Irish emigration to Spain and the archives of the Castilian conciliar system

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The archives of the Spanish council system have been little used by English language historians up until recently. Owing to the importance of Irish emigration to Spanish dominions in the early-modern period, these archives contain considerable material relating to Irish immigration to the Hispanic Monarchy. In the light of the voluminous nature and complexity of the Castilian conciliar system, the utilisation of these archives represent a challenge for future historians. Nevertheless, the wealth of the material that they contain more than outweighs the necessary time and effort.

On 22 June 1619 Juana O´Driscoll, then aged twelve together with her two brothers, Denis and Florence, aged eight and six respectively and her two sisters, Catalina and Leonor, aged ten and two and a half respectively trooped into the paymaster´s office of the Finance Council in Madrid to collect their fifteen escudos due as heirs of the services from the Lord of Castlehaven's second marriage. Some fifty years later on 13 September 1669 an Irish speaker, Leonor Miagh, aged forty, pale faced, blond haired, blue eyed, and corpulent arrived at the same office to collect her two reals due as the widow of her first husband who had died serving in Catalonia.[1]

Accustomed as most historians of early-modern Ireland are to the scarcity of available sources or their lack of detail, the extensive detail and most of all the voluminous nature of continental archives comes as a welcome surprise. For historians of Irish emigration to Europe there exists a wealth of data covering a wide variety of fields detailing the points of contact between Irish immigrants and royal, civil, and ecclesiastical institutions of the continental European powers. Even at the beginning of the seventeenth century when Irish emigration to Europe first took off, the Spanish Monarchy already constituted Western Christiandom's foremost bureaucratic secular power. By the late-sixteenth century, the complete

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[1] AGS, CS, leg. 325 (1), 22 June 1619; AGS, CS, legs. 329, 2 July 1677; 330, 13 September 1669

adoption by the Castilian noble and urban elites of bureaucratic literacy, and the reduction in the price of paper permitted the adoption of the Roman legal maxim, "what is not in the acts does not exist" (*quod non est in actis, non est in mundo*), as the defining principle of royal bureaucratic practices. (Lorenzo Cardarso 2001: 82-83). As a consequence this meant that as long as there existed an economic justification or payment, every transaction involving an individual or part of royal property left an extensive paper trail covering many diverse aspects of social, cultural, and political history. These might range from the list of medicines brought by the Spanish forces to Ireland in1601 to an account of the capture of the Irish-manned galleon the *Rosary* in the Straits of Gibraltar by Moorish pirates in 1622. (García Hernán 2013: 614-615; Archivo General de Simancas 2012:137)

One of the fields in which Spanish archives can help to fill the gaps in Irish historiography is in regards to the history of the family, and the role of Irish female immigration. More than any other area of research, our knowledge of the history of the Irish family prior to 1800 is almost non-existent due primarily to the absence of birth and marriage registers that have been the traditional barometers of early-modern family reconstructions. Similarly, aside from pioneering studies by Michelline Kerney Walsh (Walsh 1961, 1981), based directly on continental archives, our limited knowledge of early-modern Irish female immigration has been filtered primarily through English language sources especially the state papers of the English crown (Henry 1992, 1995). Nevertheless, royal, ecclesiastical, notarial and noble archives in Spain can greatly help complete the jigsaw of family reconstruction, and the many varied aspects regarding the role of Irish female immigrants. Although considerable volumes of surviving wills, donations, and parish registers of births, marriages and deaths, dating back to before the early sixteenth century, can be found in the extensive network of Spanish archives, for reasons of space comments will be restricted to the principal archives of the Castilian conciliar system. The first part will deal with the practical problems of working with these archives, and the second part with some of the Irish material relevant to the history of Irish families and of Irish female immigration.

The Archives of the Conciliar System
Introduction

The Spanish conciliar system was organised primarily on a territorial basis with a number of councils such as the Council of State, the Council of Military Orders, the Finance Council, the Council of the Crusade, and

that of the Inquisition having extra-territorial remits.[2] All councils except the Council of State possessed judicial functions which gave rise to frequent disputes regarding competing jurisdictions. Furthermore, during the reigns of Philip III (1598-1621) and Philip IV (1621-65), *ad hoc juntas* or committees effectively removed much of the decision-making from a number of royal councils (Baltar Rodríguez 1998: 153). As a consequence, considerable documentation, which should have been deposited in the principal archives of the Hispanic Monarchy, ended up dispersed among the private archives of one-time councillors or secretaries.

