

ORIGINAL

BUREAU OF MILITARY HISTORY 1913-21
BUREO STAIRE MILLENIA 1913-21
NO. W.S. 207

ROINN



COSANTA.

BUREAU OF MILITARY HISTORY, 1913-21.

STATEMENT BY WITNESS

DOCUMENT NO. W.S.207.....

Witness

Rev. Fr. Aloysius, O.F.M.,
Capuchin Friary,
Church St., Dublin.

Identity

Confessor to some of I.V. Leaders
before their execution in 1916.

Subject

- (i) Notes on trial of Rev. Fr. Dominic
1920.
- (ii) Covering Letter.Statement.

Conditions, if any, stipulated by Witness

Nil.

File No. S.1285.....

Form B.S.M. 2.

W. S. 207

ORIGINAL

ROINN COSANTA.



Teléfón 61018.

BURO STAIRE MILEATA 1913-21

(Bureau of Military History 1913-21).

26 RAEDH NA NIARTHARACH,
(26 Westland Row),

BAILE ÁTHA CLIATH.
(Dublin).

9th March, 1949.

These notes were put together in the Spring of 1921, shortly after the trial of Fr. Dominic. There are a few blanks in the text, owing to the bad typing of the original manuscript, which I cannot locate. The blanks, however, do not affect the sense and the information.

SIGNED:

F. Acoyries
O'Fiaich

BUREAU OF MILITARY HISTORY 1913-21

BURO STAIRE MILEATA 1913-21

NO. W.S. 207

ORIGINAL

BUREAU OF MILITARY HISTORY 1913-21
BUREO STADE MALEATA 1913-21
No. W.S. 207

Father Dominic is 37 years of age and was ordained in 1906. In 1916-17 he served as Chaplain to the British Forces - most of his time being spent at Salonica where his devotion to the soldiers and his bravery won the affection of those under his spiritual charge and the admiration of all classes.

On return from the Front, he resumed his ministrations in Cork - preaching, hearing confessions and giving missions. He also acted as Calendarist of the Province.

In February 1920 he was appointed Chaplain by the Lord Mayor of Cork - Thomas MacCurtain. This ancient and venerable office had not been filled for some 36 years and the new Lord Mayor, an ardent catholic and member of the Third Order of St. Francis, as well as a man of great mental *ability* and exceptional administrative talent determined to revive the office.

On March 19th 1920 Lord Mayor MacCurtain was assassinated according to the verdict of the inquest, which took exhaustive evidence, by the Crown Forces. In view of the awful tragedy and the feverish excitement caused by the crime, Father Dominic deemed it necessary to issue a manifesto to the citizens counselling them to calmness and abstention from reprisals. The following are words excerpted from the Manifesto -

"Let no provocation move the citizens or any of them to retaliation or to take unseemly act. Let the utmost calmness be observed. No private individual can justify himself in punishing the evil doers. To the prayers of all I command the soul of our departed hero, father and friend and forget not his bereaved wife, children and friends".

The successor of Lord Mayor MacCurtain - Terence McSwiney - was elected on the 30th March 1920 and he re-appointed Father Dominic to the Lord Mayor's Chaplaincy. Terence MacSwiney was arrested on the 12th August and charged with having certain political documents under his control and, on the 16th August, was sentenced by Courtmartial to two years' imprisonment. The Lord Mayor, already in a weakly condition, became seriously ill at Brixton Prison, London,

and Father Dominic, his chaplain, was asked to attend him. On the 17th August he applied for safe conduct to assist His Lordship and shortly after that he crossed to London and remained in attendance on the Lord Mayor till his death on October 25th. After a fast of 74 days Terence MacSwiney expired at 5.40 on that morning and Father Dominic acquainted his Deputy Lord Mayor in the following terms:-

"The Lord Mayor completed his sacrifice for Ireland at 5.40 this morning. Please inform Bishop. Respectfully request my fellow-citizens to maintain the same calm dignified bearing as on the assassination of Thomas MacCurtain. My deepest sympathy to his friends, fellow citizens and fellow-soldiers".

"No vain regrets but fervent prayers, no useless sighs but firm resolves to emulate his patient and heroic endurance in bearing all that God requires of us in establishing the Republic on a firm basis. May his brave spirit be with us always to guide and guard. Ar Dheis De go raibh a anam".

