

Cumann Geinealais na hÉireann

## Ireland's Genealogical Gazette

*(incorporating "The Genie Gazette")*

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**GENEALOGY**  
**HERALDRY**  
**VEXILLOLOGY**  
**SOCIAL HISTORY**  
**Heritage Matters**  
**Book Reviews**  
**Open Meetings**  
**News & Queries**

**CONTENTS**

Rory Celebrates Ten Years at the Helm	2
Cork Biographical Dictionary	2
Grant of Arms to A.P.G.I.	2
James Scannell Reports...	3
Précis of September Lecture	3
Diary Dates & Queries	4
Expediency, Mistake or Difficult Conundrum?	4

## Continued Access to Certain Records in Danger due to Privacy Bill, 2006

The *Defamation Bill, 2006* and the *Privacy Bill, 2006* published by the government in July could have unforeseen and possibly, unintended serious implications for genealogists, biographers and social historians. Members are concerned about the apparent conflict or confusion between Section 16 (3) & Schedule 1 (10) of the *Defamation Bill, 2006* and Section 4 (3) (a) of the *Privacy Bill, 2006* in respect of bona fide genealogical research and data obtained from a public register in Ireland. The Defamation Bill allows as a defence any information taken accurately from a Public Register and yet, the Privacy Bill specifically permits the exclusion of such a defence. Information contained in Public Registers, for example, registers of Births, Marriages and Deaths are an absolutely essential resource for genealogists, biographers and social historians. This rather surprising contradiction between both Bills seems to have gone unnoticed by the parliamentary draughtspersons whilst preparing the Bills at the Department of Justice, Equality and Law Reform. If the situation is as the Minister intended, little or no explanation for this measure is forthcoming.

Should the *Privacy Bill, 2006* be enacted as published it could impede genealogical and heraldic research and frustrate the publication of such through the threat of litigation. Officials or others charged with the custody of records could avail of this legislation to arbitrarily and unnecessarily restrict or deny access to records currently open to the public on the grounds that such access could facilitate an opportunity for the infringement of rights and protections afforded by the *Privacy Bill, 2006*. Whilst, some will argue as to what constitutes a "public register" others, through fear of litigation, could, if they so wish, arbitrarily broaden its definition and scope to include parish registers, even those on microfilm in the National Library of Ireland. This situation will unfortunately compound the serious error of judgement which resulted in the closure of public access to microfilms of certain Catholic dioceses held at the National Library of Ireland. The denial of public access to these parish registers on microfilm was put in place despite the fact that they were freely available for at least two decades prior to closure. Another, possibly unforeseen, disastrous side-effect

of the *Privacy Bill, 2006* would be to create a climate of fear of litigation amongst publishers, writers and researchers of genealogical or biographical material, especially if such publications contained data obtained from public registers. This is a serious attack on scholarship and ordinary research, which, to many seems downright absurd and excessively restrictive. The climate of fear created by the combination of these two Bills could be exploited by those with financial or political clout to prevent research and its publication. It has also been suggested that a similar threat by a family member may permanently prevent the publication of a lifelong study into one's own family history. This measure will have a devastating effect on the development of Irish genealogical and local history studies. Therefore, the Genealogical Society of Ireland calls on the Minister of Justice, Equality & Law Reform, **Mr. Michael McDowell, TD**, to insert a clause excluding bona fide genealogical research from the provisions of both the *Defamation Bill, 2006* and the *Privacy Bill, 2006*, as the minimum required to protect genealogists, biographers, social historians and other researchers.

