## Introductory note

### Cearbhall Ó Dálaigh Papers: content and organisation

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INTRODUCTORY NOTE

This collection was donated to University College, Dublin by Bean Uí Dálaigh, wife of Cearbhall Ó Dálaigh in two parts, the 1st on 26 September 1980 and the 2nd on 24 April 1981.

Cearbhall Ó Dálaigh was born on 12 February 1911, son of Risteárd and Una Ó Dálaigh (née Dhroighneain). He was educated in the Christian Brothers School, Synge Street, Dublin, at University College Dublin and at the Kings Inns, Dublin, where he received his Batchelor of Arts and Law degrees respectively. In 1968 he was conferred with an honorary doctorate (LL.D) by Trinity College Dublin. While working as Irish Editor of the Irish Press (1931-1940) he was called to the Bar (1934) and appointed Senior Counsel (1944) and Attorney General (1946-1948; 1951-1953). Following this period he became a Judge of the Supreme Court until 1963 when he was appointed Chief Justice (1963-1973). His last legal post was that of Judge of the Court of Justice of the European Communities in Luxembourg.

His nomination as President of Ireland was the apex of a career which had moved inexorably upwards. It was, however, also to become the virtual culmination of a public life which had spanned more than 40 years.

From the introduction of the Emergency Powers Bill a controversial period ensued which resulted in his resignation from the presidency and his relative withdrawal from public life, with the notable exception of his visit to China.

The early part of the collection provides evidence of the affairs of the Irish Judiciary, and documents both internal administrative procedure and Court cases. The notes and background material included in this subsection, such as those on extradition, offer an insight into one of the processes by which a Judge in the Supreme Court arrives at a decision in an appeal.

While documentation on the functions of the European Community Court is limited, the procedure involved in the formation of a cabinet to assist the Irish delegate to the European Judiciary is included. The initial correspondence regarding his appointment reveals a certain pattern of official government behaviour towards Cearbhall Ó Dálaigh which recurs in the period of presidency.

Apart from the correspondence received during his term as President of Ireland, his notes from this period offer a personal insight into Cearbhall Ó Dálaigh’s conception of the responsibility invested in him as Head of State, and the role of the government and its representatives.

The kidnapping of Dr. Tiede Herrema illustrates his belief that no government should ‘compromise to blackmail’ and that as President, his possible death, as a substitute hostage, would serve to ‘vindicate Ireland’s honour’.
Correspondence received on the introduction and passing of the Emergency Powers Bill illustrates a section of public opinion on the matter. Again, his notes from the period reveal the affair as it evolved and reflections of the President on the situation.

The resignation of Cearbhall Ó Dálaigh, particularly in the light of his commitment to the presidential office, was an enormous step, taken only after full consideration of the related factors. In spite of a mass of correspondence urging him to stand for re-nomination his decision to leave public life remained unaltered and he retired to his home in Sneem, Co. Kerry.

Apart from legal and presidential offices, the collection documents various aspects of a wide spectrum of activities which have been included under the term ‘culture’.

During the course of his life Cearbhall Ó Dálaigh’s correspondence on literary, artistic and musical topics forms a thread which binds together the various sections of his career. There is correspondence, for example, from his chairmanship of the Cultural Relations Committee, with Austin Clarke and Kate O’Brien. Also documented are the activities of the National Theatre Society including a letter from Ulick O’Connor, requesting Judge Ó Dálaigh to intervene in the controversy surrounding Tomás MacAnna and the directorship of the Abbey Theatre.

Charitable organisations in which Cearbhall Ó Dálaigh was active and whose establishment and functions are documented are Pére Pire: Aid for Displaced Persons, and the Cheshire Homes Trust (Int.). (see the appendix to this note for a list of posts and outline of other positions).

The collection has been arranged according to the posts held by Cearbhall Ó Dálaigh, from Attorney General to the President of Ireland. Following the section on his retirement from public office is material relating to his interests.
APPENDIX

Born 12 February 1911

Degrees: Batchelor of Arts, University College, Dublin
Batchelor of Law, Kings Inns, Dublin
Doctor in Law, Trinity College
Commendatore al Merito (Italy)

Honorary: Member of the Royal Irish Academy
Fellow of the Royal Academy of Medicine
Life Member of the Council of State

Married: Mairin Mic Dhiarmada 1934

Posts: Irish Editor, Irish Press 1931-40
Called to the Bar 1934
Senior Counsel 1944
Attorney General 1946-48; 1951-3
Judge of the Supreme Court 1953
Chief Justice 1963
Judge of the Court of Justice of the European Communities 1973
President of Ireland 1974-76

Cultural Relations Committee, Department of External Affairs 1947-48; 1953;
Committee of Taxation on Industry 1957
Commission on Income Taxation 1957
Commission on Higher Education 1960-67

Cheshire Homes Foundation (Irl.)
Council for Overseas Students
Irish National Council on Alcoholism
Père Pire : Displaced Persons Associations(Irl.)
**A. ATTORNEY GENERAL**

**I. Appointment**

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<tr>
<th>No.</th>
<th>Date</th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>1-2 May 1946</td>
<td>Congratulatory letters received on his appointment as Attorney General including good wishes from Mr Justice James Murnaghan, Supreme Court. (1 May 1946)</td>
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</tbody>
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**II. Official Documents**

<table>
<thead>
<tr>
<th>No.</th>
<th>Year</th>
<th>Description</th>
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<tbody>
<tr>
<td>2</td>
<td>1947-8</td>
<td>British Nationality Bill (1947) Draft and copy communications on the Bill with handwritten amendments and notes by the Attorney General, and associated memoranda and reports. 130pp</td>
</tr>
<tr>
<td>2a</td>
<td>1947-8</td>
<td>Drafts of the Presidential (International Powers and Functions) Bill (1947) 16pp</td>
</tr>
</tbody>
</table>
B. SUPREME COURT JUDGE

I. Appointment

3 11 July-14 December 1953
   Congratulatory letters received on his appointment to the post of Supreme Court Judge. Includes letters from Dan Breen T.D.(13 July 1953) and Cahir Davitt, High Court Judge (13 July 1953).

