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Irish Honours List, National Medal or Personalised Emeritus Grant of Arms?

In answer to Parliamentary Questions in Dáil Éireann on Tuesday Nov. 20th 2007, An Taoiseach, **Mr. Bertie Ahern, TD**, confirmed that he wished to introduce an "Irish Honours System" to permit the State to offer a national recognition for achievement, excellence and service by our citizens and members of the Irish Diaspora. Mr. Ahern mentioned examples of such systems operating in other countries. His preference was for the system employed by the French Republic as an example of egalitarian republican honours. This is a mistaken view of the French system as both the *Legion of Honour* and the *Order of Merit* have five classes of recipients, not unlike the British system of CBEs, OBEs and MBEs etc. The creation of "classes" of honours is hardly necessary. As always this subject raises suspicions and indeed, in the 1937 Dáil debate on the Constitution, **Mr. William Norton, TD**, speaking on a proposed "Order of Merit" said, "it often means that the greatest party hack, the greatest "yes-man", the greatest rubber-stamp in a political party puts out his hand and gets a title in return for that kind of servile loyalty or as a return for a cheque to party

funds". Without doubt, this must be avoided. Mr. Ahern also continually made references to the British monarch's recognition of Irish citizens with awards of honours to underpin his argument for the establishment of an Irish equivalent. Whilst, An Taoiseach, also drew comparisons with other nations around the world, his conclusions were essentially reactionary and far from visionary in this respect. This is not an appropriate manner for a sovereign republic to deal with this important issue of the recognition of meritorious citizens. Ireland needs to establish a means to officially recognise and award its meritorious citizens in a manner that specifically reflects our own re-

quirements, ethos and tastes. Creating an "Irish Honours System" would unfortunately be popularly equated with the British model, no matter how republican or egalitarian we claim it to be. A facility recognising meritorious citizens need not be shackled by its description as an "Irish Honours System". A national medal or similar award is more appropriate to our nation's requirements. The Genealogical Society of Ireland proffered a unique solution and one based on an already accepted practice in Ireland. In the *Genealogy and Heraldry Bill*, the Society proposed that meritorious citizens be awarded their own unique Coats-of-Arms by the Chief Herald of Ireland. Such awards have already been made on behalf of the State to former American Presidents Kennedy and Clinton, so why not to our own citizens in recognition of service, excellence and achievement? A Grant of Arms (*Coat of Arms*) is beautifully presented on vellum. Unlike a national medal or "honours list" the Coat of Arms can be personalised to heraldically depict the nature of the award and its significance. It would become a cherished possession of the recipient's family for generations to come.



Nollaig Shona agus Athbhliain Fé Mhaise

Genealogy & Heraldry Bill, 2007

Senator Alex White will shortly publish the *Genealogy & Heraldry Bill, 2007* and enter the Bill on the Order Paper of Seanad Éireann (Irish Senate). This is not simply restoring the 2006 Bill to the Order Paper as significant amendments were made to the text of the original Bill to meet the concerns expressed by the Minister in December 2006. Though, the current Minister for Arts,

Sport & Tourism, **Mr. Séamus Brennan, TD**, has indicated that only a "short Bill" was required to regularize the State's delivery of heraldic services, this opportunity to both improve and expand such services should not be lost. Indeed, those arguing for a "short Bill" are unwittingly or otherwise advocating the continuance of a barely regulated heraldic regime. The absence of a sound legislative

basis for the regulation and delivery of heraldic services by the State gave us the "bogus chiefs" scandal and almost turned the Genealogical Office into a rubber-stamping agency for title purchasers. The State's heraldic authority must be properly established and regulated by legislation. This new Bill provides Ireland with a model for other republics with a rich heraldic tradition to follow.

James Scannell Reports..