Within the framework of studies on Irish emigration in the early-modern period, it is almost a truism to say that wherever the Spanish Monarchy had influence Irish immigrants are to be found among the documentation of the Spanish (Castilian) conciliar system.[3] Nevertheless, for the sixteenth and the seventeenth centuries, owing to the difficulties that Irish immigrants had in adaptation to royal patronage networks, the most important of these bodies were the Councils of State, War, Finance, Flanders, Italy, Portugal, Castile, the *Cámara de Castilla*, and the Council of Military Orders. In the eighteenth century owing to the changes brought in at the beginning of the reign of Philip V (1700-46), a re-configuration of the Spanish conciliar system took place. Although all the councils continued to exist, all petitions were now channelled through five secretariats (*Secretarías de Despacho*) (*Estado*, *Guerra*, *Gracia y Justicia*, *Hacienda*, and *Marina e Indias*) (Archivo General de Simancas 2010: 21).

The bulk of the documentation produced by the Castilian conciliar system is located in the *Archivo General de Simancas* (AGS)(Valladolid), the *Archivo Histórico Nacional* (AHN) (Madrid), and the *Archivo General de Indias* (AGI).[4] An unknown amount of documentation, which never found its way into these archives, was intentionally or unintentionally destroyed, found its way into private archives of the nobility, or found its way into foreign

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[2] On the Spanish administration, see Patrick Williams, "Philip III and the restoration of monarchial government, 1598-1603" in *English Historical Review*, 88 (1973), pp 751-69; for monographs on the various councils see, Santiago Fernández Conti, *Los Consejos de Estado de y guerra de la monarquía hispana en tiempos de Felipe II, 1548-98* (Valladolid: Consejería de Educación y Cultura, 1998); Salustiano de Dios, *El consejo real de Castilla (1385-1522)* (Madrid: Centro de Estudios Constitucionales, 1982); idem, *Gracia, merced y patronazgo real: La Cámara de Castilla entre 1474-1530* (Madrid: Centro de Estudios Constitucionales, 1993); Carlos Javier de Carlos Morales, *El consejo de hacienda de Castilla, 1523-1602: Patronazgo y clientelismo en el gobierno de las finanzas reales durante el siglo XVI* (Valladolid: Consejería de Educación y Cultura, 1996).

[3] Prior to 1707 each Spanish kingdom had a separate royal administration. The use of the term 'Spanish conciliar system' in the context of this article refers to the bureaucratic organs of the Castilian crown.

[4] Considerable material of a military nature covering the early-modern period found its way into military archives. These are not included in this review.

archives as part of the illegal trade in state papers during the course of the early-modern period (Riol 1787:83-84).[5] Broadly speaking, AGS is the most homogenous of the three archives, though principally containing material relevant to the sixteenth century, the seventeenth century, and to a lesser extent to the eighteenth century. Owing to its proximity to the principal organs of political power in Madrid, AHN continues to be a living archive that absorbs material of historical value as the latter loses its administrative value. Partly for this reason it took in the archive of the Council of the Inquisition which was originally located in the AGS in the nineteenth century, and recently that of the Archivo de Asuntos Exteriores. Most of the documentation in AHN covers the eighteenth century and to a lesser degree the nineteenth century, although there is also a considerable body of material relevant to the sixteenth and seventeenth centuries. Furthermore, the documentation of some councils such as that of the Council of State and the *Cámara de Castilla* is divided between this archive and AGS, or in the case of the Council of Aragón between the *Archivo de la Corona de Aragón* and AHN. AGI contains the majority of the material relating to the Spanish Indies during the early-modern period though both of the other two archives also contain important material covering the same area especially for the eighteenth century.[6]

In the light of the sheer volume of documents produced by the Spanish council system, its complexities, the frequent changes in internal organisation, and the loss and dispersion of documentation, any prior experience by the researcher in Irish or British archives will be of little practical use when faced with the labyrinths of Simancas or AHN. Considerable research effort is dissipated owing to the failure to understand the functioning of the Spanish conciliar system and the early-

[5] Many of the private archives of the nobility are currently located in the Archivo Histórico Nacional, *sección de la nobleza* (Toledo). See for example that of the Marqués de Caracena who was governor of Galicia in the late-sixteenth and early seventeenth century at the time of the fallout from the Battle of Kinsale before becoming *virrey* of Valencia in 1606 where he was responsible for the expulsion of the Moriscos in 1609-10. His private archive, which has important documentation relating to these two governorships, is located in the archival fond of Frías A fond is the complete body of documents produced by a person, family or institution that has been created and accumulated by them. On international archival terminology see the database of multilingual archival terminology at http://www.ciscra.org, 18 March 2014.

