

MOUNTAINY KENNEDYS MAILING LIST 28
MAY 2014

After over 350 years the memories of the Mountainy Kennedys of their descent from “The Lords of Ormond” had faded. The lines of descent of the Kennedys who went into the mountains rather than transplant to Connacht have now provided historical reference points. Through the contributions of many individuals to gathering and sharing information, the story of the Mountainy Kennedys is emerging from the obscurity of hundreds of years.

2014 KENNEDY GATHERING AND INAUGURATION OF KENNEDY CHIEF

Considerable interest is now building up for the activities planned for early July.

The 2014 Kennedy Gathering is programmed as follows:

Date: **Sunday 6th July**
Time: 8:00 pm
Venue: Anglesey Lounge,
 Rody Kennedy’s Bar & Shop,
 Rearcross
 County Tipperary

Prior to the Gathering the Inauguration of the O’Kennedy chief will take place at 5pm. The Curreeny Hedge School site will be available to use for this purpose. Thank you very much to John Ryan, the head of the school committee, for approving this. Attendees will then adjourn to the Anglesey Lounge at Rearcross for a celebration and food in conjunction with the Gathering. By popular approval, Rody Kennedy of Rearcross, the Interim Honorary Kennedy Chief, will be confirmed in this position at the Inauguration.

Instalment or Inauguration of an Irish Chieftain

(From The Genealogies, Tribes and Customs of Hy-Fiarach: John O’Donovan).

Another part of the ceremony of inauguration not mentioned by any of the writers already quoted, is noticed in the Annals of the Four Masters, namely, that in many cases when a superior chief was inaugurated by an inferior chief, the latter put on his shoe or slipper. — See these Annals at the years 1461 and 1488, where it is stated that at the inauguration of the chiefs of the O’ Conors, Mac Dermot, chief of Moylurg, put on his shoe. It is also stated that in inaugurating the chief of the O’Neill family, O’Kane threw a shoe or slipper over the head of the prince. It is rather strange that Keating should not have noticed this ceremony.

From the foregoing authorities we may infer that the following conditions were generally requisite to constitute a legitimate instalment or inauguration of an Irish chieftain:

- 1. That he should be of the blood of the original conqueror or acquirer of the territory, and free from all personal blemishes, deformities, and defects, and be of fit age to lead the clan to the field.*
- 2. That the greater part of his sub-chiefs and freeholders should declare in his favour.*
- 3. That the inauguration should be celebrated at a remarkable place in the territory appointed of old for the purpose, where there was a stone with the impression of two feet, believed to be the size of the feet of the first captain, chieftain, or acquirer of the territory.*
- 4. That the hereditary historian or chronicler of the territory should be present to read to the chief about to be installed the heads of the law relating to the conduct of the chieftain, and that the latter should swear to observe those laws and to maintain the customs of the territory inviolable.*
- 5. That after taking this oath, the chief laid aside his sword and other weapons, upon which the historian of the district, or some other person whose proper office it was, handed him a straight white wand as a sceptre and an emblem of purity and rectitude, to indicate that his people were to be so obedient to him that he required no other weapon to command them.*

6. That after receiving this straight white wand, one of his sub-chiefs put on his shoe or sandal in token of obedience, or threw a slipper over his head in token of good luck and prosperity.
7. That after the foregoing ceremonies were performed, one of his sub-chiefs pronounced his surname without the Christian-name in a loud voice, after whom it was pronounced in succession by the clergy according to their dignity, and by his sub-chiefs and freeholders according to their respective ranks. After this the chieftain turned round thrice forwards and thrice backwards, in honour of the most holy Trinity, as the Irish still do all good things, and to view his people and his territory in every direction; which being done he was the legitimate chief of his name.

The Hereditary Historian or Chronicler

A *seanchaí* or - plural: *seanchaithe* is a traditional Irish storyteller/historian. A commonly encountered English spelling of the Irish word is Shanachie.

