

## JUDGES AS REFEREES

### BIOGRAPHIES

- ❖ Fawsitt Diarmaid
- ❖ O'Connor Arthur James
- ❖ O'Donnell Thomas
- ❖ MacFirbhisigh (Forbes) Tadhg
- ❖ Sheehy Eugene



**FAWSITT, Diarmaid (1884-1967)**

Born on 7 May 1884 at Ballymachthomas, Bandon, Co. Cork, son of Boyle Fawsitt and Hannah Fawsitt nee Lucy. His father, a labourer by trade, established a mercantile business which enabled the education of Diarmaid at the Christian Brothers School, Blarney, Co. Cork.

He became a founder member of the Cork Industrial Development Association, was its secretary from 1912- 1919 and was partly responsible for bringing the Ford Company plant to Cork in 1917. Already a member of Sinn Fein, Fawsitt joined the Irish Volunteers at its inception. The following month, on 14 December 1913 he was admitted to the IRB.

In 1918, he was sent to New York to sort out complex intra –nationalist rivalry which threatened to damage republican support. In 1919, on the setting up of the 1<sup>st</sup> Dail Eireann, Fawsitt was appointed Consul General of the Irish Republic in the USA. His value as a diplomat in New York lay in liaison, public relations and intelligence gathering. In 1921, he was recalled to serve with the Irish delegation as Technical Advisor to the Economic Sub-Commission during the negotiations leading to the Anglo-Irish Treaty of 6 December. Highly regarded by Michael Collins, he was the representative of the Provisional Government given credentials to ascertain the attitude of the Northern Government towards the South. (Confidential Report to Provisional Government: 3/1/22). Subsequently, Fawsitt was appointed assistant secretary in charge of Trade Branch, Department of Industry and Commerce on 1 November 1922 but was dismissed from the public service on 21 November 1922. (Fawsitt sought re-instatement to the public service in 1934 and was offered an appointment which he did not accept.)

He became a proprietor of a tobacconist on Dame St. Dublin and began to study law. He was called

to the bar in 1928 and took silk in 1938. On 3 January 1941 he was appointed a Temporary Judge of the Circuit Court and assigned to Courts in the combined circuits at Listowel, Tralee, Castlebar, Ballina, Killarney, Rathkeale, Limerick city and Clifden from 21 January to 4 March 1941. He would later serve as a Temporary Judge in the Western and Eastern Circuits before being appointed a Permanent Judge of the Circuit Court for the Eastern Circuit on 3 June 1943.

On 5 February 1944, Judge Fawsitt notified the Secretary, Department of Justice, of his acceptance of an offer from Government to act as Referee under the *Military Service Pensions Act, 1934*. He would later resume duty as Judge of the Eastern-including County Meath-Circuit until his retirement on 7 May 1956.

He married (October 1911) Catherine Kelly, daughter of William Kelly, a builder of Fethard, Co. Tipperary: she predeceased him. Their sons, Sean and Boyle, became a circuit court judge and a solicitor respectively. He resided at St. Petroc, Stillorgan, Co. Dublin.

Mr. Justice Diarmaid Fawsitt, died 27 April 1967 at St. Joseph's Nursing Home, Kilcrouney, Bray, Co. Wicklow and was buried in St. Fintan's cemetery, Sutton, Co. Dublin.

### **O'CONNOR, Arthur James (1888-1950)**

Arthur James O'Connor was born 18 May 1888 at Elm Hall, Hazelhatch, Celbridge, Co. Kildare, second son among four sons and five daughters of Art O'Connor, farmer and Elizabeth (nee Saul). He was educated at Holy Faith School, Celbridge and afterwards in Blackrock College along with his brothers James Joseph (Born 1885) and Daniel Patrick (Born 1893). He showed great academic prowess in school and was a member of the Rugby Senior Cup team in 1906. He went on to study engineering in Trinity College, Dublin and graduated in 1910 in Arts and Engineering. He later worked as an engineer for Kildare County Council and Celbridge Rural District Council.

Art O'Connor was an enthusiastic supporter of the GAA and an active member of the Gaelic League. He was also an ardent member of Sinn Fein and the Irish Volunteers. He was among the leadership of Sinn Fein arrested in May, 1918 as part of the so called 'German Plot'. During his internment in Durham Prison he contested the December 1918 General election for Sinn Fein and easily defeated the nationalist candidate, Denis McBride and was appointed Director of Agriculture in the 1<sup>st</sup> Dail. This department's main concern during O'Connor's tenure was land distribution. Agrarian violence reached a peak in the spring of 1920. In September 1920, O'Connor convinced the Dail to create the Dail Land Commission with Kevin O'Sheil and Conor Maguire as commissioners.

