgements to Mr. Waller for his trouble and a seeming satisfaction for the lands being sett—whence they would infer my Lord's approbation."

In the Case against Crosbie this matter is stated more fully. In his Bill filed in 1747 Arthur Crosbie charged (*inter alia*) that Waller gave Earl Henry an account of sd lease and that the Earl by letters to Waller in 1697 and 1699 approved thereof; in one of which letters there are these words : " As for the Estate in Kerry I am satisfied with what you tell me in Relation to the setting it." And in another letter there is this expression : " The Estate in Kerry is sett I do not doubt to the Best Advantage as Matters now stand. But don't you think that Peace would have made that Country yield a great deal more than Orpen is ever to pay for it ? "

The Case against Orpen continues : " Further they offer a paper in evidence which is an award signed by my Lord made by him in a contest alledged to be between his Lordship's tenant Mahony and one Mr. FitzMaurice—and the import and force of this paper is that it contains by way of recitals that whereas James Waller made such a lease for 99 years if the sd 3 lives soe long lived with renewalls etc, as by sd copy of sd award hereto annexed [not here forthcoming], by which award they contend that my Lord has deprived himselfe of any roome to avoid the sd lease or any of the agreements or condicions in it."

This point also is more fully stated in Arthur Crosbie's Bill dated 1747 as follows : " And the Bill also charges that a dispute arose between the Hon. Raymond FitzMaurice ' and John Mahony the elder touching Killurly part of sd Premises and that sd dispute was referred to Earl Henry who the 21st November 1701 made an Award under his Hand

and Seal reciting that James Waller did by virtue of a Letter of Attorney from him sett to Richard Orpen Killurley among other lands for **99** years to commence the first of May then next ensuing the Date of sd Lease if Three Lives should so long live with a covenant to renew on payment of Fines And that Earl Henry awarded that Raymond FitzMaurice should hold Killurly for **99** years subject to the rent of £3 12s. And that John Mahony should make a Lease of Killurly to Raymond FitzMaurice for **99** years at sd Rent with Power to renew on payment of Half a year's Rent as a Fine and sd Lease should contain the Covenants in respect to Fines manner of Renewal and Improvements that are contained in the Lease from Waller to Orpen."

To continue the Case against Orpen : "As a further ingredient they have it in prooffe that there are improvements made on the premisses in question to the value of £2,000 or upwards, which fact is not soe, for defendant is willing to try the value of the improvements by an issue at Law.

"As to the Defalcation, it is in prooffe that Mr. Orpin was agent and steward to the family as aforesaid, that he paid the College rent in 1686 and took credit for it in his accounts. . . . The most that is objected to this by Mr. Orpin is that he knew but of 5 ploughlands to be College lands and that there are 12 evicted. . . .

"Its apprehended that the lease was and is from the beginning absolutely void and that Orpin had noe remedy at law, and that therefore a Court of Equity should not support an agreement in it selfe, especially when it carries with it the complexion of fraud, and Orpin now coming into a Court of Equity to be supported and relieved in Equity he ought not to expect, nor should a Court of Equity give him, more then what really and bona fide he gott agreeable to the power given to Mr. Waller, and he is to be now planted as of a primitive and innocent state, and that all those Clauses should be peared away and a lease for **3** lives in being to be established and noe more (if not wholly to be abolished)."

The Case, as at first drawn, seems to have closed with

this illogical and ungrammatical paragraph. The following appears to have been added later : " This Cause was heard and the Court seemes to be of opinion that the Lease made by Mr. Waller should be Established in all its parts fully and absolutely, and that defalcation ought to be made as £166 beares a proportion with the reserved rent of £433 6s. 8d. [a cross is put over these two last lines].

" This Case has been layd before eminent Councill and resolved by their opinion that Orpin must [substituted for ' should '] be content with my Lord's terme in the evicted lands without any Defalcation, and that a Court of Equity should not make any other lease good but the terme in Orpin's lease of 99 yeares if the sd three lives live soe long.

" Upon the whole matter Councill is prayed to consider the Case with all its circumstances, and give a full opinion with all the reasons for the same, in order that my Lord may be able to [a pen has been struck through these last nine words] in order that he may be able to show it to give satisfaction to such as should require it from him."

It is evident that the above document was a draft of the case against Richard Orpen drawn up by Lord Shelburne's advisers, and the last clause shows that he and his advisers, having lost all hope that the Court would upset the lease or even expunge the covenant for renewal, were anxious to obtain Counsel's opinion in the direction indicated in order to strengthen their hands in arranging a compromise with Isabella Orpen. Counsel might at least be expected to lay stress on some of the difficulties that lay in the way of the plaintiff's establishing all that was claimed, particularly as regards the College lands.

Whether this was so or not, it appears that in 1720 such a compromise was in fact effected. In 1918 the Earl of Kerry, as he then was, sent me some Notes which he had written on " The Petty Property in Kerry " as the result of an examination of the documents at Bowood, in the course of which, when dealing with the dispute concerning the Orpen lease, he said, " An amicable arrangement was eventually made in 1720, whereby a new lease on slightly different terms

was given by Lord Shelburne to Orpen's widow, Isabella, who was represented in this matter by her son Thomas of Killowen, then rector of Kenmare." When sending me these Notes Lord Kerry expressed the hope that I would give him the benefit of my comments and criticisms. Accordingly in my reply, with reference to the Orpen Lease, I said, " Your notes certainly explain a good deal that was obscure, but they still leave in some doubt how the beneficial lease to Richard Orpen ended." Then referring to the statement about the ' amicable arrangement ' of 1720, I said, " I do not think you have mentioned this new lease before. Is it extant ? Perhaps it contains no covenant for renewal and came to an end in 1763 on the death of Mary Crosbie, *nee* Orpen, the last surviving *cestui que vie* in the original lease ? "

I then went on to say, " If this be so, I cannot help thinking that the widow Isabella was badly advised, as there can be little doubt that the original lease with its covenant for renewal was perfectly valid, and would have been enforced in the Court of Equity subject perhaps to terms. . . . From the rough notes of the case to be submitted to counsel [on behalf of Lord Shelburne] ascribed to 1717-19, it appears that this was the opinion of the Court in the Cause before it. Again, the Solicitor-General's opinion in 1761 [to be referred to later] as regards the similar lease for Mahony's benefit, is clear on this point and seems sound. Moreover, that lease, though a mere colourable evasion of the policy of the law as it then [or rather soon afterwards] stood, and in spite of many efforts, was never upset. Of course we do not know all the circumstances, and possibly from their immediate point of view and for the sake of peace, Isabella and her parson son may have been wise in compromising the matter. At the same time it is evident that Lord Shelburne was actuated by the belief that his interests had not been properly guarded by his uncle James Waller. Perhaps he did not sufficiently realize the extreme difficulty an absentee landlord had to face in letting a large tract of land in Kerry to suitable tenants so soon after the disturbed period of 1688-92. Probably Richard Orpen, a thoroughly fearless

man who knew the whole district as no one else did and the character of the leading inhabitants, was the only man who could have organized the property at that time. He had been agent for many years, and there is no suggestion that during that time he did not do his best for his employers ; but even to-day when a land-agent or a solicitor obtains a personal interest in his employer's property, the suspicion—not unnaturally perhaps—often arises that he took some unfair advantage of his position. Such quite frankly is my reading of the whole matter as presented by these documents."

I wrote as above on the eventful nth of November 1918—inspired perhaps by the Angel of Peace in the air—and now, after the lapse of another decade, I see nothing substantial to change. I would merely note that my remark about " the not unnatural suspicion " is hardly applicable to this case where James Waller, the owner's ' honoured Uncle,' who had been for many years the confidential agent of the family, who knew all the circumstances and was quite above suspicion, was the person responsible for the terms of the lease.

To my letter Lord Kerry replied (on 26.11.18) as follows :
 " I think the diagnosis of the Petty v. Orpen affair which you give is perfectly correct. The Pettys, mother and son, were no doubt very glad in 1696 to get the management of the Kerry lands off their hands at any price, and it was only when things became more settled in Ireland, that Henry Petty began to look into the bargain and regret it. . . . I have got the substituted 1720 lease and, prompted by your enquiries, examined it carefully the other day. There *is* in it a clause expressly excluding a renewal of the lease, and a curious passage in which it is agreed that, as Lord Shelburne intends to ' avoid ' the lease of Dunkerron, etc., granted to Mahony (thro' Orpen), Isabella would do her best to assist him in this object, and if successful Lord S. should pay her £50 a year ! It is stated also that the substituted lease is made to put an end to suits and counter-suits between the Orpens and Lord S. and ' for full consideration received '

by Mr. Orpen. What this was does not appear, but I observe that certain lands on the North side of the Kenmare River, which do not appear in the original lease, viz. Killowen (where the Orpens were I think at that time living) and some neighbouring townlands. These may therefore have been the 'consideration,' but I fear on the whole it would appear that Lord S. got the best of the bargain. I hope he did not take advantage of the widow ! "

I think I may leave it at that very frank statement, though I shall have something to say about the Mahony Lease by and by.

¹ Irish, *Neidin*, 'a little nest,' another name for Kenmare.

² The words in square brackets are taken from Mahony's lease. Mary Orpen (not mentioned in Burke) was therefore born in 1690 or 1691. She married Raymond Crosbie and died in 1763. William Bowen, *b. circa* 1678, was no doubt son of Margaret Orpen (sister of Richard Orpen) and Robert Bowen (Burke).

³ If the rent was doubled, it may have been because the rent of the College lands, which were no doubt concerned, was far more than doubled at about this time.

⁴ Raymond FitzMaurice was a younger brother of William FitzMaurice, 20th Lord of Kerry, and uncle of Thomas FitzMaurice, first Earl of Kerry, who married Anne, daughter of Sir William Petty. He died 5 July 1713 (Burke).

CHAPTER XIII

Richard Orpen as Owner of Glanarought : 1697-1716

PRIOR to the catastrophe of 1689 Richard Orpen was clearly a man of substance. We have already given his estimate of his great losses at that time of disaster. These are also mentioned in Luke Parker's affidavit made 27th May 1694 in connexion with the affair of the ship *Laurel*, but referring to the disturbed period prior to the flight to Bristol, when Richard Orpen brought to justice several of the Tories and Rapparees who were carrying on their lawless work in the districts round about. " And then," the deponent avers, " the friends of the Tories came in revengefully upon the said Orpen and Robb'd him of about a thousand head of Black Cattle, And took away from him about three Ship-load of Iron Mine [ore], and a great stock of Charcoal, and several quantities of Bar Iron, and Robb'd him of all his substance." Though he valued his position as one of Sir William Petty's agents for the prestige and authority that it gave him, the salary he drew as agent, apparently only twenty pounds a year, was only a small item in his income, which was derived principally from his business as an iron-worker and merchant, as well as from his farm. Even after the *debacle*, in 1693, when he was seeking to be reappointed agent, he states, as we have seen, that he would sell some interest he had in Munster and bring all his effects to Glanarought, and bring some others who, along with him, would lay out immediately £600 in buildings, etc., there. It is not very clear where exactly he resided at different periods. As we have seen in one of his letters to Lady Shelburne he speaks of having paid rent for ' Killagh '

(presumably Killaha, a townland in Tuosist). This would be before 1688. In 1692-**3** he clearly had a farm at Gortalinny in the parish of Kenmare when the dispute arose about the right to plough the field there, and at the time of the Grand Lease (1696/7) he is always described as 'of Gortalinny.' He is said to have lived at the White House of Killowen where he certainly was at the time of the siege, but it is not clear to me when this house was dismantled. Sir Richard says " Joseph Taylor formerly lived at the present house of Killowen [to be distinguished from the White House], but it was reputed to be so disturbed by nightly evil spirits that he was obliged to remove, and Richard Orpen then came to reside there and left the White House ; and thereupon the Rev. Luke Parker (who had succeeded Mr. Palmer as Rector of the parish) removed to the White House from near the Barrack or Redoubt of Kenmare, as I find the village called." ¹ The White House, then, was occupied even after Thomas Palmer's death which occurred in 1701-2. ² The Rev. Thomas Orpen certainly lived at Killowen House, which henceforth became the family mansion.

Of the White House of Killowen during the residence of the Rev. Luke Parker Sir Richard Orpen has preserved the following gruesome tale : " One day as Mr. Parker's son was returning up the avenue to the House, now called the ' White House lane,' one McHugh [mentioned (p. 80) as having fired a pistol at Mrs. Orpen at the time of the surrender of the White House] waylaid and murdered him, and going immediately up to the House . . . he enquired at the kitchen if Mr. Parker was at home, and being answered in the negative, replied in Irish [the equivalent of the following couplet] :

' Tell Luke Parker, when he comes home,
That I, McHugh, made a clod of his son.' "

In the year 1927 I went to inspect this historic spot. I walked down the ' White House Lane ' and recalled the gruesome tale of Luke Parker's son. I stood within the

crumbling walls of the old house, now largely covered with ivy and overgrown with brambles, and I tried to picture to myself the awful scene when, after granting terms, the perjured ruffians burst in and plundered the forty-two besieged families of all their goods and provisions, and when, if Richard Orpen had not happily diverted the bullet intended for his wife, this Orpen Family would not have come into existence and this Memoir could not have been written.

During the period of nineteen years that Richard Orpen held Glanarought there is not much recorded about him. In the course of the first few years he granted a large number of leases, eleven of which Lord Lansdowne, keeping for himself the counterparts, has handed over to me. They are all for **99** years or the three lives mentioned in the Grand Lease, with a covenant for renewal and other covenants for the most part framed on the analogy (*mutatis mutandis*) of that lease. Richard Orpen apparently thought that in his own interest the best thing to do was to grant leases in perpetuity to approved tenants. Probably he thought that no one man could manage so large an estate in such a wild district. Though an ardent Protestant and a believer in the desirability of inducing as many Protestants as possible to settle in that part of Kerry, most of these leases were granted to Irish Catholics and in many cases to existing tenants. That he had many friends among the Irish of all classes is apparent from the fact that several of them supported him in the case of the ship *Laurel* and made affidavits in his favour, while many of his complaints against Robert Topham were concerned with the latter's harsh treatment of small Irish farmers. It was only against the lawless class of Tories and Rapparees that he took strong measures.

Richard Orpen was a Justice of the Peace probably from about the year 1708. For in a letter of James Dennis, agent for the Corporation of Kinsale, dated 25 February 1708, occurs the following recommendation : " There are four very honest gentlemen and men of very good interest in the County of Kerry, and live in very convenient places, that is, Edward

Denny junior, Willm Crosby, Samll Morris, and Richard Orpin, Esqrs." ³ Owing to his position as a leader among the settlers in Glanarought and to his great personal courage, Richard Orpen took an active part in suppressing the disturbers of the peace in the district. The following occurrence is related by Sir Richard J. T. Orpen, probably on the authority of Raymond Orpen's lost MS. of Family History :

" One of his [Richard Orpen's] reports to the Government of the state of the country contained the names of about thirty Desperadoes, against whom the Privy Council immediately issued a proclamation and offered rewards for each of their heads by name. Mr. Orpen used to pay the reward according to the proclamation, and it is related that on one occasion a notorious individual of these robbers and outlaws named Owen Mighul was drinking at a small public-house near Clady Bridge with some of his companions when a dispute having arisen one of them named Fineen Boughal [or *Buachaill*, cow-boy], who had lost his hand in an attack on Carrigadrohid Castle in the county of Cork, and had a brazen hand substituted for it, knocked down Mighul with it, who being drunk and severely hurt crept under a bedstead, where he remained till he was dragged out by the rest to a red stone by the road and his head was cut off. This stone, which now forms a manger, is still pointed out by the people of the neighbourhood. . . . The next morning the head was brought to Killowen and flung out on the large marble flag which is still before the Hall-door. Mrs. Orpen, who at that time was enceinte of her youngest son Raymond, happened to look out of the window at the moment the head was thrown on the flag-stone and saw the ghastly appearance of the eyes. Raymond Orpen was remarkable for a constant motion of the eyes, from which he was called ' Raymond with the rolling eyes,' produced, it was said, from the shock which his mother got from the foregoing occurrence. There are red veins on the flag which the people of the county to the present day believe to have been caused by the blood of the outlaw." ⁴

Elsewhere Sir Richard says, " Fineen Boughal, Owen

Mighul, McDonough, McFineen, and Captain O'Leary, all commanded parties of Tories. The following story is told of Captain O'Leary : The Privy Council had by proclamation offered a reward for the apprehension of each of this party by name, and they were in the habit of turning this into ridicule. On one occasion they had a mock examination of some of the party before others acting as magistrates, and among the rest O'Leary submitted to be tied in joke and brought before them for judgment. They turned it into a serious matter for him, for to secure the reward and their own pardon they cut off his head ! " In the Poems of Egan O'Rahilly there is an Elegy of the death of Diarmuid O'Leary of Killeen near Killarney in 1696. According to the Editor "he is said to have fought under King James and is popularly known as Captain O'Leary." ⁵ There is nothing in the poem to show the manner of his death, so we cannot be sure that he was the same Captain O'Leary.