[6] For introductions to these archives see Luis Sánchez Belda, *Guía del Archivo Histórico Nacional* (Valencia: Tipografía Moderna, 1958); Mariano Alcocer y Martínez , *Archivo General de Simancas: guía del investigador* (Valladolid, 1923); Pedro González García et al, *El Archivo General de Indias* (Madrid: Dirección General del Libro, Archivos y Bibliotecas, 1995); see also the relevant bibliographies listed on their respective websites: http://www.mcu.es/archivos/MC/AHN/FondosDocumentales/Bibliografia.html, 12 February 2014; http://www.mcu.es/archivos/MC/AGS/FondosDocumentales/Bibliografia.html, 12 February 2014; http://www.mcu.es/archivos/MC/AGI/FondosDocumentales/Bibliografia.html, 14 February 2014.

modern bureaucratic process.[7] Equally essential is the need to come to terms with early-modern bureaucratic and financial terminology that even present-day archivists do not always understand. This becomes of fundamental importance when faced with *legajos* or bundles whose contents are inventoried only by date and document type such as is the case regarding the fond of *Guerra y Marina* in AGS. Clearly, it is a waste of time looking for petitions by Irish immigrants in *negocios de oficio* (inter-institutional correspondence) instead of in bundles listed as containing *memoriales y consultas de partes* (petitions of private individuals).

Many of the difficulties involving research in these archives are related to our limited understanding of the nature, functions and jurisdictions of the various councils and their respective personnel. Moreover, both during the lifetime of these institutions as well as after their final demise some of these archives continued to be organised and re-organised according to the criteria of the institutions themselves as well as by those organs that inherited their supervision as was the case in regards to the all-important Council of Castile (Bernal Alonso 2012: 190-197). The end result is that an understanding of both the nature of the respective councils and of the organisation of contemporary archives is fundamental to the completion of any research objectives. Added to this is the very uneven quality of research aids.[8] Broadly speaking, research aids are of four kinds – those that were drawn up by the sixteenth to eighteenth century archivists for internal use or those which accompanied the various transfers of documentation to AGS; those compiled in the nineteenth centuries when the latter archive was first opened to historical investigation and after the setting up of the AGI (1785) and AHN (1866); those (both online and paper formats) produced by modern-day archivists according to international standards since the twentieth century; and the description and digitalisation of images that are subsequently placed in PARES.[9] Owing to the lack of funding dedicated to the drawing up of inventories, the researcher is forced in many cases to rely on very elementary inventories that reflect maybe only 5-10 per cent of any bundle's contents such as those of the *Contaduría Mayor de Cuentas 1°* and *2° épocas* in AGS. Even in more utilised fonds such as *Estado* (AGS) some of the principal inventories list probably on average only about 10 per cent of any 500-600 document bundle. Much the same can be said of the nineteenth century

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[7] For an overview of the bureaucratic process see Ciaran O'Scea, "The role of Castilian royal bureaucracy in the formation of early modern Irish literacy" in Thomas O'Connor and Mary Ann Lyons (eds.), *Irish communities in early modern Europe* (Dublin: Four Courts Press 2006), pp 200-239.

[8] Based on the available research aids in paper and electronic formats of some thirty fonds.

[9] http://pares.mcu.es/

English historian Martin Hume, who in his pioneering work on English material in Simancas limited his researches to the series *negociación de Inglaterra* and *negociación de Francia* of the fond *Estado*, notwithstanding the existence of considerable material relevant to English, Irish and Scottish history in other series of the same fond, or in other fonds of the same archive. Yet, the work of this English historian continues to define modern British perceptions of the limited usefulness of early-modern Spanish historical source material for the study of the history of the British Isles as can be seen from the recent re-edition of his seminal volumes by Cambridge University Press (Hume 1892-1899; Hume 2013).