The Shanachie of the territory has an important role to play. He reads to the chief about to be installed the heads of the law relating to the conduct of the chieftain and the chieftain should swear to observe those laws and to maintain the customs of the territory. The Shanachie then hands the chief the wand of office.



We have prepared a white wand of office for the ceremony. The head of the wand is shown above.

A REQUEST FROM PAUL BARRETT

Paul is a long-time Kennedy researcher who specialises in the Toor area. If anyone can help it would be appreciated. However, Paul, before getting on to his request, Paul diverts us with a little story about the Australian Kennedys.

I recently found an Auntie, of my Hugh Kennedy, Daughter of William Kennedy and Ellen Fahey, Son of Long Andrew, living in the Sale region of Victoria. Could well be the reason that Hugh moved from Tassie to Vic, as she had been there since 1849, just a year after Hugh committed the offense he was eventually transported for.

Ellen Kennedy B 1903, Daughter of William Kennedy and Ellen Fahey. married a Daniel Birkery. They are both in your book Mountainy Kennedy's Both Ellen's baptism, Pg 418. Also the birth of their first daughter Ellen, page 421.

Poor old Daniel was murdered in his bed for refusing eviction. Ellen his wife, accused as an accessory, which she denies. Transported to Australia. The culprit hung.

Jeremiah, son of these 2 was living in Holey Plain, which is where my Hugh's farm was. They were in front of me all along, but as Ellen married twice, again after gaining her freedom, I never made the connection, until a fellow researcher and descendent pointed me in the right direction. Hugh was named in her will, his signature was to be found there.

Now for the request:

I have looked at a Patrick Kennedy, who was born in Tipperary 1803, from his death certificate. His parents Andrew Kennedy and Catherine Ryan. I have never had any luck with the Irish Indexes for children from this marriage. Whilst looking through your book, I noticed there is an entry much later for an Elizabeth Kennedy, baptized 4.3.1826. Pg 422. to parents of the same names. It does not show up in the indexes. some 23 years later, so a long shot.

Patrick arrived in Melbourne in 1841. Married a Mary Brien, in 1844 at the St Francis Catholic Church, under the Catholic Rite. They had 4 children Andrew B1847, he was a dairyman in Richmond. Catherine B1847, died age 5. John B1849 Baptized, Sponsors Denis and Ellen Ryan. Thomas B1851. Patrick died in 1880.

He lived in Little Collins Street, had a property there. He had an interest in a mining company that was mining in Walhalla. There were a number of Kennedy up that way. Never got them tied up.

So was wondering if you, or your readers new anything of this Patrick, or his parents. (Thomas) is not in my immediate family. More yours. But the other names fit.

Don't have the parents of Mary Brien at this stage, not on the marriage certificate, but will get the death Certificate to see if it helps.

Hope this finds you well. As always thanks for your works, again here its been a great help.

Kind Regards,
Paul Barrett

A CONTRIBUTION FROM JOHN KENNEDY OF POLLANORMAN

John, who is the President of the Silvermines Historical Society, has been kind enough to send me a clipping of an article by the late esteemed Dr. Dermot Gleeson on an O'Kennedy Law Suit of 1608. This is provided on the last page of this newsletter. While the article is very informative it is also a challenge to read. Please accept my apologies for being unable to make it more readable.

... AND ONE FROM DENIS O'MALLEY

Tuesday, March 20, 1990

WHERE'S THAT?

