

Cumann Geinealais na hÉireann

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GENEALOGY

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SOCIAL HISTORY

Heritage Matters

Book Reviews

Open Meetings

News &amp; Queries

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## Republic or Quangodom?

### *Is Ministerial Responsibility a Thing of the Past?*

Whether ideologically driven or merely a consequence of the abdication of ministerial responsibility in favour of governance by proxy, we are now citizens of a Quangodom. State agencies and other bodies now control and operate hundreds of services that were once the preserve of government departments. These departments headed by a Minister were accountable to the People of Ireland through Dáil Éireann. Ministers were required to answer questions on these services from public representatives and ordinary citizens. By and large, answers were forthcoming and the various governments were held accountable for the delivery of these services. But that is all in the past now as Ministers shed their responsibility by delegating many of their functions to agencies they've established. Legislation provides for the "statutory independence" of these agencies whilst the exchequer still funds their operations. This situation has given rise to the blatantly absurd boasts by Ministers that they have allocated millions of Euro to these agencies and quangos, whilst, at the same time, claiming that they have no direct responsibility for the delivery of the services by the agencies

concerned. Parliamentary Questions by opposition Teachtaí Dála seeking information on the delivery of services are frequently met with one-line replies from Ministers. Whilst, some may view this phenomenon as simply a political ploy to frustrate the opposition, in reality it represents a serious disregard for the Dáil and the elected representatives of the People of Ireland. Amendments to the *Freedom of Information Act, 1997* further restricted the means by which government Ministers were held accountable and now it seems that the only effective watchdogs are the Public Accounts Committee and the Comptroller and Auditor General. Ministers enjoying the comfort zone provided by this Quangodom must seriously question their own democratic and republican principles as public anger and frustration grows over the delivery of services by state agencies and quangos. Recently, **Dr. Mary Upton, TD**, put down a series of Parliamentary Questions on the suspension of heraldic services by the Genealogical Office to the Minister for Arts, Sport & Tourism, **Mr. Séamus Brennan, TD** and again, the written reply was very brief and uninformative. How-

ever, the Minister did confirm that the Director of the National Library, had written to him recently on a number of legal matters regarding the Board of the National Library and that these were being examined by his Department. Whilst this could be viewed as a positive development on the road out of the heraldic mess created by the implementation of sections of the *National Cultural Institutions Act, 1997* in May 2005, we don't know what advice or recommendations the Minister received from the Board of the National Library. Interestingly, the Ceann Comhairle (Chairman of Dáil Éireann), **Mr. John O'Donoghue, TD** disallowed certain parts of Dr. Upton's PQs on the grounds that the Minister has no official responsibility to Dáil Éireann for these matters which are for the Board of the National Library of Ireland. One question seeking the current Minister's view on the answer given by his predecessor, **Mr. John O'Donoghue, TD**, to a Parliamentary Question tabled by **Mr. Jimmy Deenihan, TD** on November 11th 2006 was disallowed because it "does not seek information as contemplated by Standing Orders". *Quangodom or what?*

## Restore Bill to the Order Paper

The Board of the Society at its October meeting unanimously adopted *Resolution 07/10/563* seeking the restoration of the *Genealogy & Heraldry Bill, 2006* to the Order Paper for Seanad Éireann. The Bill was introduced in May 2006 by **Senator Brendan Ryan** (Cork) and withdrawn at the Minister's request following its Second Stage debate in December 2006. This was to facili-

tate the detailed examination of the provisions of the Bill by the Board of the National Library of Ireland. Given that the Minister for Arts, Sport & Tourism, **Mr. Séamus Brennan, TD**, has confirmed in a reply to a Parliamentary Question from **Dr. Mary Upton, TD**, that his department is currently considering a number of legal matters pertaining to the Board of the National Library, it's

time for legislative action. The Minister may if he wishes either adopt the Bill, propose amendments to the Bill or bring forward his own Bill to provide a sound basis for the State's heraldic services. The *Genealogy & Heraldry Bill, 2006* may not be the perfect solution, but with some amendments, the Bill certainly could easily provide a viable framework for Irish heraldic services.