DIETKIRCHEN CELTIC CROSS

During November 2007 the German town of Dietkirchen restored and rededicated a Celtic cross erected in May 1917 to the memory of 45 World War 1 Irish soldiers who died in a prisoner of war camp which lay between this town and Limburg in western Germany. No trace remains today of the 24 hectare camp which held up to 12,000 prisoners of war. It's believed that the soldiers died from a combination of battle injuries and disease in the camp with most of the remains being removed and interred in other military cemeteries. The 3m high Celtic sandstone cross, one of the few of its kind in mainland Europe, had deteriorated significantly due to 90 years of weather exposure and was in a very fragile condition before the decision to restore it was taken. The local community held Irish folk festivals and concerts to raise the funds while donations were received from the Royal Munster Fusiliers' Association, other military associations and the Irish Government. During the summer the cross was restored in situ. The names of the 45 soldiers engraved at the base of the cross had become totally illegible and have now been re-entered on a new bronze plaque. The first name on the plaque is 40 year old **Frederick Kelly**, the first man to die in the camp on 20 December 1914 and recently the Dietkirchen authorities have named a new street overlooking the graveyard in his honour. At the rededication ceremony a local priest blessed the cross to the melody of the *Der Gute Kamerad (The Good Comrade)* in the presence of townspeople and visitors from Britain and Ireland. The cross was erected on 25 May 1917 at the initiation of **Rev. J. T. Crotty**, a Dominican priest from Kilkenny who was sent by the Vatican to administer to the spiritual needs of the Irish prisoners. Speaking after the rededication ceremony, **Mr. Bernhard Eufinger**, leading official (Ortsvorsteher) in the town of Dietkirchen said that the cross, standing on that spot for 90 years should serve as a symbol of reconciliation but also stand as a reminder of the immeasurable suffering of the two World Wars in the 20th century.

ADMIRAL WILLIAM BROWN

During November **Mr. Noel Dempsey, TD**, Minister for Transport, unveiled a statue of

Admiral William Brown, founder of the Argentine Navy in Foxford, Co. Mayo, bring to a close a year long celebration marking the 150th anniversary of his death. The Argentine Embassy, Argentine Navy and Irish naval Service were represented at the ceremony which was also attended by upwards of 150 people. The statue of Admiral Brown was executed by Argentine artist **Claudio Fernandez**. A similar statue has already been erected at Sir John Rogerson's Quay in Dublin. During the unveiling, Minister Dempsey said that Brown was one of Mayo's greatest sons and went on to reveal that in Argentina there are two towns, 1000 streets, 500 statues as well as a sizeable city and a few football clubs named after him.

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The World of the Galloglass

Galloglass from the Irish "Gallóglach" or foreign soldier was the term applied to the Scottish mercenaries employed by Irish chieftains right up to the collapse of Gaelic Ireland in the early 17th century. This collection of essays, edited by **Seán Duffy**, is certainly a gem for student of Irish history, but also for the genealogist. The book is particularly interesting for those with Ulster Gaelic ancestry as it chronicles the turbulent events surrounding the struggle of the these clans to maintain their independence. Far from being an entirely localised episode in Irish history, their wars had a wider European context and involved monarchs of England, Scotland and Spain. The essay by **Kenneth Nicholls**

explores the various branches of the Galloglass kindred in Scotland and Ireland detailing their relationships and, in many cases, their internecine wars. In this essay we see the extent of the Galloglass penetration of the Irish Gaelic world in the late Middle Ages in each of the four provinces. Surnames now numerous throughout Ireland, MacSweeney, MacCabe, MacSheehy, MacDonnell, MacDowell etc are all of Galloglass origin. **Katherine Simms** in her essay explores the bardic poetry composed in honour of the MacSweeney's tracing their origins and genealogies. Through **David H. Caldwell's** fine essay on the weaponry and ships of the period, a picture emerges of a formidable military

machine and a society devoted to that purpose. Of all the essays by the ten contributors, the inclusion of the final one by **David Edwards** is an intriguing choice by the editor as it has only a very passing relationship with the subject of the book. However, this essay on the career of James Fullerton as a spy challenges the accepted view of the smoothness of the succession of James VI of Scotland to the thrones of England and Ireland following the death of Elizabeth Tudor. *"The World of the Galloglass—Kings, warlords and warriors in Ireland and Scotland, 1200-1600"* Edited by Sean Duffy, ISBN 978-1-85182-946-0 published by Four Courts Press www.fourcourtspress.ie