In a quatrain occurring in a lengthy poem by the same Egan O'Rahilly there is an allusion to a person of the name of Orpen. It is rendered by the Editor as follows :

" Orpen has inflicted upon him a sad wounding,
Rughraoi and Seon son [sons ?] of Amos Eager,
John and Diamuid who were ever liars,
Maurice and these two brought doleful destruction on him." ⁶

The subject of this poem is the banishment of Eoghan son of Cormac MacCarthy Reagh, who held lands about Headford, some 7 miles to the east of Killarney, from Nicholas Brown, created by James II Lord Kenmare. The date appears to be not long after the Battle of the Boyne. Many of the people mentioned in the poem, generally by their Christian names only, have not been identified, and the allusions are often obscure. Nicholas Brown was attainted for his adherence to King James, his Kerry patrimony was confiscated for his life, and no doubt Eoghan MacCarthy lost his lands at the same time. A Royal Letter in 1696 directed the Irish Commissioners not to let the Kenmare estate for a term exceeding 21 years, but in spite of this direction the estate was let privately for 61 years to two members of the

Irish parliament, John Blennerhassett, of Ballyseedy, Co. Kerry, and George Rogers of Ashgrove, Co. Cork. Ultimately this lease was set aside, but not before " a civil war on a small scale had begun round Killarney." A long memorial was addressed to the Lord-Lieutenant by the two M.P.s, in which they endeavoured to defend their lease. " Wee have left some farmes," they say, " to English tenants that doe advance some things," and finally they assert : " In playne English this is no more than a tryall of skill whether Kerry shall be a Protestant or an Irish plantation." ⁷ Among the Protestant tenants who subscribed their names to this petition was ' Robert Orpen.' He was probably the ' Orfinn ' of Egan O'Rahilly's quatrain, and he may have been Richard Orpen's brother who is said to have been named Robert, and who (according to Burke) " returned to England and died there." This he might have done on the breaking of the lease. Among those who signed, besides Robert Orpen, were Thomas Crumpe, who married Richard Orpen's sister Dorcas, Arthur Herbert of Currans, whose daughter Agnes was afterwards married to Richard Orpen's eldest son Thomas, and Henry Blennerhassett, who married Dorcas daughter of Thomas Crumpe.

The Memorial ends with these words : " The Protestant tenants whose names are under-written have faithfully served his Majesty in Flanders or Ireland against his implacable enemies the Irish, and have been plundered to the value of £10,000, obliged to go to sea, leaving wife and children behind, which nothing could prevail on us to do, but to get rid of the power of such merciless enemies."

Richard Orpen is mentioned once more as one of a number of Kerry magistrates who attended a meeting at Tralee on 13 June 1714, which was summoned by Thomas Crosby of Ballyheigue, High Sheriff of the county, to consult as to the best means of putting the law in force in their respective baronies.⁸ Two years later on 21 August 1716 (according to Sir R. J. T. Orpen) Richard Orpen died at Tralee, leaving six sons and one daughter. This was soon after the dispute arose with Lord Henry Shelburne about the Grand Lease.

Richard Orpen was clearly a man of marked ability, and it is curious to note the many points, both of character and attainments, in which he resembled 'his revered master,' Sir William Petty. It is not intended to suggest that he stood upon the same high plane of intellectual ability as Sir William. He certainly left no such mark in history. Probably the resemblance was due to his long association with his master, to conscious or unconscious imitation, and to a common environment in Kerry. It was his proficiency in Latin and arithmetic, subjects in which Petty conspicuously shone, that first attracted Petty's attention to him, when he took him up from school into his *familia* and prescribed to him necessary studies. Like his master he was interested in, and had a practical acquaintance with, ships and navigation and was skilful about machinery. From his position he naturally had similar ideas about politics and the right way of dealing with the eternal Irish question. His literary style, too, bears a marked resemblance to Petty's own, and was no doubt modelled on it. There is in his writings the same copious use of (sometimes) far-fetched and long-drawn-out metaphors, the same habit of illustrating a point by quoting tags of Latin from a variety of authors, the same fondness for allusions to Greek and Roman mythology. Sometimes we can put our finger on phrases or conceits reminiscent of Petty. Thus, for example, Petty, himself reminiscent of Horace, characterizes the schemes of his rival, Benjamin Worsley, Surveyor-General under the Commonwealth, as 'Mountain-belly'd conceptions'; while Richard Orpen says of the conspirators against him in the ship *Laurel* affair, "their mountain belly'd conceptions ended only in an abortive mouse."¹⁰ Petty describes the Anabaptist fanatics who were the allies of his enemy, Sir Hierome Sankey, as "the worms and maggots in the guts of the Commonwealth"; and Richard Orpen in one of his Letters to Lady Shelburne sitgmatises the forfeiting Irish proprietors, who were "the prime enemies of Sir William" and with whom Topham hob-nobbed, as "the very canker worms and caterpillars of my Lord's estate." He also points to himself

as the one who built hives for the laborious bees, and Topham as the one who gave all their honey to the drones—a metaphor reminiscent of Petty's self-selected crest, "a Bee-Hive beset with Bees diversely volant, proper," and his explanatory verses :

Sedulus ergo, ut apes, feci geometriam, ut inde
 Utile cum dulci scire et habere queam.
 At si perdam, ut apes, quae per geometriam habebam,
 Heu vos non vobis mellificatis apes.¹²

Like Petty, too, Richard Orpen was a great stickler for his rights as he conceived them, and unsparing in his invective against those who infringed his rights. *Nemo me impune lacessit* he boasts, and he was justified in his boast. In one respect indeed he shows to advantage in comparison with Petty. He was always ready to back his words by deeds even at the risk of his life. He was 'a bonny fighter' and gave many proofs of his physical courage, and though there is no evidence that he ever had occasion to fight a set duel, we may be confident that he never would have shirked a challenge, as the myopic Petty did in the affair with Sir Alan Broderick.

¹¹ Hist. R.J.T.O.', p. 186.

¹² See Froude's *English in Ireland*, i, 246-8.

¹³ Brit. Museum, Add. MS. 38151, fol. 14 [1709].

¹⁴ Hist. R.J.T.O.', pp. 186, 191.

¹⁵ *Irish Texts Society*, p. 115.

¹⁶ *Poems of Egan O'Rahilly*, ed. Rev. Patrick S. Dineen, *Irish Texts Society*, p. 207.

¹⁷ See *Old Kerry Records*, by Miss M. A. Hickson, 2nd Series, pp. 122-5.

¹⁸ See *Old Kerry Records* (M. A. Hickson) 2nd Series, p. 145. In an appendix I have given a list of the Magistrates who attended this meeting together with some genealogical notes appended to each. They were among the principal resident landholders in Kerry at the time.

¹⁹ 'Life,' p. 29.

²⁰ 'London Master,' p. 49.

²¹ 'Life,' p. 90. Petty's phrase is evidently taken from Shakespeare's *Henry VI*, Pt. I, Act iii, Sc. 1 :—

" Civil dissension is a viperous worm
That gnaws the bowels of the Commonwealth."

The phrase also occurs in a letter from Henry Cromwell to Lord Fauconbridge (' Life,' p. 74), but probably there it should be ascribed to Cromwell's secretary, Dr. Petty.

¹² ' Life,' p. 297.

APPENDIX TO CHAPTER XIII

The Magistrates who attended the meeting at Tralee on 13 June 1714 along with Richard Orpen included the following, who were among the principal resident magistrates in Kerry at the time :

Sir Maurice Crosbie, Knt., of Ardfert: great-grandson of Col. David Crosbie, M.P. for Kerry from 1713 to 1758, when he was raised to the peerage as Baron Brandon. He married in 1712 Lady Anne Fitzmaurice, dau. of Thomas Fitzmaurice, 1st Earl of Kerry, by Anne dau. of Sir William Petty, and died in 1762.

David Crosbie : father of Sir Maurice and half-brother of Thomas Crosbie of Ballyheigue who was sheriff in this year. David *d.* in 1717.

William Crosbie : *s.* of Patrick Crosbie of Tubrid and grandson of Col. David Crosbie. [*O.K.R.*, ii, 11 ; Smith's *Kerry*, p. 57.]

Edward Denny : also M.P. for the county in 1713, lineal male descendant of Sir Edward Denny, one of the undertakers in Desmond in 1587. He married, 1699, Lady Letitia Coningsby.

Barry Denny : High Sheriff in 1695.

Edward Herbert of Muckruss : High Sheriff in 1693, *m.* Agnes, dau. of Patrick Crosbie of Tubrid. Her brother Raymond Crosbie *m.* Mary, dau. of Richard Orpen of Killowen.

John Blennerhassett of Ballyseedy : M.P. for Tralee at this time. He married Jane, sister of Edward Denny above.

John Blennerhassett: son of Robert Blennerhassett of Killorglin and Avice Conway. He married Elizabeth Cross and was one of the ' Galway Prisoners ' of 1689, and author of the Blennerhassett pedigree. [*O.K.R.*, i, 42.] His brother Henry *m.* Dorcas Crump, niece of Richard Orpen of Killowen [*O.K.R.*, i, 46].

Maurice Fitzgerald, Knight of Kerry: *m.* 30 June 1703, Elizabeth, 2nd dau. of David Crosbie of Ardfert (above).

Samuel Morris: K.C. of Castle Morris and Ballybegan near Tralee, son of Samuel Morris and Elizabeth Southwell. He was M.P. for Tralee 1703-1715 [*Kerry Magazine*, iii, 171].

Thomas Ponsonby : s. of Henry Ponsonby of Stackstown or Crotta. He was one of the ' Galway Prisoners ' of 1689. He m. Susannah Grice, and had a son Richard and dau. Rose.

John Carrique (or Carrick) of Glandine : High Sheriff 1715, m. 1705, Rose, dau. of Thomas Ponsonby (above), and had a son and heir William.

Richard Ponsonby: son of Thomas Ponsonby (above). He died s.p. in 1763, having left Crotta to his sister's son, William Carrick (above), who took the additional name Ponsonby [Smith's *Kerry*, 61 ; *O.K.R.*, ii, 214].

Rev. Francis Lauder: Archdeacon of Ardfert.

Charles Wren: son of Capt. Thomas Wren (a Cromwellian). He m. Ellen, dau. of Thomas Blennerhassett of Littur [Smith's *Kerry*, p. 61].

James Lesley : High Sheriff 1722, s. of John Leslie who for his services in 1688 received lands in Kerry, and d. in 1700. He was ancestor of the Leslies of Tarbert House, Co. Kerry [Burke, *L.G.*].

Uriah Babington, d. 5 April 1724. His tombstone is in Ardfert Cathedral [*Kerry Magazine*, iii, 175].

Francis Maynard: High Sheriff 1719.

George Rowan : High Sheriff 1716, ancestor of the Rowans of Belmont.

John Bateman: of Killeene, otherwise Oak Park, s. of Rowland Bateman, an officer in Hierome Sankey's regiment [Burke, *L.G.*, 1858].

Josias Kennington: Rector of Kenmare, predecessor in that living to the Rev. Thomas Orpen.

Henry Rose : M.P. for Ardfert 1703-1713, m. Catherine, sister of Sir Maurice Crosby [*Kerry Magazine*, iii, 171].

Richard Meredith : one of the joint-tenants of Castleisland Seignory and ancestor of the Merediths of Dicksgrove [*O.K.R.*, i, 188-190 ; Burke *L.G.*].

William Sandes of Carrigafoyle : M.P. for the county 1695, son of Launcelot Sandes, M.P. 1661, ancestor of Sandes of Sallow-Glen [Burke *L.G.*, but cf. *O.K.R.*, i, 105].

CHAPTER XIV

Richard Orpen's Children

IT is not proposed to follow out in detail the numerous descendants of Richard Orpen, now scattered in various parts of the British Empire. The main lines of descent are given with (in general) sufficient accuracy in Burke's *Landed Gentry* up to 1912. There are, however, a few fresh facts disclosed by recent researches about some of the earlier members, and also some traditional stories recorded in manuscript by Sir Richard J. T. Orpen, late of Ardtully, which seem worth preserving, and to mention them in their proper places it will be necessary to recall here the main early divisions of the 'Orpen Clan.'

The children of Richard Orpen by his wife Isabella Palmer were :

1. Thomas, his heir, of whom hereafter.

^^Richard, who married Grace, daughter of John Riggs of Cork, and died in or shortly before 1741, when his will was proved (*teste* Sir R. J. T. Orpen). He left as son and heir Richard of Ardtully, ancestor of the Orpen-Townsendes, the Hungerford Orpens, etc. (See Burke.)

This place, Ardtully, has had a long and chequered history. We first hear of it in or soon after 1215, when an attempt was made by the English to gain the mastery over Desmond, and Castles were built in the valley of the River Maine, near Killarney, and at Dunkerron, Cappanacush, and 'Artully' on the Kenmare estuary, as well as on the south coast of Cork.' For upwards of a generation this attempt to control Desmond met with considerable success, but then disputes arose between the MacCarthies themselves. One of the leaders was slain by the Geraldine, John FitzThomas.

Fineen MacCarthy, a son of the slain leader, organized vengeance, and on 24 July 1261 gained a great victory over the feudal host and the rival MacCarthy at Callann of Glen Ruachtain (Glanarought) near Ardtully.² After that, in the expressive language of Dr. Hanmer, "the Carties played the Divells in Desmond." Upwards of three centuries later, in 1602, we find that MacFineen's House at 'Ardentully' was occupied by English forces.³ Then after the outbreak of 1641, Rinaccini, the papal nuncio, who landed near Kenmare, in 1645, dated his first letters from Ardtully, where, too, the arms which he had brought with him were temporarily stored.⁴ According to the *Book of Distributions*, Colonel Donough MacFineen forfeited Ardtully, on which stood at the time "two good slate houses, a corn-mill, a castle, malt-house, barn, and tuck mill, likewise there are iron-mines and a silver mine (?) in the quarter of Ardtully."⁵ The subsequent devolution of Ardtully is given by Sir Richard J. T. Orpen as follows: "In the course of the wars which followed (the outbreak of 1641), the castle was demolished, and part of the estate, including the house of McFineen, was granted by Patent by Charles II to Captain Dillon from whom the Fee came to his descendant, John Dillon, subject to a lease for lives renewable for ever made on 17 April 1786 to Richard Orpen, the son of Richard who had, as before mentioned, married Miss Riggs, and was therefore grandson of Richard of the White House; and from him it came to his son Richard Orpen, who assumed the surname of Townsend. On the sale of this part of the property of Richard Orpen Townsend in the Court of Chancery, the interest of the lease was purchased by me, Richard Theodore Orpen, and afterwards at the sale of John Dillon Croker's estates in the Incumbered Estates Court, I purchased his fee and the rent reserved under the lease of 1786." ⁶ Sir Richard built a fine mansion on the site, but alas! its troubles were not over, and in the time of his grandson it was feloniously burnt.

3. Robert: Of this man Sir Richard J. T. Orpen relates the following story: "He had been a merchant in Cork, but, having become embarrassed, had the misfortune (*sic*) to kill

a bailiff who attempted to arrest him. Afterwards he resided at Ormond's Island in the river of Kenmare, where at that period it would have been impossible to arrest him. It was on the occasion of a person endeavouring to force the door of the room where he was that his wife placed her back against the door, and, though the bayonets were thrust through the door, she had the fortitude to maintain her position till her husband effected his escape. This Robert Orpen's children," Sir Richard goes on to say, " were Richard and Lovel Orpen who went abroad and whose fate is unknown, and Mary Orpen who lived at Ardtully and died unmarried." ⁷ To these is added in Burke Sarah, who married Major King of Killarney. But this last appears to be a mistake. In the will of Richard's son, Abraham, to be presently quoted, dated 1746, his nephew Lovel is mentioned, and his brother Robert's children generally, but he calls Sarah King and Isabella Wright his sisters. It is noteworthy that neither in Sir Richard's Memoir nor in Burke are any daughters to Richard of the White House mentioned. Here, however, are two of them, and a third, his daughter Mary, aged 6 at the time of the Grand Lease 1697, lived to 1763, when the last life in the lease dropped.

4. George : Of this son nothing has hitherto been recorded except his name, but my searchers have found his will,* an abstract of which is here appended :

" George Orpen of St. Mary Whitechapel: My brother Abraham Orpen of London, mariner, sole legatee. Executor to be William Thompson of St. George, Middlesex, surgeon. Dated 27 August 1739. Proved 4 August 1744. Administration with will of George Orpen, late surgeon on board the merchant ship ' Snapper,' a bachelor, granted to Abraham Orpen, brother of the deceased ; William Thompson being dead."

Thus it appears that George Orpen was a surgeon on board a merchant ship, that he left all his goods to his brother Abraham, and died, a bachelor, before August 1744.

5. Abraham : He is simply **described as** Port Surveyor of

Kenmare, but fortunately I have obtained an abstract of his will* which is as follows :

" Abraham Orpen of the island of Jamaica, mariner. Friend Ruth Man to have £1,300 in consideration of my great affection for her, and neither her present husband nor any future husband shall have the disposal of the said legacy. My wife Judith Orpen £1,300. My brother Raymond Orpen £200. My sister Isabella Wright £200. My sister Sarah King, if alive at my decease, £200. My nephew Thomas Orpen £200. My nephew Lovel Orpen £100. Residue of my personal estate to the children of my brothers Thomas Orpen, Robert Orpen, and Richard Orpen, and my sisters, Isabella Wright and Sarah King, and Agnes's children to share. Executors to be Captain Robert Bostock, my brother Thomas Orpen, Ruth Man, and my wife Judith. My negro man Dick to have his freedom and £50.

