The Origin of the Fitzmaurices, Barons of Kerry and Lixnaw.

By GODDARD H. ORPEN, Litt.D.

It is now twenty-three years since Dr. J. Horace Round treated "The Origin of the FitzGeralds" in his masterly way in The Ancestor (vols. I. and II.). He did not indeed attempt to establish the fanciful descent of the Geraldines from the Gherardini of Florence, but was satisfied to start with Walter FitzOther, castellan of Windsor about the close of the 11th century—a sufficiently hoary antiquity. Dr. Round however was concerned with the various descendants of Walter FitzOther only to about the close of the 12th century, and though he reached the sons of Gerald of Windsor he made no attempt to indicate where the line of Desmond or that of the FitzMaurices of Kerry branched off. It has however been long perceived by discerning writers that Maurice FitzGerald, the "first conqueror," had a younger son named Thomas (not mentioned by Dr. Round, and indeed not named by Giraldus Cambrensis), who was ancestor of the Earls of Desmond, but though such writers were dissatisfied with the time-honoured pedigrees which derived the FitzMaurices of Kerry from a supposed son of Raymond le Gros named Maurice, and tried to amend their obvious inconsistencies, yet it was not until 1914, when my paper on the Origin of the FitzMaurices appeared in "The English Historical Review," that a more probable starting-point for the family was pointed out. The view there taken has since been adopted in Burke's Peerage, and, so far as I know, has nowhere been controverted. In the present paper I propose briefly to recall to mind the principal points made in my former paper,[1] to add some additional arguments in support of the view there taken, and to make some further corrections in the pedigree as given by Lodge.

According to Lodge, who appears to have followed a pedigree drawn up by Sir William Segar, Garter King of Arms (1603-1633), the FitzMaurices are descended from Maurice, a supposed son of Raymond le Gros and Basilia de Clare, Strongbow's sister. Raymond is represented (but without authority) as having been given by Dermot

1. For a fuller statement and for additional references to authorities I must refer my readers to my former paper.

MacCarthy King of Cork "a large tract of land in Kerry . . . . . where he settled his son Maurice,"—hence the FitzMaurices and the barony in Kerry called after them, Clanmaurice. That there was an eponymous Maurice may be taken for granted, but that he was a son of Raymond le Gros cannot be maintained in the face of the plain statement of Raymond's cousin, Gerald de Barry, the contemporary historian of the Conquest, that Raymond had no legitimate children, and in face of the fact that Raymond's known manor of Fothered in County Carlow escheated (after the death of his widow) to the lords of Leinster. Sir William Segar probably did not invent this descent. It seems to have been current at the time. In the Book of Pedigrees by Michael O'Clery, one of the Four Masters (c. 1575-1635), it is stated incidentally that "the Graces and MacMaurice of Kerry are of the race of Reman de la Gros."[2] The origin here ascribed to the family of le Gras or Grace (and repeated by Lodge) is another hardy imposture. Their origin must be sought elsewhere.[3] The fact is that Irish shanachies, though often surprisingly correct to an even earlier period in the stems of Irish chieftains, cannot be trusted in the earlier steps of the descents of the Anglo-Norman settlers.

Next we are told that Maurice son of Raymond "had a grant of five knights' fees from King Richard I. in Coshmange and Molahiffe in Desmond, and married to his first wife Johanna, daughter of Miles FitzHenry . . . . and by her had Thomas his successor, the first Lord FitzMaurice of Kerry so-called." Here we can detect the genesis of this part of the story. It was not Maurice, but Meiler FitzHenry, who about this time got the grant of land along the river Maine, known as *Cois Mainge*. The grant is entered on the Charter Roll of 2 John where it included two cantreds of land in Kerry, namely "Akunkerry" (i.e., *Aicme Ciarraighe*, now the barony of Trughanacmy) and "Huerba" (i.e. *Ui Ferba*, Offerba, the coastland about Tralee Bay), and a third cantred about Killarney in what was then called Cork or Desmond; and since, not indeed exactly these districts, but the adjoining barony of Clanmaurice on the North afterwards belonged to Thomas son of Maurice and his successors, it was inferred that

2. See Journal Roy. Soc. Antiquaries Irel. vol. XV. (1879-82) p. 428.
3. See "Ireland under the Normans," vol. III., pp. 50-2.

