

“MAY SHE BE REWARDED IN HEAUVEN FOR  
RIGHTING HER POORE SUBIECTS IN IRELANDE”:  
LAWYER RICHARD HADSOR AND THE  
AUTHORSHIP OF AN ELIZABETHAN  
TREATISE ON IRELAND

RUTH A. CANNING\*

What at first glance appears to be yet another colonial discourse on Ireland, the anonymous 1598 discourse, “That planting of Collonies, and that to be begonne onely by the dutch, will geue best entrance to the reformation of Vlster”, quickly reveals itself to be something much more complex, conveying notions of identity, political policy, and a little known aspect of early modern Irish history: Dutch involvement in the settlement of Ulster. Three versions of the tract exist, one amongst the British Library Cotton Titus Collection and the other two amongst the State Papers, Ireland, none of which bears a signature.<sup>1</sup> The document itself is nearly fully transcribed in the Calendar of State Papers, Ireland, yet it has received little more than passing mention by historians of early modern Ireland and no enquiry into its authorship has yet been made.<sup>2</sup> This is possibly because the first half of the said tract sheds nothing particularly new in the arena of English colonial policy. Inconsequential though it may be in terms of colonial theory, however, it does present a fascinating exposé of Ireland’s Old English population during a critical period in the formation of that community’s identity. Atypical of colonial treatises written at this time is the detailed and defensive explanation of the differences between Ireland’s two dominant ethnic groups: the Gaelic Irish and Old English. The author’s focus on the legal and constitutional status of the descendants of the original

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1. British Library (BL), Cotton Titus B XII, ff.112–117 (1598. Discourse for Reformation of Ulster by Collonies); The National Archives (TNA): Public Records Office (PRO), State Papers (SP) 63/202(4)/75, ff.232–236. (1598. That planting of Collonies, and that to be begonne onely by the dutch, will geue best entrance to the reformation of Vlster); TNA: PRO, SP 63/202(4)/76, ff.239–42. (1598. That plantinge of Collonies, and that to be begonne onelie by the Dutch, will geue best entraunce to the reformation of Vlster). To avoid redundancy, the present author has chosen to transcribe and cite the version TNA: PRO, SP 63/202(4)/75, ff.232–236.
2. Only one version presented here is mostly transcribed in the Calendar of State Papers. *Cal. S.P. Ire.*, 1598–99, pp.438–42. TNA: PRO, SP 63/202(4)/75, ff.232–236. This version was endorsed with the shorter title, “Discours for Reformation of Vlster by Collonies, 1598”.

English colony is also unique. But possibly even more remarkable is that this tract offers the earliest known usage of the term “Old English” since it was first employed by Edmund Spenser in his 1596 *A View of the State of Ireland*; and, more significantly, it is the earliest example of that term being employed by a member of the Old English community.<sup>3</sup> For these reasons, both the discourse and its author deserve further investigation.

## I

In many ways, this 1598 discourse can be compared to similar projects pitched by English administrators and soldiers who had served in Ireland over the course of the sixteenth century. Yet, on closer inspection, the author conveys an unusually intimate knowledge of Irish geography and current affairs, as well as a very personal account and comparison of the peoples of Ireland. While most colonial treatises can be easily ascribed to the pens of Englishmen, the socio-political concerns expressed in this discourse indicate that the author was almost certainly an Old Englishman, and more than likely from the Pale. The tract’s promotion of a more conciliatory approach towards the implementation of colonisation is far more typical of Old English thought than New English policy. The glorified narrative of the medieval Anglo-Norman conquest and the history of the original English colony are also indicative of Old English authorship.<sup>4</sup> But, even more suggestive of an Old English attitude is that, by offering an appraisal of Gaelic Irish culture and animosity towards Ireland’s long-established English community, the latter half of the treatise is a cogent defence of the Old English population and their “Englishness”.

The discourse’s internal evidence offers a number of additional clues, all of which point towards Richard Hadsor (1570–1635), an Old English lawyer, as

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3. The terms “old Englishe”, “olde Englishe”, and “olde English” appear, respectively: TNA: PRO, SP 63/202(4)/75, fol. 235r; TNA: PRO, SP 63/202(4)/76, fol. 241v; BL Cotton Titus B XII, fol. 116r. Ciaran Brady has also noted this document as the first instance of the term “Old English” in the State Papers, Ireland. The second appearance of the term in the State Papers can be found in a letter from the Baron of Dunsany to Sir Robert Cecil in September 1600. TNA: PRO, SP 63/207(5)/34 (18 Sep. 1600, Dunsany to Robert Cecil). For Spenser’s use of the term, see Hadfield and Willy Maley (eds.), Edmund Spenser, *A View of the State of Ireland*, Andrew, (Oxford: Oxford University Press, 1997), pp.66, 73.
  4. Reflections on the colony’s glorified past can be found in the works of Rowland White, Richard Stanihurst, Baron Finglas, and the Baron of Howth, to name but a few. Patrick Finglas, “A Breviate of the getting of Ireland, and of the Decaie of the Same”, in W. Harris (ed.), *Hibernica: Or, some Antient Pieces relating to Ireland* (Dublin: W. Williamson, 1757), pp.39–52; Nicholas Canny (ed.), “Rowland White’s ‘The Disorders of the Irisshery’, 1571”, *Studia Hibernica*, No. 19 (1979), pp.147–160; Richard Stanyhurst, “A Treatise containing a plaine and perfect description of Ireland, with an Introduction to the better vnderstanding of the histories appertaining to that Iland”, in Raphael Holinshed, *Chronicles of England, Scotland, and Ireland*, Vol.2 (1586); Valerie McGowan-Doyle, *The Book of Howth: Elizabethan Conquest and the Old English* (Cork: Cork University Press, 2011).

the probable author.<sup>5</sup> The author's profession is derived from an unusual focus on the constitutional status of the Old English and the specific mention of Old English students attending English universities and Inns of Court. A former student of Oxford, Hadsor had been admitted to Middle Temple in July 1590 and was instrumental in securing admission for many more of his countrymen in spite of declining Irish numbers at the Inns of Court.<sup>6</sup> It is, therefore, not surprising that Hadsor had likewise praised the educational endeavours of his countrymen in a 1604 discourse on Ireland which has recently been attributed to him. The socio-political concerns expressed throughout this 1598 discourse are also consistent with those exhibited by Hadsor throughout his career. Particularly noteworthy is an intense anxiety over a legislative misinterpretation which led to the exclusion of Old Englishmen from high office in the Irish administration and judiciary. More peculiar, though, is the author's unusual recommendation of Dutch settlers for a plantation around Lough Foyle, and this was something which Richard Hadsor had also endorsed in his much longer discourse six years later.<sup>7</sup> Finally, the document was composed in London and dated sometime during 1598,<sup>8</sup> at which time Hadsor was at the English court representing the suits of several Old Englishmen and it would therefore have been a convenient time to present his own discourse on Ireland.<sup>9</sup>

A native of County Louth and the "Solicitor for Irish causes" in London, Richard Hadsor has only recently been rescued from obscurity by the work

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5. I suggest Richard Hadsor as the author of this discourse for a number of reasons, but the idea was not all my own. The document first drew my attention because of its use of the term "Old English". A few emails were exchanged with my then Ph.D. supervisor, Dr Hiram Morgan, who vetoed other candidates and suggested Richard Hadsor might be an appropriate starting point. The accumulated evidence does corroborate his initial suspicion.
  6. *Register of Admissions to Middle Temple I*, p.61; Victor Treadwell, "Richard Hadsor and the Authorship of 'Advertisements for Ireland', 1622/3", *Irish Historical Studies*, Vol.30, No. 119 (1997) at 328; Donal F. Cregan, "Irish Catholic Admissions to the English Inns of Court, 1558–1625", *The Irish Jurist V* (1970) at 102.
  7. Joseph McLaughlin, "New Light on Richard Hadsor, II. Select Documents XLVII: Richard Hadsor's 'Discourse' on the Irish State, 1604", *Irish Historical Studies*, Vol.30, No. 119, (1997) at 351.
  8. Two versions of the discourse are endorsed with the year 1598, but the third (TNA: PRO, SP 63/202(4)/76, ff.239–42) bears no date at all. The date 1598 could be according to the old calendar rather than the new. Thus, it is possible that this document was composed at any time between 1 January 1598 and 24 March 1599. This expands the time frame during which this treatise could have been written and, given the policies being instituted in Ireland during this interval and the concerns exhibited by the author, it is very likely that the discourse was composed in late 1598 or early 1599. Although most of Hadsor's surviving communications were directed to Sir Robert Cecil, some of the opinions expressed in this discourse are identical to those proffered to the Earl of Essex in January 1599; it is, therefore, possible that this treatise may have been directed towards the new Lord Lieutenant of Ireland around the same date. Unfortunately, there is no evidence to confirm the exact date of composition or the intended recipient. See HMC *Salisbury MSS*, Vol.9, pp.19–20 (11 Jan. 1599, Richard Hadsor to Essex).
  9. TNA: PRO, SP 63/202(I)/16 (12 Jan. 1598, Gerald Plunkett, Walter Sedgrave, James Taylor, James Betagh to Privy Council); TNA: PRO, SP 63/202(II)/46 (27 May 1598, R. Hadsor to R. Cecil).