23 December 1746. Proved 22 December 1750 by Ruth Man (wife of Charles Wager Man), power to Thomas Orpen and Judith Orpen."

From this Will we learn that Abraham Orpen went to sea and apparently settled in Jamaica. Also we learn for the first time that Isabella Wright and Sarah King (both wrongly placed in Burke) were daughters of Richard of the White House. ' Agnes ' is of course Abraham's sister-in-law, wife of the Rev. Thomas, and his nephew Thomas was presumably their son of that name, who is said to have died in Trinity College, Dublin.

With reference to Abraham Orpen Sir Richard relates the following occurrence : " At the period we are speaking of smuggling was carried on to a great extent throughout the west of the County Kerry, and as the Orpens endeavoured to suppress it they were naturally objects of hostility to the smugglers. On one occasion Abraham Orpen, who was, as stated, Port Surveyor of Kenmare, having been in Berehaven, was followed by a party of smugglers to a place called Green Lane, near the head of the river Kenmare, where he dined, and when he came out in the evening they fired at him

and broke his leg. They then seized him and threw him into a boat and carried him off to Berehaven. He suffered dreadfully from his wound and from excessive thirst whilst in the boat, but they would not give him a drop of water. However, on their arrival at Berehaven, having found that they were mistaken in supposing that he had given any information against them, they let him go, and he recovered from the wound."¹⁰

This was probably about the time (1728) when Sylvester O'Sullivan, as told at length by Mr. Froude,¹¹ was more than once beaten and barely escaped with his life because he tried to curry favour with the authorities at Dublin Castle by giving them information of an auction of smuggled goods held openly on board a ship at Port Maghee, Valencia Island, Co. Kerry. Some twenty-four years later John Puxley, a revenue officer, was actually murdered by Morty O'Sullivan Beare for his activity in counteracting the smugglers. This story and how the murder was avenged is also told by Froude.¹²

As we have seen, Abraham Orpen appears to have settled in Jamaica and left a considerable fortune at his death c. 1750.

6. Raymond : He was called " Raymond of the Rolling Eye " from a physical defect caused, as was thought, from an incident which occurred at his birth, as already mentioned. He compiled about the year 1745 a Family Genealogy which was once seen by his grand-nephew Emanuel Hutchinson Orpen (also a genealogist) in the possession of his nephew Richard Orpen of Ardtully. The volume containing it called ' The Red Book ' has unfortunately been lost, but Sir Richard Orpen mentions that he had made use of some extracts from it, preserved by Richard Orpen-Townsend, in the compilation of his Memoirs.

Sir Richard Orpen also says : " Raymond Orpen was well acquainted with the disposition towards the Protestants of the various native clans in Glanerought, which were distinguished by nick-names, as the Glannegs (Glen-Boys), Keohanes (Boys of the Mist), etc. Raymond left as a saying to the Orpen Family, ' Beware of the Keales, the Meales,

the Bwees, and the Braghs, the Pounds and the Lieutenants, but above all beware of Father Tim's Family ' (the present McCarthys of Kilfadamore), and to the present day [c. 1830] the advice is still applicable." Raymond lived at Clontough and died a bachelor about 1764, when his will was proved in the Prerogative Court. Two deeds appear of 20 April 1757 (B. 206, p. 254) and 30 August 1760 (B. 210, p. 34) whereby he conveys his estate to Samuel Crumpe for Richard and Grace Orpen.¹³ (' Sir R.J.T.O.')

7. Mary : She is not mentioned in Burke, but is described in the Grand Lease of 1696/7 (of which she was a *cestui que vie*) as Richard's daughter, then 6 years of age. She was therefore born in 1690, and was perhaps the eldest of the children. From the records of the legal proceedings in the suit of Arthur Crosby against Lord Shelburne it further appears that she married Raymond Crosby, presumably the younger son of that name of Patrick Crosby of Ballyheigue and brother of Arthur Crosby, though Miss Hickson in her account of this family implies that Raymond died unmarried.¹⁴ This is apparently a mistake, but there was probably no issue of the marriage, as none is recorded. Mary Orpen died in 1763. She was the last survivor of the lives in the Grand Lease of 1696/7, and on her death, in accordance with the substituted lease of 1720, the Orpen interest under it determined.

8. Isabella : married a man named Wright. Though not mentioned in Burke, it is plain from Abraham Orpen's will that she was a daughter of Richard of the White House and was alive in 1746 (see p. 151).

9. Sarah : married Major King of Killarney. She is wrongly placed as a daughter of Robert Orpen, son of Richard Orpen of the White House, in Burke and by Emanuel H. Orpen, but her true position is apparent from Abraham Orpen's will, as above.

Thomas Orpen, eldest son of Richard Orpen and Isabella Palmer, was born in 1696, and was therefore about 20 years old when his father died. The approximate date of his birth appears from an autograph letter of his, kindly given

to me by Lord Lansdowne, addressed to Lord Shelburne and dated 23 February 1756, in the course of which he says : " I am now on the brink of 60," and moreover states : " When my Father took the Lease from Mr. Waller in trust for Mahony [i.e. 22 March 1696/7] I was not twelve months old." He was educated in Trinity College, Dublin, where he graduated in 1714 as B.A., and took his M.A. degree in 1719. He took Holy Orders and succeeded the Rev. Josiah Kennington in Kenmare and the other livings formerly held by his maternal grandfather, the Rev. Thomas Palmer, and after him by the Rev. Luke Parker. He resided at Killowen House after the White House had been dismantled.

In 1717 the Bill against Lord Shelburne was revived by Isabella Orpen as widow and executrix of Richard Orpen. She was, however, no match for the powerful Lord Shelburne, and, as already mentioned, accepted a new lease for the same lives, but with an express exclusion of the right of renewal. The new lease, however, lasted till 1763, when Mary Crosbie, *nee* Orpen, the last ' life ' in the lease, died.

The Rev. Thomas Orpen married Agnes, daughter of Arthur Herbert of Currens, who was brother of Edward Herbert of Muckross, the representative of a very ancient family. A pleasing half-length portrait in oils of this lady with a rather woodeny dog in her lap was handed down in the family and belonged with other family portraits to my father, John Herbert Orpen of Dublin, and is now in the possession of his grandson, the Very Rev. John Herbert Orpen.

The marriage took place about April 1722,¹⁵ and Sir Richard Orpen relates the following traditional account of the arrival of the bride in the Glen of the Roughty :—" At this period no wheeled vehicles even for the removal of property were to be seen there, except what were made within the district by its own rude mechanics, because the valley was deemed inaccessible by any such vehicles across the surrounding mountains. On the south towards Bantry were the mountains of Eske and the Priest's Leap (the former of which has now a road through a tunnel). On the east towards Macroom were the Coom and other Ballyvourney



AGNES HERBERT,
m. 1722.

Wife of the Rev. Thomas Orpen of Killowen.

From an old Family Portrait.

Mountains; and on the North towards Killarney was Mangerton and his range, next to the Macgillicuddy's Reeks, deemed the highest in Ireland. Yet such was the gradual ascent over Mangerton, that it was only over the very summit of it, or by sea, that access was then had into Glenarought, or the Glen of the Roughty. In these circumstances carriages for private accommodation were unknown in the Glen, but Agnes Herbert would not allow anyone to say that the route was impracticable. Her carriage, she said, might be lost by sea, and over the summit of Mangerton it must bring her. And with the aid of an army of mountaineers, harnessed thereto with ropes, did she triumphantly enter her new home to the wonder and delight of the countryside.",

In 1748-50 an attempt was made to remedy the inaccessibility of the Glen of the Roughty from the north by making a new road, which, as my cousin Arthur Herbert Orpen of Oriel, Blackrock, informed me, was not the present Board of Works Road, but a somewhat shorter and more rugged road which he remembers to have seen, and is still used, joining the present road on the Killarney side near the Police Barracks.¹⁶ This comparatively rugged road appears to be the subject of the following (proposed) inscription which purports to have been composed by the Rev. Thomas Orpen. It is however followed by a eulogium which cannot be ascribed to the object of the eulogy, and though now beginning to crumble, is beautifully written and perfectly legible throughout. It is endorsed " In Laudem reverendi Thomas Orpen " with the date, 12 November 1765, in Latin. I think the whole must be regarded as a *jeu d'esprit* written by some friend—possibly by his eldest son, Richard Orpen, who had a distinguished career in Trinity College, Dublin, of which he was a classical scholar. The original is written like an inscription in short irregular lines, though here reproduced continuously :

Via Kenmariensis.

Hanc viam per aspera ardua impervia/Saxa, Rupes,
Voragines./Inchoari fecit/Praehonorabilis Thomas Vice-

comes Kenmare,/Vere Patriae Amicus,/anno 1748,/perfici
anno 1750,/Reverendo Thoma Orpen, Samuele Douse
Generoso/Praefectis/.Siste Viator/Circumspice/Laetare et
mirare/Insigne Opus :

Quod facili plaeidaque Via nunc Carpimus Iter,
Quo fuit ante Chaos, Hoc tibi Browne Decus.

ORPEN.

Hanc Inscriptionem de Via Kenmariensi
Reverendus Thomas Orpen
Pauperum Defensor

Rebus adversis Oppressorum/Consolator./Hominum Scele-
storum/Fraenator,/Composuit./Quem OmnesUno Ore,/Ex-
quisita, quadam Pratione,/et singulari Doctrina/prse-
ditum/dicunt. Vir Insignis Pietate./cujus Probitatem/
ne vel Inimici/negare/possunt./Qui Adolescens cum fuit,/
Insidiis Litibusque nefariorum/Irretitus, Patientia. in-
credibili,/et quasi a Deo adjuvatus,/Eos tandem/Superabit./
Cujus Laudes,/nec Tempus Edax, nec Malevolentia/Denti-
bus acutis./Obterere queunt. Tot sunt ejus Merita/quot
nullis Verbis/comprehendi/possunt/Serus in Coelum redeat,/
Dumque Vivit/ad voluntatem ejus/Omnia/fruant.

It is evident that the author of the above had acquired considerable skill in Latin composition.

Thomas Orpen was presumably that " son-in-law of Mr. Arthur Herbert " who, in 1733, " issued a warrant against [Donnel] MacCarthy, took away his gun, and committed him to Tralee gaol, as a Papist guilty of keeping arms," as mentioned in *Old Kerry Records*." It was this MacCarthy who afterwards, in 1734, shot Francis [or Fiach] Herbert, Agnes Orpen's brother, in the district of Castle Island, where a sort of social war was going on.¹⁸

Thomas Orpen's name appears in a " List of Resident Justices of the Peace for Co. Kerry " in the year 1736.¹⁹ Also in a " List of Freeholders in Co. Kerry " returned by the High Sheriff in the same year.²⁰ This latter list contains most of the names in the former one with some additions,

adding in each case the freeholder's principal seat, thus aiding identification. In the Appendix hereto will be found nearly all the names on these two lists. To each name is appended some genealogical notes intended to identify the individuals, who were at this time contemporaries of the Rev. Thomas Orpen in the county. They also serve to indicate, but very incompletely, those intermarriages which made 'Kerry Cousinship' proverbial, and in a few cases later marriage connexions with members or descendants of the Orpen family are also mentioned.

In a letter dated 29 December 1798, from John H. Orpen, M.D., of Cork, to his son, my grandfather, the writer mentions that the Living in Kerry held by the Rev. Thomas Orpen, the writer's father, was in his time worth £700 per annum, "but," he adds, "the Times have diminished its value."

¹ *Annals of Inisfalien*, Dublin Copy, and *Ireland under the Normans*, vol. iii, pp. 125-35.

² *Ireland under the Normans*, vol. iii, pp. 138-41.

³ *Pacata Hibernia* (1810), p. 531.

⁴ *Ireland under the Stuarts* (Bagwell), vol. ii, p. 101.

⁵ *Old Kerry Records* (Hickson), 2nd Series, p. 39.

⁶ * Hist. R.J.T.O.', p. 180.

⁷ ' Hist. R.J.T.O.', pp. 244, 249.

⁸ P.C.C. Will (199 Anstis), 1739.

⁹ Will in P.C.C. (408 Greenly), 1746.

¹⁰ * Hist. R.J.T.O.', p. 249.

¹¹ *English in Ireland*, vol. i, pp. 465-76.

¹² *Ibid.*, pp. 452-64.

¹³ Son and eldest daughter of Raymond's brother Richard who married Grace Riggs. This Grace Orpen married Daniel Crumpe, her second cousin, son of Samuel Crumpe, son of Thomas Crumpe, who married Dorcas, sister of Richard Orpen of the White House.

¹⁴ *Old Kerry Records*, vol. ii, p. 11. Charles Smith more correctly states that Raymond Crosbie 'died without issue,' *Hist. of Kerry*, P-57-

¹⁵ The marriage-settlement is dated 4 April 1722.

¹⁶ Charles Smith in his *History of Kerry* (1756), p. 65, mentions, as an example of improvements effected by the local gentry, "the new road from the Lake of Killarney to the river of Kenmare."

¹⁷ Vol. ii, p. 190.

¹⁸ *Ibid.*, p. 191.

¹⁹ *Ibid.*, vol. i, p. 263.

²⁰ *Ibid.*, p. 264.

APPENDIX TO CHAPTER XIV

Sir Maurice Crosbie, Knight, of Ardfert (great-grandson of Col. David Crosbie) : [See App., c. XIII].

William Crosbie of Tubrid: [See App., c. XIII].

Maurice Crosbie of Ballyhealy : 6th son of Patrick of Tubrid, m. Catherine, dau. of William Sandes of Carrigafoyle. These two last-mentioned Crosbies were brothers of Raymond Crosbie who m. Mary, sister of the Rev. Thomas Orpen. [Smith's *Kerry*, 57 ; *O.K.R.*, ii, n ; Burke, *L.G.* ; ' Sandes of Sallowglen. ']

Pierce Crosbie of Rusheen: younger brother of Thomas Crosbie of Ballyheigue who was son of Thomas Crosbie of Ardfert by his third wife, b. 1684, m. Margaret, daughter of William Sandes of Carrigafoyle [*O.K.R.*, i, 105 ; Burke, *ubi supra*].

James Crosbie: s. and h. of Thomas Crosbie of Ballyheigue (who d. 1730). He married his cousin, Mary, dau. of Pierce Crosbie of Rusheen, and d. 1761 [*O.K.R.*, ii, 10 ; Burke, *L.G.*, ' Crosbie of Ballyheigue. '].

William Crosbie : eldest son of Sir Maurice Crosbie, b. c. 1713, m. Lady Theodosia Bligh, dau. of John 1st Earl of Darnley, created (1771) Viscount Crosbie, and (1776) Earl of Glandore, d. 1781.

Lancelot Crosbie : s. of Maurice Crosby of Ballyhealy, m. (1) Elizabeth, daughter of Sir Maurice Crosbie of Ardfert [Smith's *Kerry*, 57], (2) Mary, dau. of John Blennerhassett of Ballyseedy by Jane Denny [Burke, *L.G.*, s.v. ' Blennerhassett of Ballyseedy ' ; *O.K.R.*, ii, 12].

Arthur Denny of Tralec : M.P. for the county in 1727, s. and h. of Edward Denny, who was M.P. 1702-1713. He married Lady Arabella Fitzmaurice, 2nd dau. of Thomas 1st Earl of Kerry by Anne, dau. of Sir William Petty, and d. s.p. 1740 [Burke's *Peerage*, s.v. ' Lansdowne '].

The Rev. Barry Denny: Treasurer of Ardfert Cathedral, younger brother of Arthur Denny. He married Jane, dau. of the Rev. Maurice O'Connor, and d. 1751, leaving issue Barry Denny who was created baronet in 1782.

Edward Herbert of Kilcow and Muckruss : s. of Edward Herbert and Agnes, dau. of Patrick Crosbie of Tubrid, *ni.* the Hon. Frances Browne, dau. of Nicholas 2nd Viscount Kenmare. He was M.P. for Ludlow in 1756 [Burke, 'Herbert of Muckruss'],

Arthur Herbert of Currens : 3rd son of Thomas Herbert of Kilcow and uncle of Edward Herbert (above). He married Mary, dau. and *h.* of George Bastable of Castleisland [Burke, 'Herbert of Cahirnane and Currens'].

George Gun of Kilmorna Gunsborough and Carrigafoyle Castle: younger son of William Gun of Rattoo, *m.* (1690) Sarah, dau. of the Rev. Thomas Connor, Archdeacon of Ardfert and *d.* 1744. Of his two granddaughters by his *s.* and *h.* William Gun, Ellen *m.* 1762, the Very Rev. Maurice Crosbie, Dean of Limerick, and *d.* 1762, leaving Elizabeth Crosbie, who *m.* Edward Moore of Moonesfort, Co. Tipperary ; and his other granddaughter, Sarah, *m.* 1771 Sir Joshua Paul, Bart. A handsome silver urn bearing the Gun crest has passed from this Sarah Gun to me through my late wife Adela Elizabeth Richards, who was a descendant in the sixth degree from George Gun through both the Moores and the Pauls—"a double-barrelled-gun descent," as we used to call it !

George Herbert: eldest son of Arthur Herbert of Currens. He married Jane, daughter of Maurice FitzGerald, Knight of Kerry.

The Rev. Thomas Orpen of Killowen : Rector of Kenmare, etc., son of Richard Orpen of the White House. He married 1722, Agnes, dau. of Arthur Herbert of Currens, and died 2 September 1767.