Maurice must have married a daughter of Meiler and got the land with her. But Meiler, like Raymond, had no legitimate children, and his lands became escheats in 1216,[4] and this, as we shall see, was the time when escheats in Kerry were re-distributed, and when ancestors of the Earls of Desmond and of the Barons of Lixnaw appear to have first obtained lands there.

Then, according to Lodge, "Maurice married secondly, in 1177, Catherine, daughter of Miles Cogan . . . . . Lord of Belvoir, now Carrigleen," and by what appears to be another misconception the MacMorrises of Brees in Co. Mayo are said to have sprung from this second marriage.[5] But as Thomas FitzMaurice, the offspring of the first marriage, must have been born in or before 1177, and as he is said in the same pedigree to have died in 1280, it was soon perceived that these dates would make him at least 103 years old at his death. Accordingly in a copy of Segar's Pedigree, revised apparently by Robert Downing and dated 1696, now in Ulster's Office and referred to by Lodge, the FitzHenry marriage is omitted and only the marriage with "Katherin, daughter of Lord Richard Cogan," of Belvoir or Carrigleen is mentioned, and the dates both of this marriage and of the death of Thomas FitzMaurice, son of the marriage, are discreetly omitted, thus avoiding one obvious improbability. But as both this revised pedigree and that followed by Lodge go on to state that this Thomas FitzMaurice "had a grant from King John in the first year of his reign of ten knights' fees in Ivetorna and Ivefarba in Kerry," so that we must suppose that he was of age at that date, and as that date is just 26 years after the marriage of Raymond le Gros and Basilia, his supposed grandparents, we are confronted with a still greater, if less obvious, improbability. Moreover to call a de Cogan lord of Beauvoir or Carrigaline at this time is an anachronism, as that Manor did not come to the de Cogans until after the death of Gerald de Prendergast, c. 1250, when it descended through Gerald's daughter to John de Cogan's son.[6] By Ivetorna and Ivefarba are clearly intended the cantreds or deaneries of Odorney (*Ui d-Torna*) and Offerba (*Ui Ferba*).

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4. See "Ireland under the Normans," vol. III., pp. 133-5, and Close Roll, 18 John (Hardy), p. 272.
5. It seems almost certain that the MacMorrises of Clanmorris Co. Mayo were Prendergasts. See "Ireland under the Normans," vol. III., pp. 209-211.
6. Cal. Documents Irel. vol. I. No. 3203.

No such grant is now to be found, but as Odorney at any rate belonged to Thomas FitzMaurice and his successors, Lords of Kerry, the grant from the Crown was perhaps inferred.

This Thomas FitzMaurice is said to have founded the Grey Friary of Ardfert in 1253, and there is no reason to doubt this statement. The date is that given by the Four Masters, who however do not mention the founder's Christian name, calling him simply *Mac Muiris Ciarraighe,* or MacMaurice of Kerry. As however from about 1280 to his death in 1304 we find a Maurice FitzThomas as the well authenticated Lord of Kerry, there is little room for doubt that his father, Thomas, was his predecessor and to be identified with the founder of Ardfert Friary. At this period, and indeed for long afterwards, the surname FitzMaurice was not fixed, but as with other branches of the Geraldines, the patronymic changed in each generation with the father's name. We are not however done with impossibilities. This Thomas is said to have "married Grany (Grace), daughter of MacMurrough Cavenagh, son of Dermot, King of Leinster." The only son of Dermot who survived him was Donnell Kavenagh, and he is clearly intended. But he was slain in 1175, so that his daughter must have been born before that, and can hardly have been the mother of a man who flourished between the years 1280 and 1304!