II. Official Documents

4 11 July 1952
   Copy of a letter from P.J. Brennan, Bureau of Military History, to Conor A. Maguire, Chief Justice, acknowledging his evidence in connection with Republican Courts in 1920-21 and enclosing a bound copy of the statements received.

5 16 May 1957
   Letter from Oscar Traynor, Minister for Justice, to Conor A. Maguire Chief Justice enclosing a report conducted by Justice Thomas Teevan into the professional conduct of Michael Lennon, District Justice.

6 6 April 1961-21 November 1962
   Superior Court Rules Committee correspondence concerning the revision of Superior Court Rules with the intention of eliminating ‘dead wood’.

III. Personal Material

7 28 August 1951-6 March 1963
   Correspondence on a number of topics including a loan bond (27 August 1951), information on the Thomas Davis Statute (1 May 1959), and a booklet sent by Dr. P. Higgens, Cambridge entitled Wright v Fitzgerald Revisited (13 July 1962).
# C. CHIEF JUSTICE

## I. Correspondence

### a. Appointment

| 8  | December 1961- January 1962 | Congratulatory letters received on his appointment to the post of Chief Justice. | 153 items |
| 9  | December 1961 | Folder of congratulatory telegrams received on appointment to the post of Chief Justice. | 44 items |

### b. Official Documents

| 10 | 18 December 1961 | Letter from C. Cremin, Department of External Affairs concerning the form of welcome to be extended to Dr Nyerere, Prime Minister of Tanganyika. In Irish. | 1 item |
| 11 | 10-14 January 1962 | Letter from H. Horgan Turner concerning Judge Ó Dálaigh’s membership of the International Bar Association. Included is a receipt of subscription and a draft of his speech at the I.B.A. Council Meeting. | 3 items |
| 12 | 2 February 1962 | Copy of letter from E.E.C. Micks, S.C., Shankill, Co. Dublin concerning the mode of address to the Superior Courts, in particular the use of ‘My Lord’. | 1 item |
| 13 | 21 November 1963 | Letter from Cahir Davitt, High Court Judge, on the question of whether or not a Garda in Court should sit or stand. | 1 item |
14  1963  Memorandum from the Judges of the Supreme Court concerning the Law Reports.  1 item

15  8 June 1965  Letter from Kevin C. McCourt, Director General, R.T.E., concerning a press report issued by the National Union of Journalists, Dublin Radio Branch, claiming that in the course of a programme Judge Ó Dálaigh trespassed on their field of interest.  1 item

16  24 November 1966  Letter from Seamus Dillon, High Court Judge, on legal matters including the issue of Grants of Probate when the executor is in a mental hospital.  1 item

17  18 November 1966  Copy of letter from P. Berry, Department of Department of Justice, to the Registrar, Supreme Court, enclosing a copy of Heads of Courts legislation for submission to the Chief Justice and other Supreme Court Judges.  2 items

18  9 February 1967  Letter from Brian Lenihan, Minister for Justice, concerning complaints about delays in making available copy judgments of the Supreme Court and also the absence there of equipment for recording of oral judgments. Enclosed is an extract from Law Reporting Council memo of 21/12/1966 on these complaints.  3 items

19  6 March 1967  Notice to the Council of State of a meeting to discuss the constitutionality of the Income Tax Bill 1966.  1 item

20  11 April 1967  Letter from Sean Flanagan, Office of the Minister for Health, regarding the proposal to form a co-ordinating committee to avoid possible duplication in provision North and South of the Border.  1 item
21  20 April 1962  Original and copy of a letter from Cecil Lavery, High Court Judge, regarding proposals to expel him from his post on age grounds.  
2 items

22  20 December 1968  Notice to the Council of State of a meeting to discuss the presidential address to the Houses of the Oireachtas on the 50th anniversary of the first meeting of the First Dáil Éireann.  
1 item

23  21 December 1968  Letter from Sean Mhaolalaigh, Private Secretary, Department of Posts & Telegraphs, regarding the use of the accent on the E of ‘Eire’ on stamp issues. In Irish.  
1 item

1 item

25  18 November 1969  Letter from John Kenny, Dublin, concerning the foundation of an association of High Court Judges.  
1 item

26  11 March 1970  Letter from Colm Condron, Attorney General, concerning the withdrawal by the Attorney General of charges in a case before Cork District Court. Included are copies of newspaper cuttings on the decision, reporting the District Court Judge’s reaction. (11 May 1969)  
2 items

27  18 March 1970  Letter from A.A. Norton, Consulate General of Finland, enclosing a copy of Ambassador von Numers’s letter about Kivi’s Seven Brothers.  
2 items

28  Ghost number
29 2-29 November 1971 Correspondence covering proposed changes in the Taxing Masters’ accommodation to make room for the Circuit Court Judges. 6 items

30 18 May 1972 Letter from J. Mertens de Wilmars, Court of Justice, European Community, expressing pleasure at the result of the Referendum held 10 May to decide on Ireland’s entry into the E.E.C. 1 item

31 6 July 1972 Letter from Dr Patrick Hillery, Minister for Foreign Affairs, concerning Ó Dálaigh’s suggestions on the naming of the department’s new building and the renaming of Kildare Street. The matter has been passed to the Department of Local Government. 1 item

32 12 July 1972 Letter from Cathal Crowley concerning a study course for members of the European Community Judiciary in Perugia, Italy. 2 items

33 28 July 1972 Letter from D. O’Malley Minister for Justice, on the meeting of the judiciary of the member countries of the E.E.C. 1 item

34 6 October 1972 Letter from A. Ward, Department of Justice, enclosing an invitation from M.F. Lepage, First President of the Belgian Conseil d’Etat, to send an Irish Representative to a meeting of the Conseil d’Etat and supreme administrative courts of the E.E.C. to be held in Brussels on 19-21 October 1972. 2 items

35 9 October 1972 Letter from Robert Lecourt, President of the European Court of Justice, concerning the establishment of a new centre for the Court of Justice in Luxembourg and extending an invitation to participate at a meeting of member states’ judiciary. In French. 1 item
36 17 November 1972 Letter transmitting a message from Robert Lecourt, President of the European Court of Justice, expressing gratitude on the reception given to E.E.C. Judges in Ireland. 1 item

37 20 November 1972 Letter from Desmond O’Malley, Minister for Justice, concerning admission of members of the Northern Bar to the Irish Bar. 1 item