Richard Orpen : younger brother of the Rev. Thomas Orpen (above). He married Grace, dau. of John Riggs of Cork, and died in or shortly before 1741.

John Blennerhassett of Ballyseedy : *s.* and *h.* of John Blennerhassett and Margaret Crosbie, M.P. for Tralee 1709, High Sheriff 1717, *m.* Jane, dau. of Edward Denny, grandfather of above Arthur Denny [Burke, *L.G.*].

Thomas Blennerhassett of Tralee : younger brother of above John. He married Avise Spring [*O.K.R.*, i, 36].

John Blennerhassett of Killorglin : [See App., c. XIII].

John Fitzmaurice of Lixnaw : 2nd son of Thomas Fitzmaurice, 1st Earl of Kerry, and Anne, dau. of Sir Wm. Petty. High Sheriff in 1732, succeeded to the Petty estates in 1751, created Earl of Shelburne in 1753, and *d.* in 1761.

Townsend Gun of Rattoo : s. and h. of William Gun (d. 1723) and Catherine, dau. of Col. Richard Townsend, both of whom were among 'the Galway Prisoners.' He m. Elizabeth, dau. of John Blennerhassett of Killorglin by Elizabeth Cross (see above). [*O.K.R.*, i, 44.]

Samuel Morris, K.C.: [See App., c. XIII].

Richard Morris of Finuge : he succeeded his brother Samuel (above). He married Elizabeth, dau. of George Gun (above) [*Smith's Kerry*, 59].

Richard Chute of Tulligarron: son of Eusebius Chute. He married Charity, dau. of Arthur Herbert of Currens and sister of Agnes, wife of Rev. Thomas Orpen.

Nathaniel Bland : son of Archdeacon Bland and Lucy, dau. of Sir Francis Brewster. He was ancestor of the Blands of Derryquin Castle. His daughter Lucy married George Orpen, 4th son of the Rev. Thomas Orpen.

The Rev. Francis Bland : elder brother of Nathaniel (above) and great-grandfather of the Ven. Nathaniel Bland, Archdeacon of Aghadoe, who died in 1885 [*Burke, L.G.*].

Richard Meredith of Castleisland, afterwards Dick's Grove [*O.K.R.*, i, 189].

Richard Meredith junior of Ballymacdavid : son of the above, married Honora, dau. of Maurice FitzGerald, Knight of Kerry.

William Meredith : younger brother of Richard junior, High Sheriff in this year. He married (1737) Marian, youngest daughter of Maurice FitzGerald, Knight of Kerry. He continued the line of Dick's Grove, and his grandson William Meredith married in 1801 Alicia, dau. of Richard Orpen of Ardtully and Anna, dau. of Horace Townsend [*Burke, L.G.*].

Rowland Bateman of Killeen or Oak Park : b. 1705, son of John Bateman who d. 1719. He married 1727 Elizabeth, dau. of Nicholas Colthurst, and d. in 1754. His great-granddaughter, Letitia Bateman, married (8 April 1831) my great-uncle Emanuel Hutchinson Orpen [*Burke, L.G.*].

George Bateman : younger brother of the above, married Sarah, dau. of Anthony Stoughton of Rattoo [*Burke, L.G.*, s.v. 'Stoughton of Owlpen'].

Thomas Stoughton of Newtown: son of Henry Stoughton of Rattoo, married Dorothy, dau. of Archdeacon Bland [*Burke; O.K.R.*, ii, 217].

William Godfrey of Callinafersy : High Sheriff 1735 ; 2nd son

of John Godfrey of Ballygambon by Dorcas Blennerhassett, granddaughter of Dorcas Orpen [*O.K.R.*, i, 47].

George Palmer, Clk. : B A. Dublin (1713), 2nd son of Rev. Thomas Palmer and brother-in-law of Richard Orpen of the White House, Rector of Kiltallagh, etc. [Burke, *L.G.*].

Rev. Thomas Collis, Vicar of Dingle : 2nd son of William Collis and Mary Cross. He married Avice, 2nd dau. of Thomas Blennerhassett and Avice Conway. Their daughter Jane m. Frederick Mullins, elder (?) brother of Thomas, 1st Lord Ventry [Burke, *L.G.*].

George Rowan of Drumbeg: presumably George, s. of George Rowan of Tullarea and Mary, dau. of Thomas Blennerhassett [*O.K.R.*, i, 38], ancestor of Archdeacon Blennerhassett Rowan, who married Alicia, dau. of Peter Thompson of Tralee [*O.K.R.*, ii, 320], and was a great friend of my grandfather, who married his wife's first cousin.

William Mullens (de Moleyns) of Burnham : s. of Frederick Mullens and Martha, dau. of Thomas Blennerhassett of Littur, b. 1691, m. 1716 Mary, dau. of George Rowan (above) [Smith's *Kerry*, 62 ; *O.K.R.*, i, 39, 59]. His eldest son Thomas married Elizabeth, dau. of Townsend Gun, and in 1800 was created Baron Ventry [Burke's *Peerage*]. Anna, dau. of the 2nd Baron, married (1811) Richard Orpen of Ardtully who assumed the additional name of Townsend.

Florence MacCarthy of Pallice : s. of Daniel MacCarthy Mor and Dame Sarah, dau. of the Earl of Antrim [*O.K.R.*, i, 324]. He married Agnes, dau. of Edward Herbert of Kilcow and Muckruss, and his only son Charles MacCarthy Mor in 1770 bequeathed his estates, including Pallice, to his brother-in-law, Thomas Herbert of Muckruss.

John Yielding of Tralee : son of Richard Yielding [*O.K.R.*, ii, 208], m. Avice, dau. of Henry Blennerhassett and Dorcas Crumpe (dau. of Thomas Crumpe and Dorcas Orpen) [*O.K.R.*, i, 47]-

CHAPTER XV

Mahony's Lease

SOMETHING more must be said about the Lease of lands which Richard Orpen took in March 1696/7 from Henry Petty, afterwards Baron Shelburne, in trust for John Mahony, for not only was Thomas Orpen a subordinate party to the long-drawn-out litigation respecting this Lease, but the fact that all efforts to upset it failed proves conclusively that the similar Lease of Glanarought, granted under similar circumstances to Richard Orpen for his own benefit, would have been at least equally unassailable at Law. Nay, as the anti-popery laws brought forward against the Mahonys could not have been adduced against the Orpens, the latter were in a still stronger position.

The lands in Mahony's Lease were in the baronies of Iveragh and Dunkerron and amounted to about 150,000 acres. The rent, after the first six years, was to be £866 13s. */d.* and the lands were to be held for the same lives, and with the same covenants for renewal, and subject (*mutatis mutandis*) to the same conditions as were contained in Richard Orpen's Lease. From a full statement of the proceedings in the litigation concerning this lease, drawn up in 1763 on behalf of William 2nd Earl Shelburne and now lying before me, it is possible to ascertain the facts of the case, the various points at issue, the decisions, and the ultimate result. These may be shortly stated as follows :—

On 31 January 1704/5 John Mahony, on the marriage of his second son Daniel with Elizabeth Goold, settled one-third of the premises on his said son Daniel for life, with remainder to the issue of the marriage in tail male ; and on

16 January 1706/7 the same John Mahony by his will devised one-third of the lands to his eldest son Donough (of Dromore) for life with remainder to his son John and the heirs male of his body ; one-third to his said son Daniel (of Dunloe) and the heirs male of his body ; and the remaining one-third to his then wife Julian for life and then to his sons (John, James, and Philip) by her and the heirs male of their bodies.

" On 2 June 1713 the said Donough Mahony, Daniel Mahony and Julian and her then husband, Garret Fitzgerald, mortgaged the said leasehold premises to George Bastable for securing £1,000 and interest at 3 per cent., which mortgage afterwards became vested in Isabella Orpen, widow of Richard Orpen. There being a considerable arrear of rent due to Earl Henry from said Isabella and her son Thomas Orpen, they paid part thereof and perfected their bonds and warrants for securing the remainder, and sometime after the said Earl . . . was prevailed on to accept an assignment of said mortgage and several judgments obtained against the Mahonys as a collateral security for the debt due to him. . . . About the year 1732 Earl Henry issued an execution against Thomas Orpen on the judgment obtained against him for the said debt, but the said Earl forbore to execute the same through the mediation of Lady Kerry, sister to Earl Henry, and on Thomas Orpen engaging that the Mahonys should pay to the said Earl the money secured by the said mortgage, or in default of their so doing that the said Thomas would at his expense prosecute a suit to foreclose the said mortgage."

At length on 23 January 1744/5 the mortgaged premises were put up for sale by the Court, and " Arthur Crosbie," having bid the sum of £1,600, was declared the best bidder." The premises were then duly conveyed to him, and the Earl was paid out of the proceeds what was due to him. It appears that as to Donough Mahony's share of the premises Crosbie purchased in trust for James Pierce, whose sister, Honora, was then the widow of John Mahony, eldest son of said Donough (of Dromore), and thus by private arrange-

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merit this part of the property remained in the Mahony family. Previous to the sale the Earl had announced by advertisement that the lease was to determine on the deaths of the three lives therein, and that his Lordship would not grant any renewal, and both Crosbie and Pierce had notice thereof.

It appears that William Bowen, one of the lives named in the lease, died in 1729 ; and that in 1746/7 Daniel Mahony, another of the said lives, also died.

On 24 April 1747 Arthur Crosbie filed his bill against Earl Henry, by which after setting forth at length the facts concerning the lease and the subsequent legal proceedings he named the lives of William Francis Crosbie and Launcelot Crosbie² to be inserted instead of William Bowen and Daniel Mahony, and claimed a Decree for a renewal of the lease. Earl Henry in his answer " insisted that the Letter of Attorney (to Waller) did not empower Waller to grant any covenant of renewal." Issue was joined and witnesses examined in 1749 and April 1750, but no decree was made up to 17 April 1751 when Earl Henry died.

On 13 January 1752/3 Arthur Crosbie filed his bill against John Earl of Shelburne (son of Thomas FitzMaurice first Earl of Kerry and Anne daughter of Sir William Petty) and others to revive his said suit. Earl John in his answer 26 June 1754 relied largely on the non-fulfilment of the covenants contained in the Lease. He also filed a cross-bill on 7 July 1755. To this Arthur Crosbie replied on the 5 May 1756 and 6 April 1757.

It was at this period in this long-drawn-out litigation that the autograph letter from the Rev. Thomas Orpen to Earl John, which I owe to the courtesy of the present Lord Lansdowne, was written. It is dated 23 February 1756, and begins as follows :

" My Lord, sometime in September last I was served with a Subpoena at your Lordship's suit, and having observed that Dr. Lawlor was mentioned in the same Subpoena I wrote to him to know if he could inform me what it meant, who returned me for Answer that he had a copie of your

Lordship's Bill, that Mr. Arthur Crosbie was then at his house, who earnestly requested to see me, that if I would comply I should see the Bill, and that by my giving a Joint Answer with them I should save a good deal of expense. I wrote to tell the Doctor that I was determined to answer alone, let the consequences as to costs be as it would. I excused myself for not going to Mr. Crosbie, but pressed at the same time for a copy of the Bill. One or two letters to the same purpose passed between me and the Doctor. . . . But in short they both quitted the country and left me in the Dark as to the matter of the Bill." The writer goes on to say that he had written to Mr. John Dennis, the Earl's attorney, with the same object, but without effect, that he supposes he " was made a party only for Form's sake," and that he hopes he will not be put to any costs, etc. ; and it is here that he mentions he " was not 12 months old when his Father took the Lease from Mr. Waller."

It is evident from the above letter that Thomas Orpen was anxious to keep clear of the litigation that was going on. His own interests under the ' Orpen Lease ' had been already the subject of a compromise, and whatever might be the fate of Mahony's Lease it could have no practical bearing on his fortunes. It would also appear that he did not wish to meet Arthur Crosbie. In spite of his acquittal at his trial, Arthur Crosbie was generally believed to have been implicated in what is known as " The Danish Silver Robbery,"³ and though he was a younger brother of Raymond Crosbie who married Mary Orpen, it is not improbable that owing to this belief the Rev. Thomas preferred to have no intimate communication with him.

To continue our summary of the litigation : Witnesses were examined on behalf of the plaintiff Crosbie, but no decree was issued prior to the death of Earl John, which occurred on 10 May 1761. ' A Case ' in regard to Mahony's Lease was then drawn up on behalf of Earl William, eldest son of Earl John, for the opinion of the Solicitor-General, ' C. York,' and a copy of the same lies before me. In answer to the main question as to the validity of the Lease and the

covenant for renewal the Solicitor-General, under date 24 October 1761, says : "I am of opinion that the Lease in Question was warranted by the Power of Attorney, and that it is renewable in Perpetuum upon the dropping of any of the Lives, and I am of opinion that the acts done by Henry Earl of Shelburne and referred to in the Query are strong Affirmances of the Lease." Other queries were also answered adversely to the Earl, but the Solicitor-General thought that the breaches of Covenants on the part of the Lessee would form " a strong answer to any Bill brought for a specific performance of the covenant to renew," and that a Court of Equity would only compel a renewal on the terms of making satisfaction with regard to Fines and Breaches of Covenant.

It would seem that the Solicitor-General's opinion was accepted. The fuller statement of the Case, containing an account of the litigation up to November 1760, drawn up on behalf of Earl William, and on which I have hitherto relied, ends abruptly at this date, and does not appear to have been placed before counsel. Lord Lansdowne, however, after examining the documents at Bowood, informs me that " the matter was eventually, in 1763, compromised between William Lord Shelburne (afterwards 1st Marquis of Lansdowne) and Crosbie, when a renewal was granted subject to a fine or cash payment to the ground landlord." " The lease," he adds, " thus appears to have been practically converted into a perpetuity, and after the death of the first Lord Lansdowne in 1805, the head rents which remained on that part of the property were for the most part sold."

¹ Son of Patrick Crosbie of Tubrid, and younger brother of Raymond Crosbie who married Mary, sister of Thomas Orpen.

² William Francis Crosbie was only son of Arthur Crosbie and Elizabeth his wife, youngest daughter of Captain Launcelot Sandes ; and Launcelot Crosbie was eldest son of Maurice Crosbie (elder brother of Arthur Crosbie) and Catherine his wife, daughter of said Captain Launcelot Sandes : *Old Kerry Records*, 2nd Series, pp. 11-12.

³ For a full account of this shady transaction see *Old Kerry Records*, 2nd Series, pp. 45-100. On p. 59 Miss Hickson says : " I think it quite impossible to include Arthur Crosbie of Tubrid amongst these innocents."

CHAPTER XVI

The Five Elder Sons of the Rev. Thomas Orpen (i 696-1767) and Their Issue

THE Rev. Thomas Orpen's will is dated 19 February 1767, to which he added a codicil dated 19 August 1767. He died on 21 September following (as appears from a letter dated the following day from his son John Herbert Orpen, M.D., to Lord Shelburne), having had by his wife, Agnes Herbert, seven sons and six daughters. Of these the five elder sons were as follows :

I. Richard, his eldest son, obtained a scholarship in Trinity College, Dublin, in 1746, and took his degree of B.A. in 1748. I have in my library a prize gained by him in T.C.D., Michaelmas 1746, entitled *Miscellany Poems*, published by Mr. Dryden, 5th ed. 1727, in four volumes. The book was given to my Father by Richard Ellard, grandson of the prizeman. In the year 1764 he was appointed as Rector of the parishes of Iveragh, including Valentia. He married Mary, daughter of Matthew Hutchinson and widow of James French, by whom he left at his decease in 1770 an only son Richard Thomas Orpen of Frankfort,¹ who died unmarried in 1812, and three daughters, viz. :

- (1) Mary, who married firstly Captain John Travers, and secondly Lieut-Gen. the Hon. William Mordaunt Maitland, third son of James, seventh Earl of Lauderdale, by whom she left at her death in 1809 an only son, Sir Thomas Maitland, afterwards (1863) eleventh Earl of Lauderdale. His daughter, Lady Mary Jane Maitland, married on 7 January 1868 the Hon. Reginald Brabazon, afterwards twelfth Earl of Meath, who after a long and exemplary life devoted

to social service, died on n October 1929 aged 88 years. He was perhaps most widely known as the founder of ' Empire Day.' I met him once at his beautiful seat of Kilruddery near Bray in 1908, when he entertained a party of the British Association then meeting in Dublin. I recollect being able to tell him something concerning the history of Kilruddery in the thirteenth century which he did not know. I did not then know that he had married my third cousin, or I should have been glad to claim the connexion.

The other daughters of the Rev. Richard Orpen were :

- (2) Charlotte Agnes Orpen, born 1767, married (1790) Thomas Quin, K.C., and died 1848, leaving issue.
- (3) Sophia Orpen, born 1762, married (1797) Philip Oliver Ellard, and died 1854, leaving issue.