In reply to a correspondent of the Irish Independent who asked him if he thought any evil effects would follow the reception of the tragic news in Cork, Father Dominic said "I have not the slightest fear that anything will happen. Our people are disciplined by suffering and sorrow and will never lose their heads".

Solemn Requiem Mass was celebrated for the deceased Lord Mayor in the Pro-Cathedral, Southwark, by the Most Rev. Doctor Amigo, Bishop of Amigo, and the attendance included Most Rev. Dr. Mannix Archbishop of Melbourne, and Most Rev. Dr. Cotter, Bishop of Portsmouth. After the Requiem the remains were taken on the train for Holyhead en route for Ireland and Father Dominic accompanied them. At Holyhead the forces of the Crown seized the remains and put them on board a steamer in charge of "Black and Tans" and transferred them direct to Cork. It had been arranged that a Solemn Requiem should be celebrated at the Cathedral in Dublin where the remains were to rest until the transfer to a special train. The Requiem Mass was celebrated (in absentia cad.) His Grace, the Archbishop presided and the Cathedral was filled with a

devout congregation, including the Lord Mayor of Dublin and leading citizens and a very large gathering of the clergy. Father Dominic was present and travelled by the evening train to Cork. He had not slept for nights and looked worn and spent.

It was said that threats had been made that when he returned to Cork, he would be done for, and a letter was left in a Sinn Fain Hall in which occurred the threat to throw his body in the Lee. For his safety and to rest him after the terrible strain of his trying ministrations during the tragedy of the late Lord Mayor's agony and death, the Father Provincial sent him to Kilkenny giving him permission to go to Dublin also. In both places he occupied himself with transcriptions of his and other work in connection with the process of the canonisation of the Irish Martyrs. During his stay in Dublin he rarely left the house and during part of the time he was unwell. He arrived in Dublin in November. It was on the 21st November that occurred the awful tragedies to which reference was made in the letter which formed the substance of one of the charges on which he was later tried by courtmartial. The letter was written on the 26th November and was addressed to the owner of the house in which he had stayed during the period of his ministrations at Brixton Prison, and with whom he was on the friendliest and most intimate terms. The letter was meant for him alone and never could have reached the public to cause disaffection if it had not been given to the world by the courtmartial. The statements made in it were mere hearsay and common report, related to one with whom he enjoyed easy and confidential relations, just as one would gossip with a familiar friend or companion.

The raid on the Monastery, Church St. took place about 10.20 on the night of December 16th and continued till close on 4 a.m. on the 17th December. There must have been about 300 soldiers engaged in the operation and some sixty fully armed men occupied the Monastery. The soldiers got over the railings, gates and walls - armoured cars and cars with powerful searchlights patrolled the

streets adjoining. All apartments of the house were minutely searched - Church, Confessionals, Sacristy were visited, presses and desks were opened, beds examined, books, documents, miscellaneous and private letters were thoroughly examined and waste paper baskets examined. Fathers Dominic and Albert were placed under arrest and given about a half an hour to prepare, being under guard during that time, and about 1.30 a.m. were taken to the Castle under armed escort. Father Albert was released after a few hours and was home by 4.30 a.m. but Father Dominic was detained. For two days no tidings of his whereabouts could be obtained but on Sunday the 19th December the Father Provincial and myself were informed by the Staff Captain at the Military Headquarters that he was alive and in custody at Dublin ~~custody~~^{Castle}, but we failed to obtain a permit to see him. On Wednesday, however, I succeeded in securing a visit to him in his prison cell in the Castle. On the 23rd December he was removed after Curfew hours in an armoured car to the Old Prisons, Kilmainham, where he remained in custody until the 31st January 1921, when he was transferred to Mountjoy Prison and thence by the night boat to England for Wormwood Scrubbs Prison, and, finally, after some days' stay there, removed to Parkhurst Convict Prison, Isle of Wight.