of Joseph McLaughlin, Victor Treadwell and Don Hodgers.<sup>10</sup> Thanks to McLaughlin and Treadwell, the authorship of a 1604 discourse on Ireland and the 1622 Advertisements for Ireland have been attributed to Hadsor, and thus reveal him to be an Old Englishman of considerable political influence and well versed in the laws of the three kingdoms. The 1598 discourse presented here not only adds to Hadsor's known repertoire, but it constitutes Hadsor's earliest known essay on Ireland and Irish reform. This suggests that Hadsor was more prolific than previously assumed, and also indicates that this particular Old English lawyer was more influential in England's Irish policy-making process at an earlier date. Furthermore, the fact that three versions of the text have survived implies that it reached a wider audience than the one or two recipients for whom it may have been intended, presumably Secretary of State Sir Robert Cecil or the new Lord Lieutenant of Ireland, the Earl of Essex. But what it means for posterity is equally significant, because Richard Hadsor represents the very rare example of an Old Englishman who was exposed to, and participated in, the epicentre of English Crown government at a time when his Old English associates in Ireland were being increasingly excluded from the administrative process. What is more, by setting his observations and opinions to paper, Hadsor has left a record of Old English society and identity as he understood it during his own time. Exposing him as the author of this particular tract is also significant because it demonstrates that an Old Englishman identified himself by the term "Old English" and that it was, in fact, a recognised designation for Ireland's older colonial group.

It is surprising that Richard Hadsor, a contemporary and Middle Temple colleague of the famed Sir John Davies, has escaped the attention of historians until recently.<sup>11</sup> His skills and competence, which included fluency in Irish, were certainly appreciated by his contemporaries.<sup>12</sup> His list of clientele was a veritable "who's who" in Ireland and England, and included the earls of Kildare, Ormond, Clanricard, Tyrone, Thomond, Desmond and Antrim, the Baron of Dunsany, and James I's own cousins Ludovic and Esmé Stuart, the Duke of Lennox and Lord Aubigny.<sup>13</sup> Moreover, the men to whom he proffered political advice, including Secretary of State Sir Robert Cecil and the Earl of

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10. Treadwell, "Richard Hadsor and the Authorship of 'Advertisements for Ireland'", fn.7, at 305–336; McLaughlin, "New Light on Richard Hadsor", fn.7, at 337–353; Don Hodgers, "Richard Hadsor (c. 1570–1635), the solicitor for Irish causes and crown counsel for Irish affairs", *Journal of the County Louth Archaeological (& Historical) Society* Vol.26, No. 1 (2005) at 83–106; Hodgers, "Richard Hadsor (c.1570–1635), the solicitor for Irish causes and crown counsel for Irish affairs (Continued)", *Journal of the County Louth Archaeological (& Historical) Society* Vol.26, No. 3, (2007) at 421–445; Richard Hadsor, "History of Ireland", anonymous editor, *Ulster Journal of Archaeology* Vol. 2 (1854) at 245–52.

11. For more on Sir John Davies see Hans S. Pawlisch, *Sir John Davies and the Conquest of Ireland: A Study in Legal Imperialism* (Cambridge: Cambridge University Press, 1985).

12. Treadwell, "Richard Hadsor and the Authorship of 'Advertisements for Ireland'" at 309; Canny, *Making Ireland British, 1580–1650* (Oxford: Oxford University Press, 2001), p.416.

13. Treadwell, "Richard Hadsor and the Authorship of 'Advertisements for Ireland'" at 307–8; Hodgers, "Richard Hadsor" (2005) at 92.

Essex, are proof of the respect he had attained as both a lawyer and counsellor on Irish affairs.<sup>14</sup> Undoubtedly, Hadsor's use of discourses to advise those in high office served to advertise his deep understanding of the law and was, consequently, a great way to drum up important and wealthy clientele for a successful private law practice. But what is most remarkable about Hadsor is that at the same time as his Old English colleagues were being displaced and marginalised by the administration in Ireland, he was living in London and occupying a position by which he could advise and influence English policy-makers. Indeed, by May 1598 Hadsor's letters to Cecil were endorsed with the title "Solicitor for Irish Causes", and during the reign of James I he was employed as Crown Counsel on Irish affairs. Other notable moments in his career include his early endorsement of the failed coinage debasement scheme during the Nine Years' War.<sup>15</sup> During James I's reign, he participated in a number of important commissions which dealt with issues of Crown leases, reform of the wards,<sup>16</sup> and regulations on the Irish wool trade.<sup>17</sup> Hadsor was also one of the first to suggest plantation in Ulster following the 1607 Flight of the Earls, and he was a member of the 1622–23 Commission sent to Ireland to investigate the operation of the colonial administration.<sup>18</sup> Notwithstanding this impressive resumé, however, Hadsor has been overlooked by British and Irish historians, probably because he never achieved the rewards or accolades his services deserved.<sup>19</sup> Nevertheless, Hadsor did enjoy much greater prestige than most of his Old English contemporaries, and this was largely because he had conformed to the established religion.

## II

Ireland's Nine Years' War (1594–1603) blighted the last decade of Queen Elizabeth's reign, but it also offered ambitious English soldiers and politicians an opportunity to dabble in a combination of political policy, military strategy and colonial adventure. By this time, English thoughts of conciliation had gone by the wayside in favour of far more aggressive approaches to the "Irish problem". The most common solutions proposed advocated conquest by the sword, programmatic plantation, and the strong enforcement of discriminatory

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14. HMC *Salisbury MSS*, Vol.9, pp.19–20 (11 Jan. 1599, R. Hadsor to Essex).

15. The coinage debasement scheme remains under-studied. See McLaughlin, "What base coin wrought: the effects of the Elizabethan debasement in Ireland" in Hiram Morgan, *The Battle of Kinsale* (Bray: Wordwell, 2004), pp.193–204; Pawlisch, *Sir John Davies*, pp.142–157.

16. R. Dudley Edwards, "Letter-Book of Sir Arthur Chichester, 1612–1614", *Analecta Hibernica*, Vol.8 (1938), p.124.

17. Treadwell, "Richard Hadsor and the Authorship of 'Advertisements for Ireland'" at 314.

18. Treadwell (ed.), *The Irish Commission of 1622: An Investigation of the Irish Administration 1615–22 and its Consequences 1623–4* (Dublin: Irish Manuscripts Commission, 2006); Treadwell, "Richard Hadsor and the Authorship of 'Advertisements for Ireland'" at 305–336.

19. Treadwell, "Richard Hadsor and the Authorship of 'Advertisements for Ireland'" at 305; Hodgers, "Richard Hadsor" (2005) at 96.

legislation against the resident Gaelic Irish and Old English populations. Numerous military projects and colonisation schemes were put forward by Englishmen of various professions and ranks and, though they differed on the number of men needed to subdue the country, exactly how military energies should be directed, or where the state should commence a programme of land confiscation and plantation, the desired outcome was very much the same: the complete subjugation or clearance of Ireland's native populations and a corresponding plantation of English men, laws and culture.<sup>20</sup> A perusal of the first few lines of the "planting of Collonies" might lead one to believe that it, too, conformed to this mould. But, while the 1598 treatise is, undeniably, a product of its time, it is distinct for a number of reasons, including its stance on the process of colonisation itself. That the author preferred the use of peaceful colonisation as the means to settling Ulster is in sharp contrast to the majority of colonial treatises composed during these war years; most of these prescribed the establishment of strong garrisons or the dispatch of a great army for subduing and clearing the country before any large-scale introduction of colonists could be accomplished. The author of this tract, however, specifically argued that a garrison scheme presented too many logistical and financial obstacles, while a colony composed of military men with a military agenda ultimately doomed peaceful habitation and future plantation projects to failure. This more conciliatory approach was much more prevalent among Ireland's Old English community than amongst the New English or those in England and it was, in fact, the same policy advocated by Hadsor in his more widely recognised 1604 discourse.<sup>21</sup>

Because the author recommended Dutch colonists for the plantation of Lough Foyle, it can be compared to another anonymous proposal submitted sometime during 1599.<sup>22</sup> Transcribed by David B. Quinn, the author of the 1599 treatise proposed Dutch colonists and, as in the 1598 discourse, the Dutch are presented as acceptable settlers because they were not only culturally compatible with the English, but their industry was considered admirable and exemplary.<sup>23</sup> Indeed, both tracts contend that the Dutch could civilise the Gaelic Irish by example. But even in their similarities, these proposals differ. The author of Quinn's treatise was far more interested in the economic benefits of colonialism; commercial advantage, rather than cultural acceptability, was therefore the real impetus behind contemplating Dutch settlement in Ireland. And, while both projects regarded colonisation as a means to reform Irish society, Quinn's tract denigrated all of Ireland's native inhabitants—that is, both the Gaelic Irish and Old English—and thereby exposes itself to be fairly standard of New English opinion.<sup>24</sup> Moreover, Quinn's treatise advocated

20. For examples, see: TNA: PRO, SP 63/212/57A (Oct. 1602, Petition of R. Lane to Lord Deputy); TNA: PRO, SP 63/212/57B (Oct. 1602, Petition of R. Lane to Lord Deputy).