## Registry of Deeds to Close

On October 4<sup>th</sup> 2007 in Dáil Éireann, **Mr. Brian Lenihan, TD**, Minister for Justice, Equality & Law Reform introduced the *Land and Conveyancing Law Reform Bill 2006* and during its Second Stage he told deputies that "this Bill is part of a larger reform programme which includes the reforms already enacted in the *Registration of Deeds and Title Act 2006*. That Act established the Property Registration Authority with a mandate to promote and extend registration of title to land and it has also updated land registration procedures and processes. The ultimate goal of the reforms contained in last year's Act and this Bill is to pave the way for the introduction of a comprehensive system of electronic conveyancing of land, i.e. eConveyancing". Besides giving an interesting overview of Irish land tenure from the Norman Invasion in 1169 to the present, the Minister said that "increased registration of title will in turn mean less need for, and eventual closure of the Registry of Deeds. It has served a useful purpose for 300 years but eConveyancing requires conclusive registration of ownership and that need cannot be met through the registration

of deeds and the associated searches which must take place there every time a land transaction takes place. The Registry of Deeds is a valuable source of historical material and existing documentation must be preserved, and access to it ensured, for future generations. The archive of material that is available in the Registry of Deeds is very valuable". The Registry of Deeds was established in 1708 by the Irish Parliament to "regularise" the transfer of land from the Roman Catholic native Irish owners to the Protestant Anglo-Irish which had occurred over the previous century. It legitimatised the Cromwellian and Williamite confiscations of native land and the subsequent plantations in Ireland. Though, its functions applied to only a small percentage of the population, its records are particularly useful for genealogists for the period up to the 1850s. As the Registry of Deeds is an integral part of the archival resources available in Dublin City for genealogists and historians, maybe it is time to consider the future of this archive and, of course, the archival resources of the Irish Land Commission. In last month's issue of the Gazette the

ludicrous proposal to move the records of the Land Commission from Dublin to Port Laoise was raised to highlight what is, in effect, censorship by decentralisation. These records should be placed in the care of the National Archives of Ireland and if new or amending legislation is required to secure this objective, then so be it. Now that the government envisages the eventual closure of the Registry of Deeds provision should be made for the transfer of these records to the National Archives and assurances should be sought now on the issue from the Minister, **Mr. Brian Lenihan, TD**. It is debateable whether amendments to the *National Archives Act, 1986* are required to facilitate the transfer and to ensure public accessibility to the archival resources of the Registry of Deeds and the Irish Land Commission. But a clear strategic policy decision by the government is now urgently required to allay the fears of many regarding the future of these two valuable archival resources. This policy should also deal with the digitisation of the records of both institutions to facilitate on-line research and, of course, to preserve the records for the future.

## Précis of the September Lecture

The September lecture by **John Heuston, MGSI** returned to a theme of one he delivered some years ago to the Society. However, this time he concentrated on his own **Clarke** and **Coulter** ancestors and connections in County Sligo. John set the scene for his audience with a powerpoint presentation on the topography of his native county with stunning views of the mountains, glens and seascapes that provided a natural backdrop to generations of his family from the mid seventeenth century. The story, peppered with very humorous anecdotes on the lives and times of his ancestors. In focusing on the two families in an area like Sligo, John provided a very useful template for others wish-

ing to present their own research in this format. This is particularly useful for family gatherings where the otherwise dry genealogical data is animated. Though his audience may have had no connection with the families concerned, John's lecture and indeed, his style of delivery, certainly held their interest leading to a lively discussion thereafter.

### GSI LECTURE PROGRAMME

The coordinator of the Society's Guest Speaker Programme, **Séamus Moriarty, MGSI** arranged the following programme. On Tuesday October 8<sup>th</sup> **Mary Kelleher**, Archivist, Royal

Dublin Society will introduce the archives of the RDS as a resource for the genealogist. On Tuesday November 13<sup>th</sup> **Seán Connolly**, Royal Dublin Fusiliers Association will speak on tracing a family member who fought in World War 1 and finally, on Tuesday December 11<sup>th</sup> **Steve Butler**, Elder, Church of Latter Day Saints will present an overview of the genealogical records of the Church of Latter Day Saints and their availability in Dublin. Séamus Moriarty is always on the look out for possible speakers to include in future programmes, should you have any suggestions in this regard please contact Séamus Moriarty by e-mail at [Gazette@familyhistory.ie](mailto:Gazette@familyhistory.ie)