From his arrest on the morning of the 17th December to his transfer from Ireland on the 31st January, Father Dominic remained in solitary confinement. No notification of the charge was made until late on Wednesday the 5th, and he had no opportunity of consulting a solicitor until the 6th, and the courtmartial was fixed for 10.30 a.m. on the 8th January. By direction of the Father Provincial I had taken charge of such arrangements as could be made for Father Dominic's needs and comfort and, after considerable delay and trouble, I succeeded in obtaining permits to visit him and converse with him daily in presence of a guard. We arranged to provide him during the period of his detention antecedent to his trial with some extras in food and with necessary clothing, but, in the substantial fare, he had to conform to the ordinary prison diet

and to sleep on the floor with merely a small mattress under him, to keep the cell under lock and key except for an hour's exercise, morning and evening. He had, however the happiness after the first week of being able to celebrate Holy Mass nearly every morning. The officers and soldiers in immediate attendance were not unkind, and some of them were indeed as kind and considerate as it was possible for them to be within the limitations of the prison regulations. They seemed much edified by Father Dominic's demeanour as well as by the behaviour generally of the political prisoners under their charge, and Father Dominic's easy and offhand manner won their admiration and the affection of not a few. To myself, on the occasion of my visits, some of them expressed their appreciation of his courteous and gentle behaviour.

The trial by Field General Courtmartial took place on Saturday, the 8th January 1921, and was fully reported in the Press. The Court consisted of three Military Officers assisted by a Judge Advocate or legal adviser. The Prosecutor was a Military Officer. The offence and charge were (1) that in a letter written by him he had made statements or spread reports calculated to cause disaffection to His Majesty, and (2) having a memoranda the publication of which would be likely to cause disaffection to His Majesty. The Memorandum Book contained - as Father Dominic explained in his statement - only the depositions taken from the dying Lord Mayor.

CHARGE SHEET

At the conclusion of the evidence the Court closed and Father Dominic remained in custody awaiting the promulgation of his sentence, which was not announced to him until January 29th. The sentence was five years' penal servitude, with two remitted, i.e. three years' penal servitude. The British Government had on more than one occasion undertaken to the Lord Mayor of Dublin that political prisoners would receive special treatment, that is, that they would not be regarded as criminals but would enjoy certain

and privileges consistent with the of their liberty or detention for political expediency, but these undertakings were not kept to and the punishment for political offences has been, over and over again, as is Father Dominic's case penal servitude or imprisonment in convict prisons with criminal convicts and under the same conditions. In reply to queries with regard to the meaning and the correspondence of the sentence passed on Father Dominic I received the following letter from the Assistant Under-Secretary, Dublin Castle :-

"Personal.

7th February 1921.

"Dear Fr. Aloysius,

I have been in telegraphic communication with the Home Office, and have ascertained that Father Dominic is still detained at Wormwood Scrubbs but will be removed to Parkhurst in the course of a day or two. On arrival there, he will have the status of an ordinary convict and will have to conform to the convict regulations regarding diet, labour and garb, except that his hair and beard will not be cut.

In regard to the receipt of visits and letters, he will be subject to the ordinary rules for prisoners undergoing penal servitude which are regulated in stages, e.g. in the first year letters and visits will be allowed every four months if his conduct and industry are good. He will be given every facility for the recital of his Daily Office, but not for the celebration of weekly or daily Mass. He will be allowed to attend Mass on Sundays and on ~~no~~ other days when celebrated.

For any further particulars I must refer you to the Home Office, Whitehall, London, S.W.1.

Yours very truly,

W. Cope.

Revd. Father Aloysius, O.S.F.C.,
Franciscan Capuchin Friary,
Church Street,
Dublin."

On January 31st Father Dominic was led handcuffed under military escort to the boat at Dunleary and in same manner from Holyhead to London and in the prison at Wormwood Scrubbs his clerical attire was taken from him, and garbed in the ordinary criminal convict clothes and handcuffed, he was taken to Parkhurst Convict Prison in the Isle of Wight.

COMMENTS ON THE SENTENCE.

This is a terrible sentence in respect of what was the case made by the authorities, no greater offence than a mere indiscretion in a private letter alleged to have been written by him.

The Chief Secretary said in the House of Commons "I have never myself arrested or allowed anybody to be arrested merely because of his political views in Ireland". For what else but a political offence was Father Dominic convicted? Will he be accorded the treatment given to political prisoners as guaranteed by the two Chief Secretaries to the Lord Mayor of Dublin? Again, we say that sentences like this are enough to cast odium upon the regime under which they are inflicted.

"Irish Independent" Feb. 1st, 1921.

