

# Pre-publication draft. Do not cite.

*Towns on the Edge in Medieval Europe: The Social and Political Order of Peripheral Urban Communities from the Twelfth to Sixteenth Centuries*. Proceedings of the British Academy (Oxford, Oxford University Press, 2022), eds. Matthew Frank Stevens and Roman Czaja.

Anna Maleszka

Matthew Frank Stevens

## CHAPTER 10

### **Maintaining a ‘special relationship’? Petitions to the crown from Irish and Welsh towns, 13th to 16th centuries.<sup>1</sup>**

[Figures *at end* for reference: Figure 2, Figure 3].

‘The Petitions which follow were presented to our lord, the King of France and England, by Bother John Larcher, prior of the Hospital of St. John of Jerusalem in Ireland, and Sir Thomas Wogan, sent to the King as messengers by the Prelates, Earls, Barons, and the Commonalty of the land of Ireland, with other articles, which the King, by the advice of his Council, has ordained; which Petitions were diligently examined and answered by the King’s Council, and the answers written severally after each Petition; and then the King, having heard and attended to the said Petitions and answers, agreed and commanded that the said answers, with the other articles, should be held and maintained in all points, upon the penalties therein contained.’<sup>2</sup>

---

<sup>1</sup> We thank Gwilym Dodd, of the University of Nottingham, for his helpful feedback on a draft of this chapter.

<sup>2</sup> *SOAP*, p. 333.

## Pre-publication draft. Do not cite.

This entry from the Irish parliament roll of 1342 illustrates the process of petitioning the English king, with respect to urban communities and their inhabitants in Ireland and Wales. Petitioning one's ruler or monarch for assistance dates back to the ancient world and continued into the medieval period, extending also to petitioning within the Church.<sup>3</sup> Towards the end of the high Middle Ages, in realms such as England and France, petitioning shifted from primarily oral petitions made in the king's presence, to a formalised and bureaucratised system of written petitions. This greatly increased the accessibility of petitioning, and by extension, of the ruler. In written form, a petition had numerous functions; in the context of England and her dominions, these were principally to facilitate the dispensation of royal 'justice' and 'favour'. The former comprised the treatment of 'injustices which could not be readily resolved through common law process', while the latter was 'prompted by the supplicant's desire to obtain some form of royal favour, such as a grant, office, or pardon'.<sup>4</sup> As Gwilym Dodd has argued, it was a 'voluntary expression of subordination on the part of the petitioner in relation to the king...accepting the legitimacy of the authority which enabled him to ordain an effective remedy'.<sup>5</sup>

Somewhat ambiguously, petitions that sought justice highlighted the ruler's power of remedy, while the need for such a system itself highlighted shortcomings of governance.<sup>6</sup> Petitioning could nonetheless be a potent tool in connecting the governing core to the dependent periphery of a state or empire. For example, with particular relevance to this volume, Bishop

---

<sup>3</sup> S. Connolly, 'Petitioning in the ancient world', in W. M. Ormrod, G. Dodd and A. Musson (eds), *Medieval Petitions: Grace and Grievance* (Woodbridge, York Medieval Press, 2009), pp. 47–63; For a recent historiographical see, T. W. Smith and H. Killick, 'Introduction: medieval petitions and strategies of persuasion' in T. W. Smith and H. Killick (eds), *Petitions and Strategies of Persuasion in the Middle Ages: The English Crown and the Church, c.1200–c.1550* (Woodbridge, Boydell and Brewer, 2018), pp. 1–10.

<sup>4</sup> G. Dodd, *Justice and Grace: Private Petitioning and the English Parliament in the Late Middle Ages* (Oxford, Oxford University Press, 2007), p. 2.

<sup>5</sup> G. Dodd, 'Petitions from the king's dominions: Wales, Ireland and Gascony, c.1290–1350', in P. Crooks, D. Green and W. M. Ormrod (eds), *The Plantagenet Empire, c. 1290–1350: Proceedings of the 2014 Harlaxton Symposium* (Donnington, Shaun Tyas, 2016), p. 187.

<sup>6</sup> Dodd, 'Petitions from the king's dominions', pp. 211–12.

## Pre-publication draft. Do not cite.

Albert of Riga, in seeking to build a theocratic crusading state in 13th-century Livonia, repeatedly petitioned Popes Innocent III and Honorius III, seeking exemption from being under the control of any metropolitan see and asking for assistance against Danish encroachments.<sup>7</sup> Likewise the Teutonic Order, when governing in Prussia and (after 1237) Livonia, both petitioned the pope (e.g. in 1244, seeking to amend their rule and affirm their independence from the order of Knights Hospitaller)<sup>8</sup> and entertained petitions from their own subject peoples and communities, including from urban settlements (e.g. Chełmno's guilds or Malbork's 15<sup>th</sup>-century craftsmen –as discussed in chapter 6 of this volume, section, 'Possibilities for craftsmen to participate in municipal governance').<sup>9</sup> However, petitioning in northeast Europe would remain highly informal and sporadic throughout the Middle Ages, and undeveloped as a tool of regional or trans-regional integration.

In contrast, from the late-13th century, the kings of England and France sought to encourage written petitions from their subjects. In France, Phillip IV (r. 1285–1314) aggressively promoted the Paris *Parlement* as a supreme court of appeal in order to draw in petitioners from Gascony and elsewhere, thereby integrating core and periphery.<sup>10</sup> In England, Edward I (r. 1272–1307) was the first king, in 1275, expressly to invite the submission of written petitions for resolution by the king and parliament, as part of a wider programme of judicial reforms.<sup>11</sup> This initiative shortly preceded the high-water mark of the so-called Plantagenet

---

<sup>7</sup> M. Tamm, 'Mission and mobility: The travels and networking of Bishop Albert of Riga (c. 1169–1229)', in A. Mänd and M. Tamm (eds), *Making Livonia: Actors and Networks in the Medieval and Early Modern Baltic Sea Region* (Abingdon, Routledge, 2020), pp. 28–33.

<sup>8</sup> I. Sterns, 'The Statutes of the Teutonic Knights: A Study of Religious Chivalry', PhD dissertation (Philadelphia, 1969), 43–5.

<sup>9</sup> R. Czaja, 'Spór cechów chełmińskich z radą miejską. Przyczynek do konfliktów społecznych w miastach pruskich w średniowieczu', in A. Radziwiński and J. Tandecki (eds), *Prusy – Polska – Europa: Studia z dziejów średniowiecza i czasów wczesnonowożytnych* (Toruń, Wydawnictwo UMK, 1999), pp. 327–38; J. Voigt, *Geschichte Marienburgs, der Stadt und des Haupthauses des deutschen Ritter-Ordens in Preussen* (Königsberg, Gebrüder Bornträger, 1824), pp. 566–9.

<sup>10</sup> Dodd, 'Petitions from the king's dominions', p. 213; cf. J. A. Kicklighter, 'French jurisdictional supremacy in Gascony: One aspect of the ducal government's response', *Journal of Medieval History*, 5 (1975), 127–34.

<sup>11</sup> Dodd, *Justice and Grace*, pp. 19–25.

## Pre-publication draft. Do not cite.

Empire, the main dominions of which comprised Gascony, large parts of Ireland, all of Wales from 1284 and parts of Scotland from 1296.<sup>12</sup> As of 1275, any free person or community subject to the king's authority, as much in these dominions as in England itself, could address written requests for justice or favour to the king, to the king and his council, or to the king, his council and parliament, often bypassing the array of administrators and institutions separating the monarch from his subjects. This petitioning, and the bureaucracy that grew up to support it, has left a legacy of more than 17,500 petitions, a comparatively vast quantity in a medieval European context. Although the earliest surviving petitions come from the reign of Henry III (r. 1207–72) and the latest from the reign of James I (r. 1603–25), the majority of the petitions date from the 40-year period *c.* 1290–*c.* 1330, again, the zenith of the Plantagenet Empire.<sup>13</sup> The vast majority of the surviving petitions have been digitised and made available through the electronic catalogue of the United Kingdom's National Archives.<sup>14</sup>

The broad question of whether petitions to the English king reinforced linkages between core and periphery has only recently been broached and has not been discussed with specific reference to urban communities. This chapter focuses on Wales and Ireland, from among England's dominions, because of their unique colonial character. They were recipients of enduring English urban, as well as rural, colonisation that subjugated native populations and placed them in a legally and socially subordinate position to a new English settler community.<sup>15</sup> By comparison, Scotland was a rival kingdom subjugated for a relatively brief time and would largely liberate itself within a year of Edward I's 1305 declaration of legal

---

<sup>12</sup> See, R. R. Davies, *The First English Empire: Power and Identities in the British Isles, 1093–1343* (Oxford, Oxford University Press, 2000).

<sup>13</sup> Dodd, *Justice and Grace*, p. 62.

<sup>14</sup> TNA, < <https://discovery.nationalarchives.gov.uk/details/r/C13526> > accessed 10 March 2021; see, G. Dodd, 'Parliamentary petitions? The origins and provenance of the 'Ancient Petitions' (SC 8) in the National Archives', in Ormrod, Dodd and Musson (eds), *Medieval Petitions*, pp. 12–46.

<sup>15</sup> See, T. Phipps and M. F. Stevens, 'Towards a characterization of 'race law' in medieval Wales', *The Journal of Legal History*, 41 (2020), 290–331; A. J. Otway-Ruthven, 'The native Irish and English law in medieval Ireland', *Irish Historical Studies*, 7 (1950), 1–16.

## Pre-publication draft. Do not cite.

supremacy there. Meanwhile Gascony, held only as a duchy from the king of France from 1253 until the outbreak of the Hundred Years' War in 1337 (and ultimately lost in 1453), was not 'colonised', either through any immigration of English peasant-cultivators or the wholesale Anglicisation of the legal system. Gascons did make use of the petitioning process, sending at least 1,592 petitions to the king, his council or parliament in the period 1275 to c.1453, that Guilhem Pépin has called 'testimonials of a special relationship' with the English king.<sup>16</sup> These were broadly similar to petitions from England but with characteristic concentrations of petitions from landed elites, that served to forge direct relationships with the monarchy, and from merchants of the large urban centres of the duchy, such as Bordeaux, Bayonne and Condom, reflecting their integration into the English commercial sphere.<sup>17</sup>

This chapter investigates the extent to which municipal petitions from Ireland and Wales, like Gascon petitions, reflected a 'special relationship' between the English crown and its peripheral dominions. It is argued here that, in so far as the English king had a special relationship with Ireland and Wales, it was one that was channelled mainly through urban settler communities rather than landed elites. On the one hand, these communities felt physically and economically vulnerable in an environment characterised by hostile natives and located at the end of European trade networks, and so believed themselves especially dependent upon royal protection, patronage and grants of privileges. On the other hand, they felt particularly vulnerable to the predations both of largely autonomous landed elites and of poorly supervised, ineffective or unscrupulous local governance.<sup>18</sup>

---

<sup>16</sup> G. Pépin, 'Petitions from Gascony: testimonials of a special relationship', in Ormrod, Dodd and Musson (eds), *Medieval Petitions*, pp. 120–134 at 121, 125.

<sup>17</sup> Dodd, 'Petitions from the king's dominions', p. 201.

<sup>18</sup> See, for example, A. Maleszka, 'Relations between the city and the territorial ruler in the cases of Anglo-Norman Dublin and Altstadt Thorn under the Teutonic Order', in J. Sarnowsky, K. Kwiatkowski, H. Houben, L. Pószán and A. Bárány (eds), *Studies on the Military Orders, Prussia, and Urban History: Essays in Honour of Roman Czaja on the Occasion of his Sixtieth Birthday* (Debrecen, University of Debrecen, 2020), pp. 487–504.