21. McLaughlin, "New Light on Richard Hadsor" at 337–353. HMC *Salisbury MSS*, Vol. 11, p.23 (28 Jan. 1601, R. Hadsor to R. Cecil)

22. David B. Quinn, "'A Discourse of Ireland' (circa 1599): A Sidelight on English Colonial Policy", *Proceedings of the Royal Irish Academy* 47, 3, Section C (1942), pp.151–166.

23. Quinn, "A Discourse of Ireland", p.164.

24. Quinn, "A Discourse of Ireland", p.164.

the removal of, or to be more accurate the deportation or extermination of, the native population.<sup>25</sup> The 1598 discourse offers no support for any such policy. This, of course, does not mean an Old English author would have been adamantly opposed to ideas of transplantation. In his 1604 discourse, Hadsor had suggested weeding out “the turbulent loose and unprofitable men” for employment “in forraine Countries, to thende they may not be ynstrumentes of Rebellion & mischeifes”; however, it is evident that Hadsor’s intention was a very selective weeding, and that he had no view to extirpating the native population and replacing them with foreigners.<sup>26</sup>

The 1598 discourse referred to Dutch settlement in Wales after the Norman Conquest as a successful historic precedent, but neither this tract nor Hadsor’s 1604 discourse is particularly clear as to why the Dutch, and how they should be established. Quinn has suggested that the possible rationale behind Dutch recommendations was that they “were not yet thought of as serious rivals of England in the sphere of economic nationalism”.<sup>27</sup> This may have been true, but given Old English anxieties about how the influx of newcomers would impact their role and status in Ireland, the idea that an Old Englishman would propose the plantation of new settlers, irrespective of nationality, is rather curious. Yet, as Hadsor’s 1604 discourse indicates, the Old English were not unequivocally opposed to the idea of further colonisation, it was just that they envisioned a role for themselves in it. In fact, it is possible that the actual origin of new settlers was not the overriding concern since the 1598 project proposed the Dutch as a back-up plan in case the original proposal for men who were “wholy Englishe”—meaning by blood, and not by birth—seemed too hazardous during this time of conflict.<sup>28</sup> It is also conceivable that the idea of Dutch colonists was more appealing to Old Englishmen for the very fact that they were not English-born and could not, therefore, “out-English” Ireland’s older English community. This was indeed a legitimate Old English grievance, and the treatise transcribed by Quinn served to reinforce this anxiety by haughtily contending that the “English in the second generation become Irish but neuer English”.<sup>29</sup>

Equally intriguing is that the 1598 treatise makes no overt mention of religion or the religious compatibility of the Dutch, something which surely would have endeared the Dutch to English policy-makers but was an issue most Old Englishmen were keen to avoid. The absence of any comment on religion is indeed conspicuous. Assuredly, Richard Hadsor was outwardly conformable to the State-imposed religion, otherwise he would not have been able to live in London and operate in the capacity he did.<sup>30</sup> His conformity is denoted by the

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25. Quinn, “A Discourse of Ireland”, pp.164–165.

26. McLaughlin, “New Light on Richard Hadsor” at 353.

27. Quinn, “A Discourse of Ireland”, p.158.

28. TNA: PRO, SP 63/202(4)/75, fol. 232v.

29. Quinn, “A Discourse of Ireland”, p.164.

30. For a discussion on the problems facing Irish Catholic lawyers in the early seventeenth century, see Cregan, “Irish Recusant Lawyers in Politics in the Reign of James I” *The Irish Jurist* V (1970) at 306–320. Also see TNA: PRO, SP 63/216/59 (20 Aug. 1604–4 May 1605, Chief Justice Saxey to Viscount Cranbourne).

fact that he was charged with tutoring a younger kinsman at the Inns of Court to ensure he was “educated in true religion”.<sup>31</sup> Excepting this, however, there are no records to indicate any strong religious belief on Hadsor’s behalf, and his personal opinions on matters relating to religion are rather ambiguous. His 1604 discourse did recommend the appointment of educated clergy to guide reform in Ireland, but it did not condemn Catholicism, nor did it emphasise the need to convert the Irish. Hadsor was, in fact, a proponent of religious moderation, so much so that he had advised against enforcing the Oath of Supremacy on new officials and land grantees, and had himself forfeited an estate in Cavan because he refused to take the Oath.<sup>32</sup> These records, and the fact that Hadsor represented both Catholic and Protestant clients, leads to the impression that he was conformist or “church papist”, though by no means committed to the State Church.

Although he mentioned a Dutch proposal in 1604, connecting Hadsor with any specific Dutch colonial venture proves problematic. Nevertheless, he is the only Old English supplicant known to have made such a recommendation. In his 1604 discourse Hadsor urged King James to consider accepting an “offer made by the Dutchmen to the late Queene to inhabitt Loghfoile”.<sup>33</sup> Hadsor seemed to be referring to a specific Dutch colonial plot, but he provided no source for that information. Although the 1599 discourse transcribed by Quinn proposed Dutch plantation, it was not the “offer made by the Dutchmen” since the opinions expressed were unmistakably those of an Englishman who had some experience in Ireland.<sup>34</sup> In 1877 George Hill drew a connection between Hadsor’s promotion of a Dutch scheme and a Dutch merchant named Maximilian van der Lever.<sup>35</sup> Hill mentioned a “Dutch Tract”, written in Dutch, as the source of a Dutch colonial project. But, the only contemporaneous mention of Maximilian van der Lever in the Irish State Papers is in a 1606 warrant for an industrial patent in Leinster.<sup>36</sup> This warrant, guaranteeing Van der Lever specific industrial liberties, was strictly commercial and made no mention of plantation. A more promising lead would be a 1601 proposal for the fortification of Culmore, a town on Lough Foyle, by Dutch engineer Jose Everaert.<sup>37</sup> This project was definitely of strategic military value, but there is little doubt that the intention was to establish some long-term viable settlement in the area in the future. On account of its later date of submission, however,

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31. Hodgers, “Richard Hadsor” (2005) at 95.

32. Treadwell, “Richard Hadsor and the Authorship of ‘Advertisements for Ireland’”, pp.312–13; Hodgers, “Richard Hadsor” (2005) at 94–95.

33. McLaughlin, “New Light on Richard Hadsor” at 351.

34. Quinn, “‘A Discourse of Ireland’” pp.151–166.

35. George Hill, *An Historical Account of the Plantation in Ulster at the Commencement of the Seventeenth Century, 1608–1620*, (Belfast: McCaw, Stevenson and Orr, 1877), pp.182–183.

36. *Cal. S.P. Ire., James I, 1603-1606*, p.309. *Carte Papers*, Vol.61, p.163 (9 Feb. 1605/06, Sir A. Chichester to Chas. Calthorpe and Sir John Davys).

37. TNA: PRO, SP 63/209/276 (1601, “Memorandum on the Fortification of Culmore”); TNA: PRO, SP 63/209/276A (1601, “Jose Everart’s Plan of his Fortification at Culmore”); John McGurk, *The Elizabethan Conquest of Ireland* (Manchester: Manchester University Press, 1997), p.222.



and because Everaert's proposal was primarily concerned with fortification, it is unlikely that it had any relation to the 1598 discourse or that it was indeed the Dutch "offer" to which Hadsor later referred. Moreover, Everaert was a proponent of the military garrison scheme, a policy which the author of the 1598 discourse sternly contested.

### III

That the author of the 1598 discourse was well informed about Ulster affairs and English military policies is clear. Although Richard Hadsor had been living in London for almost a decade at this point, his letters to Secretary Cecil demonstrate that he had kept abreast of political and military affairs in his homeland through his many friends and clients there.<sup>38</sup> For this reason, by 1598, years before being called to the bar, Hadsor had already become the "Solicitor for Irish Causes" and a regular advisor to Cecil on Irish matters. In this capacity, Hadsor had been proactive in his efforts to influence Irish policy and, by August 1599, he had launched his own investigation into Ulster lands and tenorial agreements. This investigation was conveniently timed in relation to the 1598 discourse, and it also coincided with increased official interest and pressure to establish English garrisons around Lough Foyle. Hadsor also must have been familiar with the 1597 proposal put forward by fellow countryman and client, Sir Francis Shane, which had likewise recommended plantation around Lough Foyle.<sup>39</sup> Bearing some similarities to Shane's pitch, it is not inconceivable that Hadsor had been inspired to write this 1598 discourse in order to promote a more conciliatory agenda for plans concerning the north of Ireland. His 1599 examination into Tyrone's patent, therefore, may have been designed to justify and reinforce his position on the subject.