Manx Kingship in its Irish Sea Setting

Besides contributing an interesting essay on the same subject in Seán Duffy's *"The World of the Galloglass"* **R. Andrew McDonald's** book on the Manx kingship in its Irish Sea setting brings home the connectivity and intertwined histories of Scotland, Ireland and the Isle of Man. A Gaeldom stretching from the north of Scotland to south west of Ireland, linked by language, culture and more often, by war. The Gall Gael or those of mixed Viking-Gael blood played a very significant role as mercenaries, traders and, in the case of the Isles, warlords. Though Norse in origin, these Gall Gael became thor-

oughly Gaelicised both in the Hebrides and on the Isle of Man. Linked by marriage to Gaelic, Anglo-Norman, Welsh and Norse nobility, the Kings of Man held sway over a medieval water-world that included, at times, the city of Dublin and Carlingford in Co. Louth. In his chapter on foreign relations to c. 1200 and the following chapter c. 1200-29, McDonald illustrates the extent of Manx involvement in the dynastic struggles in each of the ancient kingdoms of these isles and beyond. For the genealogist, this book provides an early history of some of the Scottish and Scots-Irish clans claiming descent

from Sumarlidi (Somhairle). More importantly McDonald deals with a period much overlooked by other historians and provides an account of individuals omitted from mainstream histories. This is not simply a "Manx history" but a very significant chapter in the history of these isles. Indeed, a late medieval Welsh poet referred to the Irish Sea as "Mor Manaw" - "the sea of Man" for this very reason. *"Manx Kingship in its Irish Sea Setting 1187-1229—King Rognvaldr and the Crovan Dynasty"* by R. Andrew McDonald ISBN 978-1-84682-047-2 Published by Four Courts Press www.fourcourtspress.ie

Contents of Vol. 2 of the Gazette

JANUARY: Bill Withdrawn at Minister's Request; Constitutionality of State Recognition for Meritorious Individuals Queried; Irish Public Records Office; Clergy of Clother, Consultation & Cooperative Process Approved; Campaign for the Release of 1926 Census; GSI Lecture Programme; How Can Coins Help in Genealogy. Queries: Williams, Reynolds, Robinson, Beeho, Tierney, Winn, Wynn, Kyle, Bradley, Holt, Pollock.

FEBRUARY: Where is the Vision, Imagination and Direction for Our National Heritage?, Minister Sends Bill to NLI Board, Kildare-History & Society, Electronic Services for Members, An Daonchartlann, Institute of Genealogical & Heraldic Sciences, Elections to the Board of the Society, Tracing Maritime Ancestors, Queries: Dwine, Divine, Ryan, Regan, Hafey, Dempsey, Nagle, Naegle, O'Loughlin, Brett, Furney, Darroll.

MARCH: Celtic Conundrum or Simply Revisionism, So Who Were Our Ancestors? Happy St. Patrick's Day; Flight of the Earls Commemoration; International Heraldic Colloquium; AGM; Old Dublin Society, Local History Day; Manuscript & Photo Preservation; Annual Report of the Board; Queries: Kelly, Anderson, Dingle, Lamph, Johnson, Downing, Dowdall, WW1.

APRIL: A New Purpose Built Facility for the National Archives Alone? National Famine Victims Memorial Day; Society's Journal Publishes Major

Study on the Legality of Irish Heraldic Services; Nominating Bodies for Seanad Éireann; Who Do You Think You Are? Dublin Cinemas; RMS Leinster; Old Dublin Society; Snippets from the AGM; John Redmond Papers are Catalogued; An Daonchartlann; Queries: Anderson, Dingle, Jermyn, Sherry, O'Halloran, O'Brien, Casey, McEwan.

