

**AN INQUIRY INTO THE TRUTH OF THE  
ACCUSATIONS MADE AGAINST THE  
MARQUIS OF CLANRICARDE, IN THE  
CAUSE OF HANDCOCK V. DELACOUR,  
LATELY HEARD IN THE IRISH COURT OF  
CHANCERY**

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An Inquiry Into the Truth of the Accusations Made Against the Marquis of Clanricarde, in the cause of Handcock v. Delacour, lately heard in the Irish court of Chancery by Various

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**VARIOUS**

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It has required some time to collect the exact dates, documents, and information which form the matter of the following Pamphlet. Many of them relate to ordinary incidents of life, which leave no impression upon the memory, but which, in this case, have been distorted into important evidence to sustain a falsely assumed, and foregone conclusion.

*April 5, 1855.*

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## INQUIRY,

ETC.

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THE cause of *Handcock v. Delacour*, lately heard before the Lord Chancellor of Ireland, and compromised under his sanction, has attracted an unusual degree of public attention and interest. The stake was large, the circumstances were peculiar, but the cause is principally remarkable in this; that both in Court and out of Court, the arguments of the Counsel and the criticisms of the Public Press, have been directed against one who has hitherto had no opportunity of defence or explanation. The Marquis of Clauricarde was not a party to the cause; he was only a witness, deposing at the request of one of the contending parties, to his recollection of facts which had been within his own knowledge; he was not called upon to answer any charges made against him; he did not know what had been sworn to by the witnesses on the other side, he was not, and could not have been represented by Counsel at the hearing of the cause. Any man placed in such a position has a right to require at the hands of those whose official position, or whose profession gives weight, or extensive publicity to their opinion, some

candour in weighing the testimony on which the charge is made, and some caution in pronouncing a decision. This justice has been denied to Lord Clanricarde; and he has sought, but sought in vain, to obtain by means of a strict official investigation the opportunity of clearing himself from the cruel imputations which the unjust and hasty criticism of the newspapers had made against him.

As soon as the trial, in the course of which these charges had been made was ended, Lord Clanricarde lost no time in requesting the Lord Chancellor, the Judge who had heard the cause, and knew what had been charged, and what had been proved in that cause, to take such steps as might lead to an official inquiry into the subject, and he urged as a reason for his request, that hitherto he had had no opportunity of meeting the charges. The Lord Chancellor in the exercise of his discretion refused this request; and had he confined his reply to this, Lord Clanricarde, though he might regret, and might suffer by the decision, would have no just cause of complaint; but, most strangely the Lord Chancellor in his reply insinuated, and suggested that Lord Clanricarde might have answered these charges in the course of the proceedings in Chancery, and that he had failed to use the opportunity of so doing. The Lord Chancellor, when he wrote his letter, must have forgotten with what unusual vehemence he had, himself, in the course of this very trial, protested against hearing the Counsel of one of the parties to

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the suit, because his interest was only that of a trustee for the principal defendant. It is not respectful to imagine that his Lordship would have received with more indulgence any attempt at explanation on the part of Lord Clanricarde, who was only a witness.\*

Failing in this attempt, Lord Clanricarde addressed himself to the Lord Lieutenant, but the Lord Lieutenant did not think himself authorised to inquire into charges, which, though gravely affecting private character, did not involve official misconduct. Under these circumstances Lord Clanricarde made an affidavit, which has been filed in the Court of Chancery in Ireland, meeting in detail the principal charges made against him, and which he confidently submits to the judgment of all those, who have the patience to peruse it carefully, and the candour to correct by the new facts now presented to them,

\* The following is the reported interruption of Counsel referred to. *The Lord Chancellor* : "For whom do you appear *Sergeant O'Brien*?" *Sergeant O'Brien* : "For the Executors under the Will of Mrs. Handcock." *The Lord Chancellor* : "It does appear to me to be the oddest thing in the world why you should take such trouble upon yourself to defend this case, when it has been placed by the Court in the hands of a Solicitor, who is instructed to defend the Minor's right. I wish from all my heart the Minor had you for his Counsel; but what is the meaning of this great, this energetic action on the part of simple trustees—who have no more interest in the matter than I have—I cannot understand. It does strike me that it is very suspicious to see such energy displayed, and for what sinister or indirect purpose, I cannot tell."



the erroneous impressions which sweeping and unscrupulous accusations, and unfair criticism may have left on their minds.