Referring to the sentence on another priest, Rev. M. Delahunty the same journal (*Irish Independent*) a few weeks previously remarked

"The charge of having in his possession seditious documents is one which might be made against any person in Great Britain or Ireland as no one knows what may, or may not be regarded by the authorities as likely to cause disaffection. There are many instances within recent times of even ballads being described as seditious, although for general some of them were publicly sold and sung without any penalty being threatened".

The Coalition now directing the destinies of the British Empire has adopted methods which any other civilised government would shrink from employing. They sent a respected priest to prison for two years to brand him as a criminal, but there is little doubt that the effect of it will be vastly different - whether the British Government like it or not the majority of the Irish people will regard him as a political martyr.

"Irish Independent" 10th January 1921.

Now comes the case of Father Dominic, once an Army Chaplain, who valiantly served in a spiritual capacity with the military forces on many a desperate field of battle in the Great War. Father Dominic was chaplain to the late Lord Mayor of Cork. The charges against him and for which he was tried and found guilty by court-

martial were in respect of alleged statements of a political character. The sentence imposed upon him is one of five years' penal servitude with two years remitted. Is the treatment guaranteed by members of the Crown for all political prisoners to be denied to Father Dominic?

"Evening Herald" Feb. 1st, 1921.

The same journal had referred to Father Dominic on the previous day in the following terms:-

"the devotion with which he administered to the spiritual needs of the late Lord Mayor McSwiney is destined to become historic, and has furnished one of the noblest chapters in the history of the relations of the Irish Soggarth with the people".

"Evening Herald" Jany. 31st. 1921.

The Irish Catholic wrote:-

"It is generally felt that the sentence of five years' penal servitude - of which two are remitted - imposed upon Father Dominic, O.S.F.C. by the court-martial is extremely severe and, to most minds, savours more of vengeance than of justice. At the worst his offences, political in their nature, were entirely of a private character, only technically could it be considered that the letter written by him and the documents found in his possession received publication other than that which they have so widely got through being made the subject of prosecution. When one sees the penalties measured out by the Civil Courts for atrocious crimes and puts alongside them sentences like that on Father Dominic by a courtmartial for what are, from the moral point of view, in comparison, mere peccadilloes, one marvels at what must be the austere rectitude of the military mind. So far as it has been manifested in Ireland at any rate, certainly the "quality of mercy" is not visibly or even temper its rigour"

"Irish Catholic" 5th Feb. 1921.

The Catholic Herald writes:

"The savagery of the sentence is simply ludicrous, but perhaps after all Father Dominic should be grateful in view of the fate of Canon Magner who was shot dead by an "insane" British officer, or of Father Griffin, the Galway priest, who was kidnapped from his house and whose remains were afterwards found buried in a cave. Father Dominic may feel that he has been lucky in comparison. Of course, before three years are over (perhaps before one year is over) the British policy of frightfulness will have been disavowed by the British people and abandoned by the Parliament and Ministry which are destined to sweep the Coalition Cabal to abysmal depths of political oblivion. Meanwhile Father Dominic has won the distinction of being the first priest condemned to penal servitude by British

Deportation in Ireland. Christendom at large will not think less of the Franciscan in his case as in that of so many others

"A felon's cap the noblest crown
An Irish head can wear"

"Catholic Herald" 5th Feb. 1921.

"The story of Father Dominic's vigil by the dying hero's bedside at Brixton" writes the same journal "is well known. The priest became one of the most widely pictured men in the European Press. The epic journey with the body of the Lord Mayor to Cork was rendered the more thrilling by the farewell at Holyhead when, amid the kneeling crowd of relatives and pressmen, Father Dominic spoke his benediction on the body of the martyr borne out to sea by the shipload of "Black and Tans" and London police"

"Catholic Herald" 5th Feb. 1921.

It may be appropriate to recall the resolution of the standing committee of the Irish Hierarchy on 13th April 1920 in connection with the tragedy that seemed imminent in Mountjoy Prison. In the course of their statement their Lordships said :-

"In almost every civilised country political prisoners, even after a fair trial, receive the treatment of political prisoners and are not degraded to the level of the criminal class, but now, to add to the miseries of this tortured country, these canons of civilisation are trampled under foot, and Irish political prisoners, tried and untried, are denied the consideration which is certainly their due, and which even last year they were allowed in Ireland. If a disaster, which will do unspeakable harm for many a day, ensues from the course, the responsibility must rest with the Government that substitutes cruelty, vengeance and gross injustice for the equity, moderation and fair play which should ever accompany the exercise of repressive law. The cry we utter today is the cry of humanity".