38 [1972] Letter from Robert Richardson, a U.S. citizen requesting information on immigration procedure. 1 item

C. Educational Interests

39 30 January 1963-22 January 1973 Commission on Higher Education Correspondence regarding the establishment of the Commission, of which Ó Dálaigh was Chairman, its operation, and reactions to its report. 14 items

40 14 November 1972 Language Teaching: General Letter from Edwin J. Cashman concerning innovative educational techniques for use in language teaching. 1 item

41 [1960] Language Teaching: French Documentation, mainly circular letters, from the Centre de Recherche et d’Etudes pour la Diffusion du Francais, Paris, providing details of the Institute’s history, objective and teaching methodology. 8 items

42 May 1962- November 1972 Legal Education Committee Correspondence relating to the question of education for the legal profession, including a report, observations and a memorandum by the Legal Education Committee (8 June 1971) and letters from Seán MacBride. The implications for the legal profession in general, and
42 contd. legal education in particular on Ireland’s entry into the European Economic Community are discussed (9 May 1962, 9 September 1972). A copy of the address by M. Pierre Pescatore, President of the European Chamber of Justice to the Irish Judiciary is also included (November 1972). 54pp

43 July 1972-March 1973 United World College: correspondence on the possibility of establishing a United World College in Ireland, including a letter from Earl Mountbatten of Burma. 11pp

44 October 1973- November 1974 Law Summer Abroad Programme: Correspondence on the proposal to establish a Law Summer Abroad Programme in University College Dublin in conjunction with the University of San Francisco. 7pp

45 3 February 1959- 26 January 1965 Income Tax Committee: Liam Barry Correspondence concerning Liam Barry, Civil Servant, formerly Secretary to the Commission on Income Tax and his demotion in seniority on transfer from the Department of Revenue to the Department of Finance. 53pp

46 1962-1965 Administrative Procedures: Committee: Draft of the Preliminary Report by the Committee set up to establish a code of rules on which administrative procedures and practices should be based and exercised. It is suggested that independent Court of Appeals be established for matters such as compulsory land purchase, town planning and Social Welfare cases. 1 item

47 February 1962- 14 September 1972 Judicial Salaries: Correspondence on judicial salary revision. Includes rough notes on the Devlin Committee Report. 24pp

48 July 1969- March 1972 Michael Omo: Investigations Correspondence concerning Michael Omo, Barrister, Nigeria, including letters from him on his financial situation (16 July 1969) and on the Benchers Tribunal investigating the purchase of second hand wigs
48 contd. and gowns. Also included is acknowledgment for a cheque paid by C.J. Ó Dálaigh on Omo’s behalf. 10pp

d. Official Visits

49 6 July 1965- Israel: Correspondence concerning a
27 June 1972 visit by Chief Justice and Mrs Ó Dálaigh to Israel. Includes a letter from Golda Meir. (15 August 1962). 10pp

50 1965 Israel: Notes. Folder of notes and drafts of speeches delivered in Israel. 4 items

Programme of visit (annotated). Certificate in honour of trees planted during the visit from the Jewish National Fund. (2 February 1970). 4 items

52 August - Australia Correspondence concerning an invitation extended to C. ÓDálaigh by November 1972 the Australian Government. Includes the invitation (2 August 1972) and a copy of the refusal because of his E.E.C. appointment (20 November 1972). 4pp

e. On Legal Matters

53 February-May 1962 Diminished Responsibility Question Correspondence concerning the proposed amendment of the current rules on insanity as a defence in criminal cases and the introduction of the concept of diminished responsibility. 15pp
II. Legal Papers

a. Court Cases

Judgements, summaries, notes, briefing and background material on the following cases, in chronological order:

54 1955 Caltex (Ireland) Ltd. Summary of payments.

55 1958 Compensation for an unidentified plaintiff.


58 1962 Crowley [a solicitor] v. ?.


60 1962 The People v Patrick O'Neill.


62 1962 Whelan v Shelbourne Hotel.

63 1963 Superintendent O'Callaghan v Patrick Bourke.

64 1963 Attorney General v William Chaney.

65 1964 D.C. Bryll [Rough Notes on Appeal].

66 1964 The State (Jones) v D.J. Moloney.


70  1965  Flynn v. Quigley.


72  1966  Dwyer v. Ascon Ltd.


75  1966  Prendergast v. C.I.E.

76  1966  F. Raymond v. R.T.V.


78  1967  Simmonds v. Governor, Mountjoy Prison.

79  1969  Bourke v. Attorney General and M.J. Wymes, Commissioner of the Garda Siochana. Includes notes on extradition within Irish and European legal systems. 10 items

80  Undated  G. G. Magee v. Attorney General. Including notes on extradition within Irish and European legal systems. 5 items

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<tr>
<td>82</td>
<td>Undated</td>
<td>Michael McCarthy v. Michael Walsh.</td>
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<td>83</td>
<td>Undated</td>
<td>Kavanagh v. Allen &amp; Hamrogue.</td>
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<td>84</td>
<td>Undated</td>
<td>Tynan. Rough draft of Appeal.</td>
</tr>
<tr>
<td>86</td>
<td>Undated</td>
<td>Folder of handwritten notes and typescript pages of unidentified judgements.</td>
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<td>87</td>
<td>May 1945-</td>
<td>8 notebooks containing handwritten notes on legal matters.</td>
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<td>March 1952</td>
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**b. Notes**

| 89–99 | 1959-71 | 11 folders of handwritten notes, often from printed sources; and texts of speeches and lectures, mainly in a legal context, and including reference to the office of ombudsman (89), constitutional issues (90), constitutional and human rights (91-92), Bar Association speeches in U.S.A. (93-95), constitutional and national culture (95), Irish literature and contemporary Ireland (96). |

**c. Other Papers**

| 100  | Copy of the Irish Constitution (1937), annotated [for revision?], but not in Ó Dálaigh’s hand. |
| 101  | 1966–68 | List of Appeals to the Supreme Court in which reserved judgements were given.                      |
| 102  | Undated | List of English and Irish Law Reports and Statutes.                                               |
III. Private Papers

a. Personal Documents

5 folders of personal correspondence from friends and associates including Eamon de Valera, John Charles McQuaid (Archbishop of Dublin), Bertie McVeagh (Court of Appeal, Northern Ireland), Seán MacBride, Micheál Ó Saoithín (son of Peig Sayers), William Cardinal Conway, World Zionist Organisation, Lord Hailsham of Saint Marylebone, John D. Sheridan and Billy Graham.