When actual circumstances or the state of the law prevent charitable bequests from taking place in exact accordance with the expressed will of the testator, there is a rule of law that they should be interpreted and carried out "çy près," or as nearly as may legally be. Some genealogical writers seem to have adapted this doctrine to the FitzMaurice pedigree as drawn up by Sir William Segar. As the childless Raymond was a barren source for the family, the eponymous Maurice must, some supposed, have sprung from Raymond's next brother Griffin.[7] Again, as Thomas FitzMaurice, the first lord, lived to the year 1280, his mother could not well have been Maurice's first wife, as she died in 1177, so it is thought better to make him the offspring of a second and undated marriage,[8] or better still to kill him "in or about 1260."[9] And lastly, as the mother

7. Journ. Royal Soc. Antiquaries, Irel, vol. XXVI. (1896). p. 238: Burke's Peerage, 1913 edition.
8. The pedigree of 1896.
9. G.E.C.'s Complete Peerage.

of Maurice FitzThomas, the second lord, who flourished from about 1280 to 1304, could not well have been the daughter of Donnell Kavanagh, slain in 1175, it was assumed that his mother was a daughter of some other "McMorrogh then called King or Prince of Leinster,"[10] or even a supposed "great great granddaughter of King Dermot."[11] How much better to discard this early part of the pedigree which has been proved so faulty, and see how far contemporary records, viewed in the light of what is known of the general history of the time and place will lead us.

Now a close study of that history has led me to see that there could have been no settlement of the Anglo-Normans in Kerry prior to their permanent occupation of Limerick (c. 1197) at the earliest, and that the first indication of any attempt to deal with land in Kerry was the grant by King John in the year 1200 of three cantreds there to Meiler FitzHenry, his justiciar, as already mentioned.

Also that it was not until 1215 that we hear of the commencement of an organised attempt to hold Kerry and Desmond by erecting a number of castles at various points on or near the South-West coasts of Ireland. In particular in or soon after that date the southern boundary of what was then known as Kerry was defended by a string of castles at Currans, Molahiffe, Clonmellan, Castlemaine, Callanafersy and Killorglin. The erection of these castles is ascribed either to *Muiris mc Tomais mc Gearailt*, i.e., Maurice son of Thomas FitzGerald (the last name being used as a surname), or to the son (more correctly grandson) of Maurice FitzGerald.[12] When we turn to the public records we find that in this very year, 1215, a new policy was initiated for the control of the Irish clans in the West of Munster. On July 3rd King John granted the custody of the counties of Waterford and Desmond to Thomas FitzAnthony, seneschal of Leinster, and all escheats in those counties—Thomas to be reimbursed the expence of fortifying castles in the same.[13] On July 4th the King gave to Thomas

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10. Pedigree of 1696.
11. Roy. Soc. Antiquaries Irel. vol. XXVII (1897), p. 239.
12. See Annals of Inisfallen (Dublin). The best Text is the T.C.D. MS. H.1.7. It is a late compilation, but particularly valuable for Munster history, as the compilers had some Munster Annals not now extant. See, too, O'Donovan's note (y) to Four Masters, 1215.
13. *Rot. Chart.* 17 John p. 210b.

FitzAnthony for a fine of £400 the custody of the lands and heirs of Thomas FitzMaurice.[14] On July 6th, Geoffrey de Marisco was appointed justiciar of Ireland, and on the 7th the King directed that "Maurice son of Thomas son of Maurice, a hostage," in the custody of one William Malet, should be delivered to Geoffrey to be brought with him to Ireland.[15]