Having made himself particularly acquainted with the conditions of lordship agreed upon between Queen Elizabeth and Hugh O'Neill, the rebel Earl of Tyrone, Hadsor took the liberty of informing Cecil about certain breaches and loopholes in O'Neill's 1587 patent.<sup>40</sup> Hadsor used this particular opportunity to offer his own insight into how Tyrone's lands might be confiscated and redistributed among tenants loyal to the English crown—the emphasis being

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38. TNA: PRO, SP 63/208(2)/48 (7 May 1601 R. Hadsor to R. Cecil); TNA: PRO, SP 63/209/1 (1 Aug. 1601, R. Hadsor to R. Cecil); TNA: PRO, SP 63/209/80 (14 Sep. 1601, Dunsany to R. Hadsor); TNA: PRO, SP 63/209(2)/153 (17 Oct. 1601 R. Hadsor to R. Cecil); HMC *Salisbury MSS*, Vol.11, p.494 (14 Nov. 1601 R. Hadsor to R. Cecil); TNA: PRO, SP 63/211/74 (4 July 1602, R. Hadsor to R. Cecil); HMC *Salisbury MSS*, Vol.12, pp.73–74 (13 Mar. 1602, R. Hadsor to R. Cecil).

39. University Library, Cambridge, Ms Kk. I. 15, ff.279–285v (28 Apr. 1597, "A breife discourse declaring how the service against the Northerne Rebels may be advanced and the Connoght tumults in some sort repressed. Delyuered by Mr Fra: Shane"). Hadsor acted as an agent at Court for Sir Francis Shane in 1599.

40. TNA: PRO, SP 63/205/159 (30 Aug. 1599, R. Hadsor to R. Cecil); TNA: PRO, SP 63/206/110 (30 Dec. 1599, R. Hadsor to R. Cecil).

on “loyal”, not English.<sup>41</sup> Undoubtedly, Hadsor recognised the allure of potential colonial projects to English policy-makers, especially with respect to the use of land grants to compensate military servitors. Indeed, only eight months earlier, Hadsor had offered encouragement to the new Lord Lieutenant of Ireland, the Earl of Essex, and suggested that he be permitted authority to grant leases of Ulster lands as rewards to worthy crown servitors—be they English by birth or by descent.<sup>42</sup> But Hadsor’s 1599 advices to Cecil went beyond the mere establishment of English settlers and recommended a blueprint by which the native Irish population could be accommodated and included. In doing so, Hadsor maintained an Old English tendency towards more gentle persuasions, noting that the queen might take this opportunity to undermine Tyrone’s tyranny over his tenants by enticing them to submit to her authority under more attractive tenurial conditions. To effect this shift, Hadsor advised that care should be taken for “settling of an estate of inheritance in the possessors of the lands of the said country by division according to each man’s calling ... yielding certain rents and services to Her Majesty”.<sup>43</sup> This would nourish existing factional rivalries and put the Crown in a position to manipulate relationships between the Ulster lords and their dependents. By implementing this revised social structure, Hadsor contended that the queen “shall draw unto her the dependency of the same inhabitants from Tyrone, cut off the absolute power which he hath, ... increase Her Majesty’s revenue, and encourage them having estates of inheritance in their lands, to build and settle themselves, as the inhabitants of the English Pale do”.<sup>44</sup> According to Hadsor, this was a great opportunity for the queen to act as the gracious merciful prince, win the affection of her Irish subjects, and establish the conditions under which the Gaelic Irish would seek to assimilate to English mores.

Typical of a legal mind, the administration of law and justice also featured prominently in Hadsor’s 1599 observations to Cecil. He argued that enforcing the terms of Tyrone’s original patent would not only allow the queen to profit from wardships, attainders and escheated lands, but it would also ensure the effective operation of the queen’s writ through much of Ulster. The extension of Crown justice would, he maintained, happily benefit all Tyrone’s tenants, the majority of whom were too poor to have recourse to, or participate in, the existing justice system.<sup>45</sup> A functioning judiciary and the execution of law were of paramount importance to Hadsor and a central focus in all his recommendations for reform. In fact, for Hadsor, the due execution of law trumped personal animosities and he was, surprisingly, willing to represent the suits of individuals who had harmed him in the past. Indeed, in 1603 Hadsor acted on behalf of former rebel Turlough O’Neill, whose grandfather, Turlough

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41. TNA: PRO, SP 63/205/159 (30 Aug. 1599, R. Hadsor to R. Cecil).

42. HMC *Salisbury MSS*, Vol.9, pp.19–20 (11 Jan. 1599, R. Hadsor to Essex).

43. *Cal. S.P. Ire., 1599–1600*, p.139. TNA: PRO, SP 63/205/159 (30 Aug. 1599, R. Hadsor to R. Cecil).

44. *Cal. S.P. Ire., 1599–1600*, pp.139–40. TNA: PRO, SP 63/205/159 (30 Aug. 1599, R. Hadsor to R. Cecil).

45. *Cal. S.P. Ire., 1599–1600*, p.140. TNA: PRO, SP 63/205/159 (30 Aug. 1599, R. Hadsor to R. Cecil).

Luineach O'Neill, had "burned and spoiled my father's living in the county of Louth ... yet in furtherance of her Majesty's service I am content not to take notice of the wrongs done me".<sup>46</sup> And, having spent so much time trying to undermine Confederate leader Hugh O'Neill, following the earl's submission and journey to England, Hadsor represented him and his petition before the Privy Council and new king of England.<sup>47</sup>

#### IV

Ultimately, the 1598 discourse aspired to set a course for the reform of Ireland and the civilising of the Gaelic Irish. Although there is no existing reference made by Hadsor to this 1598 treatise, there is surviving evidence of other reform pitches made by him, even before his familiar 1604 discourse. In January 1601, Hadsor submitted a project "showing some causes of the pride and present strength of the mere Irishry, and of the weakness of the nobility and gent. of the English race of Ireland".<sup>48</sup> This project had been drawn up in collaboration with Captain Edward Fitzgerald who, in April 1600, obtained permission to travel from Ireland to the English Court in order to pursue some private suits.<sup>49</sup> Unfortunately, the 1601 project has not survived, but, according to the authors' descriptions of its contents, it is very likely that this joint project was a precursor to Hadsor's 1604 discourse.

The project explanations offered by Hadsor and Fitzgerald suggest the tone of the 1601 discourse was decidedly anti-Gaelic Irish:

"importing the genealogie of all the greate howses and gentlmen of the meere Irish comonly called the wyld Irish wherein there lynage and discent from the auncient Irish kings and ther kynred and allyance one to another is sett forth and what smale hope or trust is to be reposed in ther fidelitie to the state who do nowe generally and haue alwayes revolted when any occation or opportunitie was offered since the English conquest aspring contynually to ther prisinat and absolt rule of that Realme."<sup>50</sup>

This was a rather more pessimistic judgment than usually expressed by Hadsor and was probably more reflective of Fitzgerald's professional and personal experience since he had suffered "the contynuall waste & depopulating of his lands by the Rebells since these late troubles".<sup>51</sup> Hadsor's other writings

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46. HMC *Salisbury MSS*, Vol.12, p.661 (4 Mar. 1603, R. Hadsor to R. Cecil). He also advocated on behalf of other former rebels, including Neil Garve O'Donnel: HMC *Salisbury MSS*, Vol.15, p.145 (3 Jun. 1603, R. Hadsor to R. Cecil).

47. Canny, "The Treaty of Mellifont and the Re-organisation of Ulster, 1603" *Irish Sword* Vol. 9, No.37 (1970) at 259, 261; Hodgers, "Richard Hadsor" (2005) at 91.

48. HMC *Salisbury MSS*, Vol.11, pp.8-9 (12 Jan. 1601, E. FitzGerald to R. Cecil).

49. TNA: PRO, SP 63/207(2)/84 (4 Apr. 1600, G. Carew to R. Cecil); TNA: PRO, SP 63/207(6)/130, (Dec. 1600. Petition of Captain Edward Fitzgerald).

