

Private Agent and Public Custodian: James Frederick Ferguson (1806-1855) and the Irish Exchequer Record Office.



Exchequer of Ireland (Facsimiles of Irish Manuscripts, volume III, plate xxxvii.)

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'He was equally liberal and obliging to every inquirer who requested his aid for historical or literary purposes: and it was only necessary to suggest to him a subject of research in order to induce him to pour forth of his treasures to the full satisfaction of the inquirer. The death of a coadjutor so willing as well as able to assist them is a real loss to historical antiquaries '

—Ferguson's Obituary in The Gentleman's Magazine¹

Thanks to the efforts of James Frederick Ferguson, material once held in the Public Record Office of Ireland, is still available to scholars today. The volume he

¹ Unless otherwise indicated in subsequent footnotes, the information for this article is drawn from Ferguson's Obituary in The Gentleman's Magazine Vol. XLV New Series, June 1856, pp. 651-2; an account of Ferguson's life and activities by John P. Prendergast, which appears in his preface to The Scandinavian Kingdom of Dublin by Charles Haliday (Dublin, 1884) pp. xxv-xxx; as well as a letter written by Mr. D.H. Kelly and printed in the Proceedings of the Royal Irish Academy, vol, IX, (1864), pp. 260-2, drawing on information provided by Dr. W. Reeves.

transcribed is impressive, but the bulk of it was not gathered according to any organised plan. What we are left with is a hotchpotch of material, which was produced as and when Ferguson's personal and professional circumstances dictated. Nevertheless, without Ferguson's efforts we would be much the poorer. Most of his manuscript material is now held by the National Archives of Ireland and the Royal Irish Academy in Dublin and has been widely used by academics in the past, but he also published a great deal of material in contemporary journals and periodicals, much of which has largely gone unnoticed.

Early years

Ferguson was not an Irishman and it is debateable if he was even a British Subject. One of his grandfathers fled to Sweden from Scotland after the Jacobite rebellion of 1745, where he married Anne Marguerite Delaporte, the daughter of the French consul there.² Ferguson's father, Jacques Frederic Jacquemain was a native of Cambrai in France and was educated at Douai college. He was imprisoned in the Bastille during the French revolution, but later fled to England, where he resumed the surname Ferguson.³ He later emigrated to the United States, where he was the deputy postmaster at Beaufort, South Carolina in 1800.⁴ He also ran a small school in the same town, for at the end of 1802/beginning of 1803 he advertised for an assistant teacher, qualified to teach the "three R's".⁵ Nevertheless, Ferguson seems to have returned to England from time to time for on 28 June 1804 he married Dinah, the daughter of Allen and Margaret Macklin, at St George the Martyr's church, Holborn, Middlesex.⁶ He returned to South Carolina with his new wife, where his son James Frederick junior was born in Charleston on 29 November 1806. For a time, Ferguson senior was a 'professor' in the college there.⁷ Yet Ferguson was back in

² A number of Jacobite refugees established themselves in Gothenburg after the '45 rising. See Göran Behre 'Sweden and the rising of 1745', *The Scottish Historical Review*, vol. 51, no. 152, part 2 (Oct. 1972), pp. 148-171.

³ Is it possible that Anne Marguerite remarried after the death of her first husband in 1772, with the children of her first marriage subsequently adopting the surname of their stepfather, Jacquemain?

⁴ The 1800 census for South Carolina lists one James F. Ferguson, a free white male between the age of 26 and 45, living on his own in the town of Beaufort with four slaves.

⁵ Charleston, South Carolina 'City-Gazette and Daily Advertiser', 30 December 1802, 1 and 4 January 1803.

⁶ Marriage register.

⁷ He is not mentioned in J.H. Easterby's *A History of the College of Charleston Founded in 1770* (1935).

England in the following year, when his son was christened in St. Andrew's church, Holborn on 16 September.⁸

Ferguson returned to the United States, but this time to Maryland, where he was employed as a French language tutor at Baltimore College from September 1810. He also taught French at the 'Misses Rookers' Seminary for Young Ladies'.⁹ Ferguson's wife Dinah died in Baltimore on 5 May 1811, leaving three small children.¹⁰ He subsequently returned to England, where on 24 May 1812, he married Elizabeth Mary, the daughter of John and Margaret Harris.¹¹ Despite war breaking out with the United States in the same year, Ferguson managed to return to Baltimore,¹² where his first child by his new wife was born on 18 February 1813.¹³ However, the family returned to England during 1814. Their departure may have been prompted by the war, which reached Baltimore with a vengeance in September, when the British army attacked the city, after having sacked Washington the month before. During the voyage home, the Fergusons' ship was intercepted by an American man-of-war. After a short period of detention, it was eventually released. Safely back in England, three more of their children were christened in St. Andrew's church, Holborn, on 14 March 1819.¹⁴

After Ferguson's departure from the United States, he apparently spent time in Italy, where he became 'a perfect master in Italian and the classics.' He had returned to England by 1823, when three more children born to the couple were christened at Holborn on 5 October.¹⁵ In the same year, Ferguson's 'translation of some of the finest parts of the classical poets into Italian' was published.¹⁶

⁸ Baptism register.

⁹ *American & Commercial Daily Advertiser*, Baltimore, Thursday, 13 September 1810. My thanks to Marianne Perry, a descendant of James Frederick Ferguson senior and his second wife, for sharing this information with me, and to Mike Sainsbury, who put me in touch with her.

¹⁰ *Baltimore Federal Gazette*, 5 March 1811. The names of Ferguson junior's two full siblings are not known. Thanks to Marianne Perry for this reference.

¹¹ Marriage register.

¹² *Fry's Baltimore directory, for the year 1812* (Baltimore, 1812), p. 29; James Lakin, *The Baltimore Directory and Register, for 1814-15*, (Baltimore, 1814), p. 82.

¹³ Margaret Caroline, St Paul's Protestant Episcopal Church, baptism register.

¹⁴ Baptism register. Margaret Caroline was christened again, as well as Elizabeth Harris born 9 November 1814; John Samuel, born 28 August 1816, Joseph Thomas, born 5 May 1818. Ferguson's occupation and address were given as 'Private teacher, East Street, Red Lion Square.'

¹⁵ *Ibid.* Henry Bandeira, born 18 Feb 1820, Wallace Theodore born 12 Dec 1821, Julia Amelia, born 4 August 1823. 'Classical teacher of Gravin Street, City Road.'