The object of these pages is to lay before the public a short plain statement of this painful case, that every one may judge for himself between the accused, and the accusers. But it is necessary to go somewhat into details, because it is upon the unfair colouring given to details, most of which are incident to ordinary social life, that it is attempted to sustain the accusations made against Lord Clanricarde.

The great mass of readers, who have only read the report, the speeches of the Counsel, and the articles in the newspapers, have doubtless no very distinct idea of what was charged; certainly not the smallest idea of how little was really proved. Their prevailing impression probably is, that Lord Clanricarde's object, for some years of his life, was to obtain for an illegitimate child of his own, the inheritance of Mr. Hancock's family; that to obtain his object he stooped to extort from Mr. Hancock in his deathbed, and afterwards from his daughters, the necessary deeds and instruments; that he actually connived at, and encouraged a long course of treatment and neglect, which shortened the lives of those who stood between the boy and the coveted inheritance, and that the recent compromise of the suit was an attempt on the part of Lord Clanricarde to withdraw from public observation and censure actions which would not bear the light. These are grave charges,

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and every one must feel, that much more than the character of any one individual is in peril, if such charges are to be taken for truth, on no better authority than the speech of an advocate, or a smart article in a newspaper, and all men are interested in doing, as in duty they are bound to do, the common justice of weighing the case dispassionately and fairly.

First of all, the reader is entreated to observe, that with the compromise, be it right or wrong, Lord Clanricarde has no concern whatever. He had neither the will, nor the power to bring it about; it was an arrangement made by the contending parties, and sanctioned by the Court, without any consent or interference whatever on the part of Lord Clanricarde.

The circumstances of the Cause of *Handcock v. Delacour* are simply these. In 1824, Mr. William Henry Hancock married Catherine Josephine Kelly. He died in 1843, leaving his wife and three daughters, namely, Josephine, Kathleen, and Honoria. Assuming that Mr. Hancock died without male issue, these three daughters succeeded as coheiresses to his estates in Galway, which were of considerable value. In 1849, Kathleen died intestate, and the entire estates then devolved on her two sisters. Josephine by her will gave to her sister all her landed estates, charged with a legacy of £10,000 for her mother, to be paid on the marriage of Honoria; but on the event of Honoria dying without issue, the estates were to be

sold, and the produce paid to the mother. Josephine died on the 24th June, 1851, and by a deed bearing date, 29th December, 1851, Honoria, the surviving daughter, settled her estates on herself for life, and after her death upon her mother, but she reserved to herself the right to revoke the deed.

Mrs. Hancock died on the 26th day of February, 1853, having by Will given all her property to John Delacour, the principal defendant in the cause of Hancock *v.* Delacour. Honoria Hancock did not long survive her mother; she died on the 12th December, 1853, intestate, and without having revoked the deed of 29th December, 1851, so that upon her death the entire estate devolved upon John Delacour, the devisee under the will of the mother.

The Plaintiff, in the cause, is John Stratford Hancock, the brother of William Henry Hancock; and he claims the whole estates as the heir-at-law of Honoria, his niece; and the object of the suit was to set aside the will of Josephine, and certain deeds confirming the same, and to set aside the deed of 29th December, 1851, by which Honoria settled the estate on her mother; on the ground that these instruments had been obtained by the mother by undue influence, and fraud.

The Plaintiff's allegation is, that John Delacour was born in June, 1841, and was the illegitimate child of Mrs. Hancock. It is singular that there appears to have been no evidence whatever to shew that John Delacour was the child of Mrs.