50. TNA: PRO, SP 63/209/153 (17 Oct. 1601, R. Hadsor to R. Cecil).

51. TNA: PRO, SP 63/207(6)/130 (Dec. 1600, Petition of Captain Edward Fitzgerald).

indicate that his own opinions on Gaelic Irish incivility and barbarity were restricted to only a portion of that population and that he believed many within Gaelic Ireland desired the stability of English law and government. Indeed, Hadsor's confidence in the conformability of many Gaelic Irish is supported by his representation of many Gaelic Irish clients over the course of his career.<sup>52</sup>

Notwithstanding this irregularity, however, the lost discourse does bear comparison to that of 1598. Although it was not a genealogical study of any depth, the 1598 discourse exhibited an interest in Gaelic naming practices and the family histories of Old English lineages.<sup>53</sup> More importantly, though, both the joint discourse of 1601 and that of 1598 purposefully sought to distinguish the Old English community from the Gaelic Irish, particularly with respect to Old English social and cultural superiority, and they both did so in quite severe terms. The 1598 treatise averred that such clarification was necessary because their Irish place of birth had convinced officials in England that the Old English had degenerated and were no longer worthy of the title "English". This was an unreasonable verdict and, referring to former and contemporary colonial precedents, the author argued that the Greeks in Asia "were still called Grecians", the Romans in Spain and Gaul "were still called Romanes", the Spanish in America were "still called Spanyards", and even the English in Calais "were still called English". Yet, to the great sorrow and confusion of "the poore descent of the English in Irland", they were not "allowed that grace or priuiledge".<sup>54</sup> This distinction troubled Hadsor deeply, and it was not an accident that he had specifically referred to his own grandfather as "an Englishman" in 1599, despite generations of Irish residence.<sup>55</sup>

Like Hadsor's later work, the Old English community's ancestral commitment to Crown interests was a constant theme throughout this discourse. In 1604, Hadsor went so far as to claim that the Gaelic Irish had never been able to lure the Old English from their natural obedience.<sup>56</sup> This unswerving loyalty was likewise expounded in the 1598 discourse; however, the 1598 discourse was slightly more specific—and certainly more honest—by offering the disclaimer that "in these late broyles no one of 10*l*. freeholde is gone to the Ennemye".<sup>57</sup> Although this statement implied that there were some whose fidelity was less secure, the point was that most Old Englishmen believed their fate and fortunes were tied to the English crown and that it was in their best interest to serve their English master, regardless of the hardships.

Also consistent throughout Hadsor's writings is a concern for "the weakness of the nobility and gent. of the English race of Ireland".<sup>58</sup> The 1598 discourse expressed a similar fear for the security and endurance of the Old English,

52. For example, on behalf of Philip O'Reilly, TNA: PRO, SP 63/202(II)/46 (27 May 1598, R. Hadsor to R. Cecil); on behalf of Turlough O'Neill, HMC *Salisbury MSS*, Vol.12, p.661 (4 Mar. 1603, R. Hadsor to R. Cecil).

53. TNA: PRO, SP 63/202(4)/75, fol. 235r.

54. TNA: PRO, SP 63/202(4)/75, fol. 236r.

55. TNA: PRO, SP 63/205/159 (30 Aug. 1599, R. Hadsor to R. Cecil).

56. McLaughlin, "New Light on Richard Hadsor" at 345.

57. TNA: PRO, SP 63/202(4)/75, fol. 235v.

58. HMC *Salisbury MSS*, Vol.11, pp.8–9 (12 Jan. 1601, E. FitzGerald to R. Cecil).

drawing attention to several lineages which had already been extinguished while emphasising the need to protect those that remained.<sup>59</sup> The vulnerability of his compatriots was an issue which distressed Hadsor throughout his career, but he found the military and material weakness of this community particularly worrying during the Nine Years' War. In late 1601 he apprised Cecil "that the gentlemen and inhabitants of the English Pale are vnarmed and vnfurnished to defend them selves or to do the Queene service".<sup>60</sup> Hadsor repeatedly appealed to Cecil to look favourably upon his Old English colleagues and provide them with assistance, adamantly insisting that their loyalty had been proven through their many losses and suffering. To this end, Hadsor acted on behalf of many Old English suitors, including a Mr Plunkett, whose foot company, formerly in the pay of the queen, had been cashiered in 1601. Hadsor implored Cecil to advance Plunkett's suit for the restoration of that company because "he is an honest gentleman and able to do the Queene service being one of the best of his name and hath received great losse by the wasting of his lands by the rebels".<sup>61</sup> In furthering Plunkett's suit, Hadsor also took the opportunity to argue that "it were fitter in my opinion to imploy him and a number of other sufficient gentlemen of English race in the Pale who received great losse in these warres and are knowen to the State there to be good subjects and faithfull to her Ma<sup>tie</sup>".<sup>62</sup> This was exactly the same sentiment expressed in the 1598 discourse, which maintained that "th'extract of the English nation there, ought not to be excepted vnto, but rather imployed against the Irishe. As they haue euer ben since the conqueste, in that they are daylie seene to fight against them, for their honor, lyues, patrimonye and sepulchers of their Ancestors".<sup>63</sup>

Crucially, in defending the Old English community's commitment to crown interests and the suffering they had endured by doing so, the 1598 discourse, like Hadsor's later treatises, was a plea for recognition and justice. Flattering the queen as "a Goddess on earth", the treatise concluded with the statement: "And highly may she be rewarded in heauen for righting her poore subjects in Irelande".<sup>64</sup> This was one arena in which Hadsor felt particularly well qualified to offer guidance. While most prominent Old Englishmen had opted to demonstrate their loyalty through military service, Hadsor believed he could best serve the English crown with his legal expertise.<sup>65</sup> Without a doubt, he sought to profit from these services, but Hadsor did express a genuine commitment to promoting law and justice in his native land. Hadsor considered this responsibility to be an extension of a family tradition of military service, and assured Cecil in 1599 that he was "as willing to yield my best furtherance

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59. TNA: PRO, SP 63/202(4)/75, fols. 235r–v.

60. TNA: PRO, SP 63/209(2)/153 (17 Oct. 1601, R. Hadsor to R. Cecil).

61. TNA: PRO, SP 63/209(2)/153 (17 Oct. 1601, R. Hadsor to R. Cecil).

62. TNA: PRO, SP 63/209(2)/153 (17 Oct. 1601, R. Hadsor to R. Cecil).

63. TNA: PRO, SP 63/202(4)/75, fol. 235v.

64. TNA: PRO, SP 63/202(4)/75, fol. 236r.

65. HMC *Salisbury MSS*, Vol.9, pp.19–20 (11 Jan. 1599, R. Hadsor to Essex). The military services performed by the Old English are discussed in detail in Ruth A. Canning, "War, Identity, and the Pale: The Old English and the 1590s Crisis in Ireland" (Ph.D. dissertation, University College Cork, 2012).

in advancing in my profession Her Majesty's service, as my grandfather, being an Englishman, and my father, were in spending of their blood voluntarily in the field".<sup>66</sup> Hadsor thus emphasised his ancestral and professional duty to serve the English Crown along with his own determination to ensure that the English justice system served the interests of his monarch and her subjects. It is certain, therefore, that Hadsor ascribed to the argument presented in the 1598 discourse that the Old English community's continuing attachment to English justice was a symbol of both their sense of tradition and their natural loyalty to the English Crown.<sup>67</sup>

Hadsor frequently focused on how perceived injustices and inequities in Ireland were the source of discontentment, alienation, and potential rebellion. In advocating for his Irish clients, he repeatedly insisted that all they sought was fair and impartial justice from their monarch and her representatives. For instance, when representing the suit of his kinsman Garrett Sutton, Hadsor declared that he "desyreth onely the benefit of the Lawe with her Ma<sup>ty</sup>s favor".<sup>68</sup> Hadsor's preoccupation with injustice and corruption was more clearly espoused in his advices to Cecil at the end of December 1599. Identifying injustice as a major source of tension, Hadsor expressed confidence that strained crown-community relations could be repaired by reforming the state of law in Ireland. This, he averred, could only be achieved by removing the agents who committed abuses, appointing worthy candidates in their places, and reinstating the laws which had been corrupted through maladministration. Among the issues he addressed was the system of wards which had been hijacked by English governors who sought to profit at the expense of young heirs. This, Hadsor declared, was the chief reason why "many of the gentlemen of the better sort of English race in the English Pale, and elsewhere in that realm, were discouraged from prosecuting Her Majesty's service, or from exposing themselves to any danger".<sup>69</sup> He also expounded on how the entire system of justice had been grossly corrupted by peculating officials who sold the office of High Sheriff to undeserving men. These unqualified officers, who had ties neither to the country nor to the people, "commonly sell & abuse ther power in executing justice, & ... do carry away there misdemeanors w<sup>th</sup>out yeelding recompence to the people for ther oppression & wronges".<sup>70</sup> Such abuse was responsible for the alienation of the queen's subjects, who, "being for the more part rude and uncivil, ascribe to the law, alleging that law to be unjust, which suffereth such enormities".<sup>71</sup> As Hadsor reasoned, there was a direct correlation

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66. *Cal. S.P. Ire., 1599–1600*, pp.139–140. TNA: PRO, SP 63/205/159 (30 Aug. 1599, R. Hadsor to R. Cecil).

67. TNA: PRO, SP 63/202(4)/75, fol. 236r.

68. TNA: PRO, SP 63/208(2)/48 (7 May 1601, R. Hadsor to R. Cecil). Also see TNA: PRO, SP 63/209/ (1 Aug. 1601, R. Hadsor to R. Cecil).

69. *Cal. S.P. Ire., 1599–1600*, pp.345–346 TNA: PRO, SP 63/206/110 (30 Dec. 1599, R. Hadsor to R. Cecil).

70. TNA: PRO, SP 63/206/110 (30 Dec. 1599, R. Hadsor to R. Cecil).

71. *Cal. S.P. Ire., 1599–1600*, p.346. TNA: PRO, SP 63/206/110 (30 Dec. 1599, R. Hadsor to R. Cecil).

between the subjects' antipathy towards their monarch and her administration and their estrangement from her laws and those implementing them.