Now this Thomas FitzMaurice above-mentioned was son of the first Maurice FitzGerald who came to Ireland. He is not named by Giraldus Cambrensis, perhaps because he was too young to take any part in the fighting. Even his elder brothers, Alexander and Gerald, appear to have been mere striplings in 1171 when besieged in Dublin. He is however well authenticated. With his brothers, William, first Baron of Naas, and Gerald, ancestor of the Earls of Kildare, he shared in the exploitation of the land about Limerick in 1197-1200, where the mote of Shanid represents the seat of his Manor of Connello. He appears as a juror on two important Limerick inquisitions.[16] Along with Geoffrey de Marisco, who had married his brother Gerald's widow,[17] he led a large force from Munster to join King John's army in Ireland in 1210.[18] He took part in the Declaration of loyalty to King John in 1211, and died in the winter of 1213-14,[19] leaving two sons. The elder, his heir, was the well-known John FitzThomas, ancestor of the Earls of Desmond, now given in wardship to Thomas FitzAnthony, who afterwards gave him one of his daughters in marriage; and the younger was clearly this Maurice, son of Thomas FitzMaurice, the hostage committed at the same time to Geoffrey de Marisco to bring to Ireland.

Surely we have here the Maurice son of Thomas (FitzGerald) for whom at this time castles were being built in Kerry, and we need not go further to find the Maurice who was the eponymous ancestor of the FitzMaurices Lords of Kerry. Probably both brothers were now assigned their lands in Kerry.

(To be continued.)

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14. *Rot. Pat.* 17 John p. 147.
15. *Id.* p. 148b. "Mauricius filius Thome filii Mauricii."
16. Black Book of Limerick (MacCaffrey) pp. 27, 29.
17. See my paper on "The FitzGeralds Barons of Offaly," in Journal Roy. Soc. Antiquaries Irel. vol. XLIV. (1914) p. 102 *et seq.*
18. *Rot. de Prest.* (Hardy) pp. 188, 202.
19. Cal. docs. Irel, vol. I. Nos. 448, 529.

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(*Continued*)

The lands of Meiler FitzHenry became escheats about this time, seemingly through his taking the religious habit in the Monastery of Old Cornell which he had founded.[20] In 1216 his cantred of Offerba was confirmed by the King to John de Clahull, [21]while the other two cantreds, Ackmikerry (Trughanacmy) and "Ogenathy Donechud" (i.e., *Eoghanacht ui Donnchadha,* the district about Killarney), appear among the lands of John FitzThomas at his death in 1261, as found in an inquisition taken on the coming of age of his grandson and heir in 1282. By the same inquisition it was found that John FitzThomas also held in the county of Kerry "one theodum (*tuath*) in Moyhynwyr of William de Coher (Goher) at 6d. a year and suit at the Court of Maurice FitzThomas at Altry and half the service of a Knight.[22] Altry (Irish, *Altraighe*) was the name of the low-lying district to the East of Cenn Bera (Kerry Head). Listowel was in it and I think Lixnaw. The entry seems to show that at the time when John FitzThomas (who died in 1261) took Moyhynwyr from William de Goher it was held subject to suit of the Court of Maurice FitzThomas in Altry. If this be so, the evidence points to a Maurice FitzThomas, lord of Altry, prior to the Maurice FitzThomas (called by Lodge 2nd lord of Kerry), who is first mentioned in 1281 and died in 1304. Who then could this earlier Maurice FitzThomas be except the brother of John FitzThomas, viz., the hostage of 1215 whom we have traced above?

If this view of the origin of the FitzMaurices be accepted the dates no longer present any difficulty. Maurice the hostage of 1215 would have been born about 1197. His son Thomas (called the first lord) could hardly have been born before 1220—probably later—and there is no difficulty in accepting the year 1280 as that of his death and burial in Ardfert Friary which he had founded in 1253. The fact

20. Cal. Docs. Irel, vol. I., No. 691.

21. *Rot. de Finibus,* 18 John, p. 598.

22. Cal. Docs. Irel. vol. II. p. 429 and Cal. Inquis. p.m. vol. II. Ed. I. No. 437. See Plea Roll 32 Ed. I. quoted below. An old rental in the possession of the Marquis of Lansdowne, ascribed to the year 1300 and entitled "Ryntalle Domini de Leaksnavva," treats of the lands under the following two heads: (1) those in the "Cathedra de Otorna." (Odorney), (2) those in "Cathedra Oflannayn et Altry." The latter includes lands in Iraghticonnor as well as in the Eastern part of Clanmaurice.