## Pre-publication draft. Do not cite.

The English present in Plantagenet Ireland and Wales had themselves, or their ancestors, taken part in building what Rees Davies referred to as the ‘First English Empire’.<sup>19</sup> Towns, whether repurposed existing communities or founded *de novo*, were both entry points for colonists and nodes for the local reception and re-transmission of English authority and law, as illustrated by Cardiff’s borough customs of c.1147, which were based on those of Hereford, and Dublin’s borough charter of 1192, which was based on that of Bristol.<sup>20</sup> By land and sea these towns were linked as major points of embarkation and departure from England and of reception in Irish and Welsh colonial zones of both people and ideas that would then be carried forward to further urban nodes of colonisation.<sup>21</sup> Parallels with the transmission of colonial authority and German city law in Livonia and Prussia from the early 13th century are thus obvious, but there was a crucial difference between the two areas.<sup>22</sup> Whereas governance in the east, especially in Prussia, would become more intense and less remote over time, as exemplified by the relocation of the headquarters of the colonising Teutonic Order from Venice to Malbork in 1309, English oversight in Ireland and Wales would diminish markedly at just the same time. English immigration to Wales and Ireland had almost certainly stopped by the end of the Great Famine of 1315–22. The subsistence crisis is thought to have reduced the English population by about 10 per cent, and 1324 saw the final foundation of a planned royal borough for habitation by ‘English burgesses’ in Ireland or Wales, at Bala (Merionethshire), removing the respective demographic-push and economic-pull factors that

---

<sup>19</sup> R. R. Davies, *The First English Empire: Power and Identities in the British Isles, 1093–1343* (Oxford, Oxford University Press, 2000), p. 170.

<sup>20</sup> J. Hobson Matthews, *Cardiff Records: Being Materials for a History of the County Borough from the Earliest Times, Vol. 1* (London, Cardiff Records Committee, 1898), pp. 1–9; H. B. Clarke, ‘The 1192 charter of liberties and the beginnings of Dublin’s municipal life’, *Dublin Historical Record*, 46 (1993), 1–14.

<sup>21</sup> K. Lilley, “‘Non urbe, non vico, non castris’: territorial control and the colonization and urbanization of Wales and Ireland under Anglo-Norman lordship’, *Journal of Historical Geography*, 26 (2000), 517–31.

<sup>22</sup> See, for example, R. Czaja and A. Maleszka, ‘The urban networks of Anglo-Norman Meath and the Teutonic Order’s Kulmerland: a comparative analysis’, *Urban History* (2021), pp. 1–18.

## Pre-publication draft. Do not cite.

motivated potential English colonists to immigrate.<sup>23</sup> Meanwhile, England's expansionist attentions would be redirected to the first and second Anglo-Scottish wars of 1296–1328 and 1332–57, the Hundred Years' War from 1337 and were ultimately dissipated by the Wars of the Roses from 1455. The this long period of general royal 'neglect' of Wales and Ireland, no doubt alarming for English colonial communities, coincided with the period of most frequent petitioning to the crown by residents of all parts of the realm. Furthermore, this period, was punctuated by the regionally-specific crises confronting Edward II's government, namely the Scottish Bruce invasion of Ireland, in 1315–18, the revolt of Llywelyn Bren in Glamorgan, in 1316, and the (Mortimer-) Despenser War in the Welsh March in 1321, all against the backdrop of the Great Famine of 1315–22. For colonial townsmen, this must have seemed a particularly inauspicious time for the crown to 'step back' from close involvement in Welsh and Irish affairs.

This chapter contextualises and examines municipal petitions from Wales and Ireland in two ways. First it assesses systemic aspects of Irish and Welsh municipal petitioning, especially the number and geographical origin of petitions, as well as aspects of their composition and before whom they received consideration for redress. Second, it assesses the petitions' contents, with reference to the justice or favour sought by petitioners and, in particular, to the Irish and Welsh municipalities' frequent invocation of their ongoing struggle against the native population to justify the redress they sought. In doing so, we consider the extent to which Irish and Welsh municipal petitions were conceived and considered for redress differently from other petitions, and how characteristic their contents were of the jurisdictional and social contexts of late medieval Ireland and Wales.

---

<sup>23</sup> *Record of Caernarvon*, pp. 172–6. I. Kershaw, 'The Great Famine and agrarian crisis in England, 1315–1322', *Past & Present*, 59 (1973), 3–50 at 49.

# Pre-publication draft. Do not cite.

## Systemic aspects of Irish and Welsh urban petitioning.

### Volume of petitions and areas of origin.

Irish and Welsh petitions represent only a small proportion of the more than 17,500 petitions held in the National Archive's document class 'Special Collections 8', or 'SC 8', called 'Ancient Petitions'. However, it is important to note that SC 8 is an 'artificial' document class, reflecting the efforts of 19th-century archivists to bring together, from different archival *fonds*, all surviving documents constituting petitions.<sup>24</sup> Many subjective decisions were made regarding which document collections to search and what exactly constituted petitions, leaving some 'related materials' arguably constituting petitions in other document classes, a problem particularly acute with respect to larger urban communities, such as Dublin.

Philomena Connolly undertook the task of identifying Irish petitions in the SC 8 class, finding 639 of them.<sup>25</sup> Of this number, 40, or just over 6 per cent, were lodged by municipalities – that is, by urban authorities or by one or more citizens petitioning on behalf of their community;<sup>26</sup> this excludes a similar number of petitions lodged by individual burgesses, foreign merchants or the lords of seignorial boroughs, when added together. To these we can add a further 70 municipal petitions from towns in Ireland, not identified by Connolly. For instance, from Dublin there are a few municipal 'complaints' to the king from the 13th century, which might reasonably be interpreted also as early forms of petitions, as well as

---

<sup>24</sup> Dodd, 'Parliamentary petitions?', pp. 12–47.

<sup>25</sup> The other classes of documents, or 'related materials', containing petitions include: TNA, C 47, C 49, C 81, C 143, C 145, C 260 and E 175; See, P. Connolly, 'Irish material in the class of Ancient Petitions (SC8) in the Public Record Office, London', *Analecta Hibernica*, 34 (1987), 4.

<sup>26</sup> There are 18 from Dublin itself, one from both Dublin and Drogheda, two from Drogheda, four from Cork, six from Limerick, one from both Limerick and Cork, four from Waterford and one from Galway, New Ross, Roscommon and unnamed town each; Connolly, 'Irish Material', pp. 13–15, 20, 25, 28, 33, 35–37, 43–44, 51, 57–58, 60–64, 66, 68–69, 71, 75, 84, 88, 90–92, 97, 102, and 106.



## Pre-publication draft. Do not cite.

letters communicating particular problems, to which the king seems to have replied.<sup>27</sup> Four Dublin petitions, not included in SC 8, are mentioned in Irish sources as having been presented to early 14th-century English parliaments.<sup>28</sup> Lastly, the calendars of Close and Patent Rolls contribute to the number of known Dublin petitions, especially from the mid- and late-14th century.<sup>29</sup> Hence, the number of petitions from Dublin alone, from SC 8 plus these other sources, amounts to over 30. Other towns that petitioned the crown, but which are not included in Connolly's edition, include Ardee,<sup>30</sup> Clonmel,<sup>31</sup> Carlow,<sup>32</sup> Newcastle McKynegan,<sup>33</sup> Kinsale,<sup>34</sup> Jerpoint,<sup>35</sup> Rathangen,<sup>36</sup> Kilkenny,<sup>37</sup> Thomastown,<sup>38</sup> Kilmidan,<sup>39</sup> Shandon,<sup>40</sup> Youghal,<sup>41</sup> and Kinsale.<sup>42</sup>

*A Calendar of Ancient Petitions Relating to Wales* was prepared by William Rees in the 1970s, identifying 744 surviving petitions from document class SC 8, plus a further 40 from among the records of the royal exchequer; in a few instances multiple closely related and contemporaneous petitions connect to the same topic.<sup>43</sup> About 59 of these SC 8 petitions, or 8 per cent, were lodged by municipal authorities or a citizen(s) on behalf of the community; in

---

<sup>27</sup> *HMDI*, pp. 179–80, 182–3; 140, 187, 202; also: See also: *DOAF*, p. 9; *CDI* 1, no. 971, 974, 1130, 1229; *CDI* 2, no. 932; *CDI* 3, no. 479; cf. G. Hand, *English Law in Ireland, 1290–1324* (Cambridge, Cambridge University Press, 1967), p. 14.

<sup>28</sup> *PROME* 2, pp. 170, 176; *PROME* 4, p. 444, see also: *HMDI*, p. 204 and RP 2, p. 214, no. 38.

<sup>29</sup> TCD Chancery, Close Roll, 30 Edward III, 9 May 1356; Close Roll 42 Edward III; Close Roll 48 Edward III, 12 June 1374; Close Roll 48 Edward III, 16 July 1374; Close Roll 51 Edward III, 1 March 1377; Close Roll 2 Richard II, 27 Jan. 1379; Close Roll 3 Richard II, 7 Nov. 1379; Patent Roll 9 Richard II, 9 Jan. 1386.

<sup>30</sup> *CJR* 2, p. 192 (Atherde).

<sup>31</sup> TNA, SC 1/16/49.

<sup>32</sup> RPKC, no. 5.

<sup>33</sup> TCD Chancery, Close Roll, 18 Edward III, 1 May 1344.

<sup>34</sup> TCD Chancery, Patent Roll, 12 Richard II, 23 May 1389.

<sup>35</sup> TCD Chancery, Patent Roll, 49 Edward III, 8 Apr. 1375.

<sup>36</sup> *CJR* 1, p. 230.

<sup>37</sup> TCD Chancery, Patent Roll, 49 Edward III, 1 July 1375.

<sup>38</sup> TCD Chancery, Patent Roll, 49 Edward III, 1 March 1375.

<sup>39</sup> TNA, SC 1/29/4.

<sup>40</sup> *PROME* 1, p. 474.

<sup>41</sup> TCD Chancery, Patent Roll, 49 Edward III, 4 July 1375.

<sup>42</sup> TNA, SC 8/103/5122.

<sup>43</sup> On related petitions, see, for example, the three petitions of the burgesses of New Carmarthen, 1326–7, all seeking a murage. *Petitions*, pp. 77, 260.

## Pre-publication draft. Do not cite.

addition, as in Ireland, individual Welsh burgesses, foreign merchants and the lords of seignorial boroughs, collectively, made a similar number of petitions relating to towns.

Dodd and others have already made preliminary investigations of the general nature and geographical distribution of petitions' points of origin in Ireland and Wales.<sup>44</sup> With respect to both countries, petitions originated only from points under direct or *effective*-indirect royal control. In Ireland these were mainly the 'four loyal counties' of Louth, Meath, Dublin and Kildare, later known as the Irish 'Pale'; nonetheless, petitions were sent also by the Munster townspeople of Tipperary, Limerick and Waterford. In Wales they came mainly from the royal Principality of Wales, both its northern Principality counties of Anglesey, Caernarfonshire and Merionethshire (and Flintshire) and southern Principality counties of Cardiganshire and Carmarthenshire. In Ireland, areas under direct or *effective*-indirect royal control excluded territories controlled by Irish chieftains/kings (even when claiming subordination to the English king) and, to some de facto extent, the great liberties of Ireland.<sup>45</sup> Just as importantly, it excluded native Irish who did not enjoy the king's peace; all free ethnic-Irish subjects of the king, in the Pale at least, only received grant of English law in 1331.<sup>46</sup> In Wales, areas under royal control excluded the marcher lordships, where the king's writ did not run, although periods of reversion of individual marcher lordships into royal hands, due to the minority or default of heirs, did facilitate petitions from those areas.