103 November 1963- June 1966 23pp

104 January 1967- December 1969 31pp

105 January 1970- December 1970 21pp

106 June 1971- November 1971 16pp

107 January 1972- December 1972 60pp

b. Cultural Matters

3 folders of correspondence relating to literary, artistic and cultural activities and events. Included are notes and newspaper cuttings on Art Ó Griofa by ‘R.O.D.’ [Ó Dálaigh], letters on the publication of an Evie Hone book, the restoration of the Edward Smyth sculptures at the Four Courts, the conferring of an honorary degree on Ó Dálaigh by Trinity College Dublin and letters from The Arts Council, Seán Ó Riada, G.O. Simms (Archbishop of Dublin), John O’Donovan and Sybil Le Brocquy.

108 January 1954- October 1967 74pp
109
June 1968- December 1971
43pp

110
January 1972- December 1972
51pp

c. Speeches

111-120
1962-72
10 folders of notes and related material mainly for speeches on literary, artistic and cultural occasions including the opening of a Hap Grieshaber exhibition (111); Young People’s Art and Design exhibition (112); St. Patrick’s Hospital and Royal College of Surgeons (111); a reception for the French Minister of Justice (112); Charles Harper exhibition and Royal Irish Academy of Music (113); Sencheas Mór; and the Royal Irish Academy (115). Includes notes on Barbara Hepworth and on Murderous Angels, a play by Conor Cruise O’Brien (120); and two memoranda on the Public Record Office (114).

121-122
Ghost numbers

D. EUROPEAN COURT JUDGE

I. Correspondence

a. Appointment

123
16 August 1972
Draft of letter from Judge Ó Dálaigh to Mr Brian Walsh concerning the disclosure of his appointment to the European Court to the Press without his approval or knowledge. He states ‘I had stipulated with the Minister that I should have the opportunity to do this. But however as it happened, it has turned out otherwise.’

1 item

124
25 August 1972
Letter from Mr Justice Brian Walsh, Achill Island, concerning the ‘leak in the Press’. He states that ‘more likely the Government has not yet made a “formal” decision so that technically the Minister has not acted in breach of any arrangement with you’. He also comments on Judge Ó
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<tr>
<td>124 contd.</td>
<td></td>
<td>Dálaigh’s personal and professional qualities and the good working relationship which has developed between them. 1 item</td>
</tr>
<tr>
<td>125</td>
<td>August 1972- April 1973</td>
<td>Correspondence relating to the appointment of individual members of staff to Judge Ó Dálaigh’s ‘cabinet’. 15 items</td>
</tr>
<tr>
<td>126</td>
<td>August–October 1972</td>
<td>Congratulatory letters, cards and telegrams received on his appointment as Judge to the European Court. [Each letter is annotated with the name of the addressee underlined. Some have the copy of a reply attached.] 87pp</td>
</tr>
<tr>
<td>127</td>
<td>August 1972-</td>
<td>Congratulatory letters, cards and telegrams received on his appointment as Judge to the European Court. 89pp</td>
</tr>
<tr>
<td>128</td>
<td>May – November 1972</td>
<td>Letters and telegrams from R. Lecourt, President, European Court of Justice, including one on the accession of Ireland to the E.E.C. and congratulations on his appointment as a Judge at the European Court of Justice. 4 items</td>
</tr>
<tr>
<td>129</td>
<td>22 December 1972</td>
<td>Letter from E. de Valera, Úachtaran na hÉireann, acknowledging Ó Dálaigh’s retirement from the Office of Chief Justice. 1p</td>
</tr>
<tr>
<td>130</td>
<td>29 December 1972</td>
<td>Telegram from M. Calmes, Secretary, General Council of E.E.C., informing Judge Ó Dálaigh of the decision taken at the Conference of Representatives of Member Governments of the E.E.C. to appoint him to the Court of Justice of the European Community. 1 item</td>
</tr>
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</table>
b. Official Matters

131  15 March 1973- 17 June 1974
Correspondence and notes concerning the status of the Irish language among the official community languages. 21pp

132  15-18 November 1973
Correspondence concerning the case of Mary Costigan and her dismissal from BASF. She seeks Judge Ó Dálaigh’s intervention in the matter. 5pp

c. General Concerns

133  February 1973- March 1974
General correspondence and memos relating to E.E.C. matters including the addition of the Kings Inns Library to the list of institutions receiving copies of the Court of Justice’s Orders and Conclusions (18 April 1973, 4 March 1974); and proposals for the issue of a diary/directory relating specifically to the European Communities. 8 items

d. Official Publications

134  1973
List of steps to be followed in the European Court to obtain a preliminary ruling and appeal. 1 item

135  1973-74
Folder of photocopied internal memos and reports mainly on legal and administrative matters. 17 items

136  April 1973
Copies of speeches made by members of the European Judiciary. 3 items
Cearbhall Ó Dálaigh Papers

137  1973  Reports and statistical analyses of Court business.  3 items

138  1973-74  Folder of printed legislative texts mainly relevant statutes of European Community states, including internal laws allowing for the accession of the U.K. (1972) and Ireland (1972).  7 items

139  1973-74  Folder of photocopied newspaper articles concerning legal matters affecting the E.E.C. during Ó Dálaigh’s term of office in the European Court.  50pp

140  1974  List of proceedings in the ‘First Chamber’ giving details of cases, presiding Judges and additional proceedings.  1 item

141  1974  Text of ‘The Powers of the Court of Justice’ by A.M. Donner.  1 item

142  December 1975  Copy of ‘L’Union Européene’, the report on the European Council by Leo Tindemans, Brusselles. French original and unofficial English translation by the Department of Foreign Affairs.  2 items
II. Private Papers

a. Personal Material

2 folders of correspondence on literary and general cultural activities and events. Included is his nomination as patron of The Royal College of Surgeons, Dublin (4 January 1973); as Honorary Bencher (12 April 1973); requests to sit on the Ossian Prize Panel (12 November, 17 December 1973) and correspondence concerning the presentation of a medal in honour of Mr Justice Murnaghan (13 & 21 May 1974); the Irish Life Drama Award and the Alliance Francaise.

