

ments there, similiar to that which had become usage in England.* The authenticity of this document has been much questioned, but the fact of its existence has been maintained by as respectable authorities as those who have denied it. In 1216 Henry III. granted a charter of liberties to Ireland. The same year he, by charter, conferred upon the English "a free and independent Parliament,"† and in it confirmed his charter to the Irish, stating that, "in consideration of the loyalty of his Irish subjects, they and their heirs for ever should enjoy all the liberties granted by his father and him to the realm of England." Dr Madden, in his valuable work, *Connection of Ireland with England*, says: "Ireland under Henry II., John, and Henry III. had all the laws, customs, and liberties of England conferred on it, not by English parliaments but by English sovereigns. Assuredly the great privilege of all, that of the national council, was not withheld. Henry II. held this national council at Lismore; John confirmed all his father's privileges, and his successor confirmed all those of the two preceding sovereigns, and exemplified that form of holding parliament which John transmitted into Ireland; while in France his queen, then regent of the kingdom, sought succors in men and money from the Irish Parliament, and left on record a document which all the ingenuity of the opponents of Irish independence cannot divest of its value as an incontrovertible testimony to the independence and perfect organization of a legislative body, composed of Lords and Commons, at that early period." Without entirely agreeing with Dr. Madden that there is absolute evidence of the "perfect organization," at the period referred to, of an Irish Parliament, one cannot doubt that the early Norman kings, in many documents and by many acts, admitted their inability to bind the people of Ireland by laws unsanctioned by some body of representatives. In the reign of Edward III. the Irish knights, citizens, and burgesses were assembled in parliament in England. In the tenth year of the reign of Henry IV. the Irish Parliament affirmed its independence by enacting "that no law made in the Parliament of England should be of force in Ireland

till it was allowed and published by authority of the Parliament in this kingdom." A similiar enactment was passed in the twenty-ninth year of the same king's reign. By degrees during the four hundred years succeeding Henry's landing all the public and fundamental laws of England were applied to Ireland, but never without the sanction of the Irish Parliament being obtained.*

By the law known afterwards by the name of its framer, Sir Edward Poynings, passed in the tenth year of the reign of Henry VII., it was enacted that before any statute could be finally discussed it should be previously submitted to the lord lieutenant of Ireland and his privy council, who might at their pleasure reject it or transmit it to England. If so transmitted, the English attorney-general and privy council were invested with power either to veto its further progress or remodel it at their will and then return it to Ireland, where the original promoters of useful measures often received their bills back so altered as to be unrecognizable as those which were transmitted to England, and so mutilated as to be worthless for the attainment of the purpose for which they were propounded.

The sessions of the Irish Parliament were held at uncertain intervals, never called together unless when the English governors had some object to accomplish, some danger to tide over, or when it was necessary to dupe the chiefs and people into allowing themselves to be victimized by some political or material fraud. During a quarter of a century, in the reign of Elizabeth, there was no Irish Parliament; for when parliaments were assembled, unless they were carefully packed, some voice was sure to be raised to protest against the wrongs done Ireland, some tongue was sure to utter denials of the right of the foreigners to legislate for Irishmen. Barnewall in the reign of Elizabeth, and Bolton in that of Charles I., made the hall of the senate-house ring with their denunciations of English turpitude and their affirmations of Irish independence.†

* Lucas. Dr. Madden states that during this period the Irish Parliament "maintained a noble struggle for its rights with an unscrupulous, jealous, and insidious rival."

† In 1642 the Irish House of Commons passed the following declaration, drawn out by Sir Richard Bolton, Lord Chancellor of Ireland: "That the subjects of Ireland are a free people, and to be governed only by the common law of England and statutes established by the Parliament of Ireland, and according to the lawful customs used therein."

* Molyneux. Madden's *Connection of Ireland with England*.

† Madden.