II. Arthur Orpen, second son of the Rev. Thomas Orpen. He married a French lady and brought her to reside for some time at Killowen. Concerning him Sir Richard Orpen recounts the following occurrence as being the origin of the long feud between the Mahonys and the Orpens :

" Daniel Mahony of Blackeen, who was employed to carry off Irishmen (then known by the name of ' Wild Geese ') to fill up the Irish Brigade in France, though a Roman Catholic, was married to Isabella, daughter of Joseph Taylor, a Protestant. On her death Arthur Orpen, who was the son of her first cousin, and the other Protestants from the neighbourhood of Killowen went to her funeral at Templenoe, the burying-place of the Mahonys ; but the rest of the Mahony Family refused to permit Daniel Mahony to bury his wife in the family vault, she being ' a Heretic ' Upon this Arthur Orpen got a sledge from a neighbouring forge, and in forcing open the vault defaced the Mahony coat of arms from their tomb and broke in pieces the slab which covered it." ²

Sir Richard Orpen goes on to recount Arthur Orpen's tragic death as follows : " Arthur Orpen's wife disliking the country and wishing to return to France, . . . they put all

their property on board a small vessel belonging to him and sailed from Kenmare ; but being overtaken by a storm off the Hogg Island (Scariff) the vessel went ashore, and the sailors told him his only chance of escape was to take to the boat. His wife refused to do so and abandon all her property, and he would not leave her. As the crew were leaving him, he said to one of them, Daniel Sullivan (' Bwee '), ' Will you desert me too ? ' Upon this Sullivan returned to the vessel and perished with his master and mistress. The widow of this Sullivan was allowed a pension during her life by the Orpens. Arthur Orpen's brother, Thomas, who afterwards died in Trinity College, Dublin, was on board at the time, but escaped in the boat and landed with the sailors at Derrynane."

The above was, no doubt, the Captain's story, but my great-uncle, Emanuel Hutchinson Orpen, in his *Genealogical History of the Orpen Family*, treats it as ' incredible,' and suspects that the vessel was designedly driven on Hogg Island and dashed to pieces to conceal the murder and robbery.

III. Thomas Orpen, a student in T.C.D., died unmarried. He was mentioned in the will of his uncle Abraham Orpen.

IV. George Orpen, a Captain in the army. He served under the Marquis of Granby and Lord George Sackville, and was severely wounded at the Battle of Minden, 1 August '759- " On that occasion," says Sir Richard Orpen, " he was knocked down by a spent cannon-shot and carried to the Hospital. Whilst lying there after the battle he heard two other wounded officers conversing, and one said to the other : ' As to poor Orpen he is gone. I saw him killed to-day by a cannon-shot.' ' I beg your pardon,' exclaimed he, ' here I am as well as any of you ! ' " ³ He married Lucy, daughter of Nathaniel Bland of Derryquin Castle. His will is dated 16 July 1782, but was not proved until 26 March 1794, when it is stated that " the Testator was dead about 10 years." He left two sons and one daughter, viz. :

- (1) Thomas Orpen, a Captain in the Kerry Militia, *d. unm.* 1829. He was generally known as ' Kerry Tom.'

(2) Harry Francis Orpen, a Major in the 60th Regiment. He served in India and in Egypt and in the Peninsula " and was killed while gallantly cheering on his regiment at Talavera (1809) under the Duke of Wellington, then Sir Arthur Wellesley." He was unmarried.

(3) Lucy Orpen, married Alexander Strange, an officer who served for many years in India and died at Windsor, a gentleman pensioner. She left four sons and two daughters.

V. Edward Orpen of Killowen was born in 1741. He was called ' Major Orpen,' having been a Major of the Kerry Volunteers in 1782. Of him his nephew Sir Richard Orpen says : " He was a man of very amiable disposition and great personal courage. During a great part of his life he held a place in the Revenue as Surveyor of the River Kenmare, and in discharging his duties he had repeated engagements with the Smugglers, who carried on their illegal traffic in large bodies and often by force of arms. At one time the Village called the ' Cross Roads ' near Killowen was principally inhabited by Smugglers, and finding Mr. Edward Orpen a great check to their proceedings, they hired a fellow of the name of Donoughoe to murder him. This fellow armed himself with a blunderbus and lay outside Killowen Gate to shoot Mr. Orpen when he should go out in the morning, as he usually did pretty early. While he waited, however, he fell asleep, and Mr. Orpen, happening to go out much earlier than usual, found him lying there with the blunderbus by his side. He immediately seized the arms and awakening the villain dragged him to the ' Cross Roads,' and there before the faces of the Smugglers flogged him till he broke one of his ribs, and then dismissed him in such a condition that he left the country and never ventured to come near Killowen again. At another time having made a large seizure of tobacco he and his small party were surrounded by the Smugglers with whom they had an engagement, and their own ammunition being nearly exhausted Edward Orpen found it necessary to send for assistance. One of the party

volunteered to make good his way through the parties of Smugglers and bring assistance, which he did successfully, and he and his son, Darby Donovan, were ever after regarded with favour by the Orpens."⁴

Edward Orpen, who died in 1817, had three sons and ten daughters by Eleanor Connor. Of these the sons and four elder daughters appear to have been born before July 1795 when the marriage ceremony was solemnized,⁵ and therefore in the eye of the law were technically illegitimate. The sons were as follows :

- (1) Harry Orpen, who married in 1809 Eleanor, daughter of William Swanton, by whom he had one daughter only.
- (2) Abraham Edward Orpen, M.D., of Cork, born 1779, obtained his degree of B.A. in T.C.D. in 1798, and that of M.B. in 1799. By his second wife, Martha, daughter of Sir James Chatterton, Bart., he left at his death in 1836 a son and a daughter, viz.:
 - (a) Edward Chatterton Orpen, b. 1831, married Marcella Carew Palmer, by whom he had Edward Chatterton Lewis Orpen, born 1857, Admiral R.N.
 - (b) Rebecca Dulcibella Orpen, who married firstly in 1867 Marmion Edward Ferrers of Baddesley Clinton, and secondly Edward Heneage Dering, and died in 1923.
- (3) Edward Orpen of Killowen, Barrister-at-law, born 1794, died without issue 28 January 1863. Letters of administration with will annexed were granted to Edward Orpen Palmer, eldest son of his sister, Margaret Orpen, wife of Abraham Palmer. This Edward Orpen Palmer appears to have succeeded to Killowen House. He had a son, Abraham Henry Herbert Palmer, Clerk in Holy Orders, B.A., T.C.D. He was a curate at Monkstown about 1870, when my uncle Cope Garnett lived at Rhos-y-gar, the corner house opposite the church. My uncle used to give a permanent invitation to the curates

to come to dinner with him after service on Sundays, and I well recollect frequently meeting Abraham Palmer there in my College days. He has written a full genealogical account of the Palmer family from the Rev. Thomas Palmer, father-in-law of Richard Orpen of the White House.

On the failure then of the male issue of the five elder sons of the Rev. Thomas Orpen, the senior male representation of the Orpen family devolved on the issue of John Herbert Orpen of Cork, sixth son of the Rev. Thomas Orpen. To him we must now revert.

But first it will be convenient to mention here the daughters of the Rev. Thomas Orpen :

- (1) Isabella.
- (2) Mary.
- (3) Cherry, *m.* Rev. James Francis Bland, eldest s. of Francis Bland of Ballyboy, and had issue three sons and one daughter.
- (4) Margaret Lucy, *d. unm.*, described by Emanuel Hutchinson Orpen as "a most kind-hearted and intelligent lady " who' had assisted him in compiling his genealogy of the family.
- (5) Lucy, *m.* Conway Blennerhassett, and died without issue.
- (6) Agnes, *m.* Rev. Walter Stewart, and had issue one son and two daughters.

¹ 'I have a letter from him to my great-grandfather J. H. O. of Cork, dated 2 February 1782 " from near Cape Comorin," in which he sent him a Persian seal. The seal was afterwards lost.

² ' Hist. R.J.T.O.', p. 257.

³ ' Hist. R.J.T.O.', p. 258.

⁴ ' Hist. R.J.T.O.', p. 267.

⁵ " A licence was granted by the Bishop of Limerick, Ardfert and Aghadoe to solemnize matrimony between Edward Orpen of Killowen and Ellen Connor of Killowen in the parish of Kenmare dated 8 July 1795." To the above the late Arthur Herbert Orpen of Oriel appends the following : "I have seen the certified copy of the above certificate obtained from the Public Record Office, Dublin

REV. THOMAS ORPEN'S FIVE ELDER SONS 173

A. H. O." From the dates of burial of the sons in Kenmare, coupled with the ages given on the burial certificates, and from the dates of the marriages of the daughters, Arthur H. Orpen proceeded to show that the three sons and at least four of the daughters were born before 8 July 1795.

CHAPTER XVII

John Herbert Orpen, M.D. (1743-1799) and His Issue

VI. JOHN HERBERT ORPEN, sixth son of the Rev.
**f* Thomas Orpen, was born in 1743. On 4 October 1763, he obtained his Doctorate of Medicine at Edinburgh. I have a copy of the Latin Thesis he wrote on this occasion, entitled *De Crisibus*, etc., published in Edinburgh "apud A. Donaldson and J. Reid 1763." It contains the writer's Book Plate. It is dedicated "Reverendo viro Patri optimo Thome Orpen," etc., and seems to be a very learned work. He practised as a physician in the City of Cork, where he took a house in Morrison's Island, the interest in which has descended to me. He married on 12 February 1774 Hannah, daughter of Emanuel Hutchinson of Codrum, Co. Cork, by Hannah, daughter of Humphry Massy. A three-quarter-length portrait of Emanuel Hutchinson, life-size, in Court dress, said to have been painted by Ramsey, is now in the possession of my nephew, the Very Rev. John Herbert Orpen, Dean of Bury St. Edmund's. A large size photograph of it and a similar one of the portrait of his brother Samuel hang in my library.

Two large bound volumes of Letters, nearly all written by Doctor Orpen to his eldest son Thomas, have been preserved in our family. The first volume commences with a few letters written in 1756-7, when he was a boy of thirteen or fourteen years of age, to his Mother, whom he addresses in the old style as 'Honoured Madam,' while he concludes "with Duty to my Father, Uncles and Aunts, and affection to my sisters and cousins, your dutiful son, Jno. Herbt. Orpen." From November 1791, when his son Thomas first



EMANUEL HUTCHINSON,
d. 1759.

Father of Hannah Hutchinson, wife of John Herbert Orpen,
M.D., of Cork.

From a Portrait by Ramsey.

went to live in Dublin for his college course, to October 1795, the letters are addressed to his son at Trinity College. After that to Edinburgh, up to October 1797, when his son obtained his medical degree there, and then to various places in England, where he made an extensive tour southwards to London, prior to his return to Dublin to commence life as a physician there. The early letters are full of fatherly advice, but as time goes on we recognize a pleasing mutual confidence and affectionate regard between father and son, also a certain literary ability in the writer. There are some allusions to the more stirring public events. From 24 December 1796 to 13 January 1797 the letters are full of rumours, becoming more and more authentic, of the French fleet in Bantry Bay, when the wind and the waves, not for the first time, fought England's battle. On 9 January 1798 he writes, "the flame kindled in this part of the Countrey by the diabolical United Irishmen is at present smothered, but I fear not extinguished." It certainly was not, but there is a gap in the succession of letters between 13 February 1798, when he notices the murder of Mr. Mansergh St. George and Mr. Uniacke by the United Irishmen,¹ to 24 July, when he asks his son for a Report of the trial of the brothers Sheares,² otherwise we might expect allusions to the Rebellion which broke out on 23 May. On 24 August he mentions an attempt by Mahony to charge the sons of Richard Orpen of Ardtully with tendering the oath of the United Irishmen, but the charge was disproved at the trial and dismissed. On 26 August he refers to rumours of the French fleet "hovering about the coast of Limerick and Galway." This shows how slowly news spread, for the French had already landed at Killala on the 22nd. On the 31st he gets news from his son, from which he infers that "our Generals had suffered something of a surprise." This must refer to the 'Races of Castlebar,' which took place on the 26th. He mentions that on 16 October the mail-coach to Dublin was robbed and burnt by a party of Holt's men. He was no admirer of Grattan's policy, and on 22 January 1799 he says : "This will be a night of great moment in Dublin."³ I am

decidedly of opinion that nothing but an Union will establish the Peace and Security of this Countrey, but I hope *its* interest will be made the Basis." On 8 April he notices for the first time " a decline in his constitution." On the 20th of that month he tells of the murder of Tom's Uncle ' Bob ' Hutchinson, of whom he was very fond. His last letter was written on 1 October 1799, and three days later he died. His strength had long been failing, but the end came suddenly at the last. His son John, writing to his elder brother on 4 October 1799, says : " Our dear Father is no more. This morning at about four o'clock he was called up to attend [an expectant mother]. He went out notwithstanding all our persuasions to the contrary, and about an hour after died suddenly without the slightest pain." A happy end !

By his wife Hannah Hutchinson he had three sons and four daughters, viz. :

- (1) Thomas Herbert Orpen, M.D., born 12 February 1775, of whom hereafter.
- (2) John Emanuel Orpen, in Holy Orders, born 22 November 1779, scholar of Trinity College, Dublin, in 1798, B.A. in 1800.⁴ He married in 1804 Frances, daughter of Richard Ashe, and died on 12 June 1852, having had by her, with other issue :—
 - (a) John Herbert Orpen of Lisheens, Co. Cork, M.D., born 1805, married in 1834 Margaret, daughter of Henry Leader, and died without issue on 23 January 1862.
 - (b) Richard Ashe Orpen, who succeeded his brother at Lisheens, and died without issue on 27 January 1892. He left his library to my brother, Col. Richard Theodore Orpen, R.E., who gave some of the books to me.
 - (c) Besides two other sons and three daughters who died unmarried, John Emanuel Orpen had a daughter, Frances Sophia Orpen, who was born 1808, married on 3 May 1834 William Smith, and had two sons who predeceased her unmarried. She left her



JOHN HERBERT ORPEN, M.D., OF CORK.
From a Miniature.

- expectant property at Lisheens to Arthur Herbert Orpen of Oriel by her will dated 22 June 1882, and died on 6 April 1883.
- (3) Emanuel Hutchinson Orpen, born 8 June 1782. He was an attorney-at-law, and married on 8 April 1831 Letitia, daughter of Rowland Bateman of Oak Park, Co. Kerry, by Arabella, daughter of Sir Barry Denny, Bart., of Tralee. Sir Richard Orpen, his contemporary, says of him, "He was a most amiable, intelligent and well-informed man, and he afforded me much assistance in my Memoir." In 1825 he published three Essays, entitled respectively (1) *The Political Retrospect for Great Britain*; (2) *An Authentic Exposure of Irish Affairs*; (3) *Reflections on the Predominant Religious Opinions in Great Britain and Ireland*. These Essays written a few years before the Emancipation Act, while showing that the author was an earnest Protestant and Loyalist, prove that he was a liberal-minded man, and was ready to go a long way towards removing the remaining disabilities that affected Catholics, and in furthering the interests of the poorer class of agricultural tenants. He compiled a very full Genealogy of his own family and of all the families connected therewith. The said Genealogy is now in the possession of my nephew, the Dean of Bury St. Edmund's. It was compiled largely from information derived from his aunt Margaret Lucy, from Richard Orpen of Ardtully, and from memoranda in the said Richard Orpen's possession written by a great-uncle, Raymond Orpen, and from several other members of the family. A copy of this Genealogy, with some additions, was made in a clear handwriting by John H. Glascott for my Father, and I have had the coats-of-arms emblazoned and the whole engrossed by the Misses McConnell of 22 Lincoln Place, Dublin. Emanuel H. Orpen died without issue 11 February 1863. His widow died

in 1866, having left by will the miniature of her late husband to my father.

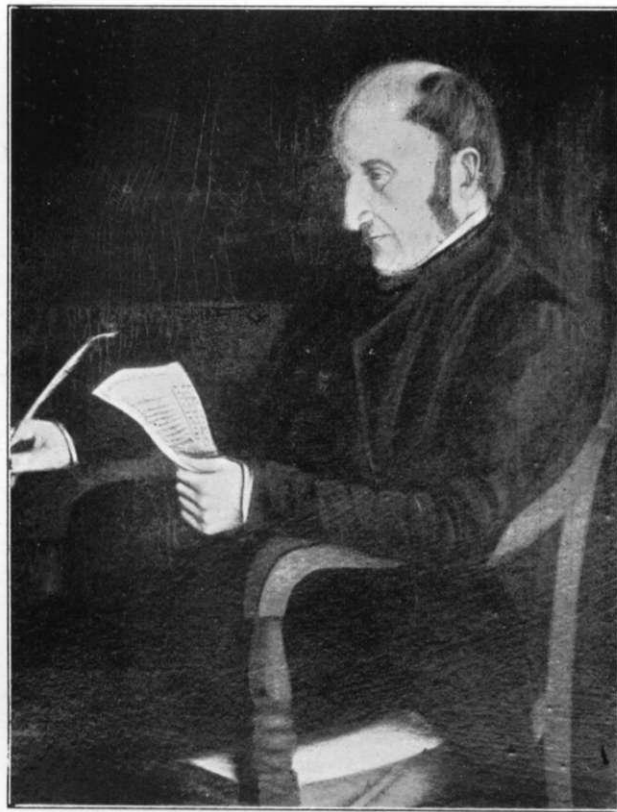
The daughters of the said John Herbert Orpen, M.D., of Cork, were :

- (4) Hannah Agnes Orpen, born 9 May 1777, died unmarried in 1849.
- (5) Frances Orpen, born 7 June 1783, died unmarried 3 July 1866.
- (6) Sophia Orpen, born 27 July 1785, described by her brother Emanuel as " a highly gifted young lady," died unmarried 4 June 1808.
- (7) Margaret Lucy Orpen, born on 10 July 1786, married to Captain Henry Odium, and died without issue on 3 July 1862.