¹⁶ I have been unable to identify this work yet.

Ferguson was in Ireland by the end of 1827, where he set up a language school at St. Stephen's Green, Dublin. Two more children were christened at St. Peter's church, Dublin, on 4 October 1829. In the following year, he returned to England, where died on 10 February 1831, aged about 70. His return may have been due to his employment by Charles-Maurice, Prince de Talleyrand-Perigord, the newly appointed French ambassador to the court of St. James, as an English tutor.

Ferguson's move to Ireland

In 1820 or 1821, probably when his father was in Italy, the fourteen or fifteen-year old Ferguson junior was sent to Ireland to work for a Mr. Samuel Cooke of Sunderland, 'a connexion of his by marriage.' Cooke was employed by Matthew Barnewall, a former butcher's basket-boy and tavern waiter, who successfully claimed the dormant title of Viscount Kingsland in 1814, with the help of John Hitchcock, a Dublin solicitor.¹⁷ Due to the Statute of Limitations, the new viscount was unable to recover the lands that went with the title, but this did not apply to church advowsons, the evidence of which lay buried in several repositories in Dublin and elsewhere. Cooke employed Ferguson to search for this, which he did 'from the opening of the office doors in the morning till their shutting,' while Cooke himself spent most of his time hunting and fishing. However, the venture was not a success: with only one poor advowson was recovered, and Cooke was later declared a bankrupt on 19 January 1826.¹⁸

It was probably through this work for Cooke, that Ferguson became acquainted with William Lynch, some seven years his senior. Lynch initially worked in the Crown Lands Commission, but in 1827 he became a sub-commissioner of Irish Record Commission working in the Chief Remembrancer's office. Lynch employed Ferguson to make abstracts from the records held there, which 'were in such a state of confusion that it frequently occupied an entire day to make a search for any Record.' Once Lynch was given custody of the key to the presses in which the rolls were stored, Ferguson 'was occupied for many months in placing them in proper order,' so 'that the utmost facility was given to all persons who wished to peruse

¹⁷ Colm Culleton, 'From Barrow Boy to Viscount' in *History Ireland*, Vol. 7, no. 4 (Winter, 1999).

¹⁸ *London Gazette for the year 1838*, Vol. 1, p. 1209. His address in Dublin was given as Beresford-place.

them.’¹⁹ Ferguson made these abstracts for Lynch’s more lucrative side-line as a record agent, pursuing dormant Irish peerages for fee-paying claimants. With the termination of the Irish Record Commission in late 1830, Lynch moved to London to open an office there, with Ferguson remaining in Dublin. As a result of his time doing this work, Ferguson developed a general dislike for genealogical enquiries as well as a mild contempt for ‘pedigree hunters’, probably because of the shady characters he found himself dealing with.²⁰ Nevertheless, despite his personal feelings on the subject, Ferguson ‘would labour gratuitously over his records with such inquirers as if he liked it.’

It was probably during this period that much of the material now known as the ‘Ferguson collection’ was garnered. This contains a wide range of material taken from the exchequer memoranda rolls, including draft and certified copies of various extracts, as well as several lists of entries relating to individual families, such as the Talbots, Flemings and Dillons etc. However, many are simply notes written on scraps of paper, which probably served as reminders to Ferguson of where particular entries could be found, due to the lack of official indices. Some of these papers belonged to Lynch, which Ferguson retained or acquired after Lynch’s death in London in May 1836.²¹

His association with the exchequer continues

At some point following the demise of the Irish Record Commission, the Chief Remembrancer allowed anyone to search the records held in his office. As a result, the rolls soon became misplaced and Ferguson’s time spent organising them wasted. Ferguson later suggested that he be appointed the sole person responsible for making all searches and any certified copies required. He also offered to prepare indices of all the records held in the office. In return, he sought a regular remuneration from the fees collected, or at least the 5d. he was formerly paid for each sheet he produced, to be placed on a formal footing.²² Yet, even before he

¹⁹ TNA Kew, PRO 1/121/5, ‘Copy Mr. J.F. Ferguson’s statement as to Records in the Chief Remembrancer’s Offices from a paper in his handwriting,’ dated 14 November 1838. My thanks to Dr. Peter Crooks for supplying me with this reference and others contained within this file.

²⁰ His first employer, Samuel Cooke, was described in his bankruptcy notice as a ‘coal-merchant, dealer and chapman’.

²¹ *The Third Report of the Deputy Keeper of the Public Records in Ireland*, (Dublin, 1871), p. 50

²² Ferguson’s Statement, 14 Nov. 1838.

made this suggestion, Ferguson told the Committee of Privileges in the House of Lords in London in 1839, that he was given the 'management of the record of the exchequer in Ireland' about five years ago, by Thomas Steele, the 'examiner in aid of accounts and chief clerk' of the equity side of the exchequer, with the concurrence of Anthony Richard Blake and Acheson Lyle, then the chief and deputy remembrancers respectively. Ferguson said he was the only person who could search for records held in the Chief Remembrancer's office and make copies of them, but that he held no formal letter of appointment. He also admitted to the Committee that he was an articled clerk to a Dublin solicitor.²³ In fact, Ferguson was then 'serving his apprenticeship' with James Watt, Queen's procurator in the High Court of Admiralty for Ireland.²⁴

Ferguson was then giving evidence to the Committee of Privileges in a respect of Thomas Nugent's claim to be recognised as Baron Nugent of Riverston, a problematic title created by James II in 1689, during his brief exile in Ireland. Ferguson mentioned in the same hearing that he had given evidence to the same committee five years previously in respect of Baron Talbot of Malahide, who succeeded his mother to this recently created title in late 1834.²⁵ This earlier hearing confirmed Talbot's claim to the title and the papers that now comprise the Talbot collection in the Bodleian Library in Oxford, were probably produced to support this case.²⁶

Advowson work

As well as peerage claims, Ferguson continued with his advowson and tithes work and presented evidence in court in favour of his clients. This line of business was generated by the dissolution of the monasteries in the sixteenth century, when the Crown granted their lands to various individuals, who also acquired the

²³ Nugent, Minutes of Evidence.

²⁴ Endorsement on 'Ferguson's statement' of 14 Nov. 1838; Dublin Almanac and General Register 1838, p. 104.