145  January 1973-44pp
     November 1973

146  January 1974
     November 1974

b. Notes

147  1973-4
     Typescript notes concerning artists whose works are displayed in the Court of Justice of the European Communities. [French]
     1 item

148  [December] 1974
     Notes and drafts for speeches given at ceremonies held to mark his departure from the European Court. Also included is a handwritten essay [by Judge Ó Dálaigh] entitled ‘Une Petite Legende Irlandaise’.
     10 items
E. THE PRESIDENCY

I. Correspondence

a. Nomination and Election

149  29 November 1974-3 December 1974 Official correspondence concerning the nomination of Cearbhall Ó Dálaigh to the position of Uachtarán na hÉireann by the Government and the release of information to the press and public. 5 items

150-160 December 1974 Folders of letters, cards and telegrams congratulating Ó Dálaigh on his election as President. 1400 items

b. Presidential Business

161  February-June 1975 Visits to France, Luxembourg and Belgium: correspondence and related material relating to the two visits by President and Mrs Ó Dálaigh to France (March) and Luxembourg and Belgium (June) in 1975. Included are notes on protocol and suggested presents for hosts, and programmes for the French visit. 30pp

161a  March 1975 Menus and programmes from the official visit to France. 8 items

162  December 1975 Intruder in Arás an Uachtaráin: correspondence relating to investigations into the presence of an intruder in the grounds of Áras an Uachtarain. 6pp
c. Contemporary Issues

163  22 October 1975  Dr Herrema: Kidnapping: Rough draft of a letter to the Taoiseach, Mr Cosgrave, concerning the kidnapping of Dr Tiede Herrema in which President Ó Dálaigh offers himself as a ‘substitute hostage for Dr Herrema in the firm knowledge there can be no government compromise with blackmail’. He states ‘I do not mind dying. My death will vindicate Ireland’s honour.’ 1p

164  11 December 1975  Dr Herrema: Irish Citizenship
Copy of the speech made at the conferring of Irish Citizenship on Dr & Mrs T. Herrema at Áras an Uachtaráin. Attached is a copy of the Dutch translation. 1 item

165  [1975]  Dr Herrema: Attitude of Minister for Defence. Pages from a notebook containing an account by Mrs Ó Dálaigh of a conversation between herself and Mr Donegan, Minister for Defence, at a dinner in Áras an Uachtaráin, in which he expressed an opinion as to the most desirable course of action to resolve the impasse in the Herrema kidnapping. 3pp
Closed. Not available for consultation.

166  1974  President Nixon’s Impeachment
Draft of a reply to a query put by U.S. Ambassador Moore regarding President Ó Dálaigh’s attitude to the proposed impeachment of President Nixon. 1 item

II. Private Papers

a. General

167  January 1975-October 1976  Correspondence on a variety of subjects including several letters from school children seeking autographs and photographs; requests for assistance from citizens including a request from a father that his son be kept in mind when a King is sought for the throne of Ireland’s Eye (11 January 1975). 87pp
b. Personal

2 folders of personal correspondence including birthday and Christmas cards and acknowledgments for gifts (3 December 1975 63 items 1976 72 items)

168 1975 63 items
169 1976 72 items

c. Cultural

2 folders of correspondence relating to literary, artistic and general cultural topics and events including a lecture on the Francini brothers and Inisbofin Arts Week.

170 20 February 1975- 13 August 1976 52pp
171 27 August 1976- 22 October 1976 46pp

d. Notes

172 [1976] Notebooks containing remarks for an address to Bean de Valera on the death of her husband (1) historical notes on Wolfe Tone and notes on Eamon de Valera. 3 items

173 [1976] Background history and outline script used for a television documentary on Áras an Uachtaráin. 5pp

174-201 1974-76 Folders of notes, drafts and speeches on various state and cultural occasions including his inauguration as President (174), Royal Institute of Architects, Cobh International Folk Dancing Festival, Mayo Archaeological and Historical Society (176), Diplomatic Corps, Wexford Opera Festival (179), de Valera (180), Scoil Lorcain, North Cork Writers’ Festival, European Architectural Heritage Year (182), Delargy Festschrift (186), at the institutions of the European Community (193-4) and in France (195-199). c.2000pp
Material relating to the organisation of the ceremony for his inauguration as President. Included are lists of guests, programme and the menu.

Ghost numbers

F. EMERGENCY POWERS BILL

I. Proposals for Emergency Powers Legislation

Correspondence enclosing copies of Dáil Éireann agendas in which the orders of the day include proposals for Emergency Powers legislation.

Correspondence concerning the proposed legislation. Included is a copy of Torture, Inhuman and Degrading Treatment inflicted by the Security Forces in Northern Ireland, a report submitted to the European Commission on Human Rights by Rev. B.J. Brady (22 September 1976).

Correspondence concerning the submission of the proposed Bill to the Supreme Court and condemnation of remarks made by Mr Donegan, Minister for Defence, on the President’s submission of the Bill.

II. Notes

Folder of notes made from the initial stages of the Emergency Powers Bill, commenting on media reaction to events. Included are notes headed ‘Among the facts of the situation are the following’ commenting on the Taoiseach, Mr Cosgrave’s conduct after the remark made by Mr Donegan. Also included are notes headed ‘President by invitation’ in which is stated ‘I felt the invitation was no longer valid.’
### III. Memoranda

| 210 | September-October 1976 | Material concerning the Emergency Powers Bill (1976). Included are copies of the proposed amendments (3 & 8 September), notice of the convening of the Council of State to assess the constitutionality of the Bill (23 September) and 2 copies [annotated] of questions to be discussed. Also included are copies of the submission to the Supreme Court in favour and in opposition to the Bill and a manuscript and typescript copy of the Supreme Court’s judgement delivered in support of the Bill (15 October 1976). | 90pp |