that this date, 1280, was preserved in the early pedigrees in spite of the difficulty of reconciling it with the supposed time of his birth, is to my mind a strong indication of its authenticity, and from the precision with which the time and place of his death and burial are given I think they were probably derived from the necrology of Ardfert Friary. It was just about this time, viz., 1281, that we first hear of Maurice son of Thomas, the second lord,[23] and this corresponds closely with the date, 1282, when his second cousin Thomas, grandson of John FitzThomas of Desmond, came of age. The confusion which appears in the early part of the old pedigrees was, I think, largely due to identifying this Thomas son of Maurice, called first lord of Kerry, who died in 1280, with his grandfather of the same name and patronymic, often called "Lord of Connello" (Ui Conaill, the district about Shanid, Co. Limerick), who in fact died in 1213-14, as already mentioned.

I have elsewhere endeavoured to show that with the exception of Offerba, which was granted by the King to John de Clahull, Meiler's feoffee, none of Meiler's lands in Kerry were treated as escheats at the disposal of the Crown. The seignory of the lands was still regarded as belonging to the representatives of Robert FitzStephen and Miles de Cogan, to whom the Kingdom of Cork from Brandon Head, in Kerry to the river of Lismore had been granted by Henry II., and the Crown received no more out of it than the 60 services originally reserved.[24] The liability for these services was, in ordinary course, distributed among the actual feoffees, and thus we find that at his death in 1261 John FitzThomas held Acmikery (Trughanacmy) of Miles de Courcy (then representative of the de Cogan moiety) for the service of two knights,[25] and that in 1286 Maurice FitzThomas, the 2nd lord, paid in Kerry for the services due by Maurice de Carew, then the representative of the FitzStephen moiety.[26] It was indeed for their dealings with these escheats in Kerry (and others in Cork) to the prejudice of the Crown that Geoffrey de Marisco was superseded as justiciar in 1221,[27] and that shortly afterwards Thomas FitzAnthony was deprived of the custody of Decies and Desmond.[28]

A further argument, drawn from heraldry, in support of the above view was presented to me by the late George Dames Burtchaell, Athlone Pursuivant. Writing to me from the Office of Arms on 4th May, 1914, to acknowledge a copy of my former paper on "The Origin of the FitzMaurices," after stating that he thought I "had

23. Cal. Docs. Irel. vol. II. p. 382.
24. Except, somewhat illogically, 1½ services from Gerald de Prendergast: see English Historical Review vol. XVIII (1903) p. 504.
25. Cal. Docs. Irel, vol. II., p. 429.
26. Id. vol. III., p. 97. For the devolution of the seignory of Cork, see "Ireland under the Normans," vol. III., pp. 147-155.
27. Cal. Docs. Irel, vol. I., No. 1001.
28. Id. vol. I., Nos. 1108, 1543.

demonstrated their descent from Maurice FitzThomas (1215)," he continued :—" I doubt if the suggested descent from Raymond le Gros is older than the pedigree compiled by Sir William Segar (Garter King of Arms, 1603-1633) in 1615. Lodge refers to this in his Peerage published in 1754 under ' Kildare ' and ' Kerry,' and it is the ' MSS. pedig. penes Edit,.' see his notes referred to by Archdall. As to the ' unerring testimony ' of the Arms of the Lord Kerry, the Arms, as now borne are no older than the Pedigree of 1615. For I find in the oldest armouries in this office ' FitzMaurice Lord of Liksnaw—Ermine a saltire sable ; Sir Thomas FitzMaurice, Lord of Kerey and Baron of Leksnaw—Ermine on a saltire gules five annulets argent ; and FitzMaurice Baron of Kerry—Per saltire ermine and argent a saltire gules.' These go to show that before the establishment of this Office their Arms were uncertain ; but assuming that the first two coats were actually borne, that the family was a cadet of the house of Desmond whose Arms were Ermine a saltire gules." In other words, these arms are what we might expect if the FitzMaurices of Kerry were descended from Maurice, younger brother of John FitzThomas of Desmond, but not if (as supposed by Lodge) they were descended in the senior line from William de Carew, who (in spite of Lodge) we must regard, on the unimpeachable authority of his nephew Giraldus Cambrensis, as the eldest son of Gerald of Windsor.