MAY: Television Creates a New and Much Older History for "Britain", New Minister Needs to be Proactive, Innovative and Imaginative; A Manx View of the JGSI Article on the Isle of Man; Sunday May 27th & The Great Famine; Pioneer Bus Company; National Memorial for Irish Army; Admiral Brown; Irish Battlefields; Donegal Corridor; WW1 Veterans; Publication of Your Family History is an Important Gift to Future Generations; Queries: McKerr, Bogle, Bradish, Good, Phillips, O'Day, Shannon, Healy, Kane.

JUNE: Mistranslation and Official Neglect Endangers Our Placename Heritage; Constitution and Presidency Seachtó Bláin ag Fás; Royal College of Physicians; In Honour & Memory; NLI Board Report Awaited; Dublin Projects; Heritage Funding; New Visit Centres; Heritage Properties; Seanad Éireann, Irishman Came to US to Pursue his Dream; Queries: Owen/Owens, Wright, Hossell, Hunter Dunne, Hilford, Reed, McBean, Gilchrist, Graham.

JULY: County Arms, Club Flags & logos and State Insignia on Merchandise; A Future for "Irish Roots" Magazine?; Placenames Heritage Committees; Gazette as an On-Line Publication?; First World War Dead; Rediscovery; Death & Burial Customs, Seanad Éireann General Election; Queries: Horgan, Burk, Shea, Costello, Hogan, Fox, Flynn, Carmichael, Kennedy, Cayne/Kane, Fanning.

AUGUST: The Flight of the Earls Crash Landed in Galway, didn't they?; Garda Logo Registered in 2005;

Seanad Éireann Seats Finally Filled; Family Records Centre, Lond; Two Current GSI Proposals; Celtic Connections; UCD Folklore Dept.; Permanency of Web Published Genealogy; Queries: Lynch, FitzAndrew, Dick, Seton/Seaton, Marley, Cox, Edgar, Harvey, McKee, Danehy, Jackson, Murphy, Fahy, Higgins, Bell, Platt, Graney, O'Sullivan, Cashin/Cachen.

SEPTEMBER: Decisive Action by NLI Board Welcomed But Future of Irish Heraldry in Doubt; Genealogy & Heraldry Bill; Censorship by Decentralisation?; Sr. Sheila Flood, MGSI; Adult Education Courses in Genealogy, Cemetery Projects; Learn Manx; Annie Moore; Placenames Policy; Ordnance Survey Office; The Society's Journal; Our "fadeless" Police Force.

OCTOBER: Republic or Quangodom? Is Ministerial Responsibility a Thing of the Past?; Restore Bill to the Order Paper; Registry of Deeds to Close; Sligo Ancestors; Irish Pedigrees Recorded by the COA; Bills Resurrected; An Daonchartlann; The Ring of the Isles; Collecting Irish Family Histories; Founders' Day Fund Raising Table Quiz; Parliamentary Questions Disallowed by the Ceann Comhairle.

NOVEMBER: No Power to Grant Arms Between 1943 & 2005; New Legislation Required; Search Operation for Missing Irish WW2 RAF Airman Begins in The Netherlands; Family Histories Received (*The Maher Family—Australia 1837-1997: Several Papers on the Griffith & related Families*); Dorothy Macardle—A Life; Battlefield Survey; Last Survivor Dies; RDS Library; In Search of the Barlows: The Continuing Saga of Sections 12 & 13 of the National Cultural Institutions Act, 1997 by Noel Cox.

EDITOR'S NOTE: I wish to thank all those who contributed items for publication in the Gazette, especially, **James Scannell** for his reports during the year.