²⁵ During this period of lockdown, I have been unable to find a copy of these proceedings, but they are mentioned in *Minutes of Evidence taken before the Committee for Privileges to Whom the Petition of William Thomas Nugent, claiming, as of right, to be Baron Nugent of Riverston in the Kingdom of Ireland together with Her Majesty's reference thereof to this House, was referred. Ordered to be printed 30th July 1839*, pp. 4-7.

²⁶ E.g. Bodleian Library, Oxford, Talbot MS. b.15/71, which is endorsed 'Examined with Enrolment / 29 Sep 34 J.F.F.' This was just two days after the death of the new Baron's mother, who was granted the title Baroness Talbot of Malahide in 1831.

advowsons of the churches and tithes that went with them. Over time, these were encroached upon by the established church, due to several families being dispossessed during subsequent political upheavals or because of their non-conformity. The earliest mention of Ferguson taking an independent role in this field was in July 1830, when he presented extracts from two inquisitions from the reign of Elizabeth I, concerning tithes that once belonged to Dunbrody abbey, co. Wexford, in a case heard before the Waterford County Court.²⁷ In 1836, a certified copy of Irish letters patent issued on 9 January 1470, granting the advowson of Rathwire church to William, bishop of Meath and examined by Ferguson in 1830, was quoted in an action of *Quare impedit*, brought by the marquis of Winchester against the bishop's successor, in the House of Lords.²⁸

Perhaps the most celebrated case Ferguson was involved in was that between the bishop of Derry and the Irish Society of London in respect of the right to present to livings within the bishop's diocese, during which he searched for evidence in the diocesan registry. The dispute resulted in four trials, before a final ruling was given in 1840 in favour of the Irish Society, on whose behalf Ferguson also presented evidence in court.²⁹ Two years later in Limerick, Ferguson, who held 'no public office, but has been accustomed to examine and translate public records; brought down attested copies of several public documents out of the Tower of London, Bermingham Tower, Dublin Castle, the office of the Paymaster of Civil Services, late the Auditor General's department, the Chief Remembrancer's office and others' in support of his client's action against a trespass on several fisheries on the River Shannon.³⁰

As a result of his being 'a gentleman well acquainted with the nature of the proofs requisite in suits of this description,'³¹ Ferguson wrote a small book entitled 'Remarks on the Limitation of Actions Bill, intended for Ireland; together with Short

²⁷ *The Pilot*, Wednesday 4 August 1830. The tithes were on part of the lands of Ballyvoile and Ballinavoga, in Kilrossanty parish, co. Waterford.

²⁸ National Archives of Ireland, Ferguson Collection, vol. 3, fol. 251v. 'Compared with Origl 4 Mar 30 J.F.F.' /

'Saw attd 8 Nov 30 J.F.F'. For the case itself, see John Scott, *Cases in the Court of Common Pleas and Exchequer Chamber*, (London, 1837), pp. 570.

²⁹ *Londonderry Sentinel*, Saturday 2 February 1839; *Derry Journal*, Tuesday 2 June 1840.

³⁰ *Limerick Chronicle*, Wednesday 9 March 1842.

³¹ *Ibid.* Londonderry Sentinel.

Extracts from Ancient Records relating to Advowsons of Churches in Ireland.' This was published in Dublin in 1843. The bill in question, which was passed in the same year, extended the English statute of 3 and 4 William IV 'for the limitation of actions relating to real property' in Ireland. This prevented secular landowners from recovering such advowsons, if an adverse possession had existed for the previous sixty years, unless they brought suits for recovery before 1 January, 1845.³² As a result, Ferguson, started placing his name in the Dublin Almanac and General Register from 1844 onwards, where he was first recorded as a record agent; but by the time the 1847 edition was published, he was listed in the professional and private sections respectively as a 'record agent and attorney' with an office in 19 Dame Street, as well as being a 'solicitor', with offices at 27 Upper Ormond Quay. Ferguson's 'promotion' was because he apparently needed 'a legal status,' so that he could continue working in the exchequer. He was therefore 'admitted an attorney, without service, apprenticeship or fee; but he never practised as such [and] had no formal legal training.'³³ Ferguson's professional success also enabled him to support a wife and on 24 June 1846 he married Harriet, the daughter of the late William Hamerton, Esquire, of Belfield House, Rathmines. The service was conducted at St. Mary's church in Donnybrook, by the bride's brother the Reverend William Hamerton, A.M.³⁴ The couple do not seem to have had any children.

A new Record Commission

In the same year, David Richard Pigot, the recently appointed Chief Baron of the exchequer in Ireland, informed the Lords of the Treasury in London:

'that the ancient Records of the said Court [of exchequer] are in such confusion that it is almost impracticable to find any Document that may be required by the public; that there are no Indexes to such Records, and that they are daily suffering from the dampness of the places in which they are deposited, and some are almost wholly destroyed.'

The Lords of the Treasury referred the matter to the Master of the Rolls who recommended that a suitable officer be sent to Ireland to look at the records, make recommendations and advise the officers there of the appropriate corrective

³² *Freeman's Journal*, Wednesday 31 July 1844: 'Remarks on Limitation of Actions Bill.'

³³ This statement by Dr. William Reeves seems to conflict with other evidence elsewhere.

³⁴ *Londonderry Sentinel*, 4 July 1846.

measures. The officer chosen was William Henry Black, the Assistant Keeper of the Public Records.³⁵

Black visited Dublin during September and October 1846 and examined not only the records of the court of the exchequer, but also the three others that made up the 'Four Courts.' Ferguson made Black's acquaintance during this visit, sending him no less than five letters during this short period and following him back to England to confer with him 'on the business of my mission.'³⁶ Black submitted his report to his superiors in England on 25 April 1847, which he supplemented with a second one on 25 October 1848. This resulted in Black returning to Ireland in June 1849 to set his proposals in motion.³⁷ Whether at Black's recommendation or not, Ferguson was soon employed as the clerk or secretary of the new Record Commission appointed to reorganise the records of the Irish courts, in which capacity he was paid £240 p.a.³⁸

During his second visit to Dublin, Black undertook some private research of his own, recording in a notebook he had purchased from a local stationer, various historical memoranda that once appeared in the calendar of Red Book, held in the Chief Remembrancer's Office. Black later acknowledged that he was indebted to the kindness of Ferguson, for 'some considerable additions' when his research was published in London in 1852.³⁹ On his part, Ferguson initially deferred to Black's superior knowledge of exchequer procedures, when asked by the editor of the 'Topographer and Genealogist' magazine in 1854 to write a piece on a plate of an early-fifteenth century illustration of the Irish court of exchequer in session, which once appeared in the same Red Book.⁴⁰

³⁵ *Eighth Report of the Deputy Keeper of the Public Records*, 1847, pp. 3-4.