Of these uncles and aunts of my father I can just recollect ' Uncle Manny ' (Emanuel H. Orpen) coming to visit my father at 58 St. Stephen's Green, also ' Aunt Fanny ' and ' Aunt Odium.' The latter lived at Dalkey, where she let her house to us for a month one summer in the late fifties, and my aunt Anne Richards (or ' Aggan ' as we called her), and my sisters and I stayed there for that time. I well recollect the big sloping rock opposite her house at the far side of the road, up which we used to climb and down which we used to slide, not, I am sure, to the benefit of our clothes !

Aunt Hannah was a member of the Society of Friends, and I have some letters from Elizabeth Fry to her written in June and July 1837, advising and helping her to form a committee of ladies for visiting female prisons in Dublin and a ' convict ship,' then shortly expected there.

Thomas Herbert Orpen, my grandfather, eldest son of John Herbert Orpen, M.D., was born in 1775. He took his B A. degree in Trinity College, Dublin, in 1798, but he followed his father's profession and, like him, studied medicine at Edinburgh and obtained a medical degree there on 12 September 1797. From an account which he wrote of his journey to Edinburgh in 1795, it appears that he took four days to cross from Donaghadee to Port Patrick, a distance



THOMAS HERBERT ORPEN, M.D., OF DUBLIN,

'775-1845-

From a Family Portrait.

of about twenty miles. On 1 November the passengers embarked, and hoped to make port that night; but a hurricane arose, and they drove about at the mercy of the wind, not knowing where they were, until about four o'clock in the morning when the sailors said they were off Whitehaven, but could not make it. An hour later they were close to the Isle of Man. When daylight came they veered about and made for the first Irish port they could reach. This was Carlingford, which they reached about five o'clock in the evening of the **2nd**. They lay in the harbour all night. Next day at noon they started again, and coasting along past Dundrum Bay by midnight they sighted the lighthouse of Donaghadee ! The wind was now more favourable, and they started, as it were, afresh, and by six o'clock on the morning of the **4th** they reached Port Patrick. Another week passed before Edinburgh was reached. Such were then the difficulties of travelling.

We have already mentioned his father's numerous letters addressed to him when at Trinity College, Dublin, and at Edinburgh. After obtaining his medical degree he left Edinburgh on 17 October 1797 for a five months' tour through England. At this time his father in a letter of introduction, and by way of identification, describes him as " a tall, clean, slashing young fellow . . . he has an open countenance, looks up with black eyes and hair, visage rather thin, and his demeanor modest and tintured with the bashful, though his father be from Kerry and his education completed in Scotland "—circumstances presumably calculated to supply him with self-assurance ! He had to practise the most rigid economy on his tour, and he walked most of the way, only occasionally taking a seat on a coach or sharing a chaise with some fellow-traveller. He used to post on his portmanteau to the more important stages. He first visited the lakes of Cumberland. He then paid particular attention to places famed for medicinal waters, such as Harrogate and Buxton ; and in the principal larger towns, including York, Leeds, Manchester, Derby, Lichfield and Birmingham, he paid visits to hospitals and factories as well

as to Cathedrals, etc. He visited Mr. Boulton's factory at Soho, two miles from Birmingham, where he saw some of Mr. Watt's newly constructed steam-engines at work. Afterwards he paid a fortnight's visit to his cousin, Tom Bland, at Ham Court near Upton, and thence by Cheltenham, Gloucester and Oxford to London, which he reached about 9 December. Here he visited all the principal hospitals, as well as the public buildings. On 1 February he left London on foot, and walked through the villages of Hammersmith and Turnham Green to Kew and Richmond—passing through the neighbourhood where, a century later, his grandson, the present writer, spent the best years of his life—and so to Windsor. Thence he made his way to Portsmouth, Salisbury (Stonehenge), Bath, Bristol and Milford, whence he took the boat to Waterford, and thence on 15 March to his father's home in Cork. The whole tour was a wonderful experience for a young man in those days.

In the following summer (1798) he settled in Dublin as a physician, living at first in Grafton Street and eventually in 13 South Frederick Street, in the house in which I was born and which now contains the office of my third cousin, Richard Caulfeild Orpen, the architect. He married in 1804 Penelope Jane, daughter of David Thompson of Oatlands, Co. Meath, by Anne, daughter of George Higginbotham. They lived happily together until separated by his death on 31 March 1845. He had filled many positions of usefulness and trust. He was Treasurer of the Royal College of Physicians and also of the Royal Irish Academy. I have the book he kept containing the signatures of the Members of the British Association who attended the first meeting in Dublin in 1835.

In an obituary notice the *Kerry Post* says of him : " Through a long life Dr. Orpen was distinguished for an unceasing exercise of all the best charities which alleviate the miseries of humanity, and those performed in so unobtrusive a manner that their extent will only be known by the heavy loss which the distressed will sustain on their

cessation. The *home* of the indigent poor, the *shelter* of the homeless wanderer, the *prison* of the oppressed debtor—these were the scenes in which this good man sought objects on which to exercise his sympathies, and, 'doing good by stealth,' proved that no love of display entered into his motives."

Sir Richard Orpen writing on 14 April to my father says : " Before you were born and for many years after, I was an inmate of your father's house, and I believe I can say with truth we never had a word or shadow of difference, and from him and your mother I never experienced anything but kindness." And Archdeacon A. B. Rowan in a letter to the same says : " Your Father has closed a long life of active and yet quiet benevolence in ripe age and having the satisfaction of seeing his family settled in life, therefore we may say he fulfilled his course—and I hope is entered into his rest. I shall sorely miss my correspondent of so many years, nor do I know how to supply his place."

Thomas Herbert Orpen by his wife Penelope Thompson (who died 11 February 1864) had issue two sons and one daughter, viz. :

1. John Herbert Orpen, my father, of whom hereafter.
2. Henry Thompson Orpen, born 1810, who died young.
3. Anna Sophia Orpen, born 12 December 1808, married on 2 September 1834 J^ohn Thompson Young, only son of John Young of Philpotstown, Co. Meath, by Mary, daughter of Arthur Thompson Esq. of Roscommon. John Thompson Young died without issue in 1849. His widow, my 'Aunt Young,' died on 13 February 1897 and was buried at Ardbracon.

During her long widowhood her beautiful place at Philpotstown, now Dunderry Park, was a second home for us, her nephews and nieces, where we were always made welcome and happy during the summer months. Even after I was married, my wife and I and our children were always pressed to stay as long as we could during the summer vacations. In the winters Mrs. Young lived in my father's house in Dublin and, after his death, in my eldest brother's

house, St. Leonards, Killiney. Hers was a beautiful nature, and every one that knew her loved her.

My father, John Herbert Orpen, was born on n December 1805. He took his degree of B.A. at Trinity College, Dublin, in 1826, M.A. in 1832, and LL.D. in 1841. He married on 2 September 1840 Ellen Susan Gertrude, youngest daughter of Rev. John Richards of Grange (now Monksgrange), Co. Wexford, by Elizabeth, daughter of Sir Joshua Paul, Bart., of Paulsville. He practised as a Barrister-at-law in Dublin, where he moved from his father's house, 13 S. Frederick Street, to 58 St. Stephen's Green, in 1857. In November 1830 he crossed to Liverpool for the sake of going on the new railway to Manchester.⁵ In a brief Journal of the trip he says : "*Mem.* Take care to engage places in one of the glass coaches on the railway—at least in winter, as the curtained ones are dreadfully cold. Got to Manchester, 32 miles, in if hours, including 10 minutes average delays. The motion remarkably easy for the speed, but rather more noisy than in a good mail-coach on a good road. Unless you look at the ground itself beside the carriage you can scarcely persuade yourself of your speed." My father was very fond of making short excursions to various parts of the British Isles, but I think only once went on a continental trip. It was his habit to buy note-paper with views of the places he visited and briefly to record thereon the date and circumstances of his visit. I have two bound volumes of these records. They commence with views of Wales and the North of Ireland, which he visited with Andrew O'Beirne in the summer of 1829. Many of his excursions were in connexion with the meetings of the British Association, of which he was a life-member from 1835. In 1872 he brought me with him to attend the meeting of the Association at Brighton, where I recollect seeing the late Emperor and Empress of the French who had found a refuge in England after the recent *debacle* in France ; and where at a meeting of the Geographical Section H. M. Stanley told with graphic realism how he found Livingstone, and afterwards aroused the incredulity of the scientists by asserting of a great river



**JOHN HERBERT ORPEN, I.L.D.,
1805-1888, with his four sons.**

from a Photograph taken c. Christmas, 1871.

in Central Africa, called by the natives 'Lualaba,' that it was the upper waters of the Nile whose source was then unknown. It proved to be the Congo ! Again in 1877 I went with my father to Plymouth to attend the meeting of the British Association there.

My father died on 3 September 1887 in his 83rd year, and was buried at Mount Jerome Cemetery. By his wife he had five sons and three daughters. The loss of his eldest child, Elizabeth, in June 1848, was a sad blow, to be followed on 19 December 1855 by the still more terrible blow caused by the death of his loving wife. Thus after fifteen years of happy married life he was left a widower with a large family of young children on his hands. Helped in his household, however, by his own and his wife's sisters, he struggled manfully on, and if ever a father deserved well of his children it was he. He lost his youngest son Charlie, my little brother and playmate, in 1859, but he succeeded in starting his four surviving sons in their various professions and walks in life. To these and their families we must now turn. They were as follows :—

I. John Richards Orpen, my eldest brother, born 23 April 1844. After having been through T.C.D. he was destined for the Irish Bar, but being anxious to marry when only 23 years of age, he at first took a position in the Legacy Duty Office in Dublin, which secured to him an immediate, though small, income. Later on, however, he practised as a barrister, and eventually got a good position as an Examiner of Titles under the Land Acts. He married (1) on the 4 July 1867, Sarah Constance, daughter of Henry Leader of Wyelands, Buxton, a beautiful bride. She died 2 October 1884, leaving three sons and one daughter.

(1) The eldest of these sons, now the Very Reverend John Herbert Orpen, Dean of Bury St. Edmund's, is the present senior male representative of the Orpen Family. He was born on 30 September 1868, was ordained in Advent 1893, and took his degree of M.A. at Cambridge in 1894. After serving as curate in Liverpool, Leeds, and Ross-on-Wye, he was appointed Rector of Burton, Pembrokeshire, then

Vicar of Thurston, Suffolk, and in 1915 Rector of Melton, Suffolk, where he remained for fourteen years. On leaving in April 1929 to take up his present position in Bury St. Edmund's, a great meeting of his parishioners of all classes at Melton testified by speeches and parting-gifts to the esteem in which they held both him and Mrs. Orpen and their regret at their departure.

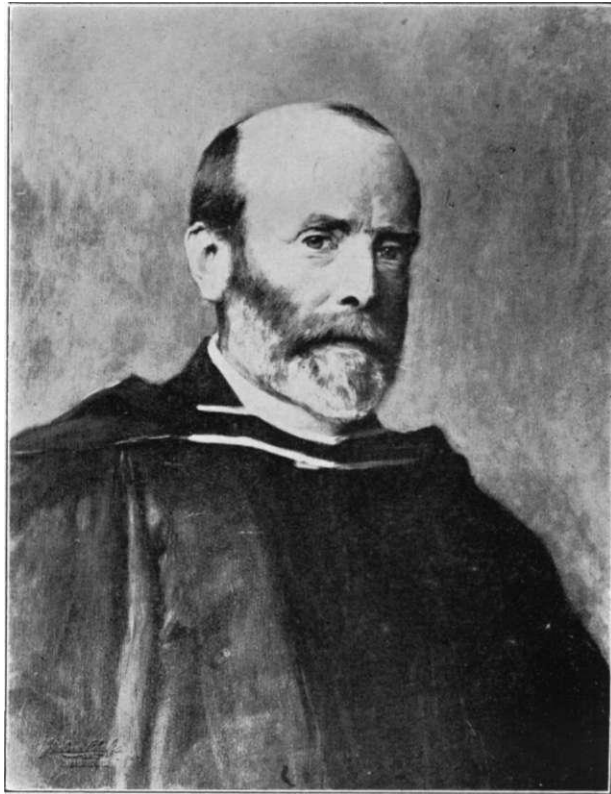
He married on 14 June 1900 Ada Mary, daughter of Captain Edward Pakenham Stewart, J.P., of Laragh, Killiney, and has issue two sons, viz. : Christopher Charles Stewart, *b.* 9 March 1904, and John Edward Leader, *b.* 2 March 1908.

(2) The second son of my brother John Richards Orpen is Henry Stewart Orpen, *b.* 30 August 1870. For some years he held the position of Manager of the Kanjikoah Division, Budla Beta Tea Company, Assam. During the Great War he served in the Hampshire Regiment from September 1914 to January 1918 and attained the rank of Major. He married firstly, 25 November 1902, Ellinor Charlotte, third daughter of Edwin Lance, I.C.S., who died 19 May 1924 ; and secondly, 29 June 1925, Natalie Maude, second daughter of Captain E. J. Jermain, R.N.

(3) My brother John's third son is Charles Hutchinson Orpen, *b.* 17 July 1872. He also worked for some time on a Tea Plantation in Assam, and then for several years lived in British Columbia. He married, on 22 August 1906, Gwendolyn Constance Kirwan, daughter of the Rev. Henry Ashe, and has issue a daughter, Girsha Lilith Constance, *b.* 10 October 1907.

My brother's daughter by his first wife is Ethel Constance, *b.* 8 February 1881, *m.* 31 October 1906 Captain John Baillie Barstow, R.E., and has issue three sons and one daughter. Major Barstow (as he then was) was killed in the early morning of 31 August 1914, in the Great War, when bravely endeavouring to blow up a bridge with a view to covering the retreat of the British forces.

My brother John married secondly, on 25 March 1904, Rosa Charlotte, daughter of Francis Rowden, B.A., of Hastings,



REV. THOMAS HERBERT ORPEN,
1847-1925.

From a Portrait by C. E. Brock.

Barrister-at-law, and had by her a daughter, Dorothy Esther Penelope, *b.* 22 January 1905. He built a fine house, called St. Leonards, on a beautiful site at Killiney, Co. Dublin, and there he delighted to exercise his hospitable instincts. He was a keen cyclist and used to bring his cycle with him wherever he went for his summer vacation. I have pleasant memories of joining him on two occasions at Church Stretton, where we had several most enjoyable rides, also in County Louth nearer home. In the summer of 1918 he paid a short visit to us at Monksgrange, when we took a ride round Blackstairs (about 35 miles) and I was more tired than he. Next day on leaving he rode all the way back to Monkstown, a distance of about 75 miles. Indeed he kept up his vigorous cycling too long. It eventually affected his heart, and after about six months' illness he died on 21 July 1920.

2. Rev. Thomas Herbert Orpen, M.A., my father's second son, born 18 September 1847. After a distinguished career in Trinity College, Dublin, where he obtained a Classical Scholarship and graduated in double honours, he went to Cambridge, where he also had a distinguished academic career and obtained a first class (4th place) in the Classical Tripos of 1874. He was then elected Fellow and Classical Lecturer at Pembroke, and was sometime examiner for university scholarships and the classical tripos. He married on 25 June 1879, Amy Octavia Gwyther, younger daughter of the late Rev. James H. A. Gwyther Philipps of Picton Castle, Pembrokeshire. This necessitated his resigning his Fellowship, and in 1881 he became Vicar of All Saints, Cambridge. In 1886, not long after its foundation, he was appointed Tutor of Selwyn College. To this college indeed, in its infancy, he was a liberal benefactor. He continued connected with Selwyn until 1904, when he returned to parish work as Vicar of Great Shelford, where he remained until 1911. He had a considerable musical gift, and in his youth took lessons from Herr Eisner on the 'cello. He was also very expert in sketching in water-colours, and he left behind him many pleasing records of the places he had visited.

All his life indeed he was very fond of travelling and spent much of his vacation-time abroad : first in mountaineering in Switzerland, then in cycling tours in Provence and Normandy, etc., and later, on cruises, mostly in the Mediterranean region. He paid many visits to Italy and Greece, where his fine classical training led him to take a great interest in the study of Grecian and Roman archaeology, architecture, and sculpture, and in medieval Italian art. In some of these various excursions it was my good fortune to join him. He was always a delightful travelling companion—by no means a common phenomenon. In May 1911 he brought me with him on a cruise from Marseilles to Barcelona, Majorca, Algiers, Gibraltar, Tangier, Lisbon, Cintra, and back to England by sea ; and in April 1913, after the meeting of the International Historical Congress in London, at which I read a paper, he ' personally conducted ' my dear wife and myself to the chief classical sites in Greece, thus realizing one of the fondest dreams of my life. And on his last voyage undertaken in the Spring of 1925 with the Hellenic Travellers' Club, to show his son Henry something of Greece and the eastern Mediterranean, he died at sea, on 25 April, just before reaching Trieste on their return. And he now sleeps in the cemetery there under the sunny skies that he loved.

Besides a volume of sermons, he has left a collection of Essays written for a Club at Selwyn known by the strange name of ' The Logarithms,' and a noteworthy book entitled *The Rain-Children, a Fairy Tale in Physics*, beautifully illustrated by C. E. Brock, R.I.* His widow did not long survive him. She visited his tomb at Trieste and caused a handsome Celtic Cross to be erected on the spot; but on 5 December 1928, when riding her bicycle in Cambridge, she was accidentally knocked down by a motor-car and sustained a fractured skull, causing immediate death. She was a munificent subscriber to various charities and an energetic worker among some local institutions at Cambridge where she will be sadly missed.

