

Barnewall, Sir John

by Colum Kenny

Barnewall, Sir John (1634?–1691?) barrister and judge, was one of eleven children of Richard Barnewall (qv) of Crickstown, Co. Meath, and his second wife Julia, daughter of Sir Gerald Aylmer (qv), baronet of Donadea, Co. Kildare.

Although the Barnewalls of Crickstown have been described as a minor branch of that family, from this branch emerged both the viscounts Kingsland and lords Trimleston Barnewalls. John was the last of six Barnewalls who held judicial office in Ireland, at least five of whom were members or descendants of the Crickstown branch.

On 9 September 1673 John Barnewall of 'Crixton' (sic) was admitted to the Inner Temple, London, with his certification from that inn of court in 1679 recorded at King's Inns, Dublin. In May 1687 he was appointed third serjeant-at-law. From late 1687 he served as recorder of Dublin. This followed the issuing of a new charter for Dublin allowing the appointment of a city assembly and officials to the liking of James II (qv). The king's lord deputy in Ireland, Richard Talbot (qv), then knighted Barnewall, at the lord mayor's house. The calendar of Dublin records notes the fact that in August 1688 the city assembly awarded Barnewall a piece of silver because he 'had not only taken great pains in attendance on the Lord Mayor at the city courts and other affairs of the city, but also with great care and pains had lately translated into English the late charter [entirely in Latin] granted to this city ... he demanding nothing for his pains, and his salary being very inconsiderable ...' The new appointees had the privilege of their children being 'free of the city', with Barnewall's only child Mary and the infant Esther Van Homrigh (qv) – 'Vanessa' to Jonathan Swift (qv) – among this chosen group.

At St Germain on 3 January 1689, James II appointed Barnewall second baron of the Irish exchequer. He was one of the last Roman Catholics named between 1686 and 1688 to supersede the Protestant judges at the Four Courts. As a judge he was an ex-officio bencher of King's Inns, Ireland's sole inn of court, where in 1689 James met his Irish parliament. Barnewall went on assizes in 1690. However, following the Battle of the Boyne, the bench again became exclusively Protestant and he was replaced in October 1690.

Barnewall is said to have married in 1682. His wife was Thomasine Preston (d. 1706), daughter of Anthony Preston, 2nd Viscount Tara(gh), and Margaret Warren. He and Thomasine had one child, Mary (1683–1771). Through his wife's inheritance the couple came into possession of a castle and land at Ballybrittan, King's County (Co. Offaly), which in 1703 passed through marriage to their daughter's husband, also named John Barnewall (1672–1746), styled 11th Baron Trimleston. One of John

and Thomasine's grandsons, Robert (c.1704–79), styled 12th Baron Trimleston, became a noted catholic activist.

Mary Warren, sister of Thomasine's mother, had lived in exile with Thomasine's parents at Bruges during the Cromwellian period. Charles II, also in exile, enjoyed their hospitality there for 'near a month'. For this, after the Restoration, Charles warmly expressed gratitude. 'Lady' Mary Warren invoked the family's service to curry favour with the king, in 1663 in respect to both the recovery of family property at Ballybrittan and securing an income for Thomasine and her siblings, and in 1683 in respect to a legal action taken by Thomasine and her husband against Nicholas, 2nd earl of Carlingford, for £2,000 they claimed was owned to Thomasine's late father since 1648.

John Barnewall is said to have died in 1691. There exists a portrait of a man in judicial robes and wig, with black girdle knotted in front in a large bow, and a glove clutched in his left hand, that is identified on its frame as being of this particular baron of the exchequer. The large painting, artist unknown, is in a private collection in Ireland. It is believed to have been painted no later than the 1740s, perhaps having been commissioned then by John Barnewall's surviving daughter.

Parts of the ruined church of Crickstown (about five kilometres from Asbourne, Co. Meath) still stand in an overgrown cemetery where the first baron of Crickstown and other Barnewalls were laid to rest. An old inscription suggests that John Barnewall was buried here. A medieval baptismal font from this church, at which Barnewall may have been christened, survives in quite good condition inside the nearby catholic chapel at Curragha.

