

TNA: PRO SP 63/81/39

Copy of submission of MacWilliam Eighter to Sir Nicholas Malby, 1580/1

This document gives an account of a political victory in the west of Ireland as significant as any of Grey's military campaigns: the submission of Richard Yn Yeren Burke, a powerful rebel of long standing, and his official recognition as McWilliam Eighter (or Eughter, Ewghter, or Iochtar), traditional leader of the Burkes. The event is also described in another document copied in Spenser's hand, the set of legal articles drawn up between Burke and Sir Nicholas Malby (Governor of Connaught) in the Tower of County Mayo on 7 March 1580/1 (SP 63/81/15). At that meeting, Burke agreed to submit himself to Queen Elizabeth, to give over his son, Tibbot Burke, to Malby as a pledge of his good behaviour and fidelity, to pay Elizabeth all the rents and duties that he would acquire from his lands, and to promise not to support any Scottish or foreign troops. In return, Malby agreed to recognise Burke as McWilliam Eighter, '& to give him the stile prehemins and title of mac William by her Maiesties Authoritie'.

The submission reflects a significant policy shift in the New English administrations of Elizabeth's reign. Henrician engagements with Irish septs and families had been dominated by a process known as 'surrender and regrant', whereby great Irish magnates were persuaded to 'surrender' their Irish titles, with all their concomitant customary tenures and rights ('cuttings', or traditional exactions or taxes levyable on their people), in favour of the 'regrant' of an English title, by which they would afterwards hold their estates by fealty to the King as tenants *in capite*. This policy was introduced as part of a general anglicisation of Ireland after Henry was declared constitutional king in Ireland in 1540, forsaking his identity and rights as *dominus* or lord, inherited from Henry II by right of conquest. The problems that the policy of surrender and regrant was introduced to solve, however, did not go away; Irish lords continued to wield unfettered power in their local fiefdoms – power that was, if anything, confirmed and strengthened by the new grants – and the Dublin administration found that, due to the uninherited and co-elective nature of the traditional Irish form of sept or family headship, known as 'tanistry', new generations of Irish magnates considered themselves anyway free of feudal obligations to the crown. Elizabethan governors, and particularly Sir Nicholas Malby in Connaught, recognized that the failure of surrender and regrant had, however, created a very functional ambiguity in Irish politics, and that the two forms of legitimate political and social authority – Irish tanistry and English nobility – might be exploited in a new policy of 'divide and rule'. By encouraging great families like the O'Neills in Ulster and the Burkes in Connaught to divide, assigning the earldom to one young hopeful, while recognizing another man as the Irish tanist or even *taoiseach*, Malby, Sidney, and Grey hoped the great families would become riven by faction, weakened, and eventually manageable. This policy led to the carefully orchestrated antagonism between Turlough Luineach O'Neill and Hugh O'Neill, Baron of Dungannon, in Ulster; and, in April 1581, the official recognition of Richard Yn Yeren Burke as McWilliam Eighter.

Malby's tactics were straightforward: he ruthlessly harried Richard Yn Yeren with overwhelming military force until he submitted, and then offered him the Queen's recognition as the new McWilliam tanist (see SP 63/73/8). Burke's capture and

surrender in April 1580 are described in a long document entitled 'A discourse of Sir Nycholas Malbies service & procedinges' (SP 63/72/39: see notes below, and Brady, 1994: 282-83); this was followed by Richard Yn Yeren's formal document of submission, in which he petitioned for his local, quasi-feudal powers of rent-gathering in Mayo, in return for his obedience to the English administration, and further requested the Queen's protection (SP 63/72/62). All seemed to be going according to plan until, upon Sir John Burke's death in November 1580, Richard Yn Yeren Burke had himself installed as the new McWilliam and, far from dividing the power of the Burkes, joined with the sons of the Earl in rebellion against the crown. Another merciless military campaign followed, in which Malby again crushed Richard Yn Yeren Burke into the present submission, and earned the government the opportunity to do the startlingly strange work of the present document: to make an Irish taniist sue for letters patent from the Queen for recognition not of his English title, but his Irish headship. This lesson in the unscrupulous (and sometimes bizarre) manipulation of prestige and power relations was hardly lost on Spenser; one of Irenius' primary preoccupations in *A view* is the careful fostering of mutual and debilitating antagonisms within Irish septs: 'The Lordes and Captaines of Countries the principalles and heades of septes are made stronger whom it shoulde be a most peciall care in policye to weaken and to set vpp and strengthen diuerse of his vnderlinges againste which whensoever he shall Offer to swarve from duetye maye be hable to bearde him; ffor it is veye daungerous to leave the Commaund of soe manye as some septes are, beinge v or vj thowsand persones to the will of one man whoe maye leade them to what he will as hee him selfe shalbe inclyned' (ll. 1102-1110; see also the discussion of the O'Neill headship at ll. 3529-3548, and Zurcher 2007, pp. 191-98).

