

Charles Mac Carthy in the Archives of Bilbao

A positive consequence of the upheavals of the 17th, 18th and 19th centuries in Ireland, is the volume of documents of Irish interest in foreign archives, many brought over by the Irish themselves. These often give names of individuals and family histories that would otherwise remain unknown. Their importance in piecing together lost Irish history and genealogies cannot be overstated.

The outlawing of the Catholic religion in Ireland with harsh penal laws against the natives, resulted in the disappearance for decades of the registration of Catholic births, marriages, and deaths, a task normally carried out by the priests. This, together with the accidental or deliberate destruction of documents during wars, has made much Irish historical and genealogical research very difficult. Copies or originals of birth certificates, and attestations of a person's genealogy which exist in foreign archives, and which do not exist in Ireland anymore, must be viewed therefore as hugely valuable for historians and genealogists.

To ensure this history is not irreplaceably lost, funding for research and documentation of existing archives coupled with a programme of preservation of endangered documents is imperative, sooner rather than later.

Irishman Carlos Macarti, referred to in eighteenth century archives in Bilbao as of 'Caher Ka Ki' in County Cork (elsewhere written 'Caherkuike'), is one of the Irish named in archives in the Basque Country. Although possibly a hispanicized version of Cathair Chorcaigh (the Irish name for Cork City), 'Caher Ka Ki' more likely refers to Cathair Chirce (*anglicised* Cahirkirkie, Caherkirky or Cahirkirkey), a townland in the barony of East Carbery in County Cork. Although today there are many Mac Carthy families to be found in the neighbourhood, there is scant information available in Irish history documents about Cahirkirky and less about its Mac Carthy connections. We only know that in Cromwellian times in 1654, an Owen McDonogh and a Donal Mac Owen Carthy (his son?) of Caherkirky were attainted. Cronnelly* also mentions an Owen Mac Donagh of Cahirkirkie who took part in the 1641 rebellion.

* Ref: p.195, Irish Family History, by Richard Francis Cronnelly (1865)

The Archive

Carlos Macarti (Charles Mac Carthy), submitted documents to the Bilbao authorities in 1721 to gain residency, and to prove his noble status which would also make him eligible for public office and military advancement. To a committee of the city of Bilbao, he was obliged to submit genealogical information of three generations proving Catholic background to gain residency, and other information in support of his claim to nobility. The committee would then decide whether to grant a minor seal (residency) or a major seal (residency and nobility) to the applicant.

The information of witnesses tendered by the applicant, would be tested with standard questions of the following tenor:

1st question:

Does the witness know the appellant, his parents, his grandparents on the mother's and the father's side and where they were/are from?

2nd question:

What is the age and profession of the witness? Is he related to the appellant?

3rd question:

Does the witness know or has he heard whether the stated parents were married lawfully according to the rites and ceremonies of our mother the Catholic Church, and had the appellant as their legitimate son?

4th question:

Does the witness know or has he heard that the stated parents on the maternal side were married lawfully according to the rites and ceremonies of our mother the Catholic Church and had the appellant's mother as their legitimate daughter?

5th question:

Does the witness know whether the appellant or any of his parents or grandparents were not Christians or were tainted with Moorish or Jewish blood or were new converts to the Catholic religion?

6th question:

Does the witness know whether the appellant or any of his forefathers for four generations had access to or any bar to public office?

7th question:

The witness states that all he has deposed is and always has been public knowledge and common opinion without having ever heard anything to the contrary.

The information, relating to Charles (Carlos) Mac Carthy, is held in four files in the Archivo Foral de Vizcaya, Calle Maria Lopez de Haro, Bilbao:

- ❖ **Bilbao la Antigua 0396/001/003**
- ❖ **Genealogias- Reg 28, Gen 469-Dated 24/12/1721**
- ❖ **Corregidor JCR1358/002 -Dated: 1721-09-25 / 1721-12-24**
- ❖ **Corregidor JCR0784/010- dated 1724-11-04**

A document, here translated, signed 'close to the Escorial' and sealed by **the Duke of Ormonde** on the 4th Sept. of 1721, states the following:

'I hereby certify, by means of well known witnesses and persons of distinction, that Don Carlos Maccarty of Irish nationality is a legitimate descendant of the very ancient and noble family of Maccarty Reagh in that kingdom, having abandoned his native soil to follow his legitimate king James, and at his request, I have conceded this as an attestation for where it is required'.