SILVERMINES — 298

Over 37% of the land in the barony of Upper Ormond was owned by the O Kennedys in 1640, according to the 'Book of Survey and Distribution', the most popular personal names among them being Daniel, Rory, Philip, John and William, in that order, and among the least used Irish names were Vorney, Iriel and Donovan. Subsequent to the distribution of their lands, there remained but seventy-two of the name in the barony, among them being Philip O Kennedy of Culney and his son Teige, and Teige O Kennedy of Lisneclenty (now Lisheenacloonta, *Lisín na Cluainte*, the small ringfort of the meadows) and his son Matthew. These being Titulados or gentlemen they were exempted from the transportation of 1656-57 that landed twenty-five O Kennedys across the Shannon, to counties Clare and Galway. Among the transported was 'William of Lismarged', who was given 62 acres in Connaught, in place of his portion of the 466 acres at 'Lissinnarged, Lisbryan, Monoruan, Garrinaomna & Lisneclonta' in the parish of Kilmore, where he is named as owner along with Rory Kennedy of Lisheenacloonta, Teig Glysan of Kilmore and Daniell O Bryan of Lismaoragh, all Irish Papists. The first of the above townland names, variously spelled Lysinnenaragidd / Lissinnarggid / Lysinnaragidd, being the anglicised form of *Lisín an Aírgid*, 'the small ringfort of the silver', no longer exists as a placename.

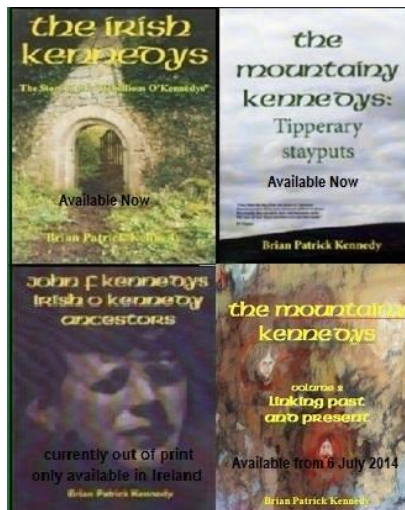
of Eranagh & Bellagowan, of which the Civil Survey (1654-56) notes: 'The sd two plowds are bounded on the North in a boggy Pollagh with the Territory of Attra & the parish of Burgeese, on the West with the Territory of Owney & parish of Killoscully; on the east with the lands of Kylmore, pte of it runeth upp the mountaine through silver mines of Knockan Iderke and the lands of Gurteenenadoyghy and Gortshanroe, in the sayd Parish; through and by wch runeth a little Streame with a mill scente'. BELLAGOWAN no longer continues in this form as a placename, but has the English name of SILVERMINES, the official Irish of which is *Béal Átha Gabhann*, 'the mouth of the ford of the smith' whence the older name derived. At the outbreak of the 1641 Rebellion, eighteen English miners, who were employed at the Silvermines, along with ten women and four children, were slaughtered by John O Kennedy and his brother Hugh, and several others, despite promises of safety. According to depositions taken in connection with this event, the O Kennedy castle at Dunally was struck by lightning, and Hugh became insane and drowned himself in the Shannon.

BOOKS

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Copies of “The Mountainy Kennedys” and “The Irish Kennedys” can be obtained Internationally, from the website at:

<http://home.onthenet.com.au/~laurieag/index.htm>

Thank you to all of those people who have bought books over the years. The returns have gone some way towards defraying the expense of having them printed and distributed.

THE IRISH KENNEDYS NOW ON FACEBOOK

This mailing list will continue to come out monthly and will be sent to all recipients by email. In addition, Sean has now put us onto Facebook. Find us at:

<https://www.facebook.com/theirkennedysbooks>

If you are on Facebook and would click on “Like” on this page it would be appreciated.

Your contributions to the Mountainy Kennedys mailing list are most welcome. Please keep them rolling in.

