

Ans. 2 by 4. Jan. 25

Whitcomb

Jan. 2? 1875

Purch

My dear Haddington

Haddington has just been here,  
 and feels uncomfortable (and perhaps not  
 without some reason) that the instant appointment  
 together - of those men so marked in Politics  
 as Sefton, Shaw, and Gregory to the  
 Purvey Council - would have a bad effect  
 upon the public mind in Ireland, and  
 lead to Emmet's

impression as to the Policy of the Government.

He told him under what circumstances Lepoy and Shaw had been encouraged to capture the Privy Council -

His objection was not at all to them - or indeed to Gregory - but his fear was, that their appointment together, unmixed with Holqany's man, would be an indication which we did not ourselves intend.

He seemed to think it possible that at three might be in attendance, on the very day of his arrival, at three tables, & be sworn at the first Council

Said Mought that this was impossible -

He admitted whether the first Council for the reception of the Lord Lieutenant, was a proper one for the swearing in of new members - and that it was very unlikely that they had received summons to attend at that particular Council or at any other.

If they had not - every objection would in my opinion be answered by placing Shaw and Lepoy in the Council at an early period after the Lord Lieutenant's arrival - but that there was no necessity for any immediate demonstration

or proceeding with regard to them.

As for Gregory Baird, I had not written  
to him at all - and was not aware that  
you had - though we both thought his  
appointment would be a very proper one.

Am I not right in supposing that no  
order have been given for the summons  
of any other parties to the Privy Council, for  
any particular day - and that you and the  
Law Secretary can settle on your arrival  
the best mode of doing what is proposed  
to do? I think the instant appointment

after three or the same Council - and  
after three only, would not have a good  
effect.

Even my dear Hardinge  
and I  
Prober Sec..

Wm. L. King, Hardinge

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2 Jan 1795

Mr Robert Peel.

Messrs of Messrs  
Messrs Messrs & the  
Dining Council

and 4/11

Cops

private

Parliament Place

3. Jan<sup>r</sup> 1835.

Sir

Agreeably to your desire I have the Honor  
of transmitting to you, some of the Tithe  
Papers in my possession. They have all been  
prepared by me; and I shall be very happy  
if they shall tend in any degree, to facilitate  
such enquiries as you may think fit to  
institute, as to the best mode of dealing  
with this intricate and difficult subject. I  
feel quite secure in communicating these  
Papers to you, that I shall not subject myself  
to misconstruction. It was my duty upon  
the principles which the late Government laid  
down for my direction, to submit to their

consideration, the bearings of the manifold details of the Bill; and by every exertion in my power, which they required, to supply to them the materials on which they were to decide the questions connected with the measure, and in which the principles of law, the rights of property, and policy were almost inextricably blended.

I am persuaded you will regard it as an earnest of the fidelity with which I shall serve you, that upon communicating these papers to you, I have asked Lord Melbourne whether these papers having been prepared under His Government and Lord Grey's I was at liberty to use them. His Lordship in reply, said

I was at full liberty to do so. But as a Member of the Government you will no doubt feel the inconvenience of such papers passing out of the hands of the immediate servants of the Crown.

I have written a letter to Sir Robert Peel, stating as he desired I should, the circumstances under which I hold my present house: and with my best acknowledgements for the indulgence with which you allowed me to trouble you on the subject, I beg to enclose it for your perusal, begging you to transmit it to him, with your own opinion as to the propriety & advantage of allowing me to retain possession of it. As the notice

if need of the late Treasury required me to give it  
up on the 24<sup>th</sup> of last month, I would entreat  
you to do this with as little delay as your leisure  
may allow.

I have the Honor to be

—

P. H. M. O'Hanlon

The Right Hon<sup>ble</sup>

In Henry Stoddard

—



Most Private

Chesham  
Jan. 5. 1838

My dear Harcourt,

I enclose a copy of a letter which I  
have written to the Duke of Wellington, and most  
earnestly solicit your immediate consideration of the  
subject of it. I cannot overrate its importance in  
point of popular impression. Ever most  
Respectful.