Précis of the November Lecture

On Tuesday November 13th **Seán Connolly**, Royal Dublin Fusiliers Association gave a fascinating talk on tracing a family member who fought in World War 1. Seán set the scene by giving an account of political and social conditions in the run-up to the outbreak of the First World War. Concentrating on the Irish regiments in the British army, Seán explained how Irishmen from north and south, unionist and nationalist, Catholics and Protestants, all enlisted but for very different reasons. Nationalists in an effort to protect the delivery of Home Rule which was suspended for the duration of the war and unionists to secure the union of Great Britain and Ireland. With the aid of a

PowerPoint presentation, Seán, brought us through the main battles in which these Irishmen fought, in many cases, unionist and nationalists fighting side by side. Seán also outlined how public opinion turned against this war and triggered a slump in recruitment. He explained how the remnants of units were attached to other regiments during the conflict. Seán also touched on the impact of the 1916 Easter Rising had on the public opinion of the war and the British army. Seán's talk was followed by a lively Q+A session. The Society was honoured to have the President of the Royal British Legion Rep. of Ireland Branch, **Maj. Gen. David, The O Morchoe**, in attendance at this lecture.

GSI LECTURE PROGRAMME

On Tuesday December 11th **Steve Butler**, Elder, Church of Latter Day Saints will present an overview of the genealogical records of the Church of Latter Day Saints. The coordinator of the Society's Guest Speaker Programme **Séamus Moriarty, MGSI** is currently arranging the speakers for next year and details will be published in the January issue. In the meantime, Séamus Moriarty is always looking for suggestions for future programmes. Any suggestions or comments on this programme, please contact Séamus Moriarty by e-mail at Gazette@familyhistory.ie

Membership Subscription Renewals Now Due

Membership fee renewals will fall due next month. The Board of the Society at its November 2007 meeting conducted the normal annual review of the **Membership Fee** structure and under **Res: 07/11/573** the Board adopted the following equalised Membership Package for 2008:- **Ireland & Overseas:** Offering ordinary membership of the Society, Membership Card, voting rights, use of the Society's Archive, monthly newsletter by mail, Annual 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 €40.00

per annum. The modest increase in the Membership Fee, which hadn't changed since 2004, was unavoidable as costs continued to rise sharply. The production of a biannual Journal became prohibitive when printing and postage costs eroded any savings that were to accrue in the change from a quarterly journal. Unlike many other similar organisations faced with the same problem, the Board decided to keep publishing the Society's journal but as an annual publication only. The Membership Fee is now in line with similar organisations in Ireland. However, in many respects our Membership Package, offers considerably better value for money. Remember you can renew on line on the Society's website—www.familyhistory.ie/shop

1911 CENSUS ON-LINE

The launch this month by the National Archives of its new on-line facility offering "free-for-view" access to the 1911 Census Returns is arguably the most significant development in Irish genealogy for decades. The project has initially made the returns for Dublin City and County available and it is hoped to have the rest of the country on-line next year. Fully indexed and linked to the actual images of the original Census Returns it's a wonderful service for researchers the world over. When complete the project will have both the 1901 and 1911 Census Returns available on-line and, in many cases, linked to digitised photographic images of the areas concerned. *Time now to think of the 1926 Census then?* For further details see www.census.nationalarchives.ie

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DIARY DATES

Tuesday Dec. 11th 2007 & Jan. 8th 2008

Evening Open Meeting

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

Wednesday Jan. 23rd & Feb. 27th 2008

Morning Open Meeting

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

NO MORNING MEETING IN DECEMBER

Contribution €3.00 p.p.