Brian

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AN O'KENNEDY LAW SUIT OF 1608

The last of the series of the Calendar of the Ormond deeds in Kilkenny Castle has just been issued from the Irish Mss. Commission. It is edited by the late Professor Curtis, and by a tragic coincidence appears just after his lamented death. He was one of the great Irish scholars of our time and this edition of these important papers is not the least of the many gratuitous services which he has given to the nation. His death some months ago passed almost unnoticed in the press of great events, but future generations will point to him as one who studied our language and our history and presented us with the results in that objective and scientific manner which stamps the Irish historian and the exact historian. The present volume contains many references to Nenagh and the Ormond country, which cannot be here dealt with. Its very last item, however, is a highly interesting and detailed document dealing with the occupation of the lands of Monacraun, near Lismacul, which is worth reproducing for the benefit of those to whom the volume is not immediately available.

THE O'KENNEDYS

Connor O'Kennedy, son of Teig died at Ballycabbill Castle in 1583. His death is chronicled by the Four Masters who describe him as "a ready tranquil domestic man, without reproach from his birth." They call him "Connor a Cuan als Mac Teige" and John O'Donovan in annotating the entry describes him as "Connor of the Harbour." This is an error for the "Cuan" in the entry relates not to a "Harbour," its English equivalent but to the descent of Connor from Donnan of the Dal gCala pedigree. Connor was O'Connell's Donn, chief of Upper Ormond. He is mentioned in the "Panel of the Ormond Freeholders" which lists the chief gentlemen of Ormond about 1575, and is another Kilkenny Castle paper (see it in "The Last Lords of Ormond" p. 223), and appears at the head of the list as being, Sir Henry Sidney the famous Lord Deputy of Elizabeth's reign, calls him, "The Lord Mac-Teige," and he complains that Connor would not "come in" to submit to him when he visited Ormond. Eventually Connor did submit and gave hostages of his son and entered into a Bond in 1600 with Sydney to keep the peace.

At that time the O'Kennedys of Ballycabbill, Ballynacloogh Castle, Barplagh, Ballintotty, and Killybeg were the leading families of Upper Ormond. The first three of these were nearly related while those of Killybeg and Ballintotty were also closely connected. The Ballycabbill and Ballynacloogh families held the title of O'Connell's Donn and Rory of Ballynacloogh was the last of the old chiefs before the Cromwellian deluge descended on the ancient gentry of the Ormonds. Both Connor and Rory after him, were intermarried with the family of the 10th Earl of Ormond, and were also the O'Kennedys of Killybeg.

I have endeavoured to show these relationships from contemporary papers in "The Last Lords of Ormond" and otherwise in an account of the Manor of Ballynacloogh in the current issue of the Journal of the Historical and Archaeological Society.

LANDS

Connor O'Connell's Donn of Ballycabbill, and his successors in title up to Cromwell, were owners of the greater part of Upper Ormond by descent from their ancestors as the Civil Survey of 1653 phrases it. They had by Connor's time, indeed, acknowledged an overlordship by the Earl of Ormond to the extent of taking leases from him and paying a yearly "Maist Bart" or Earl's rent in the form of cattle, and this rent will be found mentioned in many contemporary papers as "The Cows of Ormond," or he "Kynne of Ormond." The total of both baronies amounted to about 160, value in England money in a Strafford's time (i.e., about 1600), subject to this, and to an under-lease to assist the Earl in his holdings" by furnishing men and arms, etc., they were free, holding their land under the old Irish tenure, and preserving their ancient rights and chiefdoms as will appear from this Deed.

These preliminaries will enable us to understand the purport of what follows. The Deed itself is a record of the Palatine Court of the Earl of Ormond of date August 2nd, 1608. The Palatine Court had jurisdiction over most of the modern County of Tipperary and was independent of the English Courts in

County of Tipperary and was independent of the English Courts in the rest of the county. In Ormond the people had no occasion to resort to it before the end of Elizabeth's reign because the Ormond area had been lost to the Butlers by the Irish uprising in the 14th century, and it was not until the Butlers recovered Nenagh Castle in the 16th century and a succession of Lord Deputies under Henry VIII, and Elizabeth had reduced Ormond and other places to English law during the Desmond rebellion and after it, that the Court of the Seneschal of the Earl of Ormond supplanted the native jurisdiction of the Brehons in the Ormond country. This had come to pass by 1600—hence new deed.