P. A. A.

To Henry Harcourt

Launceston

Copy

ConfidentialWhitehall Jan: 5<sup>th</sup> 1835

My Dear Duke,

I think that we should gain so much of public good will, by announcing in the King's Speech (if we can announce) the fact - that notwithstanding all former Reductions - the Estimates of the present Year were lower than any preceding Estimate since 1793 - that it is most important that the Head of each Department should commence, without delay, a consideration of what retrenchments can be made consistently with the true & permanent interests of the Public Service,

w

that branch of it over which he presides.

If a little be done in each Department  
the aggregate may justify such a declaration  
as that to which I have referred. I need  
not say that I would not purchase the  
advantage of such a declaration by any  
Reduction that could not safely be made  
at the same time - I think that if we  
can honestly have the advantage, it may  
have a very material bearing upon the  
stability of our Government.

Ever &c  
yours

Robert Peel

His Grace

The Duke of Wellington &c

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Whitehall  
January 10 1835.

My Lord  
of the many objects to  
which, on your arrival in Ireland,  
your Excellency's attention will  
necessarily be directed, the most  
prominent both in urgency and importance,  
is the state of the law affecting  
Tithes. The great changes which  
have recently taken place in the  
law by which the levy of Tithes  
is regulated. The temporary arrang-  
ments which have been from  
time to time made to meet  
immediate difficulties and the  
expectations which these and other  
circumstances have raised both  
in the tithe owner and the  
tithe payer, that some further  
measures were in contemplation  
all conspire to render it more

His Excellency

The Lord Lieutenant

than

than ever necessary, to attempt  
the final adjustment of a  
question, not more remarkable  
for its difficulty than for the  
effect which its continued agitation  
must have upon the tranquillity  
of the Country.

I feel it therefore my  
duty to take this the earliest  
opportunity of submitting to  
your Excellency those points,  
which appear to me to require  
at once your Excellency's earliest  
and most deliberate consideration,  
and as a necessary preliminary  
to notice the progress which  
has been made in Legislation  
on this Subject.

I need scarcely  
observe to your Excellency, that  
for many years past a  
commutation of Tithes in  
Ireland has been an object  
to

to which the deliberations of  
the Government and of the  
Parliament have been frequently  
directed; and if no measure  
has resulted from those  
deliberations, it is more to be  
attributed to the necessity which  
was felt to exist of first adopting  
certain preliminary measures  
essential to a satisfactory Commutation  
than to any doubt as to its  
ultimate propriety and advantage,

The Tithes Commutation  
Acts of the years 1823 and 1824  
were the first steps taken in  
Parliament professedly with this  
object, Those laws by defectively  
fixing for a period of years  
the amount to be paid in every  
Parish in which they might be  
adopted and by apportioning  
the burden equally upon all  
land

land, not tithes free, within  
the parish, and by transferring  
the payment in future from  
the occupier to the land owner,  
not only conferred many substantial  
advantages on all the parties  
concerned, but removed many of  
the popular objections which had  
been made to the payments  
of Tithes. At the same time,  
also, by definitively fixing the  
value of Tithes, those laws  
facilitated a final substitution  
of some other provision in  
lieu of it. As these Acts were  
however in their principal  
enactments only permissive and  
consequently could not be  
brought into operation so rapidly  
as it might have been wished for  
or as the exigencies of the time  
required, the legislature deemed  
it advisable in the year 1832  
to

to reinforce the provisions of  
that law by a compulsory  
enactment the effect of which has  
been to substitute for the payment  
of Tithes a fixed and permanent  
composition in every parish in  
Ireland.