## New Public Relations Officer

The Board of Directors of the Society at its September meeting appointed **Luke Martin, MGS** to the position of Public Relations Officer of the Society. The position of PRO had been vacant since the Annual General Meeting in March of this year and duties necessarily were shared out amongst the Directors. But it was clear to all that this situation was untenable in the long term as each

of the members of the Board has their own very demanding portfolios. Luke is new to genealogy and heraldry but in other spheres he is a very experienced administrator and an executive member of a number of local and national organisations. He brings to the position of PRO a proven record of achievement in public relations and looks forward to advancing the various objectives of the Soci-

ety. Key amongst these objectives is the promotion of the Genealogy & Heraldry Bill, 2006. Luke has taken an especially keen interest in the this proposed legislation and will shortly launch a campaign to highlight the many important features of the Bill. With one of the most important portfolios on the Board, Luke looks forward to a very challenging and exciting first term in office.

# Rory Celebrates 10 Years at the Helm

Back on January 4th 1996 the Executive Committee of the then Dún Laoghaire Genealogical Society nominated **Rory Stanley** to succeed the late **Joe McKeever** as Leas-Chathaoirleach of the Society. Joe had died very suddenly on Wednesday 11th October 1995 and was very sadly missed by all our members. The position of Vice-Chairperson was left vacant until the following January. Little did Rory realize at the time of his nomination that he would be required to take the helm of the Society from the outset due to the business commitments of the then Cathaoirleach, **Senan McGrath**. Therefore, it was hardly a surprise to anyone that Rory was elected unopposed to the position of Cathaoirleach of the Society at the Annual General Meeting held on Tuesday 8th October 1996. So this month is Rory's tenth anniversary of his election to the highest executive office of the Society. Indeed, without a shadow of doubt, the past ten years of the Society's existence have been both the most challenging and exciting years since its foundation in October 1990. In March of 1997 after much campaigning the Society was allocated the Martello Tower at

Seapoint by the Dún Laoghaire Rathdown County Council and for the next seven years much of Rory's time was devoted to realizing the foremost objective of the Society securing a permanent home for its operations. This involved fund raising and planning the restoration and refurbishment of the Martello Tower with Project Director, **Liam MacAlasdair**. During the first three years under Rory's direction, the Society consolidated its position as a national rather than a local organisation culminating in the adoption of its current name in 1999. The Society became an incorporated body under the Irish Companies Acts in November 2000 and just in time for the millennium it received a Grant of Arms from the Chief Herald of Ireland at a wonderful ceremony held in the County Hall in July 2001. The previous year Rory marked the 10th anniversary of the foundation of the Society with the planting of an Irish oak on Killiney Hill on Weds. 25th October 2000 also in remembrance of our late President Denis O Conor Don who died that summer. Rory's ten years at the helm witnessed many changes in the Society not least its development as Ire-

land's most significant non-governmental organisation promoting the study of genealogy and heraldry and indeed, a premier publisher of genealogical research. The Society's national and international profile was greatly widened and strengthened over the past ten years as a serious contributor to the various campaigns and debates on matters concerning genealogists and heraldists at home and abroad. Whether it be legislative changes in Ireland or lending the Society's support to overseas campaigns the Board of Directors of the Society with Rory as Cathaoirleach undertook these duties in conjunction with the day-to-day running of the organisation. This was certainly no mean task as in addition to the two opening meetings held each month, operating an archive, publishing newsletters and journals, maintaining a website etc, the Board has met monthly and indeed, held its 68th meeting since incorporation this month. This fine record of achievement over the past ten years is certainly one in which Rory Stanley as Cathaoirleach of this Society can rightly feel a sense of pride and celebration as he marks his tenth anniversary in office. Congrats Rory!!

## Cork Biographical Dictionary

**Four Courts Press** has published an absolute gem that is simply a must buy for anyone with connections with the City and County of Cork. Ireland's largest county and its capital the third largest city on the island has a long and sometimes turbulent history. All the great political and social episodes of Irish history had in one way or another an undoubted Cork connection. Whether it be a native Gaelic, Anglo-Irish, British or indeed, a mainland European contribution to Cork, the authors of "*A Biographical Dictionary of Cork*" (ISBN 1-84682-030-8) have certainly provided a wonderful resource for researchers. **Tim Cadogan** and **Jeremiah Falvey** have amassed a wealth of information