### G. RESIGNATION

| 211 | 19-27 October 1976 | Correspondence between President Ó Dálaigh and Mr Donegan including notes and copies of the letter sent to Mr Donegan (19 October 1976); Mr Donegan’s reply (22 October 1976); draft notes and copies of a statement on the resignation issued to the Press. ‘Further facts on the Resignation’ by Bruce Arnold, *Irish Independent*, based on the statement and additional material (27 October 1976). | 65pp |

| 212 | 22 October 1976 | Copy of the official submission of resignation from the Office of the President. | 1 item |

| 213 | October-November 1976 | 8 folders of letters, cards and telegrams sympathising with the President and encouraging him to stand for renomination. [Those in folder (a) are from personal friends and were kept together by President Ó Dálaigh]. | c.1100 items |
214  [October] 1976  Drafts of a letter to Mr E. Heath MP, concerning his remarks about President Ó Dálaigh’s submission of the Emergency Powers Bill to the Supreme Court. 9pp

215  October 1976  Folder of notes including a detailed description of events leading up to the resignation. 116pp

216  October 1976  Folder of notes including a draft in which President Ó Dálaigh characterises the failure of the Taoiseach to keep him informed on matters of government as ‘an act of constitutional defiance’. (1) 47 items


218  [October 1976]  Folder containing notes and drafts entitled ‘The Resignation of a President’. 51pp

219  September-November 1976  Reference material relating to the Emergency Powers Bill (September 1976) and the general background to events leading to the President’s resignation. 5 items

220  [October] 1976  Unrevised statement of the discussion between Mr O’Malley TD, and the Taoiseach, Mr Cosgrave, on the number of visits paid to the President and the matters discussed on each occasion. 1 item

221  20 October 1976  Notice of motions in Dáil Éireann including a call by Mr Jack Lynch TD, that the Taoiseach requests Mr Donegan’s resignation. 1 item
H. RETIREMENT

I. Correspondence

a. Personal Material

223 October 1976-March 1979 Correspondence on a number of topics including the conferring of an honorary fellowship by the Royal Academy of Medicine of Ireland (30 October 1976); the Lawrence Collection (8 November 1976); the ‘Draft Ó Dálaigh’ Campaign (17 January 1977) and a letter from Hilton Edwards on the death of Michael MacLiammoir (10 March 1979).

63pp

224 October 1976-December 1977 Letters mainly extending invitations to social (24 & 26 October), artistic (3 November 1976), musical (5 & 16 November 1976) and theatrical (25 November 1976) events.

37pp

225 29-31 December 1977- Letters and ‘get well’ cards received after an accident at his home in Sneem, Co.Kerry.

50pp

b. Notes

226 [1977] Draft of an autobiographical summary (9pp) compiled for publication by Ó Dálaigh in the Belfast Telegram. Handwritten notes (52pp) compiled to assist the draft.

61pp
1977 Dissociated drafts and notes including draft instructions to his solicitor in an action against Independent Newspapers [227(1)-(4)] and rough notes on a variety of legal and literary matters. 50pp

c. Memoranda

February 1954- November 1976 Folder of material relating to personal and domestic financial matters Including some routine invoices for Áras an Uachtaráin; and a letter from John Behan, sculptor, concerning Ó Dálaigh’s prospective purchase of two bronzes. 20 items

26 November- 3 December 1976 Inauguration of President Patrick Hillery: material mainly concerning the inauguration as Uachtarán na hÉireann of Patrick J. Hillery. Included is a copy of the speech by President Spenale, Commissioner of the European Communities (17 November 1976), ‘Allocution prononcée par le Président Spenale en séance plénière en l’honneur de Président Hillery (2pp); text of a speech by Dr Hillery, Vice-President of the Commission of the European Community to the European Parliament, Luxembourg, 17 November 1976 (2pp); invitations to the inaugural ceremony and luncheon (3 December 1976). 5 items

II Visit to China

February- September 1977 Correspondence concerning the visit to China (June 1977). Included is the official invitation (9 February 1977) and correspondence and related matter concerning Ó Dálaigh’s wish to have some Chinese phrases at his disposal for the visit. 43pp

[June] 1977 Drafts and notes for speeches to be delivered during the visit. 4 items
Photographs of monuments, depicting various outdoor scenes and buildings, mainly Ming tombs. 9 items

Briefing notes and programme for the visit. 4pp

Printed items and mementoes from the visit including a book of Mao Tsetung poems (1976) and Irish poems written in Chinese. 7 items

Letters of condolence to Bean Uí Dálaigh from personal friends including Lady Longford (21 March 1978), Hilton Edwards (21 March 1978), Eamon de Buitléar (24 March 1978), George Kahn-Ackerman, Secretary General of the Council of Europe (28 March 1978) and Mrs Elizabeth Herrema (25 May 1978). 14pp

Letters of condolence [P51/236-238] and sympathy and mass cards [P51/239-240]. c.1000 items

Ghost numbers

General [P51/246] and official [P51/247] telegrams to Bean Uí Dálaigh, offering condolences on the death of her husband. c.200 items

Letter from [O]. Nixon, Chancellor of the Consulate General of Ireland, Bombay, enclosing a book of condolence signed by Representatives of 20 Consulates in India. 3 items
Lists of attendance at the funeral of Judge Ó Dálaigh including members of Government, State, Council of State and Judiciary. Also included are names of embassies represented. 2 items

K. INTERESTS AND CONCERNS

I. Capital Punishment

Case of Noel and Marie Murray:
Correspondence regarding the death sentence imposed on Noel and Marie Murray and requests urging that the sentence be commuted. 12 items

II Pére Pire (Displaced Persons) Society

a. Correspondence

3 Folders of correspondence concerning the Irish Branch of Aid to Displaced Persons Society, its establishment, activities and visits of Pére Pire, the founder, to Ireland. [Pére Pire’s letters are frequently intermingled in the correspondence].

August 1959-December 1960 c.51 items
February 1961-September 1965 c.37 items
March 1966-November 1972 12 items

b. Notes

1959-70 Notes related to the Society’s activities, possible rule changes, and Pére Pire’s visit to Ireland in May 1968. 50pp
c. Related Printed Material

255 1960 The Problem of the Refugee Pére Pire OP, Dublin. 18pp

256 1964 Peace through Dialogue Pére Pire Society. 80pp

257 Bread of Peace Pére Pire. English & Irish copies. 4pp

258 Dissociated promotional and administrative printed material including notice of the Pére Pire annual dinner dance, and a card for peace in the world. 5 items

d. Photographs

259 15 black and white photographs showing work undertaken by the Society including the building of sheltered accommodation for the elderly and the construction of villages in Germany and Austria.