However, it did *not* exclude the native Welsh of the Principality who were all, after 1284, the

---

<sup>44</sup>For an overview, and on geography, see, Dodd, *Justice and grace*, pp. 42–6; Dodd, 'Petitions from the king's dominions', esp. pp. 191–5; For petitions from Ireland in general see G. Hand, *English Law*, pp. 14–5 and 137–51; H. G. Richardson and G. O. Sayles, 'Irish parliaments of Edward I', *Proceedings of the Royal Irish Academy: Archaeology, Culture, History, Literature*, vol. 38 (1928/1929), 134–47; cf. B. Harland, 'Edward I and petitions relating to Ireland', in M. Prestwich, R. Britnell and R. Frame (eds), *Thirteenth Century England IX. Proceedings of the Durham Conference 2001* (Woodbridge, Boydell Press, 2003), pp. 60–5; B. Harland, 'The liberties of Ireland in the reign of Edward I', in M. Prestwich (ed.), *Liberties and Identities in the Medieval British Isles* (Woodbridge, Boydell Press, 2008), pp. 201, 211.

<sup>45</sup>Hartland, 'The liberties of Ireland', pp. 200–16.

<sup>46</sup>G. Dodd, 'Law, legislation and consent in the Plantagenet Empire: Wales and Ireland, 1272–1461', *Journal of British Studies*, 56 (2017), 225–49 at 236–7; Dodd, 'Petitions from the king's dominions', p. 195.

## Pre-publication draft. Do not cite.

private subjects of the crown, as regulated by the Statute of Wales, and who accounted for as many as half of petitioners.<sup>47</sup>

In Ireland, the concentration of access to petitioning in the hands of the Dublin-focused settler community meant that as much as a third of petitions from the island were made by ‘the inhabitants of Dublin, the king’s officers in Dublin, the archbishop of Dublin, and various religious orders located in and around Dublin’.<sup>48</sup> In Wales, petitioning was less focused, given the numerically equal participation of the native population in petitioning, but the highest concentrations of petitions nevertheless emanated, in the southern Principality, from in and around the royal administrative centre of Carmarthen, and, in the northern Principality, the administrative centre of Caernarfon and the archipelago of (mostly castellated) boroughs founded by Edward I across north Wales.<sup>49</sup> Of key importance, the greater integration of the native Welsh into the colonial legal system there *did not* shield them from the use of petitioning by the comparatively urban-orientated settler community to advance and defend their superior economic position at the expense of the native population (see below, subsection ‘Help against the native population’). In both areas, as Dodd has asserted, the dialogue between petitioners and the English king and parliament primarily represented an effort ‘to complement existing legal structures in place locally’.<sup>50</sup>

### **The composition and consideration of municipal petitions.**

The process of preparing, dispatching and delivering a petition, with or without the express intent that it be considered by the king, king and council or parliament, and of obtaining a

---

<sup>47</sup> Dodd, ‘Petitions from the king’s dominions’, p. 194; Dodd, ‘Law, legislation and consent’, 228–30; Ll. B. Smith, ‘The Statute of Wales, 1284’, *Welsh History Review*, 10 (1980–1), 127–54.

<sup>48</sup> Dodd, ‘Petitions from the king’s dominions’, p. 191.

<sup>49</sup> Dodd, ‘Petitions from the king’s dominions’, p. 193.

<sup>50</sup> Dodd, *Justice and Grace*, p. 42.

## Pre-publication draft. Do not cite.

response and communicating that response to the person(s) or community that had submitted the petition – in this case Welsh and Irish towns – was not strictly defined and is not entirely known, although a degree of literacy and familiarity with the typical written form is increasingly evident in petitions from the late-14th century.<sup>51</sup> Moreover, even the term 'petition' itself was never clearly defined, since it covered various types of enquiries, requests and pleas.<sup>52</sup> In an English context, petitions were potentially composed, delivered or championed by a local member of the English parliament, but, crucially, Ireland and Wales did not usually send representatives to the English Parliament.<sup>53</sup>

Simply taking part in the process of petitioning served to reinforce the connection between the Irish and Welsh peripheries and the English core of the Plantagenet Empire. When investigating the extent to which a special relationship existed between peripheries and core, we might expect to see evidence of it reflected in the composition or consideration of Irish and Welsh petitions. The question is whether or not either peripheral municipalities or the English parliament felt that providing redress to these royal dominions was any more specifically the province of their direct lord, the king, than of his council or parliament more generally.

In assessing how municipal petitioners perceived the nature of their relationship – special or otherwise – with the king, and how much of a personal role they expected him to have in providing redress, it is tempting to look to the mode of formal address employed by

---

<sup>51</sup> Dodd, *Justice and Grace*, pp. 279–316.

<sup>52</sup> *PROME* 1, p. 3.

<sup>53</sup> Wales returned members of parliament on only two occasions, both in the reign of Edward II. Dodd, 'Law, legislation and consent', 232; On Ireland, see the memorandum regarding an exceptional summoning of representatives of citizens and burgesses of Ireland to the royal council of 1376, TCD Chancery, Patent Roll, 50 Edward III, 20 March 1376; cf. J. J. Webb, *Municipal Government in Ireland, Medieval and Modern* (Dublin, The Talbot Press Limited, 1918), pp. 66–70; cf. J. A. Watt, 'The Anglo-Irish colony under strain, 1327–99', in *New History Ireland*, pp. 367–8; *SOAP*, p. 229.

## Pre-publication draft. Do not cite.

petitioners. The three most common among all petitions were ‘to the king’, ‘to the king and council’ and ‘to the king and council in parliament’ – where Ireland and Wales were unrepresented. Irish and Welsh petitioners, as a whole, typically employed a mixture of the two former modes or address, with the only discernible pattern being that 15 of 16 petitions from towns in Wales during Edward I’s reign were addressed ‘to the king’ alone.<sup>54</sup> This might entice one to conclude that recent royal military campaigns and town foundations there had perhaps imparted a sense of perceived royal intimacy with urban settlers’ affairs. In general, however, there is *no evidence* that Irish and Welsh municipalities, in addressing petitions only to the king or to the king and council, were eschewing the English parliament as a vehicle for redress since almost all late 13th- and early 14th-century petitions, whether emanating from England or her dominions, were addressed ‘to the king’ or ‘king and council’, despite this being the period in which the *largest* proportion of petitions were likely presented in parliament.<sup>55</sup> Dodd has argued that ‘the greater proportion of petitions addressed to the king that date from before the mid-14th century were presented in parliament’, stressing Edward I’s foundational efforts to mould parliament into both a medium through which the king was reached and a superior judicial forum.<sup>56</sup> Only from the late-14th century was the mode of address on a petition, such as ‘to the king’, possibly reflective of a desire for the king to consider its content personally.<sup>57</sup> But the modes of address employed in later Irish and Welsh municipal petitions – which are few after 1350 – do not exhibit a strong predilection for petitioning ‘to the king’ alone, with, for example, just half of the 12 post-1350 Welsh municipal petitions so addressed.<sup>58</sup>

---

<sup>54</sup> *Petitions*, pp. 52, 53, 82, 177, 178(x2), 222, 237, 366, 392, 393, 461, 491, 498, 524.

<sup>55</sup> Dodd, ‘Parliamentary petitions?’, p. 14; *PROME*, p. 63.

<sup>56</sup> Dodd, ‘Parliamentary petitions?’, p. 44; Dodd, *Grace and Justice*, pp. 25–48.

<sup>57</sup> Dodd, ‘Parliamentary petitions?’, pp. 40–4.

<sup>58</sup> *Petitions*, pp. 38, 161, 304, 330, 371, 429.

## Pre-publication draft. Do not cite.

After Irish and Welsh petitions were received by the king and council, there is no clear indication that they were less likely than those from England to be considered in the English parliament; in this was an inherent contradiction, as Ireland and Wales were royal possessions not directly subject to English parliamentary authority.<sup>59</sup> On the one hand, Edward I's initial encouragement of the institution of petitioning had explicitly linked it to the consideration of petitions in parliament. On the other hand, as early as 1290 'committees or triers' were vetting petitions and separating those which could be dealt with by royal ministers from those requiring the attention of the king and council within or outside of parliament.<sup>60</sup> By the reign of Edward III (r. 1327–77), there were two committees of triers, one for petitions from the dominions of Gascony, Ireland, Scotland, Wales and the Channel Islands, and a second for England.<sup>61</sup>

In general, the 'greater proportion [of all petitions] can be shown to have been presented in parliament'.<sup>62</sup> That said, some petitions are known, with greater certainty than others, to have been among the majority considered in the English parliament. This is due to their historic presence within a single *fonds* of documents called 'Parliamentary Petitions', extant in the 19th century and since subsumed into the larger SC 8 class of 'Ancient Petitions', of which the former comprise roughly half, numbered 1 to 7,768.<sup>63</sup> Old 'Parliamentary Petitions', in commensurate manner, comprise about half of all Irish and Welsh petitions among the modern SC 8 collection, suggesting that Irish and Welsh petitions were just as likely to be considered in parliament as other petitions. Particular concentrations of petitions from Ireland

---

<sup>59</sup> J. B. Smith, "The Legal Position of Wales in the Middle Ages," in A. Harding (ed.), *Law-Making and Law-Makers in British History* (London, Royal Historical Society, 1980), 21–53; Hand, *English Law*, esp. pp. 161–3.

<sup>60</sup> Dodd, *Justice and Grace*, pp. 50–3. *PROME* 1, p. 63 (Easter 1293, doc. 4); *PROME* 3, p. 266 (1316 Hilary Parliament).

<sup>61</sup> Dodd, *Justice and Grace*, p. 91.

<sup>62</sup> Dodd, 'Parliamentary petitions?', p. 45.

<sup>63</sup> The work of Dodd suggests that the distinction between the Parliamentary Petitions *fonds* and the SC 8 petitions numbered 7,769 and above, marshalled from other documentary series, is largely a false one. Dodd, 'Parliamentary petitions?', pp. 17–28, 44–56.

## Pre-publication draft. Do not cite.

were presented to the English parliaments of 1290, 1293, 1302, 1305, 1320,<sup>64</sup> and also – apparently at the behest of the Irish Parliament – to the English parliaments of 1342 and 1380.<sup>65</sup>

Equally, a substantial, if variable, proportion of Irish municipal petitions were not part of the Parliamentary Petitions *fonds*, and so perhaps more likely among the minority of SC 8 petitions presented *outside* of parliaments.<sup>66</sup> This includes seven of the 18 Dublin petitions identified by Connolly, from the SC 8 collection. Perhaps more notably, the same may be said of three of four petitions from Cork and four of five petitions from Waterford, based on their absence from the Parliamentary Petitions *fonds*. Welsh municipal petitions are generally enigmatic in this respect. Overall, 27 of 59 were not in the Parliamentary Petitions *fonds* and so have a greater chance of having been considered *outside* parliament, and for no Welsh town is a discernible pattern evident.

Unfortunately, the language of the main request for redress in individual Irish and Welsh municipal petitions is also rarely helpful in determining whether petitioners felt the responsibility for redress lay with the king or the king and council, within or outside of parliament. The self-identification of petitioners suggests that municipal petitions' contents were often dictated by urban authorities, such as a 'mayor and community', or collectively by the 'burgesses' of a town, although they were likely written by a municipal scribe or a lawyer operating within a 'broader political culture which helped create a standardised body of language which the drafters of petitions could readily (and perhaps unthinkingly) draw

---

<sup>64</sup> Hand, *English Law*, pp. 137–8.

<sup>65</sup> *SOAP*, pp. 333, 476.

<sup>66</sup> B. Hartland, 'Edward I and petitions relating to Ireland', in M. Prestwich, R. Britnell and R. Frame (eds), *Thirteenth Century England IX. Proceedings of the Durham Conference 2001* (Woodbridge, Boydell Press, 2003), pp. 61–2.