On the other hand, the more modern research aids are more complete and give greater and more in-depth descriptions of the contents of the legajos or libros. Nevertheless, owing to the sheer volume of documentation involved, many of these inventories are restricted by necessity to series within fonds such as those dealing with the Monarchy's Italian dominions in *Estado* in Simancas, or to less voluminous or more manageable fonds such as the *Contaduría Mayor de Cuentas 3° Época* in the same archive. Much the same is applicable to AHN in Madrid which has parts of some fonds well inventoried but other extensive series only minimally catalogued. In the case of the fond *Ordenes Militares* some of the series such as the *pruebas* or files of evidence for entry into the military orders are well inventoried owing to their popularity for genealogical research. However, substantial series of *legajos* of the same fond contain no information in regards to date or contents, or at best give only documental type or to which military Order the documentation belongs.[10] At times the utilisation of some inventories is of questionable benefit and is more akin to "the blind leading the blind". Part of the problem in regards to AHN is that some of its fonds such as *Clero* or *Consejos Suprimidos* are in fact all-encompassing fonds that have received documentation from a wide variety and number of institutions. In contrast, the fonds of AGS bear a closer resemblance to their former institutional origin, and as a result are more homogenous. The end result of the deficiencies in research aids is that the researcher is obliged to trawl through entire series or sub-series in order to obtain the requisite documentation. This slow method however also produces the richest material as more often than not especially in the field of Irish, English or Scottish studies the material is totally unknown.

Finally, the best starting point for research on original source material in Spanish archives is the website PARES, hosted by the Spanish Ministry of Culture, which contains considerable digitalised material from those archives under its supervision. At this point in time, given the difficulties in estimating relative percentages, the documentation on this website

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[10] AHN, Archivo Histórico Nacional, Índice de instrumentos de descripción de la Sección de Órdenes Militares (Madrid, 2000); AHN, Ordenes Militares, Registro de Legajos.

probably only constitutes a small fraction of the total contents of these archives. The principal criteria for inclusion on this site have been the commemoration of centenaries such as the "Discovery of America" in 1492 or the "Spanish War of Independence (1808-1814)"; the most frequently consulted series; their historical value; costs of digitalisation; and those fonds or those series that have already been fully catalogued.

Family and Gender

From the 1580s until the end of the eighteenth century tens of thousands of Irish immigrants became dependent to varying degrees on the Spanish monarchy for economic survival. As a consequence, Irish immigrants left an, at times, abundant documentary trial in Spanish state archives. Certainly, the surviving documentation indicates that the term *irlandés* was better known in early-modern Spain than it is today (AGS 2012: 5). It is the wealth of this surviving documentation in the archives of the Spanish conciliar system, which together with ecclesiastical and notary archives that permits the reconstruction of many Irish communities in exile especially those that were dependant on the Spanish crown for economic survival.[11]

At the basis of all petitions to the Spanish crown were the services carried out by the individual, her/ his immediate family, grandfather and uncles to various Spanish monarchs. In recompense the Hispanic Monarchy rewarded these services with pensions, promotions, privileges or other awards of varying kinds. Moreover, these services were inheritable as far back as one's grandfather or collaterally as far as uncles by direct living descendants. In this way the monarchy extended its patronage base by bringing in more and more members of the noble, rural and urban elites into its service.

The memorial or petition letter, and the *consulta* formed the documentary backbone of the Castilian bureaucratic process throughout the early-modern period with the former representing the initial start to the individual's petition and the latter the decision making phase. For the most part the *consulta*, if drawn up as a separate document, contained a summary of what was in the memorial as well as the eventual decision of the relevant council or of the king. However, very high proportions of *consultas* were not drawn up as separate documents but were written in the margins of memorials, a practice very evident in the *negocios de partes* of the Council of State, the Council of War and in the *Cámara de Castilla* at least.

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[11] For an example of the reconstruction of the Irish community in La Coruña in Galicia in the north-west of Spain see the author's *Surviving Kinsale: Irish Emigration and identity formation in early modern Spain, 1601-1640* (forthcoming).

Clearly, in the face of the volume of petitions passing through a secretary's hands, it represented a more efficient manner of dealing with any bureaucratic backlog than drawing up separate *consultas* for every petitioner (O'Scea 2006: 206).

Fig. 1 Memorial of Elena McCarthy, 11 January 1635. AGS, Secretarias Provinciales, leg. 115, f. 19.