III. Cheshire Homes (Irish Trust)

260 December 1970- November 1976 Correspondence received during his term as Chairman of the Cheshire Homes (Irl.). Included are letters discussing the presentation of the O’Dwyer family home, Bohola, County Mayo (13,16 July 1971) and from Leonard Cheshire, founder, paying tribute to Judge Ó Dálaigh’s contribution to the Trust Organisation (4 September 1974). 12 items

261 July 1970 Handbook on the Cheshire Homes. 1 item
IV. Civil Rights

262 1970-72 Irish Commission for Justice and Peace. Correspondence, draft policy documents, press statements, copies of Executive Council meetings and general material concerning the establishment and activities of the Commission. 50 items

V. Irish Folklore Commission and Department of Irish Folklore, University College Dublin

263 October 1952, January 1962-September 1971 Correspondence concerning the Irish Folklore Commission and a copy of published texts of speeches made at the opening of the Department of Irish Folklore, University College Dublin, 28 September 1971. 10 items

VI. Cultural Relations Committee, Department of External Affairs

Correspondence received by Ó Dálaigh during his term as Chairman of the Advisory Committee on Cultural Relations of the Department of External Affairs. Included are letters from Austin Clarke on problems surrounding the re-issue of his booklet on Modern Irish Poetry (18 July 1960); and from Kate O’Brien (12 September 1960). Also included is correspondence with the Department (13 May 1961) and with Frank Aiken, Minister for External Affairs.

264 May 1954-May 1961 36pp
265 January 1962-December 1968 32pp
266 February 1969-February 1970 54pp
267 1949-50 1st Annual Report of the Advisory Committee on Cultural Relations.
Cearbhall Ó Dálaigh Papers

268 1950-51 2nd Annual Report of the Advisory Committee on Cultural Relations.

269 1969 Padraic Pearse Festival Programme

270 1975 Copy of Arts in Ireland vol. III, no. 2.

VII. Seán Ó Riada Foundation

271 June-September 1974 Folder of material relating to the establishment of the Ó Riada Foundation and its objectives. Included is a copy of Ó Riada’s play with music ‘Spailpin a Rűin’ (Summer 1960). 6 items

VIII. Genealogy

272 1971 The Ó Dálaigh Ancestry Photocopied notes on investigations into the Ó Dálaigh Genealogy, including an extract from The Journal of the Folklore of Ireland Society. 20pp

273 January 1971- Notes, drafts and the final copy of a biographical entry for Ó Dálaigh in the The International Who’s Who Directory. 6 items
IX. Irish United Nations Association

a. Correspondence

274  June 1959-August 1968  Correspondence on the formation of the United Nations Association in Ireland. Letters include enquiries from Robert S. Smith, Acting Secretary-General, U.N. Geneva on the outcome of the inaugural meeting (27 July 1959); from Sean MacBride, Minister for External Affairs on U.N. publications (30 December 1959) and also discussion on Irish (26 March 1960) and British (1 June 1960) participation in World Refugee Year. 31pp

b. Printed Matter


X. Irish National Council on Alcoholism

a. Correspondence

276  July 1968-June 1974  Correspondence concerning the foundation of the Irish National Council on Alcoholism (December 1966), its organisation and general business (10 October 1973) including correspondence with the Department of Health. 46pp

b. Notes

277  January 1967-October 1969  Court book with a few pages used to record routine notes on I.N.C.A. business. 12pp
c. Printed Matter

278 1973-74 Typescript draft copy of the INCA Information Booklet (20pp).
Draft of INCA’s proposals for the Department of Health (7pp).
Report by INCA to the Minister for Health on alcoholism, January 1973 (90pp). 4 items

279 1974 Report of the Director (3pp) and financial statement to March 1974 (10pp). 2 items


XI. Amnesty International

281 1973-77 Correspondence from various sections of Amnesty International with reference to the conference on the Abolition of Torture, Paris, December 1973. Also included is detailed information on the case of Dr Mickhail Shtern, a Russian Jew, accused of poisoning children. 7 items
XII. King’s Inns Library

a. Correspondence

Correspondence concerning the sale of non-legal books from King’s Inns Library to raise funds to improve legal and educational facilities and also to improve the library’s holding and implement a ‘Proper Cataloguing System’ (2 July 1971). Included are details of books for sale (12 August 1971); an Taisce’s opposition to the sale of rare books of Irish interest (20 April 1972), its offer and that of another institution to purchase them (28 September 1972); letter from Declan Costello, Attorney General (3 July 1973, 1p) and a member of the Library Committee of the Benchers, requesting assistance in identifying worthwhile works on the Court of Justice of the European Community and on European law in general for acquisition by the Library.

282 1969-71 14 items

283 1972-73 19 items

b. Printed Matter

284 1955 Typescript copy of a report on the King’s Inns Library. 30pp

285 Typescript copy of extracts from guides to Dublin mentioning the King’s Inns Library. 4pp
XIII. Chester Beatty Library

286 August-October 1976- Correspondence relating to the library and copies of documents relating to the gift of the collection to the nation including Chester Beatty’s will (7 November 1966) and a statement of financial provisions from the Department of the Taoiseach for the inclusion of the library in the Public Capital Education Programme (3 February 1972). 12 items

287 26 March 1976 Typescript notes and drafts for a speech on the opening of the Dublin Oriental Festival in the Chester Beatty Library. 10pp

XIV. The Irish Council for Overseas Students

288 October 1970- September 1976 Correspondence as Chairman of the Irish Council for Overseas Students. Matters discussed include places in Irish Universities for Foreign Students (7, 8, 28 October, 5 November 1951). 14 items

XV. The National Theatre Society Limited

289 May 1965- November 1976 Correspondence received during his trusteeship of the National Theatre Society. Included is a detailed annotated account of capital provision necessary for the establishment of an experimental theatre, the Peacock (8 September 1965); a summary of financial arrangements for the Gandhi Commemoration Programme (22 October 1969) and a request from Ulick O’Connor, Author, that Judge Ó Dálaigh meet Tomas MacAnna regarding the post of Director of the Abbey Theatre. He encloses correspondence on the subject from Tomas MacAnna and George Colley, Minister for Finance February 1972). c.10 items
290 1965 Typescript notes and for a speech at the opening of the New Abbey Theatre premises. In Irish and English 3pp