covering the political, social, cultural, sporting, military, religious, educational and other fields of human endeavour associated with Cork and its county. Not all of those included in this book were born in Cork but all made a significant contribution to the area, for example, Sir Thomas **Crooke** (d. c1624/5) who with profits from piracy built up a huge pilchard industry and gave his name to Crookstown or the Liverpool born Sir Thomas **Tobin** (1807-1881) who was partially responsible for the building of what became the Cork Opera House. Included also is Michael **Davitt** (1846-1906) who was born at Straide, Co. Mayo but who was MP for Cork North East in 1893. But the overwhelming

majority of the persons noted are Cork born and bred. Their subjects come from all socio-economic backgrounds, all religious denominations and most certainly diverse political viewpoints and allegiances. As would be expected of a biographical dictionary much genealogical information is included in each entry. Others included have given us world famous brand names like Richard **Hennessey** (1720-1809) who founded his Brandy distilling business in the Cognac region of France. This book is certainly very hard to put down—simply a treasure trove for the genealogist, social and local historian. At 384pp hardback €35 it's an excellent buy. See: [www.four-courts-press.ie](http://www.four-courts-press.ie)

## Grant of Arms to A.P.G.I.

On Tuesday 26th September 2006 in the Heraldic Museum an official reception was hosted by the Board of the National Library of Ireland and the Chief Herald of Ireland, **Mr. Fergus Gillespie**, to mark the 70th anniversary of the foundation of the Irish Genealogical Research Society. This society (IGRS) was founded in London in 1936 to promote the study of Irish genealogy in the wake of the disastrous loss of our Public Records Office in 1922 during the Irish Civil War. Over the past seventy years the IGRS has amassed a fine library in London where the

society is based. In the mid 1980's members of the IGRS resident in Ireland established an Ireland Branch to facilitate interaction between its Irish members. During the celebrations at the Heraldic Museum the President of the IGRS, **Sir David Goodall**, spoke of his society's early and continued links with Ireland. The occasion was very well attended with representatives from many organisations including the Genealogical Society of Ireland, the Irish Family History Society and the Association of Professional Genealogists in Ireland (APGI). It

was a very special occasion for the members of APGI as it became only the second Irish genealogical organisation to have received a Grant of Arms. **Ms. Pamela Bradley** accepted the Letters Patent on behalf of the members of APGI from Mr. Fergus Gillespie who read aloud the text of the Grant to great applause. The beautiful design of these new Arms was praised by all present for both its simplicity and significance. The heraldic badge features the Bedford Tower in Dublin Castle. The Arms will soon be displayed on the APGI website:- [www.apgi.ie](http://www.apgi.ie)

# James Scannell Reports....

**DUBLIN DELINEATED** As part of Heritage Week 2006 Dublin City Public Libraries inaugurated its facsimile series of publications with the launch of *Dublin Delineated* in twenty-six views first published in 1831 and running to several editions until 1843. The facsimile is based on the 1834 edition printed for W.F. Wakeman in D'Olier Street, Dublin. It includes 26 finely engraved plates drawn by the celebrated artists George Petrie, R.H.A. and W.H. Barlett with the engraved map of the city, specially produced for the 1831 edition, being used for the endpapers. Original copies were bound in watered silk or in half leather on marbled boards. The cover of the facsimile replicates a binding in quarter leather on marbled boards. When originally published in 1831, *Dublin Delineated* was aimed at the visitor to Dublin and stated that its objective was to celebrate the city as it was in the 1830's, highlighting important buildings and monuments and offering a tour of the most interesting places which could be seen "in the course of a few hours." Contemporary views of Trinity College, the Custom House, Dublin Castle, the

Royal Exchange (the present day City Hall), Nelson's Pillar, the Rotunda and Bank of Ireland are included as well as lesser known views of the cloth mart and Queen's Bridge with the Royal Barracks (formerly Collins Barracks and now the Museum of Decorative Arts and History) in the background. Launched in the Dublin City Library and Archive, which holds an unparalleled collection of Dublin material and manuscripts, Dublin City Librarian Deirdre Ellis King indicated that the Library is interested in making some early out-of-print publications available to the public in facsimile form to facilitate research into the history of Dublin. *Dublin Delineated* costs €25 and is available from the Dublin City Library and Archive, 138-144 Pearse Street, Dublin 2, Ireland.