The example set by corrupt New English officers convinced Hadsor that the people of Ireland were best served by native candidates, and specifically the Old English, who had, until recently, been the "principall officers & Councillors of estate".<sup>72</sup> To this end, Hadsor acted on behalf of many Old English suitors and Irish corporations.<sup>73</sup> In doing so, he focused on the suitability and commendable records of those who sought to advance through ministerial ranks, particularly judicial officers like Sir Nicholas Walshe, Chief Justice of the Common Pleas, and his own kinsman, Thomas Dillon, who applied for the office of Justice of the Queen's Bench.<sup>74</sup> Hadsor had come to the conclusion that English-born officials were intentionally thwarting the advancement of men like Walshe and Dillon; this, he believed, was largely for their own gain, but also partially due to their ignorance of the Irish situation. The root of discrimination, Hadsor argued, was Englishmen's inability to distinguish between the Gaelic Irish and Old English inhabitants of Ireland, and this had caused them to misconstrue legislation which dictated the legal standing of these two groups. For the Old English, this oversight was deeply distressing, and the torment "[t]hat the descente of the Englishe (to their great greefe) are here called and counted Irishe" was, in fact, a principal motivating factor for the composition of the 1598 discourse.<sup>75</sup> Ethnic discrimination was a typical complaint in the petitions submitted by Old English individuals and towns, but both the 1598 discourse and those later written by Hadsor are unique in their focus on the legal implications of such ignorance. Of critical importance in these tracts is that a mistaken interpretation of Old English identity had led to confusion over earlier regulations designed to bar Gaelic Irishmen from holding official positions within the Irish administration. The 1598 discourse explained that laws had been enacted to ensure that the "meere Irishe" could not be "Gouuernors of certain named fortes and holdes, nor be elected Lords Iustices by the State there ... yet is the meaning thereof now erroneously enlarged to the excluding those of Englishe race from any such truste, contrarie to former Presedents".<sup>76</sup> Hadsor stressed this exact same concern in his 1604 discourse:

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72. McLaughlin, "New Light on Richard Hadsor" at 346.

73. TNA: PRO, SP 63/202(I)/16 (12 Jan. 1598, Gerald Plunkett, Walter Sedgrave, James Taylor, James Betagh to Privy Council); TNA: PRO, SP 63/202(II)/46 (27 May 1598, R. Hadsor to R. Cecil); HMC *Salisbury MSS*, Vol.10, p.16 (26 Jan. 1600, R. Hadsor to R. Cecil); TNA: PRO, SP 63/208(1)/88 (16 Mar. 1601, Names of Irish suitors attending); TNA: PRO, SP 63/209(2)/153 (17 Oct. 1601, R. Hadsor to R. Cecil); HMC *Salisbury MSS*, Vol.11, p.494 (14 Nov. 1601, R. Hadsor to R. Cecil); Henry F. Berry, "Minute Book of the Corporation of Dublin, Known as the 'Friday Book' 1567-1611" *PRIA*, Vol.30 (1912/13), p.503.

74. TNA: PRO, SP 63/207/29 (17 Jan. 1600, R. Hadsor to R. Cecil); HMC *Salisbury MSS*, Vol.8, p.312 (15 Aug. 1598, R. Hadsor to R. Cecil).

75. TNA: PRO, SP 63/202(4)/75, fol. 235v.

76. TNA: PRO, SP 63/202(4)/75, fol. 236r.

“There ys a Statut made in Ireland the 33<sup>th</sup> yere of Kinge Henry the 8<sup>th</sup> authorizing the Lo: Chauncellor & the Kinges Councillors ... to elect & choose one such person as shalbe an Englishman borne ... or Twoe of the said Councell of English bloode and surname ... to be governors of that Realme duringe the Kinges pleasure. Whereupon it is misconceaved that an Irish man cannot be Lo: Deputie of Ireland, whereas the said Statut gives authoritie to the Councell to choose a governor as aforesaid, the Kinge notwithstanding having power to make an Irish man Lo: Deputie as divers of the Nobility of the Realme have been.”<sup>77</sup>

Herein lay the core of Ireland’s current troubles.<sup>78</sup> According to the 1598 discourse, the exclusion of Old English officers could not have been “lesse intended, nor can be more hurtfull to the gouuernement”.<sup>79</sup> And, in 1604, Hadsor likewise reminded King James that:

“so longe as they & their posteritie were employed as principall officers & Councillors of estate in tyme of warr and peace in the Realme, being such men who were thoroughly informed of all matters therein, and acquainted with the disposicion of the people, The Realm was well governed & daily increased in civilitie, & yelded some proffitt to the Crowne of England without chardge.”<sup>80</sup>

As Hadsor conceived it, the corruptions of English-born officials, combined with the misapplication of laws designed to discriminate against the Gaelic Irish whilst protecting the Old English, had undermined the entire system of justice in Ireland. Although it was entirely the fault of those English officials who had “dishonoured” the system, the distortion of the law was responsible for stimulating resentment and distrust among otherwise obedient subjects, “whereby Her Majesty’s government is without just cause called in question by the people”.<sup>81</sup> Thus, in late 1599, Hadsor warned Cecil that unless a cure was immediately applied, discontentment amongst the afflicted inhabitants would soon “grow to mutinies and rebellion”.<sup>82</sup> The remedy, as prescribed by Hadsor, was a return to the old order. As he concluded, the situation in Ireland could be rectified only by reinstating Old Englishmen to positions of authority and by ensuring that the law was understood and enforced as originally intended. This

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77. McLaughlin, “New Light on Richard Hadsor” at 347.

78. This same issue had been touched upon by Richard Stanihurst and Christopher St Lawrence, the Baron of Howth. See John Barry and Hiram Morgan (eds.), *Great Deeds in Ireland: Richard Stanihurst’s De Rebus in Hibernia Gestis* (Cork: Cork University Press, 2013); McGowan-Doyle, *The Book of Howth* (Cork: Cork University Press, 2011).

79. TNA: PRO, SP 63/202(4)/75, fol. 236r.

80. McLaughlin, “New Light on Richard Hadsor” at 346.

81. *Cal. S.P. Ire., 1599–1600*, p.346. TNA: PRO, SP 63/206/110 (30 Dec. 1599, R. Hadsor to R. Cecil).

82. *Cal. S.P. Ire., 1599–1600*, p.346. TNA: PRO, SP 63/206/110 (30 Dec. 1599, R. Hadsor to R. Cecil).



same position was ardently advanced in the 1598 discourse, which declared: “it is as true a saying as it is olde, *Newe Lords, New Lawes*”.<sup>83</sup>

## V

The opinions expressed in the 1598 “That planting of Collonies, and that to be begonne onely by the dutch, will geue best entrance to the reformation of Vlster” are unmistakably those of an Old Englishman anxious about the future of his country and the place of his compatriots within it. Envisioning roles for many other groups, be they Dutch, English, or even Gaelic Irish, the author’s primary concern is the recognition of, and justice for, his community. These were of paramount importance to the London-based lawyer, Richard Hadsor. The same could be said for many other Old Englishmen at this time, but the fact remains that the opinions and advices advanced in this 1598 discourse share too much in common with those expressed by Hadsor throughout his career. Equally significant is that Hadsor was one of the few Old Englishmen privileged enough to expose these concerns so candidly to English policy-makers. Although all Old Englishmen shared anxieties about political exclusion and perceptions of their supposed degeneration, connecting these concerns with the misapplication of law is unique to Hadsor. Indeed, on the issues of Old English displacement and the legal misrepresentation of this group, the 1598 discourse and Hadsor’s 1604 discourse are almost identical in their analysis. Similarly, although other contemporaries shared an aversion to militaristic colonialism, Hadsor is the only Old Englishman known to have recommended Dutch colonists for Lough Foyle. These unusual commonalities are easily discernible, but the timing of this treatise is also suspiciously propitious. At the very same time that this anonymous 1598 discourse was being composed, Hadsor was a lawyer at the Inns of Court, acting as an advisor on Irish affairs, occupying himself with Ulster land issues, representing clients who proposed colonisation around Lough Foyle, submitting his own opinions for Irish socio-political reform, and composing discourses on the mere Irish. Coincidence? Probably not.

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83. TNA: PRO, SP 63/202(4)/75, fol. 236r.

{fol. 232r}            That planting of Colonies, and that to be  
begonne onely by the Dutch, will geue best  
entrance to the reformation of Vlster<sup>84</sup>

Twoe opinions were much discoursed vpon: Touching the Rebell Tyrone, and the suppression of his forces.

Th'one was (w<sup>ch</sup> was strengthened w<sup>th</sup> many arguments) That the building and mannyng of fortresses vpon certain Straights was the onely waye to spoile him of his Cowes, and so starue him; Or to kepe him w<sup>th</sup>in certain bondes, and so confounde him.