For private individuals the memorial or petition letter was the primary document type for initiating a petition to the Spanish crown in the early-modern period. The memorial represented an early-modern *curriculum vitae* in which the petitioner laid out the motives of his appeal to the Crown. The most important of these were political, military and religious. In Irish appeals up to 1615 these inevitably contained details of service to the Spanish king or in the Catholic cause carried out in Ireland both before and after the Battle of Kinsale in 1601 (O'Scea 2006: 212). For this reason many of these memorials give details of events in Ireland not found in English sources. In 1616 Florence O'Clery, foster brother to one of the sisters of Red Hugh O'Donnell returned to Ireland from the Spanish Netherlands in order to help her escape from prison and bring her and her son back to Flanders.[12] Nor is this kind of detail confined to the Nine Years War and its aftermath. Even long after this war had become part of Ireland's recent history, details concerning petitioner's lives or those of their relations continued to appear in Irish memorials. The principal difference then being that the focus of the lives of Irish immigrants had moved from Ireland to service in Spanish dominions. In 1616 Gerald Trant sought to have his pension transferred from the Irish regiment in the Spanish Netherlands to La Coruña in Spain owing to the enmity that he would have to face from within the Irish regiment, and also because he had a wife and children in the latter city.[13]

A further fundamental justification for royal awards in the memorials was civil status as having a wife and children to support potentially increased the size of awards. As a consequence memorials frequently contain data on spouses, numbers of living children who are sometimes named as well as the names of uncles or brothers who had carried out important services for the Crown. It is the important role played by inherited services in the Spanish monarchical system that explains the presence of this kind data that is such a great aid to family reconstructions. This is also evident in regards to the more financial fonds. Thus, from an analysis of the files of some 250 Irish women in receipt of financial aid on the basis of these inherited services between 1640 and 1680, some 67 per cent of these awards were based off their husband's services to the Spanish crown, 22 per cent off their father's services, 8 per cent off their brother's and 3 per cent off their uncle's services.[14] Moreover, the need to justify these services to the different Spanish councils meant that many petitioners provided additional documentation such as wills or service records that included

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[12] AGS, E., leg. 1654, memorial of Florence O'Clery, 10 June 1617; ibid, leg. 2780, memorial of same, 5 May 1618.

[13] AGS, E., leg. 1773, memorial of Gerald Trant, 16 January 1616.

[14] Based on the material relating to 'dead pay pensions' in AGS, Contaduría del Sueldo (CSU), legs 319-30.

genealogical data on family background. This is evident from a perusal of the series *servicios militares* in the fond *Guerra Antigua* (AGS) or in the equivalent series in *Estado* (AHN). At the same time the financial records can also lead indirectly to the names of notaries who drew up wills for the petitioners, thus providing a shortcut to what would otherwise be an impossible task.

Traditionally, owing to the important role played by men in wars in early-modern Europe, archives such as AGS or AHN have been viewed as being primarily relevant to the history of men rather than to that of women. Yet, notwithstanding the advances made in women's studies in recent decades, these archives have been very much underutilised, notwithstanding the considerable data on the lives of women that they contain. In the case of Irish female immigrants there is considerable data, maybe proportionally even more than that regarding Spanish women owing to the difficulties faced by the immigrant communities in protecting their female members. Prior to 1607, only four out of 227 memorials seen by the Council of State were sent by Irish women. However after this date the proportion changed to one for every ten Irish male memorials through to 1620. Although data is unavailable beyond this date, there is no reason why this trend should have been reverted, if anything it may have increased.[15] The relatively high percentage of memorials by Irish women was due to a variety of factors, the most important of which were the inability of the Irish immigrant communities to protect their female members in altered socio-economic circumstances, higher male mortalities rates, or the absence of fathers, husbands or brothers that forced many women to deal with royal bureaucracy. One Juana O'Falvey had been forced to learn Spanish and engage with royal bureaucracy by 1618 owing to the absence of her husband who had been sentenced to the galleys seven years earlier (O'Scea 2006: 220).

Memorials, *consultas* and *libros de cédulas* (registers of letters patent) contain very varied kinds of political, economic, and social data that range from services rendered by family members in Ireland, Flanders and elsewhere to the religosity and material culture of Irish immigrants. High percentages of memorials mention the names of spouses, living children or other family members who have carried out services for the Spanish crown. Global analyses of memorials permits the detection of evolving familial self-definitions among Irish immigrants. Both memorials and *cédulas* highlight the strategies undertaken by Irish families to look after other family members especially unmarried daughters, or the way in which they ensured the descent of the most senior family lines according to Gaelic criteria long after these strategies held any relevance in the altered socio-

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[15] Based on a database of memorials carried out under the auspices of the Irish in Europe Project, National University of Ireland, Maynooth.