## Irish Pedigrees Recorded by the COA

In the September 2007 (no. 14) issue of the newsletter of the College of Arms in London has the following recently recorded pedigree. **D'OLIER** of Dublin, Ireland: seven generations of the D'Olier family headed by Isaac D'Olier of Dublin (born circa 1772), and descending to the present day. Cross-referenced to Ulster's Office Recorded Pedigrees 19/2. College reference: Norfolk 51/89. According to MacLysaght, this Huguenot (French Protestant) surname was formerly well known in the Dublin area but has now become very rare. Dublin's

D'Olier Street is named after Jeremiah D'Olier (1745-1817) who was the Dublin City Sheriff in 1788 and a Wide Streets Commissioner. D'Olier Street was one of the last streets laid out by the Commissioners. Other pedigrees of Irish interest recorded include **BLAKE** (formerly **LYNCH**) of Ballinrobe co Mayo and Belmont House co Galway. A four-generation pedigree showing the descent of Anne Jane Blake (died 1868), wife of Edward Harwood of Durell Villa, Torre, co Devon, from James CUFF of Elm Hall co Mayo, MP. Cross-

references to Grants 49/348, Norfolk 47/132, Irish Record Pedigrees 14/296 and Irish Peers Pedigrees 186/66. College reference: Surrey 31/249. **POTTER** of Buile Hill and Pendleton near Manchester, of Manchester, co. Lancaster, and of London. Five generation pedigree headed by Sir Thomas Potter (born 1774). Connected with **KINGSCOTE** of Kingscote, co. Gloucester and of Ragoon, co. Galway. Cross-referenced to Surrey 15/201. College reference: Norfolk 51/51. The College of Arms newsletter is on-line at [www.college-of-arms.gov.uk](http://www.college-of-arms.gov.uk)

## Brief News Reports....

### BILLS RESURRECTED

Described as "the terrible twins of dubious parentage", the *Privacy Bill 2006* and the *Defamation Bill, 2006* have been restored to the Order Paper for Seanad Éireann. In the October 2006 issue of this newsletter the Society highlighted the unforeseen and possibly, unintended serious implications these Bills could have for genealogists, biographers and social historians. Fears arose over the confusion and apparent conflict between Section 16 (3) & Schedule 1 (10) of the *Defamation Bill, 2006* and Section 4 (3) of the *Privacy Bill, 2006*. The former allows as a defence any information taken accurately from a Public Register and the latter specifically excludes such a defence. The Society called for the insertion of clauses in both Bills to exclude bona fide genealogical research. In November 2006 in response to the genuine fears expressed by members, the Society called for the *Privacy Bill, 2006* to be scrapped altogether. Certain provisions of this Bill will create a climate of fear that may place the continued access to certain records in serious doubt.

### AN DAONCHARTLANN

The Board of the Society is continuing with its endeavours to relocate the Society's archive to a more suitable and accessible building. The Martello Tower at Seapoint which was restored by the Society for its archival collections hasn't adequately provided for this purpose. The location of the building makes accessibility a very acute problem for most of the summer months whilst parking restrictions in the immediate area also act as a significant deterrent to visitors and members alike. It is the intention of the Board to secure a home for the archive in the Dún Laoghaire area and it is very appreciative of the assistance and advice it is receiving from the **Dún Laoghaire Rathdown County Council** in this regard. The Society fully agrees with the County Council that it is important to keep this heritage asset within the county of Dún Laoghaire Rathdown and therefore, a number of options are currently being explored. Though, the archive is currently closed, the Archivist, **Séamus O'Reilly, MGS**, is still accepting items for the archive.