³⁶ Gregory J. Doyle. *The foundation and first twenty years of the Public Record Office of Ireland*, unpublished dissertation, University College, Dublin, 1975, p. 28; TNA, PRO 1/121/5. Ferguson complained to Black about the lack of public access to records held in the Custom House in Dublin and the extortionate fees he was asked to pay for copies of records stored there; but he was then acting in a private capacity, as the representative of Lord Donegall.

³⁷ *Ibid*, p. 18; *Ibid*, Tenth Report, p. 5; *Ibid*, Eleventh Report, pp. 3-4.

³⁸ Report of the commissioners appointed to inquire into the duties of the officers and clerks of court of chancery, Ireland with minutes of evidence, &c. (Dublin, 1859), p. 138.

³⁹ W. H. Black, 'On the Historical Memoranda in the Black Book of the English Exchequer, and in the Red Book of the Irish Exchequer', in *Transactions of the Chronological Institute of London*, Part I (London, 1852), p. 33. Black's notebook can be found at the National Library of Ireland, MS 1447.

⁴⁰ Holograph letter, Ferguson to John Gough Nichols, 17 April 1854, present whereabouts not known.

When the 'Commissioners of Inquiry into the Public Records of this Kingdom' set to work, they discovered that many of the ancient legal records were in a sorry state:

some of which have been found in cellars, some in damp vaults, some in large heaps upon the floor, some in old sacks, bags and hampers, and some thrust into holes and corners with as little concern as if they had been but waste and useless papers.⁴¹

Ferguson also noted that he discovered a previously unnoticed patent roll of 16 Edward II lying 'amongst a heap of dirty parchments which had been thrown upon the floor of one of the public offices in Dublin.'⁴² Also, with the transfer of the equity jurisdiction of the court of exchequer to that of chancery, the relevant records needed to be sorted and catalogued before they could be moved and Ferguson was entrusted to do this work, although he was apparently helped by a junior clerk, Henry Cathrew, who later complained that he was poorly paid by the commissioners, at only ten shillings a week!⁴³ When John Prendergast called on Ferguson in his office in early 1850, he 'observed two labourers carrying each a load on his shoulder of what seemed to be Cumberland flagstones, but a further inspection showed them [to be] parchments covered with dust. They were Bills and Answers of the Equity side of the Court of Exchequer.'

Ferguson held his official position for three years, during which he thoroughly reorganised the records in the court of exchequer with the help of a small grant. His efforts were so successful that the editor of the *Kilkenny Moderator* newspaper later declared that 'the records of that department [are] in a state of model cleanliness and arrangement' and that they were free 'from dirt and damp, and rendered available on the instant to the legal or literary inquirer'.⁴⁴ Indeed, before they were transferred to the newly-built Public Record Office in 1870, the records connected with the equity side of the Exchequer were said to be 'in excellent order, having been carefully arranged and labelled by the late Mr. James F. Ferguson.'⁴⁵ Ferguson also

⁴¹ *Kilkenny Journal, and Leinster Commercial and Literary Advertiser*, Wednesday 15 January 1851.

⁴² 'The "Mere English" and "Mere Irish"' in *Transactions of the Kilkenny Archaeological Society*, Vol. 1 (1851), pp. 508-512.

⁴³ Report of the Commissioners appointed to inquire into the duties of the officers and clerks of court of chancery, Ireland with minutes of evidence, &c. (Dublin, 1859), p. 144.

⁴⁴ Reprinted in *The Advocate* newspaper, Saturday, April 8, 1854.

⁴⁵ The *Third Report of Deputy Keeper of Public Records in Ireland*, (Dublin, 1871), p. 41.

wrapped the older parchment rolls in thick brown paper to protect them from further decay.⁴⁶ He also prepared the first known indices to the memoranda and inquisition rolls.⁴⁷

Final years

In the middle of 1852, the Record Commission was terminated, together with Ferguson's official position. Although Ferguson was directed by the Master of the Rolls to give up the custody of the records in his care, he continued working in the Exchequer Record Office, despite the daily threat of being expelled, doing his copying work.⁴⁸ Despite being denounced 'as a record-agent for gain,' negotiations with the Chief Baron throughout the autumn resulted in Ferguson being allowed to remain in office, but only on an unremunerated basis. As part of this deal, Ferguson sold his indices to the inquisition rolls to the Chief Baron, at what was considered a derisory low price.⁴⁹

When the Encumbered Estates Court came into operation in Ireland in 1849, yet another source of Ferguson's income came to an end. Because of the Great Famine, the income of many Irish landowners seriously declined, because their tenants were unable to pay their rents. This particularly affected landowners whose estates were heavily mortgaged. Many were unable to sell their estates to clear their debts, because of several entails upon them, which resulted in innumerable cases being heard in the equity court to dispose of them, creating even more debt for the landowners. With the establishment of the Encumbered Estates Court, a creditor could now petition the court to purchase an insolvent estate and sell it on with fresh title, thus making previous entails invalid. It appears that Ferguson had previously helped the holders of such entails to make good their claims in the equity court by searching for suitable evidence in the exchequer's records.

To make ends meet, Ferguson now accepted commissions to find, transcribe and translate considerable extracts from the rolls in his care. Among the foremost of these was Charles Haliday, a wealthy Dublin merchant who was interested in his city's ancient past but lacked the necessary language and palaeographic skills to

⁴⁶ *Ibid*, *Twenty-first Report*, (Dublin, 1889), p. 18.

⁴⁷ *Ibid*, *Third Report*, pp. 49-50.

⁴⁸ Report of the Commissioners appointed to inquire into the duties of the officers and clerks of court of chancery, Ireland with minutes of evidence, &c. (Dublin, 1859), p. 138.