Resolution - Catholic Hierarchy -
13th April 1920.

In his Lenten Pastoral, 1919, His Eminence Cardinal Logue writes:-

"We are not ruled by the ordinary law, but are subject to a drastic Military Code under which actions, otherwise harmless or trivial, become grave offences and are pitilessly punished".

Besides, I had occasion to have an interview with one of the Chiefs of Staff at Headquarters on Sunday the 26th Decr. This gentleman, having made a bitter attack on Father Dominic, informed me that he (Fr. Dominic) would be courtmartialled and would be punished, and that they could give him penal servitude. Of course, he added, in what seemed to me a sneery and ironical tone, "he will get a fair trial, you can get all the legal advice you wish, but I know the value of evidence". Then he indulged in a denunciation of the Irish people whom he described as base, cowardly and contemptible, and of the priests who, he said, would want to mind themselves and who would be taught a lesson. So fierce and insulting were his references to the priests and people that I felt constrained to protest as a priest and an Irishman. I felt that it would be dishonourable for me to listen to and seem to acquiesce in the attack he made on the sacred profession to which I had the honour to belong and the people whom I loved. I cannot but think that, before any trial, Father Dominic was prejudged and that he is today in his convict garb, in his prison cell, in his hard labour and association with condemned criminals convicts being punished for the false accusations, which they failed to prove - which, in fact, they did not dare to confront him with in Court - and not for the actual insignificant political offences with which they charged him in Court. I have already referred to his treatment, pending his trial. In his own statement at the courtmartial he described the treatment he received on the night of his arrest. The same treatment was meted out to Father Albert on the same night. Then during his imprisonment, to my own knowledge, the foulest accusations were made against his character, accusations which they knew to be without foundation and which were made for the purpose of blacking his reputation. Since his deportation, similar stories have been put out and further charges whispered when the authors know that their victim could not hear them, or if he did, can have no redress or opportunity of disproving them. The same line of conduct b with other priests and when the late Lord Mayor of Cork was dying in Brixton Prison the Prime Minister of

England did not shrink from levelling at him mean charges that were never mentioned in the course of his trial and which were only given to the world when the accused could not reply. Then there is abundant evidence to show that the Agents of his Government, if not the actual responsible rulers, are obsessed with hatred for the Catholic religion and its Ministers in Ireland. Hilaire Belloc, whilst he does not believe that the English people generally are actuated by any such motive, warns them that the things that are being done in their name can bear no other appearance abroad than that their agents in Ireland are using their power and position to inflict hardships on the Catholic population. Here is an extract from his letter:-

"It must be clear to any one acquainted with the details of what is going on in Ireland, details only a very small portion of which are reported in the English Press, that the actual agents of the policy now being pursued have been chosen by orangemen for Orange purposes.

"Nothing else explains the selection of the highly paid men who are chosen to perpetrate these outrages; and nothing else explains the repeated and wanton insults offered to the Catholic religion and to its Ministers, not as the enemies of this country, but as the members of a hated religious body.

"Nothing else explains the condonation of the abominable act in Belfast whereby thousands have been rendered destitute and homeless. Nothing else explains the searchings of men and women for religious emblems and the questions continually put by the terrorists to their victims to declare their religion as a test whether it be safe to assault or kill them or to burn down their houses.

"Now, I think it is time to put to the opinion of this country the very plain question whether it can afford to indulge this small and contemptible in its luxury of religious hatred".

Referring to the murder of the Rev. Father Griffin in Galway, the Bishop of Galway, in a letter to the British Chief Secretary, said:

"This murder marks a new departure in the campaign indicating, it would appear, the beginning of an attack on the Church and religion. The evidence of this statement is founded on the following facts:- First fact - It is the belief of all in Galway that Father Griffin was shot by Government forces ... The people of Ireland do not shoot their priests Second fact - The following letter addressed to Rev. Father Considine, Gort, Co. Galway, - one of my priests - was delivered to him in Gort :- 'Four efforts to stir up the bloodlust against the Crown Forces are duly noted. You will be duly compensated, as will all the friends of the hero, Michael Collins'

"Father Considine's own offence is that he has published

what he believes to be the truth about the murder of Mrs. Quinn, one of his parishioners. To my knowledge he has done all in the power of a priest to preach and press the law of God against all crime, and in particular, he is accused of stirring up the bloodlust against the Forces of the Crown, a most false and unfounded charge

"Third fact - Last night on my return from the burial of Father Griffin, I found here the following letter addressed to Most Rev. Dr. O'Dea -

"If any member of His Majesty's Forces are interfered with in Galway, you will meet with Father Griffin's fate. Beware".