RIVAL CLAIMS

It would appear that one Macolroun O'Mulrian laid some claim to the lands of Monacraun in 1603. This was contested by the descendants of Connor MacTeige O'Kennedy Donn, and Nicholas Haly, the Chancellor of the Liberty of Tipperary came to try what would now be called an equity suit. The O'Kennedy's claim was that these lands were part of their ancient patrimony, while Mulrian apparently attempted to prove some contrary claim. We have no details of the plaintiff's pleadings and what follows is the proof of the defendant. Throughout the Deed the lands are described as "Monacraun," and the paper has therefore this added value that it gives the ancient form of the place name, the "v" having been lost in the interval since 1608.

We are not told where the Court sat, but the record states that the Chancellor acted "by virtue of a direction to him made by the Seneschal of this said Liberty and his associates, enclosed upon the interrogatories herunto annexed, at the behest of Malroy Mulrian, plaintiff, regarding Monacraun in Ormond." The procedure is analogous to that now obtaining when the Circuit Judge refers certain inquiries to the County Registrar, in a similar type of procedure. The evidence of the witnesses is then recorded. The first was Donagh O'Kennedy, of "Killybeg" (Killybeg) who is described as "Gent," and "of the age of 20 years or thereabouts." He being sworn and duly examined stated that he knows Monacraun very well, and that it is of the inheritance of the O'Kennedys and has heard that Mahowne O'Kennedy, son of O'Kennedy, and Crogher O'Kennedy were seized thereof, but has seen none of them in possession having that it was commonly reported that Teig as Morny (Piper) was Crogher O'Kennedy's aforementioned tenant there, and that the said Crogher received refectons there of the said Piper as his tenant by common report.

The office of Piper was a common one at that time—one being kept by every important family. Apparently Teig as Morny was Piper to O'Kennedy Donn and, as such, had Monacraun as his tancy. What he for "Morny" may be is doubtful—it is rendered phonetically and is hardly a surname, being more probably a descriptive epithet. The "refectons" referred to would be services rendered by Teig to his Lord as a condition of his tancy. This was a common type of tenancy in the Gaelic tuatha, the latter known example being the holding of lands by Brehons and Doctors in return for their services as such.

Enough goes on to add that Morny as Kennedy, sister to Crogher O'Kennedy, told this examinee that Donnell O'Clohesie and Keane O'Clohesie were tenants to Crogher O'Kennedy, and that he sergents levied presents and services in Crogher's name out of that place." Here there is evidence that specific rents in kind were due to O'Kennedy out of Monacraun in addition to the "services" or "hire value" and that they were levied by the "sergents" who would correspond to our agent or rent collector.

The second witness was Hugh O'Kennedy, late of Ballynacloogh, Gent. Some Account of him will be found in the paper on Ballynacloogh, already mentioned. He was

also "of the age of 30 years or thereabouts," and testifies "that he knows Monacraun in Ormond, very well, and that it is the inheritance of the O'Kennedys, and that the same Teig as son and heir to Mahowne O'Kennedy and Crogher O'Kennedy as son and heir to the said Teig, were seized of the said Monacraun in their demesne as of the inheritance one after another, but that he has not seen Mahowne O'Kennedy for that he died before this examinee's birth. This interesting testimony of one who was himself in the next succession gives us the pedigree of the Ballycabbill family over three generations going back to 1600. In the Ballynacloogh paper I refer to this can be further traced up to the 18th century in the direct line, one of the last being a Bryan Kennedy, of Nenagh, attorney at law, in 1703.

O'KENNEDYS OF BAWN

The third witness was Hugh Macdonnogh O'Kennedy, of "Bawdonnogh, Gent," aged 60 and upwards. The place name gives us the original form of the modern place-name Bawn, where the family still holds sway. Bawn was in the old parish of Donnonga which covered the area between Tullacabbill and Bawn, having Ballycabbill ruin for its parish church. It had gone as a parish before the Reformation.