(Coffee/Tea included at Morning Meetings)

THE LEGAL STATUS OF GRANTS OF ARMS BY ULSTER KING OF ARMS 1936-43 Noel Cox

Prior to 1922 armorial bearings granted by Ulster King of Arms (hereinafter "Ulster") were governed by the Irish Law of Arms (Sir Crispin Agnew of Lochinvar, Bt, *"The Conflict of heraldic laws"* (1988) *Juridical Review* 61, 62). While the exact nature of that law may now be uncertain, at that time the authority of Ulster to make grants was generally unquestioned. This was derived from the delegation to Ulster of the royal prerogative of the Crown of the United Kingdom and Ireland. However, the status of grants made by Ulster to recipients in the south of Ireland between 1936 and the creation of a de facto Irish republic in 1937 and the establishment of the Genealogical Office in 1943, is less certain. Ulster remained a residual part of the British establishment in Ireland, though that is not necessarily determinative. The actual source of Ulster King of Arms' income, and indeed the recipients of his fees, did not necessarily have any bearing on the legal basis of his power to grant arms, nor indeed on the status of those grants. Equally whatever may have been understood and agreed in relation to heraldry in the 1921 Treaty negotiations had no direct application, as they were not subsequently expressly enacted. It is important to recall that the royal prerogative of arms in England and Wales, (and Northern Ireland also) was and is exercised by the Kings of Arms, and also the Lord Lyon in Scotland, effectively without recourse to any other authority, though subject to direction by the Sovereign. It is a ministerial or executive function, based on a broad delegation of the royal prerogative, and is not a legislative or judicial function. But nor is it directly analogous to any other prerogative power (for which see Noel Cox, *"The Dichotomy of Legal Theory and Political Reality: The Honours Prerogative and Imperial Unity"* (1998-99) 14 *Australian Journal of Law and Society* 15-42; and Noel Cox, *"The royal prerogative in the realms"* (2007) 33(4) *Commonwealth Law Bulletin* (forthcoming)), since there is, in effect, a standing delegation of it to non-political servants of the Crown. This means that it is not necessarily in the same position of the other prerogatives of the Crown. The situation in Ireland was also complicated at this time by the sensitive position of the elderly Ulster, Sir Nevile Wilkinson, who had held office since 1908. It is unlikely that heraldry was deliberately allowed to descend into a legal and constitutional imbroglio. But there were many more significant legal questions in 1936 – and nor was it likely that the Irish Government was overly keen to negotiate over a matter which would have required the personal assent of the Sovereign. As a result the question was allowed to continue unresolved. In this context one might almost say that Ulster King of Arms was acting, after 1936, not illegally indeed, but in a quasi-private capacity. Thus the legal status of any grants made during this period could be similar to that of grants made to American citizens by the Chief Herald of Ireland, under American law – possibly nil. But they would remain valid under English – and Northern Ireland – law. However there is an important qualification which renders this possible explanation unlikely, despite the non-existence of the royal prerogative in Irish law after 1936. Although the King had ceased from 12th December 1936 to be such for all purposes except signing treaties and accrediting envoys (Executive Authority (External Relations) Act 1936), this did not mean that Ulster lost his authority to grant arms, especially since the prerogative was already effectively delegated.

CONTINUED BELOW

CONT'D The grants made by Ulster were now probably on behalf of the King of the United Kingdom, rather than of the King of the United Kingdom empowered by the Executive Authority (External Relations) Act 1936 solely to sign treaties and accredit envoys. Crucially, these grants were now being made by Ulster in what can be seen as a private capacity, as servant of the Crown of the United Kingdom, and not of the Crown or Government of Ireland. Since he was not exercising a function of Irish law, his actions were not inconsistent with the Statute of Westminster 1931, or of Irish law. Though probably irregular, the grants after 1936 were valid. This is because citizens of Ireland continued to be treated, in British law (see *Murray v Parkes* [1942] All ER 123 (HL)), and also in Irish law (*The State (Burke) v Lennon* [1940] IR 136; *McGimpsey v Ireland* [1990] IR 110), as if they were subjects of the Crown. This remained true at least until 1949 (British Nationality Act 1948 (11 & 12 Geo VI c 56 (UK)), in British law, and at least until 1943 in Irish law, and possibly as late as 1949 (Republic of Ireland Act 1948)). This means that Irish domiciled men and women had the rights of British subjects, which included the right to a grant of arms. Ulster King of Arms – and from the death of Wilkinson in 1940, Deputy Ulster – was therefore quite within his authority to confer arms upon Irish citizens at this time. The royal prerogative was not transferred or assigned to the Irish government in 1936 or 1937, but continued to be lawfully exercised by the King of Arms, as agent of the King of the United Kingdom. Grants made by Ulster King of Arms from 1937 to 1943 were therefore lawful, if constitutionally unusual. It is also unfortunate that these developments took place at a time when the modern concept of the division or separation of the Crown was in its early stages (see Noel Cox, "The control of advice to the Crown and the development of executive independence in New Zealand" (2001) 13(1) *Bond Law Review* 166-189). As early as at the 1926 Imperial Conference the Irish Government thought there was now only a personal union of the Crown. If this were so, then imperial Ministers could have no role in advising the king with respect to any matter

