

A Mullingar election of 1637

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By 1640 small corporate towns had become an established feature of Irish life. Many of these were recent creations, stemming from the plantation and colonisation schemes of the early seventeenth century. Others, particularly in the Pale, were much older being the result of the earlier Anglo-Norman colonisation process. While it is possible to recreate something of the topography and formal government structures of these towns much less is known about how they actually worked. Corporation minutes were either not kept or have not survived before the end of the seventeenth century. Only occasionally when a dispute erupted is it possible to catch a glimpse of town government at work. The document printed here, from one of the petition books of Lord Deputy Wentworth, provides such a glimpse in the case of Mullingar.

By the 1630s Mullingar was a well established town. No formal charter can be found but by the end of the thirteenth century a provost and bailiffs are mentioned and in 1542 it became the shire town for the newly-established county of Westmeath. Fairs had been established at the site since the early thirteenth century.¹ Whatever about the formal structures of government it seems that by the 1630s control of the corporation had fallen into the hands of a small oligarchy of families. One faction in this oligarchy is represented in the petition by Adam Petit, Alexander Hope, James Cristell and William Mortell. All these families had been active in the government of Mullingar since the late sixteenth century. Alexander Hope, for instance, was the son of Thomas Hope, the constable of Mullingar in 1609 who, in turn, was the son of Walter Hope who had been the constable of Mullingar in 1583 and had acted as agent of the corporation in petitioning for a regrant of the fair.² At the beginning of the seventeenth century most of these families lived in town of Mullingar, probably as merchants. By the 1630s some had begun to invest in land outside the town, a feature of life common in many Irish towns at this time. Alexander Hope can be found in the town of Mullingar in 1629 but by 1637 he was living in the townland of Clonemore.³ Adam Petit was resident in Ballinderry in 1627, although

Edward Petit, who may have been his brother, remained in Mullingar and in 1641 a tower house called Adam Petit's castle existed in Mullingar.⁴ James Cristall, although resident in Mullingar in 1629 was also acquiring land outside the town.⁵ One member of the opposing faction in the 1637 dispute, Andrew Tuite, lived in Clonkill.⁶ Despite establishing interests outside the town these families continued to have representatives in the town. As late as the hearth money rolls of the 1660s a George Cristall and an Andrew Petit can be found among the residents of Mullingar.⁷

Residence outside the town clearly did not dim the interest of the protagonists in this dispute in its government. Part of the explanation for this was the normal politics of faction created by familial attachments to the place but, as the text printed here indicates, local profit was also an important element in determining actions. Little is known about the economy of Mullingar before the 1660s but its mainstay seems to have been as a market centre. Mullingar was a place between Lough Owell and Lough Ennell where a number of regional routes converged and hence it was of considerable marketing importance. For this reason the ownership of the rights to collect dues at markets was clearly valuable and the appropriation of fair tolls lay at the core of the 1637 dispute. In 1583 the queen had granted the tolls of two fairs held in the town to the corporation without a rent on condition that the corporation appoint a collector who would account for the tolls after each fair. The money collected was to be use to build a wall around the town.⁸ It is not known if any work was undertaken on the construction of a wall in the 1580s, and in 1641 only the north part of the town was walled.⁹ What seems likely is that the bulk of the revenues from the fairs became part of corporation property and in 1609 the corporation was certainly prepared vigorously to assert its claim to them.¹⁰ From this it was a short step to appropriating the income from fairs to the use of a factional group within the corporation. Failure to account for income meant that it simply accrued to the collector as was true in this case since one group had simply appropriated the customs by failing to account for them. Ensuring that their candidate continued as portreeve meant that this situation could continue indefinitely.