⁴⁹ Royal Irish Academy, Dublin. *Graves Collection*, 24 O 39/JG/128 and 129.

undertake the work himself. Most of the translations Ferguson prepared for him were later presented to the Royal Irish Academy, where they now remain. A Mr. Nugent also paid him to copy all references relating to his surname.⁵⁰

It was during his time as secretary to the Record Commission that Ferguson became a corresponding member of the Kilkenny Archaeological Society, occasionally providing extracts for publication in its journal, as well as supplying other members with relevant material to assist in their own researches. He also contributed to the *Notes & Queries*, often replying to the questions posed by other correspondents, but later making free-standing contributions of his own. It was through this medium that Ferguson began corresponding with the Rev. H.T. Ellacombe of Devon, who had been trying to contact him after Ferguson's piece on the Gookin family in Ireland appeared in the same journal. Ellacombe subsequently informed Ferguson that an acquaintance of his in Switzerland had learnt that several Irish medieval plea rolls had been purchased in Germany by Baron de Lassberg of Meersburg, a renowned antiquarian and manuscript collector.⁵¹ The story of Ferguson's pursuit and eventually recovery of these missing rolls in the summer of 1853 has been admirably told by Aideen Ireland in an earlier paper in this series.⁵² Yet despite Ferguson's valiant efforts, one commentator later expressed his disappointment at seeing 'the miserable return he [Ferguson] brought from Germany for his thirty pounds' after having entertained such high hopes for the success of his mission.⁵³ Indeed, Ferguson was disappointed himself, having recovered 'merely strips of old Rolls'.⁵⁴ It must have been rather galling to Ferguson to hear, once he had returned to Ireland, the discovery in Switzerland of yet another cache of Irish plea rolls from the fourteenth century.⁵⁵ One of the membranes Ferguson recovered was subsequently displayed at the general meeting of the Kilkenny Archaeological Society on 2 November 1853.⁵⁶

⁵⁰ RAI, Graves collection, 24 O 39/JG/129.

⁵¹ *Notes and Queries*, No. 176, (Mar. 12, 1853), p. 274; *Ibid.*, No. 179 (Apr. 2, 1853), p. 332; *Ibid.*, No. 192 (July 2, 1853), p. 5; *Ibid.*, No. 196, (July 30, 1853), p. 94.

⁵² Aideen Ireland, with Peter Crooks. 'Baron Lassberg. Or, the Curious Case of the Wandering Plea Rolls', in *Beyond 2022 Archives Fever 2* (February 2018).

⁵³ RIA, Graves Coll, 24 O 39/JG/130.

⁵⁴ *Ibid.*, 24 O 39/JG/48.

⁵⁵ *Notes and Queries*, No. 300, (July 28, 1855) pp. 59-60.

⁵⁶ *Transactions of the Kilkenny Archaeological Society*, Vol. 2, No. 2 (1853), pp. 387-8.

As Ferguson's financial position continued to deteriorate, he turned to writing more substantial pieces for publication and a flood of these began to appear from 1854 onwards. Ferguson's love of poetry, also saw him commence a translation of Norman-French poem of the conquest of Ireland, which he unfortunately never finished.⁵⁷ Eventually, broken down by ill-health, the impecunious Ferguson died on 26 November 1855, at Belfield, his brother-in-law's house at Rathmines, and was buried at Mount St. Jerome's cemetery, Harold's Cross, just three days later. He was universally missed by the antiquarian community.

Ferguson did not leave a will, and his personal estate of less than £600 was not finally wound up until 5 September 1879, when a probate was granted to his widow.⁵⁸

No portrait of Ferguson exists, but the following pen-picture of him was written by John Prendergast, a barrister-at-law, who met Ferguson for the first time in early 1850:

'He seemed about fifty and was of good stature. His hair very dark, his complexion sallow, with full dark lustrous eyes. His mien was mild, modest and retiring, and rather marked with melancholy.'

Documentary legacy

On 28 March 1856, Ferguson's library of books of 'rare and valuable Books in Irish History, Antiquities, Records, Manuscripts, Rare Maps, Proclamations; with additions, on another account, of Modern and Illustrated Works in handsome bindings, Medicine and Anatomy, Belles Lettres, &c.' was sold by John F. Jones at his literary salesroom at 8 D'Olier-street by public auction.⁵⁹ This was followed on 25 April 1857, by his manuscript collection:

comprising much interesting material for the Genealogist, Antiquarian, and local Historian; Pedigrees of Irish Families, Transcripts and Extracts of Ancient Records, Royal Grants, Visitation Books, Inquisitions; Collectanea, by Rev. Dr. Lyon (Dean Swift's successor), and Lynch, the author of Feudal Dignities, with

⁵⁷ Obituary; RIA, Graves MSS, 24 O 39/JG/131. Notes and Queries, May 20. 1854, No. 238, pp. 466. 'To jump for joy'; *ibid*, Aug. 4. 1855, No. 301, pp. 88-9. 'De Joie Saili à Pés'; *ibid*, Oct. 6. 1855, No. 310, p. 265. 'The Conquest of Ireland.' Ferguson was using a printed edition of the poem transcribed by Francisque Xavier Michel from a MS held in the Lambeth Palace Library.

⁵⁸ *England and Wales, National Probate Calendar* (Index of Wills and Administrations, 1858-1995), p. 49.

⁵⁹ *Saunders's News-Letter, and Daily Advertiser*, Friday, March 28, 1856.

a variety of old Documents, Autographs, Papers relative to Church Lands, Forfeitures, Fisheries, and Ports, &c. &c.⁶⁰

As a result, the government obtained several manuscripts which are now held in the National Archives of Ireland.⁶¹ A further sale of Ferguson manuscripts took place in 1864, this time at the bookseller W.B. Kelly's premises at 8 Grafton-street. One enterprising researcher took the opportunity to examine them for the purpose of his own studies in respect of clerical appointments.⁶² Four of the volumes on sale were purchased by Mr. Denis Henry Kelly who later presented them to the Royal Irish Academy.⁶³

What follows is an attempt to list all the material Ferguson transcribed and translated from the records in his care and which was later destroyed in the Public Record Office of Ireland fire in 1922.⁶⁴ It includes not only manuscripts, but also some of his published work, which drew on the same material.

Manuscripts in the National Archives of Ireland

Most of these particular manuscripts were purchased after Ferguson's death and were held in the Master's office in the Exchequer until they were transferred to the Public Record Office in 1870. They survived the Four Courts fire and are now held in the National Archives of Ireland. Where known, the former P.R.O.I. shelf numbers have been given.