One further correction I have to make in the early part of the pedigree given in Archdall's edition of Lodge's Peerage. It is there stated that Maurice FitzThomas, the second Lord of Kerry, had " issue by Mary, daughter and heir to Sir John McCleod of Galway, chief of his name (whose kindred are since commonly called McEligott) five sons and four daughters," whose names are given, and in a note it is added that this lady " brought him five knights' fees about Listowell and Tralee, the lands of Galy, O'Brenan, and Cloghan McKinn, with several others in Kerry." Possibly by " Galway " was meant the Scottish Galloway, but the evolution of McCleod into McEligott is not easy to explain, and in any case the marriage here ascribed to this Maurice is inconsistent with the record in a contemporary Plea Roll (32 Edw. I. m 29 (1303-4) from which I fortunately made a full extract before the Day of Doom came upon the Irish Public Record Office. The following is a summary :—

Sibilla, widow of Maurice son of Thomas, seeks against Nicholas son of Maurice one-third part of a house, watermill, lands (1060 acres) and rent in Lystothyl (Listowel, Ir. *Lis Tuathail*) in Altry, and of the fishery of the river Feer (qy. Feale Ir. *Feil*) in the same vill, and the third part of a house and lands (2400 acres) and rent in Viale de Kyllesshene, as her dower—And Nicholas says that Sibilla was not entitled to dower in Viale de Killaushene because one William son of Elias gave the said tenements to Maurice son of Thomas with one Elena his daughter in frank-marriage—And Sibilla says that the said

William gave the said tenements to the said Maurice and Elena to hold to them and their heirs, and not in frank-marriage, and she produces a fine levied before the justiciar to prove the same.—And Nicholas being unable to show any deed (*factum*) to prove that the tenements were given in frank-marriage, it was considered that Sibilla should have her dower, and Nicholas be in mercy for unjust detention. With regard to Lystothil, to the pleading of Nicholas that it too was given in frank-marriage to Maurice and Elena, Sibilla replied that it was given not in frank-marriage, but in exchange for other tenements—And the sheriff was ordered to summon a jury to enquire into the facts.

"Viale" is clearly the same place as "Vyaille" in the Justiciary Roll of 1307, to be mentioned below, and I think it represents the Irish *Biaille* mentioned by the Four Masters under the year 1582 (p. 1780) in connexion with Lixnaw, Listowel and Ballybunnion. It is now written Beale, situated on the estuary of the Shannon in Iraghticonnor. "Kyllesshene" or "Killaushene" may possibly be represented by Killehenny, the name of a townland and parish a little to the South of Beale.

(To be continued)

Tabular Pedigree of the Early FitzMaurices of Kerry.

Thomas s. of Maurice s. of Gerald of Windsor.
Obtained Connello (including Shanid) Co. Limerick, *c.* 1197;
d. 1213.

John son and heir of Thomas succeeded to Shanid; held Cantred of Acmikery of Milo de Courcy, and Moyhynwyr with suit of Court at Altry; killed at Callann, 1261

= Margaret daughter of Thomas s. of Anthony.

Maurice s. of John, Killed at Callann 1261.

= Matilda daughter of David de Barry.

Thomas son of Maurice, grandson and heir of John son of Thomas; called *An Appagh*; *d.* 1298.

= Margaret daughter of Thomas de Berkeley.

Maurice son of Thomas, obtained seisin, 1314; created Earl of Desmond, 1329; *d.* 1356.

= Katherine, daughter of Richard de Burgh, Earl of Ulster.

Maurice son of Thomas son of Maurice, a hostage released and sent to Ireland 1215; Held Cantred of Altry in Kerry; *d.* before 1253.

Thomas son of Maurice, Called 1st Lord of Kerry; founded Ardfert Friary, 1253; *d.* 1280.

(1) Elena daughter of William s. of Elias; Brought Listowel and Viale to her husband.