Hugh says in his evidence "that he knows Monacraun well, and that he learned of his ancestors that it was of the inheritance of Mahowne O'Kennedy and descended from Teig to the said Mahowne, his son and heir, and that each of them died seized thereof, by hearsay. To the second interrogatory he says that he has seen Crogher O'Kennedy as son and heir to the said Teig seized of Monacraun and that he died seized thereof; the cause of his knowledge is that he has seen Teig as Morny, Piper, inhabiting the said Monacraun as tenant to Crogher and visiting unto him duly or refectons out of the same. To the sixth he says that he was present and has seen a writing made by Crogher O'Kennedy aforementioned unto Philip O'Haly and Teig O'Monacraun containing a gift upon Monacraun together with Ballycabbill and other lands unto the use of William O'Kennedy and his heirs and has seen the said Crogher delivering possession of the lands of Ballycabbill in name thereof, and Monacraun, to the said Philip and Teig, but whether the said gift was sealed he knows not, but has seen the said delivery unto the aforesaid forefathers by Crogher O'Kennedy; the cause of his knowledge that he procured his own name as witness to be set to the said writings."

EVADING CLAIM OF COURT

This is interesting testimony. In Elizabeth's reign the procedure in English law to create trusts and trust estates was becoming well known in the "Irish quarters." It was made use of to evade the Court of Wards who claimed the right to administer the property of a minor and to commit the minor to wardship and bring him up in the reformed religion. This could not be done when the legal estate was in Trustees and the age was one when all the niceties of legal procedure were insisted on to the last letter. Another reason for the Conveyances was often that if a landowner was "attainted" for treason his estate was forfeit and this pretext was often seized upon to capture all his lands. Having the estate conveyed to trust avoided the seizure. This type of deed was very common in Ormond at this time as can be seen from the Inquisitions of James I, when even the MacEgan family are found to have made use of it.

The next witness was Brian O'Kennedy, of Ballynacloogh, Gent, aged 60 years. He says "he well knows Monacraun in Ormond for that he dwelt within three miles thereof, and further says that he does not know nor has seen Mahowne O'Kennedy or Teig O'Kennedy but has heard of his neighbours and of his own knowledge and thinks that Monacraun was of the inheritance of Mahowne and Teig O'Kennedy and descended from them to Crogher the said Teig's son and Mahowne his nephew."

IRISH LAW

The most interesting part of this testimony is the averment that the inheritance descended by Irish law and not by English since the nephew would have no claim by the English law of descent. Brian then goes on "he has seen Crogher O'Kennedy, said Teig's son and heir, seized of Monacraun and die seized thereof; the cause of his knowledge that being the said Crogher's neighbour within three miles of Ballycabbill, he has seen the said Crogher set the same to Teig as Morny and the said Teig yielding refectons and duties out of the same." He goes on to add that he was present at the signing of the deed deposed to by Hugh of Bawn but does not know if it was sealed. He also witnessed it.

The next witness was David McShane Glass O'Mulrian, of Killybeg, Gent, aged 60 years. I know of no place of this name in Ormond, but it may well be the old form of Killeen in Templeduffy where the Mulrians had property at this time. He says indeed that "he knows Monacraun well being neighbour thereof." He confirms by hearsay the possession by Mahowne and Teig O'Kennedy, and says he saw Connor in possession up to his death. He adds "that he heard that Crogher aforesaid did charge the same as his own inheritance with country duties." This is probably a reference to the "refectons and services" paid by Teig the Piper. He also was a witness to the deed deposed to by the other witnesses. He concludes, "the cause of his knowledge appeareth in his deposition and that, having married the said Crogher's daughter, he was made privy of the premises."

DIARMUID O GLIASAIN

(To be concluded)