## Pre-publication draft. Do not cite.

upon'.<sup>67</sup> Further, it has been argued convincingly by Helen Killick that many petitions preserved in the National Archives are copies made by royal scribes so that they could be added to the parliamentary rolls, making it difficult to analyse subtleties in their original formulation.<sup>68</sup>

Not all petitions drafted in Ireland reached the English king and his council, as is discussed further below, in the subsection 'Justice'. Of those petitions that were dispatched from Ireland, many may have been collected during sittings of the Irish Parliament and then forwarded to England, entrusted to individuals with respect and influence at the royal court for delivery; Beth Hartland states that it was also possible to access the king personally, e.g. while performing military service, and thereby to make delivery directly.<sup>69</sup> In Wales, no one obvious collection point for petitions existed, as there was no representative institution, and again delivery must have been made via intermediaries. In a 1322 petition from Englefield and the town of Mostyn, the petitioners say that they 'send their credible messengers' to deliver their grievances.<sup>70</sup> All of these factors make it impossible to judge, from a structural or systemic point of view, if either municipal petitioners or the king, his ministers and parliament viewed petitions from Wales or Ireland as reflecting a more direct, or otherwise different, relationship than existed between English communities and the crown. Fortunately, the substantive content of municipal petitions, describing the petitioners' quandaries, is much more informative than what may be ascertained by examining the frequency of their dispatch, their composition or by whom they were ultimately given consideration.

---

<sup>67</sup> Dodd, *Justice and Grace*, p. 283.

<sup>68</sup> This seems likely in the case of petitions to parliament, particularly as endorsement was initially put on reverse of the petition parchment. See further, H. Killick, 'The scribes of petitions in late medieval England', in T. W. Smith and H. Killick (eds), *Petitions and Strategies of Persuasion in the Middle Ages: The English Crown and the Church, c.1200–c.1550* (Woodbridge, Boydell and Brewer, 2018), p. 65.

<sup>69</sup> Hartland, 'Edward I', p. 61.

<sup>70</sup> *Petitions*, pp. 176–7.



**Petitions' contents: justice, favour and help against the native population.**

Petitions from Irish and Welsh towns, both municipal petitions and those sent by private persons, resemble those originating from English towns in seeking justice and favour, as described above. However, Irish and Welsh petitions often differ in detail, both from each other and from English petitions, in that they reflect the unique legal frameworks and economic concerns that existed in each country. Further, they also reflect a colonial, that is, an anti-native, discourse. This discourse sometimes self-evidently communicates practical concerns, while at other times it borders on the hyperbolic, playing explicitly on a real or imagined sense of the king's personal responsibility for the welfare of urban settler communities in Ireland and Wales. In these aspects of Irish and Welsh municipal petitions' contents may be found the best evidence of a special, core-periphery relationship.

**Justice.**

As Dodd has argued, the 'justice' served by petitioning mainly comprised redress of 'injustices which could not be readily resolved through common law process', such as when corrupt officials prevented normal legal processes from running their course.<sup>71</sup> Petitions were not normally a means of appealing decisions at law as jurisdiction in review was already provided within the normal workings of the common law by the central court of King's Bench, as employed by English, (occasionally) Irish and (possibly) Welsh litigants – its competence over cases originating outside England was *de facto* rather than *de jure* and could be successfully challenged by Irish officials, at least (see below, this section).<sup>72</sup> Yet, at the same time, petitioning allowed not just royal consideration, but also English parliamentary

---

<sup>71</sup> Dodd, *Justice and Grace*, pp. 2, 40.

<sup>72</sup> Hand found that, through the end of Edward II's reign at least, a small number of litigants sought review in King's Bench of decisions taken by Irish courts. No search has yet been made for litigants at King's Bench from the king's lands in Wales. Hand, *English Law*, pp. 140–3, 147–50.

## Pre-publication draft. Do not cite.

consideration, of matters arising in places where writs issued by the king's English chancery normally did not run. One consequence of this contradictory situation was that the journey of Irish petitions from petitioner to English administration, and their ultimate referral to the king, could follow a variety of different routes. A large proportion of Irish petitions were sent, in the first instance, to the king's personal representative, or justiciar, in Ireland for on-the-spot examination;<sup>73</sup> we may presume that the justiciar, or another local official, reviewed these, rejected or resolved some, and forwarded others to England. In fact, some Irish townspeople addressed petitions directly to the justiciar,<sup>74</sup> as well as to the justiciar and the Irish parliament.<sup>75</sup> As indicated above, committees of triers introduced by Edward I sought to make the petitioning system manageable by designating those responsible for the handling and redress of petitions from Ireland and Wales, as much as England.<sup>76</sup> The consequences of their work are hard to discern, but must have resulted in many petitions being turned back to Irish or Welsh officials for resolution. Despite this effort to limit the direct burden on the king, or parliament, various municipal petitions from Ireland were ultimately considered *coram rege*.<sup>77</sup> Significantly, some petitions that reached the king and council, such as one from the townspeople of Shandon entertained at the 1290 Easter parliament, were not given consideration there because, as the king pointed out in this instance, the petitioner had not first sought the advice of his justiciar of Ireland.<sup>78</sup> In theory, the use of all intermediate courts was not necessary to petition the king and council, as various justiciars of Ireland themselves

---

<sup>73</sup> E.g. *PROME* 1, pp. 474, 478–9; *CJR* 1, pp. 230, 392.

<sup>74</sup> *CJR* 1, p. 225, 244; *CJR* 2, p. 192, 214.

<sup>75</sup> H. G. Richardson and G. O. Sayles (eds), *Parliaments and Councils of Medieval Ireland: Volume I* (Dublin, Stationary Office, 1947), p. xxi.

<sup>76</sup> Dodd, *Justice and Grace*, p. 52; cf. *PROME* 3, p. 162 (1316 Lincoln Parliament); *PROME* 4, p. 185 and 187 (1333 January Parliament); *PROME* 4, p. 266 (1340 March Parliament).

<sup>77</sup> E.g. TNA, SC 8/44/2179; SC 8/106/5264; SC 8/86/4296; SC 8/156/7783; Dodd, *Justice*, p. 58; cf. Hand, *English Law*, p. 14. On the supposed process of reaching resolution in petitions for royal pardon, see: H. Lacey, 'Petitioners for royal pardon in fourteenth-century England', in T. W. Smith and H. Killick (eds), *Petitions and Strategies of Persuasion in the Middle Ages. The English Crown and the Church, c.1200–c.1550* (Woodbridge: Boydell and Brewer, 2018), p. 62.

<sup>78</sup> *PROME* 1, p. 474.

## Pre-publication draft. Do not cite.

complained.<sup>79</sup> It is unclear how an Irish petitioning party was to know when it was incumbent upon them to approach first the king's justiciar in Ireland.

No evidence exists from Wales of any such two-track system of petitioning – i.e. to justiciar *or* to the king and council – as seems to have operated in Ireland. This is perhaps because of the contemporaneous existence of a justiciar of the southern Principality at Carmarthen and of the northern Principality at Caernarfon, as well as a justiciar of the Palatinate of Chester who administered justice in Flintshire, which divided the role of king's personal representative in Wales. As with Irish petitions, the work of the triers regarding Welsh petitions is only rarely visible, as in an endorsement on an early 14th-century petition from Carmarthen seeking a grant of murage, which reads 'It seems, if it pleases the king, that they may have it...'.<sup>80</sup> Davies stressed that, in his view, given the 'distinctively colonial' character of post-conquest Wales 'the justiciar received his instructions; it was to the king in council that petitions were addressed'.<sup>81</sup> But this kind of more immediate colonial administration, lessening the role of the justiciar, brought its own problems. While endorsements on Welsh petitions, made after their consideration, regularly order a Welsh justiciar to take some action, they also suggest that the justiciars of Wales could be caught in the middle of disputes. A petition of c.1327 by a Welshman, Adda ap Einion, and his English wife, Agnes, of the borough of Flint, complained that a delegation of Flint burgesses had, 'after approaching the king's presence' – more likely a reference to a now-lost written, rather than an oral, petition – obtained a writ to the justiciar of Chester ordering the earl of Chester to confiscate the couple's property on the grounds that Welshmen ought not to live or to purchase tenements in the enfranchised towns of Wales.<sup>82</sup> This confiscation was duly undertaken. The result of Adda and Agnes's

---

<sup>79</sup> Hartland, 'Edward I', pp. 60–1; Hand, *English Law*, p. 19.

<sup>80</sup> *Petitions*, pp. 77–8.

<sup>81</sup> R. R. Davies, *The Age of Conquest: Wales, 1063–1415* (Oxford, Oxford University Press, 1987), p. 366.

<sup>82</sup> *Petitions*, p. 172.

## Pre-publication draft. Do not cite.

subsequent petition, recorded in a now badly damaged endorsement, seems to have been a new order that justice ought to be done according to custom of ‘those parts’.

It is perhaps not surprising that the townsmen of Ireland and Wales felt that their requests for justice and favour ought to be dealt with by the king and his council, rather than by local administrators. The royal charters of liberties granted to towns in English-controlled Ireland and Wales established their relationship with the grantor, as both the English king and ‘Lord of Ireland’ or as lord of ‘his Land of Snowdon, and of his other lands in Wales’.<sup>83</sup> In Ireland, it seems that the townspeople of Dublin, as well as the burgesses of other Irish towns who had received charters of liberties well before the mid-13th century,<sup>84</sup> may have treated the king as both first law-giver and final judge,<sup>85</sup> from a time before the rudiments of English common law were widely or firmly established in Anglo-Irish legal custom.<sup>86</sup> In Ireland, the king assumed, c. 1170, lordship over some existing Hiberno-Norse communities with urban functions, the legal institutions, customs and usages of which were altered to meet the conqueror’s expectations. Wales, by contrast, had been without towns before colonisation, from 1067, by newcomers from England. Nevertheless, for the post-conquest Principality, Edward I had, by way of the 1284 Statute of Wales, created a new and unique streamlined legal system rooted in English process. While this statute stated that the king might amend it ‘as often as it shall be our pleasure’,<sup>87</sup> from the time of Edward I’s transference of the governance of Wales to his son in 1301, the statute became fixed and immutable in the minds of lawyers and communities in Wales.<sup>88</sup> This was true to the extent that, like the Magna Carta

---

<sup>83</sup> The latter quotation is from the salutation of Edward I’s 1284 Statute of Wales. *Statutes Wales*, p. 2.

<sup>84</sup> By 1215, Cork, Drogheda (Louth), Dungarvan and Limerick had been granted charters from the King, see: *BBC I*, p. xxxiii.

<sup>85</sup> B. Hodkinson, ‘The medieval city of Limerick’, in L. Irwin and G. Ó Tuathaigh (eds), *Limerick History and Society* (Dublin, Geography Publications, 2009), p. 23.

<sup>86</sup> On the introduction of the common law in Ireland see: Hand, *English Law*, pp. 1–2; P. Brand, ‘Common Law’, in *MIAE*, pp. 101–2; F. X. Martin, ‘John, Lord of Ireland, 1185–1216’, in *New History Ireland*, pp. 144–5.

<sup>87</sup> *Statutes Wales*, pp. 26–7.

<sup>88</sup> Smith, ‘The Statute of Wales’, 133.