The dispute over the election of the portreeve in Mullingar in 1637 reveals the oligarchical nature of corporate governance in early seventeenth-century towns. How widespread such arrangements were is not known but in sixteenth-century Trim a number of portreeves

were not beyond enriching themselves in the beer and wine trade contrary to local laws.¹¹ What is clear is that the ability of a small group to monopolise local power inevitably led to the sort of financial arrangements which impoverished local authorities and enriched local magnates. Such a situation was only one more difficulty for central government to contend with, a government which under Lord Deputy Wentworth in the 1630s was trying to stamp its authority on the localities. This may explain why the defeated faction on this occasion chose to appeal their case to Lord Deputy Wentworth. That appeal led to the preservation of the details of this dispute in Wentworth's petition book.

The text of the document is not modernised except that some punctuation has been supplied to make it more comprehensible.

TEXT

British Library, Harley MS 430

[f. 161] The petition of the burgesses and freemen of the corporation of Mullengare

Sheweth unto your honour that the ancient custom and laws of the said town of Mullengare in the county of Westmeath are that on the first Monday after the first day of August yearly, and is always hath been, the day for choosing and electing a portfiffe for the next year following within ye said town. According to which custom in August the portriffe and town and Mullingare hath called an assembly of the burgesses and freemen thereof. And on the first Monday after the first of August last, most of the ancientest burgesses and freemen of town made choise of Andrew Tuite esq., now high sheriff of the said county, to be their portriffe for the next ensuing year. Notwithstanding one Alexander Hope and James Cristell being 300li a peece in arrears combined with one Adam Pettitt to get their own friends and freemen to elect the said James Cristell to be portreive on purpose to defeat the corporation of the just arrears due from Hope and him to them. And upon the day of assembly [they] made a great uproar in the place of their assembly and combined with William Mortell, the portreeve for the last year, not to stay in the assembly at the time of the election but to make the said James portrive, who had been 3 years portreeve together before which he became in arrears for not accompting for the profits of the fair. And although the said Andrew Tuite was lawfully elected, and that for many good causes and in a certificate appeareth,

yet the said Hope, Cristell and Pettitt would not allow thereof and although the said Tuite [was] sworn portrive on Mich[ealm]as day last yet the said Hope does still disturb him in his office that he is not the lawful portreeve insomuch as the said Tuite is fearful to take upon him the said office so that the town will be much hindered unless by your honour's grave wisdom speedilly relieve [f. 161v] the premisses considered. May it please your honour to send your special direction and command that the said Tuite may be portreeve and quietly enjoy his office during this next ensuing year. And to grant unto your petitioners your honour's order requiring the said Hope, Cristell and Pettitt to give their personal appearance before your honour to answer this their contempt and to order them to make just satisfaction unto your petitioners of the arrears due by them.

Dublin Castle

4 October 1637

We pray our very good lord the lord chief baron having informed himself in this matter to certify us his opinion what he thinks fitt to be done thereupon.

References

- 1 J.H. Andrews, *Mullingar: Irish historic towns atlas no. 5* (Dublin, 1992), pp 7, 11.
- 2 *Inquisitionum in officio rotulorum cancellariae Hiberniae ... repertorium* 2 vols, Dublin, 1826-9), i, Westmeath, James I no 6; James Morrin, *Calendar of the patent and close rolls of chancery in Ireland, Elizabeth* (Dublin, 1862), p. 48.
- 3 *Inquisitionum*, i, Westmeath, Chas I nos 129, 132.
- 4 *Inquisitionum*, i, Westmeath, Chas I no. 13; Andrews, *Mullingar*, p. 10.
- 5 *Inquisitionum*, i, Westmeath, Chas I no. 57.
- 6 *Inquisitionum*, i, Westmeath, Chas I no. 64.
- 7 John Brady, 'The Mullingar hearth money roll, 1665' in *The Franciscan College Annual*, 1950, pp 60, 61.
- 8 Morrin, *Calendar of patent rolls*, p. 48. Compare the situation in Trim in 1578 in Micheal Potterton, *Medieval Trim* (Dublin, 2005), pp 152-3.
- 9 Andrews, *Mullingar*, p. 10.
- 10 *Inquisitionum*, i, Westmeath, Jas I no. 3.
- 11 Potterton, *Trim*, pp 151-2.