In May 1921 he was returned unopposed to the 2<sup>nd</sup> Dail for the constituency of Kildare-Wicklow and was appointed Minister for Agriculture. He opposed the Treaty and failed to get elected in June 1922. He took the Republican side and fought under Cathal Brugha, in O'Connell Street, in July 1922. O'Connor was interned in Mountjoy and Kilmainham.

In 1926 he was elected president of the republic when Eamon de Valera resigned the presidency of Sinn Fein. O'Connor failed to get elected for the Kildare constituency in the June 1927 General Election and never ran for office again.

He resigned the presidency as he was called to the bar in October 1927. He had a distinguished career on the Eastern circuit and was called to the inner bar in 1944. Shortly afterwards he became standing counsel to the Revenue Commissioners and was appointed circuit court judge on the Cork circuit in May 1947, resigning when he was appointed by the Government as Referee under the *Military Service Pensions (Amendment ) Act, 1949*. He died a few months later at Elm Hall on 10th May 1950.

Art O' Connor lived in Celbridge for most of his life and was very involved in the Celbridge Development Association. He never married.



**O'DONNELL, Thomas (1871 – 1943)**

Thomas (Tom) O'Donnell, teacher, parliamentarian, barrister and judge was born on 30 November 1871 at Liscarney, in the parish of Ballyduff, Dingle, Co. Kerry. The two storey house in which he was born was built by his father and is presently occupied by O'Donnell relatives. He was the second eldest child of Michael and Ellen O'Donnell (nee Rohan) and had three brothers and five sisters. His father joined the Land League in 1879 and in an attempt to have his rent reduced withheld payment. The family was evicted. He attended Farrankilla National School with his brothers and sisters.



In 1885, O'Donnell became a monitor and assisted in the running of the school until 1890 when he won the Reid Prize. This prize qualified him for a place in Marlborough Street Training College. He taught at Killorglin Boys' National School from 1892 to 1900.

In 1897, he married Nora Ryan, the eldest of three daughters of Michael Ryan of Lower Bridge Street, Killorglin and assisted his father-in-law in running his public house, grocery and poultry business.

In 1900, O'Donnell was elected as M.P. for West Kerry, as a United Irish League candidate. His attempt to deliver his maiden speech in the House of Commons in Irish was greeted with derision albeit receiving very considerable publicity. Initially, he had an uneasy relationship with the Irish Party. However by 1911, he was a confirmed Home Ruler and Constitutionalist.

The 'terrible beauty' that the execution of the 1916 Leaders spawned, marked the annihilation of the Parliamentary Party and the political demise of O'Donnell from Politics. Sinn Féin won 75 seats in the 1918 elections and *The Kerryman* and *The Liberator* lampooned and ridiculed Tom O'Donnell. He had qualified as a solicitor in 1905 and from 1917 he practiced his legal profession seriously to support his large family. Two of his ten children died in infancy, and another daughter, Nora died in September 1918. After incidents in relation to his property in Killorglin, perpetrated by RUC and the British Army in 1920, he moved to 71 Wellington Road (1921) and subsequently 26 Raglan Road, Dublin.

In 1927, he joined forces with Capt. W. Redmond in the revived National League Party. The National League won eight seats in the June General Election that year, albeit O'Donnell failed in his bid to be elected in Clare. In an attempt to unseat the government, Fianna Fáil joined forces with Labour and the National League; O'Donnell was promised that he would be proposed for Attorney General. The Cumann na nGael government survived by one vote.

O'Donnell stood unsuccessfully as a Fianna Fáil candidate for the Dublin County constituency in the 1932 general election. O'Donnell was called to the inner bar in April 1932 and served as a temporary Judge in the Cork circuit court (1935-1938).

His tenure on the Cork circuit came to an end with his appointment, on 3 December, 1938, as Referee under *The Military Service Pensions Act, 1934*. On 29 September 1941, Tom O'Donnell was appointed Judge of the Clare, Kerry and Limerick circuits, where he served in addition to his duties as Referee until his death in 1943.