By his said wife my brother Thomas had five sons and one daughter, viz. :

- (1) Theodore Cecil Orpen, B.A. Cantab., LL.D. Cape, *b.* 21 June 1880 ; *m.* 21 January 1915 Marianne Albertine, youngest daughter of Councillor Julius Kobelt of Wittenberg, Germany, and has issue :
 - (a) Richard Herbert, *b.* 19 December 1915.
 - (b) Irene Margaret, *b.* 12 November 1918.
 - (c) Walter David, *b.* 13 March 1921.
- (2) John Hugh Orpen, M.C., *b.* 19 July 1882. Volunteered for the Great War, was wounded, and gained the Military Cross ; *m.* 9 June 1923, Honoria Montgomery, younger daughter of General W. A. and Mrs. Lawrence, and has issue :
 - (a) Michael Hugh, *b.* 3 July 1925.
 - (b) Bridget Mary, *b.* 14 February 1927.
- (3) Rev. James Denys Orpen, M.A., *b.* 1 August 1883.
- (4) Henry Fabian Orpen, M.A., *b.* 12 May 1889 ; volunteered for the Great War, and was wounded.
- (5) Walter Selwyn Orpen, *b.* 20 July 1893. Fell fighting for his country in the Battle of the Somme on 6 July 1916.
- (6) Angela Mary Kathleen Orpen, *b.* 27 August 1886, has devoted her life to social service and is now Warden of the University Settlement, Bristol.

3. Richard Theodore Orpen, my father's third son, born 4 March 1849, passed through Woolwich with distinction and obtained a commission in the Royal Engineers. He had two long spells of service in India : first at Hyderabad, Sind, and the neighbourhood of the Khyber Pass, afterwards at Bombay. In the interval and afterwards he was stationed at Cork, Exeter, Colchester, and Chatham. When on leave he was always a welcome visitor at our house in London and at Monksgrange. He retired with the rank of Lieutenant-Colonel, and then generally resided with his eldest brother at Killiney. He died unmarried on 25 November 1906. He was an affectionate brother and always very generous to his nephews and nieces.

4. I, Goddard Henry Orpen, fourth son of John Herbert Orpen, was born on 8 May 1852. In the autumn of 1864 I was sent to the Tipperary Grammar School, where my two next eldest brothers were high up in the school. Curiously enough I got the silver medal for History in my first term. Was this an indication of the bent of my adult mind? I entered Trinity College in 1869, where I got an Exhibition at Entrance and another at 'Little-go,' several first Honours, and a scholarship in Classics. I was then destined for the English Bar, and I obtained a studentship in Roman Law. I read successively in the chambers of (1) Reginald Hughes, (2) Edward Percival Clark, afterwards Solicitor-General and 'Sir Edward,' and (3) Robert Romer, afterwards Master of the Rolls and 'Sir Robert.' If I did not make a great success at the Bar it was not for the want of good training in the law, but I had little or no 'interest' among solicitors in London, and gradually my tastes led me in the direction of historical and antiquarian research. On 18 August 1880 I married Adela Elizabeth, only surviving child of Edward Moore Richards of Grange (now Monksgrange), Co. Wexford. It was a perfect union, lasting for nearly 47 years, when inexorable Death parted us on 7 February 1927. For twenty happy years we lived in the new suburb of Bedford Park, Chiswick. Here our children were brought up, and here my wife did a great deal of literary work, producing four excellent books: *The Chronicles of the Sid*, *Perfection City*, *The Jay Hawkers*, and *Corrageen in '98*, besides numerous articles and short stories in papers and magazines. In the latter part of our stay in London I, too, began in a small way to write. I translated and edited an old French rhymed Chronicle on the Anglo-Norman Conquest of Ireland, to which I gave the name of *The Song of Dermot and the Earl*. I also translated Emile de Laveleye's *Le Socialisme Contemporain* (under the title *The Socialism of To-day*), to which I added a chapter on 'Socialism in England,' and I began to write papers for the Royal Society of Antiquaries of Ireland of which I had become a member.

In 1900 her father made over Monksgrange, his ancestral

home, to my wife, going himself with his second wife to live at Goodwick, near Fishguard, and afterwards at Rosslare, Co. Wexford. Accordingly, not without reluctance, we gave up our London home, with our many friends and associations there, to live a life of comparative isolation in Ireland. Here, for many years, my wife, to my regret, discontinued her literary pursuits, while employing her energies in getting into her own hands the demesne lands of Monksgrange, which had been for the most part let by the year to tenant farmers, and in farming them herself with improved methods and up-to-date machines ; also in finishing the building of the new stables and outhouses, and in various ways making the house itself more habitable. I was now better able to utilize my spare time in my favourite studies of Irish history and antiquities, and in particular by 1911 was able to produce the first two volumes of my history of *Ireland under the Normans*, and prepare the materials for two more. This was in the happy placid times before the outbreak of War aroused the storm which devastated Europe and awoke the sleeping passions of discontented Ireland. The crisis with us in Ireland came in Easter Week 1916. Though not in the habit of keeping a journal I commenced one on Friday, 28 April, with the words " This is the fifth day of the Sinn Fein Rebellion. Since Monday morning's *Irish Times* we have had no authentic news of the outside world. . . . I propose to jot down a brief record of rumours and events—mostly the former—which have come within my knowledge in these fateful days." It is all matter of history now, and I shall here only copy a few items which will indicate our state of mind. On Tuesday the 25th the postman told us that " there had been a disturbance in Dublin and that the [railway] line had been broken up . . . to the servants he was more communicative, and said that the Sinn Feiners had taken the Post Office and another building, and that the Green Flag of Ireland floated over Dublin Castle ! " On Wednesday the 26th we heard that " the Post Office and the Bank and Westland Row Station were in the hands of the Sinn Feiners. The station-master had been shot for refusing

to give up the keys. A body of Lancers had been cut to pieces by machine-guns. There was a machine-gun on the top of Nelson's Pillar ! There were risings in Cork, Limerick, Co. Clare and everywhere ! Germans were landing in Kerry ! " ' *Credat Judeus* ' was my commentary, but as it afterwards appeared, the rumours were not very wide of the truth. On Thursday we heard that " The Sinn Feiners had seized Enniscorthy Post Office, etc. . . . We heard, too, that gunboats had gone up the Liffey and shelled Liberty Hall." . . . " Other rumours flocked in on [Friday] afternoon. The Germans did not land in Kerry, but a boat full of ammunition was sunk. There was heavy firing at Arklow, and 3,000 soldiers are said to be marching from Gorey towards Enniscorthy." . . . "This utter absence," I wrote, "of authentic news as to what is going on about us, coupled with the feeling that we can place confidence in no one—except the scattered gentry, who are as powerless as ourselves—is very wearying to the mind. This is a beautiful morning. The swallows have come and are occupying their old nests under the eaves. The beech trees are beginning to show green, and the grass in the lawn is springing fast. ' Earth keeps up her terrible composure,' while big events are probably happening in our own little island, as well as all over the world, and we know nothing about them ! " On Saturday afternoon we saw through a telescope three motor-cars coming to Killanne Police Barracks and apparently carrying off the constables with their rifles in the direction of New Ross. We sent a messenger to find out what was happening. He came back with the news that the police were concentrating at Ballywilliam and that " there was not one sinner of them left at Killanne "—phraseology which disclosed his sympathies and our helplessness. Later we heard that at this very time our neighbours at Woodbrook were being raided and were forced to give up their fowling-pieces, and that only for the raiders' motor-car breaking down we should have been visited next. On Sunday the 30th " the reports of the people coming from Mass are to the effect that no word was said by the priest of information, advice, warning, or

guidance of any sort, though some words about the state of the country were expected." By 1.30 on this Sunday, however, by order of the Inspector-General, a Proclamation was posted up at Killanne, containing the document, dated 29 April 1916 and signed by P. H. Pearce, agreeing to the unconditional surrender of the Republican Forces, but it was not until Thursday, 4 May, that we got a newspaper which told us what had really happened. And the end was not yet !

The Great War was over on the 11th November 1918, and I was able to complete and publish the second two volumes of my history. In recognition of the merits of this work my old university presented me with the degree of Litt.D. *honoris causa*. This was on the 30th of June 1921, when the country was again in a disturbed state and the roads so blocked with felled trees that my daughter and I had great difficulty in making our way to Dublin to receive my degree. Exactly one year later the Record Office in Dublin, with all its precious contents, was blown up, so no further researches into Irish history can be made there. These were what is now euphemistically called 'the Troubled Times,' when so many of the houses of the gentry about here and in other places were burned down. We were raided more than once and greatcoats and blankets etc., taken, and indeed it was a signal proof of the courage of my wife and daughter that they were willing to stay with me in this house throughout all these nerve-racking disturbances. At last, when my poor wife's physical strength began to fail, while her mind was as active and her memory as good as ever, she happily took once more to her pen and in the calm sunset of her day wrote that wonderful book of reminiscences of her childhood's dawn, entitled *Memories of the Old Emigrant Days in Kansas, 1862-1865*, which has since charmed everyone who has read it—even some in the United States who did not know her, but recollected the period and the country about which she wrote.

Our children are Lilian Iris Orpen, *b.* 13 February 1883, and Edward R. Richards-Orpen, *b.* 20 October 1884. Both

at an early age showed a talent for music and Iris began to learn to play the violin and her brother the 'cello. In the winter of 1898-9, when we were all staying in Paris, Iris took lessons from M. Marsic of the Conservatoire, and afterwards in London from M. Arbos. She occasionally competed at the Feis Ceoil in Dublin and won medals there. Recently she was one of a successful quartet at the Feis of 1929, which they afterwards broadcasted. My son Edward was educated at St. Paul's School and Trinity, Cambridge. On 15 April 1914 he married Margaret Auguste Louise, younger daughter of Lewis R. S. Tomalin,^o founder of the Jaeger Co. Preliminary to the ceremony he made the addition of 'Richards' to his surname. He volunteered and served 'somewhere in France' in 1916-1918 and attained the rank of Captain. Under his mother's will and in accordance with my wish, he is now owner of Monksgrange, where he has started a 'Furniture-making Industry,' with every omen of success. He has by his said wife one son named John, *b.* 28 April 1915, now (1930) at Oundle School, and two daughters, Virginia, *b.* 3 December 1916, and Charmian Dorcas, *b.* 26 September 1918.

As for myself I am in my 78th year, and though the best light of my life has gone from me, I am spending the evening of my days with my dear children and, in their holidays, with my grandchildren in our old home, where I can sit quietly in my library and, looking backwards, collect these records and reminiscences of a widespread Family to which I am proud to belong.

My father's two surviving daughters were :—

1. Penelope Jane : *b.* 8 December 1845. In her youth she was very fond of summer-touring in Switzerland, where she made some notable ascents such as crossing the Col du Geant and climbing the Aiguille de la Za. She spent some months in India with her brother Richard, who was stationed there, and then returned *via* Japan and Canada, thus encircling the Globe. She died *unm.* 25 October 1904. Of her I can say no less than that as daughter, niece, sister and aunt, her corresponding relatives had every cause to bless her.

2. Ellen Elizabeth : *b.* 15 October 1850. As a child she was my chief playmate, and she grew up to be a beautiful woman in mind and body. On 16 September 1873 she married Davys Tuckey, barrister-at-law, and afterwards Assistant Land Commissioner. She, too, joined our first Swiss tour in 1872, and again with her husband in the Tyrol and Italian Dolomites in 1877. She was an affectionate wife and devoted mother, and her comparatively early death on 27 October 1902 was a great blow to us all.

She left two sons and one daughter, viz. :

(1) Charles Orpen Tuckey : *b.* 24 August 1875, M.A., Trinity College, Cambridge ; Head Mathematical Master at Charterhouse ; Chairman of the Teaching Committee of the Mathematical Association ; Holder (1930) of All England Veterans' Singles and Doubles Lawn Tennis Championships, *m.* Agnes, dau. of Lt.-Col. E. S. Daniell, and has issue :—

(a) Richard Edward Orpen Tuckey, *b.* 1907.

(b) Charles Raymond Davys Tuckey, *b.* 1910.

(c) Kathleen Lilian Agnes Tuckey, *b.* 1921.

(2) Arthur Davys Tuckey, *b.* 12 October 1886, B.A., Trinity College, Dublin, 1908 ; entered the Indian Civil Service, and is Deputy Commissioner of Hazeribagh, Behar and Orissa. *m.* Mary, dau. of Sir Walter Maude.

(3) Ellen Marguerite Tuckey, *b.* 4 February 1884, B.A., Trinity College, Dublin, 1907, Senior Moderator in Literature ; Head Mistress of the Masonic School for Girls, Ballsbridge, Dublin.

¹ Cf. Froude's *The English in Ireland*, vol. iii, p. 293.

² *Ibid.*, p. 346 *et seq.*, p. 474. After a five months' tour in England his son reached Cork about 20 March 1798, and was probably with his father when the Rebellion was at its height.

³ This was the day the Irish Parliament met, when the question of the Union was practically raised for the first time by the King's Speech. See *Ireland in the Eighteenth Century*, Lecky, V, 219 *et seq.*

⁴ I have some prizes gained in T.C.D. by him, e.g. Gibbon's *Roman Empire* and Addison's works.

⁵ Its centenary celebrations are announced to commence on 13 September 1930.

⁶ Published 1916. Author's profits to be divided between the Belgian and Serbian Relief Funds. An Indian admirer translated the book into Urdu.

CHAPTER XVIII

The Rev. Francis Orpen (1747-1805) and His Issue

VII. **THE** Rev. Francis Orpen, seventh son of the Rev.

A. Thomas Orpen of Killowen, was born about 1747. He took his B.A. degree in T.C.D. in 1768. He was for nineteen years Curate of St. Peter's in the City of Cork. On being promoted to the rectory of Dungourney in the diocese of Cloyne he was presented by the parishioners of St. Peter's with a silver salver as a token of their regard (1792). He was afterwards appointed to the parish of Douglas, near Cork, where he died on 10 July 1805. His son, Sir Richard, in his MS. Memoir, after stating of his father that he was highly esteemed and loved by all who knew him, goes on to say : " he was a brave, courageous man, and we remained in our house at Dungourney during a considerable part of the time of the Rebellion of 1798. He built a porch to our entrance door with port-holes for musketry, and had iron bars put to the windows, and as I slept in the same room with him I recollect well how a loaded blunderbuss and several loaded fire-arms used every night to be laid out on the table ready for use. After some time, however, he did not consider it right to keep his family in the country and we removed into the city of Cork." ' It is interesting and instructive to note the fortunes of various members of the Orpen Family at the specially disturbed periods of 1689, 1798, 1879-80, 1916, 1921-2. In the Rebellion of 1798 my mother's father, the Rev. John Richards, was obliged to fly with his newly-married bride from the house in which I write these words.

The Rev. Francis Orpen married on 2 March 1780



SIR RICHARD JOHN THEODORE ORPEN, KNT
1788-1876.

From a Photograph.

Susannah, daughter and co-heiress of Hugh Millerd of Monard, an Alderman of Cork, and had by her three sons and four daughters, viz. :

I. Arthur George Orpen, born 1787. " He was a young man of talents and distinguished himself greatly in Trinity College, Dublin, where he obtained a scholarship and numerous premiums." He was called to the Bar, and would no doubt have made a great mark in his profession, but he died in Edinburgh, unmarried, on 25 April 1813.²

II. Sir Richard John Theodore Orpen, Knt., of Ardtully, Co. Kerry : *b.* 6 November 1788. In 1817-18 he went on an extensive tour on the Continent with his brother, Charles, of whom he was very fond. He married on 17 May 1819 Elizabeth, eldest daughter of the Rev. Richard Stack, D.D., sometime Fellow of Trinity College. He practised as a Solicitor in Dublin and eventually rose to the head of his profession. He was President of the Incorporated Law Society from 1860 to 1876 and was knighted in 1868. On this occasion the *Irish Law Times* wound up a highly appreciative notice as follows : " On every ground therefore—his high social and professional standing, his personal character as an educated gentleman, and the general esteem and regard entertained for him by his professional brethren—we consider the honour conferred in the present instance has been most judiciously and deservedly bestowed."

Sir Richard Orpen devoted much of his spare time to an attempt to trace out the history of the Orpen Family. I have already mentioned at the outset of these researches the various manuscript documents in which he embodied the results of his studies, and though I have not been able to confirm his conclusions with regard to our early forbears in France and England, I am greatly indebted to him for having preserved many facts, anecdotes, and traditions concerning the early members of the Family in Ireland. It was soon after receiving a letter dated 3 October 1830 from Mr. Richardson, the parson at Farleigh Hungerford, in Somerset, that Sir Richard went to visit him and found out some facts about Edward Orpen or Orpin, the Parish

Clerk, of Bradford, and about 'Orpen's Mead,' near Farleigh, as already mentioned. I have several letters from him to my father, who was his junior by seventeen years. Each had a great regard for the other. I recollect, when a school-boy, spending an evening at his house in North Great George's Street, Dublin, with my father, and I have a picture in my mind of his somewhat rotund form and his jovial rubicund countenance fringed with white locks as he stood with his back to the fire and kept the assembled company amused with his remarks. His memory joined to mine would reach back 130 years. I have already told (p. 149) how Sir Richard purchased Ardtully when it was in danger of being lost to the Family. Here, on the banks of the Roughty, he built a fine mansion, of which an illustration may be seen in *Country Seats* edited by the Rev. Francis Orpen Morris, his sister's son. Amid its beautiful surroundings it formed indeed a charming country seat, but alas ! its troubles were not over and in the time of his grandson, Dr. Raymond Orpen, it was burned to the ground.