### THE RING OF THE ISLES

At a meeting of the Holyhead—Dún Laoghaire Link Organisation on Monday November 5th 2007, delegates from Ireland and Wales will consider a proposal by this Society for the creation of a network of cooperation around the Irish Sea basin. The proposal envisages the local authorities and tourism bodies in Ireland, Northern Ireland, Scotland, England and Wales which bound the Irish Sea creating a new tourism product—"The Ring of the Isles". Already considerable cooperation exists between Dún Laoghaire Rathdown and Ynys Mon (Anglesey) in North Wales. Inspired by the European Union's interregional programmes and the objectives of the British-Irish Council, this proposal aims to promote links at both local authority and community levels. One feature of the proposal is the hosting of an annual networking seminar for the County and City Councillors from the greater Dublin region and North Wales. Funding for this initiative will be sought from the European Union's INTERREG IV Programme 2007-2013—"The Way Forward"

## Collecting Irish Family Histories

Genealogists throughout the world are renowned for the many years of research they devote to the compilation of their own family histories. Many undertake this task as a gift to future generations of the family and share their results with other family members. Others after compiling their own family tree specialize on the life and times of particular ancestors or their professions. However, very few of these studies are ever published and thus, they are unavailable to a wider research community. This is a pity since many genealogical societies, including this Society, provide excellent opportunities for members and others to publish their family histories in their journals. This provides a cor-

pus of excellent research data for future generations and, of course, enables others to access the research data. But not everybody wants their family history published and that's understandable, however, they may be well disposed to depositing a copy with, for example, the Archive of this Society. The collection and recording of family histories and pedigrees is one of the objectives of the Society's Archive. But in addition to depositing a copy of one's own family history, surely genealogists and especially, members of this Society, should be encouraged to deposit Birth Briefs, family charts and other information on any family of Irish origin. Special emphasis could be placed on the

gathering of such information for the pre 1950 period and include, sources etc. for future reference. The intention would be to make such information available in an electronic format in the Society's Archive, though, for obvious reasons this would not include information on living persons. An index to the collection of Birth Briefs deposited with the Society's Archive is currently being compiled. The Society's Archivist, **Séamus O'Reilly, MGS**, would welcome copies of Birth Briefs, Family Histories and Family Charts from members and friends of the Society around the world. Please send copies of such material to Séamus at the address overleaf. A receipt will be issued.

## Membership of the Genealogical Society

The Board in November 2006 conducted the normal annual review of the **Membership Fee** and no changes to the existing packages were made for this year. New Members are always welcome. Membership rates are as follows:-

**Ireland:-** Offering ordinary membership of the Society, Membership 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.

The avoidance of any substantial increase in the Membership Fee was achieved by the adoption of *Res: 05/11/455* with the production of a biannual Journal instead of a quarterly Journal with no reduction in content or overall size of the annual volume. The savings here are en-

tirely on postage costs as the cost of mailing the Journal overseas was becoming greater than the unit cost of the publication. This situation was totally unsustainable. However, the Board will keep this important matter under review.

The Board trusts that this measure aimed at tackling spiralling postage costs will be fully supported by our Members at home and overseas. Remember you can also renew your membership on line on the Society's website—[www.familyhistory.ie/shop](http://www.familyhistory.ie/shop)

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### DIARY DATES

Tuesday Oct. 9th & Nov. 13th Nov. 2007

#### Evening Open Meeting

Dún Laoghaire College of Further  
Education  
Cumberland Street, Dún Laoghaire  
20.00hrs—22.00hrs

Wednesday Oct. 24th & Nov. 28th 2007

#### Morning Open Meeting

Weir's, Lwr. George's Street, Dún  
Laoghaire  
10.30hrs—12.30hrs

Contribution €3.00 p.p.

(Coffee/Tea included at Morning  
Meetings)

## Founders' Day Fund Raising Table Quiz Thursday 25th October 2007

On the 25th October 1990 four neighbours, **Joan Merrigan, Jean Reddin, Michael Merrigan and Frieda Carroll** met and established the society that became the Genealogical Society of Ireland in October 1999.

Previously the Society has marked Founders' Day with special lectures, the last of which was held on Tuesday October 25th 2005 in Monkstown Parish Church. This event also coincided with the inauguration of our President, **Mr. Tony McCarthy, FGSI**, and, of course, it also marked the Society's fifteenth anniversary.

This year it was decided to mark Founders' Day with a fund raising event. As with all voluntary organisations, this Society needs to fundraise to meet the day-to-day costs of running the organisation. The Society is not in receipt of any government or local government grants to provide its services and therefore, it relies entirely on the sale of its publications, membership fees and the generosity of its Members and friends to stay afloat.

The fund raising Table Quiz will be held on **Thursday 25th October 2007** in Weir's of Dún Laoghaire (see address in Diary Dates) at 20.00hrs. The structure will be the same as the previous fund raising Table Quiz held in November 2006. The questions will cover general and local knowledge, news and current affairs, sport, music and film and, of course, some history and genealogy.