Item	P.R.O.I. no.
Exchequer Records, Edward III – Anne.	
Vol. 1. Edward I, II, III	1A/49/133
Vol. 2. Richard II, Henry IV, and V.	1A/49/134
Vol. 3. Henry VI, Edward IV, Richard III, Henry VII.	1A/49/135
Vol. 4. Henry VIII.	1A/49/136

⁶⁰ Ibid, Saturday, April 25, 1857. One of the manuscripts owned by Ferguson, a transcript of 'The Question of the Precedency of the Peers of England in Ireland.' is now held in Cambridge. See Montague Rhodes James, *The Western Manuscripts in the Library of Trinity College, Cambridge. A Descriptive Catalogue*, vol. II (Cambridge, 1901), p. 29

⁶¹ *The Third Report of the Deputy Keeper of the Public Records in Ireland*, (Dublin, 1871), pp. 49-50; Ibid, Twenty-eighth Report (Dublin, 1896), p. 39.

⁶² W. Maziere Brady, *Clerical and Parochial Records of Cork, Cloyne, and Ross, taken from Diocesan and Parish Registries, MSS. In the principal libraries and public offices of Oxford, Dublin, and London, and from private or family papers* vol. I, (Dublin, 1863), pp. xv. The information extracted from 'vol. ii' was on advowsons, see pp. 106, 294.

⁶³ *Proceedings of the Royal Irish Academy*, Vol, IX, (1864), pp. 260-2.

⁶⁴ Compiled remotely, during this current period of Coronavirus lockdown.

Vol. 5. Edward VI, Philip and Mary.	1A/49/137
Vol. 6. Elizabeth, No. 1.	1A/49/138
Vol. 7. Elizabeth, No. 2.	1A/49/139
Vol. 8. James I, Charles I and II, James II, William III, Anne.	1A/49/140
Equity Exchequer Orders, 1604-1618	
Equity Exchequer Orders, 1618-1638.	
Equity Exchequer Orders, 1638-1673	
Revenue Exchequer Orders, 1592-1657.	
Revenue Exchequer Orders, 1657-1666.	
Repertory, Memoranda Rolls, Edward III. – Richard II.	1A/49/146
Repertory, Memoranda Rolls, Henry IV. – Henry V.	1A/49/147
Repertory, Memoranda Rolls, Henry VI.	1A/49/148
Repertory, Memoranda Rolls, Edward IV. – Henry VIII.	1A/49/149
Repertory, Memoranda Rolls, Edward VI. – Elizabeth.	1A/49/150
Repertory, Memoranda Rolls, Elizabeth.	1A/49/151
Repertory, Memoranda Rolls, James I. – Cromwell.	1A/49/152
Repertory, Memoranda Rolls. Charles II.	1A/49/153
Index, to Memoranda Rolls, No. 1.	
Index, to Memoranda Rolls, No. 2.	
Index, to Memoranda Rolls, No. 3.	
Index, to Memoranda Rolls, No. 4.	
Repertory to the Originalia and Communia Rolls, including two Plea Rolls coram rege James I., 1605-1734.	
Index (not complete) to same	
Repertory to Exchequer Inquisitions, Counties, A-G.	
Repertory to Exchequer Inquisitions, Counties, G-L.	
Repertory to Exchequer Inquisitions, Counties, L-.	
Index to Exchequer Inquisitions, Co. Dublin.	
Index to Exchequer Inquisitions, No. 1.	
Index to Exchequer Inquisitions, No. 2.	
Index to Exchequer Inquisitions, No. 3.	
Index to Exchequer Inquisitions, No. 4.	

Repertory, Adventurers' Certificates (alphabetical list of persons to whom certificates were granted by the Court of Claims, 1666-8).

Repertory, Decrees of Innocents (somewhat fuller than the Adventurers' list, except that the number of acres is not given, 1662-3).

Manuscripts in the Royal Irish Academy

The manuscripts Ferguson produced for Haliday were presented to the Royal Irish Academy after the latter's death. Only a handful of these have been attributed to Ferguson in the Academy's online catalogue. Personal inspection of others, many years ago, suggests that they were penned by Ferguson: several more can probably be added. Most of the volumes listed here were written in a neat hand, although some are just collections of working notes. It has not been possible to identify the four volumes purchased in 1864 by Mr. D.H. Kelly, and presented to the Academy, from its on-line catalogue.

- 12 D 8 Memoranda rolls, Ireland, 1-9 Edward II: extracts, translations.
- 12 D 9 Pipe rolls, Ireland: 45 Henry III (1260-1): copies.
- 12 D 10 Pipe rolls, Ireland, 1264-1543: extracts, translations.
- 12 D 11 Memoranda rolls, Ireland, 31- 35 Edward I (1302-7): extracts, translations.
- 12 D 12 Calendar of Memoranda rolls, Ireland, Edward I-II
- 12 D 13 Memoranda rolls, Ireland, 13-19 Edward II: translation of extracts.
- 12 D 14 Memoranda rolls, Ireland, 3-50 Edward III: transcription and translations.
- 12 D 15 Memoranda rolls, Ireland, 1-2 Philip and Mary: translated extracts.
- 12 D 16 Close and Patent rolls, Ireland, 1303-1685: copies, extracts and translations.
- 12 D 17 Communia Rolls, Ireland, 1613-33: extracts translated.
- 12 D 19 Judgement Rolls, Ireland, 1295-1603, extracts, translations, copies.

12 G 1-6 Extracts from ancient records, remembrance rolls and charters.

Translations and transcriptions.⁶⁵

24 H 17 Extracts from the Memoranda rolls of the Exchequer, 1383-1643.

Manuscripts at the Royal Society of Antiquaries of Ireland.

This body was originally founded as the Kilkenny Archaeological Society and mention was made that the following transcripts were deposited by Ferguson into the society's library. It is not known if the RSAI still holds these, or indeed any other Ferguson material.

Translations of inquisitions preserved in Mr Lyle's office, Four Courts Dublin, of the suppression of the Dominican, Franciscan, and Augustinian abbeys of Kilkenny.⁶⁶

Extract taken from the *Liber Tenurarum Lageniae*, being the entire portion referring to the county and city of Kilkenny. This contains a full list of noblemen and gentlemen holding property in capite at the beginning of the seventeenth century, together with a statement of the denominations and value of their lands and the nature of the tenures by which they held.⁶⁷

Published notes and papers.