291 1965 Typescript draft copy of Abbey Theatre 1937-65: a review. 25pp

XVI. Gate Theatre

292 July 1969- November 1972 Correspondence relating to Dublin Gate Theatre Productions, including estimates of salaries, annual running and maintenance costs (30 July 1969). Also included is general correspondence from Micháel MacLiammóir, Director. (2 July & 7 November 1972) 3 items

XVII. Olympia Theatre

293 January 1976- February 1976 Letters from Brendan Smith, Joint Chairman Olympia Restoration Fund expressing gratitude for President Ó Dálaigh’s very kind contributions’ to the fund. 2 items
L. DIARIES

Irregular series of pocket appointment diaries, used to widely differing degrees, occasionally for notes or to record contact details rather than appointments. The first diary for 1976, P51/294 (5) has very few entries.

294(1) 1952
294(2) 1957
294(3) 1971
294(4) 1974
294(5) 1976
294(6) 1976
294(7) 1977

295 1973 Desk appointments diary.

Series of Stationery Office desk diaries used for a mixture of appointments and note-taking.

296(1) 1963
296(2) 1964
296(3) 1965
296(4) 1966

Irish Auctioneers’ and Valuers’ Institute desk diaries with frequent entries for appointments in his capacity as Uachtaran.

297(1) 1975
297(2) 1976
M. PRESS CUTTINGS

298  May 1946  Page from *The Leader* with mention of the appointment of Ó Dálaigh to the post of Attorney-General.

299  1963-72  Chief Justice: press cuttings related to various events during C. Ó Dálaigh’s term of office as Chief Justice.

300  1973-76  European Court Judge: press cuttings related to Cearbhall Ó Dalaigh’s appointment to the European Court and to various activities and events he attended during his period of office.

301  1974  Presidency : General: press cuttings related to his nomination, inauguration and some major events during the initial period of his Presidency including the Herrema kidnapping.


303  September 1976  Emergency Powers Bill : Submission to the Supreme Court: cuttings on the decision of President Ó Dálaigh to submit the proposed Bill to the Supreme Court to assess its constitutionality.

304  October 1976  Emergency Powers Bill: Decision. Cuttings on the decision of the Supreme Court to declare the proposed Emergency Powers Bill constitutional.

305  19 October 1976  Remarks made by Mr Donegan, Minister for Defence: cuttings on the remark made by Mr Donegan on President Ó Dálaigh’s submission of the Bill to the Supreme Court. Enclosed are notes
made on the event and an [annotated] envelope in which the material was kept. 3 items

Mr Donegan’s remark: President’s reaction: cuttings on the ‘silence’ in Áras an Uachtaráin following Mr Donegan’s remark, and the lack of response to the Minister’s apology.

Mr Donegan’s remark: Fianna Fáil’s reaction: cuttings on the Fianna Fáil motion that Mr Donegan resign.

Resignation: cuttings from Irish and British newspapers on the general crisis caused by the resignation of President Ó Dálaigh, the sequence of events, and the drafting of Dr Patrick Hillery.

Renomination: samples of ‘Draft Ó Dálaigh’ cuttings, forms published by the campaign to have him renominated to the Presidency, completed by supporters and sent to him.

Post-Resignation: cuttings of articles mainly written in assessment of the Presidency of Cearbhall Ó Dálaigh and his resignation.

Visit to China: cuttings from Irish, Chinese and the international press on the visit of Mr Ó Dálaigh to China.

Presentation binder of newspaper cuttings on the visit to China, from Liam Lonergan, Carrig Public Relations, Dublin.

Copy of Pekin Information, May 1977, containing the text of a speech by President Houa Kuou-feng, addressing a conference on industrial development. In French. 15pp
314 April 1978 **Death:** 2 cuttings paying tribute to Cearbhall Ó Dálaigh after his death.

315 1952-71 **Legal:** cuttings mainly on legal matters. 10 items

316 **1948-76** **Politics:** cuttings on general political affairs including two items by Ó Dálaigh. 10 items

317 1944-76 **Arts:** cuttings on language movements, and literary and artistic subjects. 12 items

318 15-22 April 1972 **Kings Inns Library.** Cuttings relating to the Library in general and to the proposed sale of non-legal books 17 items

**N. PHOTOGRAPHS**

319 early 1920s Copy of a school group photo including Cearbhall Ó Dálaigh at approximately 5-7 years of age.

320 [1922] Copies of a formal group black and white photograph of the Judiciary of the Irish Free State. 2 items

321 [1946/47] Black and white photograph of Cearbhall Ó Dálaigh, Attorney General, standing with Tom Clarke, U.S. Attorney General

323 1951-72  6 black and white photographs of Chief Justice Ó Dálaigh in his judge's wig and gown, with slight variations as to position of the subject.

324 [1972]  Copy of a black and white press photograph of a group including Eamon de Valera, Cearbhall Ó Dálaigh, Patrick J. Hillery and Professor P.K. Lynch. © Irish Press

325 Undated  Copies of press photos taken at the International Bar Association Conference. Judge Ó Dálaigh is seen as part of a group listening to an address by U. Thant. (1). Also group photo of Eamon de Valera, Jack Lynch T.D., and Cearbhall Ó Dálaigh. 2 items

326 1963-72  Group photos including Cearbhall Ó Dálaigh taken during his term of office as Chief Justice, mainly at cultural and tourist events. 4 items

327 19 October 1971  Black and white group photo taken at the Irish International Council on Alcholism Conference Dinner showing Cearbhall Ó Dálaigh delivering an address.

328 1974-76  Photographs taken during the term of his Presidency, mostly in colour and of an informal nature, but including a black and white photograph alone and in pensive mode outside Áras an Uachtaráin. 5 items
Cearbhall Ó Dálaigh standing with his dogs outside a pharmacy in Sneem, County Kerry after his resignation.

Passport photo of Cearbhall Ó Dálaigh.