The extended Barnewall family was long and prominently involved in public affairs within the Pale. In 1169 the family first came to Ireland in the person of Michael de Berneval, who took extensive lands from the O'Sullivans at Berehaven in south-west Cork. In 1577 Richard Stanihurst (qv), married to Genet Barnewall, wrote of the family that, 'at length by conspiracy of the Irish, they were all slain, except one young man, who then studied the common laws in England, who returning, dwelt at Dru(m)nagh [Drimnagh] besides Dublin ...' (Holinshed, 49). One of that survivor's descendants was the Ulpram de Berneval who seated himself at Crickstown Castle. Among the latter's descendants (who came to spell their name 'Barnewall') were Christopher Barnewall (qv) – chief justice of King's Bench in 1435; Nicholas Barnewall – chief justice of King's Bench in 1461; John Barnewall (qv) – third Baron Trimleston and lord chancellor of Ireland in 1534; Patrick Barnewall (qv) – a leader in establishing King's Inns in 1541 and master of the rolls; and Nicholas Barnewall (qv) – made first Viscount Kingsland in 1646.

Also among Ulpram's descendants was Patrick Barnewall (d. June 1624), made first baron of the new Crickstown baronetcy on 22 February 1622. He adopted a Latin motto for his family's coat of arms created then. This was 'Malo mori quam foedari',

meaning 'death rather than disgrace'. He also built a new house at Crickstown, with arms over the doorway, later ruined. He and his wife Cicely Fleming (daughter of William 16th Lord Slane) had four children, including George and Richard Barnewall (father of John here considered).

'George Barnewall, of Crickstown, co. Meath, second son of Patrick B., Baronet' was admitted to Gray's Inn in 1632, and entered King's Inns in 1640. He was among those who in 1643 signed the oath of association of the Confederate Irish. With his brother Richard prominent in politics, in 1652 George was chief agent for the assembly of Leinster in discussions with Clanricarde. George was styled 'judge advocate' but the Ulster Irish, critical of their Leinster allies, abused him as 'a lumpe of the wroste barrister' and 'a peece of a lawyer' among other insults (Gilbert, vol. 3, pp. 25 and 37). He later had a private practice, his clients ostensibly including in 1677 Ulick Browne of Westport and in 1681 Lord Strabane. He died unmarried, remembering in his will of 1686 his nephew John, future baron of the Irish exchequer.

George's brother Richard (1602–79), 2nd baron of Crickstown and father of John, suffered severely during the Cromwellian usurpation but later recovered the castle at Crickstown and 2000 acres of land adjoining it. John Lodge (qv) writes (vol. 3, 46) that the Barnewalls generally 'were mostly destroyed by the wars of 1641, and their estates forfeited; before which rebellion, there were upwards of thirty families (as I have been informed) who enjoyed considerable estates in the counties of Dublin and Meath.'

In 1689 Richard's son Patrick (whose brother John was then a judge) became a member of the Irish parliament convened at King's Inns in the presence of James II and the judges. When this Patrick's only son George died without issue in 1735, having mortgaged and sold a large part of his estate, the remainder passed to his three sisters as co-heiresses, and thereby this male branch of the Barnewell family lost its castle and manor of Crickstown which had been in its possession for many generations.

'The black book of King's Inns' (King's Inns Library, Dublin); Inner Temple admission records; Baronets entries (NLI, MS 114); Bodl. Carte MSS 54, f. 75 and 165, f. 91; BL Add MS 23685, f. 159; 'A treatise conteining a plaine and perfect description of Ireland ... compiled by Richard Stanihurst' in vol 3. of R. Holinshed (ed.), *Chronicles of England, Scotland and Ireland* (6 vols, 1577); *Cal. Anc. Rec. Dublin*; *Cal. S. P. Domestic 1678 and 1683*; John Lodge, *The peerage of Ireland* (4 vols, 1754); W. Ridgeway, W. Lapp and J. Schoales (eds), 'Jones v. Inman', *Irish term reports: or, reports of cases determined in the King's courts, Dublin, 34–35 Geo. III* (1796); Rowley Lascelles (ed.) *Liber munerum publicorum Hiberniae* (2 vols, 1852); J. T.

Gilbert (ed.), *A contemporary history of affairs in Ireland, from 1641–1652* (3 vols, 1880); W. A. Shaw, *The knights of England ... incorporating ... knights bachelors dubbed in Ireland* (compiled by G.D. Burchaell) (2 vols, 1906); Helen M. Roe, *Medieval fonts of Meath* (Meath Archaeology and Historical Society, 1968); C. Kenny, 'Jacobites, judges and the Black Book of King's Inns, Dublin, 1683–1693', *Irish Jurist*, 58 (2017); C. Kenny, 'The Crickstown Barnewalls: judges of the Pale, 1435–1690', *Ríocht na Midhe*, 29 (2018)

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