As usual the structure will be tables of four—€10.00 per person. There will be a raffle on the night and, of course, spot prizes. Members are asked to bring along family and friends or indeed, to sponsor a table of four.

Booking your table is easy—just call Michael Merrigan on (01) 284 2711 or by e-mail to [eolas@familyhistory.ie](mailto:eolas@familyhistory.ie) Donations of spot prizes are most welcome too!!

## Parliamentary Questions Disallowed by the Ceann Comhairle

The following Parliamentary Questions tabled by **Dr. Mary Upton, TD** to the Minister for Arts, Sport & Tourism, **Mr. Séamus Brennan, TD** aimed at obtaining information on the suspension of heraldic services were disallowed by the Ceann Comhairle, (Chairman of Dáil Éireann). **Reference 21420/07** To ask the Minister for Arts, Sport & Tourism the legislative action he will take in relation to the fundamentally flawed sections of the National Cultural Institutions Act, 1997 in relation to the granting of arms; his view on the answer to a parliamentary question on 11 November 2006 that he has no statutory function in relation to the granting of arms due to S.I. No. 219 of 2005 which established the National Library of Ireland as an autonomous non-commercial semi-State body under the National Cultural Institutions Act, 1997; and if he will make a statement on the matter. The underlined parts of the question were disallowed because, according to the Ceann Comhairle, "this part of the question does not seek information as contemplated by Standing Orders". The Parliamentary Question of November 11th 2006 was tabled by **Mr. Jimmy Deenihan, TD** to the then Minister for Arts, Sport & Tourism, **Mr. John O'Donoghue, TD**, who is now the Ceann Comhairle. **Reference 21421/07** To ask the Minister for Arts, Sport and Tourism if his attention has been drawn to the expert legal advice on the State's delivery of

*heraldic services (details supplied); and if will make a statement on the matter. (details:- provided by Professor Noel Cox, barrister of the New Zealand High Court, internationally renowned heraldic expert and professor of law at Auckland University which was published by the Genealogical Society of Ireland and forwarded to the Board of the National Library of Ireland to assist with the Board's examination of the Genealogy & Heraldry Bill, 2006).* According to the Ceann Comhairle "the Minister has no responsibility to Dáil Éireann for this matter which is one for the Board of the National Library of Ireland". **Reference 21422/07** To ask the Minister for Arts, Sport and Tourism if he will bring forward new legislation in the form of a Genealogy and Heraldry Bill to provide a sound legal basis for the State's heraldic services, including the granting of arms and the retrospective confirmation of the arms granted by the Chief Heralds of Ireland from 1943; if not, the provision, he has made to financially compensate individuals, organisations, institutions and corporate bodies that received grants of arms from the Chief Herald of Ireland should such grants be found to have no legal standing; and if he will make a statement on the matter. The underlined parts of the question were disallowed because, according to the Ceann Comhairle, "the Minister has no responsibility to Dáil Éireann for this matter which is one for the

Board of the National Library of Ireland". It is clear, for whatever reason, that the Ceann Comhairle is in error as the Board of the National Library of Ireland is not responsible for the legislation or any shortcomings of the *National Cultural Institutions Act, 1997*. Indeed, as the Act was only implemented in May 2005 by **Mr. John O'Donoghue, TD** when he was Minister for Arts, Sport & Tourism, the Board of the National Library of Ireland couldn't be held responsible for matters prior to that date which were clearly the responsibility of the various Ministers back to 1943. The implementation of Section 13 of the 1997 Act was against the advice of many who viewed the Section to be "fundamentally flawed" in respect of the State's heraldic services. The current suspension of heraldic services was an inevitable consequence of implementing Section 13. Clearly, Dr. Upton's Parliamentary Questions concerned the legislative responsibilities of the Minister and therefore, should not have been disallowed. If the legislation is flawed it is not the responsibility of the Board of the National Library to bring forward new or amending legislation. The Minister for Arts, Sport & Tourism alone is responsible for the legislation and therefore, he is accountable to Dáil Éireann in this regard. The Parliamentary Questions were clearly in order as they referred to the Minister's own duties, functions and responsibilities as a legislator.