

The Act of Settlement (August 12th, 1652)

Whereas the Parliament of England, after the expense of much blood and treasure for suppression of the horrid rebellion in Ireland, have by the good hand of God upon their undertakings, brought that affair to such an issue, as that a total reducement and settlement of that nation may, with God's blessing, be speedily effected, to the end therefore that the people of that nation may know that it is not the intention of the Parliament to extirpate that whole nation, but that mercy and pardon, both as to life and estate, may be extended to all husbandmen, ploughmen, labourers, artificers, and others of the inferior sort, in manner as is hereafter declared; they submitting themselves to the Parliament of the Commonwealth of England, and living peaceably and obediently under their government; and that others also of higher rank and quality may know the Parliament's intention concerning them, according to the respective demerits and considerations under which they fall; be it enacted and declared by this present Parliament, and by the authority of the same, that all and every person and persons of the Irish nation, comprehended in any of the following qualifications, shall be liable unto the penalties and forfeitures therein mentioned and contained, or be made capable of the mercy and pardon therein extended respectively, according as is hereafter expressed and declared; that is to say,

I. That all and every person and persons, who at any time before the tenth day of November, 1642 (being the time of the sitting of the first General Assembly at Kilkenny in Ireland), have contrived, advised, counselled, promoted, or acted, the rebellion, murders, or massacres done or committed in Ireland, which began in the year 1641 [...], be excepted from pardon of life and estate.

II. That all and every Jesuit, priest, and other person or persons who have received orders from the Pope or See of Rome, or any authority derived from the same, that have any ways contrived, advised, counselled, promoted, continued, countenanced, aided, assisted, or abetted [...] the rebellion or war in Ireland [...] be excepted from pardon for life and estate.

VI. That all other person and persons [...] who have borne command in the war of Ireland against the Parliament of England [...] be banished during the pleasure of the Parliament of the Commonwealth of England, and their estates forfeited and disposed of [...] for the use and benefit of the said Commonwealth; and that the [...] third part of their said respective estates [...] be respectively had, taken, and enjoyed by the wives and children of the said persons respectively.

VII. That the Commissioners of Parliament and Commander-in-Chief have power to declare, that such person or persons as they shall judge capable of the Parliament's mercy (not being comprehended in any of the former qualifications), who have borne arms against the Parliament of England or their forces, and have laid down arms, or within eight and twenty days after publication hereof by the Commissioners for the Parliament, and the Commander-in-chief, shall lay down arms and submit to the power and authority of the said Parliament and Commonwealth, as the same is now established (by promising and engaging to be true to the same), shall be pardoned for their lives, but shall forfeit their estates to the said Commonwealth, to be disposed of as followeth, viz. two third parts thereof (in three equal parts to be divided) for the use, benefit, and advantage of the said Commonwealth, and the other third part of the said respective estates or other lands, to the proportion or value thereof (to be assigned in such places in Ireland, as the Parliament, in order to the more effectual settlement of the peace of that nation shall think fit to appoint for that purpose), be enjoyed by the said persons, their heirs or assigns respectively, provided, that in case the Commissioners and

Commander-in-Chief, or either of them, shall see cause to give any shorter time than twenty-eight days, unto any person or persons in arms, or in any garrison, castle, or fort in hostility against the Parliament, and shall give notice to such person or persons in arms, or in any garrison, castle, or fort, that all and every such person and persons who shall not within such time as shall be set down in such notice, surrender such garrison, castle, or fort to the power of the Parliament, and lay down arms, shall have no advantage of the time formerly limited in this qualification.

VIII. That all and every person and persons of the Popish Religion, who have resided in Ireland at any time from the first day of October, 1641, to the first of March, 1650, and have not manifested their constant good affection to the interest of the Commonwealth of England [...] shall forfeit one third part of their estates in Ireland to the said Commonwealth [...] and the other two third parts of their respective estates or other lands [...] be enjoyed by such person or persons, their heirs or assigns respectively [...].

IX. That all and every person and persons (having no real estate in Ireland, nor personal estate to the value of ten pounds) that shall lay down arms, and submit to the power and authority of the Parliament [...] and shall take and subscribe the engagement, to be true and faithful to the Commonwealth of England [...] such persons [...] shall be pardoned for life and estate for any act or thing by them done in prosecution of the war.

August 12, 1652. Scobell, ii. 197. See *Commonwealth and Protectorate*, iv. 82-5. (extracts)

The full text is available at <http://www.constitution.org/eng/conpur094.htm>