This copied document (including the reproduced signatures), written on successive sides of a single sheet of paper, is entirely in the characteristic secretary hand of Spenser. The endorsement was affixed to the letter at some later date, and is written in an italic hand; most of this attachment has been lost. Although it is dated by *CSPI* 1574-85 to 20 March 1580/1, no evidence of such a date appears on the letter; it may be that the editors of the *Calendar* believe that the copy was made to accompany Nicholas Malby's letter to Walsingham of that date (SP 63/81/38), in which he mentions the submission. It may be more likely, though, given his status as Grey's secretary and servant, that Spenser's services as copyist, perhaps producing this document and SP 63/81/15 at the same time, were called upon by Grey when writing to Leicester (about Malby and McWilliam) on 23 March 1580/1 (SP 63/81/41).

Endorsement

{. . .}4.
 Copie of mac Williams
 Sub{mission to} Sir {. . .}*

Text

To the right worshipfull Sir Nicholas* Malbey Knight Governour of Connagh and Thomond

In most humble wise sheweth vnto your worship Richard Inyren Burke alias mac William: Whereas vpon the Death of Sir Iohn Burke Knight late mac William the name & lorship of mac William Ewghter ought to descend & remayne vnto your Suppliaunt* as the best and eldest of his sept according the Custome of the countrie, which the said Richard by the persuasion and Counsell of the Clandonelles & other vnduetifull persones tooke vpon him, and entred into the possession of the lordship rentes and reuennue thereof without her maiesties authoritie or your Worships license And also by the like advice & persuasion of the said euill disposed persones reteyned a nomber of Scottes and Galloglas and ioyned with therle of Clanricardes sonnes in warre and rebellion against her Maiesty And perceiving how much he hath bene hetherto seduced and deceived by his said euill Counselloures and how farre he hath offended her Maiesty & incurred her displeasure & indignacion through his said vnduetifulnes & lewde disobedience, and that he is in no sort hable to withstand or resist her Maiesties forces, and that also by your worships travell he is driven & compelled to come in & yield him self vnto you at her Highnes pleasure, he therefore confesseth and acknowledgeth his said offences & ill behaveour & is very penitent for the same and doth simply submitt him self vnto her Maiesties mercy and to you her Chief officer in this Province, by whome in her highnes behalf he is content & willing to be ordered ruled gouerned & directed in all thinges, acknowledging further* that without her Maiesties further favour & mercy he is not worthy to live vpon the earthe He therefore most humbly besecheth your Worship to receive him into her Maiesties favour and to accept this his most humble Submission, and bee a meane for him to her Maiesty & the Lord Deputie to graunt him her Highnes gracious pardon, and that the said lordship may be confirmed vnto him by her Maiesties lettres Patentes as the late mac William had yt; for without her Maiesties allowaunce & graunt thereof he will not take yt vpon him, nor presume more therein then he hath doen already for the which he is hartely sorry. And he will not onely yield and answere vnto her Maiesty all suche rentes composicions dueties and services as the said late mac William did yield to her maiesty but also will stand to Your Worships ordre for all thinges touching thaduaancement of her Maiesties service & quietnes of the Country and putt away & expell the Scottes & enterteine none hereafter nor suffer none to come within his countrey And during his life shall contynue her Maiesties faithfull Subiect & seruaunt And will daylie pray for your Worship.

Richard Burkes alias
mac Williams marke. /

Being present when Richard Inyren made this
Submission & deliuered the same to the aboue named
Sir Nicholas Malbey in her Maiesties behalf, we whose
names are subscribed . /

Merbury	Edmond Athenry	Richard Burke
	Anthony Brabazon	
Teig mac William Okelly		Edward White
Robert Fowle	Huberd boy mac Davie Chief &c	

William Martin

Richard og mac Iohnnes

William Cotton

Thomas Correes

†Textual Notes

* *Endorsement Sir {...}*] Most of the endorsement, on a separate slip once affixed to the copied letter, has been lost.

†

* **Nicholas**] The name is abbreviated here, as in a few other places in this letter, 'Nichas'. We have expanded it, throughout, to the usual form.

†

* **Suppliaunt**] A terminal 'es' brevigraph has been deleted at the end of this word.

†

* *after further*] 'w^t' deleted.

Annotations

Connagh and Thomond] Malby had held this post since 1576. Thomond is the region that covers the south of Connaught and north of Munster.

Richard Inyren Burke alias mac William] See biographies.