**FIT-UP or SPOTS** Dr. Michael Hayes, 28, Glenside, Anacotty, Limerick, Ireland is currently helping to research the history of the 'fit-ups' or 'spots', 'road-shows' or travelling shows or theatres which toured Ireland in the early part of the 20th century and which seemed to peak in the 1940's. Dr Hayes would be

grateful for any memories of concerning actors/actresses who were in these shows including Vic Loving, Chic Kay, Mae Mack, Pat Lindsay, George Daniels, Frank Macari or Vic Loving and her Show, the Creagh Brothers, the Glow Worms, the Bracey Daniels Cine Variety Show, the Midas Stars, O'Sullivan Bazaar, the Happy Players or other shows. All letters and any information received will be acknowledged.

**Rev. CALLAN HONOURED** In August a plaque in honour of Irish scientist Rev. Nicholas Callan (1799-1864), inventor of the induction coil, was unveiled at NUI Maynooth by Michael Lightner, President of the Institute of Electrical and Electronic Engineering, along with a permanent display outlining his contribution to the field of electrical engineering. The institute also selected Rev. Callan to receive its Historic Milestone Award for "his pioneering contributions to the understand of induction and the development of the induction coil." A former professor of natural history at St. Patrick's College, Maynooth, Rev. Callan is the first Irish scientist to be honoured in this way.

## Précis of September Lecture

On Tuesday September 12th the former Director of the National Library and former Chief Herald of Ireland, **Brendan O'Donoghue** gave a fascinating talk on his book "**The Leahy family of Engineers 1780 to 1888**". Brendan has done considerable amount of research on the lives and times of Irish engineers and this study, in particular, is a lesson in family history research. It was not just a study of the various achievements for which members of this family are forgotten, but an important commentary on the position of a whole class in Ireland in this period. This class of educated Catholics emerging in wake of emancipation and the end of the Penal Laws to claim their rightful place

amongst the merchant and professional elite in the country. Ireland's industrial infrastructure was in its infancy with the expansion of the rail network and the development of its ports. He explored the roots of this family from relative obscurity through hard work to make their mark as engineers of note. Brendan provided much more than an engineering history and brought to the fore the life and times of the Leahy family in the late Georgian, Regency and Victorian Ireland. Brendan's book "**The Leahy family of Engineers 1780 to 1888**" is published by the Geography Publications, 24 Kennington Road, Templeogue, Dublin 6W, Ireland or on-line at [www.geographypublications.com](http://www.geographypublications.com)

### Society's Lecture Programme

On Tuesday October 10th 2006 **Dr. Síobhán FitzPatrick**, Librarian, Royal Irish Academy, will speak on the academy as a resource for family history. On Tuesday November 14th **Patrick-Wyse Jackson** of the Dept. of Geology, Trinity College Dublin, will speak on "**Sir Richard Griffith (1784-1878) public servant, valuator and geologist**". The man responsible for Griffith's Valuation Survey. Finally, on Tuesday December 12th **Eileen Ó Dúill, MAPGI**, professional genealogist, will speak on the topic "**The Four Courts Fire of 1922**" - what was lost and what survived?

## Membership of the Genealogical Society of Ireland

Membership of this Society is open to all persons with an interest in genealogy, heraldry, vexillology or social history whether based in Ireland or overseas. The Society strongly advocates the "**Principle of Public Ownership & Right of Access**" to our heritage in all its varied forms. Therefore, members are always encouraged to contribute to the heritage resources of future generations by recording their own family history, story and lore for deposit in the Genealogical Society's Archives or publication in the Society's biannual journal.