## Pre-publication draft. Do not cite.

in England, violation of its perceived precepts, real or imagined, justified petitioning the king and council directly for redress, without reference to a justiciar. The burgesses of Cardigan did so in 1385–6 when petitioning the king and council to complain that ‘contrary to...the Statute’ the burgesses of Carmarthen had paid the chancellor of England for a grant to have the sitting of the courts of great sessions – presided over by the justiciar – and petty sessions relocated from Cardigan to Carmarthen, thereby impoverishing them; in reality, the Statute of Wales did not state where the courts ought to be held.<sup>89</sup> Adda and Agness of Flint, as above, had in their petition pointed to the absence in the Statute of Wales of a ban on Welshmen living or possessing tenements (and thereby gaining admission to the franchise) in the Principality’s towns, although they overlooked a 1295 royal ordinance banning Welsh from dwelling within or purchasing tenements in walled towns, such as Flint.<sup>90</sup>

Notably absent from Irish and Welsh petitions relating to towns are instances of individual petitioners appealing to the king against decisions taken within municipal courts. In both Wales and Ireland, chartered boroughs usually held a ‘hundred’ or ‘borough’ court of the town at roughly one- to four-week intervals and a ‘great court’ or ‘great tourn’ of the borough biannually.<sup>91</sup> Beyond these, burgesses, individually or as a community, sometimes litigated before other courts.<sup>92</sup> In Ireland, persons or communities could litigate in the justiciar’s court and the court of common bench,<sup>93</sup> which were analogous to the English central common law courts of King’s Bench and Common Bench (alias, Common Pleas) and treated – by

---

<sup>89</sup> Smith, ‘The Statute of Wales’, 132; *Petitions*, pp. 123–4.

<sup>90</sup> *Petitions*, p. 172; Phipps and Stevens, ‘Towards a characterisation’, 301.

<sup>91</sup> See, for explanation, G. P. Jones and H. Owen (eds.), *Caernarvon Court Rolls, 1361–1402* (Caernarvon, Caernarvonshire Historical Society, 1951), pp. 1–12.

<sup>92</sup> The most prominent example is the trial between the Dublin municipality and the archbishops of Dublin, held before the justiciary’s court. See, *HMDI*, pp. 182–3; D. J. F. Brown, ‘The Archbishop and Citizens of Dublin During Hugh de Lacy’s Irish rebellion, 1223–4’, in *MedDub XV*, pp. 260–1.

<sup>93</sup> P. Brand, ‘Courts’, pp. 109–10.

## Pre-publication draft. Do not cite.

Dubliners at least – as appeals courts from the late-13th century.<sup>94</sup> In 1289, for example, an appeal against a decision taken at the Dublin borough court was raised in the King’s Bench, London, but ultimately returned to Dublin’s borough court ‘because the citizens claimed as their special privilege that proceedings in their court should be first redressed before the Dublin [common] bench of the justiciar’.<sup>95</sup> In Wales, the court of great sessions, held before the justiciar at Carmarthen or Cardigan in the southern Principality and the justiciar at Caernarfon in the northern Principality (Flintshire answering to the justiciar at Chester) entertained appeals.<sup>96</sup> As with Ireland, appeals against their decisions were not, in so far as we know, made by petition.

However, while petitioning from Wales and Ireland did not develop as a means of appeal, it certainly did serve as a means by which royal officials could be held to account for their actions. Dodd posited that this may have been what the crown envisaged as petitioning’s original function, and it was especially important in the king’s dominions, where administrative oversight was slender at best.<sup>97</sup> The dire need for oversight in Ireland is attested as early as the 1220s, by a dispute between the Archbishop of Dublin, Henry de Loundres and the people of the city. A letter issued in King Henry III’s name noted that the archbishop was ‘forcing citizens who had complaints against his men to seek recourse to the justiciar’s court’ in which the archbishop himself acted as justiciar.<sup>98</sup> Although itself not technically an infringement of the overlapping jurisdiction of the municipal court, this

---

<sup>94</sup> ‘By 1300, the king’s court had branched out, as in England, into a “Chief Place” (or Justiciar’s Bench, presided over by the king’s lieutenant or justiciar), a Common Bench, an Exchequer, and a Chancery (presided over by the chancellor of Ireland)’, J. Baker, *An Introduction to English Legal History*, 5th edn (Oxford, Oxford University Press, 2019), pp. 16–31, 38–40.

<sup>95</sup> H. Hall (ed.) *Select Cases on the Law Merchant from Records of Central Courts, A.D. 1239–1633: Vol. II, Central Courts* (London, Seldon Society, 1930), p. 50; Hand, *English Law*, p. 19. For more on the legal paths, their flexibility and usage in Ireland see, Richardson and Sayles, *Irish Parliaments of Edward I*, pp. 133–5.

<sup>96</sup> *Petitions*, pp. 16–7.

<sup>97</sup> Dodd, *Justice*, p. 50.

<sup>98</sup> Brown, ‘The archbishop’, p. 260.

## Pre-publication draft. Do not cite.

amounted to a form of injustice.<sup>99</sup> This kind of abuse of rights and privileges, de facto if not always de jure, would give rise to Irish and Welsh petitions from the late-13th century onwards, often regarding boroughs' rights to their own courts, boroughs' and burgesses' rights of free devise, and other freedoms indicated in borough charters. By entertaining such complaints, the king was defending his own decisions and rights as grantor and guarantor of those privileges.<sup>100</sup>

The earliest petitions from Dublin, including one dispatched to the crown in 1275, upon Edward I's invitation to his subjects to petition king and parliament, mainly contained complaints against the justiciar and the archbishop of Dublin (at that time separate persons), and their alleged actions against the welfare of the city's inhabitants as constituents of a royal borough.<sup>101</sup> The eight-part petition Dublin borough sent to the crown in 1275 clearly indicates the eagerness of the civic authorities to curb what they perceived as the arbitrariness of Irish officials in the performance of their duties; virtually every abuse cited related to encroachments made by royal officers, or other of the king's subjects, on the rights and freedoms of the Dubliners or of foreign merchants visiting the town. If the accusations are taken at face value, the archbishop had created his own market, to the detriment of the city. Two justiciars had borrowed money from the city, which they had not repaid, and the prizes they had imposed had deterred merchants from trading there. Moreover, the keeper of Dublin castle, who used to take from foreign merchants coming to the city every tenth cow as prise, for 40d., had abused his powers by taking every fifth or sixth cow.

---

<sup>99</sup> D. Hall, 'Everyday violence in medieval Dublin', in *MedDub XV*, p. 307.

<sup>100</sup> As e.g. specifically stated by Edward I in 1266: 'He complained that his men were publicly whipped through the streets and ways of the city. 'To obviate future prejudice to his rights', he instructed the mayor and bailiffs to prevent encroachments within his dominions in the execution of ecclesiastical sentences.', see: C. Smith, 'Trouble with the archbishop in thirteenth-century Dublin', in *MedDub XIV*, p. 182.

<sup>101</sup> TNA, SC 8/346/E1421; SC 8/295/14724; SC 8/44/2182. See also: *CDI* 1, no. 971, 974, 1130, 1229 and *HMDI*, pp. 179–80, 182–3; D. F. J. Brown, 'The archbishop and citizens of Dublin during Hugh de Lacy's Irish rebellion', in *MedDub XV*, p. 260.

In the late-13th and early 14th centuries, Dubliners complained about the king's men unlawfully occupying lodgings in the city.<sup>102</sup> In 1305, Dublin was confronted with a royal treasurer, who, 'by searches of the old rolls of the Dublin Exchequer', felt justified to demand payment of the borough fee farm from a period when, according to the burgesses, they did not have the privilege of settling accounts through farm.<sup>103</sup> This may have been a product of the exceptional organisational zeal of the Irish administration, then under justiciar Sir John Wogan, rather than of administrative misfeasance, but Dubliners nonetheless felt wronged.<sup>104</sup>

Other Irish towns also complained, singularly or jointly, of royal officials whom they felt had run amuck. From 1275, there survives a memorandum in chancery concerning a petition of Cork against Maurice Fitz-Maurice, formerly justiciar of Ireland, 1272–3.<sup>105</sup> Also in that year, the burgesses of Clonmel petitioned for repayment of a loan made to the current justiciar Geoffrey de Geneville – possibly relating to his unsuccessful 1274 campaign against Leinster.<sup>106</sup> A royal reply of 1282–3, to a petition from the burgesses of Waterford, shows that they had complained, among other things, about the bishop of Waterford and justiciar of Ireland and his infringement of their charter of liberties.<sup>107</sup> Among the many parliamentary petitions that questioned the actions of former sheriff of Kildare, William de Vescy, was one dispatched by the burgesses of Castledermot in 1293, accusing him of having acted against

---

<sup>102</sup> TNA, SC 8/43/2108; *PROME* 2, p. 170.

<sup>103</sup> TNA, SC 8/43/2109.

<sup>104</sup> On his justiciarship see, R. Mackay, 'Wogan, John', in J. McGuire and J. Quinn (eds), *Dictionary of Irish Biography* (Cambridge, Cambridge University Press, 2009), <  
<http://dib.cambridge.org/viewReadPage.do?articleId=a9102>>, accessed 23 April 2021.  
Biography Online

<sup>105</sup> TNA, C 47/10/13/12.

<sup>106</sup> TNA, SC 1/16/49. B. Hartland, 'Ludlow and Trim: the role of Ireland in the career of Geoffrey de Geneville (c.1226–1314)', *Irish Historical Studies*, 32 (2001), 457–77 at 461–3, n. 23.

<sup>107</sup> *CDI* 2, no. 2039. Cf. *CDI* 1, no. 350, on the Justiciarship of Stephen de Fulbourn, see A. J. Otway-Ruthven, *A History of Medieval Ireland* (New York, St. Martin's Press, 1980), pp. 204–205, who described it as corrupt and inefficient.



## Pre-publication draft. Do not cite.

the town's liberty.<sup>108</sup> In 1332, the burgesses of Dublin, Drogheda, Cork and Waterford, petitioning together, demanded an inquisition by the Irish justiciar or treasurer to ascertain whether or not they were still indebted to the crown for victuals which they had purveyed for the late king's war in Scotland.<sup>109</sup> They claimed that they had previously been discharged of the debt but that the demand had been renewed, the petition's implication being that this was a product of administrative misfeasance.

Such petitions from Irish towns were common until the mid-14th century, before which time the justiciarship was often held for a term of several years and the colony's finances were fairly robust. But they hardly arose beyond the mid-14th century, after which time the justiciarship tended to be held for an annual term and the colony's finances were in a state of crisis, discouraging ambitious candidates from seeking to lead the Irish administration.<sup>110</sup>

Equally, it is notable that new royal ordinances were enacted in 1320, addressed by Edward II 'to the mayor and bailiffs of Dublin', which directed royal officials in his Irish administration to strive to preserve the peace and to bring consolation to 'the great grievances and oppressions which our people in Ireland have suffered in the past'.<sup>111</sup> Among other matters, chapters V and VI of the ordinances set out the structure of the judiciary and the conduct of officials, aiming to fortify the royal administration against the kinds of abuses cited in municipal petitions.

Municipal petitioning from Wales, by comparison, seems to have made a late start, the earliest surviving municipal petition being a 1280 request by the royal borough of Carmarthen for a

---

<sup>108</sup> *PROME* 1, pp. 664–5.

<sup>109</sup> TNA, SC 8/243/12104.

<sup>110</sup> J. A. Watt, 'The Anglo-Irish colony under strain, 1327–99', pp. 363–6.

<sup>111</sup> *SOAP*, pp. 280–91.