Two other documents are included also among the papers and attest to the same. They are signed by **Daniel O Sulevane Beare**, 'Count of Bearhaven, Colonel of infantry and Lieutenant Colonel of the Irish Waterford Infantry', and by **Pedro Sherlock**, 'Colonel of the Irish Munster Infantry', and add that 'Carlos Mac Carthy has served many years and has lost many relatives of said nation in the service of said King James'.

In the same archive**, another document written in Latin, here translated, states the following:

The below signatories, parish priests, ecclesiastics, graduates of the city of Cork, and its Bishopric in the kingdom of Ireland, certify to all to whom it concerns, that the bearer, Don Carlos Macarthy, of the illustrious, very noble, very ancient and always for generations since the time of St Patrick, orthodox Catholic family of Mac Carthy, with his spouse Doña Isabel Mac Carthy of the same family, desiring to pass to the kingdoms of France or Spain, have requested of us these words of recommendation, confiding that with these supportive and empowering words, they can be (as we hope) more favoured, and arrive with better liberty, and be better received in those Catholic kingdoms.

Thus, having authenticated and approved his origins we voluntarily give our consent to his request, and address ourselves principally to all the Catholic princes in whose dominions they might arrive, stay or reside in, as well as to all the loyal christians of whatever dignity, grade or state whose assistance or good office they might require, we strongly commend them to the bowels of Christian charity as truly noble, honourable, devoted and truly apostolic Roman Catholics.

Given in the place of our refuge (for fear of persecution), today the 14th April of the year of our Lord 1719,

*Bishop Donato (Denis) Macarthy,
Father John O Daly,
Father Andrew Meade,
Father Thady Macnamara,
Father Carlos Mac Carthy,
Father Dermot O Flynn,*

*Bishop of Cork
doctor in sacred theology
priest of Cnockrahy
parish priest of St Peters in the city of Cork
priest of Inishkyne, Carbery.
(imprisoned priest or cloistered priest?) and
rector of the parish of Santa Cruz (Holycross
Abbey near Cashel?)
priest of Donaghmore
(imprisoned priest or cloistered priest?)
(imprisoned priest or cloistered priest?)
priest of the iglesia blanca (Whitechurch)
priest of Santa Juana Mayor'*

*Father Finghin Mac Carthy,
Father Terence Begley,
Father Francis O Brien,
Father John Brown,
Father Thady O Coghlan,*

** Ref: Archivo Foral de Vizcaya, Corregidor JCR1358/002

Witnesses

The following witnesses appeared in person on Mac Carthy's behalf in Bilbao, giving evidence on his parentage, Catholic upbringing, and family ties:

Columba Morgan, a priest resident in Bilbao, aged 50 (note: born around 1671), who stated that 'The father of the appellant was a Captain of infantry in service of James 2, and in the same service was Denisio (Donagh) and Florencio(Finghin) Mac Carthy, and these posts are only given to those of noble blood. He heard this mentioned by Edward Brown who is aged 41 yrs (note: born about 1680).

Raymond Everard, aged 45 (born about 1676), a medical doctor resident in Bilbao, who stated he knows Carlos Mac Carthy and also knew Florence Mac Carthy and Cathalina Macarty, his parents; that the father of the appellant was a Captain of infantry in service of James 2, and in the same employ was Dionisio and Florencio Mac Carthy. 'These are posts which are only given to those of noble blood'. He heard this mentioned by Edward Brown who is aged 41 yrs (born about 1680).

Gerard Fitzgerald, aged 50 (born about 1671), resident in Bilbao, knows Carlos Mac Carthy and also knew Florencio and his wife Cathalina Macarty. The father of the appellant was a Captain of infantry in service of James 2, and in the same employ was Dionisio and Florencio Mac Carthy. He heard same from Michael Hore who died 20 years ago aged 54 (1647-1701).

Richard White, resident in Bilbao, aged 29 (born about 1692), he knows Carlos Mac Carthy and also knew Florence Mac Carthy and Cathalina Macarty his parents who were of the kingdom of Ireland.

The Outcome

Carlos was subsequently accepted as being of a long standing Catholic family and was conceded residency. However, his claim to nobility was initially deemed unproved and therefore not accepted. As this would exclude him from holding public office or a military position, he immediately appealed this together with three other Irishmen, namely Edmund Shee, John Power, and Arthur Lynch. Their joint *memorandum´ requested that their nobility be accepted in spite of their inability to bring about the proofs of their genealogies in Ireland because

´we are in permanent exile from our native country, have been deprived of our properties and honourable employment by a tyrannical government of heretics that reign in England, in constant hatred of the constancy in which we follow and profess the true Catholic religion...and the impossibility of qualifying our nobility in our native country as the tribunals and courts will not allow it...´