Only Ferguson's published work which drew on from material once held in the Public Record Office of Ireland is listed below.

An article that has evaded detection is one Ferguson said he wrote 'many years past', which was a short account on the points of difference between the Magna Chartae Hiberniae and the Great Charter of King John of England. The former was contained in the Red Book of the Irish Exchequer. The article was published in a journal entitled 'The Law Reporter,' which remains unidentified. ⁶⁸

Notes and Queries: A Medium of Inter-Communication for Literary men, Artists, Antiquaries, Genealogists, etc.

No. 62 (Jan. 4. 1851), pp. 6-7. 'Red book of Irish exchequer.'

No. 84 (Jun. 7. 1851), p. 457. 'The Day of the Accession of Richard III.' [Mem. Roll 2 Ric. III. Correction to Record Commissioner's printed text.]

⁶⁵ From my recollection, the contents of this and the following six volumes are notes made by Ferguson on Irish matters from various documents held in English repositories.

⁶⁶ Transactions of the Kilkenny Archaeological Society, Vol. 2. 1852-3, p. 104.

⁶⁷ Ibid, p. 197.

⁶⁸ 'A Calendar of the contents of the Red Book of the Irish Exchequer' in *Proceedings and Transactions of the Kilkenny and South-East of Ireland Archaeological Society*, Vol. 3 (1854), p. 38.

- No. 86 (Jun. 21. 1851), pp. 493. 'Shakspeare Family.' [Temp. Edw. III].
- No. 115 (Jan. 10. 1852), p. 28. 'On the execution of Charles I.' [SPO temp Chas, II, a regicide in Ireland].
- No. 119 (Feb. 7. 1852), p. 134. 'Papers of perjury.' [Temp. Eliz. I].
- No. 152 (Sep. 25. 1852), p. 289. 'Shakspeare family.' [Temp. Chas. II].
- No. 153 (Oct. 2. 1852), p. 315. 'Chaunting of jurors.' [Temp. Chas. II].
- No. 160 (Nov. 20. 1852), pp. 483-484. 'The Bacon family.' [Mem rolls, Edw. II and III].
- No. 168 (Jan. 15. 1853), p. 67. 'Grogog of a castle.' [Mem. Roll 3 Edw. II].
- No. 175 (Mar. 5. 1853), pp. 238-239. 'The Gookins of Ireland.' [17th and 18th century notices of this family in the exchequer].
- No. 203 (Sep. 17. 1853), p. 272. 'On Captain Geo. Cusack.' [Temp. Chas. II].
- No. 204 (Sep. 24. 1853), p. 305. 'Unlucky days.' [As listed in the calendar of the Red Book of the Exchequer].
- No. 221 (Jan. 21. 1854), p. 61. 'Oaths.' [Extracts from Red Book of the Exchequer temp Edw. I and Order Book temp Jas. I].
- No. 230 (Mar. 25. 1854), p. 285. 'Duval Family.' [temp Jas. II].
- No. 234 (Apr 22. 1854), pp. 369-70. 'The Rigby Correspondence.' [Copies of two letters written by the Master of the Rolls in Ireland, both dated 1783].
- No. 235 (Apr 29. 1854), pp. 394-5. 'Ancient Chattel-Property in Ireland.' [Extracts from memoranda rolls temp Edw. II, Ric. II, Edw. VI, Mary I].
- No. 235 (Apr 29. 1854), pp. 403-4. 'Oaths.' [Temp. Hen. II, Ric. II and Jas. I].
- No. 241 (Jun 10. 1854), pp. 536-7. 'Irish Records.' [Extracts from memoranda roll 1 Edw. II].
- No. 249 (Aug. 5. 1854), p. 115. 'Thomas Chester, Bishop of Elphin – Wills in Ireland.' [Temp. Eliz. I].
- No. 259 (Oct. 14. 1854), p. 309. 'Inscriptions in Books.' [Extracts from the Rule and Order Books of the Court of Exchequer; sketch and inscription in plea roll 10 Edw. I].
- No. 263 (Nov. 11. 1854), p. 383. 'Sale of Enemies.' [Extract from memoranda roll 20 Hen. VI].
- No. 270 (Dec. 30. 1854), pp. 530-1. 'Cromwell's Irish Grants.' [Notes taken from exchequer records temp Chas. II].

- No. 274 (Jan. 27. 1855), p. 65. 'Verses.' [From the Exchequer Record Office, temp 1710].
- No. 276 (Feb. 10. 1855), pp. 97-8. 'Ancient Chattel Property in Ireland.' [Extracts from the Exchequer records temp. Edw. I, II, III, Hen. IV, Edw. IV, Ric. III, Hen. VII, Chas. I].
- No. 282 (Mar. 24. 1855), pp. 218-9. 'Irish State Records.'
- No. 282 (Mar. 24. 1855), p. 232. 'Oaths.' [Temp Hen. VI].
- No. 285 (Apr. 14. 1855), p. 280. '(Knights of) St. John of Jerusalem, Ireland.' [Extract from memoranda roll temp Edw. II].
- No. 291 (May 26. 1855), pp. 404-5. 'Sea-sand and Sea-water for building Purposes – Free-stone.' [Extract from pipe roll temp Hen. III].
- No. 294 (Jun. 16. 1855), p. 462. 'Funeral expenses.' [of Thomas Viscount Fitzwilliam temp. Charles II].
- No. 294 (Jun. 16. 1855), pp. 468-70. 'Chantry of the Irish Exchequer.' [Extracts from Chancery and Exchequer records temp Edw. I, Edw. III, Ric. II, Hen. IV, Hen. V, Hen. VI, Edw. IV, Hen. VII, Chas. I and II].
- No. 296 (Jun. 30. 1855), pp. 507-8. 'The Templars.' [Extracts from memoranda rolls temp Edw. II].
- No. 297 (Jul. 7. 1855), p. 7. 'A "Crannock."' [Extract from memoranda roll 13 & 14 Edw. II].
- No. 297 (Jul. 7. 1855), p. 17. 'The Earl of Galway or Galloway.' [Temp. William and Mary].
- No. 298 (Jul. 14. 1855), pp. 30-1. 'Theobald le Botiller' [Temp. Hen. II].
- No. 300 (Jul. 28. 1855), pp. 59-60. 'Public Records of Ireland.' [Details of other Irish records to be found in Switzerland].
- No. 306 (Sep. 8. 1855), p. 190. 'Roman Catholic Bishoprics.' [Annaghdown, Rathlin and Mayo].
- No. 310 (Oct. 6. 1855), pp. 257-59. 'Ancient Chattel Property in Ireland.' [Extracts from memoranda rolls Edw. II, III, Hen. V].