= Maurice s. of Thomas called 2nd Lord of Kerry; held Cantred of Altry; paid services for Maurice de Carew, *d.* 1304.

= (2) Sibilla—? obtained dower

Nicholas, son and heir. Knighted in 1313 by John son of Thomas, Lord of Offaly.

Peter, Robert, Patrick } younger sons.

Gerald claimed Vaylle.

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(*Concluded*)

On the same Plea Roll on the back of the same membrane was the record of a further claim by Sibilla against Robert son of Maurice for the third part of a house and lands in Lystaghe, of a knight's fee in Cathermorthy, of half a knight's fee in Couldorghith, of a house and lands in Feynyn, of lands and a fishery in Kyllynwragh (perhaps Kilfenora in the parish of Ardfert), and of lands, rent and a water-mill in Moyhile. And against Patrick son of Maurice a third part of a house and lands at Balywyn, as her dower. And to meet this claim Robert and Patrick called to warranty Nicholas son of Maurice.

William son of Elias (*Willielmus filius Elie*) of this Plea Roll, whose daughter was Maurice's first wife, may perhaps have been the "William Fitz Ely" who was a juror on an important Limerick inquisition in 1275.[29]

With this Plea Roll should be compared the record of an assize of Novel Disseisin[30] brought in 1307 by Gerald, son of Maurice Fitz-Thomas and Sibilla his last wife, against Nicholas and Peter, sons of the same Maurice by his former wife, from which it appears that when Maurice lay on his death-bed at Moyflayth (now Molahiffe) on Wednesday before Easter a.r. XXXIII. (qy XXXII. i.e. Easter 1304), being desirous to give all lands of his own acquisition to his younger sons, and in particular the Manor of Vyaille to his son Gerald, sent the Abbot of Kyryeleyson (Odorney) to Nicholas to gain his assent testified by letters patent and oath. But the Abbot knowing that Nicholas would not freely give his assent to this, represented that his father asked him to assent to Gerald's obtaining the tenements of Lystrath and Culcleth, and said nothing about Vyaille. To this Nicholas freely assented, but when he was going to his father's chamber to carry out his promise a friend privately informed him that his father wished to have the security of his assent to the gift of Vyaille to Gerald, and that if he would not give it his father was ready to give him his curse. Fearing this, and by the advice of his friend, Nicholas swore before his father that "he was ready to do what the Abbot told him on the part of Maurice as to giving Gerald lands of the acquisition of Maurice," and then he put his seal to the letters patent, which however contained his assent to the gift of Vyaille to Gerald. Maurice then made attorneys to deliver seisin to Gerald, and "gave

29. Cal. Docs. Irel. vol. II., No. 1181.

30. Justiciary Rolls, 1307, pp. 421-3.

him the keys of certain chests at Lysnaue " containing the charters of Vyaille. " Meantime Nicholas enjoined Peter, his brother, to go to Vyaille and by all means to impede the seisin of Gerald." Then follows an account of how Gerald endeavoured to take seisin by exercising acts of ownership, and how Peter endeavoured to impede him, until a few days later Maurice died, when Gerald withdrew and Nicholas took seisin. Unfortunately, as often happens, our scanty records, having aroused our interest, leave us in ignorance of the final decision of the Court. Vyaille, however, represents the Irish *Biaille,* now Beale, on the estuary of the Shannon, and three centuries later the Castle here still belonged to Thomas FitzMaurice, eighteenth lord of Kerry, who, having been in rebellion, submitted to James I. and among the numerous places restored to him by Letters Patent, dated 16th July, 1604, was " Beal with its fair and court of pied powder."[31] In this he was more fortunate than his distant " Kerry Cousin," the fifteenth Earl of Desmond whose estates were confiscated and who perished miserably in rebellion twenty years earlier.

I append a tabular pedigree of the early FitzMaurices of Kerry, embodying the corrections herein made, and including the senior Desmond line for comparison.

31. See " Four Masters," 1582, p. 1781 note; and Smith's " Kerry," p. 214 note, 225, 281.