Carlos Macarti was granted noble status in 1722. The case of the other three would be won in 1725 with a royal edict from King Felipe V, ordering the justices of the Señorío of Biscay not to send any representatives to the kingdom of Ireland to seek proofs or justifications about the credentials of the appellants, and that the appellants not be obliged to show proofs in Court. The edict added:

´there is no need for proof in the Kingdom of Ireland, as it is widely known that the reign of Henry VIII and the heresy in the kingdom, the rigour of established laws and the persecution of the natives who by Divine Mercy remain in the sway and obedience of the Holy Roman Church, disloyally prohibit the sacred baptism, faith, sacraments, marriages and any legal proof of Catholic acts. He [Shee] shows himself to be a true Catholic as his forebears were. The witnesses and documents presented here prove that the applicant is noble. There are houses and lands in Ireland that bear his name.´

ref: Felipe V, ordenando a las justicias del Señorío de Vizcaya que no envíen a ningún representante de este Señorío al Reino de Irlanda para realizar las averiguaciones ni justificaciones sobre las filiaciones de los solicitantes y que no obliguen a los interesados a realizar pruebas en la Corte. Dada en Madrid en el cinco de mayo de 1725.

Despite numerous previous rulings conceding special rights on the Irish, for other Irishmen coming to Bilbao the struggle to have this and other rulings implemented would continue for another 70 years.

The Death of Carlos Mac Carthy

In Bilbao's Archivo Foral, document **Corregidor JCR0784/010 – dated 1724-11-04**, relates to the death of Carlos (Charles) Mac Carthy. Here follows a resumé.

On Friday 3 Nov 1724, Carlos Mac Carthy, 'a merchant of the Irish nation, who was a resident of Bilbao', was discovered at between six and seven in the evening, lying on the ground opposite the house of Pedro de Arauco on the river bank of Oleveaga, (near Bilbao).

He had a contusión on the left hand side of the temple, and was barely alive, Although he was brought indoors, he expired shortly afterwards.

Subsequently a Criminal investigation was instigated at the behest of the Corregidor (note: the representatives of the royal jurisdiction over Bilbao and its district), to determine if any foul play was involved.

The body was examined by two surgeons, one that evening and another on the following day. Both noted no other signs of injury and coincided that the cause of his death was the blow to the temple caused by a fall from a horse. His body was subsequently released for ecclesiastic burial on Saturday the 4th.

Charles/Carlos Mac Carthy, whose age is not stated, was buried in the church of the Augustinian Convent in Bilbao, in grave number 13 of which he is listed as owner.

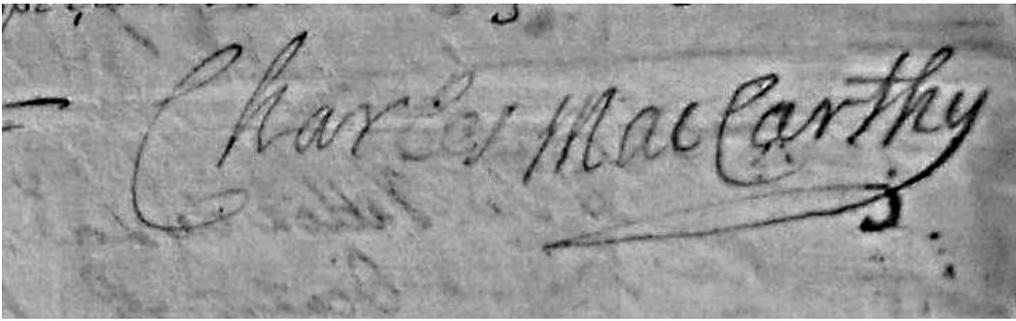
The Convent, which was situated where the present Town Hall of Bilbao now stands, was seriously damaged in the Carlist Wars and subsequently demolished in the mid 19th century. It is not known whether the remains of people buried there were transferred to another graveyard.

What more do we know about Charles Mac Carthy of Bilbao?

A **Juan Bautista** (Eoin Baiste *in Irish*) **Macarti** of Cahir Ka Ki', Co Cork and his wife **Catalina O Mahoni** of Cahir Ka Ki, had a son named **Florence** (Finghin or Feilim) **Macarti**, born in Caher ka ki' in Corke. He was a Capt of Infantry temp James II, and married:

Cathalina Macarti of Drumgariff, a daughter of another **Florence Mac Carti**, resident of 'Cavigenenfbue' - (hard to decipher hispanization of name - possibly Carrigaloe?) and **Leonara Macarty**, of Dromgariff,

They in turn had a son whom they named **Charles** (*Cormac in Irish*) **Mac Carthy** (Carlos Macarti), who became a merchant in Bilbao. Here is a specimen of his signature.