Th'other syde, w<sup>th</sup> more probability affirmed, That he was rather to be ouer runne w<sup>th</sup> a strong Army, pursuyng his forces, and taking lykewise his cowes, w<sup>th</sup>out intermission, and w<sup>th</sup> such celerity, that he should haue no leysure to auaille himself, w<sup>th</sup> his complotting at home, nor lykelyhood to expect ayde from his Colleagues abroad: So as hart and hast being vsed in the expedition, he might looke for none other thing, then his confusion to followe.

My opinion is, That the Rebell is not to be supplanted, by any of these former courses alone.

For wheresoeuer Garrisons are planted in Vlster (consisting of nene large sheires) there the ennemy is dispossessed but of euery small plott of gronde, w<sup>ch</sup> can serue but to small purpose considering there is neuer a Towne w<sup>th</sup>in 40<sup>ty</sup> myles, to minister vnto them any supplies, yf they lacke victuails or be besieged they are an occasion of putting the whole forces there to much Stresse, whether it be in victuailing of them, or in remoouing the enemies, doing much hurte to the subiect in passing too and froe. And no way restraining him from hurting the good Subiect.

Besydes Garrisons doe impose, according to their continuance, mighty chardge vpon the Crowne, and no lesse burthen vpon the subiect, and being discontinued or neglected, doe remaine as a marcke of Triumphe to the Enemy. So as they are kept w<sup>th</sup> great charge, supplied w<sup>th</sup> danger, and lost or quytt w<sup>th</sup> dishonnor.

{fol. 232v}            Touching an Armye

As for a running campe, to Inuade, yf they be vnder six thousand, they can not preuaile, yf they be aboue, they can hardly or not at all be victuailed, for infinite difficulties both of carriadges, conuoyes, and badnes of the wayes: The whole Prouince being in nature of a desarte, where men must onely trust to what sustenance they carry w<sup>th</sup> them.

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84. TNA: PRO, SP 63/202(4)/75 (1598. That planting of Collonies, and that to be begonne onely by the dutch, will geue best entrance to the reformation of Vlster). Although two other versions of this discourse exist, this version was selected because it is the only one for which a partial transcription already exists and it is, therefore, more accessible to readers. See *Cal. S.P. Ire., 1598–99*, pp.438–442. Moreover, excepting minor spelling inconsistencies, all three versions of the text are almost identical in content and structure, thus any one of these versions would have been acceptable for presentation.

Also the manner of the Irishe is, That when they vnderstande the Queenes forces to be vnited, and bent towards them, Then they disperse, and leaue them onely to meete w<sup>th</sup> trauell, w<sup>th</sup>out lodging, colde w<sup>th</sup>out clothes, hunger, hurtes and sicknes[s], w<sup>th</sup>out meate, helpe or place of retrayte; w<sup>th</sup> w<sup>ch</sup> plagues, when they are weakened, and the date of their Iourney expired, Then shall they be sure to be fought w<sup>th</sup>all vpon euery place or passadge. Yf there be ought gained by such a Iourney, the Ennemy will recouer it, w<sup>th</sup> an encrease of much glorie, in seeming to be able, to hold out against her Ma<sup>ties</sup> forces, who hath contested w<sup>th</sup> the greatest Monarchies of the worlde, alwaies w<sup>th</sup> honor, and most tyme w<sup>th</sup> aduantage.

The onely way then must be to plante collonies, and that by geuinge absolutely to one great Personnage some one Shire, assigning him some certain number of Gentlemen of estimation, to whome the whole may be distributed in sundry partes, w<sup>th</sup> a Subdiuision from those men to a lower sorte, and still planting neere together, that they may be the better able to seconde each other vpon all occasions. Prouided alwaies they be wholly Englishe.

So shall they be tyed to the obedience of such orders and lawes, in keeping numbers of horse and foote of the Englishe, and all other obseruances, that shalbe sett downe in their Tenures: where otherwise such planters as are leaft to their owne willes, haue taken libertie to sell awaye their possessions, or lett the same to ferme, to such as will geue moste, be he what he liste, Irishe or ells. By meanes whereof Leyse and Offaly, called the Kings and Queenes Contrie, are destroyed, wasted, and in a manner loste, being but lately conquered and inhabited w<sup>th</sup> {fol. 233r} Englishe, for lack of one chief man to tye them to their obeysance of their limited dueties. And Munster is lyke to followe in the same sorte, yf preuention be not the sooner vsed in constraining them to keepe English Tenants according to their Tenures.

That this course is the onely way, it is prooued by the Presedents of her Ma<sup>ties</sup> noble Progenitors. for when Dermod M<sup>c</sup> Morgho came hether to King Henry the 2 to craue helpe to be restored to his Principalitie of Leymster, from whence he was banished, the king lycensed all such as would ayde the Outcaste, to go w<sup>th</sup> him, And gaue them com[m]ission to gett by force or composition what they could of the Irishe. By meanes whereof Strangbowe Erle of Chepstowe w<sup>th</sup> many other Gentlemen proceeding in the entreprise, and speeding so well as they (not onely repossessed M<sup>c</sup> Morgho) but also gained to themselves much landes, And gott an acknowledgement of obedience from the Pettye Kings there, to the king of England, w<sup>th</sup> tribute from Townes and Citties.

Whereupon the king still pursuing the same course, gaue all Vlster to Cowsey. All Meath and Westmeath to Lacey, many partes of Connought and Leymster to Strangbowe, and Munster to diuers others, from whome other men of different degrees deriue their estates and quantities of lands proportionable to their callings. As may appeare by all that do holde firmly for her Ma<sup>ty</sup> who doe occupy those possessions so gained by their Predecessors to this daie, especially those of the English pale.

In lyke manner Robert fitzhamond before that tyme, in William Rufus daies, w<sup>th</sup> the kings licence inuaded Glamorganshire in Wales, standing then in as

bad termes, as now Vlster doth, and hauing slaine Rees the possessor thereof, Inuested himself in the Seignory, deuided the whole between 12 Gentlemen of estimation, w<sup>th</sup> condition to be by them subdiuided in forme afore said, whose forces and followers ded sett in such sure footing, as noe resistance could w<sup>th</sup>stande them, nor violence, nor malice of the Walsh expell them, to this daie, as may appeare, by such famelies as are yet exstant in that contrie, namely the Strodlings, {fol. 233v} Turburviles, St. Johns, Saywardes, and Sullies, the remnant of that noble collonie.

Since therefor it was the guise and manner of former kings, to geue awaye whole contries to such great Personnages, as could winne and Inhabitt them, contenting themselves onely w<sup>th</sup> small tributes, The conquest being to them noe way chargeable, counting their wealth and strenght cheefely to consiste in the multitude of their good and riche subiects, from whome neuerthelesse in tyme, proffitts and wardships, releefs, lawe proffitts, Church proffitts, Subsidies, Customes, Impostes, and such lyke ded arryse. And those great Personages distributing those Contries to others vnder them, the whole was tyed together w<sup>th</sup> a strong bonde of loue and feare to their Superiors. So as euery one (hauing where w<sup>th</sup>all to lyue) and to leaue to their wyfes and children, ded and would spende both their lyues and goodes, in the defence thereof, So forcible is the desire of Possessions, and so pleasing is the sweete of Propertye.

Now for an Entrance to such proceedings, Considering the vnaptnes of our English nation (in a tyme of such blisse) to expose themselves to attempte of much hassarde and small certenty: My opinion is, That the Dutch are the fittest and aptest for many good considerations to breake the Ice of that entreprise.

First as they are very expedite in their consultations, condemning vtterly that slownes, w<sup>ch</sup> at last becomes playne dullnes[s] in kingdomes, to the breeding of many mischeefes. besides that they are the best choosers of executioners for their consultations, and most firme in prosecuting their resolutions, so are they the most ready and perfecte Arteists that be. hauing the greatest store of Shippes of any men, wherew<sup>th</sup> they can w<sup>th</sup> great facility carrie frames of Tymber and lyme w<sup>th</sup> them thether, where they shall finde stones in great plenty to build howses w<sup>th</sup>all, All w<sup>ch</sup> they can doe quickly, and will performe it willingly, her Ma<sup>ty</sup> geuing them large Immunities, Prevedges, and liberties, w<sup>th</sup> some good proportion of landes and freedome of fishing in Lough foyle, the Bande, and such lyke, w<sup>ch</sup> her Ma<sup>ty</sup> may doe w<sup>th</sup>out her hurte, And they thereby be brought {fol. 234r} to plante some two thousand Inhabitants, wheresoeuer the conueniency of their dwelling there may be thought fittest, for best steeding her Ma<sup>ties</sup> forces.

The benefitt of whose victuailing (being the best Staplers of victuails in all the worlde) and of harbouring, being a place of sure retraite vpon all occasions, their exemple of husbandry, handicrafts, trafficke, and obseruing good orders (whereto that nation are much inclined, will draw other men to their imitation, They being still able, to geue much furtherance to those purposes.