Sir Richard J. T. Orpen died on 4 May 1876, having had issue six sons and five daughters, viz. :

1. Francis FitzRichard, *b.* 16 July 1827, *d. unm.* 25 January 1858.
2. Richard Hugh Millerd Orpen, *b.* 7 November 1829, succeeded to Ardtully ; *m.* 5 January 1871 Amy Noble, eldest dau. of Thomas Horwood, and *d.* 2 January 1907, leaving issue two sons and six daughters, viz. :
 - (1) Richard Hugh Horwood, *b.* 22 September 1873, late of Ardtully, *d. unm.* 7 November 1911.
 - (2) Raymond William, *b.* 29 December 1875. L.R.C.P. and S.I., D.P.H. On the West African Medical Staff 1907-26, he served as Senior Sanitary Officer in Sierra Leone, Gambia and Nigeria ; succeeded his brother Richard in Ardtully in 1911 ; *m.* 9 December 1924, Maude Cicely Parsons.

- (3) Amy Eliza, *b.* 17 November 1874; *m.* 10 January 1926, Major J. H. Kennedy.
- (4) Constance Marion, *b.* 10 July 1877.
- (5) Nora Edith, *b.* 20 September 1878; *m.* in 1909 Leonard Dudgeon, M.D.
- (6) Olive Mabel, *b.* 10 June 1880.
- (7) Mary Winifred, *b.* 20 October 1884; *m.* 24 September 1913, Richard J. C. Maunsel, Barrister-at-law, of Oakly Park, Celbridge.
- (8) Ida Grace Victoria, *b.* 31 March 1887.

Arthur Herbert Orpen, M.A., of Oriel, Stillorgan : *b.* 29 December 1830; *m.* 3 October 1861, Anne, eldest dau. of Rt. Rev. Charles Caulfeild, Bishop of Nassau. He was an expert yachtsman in his youth and gained many prizes in yacht races. He followed his father's profession and took an active part in the business of the firm up to about three years before his death, which took place on 6 March 1926 in his 96th year. He left issue four sons and one daughter, viz. :

- (1) Richard Caulfeild, B.A., R.H.A., Architect : *b.* 24 December 1863; *m.* 7 March 1900, Violet, dau. of the late Col. Robert Caulfeild of Camolin, Co. Wexford.
- (2) Charles St. George, B.A., Solicitor; President of the Incorporated Law Society 1917-18; *b.* 12 December 1864; *m.* 27 August 1901, Cerise Maria, 4th dau. of the late John Henry Darley of Stillorgan, and has issue :—
 - (a) Arthur Frederick St. George, *b.* 19 March 1903.
 - (b) Cerise Mary, *b.* 27 March 1904.
 - (c) Grace Ann, *b.* 19 November 1905.
 - (d) Kathleen Hilda, *b.* 27 January 1910.
 - (e) Beatrice Esther) twins, *b.* 7 March
 - (f) Annette Rothe 1913.
- (3) Arthur Herbert Stack, LL.D., Solicitor : *b.* 27 July 1872; *m.* 7 January 1926, Frances E., youngest dau. of the late Sir James

Murphy, Bart., of Yakton, Monkstown, Co. Dublin. He is head of the firm of Solicitors founded by his grandfather upwards of a century ago, and was President of the Incorporated Law Society in 1924-5.

- (4) Major Sir William Newenham Montague, K.B.E., R.A., Artist: *b.* 27 November 1878 ; *m.* 8 August 1901, Grace, youngest dau. of Walter John Knewstub of Highgate, London, and has issue :

(a) Mary, *b.* 23 September 1902.

(b) Christine Violet, *b.* 6 September 1908.

(c) Diana Evelyn, *b.* 24 March 1913.

Sir William has gained great distinction as an artist, and indeed, as a portrait-painter, has attained the very first rank in his profession. He had an official position as an artist during the Great War, and in his book entitled *An Onlooker in France 1917-1919*, he has given an account of his experiences both at the Front and afterwards during the Peace Conference, at Paris and Versailles. Besides numerous pictures of the desolation caused by the war, etc., he painted portraits of most of the famous Commanders and Statesmen concerned in the making of the peace. His book contains reproductions of ninety-six of these pictures and portraits.

- (5) Grace Mary, *b.* 5 February 1870 ; *m.* 1897 Thomas Jackson, and has issue.

4. Charles William de Erpingham, B.A., Barrister-at-law : *b.* 21 September 1833. He was appointed a District Justice in Jamaica, but shortly afterwards *d. unm.* 10 October 1867.
5. William Newenham Morris, Major 77th Foot: *b.* 31 January 1835, served in the Crimea, Australia, and India ; *d. unm.* 26 November 1870.
6. Raymond d'Audemar (Right Reverend), born 27 August '837 ; Junior Moderator T.C.D. in 1858 ; ordained in 1860 ; married, 1 October 1867, Sarah Lucinda, daughter of Daniel de Courcy MacGillicuddy. After holding curacies at Limerick, Tralee and Adare he

was appointed Rector of Tralee in 1869, Archdeacon of Ardfert in 1885, and Bishop of Limerick in 1907. He retired in 1922 after 62 years of clerical work, and died on 9 January 1930. He was greatly beloved by all classes, and we may add by all creeds, in Tralee and indeed throughout the counties of Kerry and Limerick with which during his long ministry he was closely associated. In the course of an appreciative address in the parish church of Tralee, on the day of the funeral, the Rt. Rev. Dr. White, his successor in the episcopal see, made the following interesting statement which we may quote here as an example of the late Bishop's generosity : " On his retirement from the See, his friends in the diocese presented him with a substantial sum of money as a parting gift. This he doubled and gave it as an endowment to the parish of Kilgarvan, with which he was connected by family ties."

He had issue three sons and one daughter, viz. :

- (1) Richard Theodore, Scholar and B.A., T.C.D., Chief Justice of the Barbados, *b.* 13 October 1869; *m.* October 1909, Victoria Maud, daughter of Alfred Henshaw; *d. s.p.* 15 August 1926.
- (2) Charles William MacGillicuddy, B.A., T.C.D., M.D., *b.* 11 June 1871; *d. unm.* 1 May 1900.
- (3) Rev. Henry Arthur Herbert, M.A., T.C.D., Rector of Adare, Co. Limerick; *b.* 12 May 1874, *m.* August 12, 1919, Florence Olivia Beere, daughter of Alexander Nenon Beere.
- (4) Lucinda Elizabeth, *b.* 14 June 1877; *m.* April 1914, Rev. P. J. Sweeny, Rector of Rathronan, Co. Limerick, and has issue one son and two daughters, viz. :—
 - (a) Elizabeth Sara, *b.* 17 February 1915.
 - (b) Charles Raymond Patrick, *b.* 22 November, 1917.
 - (c) Eirene Linda Orpen, *b.* 11 July 1919.

The daughters of Sir Richard J. T. Orpen were:

1. Mary, *m.* 14 February 1846, George Hall Stack of Mullaghmore, Omagh, and *d.* March 1880, leaving issue.
2. Theodora Elizabeth, *m.* 14 June 1851, Rev. James Going, Vicar of Kilgarvan; *d. s.p.* 17 September 1880.
3. Emily Georgiana, *m.* 26 November 1859, William Plunket Stack, C.E., and *d.* 25 May 1861, leaving issue.
4. Cornelia Susanna Sarah, *d. unm.*
5. Elizabeth Ida Rebecca, *m.* 12 June 1866, John R. Blacker, Capt. 18th Royal Irish, and *d.* 14 September 1901, having had issue.

III. Rev. Charles Edward Herbert Orpen, M.D., *b.* 3 October 1791. He took his medical degree at Edinburgh in 1812. A full account of his life with its varied experiences in Dublin, Liverpool, and South Africa, largely based on his own correspondence, has been published by Mrs. Le Fanu,³ and only a brief outline can be given here. His attention was early directed to the wretched state of deaf-mutes, and after he had settled as a physician and surgeon in Dublin, he selected a deaf and dumb boy, named Thomas Collins, from an Asylum for Orphans and brought him home with him to educate. In the course of three months he "succeeded in teaching him to pronounce any letter, syllable, or word . . . written in English characters," also to "write a pretty good hand, perform the first three simple rules of arithmetic, construct some sentences, and answer a few simple questions." Early in 1816 he gave lectures on the subject of the education of deaf-mutes and attracted much attention to his scheme by exhibiting the attainments of Thomas Collins before his audiences. About this time a small school was opened in a temporary manner for eight boys. In 1817-18 Dr. Orpen went with his brother Richard on a tour through France, Italy and Switzerland, visiting every institution for the deaf and dumb which lay in his way, and, after his brother had returned, spending some



REV. CHARLES EDWARD HERBERT ORPEN, M.D.,
1791-1856.

From a print in his " Life " by Mrs. Le Fanu.

months with the celebrated Pestalozzi and studying his system of education in general, where control over the children was exercised without coercion through the medium of the affections.

In 1819 the funds collected by Dr. Orpen's lectures enabled a house at Claremont, near Glasnevin, and 19 acres of meadow and garden to be purchased as a "National Institution for the Education of the Deaf and Dumb," and to-day, in years later, it still happily serves the purpose and remains a memorial to the energy and foresight of Charles Orpen. When in 1821 George the Fourth came to Dublin Thomas Collins, first pupil of Claremont, wrote him quite a long letter commencing "My dear George," and containing a number of short childish sentences, such as "you must write a letter to me soon," and ending with "Will you send us some deaf and dumb children, and give us some money to pay for educating them?" The result was a present of £10 from the King, which was eventually utilized in apprenticing Thomas Collins to a printer, and when in 1825 the substance of Dr. Orpen's lectures were published the printing was done by Thomas Collins.⁴

In December 1823 Charles Orpen married Alicia Frances, eldest daughter of Major Henry Charles Sirr, Town Major of the City of Dublin, by whom he had seven sons and two daughters. This Major Sirr is known to history as the officer who, in performance of his duty and at the risk of his life, on 19 May 1798, succeeded in arresting Lord Edward Fitzgerald four days before the Rebellion, which he was to have headed, broke out.

Charles Orpen had also ideas about the education of normal children, and in 1838 he started a school at Woodside, Birkenhead, for the "Sons of the Higher Ranks of Society." He associated with himself M. du Puget, a former pupil of Pestalozzi. But the venture was not successful. It was said that "the task of overseeing a number of unruly boys by one . . . who could scarcely believe in the possibility of deceit, was soon found to be hopeless." After a few years his three elder sons wished to settle in S. Africa,

and in 1847 their father determined to emigrate with the rest of the family. At this time, too, he entered the Church, a profession for which he was eminently qualified by character and training. He did not depart from Birkenhead, however, without leaving behind him a memento of his stay there, in the shape of a Lying-in Hospital founded by his aid and exertions.

In March 1848 he arrived at Cape Town and in July reached the district of Colesberg, his destined parish. It embraced 11,654 square miles and was known as 'The Wilderness,' but as yet contained no English Church. He had here a rough life for a man already past his prime, and one rendered more anxious by risings of the native tribes and disagreements with the Dutch Boers. He disapproved of the recall of Sir Harry Smith and of the abortive attempt to send convicts to South Africa. He abhorred the Dutch Boers for their scandalous treatment of the natives, and he foresaw some of the evil results of handing over to them "the Sovereignty" beyond the Orange River to form the Orange River Free State, where slavery might be practised, under the guise of apprenticeship, without interference from the British.

In 1855 his health began to give way and he had to resign his position, but he had the satisfaction of seeing his Church built, a Government school-house erected, and many useful institutions formed both for whites and blacks. It was with difficulty he was brought to Port Elizabeth where, at first he seemed to recover, but on 20 April 1856 he died. He left behind him seven sons and one daughter, all of whom attained good positions in their adopted country and all but two married and had large and prolific families, so that the name of Orpen is now well known and honoured throughout South Africa. Here unfortunately I can only indicate the starting points of the several families.

The children of the Rev. Dr. Charles E. H. Orpen were :—

I. Francis Henry Samuel of St. Clair, J.P., M.L.A., Barkly West, and previously Surveyor-Gen. of Griqualand West,
b. 22 October 1824, *m.* 23 October 1855, Sarah Anne, eldest

dau. of Alexander Hugh Murray of Colesberg, and *d.* 22 February 1893, having had issue four sons and seven daughters.

2. Charles Sirr, of Smithfield, Orange River Colony, J.P., *b.* 29 April 1826. In March 1848 he went on a hunting expedition in the course of which he was terribly mauled by a 'Cape Tiger' or leopard [see his letter, September 1848, in 'Life,' by Mrs. Le Fanu, pp. 152-5]. *m.* 17 March 1854, Rosetta, eldest dau. of Wm. Lucas of Grahamstown, and *d.* 4 August 1887, having had issue five sons and three daughters.

3. Arthur Richard, J.P., Cape Civil Service, *b.* 1 July 1827, *m.* (ist) 26 November 1856, Emma Haddon, dau. of John Grice of Durban, Natal, and by her had issue four sons and one daughter; and (2ndly) 23 August 1878, Alice Louisa, dau. of James Attwell of Battlesden, Victoria, Cape Colony, and *d.* 4 September 1899, leaving further issue seven sons and three daughters.

4. Joseph Millerd, J.P., M.L.A. of Avoca and Snowden, Barkly East, Cape Colony; *b.* in Dublin 5 November 1828, left for S. Africa in 1846, *m.* 31 March 1859, Elise Pauline, dau. of Rev. Samuel Rolland. He was a member of the first elected Volksraad of the Orange Free State, and in 1871 was elected member for Queenstown in the Cape House of Assembly. After the Basuto War he was appointed the Governor's Agent in Basutoland. In 1895 he went to Rhodesia where he became Surveyor-General. He retired on pension in 1903. Afterwards he paid a visit to the country of his birth, where he was welcomed by many of his relatives. He died at his residence, Southernwood, East London, Cape Province of South Africa, on 15 December 1923, having had five sons and three daughters.

5. Richard John Newenham of Holderness, Cape Colony, M.L.A., J.P., *b.* 28 January 1830, the first traveller to explore the Kallahar Desert (i.e. Wilderness) together with Sir Edward Shelley in 1852-3. From this expedition the explorers and their followers, for want of water and food, barely escaped with their lives.

6. Henry Martyn Herbert, C.M.G., J.P., Paymaster-General of the Cape, *b.* 24 January 1831, *m.* 8 September 1857, Harriet Eloise, dau. of George Edward Joseph of Pavo Park, Somerset, Cape Colony. He was in command of the Colesberg levies in the Kaffir War of 1850. In 1853 he accepted an appointment in the Customs at Port Elizabeth. Thereafter his promotion was rapid, and he held some of the highest offices in Cape Colony in connexion with the Treasury. He *d.* 10 January 1908, leaving issue seven sons and three daughters.

7. Theodore Robert Morrison, *b.* 12 September 1835, drowned 29 January 1863 in the Orange River by the upsetting of his boat.

One daughter : Alice Emily Catherine, *b.* 6 July 1836, *m.* 22 January 1862, Lt.-Col. Owen Henry Strong, *d.* 24 December 1906, leaving issue.

The daughters of the Rev. Francis Orpen were :

- (1) Susannah Maria Frances, *d. unm.* 6 February 1853.
- (2) Emilia Grace Caroline, *m.* 1816 John Gordon, M.D.
- (3) Rebecca Newenham Millerd, *m.* 31 January 1805, Henry Gage Morris, Rear-Admiral R.N. Their eldest son was the Rev. Francis Orpen Morris, the naturalist, author of the well-known History of British Birds. He died in 1893. Their distinguished grandson, Professor Frederick Orpen Bower, has just delivered (3 September 1930) his Presidential Address at Bristol before the one hundredth meeting of the British Association.
- (4) Cornelia *d. unm.*

¹¹ Hist., Sir R.J.T.O.', p. 286.

²¹ Hist. R.J.T.O.', p. 291.

³ London : Charles Westerton, 1860.

⁴ This is stated in the advertisement to the 1st edition (1828), reproduced in the 2nd edition (1836), of the *Annals of the Deaf and Dumb*, by C. E. H. Orpen, M.D. London : Robert H. C. Tims, 1836.

L'Envoi

GO forth Little Book with my blessing—though not without a tinge of regret do I part with thee, the latest offspring of my brain. Along with thee I send greetings to all members of the Orpen Family into whose hands thou mayest come. Thou shalt tell them something of their ancestors and kin which perchance they did not know, and shalt portray for them many a parent who from small beginnings, by patient work and upright conduct, rose to eminence in his chosen profession or calling, and reared a family able to enter upon the struggle of Life in hopeful circumstances. If thou canst help to instil into the minds of the rising generation of Orpens, now scattered over the face of the Globe, the spirit of courage, patience, uprightness, and love of truth that has inspired so many of their forefathers, then thou hast not been written in vain.

GODDARD H. ORPEN.

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