Sir Iohn Burke Knight late mac William] See biographies.

the name & lorship of mac William Ewghter] On this title, see headnote.

the best and eldest ... Custome of the countrie] A **sept** is a clan. 'It is a Custome amongst all the Irisherie that presentelye after the deathe of anie their Chief Lordes or Captaines they doe presentlye asemble themselues to a place generallie appointed and knowne vnto them to Choose another in his steade, wheare they doe nominate and electe for the moste parte not the eldest soonne nor anie of the Children of their Lorde deceased but the next to him of bloode, that is the eldest and worthiest as Comonlye the nexte brother vnto him if he haue anye or the nexte Cozen germaine or soe forthe as any is elder In that kindred or sept. And then nexte to him do they Chose the nexte of blood to be Tanist, whoe shall nexte succede him in the saide Captenrye if he live thearevnto' (*A view*, ll. 191-201).

Clandonelles] Malby writes in his 'Discourse' that Richard Yn Yeren had 'perswaded the Clandonells in the County of Mayo to ioyn with hym in rebellyon against the state' (SP 63/72/39).

took vpon him] Assumed; i.e. he took the title of Mac William Eighter without due permission from the English Crown.

rentes and reuennue thereof] In SP 63/81/15, Malby promises to procure 'the profittes rentes revenues & lorships' of the title, by authority of 'her Maiesties lettres Patentees'. Among the benefits that Richard Yn Yeren is accused of falsely obtaining are the feudal duties from his title, which he now signs over to the English.

without her ... Worships license] The authority of Elizabeth's majesty, and of Malby's regional governance, supersede Burke's feudal claims.

a number of Scottes and Galloglas] On **galloglas**, see glossary, and Hayes-McCoy (1937). Richard Yn Yeren had procured Scottish troops to assist him in his rebellion. The Clandonnells, Malby writes in his 'Discourse', were 'accompted alwayes an invincible people, and the most strongest sept of Galloglasse in Ireland'; as well as their support, Richard Yn Yeren had petitioned

the 'owt ylles [isles]' for Scotland for aid, and 'gathered for hym aboute ahoundrethe bowes in the province of Vlster', where there was a continued Scottish presence (SP 63/72/39).

therle of Clanricardes sonnes] Malby's 'Discourse' suggests that Richard Yn Yeren was joined by other Burkes in his rebellion: he was initially supported by 'Vllyke Boorkes sept', and also apparently by one Thomas Roe Burke, who quickly submitted himself to Malby 'without protection' (SP 63/72/39).

travell] Efforts.

her Chief ... this Province] See above. Malby had effectively held this post in Connaught since 1576.

the same lordship] On surrender and regrant, see headnote.

composicions] Payments of debts. The wording is again here close to SP 63/81/15, where Richard Yn Yeren promises to pay Elizabeth all 'rentes services customes dueties composicions and rysing out' that were paid by his successor.

Edmond Athenry] Edmond Bermingham, 10th Lord Athenry (1540-1614). Athenry lies approximately 25km east of Galway. Also signatory to Richard Yn Yeren's document of submission (SP 63/72/62: see headnote). Present at the signing of the articles (SP 63/81/15).

Merbury] Probably John Merbury, gentleman of Connaught (see SP 63/110/21), also present at the signing of the articles (SP 63/81/15).

Richard Burke] Unidentified.

Anthony Brabazon] Deputy governor of Connaught (see SP 63/90/1 below), and Malby's son in law. Present at the signing of the articles (SP 63/81/15).

Teig mac William Okelly] Also present at another agreement made between Richard Yn Yeren and Malby, at which Richard Yn Yeren promised to pay 'vnto the said Sir Nicholas the fine agreed vpon betwixt them for his nominacion [...] ether in ready money or good in calf kyne' (SP 63/81/15).

Edward White] Clerk of the Council in Connaught between April 1579 and April 1582, he was present at the signing of the articles (SP 63/81/15).

Huberd boy mac Davie] Listed as paying rent in Connaught in 1577 (SP 63/59/71) and 1581 (SP 63/87/37).

Robert Fowle] Captain and Provost Marshall of Connaught in 1581 (appointed by Grey on Malby's recommendation: see SP 63/87/19, Grey to Privy Council, 9 December 1581, where Grey describes Fowle's 'sufficiencie in service, and his well deserving of longe tyme').

Richard og mac Iohnnes] Perhaps the Richard McJonyn, McJoyne or McJones, who was examined in February and March 1577 (see SP 63/57/39/26, 63/57/39/30, 63/57/39/31, apparently on the charge of having taken part in Clanricard's rebellion, claimed that he had been compelled to do so by Clanricard, and that he had sent the heads of three or four rebels to Galway as a token of his wish to be obedient.

William Martin] Perhaps the William Oge Martyn who had served as Bailiff of Galway in 1566-67, High Sheriff of County Galway and Jailer of Athlone Castle in the 1570s and 80s, in which capacity he had hanged William Burke, third son of the second Earl of Clanricard in 1580. He would be Mayor of Galway in 1586-87, and was present at the signing of the articles (SP 63/81/15).

William Cotton] Unknown. Present at the signing of the articles (SP 63/81/15).

Thomas Corrales] Unidentified.