## Pre-publication draft. Do not cite.

grant of murage.<sup>112</sup> Concerning justice, Welsh petitions had a uniquely two-fold character with municipalities seeking not only the crown's protection against encroachments by royal officials, but occasionally against those by marcher lords as well. In 1290, Nicholas de Moleton and William de Pyketon, 'on behalf of the burgesses of Haverford[west]', complained 'bitterly', that, contrary to their accustomed rights, they were being distrained to answer pleas in courts other than the borough's courts under pain of imprisonment, ejection from their property or outlawry.<sup>113</sup> This situation had arisen as a consequence of an attempt by William de Valance, lord of Pembroke, to annex the royal borough to his lordship.<sup>114</sup> The burgesses of seignorial boroughs also sometimes complained of encroachment by royal officials, as the burgesses of Llandeilo Fawr did of the bailiffs of the nearby royal borough of Dinefwr, who were said to have unlawfully distrained them to pay a fine for brewing.<sup>115</sup>

Most municipal petitions from Wales seeking justice, however, were directed against the Principality's justiciars and other officers. Exemplary of these were the three increasingly desperate petitions made by the burgesses of Flint in 1296–7.<sup>116</sup> The first complained that the justiciar of Chester, Reginald de Grey, had, during the Welsh rebellion of 1294–5, ordered the town burnt 'for the safety of the castle'. Afterwards, an inquisition was held by just de Grey himself and one other inquisitor which set the damages owed in compensation to the townspeople at £300 or more. But this compensation had not been paid. In the second petition, the burgesses claimed that de Grey was distraining them for non-payment of the fee farm of the town, despite their inability to pay given that de Grey had burnt the town down just two years before, for which they had yet to receive compensation. The third petition says

---

<sup>112</sup> *Petitions*, p. 392.

<sup>113</sup> Rees (ed.) *Calendar*, pp. 88, 366 (related).

<sup>114</sup> Dodd, 'Law, legislation and consent', 197–8.

<sup>115</sup> *Petitions*, p. 57.

<sup>116</sup> *Petitions*, pp. 177–8.

## Pre-publication draft. Do not cite.

that, despite having paid de Grey £10 to be freed from payment of the contentious farm of the town, he had refused to return the livestock upon which he had previously made distraint. Moreover, he had invited Welsh villeins to settle in the town, undermining the market monopoly which the burgesses had been granted in their charter. In c.1331–5 the burgesses of Aberystwyth complained that they were being unjustly called to answer pleas at Carmarthen, before the justiciar of south Wales, that rightfully ought to be reserved to their own borough court, as well as also stressing that various aspects of their royal charter were not being respected.<sup>117</sup> Local borough officials could also be the subject of complaints in Wales – as in Ireland such grievances probably often went first to the justiciar for redress. In 1309, the burgesses of Overton lodged a rambling petition of at least eight parts against the royally appointed bailiff of the borough, Ivo de Sulton, who appears to have sold off borough assets, taken bribes to personally accept notorious felons into the king's peace, and engaged in a variety of other illicit activities designed to enrich himself.<sup>118</sup> In 1322, a similar complaint was made that certain lands had been separated from the small and struggling town of Mostyn 'by the wish of evil people'.<sup>119</sup>

Another form of justice sought by municipal petitioners, being beyond the usual competence of colonial officials, was redress concerning disputes between boroughs. In Ireland, the enmity between New Ross and Waterford, for example, became the subject of repetitive petitions.<sup>120</sup> Similar conflicts occurred between other port cities. In 1290, Shandon burgesses complained about Cork's citizens, but the king ordered them to report to the justiciar.<sup>121</sup> At

---

<sup>117</sup> *Petitions*, p. 398.

<sup>118</sup> *Petitions*, p. 340.

<sup>119</sup> *Petitions*, p. 176.

<sup>120</sup> TNA, SC 8/78/3865; SC 8/271/13502; SC 8/264/13168; cf. CDRI, vol. I, no. 968; see also: J. Bradley and A. Halpin, 'The topographical development of Scandinavian and Anglo-Norman Waterford', in W. Nolan and T. P. Power (eds) *Waterford: History & Society: Interdisciplinary Essays on the History of an Irish County* (Dublin, Geography, 1992), p. 113.

<sup>121</sup> *PROME* 1, p. 474; *CDI* 3, no. 622.

## Pre-publication draft. Do not cite.

the beginning of the 14th century, the burgesses of Drogheda on the Louth side wanted the king to allow them to plead in a certain case ‘by the common law’ against the burgesses of Drogheda on the Meath side. The king instructed that the petition be forwarded to the Irish justices in eyre.<sup>122</sup>

Similar disputes led to petitions from Wales. Some of these arose from the distinctive colonial practice of founding a new royal borough in close proximity to a pre-existing, albeit initially unurbanised, native community that might itself then develop into a competing town. The best documented of these in Wales is the feud that arose in the early 14th century between, on the one hand, the burgesses of the planted royal borough of New Carmarthen, which physically abutted the precinct of a comparatively ancient Augustinian priory around which had grown the prescriptive borough of Old Carmarthen, and, on the other hand, the prior. Their disputes over tolls, competing officials and market monopolies gave rise to petitions to the king and council lodged by both sides, until Old Carmarthen’s independence was confirmed by the justiciar of the southern Principality in 1355.<sup>123</sup> The similar enmity between Llandeilo Fawr and Dinefwr has been mentioned above.

These and other Irish and Welsh petitions reflecting intertown rivalry demonstrate just how weak the economic potential of the mostly small towns of Ireland and Wales was, quite apart from the ravages of 14th-century war, famine and plague. They comprised links in an economic chain to nowhere, and so were constantly tempted to prey upon one another. In 1307 the ‘merchants of Chester and north Wales’ sent two petitions to the king claiming that when they take their merchandise and victuals to Ireland, the king’s officials there make them

---

<sup>122</sup> *PROME* 2, p. 403.

<sup>123</sup> *Petitions*, pp. 194, 196–9 (x4 petitions), 494; M. F. Stevens, ‘Anglo-Welsh towns of the early fourteenth century: a survey of urban origins, property-holding and ethnicity’, in H. Fulton (ed.), *Urban Culture in Medieval Wales* (Cardiff, University of Wales Press, 2012), pp. 151–2.

## Pre-publication draft. Do not cite.

pay ‘outrageous fine’, despite their theoretical immunity from tolls throughout the realm.<sup>124</sup>

The burgesses of Aberystwyth similarly complained, c.1331–5, that their goods were being charged with tolls at Dublin, Drogheda, Bristol, Chester and Shrewsbury.<sup>125</sup> We can see this issue from the other side when the burgesses of Conwy bemoaned in Edward II’s reign that ‘the town is so poor itself that there come not thither merchants from any ports but Dublin, Drogheda, Chester, Shrewsbury, Rhuddlan, Denbigh, Caernarfon and Beaumaris, who are people of the franchise, and in consequence nothing can be taken from them’.<sup>126</sup>

While the substance of Irish and Welsh municipal petitions seeking justice, broadly conceived, was similar, there were differences. In Ireland, the power of the colonial administration was both more distant from England and more focused, in the hands of a single justiciar. Likewise, the settler community and economy were more strongly focused on Dublin, which, with a population of 5,000–10,000, was at least twice as large as the biggest Welsh towns.<sup>127</sup> This led to the Irish municipalities’ swift uptake of petitioning, and a corresponding focus on the relationship between Dublin and the Irish justiciar, while petitions from Wales reflected its more diffuse settler population and power structure. Although Dodd has suggested of England and her dominions that it was only from 1278 that ‘large numbers of petitions flowed into the institution’ making it ‘obvious that the parliamentary petition was regarded by local people in a[n]... inclusive way’, Irish municipalities had actually embraced formalised petitioning from its inception in 1275.<sup>128</sup> Hence, it is possible that the 1320 Irish ordinances reflect, in some small part, a royal response to the alleged injustices raised so vigorously in their petitions. Welsh municipalities sought justice in similar matters, but did so

---

<sup>124</sup> *Petitions*, pp. 52–3.

<sup>125</sup> *Petitions*, p. 398.

<sup>126</sup> *Petitions*, pp. 311–12.

<sup>127</sup> B. M. S. Campbell, ‘Benchmarking medieval economic development: England, Wales, Scotland, and Ireland, c.1290’, *EcHR*, 61 (2008), 896–945 at 908–11.

<sup>128</sup> Dodd, *Justice*, p. 50.

## Pre-publication draft. Do not cite.

only from the 1280s, following the final conquest and annexation of the native principality in 1282–4, and sometimes in relation to neighbouring marcher lords with no precise Irish equivalent.

### **Favour.**

Irish and Welsh municipalities used petitions not only to seek redress for some injustice but also to obtain royal favour regarding similar things, such requests also commonly being found in the petitions of English towns. Chief among these were grants of new urban privileges, confirmations of old privileges and awards of financial relief. In this sense, they are the most unremarkable of Irish and Welsh municipal petitions. For example, the citizens of Limerick asked for a document stating what their liberties were on the grounds that all they knew was that their law was similar to that of Dublin.<sup>129</sup> In 1284 the townsmen of the king's new castellated settlement of Rhuddlan asked to be enfranchised by the king with the law of Hereford, which they had already attained a copy of under Hereford's municipal seal, so that traders would feel confident to settle and stay there.<sup>130</sup> In 1320 the burgesses of Newborough sought a confirmation of their charter which was based on that of Rhuddlan.<sup>131</sup> Kilmeadan's inhabitants claimed that they had received a charter from Henry III, and asked Edward I for a reissue as, unfortunately, this valuable document had been eaten by a hog.<sup>132</sup> In 1315 the burgesses of Rhuddlan had similarly to seek an exemplification of their charter, because the old one had been accidentally burnt.<sup>133</sup> Later, in the reign of Edward II, the mayor and citizens of Cork requested that the king would allow them to take a prise in the competing ports of

---

<sup>129</sup> *CDI 2*, no. 1056.

<sup>130</sup> *Petitions*, p. 491.

<sup>131</sup> *Petitions*, p. 26.

<sup>132</sup> TNA, SC 1/29/4; see also: *CDI 2*, no. 1179.

<sup>133</sup> H. C. Maxwell Lyte (ed), *Calendar of Patent Rolls, Edward II: Volume 2, 1313–1317* (London, Stationary Office, 1898), p. 255.

## Pre-publication draft. Do not cite.

Youghal and Kinsale, as apparently tax-shy wine merchants were avoiding Cork.<sup>134</sup> The burgesses of Carmarthen, facing a similar conundrum, asked that royal officials not collect a custom on wine there because ships preferred to avoid the tax by putting in at the lower-tax marcher boroughs of Haverfordwest, Pembroke, Tenby, Swansea and elsewhere, highlighting the challenge posed by the independent March.<sup>135</sup> The marcher borough of Chepstow, for example, on the west bank of the River Wye opposite England, would be economically dependent for most of the Middle Ages upon its role as a ‘tax haven’ where cargo could be more cheaply offloaded.<sup>136</sup>

Further, specific aspects of municipal self-government were also sought by Irish and Welsh towns, but there is little to distinguish them here from similar petitions made by English towns. For example, in 1328 the burgesses of Harlech sought the fee farm of certain escheats (i.e. properties reverting to the crown for lack of heirs), while, around the same time, those of Beaumaris petitioned more generally for the farm of the franchise.<sup>137</sup> In 1386, the burgesses of Carmarthen sought the right to nominate their own port reeve.<sup>138</sup> Such petitions reflected municipalities’ desire to maximise their own authority and to obtain the privileges already enjoyed by burgesses in other towns.

Financial matters, particularly how municipal works were to be financed, were a constant concern for Irish and Welsh boroughs. Beginning in the 1220s, Dublin applied regularly for murage, and, as the use of petitions became more widespread, from 1275, requests for murage

---

<sup>134</sup> TNA, SC 8/103/5122; See further. on the dispute between Cork and Youghal, TCD Chancery, Patent Roll, 49 Edward III, 4 July 1375.

<sup>135</sup> *Petitions*, p. 79.