He may well be the same Carlos Macarti mentioned in Bilbao documents of 1713 as owner of a boat named Isabela (the name of his wife, see below). If this is he, it would mean that he traded as a merchant in Bilbao prior to gaining residency.

We do not know his date of birth as no birth certificate is included or referred to in the archive, but his place of birth is given as 'Caher ka ki', County Cork. Unfortunately, his death inquest file does not state his age either.

Witnesses had stated that Charles had 'served many years' in the army, and lost many relatives in the cause of James II. They stated that Charles' father was a Captain of infantry in the service of James, and in the same employ were a Denis and Florence Mac Carthy (presumably relatives).

We surmise that if he had given many years of service as stated by witnesses, and was trading as a merchant in 1713, that his year of birth date would be close to 1672.

Carlos married **Isabela Macarti** (*Isabel Mac Carthy*), the daughter of Marcos Macarti (*Marcus Mac Carthy****), and María Cherin (?), residents of London.

We do not know where the marriage took place, but we do know that it took place before his deposition in Bilbao in 1721, as she is mentioned in documents as his wife. We also know that she outlived him.

*** A Marcos Mac Carthy, businessman of London is referred to in **Archivo Foral de Vizcaya, :Consulado- 0010/025-date:1730-11-26.**

In the death inquest document, Charles is stated to be a resident of Deusto.

We can presume that Charles was an experienced horseman, having been in the army. There is no suggestion in the death inquest that alcohol was involved in the accident.

Charles was buried between the 4th and the 6th November 1724. At the time of his death, his wife Isabel was 6 months pregnant with son Marcos Esteban Anttonio.

We have been unable so far to trace Carlos Macarti's great grandparents and Mac Carthy antecedents. There are few clues in his file, which states that he was unable to realize the proofs of his genealogy in Ireland. However, his letters of attestation by prominent ecclesiastics and individuals, the evidence of his witnesses, and his appeal in conjunction with eminent co-appellants protesting their noble status, would suggest that he could indeed be a Mac Carthy Riabhach.

Could Eoin Baiste (Juan Bautista) be one and the same as Owen McDonogh of Caherkirky who was attainted in 1654? Could Donal Mac Owen Carthy be Owen's son and if so, an uncle of Charles? If not, they most certainly would have been related.

Some clues to his genealogy might be gained also by following the O Mahony line of Carlos' mother. In this regard, a marriage between # **Owen MacCarthy** (of Killowen), son of Dermot MacCarthy of Killowen and his wife n- MacCarthy Reagh of Carbery, and **Honora Mahony**, daughter of Denis Mahony, of Dromore in Dunkerron, county Kerry is worthy of investigation. The Mac Carthys of Iniskean, not far from Cahirkirky, might yield some clues also.

Charles and Isabel's children

We know from investigation that Carlos and Isabel had three children, all baptised in the Basilica of the Cathedral of Señor Santiago in Bilbao.

Note: In the Spanish custom, both surnames are used, hence, as both husband and wife were Mac Carthys, the surname appears as Macarti Macarti.

The eldest, **Maria Ana Estefana Macarti Macarti**, was baptised on 26 Dec 1720 in Bilbao. Sometime after 1761 she married **Cristóbal (Christopher) MacKenna** in Guadalajara (near Madrid). Born 1714/5 in Kilmessan, Co Meath, Christopher had been a resident of Guadalajara since 1758, where he worked as inspector of a cloth factory.

As Maria Ana was already 41 by the time she married, she probably had no children. A file in Guadalajara states that Don Cristóbal MacKenna's first wife was a **Francisca O'Farrell**, who had died in Guadalajara on 11 Dec 1761; the death was recorded at the Parish of San Gil. on 11 Dec 1761. She gave Cristóbal power of attorney to make a will on her behalf, which he is said to have done before Guadalajara notary Blas Medel. Her only heir was her husband.

Cristóbal's death record, if he remained in Guadalajara and died there, could name his parents; he may also have given clues to his origin in the will he made on Francisca's behalf, or the death record could lead to a will of his own.

Carlos and Isabela's other two children were

Juana Vicenta Isabela Macarti Macarti, baptised on 05 Apr 1723, and **Marcos Esteban Anttonio Macarti Macarti**, baptised on 13 Feb 1725.

Both were baptised at Basilica Del Señor Santiago, Bilbao, Vizcaya.

Oisín Breatnach, Gernika, Basque Country, July 2017.