Yf any think it out of the way, to appoint Flemings rather then homelings to this busines[s], lett him remember, howe in Henry the first his tyme, a great parte of Flanders, being drowned, and ouercome by the sea, the Inhabitants of

those Territories, by the kings licence possessed themselves of a great parte of Pembrokeshire, where their posteritie remains to this daye, in little England beyonde Wales, for so the welshmen call it, for their language and for their faith and seruice to the Englishe, in those troublesome tymes. And albeit they were much hated and persecuted by the Walshe, yet wuld they neuer be rooted out, but ded continue as a principall meane for the reformation of those contries. Aswell by their valiance, as by the commodity of their dwellings and victuailles, whensoever the king inuaded those nations then continuallie in Rebellion, and as farr from conformity and ciuilitie as the mere Irishe nowe.

The conclusion is that no good can be done in Vlster, w<sup>th</sup>out planting and inhabiting some good strong Cittie, And that the best to beginne the same are the Dutch. And to ouerspreed the contrey, whole Territories must be geuen as aforesaide, to great men, and such as shall possesse the same vnder or for them, to paye very small rente for a tyme: And they to be held in the first constitution w<sup>th</sup> the authoritie and power of the said great men, whereby in shorte space the generation of those rebelles may be rooted out, or brought to due obedience, as the English pale be at this present, by the lyke meanes.

{fol. 234v} For all the Citties of Irelande were planted first by Easterlings, and not by the Irishe, for they neuer yet builded yet any Cittie.

A worde or twaine of the difference betweene the meere Irishe, and the Inhabitants descended of the English race in Irland, w<sup>th</sup> some shewes of their mutuall hatred.

Because that to my seeming the same is not well vnderstood, or if it be, it is not so feelingly apprehended, as the cause requireth.

Those of the English race doe retaine still all markes of their originall and their conqueste, viz. their names, surnames, language, habitt, building, tenures of landes, and conformity to the kings lawes. In all w<sup>ch</sup> they are altogether Englishe, to whome also they aneere in the manner of Seruice in their howses, in their husbandry, handicraftes, and trafficque.

Howe opposite the meere English<sup>85</sup> are in all and euery point of these may appear in examining the particulars aforesayde.

For none w<sup>th</sup> his good will wilbe called, Henry, Edward, Richard, George, francis, or such lyke Englishe names, but rather Morgh, Morryectaghe, Turrelagh, [ ]<sup>86</sup> and such harshe names, both for a difference to distinguish them from the Englishe, and as a marke of their offspringe w<sup>ch</sup> they obserue w<sup>th</sup> as great care, as they ioye therein w<sup>th</sup> greate boaste.

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85. The Calendar of State Papers, Ireland, notes: "sic, error for Irish". *Cal. S.P. Ire., 1598-99*, p.440. The term "meere English" appears in both this version and that contained in the Cotton Titus collection. See BL Cotton Titus B XII, fol. 115r. However, the term "meere Irishe" appears in the third version of this treatise. See TNA: PRO, SP 63/202(4)/76, fol. 241v.

86. The author left a blank space here, which appears in all three versions of the text.

For language they do so dispise ours, as they thinke themselues the worsse when they heare it. As ded appeare by old Conn O Neyle, father to the now rebell<sup>87</sup>, whoe vpon his deadbed, leafte his curse to any of his posterity that would either learne English, sowe wheate, or make any building in Vlster, Saying that language bredd conuersation, and consequently their confusion, that wheate gaue sustenance w<sup>th</sup> lyke effect, and in buildinge they should doe but as the crowe doeth, make her nest to be beaten out by the hawke.

For the rest, as habitt, Englishe manner of attendance &c. They so much abhorre them, as they count all those that vse them, but Boddagh gale, that is English pesant or churle. And in their rymes and dayely Iestes they hold nothing more ridiculous and reprochfull.

{fol. 235r} As for husbandrie, handicrafts, and such lyke, They holde them so base, as they curse those that acquainted them firste, w<sup>th</sup> such vilde wayes of lyuinge, so misleadd are they in Idelnes[s], and invred to the hatred of all good. So much for markes of difference.

Off their Naturall hatred.

They hate the race of the Englishe, as whose Ancestors ded first dispossesse them of all that is holden in Ireland by the lawes of England. As those whome the kings of Englande, ded before these tyme euer vse, as the instruments to abate their pride, so being made their continuall scourge, hath hatched a continuall hatred between them.

They also hate them, as those that do continually ayde the Englishe w<sup>th</sup> their lyues and goodes, harbouring and victualling all their forces, w<sup>thout</sup> w<sup>ch</sup> they saye, the Englishe could neuer preuaille against their fower powerfull Capitaines

As

Captaine Travell,	Captaine Sicknes,
Captaine Hunger,	Captaine Colde.

T[h]e meere Irishe do as duely expect the restoring againe to their old Pentarchie, as the Iewes ded the restitution of Israell, w<sup>ch</sup> infinitely may be proued by their obseruing their Genealogies from the olde kinges, w<sup>th</sup> what trueth it skilles not, soe the name remayne, w<sup>ch</sup> must doe euen because the reputed naturall childe is alwaies in as good estimation among them, as the legitimates, hereof may Donell Spaynagh att this present be an exemple, who forsoothe deryues himself from the old kings of Leymster, beinge indeede but a verie base fellowe.

Also their Bardes and Prophecies doe so lull them a sleepe, w<sup>th</sup> such tickling hopes, As they count no present miserie, burthensome in respect of their future expected felicitie.

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87. Conn O'Neill was Hugh O'Neill's grandfather, not father.

Yf the meere Irishe should preuaile, the old Englishe are sure to be rooted vp, driuen out and slaughtered w<sup>th</sup>out commiseration, as were

in Ulster	in Mounster
The Savadges	The Cogans
Lacyes	Brunells
Bissetts	Bardolphes
Stranges.	w <sup>th</sup> many more
{fol. 235v} In Connaught	in Leymster
The Bermynghams.	The Marquis Carey
Stauntons	Gyffordes
Jordanes	Escotts
Mortymers.	Mullyneux.

All very noble, numerous, and valliant famelies.

And since these late troubles there the Inhabitants of Leise and Offaly are suddenly blown vp, that ded as it were sett downe there but the daye before.

Onely the counties of Meath, Westmeath, Kyldare, Lowthe, & of Dublyn, w<sup>ch</sup> precincte is called the English pale, do hold out against them, still abyding the brunt of the Ennemye, and the burthen of the Souldiers.

Thus the difference between them, and their naturall hatred mutually weighed, th'extract of the English nation there, ought not to be excepted vnto, but rather imployed against the Irishe. As they haue euer ben since the conqueste, in that they are daylie seene to fight against them, for their honor, lyues, patrimonye and sepulchers of their Ancestors, and of whome in these late broyles no one of 10*l*. freeholde is gone to the Ennemye.

These prooffes being had of them w<sup>th</sup> their dayly protestation of faith and loyaltie, yf their truth may not acquire truste, they thinke violence to be offred to nature her self, in depriuing the child of his mothers milke, and in taking from them the rewarde of their faith and valour.

W<sup>ch</sup> partely procedes, That the descente of the Englishe (to their great greefe) are here called and counted Irishe, though there (of the meere Irishe) reputed and called Englishe. As in all the auncient Statutes and Recordes of that lande, where they are so called and reputed, may appeare.

W<sup>ch</sup> course all Ancient and Moderne exsample of forrain nations ded euer approue.

For the Grecians in all their collonies in Asia (though many descents were past, yet retayned, and were still called Grecians. The Romaines in their Collonies, amongst the Gaules and Spaniards, were {fol. 236r} still called Romanes. The descent of the Spaniards this day in America are still called Spaniards, And so in Callis the English race, were still called English. yet the poore descent of the English in Irlande, may in no wise be allowed that grace or priuledge.

And whereas in some lawes there be exceptions taken against the Irishe as that none of them shalbe Gouernors of certain named fortes and holdes,

nor be elected Lords Iustices by the State there, vpon the death of the kings Lieutenants or Deputies, notw<sup>th</sup>standing those cautions were made against the meere Irishe, As appeares by the subsequent wordes, in euery such Act, naming Mats and Oes, yet is the meaning thereof now erroneously enlarged to the excluding those of Englishe race from any such truste, contrarie to former Presedents, Then w<sup>ch</sup> nothing was lesse intended, nor can be more hurtfull to the gouuernement there.

And for a lanterne to looke as it were, into their very hartes, me thinkes their deuotion to the lawes of Englande might very well serue, whereto they are so much addicted, That there be alwaies here<sup>88</sup> aboute an hundred Students, where if they hoped not to be ruled thereby, they would neuer take the paynes, nor be at the coste, considering it is as true a saying as it is olde, *Newe Lords, New Lawes*.

I could wishe therefore, that the English were looked vpon w<sup>th</sup> some good gracious aspect, at her highnes handes, that is the well of remorce, the Shryne of Iustice, and the true patterne of a good Prince, w<sup>ch</sup> by the square of Christianity leuelles all her proceedings, whoe I pray God may long prosper and abound in those blessings that haue gained her, the title of a Goddess on earth, And highly may she be rewarded in heauen for righting her poore subjects in Irelande.

{Endorsed fol. 237v} Discourse for Reformation of Vlster by Collonies. 1598

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88. London.