internal to a Dominion. The Irish may not have reflected the majority view, but theirs made much more logical sense than that, for example, of the former Australian Prime Minister, William Hughes, who distinguished between sources of formal and informal advice, with the British government providing the former, the Dominion governments the latter (Commonwealth Parliamentary Debates (House of Representatives, 22 March 1927) vol. 115 p 863, cf Edward Jenks, "Imperial Conference and the Constitution" (1927) 3 CLJ 13, 21). Arguably after 1936 this was not a case of division of the Crown, since in Ireland the Sovereign was no longer the head of the Irish executive, but merely an organ or instrument, authorised by the Government of Ireland, to play a specific role in external affairs. Unfortunately, clarity was missing, so it was by no means clear exactly how Ulster fitted into the new arrangements. While this was somewhat anomalous, it was probably inevitable in the circumstances. Unfortunately, any official recognition of the irregularity of the situation in 1936 did not result in any more satisfactory arrangement being made in 1943. Indeed, the establishment of the Genealogical Office was to compound the difficulties, since there no longer remained the arguable authority which the royal prerogative provided at least until 1936 and probably until 1943. In a new, de jure republic, the basis of the law of arms ought to have been enshrined in statute. Unfortunately, probably because of more immediate political and other concerns allowed this to occur, as indeed probably did the declining recollection of the circumstances of the 1936 arrangements, and the lack of a clear understanding of the basis of Ulster's authority. (see also:- 29, *Dublin University Law Journal*, 2007—p. 84-110)

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THE MEN OF THE “CONNAUGHT”

The loss of the *RMS Connaught* on March 3rd 1917 almost eighteen months before the tragic loss of her sister ship *RMS Leinster* again to German torpedoes is frequently overlooked during commemorative ceremonies here. This ship, built in 1897 for the City of Dublin Steam Packet Company, was commandeered in 1915 by the British War Office as a troop carrier during WWI. Having transported troops to France and on return to Southampton from Le Havre she was hit by a torpedo fired from U-Boat U-48 which exploded aft on the starboard side of the vessel. Whilst most of the crew took to the lifeboats and were saved, three men lost their lives. These were Able Seamen **Henry Charles Jasper** (39) from Jersey, Channel Isles, **William Charles Parkhurst** (46) from Swansea, Wales and **John Moran** (33) from Kingstown (Dún Laoghaire), Co. Dublin. John was the son of Denis and Mary Moran, Cumberland Street and husband of Kathleen Moran (née **Kelly**) of 7, Crofton Ave., Kingstown. The German U-Boat itself was scuttled by her crew on Nov. 24th 1917 after its discovery by a British patrol vessel and an exchange of gunfire leaving 19 dead with 17 survivors. The wreck can still be seen on the shifting banks of the Goodwin Sands. John Moran's grandson, David, is researching the sinking of the "*Connaught*" and its crew, in particular, to ascertain whether any other members of the crew were from Dublin. **David Moran** would welcome any info. on this subject. Please contact him by e-mail at lester6@eircom.net