economic circumstances of the immigrant communities. (Walsh 1988) Sometimes other fascinating kinds of social data can be found in these kinds of sources such as cases of Gaelic concubinage. In 1618 one Maria McSweeney was deprived of most of her pension because several years earlier she had been living in concubinage with an Irishman while still married.[16] Although memorials can be quite formulaic especially in regard to services rendered to the Spanish crown, they can also contain very wide-ranging political, military, socio-economic or human drama data. In December 1606 the serving priest of the parish of San Luis in Madrid sought charitable aid from the *Cámara de Castilla* on behalf of some 104 starving Irish men and women including some nobles who were then living in five to six roofless, windowless, and doorless houses in his jurisdiction.[17]
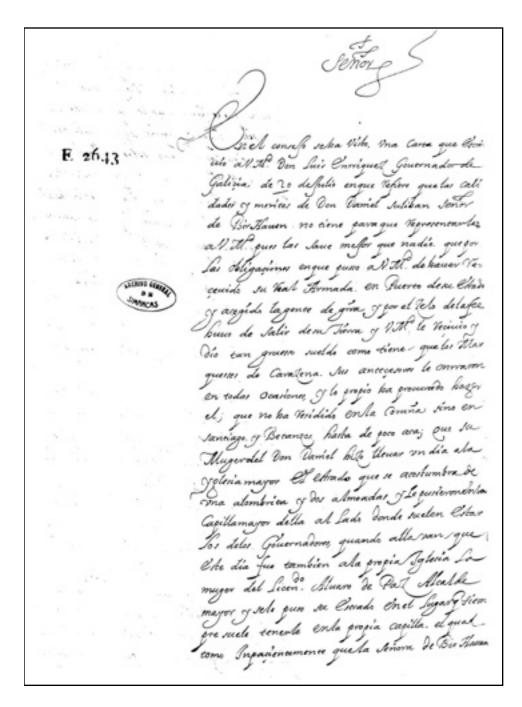
Nor are sources on Irish women confined to memorials or any eventual *cédulas*. Many of the more financial fonds contain attached documentation that help give insights, however partial into Irish female literacy, their physiognomy, social networks, marriage patterns, and residence patterns that can be combined with other sources to attain more complete studies. From the dead pay pensions it is clear that even after Irish women became military widows, substantial numbers of them continued to reside in the military garrisons, at the court or in other parts of Spain. Others, on the other hand chose to return to Ireland, and receive their pension there. Up to 1692 at least, Ana de Burg, the widow of an Irish sergeant major continued to receive her pension while residing in Ballinrobe in Ireland, which was collected by her cousin Catalina de Burg on her behalf. As proof that she was still alive she sent testimonies of Irish notaries in Irish or in English to the Spanish royal administration in order to continue receiving her pension.[18]

In theory the data on the family and on women in archives such as Simancas or in AHN deal primarily with military migrants and their related families. However, one should not lose sight of the fact that the administration of early-modern warfare penetrated large areas of non-military society, and that the economic occupations of any soldier or official were not confined exclusively to military matters. For these reasons the archives of the Castilian crown contain considerable data of relevance to Irish immigration beyond the purely military domain. Moreover, despite the tailing off of Irish military emigration to the Iberian Peninsula from the 1660s, an Irish presence was still apparent up to the 1680s as a review of the *libros de decretos* of the Council of War (AGS) clearly shows.

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[16] AGS, GA, leg. 829, consulta, 28 February 1618.

[17] AGS, Cámara de Castilla, leg. 909, memorial of las cinco cassas yrlandesas, 6 December 1606

[18] AGS, CSU, leg. 330, file of Ana de Burg, 9 August 1659.

Fig. 2 First page of *consulta* regarding a dispute concerning seating and kneeling privileges in the principal church in Betanzos (Galicia) between Elena O'Sullivan Mór, Countess of Biraben and the wife of the *alcalde mayor*. AGS, Estado, leg. 2643, consulta, 26 September 1613.

In the light of the all important role of the memorial as a curriculum vitae of service to the Spanish crown, and of the continuing military, ecclesiastical, commercial, and poor Irish migration to Spanish dominions throughout the seventeenth century and beyond it is possible to estimate that the principal archives of the Spanish conciliar system contain tens of thousands of memorials of Irish petitioners if not more. A study of three-fifths of the series *negocios de partes* of *Estado* (AGS) alone turned up nearly one thousand memorials by Irish petitioners between 1598 and 1620.[19] Figures like these, which one can expect were repeated in other councils, give an indication of the potential for future research on Irish immigration in the archives of the Castilian council system.

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[19] Carried out under the auspices of the Irish in Europe Project, National University of Ireland, Maynooth.

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