As members of the Society we appreciate the importance of our heritage not only to people in Ireland, north and south, but also to Ireland's vast Diaspora. We have links with similar organisations overseas and we exchange journals with over sixty societies. Our activities are many and varied—full details on the website. For many, membership of this Society, means playing an active and vital role in the study and promotion of Irish heritage. **Membership Packages. Ireland:-** Offering ordinary membership of the Society, Member-

ship Card, voting rights, use of the Society's Archive, monthly newsletter by mail, biannual Journal by mail, and the right to purchase the Society's publications at Special Members' prices of up to 50% off selected publications. This also includes an optional second Membership Card for a household member, including voting rights, for an all inclusive cost of just €30.00 per annum. **Overseas:-** Offering the same at €40.00 per annum. Join OR renew membership on line on the Society's website [www.familyhistory.ie/shop](http://www.familyhistory.ie/shop)

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**www.familyhistory.ie/shop****DIARY DATES**

Tuesday Oct. 10th &amp; Nov. 14th 2006

**Evening Open Meeting**Dún Laoghaire College of Further  
EducationCumberland Street, Dún Laoghaire  
20.00hrs—22.00hrs

Wednesday Oct. 25th &amp; Nov. 22nd 2006

**Morning Open Meeting**Weir's, Lower George's St. Dún Laoghaire  
10.30hrs—12.30hrs

Contribution €3.00 p.p.

(Coffee/Tea included at Morning  
Meetings)**QUERIES**

**Kevin Cahill**, 33 Coppinger Glade, Blackrock, Co. Dublin, Ireland. Wrote: Trying to trace the missing branch of my great grandmother's brother, George **Mulhall**, emigrated from Ireland to Australia in the 1880's, married an Olivia Mary (Lucy) **Wilson** and settled in Brisbane, Queensland. They had a daughter called Alice Maud born on the 26.11.1886 and lived at 1, Todd Street, Ashgrove, Brisbane, Queensland, she married Edwin Thomas **Jones** on the 05.10.1910. Any information please.

**Robert Dennis**, 25, Jennifer Lane, Milford, Ct. 06460 USA E-mail: bobdennis@optonline.net Wrote: Seeking my Great Grandparents, James **Kelly** and Ann(ie) **Dwyer**. They lived in the area of Taughmon between Multyfarmham and Mullingar. I have been trying to obtain not only information regarding them but also anything on the area itself. Any information appreciated.

**John Hartley** 3/2a Ascot Ave Devonport Auckland New Zealand. E-mail johnhartley@woosh.co.nz Wrote:- My 4G Grandfather James **Hartley** was born in Ireland 1765 and is found in the Scotland 1841 census as a farmer, his brother William Hartley born 1764 Ireland is a mariner and a cooper & in 1851 census as a Able seaman in the Navy. They may have had a sister Janet Hartley born 1768. Any information please.

**Paula Simmons** 3908 Allamanda Court, Clermont, Florida 34711 USA E-mail: paulazretired@yahoo.com Wrote:- Looking for information on Bridget **Woods** born 1846 immigrated at age 7 (1853) to Oswego, New York. I need information on her parents. She later married Cornelius **Hayes** in Oswego. Both families were from Cork. The Woods family were land owners in Oswego. Any information please.

**NOTA BENE:-** *Queries are only published at the discretion of the editor and where a mailing address and e-mail address are provided.*

**ESSAY COMPETITION**

Do you enjoy researching your family history? Have you discovered anything surprising, unusual or unexpected during your research? What has the experience of finding out who your family were and how they lived meant to you? If your family history is something that is important to you why not write it down and submit it to **Eneclann's Genealogy Essay Competition**. Eneclann in conjunction with "**Irish Roots Magazine**", is sponsoring the competition. The first prize is €500 (US\$650 : UK£350) and will be published in "Irish Roots". There are also lots of runner up prizes. Entries should be a maximum of 500 words entitled "**Why my Family History is important to me**". Every entry will get a €5 discount on any Eneclann Archive CD Books purchase. See the Eneclann website www.eneclann.ie . The judging panel will be chaired by **John Grenham**, author of *Tracing your Irish Ancestors*, and will include **Tony McCarthy**, editor of Irish Roots Magazine and **Fiona Fitzsimons**, MAPGI and Director, Eneclann.