This statute (the 5<sup>th</sup> and  
6<sup>th</sup> Wm IV c 119) has also more effectually  
secured the transfer of the  
payment from the occupying  
tenant to the owner of the soil  
as the leases under which lands  
were held fell in. With a view  
to accelerate the accomplishment  
of this latter object, the Law  
further gave for a limited  
period a considerable bonus to  
the Landlords on taking the  
payment of the composition  
voluntarily upon themselves even  
before the termination of existing  
Leases - This period originally  
limited

limited to February 1833 was  
further prolonged by an Act  
passed in the following year  
3 & 4 W IV c 100 to the 29<sup>th</sup> August 1834

Under the existing Law  
in Ireland the following advan-  
tages have been actually secured,  
1<sup>st</sup> a fixed and certain annual  
payment has been universally  
substituted for the annually  
varying demand on account of  
Tithe, and agriculture in Ireland  
has been relieved from what  
was considered the great obstacle  
to its extension and improvement.

2<sup>d</sup> The peasantry who hold  
their land from year to year  
have been relieved from any  
demand upon them upon account  
of Tithe, and stand precisely  
in the situation of those who  
previously occupied Land that was  
Tithe free.

Tithe free, they are thereby  
relieved from what was urged  
as a considerable grievance, the  
payment by them to a minister  
of a different religious persuasion,  
to their own.

Having thus laid before  
your Excellency the progressive  
operation and the actual state  
of the Law, I would next  
call your Excellency's attention  
to the points which yet remain  
for consideration, and adjustment,  
and I am happy to think that  
these do not so much require  
the introduction of new principles  
as the furtherance of those  
already adopted and sanctioned  
by the Legislature -

The first defect of  
the existing Law is, that the  
relief from payment which it  
professes to give to the occupying  
tenant

tenant has been limited to those who hold from year to year or to those whose landlords have voluntarily adopted the payment on account of their tenants,

The consequence is, that the composition is still over a great portion of the County levied by the title Owner from persons who are equally ready, to avail themselves of the plea of a different, <sup>religious</sup> creed, in order to evade or to resist the payment, and who find no difficulty in outwitting in such a case the feelings and services of the lower Orders,

One object to be desired is, the immediate transfer of the payment from the tenant to the landlord who will,

Under

under the existing law, be ultimately liable to the charge giving to him the right to recover from his tenant a corresponding amount of rent.

It will be for your Excellency to consider whether that object can be attained by a mere extension of the period allowed to the Chief Landlord under the existing Acts of Parliament and a continuance of the advantages there given, or whether it may not be necessary to hold out, on the part of the public, for a limited period, some additional inducements; or if that should be deemed ineffective, to annex to those inducements a power (similar to that exerted by the Legislature in the

The



the case of Compositions) of  
ultimately compelling on equitable  
terms the transfer to himself  
of the composition payable by  
his tenant.

The great and ultimate  
object however must be the  
arrangement of a final commut-  
ation of tithes, of some place  
which may enable the landlord  
to redeem the composition, to  
which he may be liable, either  
by the assignment, in lieu of it,  
of an adequate portion of land  
on which it may be charged,  
or by purchase at a rate  
proportioned to the market value  
of the annuity to be redeemed,  
taking care always that the  
produce of this land or purchase  
money, so far as they regard the  
Lay impropriator, be duly secured for

for the benefit of those who have  
now the legal right to the  
compositions, and so far as they  
are held by the clergy for the  
advancement of the interests of  
Established Church in Ireland.

Your Excellency has  
the means which the Government  
here do not so fully possess, of  
ascertaining the views, the disposition  
and the feelings of the different  
parties more immediately interested  
in such an arrangement.

I shall content myself  
therefore on the present occasion,  
with designating the object,  
which the Government have in  
view, and shall postpone the  
consideration of the details of  
any measure until you Excellency  
shall have had an opportunity  
of personal communication and  
local inquiry and shall have it

It is in your power to transmit  
to me that information  
which can only be effectually  
obtained by such means.

I have &c

(signed)

Henry Goulburn

Smith's Colls  
Vol 11  
Folio -