Of his ten children, six survived. His sons Michael and John practiced as GP's, the third, Horace, emigrated to the USA. His surviving daughters: Eileen, Maura and Mona married Louis Kinlin, John Rolph and Cyril Boden respectively.

### **MacFirbhisigh, (Forbes) Tadhg (1906-1954)**

Tadhg was born in Cork in 1906, the eldest son of Stephen and Ellen Forbes (nee O'Sullivan). He had two older sisters, Mary Ellen and Hannah Maria and was brother-in-law of Mr Liam S. Grogan, the well known Irish scholar and historian. His father worked for a Cork brewery.

He was educated at the North Monastery, Christian Brothers' Schools. He was a member from his early days of the Gaelic League and of Fianna Eireann. He commenced studies at University College Dublin in 1922, graduating in Celtic Studies. He went on to study law and was called to the Bar some years later. During this period he took to the stage. The Abbey archives reveal that in August 1937 he played in "The Lost Leader" by Lennox Robinson, playing alongside Cyril Cusack.

Tadhg MacFirbhisigh was appointed as a temporary additional District Justice on the 12 June 1943 to assist with the increased volume of work in the District Courts and held his first court in Kildare on the 15th of that month. He was appointed as Referee under *The Military Service Pensions Act, 1934* on 25 August 1944 and would hold that appointment until 5 December 1949

Tadhg MacFirbhisigh was deeply interested in Irish Music and culture. He possessed a very good "voice" and made several gramophone recordings. He had married Marguerite Teresa Mary Keegan and had two sons, Caoimhghin Iain MacFirbhisigh and Cyril MacFirbhisigh.

A few months before he died in 1954, he was appointed a Commissioner of the Land Commission. *The Cork Examiner* described his demise as a loss to the Irish legal profession.

## Sheehy, Eugene (1883 – 1958)

Eugene Sheehy was born 26th March 1883, the younger son of David and Elizabeth Sheehy (nee McCoy) from Loughill Co. Limerick. David Sheehy was onetime M.P. in the Irish Parliamentary Party for Cork. Eugene had one brother and five sisters; three of whom married persons prominent in Irish public life in the early part of the twentieth century: Francis Sheehy Skeffington, Tom Kettle and Francis Cruise O'Brien.

Eugene studied at Belvedere College Dublin. The family lived at 11 Temple Street and James Joyce was one of his fellow students in 1899.

At the age of sixteen, Eugene went from Belvedere to the old Royal University (now UCD). He graduated with a B.A. in 1903 and became a teacher in a secondary school in Bray, Co. Wicklow. In 1906 he joined the Civil Service in the accountant general's office of the High Court, where he transferred to the Chancery chambers of Mr. Justice Dunbar Plunket Barton. He was called to the bar in 1910 and practised on the north-eastern circuit. He was prizeman at King's Inns with his brother and won the O'Hagan Prize for oratory.

Sheehy was a member of the Irish Volunteers. Like many young Irishmen of ideals and like his brother-in-law, Tom Kettle, he joined the British Army at the outbreak of War in 1914. He was a commissioned officer with the Royal Dublin Fusiliers and served in Dublin during the Easter Rising. *"The Rising was a source of heartbreak to me and many tens of thousands of Irish Nationalists who had joined the British Army. We had done so at the request of our elected representatives"*. He saw action with the 1st Battalion, RDF from July to November 1916 at the Somme and at Ypres. After he was demobilised in January 1919, he resumed his legal career as a barrister, this time joining the Leinster circuit.

In June 1922, Eugene Sheehy was appointed as legal officer to the National Army, and from June 1923 to January 1925 he served as judicial commissioner under the Dail Eireann Courts Act (1923). In January 1928, he was appointed Judge Advocate General to the Defence Forces and in October the same year as a Judge of the circuit court. In June 1950 he was appointed Referee under the *Military Service Pensions Act 1934*, being replaced later that year by Mr Justice Tadhg Mac Fírbhisigh. He later resumed his duty as Referee in January 1955 and served in that appointment until the office was wound up in September 1958.

In 1951, he had published his humorous and tolerant account of a judge's life on the circuit *'May It*



*Please The Court'.*

In 1923 he married Carmel, the daughter of Thomas Neary of Palmerstown Park, Dublin. They had two children, David, who became a circuit court judge and Ruth a nun in the Sacred Heart Order. The Sheehys lived in Palmerstown Road, Rathgar and Rathmines. Eugene died 23 October 1958 in Dublin.



**Military Service  
Pensions Collection**