**Expediency, Mistake or Difficult Conundrum?**

Once again the publication of the *Genealogy & Heraldry Bill, 2006* in May by Senator Brendan Ryan has brought yet another serious issue to the fore. This time the question is simply from where does the State derive its legal powers to deliver heraldic services? This issue has been hotly debated for years without any clear conclusion and yet, it has emerged that the official view may, in fact, be fundamentally flawed. In 1943 the last British Crown Office in Dublin was closed and its title and functions were transferred to London in an agreement that gave the Irish State the records, treasures and furniture of the former Ulster King of Arms. These valuable records and the other items were transferred to the Department of Education under Section 6 of the *Ministers & Secretaries (Amendment) Act, 1939* and to the overall custody of the National Library of Ireland. This transfer of "goods" was facilitated by a Statutory Order—*Allocation of Administration (Genealogical Office) Order, 1943 (SRO No. 267)* signed by the Minister. So where is the problem, you may ask? Well, following the transfer of the records etc to Irish control on April 1st 1943 a decision was made to continue with the functions of the former Crown Office i.e. issuing and confirming grants of arms etc. Rumbblings at the time suggested that a new legislative framework would be required for this purpose but these misgivings were seem-

ingly ignored by Taoiseach Eamonn de Valera, TD, who was already an armiger. So bypassing the legislature the government decided to give itself the power to provide heraldic services in 1943. But from whence did it derive such powers? The *Ministers & Secretaries Act, 1924* provided for the allocation to the new Irish government departments of each of the statutory bodies in the State which were established by the United Kingdom Parliament or earlier by the Irish Parliament before 1801. But after independence in 1922 the Office of Arms (Ulster's Office) remained under British control as a Crown Office deriving its powers not from legislation but by Royal Prerogative. Many jurists have asserted that the concept of Royal Prerogative did not survive the enactment of the 1922 Constitution of the Irish Free State and its various amendments thereafter and therefore, it didn't exist in Ireland to enable it to survive the enactment of the 1937 Constitution. So the question remains, if no legislation was enacted to give effect to the transfer of the functions and powers of Ulster's Office to the Genealogical Office in 1943 and no Royal Prerogative was inherited by the State in 1937, where did the State derive its powers to grant arms and to regulate such? It also has also to be clarified whether the 1924 Act provided for transfer of non-statutory bodies such as those deriving their powers and functions from the Royal

Prerogative. The conundrum of whether the Genealogical Office was actually established was raised during the debate on the *National Cultural Institutions Act, 1997* where an unsatisfactory compromise was agreed in Section 13 (1) to accept the status quo. This only really endorsed the Statutory Order of 1943 and therefore, ignored the substantive question as to whether the State's power to grant arms has been established in Irish law or not. The Attorney General in 2002 also raised considerable doubts on such powers in his advice to the then Chief Herald, Brendan O'Donoghue. Clearly, Senator Ryan's Bill now provides such powers.

**AN DAONCHARTLANN**

The Society's Archive is based at the restored Martello Tower at Seapoint, County Dublin is closed until further notice for essential annual maintenance. The Archivist, **Mr. Séamus O'Reilly, MGSi**, regrets any inconvenience caused to members and visitors. However, necessary work to a shaft area at the entrance requires the closure of the building. As this building is a protected structure a Conservation Architect has now provided a survey and to advise the County Council and the Society on some necessary works at the Tower. The Board of the Society hopes to consider this report at the October meeting and then arrange a meeting with the County Council to consider the various options. More news next month.