Transactions of the Kilkenny Archaeological Society.

1851. Vol. 1, pp. 508-512. 'The "Mere English" and "Mere Irish".' [Extracts from the Plea and Patent Rolls, temp. Edw. II.]

Ditto, p. 363. [Extract from the exchequer records date 30 September 1633 (Mayor of Dublin sworn into office before Lord Deputy Wentworth)]

Ditto, pp. 387-8. [Extract from plea roll of 4 Edward III, retrieved by Ferguson from Baron Lassberg.]

Proceedings and Transactions of the Kilkenny and South-East of Ireland Archaeological Society

1854. Vol. 3, pp. 35-52. 'A Calendar of the contents of the Red Book of the Irish Exchequer.'

1855. Vol. 3, pp. 285-291. [Transcript of an Inquisition into the property of attainted regicides Colonel Daniel Axtell, Thomas Woogan and others held in Co. Kilkenny (1662)].

The Kilkenny Moderator

Wednesday 12 May 1852. 'Tenures in Capite.' [Notices taken from the *Liber Tenuraram Lageniae*, Submissions of Irish chieftains, temp. Richard II; Rule and Order Books of the Exchequer, temp. James I; Memoranda rolls, 2 and 3 Philip and Mary, 27 Elizabeth, 20 Charles II. This paper was noted in Transactions of the Kilkenny Archaeological Society, vol. II, p. 197, but not reproduced there.]

Ulster Journal of Archaeology

1853. Vol. 1, pp. 260-270. 'Ulster Roll of Gaol Delivery.'

1854. Vol. 2, pp. 25-28. 'Ulster Roll of Gaol Delivery (cont.)'

1854. Vol. 2, pp. 31-3. 'Note of Primate Colton's Visitation, and on Notaries Public.' [15th and 16th examples of notarial devices drawn on documents held in the exchequer.]

1855. Vol. 3, pp. 155-162. 'Ancient Exchequer Accounts of Ulster, A.D. 1260-62.'

The Kerry Magazine

1855, Vol. 2, pp 127, 154-155, 173-175, 200, 217. 'Notes of Early Records in the Court of the Exchequer in Ireland.'

Reprinted as 'Court of Exchequer Records relating to Kerry' in the Kerry Archaeological Magazine Vol. 4, 1917, pp. 124-146.

The Gentleman's Magazine

1855. Vol. 43, pp. 37-44. 'The Court of Exchequer in Ireland (with a plate).'

1855. Vol. 44, pp. 605-9. 'Memorials of Edmund Spenser the Poet, and his descendants, from the Public Records of Ireland.'

The Topographer and Genealogist

1858. Vol. 3, pp. 75-95. 'Account of Sir Toby Caulfield rendered to the Irish Exchequer, relating to the chattel property of the Earl of Tyrone and other fugitives from Ulster in the year 1616.'

1858. Vol. 3, pp. 123-141. 'Exactions incident to tenures in Ireland.'

1858. Vol. 3, pp. 141-145. 'List of the King's castles, forts, gaols, etc., in Ireland in the year 1676.'

1858. Vol. 3, pp. 145-146. 'Note of Hearth Money in Ireland.'

1858. Vol. 3, pp. 223-239. 'Contest between the King's purveyors and the secular clergy of Meath, in the 3 Edw. II.'

Ferguson material incorporated in the works of other authors.

Several of Ferguson's contemporaries acknowledged his assistance and often incorporated full transcripts or translations made by him from the records in his care. The following list is not exhaustive.

J. T. Gilbert, *History of the City of Dublin*, vol. I (Dublin, 1854), p. xiii

[Acknowledgement].

Rev. James Graves and John G. Augustus Prim, *The history, architecture, and antiquities of the cathedral church of St. Canice, Kilkenny* (Dublin, 1857), p. 192

[Acknowledgement of the use of the manuscripts of William Lynch, in the possession of James Ferguson.]

Rev. Samuel Hayman, *Notes and Records of the Ancient Religious Foundations at Youghal, Co. Cork, and its vicinity* (Youghal, 1854). [Acknowledgement for material supplied, p. iv]

Herbert Francis Hore, 'The Clan Kavanagh, temp. Henry VIII' in *Journal of the Kilkenny and South-east Ireland Archaeological Society*, vol. II (new series) (1859), pp. 86-8.

[Extract from the memoranda roll for 13-14 Elizabeth].

Herbert J. Hore and Rev. James Graves (eds), *The Social State of the Southern and Eastern Counties of Ireland in the Sixteenth Century: being presentments of the Gentleman, Commonalty and Citizens of Carlow, Cork, Kilkenny, Tipperary,*

Waterford, and Wexford, made in the reigns of Henry VIII and Elizabeth (Dublin, 1870), p. 70 [Extracts from Memoranda Rolls 10, 11, 12 and 13, 14 Elizabeth I].

John Gough Nichols (ed.) 'Inventories of the Wardrobes, Plate, Chapel Stuff etc. of Henry Fitzroy, Duke of Richmond and of the Wardrobe Stuff at Baynard's castle of Katharine, Princess Dowager' in *The Camden Miscellany, Volume the Third* (London, 1855), pp. xciv-xcv. [Extract from the memoranda roll for 25 Henry VIII].

John P. Prendergast, 'On the projected plantation of Ormond by King Charles I, in Transactions of the Kilkenny Archaeological Society, Vol. 1, No. 3 (1851), pp. 403-4 [Memoranda roll, 34 Henry VIII].

John P. Prendergast, 'Of Hawks and Hounds in Ireland' in *Transactions of the Kilkenny Archaeological Society*, vol. 2, No. 1 (1852), p. 153. [Extract from Exchequer Rule Book, temp. James I.]

John G. A. Prim, 'Some Notice of the family of Cowley of Kilkenny' in *Transactions of the Kilkenny Archaeological Society*, vol. 2, No. 1 (1852), p. 104. [Acknowledgement for extracts provided by Ferguson from the memoranda rolls]