"I am now liable to be shot at any hour of the day or night if any event occur over which I have no control.

"Fourth fact - Father O'Meehan, Curate in Galway City, has been repeatedly threatened with murder. I believe him to be quite incapable of conscious wrongdoing against any man.

"Fifth fact - Father Cunnane, Curate of Moycullen, a priest of singularly inoffensive character, has also been threatened with death; his house has been shot at and robbed, the sacred vessels and holy oils have been taken by force out of their receptacles and stolen; a sacred shrine smashed, and almost all his belongings stolen or broken up."

Letter of Rev. Dr. O'Dea,
November 24th 1920.

On November 21st the Bishops, City Parish Priests and Heads of the religious Houses in Galway had issued a statement with reference to Father Griffin, whose fate was not definitely ascertained. The body was found that night buried in a bog with a bullet in the right temple:-

"Unhappily" declares the statement "the only uncommon feature in the case is that he is a priest, the crime in this respect being almost unique, inasmuch as every civilised country in the world recognises priests as men of peace and treat them as such".

We cannot but hold the British Government responsible for this outrage upon the Catholic priesthood of Ireland. It is their first duty, as rulers in this country, to protect life and property. Instead we, who live amongst the people, see with our eyes that, not only is this protection not given, but that for months past a systematic campaign of terrorism, violence and destruction of life and property has been tolerated, connived at, helped and encouraged so that amongst the bulk of the people no life or liberty or property is safe any longer.

The Archbishop of Melbourne was taken from the "Baltic" and forcibly conveyed by a Government Destroyer to Penzance on 8th August and, since that insult to His Grace, there have been frequent instances of the arrests of priests and their forcible detention from their sacred duties - these arrests generally taking place during the night time - after midnight. In many instances, often weeks in custody with serious loss to their flock, as well as personal suffering. They were released, as no crime or political offence could be charged against them or invented for their conviction. Other priests have been threatened or fired at and some have had to leave their parishes and the country, as their lives were in imminent peril. On the 6th October a priest was arrested on the public square, Galway. October 9th, a priest at Ballysodare Co. Sligo, was taken from a car and searched and his life saved only by the decisive refusal of the military to obey their officer's order to fire. October 11th, two priests arrested at an Arbitration Court. October 12th, the senior Curate at Castlebar arrested and Presbytery searched. October 14th, Rev. T. Burbage, Geashill, fired at and had a narrow escape. October 15th, armed, uniformed men entered temporary chapel at Dunmore, Co. Galway, and ordered clergy and congregation to leave. The Very Rev. Parish Priest - the Deacon of the Diocese, refused to leave and continued the sacred service. November 14th, Rev. M. Griffin, C.C. murdered in Galway. Nov. 18th, Rev. J. Kennedy, C.C. illtreated in his house by uniformed men - his collar torn off, taken in shirt and put into motor lorry, a bayonet being put to his back, and set down about two miles from his house. In church and sacristy the chalice and vestments were thrown on the floor. Nov. 23rd, Rev. Father Considine, Gort, and Most Rev. Dr. O'Dea, Bishop of Galway, received threatening letters; Fathers O'Meehan and Cunnane threatened and the house of the latter searched. Sacred vessels, Holy Oils and shrine profaned. Nov. 25th Rev. J. Glynn and Rev. J. Roddy arrested. Nov. 30th, Rev. P.M. Delahunty, Callan, arrested. December 2nd, Father Conroy, P.P., Kilmeena, arrested and lodged in military barracks. Dec. 5th, Rev. J. Fallon, P.P., taken by uniformed men and threatened with death. Dec. 4th, residence of Most Rev. Dr. Fogarty, Bishop of Killaloe, searched