<sup>136</sup> S. Dimmock, ‘Reassessing the towns of southern Wales in the later Middle Ages’, *Urban History*, 32 (2005), 33–45 at 42–4.

<sup>137</sup> *Petitions*, pp. 501, 295.

<sup>138</sup> *Petitions*, p. 474.

## Pre-publication draft. Do not cite.

were common among them.<sup>139</sup> The monarch generally did not question the legitimacy of requests for grants of murage in Ireland.<sup>140</sup> On the contrary, he routinely authorised the collection of taxes for the construction or repair of walls, including even, in 1308, a controversial grant to a former mayor of Dublin, Geoffrey Morton, who possessed a section of the city wall, and who was accused of misappropriating funds raised in this way.<sup>141</sup> Interestingly, Irish towns that had obtained seignorial foundation charters from their lords also applied to the king for grants of murage.<sup>142</sup> Some murage grants can be shown to relate to surviving petitions, while the wording of such grants in the patent rolls suggests that many more were granted in response to now-lost petitions. For example, the town of Jerpoint was granted murage ‘by petition’ in 1375 ‘[i]n aid and repair of the bridge over the River Nore situated near the said town, and also for the sustenance and improvement of one tower and a gate in the southern part of the said bridge, to prevent the King’s enemies and rebels from crossing the bridge both by day and by night’.<sup>143</sup>

The situation in Wales was much the same, albeit with two differences. First, while murages were routinely meted out to royal boroughs in response to petitions, as to Carmarthen in 1280, 1312, 1315 (and possibly 1326) and 1327, they were never granted to the seignorial boroughs of marcher lordships, where the king had no direct powers of taxation or trade regulation.<sup>144</sup>

Second, new post-conquest Welsh towns sought help with infrastructure, similar to Jerpoint in

---

<sup>139</sup> CARD, pp. 7–9, 12–6, 24–5; *HMDI*, pp. 308–16; TNA, SC 8/295/14724; SC 8/43/2110.

<sup>140</sup> At the 1290 Hilary Parliament, the King did not agree to a murage for Waterford, *PROME* 1, pp. 478–9.

<sup>141</sup> *PROME* 2, p. 180; J. Lydon, ‘The defence of Dublin in the middle ages’, *MedDub IV*, pp. 66–7.

<sup>142</sup> Each town published within the IHTA series has its list of murage grants prepared by the IHTA editors; some of the other towns that were granted murages by 1400 (retrieved from TCD Chancery): Kilmallock: Patent Roll, 1 Edward II, 8 Jan. 1308; Buttevant: Close Roll, 11 Edward II, 18 Jan. 1318; Cashel: Patent Roll, 13 Edward II, 1 March 1320; Carlingford: Patent Roll, 20 Edward II, 30 Sept. 1326; Tillagh: Close Roll, 18 Edward III, 10 May 1344; Thomastown: Patent Roll, 49 Edward III, 1 March 1375; Patent Roll, 49 Edward III, 12 Feb. 1375; Ardee: Patent Roll, 51 Edward III, 28 Jan. 1377; Limerick: Close Roll, 51 Edward III, 1 Feb. 1377; Waterford: Close Roll, 51 Edward III, 20 Apr. 1377; Kinsale: Patent Roll, 18 Richard II, 1 May 1395; Drogheda: Patent Roll, 22 Richard II, 28 Feb. 1399.

<sup>143</sup> TCD Chancery, Patent Roll, 49 Edward III, 8 Apr. 1375.

<sup>144</sup> *Petitions*, pp. 392, 75, 77, 80, 260.



## Pre-publication draft. Do not cite.

Ireland but presented within the context of the king's recent construction of those towns *de novo*. For example, in 1295–6 the community of Rhuddlan sought aid in restoring a bridge over the River Clwyd which had been burned in the recent Welsh rebellion.<sup>145</sup> In 1320 Beaumaris sought that the king should order an enquiry as to the cost and means of paying for a quay, for lack of which the town and castle were supposedly 'in peril of being lost'.<sup>146</sup> At about the same time, the burgesses of Conwy sought £100 of direct aid to finish the quay there, for which they had already received £100 but which yet remained only half completed, as well as to maintain the walls.<sup>147</sup>

Of particular note, in a Welsh context, are petitions from the king's newly planted towns seeking to improve their finances, stressing the unviability of surviving by trade alone given their location. The burgesses of the elevated headland borough of Harlech, for example, petitioned in 1328 for the right to hold two annual fairs, citing their poverty 'as they are situate on a rock from which no profit accrues to them.'<sup>148</sup> Not long beforehand, the burgesses of Rhuddlan had petitioned to make their own town sustainable through the provision of common pasture and the geographical expansion of their franchise's monopoly over trade as far as Flint, Ruthin and Deganwy (near Conwy); this latter and unrealistic demand – while perhaps correct in its grim assessment of economic realities – would have required the franchises of more than half a dozen competing boroughs to be extinguished.<sup>149</sup> Further, we might recall, as noted above, the pitiful complaints of the burgesses of Conwy in the reign of Edward II, who lacked for trade by land or sea except with merchants from other enfranchised towns.<sup>150</sup> While many petitions employed a calculated tone of desperation in seeking redress,

---

<sup>145</sup> *Petitions*, pp. 498–9.

<sup>146</sup> *Petitions*, p. 117.

<sup>147</sup> *Petitions*, p. 460.

<sup>148</sup> *Petitions*, p. 271.

<sup>149</sup> *Petitions*, p. 461.

<sup>150</sup> *Petitions*, pp. 311–12.

## Pre-publication draft. Do not cite.

the fact that most of the stunted boroughs of north Wales have, even today, yet to grow much beyond their medieval boundaries lends them an air of legitimacy. While most of the boroughs of Ireland and south Wales were established long before the advent of widespread petitioning, petitions from north Wales provide a record of the balancing of overzealous colonial new-town foundation against the region's limited economic potential.

### **Help against the native population.**

A common theme running through petitions from the municipalities of Ireland and Wales, whether relating to justice or to favour, is the crown's responsibility to protect the urban settler community from the native population. The threat of violence, destruction and direct financial loss posed to English townspeople was certainly real, as embodied by both endemic Anglo-Irish warfare and periodic Welsh rebellion. However, petitions most commonly sought redress relating to the indirect, and largely financial, threats posed by natives not respecting their chartered liberties, disrupting trade or occasioning burdensome defence spending.

Although the long-term trend in both Wales and Ireland was towards the integration of individual Irish and Welsh persons into English settler communities, periods of explicit anti-Irish and anti-Welsh ethnic discrimination by English townsmen were common, representing a rear-guard defence of settler dominance that extended throughout the later Middle Ages (see chapters 2 and 3, this volume). The anti-native fears reflected in petitions could be generalised or specific, but tended to be expressed in increasingly overwrought fashion as the 14th century progressed. In Wales, a series of ordinances put in place for the defence of the 'walled boroughs' of north Wales following a Welsh rebellion of 1294–5, including a prohibition against Welshmen dwelling or owning property within them, formed the long-term basis of

## Pre-publication draft. Do not cite.

many municipal petitions.<sup>151</sup> Failure to respect these ordinances, whether by royal officials or the Welsh themselves, was perceived as a grave injustice. As mentioned above, in 1297 the struggling burgesses of Flint complained of Welsh incomers to the walled borough who were settling there ‘by leave’ of the justiciar of Chester, and engaging in baking and brewing.<sup>152</sup> In the reign of Edward III, a collective petition was sent ‘to the king’ by ‘the English burgesses of North Wales’.<sup>153</sup> Claiming to represent eight named boroughs, it stated that while the king’s ‘wise counsel’ had established the towns ‘and English burgesses to live in them’, the burgesses were wrongly and contrary to their charters required to answer to the lawsuits of Welshmen laid before the justiciars of Wales or in other courts. If the king did not stop this abuse of their liberties, ‘there would not...be any Englishman in Wales alive within a short time’. Similarly, the burgesses of Carmarthen insisted in 1386 that they ought not to have to answer the pleas of Welshmen, ‘otherwise, the town is destroyed forever and from it they wish speedily to depart’.<sup>154</sup>

In Ireland, the greater legal separateness of the native Irish lent a degree of clarity to the situation, in so far as most ethnically Irish persons could not readily employ the colonial courts, but the sentiments aired by English communities were the same. In 1312 the people of Limerick – as much the county as the town – petitioned for a renewed expulsion of Irish monks from Monasteranenagh Abbey, because such had recently returned, having previously ‘caused great disturbances and harboured law-breakers’ until expelled by Henry III and replaced by English monks.<sup>155</sup> Richard II would answer petitions from Cork and Kinsale, made in 1382 and 1389, which highlighted the cities’ fears and burdens relating to the defence

---

<sup>151</sup> Phipps and Stevens, ‘Towards a characterisation’, 301.

<sup>152</sup> *Petitions*, p. 178.

<sup>153</sup> *Petitions*, pp. 439–40.

<sup>154</sup> *Petitions*, p. 429.

<sup>155</sup> TNA, SC 8/124/6153.

## Pre-publication draft. Do not cite.

of the English colony in Ireland, which, unlike conquered Wales, remained always an active military frontier. The Cork citizens requested that the king empower them to force members of the community stay in town, for fear of being overwhelmed by the Irish.<sup>156</sup> Kinsale's townspeople complained of being forced to take part in musters, parleys and wards of the Cork keeper of peace.<sup>157</sup> These petitions blurred the line between seeking redress for justice, as opposed to favour.

More clearly seeking royal favour were municipal petitions from Ireland and Wales that sought remission of debts or taxes, or other types of financial relief, because of hardship alleged to have been caused directly or indirectly by the native population. Irish town authorities commonly evoked the threat of the rebel Irish and townsmen's need to participate in military campaigns, particularly in the second half of the 14th century when the state of Ireland's public finances was universally acute.<sup>158</sup> Irish municipalities complained of problems in paying their fee farms, of indebtedness or the necessity of immediate financial remedy due to their impoverishment, and of desolation or other calamities.<sup>159</sup> The strong rhetoric employed by petitioners seeking favour in financial matters is exemplified by a Limerick petition of 1378.<sup>160</sup> Here, the citizens 'by their petition', displayed to the Irish justiciar and parliament, first stated that 'the city is the greatest aid and succour to all the King's lieges of neighbouring parts, and both Irish and English, enemies and rebels of the King daily threaten and plot with force and by cunning to burn, waste and desolate it, which [God] forbid'. They then rather pathetically asked for a financial relief, namely, to repair the

---

<sup>156</sup> TCD Chancery, Patent Roll, 5 Richard II, 14 Jan. 1382.

<sup>157</sup> TCD Chancery, Patent Roll, 12 Richard II, 23 May 1389.

<sup>158</sup> Lacey, *Petitioners for Royal Pardon*, p. 54.

<sup>159</sup> Dublin: TCD Chancery, Close Roll, 48 Edward III, 12 June 1374; Close Roll, 51 Edward III, 1 March 1377; Close Roll 2 Richard II, 27 Jan. 1379; 26 Sep. 1386 Trim; Cork: TNA, C 47/10/22/2; TCD Chancery, Close Roll, 29 Edward III, 23 June 1355; Carlow: RPKC, no. 5; Waterford: TNA, C 47/10/23/12; TCD Chancery, Patent Roll, 12 Richard II, 18 July 1388; RPKC, no. 77; Newcastle McKynegan: Close Roll, 18 Edward III, 1 May 1344; Rockingham: Patent Roll, Sept. 6, 1290, Edward I.

<sup>160</sup> TCD Chancery, Patent Roll, 1 Richard II, 26 March 1378.

## Pre-publication draft. Do not cite.

city walls, and the king agreed to grant them half of the city's farm and half of the cocket custom. Similar language was used by Welsh municipalities, such as the Carmarthen, whose burgesses in *c.* 1312 petitioned to extend their murage grant because the Welsh 'threaten them from day to day to take the town', and petitioned to do so again, offering the same justification, in 1315.<sup>161</sup> The burgesses of Beaumaris sought immurement on the same grounds.<sup>162</sup>

Where Ireland and Wales differed from each other was that in western areas of the Lordship of Ireland the hyperbole used to illicit financial favour from the crown gave way to genuine long-term crisis, as early as the late 13th century.<sup>163</sup> In 1274 for example, Limerick's citizens petitioned for 'relief regarding an annual rent of 100 marks for a fishing pool ...[and]... another rent of 40 marks for 40 carucates of land', as the pool and land had been annexed by the Irish.<sup>164</sup> They reported a similar problem in 1332.<sup>165</sup> In Wales, uprisings by the native population could sometimes cause substantial and costly disruptions, for example the burning of Flint during the 1294–5 rebellion as mentioned above, for which the petitioning burgesses sought compensation, but here they were episodic rather than permanent.<sup>166</sup>

Irish and Welsh towns, in petitioning for financial favour might also invoke their past aid and loyalty to the crown. Dublin did so explicitly, *c.* 1305–7, when seeking relief of a £251 debt from the reign of Henry III, stressing to Edward I their aid 'in his wars of Wales, Gascony and Scotland'.<sup>167</sup> Following the Welsh rebellion of 1294–5, the burgesses and merchants of

---

<sup>161</sup> *Petitions*, pp. 75–6, 80.

<sup>162</sup> *Petitions*, pp. 471–2.

<sup>163</sup> R. Frame, 'The defence of the English lordship, 1250–1450', in T. Bartlett and K. Jeffery (eds), *A Military History of Ireland* (Cambridge, Cambridge University Press, 1997), pp. 77–80.

<sup>164</sup> *CDI* 2, no. 1056.

<sup>165</sup> TNA, SC 8/58/2866; Roscommon citizens in 1283: SC 8/197/9839.

<sup>166</sup> *Petitions*, pp. 177–8.

<sup>167</sup> TNA, SC 8/106/5283.

## Pre-publication draft. Do not cite.

Caernarfon were joined by the castle garrison and the burgesses of Beaumaris in making a common petition to the king.<sup>168</sup> The burgesses and merchants of Caernarfon stressed that the king had not yet repaid monies they had loaned to the crown, and the Beaumaris garrison stressed that they had not been paid and yet ‘remained in guard of the castle’. The burgesses of Beaumaris sought goods ‘borrowed’ from them by the castle garrison there. In Ireland, the destructive events of the Scottish Bruce invasion of 1315–18 were the stated justification for requests to reduce Drogheda’s farm in 1319,<sup>169</sup> and Dublin’s farm as late as in 1334,<sup>170</sup> coincidentally, the latter request coincided with a new royal campaign in Scotland.<sup>171</sup>

When municipal petitioners invoked real or imagined short-term and acute threats posed by the Irish or Welsh, and the material or financial hardships they suffered on account of their long-term opposition to native peoples, they expressly connected their respective peripheries to the core society of England, as colonial outposts of royal authority. When the king reaffirmed the petitioners’ liberties, granted them a murage or supplied them with financial relief, he reciprocated in recognising their special role as representatives of English authority in those peripheral areas, for whose continued survival he bore personal responsibility. In this can be found most clearly evidence of a ‘special relationship’ between the English core and the Irish and Welsh periphery.

### **Conclusion.**

At a glance, most municipal petitions from Ireland and Wales are deceptively typical of all petitions, and municipal petitions, in general. They were neither more nor less likely to be addressed specifically to the king – as opposed to the king and his council, within or outside

---

<sup>168</sup> *Petitions*, pp. 222–3.

<sup>169</sup> TNA, SC 8/106/5277.

<sup>170</sup> TNA, SC 8/156/7783 (1316), SC 8/106/5264 (1317), SC 8/44/2179 (1334).

<sup>171</sup> Frame, ‘The defence’, p. 84.

## Pre-publication draft. Do not cite.

of parliament – and they were ultimately neither more nor less likely to receive consideration in parliament than other petitions. But this typicality overlooks the fact that they originated from areas unrepresented in the English parliament, and over which parliament had no direct power. Further, it overlooks the vetting of Irish petitions by the Irish justiciar, who embodied the king's person there, and the Irish parliament's role as a collection point for many of them.

The content of Irish and Welsh municipal petitions is also deceptively typical. The main concerns of medieval urban communities as commercial and political entities were universal, tending, for example, towards trade with minimum impediment and a desire to maximise both self-regulation and flexibility in its implementation;<sup>172</sup> notwithstanding ongoing debate regarding how genuinely representative of the collective urban community the actions of urban authorities may have been.<sup>173</sup> This was no less true of Irish and Welsh municipalities than any others. However, when the townspeople of these peripheral dominions sought justice, the presence of the king's justiciar in Ireland, and three justiciars for Wales, loomed large as unique sources of misfeasance in royal administration, whose authority could not readily be broached without seeking direct redress from the king, his council or parliament. When these municipalities sought favour, it was as often as not framed in terms of the fulfilment on the king's part of a reciprocal relationship in which he was to facilitate their economic prosperity and defence, specifically against the native Irish and Welsh – e.g. supporting the constructions of walls and quays – while they stood as bulwarks of royal authority in hostile borderlands.

---

<sup>172</sup> Dodd, *Justice and Grace*, pp. 270–1.

<sup>173</sup> See the discussion between Susan Reynolds and Stephen Rigby: S. Reynolds, *Introduction to the History of the English Medieval Town* (Oxford, Oxford University Press, 1977) and S. H. Rigby, *English Society in the Later Middle Ages: Class, Status and Gender* (London, Macmillan, 1995), pp. 145–76; Concisely, on their discussion, see R. Trainor, 'Review of periodical articles', *Urban History*, 12 (1985), 108–122 at, especially, 108–9; also G. Dodd, *Justice and Grace*, pp. 272–3.

## Pre-publication draft. Do not cite.

These characteristic aspects of Irish and Welsh municipalities' petitions represent these communities' special relationship with the 'core' society of England, as embodied by king, council and parliament. This relationship's reality is verified by the redress that was actually granted to most petitioning communities. It is also verified by the occasional responses of these same peripheral communities when they felt that royal intervention went too far. This is exemplified by Dubliners' protests, made by petition, to Edward III's 1341 replacement of officers of the central administration in Ireland with new men, whose interests were firmly rooted in England.<sup>174</sup> Similarly, a century later, in 1447, the officers and burgesses of the 'English castles and towns of north Wales' petitioned Henry VI for the ratification of restrictions that had been laid on Welshmen during the earlier Glyndŵr Rebellion (1400–15) and 'afore this time not repealed', as they clearly feared he might now lift them.<sup>175</sup> The special relationship between Irish and Welsh municipalities and the king was a living and evolving thing, only one side of which do we usually see, through the municipalities' petitions, but which nonetheless was mutually understood as a force regulating the nature of the king's governance of urban communities in Ireland and Wales.

---

<sup>174</sup> Watt, 'The Anglo-Irish colony', pp. 368, 371–2.

<sup>175</sup> *Petitions*, pp. 38–9.





Fig. 2. The urban network in medieval Wales.

Source: based on M. F. Stevens, *The Economy of Medieval Wales, 1067–1536* (Cardiff, University of Wales Press, 2019), p. 13, ‘Map 3. The towns of fourteenth-century Wales’.

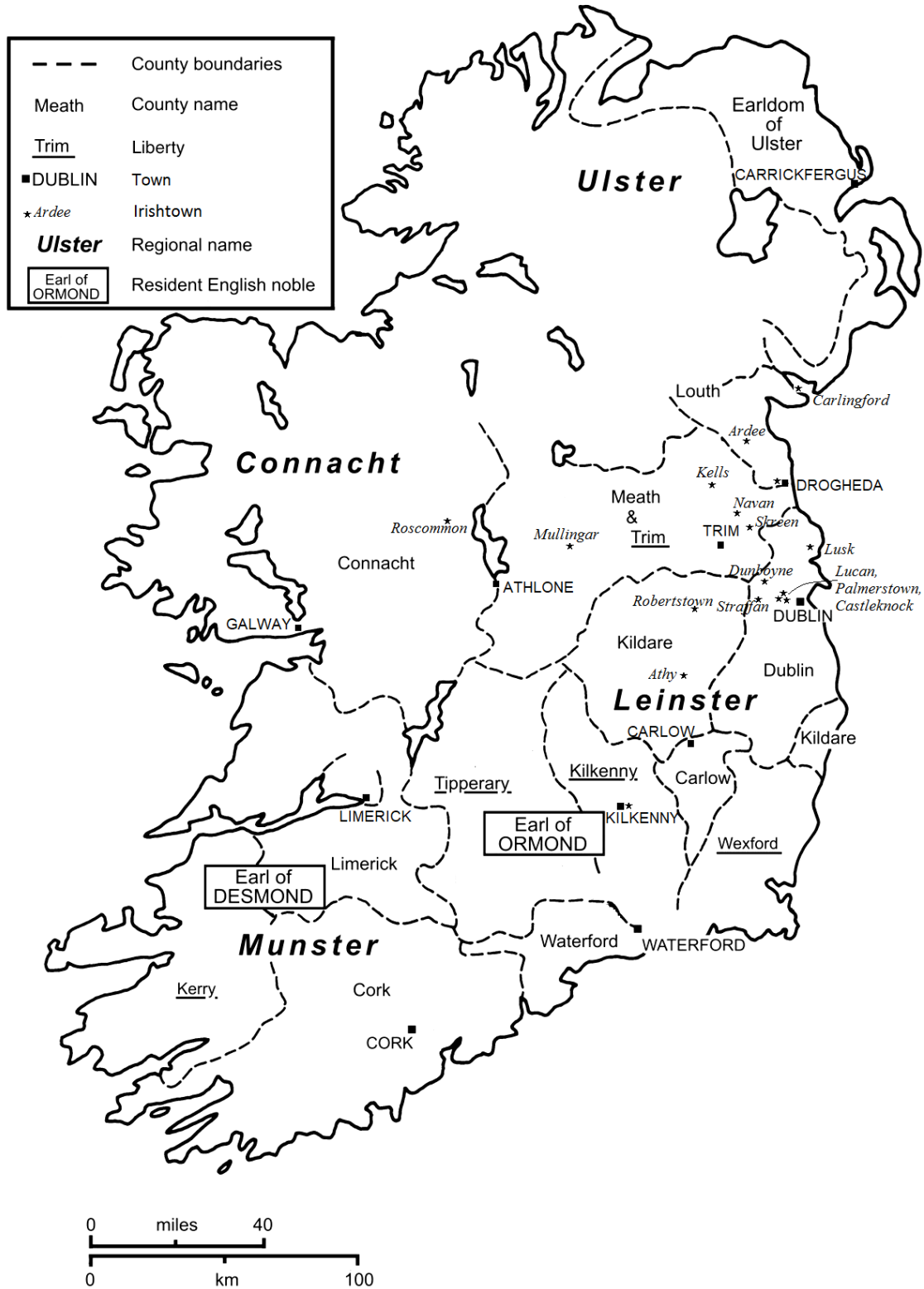


Fig. 3. The urban network in medieval Ireland (partial).

Source: based on P. Crooks, “‘Hobbes’, ‘dogs’ and politics in the Ireland of Lionel of Antwerp, c. 1361–6: the Denis Bethell Prize essay 2005’, *The Haskins Society Journal: Studies in Medieval History*, xvi (Boydell & Brewer, 2005), 117–48 at 130, ‘fig. 2. Ireland 1361–6’.