and papers taken, but fortunately, His Lordship was absent as there is no doubt as to the murderous designs of the visitors. Dec. 11th, two priests assassinated by military in Cork - one taken from tramcar knocked down and ordered to write "To hell with the Pope" (This is the usual orange expression in North of Ireland) and his overcoat, vest, collar and brievary, which had been torn from him, were kicked towards him. Another priest assaulted at Summerhill, prodded with bayonet, forced to run and then fired at. Dec. 15th, Canon Magner, (over 70 years of age) P.P., put on his knees for about a quarter of an hour and then deliberately shot dead. Dec. 17th, Fathers Albert, O.S.F.C. and Dominic, O.S.F.C., arrested at 1.30 a.m., taken to Castle and subjected to examination, whilst revolvers were held to their heads and ropes dangled before them with threats of shooting and hanging. Dec. 24th, Rev. Philip Hickey arrested by military at Templemore. Dec. 30th, Rev. C. Short received threatening letter; Jany. 4th 1921, Rev. P.H. Delahunty courtmartialled and sentenced to two years' imprisonment for possession of political papers. January 6th, Rev. J. Creed and Rev. T. Spain arrested at Killaloe. Jan. 5th, Rev. T. Burbage arrested at 1.30 a.m. Without charge or trial he was transferred to a Detention Camp and is now nearly two months in custody (Feb. 1st). Jan. 10th, Rev. Fathers Glynn and Roddy released after nine weeks' custody without trial. Feb. 17th, Rev. M. Lyons, Castlegar, arrested. Rev. Father Scott, Creggs, has also been arrested.

Note: ~~Chesterfield~~ the above statement from
 "We cannot but hold" - at end of
 page 10 - ~~to arrested~~
 end of this page was compiled
 by grace of supplied to me. I cannot
 now state.

J. Clegg M.C.
 1/2/49
 S.M.C.

THE NEW PENAL CODE.

It would seem as if the Authorities are not to be moved by remonstrance or sense of decency into abandoning their of Catholic Sunday congregations, the futility as well as the odiousness of which should have been by this time brought home to them. Perhaps the most deplorable incident which attended Sunday evening's raid in the vicinity of the Pro-Cathedral may at last have this effect - though how, whoever gave the instructions for the holdup could have expected any consequence other than that which befel⁴; it is beyond our power to imagine. The darkness of the night, the narrow streets, the crowded congregation passing homewards; here are the elements for tragic happenings in these times of public excitement and alarm if armed men are brought upon the scene and there begin their usual operations

No such happenings have been reported from the vicinity of churches of any denomination other than the Catholic; it is the worshippers at the Catholic churches alone who are thus barred and their lives and limbs endangered.

5th Feby. 1921.

To me, the sentence imposed on Father Dominic was no surprise. It had already come to my knowledge that an attempt was to be made to link him up with graver accusations, but the charge proving without foundation and the evidence insupportable, it was decided to bring the accusation of causing disaffection against him, a charge that could be proved against almost every Irish thinking Irishman at the present day and for which the flimsiest evidence of unidentified and utterly unreliable witnesses sufficed.

To cite one instance. When the charge against Edward Potter, accused of the murder of Lieutenant H. Angliss, known as Mr. McMahon, on the morning of the 21st Nov. 1920, two witnesses, a Miss S. and Mr. C. were produced by the military. The evidence of these two witnesses was contradictory and was such that, without calling evidence for the defence, no jury would have listened any further to the case, but would have undoubtedly acquitted the prisoner. The principal witness, Mr. C., admitted on Counsel's cross-examination, when he was confronted with an office copy of the charge sheet, that he had been convicted of assaulting a publican and using obscene and threatening language towards him. Five witnesses, two of whom were strangers, and one of whom differed in religion and politics from the accused, testified to his not having left the house that morning until long after the time that Lieut. Angliss was killed. Notwithstanding all this evidence the boy has been sentenced to death without recommendation to mercy and the sentence is at present awaiting confirmation.

In this case the lawyer for the defence was not informed of the identity and addresses of the witnesses until the opening of the trial and was refused an adjournment for the purpose of enabling him to make inquiries about them. After the trial had concluded, important evidence reflecting on the credibility and moral character of the female witness was procured in the shape of the birth of an illegitimate child on the 22nd Nov. 1917.

*With regards to the last two paragraphs
on this page I cannot now state who compiled
them or supplied the information to me. P. A. O'Byrne*